



Comisión Nacional de los Derechos Humanos

México

Recommendation 003/2010

The following is a synopsis of the recommendation emitted by the CNDH . The complete version may be consulted on this institution's web page.

Mexico, D. F., 27th of January, 2010

Case: Annoyance of residents of Acatlán de Osorio, Puebla, caused by the installation of a Sunday street market.

Responsible Authority:

Town Hall of Acatlán de Osorio, Puebla

The Mexican National Human Rights Commission emitted its Recommendation 003/2010, about the complaint formulated by V1 who declared his residence is located on Xicoténcatl street, colonia Centro in Acatlán de Osorio, Puebla, and that for several years now, every Sunday a street market is installed, having an alleged permit to operate which was authorized by the Town Hall of Acatlán de Osorio, since 2005. This market locates itself, approximately, between numbers 14 and 44 of this street, affecting all of the area's neighbors and specially the inhabitants of the properties located in the area where the market stalls are placed.

According to him, the annoyances caused both by the vendors as well as by the people who visit the street market, range from unbearable noises starting early in the morning, to the obstruction of the entrances to houses and even to the street of Xicoténcatl itself, and the most worrying of all, the pollution because of the waste that is produced. The neighbors have complained before the different administrations on numerous occasions with the hopes of achieving the cancellation of the alleged permit, but they have paid no attention to their demands.

The National Commission recommended instructing the director of Markets of the presiding H. Town Hall so that his future actions carried out in accordance with the lineaments established in the Political Constitution of the United Mexican States, and with the laws that emanate from it, abstaining himself from violating the human rights of the plaintive and other governed subjects, respecting their right to coexistence and personality, which is the cause of the complain specifically regarding the enjoyment of freedom of movement on Xicoténcatl street which has been the ongoing topic.

It also recommended instructing the general secretary of the Town Hall of Acatlán de Osorio, Puebla, to comply precisely with what is established in recommendation 68/2006 emitted by the Human Rights Commission of the State of Puebla, informing the Mexican National Human Rights Commission of this circumstance;

creating a program for the ordination of spaces and places destined for markets and/or supply depots, which not only looks after the municipal interests and development, but also achieves the respect of the rights of the third parties that live in the area, guaranteeing that acts like those brought forth in this pronouncement will not be repeated.