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Mexico: A complete review of unfair trials needed after indigenous teacher pardoned

The Mexican President's decision to pardon indigenous teacher Alberto Patishtán who was imprisoned for more than a decade following an unfair trial is a long overdue recognition of the injustice done to him, but it should spur a complete review of countless unfair trial cases, Amnesty International said today.

"This is an innocent man who has been in prison for 13 years. The Presidential pardon is a big relief for Alberto Patishtán and his family, but it falls short of delivering truth, justice and reparation. Those responsible for his unfair trial and imprisonment should be held to account," said Javier Zúñiga, special advisor at Amnesty International.

"Mexico's prisons are populated by countless people like Patishtán. His liberation should be only the first step towards a total review of those cases and the adoption of measures that put a halt to discrimination and inequality in the access to justice."

The presidential pardon is the result of years of campaigning by Alberto Patishtán, his lawyers and supportive non-governmental organizations.

Alberto Patishtán was convicted in 2002 after a court in the southern Mexican state of Chiapas found him guilty of the murder of seven policemen during an ambush in June 2000. He was sentenced to 60 years in prison on aggravated homicide and robbery, among other charges.

Amnesty International believes that Alberto Patishtán did not take part in the crime and that the investigation and the subsequent judicial process were seriously flawed. In that regard, the organization considers that the Mexican authorities should conduct a swift, full and impartial investigation into the killings committed in 2000 and for which Alberto Patishtán was convicted.

"Alberto Patishtán's case is only one example of an ongoing pattern: After he was accused of a crime that he did not commit, he had no access to a competent defence lawyer, an independent prosecutor or an impartial judge. As a result, he has had to serve 13 years in prison. This is outrageous," said Javier Zúñiga.

Over the years, the organization has consistently denounced how being poor in Mexico means that your human rights receive less protection. This is especially true when it comes to accessing justice and due process. Indigenous people, most of whom are also poor, are disproportionately affected.

Another example is the case of José Ramón Aniceto Gómez and Pascual Agustín Cruz, two Indigenous activists who were released from prison in November 2012 after spending three years behind bars on trumped up charges in reprisal for their work defending access to water in Atla, in the central state of Puebla.

“The positive resolution of Alberto Patishtán’s case will be just a drop in an ocean if the Mexican government fails to acknowledge that this is a systemic problem and take urgent measures to address it,” said Javier Zúñiga.

Amnesty International calls on the government to ensure that the human rights of everyone involved in judicial proceedings are fully respected, without discrimination of any kind.

“Prosecutors and judges at the local, state and federal level must be impartial. Legal defence must be free and effective for all, in particular those who are most vulnerable. Everyone must be presumed innocent until proven guilty in trials according to international standards” said Javier Zúñiga.