



MÉXICO

Coalition for the Peasant and Indigenous Rights - Joint Submission 17th Universal Periodic Review-2013

UN Human Rights Council

Submitted by Càtedra UNESCO en Sostenibilitat and EdPAC.

dretshumans@edpac.org

From July 2012 to February 2013, a team from the UNESCO Human Rights and Sustainability research group and the Polytechnic University of Catalunya (GIDHS) in collaboration with Education for Critical Action (EdPAC) visited the state of Chiapas in the Mexico by invitation of the Digna Ochoa Human Rights Centre and various social organisations in the region, to carry out an investigation into the state of human rights in the country. The team carried out around 20 interviews with various social actors in Chiapas.

1

Both the GIDHS and EdPac are based in Spain. Since 2008 they have carried out multiple human rights investigations into the impact of agroindustry and mining in various countries in Latin America. The reports by GIDHS are related to collective and individual violations of human rights, the rights of indigenous peoples, the right to adequate food and housing with regards to forced or arbitrary evictions of individuals and groups, torture and abuse, arbitrary arrests, harassment towards lawyers and human rights organizations, and with regards to the use of mercenaries as a method of human rights violations, amongst other things.

STATEMENT OF THE GENERAL SITUATION

The situation of general violence experienced by Mexico made a priority of topics relating to national security in a way which was detrimental to the addressing of issues of poverty and economic, social, and environmental inequality experienced by the country for decades. Mexico is the fourteenth strongest economy in the world, due to its Gross Domestic Product, but paradoxically it occupies the 81st position with regards to the buying power of its inhabitants in accordance with the World Development Indicators 2012 published by the World Bank. Whilst the government argues that provision of basic services in the country increased between 2008 and 2010, the buying power of the population was significantly reduced due to increases in food prices and basic services and reductions in the real wages of families.

Out of Mexico's 2,443 municipalities, 1,003 have rates of poverty at 75%. The National Council for the Evaluation of Social Development Policy (Coneval) states that between 2008 and 2010, the number of people living in poverty in the country increased from 48.8 million to 52 million people (out of a general population of 112.336.538 inhabitants, which means that 46.2% of the population lives in poverty, with 10.4% living in extreme poverty. Within those figures, 24.9% of the population lives with food deprivation and 28.7% lives with social deprivation, according to the National Statistics and Geographical Institute (Inegi). In the southern state of Chiapas 6 out of the 10 poorest municipalities are found, described as having high levels of marginalisation by Coneval in 2012. Within those 10 municipalities, more than 70% of the population speaks an indigenous language.

According to Coneval, in November 2012 only 2 out of every 3 Mexicans were not considered to be poor nor subject to any deprivations related to housing, education, health and access to social security. Additionally, according to the OECD, Mexico has the second highest rate of inequality of earnings within the working population, meaning that the income of the richest 10% is 26 times higher than the income of the poorest 10% of the population.

Poverty, inequality and income concentration form the base of the difficult social co-existence in Mexico. To that must be added the unrest generated by an effective absence of the rule of law, a convincing and effective rule of law, and an effective administration of justice which guarantees due process and the independence of judges, lawyers and prosecutors. There have been cases of arbitrary detentions, and people have denounced cases of torture as a method of repression in cases in which the state is compelled to resolve social necessities. But high levels of corruption, impunity and the high concentration of wealth mean that in Mexico, structural problems relating to poverty, inequality and the application of justice are actually related to the institutional mismanagement of the state and the Mexican government. According to International Transparency, Mexico occupies the 105th place out of 170 of the Perception of Corruption Index 2012. Comparing Mexico with other political-economic blocks like G20 and the OECD, it occupies the position 17th position out of 19, and the 34th out of 34, respectively.

Against this background, citizens of some localities have created organisations to manage the lack of resources and confront poverty and insecurity. This method often obliges them to face repression by the local and national government and to suffer, in conjunction with that, legal negligence, impunity and corruption of state agents.

