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Carlos Navarro

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## U.N. Report says Authorities used Torture on Suspects in Ayotzinapa Case

by Carlos Navarro

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A new scandal emerged in the case of the disappearance of 43 students from a teachers college (Escuela Normal Rural de Ayotzinapa Raúl Isidro Burgos) in Ayotzinapa, Guerrero, in 2014. In a report published on March 15, the Office of the UN High Commissioner for Human Rights (UNHCHR) said its investigations into the case revealed that Mexican authorities tortured dozens of suspects in a zeal to extract confessions ([SourceMex, Oct. 15, 2014](#), and [Nov. 18, 2015](#)).

According to the government's version of events, five buses carrying the students were abducted in the city of Iguala by corrupt police officers who handed them over to members of the local criminal organizations Guerreros Unidos. The government concluded that the gang members incinerated the bodies of the students at a trash dump in the community of Cocula and disposed of the ashes in a nearby river ([SourceMex, Oct. 29, 2014](#)).

The government's account has a lot of holes, including the absence of solid proof. As a result, the case has become a political hot potato and remains so heading into Mexico's July 1 presidential and congressional elections ([SourceMex, Dec. 3, 2014](#), and [May 13, 2015](#)).

A UNHCHR investigation collected information from interviews, judicial files, and medical records related to the interrogation of 63 out of 129 people detained in connection with the case. According to a document produced after the investigation, there are reports that 51 people might have been tortured and "solid grounds to conclude that at least 34 of these individuals were tortured."

### *A pattern of violations*

The findings point to "a pattern of committing, tolerating, and covering up torture in the investigation of the Ayotzinapa case," noted Zeid Ra'ad al-Hussein, the UN High Commissioner for Human Rights. The violations of human rights were committed primarily by personnel from three entities, the Attorney General's Office (Procuraduría General de la República, PGR), the federal police (Policía Federal, PF) and the Navy ministry (Secretaría de Marina, SEMAR), UN investigators reported.

Because torture was used, the information obtained from the victims might not be accurate, the UN report suggested.

"Those who have suffered torture are not necessarily telling the truth, but confirming the version of the torturer," the report said.

According to the daily newspaper La Jornada, a couple of cases stand out. One particularly relevant situation is that of Agustín García Reyes, who was detained arbitrarily and tortured by the criminal investigations agency Agencia de Investigación Criminal (AIC), which at that time was led by Tomás Zerón de Lucio, a key figure in the probe of the students' disappearance ([SourceMex, Sept. 28, 2016](#)). Relatives of the students and human rights groups accused Zerón of negligence and of covering up

evidence during the investigation. Zerón resigned from his post but did not face any disciplinary actions ([SourceMex, Oct. 4, 2017](#)).

Another case involves Emmanuel Alejandro Blas Patiño, who was reported to have been detained with two other individuals in the city of Cuernavaca in October 2014. According to an official report, Blas Patiño died after falling 10 meters from the roof of a building. "The UNHCHR asserts that witnesses insist that he died because of torture inflicted upon his person by Mexican marines," La Jornada said.

The UN report has called for any evidence obtained through torture to be excluded or invalidated. Furthermore, the UNHCHR's representative in Mexico, Jan Jarab, said there are no indications that the perpetrators of torture have been punished in any form. "A double injustice exists," Jarab told La Jornada. "On one hand, the rights and guarantees of the detainees have been violated, because they did not receive due process. On the other hand, the situation results in the violation of the rights of the students and their families, and of society, to know the truth about the atrocity that occurred in September 2014."

The UNHCHR report is the latest from a multilateral agency to call into question the government's version of events. The administration of President Enrique Peña Nieto also ran into conflict with a human rights team from the Inter-American Commission on Human Rights (IACHR), which conducted its own investigation into the case. The IACHR is affiliated with the Organization of American States (OAS).

That group of experts, known as the Grupo Interdisciplinario de Expertos Independientes (GIEI), cited deep flaws in the government's inquiry ([SourceMex, Sept. 16, 2015](#), and [Dec. 16, 2015](#)). Among other things, the experts suggested that the government might be ignoring the presence of a now-missing sixth bus, which may have been carrying a shipment of cash or drugs, the GIEI said.

The GIEI accused the Peña Nieto government of failing to cooperate and of obstructing its investigation. The administration, for its part, announced it would not be renewing the permit for the OAS-sanctioned commission to continue its investigation.

In April 2016, IACHR commissioner James Cavallaro announced that the five-member GIEI would leave Mexico by the end of that month, shortly after it delivered its second report on the Ayotzinapa case. At that time, he expressed regret over the Peña Nieto administration's decision to end its collaboration with the group, despite the specific request from the families of the students that the OAS-sponsored group of experts continue its investigative work ([SourceMex April 20, 2016](#)).

After a hiatus of a few months, the OAS and the Peña Nieto government reached a compromise whereby the OAS would return to monitor the investigation, but the original members of the GIEI would not be returning to Mexico ([SourceMex, Aug. 10, 2016](#)).

## *No answers yet*

Commissioner Zeid challenged the Mexican government to take the appropriate actions. "Ayotzinapa is a test case of the Mexican authorities' willingness and ability to tackle serious human rights violations," he said. "I urge the Mexican authorities to ensure that the search for truth and justice regarding Ayotzinapa continues, and also that those responsible for torture and other human rights violations committed during the investigation are held accountable."

La Jornada, in an editorial, said that the UNHCHR report is the latest element that puts into doubt the government's versions of the investigation, which former attorney general Jesús Murillo Karam initially labeled as "the historic truth."

"This document is the latest case in which the version of the government's official investigation has come under question from national and international humanitarian organizations, academics, and activists," said La Jornada. "It is inevitable that the doubts and suspicion about the PGR's version of events about what occurred in Iguala are growing, and that the prosecutor's actions are simply just a simulation. That is why it is essential that the official institutions respond in a transparent and precise manner to the many charges of irregularities, and that these agencies demonstrate a true political will to clarify the case before the end of the [Peña Nieto] administration."

According to news reports, authorities have been receiving a significant amount of information but apparently not taking any action. "Three years after the forced disappearance of the 43 students from the teachers college in Ayotzinapa, the investigation has not moved forward," Proceso.com, which publishes the weekly news magazine Proceso, said in September 2017. "The only thing that is happening is that the file for the inquiry keeps growing."

According to Proceso.com, a name that keeps surfacing in the complaints is that of Humberto Velázquez Delgado, commander of the ministerial police in Guerrero state. The mandate of the ministerial police is to fight corruption and organized crime. "The parents of the victims say this individual is indispensable to clarify once and for all the relationship between the criminals and the authorities."

The Mexican government, for its part, is anxious to demonstrate that some advances have been made in the case. On March 12, the organized crime unit (Subprocuraduría Especializada en Investigación de Delincuencia Organizada, SEIDO) of the PGR announced the arrest of a leader of Guerreros Unidos, the criminal organization accused of kidnapping and murdering the students.

SEIDO did not give further details other than to label the suspect as Erick N, and point out that the order for his arrest had been in place since October 2014. SEIDO officials later said the suspect's full name is Erick Sandoval. The detainee, who is also known by his nickname of La Rana (the frog), was arrested in the community of Cocula, the site of the trash dump where the bodies of the students were supposedly incinerated.

The relatives of the students were not impressed with the arrest, however.

"The detention of this individual does not represent an advancement in the case," said a group of relatives of the victims. "This development only serves to promote the government's 'historic truth' hypothesis, that the students were incinerated in the Cocula trash dump."

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