



Comisión Nacional de los
Derechos Humanos
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The voice of the President

Public Security and the Duty of the State

Raúl Plascencia Villanueva

State Institutions should focus on benefiting society, in establishing a firm base of development directed primarily to the achievement of social harmony.

Within that, the importance of controlling delinquency and for that matter, every threat to society; becomes a basic function and an essential commitment of the State.

In a slight detachment from my previous sentiment whose incentive is the tranquility which should be offered by "public security", this should not solely be

understood as the fight against delinquency. It is also the search for the adequate conditions in which each



member of society can develop within an environment that permits them to wholly exercise their rights.

Public security's greatest function is to protect its members with minimal injustice or oppression, particularly with respect to any act or omission by a public

servant which abuses their authoritative position, or puts in jeopardy the well-being of the individual concerned. With this in mind, it is imperative that justice be carried out promptly, thoroughly and impartially.

In analyzing the impunity rates which often exceed 98 % - by which we mean that only

2 of every 100 crimes committed are punished – we can begin to comprehend, even when there is no means of justifying it, the conditions in which some people live throughout the country.

<http://www.eluniversal.com.mx/editoriales/52742.html>

Event of the month

XXIV Meeting of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights

Raúl Plascencia Villanueva, President of the CNDH, met with the United Nations High Commissioner for Human Rights, Navin Pillay, upon invitation from the UN representative.

The meeting took place within the framework of the XXIV meeting of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

Africa, America, Europe and Asia all sent representatives to the conference, where strategies, plans and those advances

which have already been achieved were all discussed. The rights of indigenous people and disabled persons also featured heavily on the agenda.

During the meeting it was established that it was necessary to intensify the actions of all institutions defending human rights, alongside the promotion of the exchange of information and experience within the field.

GREATER EQUALITY NEEDED IN THE DISTRIBUTION OF HOUSE WORK

CGCP/103/11

1st may 2011

The National Commission of Human Rights will begin work on a nationwide campaign (*Shared Family Responsibilities: It's better between every@ne*) to promote equality between men and women in the home.

The campaign's aim is to cultivate greater equality between family

members; promoting the shared responsibility of domestic chores, which should be carried out by both men and women, under the same working conditions.

Currently women dedicate 23.6 per cent of their week to domestic tasks, while men only set aside 7.3 per cent of theirs.

In the preparation and serving of food in the house, men on average

only invest 4 hours a week, with women spending 15 hours by comparison.

The CNDH considers that the development of any lawful society, wherein both sexes are able to exercise their every right and each fulfill their role within the family under equal conditions, should begin at home.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_103.pdf

INVESTIGATION IN TO THE DEATH OF A SALVADORIAN MIGRANT

CGCP/104/11

1st may 2011

The National Commission of Human Rights began its investigation in to the alleged violation of human rights of the salvadorian migrant who died recently.

Deputy representatives assigned to our regional office in San Cristobal

de las Casas, Chiapas, are investigating the cause of death which occurred during a search operation being carried out by personnel of the National Institute of Migration (INM) upon the migrant.

The CNDH will gather evidence and revise the report offered up by the agents who were present at the time, along with the

witness statements of the other migrants who were also at the scene. Upon concluding the investigation of this tragic episode, the Commission will let their findings be known in accordance with the law corresponding to this area.

<http://www.cndh.org.mx/comsoc/compre/2011/COMUNICADO%20CNDH%20104-2011.pdf>

FREEDOM OF PRESS IN NEED OF SUPPORT

CGCP/105/11

2nd may 2011

On the 3rd of may, the CNDH celebrated *Freedom of Press* day by reaffirming its sentiments that an integral component of all democratic societies is a free and independent press. It is making its call to authorities to act efficiently in their defense of all those who

wish to exercise their freedom of expression.

It also recommends the airing of cases in which journalists have been in any way assaulted or attacked.

The CNDH has been helped in defending these rights by the regulator of journalistic affairs which flags up any violation of human rights.

The CNDH settled from 2005 to march 2011, 473 filed complaints. There have also been 68 reported homicides against journalists with 13 currently missing and 21 attacks on media centers. 20 recommendations against the assault of journalists have been filed.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_105.pdf

ERADICATING THE TRADE OF PEOPLE SHOULD BE A PRIORITY FOR ALL

CGCP/106/11

3rd may 2011

Raúl Plascencia Villanueva, current President of the CNDH has announced that the trade and trafficking of fellow human beings is a global problem which violates human rights and impedes the necessary development of society.

