



Comisión Nacional de los
Derechos Humanos
MEXICO

Newsletter

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The Voice of the President

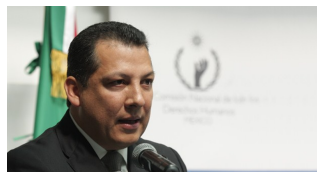
**Indispensable
to be inclusive**

Raúl Plascencia Villanueva
December 22nd, 2011

Attention to people with disabilities is, still in the second decade of the 21st century, an important challenge in Mexico. Not only do they have to overcome personal barriers, but also some bigger and more complicated ones as are those of social and cultural nature.

Therefore, recognizing everybody's rights, as well as respecting plurality and diversity are fundamental conditions to have a fairer, more tolerant and inclusive society. However, there are still practices and prejudices that per-

sist nowadays which promote exclusion, marginalization and discrimination.



Faced to these practices, people with disabilities are one of the most excluded groups of society, for when they try to overcome the barriers imposed by society, be it by ignorance or by deliberate intention, they find it difficult to be fully included.

It is very important to accept the fact that the incorporation of these people is a fundamental issued in the na-

tional agenda; contributing to the improvement of their life conditions, recognizing them in the society, and generating the necessary conditions that allow them to be incorporated to the development of a country that is still, at some levels, inaccessible to them.

For this reason, it is necessary to clarify that having a disability should not imply greater challenges and obstacles; however, in our country, we still have several situations in which exclusion, discrimination and intolerance prevail.

Information can be accessed through the newspaper "El Universal"
<http://www.eluniversalmas.com.mx/editoriales/2011/12/56260.php>

Event of the month

2011 National Human Rights Award goes to Federico Fleischmann Loredó



NHRC GIVES NATIONAL AWARD TO FEDERICO FLEISHMANN

CGCP/298/11

December 1st 2011

The National Human Rights Commission gave the 2011 National Human Rights Award to Mr. Federico Fleishmann Loredo, due to his activity on defense and effective promotion of human rights of disabled persons, developed through the organization *Libre Acceso A.C.*, which he founded and currently presides.

This award represents the recognition of the Mexican society, through the National Commission, to people who outstand on their labor towards protection of fundamental rights.

Feishmann Loredo has been developing collaboration agreements with different government institutions and universities for over 20 years, seeking better accessibility to public spaces and infrastructure for disabled persons.

The National Human Rights Award was given by the Mexican President.

<http://www.cndh.org.mx/node/37>



DECENT TREATMENT TO PEOPLE LIVING WITH HIV/AIDS

CGCP/299/11

December 1st, 2011

While commemorating on December 1 the *World Aids Day*, the National Human Rights Commission affirms that there is no reason why persons living with HIV should be MATTER to abuses or marginalization.

This year, efforts to fight against this condition have as main goals to diminish the number of new infections, reduce the number of deaths and eliminate discrimination.

The CNDH underlines the necessity of strengthening educational policies in order to prevent more infections and promote a decent treatment for people living with this disease.

This national Organism has received during this year 74 complaints for alleged human rights violations related to medical attention, medication supply and wrongful public service.

<http://www.cndh.org.mx/node/37>

INAUGURATION OF REGIONAL OFFICE IN COAHUILA

CGCP/300/11

December 2nd, 2011

The president of the National Commission of Human Rights Raúl Plascencia Villanueva, inaugurated a regional office of this Organism in Coahuila.

Through this office, the CNDH reinforces its relation with society, particularly with groups in vulnerability such as children, women,

adolescents and migrants.

It will facilitate to provide them with immediate attention whenever they might need it, and to offer service regarding the observance, protection, study and promotion of the Mexican legal order on this matter.

During the event, the national Ombudsman emphasized the necessity of adopting prevention programs that bolster

a respect and solidarity culture.

He also added that all three, protection organisms, society and authorities, should collaborate to improve their observance and consolidate the democratic State.

Later, he presided the signing ceremony of a collaboration agreement between the CNDH and the government of Coahuila.

<http://www.cndh.org.mx/node/37>

FULLFIL DUTIES TO PROMOTE HARMONY

CGCP/301/11

December 3^d, 2011

The president of the National Human Rights Commission, Raúl Plascencia Villanueva, thanked all who participated in the Photography Contest *"Look for your duties and take them!"* and recognized the creativity and sensitivity shown in the images portraying the reality of our society.

During the ceremony,

the national Ombudsman highlighted that respect to the law is a value that should be promoted and strengthened given that the State of Law has its foundations in the population's culture of legality.

Fulfilling our duties and exercising our rights according to the law fosters harmony among all.

This contest was organized with the aim of promoting

among citizens the concept of culture of legality, as well as opening a space for reflection to make human rights a shared responsibility. The awarded photographs can be seen in the webpage www.cndh.org.mx

<http://www.cndh.org.mx/node/37>

REQUEST TO PROTECT A VICTIM IN CHIHUAHUA

CGCP/302/11

December 3^d, 2011

The CNDH asked the state of Chihuahua to take preventive measures in favor of human rights defender Norma Andrade, who was wounded by a fire-arm in Ciudad Juárez and is delicate in the hospital.

It is asked to turn instructions aiming at guaranteeing the security and integrity of the victim, leader

of the group "Our daughters back home", and prevent a new attack against her. Also, it is considered necessary to protect the victim's family.

Personnel of the CNDH regional office in Ciudad Juárez will remain attentive to the measures adopted.

The National Commission, from 2005 to date, has requested 42 preventive measures in favor of defenders of human rights. Of this figure, 13 in 2010

and 14 in 2011 (more than 60%) have been made during Raúl Plascencia Villanueva's administration as Ombudsman.

<http://www.cndh.org.mx/node/37>

ELECTRICIAN'S HUMAN RIGHTS OFFENDED

CGCP/303/11

December 4th, 2011

The National Human Rights Commission issued Recommendation 70/2011 addressed to the Federal Electricity Commission (CFE) on the case of a worker who lost his life in an accident.

According to the government enterprise, the worker did not stick to the security measures and also showed emotional problems which con-

tributed to him falling down a ladder while monitoring the voltage of a secondary network.

This national Organism observed that CFE pointed to personal reasons lacking foundation to be considered as causes of the accident, and made of public knowledge particular data of the victim through an informative communiqué.

Of all evidences and its analysis,

the National Commission concluded that public servants violated human rights to honor, private life and personal information protection of the electrician.

Recommendation 70/2011 is available at www.cndh.org.mx

<http://www.cndh.org.mx/node/37>



CNDH REGRETS CONAGUA'S REPLY**CGCP/304/11***December 5th, 2011*

The National Human Rights Commission regrets the denial of CONAGUA to accept Recommendation 61/2011 about the floods in Tabasco during 2010.

There is no doubt that this attitude affects the victims, from which 5,710 filed a complaint to this national Organism and more than 130 thousand were affected by the floods

according to Tabasco's Civil Protection authorities.

To date, only the governments of the state of Tabasco and the municipality of Centla have accepted the Recommendation.

The National Water Commission has not accepted Recommendations 54/2011 on the polluting of the Usamacinta River, and 12/2010 about the chemical wastes spilling in Santiago River in Jalisco which caused the death of a minor.

This systematic behavior results in thousands of victims remaining unprotected and unattended due to public officers' attitudes, who do not contribute to the strengthening of the state of Law.

