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National Human Rights Commission

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CONTENTS

- *OVER 190,000 PEOPLE BENEFIT FROM THE TRAINING OF YOUNG PEOPLE*
- *CNDH SEEKS THE PROTECTION OF TWO ACTIVISTS IN TIJUANA*
- *RAÚL PLASCENCIA ASKS FOR THE STRENGTHENING OF THE CNDH*
- *CNDH PRESSES FOR A LAW ON VICTIMS OF KIDNAPPING*
- *MEXICO IS INDEBTED TO WOMEN: CNDH*
- *CNDH WARNS ABOUT THE RISK OF KIDNAPPING ON THE INTERNET*
- *CNDH WILL INVESTIGATE ATTACKS ON JOURNALISTS IN SALTILLO*
- *CARE FOR KIDNAP VICTIMS IN CHIAPAS: CNDH*
- *CNDH SUPPORTS HUMAN RIGHTS CIVIL DEFENDERS*
- *CNDH DEMANDS CLARIFICATION OF THE CASE OF JOURNALISTS IN TAMAULIPAS*
- *CNDH WILL LOOK INTO PENSION AND RETIREMENT REDUCTIONS*
- *CNDH DEMANDS EFFICIENT STRATEGIES FOR CIUDAD JUÁREZ*
- *EFFICIENT CRIME PREVENTION, CHALLENGE FOR PUBLIC SAFETY: CNDH*
- *CNDH DEMANDS RESPECT FOR VICTIMS' RIGHTS*
- *CNDH STRENGTHENS SUPPORT FOR VICTIMS OF KIDNAPPING IN QUERÉTARO*
- *CNDH CALLS FOR COMBATING RACIAL DISCRIMINATION*
- *RECOMMENDATION 0112/2010. On the case of Torture against V1, V2 and V3, Chihuahua.*
- *RECOMMENDATION 012/2010. On failure to comply with Environmental Guidelines... against V1, Jalisco.*
- *RECOMMENDATION 013/2010. On the case of V1, Baja California.*

OVER 190,000 PEOPLE BENEFIT FROM THE TRAINING OF YOUNG PEOPLE

The CNDH has benefitted a population of over 190,000 people by educating young men and women from 964 educational institutions throughout the country on their human rights and making them aware of the risk of falling into the hands of organized crime.

With the support of the state Prosecutors' Offices and Human Rights Commissions in more than a dozen states of the Republic, the CNDH has been carrying out diverse awareness-raising activities among youth.

Young people from high schools, senior high schools and universities in different states of the Republic have been taught to promote a culture of respect for human rights that favors the creation of a more tolerant and respectful society with the aim of eradicating violence.

Thus, the Program for the Defense and Protection of Human Rights in Adolescence carried out by the Commission has, in secondary schools alone, educated three thousand 855 adolescents from 473 schools as promoters of reflection and assimilation of human rights.

In addition to the above, the Program has also carried out the Film Debate in senior high schools and universities from over 12 states of the Republic, through which it has contributed to raising young people's awareness of respect, justice and dignified treatment.

CNDH SEEKS THE PROTECTION OF TWO ACTIVISTS IN TIJUANA

The CNDH requested of José Guadalupe Osuna Millán, Governor of Baja California, the implementation of precautionary measures of protection in favor of Ms. Silvia Vázquez Camacho

and Ms. Blanca Margarita Mesina Nevárez, who carry out human rights defense actions in the city of Tijuana, in that entity.

They are both members of the Northwestern Human Rights Citizens' Commission, Citizens' Association (A.C.) and the Mexican Commission for the Defense and Encouragement of Human Rights, Citizens' Association (A.C.), expressing their well-founded fear of death threats and acts of intimidation to which they have been subjected in their complaint.

The request for the implementation of precautionary measures is based on the provisions of Articles 3, 6; section II and 40 of the Law of the Mexican National Human Rights Commission, as well as 116, 117 and 118 of its Bylaws. This seeks to guarantee the safety and physical integrity of the two human rights activists and prevent the perpetration of acts which are difficult or impossible to redress. The CNDH will be mindful of developments and at the appropriate time will issue the corresponding resolution according to law.

