



Baroness Catherine Ashton
High Representative of the European Union
for Foreign Affairs and Security Policy

Ms Federica Mogherini
Designated High Representative of the European
Union for Foreign Affairs and Security Policy

13 October 2014

Re: Joint open letter calling on the European Union to take urgent action on the violent events in Iguala, Mexico, which left 6 persons dead, over 20 injured, and 43 disappeared.

Dear Baroness Ashton,
Dear Ms Mogherini,

The undersigned organisations are writing to express our deep concern regarding the recent violent events that took place in Guerrero, Mexico.

On the night of 26 September, 80 students from the Normal Rural Raul Isidro Burgos School in Ayotzinapa, left the city of Iguala, where they had been fundraising throughout the afternoon, to return to Guerrero's capital Chilpancingo, on board a number of buses. These buses were intercepted by Mexican municipal police officers in police patrol vehicles, who indiscriminately opened fire on the buses without warning and seriously injured one student. More than 20 students were arrested and detained by the police following the shooting. Their whereabouts is still unknown.¹ As well as these 20 or so students, at least 20 more were disappeared at some point during the violent events that followed on the same night, and at present, a total of 43 students remain disappeared.

Some hours later, a group of students had gathered in the place of the first attack to report the details of the incident to journalists, when a group of gunmen in civilian clothes arrived and opened fire on the crowd. The shooting reportedly lasted for several minutes and left two students dead. The crowd rapidly dispersed. In the confusion and chaos that ensued following the second

1 See the urgent action issued by the Human Rights Center Tlachinollan: <http://bit.ly/1qoxHoE>

shooting, it is unclear how exactly the students fled the scene.

Two further violent incidents involving the municipal police and unidentified armed actors were perpetrated on that night against another group of students, presumably confusing them with students from Ayotzinapa. The next day, on 27 September, the body of another student was found on the street, displaying signs of torture. His eyes had been gouged out and his skin peeled off.

Following the four separate violent events, which are all interrelated, six people were killed, 20 were injured and the whereabouts of 43 students from Ayotzinapa remains unknown.

In response to the violence, 22 municipal police were arrested and search operations have been carried out to establish the whereabouts of the disappeared. The investigations conducted to date by the state and general attorney have clearly demonstrated the collusion between the municipal police force and criminal groups. The State Attorney General has publicly acknowledged this collusion. Within the context of these investigations, at least nine unmarked mass graves were discovered near Iguala. At least 28 bodies have been exhumed, but considering they had been set alight and burnt beyond recognition, forensic tests will have to be carried out to identify the remains. It is not yet clear if the bodies are those of the abducted students. Following a petition from representatives of relatives of the victims, independent international forensic experts are assisting with the identification process and the Federal Attorney General's Office has taken over the investigation. However, according with the organisations, the forensic experts have faced obstacles from the State authorities to carry out their labour assigned by the families of the victims, including accessing the sites of the mass graves. The human rights defenders and organizations that are accompanying the families have reported that the investigations have been ineffective to date due to two principle factors. Crucial intelligence work, which should have preceded the collection of the evidence at the crime scene, was not carried out. Furthermore, neither the information provided by the police being held in detention, nor the patterns of the operations of organized crime gangs in the region have been analysed in an in depth manner. In view of the possibility of further acts of aggression being perpetrated against students in Guerrero, as well as the victims' families who are seeking justice and the human rights defenders involved in the case, the Inter American Commission on Human Rights has issued precautionary measures urging the Mexican State to protect them and to immediately establish the whereabouts of the 43 missing persons².

These killings and disappearances have taken place within the context of an ongoing pattern of impunity. In December 2011, authorities failed to hold federal and state police officials accountable for the killing of two Ayotzinapa students and the torture and ill treatment of 20 others. In May 2013, seven social leaders were abducted and three of them murdered in Iguala. Despite the existence of evidence, which highlighted the involvement of the Municipal President of Iguala in the killings, the investigation was reportedly closed in May 2014. Mexican authorities failed to adequately procure justice in both cases. It is therefore essential, that these most recent events are brought to justice, in accordance with international legal standards, in order to guarantee that other similar incidents do not continue to occur.

Since 2000, the bilateral relations between the European Union and Mexico are governed by a Global Agreement based on democratic principles and on respect for human rights. Indeed the agreement has incorporated a democratic clause. In addition it was the first Agreement between the EU and Latin America to incorporate a specific democratic clause³. With the adoption of the EU

² <http://bit.ly/1qozIRQ>

³ The Democratic Clause is a disposition within an economic agreement or a cooperation agreement, which seeks to ensure a framework for the protection of human rights, democracy and rule of law amongst the different Parties to the agreement. In case of non-compliance of the essential principles of the agreement (i.e. the rule of law and human rights), the democratic clause offers the possibility of suspension (total or partial) and even of termination of

Strategic Framework on Human Rights and Democracy in June 2012, the EU pledged to “place human rights at the centre of its relations with all third countries, including its strategic partners” and to throw its “full weight behind advocates of liberty, democracy, and human rights throughout the world”. The recent events in Guerrero represent the most grave human rights violations and expose extremely serious issues of impunity, collusion between police officers and organised crime gangs, and excessive use of force and therefore must be addressed within the strategic relations between the EU and Mexico, making use of the existing instruments.

The undersigned organizations welcome the recent declaration of the EU Delegation in Mexico. Given the gravity of this situation, we however call upon the High Representative to issue a public statement, which strongly condemns the aforementioned incidents, and bring the following demands to the immediate attention of the Mexican authorities:

- Immediately take all necessary measures to establish the whereabouts of all persons who have been enforcedly disappeared since the aforementioned incidents took place.
- Guarantee the physical and psychological integrity of the students, their families and the human rights defenders and organizations involved in the case, who are particularly at risk because of their fight for justice.
- Ensure that a full, prompt and impartial investigation is carried out, in line with international legal standards, bringing those responsible to justice.

In addition, we urge both the EU Delegation in Mexico, as well as the embassies of the EU member states in Mexico to:

- Publicly support and recognize the importance of the human rights defenders and families in their fight for justice through appropriate use of the media, visits or meetings. Report to the EU on these actions with recommendations regarding the scope for follow-up of these actions.
- Closely monitor the development of this case through the High-Level Dialogue on Human Rights and other forms of correspondence with the Mexican Foreign Affairs Secretariat, in order to ensure that these cases, as well as the other aforementioned incidents do not remain in impunity. Establish concrete indicators and effective follow-up mechanisms for the agreements reached, and include civil society participation in such follow-up. The results should be presented in the next High-Level Dialogue.

Yours sincerely,

CIFCA – Copenhagen Initiative for Central America and Mexico
German Network for Human Rights in Mexico
Jass – Just Associates
Mexiko Forum Schweiz
OMCT – Organisation Mondiale contre la Torture
Peace Brigades International (PBI) – Mexico