As such, the matter should

be considered an urgent priority for the upcoming 10th National Conference for the Victims of Crime and Human Rights in the state of Puebla.

Likewise, within the framework of the national conferences orientated towards the analysis and reflection on child and adolescent victims of violence and crime, the initiation of the Puebla-Tlaxcala Regional Committee against the Trade of People was agreed.

The President of the CNDH stated that it was unacceptable that in the 21st century, thousands of people continue to suffer in inhumane, undignified conditions.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_106.pdf

REQUEST MADE FOR PREVENTATIVE MEASURES IN MINE CASE

CGCP/107/11

3rd may 2011

The National Commission of Human Rights requested that the Secretaries of Work and Social Provision, and that of the Economy, apply the necessary preventative measures in order to guarantee the life, integrity, and in this case, the rescue

of the bodies of the workers at the coal mine located in the municipality of Sabinas, Coahuila.

The CNDH has also initiated a formal complaint relating to the explosion at the mine which injured one minor and left 14 people trapped.

The organization will keep track of all actions taken in the rescue of the miners.

Upon analyzing all evidence relating to the case, the CNDH will take the appropriate actions in accordance with the law.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_107.pdf

GREATER ACTION TO PROTECT THE ELDERLY

CGCP/108/11

5th may 2011

The CNDH is putting in to place measures to protect the human rights of those over 60 years of age, which in Mexico equates to 10 million people.

Through the National Program for the Promotion of Human

Rights of the Elderly, forums, workshops and courses have been organized.

Information has also been provided to advise the elderly on how to defend their legal rights in the case that any authority tries to contravene them.

Of the 10,055,379 elderly living in our country, 2,884,891 aren't in possession of medical

insurance, meaning that it is now of fundamental importance that the authorities begin to implement health programs to cater to this sector of society.

The CNDH has signaled that it should be a priority for all to provide a better quality of life for all elderly people, learning from their experience in the process.

IRREGULARITIES IN THE WORKING OF MINES

CGCP/109/11

6th may 2011

The CNDH has protested on various occasions the violation of the human rights of mine workers, releasing 4 Recommendations (26/2006, 64/2008, 85/2010 and 12/2011).

Through these recommendations, the National Commission has implored the secretaries of Work and Social Provision and that

of the Economy, to apply the necessary preventative measures to guarantee the lives, integrity and in this particular case, the recovery of the bodies of those working at the coal mine where there was an explosion last Tuesday.

Personnel of the CNDH are currently working through the evidence corresponding to this case in order to ascertain what exactly happened and if there was any violation of human rights.

Once the investigation is complete, the findings will be released in accordance with the corresponding law. The four recommendations previously mentioned can be found at our website: www.cndh.org.mx

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_109.pdf

PREVENTATIVE MEASURES FOR MIGRANTS

CGCP/110/11

6th may 2011

The CNDH requested that the Federal Secretary of Public Security take preventative measures to ensure the safety of the migrants, activists and defenders of human rights who were threatened by an armed group, close to the railway station at Orizaba, Veracruz.

An official complaint was also registered, in order to spark the investigation of the possible violation of human rights committed against the travelers.

The CNDH has accompanied and maintained contact with the migrants 24 hours a day.

These preventative measures required of the federal authorities

have the aim of ensuring the well-being, dignity and lives of those who plan to march in protest of the level of violence throughout the country – walking from Cuernavaca to Mexico City.

http://www.cndh.org.mx/comsoc/compre/2011/CGCP_110.pdf

ESSENTIAL KNOWLEDGE OF HUMAN RIGHTS

CGCP/111/11

9th may 2011

Raúl Plascencia Villanueva, President of the CNDH stated at the signing of the Collaboration Agreement with the State Commission of Veracruz, that the formation of human rights goes far beyond the content of the current curriculum.



He reasoned that it encompasses a variety of different learning processes and experiences, permitting the individual concerned to develop their personality as well as their

capacity to operate within society.

He went on to say that it was necessary to approach learning from a global perspective and that to increase knowledge and awareness of these issues, it was essential to see a union of all parties.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_111.pdf

WORKING MOTHERS SUFFER AT THE HANDS OF INEQUALITY

CGCP/112/11

10th May 2011

Through the programs Female Matters and Inequality between Women and Men, the CNDH is working alongside the authorities and civil society in support of women fighting for the right to health, education and work.

