



Comisión Nacional de los Derechos Humanos

México

Recommendation 039/2010

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 25th, 2010

Subject: Regarding the appeal challenge of V1.

Authority responsible:

H. Congress of the State of Veracruz and the H. Town Hall of San Juan Evangelista, Veracruz

On February 14th, 2008 the State Human Rights Commission of Veracruz received the complaint of "V1" regarding conduct by the municipal president of San Juan Evangelista in that state. File Q-1921/2008 was initiated as a result and in it, "V1" asserts power of attorney for legal entity "V2," "V1" also asserts that on an unspecified date, the municipal president installed two municipal police officers on the property of the represented moral entity, thereby impeding access to it, and installed permanent security at the premises' entry points.

With regards to this property, the office of the municipal land registry refused to issue a certificate of value until the municipal president requested it. Upon investigation, the State Human Rights Commission of Veracruz determined violation of the human rights to legality and legal certainty and, on May 21st, 2009 it issued recommendation 26/2009 addressed at the Town Hall of San Juan Evangelista of that federative entity.

From the logical juridical analysis of the evidence in this appeal as described above, the State Commission's findings are considered well-founded in that the human rights to legality and legal certainty were violated to the detriment of "V1." For this reason the National Commission issues the following: Recommendations

To you, distinguished Members of the City Hall of San Juan Evangelista, Veracruz:

First and last. Instruct the persons concerned in order for recommendation 26/2009 of the State Human Rights Commission of Veracruz and directed at the City Hall of San Juan Evangelista, Veracruz, to be accepted and met.

To the members of the H. Congress of the State of Veracruz:

First. Establish a point of agreement that compels the San Juan Evangelista Town Hall to comply with recommendation 26/2009, issued by the State Human Rights Commission of Veracruz and that, if it does not comply, ensures that appropriate

action will be taken according to article 115, section I of the Political Constitution of the United Mexican States.

Second. The Town Hall of San Juan Evangelista, Veracruz is urged to render to the Mexican National Human Rights Commission and the State Human Rights Commission of Veracruz the documentation requested in order to comply with what is established by the laws of both human rights institutions.