

LAWYER Alexandro Pineda <Mendoza

Attestation provided by : Cynthia Ann Vanier

I am a Canadian Citizen from <mount <forest <Ontario. <I am <married and am 52 years of age.

<I arrived in <<mexico)Puerto <vallarta) to begin my Winter vacation with my husband. <we had planned to spend 6 months at our <condominium in <<bucerias.

<I travelled to <mexico <city on November 9,2011 to meet with a business associate and friend. <the purpose of our meeting was to introduce a client of mine to a contact of hers, <(CFE) as my client has had major projects in <Mexico previously : My client is an International <engineering company and they were going to discuss additional ways to provide water purification plants and systems to address the needs in <Mexico.

My Husband and <I were also in the process of buying another property to accommodate our dog as the condominium we have does not allow pets. We had already paid a deposit for the house and we had hoped to retire to <Mexico as we "loved" the country and the people.

I am a Mediator accredited as a Chartered Mediator through the ADR Institute of Canada. I was also on an International Civilian Rapid Response Roster through CANADEM, which is an arm of Foreign Affairs Canada that provides emergency intervention services worldwide. My areas of specialty are ' Cross Cultural Conflicr, Human Rights abuse and the protection of women and children.

I am a First Nations person, with heritage in the Mohawk and Algonquin tribes in Canada and provide mediation services to the communities in Canada.

On November 9th around 330 in the afternoon as <I was driven up to the <st <regis hotel, approximately 12 men and women in suits approached me asking if I was <Cynthia MacDonald. (MacDonald IS MY MAIDEN NAME.) I had not been addressed by this name for about 29 years. I was confused and scared. My Friend Gabby asked them what this was about.. as <I do not speak Spanish other than the few phrases I have learned. I asked them through Gabby to show identification because I thought I was being kidnapped. They demanded that I go twith them to the police station for questioning. .. and surrounded me so I could not go anywhere.. I also told them I was desperate to use the washroom...they said I could not.. They agreed to let our driver drive me to the police station however several Federale Agents got into the car.. Gabby advised me that she would contact a LAWYER and call my husband.... When we arrived at the station, they would not let Gabby come in with me..and they made me go into the station and

took me up several flights of stairs..were a lady (the prosecuter)yelled at me to SIT DOWN! I was left to sit there until I begged them for the washroom,.....they let me use a washroom but took my purse from me ... I asked to make a call ‘ they said no.. I asked for the Embassy of Canada – I was denied... I had no idea why I was there....

They kept me there for several hours..and during that time they brought someone to “translate” and started asking me questions about my work, my trip to Libya in July and who I was and accused me of being a Terrorist... I was shocked and scared...and again asked to make a call home.. I could see out the window that gabby was outside with the Lawyers...the Police would not allow me to talk to them or give them access to me.. At around ten pm...they told me they had to relocate me because they were closing the building! I knew they were lying because a police station never closes. They took my passport, all my identification my credit cards and contents from my purse....they took me to a basement and pushed me into an unmarked Black suv...we drove out of an area onto a street.. I had no idea where I was being taken and was very scared...not being able to speak the language made this worse. We drove past Gabby and <lawyers....I tried to yell out the open window...and as I did, one of the female officers struck me with her elbow on the lower right side over the Kidney. I could hardly breathe it hurt so much... I started to cry... and they laughed at me.... Also while in the station the same officer kept trying to take my picture with her cell phone... I was very angry about that...

After driving for a while we arrived at another building.. I later learned the facility was the <Camarones. I was taken to a room and all my belongings were taken from me , my wedding ring and engagement ring (a family heirloom) and then pushed into a cement hole.... Given a blanket... I had not had anything to eat or drink and was given nothing.. I was in a lot of pain.. and when they finally let me use the washroom, I was bleeding when I urinated... I knew this was due to the elbow... my back hurt, and I felt the swelling over my kidney... <I tried to tell the Dr at the <Camerones that <I was in trouble with the kidney...they ignored me and just put me into the cell... I had no idea what time it was...there was no light to the outside just florescent lights...and total isolation. Some time later I was taken out the cell(I learned it was 4am in the morning>) and about 7 police started asking me things and demanding that I do a writing test to prove who I am.. <I asked for my lawyer and they told me my lawyer set this test up. MY Lawyer knew nothing of this.. (I learned later) they photographed me and made me give finger prints.. <I told them I felt sick and had a head ache and was bleeding.. they laughed at me....and put me back in my cell.... I cried for hours. I then started to throw up..

and no one came to help me... I thought I was going to die in there.... When someone came... they were upset that I threw up on the cement floor.. I felt badly but had no option... I also bled through my clothes and was soaked with urine and blood. I saw the Dr again and was given something for the pain.. I continued to bleed and have difficulty. I was left there for 5 days... My Lawyer was denied access to me,. And the Prosecutor Lorena Monroy said that she had contacted the <Canadian Embassy.. I learned later that the >Embassy did not receive notification that they had taken me into custody until Monday November 13th. (4 days later)The Canadian Embassy and my Lawyer can confirm this fact. On November 13th I was advised with a translator and the Canadian Embassy present that I was being sent to the <Arraigo for 40 days to be investigated.

