



Comisión Nacional de los Derechos Humanos

México

Recommendation 025/2010

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, May 24th, 2010

Subject: About the case of the Inmates of Federal Correctional Institution number 5 "east" in Villa Aldama, Veracruz.

Authority Responsible:

Federal Public Safety Secretary

During the months of September and October 2009, the National Commission received complaints in favor of 119 former municipal police officers of Pachuca, Hidalgo who are presently imprisoned in Federal Correctional Institution number 5 "East" in Villa Aldama, Veracruz (FCI number 5). In them, it was summarized that they were detained by federal agents on June 24th 2009, who took them to the offices of the Deputy Attorney's Office Specialized in the Investigation of Organized Crime pertaining to the Attorney General's Office until they were finally imprisoned in the aforementioned institution, where they are forbidden from seeing their relatives and attorneys and they are given insufficient food.

From the logical juridical analysis of the declarations which make up file of complaint CNDH/3/2009/4405/Q and cumulative files, the Mexican National Human Rights Commission warns that the human rights to personal safety, health, legality, legal certainty, dignified treatment and social rehabilitation are infringed upon within the Federal Correctional Institution number 5 "East" in Villa Aldama, Veracruz, to the detriment of the penitentiary's population. This is because the authorities in charge have not efficiently complied with their obligation to guarantee the respect of the physical and mental integrity of the offended, or with the obligation to foster adequate conditions for their social rehabilitation.

Considering these events, the National Commission has proceeded to respectfully present you, Mr. Secretary of Public Safety, with the following Recommendations:

First. Order whomever it may concern to allocate the budget and trained Security and Custody, psychology and community work personnel required to meet the needs of the Federal Correctional Institution in question. This is mainly in order to guarantee the integrity of the inmates and the overall safety of this imprisonment facility and the Mexican National Human Rights Commission must be kept up to date on this matter.

Second. Issue instructions to whomever it may concern to achieve the immediate reestablishment of family and intimate visits and avoid keeping inmates isolated, except when necessary and performed in accordance with the procedures established by applicable regulations; initiate activities relating to the treatment which each inmate is subject to; provide adequate and sufficient clothing for the weather conditions of Federal Correctional Institution No. 5, notifying the Mexican National Human Rights Commission about this circumstance.

Third. Instruct whomever it may concern so that medical and infirmary personnel vacancies are filled immediately in order to provide appropriate assistance to the inmates of the aforementioned institution; maintain a stock of medicines, withdrawing those which have gone beyond their expiry date and allocating sufficient space for medical attention, keeping the Mexican National Human Rights Commission informed on this issue.

Fourth. Issue the necessary orders so that inmate "V119" is transferred to the Federal Correctional Institution for the Mentally Ill as soon as possible so that he may receive specialized medical attention to treat his condition.

Fifth. Collaborate amply with the Mexican National Human Rights Commission in handling the complaint which the public institution presents before the Internal Control Body of the Secretariat under its command against the civil servants of the Federal Correctional Institution No. 5, due to the mistreatment of "V1", "V122" and "V133", sending the national institution proof of compliance as requested.

Sixth. Extensively collaborate with the National Commission in the assembly of the prior investigation derived from the declaration of events that the National Human Rights Protecting Body presents before the agent of the Federal Public Prosecutor's Office against the civil servants of FCI No. 5 because of the injuries inflicted on "V1", "V122" and "V133", sending proof of compliance to the national commission as requested.

Seventh. Collaborate generously with the Mexican National Human Rights Commission in handling the complaint which the public institution presents before the Internal Control Body of the Secretariat under its command against the civil servants of the Federal Correctional Institution No. 5 due to inadequate medical attention and the lack of supplies for the necessary treatments, sending proof of compliance to the national commission as requested.

Eighth. Instruct the commissioner for the Decentralized Administrative Body for Social Prevention and Rehabilitation of the Secretariat of Public Safety in order to implement a permanent training program for executive, technical, administrative and custody personnel of Federal Correctional Institution No. 5 in Villa Aldama, Veracruz, through which to guarantee the unrestricted respect of human rights, keeping the Mexican National Human Rights Commission updated on this issue.

Ninth. Instruct the top ranking official within the branch under its command so that, in a joint effort with the commissioner for the Administrative Body, they perform budgetary and administrative changes in order to install available penitentiary security electronic equipment within FCI No. 5 in order to avoid searches which require physical contact, whilst also properly educating the institution's personnel on how to use them, informing Mexican National Human Rights Commission about this issue.

Tenth. Instruct the commissioner for the Decentralized Administrative Body to open an individual account for each inmate; provide them with balanced, nutritious, hygienic and sufficient food and allocate the necessary human, material and financial resources to allow for the proper operation of this institution, advising the Mexican National Human Rights Commission about the development of this circumstance.