

MEXICO

United Mexican States

Head of state and government: **Andrés Manuel López Obrador**

The government responded to the COVID-19 pandemic with cuts to public spending in various areas. Health workers reported that they lacked access to personal protective equipment and the benefits needed to ensure a safe working environment. Reports of violence against women increased. Security forces continued to carry out arbitrary detentions and employ excessive use of force, at times resulting in unlawful killings. The Attorney General's Office announced progress in the investigation into the enforced disappearance of 43 Ayotzinapa college students in 2014. The Senate recognized the competence of the UN Committee on Enforced Disappearances to examine individual complaints. The President stigmatized human rights defenders and the media on various occasions and downplayed the problem of violence against women.

BACKGROUND

According to authorities, Mexico registered 1,426,094 cases of COVID-19. In April, the government implemented austerity policies through a decree that cut public spending, with exceptions for programmes deemed to be priorities such as several major infrastructure projects. In September, Congress dissolved several public trust funds, including those set up to support the protection of human rights defenders, journalists and human rights victims, and on climate change.

The Supreme Court had yet to analyse the National Law on the Use of Force that was the subject of a constitutional challenge in 2019 by the National Human Rights Commission.

The administration deployed a greater number of military personnel in public

security operations than the previous two presidential administrations.

In May, the President issued a decree allowing the armed forces to be permanently deployed in public security operations until March 2024. The decree did not include substantive regulations to ensure their conduct was consistent with international standards. The President also announced that the control of ports and customs points would pass to the armed forces.

UNLAWFUL KILLINGS

The Office of the UN High Commissioner for Human Rights (OHCHR) and numerous human rights organizations condemned the death of 30-year-old Giovanni López Ramírez on 5 May while in the custody of municipal police in Ixtlahuacán de los Membrillos, Jalisco state.¹ Giovanni López' family reported that police arrested him as part of COVID-19 enforcement measures because he was not wearing a facemask; the state authorities denied this.

Video footage emerged of an army operation in Nuevo Laredo, Tamaulipas state, on 3 July in which soldiers killed 19-year-old Arturo Garza, an unarmed survivor of a military shoot-out with an alleged criminal group.² In a separate event, 35-year-old Jéssica Silva was killed by members of the National Guard who opened fire on her vehicle in the town of Delicias, Chihuahua state, as she was returning from a protest of agricultural workers over rights to water. Her husband was seriously wounded in the attack.³ The National Guard at first reported that their personnel had repelled an armed attack, but later admitted that the attack on the couple had been an "accident". The Federal Attorney General's Office arrested six National Guard agents in relation to the events.

EXTRAJUDICIAL EXECUTIONS

The Federal Attorney General's Office attempted to close the investigation into the killing of 22 people by soldiers in Tlatlaya, México state, in 2014, before having properly investigated chain-of-command responsibility

in the case. The attempted closure of the case was halted by victims' representatives. Two officials were convicted of torture in relation to the case (see below).

ARBITRARY DETENTIONS

Jalisco State Police officers arbitrarily detained at least 27 people during protests in the city of Guadalajara in early June sparked by the death of Giovanni López Ramírez. Protesters were abducted in unmarked vehicles and their whereabouts were unknown for several hours. Local organizations reported that at least 20 of these detentions could amount to enforced disappearances. The Jalisco State Governor later announced that the police involved would be subject to criminal investigations.

In March, the Yucatán State Prosecutor's Office announced it was closing the investigation into events that led to the arbitrary detention and torture in 2016 of José Adrián, aged 14 at the time, due to lack of evidence.⁴ The Yucatan State Victim Support Commission agreed a reparation settlement for José Adrián and his family.

The constitutional provision allowing detention without charge (*arraigo*) was not repealed during the year.

ENFORCED DISAPPEARANCES

Enforced disappearances by state agents and disappearances carried out by non-state actors continued to be a concern; those suspected of criminal responsibility enjoyed almost total impunity. In March, the Extraordinary Mechanism for Forensic Identification, an autonomous, interdisciplinary task force, was formally created by decree. The Mechanism is designed to identify the more than 38,000 unidentified bodies awaiting forensic analysis across the country. It includes civil society organizations in its coordinating body, but family groups have only participatory status without being part of the coordinating body. Federal authorities declared that 6,957 people had been registered missing during 2020. The total number of people reported disappeared in Mexico since 1964 was

82,647, with 63,939 disappearances recorded in the past decade.

In July, the special prosecutor for the case of 43 Ayotzinapa college students disappeared in 2014 announced that the remains of Christian Rodríguez Telumbre had been identified. The remains were discovered in November 2019 in a ravine near the municipality of Cocula, Guerrero state. The authorities also declared that the official version of events presented by the previous administration had been rejected by the current investigating authorities. Dozens of arrest warrants were issued throughout the year for public officials with possible links to the case. Among them was Tomás Zerón, head of criminal investigations in the Federal Attorney General's Office at the time of the disappearances, who was accused of torture, enforced disappearance and tampering with the crime scene. In addition, for the first time in the case, several arrest warrants were issued for members of the military. In addition, the first member of the army was arrested, as well as a marine.