In Mexico there are more than 16 million working women, with 70.7 % mothers – of whom 60% assume complete

economic responsibility of their families, representing the principal support for more than 20 million people.

The CNDH considers it the duty of public institutions alongside society itself, to implement programs which increase the awareness of, and eradicate discrimination in the areas of contractual practice, remuneration, mobility and promotion – as well as other inflexible working conditions which unfairly penalize women, in particular working mothers.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_112.pdf

FOLLOW-UP ON THE CASE OF THE MIGRANTS

CGCP/113/11

11th may 2011

The CNDH has integrated itself with the investigation being carried out in to claims made by a group of migrants that agents of the National Institute of Migration, had handed them over to a group involved in organized crime.

The group of migrants identified these public servants as the people that told them to get off the bus in which they were traveling towards the border, only to then be handed over to a criminal group.

These claims have been integrated in to the investigation currently being made by the CNDH to document the kidnapping and violation of human rights of those

individuals traveling through the country.

With respect to the mass graves in Tamaulipas and Durango, the CNDH is carrying out groundwork with a group of specialists and doctors.

As soon as a conclusion is reached, its findings will be made known.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_113.pdf

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CNDH AND SEDENA SIGN COLLABORATIVE AGREEMENT

CGCP/114/11

12th may 2011

The National Commission for Human Rights and the National Defense Secretary signed a General Collaborative Agreement with the aim of developing activity in the area of human rights.

Both institutions committed to actively working against

any regulation protecting the legal order.

Along these lines, they will co-ordinate training and awareness programs for military personnel.

The agreement was signed by the president of the CNDH, Raúl Plascencia Villanueva, and the secretary of the SEDENA, Guillermo Galván Galván.

As the first act of the agreement following the ceremony (which took place at the SEDENA headquarters), the national Ombudsman gave a conference about the culture of legality and human rights.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_114.pdf

INDIGENOUS PEOPLE OBTAIN EARLY RELEASE

CGCP/115/11

13th may 2011

The National Commission for Human Rights has obtained the early release of 600 indigenous inmates who had completed their sentences, in various institutions across the country, from 2010 to present.

Liberty was achieved for 422 cases of general jurisdiction and 178 cases

of federal jurisdiction; of which, 545 were men and 55 women.

These actions have benefited such ethnic groups as the Náhuatl, Maya, Zapoteco, Mixteco, Tzotzil, Tzeltal, Mixe, Chatino, Cora, Huichol, Tlapaneco and Zoque.

So far this year, 75 individuals of various ethnic groups have reached this right under law.

The CNDH has encountered victims of the abuse of power, the lack of response to legitimate requests made, the refusal to clarify legal status and the denial of information of how to access legal aid.

There are currently 8,293 indigenous people imprisoned across the Mexican Republic.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_115.pdf

ANTISOCIAL CONDUCT REFLECTED IN VIOLENCE AT HOME

CGCP/116/11

14th may 2011

In response to the situation of domestic violence, the CNDH has sought to raise awareness of the issue within the family and home.

According to official figures, 65% of women have suf-

fered some form of physical or sexual violence at the hands of their partner. In such cases, those involved, fearing some form of reprisal, rarely seek help from the authorities.

In recent years, there have also been a number of cases registered where men have been on the receiving end of violent behavior from their partner.

Domestic violence consists of any act or omission, whose objective is to control, dominate, subjugate or attack another family member.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_116.pdf

CHOAPAM CASE INVESTIGATED – OAXACA

CGCP/117/11

15th may 2011

The CNDH has begun investigating the violation of human rights within the indigenous Mixe community of Santiago Choapam, Oaxaca.

A number of people have been killed or injured recently, as a result

of disagreements between the diverse groups represented within the community.

The CNDH asked the Oaxacan State Authorities to take action by investigating the incident and helping those affected, along with putting the necessary measures in place to ensure

that this does not happen again.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_117.pdf

CNDH AND UN INCREASE THEIR EFFORTS

CGCP/118/11

17th may 2011

Raúl Plascencia Villanueva, President of CNDH, met with the United Nations High Commissioner for Human Rights, Navy Pillay, upon invitation from the UN representative.

The meeting took place within the framework of the XXIV Meeting of the International Committee for the Coordination of National Institutions for the Promotion

and Protection of Human Rights.

