

PUBLIC

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29 October 2008

Further Information on UA 268/08 (AMR 41/049/2008, 19 September 2008) Fear for safety

MEXICO Carlos Solís Reina (m), journalist
 Luis Alberto Salas Barajas (m)

Local journalist, Carlos Solís Reina and Luis Alberto Salas Barajas have been transferred to a high security federal prison in Matamoros, Tamaulipas state, and charged with possession of fire arms and organized crime. Amnesty International fears that they are at risk of further torture or ill-treatment.

The two men were men were detained by Federal Preventive Police (*Policía Federal Preventiva*, PFP) on 15 September 2008 in Matamoros after the federal police opened fire on their vehicle killing a bystander, 17 year-old Juana Patricia Gómez Saldaña. Federal Police initially accused the two men of killing the girl but eyewitnesses stated that only the police had opened fire. Federal police claimed to find firearms in the men's vehicle, but refused to allow Tamaulipas state prosecutors to inspect the car. According to the two men, they were tortured during their immediate transfer to Mexico City in order to force them to make a confession. The two men were held in pre-charge preventive custody (*arraigo*) for 36 days by the Federal Attorney General's Office for several weeks. During the initial period of this custody they were denied access to lawyers of their choice and adequate medical attention, despite the fact that Carlos Solis was temporarily confined to a wheelchair apparently due to the torture he had suffered.

The two men were in good health when they were arrested on 15 September but have told their families, with whom they have had limited contact, that they were subjected to various torture techniques during their transfer from Matamoros to Mexico City. Carlos Solís' injuries include two broken ribs and cigarette burns on the rim of one eye. Both men say that they were subjected to simulated suffocation with a plastic bag. A medical examination was carried out on both of the detainees on arrival in Mexico City but the report has not yet been made available to Carlos Solis, Luis Alberto Salas or their lawyers. The National Human Rights Commission has initiated an investigation into their treatment.

On 20 October the two men were transferred to a high security federal prison in Matamoros on 20 October, and charged with possession of firearms. Amnesty International is concerned for their safety in prison where they may be subject to pressure to withdraw their torture complaint. Prisons are often extremely unsafe: more than 100 inmates have been killed in prisons around Mexico during 2008 in prison riots and other disturbances.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- calling on the authorities to ensure that Carlos Solís Reina and Luis Alberto Salas Barajas are protected from torture or other ill-treatment or any other reprisals;
- urging them to ensure that the two men have access to independent legal counsel, medical assistance and their families;
- calling for assurances that any evidence obtained under duress will not be used against them in legal proceedings;
- calling for an impartial investigation into allegations that the two men were subjected to torture or other ill-treatment;

- calling on them to order a full, prompt and impartial investigation of the 15 September fatal shooting of the 17-years-old girl in Matamoros, to publish the results, and to bring those responsible to justice;
- calling on the authorities to guarantee the right to due process and fair trial of two men and to ensure that all evidence of their involvement in criminal offences has been legally obtained.

APPEALS TO:

Attorney General of the Republic

Lic. Eduardo Medina-Mora Icaza
Procurador General de la República
Procuraduría General de la República
Av. Paseo de la Reforma n° 211-213, Piso 16
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Salutation: Señor Procurador General / Dear Attorney General

Minister of Public Security

Lic. Genaro García Luna
Secretario de Seguridad Pública
Secretaría de Seguridad Pública
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Salutation: Señor Secretario / Dear Minister

President of the National Human Rights Commission

Dr. José Luis Soberanes Fernández
Presidente de la Comisión Nacional de los Derechos Humanos (CNDH)
Comisión Nacional de los Derechos Humanos
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and to diplomatic representatives of Mexico accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 December 2008.