In September, the Senate recognized the competence of the UN Committee on Enforced Disappearances to consider individual cases.

VIOLENCE AGAINST WOMEN AND GIRLS

The killings of a woman and a girl in February sparked outrage, leading to unprecedented attendance at social protests on International Women's Day. A twenty-five-year-old woman was reportedly skinned and mutilated by her husband and, days later, the body of a seven-year-old girl was found in a plastic bag.

During 2020, 3,752 killings of women were reported, 969 of which were investigated as femicides. Mexico state registered the highest absolute number of femicides, followed by Veracruz. Colima and Morelos states reported the highest rates of femicide per 100,000 women. Calls to the 911 emergency line to report incidents of violence against women rose during the year, with 260,067 calls up to December, compared to a total of 197,693 for the whole of 2019.

Austerity measures proposing funding cuts to help centres for Indigenous and Afro-descendent women and to the National Commission to Prevent and Eradicate Violence against Women were abandoned following significant social outcry. Nevertheless, in July, the National Women's Institute lost 75% (MXN151 million) of its operational funding. The President continued to downplay the issue of violence against women, questioning the validity of calls made to emergency services to report domestic violence and criticizing women's protests against femicides. In September, relatives of murdered women occupied the offices of the National Human Rights Commission (CNDH) in protest at the lack of progress by authorities on the issue of violence against women.

Twenty-one coordinated official response protocols, known as "Alerts of gender-based violence against women" remained operational in 18 states. By the end of the year, there was no indication that these mechanisms had reduced gender-based violence.

The San Luis Potosí Prosecutor's Office opened a new investigation into the 2012 killing of Karla Pontigo, this time as the crime of femicide, in compliance with a Supreme Court ruling in November 2019 that ordered the case be investigated with a gender perspective. In November, a judge in Jalisco state handed down a guilty sentence for the murder of Alondra González Arias which occurred in March 2017 soon after reporting violence by her partner.

SEXUAL AND REPRODUCTIVE RIGHTS

In July, the Supreme Court rejected an injunction that sought to change the legislation criminalizing abortion in Veracruz state. In May, the Congress of Guanajuato state voted down a bill for the decriminalization of abortion in the state.

HUMAN RIGHTS DEFENDERS

Human rights defenders continued to be attacked and harassed and, according to civil society organizations, 24 human rights

defenders were killed. Defenders of environmental and Indigenous Peoples' human rights expressed concern about the Mayan Train mega project. The President responded by publicly accusing them of being "false environmentalists". Six UN special rapporteurs wrote to the government expressing a series of concerns about the Mayan Train project, including in relation to Indigenous Peoples' rights to land and health, as well as possible environmental impacts of the project.

In November, Mexico ratified the Regional Agreement on Access to Information, Public Participation and Justice on Environmental Matters in Latin America and the Caribbean (the Escazú Agreement), which includes strong protections for Indigenous and environmental defenders. The Protection Mechanism for Human Rights Defenders and Journalists maintained protection measures for 1,313 people: 887 human rights defenders and 426 journalists. The public trust fund supporting this protection mechanism was dissolved in October and its funds were absorbed into the general public budget.

FREEDOMS OF EXPRESSION AND ASSEMBLY

Media workers continued to be threatened, harassed and attacked; at least 19 journalists were killed during the year, according to official data from November.

During May, information emerged showing that Notimex, the state news agency, was involved in a smear campaign, including a network of bots and fake accounts on social media allegedly financed by public funds, against several journalists and media outlets that published content critical of the government.

In August, a federal judge handed down a sentence of 50 years in prison to the material author of the killing of journalist Miroslava Breach. She was killed by armed men outside her home in Chihuahua in 2017.

In September, a letter signed by 650 journalists and academics accused the President of actions harmful to freedom of

expression, including a series of public statements undermining the press, permitting an environment conducive to censorship, administrative sanctions and misuse of the law to intimidate the press.

During 2020, there were mass protests by women in several cities against femicide and other forms of gender-based violence. The police responded in several instances with excessive use of force, arbitrary detentions, cell phone theft and physical, psychological and sexual attacks, among other human rights violations. Federal and state authorities also stigmatized women protesters in public statements.⁵ In August, police in the city of León, Guanajuato state, arbitrarily detained 22 women and beat and sexually assaulted several women and girls.⁶ In November, in Cancún, police used live ammunition on a series of mostly peaceful protest by women protesting against femicides.

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment continued to be a major concern. Investigations into reports of torture were generally flawed and those suspected of criminal responsibility were rarely brought to justice. The National Programme for the Prevention and Punishment of Torture and Ill-treatment had still not been published by the end of the year.

Two Mexico state policemen were sentenced to seven years in prison for using torture to extract false confessions from three women survivors of the 2014 Tlatlaya massacre.

Mónica Esparza, survivor of torture with sexual violence, was released from prison in March, more than seven years after she was arbitrarily detained and tortured by police in the city of Torreón, Coahuila state. She was acquitted of the charges based on false confessions extracted under torture. No officers had been charged for the crimes against her.

