

Ayotzinapa

REPORT

II

Forward Steps and New Conclusions
on the Investigation, Search
and Care for Victims



Summary

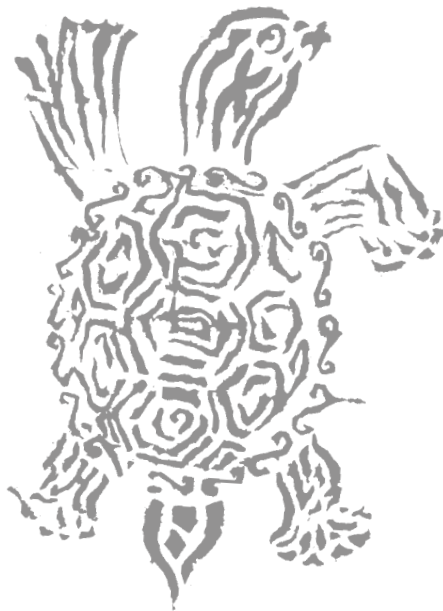
Interdisciplinary **G**roup of Independent **E**xperts (IGIE)

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Interdisciplinary Group of Independent Experts (IGIE)

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The GIEI is deeply appreciative of the efforts put forward by the entire support staff during the second six-month period of its mandate. Without its full commitment, which included working late into the night, even over some weekends, this report and the work of the IGIE could not have been completed. Our heart-felt gratitude goes out to these women and men.

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Introduction	5
1. Ongoing events	5
Roadblocks and attack in Mezcala	6
Huitzuco Police on September 26-27	9
Iguala Municipal Police Headquarters	11
Security force actions	11
Actions of State Police	12
Actions of Federal Police of Iguala	14
Actions of Federal Ministerial Police	16
27th Army Battalion in Iguala on that night	17
3. Forward steps and obstacles to the investigation	25
1. Cellphone call record investigation	27
2. Fifth bus hypothesis investigation	31
3. Hypothesis of Cocula waste dump	33
4. Scene of the San Juan River	39
4. Victim and survivor care	44
Challenges for the State in caring for and engaging with victims	45
IGIE contributions to dialogue with the State and victim care	46
5. Investigation of complaints and signs of torture	47
6. Problems identified and IGIE's input into human rights violations in Mexico	51
Formality and bureaucracy in the Mexican criminal justice system	52
Preponderance of testimonial evidence and confessions	53
Dependence on expert witness services	53
Lack of capacity to analyze evidence	54
Absence of contextual analysis	54
Investigating human rights violations as organized crime	55
Number of arrests or quality of investigations?	55
Fragmentation of investigations	55
Failure to satisfy the victims' right to truth and to information	56

Public communication and investigation leaks by the PGR	56
Limits and obstructions to the investigation	56
Failure to investigate potential liability of superiors	57
Lack of adequate victim care and management	57
Revictimization and criminalization of victims	57
Sovereignty or prospects for cooperation	58

Introduction

The *Ayotzinapa Report II: Forward Steps and New Conclusions on the Investigation, Search and Care for Victims*, released on April 24, 2016, describes in detail the work performed by the Interdisciplinary Group of Independent Experts (IGIE), which was appointed by the Inter-American Commission on Human Rights (IACHR) under a technical assistance agreement entered into between the Mexican State and the victims' representatives before the Inter-American Commission on Human Rights (IACHR). The IGIE began its work in Mexico on March 2, 2015.

The first *Ayotzinapa Report. Research and Initial Conclusions of the Disappearances and Homicides of the Normalistas of Ayotzinapa*, written by the Interdisciplinary Group of Independent Experts, was published on September 6, 2015, and provided a detailed account of the first six months of investigations and the facts deemed by the IGIE to be proven, and put forward recommendations and suggestions for the investigation, search and care and assistance for the victims, as well as addressing the issue of the disappearance of persons in Mexico. After it was agreed in Washington to extend the IGIE mandate for a second period, the Group continued to carry out its work in those areas until April 30, 2016. The victims and their representatives requested a second extension of the mandate because it was necessary for the IGIE to be able to meet its objective. The Mexican State released a public statement that it was not necessary. In the end, the IACHR decided that conditions were not ripe for the work to be able to continue.

On April 24, 2016, the IGIE released its *Ayotzinapa Report II: Forward Steps and New Conclusions on the Investigation, Search and Care for Victims*.

The IGIE has noted on several occasions that it is an outgrowth of a wound inflicted on the victims' family members with the disappearance of their loved ones, the Mexican State, and on Mexico society in general, as a result of the gruesome events. The Ayotzinapa case has also served as an eye-opener to the world about human rights violations. The work of the IGIE has been a novel international support mechanism to address these serious events and the consequences thereof. This second report follows up on the previous work, putting forth new findings and proposals on the investigation, search and care for the victims.

1. Ongoing events

In the first report, detailed descriptions were given about attacks on the normal school students (normalistas) at several different sites of the city. This second report examines new events, which have come to light, occurring on the night of September 26 and 27, 2014.

The facts described in the first report are linked to different events:

- a) The attacks on the three buses: Costa Line buses 2012 and 2510, as well as Estrella de Oro bus 1568, on Juan N. Álvarez Street;

- b) The attack on Estrella de Oro bus 1531, on the outskirts of the city, at the scene of the (overpass) bridge across from the Palace of Justice;
- c) The blocking of another Estrella Roja bus, which had been left out of the account of events provided by the PGR (Office of the Attorney General of the Republic), according to which the normal school students, who had commandeered it, were forced to get out and were chased for several hours that night, also in the outskirts and in several neighborhoods of the city;
- d) The mass attack, first on two taxicabs and later on the Los Avispones bus and other vehicles at the Santa Teresa turn-off, at kilometer 12 from the city of Iguala, in the direction of Chilpancingo.

As for the students' motives for going to Iguala, the IGIE established that there is no evidence that they went to this city to boycott any political act, as was initially claimed, in an attempt to explain the operation mounted against them. And the IGIE found no evidence either that the normal school students were members of or were infiltrated by any organized crime group, as was claimed on different occasions and which triggered the atrocities committed against them. There was no evidence either to support that the authorities were aware of that the normalistas were going to commandeer buses in order to hold a protest march on October 2.

The number of direct victims of the operation was close to 180 individuals and nearly 700 families were affected by it. The operation took place at 9 different crime scenes involving gunfire and violence over the course of 4-5 hours, with the direct participation of the municipal police forces of Iguala and Cocula, and the likely participation of agents of other law enforcement agencies.

Roadblock and attack in Mezcala

In addition to all of those operations, other roadblocks and another armed assault took place on the stretch of road between the aforementioned turn-off road to Santa Teresa and the city of Chilpancingo, precisely the route by which the normal school students were supposed to have returned to Ayotzinapa, in a clear attempt to control the departure of vehicles from Iguala to Chilpancingo.

The new events described in this report show an extension of the control of movement along the Iguala-Chilpancingo road leading up to Sabana Grande, where a roadblock was set up at 24:00 hours using a trailer and several vehicles just 3 kilometers away from the Santa Teresa turn-off, where the Los Avispones bus and four other vehicles were attacked, taking a toll of three dead and many others seriously wounded.