Recommendations 61/2011, 54/2011 and 12/2010 can be consulted through www.cndh.org.mx

<http://www.cndh.org.mx/node/37>

CNDH WILL ASK THE SENATE TO SUMMON DIRECTOR OF CONAGUA**CGCP/305/11***December 6th, 2011*

The CNDH will ask the country's Senate to call on the director of the National Water Commission (Conagua) due to its systematic denials to accept recommendations, as was the case of 61/2011, 54/2011 and 12/2010.

This is the first time that this national Organism

will exercise the power awarded to it by last June's constitutional reform, seeking that public officers fully respect human rights as a commitment to society and the national project all Mexicans want.

With this request it will be possible to define political or administrative responsibilities against whom has violated specific rights established in the law.

Recommendations 61/2011, 54/2011 and 12/2010 can be consulted through www.cndh.org.mx

<http://www.cndh.org.mx/node/37>

EXCESSIVE USE OF PUBLIC FORCE**CGCP/306/11***December 7th, 2011*

The National Human Rights Commission investigated the case of a young professional who was killed by elements of the Public Security Secretariat of the state of Nuevo León.

Besides shooting several times, officers alleged to be responsible distorted the facts by assuring that the victim's car was caught between a persecution.

They did not preserve the scene and modified it by putting a gun and bullets that were in the sidewalk inside the car of the victim.

This national Organism concluded that public officers violated the human rights to life, honor, legality, legal security and access to justice of the victim.

Due to consistent facts related to deprivation of life, arbitrary use of force, mod-

ification of the scene and irregular signals preservation motivated the issuance of Recommendation 73/2011 addressed to the government of the state of Nuevo León.

The aforementioned Recommendation can be consulted through www.cndh.org.mx

<http://www.cndh.org.mx/node/37>



CNDH AWARD TO FEDERICO FLEISCHMANN

CGCP/307/11

December 9th, 2011

Federico Fleischmann Loredó received the National Human Rights Award 2011 from the CNDH to his dedication, talent and commitment to disabled persons.

The President, Felipe Calderón Hinojosa, and national Ombudsman, Raúl Plascencia Villanueva, presented the award during a ceremony in the room Adolfo López

Mateos at the official residence of Los Pinos.

During the event, Raúl Plascencia Villanueva mentioned that M. Fleischmann had given his life to one of the most noble, urgent and important cause such as equality and inclusion in society.

He also recognized the courage and work of Vanessa Michelle López García, aged 14, who received a honorary mention for her work in promoting

the human rights of the children.

Plascencia Villanueva said that this young girl's ideas reflect a true concern on issues such as discrimination and give human rights a very special hue of enthusiasm, talent and youth.

<http://www.cndh.org.mx/node/37>

JOINT EFFORTS TO PROTECT RIGHTS

CGCP/308/11

December 10th, 2011

While commemorating on December 10 the International Human Rights Day, the CNDH assures that only through joint work will we be able to solve problems like marginalization, inequality and violence.

The efforts to reduce human rights violations require the participation of political actors, the media, civil society and authorities.

One of the ways to restore social peace and end with the public insecurity lies in fomenting a culture of presenting formal complaints and guaranteeing victims access to justice.

The National Commission reaffirms its commitment to protect all those who have been affected by crime or public servants' indifference.

The Universal Declaration of Human Rights was adopted on December 10, 1948 and has been translated to more than 380 languages

and dialect, which makes it the document with mayor universal reference.

<http://www.cndh.org.mx/node/37>

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COMPLAINT ON AGGRESSION TO YOUNG MEN

CGCP/309/11

December 12nd, 2011

The National Human Rights Commission has started a formal complaint on the death of two young men, today in the state of Guerrero, who allegedly lost their lives during a confrontation between the federal police and students when the formers tried to dissipate a blockade to the Cuernavaca-Acapulco highway.

Personnel of that Regional Office in that state have begun to try to contact both victims' families in order to offer them attention, including accompaniment, and legal and psychological support as well as assuring that they received medical attention in case they might need it.

This National Commission will remain seized of the issue and attentive to the behavior of public officers in charge of obeying the law and ensuring

it is upheld, as well as investigations issued to clarify the regretful and condemnable facts, which under no reason should remain unpunished.

The corresponding determination will be made after the analysis and consideration of the evidence.

<http://www.cndh.org.mx/node/37>

NEW COUNSELORS TAKE OFFICE**CGCP/310/11***December 14th, 2011*

New counselors participated in the meeting of the Consultative Council of the National Human Rights Commission corresponding to December.

These new counselors are: Carmen Moreno Toscano,

Alfredo Achar Tussie, Jorge A. Bustamante Fernández and Marcos Fastlicht Sackler, all unanimously elected by the Senate.

The Consultative Council of the CNDH is also formed by Graciela Rodríguez Ortega, María Patricia Kurzcyn Villalobos, Eugenia del Carmen Díez Hidalgo,

Rafael Estrada Michel, Ricardo Sepúlveda Iguíniz and Andrés Roemer.

Counselors are elected by a two-thirds majority of members of the Senate, based on their moral quality, honesty and professional capacity.

<http://www.cndh.org.mx/node/37>

PREVENTIVE MEASURES IN THE CASE OF GUERRERO**CGCP/311/11***December 14th, 2011*

Due to the gravity of the events occurred in the state of Guerrero on December 12, which have gone further and affected public opinion across the nation for acts of public officers who violated the rights to life, physical integrity and security of at least 6 victims, of which 2 lost their lives, the CNDH, with no pre-judgment on their veracity, and on the basis of articles 116 and 117 of its Internal Regulation, requested preventive measures.

It did this to authorities pointed as possibly responsible, oriented to protect the rights of the victims, their families and witnesses, at the time of guaranteeing their access to justice through a due process of investigation.

Such measures include urgent victim's attention, through the intervention of doctors, psychologists and lawyers.

Also, the measures include the keeping and preservation of evidences related to the case, needed

for all clarifications and designation of responsibilities.

The CNDH reiterates its rejection to acts of violence, maintains its accompaniment of the victims, and remains attentive to the behavior of public officers in charge of the investigations according to the law.

<http://www.cndh.org.mx/node/37>

CNDH PROTECTS MIGRANTS' RIGHTS**CGCP/312/11***December 17th, 2011*

While commemorating on December 18 the *International Migrant's Day*, the National Human Rights Commission calls for instrumenting actions to protect this vulnerable group from crime and abuses.

According to official international numbers, the world's flux of migrants is of 214 million people, of which 40 million are undocumented.

The National Commission recognizes that every person has human rights no matter their migratory quality.

Also, the fundamental rights of every person coming into Mexico must be fully observed and respected.

Based on this it is requested to local, state and federal authorities to provide due protection to mexicans and foreigners to prevent them from being victims

of crime, extortions and abuses.

In 2000, the General Assembly of the United Nations Organizations established the International Migrant's Day having in mind the importance of this phenomenon and the necessity to promote protection actions in their favor.

<http://www.cndh.org.mx/node/37>

CNDH PROMOTES INTERNATIONAL COOPERATION

CGCP/313/11

December 18th, 2011

The CNDH, presided by Dr. Raúl Plascencia Villanueva, and its peer in the Republic of Korea, headed by Prof. Byung-Chul Hyun, subscribed a collaboration agreement for the protections and promotions of human rights in both countries.

The agreement will foster the strengthening of both organisms and the establishment and consolidation of its national institutions.

It will also bring actions and resources together, as well as the exchange of experiences in the training of their personnel.

During the ceremony, Plascencia Villanueva highlighted that human rights do not know frontiers and values like peace, democracy, justice and tolerance have managed to be promoted around the world.

