



## Torture in Mexico Remains Constant and Victims Deserve Justice

- Since 2006 with the beginning of the so-called war on drugs in Mexico, the country has experienced a wave of violence that has resulted in an alarming deterioration in defense and respect for human rights.
- Complaints of torture have increased by 500% and in most cases these remain in impunity.

**Mexico, DF - Geneva, June 26, 2014.** -Torture is one of the greatest violations of the dignity of individuals, and must not be justified under any circumstances. In Mexico, torture continues to be practiced widely and systematically and in these cases the continuing lack of access to justice and impunity is almost absolute. In commemoration of the International Day in Support of Victims of Torture, the Mexican Commission for the Defense and Promotion of Human Rights (CMPDH in Spanish), the World Organization Against Torture (OMCT)<sup>1</sup>, the Institute for Security and Democracy (INSYDE), the Citizens Human Rights Commission of the Northwest (CCDH in Spanish), the Centre for Human Rights Bartolomé Carrasco (Barca), the Collective of Human Rights Defenders Organizations of Michoacán, and the Collective against Social and Gender Violence, urge the Mexican government to put an end to the practice of torture, in addition to implementing and following up on the recommendations of the Committee Against Torture of the United Nations (CAT) and other international human rights mechanisms.

Upon Felipe Calderon's arrival to the presidency in 2006, and the implementation of a security strategy to combat drug trafficking based on the use of force and militarization, we have witnessed a direct impact on increased cases of torture and ill-treatment throughout the country. According to the National Human Rights Commission (CNDH), from 2006 to date, there has been an increase greater than 500% in complaints regarding these types of cases, despite the fact that the CNDH has been accused of not properly registering complaints regarding this type of violation.

Impunity in Mexico continues to be systematic despite several recent reforms in the justice and human rights system. It is of grave concern that a number of government actions deepen the structural conditions to facilitate the use of torture and the associated impunity. These actions include the involvement of the military in public security positions, the establishment of a state of exception with restrictions on basic guarantees of due process for persons accused of belonging to organized crime groups as well as the constitutionalization of "arraigo" (a form of arbitrary detention), and excessive use of preventive detention and arbitrary detentions.

The Mexican state has resorted to the use of torture to obtain self-incriminating confessions that link suspects to criminal gangs or to having committed certain crimes such as kidnapping. Obtaining these kinds of confessions is used as a way to demonstrate "results" without being based on true investigations. Judges continue accepting confessions obtained under torture as evidence. The war on drug trafficking cannot justify any violation of human rights, including the use of torture. For these reasons, it is essential that the Mexican government adjust its laws and practices in accordance with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the United Nations and in particular article 15, to meet the obligation to dismiss evidence or confessions obtained under torture and investigate complaints regarding this practice immediately.

It is necessary that the Istanbul Protocol be applied properly, by trained personnel and independently of the Attorney Generals' Office at a national and state level. Judicial authorities and judges should value the protocols applied by experts from public and independent commissions at

<sup>1</sup> The World Organization Against Torture (OMCT) is today the largest international coalition of non-governmental organizations (NGO) fighting against torture and cruel, inhuman or degrading treatment, with more than 311 organizations spread worldwide, associated with the SOS torture network, and thousands of correspondents in many countries.

the same level as those of the state authorities. The CNDH must also respect the rights of torture victims to receive an immediate copy of the results of the application of the Istanbul Protocol and assure that the National Preventive Mechanism against Torture remains relevant.

In the framework of the International Day in Support of Victims of Torture, OMCT, the CMDPDH, INSYDE, CCDH, Barca, the Collective of Organizations Defending Human Rights and the Collective for Social and Gender Violence, appeal to the Mexican government to commit to end the practice of torture, cruel, inhuman or degrading treatment as well as impunity in these cases.

On this important day to support victims of torture, the organizations below urge Mexican authorities to implement international obligations based on the Convention Against Torture and the American Convention to Prevent and Punish Torture, with a priority on the need to ensure victims of torture and ill-treatment are given full compensation and effective judicial protection. All levels of government should combat impunity in cases of torture and put an end to this practice in Mexico. Victims deserve justice and should not wait any longer.

**Centro de Derechos Humanos Bartolomé Carrasco (Barca), Oaxaca** - Centre for Human Rights Bartolomé Carrasco (Barca)

**Colectivo de Organizaciones Defensoras de los Derechos Humanos, Michoacán** - Collective of Organizations Defending Human Rights

**Colectivo de Violencia Social y de Género, Campeche** - Collective for Social and Gender Violence

**Comisión Ciudadana de Derechos Humanos del Noroeste (CCDH)** - Citizens Human Rights Commission of the Northwest (CCHR)

**Comisión Mexicana de Defensa y Promoción de los Derechos Humanos A.C.** - Mexican Commission for the Defense and Promotion of Human Rights AC

**Instituto para la Seguridad y la Democracia (INSYDE)** - Institute for Security and Democracy

**Organización Mundial Contra la Tortura (OMCT)** - World Organization Against Torture

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**Additional information:**

OMCT and CMDPDH celebrate the beginning of the project "Towards Implementation and accountability", which with financial support by the European Commission will develop with the objective of implementing the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment effectively in states parties to the Convention.

[Statement by the UN High Commissioner for Human Rights, Navi Pillay, on the International Day in Support of Victims of Torture , 26 June 2014](#)

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