Amongst the actors of this conflict the actions of public and private companies are also found, which violate the fundamental rights of the population. Some of those companies are relation to the production and distribution of basic services such as water and electricity, necessities which have been recognised by the United Nations as contributing to the alleviation of poverty. The United Nations General Assembly announced that 2012 would be the year of Sustainable Energy for All through resolution 65/151. In said resolution, it is argued that a lack of access to non-polluting, affordable and reliable energy hinders social and economic development and represents an important obstacle for the achievement of the Millennium Development Goals. In Mexico, one thing is the coverage of basic services and another is access to the service which implies paying socially fair prices for a product as important as energy. However, residential rates had percentage variation of almost 140% between 1999 and 2010, according to the Confederation of Industrial Chambers of Mexico (Concamin). Even if the tariffs are subsidised, the tendency is for that subsidy is to disappear with the supposed intention of rendering the sector more competitive.

HIGH ENERGY TARIFFS FOR ELECTRICITY IN MEXICO

The Mexican government states that out of the approximately 30 million homes in Mexico, 71% have running water and around 98% have electricity, which represents an important advancement without a doubt. However, the high cost of electricity, for example, has resulted in a series of conflicts between users' organisations and the Federal Electricity Company (CFE), charged with part of the production and the entirety of distribution and sale of electric energy.

The lack of budget coupled with corruption in procurement by senior officials (such as the case of the former Director of Operations of CFE, Nestor Moreno Díaz), and the disappearance of the second public company, the Luz Luz y Fuerza del Centro company, have forced the FEC to seek alternatives ways of generating electricity through private companies, which have increased prices by up to a thousand percent in the last four years.

Data from the National Commission on Human Rights (CNDH) and the Federal Consumer Office (CJF), indicate that the increase caused a domino effect that affected household incomes across the country. The problem has caused widespread rate increases reaching a point at which payment is unsustainable, resulting in many citizens, businesses, associations and farmers increasing their

social protests against the position of the CFE. They are concerned about the rates of water pumping for irrigation. Throughout the first decade of this century, the average electricity prices for industry in Mexico have been higher than the price levels in that same sector in the United States where the difference was 25% in 2008.

Nationally, the CFE is among the 20 companies with the highest number of complaints to Profeco. The Attorney General notes that in the case of CFE there were 14,174 complaints in 2011, relating to unagreed charges, billing errors and refusal to refund the amount of errors in the collection. The CNDH initiated a trade complaint due to the outage of electricity by the CFE in 26 drinking water wells in the city of Cuernavaca, Morelos. The commission said the power outage caused the shortage of drinking water to half of the population for several days. The suspension in the supply of electricity, which in turn led to a lack of water supply, violates the human right to adequate housing of those affected, according to Article 25.1 of the Universal Declaration Human rights and Article 11 of the International Covenant on Economic, Social and Cultural Rights. General Comment No. 4 of the United Nations Urban Rights Committee defines especially, for the purpose of adequate housing: a) Availability of services, materials, facilities and infrastructure. An adequate house must contain certain facilities essential for health, security, comfort and nutrition. All beneficiaries of the right to adequate housing should have sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitary facilities and hygiene, food storage, disposal waste, drainage and emergency services. b) Affordability. The personal or household expenses associated with housing should be at a level that does not impede or compromise the fulfillment and satisfaction of other basic needs. States parties should take steps to ensure that the percentage of housing costs are, in general, commensurate with income levels.

Nationally, the Mexican Constitution, in Article 4 states that every family has the right to enjoy decent and proper housing. The Housing Act, in force since June 2006, states in Article 71 that: in order to provide quality of life for the occupants of the houses, the National Housing Commission will promote, in coordination with the competent authorities both federal local development in the housing stock in its various forms and the use of resources and associated services, are deemed to have homes and living spaces of sufficient hygiene according to the number of users, provide services potable water, sewage evacuation and electricity to help reduce disease vectors and ensure structural safety and climate suitability criteria of sustainability, energy efficiency and disaster prevention, preferably using standardized goods and services.