The presidents of the Mexican and Korean commissions affirmed that the signing of this

agreement widens the possibilities for collaboration not only because of its relevance but also because of the importance it can have in the consolidation of our democracies, both seeking for full respect of human rights.



<http://www.cndh.org.mx/node/37>

AVOID CHILD WORK IN MINES

CGCP/314/11

December 19th, 2011

Given the conditions of girls and boys working in mines in our country, the National Human Rights Commission underlines the necessity of putting in practice public policies to tackle this issue.

Children who work in this economic sector frequently do not have the necessary means to enjoy a decent life and face dangers to their physical and psychological health.

The special report on security

and hygiene conditions in the mine zone of Coahuila, published by the CNDH in November, documented that children are employed in small and low technology mines.

Such a situation demands everybody's participation to fulfill what is established in the covenant 182 of the International Labor Organization about the prohibition of the worst forms of child labor and its elimination.

Also, this institution's Recommendation 190 about the Worst Forms of Child Labor

recognizes work done underground as one of this forms of labor included in the covenant. The aforementioned special report can be accessed through www.cndh.org.mx.

<http://www.cndh.org.mx/node/37>

PREVENTIVE MEASURES UNATTENDED

CGCP/315/11

December 20th, 2011

The National Human Rights Commission informs that it has not received an answer to the request for preventive measures from the state government of Guerrero and the local government of Chilpancingo.

Regarding the grave incidents occurred last December 12, such request was issued to the

Federal Public Security Secretariat, to the governor of Guerrero and the municipal president of Chilpancingo.

During this regretful incidents, allegedly attributed to public officers, the rights to life, physical integrity and security of at least 6 people were violated, of whom 2 lost their lives.

The National Commission calls for all actions necessary to fully implement the preventive measures requested, favoring

in all moment the widest protection to victims against power abuse.

This national Organism will fulfill its part on attending constitutional disposition and serving the society. It repels all acts of violence and maintains its accompaniment to the victims.



<http://www.cndh.org.mx/node/37>

MORE THAN 1,700 COMPLAINTS RECEIVED EVERY MONTH**CGCP/316/11***December 21st, 2011*

The CNDH informs that from January 1 to December 19, 2011 it received more than 20 thousand complaints, which means an average of more than 1,700 complaints each month.

From that total, 10,392 alleged human rights violations were registered; 5,641 were direct orientations were made; 4,766 that were transferred to local human rights organisms and 386

inconformity files for omission or delay in the complaint process from public human rights organisms in the states and Mexico City.

It is worth to highlight the following violating acts: wrongful public service; breaking legality, honesty, loyalty, impartiality and efficiency while working; arbitrary detention; cruel, inhumane or degrading treatment; not providing medical attention; actions against the rights of migrants and their families; not following due process to issue or execute a search warrant.

There were also complaints for hindering or denying public security as well as arbitrarily recurring to it.

The CNDH considers that it is still necessary that authorities take on the commitment of fully respecting human rights. In this sense, the participation of society in their observance of law, protection of rights and performance of their duties is paramount.

<http://www.cndh.org.mx/node/37>

PROTECTING RIGHTS DEFENDERS**CGCP/317/11***December 22nd, 2011*

During this year, the National Human Rights Commission has opened 50 files for alleged violations against human rights defenders in different states.

Among the main complaints are attacks to their legal security, legality, integrity, personal security, liberty, property and possession.

There is register of 14 homicides from 2006 to 2011 and the disappearance of one activist in 2009.

For these reasons it is important to fight impunity and double the efforts to achieve complete, objective and impartial investigations of these cases.

This National Organism recommends providing attention to those who have been victims of violence, intimidation, threats and arbitrary detentions

to prevent acts impossible to repair. It is also a duty of public officers to comply with the implementation of preventive measures in cases where the integrity of defenders, their families or organizations is at risk.

<http://www.cndh.org.mx/node/37>

INVESTIGATIONS ON GRAVE VIOLATIONS TO HUMAN RIGHTS**CGCP/318/11***December 23rd, 2011*

For the first time ever, the CNDH will exercise its new attribution according to last June constitutional reform, article 102 appendix B, to investigate actions that constitute grave violations of human rights.

The National Ombudsman, Dr. Raúl Plascencia Villanueva, has called Guerrero's governor

for next monday december 26. On Friday 23, at 19:00 hrs. Dr. Plascencia met with a group of students from Normal Rural Raúl Isidro Burgos from Ayotzinapa. There were also present congressmen Francisco Moreno Merino and Oralia López.

The students considered fundamental that the National Commission undertakes an investigation to avoid the death

of their colleagues staying unpunished. It is planned to present a preliminary report on January next year.

<http://www.cndh.org.mx/node/37>

GOVERNOR COMES TO THE CNDH

CGCP/319/11

December 26th, 2011

Ángel Aguirre Rivero, governor of the state of Guerrero, appeared before Raúl Plascencia Villanueva, president of the National Human Rights Commission, to declare what he deems convenient regarding the complaint presented about the facts of december 12.

During the more than one hour audience, he also delivered a document containing

the actions developed by his government on human rights, which will be included in the file.

The governor was presented with detailed explanation of the complaint made by the students of Normal Rural Raúl Isidro Burgos from Ayotzinapa and was informed of the decision to start an investigation on grave human rights violations: deprivation of life of two students, detention of 24 people and possible acts of torture

and cruel treatment to at least 15 people.

The national Ombudsman affirmed that once the investigation is completed, the corresponding declaration will be presented establishing criminal, civil and administrative responsibilities against all public officers that shall be found guilty.

<http://www.cndh.org.mx/node/37>

AVOID RISKS ON THE INTERNET TO CHILDREN AND YOUTH

CGCP/320/11

December 27th, 2011

According to official figures, 50% of cybercrimes of the country are related to child pornography, which makes it urgent to implement attention strategies that involve authorities and society.

It is a commitment from all to protect the physical and psychological integrity of children and youth who use the internet in Mexico.

This includes taking measures to prevent them of becoming victims of identity theft, extortion, human trafficking, kidnapping, illegal sexual behavior and violence in social networks.

With the National Program for Prevention and Protection of Children and Youth Victims of Mistreatment and Sexual Behavior, the NHCR joins the efforts to diminish the risks to which they are exposed.

Official data from this year show that more than 11 million children and young people use the internet in our country, which is why the CNDH promotes that parents, tutors and teacher keep a constant watch on images and messages to which they might have access through the electronic media.

<http://www.cndh.org.mx/node/37>

ERRADICATE DISCRIMINATION AGAINST INDIGENOUS PEOPLE

CGCP/321/11

December 28th, 2011

The National Commission calls on authorities working on violence against indigenous women to implement preventive and effective measures to eradicate the multiple expressions of violence against them.

Indigenous women are in greater risk of vulnerability due to the triple discrimination they can be matter to: living under marginalization,

gender and ethnic origin. The Mexican Political Constitution recognizes the multicultural composition of our country based on its populations, culture and tradition.

They face lack of opportunities for work as well as physical, psychological and, in some cases, sexual aggressions.

The State's commitment on this issue is fundamental for the CNDH, a priority issue in order to guarantee them equity and decent treatment.

According to official figures, 32.6% of indigenous women have suffered some kind of violence; 26.4% has suffered emotional incidents; 17% have had economic problems; 10.8% have suffered physical attacks; and 6% have suffered sexual attacks.