Africa, America, Europe and Asia all sent representa-



tives to the conference, where strategies, plans and advances that have already been achieved were discussed.

During the meeting it was established that it was necessary to intensify the actions of all institutions defending human rights, along with the promotion of the exchange of information and experience. Navy Pillay, the High Commissioner of the UN, stated his interest in traveling soon to Mexico.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_118.pdf

GREATER PROTECTION FOR INDIGENOUS GROUPS

CGCP/119/11

18th may 2011

At the annual meeting of the International Committee of the Coordination of National Institutions of Human Rights (INDH), the President of the CNDH, Raúl Plascencia, urged the offering of greater protection to all indigenous groups.

He stated that it was essential that countries maintain as their

point of reference the Declaration of the United Nations relating to the Rights of Indigenous Peoples.

According to UN statistics, there are around 370 million indigenous people living in more than 70 countries, across the world. With respect to the actions carried out by the CNDH in this field, he indicated the existence of the Program of the Promotion of the Human

Rights of Indigenous Communities and townships.



<http://www.cndh.org.mx/comsoc/compre/2011/COMUNICADO%20119-11.pdf>

ABSOLUTE RESPECT FOR HUMAN RIGHTS

CGCP/120/11

19th may 2011

The constitutional reform referring to matters of human rights represents greater protection for society, according to Raúl Plascencia Villanueva, President of the CNDH.

In accordance with article 135 of the Constitution (a reform of that nature), in addition

to requiring the backing of the Union Congress, "it has to be approved by the majority of state legislatures" the Mexican Ombudsman reminded.

Under the reform, "the National Commission of Human Rights will have greater flexibility in order to better serve the needs of society. It will be able to strengthen the spine of the

Mexican State, through its promotion of a culture of legality that assumes the existence of rights and duties, but also the existence of institutions and public servants committed to their role".



Dr. Raúl Plascencia Villanueva,
President of the CNDH

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_120.pdf

ACTIONS TO PROTECT MINORS

CGCP/121/11

27th may 2011

The commitment to protect the physical and intellectual integrity of children and adolescents, who have access to the internet in Mexico, is one we all share.

In our country there are more than 19 million

children and adolescents using the internet and social networks.

The CNDH imparts its study and knowledge of human rights through its electronic portal www.cndh.org.mx, where one can view data, programs, publications and recommendations.

You can also register complaints against identity

theft, extortion, trade, child pornography, kidnappings and *cyber-bullying*, with the aim of counteracting these crimes.

<http://www.cndh.org.mx/comsoc/compre/2011/COMUNICADO%20CNDH%20121-2011.pdf>

GUARANTEED RIGHTS OF CHILD MIGRANTS

CGCP/122/11

23rd may 2011

Raúl Plascencia Villanueva, President of the CNDH, sounded his concern in response to the rise in number of Mexican and foreign child migrants, traveling alone through Mexico, many of whom eventually fall victim to a violation of their human rights.

The CNDH (which presides

over such matters), has taken it upon itself to strengthen each of its programs which give attention to vulnerable groups, in order to be able to receive and investigate cases of the possible violation of human rights of minors.

Such violations might range from kidnapping, the trade of people, discrimination and abuse, to segregation and even

the loss of life. He also indicated that in 2010, the migratory authorities registered close to 14 thousand cases of the repatriation of unaccompanied Mexican child migrants heading to the United States of America. The majority of these repatriated minors heralded from the states of Oaxaca, Michoacán, Guerrero, Sonora and Puebla.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_122.pdf

MORE THAN 37 THOUSAND PUBLIC SERVANTS TRAINED

CGCP/123/11

24th may 2011

With the aim of promoting amongst society the teaching and encouragement of fundamental rights, from 2010 to date, the National Commission of Human Rights has trained 37,397 public servants of the armed forces, public security institutions

and law enforcement agencies. In accordance with the country's diverse network of institutions, the CNDH has carried out 248 training courses for 10,720 public servants working for the state and federal secretaries of Public Security.

Those in attendance were instructed on human rights relating to policing;

basic aspects of human rights; rights and duties of the police force; treatment of the victims of crime and legal principles relating to any individual detained in prison.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_123.pdf

FOLLOW-UP ON MISSING PERSONS

CGCP/124/11

24th may 2011

The National Commission of Human Rights indicates it is abreast of all developments in the cases of Edmundo Reyes Amaya and Alberto Cruz Sanchez who went missing in may of 2007.

