



Comisión Nacional de los Derechos Humanos

México

Recommendation 017/2010

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 City, April 28, 2010

Subject: Regarding the case of V1 and family

Authority Responsible:

Secretary of the Navy

The affidavit of December 22, 2009, in which staff of the National Commission prove that it was drawn up in the facilities of the District Attorney's Office of the State of Tabasco where the Assistant Attorney for Lawsuits informed that, in the face of the tragic events, only one person survived and is receiving medical care in a state hospital being guarded by personnel of SEMAR (Secretariat of the Navy) and the State Prosecuting Police.

B. Two articles published in the online version of a national newspaper on December 23, 2009 entitled "Family of hero from Paraíso Murdered" and "Execution of family shocks the Country", that tell of the assassination of "V2" and three other family members of "V1" on the 22nd of that same month in Paraíso, Tabasco. V1, in turn, who was a member of the Secretariat of the Navy, was killed in action on December 16th, 2009 during a raid carried out in Cuernavaca, Morelos.

From the logical juridical analysis carried out on the evidence relating to the complaint file CNDH/5/2010/1/Q, it is possible to confirm the violation of the rights to legality and legal certainty together with the violation of privacy by personnel of the Secretariat of the Navy, as a result of failure to respect personal privacy and safety to the detriment of "V1", which in turn led to the violation of the right to life to the detriment of his family.

In view of the above statement, Mr. Secretary of the Navy, the following recommendations are respectfully submitted to you:

Recommendations

FIRST. That instructions be issued so that the pertinent measures are taken to redress the damage caused to "V1's" family members who were injured, and that the necessary medical, psychological and rehabilitation care is provided until they recover their physical and psychological health, sending proof of compliance to the National Commission.

SECOND. That instructions be issued to whomever it may concern so that in the area of his or her competence, safety measures be promoted so that in cases similar to that which gave rise to this recommendation, the identities of those who participate in raids carried out by that Secretariat are protected, having to inform the National Commission of the actions taken to that effect.

THIRD. That ample collaboration be established with the Mexican National Human Rights Commission in carrying out the preliminary investigation that this Institution brings before the Office of the Attorney General for Military Justice and the Office of the Attorney General of the Republic against personnel of that Secretariat who took part in the events stated in this case.

FOURTH. That ample collaboration be established with the Mexican National Human Rights Commission in filing the complaint that this Institution promotes before the Inspection and General Controllershship of the Navy against personnel of that Secretariat who took part in the events stated in this case.