

AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: AMR 41/004/2015
9 February 2015

Mexico: Recent forensic evidence challenges governmental theory on the 43 disappeared students

The Argentine Forensic Anthropology Team (Equipo Argentino de Antropología Forense, EAAF) indicated on 7 February that it distrusts the investigation lead by the Mexican General Attorney's Office (Procuraduría General de la República - PGR), since its conclusions are premature and based on a biased understanding of the available evidence.

At the request of the victims' families, the EAAF has participated in the case trying to ensure that the investigation is scientifically supported. Nevertheless, the renowned and highly respected independent experts made public their concern that the conclusions presented by the Attorney General disregarded serious shortcomings of the investigation and were issued months in advance of the conclusion of the forensic work. A prompt reply by the General Attorney's Office failed to satisfactorily address these concerns. Even worse, the General Attorney's office statement appears to be written to respond hastily to EAAF's careful examination and seems to attempt to discredit EAAF's work and reputation rather than analyze the forensic team's recommendations.

According to the EAAF, the governmental explanation of the events did not take into consideration that while there is not forensic evidence to link the disappeared to the human remains found in the Cocula rubbish dump, there is clear evidence that at least some of the remains belong to victims not related to this case. As Amnesty International has stressed before, the government sustains its case mainly on the self-incriminatory testimonies given by detainees, and very limited forensic evidence.

Amnesty International is worried that the evidence could have been tampered with. The EAAF disclosed that 20 genetic profiles sent to Innsbruck University by the authorities were erroneous, and that Cocula's rubbish dump was not under police custody from 7 to 28 November 2014. This uncertainties must be properly investigated by the government, in close collaboration with the EAAF, the victims' families and their representatives.

The families of the victims have repeatedly expressed that the Attorney General reports to the media before disclosing sensitive information to them, thus disrespecting his compromise to keep them informed, with priority, of any development on the case. Amnesty International calls the government to properly discuss all relevant aspects of this case with the families and their representatives prior to any public announcement.

The General Attorney Office's must respect the legitimate demands of the victims, and of society at large, to thoroughly scrutinize the story told by those who survived the 26-27

September attack. Therefore, this investigation should include a serious inquiry into the possible involvement of the Military during the day of the attack and their potential prior complicity with organized crime that allowed the violence to escalate in the region.

Amnesty International urges the government to give the EAAF full access to its files and allows it to continue its overview of the investigation. The members of the EAAF should enjoy all the guarantees required to perform their duty without any improper interference, including without the disqualification at hands of high-ranked officials.

Amnesty International welcomes the participation of an interdisciplinary group of experts appointed by the Inter-American Commission on Human Rights as being fundamental in this case. As with the EAAF, the government shall grant full access and all guarantees needed in the performance of their task.