The CNDH considers the coordination and dialogue between the Republic's Attorney General's Office and the Justice of the State of Oaxaca essential in order for investigations to advance.

The two bodies need to cooperate by sharing any evidence which might reveal the whereabouts of the two missing people.

The CNDH will keep track of all progress in the case and thus remain compliant with their Recommendation.

<http://www.cndh.org.mx/comsoc/compre/2011/COMUNICADO%20CNDH%20124-2011.pdf>

JOINT ACTION FOR CHILD MIGRANTS

CGCP/125/11

26th may 2011

The National Commission of Human Rights agreed to work alongside other national and international organizations in order to promote public policy that prevents the irregular migration of children and adolescents.

At the International Forum for Child and Adolescent Migrants

Unaccompanied or Separated from their Families, it was agreed to promote bilateral,



regional and international projects, with the aim of reinforcing the protection of the human rights

of around 33 million migrants in the world under the age of 20.

The child's interests, the rejection of discrimination, the right to live and survive, the right to development and protection along with the right to be part of a family unit, are all considered of paramount importance.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_125.pdf

PROMOTION OF THE HUMAN RIGHTS OF CHILDREN

CGCP/126/11

27th may 2011

Through the *Program for the Defense and Protection of the Human Rights of Children: Child promoters*, the CNDH encourage the culture of legality, through which children are taught that they too have rights and duties.

The program is being taught during the current school year (2010-2011) and is structured with specific messages relating to each fundamental right, using child friendly language and terminology.

As a result, they will learn the rights bestowed upon them by the Constitution and the international judicial order for minors.

In addition to this, those in charge of the Constitutional Reform recently approved that the question of human rights should be taught in even the most basic levels of instruction.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_126.pdf



The teacher María Asunción, Ana Patricia Tejeda Smith Competition on Indigenous Human Rights, CNDH



Dance of the Maize Field,
community Chiepetepec, Gro.
Competition on Indigenous
Human Rights, CNDH

MORE SUPPORT NEEDED FOR INDIGENOUS WOMEN

CGCP/127/11

29th may 2011

Improving the living conditions of 8.1 million women should be a matter of prime importance for the national agenda.

For that reason, the CNDH has taken it upon itself to address this situation by developing the

Program of the Promotion of Human Rights of Indigenous Communities and Townships.

The aim is to promote the woman's right to be protected, speak her language, and have her work recognized and to elect the contraceptive she deems most appropriate, as well as being able to live in accordance

with the traditions of her community.

<http://www.cndh.org.mx/comsoc/compre/2011/COMUNICADO%20CNDH%20127-2011.pdf>

OFFICIAL COMPLAINT MADE AGAINST ATTACKS ON JOURNAL-

CGCP/128/11

30th may 2011

The National Commission of Human Rights registered an official complaint yesterday relating to the attacks made on the headquarters of the newspaper Vanguardia in Saltillo, Coahuila, in which a grenade was thrown at the premises at around midnight last Sunday.

The CNDH has expressed its indignation at this aggression, seen as an attack on the freedom of expression and the journalist's rights.

This most recent attack takes the number of such incidents carried out against journalistic institutions to 22 in the last 5 years.

The CNDH deplores such violence and asks

the authorities to investigate the attacks thoroughly.

The Commission will remain abreast of every development of this case, reiterating its commitment to investigate any aggression against journalists, whose actions deprive the nation of informative and current thought.

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_128.pdf

PROTECTION REQUESTED FOR THE WORKERS OF VANGUARDIA

CGCP/129/11

31st may 2011

The National Commission of Human Rights requested that the Ministry of the Interior put in place preventative measures to protect the workers of the Vanguardia newspaper of Saltillo, Coahuila, whose headquarters were

attacked last Sunday by a grenade thrown at the premises.

It has been requested that all respective instructions be circulated, in order that all necessary measures are taken to avoid the consummation of violent events, and in turn guarantee the physical integrity of all concerned.

It has also been asked that "a broad and impartial investigation is initiated which firmly establishes what happened that day".

http://www.cndh.org.mx/comsoc/compre/2011/COM_2011_129.pdf

RECOMMENDATION 24/2011

MATTER: The inadequate medical attention received by V1 and V2 at a Mexican Institute of Social Security (IMSS) hospital in Saltillo, Coahuila.

