

Parents of 43 disappeared Mexican students demand reopening of investigation

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The parents of the 43 missing students of the Ayotzinapa teachers college, who were kidnapped, disappeared and presumed murdered on the night of September 26, 2014 demanded in a press conference on Wednesday June 6, that Mexico's President Enrique Peña Nieto obey a recent court order, mandating the reopening of the investigation into the "Ayotzinapa case" and the formation of a Truth and Justice Commission to expose all the details of the case, including the state's involvement.

At the press conference, some of the parents expressed the hope that the "doors of justice were finally about to open" with this decision from a panel of judges.

Mario González, one of the parents, said at the press conference: "The parents of the 43 know perfectly well that this government has not given us any answers throughout the last four years. This is an opportunity for the president [Peña Nieto] to show some dignity and support the new commission." Gonzalez added that the parents believe that the court decision "cannot be appealed, and obligates the government to comply."

The June 4 ruling by a panel of judges from the nineteenth district court, based in Tamaulipas state (*Primer Tribunal Colegiado del Décimo Noveno Circuito*), analyzed reports from the Inter-American Human Rights Commission (CIDH) and from a panel of forensic experts. It found that the investigation into the events the night that the students disappeared was incomplete and fraudulent. The ruling also gives the parents of the victims the power to participate by electing members of the proposed Truth Commission.

At the press conference, other parents declared that the so-called "historical truth", that the students had been kidnapped by the United Guerreros drug cartel (*Guerreros Unidos*), killed, incinerated at a garbage dump, and their ashes scattered in a nearby river, from the very beginning had been meant to cover up for and protect the military and federal police.

The CIDH confirmed that the initial investigation by the Office of the Attorney-General of the Republic (PGR in Spanish), which, two weeks after the kidnapping, presented

what it called "the historical truth" of the episode, contained "serious flaws". This was particularly true in relation to the role of the municipal and federal police, the military, government officials and state authorities, that may either bear direct responsibility for the crimes of September 26 and 27, 2014, or participated in the subsequent cover-up.

The initial response from the PGR was that the court was violating the separation of powers clause of the Mexican Constitution and overstepping its authority.

One issue that the parents have raised since the beginning is that much of the alleged evidence presented by the PGR in the weeks following the kidnappings was based on confessions obtained under torture. At the press conference, the parents also demanded that the new investigation concentrate on the role of the government, its police agencies and the armed forces, along the lines first proposed by the panel of international forensic experts in 2016.

In November 2014, the government of Mexico and the Inter-American Commission on Human Rights established the Interdisciplinary Group of Independent Experts known by its Spanish acronym as GIEL, to follow up on the investigation. Its final report in April 2016 concluded that forensic evidence did not support the claim that all the bodies had been incinerated at the said location. It also questioned the procedures that had been followed by the PGR.

At last week's press conference, Blanca Nava, one of the mothers, said, "Now is a good opportunity for the return of the Interdisciplinary Group of Independent Experts [of the CIDH]. That is what we want. They were the first to raise the contradictions and propose how to carry out the investigation, which was never done."

Following up on the CIDH investigation, on March 15 of this year the United Nations office of the High Commissioner for Human Rights issued a 65-page report entitled "*Double Injustice – Human rights violations in the investigation of the Ayotzinapa case*" that chronicles and analyzes the human rights violations that took place between the date of the kidnappings and January 2016. This latest

report expands on the suspicions first raised by the Group of Independent Experts.

According to the UN investigation, out of 129 individuals arrested by the PGR and the military following the kidnappings, there is strong evidence that 51 were tortured physically and psychologically, and that at least one of them, Emmanuel Alejandro Blas Patiñi, had been tortured to death in October 2014. The UN followed up on 34 of these tortured detainees.

The UN investigation describes “an almost uniform modus operandi” of illegal arrests, detentions outside the protection of the law and torture, together with “implausible and self-contradictory justifications” to explain away the injuries caused by the brutal treatment.

On the basis of those “voluntary confessions,” Attorney General Jesús Murillo Karam”, declared on January 27, 2015 that the case had been solved. On that occasion Murillo made use of the unhappy phrase, “historical truth”, that now haunts the Mexican government.

Under this version, the municipal police of Iguala, and Colula, in Guerrero state, under instructions from Iguala mayor José Luis Abarca, had attacked the students, who were traveling by bus; police killed six, wounded 25 and handed 43 students to a criminal gang, *Guerreros Unidos*, who killed them, burned their bodies at a rubbish dump, and then discarded their remains in the nearby San Juan River. Abarca, a member of the Party of the Democratic Revolution (PRD), which today rules in alliance with the Peña Nieto administration and the ruling PRI (Institutional Revolutionary Party), is said to have acted in alliance with the drug cartel.

The PGR under Murillo insisted that this crime was driven by drug trafficking, diverting public attention from the fact that the Ayotzinapa teaching college is a center of opposition to the government’s education reform. While some of the students were headed to a teaching assignment, others were on their way to commemorate in Mexico City the anniversary of the Tlatlelolco Massacre of October 2, 1968, in which hundreds of students were gunned down by Mexican troops. The unraveling of events since September 2014 now strongly suggests that what took place in Ayotzinapa was a politically motivated state crime.

In the lead-up to the July 1 national elections, the decision by the court in Tamaulipas is sure to add to the explosive political and social tensions roiling Mexico.

Up until now, on the campaign trail and in two national debates, the presidential candidates have managed to deliberately ignore the assault on the Ayotzinapa case. The so-called populist candidate, Andrés Manuel Lopez Obrador, in a campaign appearance in New York City when questioned a year ago about this case, refused to answer and

instead denounced his questioner, Antonio Tizapa, as a “provocateur.” Tizapa’s son Jorge Antonio Tizapa Legideño, is one of the disappeared students. *ADN Político* (Political DNA), a Mexico City online news journal, interviewed parents of the disappeared who expressed their anger and disappointment that the presidential candidates have sidestepped the Ayotzinapa case.

“For us it is hard that there have been no declarations; one no longer trusts them [the presidential candidates],” declared Bernabé Abraján, a parent of the disappeared student Adán Abraján de la Cruz.

“[The candidates] have shown us that they are are not interested in the Ayotzinapa case. They have not said anything,” declared Hilda Legideño mother of José Antonio Tizapa Legideño. “Forty three months have passed and on their part there is only negativity. They know perfectly well what happened, and those who are guilty; but have no desire to investigate. The government is involved in the disappearance of our children. Knowing about the fate of our children is our main struggle. We want nothing else; they have offered us material wealth, but we are not interested,” added Legideño.

Reacting to the Tamaulipas court order, the Lopez Obrador campaign offered to create not just one truth commission, but many. No further elaboration was provided.

This Tuesday, the last presidential debate is scheduled to take place between the presidential candidates. Different from the previous two debates, in this debate there will be questions from the general public, culled from the thousands of questions that the debate’s organizers solicited and received from across Mexico.

Undoubtedly some will have to do with the Ayotzinapa case; furthermore, last week’s court decision in Tamaulipas will make it nearly impossible for the candidates or the media to continue ignoring the kidnapping, disappearance and probable murder of the 43 students from the Ayotzinapa teachers college, three years and eight months ago.



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