In the Mexican Constitution norms on power are defined in Articles 25, 28, 26, 27, 73, 74, 90, 93, 108, 110.123 and 134, as well as the Public Service Act, Electric Power Regulation, Public Service Act, the Electricity Act and the Energy Regulatory Commission. Article 27 of the Constitution in paragraph VI states: "It is entirely up to the Nation to generate, conduct, transform, distribute and supply electricity that is aimed at providing public service. In this matter concessions may not be granted to private parties and the Nation will use the natural resources required for such purposes."

However, with the reform of Article 27 carried out in 1992, "legal figures" were created regarding that which is not considered a public service so that the Law of the Public Electricity Service, Article 3, provides grant concessions to private parties for: I. - power generation for self-supply, cogeneration, small production, II. - power generation by independent producers for sale to the Federal Electricity Commission, III. - power generation for export, derived from cogeneration, independent production and small production IV. - The import of electricity by individuals or corporations, dedicated solely to supply for their own use, and V. - The generation of electricity for use in emergencies resulting from breaks in the Public Electricity Service.

According to the Regulation of the Law on Public Electricity Service, private parties can make

available to the CFE their entire generation capacity or excess capacity. This has been unconstitutionally maneuvered, social distorting the meaning of public service of electricity, and expanding the scope of the concept of self-sufficiency to allow the formation of "self generation societies" by private distributors located throughout the country, that would make themselves small private electrical systems. In fact, the installed capacity of public power generation is so affected by the emergence of private companies as to encourage investment in CFE dealers with a low generation capacity in a trend that will lead you from buying private surpluses to full private production. It is a kind of furtive privatization carried out by the executive, through the Ministry of Energy and the Energy Regulatory Commission which is granting the concessions. The high production costs of private companies affect the operating costs of CFE, and end up impacting users.

It cannot be ruled out that these actions seek precarious CFE service to force its total privatization. Privatised public service electricity is no guarantee of a better household access to electricity as a right recognized in the access to decent and adequate housing.

RESISTANCE TO HIGH RATES OF ELECTRICITY AND JUDICIAL PROSECUTION

The southern states of Guerrero, Oaxaca and Chiapas are where the highest rates of social exclusion in Mexico are concentrated and also happen to have majority indigenous populations. Of these three entities Chiapas has 78.4% of its population in poverty, Guerrero and Oaxaca 67.4% to 67.2%. This means that in Chiapas there are 3,784,967 people out of 4,819,742 with at least one social deprivation within six poverty indicators recognized by the Mexican government: lack of education, access to health services, access to social security, quality and living spaces, basic housing services and access to food.

In Chiapas the high electricity rates mainly affect indigenous and peasant sharpening their marginalization and extreme poverty. It should be noted that the CFE operates four hydroelectric dams in Chiapas, which generate 50% of the country's power. Nevertheless there are communities a few miles from the dams that have no access to electricity.

In January 2013, some hospitals in the Highlands of Chiapas suffered power outage at the lack of payment for the provision of the service concerned. The measure affected highly marginalized indigenous municipalities, whose residents tried to prevent the cut in some clinics by facing off CFE workers. The suspension caused concern among health workers, as there are medications that need to be kept refrigerated and laboratory evidence and crops that require electricity for processing. There are a lot of users who do not pay the electricity consumption, either by being in civil resistance, by robbery or illegal connections to privileges enjoyed by some companies where their rates are even lower than those paid by a peasant family in a rural area.

Farmers and those who are in civil resistance want to pay the bills that come to their homes, but it will never be acceptable for a family in poverty have charges 600 pesos (46 USD) and up to 1,200 pesos (93 USD) per consumption, though many of them do not have electrical appliances.

