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Mexico: Killing of two children by Mexican army must be investigated by civilian authorities

Mexican army members were solely responsible for the killing of two children on 3 April at a military checkpoint on the road south of Nuevo Laredo, Tamaulipas state, the National Human Rights Commission (CNDH) said on Wednesday.

The CNDH enquiry also concluded that evidence had been tampered with to support the unfounded claim made by military investigators that nine-year old Martín and five-year old Bryan Almanza Salazar were killed by drug cartel gunmen.

“This is a stark reminder that all cases of human rights violations where military personnel are implicated, must be subject to full, transparent and impartial investigations and trials by the civilian justice system,” said Kerrie Howard, Deputy Americas Director at Amnesty International.

Almost all alleged abuses by military officials in Mexico are investigated and tried under military jurisdiction, leaving victims and relatives without recourse to justice.

“The fabrication of evidence revealed by this CNDH enquiry, illuminates grave flaws in military investigations and perhaps explains why so few cases result in prosecutions, despite the steep rise in allegations of abuses by the military since December 2006,” said Kerrie Howard.

Amnesty International is also concerned over comments made by the Minister of Interior to Mexican media, questioning the CNDH investigation.

“It is essential that the government does not seek to undermine the CNDH enquiry, but instead supports a full and impartial civilian criminal investigation,” said Kerrie Howard.

“The time has come to end the unwarranted protection provided by the military justice system to military officials implicated in human rights violations, which shields them from being held accountable.”

“The evidence put forward by the CNDH report shows that military investigators ignored the fact that evidence had been tampered with, and that military authorities and officials of the Federal Attorney General’s Office (PGR) refused to cooperate fully with the CNDH enquiry.”

Background

On 3 April Martín and Brayan Almanza Salazar were travelling with 11 other members of their family from their home in Nuevo Laredo toward Matamoros to spend the weekend on the coast. As they passed the military checkpoint, the vehicle was fired on repeatedly, including with grenades. Several members of the family were injured and the boys were killed. Military investigators subsequently held a press conference in which they claimed that the car had been attacked by drug cartel gunmen when passing a military unit, and that the shots that hit the Almanza Salazar car, including a grenade, were fired by the gunmen not the army. In

December 2009, Amnesty International published a report, "New reports of human rights violations by the military", (AI Inex:AMR41/058/2009), documenting recent cases in which abuses committed by military personnel were not effectively investigated by military authorities. The report also highlighted the complicity of some civilian authorities, such as the PGR, in obstructing proper investigations.

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