



Comisión Nacional de los Derechos Humanos

México

Recommendation 2/2011

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, January 24th, 2011

Case: Recourse to Impugnation of V1

Authority Responsible: Members of the Municipal City Hall of Chilpancingo de los Bravo, Guerrero

On May 30th, 2008, P1, drew up a sales contract with V1, with the assistance of a legal representative. The contract concerned a rustic building known as "in front of Lagunillas" (sic), in the city of Chilpancingo de Los Bravo, Guerrero. On January 14th, 2010, T1 and T2 were carrying out building work on the cited rustic building, when AR1 arrived and indicated that they would have to suspend work as they did not have permission or a licence for it and the building was municipal government property. The same day, at approximately 16:00 hours, AR1 appeared once again, accompanied by members of the Preventative Municipal Police Force, who ordered T1 and T2 to suspend the building work and put up "closed" signs. Given the above, V1 presented a complaint before the Committee for Defence of Human Rights of the state of Guerrero, which on May 4th, 2010 the recommendation 043/2010 directed to the Constitutional Town Mayor of Chilpancingo de Los Bravo, Guerrero. This authority rejected the recommendation, which provoked V1 to impose recourse to impugnation on the 7th July, 2010. As a consequence, the corresponding report was requested from the Constitutional Town Mayor of Chilpancingo de Los Bravo, Guerrero, to which he responded showing once again his rejection of the recommendation 043/2010 issued by the local committee.

From the logical-juridical analysis of the evidence that constitutes the recourse to impugnation, the State Committee's decision is considered founded, due to the fact that human rights such as legality and legal security were violated to the detriment of V1.

Given the above, this National Human Rights Commission respectfully presents the following Recommendations:

To The Members of the Constitutional City Hall of Chilpancingo de Los Bravo, Guerrero:

Uniquely. Instruct whom it may concern to accept and comply with the recommendation 043/2010, directed to the Constitutional Town Mayor of Chilpancingo de Los Bravo, Guerrero, by the Committee for the Defence of Human Rights of this federal entity, on May 4th, 2010, as well as to provide evidence that proves completion of the above.