AUTHORITY RESPONSIBLE:

The Director General of the Mexican Institute of Social Security (IMSS)

13th of may 2011

Upon examining the evidence belonging to the investigation CNDH/1/2010/1599/Q (relating to the case of V1 and V2), in terms of the provisions made by article 41 of the Law of the

National Commission of Human Rights, the CNDH found sufficient evidence of the violation of the right to healthcare and the right to life committed against V1 and V2 respectively.

These violations have been attributed to the workers of the Zone 1 General Hospital, who practiced upon V1 an amniotomy with the sole purpose of expediting childbirth. No formal assessment was made regarding the situation prior to their acting upon it. There was also seemingly no sign indicating the need for such invasive

measures, in what is clearly a case of medical negligence.

This move was coupled with the fact that the medical team failed to immediately administer the necessary antibiotics to V1, which would have reduced the risk of the mother to fetus ascending infection. This omission of course favored the possible development of infection, which the victim consequently suffered from. As a result, Recommendation 24/2011 was formulated.

<http://www.cndh.org.mx/recomen/2011/024.pdf>

RECOMMENDATION 25/2011

MATTER: The case of V1, who found themselves detained at the Mexico City East, Male Preventative Prison.

AUTHORITY RESPONSIBLE:

The Government Chief of the Federal District of Mexico

20th may 2011

The National Commission of Human Rights has examined the details of the complaint CNDH/3/2010/2068/Q, relating to the case of V1.

V1 was interned in the Mexico

City East, Male Preventative Prison, and should have then been released in October 2009 having served the time to which they were sentenced.

V1 hadn't received their release ballot from the appropriate persons however and so their release was delayed. With this in mind, the argument brandished by AR2 is rendered unacceptable, due to the evident delay in the issuing of the release ballot as per the instruction of general and federal jurisdiction.

For the acts formerly mentioned and in accordance with the non-jurisdictional protection system of human rights, the recommendation made to the public agency whose public servant is at fault, is that they should seek to restore the victim of their fundamental rights as well as compensating the damage occasioned by unjustly depriving the victim of their liberty.

<http://www.cndh.org.mx/recomen/2011/025.pdf>

RECOMMENDATION 26/2011

MATTER: The case of the Triqui Indigenous Community of San Juan Copala, Santiago Juxtlahuaca, Oaxaca

AUTHORITY RESPONSIBLE:

Constitutional Governor of the free and sovereign state of Oaxaca / Deputy Chairman of the Board of the LXI Congress Legislature of the State of Oaxaca

24th of May 2011

The National Commission

of Human Rights has examined the contents of the case CNDH/4/2010/2761/Q and resulting case CNDH/5/2010/2256/Q relating to the events which took place in the community of San Juan Copala, in the municipality of Santiago Juxtlahuaca, Oaxaca.

These reports detail the neglect of the state authorities of the many petitions for intervention directed to them by members of the community, such as

those made by V5 to AR1, or V9 to AR2.

On both occasions a police presence was requested in San Juan Copala, with the objective of bringing further security to the community. The situation did not improve however as aggressive acts continued, threatening the lives and the security of certain sectors of the community.

<http://www.cndh.org.mx/recomen/2011/026.pdf>

RECOMMENDATION 27/2011

MATTER: The inadequate medical attention received by V1 at the District 194 IMSS General Hospital, State of Mexico.

AUTHORITY RESPONSIBLE: The Director General of the Mexican Institute of Social Security (IMSS)

24th of May 2011

The National Commission of Human Rights has examined the contents of case CNDH/1/2010/2979/Q relating to the individual

V1, assessed by AR1 – a doctor working as an Ophthalmologist at the District 194 IMSS General Hospital. Said Doctor recognized symptoms of high myopia in the patient, proceeding to request pre-operative studies with the aim of carrying out phaco-refractive surgery on the left eye, with the right eye receiving the same treatment. Following this procedure, the same Doctor carried out on V1 a phaco-emulsification procedure without having

realized the corresponding studies or taking in to account the patent risks involved in retinal detachment. Besides this, following on from the surgery itself, the Doctor gave no indication of how to take care of the eyes post-surgery, nor did they carry out any follow-up treatment or check-up. As a result, Recommendation 27/2011 was formulated.

<http://www.cndh.org.mx/recomen/2011/027.pdf>

RECOMMENDATION 28/2011

MATTER: The loss of life of V1

AUTHORITY RESPONSIBLE: National Defense Secretary

26th of may 2011

The CNDH has examined the evidence presented by the investigation CNDH/2/2010/3110/Q, detailing the loss of life of V1 in the municipality of Santa María Otáez, Durango.