Not far beyond the area where the Los Avispones bus was attacked, a roadblock was set up in the area of Sabana Grande, near the Santa Teresa turn-off. Once the attack on the Los Avispones bus was perpetrated, said roadblock only remained operative for a short

time and was removed by the same perpetrators without outside involvement. This could indicate that the perpetrators of said action were aware of the outcome of the attack in Santa Teresa and their operation could have been aimed at blocking passage of the bus. The perpetrators of this operation carried long barrel weapons, were dressed in plain clothes, and had the latest model of truck. Said roadblock, the involvement of gunmen in it or whether there were other witnesses to these events, have not been investigated thus far.

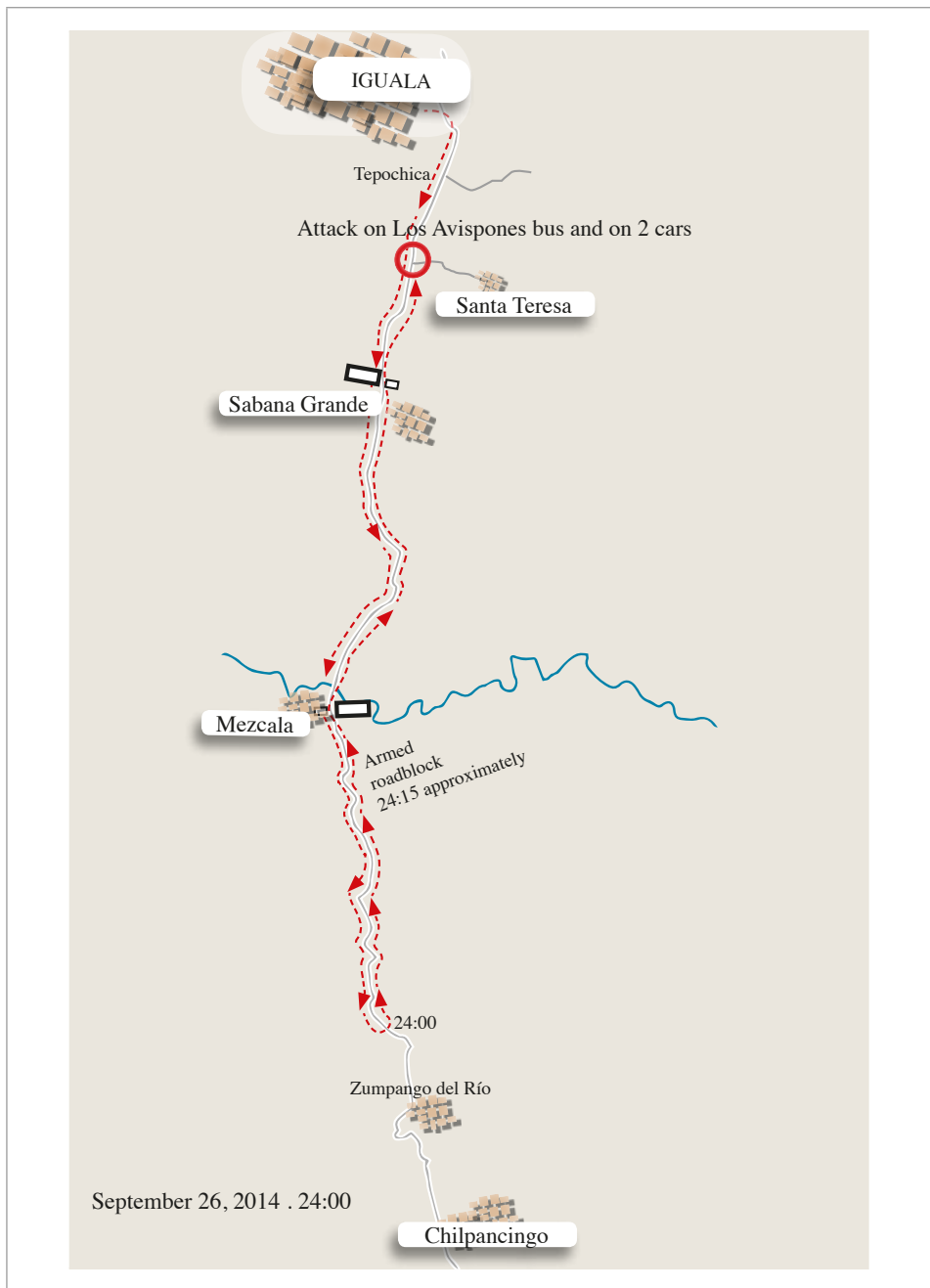
Further ahead on the same road between Iguala and Chilpancingo, another roadblock was mounted by a group of gunmen at the Mezcala turn-off road and remained in place for about two hours, from approximately midnight to 02:00 AM. At this roadblock, two vehicles were attacked and two persons were wounded by gunshots. Said attack was carried out by approximately 40 gunmen, apparently organized crime members, with high powered weapons.

Traffic along the road between Iguala and Chilpancingo was controlled throughout the night. Although control over through-traffic was lifted at Mezcala at 2:00 AM on September 27 by a convoy of state officials and state and federal police, based on the accounts of other witnesses interviewed, it was not fully removed and there continued to be a threat to anyone who drove through said location until 05:00-06:00 AM.

Federal, state and municipal officials, as well as the members of the military forces, were aware of the attack on the Los Avispones bus and the subsequent retention and roadblock in the area of Mezcala from almost the very instant that these events took place, through the C-4 communications coordination system.

These events show that the area of control encompassed a radius of 80 kilometers around the city of Iguala, in order to not risk that any of the buses commandeered by the normal school students could break through the perimeter blockade set up around the city and the outskirts thereof. In Mezcala, at least two people were wounded by gunshot. One was a woman and the other, a man who was an agent of the Office of the Attorney General of Guerrero passing through that location. Another two people suffered an anxiety attack as a result of the assaults and were both treated at the Chilpancingo hospital.

Despite the serious nature of the foregoing incidents, which even affected government officials of the State of Guerrero, these events were not examined or investigated in conjunction with the attacks in Iguala and Santa Teresa. The IGIE believes that this roadblock and the attacks endured by the victims are directly linked to the attack on the normal school students and on the Los Avispones bus. The roadblock set up on the highway is evidence that an operation was afoot, and was aimed at controlling the stretch of road between Iguala and Chilpancingo, along which hours earlier the normal school students had travelled and would subsequently return to the Ayotzinapa Normal School. The new evidence, in contrast with the previous evidence of gunfire, shows that a final barrier was put in place in case any of the buses managed to get through without being stopped in the area of the Santa Teresa turn-off.



Huitzuco Police on September 26-27

In its first report, the IGIE proposed that one line of investigation was to look into possible involvement of the municipal police of Huitzuco de la Figueroa, Guerrero, in the events of September 26 and 27, 2014. That hypothesis was prompted by the statement of one of the drivers of Estrella de Oro bus 1531, who was arrested at the Palace of Justice of Iguala by members of the Iguala police and heard his captors say: “the guys from Huitzuco” would soon be arriving to take away all of the arrested normalistas.