An example of an organisation which has positioned itself before this conflict is the National Network of Civil Resistance Against High Electricity Rates, formed in 1995, mainly in the country's southeast, but is currently organized in 10 Mexican states. They use methods of nonviolent civil resistance such as road cuts, demonstrations and the refusal to make payments to CFE in what they call "payment strikes". Network members have been trained to themselves be able to restore the power line cut by the CFE as a measure of pressure. The Network has been open to dialogue with



the federal government, but the situation of the high charges remains widespread across the country.

The civil resistance actions brought a wave of repression, especially intense in Chiapas since it is involved in an unresolved conflict since 1994 when the Zapatista Army of National Liberation (EZLN) took up arms against the Mexican government. While Law in Peace and Harmony has managed to keep conflict to a minimum, the constant harassment by Mexican security forces and paramilitary groups created a situation of general alert as the Human Rights Center Fray Bartolome de las Casas in Chiapas called low-intensity warfare.

Since starting the movement against high tariffs more than 100 activists of the Network have opened criminal proceedings. The crimes of which they are accused are illegal deprivation of liberty, Robo Equiparado (Electricity Robbery), attacks on national resources and on the communication routes.

There are paradigmatic cases of human rights defenders arbitrarily detained, and tortured without warranty of due process.

Resolution 53/144 adopted by the UN General Assembly in its Article 12.2 states that everyone has the right, individually and collectively, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms. Given this definition, the GIDHS / EDPAC recognized as human rights defenders cases shown below.

THE CASE OF NATANIEL HERNÁNDEZ NÚÑEZ. PERSECUTED HUMAN RIGHTS DEFENDER

Nathaniel Hernández Núñez, is a native of the town of Tonalá, Chiapas, is 26 years old, is now Director of the Human Rights Center Digna Ochoa AC (CDHDO). The CDHDO has legally accompanied the Autonomous Regional Council of the Coastal Zone of Chiapas which is part of the National Network of Civil Resistance against high electricity rates.

On February 22, 2011, members of the Regional Autonomous Council of the Coastal Zone of Chiapas (CARZCCH) agreed to take action in support and solidarity with the villagers of San Sebastian town Bachajon who had been arrested and detained by members of the State Police in an earlier civil resistance action. The CARZCCH, decided to conduct a roadblock on the Tonalá-Tapachula section of the Panamerican Highway. At 11:00 am on the same date CDHDO members were acting as observers at a roundtable in the city of Tonalá that took place in the presence of various government officials and members of CARZCCH Chiapas.

At around 3:00 pm, upon the conclusion of the road block, most of those attending the action returned to their communities and some people remained waiting for people who were commissioned in the roundtable.

While members of Digna Ochoa CDH, the CARZCH and Chiapas government officials were in the meeting, Nathaniel Hernandez received phone calls reporting that several people had been arrested near the finished road block. The CDHDO CARZCCH and withdrew from the negotiating table. Nathaniel and 2 other members of Digna Ochoa CDH moved to the place where they had made the arrests of 16 people. When getting out of the car in which they were traveling, CDHDO lawyers were arrested without warrant and without any foundation or motivation.

The 19 detainees were transferred to the Regional Prosecutor Isthmus-Costa and made available to the Public Prosecutor himself who integrated the preliminary investigation No. 011/2011 for the crime of mutiny. The detainees were held incommunicado and suffered threats, physical abuse, and were not allowed to attend appointed lawyers themselves.

The public ministry within the period of 48 hours allowed within the law, resolved the situation of each of the detainees, releasing 16 people out of a total of 19. Nathaniel Hernandez and the other 2 members CDHDO were arrested on charges of mutiny (Criminal Record 34/2011). The three lawyers CDHDO, with their respective lawyers have managed to be freed subject to law.

