

£MEXICO

@Torture and ill-treatment: Raúl Vázquez Hernández and others

Amnesty International is deeply concerned about the torture of **Raúl Vázquez Hernández**, 15, following his arrest without a warrant by the *policía preventiva del estado*, state preventive police, on 8 December 1991, in the town of Villahermosa, state of Tabasco. Raúl Vázquez Hernández was accused of "attacking" Humberto Barrera Ponce, a preventive police chief, and was remanded under *internamiento domiciliario*, a form of administrative house arrest. Under this provision he was obliged to report once a week to the *Centro Educativo Tutelar de Menores*, the local juvenile detention centre.

According to reports, including the testimony of Raúl Vázquez Hernández's mother obtained by two Amnesty International delegates who visited Villahermosa in February 1992, he was arrested while walking in the vicinity of an anti-government demonstration, in which he says he did not participate. Several people were detained and immediately released. Raúl Vázquez Hernández was taken to the local preventive police station and was tortured by a member of the preventive police while in *incomunicado* detention. Allegedly, he was beaten and kicked in several parts of his body, including his testicles, and strangled until he lost consciousness.

On 9 December 1991 Raúl Vázquez Hernández was transferred still under arrest to the *Hospital de Salubridad Pública "Juan Graham"*, "Juan Graham" Public Health Hospital, where he remained for several days while receiving medical treatment for his injuries. The preventive police claimed that he had been brought to hospital after trying to commit suicide, although this was repeatedly denied by him. A medical examination of the child, performed on 12 December by a private physician, revealed a number of injuries consistent with Raúl Vázquez's allegations. These included several bruises on his arms, neck and legs and possible traumatic injuries to the urethra and external genitalia. Photographs of the victim taken on the same day show injuries consistent with the medical report.

Raúl Vázquez Hernández's whereabouts remained unknown from the time of his arrest until his transferral to hospital on 9 December, at which time Yolanda Hernández Sánchez learned of her son's arrest and hospitalization through a radio announcement.

Despite the apparent lack of witnesses to sustain the charges against him, and rather than investigating his claim that he had been tortured, the police filed a complaint against Raúl Vázquez for his "possible participation in an attack against a police officer" ("*hechos de posibles caracteres delictuosos cometidos en agravio de un Teniente Coronel de Policía*") before the juvenile detention centre. According to reports, these charges were unfounded. The police claimed Raúl Vázquez "confessed" to the accusations while

Fifteen-year-old Raúl Vázquez Hernández at the *Hospital de Salubridad Pública "Juan Graham"*. These photographs show bruises on his upper left arm and around his neck allegedly sustained while in the custody of the state preventive police.

in hospital, although this is denied by him. As a result of the police complaint, on 23 December Raúl Vázquez was remanded in *internamiento domiciliario*, a form of administrative house arrest and was obliged to report weekly to the juvenile centre. According to reports, this situation deeply affected the child's emotional well-being. The order for the house arrest was lifted on 25 March 1992. Raúl Vázquez Hernández's case was never presented by the authorities before a juvenile court.

At the time of writing, 6 April, those responsible for Raúl Vázquez's arrest and torture have not been brought to justice and, to Amnesty International's knowledge, no compensation has been provided to him or his family for his apparently unlawful arrest and ill-treatment while in custody.

OTHER CASES OF TORTURE IN TABASCO

The pattern of abuse encountered by Amnesty International delegates in Tabasco, including the case of Raúl Vázquez Hernández, is consistent with that found in other parts of Mexico. Similar incidents of human rights' violations, especially against indigenous communities, were reported to the delegates during their visit to Oaxaca (see Human Rights violations against members of the Mixe and Zapotec indigenous community of La Trinidad Yaveo, Oaxaca, AMR 41/01/92, published in March 1992). Other cases of human rights' abuses found in the state of Tabasco include the following:

Santiago Jiménez Sánchez, 19, was reportedly detained on the morning of 8 January 1992 in Villahermosa by *agentes de la policía preventiva del estado*, members of the state preventive police, after being accused of failing to pay a debt. He was transferred to the *Procuraduría General de Justicia del Estado*, State Attorney General's Office, in Villahermosa, where he was reportedly tortured by members of the state judicial police. Reports indicate that he was beaten, had a gun put in his mouth to make him sign several blank papers, had water syphoned into his mouth through a hose, was punched in the abdomen and testicles and allegedly forced to swallow three large metallic coins. Santiago Jiménez Sánchez was held in incommunicado detention for three days, during which time his wife was denied access to him. On 6 February, Santiago Jiménez's father presented a complaint before the State Attorney General's Office for ill-treatment of his son. After being taken to the *Hospital Juan Graham* on 13 January 1992, Santiago Jiménez Sánchez was allegedly harassed by members of the state judicial police to force him to drop the charges against them. On 13 February, he was transferred to the local *Centro de Readaptación Social (CERESO)*, the state prison, where he remains awaiting trial. A member of the state judicial police has reportedly confirmed unofficially that Santiago Jiménez was tortured in the offices of the State General Attorney's Office.

