

Mexico: Government must fulfil pledge to end torture

The Fox administration must take concrete action to succeed where previous governments have so far consistently failed -- putting an end to torture in Mexico, Amnesty International said today as it released a new report documenting the persistence of widespread torture in the country.

"For Mexico to turn over a new leaf and finally rid itself of the shame of torture, what is needed is a root and branch reform of the judicial system and the promotion among its members of a culture that rejects and punishes the use of torture and ill-treatment as investigative methods," the organization added.

During an official visit to Mexico in March 2001, Amnesty International presented to President Vicente Fox a series of unresolved cases of torture and ill-treatment. "Four months on, we are yet to see progress in any of these cases," the organization said.

"What is worse, evidence shows that torture is still used to extract confessions and secure convictions in the context of poorly developed and ineffective criminal and forensic investigation services."

In a recent, emblematic case, three young men in Chiapas state claimed to have been tortured by police to force them to confess to a crime. They were beaten with rifle butts and clubs and one of them had a plastic bag placed over his head and his left wrist burned. Their claim was later dismissed and excluded from their case file.

The burden of proof in cases of alleged torture currently falls on the victim, and even on the occasions when judges are presented with

compelling forensic evidence of torture, they invariably fail to order an investigation into the allegations.

"Hundreds of unresolved torture cases provide disturbing examples of how the judiciary has contributed to the perpetuation of the practice of torture, by routinely accepting evidence obtained under duress and disregarding the victims' claims," Amnesty International said.

In 1993, Alfonso Martín del Campo Dodd was sentenced to 50 years' imprisonment for murder, on the basis of a confession he signed after being tortured by some 10 police officers. Medical records proved that he was injured during interrogation, and the officer in charge confirmed that Alfonso Martín del Campo was stripped, threatened, beaten all over his body and had a plastic bag placed over his head. Yet, this was not enough for his "confession" to be questioned. The police officer responsible for his interrogation was sacked and banned from public offices for three years, but no criminal charges were brought against him in relation with the allegations of torture.

"Cases like this are testimony to the need for radical changes in the way the judicial system operates, as well as for firm measures to put an end to the widespread impunity that almost invariably shelters torturers," Amnesty International added, stressing that allegations of torture are hardly ever properly investigated and those responsible are virtually certain never to face justice.

"One of the factors contributing to impunity is the fact that members of the military implicated in acts of torture are investigated by military courts," Amnesty International added. "All cases of torture, independent of whether the victims are military or civilians, must be handled by civilian justice."

Since President Fox came to power, Amnesty International has noted encouraging openings by the Mexican authorities on the issue of torture. "However, words must be now turned into action and the Federal authorities must take responsibility to ensure that torture is eradicated at all levels, including where federal, state and municipal authorities are responsible."

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>