Later, on March 15, 2011, Nathaniel was arrested by the then Federal Investigation Agency (AFI, today federal police) in the city of Tapachula, Chiapas, charged with the crime of attacks on means of communication (Criminal Record 033/2011 filed in the Third District Court), for the events of February 22 and transferred to Prison No. 3, using the same evidence and the same actions of the record 34/2011 for the crime of mutiny.

On the 16th March Nathaniel, after paying bail to the amount of 11,000.00 pesos, was released, subject to criminal prosecution. On 22 March the Third District Judge issued a detention order against Nathaniel that became subject to criminal prosecution. Within the file the informational card of the federal police said the lawyers were allegedly responsible for the road block on the 22nd February. Nathaniel Hernandez Nunez is still working in his job as director of Digna Ochoa CDH in the town of Tonala, Chiapas, although there is a re-arrest warrant against him for leaving the federal process. It was feared that at any time he could be arrested again by members of the federal police. On February 7, 2013 Nathaniel was again arrested by federal police when he was in a meeting with officials of the state government of Chiapas relating to national mobilizations convened by the National Network of Civil Resistance. Because of social pressure at both national and international levels, he was released and managed to avoid confinement in the CERRS of the city of Tapachula, Chiapas.

THE CASE OF ALBERTO PATISHTÁN GÓMEZ. FALSELY ACCUSED OF MURDER.

Alberto Patishtán Gomez, an indigenous Tzotzil-Maya, was arrested on June 19, 2000 in the municipality of El Bosque, Chiapas, by elements of the AFI (Federal Police today) for crimes he did not commit. He is charged with eight murders, possession of weapons meant for excluding use by the Army and injury. They have accused him as the author of an ambush on June 12, 2000, in which seven policemen were killed and two wounded. Patishtán was arrested without a warrant, forced to make a statement without an attorney or translator being present. He was the only person to be sentenced, despite the statements of one of the survivors who did not recognize him as a participant in the events.

Patishtán was active in the political life of his native town as an indigenous teacher in the community. On several occasions he denounced the alleged corruption of the authorities of the municipality of El Bosque. Among the irregularities in the process, the statement of 10 witnesses who saw him before, during and after the ambush on June 12, 2000 were not taken into account

He was sentenced to 60 years in prison. He appealed and the sentence was upheld. At the time of his arrest the officers did not identify themselves and showed no warrant. Nor was he told the reason for his arrest. At the moment of his arrest they took him to the city of Tuxtla Gutierrez, Chiapas, where he suffered psychological torture, insults and threats. During his detention he was held incommunicado. He was held for 30 days and then transferred to the Cerro Hueco then in Tuxtla Gutierrez. He was subsequently transferred to the National Centre for Social Reinsertion of the



Sentenced (CERSS) No.14 El Amate, in Cintalapa de Figueroa, Chiapas. Again, Professor Patishtán was transferred, this time to CERSS No. 5 San Cristobal de Las Casas Chiapas. The morning of October 20 he was transferred to CEFERESO Guasave in Sinaloa, more than 2000 km from peers and loved ones. His transfer occurred 22 days into a hunger strike which included him and some prisoners who had organized into groups within the jail: La Voz del Amate, Solidarity of the Voice of Amate y Voces Inocentes.

Professor Patishtán is suffering from a tumor which he developed in jail without medical attention. He is not getting the care he needs, which puts him at risk of going blind, a risk that has been publicly denounced repeatedly. The hunger strike of 41 days in 2008 led to the release of almost all members of the community of La Voz del Amate prison and other prisons in the state of Chiapas, he was the only one that was not released.

THE CASE OF ROSA LÓPEZ DÍAZ. FALSELY ACCUSED OF KIDNAPPING

Rosa López Díaz is a Tzotzil Maya indigenous woman, born in Chiapas on December 2, 1978. She was arrested on May 10, 2007 along with her husband in the central park of San Cristobal de las Casas, Chiapas, by some people in civilian clothes. Without identifying themselves they knocked her to the floor. She was taken to a van and placed on the floor with one foot on top of her. She was blindfolded. After a while they made her leave the vehicle in an unfamiliar place. Without taking off her blindfold they began to beat her. They tortured her by covering her head with a plastic bag and then placed a wet cloth inside her mouth, intending to suffocate her. They hit her in the stomach. She asked them to stop because she was pregnant but they did not stop.

