



# Comisión Nacional de los Derechos Humanos

## México

### **Recommendation 032/2010**

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, June 8th, 2010**

**Subject: About the case of the Migrants in Chahuities, Oaxaca**

**Responsible Authority:**

**Secretary of Public Safety**

An article whose headline read "Migrants robbed, raped and killed in Oaxaca" was published in the "El Universal" newspaper, which is circulated nationwide, on the 27th of January 2010. Notable amongst its contents is the fact that on January 23rd 2010, at around 18:00 hours, in the municipality of Chahuities, Oaxaca, armed persons who identified themselves as Federal Police Officers stopped the train which runs between Arriaga, Chiapas and Ciudad Ixtepec, Oaxaca, forcing approximately one hundred (sic) central American migrants to descend from it. They then subdued, robbed and abandoned them on the train tracks. On the 25th of January, "V1", a Honduran migrant who was one of the victims of these events went to ask for help at the "Hermanos en el Camino" shelter located in Ciudad Ixtepec, Oaxaca. This caused personnel from the National Commission to arrive at the "Hermanos en el Camino" shelter on the 27th of January 2010, during which time "V1" lodged her complaint in which she confirmed she witnessed the moment when six Federal Police Officers took the money of approximately fifty (sic) migrants who were travelling on the train towards Ciudad Ixtepec, Oaxaca on January 23rd 2010.

From the logical juridical analysis performed on the entirety of the evidence which makes up file CNDH/5/2010/552/Q, in this case it is possible to confirm violations to the human rights to property and possession, legality and legal certainty to the detriment of "V1", "V2", "V3", "V4", "V5" and other central American migrants, attributable to civil servants assigned to the Federal Public Safety Secretariat.

The Mexican National Human Rights Commission therefore issues the following Recommendations:

First. Collaborate amply with the Mexican National Human Rights Commission in its presentation of the observations contained within this recommendation before the Internal Control Body of the Federal Police Force. This is for them to be taken into account during administrative procedure of investigation QU/144/2010, informing the institution about the progress of this procedure in a timely manner until it is appropriately resolved.

Second. Generously collaborate with the Mexican National Human Rights Commission in the processing of the complaint which is presented before the Attorney General's Office against the Federal Police personnel who participated in the events condemned in this case.

Third. Issue instructions to ensure that a Comprehensive Training and Education Program on Human Rights is designed and implemented within the Secretariat of Public Safety with the aim of making the duties performed by Federal Police personnel adhere to legality and respect human rights, sending proof of compliance to the National Commission.

Fourth. Instruct whomever it may concern so that an official missive is published, informing Federal Police personnel about the procedures they must observe whilst performing migratory inspection, verification and patrol duties, thus guaranteeing the physical integrity and legal certainty of the migrants located within our borders and avoiding the repetition of acts such as the ones which provoked this recommendation, sending proof of compliance to the National Commission.