

AMNESTY INTERNATIONAL

Public Statement

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Mexico: The trial of four army personnel regarding the case of Valentina Rosendo and Inés Fernández is a positive development

The detention and prosecution by the civilian justice system of four members of the armed forces accused of torture and sexual violence committed against two indigenous Me'phaa women in Guerrero state represents an important step towards obtaining justice for the victims, Amnesty International said today.

Since 2002, Valentina Rosendo Cantú and Inés Fernández Ortega have been fighting for their right to justice. However, the original trial which was conducted by the military justice system failed, as it has done with other such cases, to carry out an effective investigation and as a result no one was held to account for these abuses. After having being denied access to justice with the military courts, the two women took their case to the Inter-American Court of Human Rights, IACtHR, (Corte Interamericana de Derechos Humanos) which in 2010 issued two judgements against the Mexican state. The IACtHR ordered, among other measures, an investigation under civilian jurisdiction to ensure that those responsible are held to account.

The civil justice system proceeding with the prosecution of the four members of the army involved in these serious violations is an important step to comply with those judgements. It is the result of the long struggle by the two women and all other human rights defenders who have accompanied them to seek justice.

This case also shows that when the Attorney General's Office is committed to establishing the truth and justice for victims of human rights violations, the vicious circle of impunity which encourages further violations can be broken.

Amnesty International is aware that the prosecution of those involved must be carried out in accordance with international standards law relating to fair trials, and this includes respect for the presumption of innocence, which protects the rights of both victims and offenders. Therefore Amnesty International calls on the Federal Judiciary Power (Poder Judicial de la Federación) to ensure an effective and impartial process.

Likewise, Amnesty International reminds the authorities to fully comply with the IACtHR judgements and that they must reform Article 57 of the Code of Military Justice in order to ensure that all human rights violations perpetrated by members of the army are investigated and judged under the civilian jurisdiction.

Background

Amnesty International has documented the cases of Valentina Rosendo Cantú and Inés Fernández Ortega since 2002 and activists around the world have joined the efforts of these two indigenous women in their courageous fight for justice.