The police force of Huitzuco, a village near Iguala, deployed that night with some 25 members and six patrol cars, apparently to set up a checkpoint on the highway halfway to Iguala, in Pololcingo, for no stated reason. Said departure was at the key time of night, while the attacks on the normal school students and the Los Avispones bus were taking place, from 23:00 hours to 1:40 AM. Additionally, the Huitzuco police were alerted through the C-4 communication system about the actions occurring in Iguala against the students. Said area is located within the area of influence of Iguala and the Santa Teresa turn-off.

An analysis of the statements of police members, who were interviewed subsequently by the PGR and the IGIE, raises several issues:

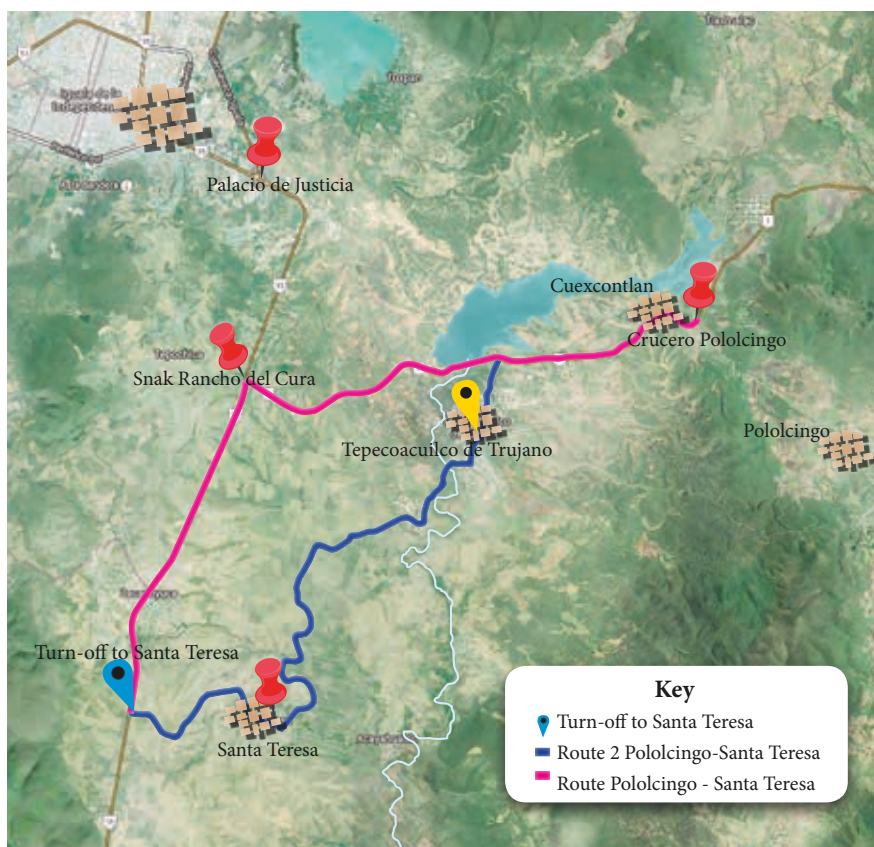
- a. The Mayor (Municipal President) traveled out of the city with patrol cars numbers 14 and 19. The following is not clear: the time of this departure from and return to Huitzuco, patrol car changes and the orders issued to the police.
- b. Iguala C-4 communicated with the Huitzuco police headquarters. After this communication, the police were deployed to the road leading to the city of Iguala. According to their statements, the purpose of their operation was to set up a checkpoint in the village of Pololcingo for no particular reason. This checkpoint remained in place for 2 to 3 hours. That patrol deployment began at the time when the attacks on the normal school students was taking place, continued while the attack on the Los Avispones bus was occurring, and was allegedly dismantled, when all the attacks had ceased. Huitzuco is near both Iguala and the turn-off to Santa Teresa.
- c. If the Huitzuco patrol cars had arrived in Iguala, instead of remaining halfway in Pololcingo, it would have been at 10:40PM, the time of the arrest of the normal school students and the transfer in patrol cars of the students from Estrella de Oro bus 1531. Chief of Security JND, who is wanted and remains at large at this time, was in command of patrol car 017. According to the statement of a protected witness, as reported by the CNDH in its report in mid April 2016, the patrol cars would have indeed arrived from Huitzuco at that time.
- d. A survivor of the attack in Santa Teresa managed to see the attackers, including police patrol cars, heading left toward said location (not toward Chilpancingo or Iguala). Based on the statement of GAR and of other policemen, the Huitzuco police patrol cars were “Ford 150 [pick-up trucks] with the writing ‘municipal police’ in white and blue on the windshield, which was also written on the sides and with no cover over

the bed or the platform, with fixed tubular bars over the bed and seats attached with wood.”

f. he IGIE was struck to read media reports that the Chief of Security and 12 other persons, including the Assistant Chief and his son, tendered resignations and then disappeared without a trace. According to the press reports, as well as to several testimonial statements gathered by the IGIE, along with his assistant chief, this individual was accused in cloth banner messages (*narcomantas*) written by drug traffickers, which appeared in Iguala, of working for the Guerreros Unidos drug cartel. Consequently, the IGIE submitted written requests about several different aspects pertaining to the Huitzuco Police.

g. An analysis by the IGIE of two cellphone records from police agent ETQ, whose cellphone was detected by an antenna close to Huitzuco, uncovered a lead that warrants thorough investigation and would support the version of events that the students were transferred in 4 vehicles to that area, as recounted in the testimony of the CNDH.

Possible routes of the Huitzuco Police to Santa Teresa:



Iguala Municipal Police Headquarters

One of the key events transpiring that night was the detention and first transfer of the students in Iguala. The usual place for detainees to be brought when taken into custody would be the municipal police headquarters and, therefore, the likely place to begin an exhaustive search for the missing students.

In order to reconstruct the sequence of events, which transpired as of that point in time, the different statements appearing in the case file must be crosschecked with the statements of witnesses to events of that night as well as, especially, the defendants who were members of the municipal police forces of Iguala and Cocula, which were taken in turn by the IGIE. According to the statements of several defendants given to the PGR, a group of normal school students had been taken to these headquarters.

Another factor to be taken into account is that some of the defendants denounced torture and evidence in some instances was supported by the IGIE study. Nonetheless, in other instances, the defendants directly confirmed some items of said reports to the IGIE.

The surviving students of the attack on Juan N. Alvarez Street and Periferico Norte narrate in their statements to the PGR that they observed the normal school students of Estrella de Oro bus 1568 being arrested and taken away in patrol cars to the Iguala Municipal Police Headquarters. And other witnesses testified to the IGIE that they went later to the police headquarters, where the police agent standing guard at the door told them that there was a group of normal school students being held in custody there.

At least six policemen from Iguala, who were riding in five different patrol cars, were picked up by cellphone antennas nearby the police headquarters at the time when the students were transferred to that location (from 22:36 hours to 23:57 hours) and, therefore, said communications place them either at that location or thereabouts. Additionally, three members of the Cocula Police were picked up by antennas nearby in the area of Barandilla between 23:07 and 23:21. This suggests a heavy concentration of Iguala and Cocula municipal police agents in and around the area of the police headquarters at the time when, according to consistent testimony, the students had been taken into custody at the police station and then moved to an unknown location.

