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ACTION WHA-00

RELEASED IN FULL

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 H-00 TEDE-00 LAB-01 OCS-00 PA-00 FMP-00 DRL-00  
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R 271936Z MAY 05  
 FM AMCONSUL CIUDAD JUAREZ  
 TO AMEMBASSY MEXICO  
 SECSTATE WASHDC 7863  
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 UNCLAS CIUDAD JUAREZ 004660

FOR CA/OCS/ACS/WHA WENDY RYDE  
 FOR WHA/MEX

E.O. 12958: N/A  
 TAGS: CASC, PHUM, MX  
 SUBJECT: ISTANBUL PROTOCOL PROCESS CONTINUES FOR KIECKER AND OTHERS

REF: A. 04 CDJ 13961  
 B. 04 CDJ 13689

1. The office of Guadalupe Morfin, Commissioner to Eradicate and Prevent Violence Against Women in Cd. Juarez, continues to be very active in following the allegations of torture made in cases related to the Juarez/Chihuahua murdered women. The Istanbul Protocol process for determining whether torture was committed has been applied in the following four cases.

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 Kiecker and Perzabal  
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2. Amcit Cynthia Kiecker and her Mexcit husband Ulises Perzabal have been in the United States since December 2004, when they were cleared of the murder charges brought against them by the state of Chihuahua. The Mexican Attorney General's Office (PGR) would like to continue the Istanbul Protocol process, begun during the incarceration of Kiecker and Perzabal during their trial, to make an official determination of whether Kiecker and Perzabal's allegations of torture at the hands of state police officials (PJE) are credible. The PGR is working with the new Mexican Consulate in St. Paul, MN, to coordinate the travel of PGR experts to interview Kiecker and Perzabal, who are willing to travel to the Consulate and continue with the Istanbul Protocol examinations. Post is in regular contact with Kiecker and will advise once those interviews have taken place.

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Victor "El Cerillo" Garcia Uribe  
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3. El Cerillo continues to be held in prison in Cd. Juarez, pending his appeal of the 50-year sentence he received in October 2004 for the murders of 8 women whose bodies were found in a cottonfield in 2001 (ref A). Although post has heard that the PGR's Istanbul process for El Cerillo confirmed his account of torture at the hands of PJE officials, the Istanbul results have not been formally released to the public. There is speculation among our contacts and the press that the PGR is working together with the Chihuahua State government to minimize any scandal that might arise from the Istanbul results, and particularly to address the possibility of the prosecution of PJE officials implicated in the torture.

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David Meza  
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4. David Meza remains incarcerated in Chihuahua City pending the outcome of his trial on charges of having murdered his cousin in 2003. A decision by the judge in his case is expected within the next few weeks. Because the state prevented the PGR from officially applying the Istanbul Protocol in his case (ref B), an NGO, the Mexican Commission for the Defense and Promotion of Human Rights (CMDPDH), conducted its own psychological studies of Meza based on the Istanbul Protocol guidelines. In April, the CMDPDH concluded that Meza was tortured into confessing to the murder, agreeing with a previous determination by the state's Human Rights Commission, which recommended sanctions against those involved in Meza's torture. Meza's judge agreed to include the CMDPDH studies in the case file, which is currently under review for a final decision.

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