RAÚL PLASCENCIA ASKS FOR THE STRENGTHENING OF THE CNDH

Raúl Plascencia Villanueva, President of the Mexican National Human Rights Commission, called for the support and collaboration of the Powers of the Union to strengthen CNDH and make it the defendant of the people that the country needs so that human rights become a commitment of all.

"The Mexican National Human Rights Commission is committed to building new horizons that enable us to make the project of a just and democratic nation enshrined in the Political Constitution of the United Mexican States a reality."

Upon presenting the 2009 CNDH activity report to Felipe Calderón Hinojosa, President of the Republic, the national ombudsman highlighted that under the current circumstances the country is experiencing, with social tension stemming from insecurity, heightening of inequalities and political polarization, the institution seeks to promote respectful, constructive dialogue among all social and political actors.

During the event held in the "Adolfo López Mateos" room of the official residence of Los Pinos, Plascencia Villanueva underscored that the circumstances that affected life in Mexico in different spheres during 2009 created an adverse environment for human, economic and social development.

"The economic crisis, public insecurity, mistrust of the population towards institutions and even the global setting, are factors that favored criminal activities. Kidnappings, theft, assaults on migrants, abuses against the most vulnerable groups as well as the real impossibility of having sufficient resources available to meet the main social demands on the part of the State gave rise to countless critical situations in the country."

He emphasized that these circumstances should not represent shortcomings or reticence in the observance of human rights but should serve to bring us together to strengthen actions that make it possible to guarantee the full commitment to their respect.

REVIEW OF ACTIONS

In 2009, the CNDH provided over 45,000 services, among them, guidance to complainants, referral to other authorities and revision of requests with regard to transparency; it dealt with 7,703 files of complaints; issued 78 recommendations to more than 100 authorities and institutions of which only 7 were fully executed and 20 recommendations were not accepted by 25 authorities responsible.

Raúl Plascencia stated that the National Institution's work must be strengthened through legal reforms so that public servants who do not accept its recommendations or do not execute them once they have been accepted, should appear before the Human Rights Committees of the Chamber of Deputies and/or Senators to support and state the reasons for their actions or omissions.

CNDH PRESSES FOR A LAW ON VICTIMS OF KIDNAPPING

The CNDH considers the absence of a law which safeguards the higher interest of kidnapping victims and establishes efficient institutional coordination mechanisms to help them to be a violation of human rights.

The National Institution presses for the approval of a Law that makes it possible to prevent and combat the crime of kidnapping so that in the short term it can be affirmed that respect for legality and human rights has been built on the basis of a commitment by all.

The CNDH urges the Legislative Branch to promote in-depth changes to the laws in order to achieve the transformation, coordination and comprehensive strengthening of citizen safety institutions at all levels of government.

Therefore, the commitment of Raúl Plascencia Villanueva, National Ombudsman, is to establish a National Network for Attention to Victims of the Crime of Kidnapping.

The CNDH has signed collaboration agreements with organizations of society and state governments in the country and called for combining efforts with the aim of protecting the victims of the crime of kidnapping.

The Network will make it easier for victims to access assistance and attention systems as well as promoting and disseminating their rights.

MEXICO IS INDEBTED TO WOMEN: CNDH

The CNDH considers Mexico to be indebted to women, as the sexist, exclusive and discriminatory patterns that prevent them from exercising their full rights and prerogatives continue.

International Women's Day is an appropriate occasion to reflect on what remains to be done in favor of those who represent more than 50% of our population.

Women's protection demands State policies and action strategies aimed at reducing exploitation and sexual harassment, family violence, discrimination and exclusion, among other behaviors.

The National Institution declares itself in favor of eliminating all discriminatory actions due to gender differences. Women should fully enjoy all the rights enshrined in our legal framework, as well as respectful treatment in the case of those in prison or in detention centers.

The cases of at least 504 women raped and murdered in Ciudad Juárez, Chihuahua, and the reports of 76 missing women are an example of Mexico's debt to that sector of the population. Many of them remain in impunity, since those responsible have not been arrested or punished by justice.

So far, the wave of violence that maintains high crime rates against women in that border city remains unchecked.

One aspect of concern to the National Institution is the discriminatory treatment given to pregnant women in workplaces. It is therefore essential to raise the authorities' awareness and demand compliance with the regulations, particularly Convention 183 on protection of maternity and Recommendation 191 on the Protection of Maternity of the International Labor Organization.

