

On Third Anniversary of Disappearance of 43 Students in Guerrero, Answers Are Still Few

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Three years after the disappearance and probable murder of 43 students from a teachers college (Escuela Normal Rural de Ayotzinapa Raúl Isidro Burgos) in Guerrero state, authorities have yet to provide satisfactory answers to clarify the situation.

The government has detained 120 people suspected of involvement in the disappearances, but none has been formally charged. Many of the individuals who have been detained are members of Guerreros Unidos or other criminal organizations; 71 are suspected—but not yet charged—of kidnapping the students.

According to sources in the Mexican judicial system, the detainees have filed numerous legal appeals or employed other legal maneuvers that have prevented the filing of formal charges.

The government has also failed to take any administrative action against Tomás Zerón, the former head of the federal criminal investigative agency (Agencia de Investigación Criminal, AIC) who is accused of negligence and of covering up evidence during the conduct of the investigation. Despite calls for his resignation, Zerón remained in his post for almost two years after the events, until he finally resigned on Sept. 12. Two days later, he was named to the high-level post of technical secretary of Mexico's security council (Consejo de Seguridad Nacional), where he answers directly to President Enrique Peña Nieto ([SourceMex, Sept. 28, 2016](#)).

Questions from the beginning

According to the initial account offered by the attorney general's office (Procuraduría General de la República, PGR), local police in Iguala rounded up the students on Sept. 26, 2014, and turned them over to the criminal organization Guerreros Unidos, which executed them and burned their bodies in a garbage dump ([SourceMex, Oct. 15, 2014](#), and [Oct. 29, 2014](#)).

The government's theory, which former attorney general Jesús Murillo Karam had described as the "historic truth," was found lacking, particularly in light of new findings produced by an investigative body of international experts appointed by the Inter-American Commission on Human Rights (IACHR), which is affiliated with the Organization of American States. The investigators, who made up the Grupo Interdisciplinario de Expertos Independientes (GIEI), challenged the administration's version of the events, including the official conclusion that the students had been killed in Iguala and taken to the garbage dump in nearby Cocula where their bodies were burned to ashes ([SourceMex, Sept. 16, 2015](#), and [Dec. 16, 2015](#)).

The GIEI offered a list of 26 observations and proposals for President Peña Nieto's administration to provide more transparent information on the fate of the 43 students. The administration only heeded six of the proposals, prompting strong criticisms from the semi-autonomous Comisión Nacional de Derechos Humanos (CNDH) and other human rights advocates ([SourceMex, Nov. 18, 2015](#)).

In April 2016, the IACHR announced that the GIEI was withdrawing from the investigation because of a lack of cooperation from the Peña Nieto government. The international experts made the decision to leave with many questions still unanswered ([SourceMex, April 20, 2016](#)).

Critics accused the Peña Nieto administration of sabotaging the independent investigation. Pressured by critics overseas and at home, the government agreed to negotiate a compromise with the IACHR and the relatives of the students to bring the OAS back into the case. The compromise included a provision that James Cavallaro, then-president of the IACHR, and another commissioner, and not the original GIEI members, would supervise the investigation ([SourceMex, Aug. 10, 2016](#)).

No progress

The intervention of the IACHR did not yield immediate results, as many questions remained unanswered on the second anniversary of the disappearance of the students ([SourceMex, Sept. 28, 2016](#)). A year later, on the third anniversary, there are very few new developments on the case, with investigators no closer to determining the fate of the students.

The Peña Nieto administration insists that the appropriate authorities are doing everything possible to find answers. In a joint statement on Sept. 25, two days before the anniversary, the PGR and the foreign relations ministry (Secretaría de Relaciones Exteriores, SRE) promised that the federal government “would continue to exhaust all means at its disposal” to expand searches and to support the relatives of the students. The administration pledged to take into account the recommendations of the GIEI and the CNDH as it continues the investigation.

The relatives of the missing students, who have doubted the government’s version from the beginning, refuse to accept the premise that authorities are doing everything possible to arrive at the truth. They have organized a number of protests to demand that the government bring back the GIEI.

Relatives marked the third anniversary of the disappearances with a protest in Chilpancingo, the capital of Guerrero, accompanied by a marching band and current students of the college, along with members of a teachers union and local non-governmental organizations.

The organizers of the march charged that the case is clearly marred by impunity, as no major progress has been made by authorities in finding the missing students alive or in punishing the real culprits.

OAS investigators speak out

The members of the GIEI spoke about the case at a forum in Mexico City sponsored by a legal research institute (Instituto de Investigaciones Jurídicas, IJ) at the Universidad Nacional Autónoma de México (UNAM).

“The full truth has not yet come out,” said Ángela Buitrago, a Colombian jurist who was member of the GIEI team. “We need for all the information to be released and for authorities to acknowledge that this is a very important case.”

Buitrago noted that the “worst mistake” that the PGR made in the investigation was to reach a conclusion without considering all the information available. She said the investigations never moved beyond the landfill in Cocula when other locations could yield answers, including sites in the communities of Huitzuco and Pueblo Viejo.

“I wouldn’t call this case a failure, because the investigation is not concluded,” said Buitrago, who suggested that authorities ignored valuable information provided by forensic experts from UNAM and Argentina’s Equipo Argentino de Antropología Forense (EAAF).

Francisco Cox, a jurist from Chile who also formed part of the GIEI, suggested that the PGR relies “excessively” on testimony and said the GIEI team had made the argument in a book titled *Metodologías de investigación, búsqueda y atención a las víctimas* (Methods of Investigation, Search and Attention to Victims).

“In the book, we insist on the need to gather objective proof,” said Cox, stressing that this is important to ensure that an investigation does not collapse when a witness chooses to remain silent or backtracks on a testimony.

Two other members of the GIEI team who collaborated on the book, Carlos Beristain of Spain and Alejandro Valencia of Colombia, also attended the IJ event. According to Beristain, Mexico must eliminate the “longstanding mechanisms of impunity in order to break the cycle of violence and violation of human rights.”

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