

URGENT ACTION

TORTURE VICTIM MUST BE RELEASED FROM PRISON

Adrián Vasquez Lagunes has been in jail near Tijuana, northern Mexico, since September 2012 when police arbitrarily arrested and tortured him in order to accuse him of drug-related crimes. All the evidence against him has been obtained through undue process. Following a legal challenge, the prosecutors have a matter of days to respond and potentially drop the charges against Adrián, allowing for his release.

Adrián Vasquez, a 33-year-old father of four, was arrested while driving in Tijuana, Baja California state, on 26 September 2012. State police threatened, beat and nearly asphyxiated him during a 12-hour period in their custody. The police forced water up his nose so it filled his lungs. Neighbours saw Adrián Vasquez being beaten when police took him to his home to conduct a search. The police then presented him to the media and told them he was a notorious drug trafficker. The officers handed him over to prosecutors and alleged that they had stopped him for speeding in a stolen vehicle and that he had then spontaneously identified himself as a drug trafficker. Soon afterwards, he collapsed and was rushed to hospital for life-saving surgery due to the torture he had suffered. The Federal Attorney General's Office charged Adrián Vasquez with drug offences and illegal possession of firearms. He remains in jail while his trial is ongoing.

Since his arrest, Adrián Vasquez's lawyer has proven that he was not in a stolen vehicle, that his arrest records have irregularities, and that the authorities have failed to demonstrate that the weapons and drugs supposedly found on Adrián Vasquez are linked to him. The statements of neighbours have not been taken into account. Adrián Vasquez did not confess to being a drug trafficker. To date, besides the declarations of the policemen who presumably tortured him, the only evidence against Adrián Vasquez are the drugs and arms that they alleged to have found during his detention.

Following a legal challenge by his defence lawyer, the prosecution has a matter of days to reconsider and drop all charges against Adrián Vasquez, allowing for his release.

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

■ Urging the Federal Attorney General's Office to drop the charges against Adrián Vasquez Lagunes and release him, given that the evidence gathered against him was obtained under torture and other violations of due process.

PLEASE SEND APPEALS BEFORE 30 SEPTEMBER 2015 TO:

Federal Attorney General

Arelly Gómez González
Procuraduría General de la República
(PGR)

Email: arely.gomez@pgr.gob.mx

Twitter: @ArellyGomezGlz

Facebook: www.facebook.com/PGR

Salutation: Dear Attorney General /

Estimada Señora Procuradora

Head of the Baja California branch of the

Federal Attorney General's Office

Martín Ortiz Lerma
Delegado de la Procuraduría General de
la República (PGR) en Baja California

Email: stecnicabc@pgr.gob.mx

Twitter: @PGR_BC

Salutation: Dear Mr Ortiz Lerma /

Estimado Señor Delegado

And copies to:

Adrián Vasquez Lagunes
Atención: Amnistía Internacional México
Email: info@amnistia.org.mx
Twitter: @AIMexico
Facebook: Amnistía Internacional
México

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. This is the first update of UA 93/15. Further information:

www.amnesty.org/en/documents/amr41/1498/2015/en/

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ADDITIONAL INFORMATION

Amnesty International visited Adrián Vasquez in the prison where he is being held in September 2014. Since then, the organization has been in contact with him by phone and through his lawyer and family. Amnesty International has raised his case with local and federal authorities, as well as national and international media. On 7 April 2015 Baja California state prosecutors brought charges against three of the state police officers presumably responsible for Adrián Vasquez's torture, but soon afterwards a local judge rejected the charges. The decision is under appeal. These were the first torture charges ever presented in the state, which is notorious for torture complaints.

Adrián Vasquez and his wife tell their own story in this Amnesty International video:

<https://www.youtube.com/watch?v=spgm0OYQQYA>. An online petition is available here: <https://www.amnesty.org/en/get-involved/take-action/action-release-torture-victim-adrian-vaasquez-now/>

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. Officers also use torture to instil fear on detainees so that they are less likely to come forward and report the abuses they suffer.

In a survey commissioned last year by Amnesty International, 64 per cent of respondents feared suffering torture if taken into custody. According to the National Human Rights Commission, there was a six-fold rise in the number of complaints for torture and other forms of ill-treatment received between 2003 and 2013. Between 2010 and 2013 alone there were more than 7,000 complaints. The Commission reported a slight decrease in 2014. However, the Commission's mandate focuses on allegations against federal officials only. Nobody knows the extent of torture by municipal and state-level officials, who represent the vast majority of police officers in the country.

Torture is 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. Only seven torturers have been convicted, at the federal level, since torture became a crime in 1991. Prosecutors and judges are known to use evidence obtained under torture to prosecute and convict victims.

There are very few forensic medical examinations (in line with international standards) of alleged victims of torture, compared to the high number of complaints. The Federal Attorney General's Office carried out 206 examinations in 2013 and 185 in 2014. Amnesty International could review a sample of them and found that the vast majority were out of step with key UN guidelines. Most victims are never examined by official forensic experts. Those victims who can reach out to independent forensic experts have no certainty as to whether the results will be considered as expert evidence by prosecutors and judges.

In May 2014 Amnesty International launched "Stop Torture", a global campaign against torture and ill-treatment: www.amnesty.org/en/stoptorture. Amnesty International's report on the situation of torture and other ill-treatment in Mexico can be accessed here: www.amnesty.org/en/documents/amr41/020/2014/en/.

In March 2015 the UN Special Rapporteur on torture published his own, detailed assessment of the situation in Mexico (www.antitorture.org). The government has heavily criticized the Special Rapporteur's report and it is yet to accept that torture is widespread in the country. However, it has briefly "welcomed" his analysis and recommendations.

Name: Adrián Vasquez Lagunes

Gender m/f: m

Further information on UA: 93/15 Index: AMR 41/2204/2015 Issue Date: 5 August 2015