In order to elucidate these circumstances, the IGIE has noted it is important to take the statement of witnesses whose testimony has not yet been taken, such as the members of the police force who were present at the police headquarters at the time, the physician in charge of examining the detainees, and a group of several other detainees, who happened to be held for minor offenses that night at the police headquarters.

Security force actions

The official version of events from the beginning was that the municipal police of Iguala and Cocula, who directly participated in the attacks and arrest of the normal school students, were responsible for their arrest and disappearance.

However, the investigation conducted by the IGIE into the actions of the different police forces that night reveals inconsistencies with the actions they claimed were carried out, and this included a failure to act as well as to investigate. This inconsistency warrants investigation.

These forces include the state police, federal police, federal ministerial police, and the members of the 27th Battalion of the Mexican Army. In its investigation, the statements provided by the members of said forces were analyzed and crosschecked with statements of other witnesses, evidence of C-4 communications, and existing reports and records of their actions on that night. The evidence revealed a failure to protect the normal school students and other victims that night, and visits by members of the different public security forces to the scenes of the crime, in some instances, very shortly after the most serious incidents took place or when these events were actually taking place. Additionally, new information was investigated regarding involvement of agents, such as the presence of federal police at a checkpoint at the exit of Iguala or at the scene of the crime of the Palace of Justice, where an agent of Army intelligence was also present.

The different actions outlined below fall under two different categories of circumstances: a) knowledge of the events and involvement therein, given that several witnesses testified that state and federal agents directly participated in the arrest of the students, in at least one of the scenes of crime; b) involvement stemming from the order issued shortly after the first attacks by the PGR's to investigate the events. In the case of the members of the 27th Army Battalion, we also include a reenactment of events and review of statements and the questions that the IGIE believes must be answered and did not have a chance to ask because of the refusal to accept different options proposed by the Group. These are all lines of investigation, which remain open to pursue in order to get to the bottom of events and the conduct of different actors.

Actions of the State Police

According to its version of events, on the night of September 26 and 27 in Iguala, when the incidents involving the normal school students came to the attention of the State Police, its agents were "confined to barracks" in order to protect the facilities, and patrol cars were dispatched to protect the local prison, which is inconsistent with its obligation to protect citizens. This story contradicts the version of state police forces deploying from Chilpancingo to Iguala, and raises inconsistencies between statements of different state officials about the actions the State police conducted that night.

The reasons given for the fear of the detention center coming under attack were inconsistent with the information the State police was aware of: it was normal school students, who had headed to the city to commandeer buses and were being attacked by the Municipal Police of Iguala. While the response in Iguala did not address the emergency, the situation of the normalista victims of the attacks or meet the obligation to investigate as indicated

by the PGJ (Office of the Attorney General of the State) shortly after the attacks began, the government of Guerrero State deployed police forces and the PGJ from Chilpancingo to respond to the emergency. Nonetheless, the PGJ was present at the municipal police headquarters of Iguala after the normal school students were no longer there, inspecting the site, which meant that the detention in all likelihood had turned into a disappearance and, therefore, needed to be investigated as such.

For almost 6 months, the IGIE had underscored to the PGR the importance of taking new statements from state police agents. Some statements were finally taken on April 14, 15 and 16, 2015, shortly before our mandate expired on April 30. In these statements, several police agents claimed they were aware of the arrival of the normal school students and confirmed that the state police had been tracking them for several hours before they arrived in the city. The police were aware of the situation and set out to corroborate the facts during the critical time of the event. According to the information provided, the policemen who were deployed that night, visited different scenes of the crimes that night, but never took any measures to investigate or protect the students.

Statements reporting their movements in detail that night, note that they were present at least:

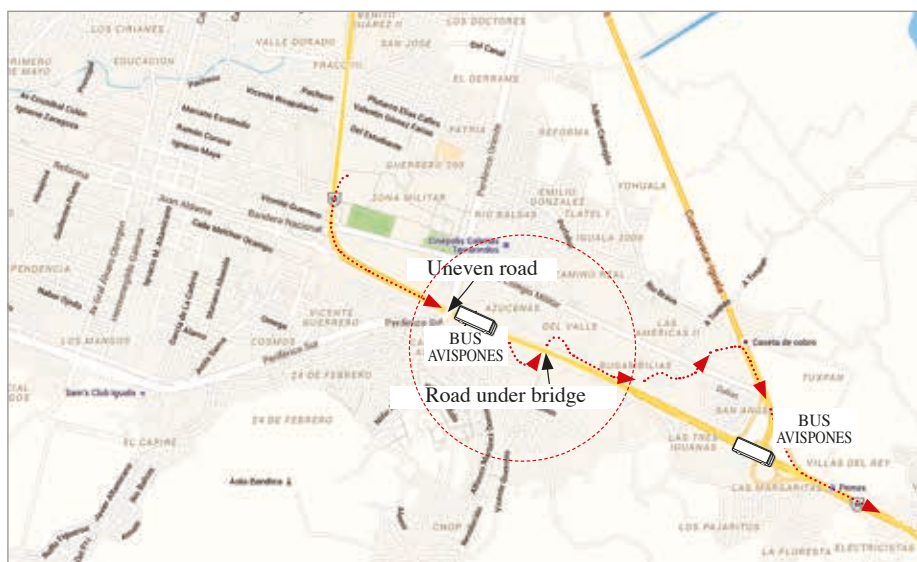
- a) At 22:00 hours on September 26, on Avenue Juan N. Álvarez, at the corner of Periferico: “when we came by that location we saw a group of about forty or fifty persons who were carrying sticks, when we saw that we did not stop we continued on to avoid a confrontation and we stopped near a vehicular bridge near the Tecnológico.” It must be noted that at that time, the police were in the course of attacking the students with firearms and a large group of students was then arrested.
- b) At 23:30 hours, they claim: “we came by the Palacio de Justicia building where there was a vehicular bridge, underneath it was an Estrella de Oro bus whose body was banged up and its windows broken where the students were apparently traveling.”
- c) Subsequently, they headed to the Santa Teresa turn-off, when they heard a report on the radio that there were shots fired at civilians at Juan N. Álvarez Street and Periférico.

The statement of one of the bus drivers, who told the IGIE that he had been arrested by the State Police at the scene of the Palacio de Justicia, should also be taken into account. Subsequently, in a statement taken by the SEIDO as an addendum to the bus driver’s statement, he contradicts his original statement to the IGIE and to the SEIDO itself, claiming that he was arrested by the municipal police and not by the state police. The IGIE stresses the importance of evaluating these contradictions and protecting the witnesses of the case. For nearly 6 months, the PGR did not heed the IGIE’s recommendation to investigate potential involvement of members of the State Police in the incidents. The IGIE emphasizes the importance of continuing to follow this line of investigation until the events of the case and those responsible for them are clarified for good.