As part of its commitment to women, the CNDH will promote the creation of Centers for Victims of Violence (CAVI) in the states that still lack them.

The National Institution also considers it important to address the provisions of international agreements on the matter, which require States to perform a series of duties regarding the way to act towards women and the treatment they should give this group in particular, which imposes a series of duties upon a State's way of addressing and treating this particular group.

The National Institution emphasizes the need to make the guiding principle that we are all equal before the law a reality and eradicate any treatment that harms women's fundamental rights.

CNDH WARNS ABOUT THE RISK OF KIDNAPPING ON THE INTERNET

Raúl Plascencia Villanueva, President of CNDH, warned internet users in our country, especially minors, to avoid the risks of kidnapping through contact, behaviors and contents when using the web.

On signing a collaboration agreement with civil society organizations to care for victims of the crime of kidnapping, he stressed the double victimization suffered by victims, both by the direct action of criminals and by the inaction and omission of authorities.

During the meeting with representatives of Alliance for Internet Safety, Enough of Insecurity and the Mexican Association for Mental Help during a Crisis, Plascencia Villanueva emphasized that CNDH builds and establishes the foundations of the Comprehensive Aid Network for Victims of Kidnapping, in which commissions and local prosecutors' offices of human rights, institutions at the three levels of government and civil society organizations take part.

He ratified the National Institution's commitment to work in close collaboration with society to strengthen the culture of respect and protection of human rights in our country.

It was also established that the main purpose of the Network will be to provide assistance in the victims' psychic, moral, personal and legal spheres so that they have the support of personnel specializing in these fields.

CNDH WILL INVESTIGATE ATTACKS ON JOURNALISTS IN SALTILLO

The CNDH will investigate the attacks suffered by journalists in Saltillo, Coahuila. The acts of violence against journalists took place at the Escuela Normal Básica in that city, a few moments before a press conference which they were not being allowed to enter in order to carry out their journalistic duties.

For the National Institution, the exercise of freedom of expression is a fundamental right that should be guaranteed in a setting of freedom, safety and harmony.

Faced with the lack of results in the prevention and investigation of attacks against journalists, the CNDH is punctually following the prosecution enquiries and raises its voice to demand that these cases be clarified and justice be done.

CARE FOR KIDNAP VICTIMS IN CHIAPAS: CNDH

Raúl Plascencia Villanueva, President of the Mexican National Human Rights Commission, initiated the operation of the Comprehensive Aid Network for Victims of Kidnapping in Chiapas, which will facilitate the victims' access to aid and protection systems.

On signing a collaboration agreement on the matter with the government of the State of Chiapas and the State Human Rights Commission, he called for joint efforts between civil society and public institutions to protect the victims from the scourge of that crime.

During the signing of that agreement, the National Ombudsman reported that victims suffer, in addition to the direct onslaught of crime, a lack of attention from institutions.

He highlighted that most cases do not receive legal, medical or psychological assistance, are unaware of the status of the proceedings and they are unlikely to obtain any compensation for the damages caused.

Plascencia Villanueva stressed the importance of promoting, from the state legislative branches, legal reforms that enable victims to directly participate in the penal proceedings, receive legal assistance and establish mechanisms that truly and effectively fulfill their demand for justice.

He announced that the agreement includes actions of promotion and dissemination of victims' rights, legal assistance, medical and psychological care, as well as institutional mechanisms to guarantee the protection of their human rights.

CNDH SUPPORTS HUMAN RIGHTS CIVIL DEFENDERS

Raúl Plascencia Villanueva, President of CNDH, underscored that the National Institution has a firm commitment to the protection and defense of fundamental rights.

On meeting with civil society organizations, he listened to the complaint of the human rights advocates as they have been intimidated, threatened and attacked to force them abandon the causes and the cases that they head.

The National Ombudsman said that the institution will remain alert to defend society from any abuse of power or action that harms the human rights of the people.

Likewise, he told the human rights civil advocates that they had the National Institution's full support and commitment and that it was looking out for cases of intimidation, threats and attacks that seek to limit, restrain and prevent them from continuing their fight.

He stressed that CNDH would not tolerate attacks against human rights advocates. He asked that all instances of aggressions against civil advocates and violation of human rights be called by their rightful name so that the actions of the National Institution can be direct and forcible.

