



Comisión Nacional de los Derechos Humanos

México

Recommendation 026/2010

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 26th, 2010

Subject: About the case of Mr. V

Authority Responsible:

Members of the H. City Hall of the Municipality of Guadalajara, Jalisco

On the 5th of December 2007, an e-mail from V, leader of the “Coordinadora 28 de Mayo” was received in the National Commission. It was sent in representation of several civil society organizations known as “National Front against Repression” and it stated that from the 8th to the 16th of December 2007, a “sit in” would be held at the Plaza de Armas in the city of Guadalajara, Jalisco and showed the concern of V, who was worried that the state or municipal government might keep it from happening, thus leading him to request the presence of personnel from the National Commission.

Through the written missive QVG/DG/40999 issued on the 7th of December 2007, the Municipal president of Guadalajara at the time was asked to implement the legally applicable precautionary measures in order to inform personnel from the police forces of such municipality about the obligations and principles of legality and impartiality which must be observed in order to guarantee the respect of the human rights of the demonstrators.

On the 8th of December 2007, assistant visitors from the Mexican National Human Rights Commission bore witness to the unfolding of a manifestation and the establishment of the sit in at the Plaza de Armas in the City of Guadalajara, Jalisco, where, hours later, personnel from the Municipal City Hall removed some articles which belonged to the displeased individuals.

On the 9th of December 2007, a complaint presented by V via e-mail was received, in which he mentions events which he considers to be a violation of human rights attributed to civil servants of the Municipality of Guadalajara and requests the follow-up of the prior investigation initiated at the Attorney General's Office due to crimes of robbery and abuse of power.

After reviewing the facts, the National Commission wishes to respectfully present you, distinguished representatives of the Council of Guadalajara, Jalisco, with the following Recommendations:

First. Instruct whomever it may concern so that the damage caused to the demonstrators as a result of the institutional responsibility incurred on by members of the Bureau of Inspection and Vigilance of the Municipality of Guadalajara is repaired, proceeding to return the confiscated articles and paying compensation in accordance with the law.

Second. You proceed to instruct whomever it may concern in order for the Municipality of Guadalajara to design and implement a Comprehensive Human Rights Education and Training Program aimed at civil servants so that the education they receive makes the public service they offer becomes one which conforms to the legal framework and the rightful administrative procedures they must adhere to whilst performing their duties. This seeks to keep acts like the ones which provoked this recommendation from happening again and the national institution must be given proof of compliance.

Third. Advise whomever is responsible in order to instruct the Municipal Comptrollership of the Guadalajara City Hall to fully collaborate with the Mexican National Human Rights Commission in the initiation and processing of the complaint to be lodged against Bureau of Inspection and Vigilance personnel that intervened in the events recorded in this case, sending the autonomous public body proof of compliance.