They made her get back into the van, and took her to an unknown place. It was there that she realized that she was alone, and not with her husband. She remained crouched, handcuffed and blindfolded.

In a telephone interview Rosa reports: "I cried, I cried. I cried because I knew it was going to happen to me, I cried for my family, for my mum. I would not know how to describe the fear I felt. They kept shouting at me. "You'll never leave here." "From where we're taking you, you'll never get out." Afterwards, the attackers abandoned the van where they were and told Rose "do not move. If you try anything, you die here. "

Approximately 40 minutes later, she was taken to the house where her husband was being held. They sat her against the wall, handcuffed, blindfolded and started beating her. They tortured her again, with a wet cloth covering her face, and again placing a plastic bag over her head, while beating her in the stomach. The assailants told her: " When you want to talk, move your head." Rosa kicked out, because she felt suffocated. They took the bag and beat her in the face. With insults they questioned her about the whereabouts of a woman unknown to her. They ordered her to "Tell us where you have her. Do not be stupid, you know who we're talking about. "

They undressed her and exercised sexual violence upon her, touching on various parts of her body, threatening to rape her. They told her they wanted her to tell them that she had kidnapped a woman named Claudia Estéfani. Rosa cried, and asked them not to do anything, that she had not kidnapped anyone. How am I going to say something I have not done," she said. One of the assailants threw her to the floor, other two grabbed her, she felt someone was on top of her, trying to rape her. Rosa then broke down and said: "please don't rape me, I'm pregnant" and one of her attackers told him, "If you say you did it, we won't do anything to you." Then Rosa told that yes, she would do what they wanted, even though she was innocent.

Hence Rosa and her husband were taken to the Public Prosecutor. There they continued to receive death threats from men unknown to Rosa with regards to both names and their positions in the Public Ministry. She was forced to sign blank sheets. In these units she was finally able to speak with her husband and ask him if he knew they were detained there. Alfredo told her that his cousin had "stolen the bride, which means that the bride leaves with her husband without having paid her bride-payment. This is practice which is common among indigenous Mayan communities.

Rosa never had access to a qualified translator who knew the language and tzotzil customs. In her declaration the public defender was present only in part. They read her statement, but she did not understand since they did not give her a translator and she failed to understand the legal terms. Rosa did not agree, but was forced to sign.

She was then moved to CERSS # 5, San Cristobal de las Casas, accused of kidnapping. It is noteworthy that Rosa never received medical attention after the torture, both physical and psychological, which she suffered. Fourteen months after the time of her arrest she was sentenced to 27 years, 6 months and 17 days. That was the last time she saw her lawyer.

Rosa was 4 months pregnant when she was tortured. Her son was born with cerebral palsy, this was most likely caused by different forms of torture she suffered in detention. Following his illness, her son Nathaniel, born in prison, died at four years of age. Rosa is part of the prisoners' organisation The Solidarity of the Voice of Amate. From prison Rosa has repeatedly denounced the ordeal she suffered and general conditions of the women's sector CERSS # 5, San Cristobal de las Casas.

Rosa participated in the fast for 39 days, during the protest that took place in the prison of Los Llanos. It is worth mentioning that during her fast, Rosa repeatedly received threats and harassment to force her to abandon her act of protest in which she demand their her own immediate release and that of her peers.