The CNDH will publish the Charter of Duties of the People, which will be based on the principal obligations enshrined in our legal framework and its purpose will be to get people to assume the commitment of collaborating in the creation of an optimal scenario for fostering the country's development.

The National Ombudsman stated that the CNDH seeks the jointure of will power, support and backing of civil society organizations in order to make promotion and dissemination of human rights a commitment of all.

CNDH DEMANDS CLARIFICATION OF THE CASE OF JOURNALISTS IN TAMAULIPAS

The CNDH demands the clarification of the case of the eight journalists from different media who were held in Reynosa, Tamaulipas from authorities of all three levels of government.

According to journalistic information, three reporters were released. One of them died as a consequence of the torture he was subjected to.

The CNDH expresses its most vigorous condemnation of the attack against the communicators and underlines that the authorities are obliged to investigate and clarify the incidents.

It deplores the persistent violence against journalists and calls on the Mexican State to investigate all cases in-depth and in a professional manner, determine their relation to the exercise of the right to freedom of expression, and to ensure that those criminally liable are punished and impunity comes to an end.

The level of deterioration of public safety is systematically documented not only by CNDH's work but also by the day-to-day information that journalists provide to society through the media.

The CNDH stresses that freedom of expression is a social good that must be exercised and protected if we want our democracy to be –as established by the Constitution- a way of life and the best means to elect government officials.

The National Institution condemns all kinds of violence against journalists, reiterates its commitment to the human rights of communicators and points out that the responsibility of the Mexican State in this regard will only be resolved by legal, political and social actions.

CNDH WILL LOOK INTO PENSION AND RETIREMENT REDUCTIONS

The National Ombudsman, Raúl Plascencia Villanueva, agreed that the Mexican National Human Rights Commission should carry out an investigation on the case of pensioners and retirees of the Mexican Social Security Institute (IMSS) and the Institute of Social Security and Services of the Workers of the State (ISSSTE) who have had their income reduced without any explanation.

For the National Institution, this income reduction of pensioners and retirees constitutes a serious act and one which purportedly violates human rights.

CNDH DEMANDS EFFICIENT STRATEGIES FOR CIUDAD JUAREZ

Raúl Plascencia Villanueva, President of the Mexican National Human Rights Commission, pressed for the implementation of public policies that put into practice efficient strategies regarding public safety.

To date, the plans and actions set in motion have not succeeded in preventing crime commission. He explained that measures that clearly inform the status of progress, the setbacks and times to achieve objectives were required.

On signing a collaboration agreement between the CNDH, the government of Coahuila and the State Human Rights Commission, Plascencia Villanueva also put forth the need for public servants to comply with the Recommendations.

He recalled that the Congress of the Union was studying an amendment which, if approved, will make it possible to hold government officials accountable for not accepting or failing to comply with CNDH Recommendations.

Later on, in reference to the recent resolutions issued by the Supreme Court of Justice of the Nation, he maintained that they represent limitations regarding access to information from the Office of the Attorney General of the Republic.

Regarding the agreement signed, it was emphasized that it would make it possible to carry out investigation, training and promotion actions in the field of human rights in this State.

EFFICIENT CRIME PREVENTION, CHALLENGE FOR PUBLIC SAFETY: CNDH

Raúl Plascencia Villanueva, president of the Mexican National Human Rights Commission, stated that the challenge for public safety institutions is to achieve an efficient performance in the prevention of crime, a diligent administration of justice and execution of sanctions.

“This equation will make it possible not only to inhibit crimes and punish those responsible, but also to make the victims the final aim so as to facilitate the process or redress the harm.”

On delivering the keynote speech “Public Safety and Human Rights”, Plascencia Villanueva affirmed that the lack of results from amendments in criminal matters was due to the fact that, rather than achieving crime prevention, they favored tougher sanctions and an increase in terms of imprisonment without succeeding in inhibiting crime commission.

The National Ombudsman said that the public safety budget had been increased without achieving the expected results. He underlined that the problem would be adequately addressed only after obtaining an accurate x-ray of the reality of the crime phenomenon. Plascencia Villanueva criticized the fact that statistics minimize the figures of this phenomenon.

CNDH DEMANDS RESPECT FOR VICTIMS’ RIGHTS

The President of the Mexican National Human Rights Commission, Raúl Plascencia Villanueva, stated that the programs, policies, guidelines and any action aimed at the care and assistant of crime victims should be based on an atmosphere of humanism and respect for their rights.