The case states that the victim was herding cattle, when a member of the Mexican military shot at them, causing serious injury. Owing to their (V1) precarious state of health, the military personnel initially transported them to a Military Hospital in the city of Mazatlán, Sinaloa.

On the 2nd of June of this year, they were then transferred to the Dr. Martini-

ano Carvajal Mazatlán General Hospital where they passed away the following morning.

According to the evidence gathered by the aforementioned investigation, the CNDH notes grave violation of V1's human rights to life, integrity and personal security and to legality and legal security.

<http://www.cndh.org.mx/recomen/2011/028.pdf>

RECOMENDACIÓN 29/2011

MATTER: The case of the inhumane treatment and illegal detention of V1

AUTHORITY RESPONSIBLE: Federal Public Security Secretary

26th may 2011

The National Commission of Human Rights has examined the details of the investigation CNDH/1/2010/4768/Q

relating to the case of V1, who was detained by personnel of the Federal Police when visiting friends at a residence located in the colony of Lomas de la Cruz, in the city of Tepic, Nayarit.

Those personnel of the Federal Police who detained V1, beat them, causing the loss of a tooth and a possible nose fracture.

V1 was then taken to a vehicle belonging to the Federal Police and taken to a location where they were beaten further by the personnel and had their picture taken holding a gun. Following this episode, V1 was taken to the headquarters of the Office of Special Investigations on Organized Crime (SIEDO).

<http://www.cndh.org.mx/recomen/2011/029.pdf>

RECOMMENDATION 30/2011

MATTER: The inhumane treatment of V1

AUTHORITY RESPONSIBLE: Federal Public Security Secretary

26th of May 2011

The CNDH has examined the evidence presented by the investigation CNDH/1/2011/4467/Q relating to the complaint filed by V1, who, on the 17th of November 2008, was detained by AR1 and AR2 – personnel of the then Federal Police Preventative Unit belonging to the Federal Public Security Secretary.

According to V1's statement, at no point were they shown a warrant for their arrest by any agent of the Federal Public Ministry. The personnel of the Federal Police – themselves federal public servants – grabbed V1 by the neck, beat them in the chest and back, before handcuffing them with the express intent of retaining them in order that they might use excessive force against them. Indeed, one member of the Federal Police continued to threaten V1 by putting their knee in to their back. The CNDH observes that those personnel of the then Federal

Police Preventative Unit, belonging to the Federal Public Security Secretary, inflicted on V1 from the moment that they received the search warrant, to locating the individual and taking them to their headquarters. Upon carrying out the above orders, the aforementioned personnel used excessive levels of force, resulting in the violation of the legal and security rights of V1, as well as showing a lack of respect for the physical and emotional integrity.

<http://www.cndh.org.mx/recomen/2011/030.pdf>

RECOMMENDATION 31/2011

MATTER: The torture of V1, V2, V3 and the minors V5, V6, V7, V8 and V9, along with the damage of the assets of V1, V2, V3 and V4 in Guadalupe and Calvo, Chihuahua.

AUTHORITY RESPONSIBLE: The Governor of Chihuahua State

27th of May 2011

The National Commission of Human Rights has examined the evidence presented by the investigation

CNDH/2/2010/2208/Q, relating to the violation of human rights, integrity and personal security and legality and legal security. These violations were the result of the actions of the Ministerial Police Force of Parra and Guachochi alongside the peripheral security offered by the members of the Army of Zone 42/a, Chihuahua. Without presenting a search warrant, nor even identifying themselves, these individuals entered the residence of V1, V2 and V3, located at the

Devisadero del Caballo Prieto, in the municipality of Guadalupe y Calvo, Chihuahua. A group of women and children were present at the scene, the majority of which young girls (V1, V2, V3, V5 [girl of 3 years], V6 [girl of 2 years], V7 [boy of 3 years], V8 [girl of 7 years] and V9 [girl of 8 months]). These individuals were threatened with their lives, while their possessions were destroyed.

<http://www.cndh.org.mx/recomen/2011/031.pdf>

RECOMMENDATION 32/2011

MATTER: The legal challenge presented by Q1

AUTHORITY RESPONSIBLE: The Sinaloa State Constitutional Governor

27th May 2011

The evidence presented by the investigation CNDH/4/2011/24/RI, relates to the legal challenge put forward by Q1. Said legal challenge states that V1

left their house at 09:00 on the 20th of November 2009 and began driving a vehicle belonging to Q1 with the aim of reaching the residence of T1.