CONCLUSIONS

1. The Mexican government, through the public company CFE, contravenes the resolution 65/151 of the UN General Assembly, the International Year of Sustainable Energy for All 2012 - that recognized access to affordable modern energy services in developing countries development as essential to achieving the internationally agreed development goals, including the Millennium development Goals to reduce poverty and improve working conditions and living standards of the majority of the population.
2. The high rates of electricity violates the human right to adequate and dignified recognized in Article 25.1 of the Universal Declaration of Human Rights, Article 11 of the International Law on Economic, Social and Culture and General Comment and No. 4 of the United Nations Urban Rights Committee.
3. The arrests carried out in the context of civil resistance of communities affected by the high charges of electricity occurred arbitrarily and without due process. As in the case of Nathaniel Hernández Núñez, recognized human rights defender, who has suffered harassment from the federal and the state of Chiapas.
4. In the conflict analyzed by observation mission GIDHS / EDPAC, it is observed that the Dialogues launched by the government of Chiapas have not advanced a negotiated resolution. In the case observed, both the company CFE and the government have used such spaces as

dilatory mechanisms. This manifests itself in the extreme arrests of members of the Human Rights Center Digna Ochoa, as the roundtable was fully operational when the arrests occurred.

5. Persons detained arbitrarily, as in the case of Alberto Patishtán and Rosa Lopez, represent a sample of the prevailing situation in the state of Chiapas, who, with the involvement of the national government, have been arrested by federal police officers claiming that the crimes are subject to be charged under federal law. The detainees were not informed of the reasons for their arrest, and have been subjected to torture and cruel and degrading treatment. They have not been entitled to a lawyer or an indigenous language translator. Within prisons the state has not complied with neither the United Nations guidelines for the protection of women and children in a closed environment or the guidelines for the Treatment of Prisoners, especially with regards to health. Both Alberto Patishtán and Rosa Lopez human rights advocates as a result of the infringement of their rights due to the inefficient administration of justice in Mexico.

RECOMENDATIONS

1. It is necessary to undertake a genuine national dialogue that involves all actors with regards to the high electricity rates and on the situation of the most vulnerable. Progress must be made in consideration of electricity as a specific human right. It is necessary to raise the issue of a fair social tariff, to recover the spirit of resolution 65/151 of the UN General Assembly. Especially in the current context in which the UN has passed a resolution declaring the Decade of Sustainable Energy for All 2014 to 2024. The General Assembly has expressed concern over the fact that "even having energy services available, millions of poor people cannot afford them."
2. It must be ensured that both the government and the CFE review the status of debts in cases which prove abuse as a result of excessive charges. Until this happens there must also be a stop to shortages of power. The Mexican government should investigate cases of harassment of public service users and carry out punishment in cases where those responsible can be identified..
3. Retrieve the initiatives contained in the agreements of Indigenous Rights and Culture, called San Andrés Accords, which were signed by the EZLN and the federal government in 1996 as the basis for a new dialogue between the different political and social actors and the Indian peoples of Mexico, to ensure respect for their rights, especially involving their participation in national development projects and local. The indigenous rights reform by the government in 2001 did not meet the expectations of inclusion of the recipients of these rights as well as not being updated to meet with the UN Declaration on Indigenous Peoples, 2007.
4. Implement the necessary legal reforms to reduce the present high level of impunity in the administration of justice. In this regard, prison reform mechanisms are urged at a national level, putting special emphasis on the situation of indigenous women and children in prison.
5. The GIDHS / EDPAC considers the need for a review of the legal and prison human rights of defenders and prisoners detained in the context of the situation of social conflict experienced by the state of Chiapas to be urgent.



Grupo de Investigación en Derechos Humanos y Sostenibilidad (GIDHS)

<http://investigacionddhh.wordpress.com/>
derechoshumanos@edpac.org

Càtedra UNESCO de Sostenibilitat

Universitat Politècnica de Catalunya
Colom, 1 - 08222 Terrassa, España

Educación para la Acción Crítica- EdPAC

Sant Pere més alt, 31, 2^o 3^a
08003 Barcelona, España
Tel. 93 319 17 46