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ACTION WHA-00

RELEASED IN FULL

INFO	LOG-00	NP-00	AID-00	CA-00	CIAE-00	INL-00	DS-00
	UTED-00	H-00	TEDE-00	INR-00	OCS-00	PA-00	IRM-00
	SSO-00	SS-00	TEST-00	ASDS-00	FMP-00	DSCC-00	DRL-00
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 FM AMCONSUL CIUDAD JUAREZ
 TO AMEMBASSY MEXICO
 SECSTATE WASHDC 4095
 INFO AMCONSUL CIUDAD JUAREZ

UNCLAS CIUDAD JUAREZ 010962

DEPT FOR WHA/MEX AND CA/OCS/ACS/WHA

E.O. 12958: N/A
 TAGS: CASC, ASEC, PHUM, MX
 SUBJECT: KIECKER'S LAWYERS MEET WITH MORFIN'S OFFICE ON ISTANBUL
 PROTOCOL

REF: A. CDJ 10571
 B. 03 CDJ 2684
 C. CDJ 10756

1. Post organized a meeting between Amcit Cynthia Kiecker's lawyers and the office of Commissioner Guadalupe Morfin on August 9, 2004, in Ciudad Juarez, to discuss the application of the Istanbul Protocol in Kiecker's case. Participants included Francisco Fierro Sosa, General Executive of the Commission to Prevent and Eradicate Violence Against Women in Cd Juarez; lawyers for Kiecker and her LPR husband Ulises Perzabal, Miguel Zapien and Adrian Arzate; Carol Kiecker, Cynthia's mother; and representatives of ACS and PD. Fierro briefly explained the steps that have to be followed by the Special Federal Prosecutor Maria Lopez Urbina in complying with the order presented by Federal Deputy Attorney General for Human Rights Mario Alvarez Ledesma under the Istanbul Protocol.

2. Fierro presented good news to all the parties, stating that on June 23, 2004, Commissioner Morfin had presented a request to the PGR to apply the Istanbul Protocol on the cases of four detainees in Chihuahua City, including Kiecker and Perzabal (ref A). On August 5, at the request of the Federal Attorney General's Office on Human Rights, Commissioner Morfin ratified her request and presented additional evidence on each case to the Juarez Federal Special Prosecutor on Women's Homicides,

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Maria Lopez Urbina; Morfin requested Lopez Urbina's involvement to expedite the process. On August 9, a district attorney from Lopez Urbina's office and Fierro visited Victor Garcia Uribe, alias El Cerillo, at the Juarez State Penitentiary to obtain the inmate's authorization to invoke the Istanbul Protocol in his case. No date has been yet determined for the initiation of the Istanbul Protocol procedures in the case of El Cerillo. El Cerillo is one of two bus drivers charged in the murder of the eight women whose bodies were found in a cottonfield on the outskirts of Juarez in 2001 (ref B).

3. In the three cases where detainees are in Chihuahua City (including Kiecker), Commissioner Morfin will request that Federal Attorney General's Office on Human Rights to come directly from Mexico City, because Lopez Urbina's mandate precludes her from acting outside of the Juarez jurisdiction. In the case of Cynthia Kiecker, Fierro expressed his concerns as to whether she will be able to pass the Istanbul Protocol physical examinations, as the torture inflicted on her left few, if any, physical marks. Her alleged mistreatment consisted primarily of psychological and emotional torture.

4. During the meeting, defense attorney Adrian Arzate contacted the First Penal Court in Chihuahua City to see if a date for the exhumation of remains had been set, as Morfin's office would also like to attend to the exhumation due to their interest in Kiecker's case (ref C). The court informed Arzate that he and Zapien could meet with the judge today to discuss the exhumation. Arzate will inform both Morfin's office and ACS about the results of the meeting and any date set for the exhumation. Post will continue to advise of any developments.

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