<http://www.cndh.org.mx/node/37>

MORE THAN 4 MILLION TEXTS IN 2011

CGCP/322/11

December 29th, 2011

With the objective of promoting culture and knowledge of human rights, the CNDH reached during 2011 an editorial production of 4,485,262 items, freely distributed.

Of the editorial production up to November 30, 20,800 items belong to periodic publications through which the activities of the CNDH are known.

There were also 55,822 books; 419,500 brochures; 264,500 booklets; 925,050 posters; and 352,700 diptychs, triptychs and quadriptychs.

Matters covered include children, women, indigenous people, migration, health, elders, tolerance, education, persons in detention or imprisonment, disabled persons and legal instruments of human rights.

Publications can be

accessed or requested through the website www.cndh.org.mx or the Library and Documentation center of CENADEH, located at Eje 10 Sur avenida Río Magdalena, colonia Tizapán, en la Delegación Álvaro Obregón de la Ciudad de México.

<http://www.cndh.org.mx/node/37>

PROMOTING DENUNCIATION AGAINST TRAFFICKING IN PERSONS

CGCP/323/11

December 30th, 2011

The CNDH has started 13 regional committees across the country, in collaboration with different institutions, to create conscience and awareness among federal, local and municipal public officers about the importance of combat trafficking in persons.

It is fundamental to foster a culture of reporting and eradicating this crime.

Some of its consequences are difficulties to participate in the family life, social exclusion, depressions and sexually transmitted diseases.

The Program against Trafficking in Persons of the CNDH is particularly oriented to prevention and protection of human rights. It provides protection and assistance, follow up of government actions and legislative procedures, and disseminates the origin, scale and conse-

quences of trafficking in persons. On this National Organism's perspective, only joint efforts will allow to fight against this problem which, according to international estimations, violates the rights of 12.3 million people around the world.

RECOMMENDATIONS

RECOMMENDATION 74/2011

MATTER: On the illegal detention of V1, inmate at the state of Jalisco Social Reintegration Center

RESPONSIBLE AUTHORITY: Federal Public Security Secretary

December 8th, 2011

The National Human Rights Commission examined the elements and proofs of file CNDH/3/2010/4075, on the case of V1, who on July 19, 2010 presented a complaint to this National Commission, saying she was an inmate in the Social Reintegration Center for Women in the state of Jalisco for a two years penalty for crimes against health, imposed on causes 1 and 2, of the state of Jalisco Fourth and First District Courts on Criminal Issues' indexes, one of eleven months, 15 days, and the other of 5 years,

3 months, respectively, clarifying that the later was modified on June 11, 2010 for 3 years, 3 months of imprisonment, according to reforms of the General Health Law and Federal Criminal and Criminal Procedures Codes, published in the Official Federal Gazette on August 20, 2009.

The first of the cited sentences started on August 16, 2007, and finished on July 28, 2008, after which she was at the federal authorities' disposal to serve the second one, plus a addendum of 912 days of preventive imprisonment; consequently she should have been freed from the moment the incidental resolution was issued on June 11, 2010, for which she was illegally detained for 3 months and 9 days.

The analysis of the elements of the aforementioned file, according to article 41 of the

National Human Rights Commission Law, found that V1's human rights to personal liberty, legality and legal security were violated by AR1, who kept here deprived of her liberty for 3 months and 9 days in the Social Reintegration Center for Women in the state of Jalisco, a time exceeding the legal serving of the imprisonment punishment imposed by the judicial authority.

On this basis, this National Commission issued Recommendation 74/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 75/2011

MATTER: On the illegal detention and torture against V1, V2, V3, V4 and V5, in Ciudad Juárez, Chihuahua

RESPONSIBLE AUTHORITY: Federal Public Security Secretary

December 8th, 2011

The National Human Rights Commission examined the elements and proofs of file CNDH/1/2010/4527/Q on the case of V1, V2, V3, V4 and V5, who on August 11, 2010, at about 20:00 hours, were detained by AR1, AR2, AR3, AR4, AR5 and AR6, from the Federal Forces Division of the Federal Police in Ciudad Juárez, Chihuahua, and were transported to office of this institution on the cited state, where they were interrogated and mattered to torture.

Later, around 17:30 hours on August 13, V1, V2, V3, V4 and V5 were put at the disposal of an agent from the Federal Attorney General's office attached to the Specialized Investigation Unit of on Crimes Against Health of the SIEDO, in Mexico City, as alleged responsible of organized crimes, carrying weapons for exclusive use of the army and crimes against health, who started investigation No. 1.

Also, on August 15, the third judge of the Specialized Prison in Searches, House Arrests and Communications Intervention with nationwide competence issued a house arrest order against them.

To the date of this pronouncement publication, victims are still under process.

From the analysis of the elements of the aforementioned file according to article 41 of the National Human Rights Commission Law, this national organism found violations of human rights to legality, integrity and personal security against V1, V2, V3, V4 and V5, on the basis of illegal detention and torture, attributable to AR1, AR2, AR3, AR4, AR5, AR6 and AR7, all of them public officers of the Federal Police, attached to the Federal Public Security Secretariat, for which Recommendation 75/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 76/2011

MATTER: On the case of wrongful medical attention in “Tacuba” General Hospital of the Institute of Social Security and Services for Employees of the State, against V1

RESPONSIBLE AUTHORITY: Director General of the Institute of Social Security and Services for Employees of the State

December 9th, 2011

The National Human Rights Commission examined the elements and proofs of file CNDH/1/2010/4939/Q on the case of V1, to whom on August 17, 2010 AR1, doctor attached to the General Surgery service of “Tacuba” General Hospital of the ISSSTE, practiced a laparoscopic fundoplication, due to hiatal hernia and gastroesophageal ebb.

During the surgery, the doctor observed that the left pillar of the victim’s diaphragm had friable tissue, meaning soft, that tore easily, for which

he suspended the laparoscopic technique and made an open surgery.

Notwithstanding the surgical finding, AR1, in the days after the surgery, August 18 and 19, did not provide a constant and strict vigilance of V1 with the aim of identifying any sign of a postsurgical complication; also on August 20, the aforementioned public officer, while checking up V1 found a right pleural spillage, subcutaneous emphysema, right hypochondrium pain and blood pressure of 80/50, which meant that the victim was presenting symptoms of esophagi rupture with mediastinitis complications.

On August 21, AR1 practiced another laparoscopic surgery to V1, in which he found a gastric perforation, which liberated chloric acid causing burns in the victim and other complications like subcutaneous emphysema and severe sepsis, which could not be reverted and, deteriorating the victim’s health, who finally died on December 1, 2010.

From the analysis of the elements of the aforementioned file according to article 41 of the National Human Rights Commission Law, this national organism found violations of human rights to health protection and to life against V1, attributable to medical personnel of the “Tacuba” General Hospital, for which Recommendation 76/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 77/2011

MATTER: On the case of inmates at the Social Reintegration Center in Benito Juárez, Cancún, Quintana Roo

RESPONSIBLE AUTHORITY:

Governor of the State of Quintana Roo

December 13^d, 2011

The National Human Rights Commission opened file CNDH/3/2011/4900/Q on facts occurred after a riot at the on May 11, where inmates protested for being victims of mistreatment and torture by the establishment's personnel, where one inmate.

Discontent inmates affirmed that since the new director of the prison took office he had not permitted access to their sons and daughters; he had restricted drinking water and food access, despite their poor quantity and quality.

For these reasons they put blankets in the building asking the director to allow their children to visit them and access to food and water.