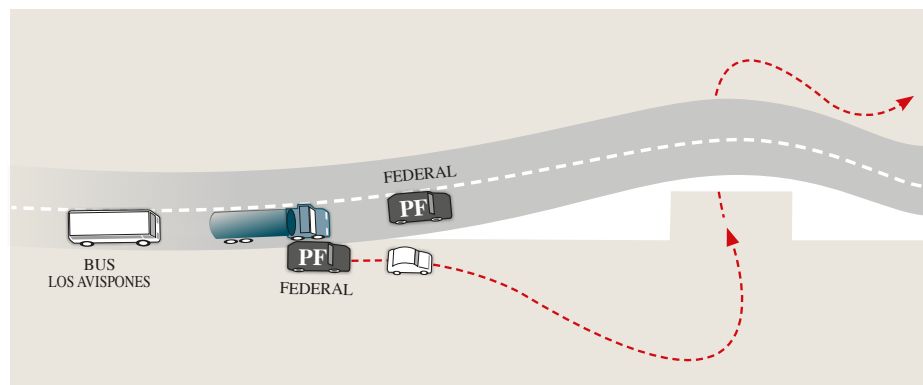
Actions of the Federal Police of Iguala

The actions of the Federal Police of Iguala and its presence at some scenes of the events in question was raised in the first Ayotzinapa Report released on September 6, 2015. In that report, the IGIE noted that there was consistent testimony regarding the presence of the federal police at the scene nearby the Palacio de Justicia, before the area of the location of Estrella de Oro bus 1531, which had been attacked by the municipal police of Iguala, where the 5th bus, Estrella Roja, arrived.

Detour Palacio de Justicia



Detail of detour Palacio de Justicia



Several surviving normalistas of the 5th Estrella Roja bus, which left Iguala later on the same route as Estrella de Oro bus 1531, claimed that they were taken off the bus by a federal police agent, who aimed his gun at them, forcing them to flee.

The IGIE ascertained that there was a record of their flight over the C-4 communications system, which reported that a group of young people was hiding in the Pajaritos neighborhood near the scene of those events.

It should be noted that an Army intelligence agent, Private M, was also present in said area reporting events to his superiors.

This information was corroborated by a handwritten statement found by the IGIE, which was added to the case file in August 2015 and had been signed by the driver of said bus, which reinforces with specific detail the testimony given by the normal school students about the presence of the federal police at said location and how the bus was escorted by said police to the Iguala-Cuernavaca booth later. The bus was the only one that was not attacked that night, and had no trouble getting out of the spheres of control set up that night by the different police forces.

The IGIE notes after this investigation that the Federal Police of Iguala's involvement in or knowledge of the events is a key factor warranting thorough investigation and, should the evidence bear this out, the appropriate liability must be established. Concretely, it underscores the importance of investigating the following lines:

1. Involvement of members of the federal police at a checkpoint on the road out of Iguala and the diversion of some vehicles, when not much further ahead down the road, the municipal police of Iguala was attacking Estrella de Oro bus 1531 at the scene of the bridge of the Palacio de Justicia. While, later, the Los Avispones bus was allowed to pass through the area, and after going through, was attacked further ahead at the Santa Teresa turn-off.
2. The presence of Federal Police agents at the scene of the overpass of the Palacio de Justicia, just as a protected witness and statements of the normal school students who were riding in the 5th bus describe, and as it was corroborated in the signed, handwritten account of the driver of this Estrella Roja bus.
3. The federal police and other vehicles arrived on the scene of the attack of the Los Avispones bus at 00:00 hours on the night of September 26. The survivors recounted to the IGIE that they were treated disdainfully; there was a lack of care for the wounded; and that, in many instances, when facing emergency life and death situations, they would be impeded from receiving care.
4. The information transmitted by the commanders of the Federal Police of Iguala to their superiors and the orders given or actions taken that night, whether these orders or decisions to take action were given or taken by the Federal Police of Iguala on its

own, and what other possible senior or higher ranking members of the institution knew about the events. The Assistant Inspector of the Federal Police, who was in charge of the office in Iguala, reported “blank toll,” (*saldo en blanco*) once he knew that several students had been seriously wounded.

5. Telephone calls between a particular phone number and the Secretary of Public Security of Iguala, Felipe Flores, at key points during the events show frequent communication from different scenes and at different times with Felipe Flores, and according to witness accounts, Federal Police patrol cars were present at each one of these scenes: firstly, at Juan N. Alvarez Street, approximately when Felipe Flores claimed that he spoke with the chief of the Federal Police of Iguala LD; at the Palacio de Justicia, where according to several witnesses, there were two Federal Police patrol cars; at the Santa Teresa turn-off, at the time when the Federal Police was in the area, 45 minutes after the attacks on several vehicles, including the Los Avispones bus. The content of these communications and the identity of the user must still be determined with certainty, but the IGIE notes that the evidence from the cell tower antenna records show that it was the Federal Police. The investigation of this information is crucial in order to establish the extent of communication between both levels of government.

Actions of the Federal Ministerial Police

On September 26, 2014, MAG, the Head of the Guerrero Office in the city of Chilpancingo, wrote an email to AMJC, the coordinator of Supervision and Regional Control of the Guerrero State office. The subject was instituting prosecutor’s investigation inspection report (*Acta Circunstanciada*) AC/PGR/GRO//IGU/1/256/2014. The e-mail said “dated September 26, 2014, a telephone call was received at this investigation agency from C-4, in which it was reported, though still unconfirmed, that students of the Ayotzinapa Normal School were apparently confronted by members of the municipal police with gunshots, giving rise to an operation on the streets of the city center, reporting that said students are in possession of buses which are on Galeana St. and Mina St. of this city.”

The Federal Ministerial Police entered Juan N. Alvarez Street. According to their statement, they tried to speak with the people; it was dark and, for reasons of security, decided to leave without reporting having taken any security or preventive measure. Their failure to take action contributed to a second attack being carried out later in the area of Juan N. Alvarez St. with total impunity, where Julio César Ramírez and Daniel Solís were murdered, and other people were seriously injured, and this was very close to where Julio Cesar Mondragon was subsequently arrested, tortured and murdered.

According to the statements of several of its agents, they also arrived on the scene where Estrella de Oro bus 1531 was located, across from the Palacio de Justicia, and introduced themselves as agents of the Federal Ministerial Police, noting in their statement the suspicious attitude of the municipal police, and leaving the site without further ado. It is

not plausible for them to not have asked for any information and that they left this scene of the crime after noticing broken glass, possibly blood stains, and clothes on the ground, which were subsequently collected by the PGJ, or not have conducted any inspection of the bus.

Said police agents also note that they went to the Barandilla police headquarters. The narrative regarding that visit is not very credible, inasmuch as it claims that no response was received, that they returned along the same road without doing anything else, and that they simply turned around and left without questioning anything at all.

Based on the foregoing statements, it can be confirmed that an order to investigate was issued by a federal public prosecutor's office, and was ignored by the Federal Ministerial Police and by federal police, who were in Iguala. The only measure taken to investigate, as claimed by the federal ministerial police, is that they interviewed Felipe Flores from 22:30 to 23:00 hours and visited crime scenes without reporting them as such, or subsequently preserving them. The Federal Ministerial Police (PFM) went by the scene of Juan N Alvarez and Periferico Norte, where the students, who had not been arrested by the Municipal Police were still located and whom they could have provided protection. The PFM also showed up at the scene of the Palacio de Justicia, did not conduct any inspection of the vehicle or question the municipal police, right after the incidents occurred.

