

UA 23/02

Fear for**MEXICO Francisco Jijón Torres (m)**
His family

Francisco Jijón Torres was beaten and threatened by Guerrero state police officers in December 2001, who tried to force him to confess to a robbery. When he reported this he was threatened again. Amnesty International believes he and his family are in danger.

On 22 December, Francisco Jijón Torres was invited to a restaurant on the island of Ixtapa, near his home in the town of Zihuatanejo. Four men were apparently waiting for him at the restaurant. Two of them, who were wearing *Policia Judicial del Estado* (PJE), State Judicial Police badges, forced him into the cellar where they told him, "If you don't talk we'll kill you." (*sino hablas te vamos a partir toda to madre*). The men blindfolded him and beat him for an hour to try and make him confess to a robbery that had taken place in the restaurant the previous day. According to Francisco Jijón, when they let him go they warned him that if he reported what had happened, he would be put in jail, where things would be much worse.

On 29 December, Francisco Jijón went to a doctor in Zihuatanejo for treatment for his injuries.

The PJE are under the control of the *Ministerio Público del Estado*, State Attorney General's Office. On 7 January Francisco Jijón went with a lawyer to an office of the *Ministerio Público* to file a complaint. He and the lawyer maintain that Public Ministry officials at first refused to accept the case and warned Francisco Jijón that if he reported what had happened he would be beaten up again. A Public Ministry official finally accepted the case but Francisco Jijón reportedly recognised him as one of the men who had beaten him. As he left the office he recognised another man, believed to be an officer of the PJE, who was involved in torturing him.

The *Ministerio Público* official has denied any involvement in the attack on Francisco Jijón, but is still in charge of investigating the case, in violation of fundamental principals of fair trial and due process.

BACKGROUND INFORMATION

Torture is widely used by Mexican police officers and agents of the *Ministerio Público*. Amnesty International receives frequent reports of torture by state and municipal police forces, particularly in Guerrero State. There remains no effective independent or impartial mechanism to investigate these reports, as the people accused of such crimes are frequently those responsible for investigating them. As a result torture generally goes unpunished.

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

- expressing concern for the safety of Francisco Jijón Torres and his family and calling on the authorities to take immediate steps to guarantee his safety and that of his family;
- expressing concern that an official reportedly accused of involvement in the case remains responsible for conducting the investigation;
- urging the authorities to carry out an independent and impartial investigation into the torture, to make the findings public and bring those responsible to justice;

- reminding the authorities of their obligation to guarantee an impartial investigation into allegations of human rights violations as stated in article 12 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: "Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction.";
- noting the continuing failure of Guerrero State authorities to criminalize torture in the state penal code and reminding them of their obligation to do so, as stated by article 4 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: "Each State Party shall ensure that all acts of torture are offences under its criminal law."

APPEALS TO:Governor of Guerrero

Lic. René Juárez Cisneros
 Gobernador del Estado de Guerrero
 Palacio de Gobierno, segundo piso
 Plaza Central, Primer Congreso de Anahuac
 Colonia Centro
 Chilpancingo 39000
 Guerrero
 MEXICO

Telegrams: Gobernador, Guerrero, Mexico**Fax: +52 747 47 2 3125****Salutation: Señor Gobernador / Dear Governor**Attorney General of Guerrero

Lic. Rigoberto Pano Arciniega
 Procurador del Estado de Guerrero
 Carretera Nacional México-Acapulco Km. 6+300
 Tramo Chilpancingo- Petaquillos
 Chilpancingo 39090
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Telegrams: Attorney General, Guerrero, Mexico**Fax: +52 747 47 22328****Salutation: Dear Attorney General/Señor Procurador**Human Rights Commission of Guerrero

Lic. Juan Alarcón Hernández
 Presidente de la Comisión de Defensa de los
 Derechos Humanos del Estado de Guerrero
 Calle Juárez, Esq. Galo Soberón y Parra
 Col. Centro
 39000, Chilpancingo, Guerrero
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Fax : + 52 747 47 12190/ 10251/ 10230**Salutation: Dear President of the CEDH/ Señor Presidente de la CEDH**Minister of the Interior

Lic. Santiago Creel
 Secretario de Gobernación
 Secretaría de Gobernación
 Bucareli 99, 1er. piso, Col. Juárez
 Delegación Cuauhtémoc

México D.F., C.P.06600

MEXICO

Telegrams:Secretario de Gobernacion, Mexico D.F., Mexico

Fax: +52 5 703 2171 / 546 5350

Salutation:Señor Secretario / Dear Minister

COPIES TO:

Human rights contact

Colectivo Costa Libre

Paseo del Pescador No.9

Zihuantanejo Centro

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Guerrero

Mexico

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 7 March 2002.