During the incident, several inmates were hit and burnt due to sun exposure; it is also worth noting that tear gas cartridges were found later as well as fire arms.

From the analysis of the complaints on the file, this National Commission concluded that the rights to personal security, legality, legal security, descent treatment and social reintegration were violated against the inmates of the Social Reintegration Center in Benito Juárez, Cancún, Quintana Roo, due to the fact that authorities in charged did not comply efficiently with their duty of guaranteeing respect to mental and physical integrity.

On the contrary, inmates were matter to acts that according to the article 3 of the Federal Law to Prevent and Punish Torture might have constituted torture against them, given they did not fulfill their basic responsibility of providing proper food and the necessary preventive security measures inside the prison.

This translate in the omission of guaranteeing to individuals the protection and aid of the state, not only to inmates but visitors and public officers who work there. On these bases, the CNDH issued Recommendation 77/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 78/2011

MATTER: On the case of illegal detention of V1, who was an inmate at the Social Reintegration Center in Villahermosa, Tabasco

RESPONSIBLE AUTHORITIES:

Federal Public Security Secretary, Governor of the State of Tabasco

December 14th, 2011

On December 9, 2010, the Tabasco State Commission of Human Rights referred to this National Human Rights Commission the file 1331/2010 on a complaint of presented by V1, who said he had entered to the Social Reintegration

Center in Villahermosa, Tabasco, on November 23, 2007, on a sentence for 3 years of imprisonment issued by the Third District Judge in that municipality, which he served until November 23, 2010; however, until that date, the Administrative Decentralized Office for Prevention and Social Reintegration of the Federal Public Security Secretariat had not ordered his liberty.

From the analysis of the elements of the aforementioned file, this National Commission observed violations to V1's human rights to personal freedom, legality and legal security, by personnel of AR1,

who kept him deprived of his liberty in the Social Reintegration Center in Villahermosa longer than the time stipulated by the sentence.

On these bases, Recommendation 78/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 79/2011

MATTER: On the case of illegal detention of V1, who was an inmate at the Penitentiary Complex of "Tres Marías"

RESPONSIBLE AUTHORITY: Federal Public Security Secretary

December 14th, 2011

Resulting from a visit of personnel of this National Human Rights Commission to the Penitentiary Complex of "Tres Marías", on March 14 to 16, 2011, a complaint from V1 was received, on the basis that he had been retained in this prison notwithstanding he had served his sen-

tence, for he had not be granted his liberty until he issued a trial before the District Judge of the Penitentiary Complex of "Tres Marías" and Auxiliary in the whole country.

From the analysis of the elements of the aforementioned file, this CNDH observed violations to V1's human rights to personal freedom, legality and legal security, by AR1, AR2 and AR3 who kept him 2 months and 6 days deprived of his liberty, a time that exceeded the sentence imposed.

On these bases, this National Commission issued Recommendation 79/2011

<http://www.cndh.org.mx/node/32>



RECOMMENDATION 80/2011

MATTER: On the writ of appeal presented by V1

RESPONSIBLE AUTHORITIES: President of the Board of the LVIII Legislature of the state of Puebla, members of the municipality of Puebla, Puebla

December 14th, 2011

The National Human Rights Commission received the writ of appeal presented by V1, who declared to live in the Villa Frontera neighborhood in Puebla, and who in February 2009, along with other neighbors, presented an inconformity before AR1, secretary of Urban Management and Public Infrastructure for the Sustainable Development of the Puebla municipality, about some people without any neighbor representation

nor consent put metallic doors and padlocks to close the intersections of Tijuana and Mexiale, Sonoyta and Mexicali, Ojinaga and Mexicali and the street of Reynosa. With these doors, the free transit of the streets is impelled.

Also, V1 affirmed to suffer from a mobility disability, declared by the Social Security Institute and accredited by the Medical Department of the System for the Integral Development of the Family of the state of Puebla.

From the analysis of the elements of the aforementioned writ of appeal, this CNDH observed violations to V1, V2, V3, V4, V5, V6, V7, V8, V9, V10, V11, V12, V13, V14, V15, V16, V17, V18, V19, V20 and V21's human rights to legality and legal security, and free transit, estab-

lished in the Political Constitution of Mexico, articles 11, 14, and 16, by AR1, former secretary of Urban Management and Public Infrastructure for the Sustainable Development, and AR2 president of the municipality of Puebla.

On these bases, the National Commission issued Recommendation 80/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 81/2011

MATTER: On the writ of appeal of V1

RESPONSIBLE AUTHORITIES: President of the Board of the LIX Legislature of the Congress of the state of Guerrero, members of the municipality of Tetipac, Guerrero

December 14th, 2011

On November 3, 2010, V1 presented a complaint before the Human Rights Commission of the state of Guerrero explaining alleged violations of his rights by AR1, AR2, and AR3.

The Human Rights Commission of the state of Guerrero opened file CODDEHUM-CRZN/088/2010-III, and once the corresponding investigation was conducted, on March 25, 2011, issued Recommendation

032/2011 addressed to members of the municipality of Tetipac, Guerrero, once it has confirmed human rights violations against V1.

However, such authority did not make any declaration on whether it accepted the recommendation.

V1 was informed that the recommendation was considered as not accepted, motivating V1 to present a contestation writing on June 20, 2011 against the municipality of Tetipac, Guerrero, opening file CNDH/1/2011/213/RI.

From the analysis of the elements of the aforementioned writ of appeal, this CNDH observed violations to V1 rights to legality and legal security by AR1, AR2 and AR3, municipal president, director of public

infrastructure and director of general services, of the municipality of Tetipac, Guerrero and issued Recommendation 81/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 82/2011

MATTER: On the complaint of V1

RESPONSIBLE AUTHORITY: President of the Human Rights Commission of the state of Chihuahua

December 14th, 2011

On February 25, 2011, Q1 presented a complaint before the National Human Rights Commission on the basis that the Human Rights Commission of Chihuahua had several irregularities during the integration of file GR562/08, including delays and a lack of a declaration, due to AR1, officer

of that Commission, informed him that the file had been lost.

This resulted in the National Human Rights Commission opening file CNDH/1/2011/78/RQ.

It is important to point out that to the date of this Recommendation; the Human Rights Commission of the State of Chihuahua has not yet made any declaration on the case.

From the analysis of the elements of the aforementioned file according to article 41 of the National Human Rights Commission Law, the affront against

Q1 was considered fair and justified, by confirming a delay on the integration of the file by the Human Rights Commission of Chihuahua.

On these bases, this National Commission issued Recommendation 82/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 83/2011

MATTER: On the writ of appeal of V1 against Federal District Commission of Human Rights, that concluded the investigation even though there were enough elements to keep it going

RESPONSIBLE AUTHORITY: President of Federal District Commission of Human Rights

December 15th, 2011

On July 15, 2011, V1 presented a complaint before Federal District Commission of Human Rights for considering the excessive the charges on water consumption made by the National Water Commission of Mexico City, even though

they had changed the counter and did not allow him to present a complaint on time.

On the same date, Federal District Commission of Human Rights opened file CDHDF/III/121/COY/11/D4349 for a violation of human rights by the General Directorate of the Water System of Mexico City, based on excessive of unjustified charges for water services.

However, on September 30, 2011, CDHDF issued a conclusion agreement of the aforementioned file for considering that there were not enough elements to confirm a human rights violation.

