

PUBLIC

AI Index: AMR 41/022/2005

UA 179/05

Fear for safety/ill-treatment/torture/threats

30 June 2005

MEXICO

Bryan Torres (m) 16 years old, US citizen

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Bryan Torres was detained and reportedly tortured by municipal police in the early hours of 19 June in the northern city of Ciudad Juárez, on the border with the USA. He was reportedly tortured in order to force him to confess to involvement in the double murder of two municipal police officers. He was then placed in a juvenile detention facility, where he has also reportedly been subject further ill treatment and threats. Amnesty International is concerned for his safety and that of his family.

According to reports, Bryan Torres, a US citizen who lives in El Paso on the US side of the border, was visiting Ciudad Juárez and was asleep in bed in at the home of Dáygoro Josué Rivera Contreras when municipal police officers entered the house and arrested him. Dáygoro Josué Rivera was also arrested and has subsequently confessed and been charged with the murder of the two police officers. He has also reportedly stated that Bryan Torres was not involved in the crime.

According to Bryan Torres, municipal police held him at an unknown location for more than six hours subjecting him to beatings, electric shocks and pepper spray in his face and body as well as threatening to kill him and his family in order to force him to confess to participating or witnessing the murder of the police officers. This was in violation of the UN Convention on the Rights of the Child, to which Mexico is a State party. He was later placed in the custody of the Juvenile Courts (*Tribunal para Menores*) where he made an official statement without the presence of his family. He has reportedly only received a cursory medical examination and when his parents complained to the judge that he had been subject to torture, they were told that Bryan had been pepper sprayed to subdue him after assaulting a guard. He and his family deny this and allege that he has been subject to ill-treatment and death threats while in the juvenile detention facility. Amnesty International is not aware of any substantive investigation by the authorities into the allegations of torture and ill-treatment.

According to reports, the US consulate were not originally informed of their citizen's arrest but have since visited Bryan Torres in custody and taken photos of his physical condition. Charges against him have reportedly been dropped, but he is being held in custody on the order of the Juvenile Court judges for a 60 day psychological evaluation. Amnesty International is concerned that this period may be used to put more illegal pressure of Bryan Torres and deter him from continuing with his complaint of ill-treatment.

#### **BACKGROUND INFORMATION**

Torture and ill-treatment remain widespread in Mexico, particularly under local state jurisdictions. Amnesty International has documented many cases where detainees face torture in order to confess crimes. State appointed doctors and defence lawyers as well as judges and prosecutors rarely acknowledge or report allegations of torture enabling evidence tainted by the use of torture to be admitted in criminal enquiries and in court. Only the agents of the Prosecutor's Office are empowered to carry out criminal investigations of such allegations, but these enquiries are rarely impartial and place an excessive burden of proof on the victims. Witnesses and complainants are often open to intimidation, and the torturers almost always escape prosecution. The result is that police continue to use torture and cohesive methods when carrying out detentions and investigations.

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

- expressing concern for the safety of Bryan Torres and his family following his alleged torture and threats against him;

- calling for their safety to be guaranteed and for a prompt, impartial and thorough investigation into the allegations of torture and ill-treatment, for the results to be made public and for those responsible to be brought to justice;
- asking the authorities to ensure a prompt, full and impartial investigation into the murder of two municipal police officers on 19 June 2005, and for the rights of suspects, victims and witnesses to be guaranteed;
- reminding the authorities of their international obligations regarding treatment of minors under the UN Convention on the Rights of the Child.

**APPEALS TO:**

President of the Juvenil Municipal Court of Ciudad Juarez

Lic. Eustacio Gutiérrez Corona  
 Presidente del Tribunal Municipal para Menores de Ciudad Juárez  
 Bulevard Fronterizo sin número,  
 Ciudad Juárez, Chihuahua 3200  
 MEXICO, CP.

**Fax: +52 656 614 9407 (if someone answers say "tono de fax por favor")**

**Salutation: Estimado Lic./Dear Sir**

Attorney General of Chihuahua State

Patricia González Rodríguez  
 Procuraduría General de Justicia del Estado de Chihuahua  
 Vicente Guerrero 616,  
 Col. Centro  
 Chihuahua 31000  
 MEXICO

**Fax: +52 614 415 0314/ 429 3387 /429 3389 (if someone answers say "tono de fax por favor")**

**Salutation: Dear Attorney General / Señora Procuradora**

Mayor of Ciudad Juarez

Héctor Munguía Lardizábal  
 Alcalde de Juarez  
 Avenida Francisco Villa y Malecón 950, Norte  
 Colonia Centro.  
 Ciudad Juarez  
 Chihuahua 32000  
 MEXICO

**Fax: +52 656 629 2344**

**Salutation: Dear Mayor / Estimado Señor**

Director of Human Rights – Federal Interior Ministry

Maestro Ricardo Sepúlveda  
 Secretaría de Gobernación  
 Reforma 99, PISO 21, PH  
 Colonia Tabacalera  
 C.P. 06030, Mexico D.F. MEXICO

**Fax: + 52 55 5128 0234 (if someone answers, ask "tono de fax, por favor")**

**Salutation: Estimado Maestro/Dear Sir**

**COPIES TO:**

Human Rights Commission of Chihuahua

Lic. Óscar Francisco Yáñez Franco  
 Presidente de la Comisión Estatal de Derechos Humanos de Chihuahua  
 Calle Décima y Mina, 1000,  
 Col. Centro 31000, Chihuahua,  
 MEXICO

**Fax: +52 614 410 9849 / 410 0828**

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 11 August 2005.