During this journey however, V1 was intercepted by AR3 and AR4 – both of whom agents of the Ministerial Police Force, assigned to the Model Research Unit – commenting to V1 that they had: "*big problems relating to the assassination of a woman*".

V1 was then taken to a warehouse where they remained until 10:00 of the same day, later being taken to AR1 (Public Prosecutor), where they were asked to give a statement narrating the events which had linked them to the loss of life of Person 1 (a female).

<http://www.cndh.org.mx/recomen/2011/032.pdf>

RECOMMENDATION 33/2011

MATTER: The loss of life of V1 and the attempt on the life of V2 and V3, in San Blas, Nayarit

AUTHORITY RESPONSIBLE: Marine Secretary

30th of May 2011

The National Commission of Human Rights was made aware by an article released in a national publication on the 7th of July of 2010, that on the 4th of July 2010,

it is thought that personnel of the Marine Secretary opened fire on a number of civilians, killing V1, seriously injuring V2 and occasioning mild injuries to V3. Given the prior information, the CNDH registered the complaint CNDH/2/2010/3815/Q, with the aim of investigating the suspected violation of human rights.

As a result of the analysis of the evidence presented by the investigation and taking in to account

the provisions of article 41 of the CNDH Law, the CNDH recognized the violation of the human rights to life, integrity and personal security, and legality and legal security.

These violations were the result of the consistent arbitrary use of public force and firearms, inhumane treatment and the claiming and attempt on life committed against V1, V2 and V3.

<http://www.cndh.org.mx/recomen/2011/033.pdf>

Article of the Month

The rights of indigenous people and tribal groups relating to ancestral land and natural resources. Standards and Jurisprudence of the Inter-American System of Human Rights.

20/05/2011

By Observatorio Petrolero Sur

As signaled by the Inter-American Court of Human Rights, "for the indigenous communities, man's relationship

with land is not just a matter of possession and production.

Land is seen as an element, both spiritual and material that must be fully enjoyed; helping preserve a cultural legacy whilst passing on ancestral knowledge to future generations".

"Guaranteeing the indigenous person's right to communal property must take in to account that land holds a significant place in their language and oral expression; traditions and customs; art, ritual,

culinary heritage, knowledge and connection with nature".

<http://opsur.wordpress.com/2011/05/19/22664/>

"...land holds a significant place in their language and oral expression; traditions and customs; art, ritual..."

Book of the Month

THE PRISONER'S FUNDAMENTAL RIGHTS

**Practical Guide to the
international standards
relating to the prisoner's
rights**

Rights Collection

Álvaro Castro, Miguel Cillero
and Jorge Mera

2010, 288 pages

ISBN 978-956-314-102-3

The Center of Human Rights
is making the book the
*Practical guide of international
standards relating to the fun-
damental rights of all prisoners*
available to the legal commu-
nity.

This scheme has three
objectives:

firstly, to provide regulatory
and practical information
about the principal interna-
tional standards relating
to prison conditions.

This information focuses
on several crucial matters
of the penitentiary system,
such as; torture; inhumane
and degrading treatment;
economic, social and cultural
rights, as well as the application
of disciplinary sanctions within
prisons and vulnerable groups.

Owing to this aim, we systema-
tize the information offered
by the principal instruments
of human rights along with
various international docu-
ments which deal specifically
with prisoners and their condi-
tions of detention.

The second objective
of the guide, is to offer advice
and concrete recommendations
to the corresponding individu-
als about the principal prob-
lems presented by the peniten-
tiary system and the best
practices which have been
developed in order to solve
them.

Finally, it seeks to offer infor-
mation regarding a number
of cases witnessed by both

the Inter-American and Euro-
pean Courts of Human Rights,
relating to prisoners
and their detention.

Such cases offer details
of the various approaches
that these tribunals have
adopted with regards
to torture, inhumane and
degrading treatment, along-
side the living conditions
and the situation of vulnerable
groups within prisons.

<http://www.ediciones.udp.cl/colecciones/derecho/derechos-privadoslibertad.html>





Comisión Nacional de los
Derechos Humanos
MEXICO

Newsletter

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Defends and Protects your Rights**

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