For this reason, on October 24, 2011, V1 presented a writ of appeal that opened file CNDH/2/2011/341/RI at this National Commission. From the analysis of the evidence, the writ of appeal presented by V1 was considered as fair and justified on the basis of article 61, 65 and 66 of the National Human Rights Commission Law, and article 167 of its internal regulations. On these bases, the CNDH issued Recommendation 83/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 84/2011

MATTER: On the case of the indigenous community of Xocoapancingo, annex to Escalerillas Lagunas, Zapotitlán Tablas, Guerrero

RESPONSIBLE AUTHORITY:
National Defense Secretary

December 16th, 2011

On February 6, 2011, at 05:00 approximately, a group of elements of the Mexican Army from the 93/o Infantry Battalion went to the Xocoapancingo community annex to Escalerillas Lagunas, Zapotitlán Tablas, Guerrero with no order entered the home of the victims with the pretext of looking for drugs

and weapons. They detained 10 persons, some of them 70 and up.

For this reason, the National Human Rights Commission requested the corresponding report to the Director for Human Rights of the National Defense Secretariat, in which outstands his negative of having participated in the facts.

From the legal analysis of the evidences contained in file CNDH/4/2011/1913/Q, this National Organism was able to confirm that the rights to legality and legal security of the victims were affected, by having military personnel entering their home without

a previous order and detaining some persons, against what is established in article 14, paragraphs 2 and 16 of the Mexican Constitution. On these bases, the CNDH issued Recommendation 84/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 85/2011

MATTER: On the case of a wrongful medical attention and resulting deprivation of life against the minor V1

RESPONSIBLE AUTHORITY:
General Director of the National Institute of Social Security and Services for the Employees of the State

December 16th, 2011

The National Human Rights Commission examined the elements and evidence contained in file CNDH/1/2011/879/Q of V1's case, who since 2007 received a wrongful medical attention from the physicians of the ISSSTE Uruapan Hospital in the state of Michoacán,

which caused him to die in 2010.

From the legal analysis of the evidence contained on the file, and according to article 41 of the National Human Rights Commission Law, this national organism confirmed violations to the rights to life and health protection against V1 by public servants of the ISSSTE Uruapan Hospital in the state of Michoacán. On these bases, Recommendation 85/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 86/2011

MATTER: On the case of illegal detention and torture against V1, V2, V3, V4, V5 and V6 in Cárdenas, Tabasco

RESPONSIBLE AUTHORITIES: National Defense Secretary and Constitutional Governor of the state of Tabasco

December 16th, 2011

On May 13, 2010, at 09:00 approximately, V1, V2, V3 and V4, members of the Public Security Directorate of the municipality of Cárdenas, Tabasco, were detained at their offices by AR1, lieutenant of the 57/o Infantry Battalion of the National Defense Secretariat, AR2, officer of the Tabasco Public Security Secretariat, and AR3, agent of the Attorney's Office of the state of Tabasco.

That same day, around 12:40, AR1, AR2 and AR3 went to the old and new offices of the municipality of Cárdenas, Tabasco, where they detained two more officers, V5 and V6.

Based on these facts, on May 18, 2010, Q1, wife of V1, presented the complaint before the Human Rights Commission of the state of Tabasco; also, on May 25, Q2 presented a complaint in favor of V1, V2, V3, V4, V5, and V6 at the regional office at the southern border of the National Human Rights Commission,

in which it was specified that the victims were detained without a previous authorization order.

It was said that this affront resulted from the victims claiming their labor rights the day before.

It was also added that V1 was taken to a hospital for medical assistance, while the others were taken to the social reintegration Center of the state of Tabasco, on the Villahermosa-Frontera highway. Besides, on May 25, 2010, personnel of the Mexican Commission for the Protection and Promotion of Human Rights (NGO) presented a file to the aforementioned national organism in which they affirm that the victims were handcuffed and had their eyes covered, and they were taken to an unknown place in which they had plastic bags put in their heads, received electric shocks, were beaten and had water spilled through their noses with the aim of forcing them to accept the crime of criminal association.

In this context, the National Human Rights Commission opened file CNDH/1/2010/2896/Q and requested the corresponding reports to the National Defense Secretariat, the Tabasco Public Security Secretariat and the Attorney General's Office of the state of Tabasco.

From the legal analysis of the evidence contained in the file, according to article 41 of the National Human Rights Commission Law, this national organism confirmed violations to the human rights of victims consisting of illegal detention and torture against V1, V2, V3, V4, V5 and V6 by public servants of the National Defense Secretariat, the Tabasco Public Security Secretariat and the Attorney General's Office of the state of Tabasco, and issued Recommendation 86/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 87/2011

MATTER: On the case of the arbitrary detention, illegal withholding and torture of 25 people in Tijuana, Baja California and on the case of human rights defenders V26 and V27

RESPONSIBLE AUTHORITIES: National Defense Secretary, General Attorney, Governor of the state of Baja California, Municipality of Tijuana, Baja California

December 16th, 2011

On March 25; April 2, 3, 8, 14, 16, 21, 22, and 24; May 8 and 23; August 27; and October 6, 2010, the National Human Rights Commission received complaints in which 2 citizens and 23 members of the local police of Tijuana were identified as victims, and opened the file CNDH/2/2009/1399/Q.

Also, on March 2, 2010, representatives of the civil organizations Comisión Mexicana de Defensa y Promoción de los Derechos Humanos A.C. and Comisión Ciudadana de Derechos Humanos del Noroeste A.C., presented a complaint and requested the intervention of this National Commission in the cases of two human rights defenders, opening the file CNDH/5/2010/1134/Q.

Resulting from an agreement on October 17, 2011, the second file was integrated to the first one, as both relate to the same issue. In general terms, the complaints of file CNDH/2/2009/1399/Q assert that V1, V2, V3, V4, V5, V6, V7, V8, V9, V10, V11, V12, V13, V14, V15, V16, V17, V18, V19, V20, V21,

V22, V23, V24 and V25 were deprived of their liberty between March 17 and 31, 2009 by orders of AR1 and AR2, then Public Security Secretary and Director of the Local Police of Tijuana, Baja California.

The victims were taken to the military facilities of the 28/o infantry battalion in that same city, where they were kept isolated and suffered physical and psychological aggressions by members of the Mexican Army.

The victims were also detained at their homes or while they were working.

Some of them declared having been called to AR1's and AR2's offices with the aims of capturing them. In every case, victims affirm that they did not see any detention order.

They also expressed that after their detentions, they were taken to the facilities of the 28/o infantry battalion where they were kept and suffered physical and psychological aggressions.

From the legal analysis of the evidence contained in the file, this National Commission confirmed violations to the human rights of legality and legal security, integrity and personal security, and personal freedom by arbitrary detention, illegal withholding, isolation, torture and attacks against sexual liberty to V1, V2, V3, V4, V5, V6, V7, V8, V9, V10, V11, V12, V13, V14, V15, V16, V17, V18, V19, V20, V21, V22, V23, V24 and V25, as well as to the integrity

and personal security, legality and legal security, due process, and freedom of residence and transit, against V26 and V27, by omission to establish preventive measures, unjust treatment and hindering of the justice administration, restriction in the selection of a place to reside and to transit freely through the country.

On these bases, Recommendation 87/2011 was issued

RECOMMENDATION 88/2011

MATTER: On the case of illegal search, arbitrary detention, illegal withholding, isolation, torture and sexual violation against V1, in Ojinaga, Chihuahua

RESPONSIBLE AUTHORITY: National Defense Secretary

December 16th, 2011

The National Human Rights Commission examined the elements and evidence of file CNDH/2/2009/223/Q, on the case of V1 who on December 23, 2008 was detained at her home by members of the Mexican Army in Ojinaga, Chihuahua, without any order authorizing the action.