“We shall not falter in our objective of supporting crime victims. We are determined to encourage the Mexican State to effectively fulfill its obligation to assist all persons who have undergone crime attacks.”

When the Eighth National Seminar on Victims of Crime titled “Kidnapping Victims” was launched, Plascencia Villanueva stressed that reinforcing victims’ rights was a central element to strengthen freedoms in a State of Law.

He referred to the implementation of a Comprehensive Aid Network for Victims of Kidnapping throughout the country that includes actions of promotion and dissemination of victims’ rights, legal assistance, medical and psychological attention to fully guarantee human rights observance.

He said that official figures reveal that 700 kidnappings take place every year throughout the country. However, this figure contrasts with the work of civil organizations and human rights public institutions, whose figures are higher.

CNDH STRENGTHENS SUPPORT FOR VICTIMS OF KIDNAPPING IN QUERÉTARO

Raúl Plascencia Villanueva, President of the Mexican National Human Rights Commission, put the Comprehensive Aid Network for Victims of Kidnapping of Querétaro into operation, which will make it easier for the victims to gain access to aid and protection systems.

The agreement signed between CNDH, the Government of the State of Querétaro and the State Human Rights Commission will also follow up on activities aimed at the promotion, protection, defense, support and dissemination of victims' human rights.

Another function of the Network will be assistance in the psychological, moral, personal and legal spheres. To that end, support will be given by specialized personnel.

With joint work and respect for the law, we will be able to find solutions to the problems affecting the nation, such as insecurity, poverty, marginalization, injustice, impunity and corruption, said the President of the Mexican National Human Rights Commission.

CNDH CALLS FOR COMBATING RACIAL DISCRIMINATION

The Mexican National Human Rights Commission considers that discrimination is a form of social exclusion which is not limited to race. It has to do with social, economic, political, religious and cultural situations.

On the occasion of the anniversary of the International Day for the Elimination of Racial Discrimination, CNDH considers the actions and efforts to combat this phenomenon in our country insufficient.

In Mexico, there are still displacements and expulsions of indigenous people from their places of origin, sanctions imposed on minors for not saluting the Mexican flag, pregnancy tests that some companies demand from women applying for a job as well as ill-treatment and humiliations on Central American migrants who cross over our territory on their way to the United States.

The indigenous women Alberta Alcántara Juan and Teresa González Cornelio remain imprisoned in a detention center in the State of Querétaro.

As a result, the CNDH issued a Recommendation that was not accepted by the Office of the Attorney General of the Republic, in which it highlights the importance of avoiding the criminalization of the indigenous population in the country.

The Mexican National Human Rights Commission has insisted and will insist on justice being done in the case of these two women.

In order for Mexico to comply with its international human rights obligations, control and supervision mechanisms that render them effective should be implemented, as provided for in the International Covenant on Civil and Political Rights.

RECOMMENDATIONS

In the following pages, the synopsis of the recommendations emitted by the CNDH during the month of March, 2010 is presented. The complete version may be consulted on this institution's web page: <http://www.cndh.org.mx/recomen/2010/001.html>

Recommendation 11/2010
Mexico City, March 1, 2010

Subject: On the case of Torture against V1, V2 and V3.

Authority Responsible:

Secretary of National Defense President of the board of directors of the lxx Legislature of the Congress of the State of Guerrero Members of the H. City Hall of Chilpancingo de los Bravo, Guerrero.

The Mexican National Human Rights Commission issued Recommendation 11/2010, as a result of the acts in violation of human rights committed against V1, V2 and V3 on June 7, 2008 in the city of Ojinaga, Chihuahua.

In this regard, Q1 pointed out that, on the above-mentioned date, and at approximately 03:00 a.m. hours, several members of the Mexican Army entered his mother-in-law's house on Calle 24 and Bolívar, in that locality, and took V1 and V2, who were later released; as a result of these events, his mother-in-law's blood pressure increased considerably, and so they had to take her to hospital; he added that at 06:00 a.m. hours of that same day, upon returning from the hospital, when passing by Hotel Cañón del Peguis, he saw several members of the Mexican Army, a military vehicle and the "snout of the truck" belonging to V3. He therefore went to the reception desk of that establishment and saw that V3 had been arrested by the military and was being held at gun point with a machine gun, his face was covered by his t-shirt; he declared that he followed them but lost them.

