

AMNESTY INTERNATIONAL PUBLIC STATEMENT

EMBARGO: Tuesday 29 April 2008 00:01 GMT

AI Index: AMR 41/013/2008

Mexico: Torture and sexual violence against women detained in San Salvador Atenco - Two years of injustice and impunity

The second anniversary of the events that took place in San Salvador Atenco, Mexico State, is approaching without substantial advances for the victims that suffered sexual violence at the hands of the police on 3 and 4 May 2006.

The lack of justice in these serious cases of torture is a sign of the Mexican government's insufficient commitment to end torture and violence against women.

All 47 women arrested, like almost all of the 207 people detained on 3 and 4 May 2006, suffered torture or other ill-treatment. However, the most serious cases are those of the 26 women who filed complaints with the National Human Rights Commission against state police for acts of sexual violence, including rape and other forms of sexual aggression and violence, during their transfer to Santiaguito state prison. At the prison the women were initially denied appropriate medical examinations and the opportunity to report the abuses.

In spite of subsequent medical evidence that supports the women's allegations and the testimonies of other witnesses, the investigation conducted by the state authorities only brought charges against 21 police officers. However, 15 of them have been exonerated by the courts and only six police officers continue to be prosecuted, five for abuse of authority and one for libidinous acts. These minor charges reflect neither the severity of the acts of torture committed, nor the number of police officers and officials implicated either directly or indirectly, through negligence, in these crimes.

The former Special Federal Prosecutor on Violence against Women conducted a parallel federal investigation, but did not exercise direct jurisdiction over the cases and did not file charges against those responsible.

Mexico's Attorney General of the Republic must demonstrate his commitment to secure justice, guaranteeing his full support to the new Special Prosecutor on Violence against Women and People Trafficking (*Fiscalía Especial para los Delitos de Violencia contra las Mujeres y Trata de Personas*, FEVIMTRA) so that the investigation is completed and those responsible prosecuted.

FEVIMTRA must take decisive steps to stop impunity in these cases, guarantee that all those responsible are held accountable and that the affected women receive appropriate reparations.

The United Nation's Committee for the Elimination of Discrimination against Women and the Committee against Torture have recommended that the Government of Mexico guarantee an effective investigation by the Special Federal Prosecutor so that those responsible are prosecuted. This has not yet been carried out.

It is equally important to remember that the special investigation conducted by Mexico's Supreme Court of Justice into the events that took place in San Salvador Atenco is not an alternative to criminal justice but a means of clarifying the facts. Therefore, it should not be a reason to impede the criminal prosecution of those responsible nor should it halt other pressing actions.

The authorities should immediately fulfil their obligation to uphold the women's right to justice and reparations, including recognition of the seriousness of the torture they suffered.

Background Information

On 3 and 4 May 2006 more than 2,500 federal, state and municipal police participated in an operation to end the protests led by local organization People's Front in Defence of the Land (*Frente de Pueblos en Defensa de la Tierra*, FPDT), in Texcoco and San Salvador Atenco, Mexico State. The police operations resulted in the arrest of 207 people, two people killed, and injuries to dozens of protesters and police officers as well as several police officers taken hostage. Amnesty International published the report, *Violence against women and justice denied in the Mexico State*, (AI Index: AMR 41/02/2006), documenting the sexual violence suffered by at least 26 of the women that were arrested.

More than fifty people continue to face criminal charges in relation the protests on 3 and 4 May 2006, thirteen of which remain in custody. On several occasions Amnesty International has expressed concern about the serious irregularities in judicial proceedings that have violated the right of the accused to a fair trial.

The Mexican National Supreme Court of Justice is undertaking a non jurisdictional enquiry into the events.

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