

Dubious confessions in Iguala

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Mexico always finds a way to get under my skin. In my last few hours in the capital I get to experience its good side in Alameda de Santa Maria park in the idyllic historic quarters of Santa Maria La Ribera. No traces of the state's drug problems are visible here. Instead there are skaters and footballers, a guitarist in the background and a man named José María Fuentes beside me on a bench. He has been homeless for 15 years and still remains an incorrigible optimist. He tells me he's had a lot of wonderful experiences, only a few bad ones – he says he's content with his life.

I'm still in good spirits shortly afterwards as I board a flight to Paris, but reading the Mexican newspapers on the plane soon brings me back to the dark reality of the country. On this unremarkable Wednesday, *La Jornada*, a somewhat left-leaning paper, is full of atrocities: persecuted journalists, racist public officials, violence against Central American refugees, arbitrary arrests and allegations of police torture. And then a long article by investigative reporters from the magazine *Proceso* on the massacre of the students from Iguala in the state of Guerrero who “disappeared” in September 2014. The main protagonists of the piece, which reads a lot like Don Winslow's latest novel *The Cartel*, are: the attorney general, a bunch of arrested police officers and “security personnel” – plus a German arms company.

After the shocking events in Iguala the Mexican authorities had to take action, any action. Such violence would be unimaginable in a state operating under any semblance of the rule of law. But when such acts do occur, state bodies are under an obligation to investigate and to bring criminal prosecutions against the perpetrators. On the face of it, that's what appears to have happened in Mexico: after the 26th of September 2014 a total of 99 people were arrested, many of them made confessions, and on 27th of January 2015 Attorney General Murillo Karam stood in front of the press to present nothing less and nothing more than “the historical truth”.

Precious time for gathering evidence wasted

Reporters from *Proceso* took a closer look at the case files and came to some shocking conclusions. Like the case of the brothers Miguel Angel and Osvaldo Ríos Sánchez, two itinerant clothes sellers, who were apprehended on the 8th of October 2014 far from the crime scene and taken to Iguala by helicopter. The next day, doctors found 10 injuries on Miguel Angel and 14 on Osvaldo. They had been tortured, beaten, abused with electric shocks and had plastic bags pulled over their heads, they later told their fiancées. In the end, the brothers confessed to having been involved in the murders of the students – just as many of those arrested in this case confessed. But as the journalists discovered, there were contradictions in the statements made by many of the “confessors”.

Nothing can be solidly deduced from these forced confessions. They also cannot be relied on in trials, as national laws and the UN Convention against Torture forbid the use in court of information that was extracted through torture. The statements are, in any case, useless. People who are subjected to that kind of treatment will tell their torturers whatever they think they want to hear.

Eight months after Iguala and nothing, nada. All that has been achieved is the wasting of precious time that could have been used to secure evidence. The Inter-American Commission on Human Rights has called on the Mexican authorities to start their investigations from scratch and follow up new lines of inquiry – a sensible request. All avenues of investigation must be exhausted in Mexico before further action is possible. If it did come that far, the Commission and the International Criminal Court would face serious problems; it would be difficult to carry out investigations locally and they would have to rely on Mexican cooperation. Yet it seems this pressure and external intervention is necessary to offer at least some kind of justice to the 43 students and their relatives.

As for the German weapons company: much of the profits of drug trade in Mexico is invested in weapons that come from the USA and serve to further the conflict. But some of the weapons are supplied by the German firm Heckler & Koch. Many of those arrested in the Iguala case and police officers implicated in the murder carried weapons from the German company.

German weapons in Iguala – a clear violation of the German War Weapons Control Act. Heckler & Koch supplied weapons, despite the fact that the Ministry for Economic Affairs has not approved arms exports to the crisis regions of Chiapas, Chihuahua, Jalisco and Guerrero. The German authorities never monitored the supply of arms to Mexico.

The number of sexualized crimes is rising. The parties have gotten all too used to taking anything they want through violence. Fixing this is a job not just for The Hague. It also requires a shift in direction from the Colombian legal system to make it clear that sexualized violence can no longer go unpunished.