The Federal Ministerial Police failed to report what it had seen to the Municipal Police Command of Iguala, which was the key agency to determine that this had turned into a case of disappearance of the students, and did not safeguard the two crime scenes, where the death of three of the students could have been prevented, at one scene. In other words, the PFM did not take any steps whatsoever to investigate, as it should have done in the early hours, nor did it take the necessary measures to protect the survivors. These omissions are another line of investigation that must be followed.

27th Army Battalion in Iguala on that night

The actions of the 27th Army Battalion on the night of September 26-27, 2014 raise many issues, which must be the subject of investigation. Army members engaged in intelligence gathering prior to and during the arrival of the normal school students in Iguala. They were also present at the first two crime scenes, where the students were attacked. Specifically, they were present at the Palace of Justice and Iguala center city, from 21:40 hours, when the attacks began, until 22:40 hours, when the normal school students were arrested, and they reported it to their superiors. Nonetheless, no action was taken by them to protect the students. Subsequently, members of the 27th Battalion arrived in all the crimes scenes after all the events took place: the Palacio de Justicia, the Santa Teresa turn-off, the scene of Juan N. Alvarez, following the second attack, and the foot path, where the body of Julio Cesar Mondragon appeared, as well as the scene of the clinic where a group of survivors took refuge. In the synopsis appearing below, the

different routes given in several statements by the members of the Army to the PGR are outlined. Some of the statements were given prior to the mandate of the IGIE, while other statements were provided after the start of the mandate period, at times when the IGIE was unable to be present.

Knowledge and surveillance of the normalistas

As of 18:00 hours [on September 26, 2014], the Ayotzinapa students, who were traveling from Chilpancingo to the outskirts of Iguala, were being track through the C-4 [communications coordination] system and, based on this fact, it can be surmised that Army officers in charge were aware of their movements. Additionally, intelligence agents were deployed in order to gather information on the ground about the activities of the normalistas, driving around gathering information on the outskirts of Iguala, at the highway booth. Army officials learned of their presence through C-4 at around 19:30 to 20:00 hours.

One Army intelligence agent (OBI) was in the area near the bus station at 21:40 hours, shortly after the buses were commandeered, and reported the confrontations to his superiors. By that time, the normal school students attempting to get out of the city had already come under gunfire. That was when Aldo Gutierrez was shot in the head.

The use of the C-4 communications network by military personnel is linked to its intelligence work and, at the time of the events in question, lieutenant JG was in charge of the information gathering group at first and was later under the direct responsibility of Coronel JR. According to the accounts of the soldiers, undercover military agents operate the C-4 and military men handle the cameras. There is no reference in the military communications or documents to the departure of the 5th Estrella Roja bus, through the rear exit, on Altamirano Street, toward the exit from the city.

Attacks on the normal school students at Juan N. Álvarez at 21:40 hours

According to item “H” of a SEDENA document handed over to the Chamber of Deputies Committee for follow up on the Ayotzinapa case, at 21:55 hours, Army commander JR spoke with the State Police, who indicated: they are going to leave if orders are not issued to do so. Under item “I,” it notes that at 22:15 hours, the Battalion commander communicates with the Municipal Secretary of Public Security, Felipe Flores, who tells him that nothing has been reported to him and that there were no gunshots. Nonetheless, by that time, the communication over C-4 had already reported those incidents and gunshot wounds. Additionally, an OBI dispatched by the Battalion reported to his superiors that there were disturbances and gunshots in the area of Galeana Street and about the commandeering of the buses by the normalistas at the bus station. It is not clear as to how the Army assessed the situation based on said information, or why there was no deployment of armed forces after the attacks with firearms were taking place in the city.

Attack at the Palace of Justice at 22:00 hours

Estrella de Oro bus 1531 arrived in the area of the Palace of Justice, where it was intercepted by the municipal police of Iguala and intelligence officer lieutenant JG dispatched Agent M to conduct an inspection of the area. Based on this, by around 22:00 hours, the military already had information about that incident and lieutenant JG ordered private M to go investigate. Private M was a witness to the confrontation, he was at the location for at least 45 minutes while the events unfolded, and took photographs of what was taking place. He also claimed that he reported to lieutenant JG, who in turn reported to commander JR of the 27th Battalion and to Military Zone 25 about what the events taking place.

After remaining at the location until around 23:00 hours, when the students had already been arrested, he returned to the battalion.

Visit to Iguala General Hospital at 23:00 hours

According to several statements, at the order of Lieutenant RV, two military patrol vehicles departed to go to Iguala General Hospital, located right next door to the facilities of the Battalion. Based on this information, Lieutenant RV entered the hospital, collected the names of the wounded and returned to the 27th Battalion base. The wounded individuals were transferred to the hospital at around 22:40 and, therefore, the military men arrived in the hospital at 23:00 hours when the three wounded normal school students were already hospitalized, including Aldo Gutierrez, who was in a coma. After learning the names and the latest status of the wounded, the soldiers returned to the Battalion base at around 23:30 hours.

Departure from the Battalion Base to the Palace of Justice at 00:30 hours

After the aforementioned events, two military vehicles again departed one hour and thirty minutes later, this time, to the Palace of Justice, arriving at that location at 00:40 hours. There are very few details in their statements about their activities or what they observed at said location. Only one of the members of the military interviewed about this testifies that some military men got onto the bus in order to inspect, while all the rest of them deny that any inspection was ever conducted or they simply do not make any reference to an inspection. Most of the soldiers note that when they arrived on the scene at the Palace of Justice, the tow truck was already preparing to transfer the bus and there were no more people. No mention is made of the presence of any Municipal Police on the scene. According to references in the crime scene processing reports, the municipal Police and the expert technician arrived on the scene of the Palace of Justice at 00:20, but no reference is made to this arrival in the testimonies of the members of the military forces.

Palace of Justice to Municipal Police Headquarters

After heading back from the scene of the Palace of Justice incidents, the two trucks carrying 27th Army Battalion personnel headed to Iguala. Out of all the members of the

military interviewed in December 2014, only two soldiers, GR and RSE, acknowledge that they went to the police headquarters of Barandilla. They claimed that they stopped at the police headquarters and 4 to 5 Army men got out, including Captain C and Lieutenant P, the two highest-ranking officers present at the time. The entry of several military men into the police station was also corroborated by the statement of the Judge of Barandilla, Ulises Bernabé, currently a fugitive and applicant for asylum in the United States. Only in a third statement given to the PGR, again without prior knowledge of the IGIE, two of the military members, intelligence agent Private M and Captain C, claim that they went to the Barandilla police station. The only reason they give in those two statements for making said visit was that they allegedly went to pick up a motorcycle that the intelligence agent had left in the area of the Palace of Justice. In the previous statements given in December 2014, no reference is made to said motorcycle being missing nor that the intelligence agent had left it there at the scene of the Palace of Justice. It is not clear either how there would have been a place to keep or time to pick up a motorcycle at that scene, when the police's capacity to hold the normal school students in custody was by far exceeded and they were apparently waiting for reinforcements from Huitzuco, because they were unable to handle all of the detainees.

