

# López Obrador promises Truth Commission in disappearance of Ayotzinapa students

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1 October 2018

Last week marked the fourth anniversary of the forced disappearance of 43 teaching students (normalistas) from the Raúl Isidro Burgo Rural Normal School in the town of Ayotzinapa in the southern Mexican state of Guerrero. Following a demonstration against cuts in education funding in the city of Iguala, local police herded the students into buses and likely turned them over to a local gang, the Guerreros Unidos. They have never been heard from since, and the remains have been recovered of only one of the students.

The incident itself, as well as its investigation by the Attorney General of Mexico (PGR) under what is now the outgoing government of President Enrique Peña Nieto and his Party of the Institutional Revolution (PRI), were emblematic of the lawlessness of the Mexican state, its corruption and its ties to organized crime. At a more fundamental level, the case evinced the disdain of Mexico's ruling oligarchy and government for the most basic rights of the Mexican population, who were outraged by this monstrous crime.

The PGR's investigation concluded that the Guerreros Unidos gang killed the students and then incinerated their remains in a dump by a river in the neighboring town of Cocula. This is known in Mexico as the "historical explanation."

Its deficiencies and inconsistencies were exposed by the Interdisciplinary Group of Independent Experts of the Inter-American Commission on Human Rights (CIDH) and the Argentine Forensic Anthropology Team, among others. They proved that the students' remains could not have been incinerated at the Cocula dump site as the PGR had concluded.

The PGR arrested 170 people, including members of Guerreros Unidos and local police from Iguala and Cocula. One hundred and nineteen of them are still detained, of whom 69 are directly accused of complicity in the events. Not a single person has been sentenced for

the crime.

Confessions by many of those detained were extracted under torture. Courts later ordered a number of them freed for that reason.

The PGR also ignored credible evidence developed by the CIDH of the complicity in the crime of various government authorities—the Guerrero state police, the federal police, and the 27th Battalion of the Army stationed in Iguala—who either directly participated in the detentions and murder of the students, or stood by as they transpired.

The PGR under President Peña Nieto stuck to the historical explanation precisely in order to cover up the involvement of these forces, above all in order not to subject the Army to scrutiny.

The Mexican government rejected widespread calls for a "truth commission" that would continue and expand the investigation, including those by the Office in Mexico of the United Nations High Commissioner for Human Rights (UN-DH), who decried the government's conclusions as "unsustainable."

The families of the disappeared students and their supporters went to court in order to reopen the investigation and seek the implementation of such a commission. The PGR opposed this relief, filing literally dozens of court appeals to head this off.

In June, a constitutional court issued a landmark ruling that ordered the creation of an independent "Commission of Investigation for Truth and Justice" to once again take up the case. The PGR challenged that ruling, asserting that impaneling such a commission was a "legal and material impossibility."

On September 20, the First Collegiate Court of the Nineteenth Circuit based in Reynosa rejected the position of the PGR. The State could not investigate the federal police and Army, because it would in effect be investigating itself.

Now the Supreme Court of Justice of the Nation will review this ruling.

Last Wednesday, over ten thousand marched in Mexico City, including the students' family members, university students, teachers and social organizations, to commemorate the disappearance of the normalistas, and press for a new, thorough and honest investigation.

The families then met with President-elect Andrés Manuel López Obrador (popularly known as AMLO) of the victorious Morena (Movement for National Regeneration) party.

AMLO offered the next of kin the investiture of a truth commission, with or without a court ruling. The new government's goal he said was to work for "truth and justice," without impunity. But, he cautioned, there would be no "witch hunt."

A decree to that effect would be issued on December 1, requiring the government to cooperate fully with, rather than impede, such an investigation, and to allow the participation of the UN and the IGIE, which would include utilization of the latter's technical assistance.

After the families met with AMLO, Alejandro Encinas—once a militant of the former Communist Party of Mexico, former head of the Mexico City government and the current senator representing Mexico City in Congress—who AMLO says he will appoint deputy minister of the Interior to oversee human rights generally and the Truth Commission specifically, addressed the press. Encinas stressed that a commission would "allow us to have an instrument with sufficient judicial force to review the case and continue the investigation."

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However, when Encinas was asked about whether the participation of the military in these crimes would be investigated, he equivocated: We "will see. It is not the objective to investigate the Army... [We] do not want to 'strap on knives' with the Army."

Encinas continued: "It is different to talk about the Armed Forces in the abstract, than say, elements of the Armed Forces. You have to make that differentiation."

When specific reference was made to the participation of the Army's 27th Battalion, Encinas demurred, saying any comment would have to wait the new investigation, and that it was not up to him to speculate.

Pressed further, Encinas said that "if there are elements of the Armed Forces [involved], they will have to be subject to the corresponding sanction." In other words, if the Army high command ordered or covered up local

army involvement that would be out of bounds in any truth commission.

This deference to the Armed Forces is of a piece with AMLO recently backtracking from his campaign promise that he would pull soldiers from the streets, where they were placed over ten years ago by President Felipe Calderón, ostensibly to battle the drug cartels, "back to their barracks." Now, he explains, although the military operation has led to tens of thousands of deaths, that is not practicable.

AMLO also must tread carefully, lest leaders in his own party or other supporters turn out to have been involved in the Ayotzinapa events, or in their coverup. In 2014 he and Morena had been grooming Iguala's former mayor, José Luis Abarca, to run for governor of Guerrero state. It turned out that Abarca was directly involved in ordering the seizure of the normalistas the night they disappeared. He and his wife, the latter a sibling of the leader of Guerreros Unidos, were later convicted of involvement with the gang and money laundering.

AMLO ran for president as a "progressive social democrat." His platform stressed most of all fighting corruption. Corrupt governors, those in bed with the narcotics cartels, officials who stole or committed fraud against public property, who rigged bids for public contracts, who turned a blind eye in Mexico City to enforcement of building standards, despite a history of major earthquakes, who illegally spied on citizens—and their co-conspirators in business—would all face a day of reckoning, without "impunity." Presumably, even the outgoing president might have to face the music.

Mexico's working class will learn soon enough that once in office AMLO will disappoint them on many fronts. He inevitably will pursue more and more right-wing measures in the interests of the Mexican and international bourgeoisie.



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