Adrián Vásquez Lagunes had not received reparations from Baja California state, despite a 2015 decision by the Baja California State Human Rights and Citizen Protection

Ombudsman's Office that he receive reparations for being tortured by Tijuana police in 2012. Adrián Vásquez Lagunes contracted COVID-19 in June and had to cope with the illness on a low income and almost no support from the state.⁷

RIGHTS OF MIGRANTS, REFUGEES AND ASYLUM-SEEKERS

Migrants, refugees and asylum-seekers continued to face excessive use of force and arbitrary detention by authorities, as well as abductions, assaults and killings by non-state actors.

National Guard officials used tear gas during an operation to detain hundreds of migrants who crossed Mexico's southern border in January and dragged and beat migrants who participated in a protest inside a migration detention centre in Tapachula in March.

Also in March, a Guatemalan asylum-seeker died when a protest by detained migrants demanding to be released led to a fire in the Tenosique detention centre.⁸

Migration authorities released hundreds of migrants from detention centres during April and May because of the risk of COVID-19. However, data on these releases was scarce and concerns remained that unlawful deportations or *refoulements* could have taken place in this context.

The federal refugee agency (COMAR) received 41,227 asylum claims in 2020, down from 70,427 in 2019. The largest number of asylum-seekers were from Honduras, followed by Haiti, Cuba and El Salvador. Migration authorities detained 87,260 irregular migrants, including more than 11,000 children, and deported 53,891 people, a decrease compared to 2019. The vast majority of those deported were from Central America.

Civil society organizations presented several injunctions between April and the end of the year requesting the release of all people in immigration detention and an end to such detentions due to the risk COVID-19. A federal judge in Mexico City ruled that all those in immigration detention should be

released. However, authorities failed to comply with the ruling and detentions continued, depriving migrants not only of their right to health but also to liberty.

RIGHT TO HEALTH

Health workers in Mexico expressed concern at the lack of access to sufficient personal protective equipment to work safely while responding to the COVID-19 pandemic.⁹ At least 2,397 health workers died with COVID-19 in Mexico.

Several health workers were physically attacked in public places or on public transport. In response, the government rolled out a public campaign to raise awareness about the important role of health workers and combat stigma against them. A number of health workers voiced concerns about irregular contracts and the lack of sick pay and other benefits, which at times led to retaliation. Jorge Pérez, a 70-year-old cleaner in a public hospital, was fired by a private contractor after he spoke out about his poor working conditions.

1. Mexico: Amnesty International exige la investigación y sanción de responsables de violaciones de derechos humanos ocurridas durante las manifestaciones del 4 y 5 de junio en Guadalajara (Press release, 7 June) (Spanish only)
2. The executions in Nuevo Laredo must be a watershed moment for ending human rights violations in Mexico (Article, 28 August)
3. Mexico's new National Guard is breaking its vow to respect human rights (Article, 8 November)
4. False Suspicions: Arbitrary Detentions by Police in Mexico (AMR 41/5340/2017)
5. Autoridades de Guanajuato deben abstenerse de estigmatizar el derecho a la protesta (Press release, 28 August) (Spanish only)
6. Mexico: Carta abierta (Open letter, 25 August) (Spanish only)
7. Mexico: Urgent Action: Torture Survivor Denied COVID-19 Support: Adrián Vásquez Lagunes (AMR 41/2542/2020),
8. Americas: Governments must halt dangerous and discriminatory detention of migrants and asylum seekers (News, 2 April)
9. Americas: The cost of curing: Health workers' rights in the Americas during COVID-19 and beyond (AMR 01/2311/2020)

MOLDOVA

Republic of Moldova

Head of state: **Maia Sandu, replaced Igor Dodon in December**

Head of government: **Aureliu Ciocoi, replaced Ion Chicu in December**

The government response to COVID-19 raised human rights concerns, including in relation to the right to health and freedoms of expression, peaceful assembly and movement. No progress was made in addressing systemic torture and other ill-treatment. A new NGO law passed following civil society input. Fair trial concerns remained.

BACKGROUND

Moldova avoided political turbulence, unlike previous years, although there was slowly widening popular discontent and regular peaceful protest throughout the year.

A three-month state of emergency effective from March, in response to the COVID-19 pandemic, imposed restrictions on certain rights, including to freedom of movement, education (for example, remote schooling requirements were not affordable for all families) and peaceful assembly. During that period, Moldova derogated from these obligations under the European Convention on Human Rights. The measures also adversely impacted the economy and standard of living.

In July, President Igor Dodon met the de facto leader of the breakaway Transdnistria region, Vadim Krasnoselskiy, although no progress towards resolution of the 30-year-old frozen conflict was reported.

RIGHT TO HEALTH

Measures enacted to confront the COVID-19 pandemic resulted in the reduction of some other medical provision and the temporary suspension of non-emergency services. Despite these measures, the ensuing strain on the health care system left health workers particularly vulnerable, reportedly suffering