Far from being clarified by their statements on September 11, 2015, this version of events must be investigated in order to ascertain why on a night when 43 normal school students disappear, would Private M and Captain C, who have witnessed the events and know of the detention of the young students by the municipal police, go to the police station to pick up a motorcycle without even showing the slightest bit of interest in the fate of the students.

Additionally, the statements of both Captain C and Private M in August 2015 are focused on the photographic evidence collected by intelligence agent M at the Cristina Hospital and in the area of the Palace of Justice. The IGIE coincidentally had asked the PGR in official letter 52, dated June 29, 2015, for the photographs that were taken by military personnel at said locations and were not part of the case file. There is an obvious link between the statements that said members of the Battalion came forward to give and the IGIE's requests or the information uncovered in the report, although in neither of these two instances were we informed of said circumstances until two months after the fact. The original photographs were not provided to us but rather PowerPoint presentations of them.

From Barandillas to Juan N. Alvarez

After going to Iguala municipal police headquarters, the trucks arrived on the scene where the attack on the normal school students had taken place 30 minutes earlier, at 00:30 hours, while a press conference was being given denouncing the first attack on the buses at said scene. Nonetheless, several military members claim that while they were on the way, they received a call to go to verify whether there were gunmen at Cristina Hospital, near the scene of the attack of the three buses on Juan N. Alvarez Street. According to their account, they went by the location where the bodies of Julio César Ramírez Nava and Daniel Solís

Gallardo were laid out, but they headed to the clinic, even though testimony from several other military members contradicts this assertion. This was at 01:00 AM. At 1:35AM, a military patrol vehicle was present at said scene. According to the statements of several journalists interviewed for this report, who arrived at the crime scene at that time, during the nearly two hours they remained at said location, there was a presence of a military patrol vehicle, which confirms that the patrol vehicles split up during their mission. Notwithstanding, most of the rest of the military men who provided testimony to the PGR claimed that the two patrol vehicles had gone to Cristina Hospital at 01:00 hours, returning at 01:50-02:00 hours to said scene. This fact is inconsistent and must be crosschecked with other sources.

Juan N. Álvarez to Hospital Cristina

Subsequently, the two Cheyenne vehicles headed to Cristina Hospital, which had reported that there were gunmen at said location. It happens that the information, apparently originating in the C-4 system, was that gunmen had sought refuge at said clinic, even though the nurses present at the hospital at the time opened the door to the surviving normal school students, who were not armed. EV was seriously wounded and the students were seeking refuge from the attack and trying to get help at said hospital. According to the testimony of the nurses, the clinic doctor was apprised about the events that were transpiring. It has not been investigated whether this same doctor informed the C-4 about this circumstance or whether other people from the area did so.

Nonetheless, Captain C mentioned in his first statement that the instructions given by Commander JR from the time he left the 27th Battalion were to not confront the normal school students: “the express order of Commanding Coronel of Infantry JR, was to conduct patrols in the area around the city, and without engaging the student personnel of Ayotzinapa normal school,” and therefore they knew he was talking about them.

Treating the wounded man and normalistas who had taken refuge at the clinic

From the time of his arrival in the clinic, the seriousness of EV’s injuries was obvious. According to accounts of both Lieutenant Coronel C and Captain C, an ambulance was called immediately. However, the Red Cross ambulance call logs show that the call was made at 01:50 AM and that the ambulance arrived in the clinic at 02:00 AM, after the normal school students had left. There is an inconsistency between the time the military claims that the ambulance was called when they arrived in the clinic (01:00 AM) and the time actually recorded by the Red Cross (01:50 AM), which was when they left the clinic. Most of the Army men interviewed stated that Captain C asked for an ambulance from the clinic, while only one of them asserts that said call was made when they were leaving the clinic. Private M claims that the call was made at the time they went for the hospital and that C called it into C-4, which matches the time registered on the Red Cross phone log. Most of the members of the military claim that the normal school students were well treated and that their names were not taken, although two of them acknowledged that a list of the

names of the normalistas was drawn up by Lieutenant P (according to JS) and Captain C (according to UY). The testimonies of the normal school students and the teacher who was at the clinic are the exact opposite of the description given by the members of the military.

EV's injury was described by the Army members and the doctor as a superficial wound in the upper lip, but it was actually a wound from a gunshot, which fractured his upper maxillary and, consequently, was very serious. In fact, shortly after his admittance to the general hospital, the wounded student began to grow drowsy as a result of blood loss. In the opinion of the IGIE, this information shows that the young man endured a lack of care. The record of the time the ambulance was called shows that at least 40 minutes elapsed before said call was actually made. After that call, the military men left the clinic and, subsequently, the normal school students left as well, driven by fear and the search for help for E, who was finally transferred in taxi shortly afterwards to the hospital, by the teacher and another one of the surviving students.

Comparison of military and student versions on treatment. Hospital Cristina	
Military Statements	Student and Teacher Statements
After verifying they were normalistas they were not registered.	They were registered and their shirts collected.
The ambulance was called immediately.	Seriously wounded student EV was not given care. While at clinic, no ambulance was called.
Their belongings were not taken away from them and they were allowed to answer a call.	They were forced to put belongings on a table and not use their phones. They were told to answer a call.
They were treated with respect and without firearms being pointed at them.	Guns were pointed at them. They were insulted: "just like we were good at destroying, we should bear it and we should have the panties to put up with whatever would be coming."
They were not identified by name.	They were asked their names; names were recorded; and they were told to give their real names if they wanted to see their families.
Two general photos were taken.	Several photos were taken and other photos of the wounded student were taken.
Later, one of the normalistas who was at the clinic was identified and a press conference was held with him in the attack area with photos and videos.	They were told that the photo was to be sent to the hospital to be prepared to treat him.

Requests for help via C-4 due to attack in Santa Teresa

From 23:30 to 23:40 hours, the attack on the two taxis and the Los Avispones bus took place at the turn-off to Santa Teresa, on the way out of Iguala. The information, over C-4 about the attack on the Los Avispones bus went out at approximately 23:49 hours. The requests for help and ambulances over emergency telephone line 066 and C-4 were repeated starting at 23:50 hours until after 01:30 AM. Said calls reported a taxi being shot at, the attack on the Los Avispones bus, reports of gunshots, repeated requests for ambulances at different points in time, including the call from officer V to treat a wounded woman, from 00:00 hours and beyond 01:00 AM. According to the testimonies of the military members interviewed by the PGR, the departure to Santa Teresa took place at approximately 00:00 hours.

Two vehicles asking for help at 27th Army Battalion Base

At approximately 00:00 hours, two automobiles carrying survivors of the attack in Santa Teresa showed up at the gate of the Battalion base. Riding in a first vehicle were the family members of the soccer players, who had witnessed the events and returned to ask for help. A few minutes later, four surviving young people and one adult with serious gunshot wounds, were also transferred to Iguala in a vehicle that was passing through the area, and brought them to the entrance gate of the 27th Battalion base to ask for help.

The statements of several of the persons who were riding in both vehicles show that even though they indicated that were victims of the attack and asked for emergency help at the same traffic barrier of the battalion entrance, the Army personnel did not respond to the request for help, claiming that it was not their jurisdiction and they could not do anything. The following account describes both the powerlessness of the victims, as well as the military soldiers' indolence and lack of response at that time and the sharp contrast between their expectations for help and what they actually found. In this instance, it was the family members and the soccer players of the Los Avispones team.