My Human Rights based on the Mexican <constitution and the <Vienna <convention have been violated in the following ways:

- 1) Denial of access to legal council
- 2) Denial to have access to my Canadian Embassy
- 3) Physical abuse and torture by International definitions based on the Vienna Convention to which <Mexico is a signatory
- 4) Wrongful incarceration with no evidence or proof
- 5) Denial of adequate medical treatment for injuries sustained when taken captive by the Federales
- 6) Failure to provide appropriate care when two medical emergencies occurred placing my wellbeing and health at risk
- 7) Interrogation by intimidation and misrepresentation of rights up to and including denial of certified translation, access to appointed Legal <council and denial of access to <Canadian <consulate and <embassy representatives
- 8) Wrongful confinement and imprisonment for a prolonged period of time
- 9) Article 1 according to <human <rights <law in <Mexico, ratified in 1977 according to the <Interamericana commission and according to the Carta Magna and states that it is a violation of the <human rights to detain a person for an interrogation or investigation. To retain a person for an interrogation or investigation is unconstitutional . Even though legislation was passed to allow this illegal activity to take place the Mexican <constitution has never been amended to reflect the legislation deeming the practice of detaining persons for investigation is not lawful.

During the 40 day period of wrongful detainment my health condition continued to deteriorate. My Lawyers were denied access to my file until filing an Amparo to protest same on my behalf.

SIEDO conducted an interview during the first 40 days of my detainment however they failed to provide an adequately trained and capable translator. In the presence of my <lawyers my statements were misrepresented and that the translator was unable to provide the correct context of my statement further compromising my ability to provide accurate and proper information.

During that same interview which was conducted in December 2011, I was advised by the prosecuting attorney that while being detained I was entitled to as were my lawyers adequate and as much time as we required to prepare any defense materials. I find this incredulous as we are only provided 9 minutes of phone calls which is hardly ample time to engage in fruitful discussions. We are also aware that ALL calls are monitored therefore there is no solicitor client privacy to discuss issues of merit without interference.

On December 18,2011 I was advised by SIEDO and a translator that they were extending my stay at the Arraigo for an additional 40 days. There was no evidence to support their accusations , and they attended without advising my Lawyer and requested that I sign consenting to the extension. I refused to sign any documents without my Lawyer being present. Again my rights were violated.

Overall Living Conditions at the Arraigo

- Rules are applied as though we are criminals. We are berated and emotionally diminished in the following ways : we are ordered to walk with our heads down and hands behind our backs, known in the custodial industry world wide as “the walk of shame”.
- Meal times – there is no speaking allowed and 10 minutes is allocated to eat
- Food is often substandard and cold
- On several occasions there has been cockroaches found in food and on one occasion rat droppings in cereal
- The writer was placed on a sodium reduced diet to assist with controlling cardiac issues and blood pressure, most meals are not sodium free and sub standard for this purpose
- The condition of the cells are small and there were up to 5-8 persons per room. <the dimensions of the writers cell is 21X13 therefore one can conclude that the space provided is minimal at best. <there is no privacy as there are cameras in the cells and microphones monitoring 24 hours a day 7 days a week.. <there are also microphones in the washroom.
- We are not permitted a pen to make notes or keep track of information to provide our lawyers content that is relevant to our case.

- There are fluorescent lights on all day and night making it very difficult to sleep therefore contributing to detrimental sleep deprivation.
- There are no laundry facilities available therefore one is forced to use the very small sink in the bathroom to wash clothes and use hand soap for same.
- Grooming apparatus is not allowed therefore self esteem and self worth is diminished.
- Most persons who are in the <Arraigo facility are suffering from trauma and stress. The writer has witnessed many women arriving beaten, raped and traumatized. <due to the work that the writer does professionally we are compelled to assist with comfort and consoling even with limited language abilities. For example in December there were 30 women on the 4th floor, of the 30 women 26 had been attended by medical <doctors rape and violent beatings. <there were visible signs on many of the men as well who and been beaten and suffered injuries.
- Medical process – the staff are permitted to sit in on medical appointments and procedures, therefore there is no privacy and many of the issues and treatments are embarrassing. Example : an echo cardiogram was ordered by a <cardiologist, and the equipment was brought to the Arraigo' I was required to undress from the waist up and lie on the examining table – the Technician, the Doctor, the AFI and a trainee were allowed to “watch”. Given that this test was to evaluate the stress of the heart and condition of the tissue in the heart, it was degrading to have my bare breasts open and on view and that the AFI and trainee and nurse were permitted to watch my test as it was being performed. I was humiliated yet again, and when I asked why there were so many people observing, I was told that the AFI had to be present. I feel that my privacy was violated yet again and know for a fact that the trainee was talking about my test to male colleagues which I witnessed within an hour of the test being completed.
- Delay in process for Cardiology results ‘- I have been waiting for over one week to meet with the <cardiologist, my family, <lawyer and Canadian Embassy have pleaded with SIEDO to authorize the tests requested by the Cardiologist to figure out why my blood pressure is elevated and then drops significantly. My hands and fingertips turn blue when I stand, walk and move around. <<I am taking medications for chest pain and the inconsistent blood pressure.

Summary

I have suffered physical, mental and emotional abuse and trauma, and my rights as a Canadian citizen have been violated both based on my international human rights as well as the Mexican constitution. I am disheartened and broken as a result of what has happened to me. I am a victim of a vicious attack on my professional integrity, my wellbeing physically and have lost all faith in this countries capacity to act with integrity particularly in the matters of international human rights. I have come forward as requested by the Derechos Humanos Para Todos, and hereby request that a copy of my submission be provided to me, my legal representatives and the Canadian Embassy.