He stated that on the journey, he went past the house located on Calle 24 and Bolívar and could see that V3 was in the back of the above-mentioned military vehicle, which he reported to this national institution so that an investigation should be made regarding the manner in which these SEDENA public servants acted in the arrest of V1, V2 and V3, as well as the search carried out in their home without a search warrant.

From the legal logical analysis carried out in conjunction with the evidence that forms part of the file of complaint, the National Commission considers that violations to the fundamental rights of freedom, legality, legal security, personal integrity and safety provided for in Articles 14, second paragraph, 16, paragraphs one and five, 21, paragraphs one and nine and twenty-two, paragraph one of the current Political Constitution of the United Mexican States to the detriment of V1, V2 and V3 have been confirmed due to actions consisting of arbitrary detention, illegal restraint, solitary confinement, cruel and inhumane treatment, torture and delays in presenting V3 before the prosecuting authority, attributable to public servants from the Third Independent Infantry Company in Ojinaga, Chihuahua, of the Secretariat of National Defense (SEDENA).

The National Institution considers it advisable to formulate the following Recommendations:

Extensive collaboration with CNDH in the filing of the complaint that this public institution submits to the General Inspection and Comptrollership Unit of the Mexican Army and Air Force against public servants of SEDENA involved in the incidents set forth in this case.

Initiate and duly compile the prior investigation derived from the statement of facts that this human rights protection body submits to the Office of the Attorney General for Military Justice against the Mexican Army members involved in the human rights violations incidents in question and criminal responsibility is determined so that those responsible are sanctioned.

That damage caused to the victims and their families is redressed by means of the corresponding compensation according to law.

That measures be implemented so that the members of the Mexican Army abstain from trying to intimidate the personnel of the National Commission, instructing them to provide all necessary collaboration to carry out investigations on possible human rights violations in which members of the Mexican Army might be involved, informing this human rights protection institution of the measures and actions implemented so that it can follow up on their compliance.

It is guaranteed that people who are arrested during operations carried out by members of the Mexican Army are not transferred to military facilities, but are placed at the immediate disposal of the corresponding authority.

In order to guarantee the impartiality and objectivity of military medical personnel in certification on medical condition, courses should be given aimed at verifying compliance with the legal and ethical duties of adhering to procedures of medical review established in the regulations.

Recommendation 12/2010

Mexico City, March 2, 2010

Subject: On the failure to comply with Environmental Standards to the detriment of V1.

Authority Responsible:

Director General of the National Water Commission

On February 6, 2008, the Mexican National Human Rights Commission received a fax filing a complaint from Q1 in which he stated alleged human rights violations to the detriment of V1, a 9 year-old minor, attributable to public servants from the National Water Commission (CONAGUA). The complaint was ratified by Q2, mother of V1, on March 6, 2008.

With regard to the above, it is described that on January 25, 2008, V1 fell into the Santiago river in Guadalajara, Jalisco, and developed an acute intoxication from arsenic, as a result of which he was transferred to the Western General Hospital of the Secretariat of Health in Jalisco, where he remained until his death, on February 13 of that year. As a result of the above, Q2 filed a complaint before the Unit Specializing in the Investigation of Offenses committed against the Environment that are provided for in Special Laws of the Office of the Attorney General of the Republic, where the prior investigation was filed and which is currently in the process of being compiled.

Together with the above and with the legal logical analysis carried in conjunction with evidence that makes up the file, the CNDH has elements that confirm violations of environmental conservation rights, protection of health and life to the detriment of V1, attributable to public servants of the National Water Commission, given that such authority, in accordance with the powers conferred on it by law, has not complied with the responsibility of treating and cleaning up polluted water in the Santiago river, causing, not only the death of V1, but also affecting the health of people living in the vicinity of the river.

Consequently, the high levels of pollution of the Santiago river in the State of Jalisco, place the health and therefore, the life of people living in the vicinity of the river at risk, as well as all others who may have occasional contact with its waters, a situation that, if not corrected by the authorities in charge of keeping them in optimal conditions and free of pollution, represents a clear and evident violation of both the right to health protection and environmental conservation by

omitting to establish the measures for the reestablishment of the river and by not complying with sanitation, treatment, precautionary seizure of dangerous materials and wastes or pollutants.

