

Canadian Association for Rights and Truth

Concept note



English version

CANADIAN ASSOCIATION FOR RIGHTS & TRUTH



The Challenge:

With few laws regulating the prison system, a Mexican prison can be a horrifying place for its prisoners¹. Mexican prisons have received over 800 denunciations for torture and cruelty, a 24.3% rate of overcrowding and over 70% of prisoners are fed by families¹. These inhumane conditions would be tough for anyone to endure, but the suffering is exacerbated for the hundreds of people who have been falsely imprisoned.

In Mexico, being arrested almost certainly means a conviction. In Mexico City alone, 95% of defendants are convicted. 93% of defendants never see a warrant for arrest or a judge. 92% of convictions occur without any physical evidence². Recently, there have been high profile cases of United States citizens who have been imprisoned under false or dubious circumstances. Even with heavy international pressure, many have spent years in prison before being released. Imagine the position of the people caught in the same system who have no one to advocate on their behalf. This includes Mexican nationals, migrants from neighbouring Latin American nations.

The Goals:

The Canadian Association for Rights & Truth (CART) believes that Every Citizen, whether in Canada or Mexico, deserves a fair trial and right to freedom. Randomised false arrests under the current Mexican criminal and judicial systems amount to a revocation of basic freedoms and rights. While understanding that there are justifiable arrests made in Mexico and the government has the right to maintain safety within its borders, the first goal of CART is to make sure this is done in a way that cannot be compromised by corruption. According to the 2014 Corruption Perceptions Index, Mexico ranks as one of the top 10 most corrupt countries in the Americas and ranks as the second most corrupt police force in the world³.

The next goal is ideally to have those who have been arrested with no evidence or forced confessions to be released. This is an uphill battle, but with strong local partnerships with dedicated lawyers and volunteers, the falsely accused have a much stronger chance of vindication. The connection to quality legal services is key in Mexico, where there is no live testimony during a trial, meaning the fate of the defendant rests upon legal counsel and, too often, statements that have been coerced or tortured out of the arrested.

The strategy of legal defense is to search for and highlight procedural irregularities or flaws in the logic of facts presented by the prosecution, including any errors committed, contradictions or inconsistencies

¹ Reference for all statistics : Presumed Guilty (Documentary, 2008)

in evidence. A legal opinion (or "synthesis report") is then drawn up and then sent to the appropriate judges, magistrates and governors once a version of the facts is established that effectively contradicts the official version that has served as justification for the detention of the victims.

CART also offer assistance in the drafting of other necessary legal documents. These include a request for practice of medical examinations, appeals to the prison administration to ensure that the conditions of detention shall preserve the health, safety and dignity during imprisonment, filing of complaints and appeals in local courts all the way up to the Inter-American Court of Human Rights. CART also recognises the socio-economic repercussions on a family when a member has been falsely accused, especially when that member is the sole provider for the family. Support provided to these types of families range from updates of progress on the case when they are not able to otherwise obtain such information to psychological support.

Funding Requirement:

In order to achieve the essential goals, CART needs funding support to cover the tireless work of staff, most of whom volunteer their time and efforts for the sake of seeing justice prevail, legal fees for the accused, costs of psychological intervention when needed, and monitoring the physical state of prisoners during the trial and, if Canadian Association for Rights and Truth can only fight for the rights of the wrongly accused and find the truth needed to set them free without the generous support of those who truly want their donations to make a significant impact in the fight for justice. All queries and comments can be sent to David Bertet at contact@ac-dv.org.

Thank you for your consideration.

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www.ac-dv.org