She was taken to facilities of the 5/a Military Zone in that city, where she suffered physical and psychological mistreatment, as well as sexual violation, trying to make declare having participated in organized crime activities.

On December 27, 2008 V1's relatives promoted a trial against Brigadier General D.E.M. Commander in Chief and other authorities, for the illegal detention of V1 on December 23 that same year.

It was until December 30 that V1 was put at the disposal of the General Attorney's Office in Ojinaga and investigation 1 was initiated.

On December 1, 2009 investigation 1 was put into court, exercising a criminal action against V1 for her possible responsibility in crimes against health, in the modality of possession of marijuana with commercial intentions.

On January 6, 2009 the District's First Judge in Chihuahua issued a liberty order for V1 due to lack of elements to continue the criminal process. Later, on January 14, 2009 a member of the Attorney's Office sent investigation 1 to the Military Attorney's Office in Ojinaga, Chihuahua, given that it demonstrated certain behavior that constituted criminal actions against V1 by members of the Mexican Army.

For this reason the military social representative initiated investigation 2 on February 3, that same year for charges of injuries and others, which is still on integration.

From the legal analysis of the evidence contained in the file, this National

Commission confirmed violations to the human rights of home inviolability, legality and legal security, personal integrity and security, and personal freedom, for acts consisting in the non-fulfillment of some formal requirements of the issuance of a search order or during its execution, arbitrary detention, illegal withholding, isolation, torture and sexual violation against V1. On these bases, Recommendation 88/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 89/2011

MATTER: On the case of the lost of the medical file of V1 in the General Hospital of Zone 3 “Dr. Héctor González Guevara” of the IMSS in Sinaloa

RESPONSIBLE AUTHORITY:
General Director the Mexican Institute of Social Security

December 16th, 2011

The National Human Rights Commission examined the elements and evidence of file CNDH/1/2011/3084/Q on the case of V1 who on March 3 and 4, 2011 was admitted for times to the General Hospital of Zone 3 “Dr. Héctor González Guevara” of the IMSS in Mazatlán, Sinaloa for pain in the left testicle, where they supplied pain killers.

Later they made a testicular ultrasound and diagnosed vascularity deficiency in the left testicle, a situation that suggested left testicle torsion and left as the only alternative to extirpate the affected organ.

According to Q1 a Q2 such situation resulted from a bad attention to V1, which motivated that on March 15, 2011 the presented a complaint before the State Commission of Human Rights of Sinaloa, which was sent to this National Organism on March 18 that same year.

From the legal analysis of the evidence contained in the file, according to article 41 of the National Human Rights commission Law, this National Organism confirmed violations

to the human right of health protection against V1 by public servants of the General Hospital of Zone 3 “Dr. Héctor González Guevara” of the IMSS in Mazatlán, Sinaloa. On these bases, Recommendation 89/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 90/2011

MATTER: On the case of inmates of the “Islas Marías” Penitentiary Complex

RESPONSIBLE AUTHORITY:
Public Security Secretary

December 16, 2011

From September 3, 2010 to May 25, 2011, this National Human Rights Commission received complaints denouncing violations to human rights such as personal security, health, legality, legal security, decent treatment and social

reintegration attributable to personnel of the “Tres Marías” Penitentiary Complex against inmates imprisoned there.

Given the recurrence of the complaints, this National Commission visited the aforementioned Penitentiary Complex and was able to confirm that the situation and conditions that prevail in this place are not the best for the development of a decent way of living of the inmates.

On these bases, Recommendation 90/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 91/2011

MATTER: The case of torture against V1 and V2 and justice denial against V1

RESPONSIBLE AUTHORITY: National Defense Secretary

December 19th, 2011

The National Human Rights Commission examined the elements and evidence of file CNDH/2/2009/4485/Q, on the case of V1 and V2 who on September 15 and 19, 2009 presented a complaint before the National Commission declaring that on August 21, and September 10, 2009, respectively, they were interrogated, injured and psychologically threatened near the facilities of the 76/o. Infantry Battalion in the city of Hidalgo del Parral, Chihuahua, by agents of the Military Police, with full knowledge and approval or their superiors AR1, infantry colo-

nel, and AR2, lieutenant colonel, and major of the 76/o. Infantry Battalion.

It is worth mentioning that V1 was barracks officer while V2 was corporal, both of the 76/o. Infantry Battalion in Hidalgo del Parral, Chihuahua.

From the legal analysis of the evidence contained in the file, this National Commission observed that AR1, AR2, AR3, AR4 and AR5, all members of the National Defense Secretariat, violated human rights to legal security and legality, integrity and personal security, personal freedom and decent treatment of V1 and V2 by acts of torture and intimidation, as well as justice denial against V1. On these bases, Recommendation 91/2011 was issued.

<http://www.cndh.org.mx/node/32>



RECOMMENDATION 92/2011

MATTER: On the case of the omission of protection and aid to minor V1 committed by personnel of the Education Secretariat of the state of Guerrero, as well as the wrongful integration of the inquiry by the attorney's office of that state

RESPONSIBLE AUTHORITY:

Governor of the state of Guerrero

December 19th, 2011

The National Human Rights Commission examined the elements and evidence of file CNDH/1/2010/2170/Q, on the case of V1, a minor, who was on first grade of the Technical Secondary School no. 68 in Acapulco de Juárez, Guerrero, who on September 29, 2009, around 14:00 hours, fell to the ground and hit his head during the physical education class.

AR1, teacher of that matter

ascribed to Education Secretariat of the state of Guerrero who was teaching the class at that moment, failed to provide the necessary assistance, aid and care that the child required, as well as to take him to the medical service and notify the school authorities and his parents.

AR2, on his part, allowed V1 to go home early without notifying his parents or paying any attention to the headache he had mentioned.

On October 4, 2009, V1 died of internal bleeding and brain tear resulting from a severe head traumatism.

On these bases, the Attorney's Office agent of Guerrero initiated investigation 1, which is still under development.

From the legal analysis of the evidence contained in the file, according to article 41 of the National Human Rights com-

mission Law, this national organism confirmed violations to the human rights to legal security against V1 for omitting to provide the corresponding attention, aid and care as supposed to, as well as for wrongful public service, attributable to personnel of the Technical Secondary School No. 68 of the state of Guerrero, as well as to the violation of the Attorney's Office of the state of Guerrero, for hindering the legal process and the integration of the investigation, and therefore violating the right to legal security. On these bases, Recommendation 92/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 93/2011

MATTER: On the case of V1's writ of appeal

RESPONSIBLE AUTHORITY:

Governor of the state of Guerrero

December 19th, 2011

On March 9, 2010, Q1 presented a complaint before the Commission of Human Rights Protection of the state of Guerrero, in which alleged violations of V1's human rights by AR1 and AR2, ascribed to the Basic Community Hospital in Arcelia, Guerrero, belonging to the Health Secretariat of that state, were declared.

The local organism of human

rights protection opened file CODDEHUM-CRTC/008/2010-II, and once the investigation was concluded, issued recommendation 023/2011, addressed to the Health Secretary of the state of Guerrero, having confirmed violations of human rights against V1.

However, the recommendation was not fully accepted by the corresponding authority, reason why Q1 presented a writ of appeal to this National Commission with file number CNDH/5/2011/190/RI.

