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Mexico: Prisoners of Conscience released

Amnesty International welcomes the release on Wednesday of two prisoners of conscience in Mexico, José Ramon Aniceto Gómez and Pascual Agustín Cruz.

The two indigenous human rights defenders had served almost three years of a six year sentence for a crime they did not commit. The organization welcomes the decision of the National Supreme Court to overturn their conviction on appeal and order their release. The two men walked free from prison last night.

It is essential that the two men now receive compensation for the injustice they have suffered and that those responsible for their malicious prosecution and imprisonment are held to account.

Amnesty International has often documented how indigenous detainees and human rights defenders are subject to unfounded criminal charges and are denied the right to fair trial, resulting in prolonged and unjust detention.

Amnesty International believes there are other victims of similar grave injustices in Mexico, but it is usually only those who manage to secure the assistance of human rights lawyers and international support who have a realistic chance to demonstrate the misuse of the justice system and overturn sentences based on unfair trials.

Only when all indigenous people enjoy in practice the right to effective defence against criminal charges, including the right to presumption of innocence and access to interpreters and lawyers who know their culture, will such gross miscarriages of justice end.

However it is also vital that those responsible for allowing criminal justice proceedings to advance on the basis of evidently fabricated criminal charges are held to account to deter such abuse of the criminal justice system. Unless there is an end to impunity for these abuses then human rights defenders will continue to face unjust imprisonment in reprisal for their legitimate human rights work.

Background

José Ramón Aniceto Gómez and Pascual Agustín Cruz from the indigenous Nahuátl community of Atla, Pahuatlán municipality, Puebla state, were detained in January 2010 and sentenced to more than six years in prison.

Having reviewed the case in detail and interviewed the prisoners and other witnesses, Amnesty International concluded that the accusation against the activists was fabricated in retaliation for their work to ensure full access to water for the indigenous Nahuátl community of Atla, Pahuatlán municipality, Puebla. The organization also concluded that they had been denied the right to fair trial, including access to interpreters and lawyers with knowledge and their language and culture, and that the court had failed to ensure their effective defence or to impartially evaluate the evidence. They were adopted prisoners on conscience by Amnesty International in March 2012. Since then more than 30,000 activists have signed petitions calling for their immediate and unconditional release.