Due to the above, the National Institution presents the Director General of the National Water Commission with the following Recommendations:

To issue instructions to the person responsible so that in terms of the known precepts of the Declaration of basic principles of Justice for Victims of Crime and Abuse of Power, he proceeds to compensate the family members of V1 or those who hold this right, as a consequence of the institutional responsibility in which the public servants of the National Water Commission incurred, based on the considerations put forward in this recommendation, and that evidence of its compliance is sent to the National Commission.

To fully cooperate with CNDH in the filing of the complaint that this public institution will promote against personnel of the National Water Commission as the latter has not cleaned up the waters of the Santiago river, according to the facts recorded in this case, sending the requested evidence.

To cooperate extensively with the investigations stemming from the prior investigation filed by the CNDH before the Attorney General of the Republic's Office (PGR) as a result of these facts, since it involves federal public servants, sending proof of this as required.

To issue instructions to take the necessary urgent measures in order to warn the inhabitants of the State of Jalisco, mainly those who live in the vicinity of the Santiago river, of the existing pollution of its waters and the risk they run if they have contact with the latter as well as intensifying the work of clean-up and restoration of the affected environment and send the National Institution evidence of compliance.

That effective environmental protection guidelines are issued as part of the public policies in connection with the environment, mainly those regarding protection of the waters within its jurisdiction throughout the country, training the personnel of the National Water Commission in its contents and scope, verifying their updating and observance and that it send the National Institution evidence of compliance.

Recommendation 13/2010
Mexico City, March 3, 2010

Subject: On the case of V1

Authority Responsible:
National Secretary of Public Safety

On June 24, 2008, the National Commission received an official letter from the federal public defense counsel of the Federal Public Defense Institute of the Council of the Federal Judiciary of the Federal Judiciary, under the Joint Unit for Attention to Retail Drug Trafficking based in Tijuana, Baja California together with a written complaint or declaration of facts attached and signed by "V1", which states that on June 22, 2008 he was arrested, without a warrant, at his home, by members of the Federal Police.

In order to carry out the arrest, the above-mentioned members of the police burst into his home without his permission, threw him on the ground and asked him where the "good stuff" was, to which he answered that he did not know what they meant and that he lived alone, they hit him in the stomach and in the face, searched his home while keeping him on the floor and threatened him saying that if he moved, they would hit him again; that after about 20 minutes, they pushed him

out of the house and into in a patrol car where, after about five minutes, one of the federal police officers showed him nine packages and told him they had found them in his home; he was therefore transferred to the Federal Police station and later was transferred to the Joint Unit for Attention to Retail Drug Trafficking (UMAN) of the Office of the Attorney General of the Republic (PGR) in Tijuana, Baja California.

From the legal logical analysis performed on the evidence that forms part of the complaint file, it is evident that the personnel from SSP (Secretariat of Public Security) incurred in an act of torture to the detriment of "V1," violating his rights to legality, legal security, inviolability of the home, dignified treatment as well as personal security and safety.

Therefore, it can be concluded that public servants "AR1" and "AR2" of the Federal Secretariat of Public Safety who violated "V1's" human rights with their actions, probably failed to comply with the provisions of Articles 8, sections I and XXIV of the Federal Law on Administrative Accountability of Public Servants; 1, 2 and 5 of the Code of Conduct for Law Enforcement Officials by failing to observe the duties conferred on them by their posts as well as non-compliance with legal provisions to which they are obligated, exceeding their authority.

The CNDH makes the following Recommendations to the Secretary of Public Safety:

Instructions be issued so that the damage caused to "V1" be redressed by means of the necessary psychological, medical and rehabilitation help that make it possible to reestablish the physical and psychological condition he was in prior to the violation of his human rights.

That full collaboration with CNDH is provided in filing the complaint that this public institution submits to the Internal Control Body of the Federal Police against the former Preventive Federal Police Officers "AR1" and "AR2" for the irregularities in which they incurred, and that evidence of its compliance is sent to the National Commission.

That it issues instructions to whom it may concern so that, in the sphere of his competence, guidelines and actions for the adequate prevention of torture are established by training the members of the Federal Police in order to prevent the conduct described in this Recommendation from being repeated.

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