

URGENT ACTION

INDIGENOUS RIGHTS ACTIVIST FACING UNFAIR TRIAL

On 15 March, the case of Maximino García Catarino will go to a Mexican appeal court to challenge his committal to trial on a charge of murder. He is a human rights defender belonging to the Na Savi Indigenous people. His detention and prosecution may be politically motivated and he is at risk of an unfair trial.

Maximino García Catarino, a leading member of the Organization for the Future of the Mixteco People (Organización para el Futuro del Pueblo Mixteco, OFPM), is appealing against his charge for the murder of Juan Teodoro García in Ocotlán, Guerrero State. The Guerrero State Superior Court (Primera Sala Penal del Tribunal Superior de Justicia del Estado de Guerrero) will rule on the appeal on 15 March. The court must ensure that Maximino García Catarino's receives a fair trial and is not subjected to detention based on fabricated evidence.

Maximino García Catarino was arrested by state judicial police while he was at home on 21 January. According to a local NGO, the police did not show an arrest warrant, and did not say why they were arresting him until later. He was questioned about other OFPM leaders and beaten when he refused to answer.

Maximino García Catarino was transferred to the local prison, but his presentation before a judge was delayed till 23 January. The presiding judge committed him to trial on 27 January on the basis of prosecution witness statements. However, the judge's ruling ignored defence evidence indicating that Maximino García Catarino could not have committed the crime. It also overlooked irregularities and inconsistencies in the prosecution evidence, raising serious concern about the court's impartiality. Amnesty International believes his prosecution may be in reprisal for his legitimate activism on behalf of his community. It has documented other cases of Indigenous activists in Ayutla de los Libres facing prolonged periods in prison on the basis of fabricated criminal charges and denial of fair trial.

Please write immediately in Spanish, English or your own language:

- Calling on authorities to guarantee Maximino García Catarino's right to fair trial, including an effective defence and access to an impartial court, and ensure that the charges he faces are not politically motivated;
- Calling for full, prompt and impartial investigation into the killing of Juan Teodoro García
- Reminding the authorities of their obligation to respect human rights defenders and ensure that they are able to carry out their legitimate activities without fear of reprisal.

PLEASE SEND APPEALS BEFORE 23 APRIL 2012 TO:

Guerrero State Governor

Lic. Ángel Heladio Aguirre Rivero
Palacio de Gobierno, Edificio Centro
2do. Piso, Col. Ciudad de los Servicios
C.P. 39074 Chilpancingo
Guerrero, México
Fax: +52 747 471 9956
Email: contacto@guerrero.gob.mx
Salutation: Dear Governor

Minister of the Interior

Dr. Alejandro Poiré Romero
Bucareli 99, 1er. piso, Col. Juárez
México D.F., C.P.06600, México
Fax: +52 55 5093 3414
Email: secretario@segob.gob.mx
Salutation: Dear Minister

And copies to:

Centro de Derechos Humanos de la Montaña "Tlachinollan"
Email: tlachi.internacional2@gmail.com

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the first update of UA 25/12. Further information:

<http://www.amnesty.org/en/library/info/AMR41/007/2012/en>

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ADDITIONAL INFORMATION

Name: Maximino García Catarino

Gender m/f: m

Further information on UA: 25/12 Index: AMR 41/019/2012 Issue Date: 12 March 2012