



# Comisión Nacional de los Derechos Humanos

## México

### **Recommendation 010/2010**

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., 24th of February 2010**

**Case: Impugnation of "V1", because of an inconformity with the non-compliance of a recommendation by members of the Municipal Council.**

**Responsible authority:**

**Municipal Presidency of Ciudad Benito Juarez, Nuevo León.**

The Mexican National Human Rights Commission emitted its Recommendation 10/2010, through which it considers that the legal recourse of impugnation brought forth by "V1", does proceed and is well grounded, due to the un acceptance of recommendation 08/08 of the State Human Rights Commission of Nuevo Leon by members of the City Hall of Ciudad Benito Juarez, Nuevo Leon.

From the assessment performed in conjunction with the evidence, it is possible to see the transgression of the human rights of V1, who in 2006 submitted a complaint to the State Human Rights Commission of Nuevo Leon against the behavior of an officer of the Auxiliary Police Force of the Secretary of Public Safety of the Municipality of Ciudad Benito Juarez of this federative entity. In it, he basically declares that on the 23rd of September 2006, when V1 crossed the hill which divides the colonies of San Miguelito and Portal de Juarez whilst on his way to return a movie he had rented, a police car pulled up beside him and the auxiliary police officer who was behind the wheel ordered him to get in it because he was a suspect in the robbery of a television. He adds that "V2" was later detained and both of them were taken to the entrance of the hill which divides the two previously mentioned colonies, once there they were handcuffed and handed over to municipal police officers after the previously mentioned auxiliary police officer affirmed that they were responsible for robbing a television. Subsequently, they were taken to the agency of the Public Ministry in Ciudad Benito Juarez, Nuevo Leon.

The CNDH recommended instructing whomever it may concern so that recommendation 08/08, emitted by the State Human Rights Commission of Nuevo Leon and directed towards the then Secretary of Public Safety of that Municipality, is carried out.

Furthermore, it recommended that the members of the H. Congress of the State of Nuevo Leon notify the appropriate body so that it initiates and resolves an investigation to establish the administrative responsibility of both former and current civil servants of the Constitutional City Hall of Ciudad Benito Juarez, Nuevo

Lean, because of their failure to provide the National Commission with the information and documentation that was required of them. Having done this, the necessary measures must be taken to inform about the results.