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## Supreme Court Expected to Rule in August on whether Rights of French Citizen Florence Cassez were Violated

by Carlos Navarro

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A committee of Mexico's high court (Suprema Corte de Justicia de la Nación, SCJN) is expected to begin a review of the case of French citizen Florence Cassez in August to determine whether the manner in which she was detained violated her right to due process. Justice Olga Sánchez Cordero will chair the deliberations, which will begin at the start of the court's next session.

Violations of Cassez's rights were serious enough to prompt Justice Arturo Zaldívar Lelo de Larrea to recommend her immediate release in March of this year ([SourceMex, March 14, 2012](#)).

### *Court denies request for immediate release*

Despite the request for Cassez's immediate release, the full SCJN voted in March not to accept Justice Zaldívar's recommendation and instead to study the matter further. Justice Sánchez Cordero was assigned to write a brief for the committee (Primera Sala) to study.

Although this decision appeared to be a setback for Cassez, her legal team claimed victory. Her attorney Agustín Acosta described the ruling as "a great step to have the justice system recognize that the case has not been fair, that there were very serious violations."

Cassez was arrested in 2005 and convicted of helping a kidnapping gang allegedly led by Mexican citizen Israel Vallarta Cisneros, her boyfriend at the time. She lived at a compound near Mexico City where kidnapping victims were held, but she has said she was simply dating Vallarta Cisneros and did not know the victims were being held there.

The case came to the high court after a federal appeals tribunal voted in 2011 to uphold a 60-year sentence against Cassez and deny a request that she be allowed to serve the rest of her sentence in France ([SourceMex, Feb. 16, 2011](#)).

Former French President Nicolas Sarkozy has been one of the staunchest supporters for Cassez's release ([SourceMex, April 1, 2009](#)), and his appeals took more urgency in the wake of the French presidential election in May.

The Cassez case became a hotly debated issue in France after Mexican police revealed that they staged a televised raid of the ranch in which officers appeared to rescue the hostages and detain Cassez. The Procuraduría General de la República (PGR) admitted that Cassez had actually been arrested the day before outside the ranch.

Sarkozy had hoped that the case would be a political bonus because a release of Cassez would have given him a boost in the polls ahead of the election.

While the Cassez case was a major political issue in France, it became a minor crime-related issue in the presidential campaigns in Mexico ahead of the July 1 election. Most Mexicans opposed her release because of her connection to a kidnapping ring. And, while her possible release would

result from violations of her right to due process, there is still no conclusive proof that she did not participate in the abductions.

"The timing of politics is not necessarily the timing of the courts," Justice Sánchez Cordero said in March, ahead of the French and Mexican presidential campaigns. "There will be no rush to issue a determination in the case of Florence Cassez".

### *New President François Hollande advocates for Cassez*

The Cassez family thought it had lost an ally when Sarkozy lost the presidential election by a narrow margin to François Hollande. But the new president picked up the mantle on Cassez's behalf in one of his first acts as chief executive of France. During his visit to Los Cabos for the Group of 20 meeting, Hollande made it a point to discuss the case with President Felipe Calderón.

"We had two contacts with Mexican officials. Our foreign relations minister [Laurent Fabius] met with his Mexican counterpart [Foreign Relations Secretary Patricia Espinosa]," Hollande told reporters in Los Cabos. "And I brought up the issue during a brief encounter with President Calderón. I reminded him of the situation and told him that I am fully confident in the Mexican justice system."

Hollande has also reached out to President-elect Enrique Peña Nieto, saying that he is "convinced that France and Mexico will have several opportunities to cooperate in the next several months."

Justice Sánchez Cordero, who strongly believes that Cassez's rights have been violated, completed a brief on the case in July, but discussion was deferred because the court was coming up on a two-week recess, beginning July 15.

The Primera Sala is expected to look at Sánchez Cordero's brief sometime in early August. "For her legislative position to move forward, Sánchez Cordero will have to convince Justices Arturo Zaldívar, José Ramón Cossío, and Jorge Mario Pardo Rebolledo to obtain a majority," said the Mexico City daily newspaper *Excélsior*.

It won't take much for Sánchez Cordero to convince Zaldívar, since he was the justice who proposed Cassez's immediate release back in March.

-- End --