From the legal analysis of the evidence of the aforementioned writ of appeal, according to article 41 of the National

Human Rights Commission Law, this national organism confirmed recommendation 023/2011, issued by the Commission of Human Rights Protection of the state of Guerrero and addressed to that state's Health Secretary on March 8, 2011, having proved that AR1 and AR2, public servants of the Basic Community Hospital of Arcelia, Guerrero, ascribed to the Health Secretariat of that state, violated V1's right to health protection by committing medical negligence. On these bases, Recommendation 93/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 94/2011

MATTER: On the case of V1's writ of appeal

RESPONSIBLE AUTHORITY: Governor of the State of Guerrero

December 19th, 2011

On December 22, 2010, Q1 presented a complaint before the Commission of Human Rights Protection of the state of Guerrero, in which alleged violations of V1's human rights by AR1, physician ascribed to the Basic Community Hospital in Xochihuehuetlán, Guerrero, belonging to the Health Secretariat of that state, were declared.

The local organism

of human rights protection opened the corresponding file, and once the investigation was concluded, issued recommendation 049/2011, addressed to the Health Secretary of the state of Guerrero, having confirmed violations of human rights against V1.

However, the recommendation was not fully accepted by the corresponding authority, reason why Q1 presented a writ of appeal to this National Commission with file number CNDH/5/2011/219/RI.

From the legal analysis of the evidence of the aforementioned writ of appeal, according to article 41 of the National

Human Rights Commission Law, this national organism confirmed recommendation 049/2011, issued by the Commission of Human Rights Protection of the state of Guerrero and addressed to that state's Health Secretary on May 11, 2011, having proved that AR1, public servant of the Basic Community Hospital of Xochihuehuetlán, Guerrero, ascribed to the Health Secretariat of that state, violated V1's right to health protection by committing medical negligence. On these bases, Recommendation 94/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 95/2011

MATTER: On the case of V1's writ of appeal

RESPONSIBLE AUTHORITY: Governor of the State of Guerrero

December 19th, 2011

On October 14, 2010, V1 presented a complaint before the Commission of Human Rights Protection of the state of Guerrero, in which alleged violations of V1's human rights by AR1, ascribed to the Health Clinic "Guillermo Soberón Acevedo" in Chilpancingo, Guerrero, belonging to the Health Secretariat of that state, were declared.

The local organism of human rights protection opened the corresponding

file, and once the investigation was concluded, issued recommendation 029/2011, addressed to the Health Secretary of the state of Guerrero, having confirmed violations of human rights against V1.

However, the recommendation was not fully accepted by the corresponding authority, reason why V1 presented a writ of appeal to this National Commission with file number CNDH/5/2011/187/RI.

From the legal analysis of the evidence of the aforementioned writ of appeal, according to article 41 of the National Human Rights Commission Law, this national organism confirmed recommendation 029/2011, issued

by the Commission of Human Rights Protection of the state of Guerrero and addressed to that state's Health Secretary on March 8, 2011, having proved that AR1, public servant of the Health Clinic "Guillermo Soberón Acevedo" in Chilpancingo, Guerrero, ascribed to the Health Secretariat of that state, violated V1's right to health protection by committing medical negligence. On these bases, Recommendation 95/2011 was issued.

<http://www.cndh.org.mx/node/32>

ARTICLE OF THE MONTH

Migration and language corruption

Published by Juan Carlos Velasco on December 5th, 2011

There is a clear trend to dramatize on the real dimension of the migratory fluxes, although this implies a deliberate negligence and unjustifiable frivolity. In this respect, it is enormously illustrative the analysis of the way in which mass media treat news related to this issue. Both, the focus and the presentation design, as well as the discourse strategies are far from the minimal objectivity requirements.

The case of the 25,000 people that arrived from Italy between February and May, 2011, that is from the beginning of the democratic revolution in Tunisia and the beginning of the civil war on Libya, is representative of a very particular way of treating these issues.

On March 9, 2011, the cover of the newspaper El País declared, including a picture, "the migration waves caused by the Arab conflicts overflow Italy."

Although the information inside made the precision that "Italy has received 8,000 refugees since January," they had already succumbed to the prevailing syndrome of showing strength towards the illegal immigrants.

There was a preference to adopt this framing instead of treating the issued as a clear example of forced migration due to political reasons, and thus treatable under the legal figure of asylum given the commitment of the EU towards democracy. It could have been also possible to clarify, that given its population and the figures, if there was something overflowed, it was only the island of Lampedusa, and not Italy as a whole.

Again, the language was recklessly used and with no further responsibility, to hide reality. The surprising reception of some of these lies is a clear example of the phenomenon of language corruption.

Migrations are identified, maybe unintentionally, as a natural process and thus as uncontrollable. The more or less explicit association with the idea of catastrophe seems

unavoidable, if not a wartime phenomenon with terms such as landing and invasion, complemented by adjectives like massive, uncontrolled and overflowing.

Concepts no more analytical, as mere expression of a restlessness feeling or maybe a syndrome of saturation, are other images that have become common: "tolerance threshold" or "migratory pressure". It is in this way that a whole technocratic slang is employed to reduce and hide the complexity of the world.

...it is enormously illustrative the analysis of the way in which mass media treat news related to this issue. Both, the focus and the presentation design, as well as the discourse strategies are far from the minimal objectivity requirements

<http://www.madrimasd.org/blogs/migraciones/2011/12/05/131772#more-131772>

BOOK OF THE MONTH

International migration in Latin America and the Caribbean. new trends, new approaches

Jorge Martínez Pizarro, Editor

This book is the result of the first year of implementation of the Project of the Development Account of UN on the "Strengthening of national capacities for the administration of international migration: maximizing the benefits for development and minimizing the negative effects," designed and coordinated by the Economic Commission for Latin American and the Caribbean for its joint implementation with other UN Regional Commission—Africa, Asia and the Pacific, Western Asia and Europe—and the Department of Economic and Social Affairs.

It is, therefore, a project of a global nature, character-

ized by the emphasis in a positive vision of migration, in which national capacities can be developed at the time of guaranteeing the protection of the migrant's human rights.

In particular, this book's compiles work made for the Workshop on the Strengthening of National Capacities for the Administration of International Migration: "New Trends, New Issues, New Approaches for the Future", which took place at the CEPAL headquarters, in Santiago de Chile, between September 7 and 9, 2010.

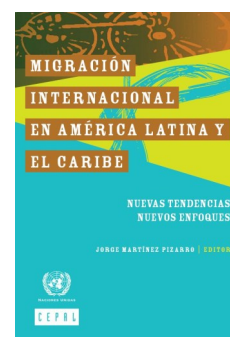
The book seeks to increase the competences and capacities of those responsible to design the policies and programs on international migration, so as to include this issue in the national development strategies.

The necessity to highlight the new characteristics of interna-

tional migration in Latin America and the Caribbean, that are posing new challenges made itself evident during the implementation of the project. It is particularly relevant to consider the question of human rights and the undeniable necessities for the protection of migrants.

It is expected to promote the exchange of national experiences and best practices, based on the diagnosis studies developed in the framework of this project, which have analyzed the national normative conditions in many countries and informs on emergent characteristics of the international migration dynamics, outlying those aspects that have greatly affected development.

http://www.eclac.org/cgi-bin/getProd.asp?xml=/publicaciones/xml/4/43634/P43634.xml&xsl=/celade/tpl/p9f.xsl&base=/celade/tpl/top-bottom_mig.xsl
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