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Mexico must comply with the new rulings by the Inter-American Court of Human Rights

Amnesty International urges the Mexican federal and state authorities to immediately implement all necessary measures to comply with the new judgements made against Mexico by the Inter-American Court of Human Rights with regard to violence against indigenous women. It is time to guarantee truth, justice and reparation for Inés Fernández Ortega and Valentina Rosendo Cantú, two indigenous women who were raped by soldiers from the Mexican Army in the municipality of Ayutla, Guerrero state, in 2002.

The two judgements by the court are clear in recognising that a series of gross human rights violations were committed against both women and their relatives, resulting, among other things, in impunity for those responsible and the harassment of women and organizations who have supported the women in their search for justice.

Since 2002 the State has refused to admit that the two women were raped. However, the decisions of the Court in both cases categorically state that the women were raped by soldiers. The Court also clearly identifies serious flaws in the treatment of the victims and the failure to conduct effective investigations.

The Court criticizes the State's attitude and sets out a series of obligatory measures to be taken to re-open the criminal investigation in the civilian courts, investigate the officials who undermined the investigations, strengthen the procedures for investigating rape cases, improve medical care provided to the direct victims and provide redress for both them, relatives affected and the community.

In its judgements the Court reiterated Mexico's obligation - still not discharged - to stop applying military justice when investigating and prosecuting members of the army for human rights violations. The Inter-American Court already laid down the obligation to amend the Military Justice Code to this end in its judgment of November 2009 on the Radilla Pacheco case. The Court also reiterated that Mexican judges have a duty to ensure that their rulings comply with inter-American jurisprudence.

Once again, Mexico's commitment to meeting its human rights obligations is under scrutiny. In less than a year, the Inter-American Court has handed down four judgments against Mexico with regard to gross human rights violations and impunity. Very few steps have been taken so far to enforce these judgments, which are binding on the authorities. Amnesty International is calling for them to be fully and effectively implemented as a matter of urgency. The organization will continue to pay close attention to the attitude taken by Mexico.

Background

The judgments handed down by the Inter-American Court in the cases of Inés Fernández Ortega and Valentina Rosendo Cantú concluded that the State is responsible for a series of violations of the American Convention on Human Rights, the Inter-American Convention to Prevent and Punish Torture and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women.

Amnesty International has been following the cases of Inés Fernández Ortega and Valentina Rosendo Cantú since 2002. It has supported the search for justice, truth and reparation for the women and stressed that the State has an obligation to bring those responsible to account in the civilian courts and to ensure the physical integrity of the two women and their relatives. In 2004 the organization published a report entitled *Violence against indigenous women and military injustice, AMR 41/033/2004*, <http://web.amnesty.org/library/index/ENGAMR410332004>.