

URGENT ACTION

MIGRANT TORTURED AND CHARGED IN MEXICO

A Honduran migrant of Afro-descendent origin has been in prison in Mexico since 2009. He was tortured to falsely implicate himself in criminal activity. As his torture arose from racial discrimination and resulted in his unfounded prosecution, Amnesty International considers him a prisoner of conscience.

Ángel Amílcar Colón Quevedo was arrested on 9 March 2009 in Mexico's northern border city of Tijuana. He had left Honduras two months before in order to reach the USA and find a job to pay for medical treatment for his gravely ill son. Mexican police officers raided the house where a local people-smuggler (*coyote*) had forced Ángel Colón to stay before taking him over the border.

At the point of his arrest, Ángel Colón was beaten by Baja California State Preventive Police officers and forced to walk on his knees. He later told his lawyer and the judge that over the following 16 hours he was tortured and otherwise ill-treated by state and federal police officers and members of the military. He was nearly asphyxiated, threatened and humiliated, including being repeatedly called "fucking nigger" (*pinche negro*). "They made me clean the shoes of other detainees with my saliva, give my clothes away, stand in parody military postures, they insulted me, they turned me into a clown for their amusement" (*me pusieron a limpiar los zapatos con mi saliva de otros detenidos, dar mi vestimenta a otros, realizar posturas militares que no sabía cómo hacerlas, me insultaban, la cosa es que me convirtieron en el payaso que divierte a su público*).

Ángel Colón was forced to sign a statement to the federal public prosecutor, which was used to charge him with organized crime offences. Despite retracting the statement when brought before a judge and reporting his torture and other ill-treatment, his initial statement has been used as evidence to prosecute him and remand him into a federal prison in Tepic, Nayarit state. The Federal Attorney General's Office (Procuraduría General de la República, PGR) has failed to investigate his allegation of torture. In early 2014 independent international medical forensic experts examined him and concluded that medical evidence of torture was consistent with his complaint. This evidence has been submitted to the court, but the PGR has refused to drop the charges. In the coming weeks, the PGR will have a further opportunity to review the case. Amnesty International considers Ángel Colón a prisoner of conscience as he was tortured and otherwise ill-treated because of his Garífuna Afro-descendent origin.

Please write immediately in Spanish, English or your own language:

- Urging the PGR to drop the charges against Ángel Colón enabling his immediate and unconditional release;
- Calling for a full, prompt and impartial investigation into his allegations of torture and other human rights violations, including racial discrimination, make the results public and bring those responsible to justice;
- Calling for all available evidence, including the forensic report by independent medical experts, to be fully considered.

PLEASE SEND APPEALS BEFORE 1 SEPTEMBER 2014 TO:

President of Mexico
Lic. Enrique Peña Nieto
Residencia Oficial de los Pinos
Col. Chapultepec, Mexico D.F., C.P.
11850, Mexico
Fax: +52 55 5093 4901
Email:
enrique.penanieto@presidencia.gob.mx
Salutation: Dear President

Attorney General of the Republic
Lic. Jesús Murillo Karam
Paseo de la Reforma 211-213
Col. Cuauhtémoc, México D.F.
C.P. 06500, México
Fax: +52 55 5346 0908
Email: ofproc@pgr.gob.mx
Salutation: Dear Attorney General

And copies to:
Centro de Derechos Humanos "Miguel Agustín Pro Juárez"
Email: prodh@centroprodh.org.mx

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Torture is widespread in Mexico. Police and military officers often use it in the context of public security operations in order to extract “confessions” or “information” from criminal suspects or from people who are simply caught in the wrong place at the wrong time. In a recent survey commissioned by Amnesty International, 64 per cent of respondents feared suffering torture if taken into custody. The figures produced by the National Human Rights Commission indicate a six-fold rise in the last decade, with a slight decrease in recent months.

Torture and ill-treatment are frequently condoned, tolerated or ignored by other law enforcement officials, superior officers, prosecutors, judges and some human rights commissions. The result is almost total impunity for abusers and constant risk for everyone else. Prosecutors and judges are known to use tortured evidence to prosecute and convict victims.

Anyone can be a victim of torture, but those most at risk are men, women and youths who belong to marginalized sectors of society, such as those who live in poor neighbourhoods or those who migrate from Central America, without a visa and through the most dangerous areas, towards the USA.

Forensic medical examinations of alleged victims of torture, in line with international standards, are almost unheard of. The PGR carried out 181 examinations in 2013. Amnesty International could review a sample of them and found that the vast majority were out of step with key UN guidelines. Most victims, such as Ángel Colón, are never examined by forensic experts. Those victims who can reach out to independent forensic experts have no certainty as to whether the results will be considered by prosecutors and judges.

In May 2014 Amnesty International’s launched “Stop Torture”, a global campaign against torture and ill-treatment. Mexico is one of its countries of focus. For more information about please see: <http://www.amnesty.org/en/stoptorture>.

Tens of thousands of Central American migrants make the dangerous journey across Mexico every year in order to reach the USA. They are fleeing violence and extreme economic and social hardship. En route, they face abduction, murder, rape and beatings by criminal gangs who often operate in collusion with police. Many thousands are detained by police and migration authorities and deported. Police and military forces frequently regard irregular migrants as potential criminal suspects, putting them at risk of serious human rights violations, such as arbitrary detention and torture, like in Ángel Colón’s case.

The Garifuna Afro-descendent community in Honduras is one of the most socially marginalized and excluded in the country. They often face multiple discrimination and are particularly at risk of human rights violations when migrating within and outside their country of origin.

Name: Ángel Amílcar Colón Quevedo

Gender m/f: m