Twenty-year-old **Jesús Arturo Narváez Herrera** was detained by *agentes de seguridad pública*, members of the municipal public security police of Tacotalpa, Tabasco, on 26 January 1992 after failing to present himself at the local Mayor's office regarding a minor offence. Members of the public security police allegedly followed Jesús Arturo Narváez Herrera to the home of a neighbour, where they beat him with rifle butts and kicked him in several parts of his body. They then proceeded to handcuff him along with the neighbour, Jesús Antonio Ramón Hernández, who had also been beaten, and to take them both to the municipal jail. Jesús Arturo Narváez Herrera was held incommunicado for several hours and released free of charge in the evening of the same day. He was not told why he had been detained and was not given any medical attention or food while in detention.

Twenty-year-old Jesús Arturo Narváez Herrera, detained by *agentes de seguridad pública* in January 1992, showing the bruises allegedly inflicted by the police during the arrest.

During their February visit, Amnesty International's delegates also received further information about the situation of Julio César Márquez Valenzuela, whose case was included in the organization's September 1991 report Mexico: Torture with impunity¹.

Julio César Márquez Valenzuela, was detained along with Jesús Manuel Martínez Ruiz and two other men in a Villahermosa suburb on 5 September 1989. The body of Jesús Manuel Martínez Ruiz was found five days later in a common grave in a local cemetery. State police officers claimed that he had been drunk and had choked on his own vomit. However, Julio César Márquez Valenzuela claimed that Jesús Manuel Martínez had been drowned following ill-treatment. On 13 October 1989, Julio César Márquez was rearrested in Villahermosa by the state police and allegedly forced to confess to several charges including two of murder.

Amnesty International's delegation was told of the continued harassment allegedly suffered by relatives of Julio César Márquez Valenzuela, since his rearrest, at the hands of the *policia judicial del estado*, state judicial police. For example, according to reports, **Esperanza Luna Gutiérrez**, Julio César Márquez's mother-in-law, was beaten by members of the state judicial police after being taken from her home on 11 October 1989. She was allegedly held in incommunicado detention for four days at the *Procuraduría General de Justicia del Estado*, State Attorney General's Office, where she was punched in the mouth and legs to force her to incriminate her son-in-law in a double murder he claimed he did not commit. Reportedly, Esperanza Luna Gutiérrez's false teeth severely injured the roof of her mouth as a result of the beating she received. Julio César Márquez Valenzuela has been recently released and cleared of charges.

Amnesty International is seriously concerned at these recent reports of torture suffered by Raúl Vázquez Hernández, Jesús Arturo Narváez Herrera and Santiago Jiménez Sánchez. The organization is also concerned that confessions extracted under duress are still being used as the sole evidence in the case against Santiago Jiménez Sánchez, in direct violation of international and Mexican legal standards. Amnesty International is deeply concerned that, despite complaints about the illegal arrest, torture and ill-treatment of the above-mentioned people, at the time of writing those responsible have not been brought to justice and no compensation has been provided to the victims or their relatives.

Amnesty International calls on the Mexican authorities to carry out full and independent investigations into these complaints of torture; to bring those found responsible for these violations to justice; and to provide compensation for the victims and their families.

INTERNAL (FOR AI MEMBERS ONLY)

AI Index: AMR 41/03/92

¹for further information see Mexico: Torture with impunity, AMR 41/04/91, pages 40 and 41.

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RAÚL VÁZQUEZ HERNÁNDEZ AND OTHERS

May 1992

RECOMMENDED ACTIONS

Please ensure that all relevant people in the section have received copies for their attention, and that the document is centrally filed for future reference.

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This document has been sent direct by the International Secretariat to CASA/Mexico coordinators/coordination groups for distribution to CASA groups in their section, and to children's groups. Please note that a more comprehensive set of recommended actions, CASA Action 06/92, AI Index AMR 41/04/92, is available.