He said: It's just that we cannot leave, we do not have any order from the chief, we cannot move. I said to him, then they can kill the whole city and if they don't give you the order you don't leave? Well, no. Shortly afterwards, their chief officer arrived, I tell him there's your commanding officer, tell him. No ma'am. Shortly afterwards the boys [students] arrived. Professor JL was with them. They say: Help us, help us. I say to him: Hey, can't you see, he is wounded, look at him please, why don't you move? why don't you help us? He said he couldn't leave. I say to him, look, that man is carrying his eye in his hand. He said he couldn't. P, a family member of Los Avispones.

Arrival in the Santa Teresa turn-off

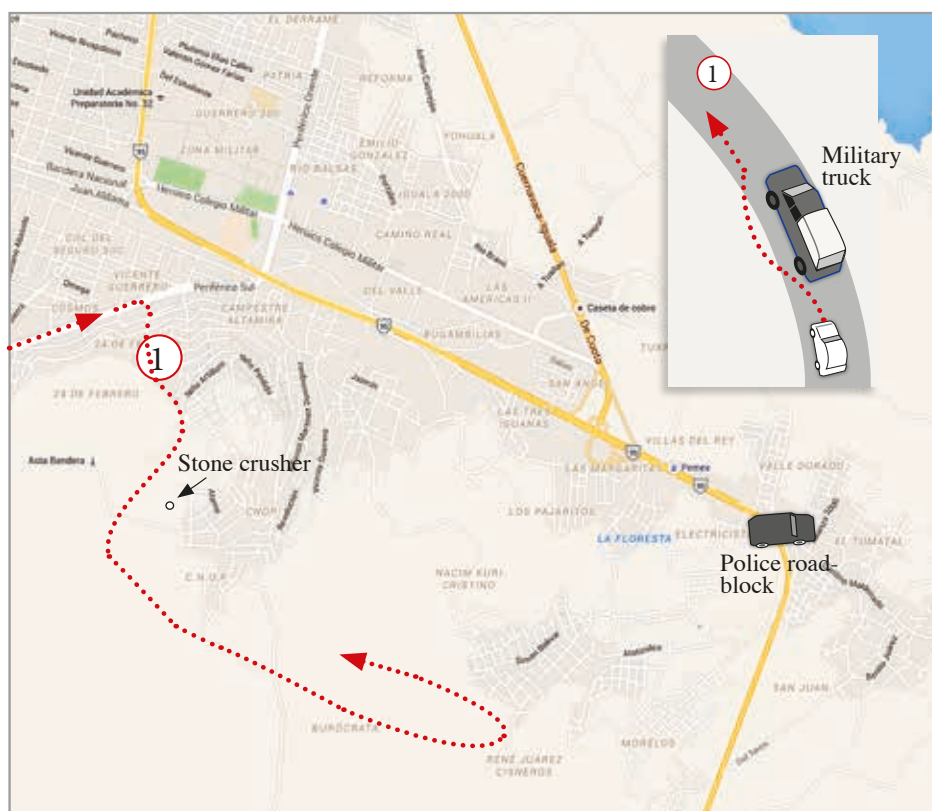
The two patrol vehicles that left the 27th Battalion base must have passed by the scene at the Palace of Justice, where Estrella de Oro bus 1531 was located and, then, by the

municipal police checkpoint at the Iguala exit, although there are no references to either event in their statements. Lastly, they allegedly arrived at approximately 00:45 hours in the Santa Teresa turn-off, in other words, more than an hour after the attack, when the ambulances began to arrive and the wounded began to be evacuated. According to their statements, it was raining and several military men left to establish a security perimeter, while others remained inside their vehicle.

Military vehicle at the 24 de febrero neighborhood

Nonetheless, a witness who was driving along a dirt road in the 24 de febrero neighborhood, between the Flag Pole and a crushed stone plant for construction materials, recounted to the IGIE that he came upon a military truck that was driving around said neighborhood. The witness was trying to go down a road that would take him away from Iguala through the mountain to come out beyond the locations where the municipal police check point was set up at the exit from the city.

Route of departure of family car from Iguala toward mountains



Coincidentally, the group of normal school students, who were riding in the 5th Estrella Roja bus had fled to this neighborhood. After fleeing the area near the Palace of Justice, they later came down from a hill, walked along the road in the direction of Iguala and were chased by police patrol vehicles and attacked with stones and gunfire, while they were trying to escape up some stairs to the upper part of 24 of febrero neighborhood. The occupants of one of the vehicles that went to ask for help at the 27th Battalion base also took refuge in the house of some family members, after not getting support from the soldiers. These survivors of the attack on Los Avispones ran into police patrol vehicles at that location. The agents forced them to get out of the vehicle and warned them that they could be “confused” [with others], and therefore they were ordered to leave the location. The presence of said military vehicle in this 24 de febrero neighborhood is not on record in any statement or report thus far. It is not on record either that a military vehicle identified by the witness as a “large truck” (as opposed to a patrol vehicle) with 8 to 10 soldiers aboard had left. It is an event that requires further clarification.

Foot path and body of Julio Cesar Mondragon

In the industrial zone of Iguala, close to the Periferico Norte and the location of the C-4 facilities, the morning of September 27, the lifeless body of Julio Cesar Mondragon was found. The soldiers were the first to arrive on that crime scene. Nonetheless, their statements offer very few details about the crime, which unquestionably could help to provide more evidence for case analysis.

The time that the discovery of the body of Julio Cesar Mondragon was reported varies among the different military officers, who were interviewed. According to intelligence lieutenant JG, the radio call was some time between 10 AM and 12 PM, the morning of the 27th. According to commander R, it was at 10:00AM. Nonetheless, according to JOC, who headed to the location with a patrol car, the time of the radio call was 09:07 AM, and he arrived in the location at 9:15AM. Moreover, the SEDENA report notes that departure of the patrol vehicle to inspect the area took place at 10:20AM, and the removal of the body at 13:30 hours. But the crime scene processing report states that the start of the processing of the scene was 09:55 AM. The times given in the testimonies of the military personnel and the record of the PGJ are inconsistent with each other. At 09:30, the expert crime scene technicians and the Public Prosecutor of the PGJ were in the area conducting an assessment of the crime scene, removing the body of Julio Cesar and collecting the evidence that was found at the location. Additionally, according to another soldier, RALA, the radio call was given at 6:00AM. This information from the statements of the others, who were dispatched to said location, as well as accounts of subsequent events up until the arrival in the PGJ, must be clarified and further explained.

3. Forward steps and obstacles to the investigation

At the official start of the second mandate period in November 2015, the IGIE submitted a document to the PGR proposing new lines of investigation and search, after the release

of the *Ayotzinapa Report. First Conclusions on the Disappearances and Homicides of Normalistas of Ayotzinapa*. The source of these lines were both fact-related issues, which the IGIE regarded as close to being clarified or had actually been clarified, and gray areas where it was not clear how events transpired and liability had not been adequately established nor had any investigation been conducted yet into them.

For this second stage of its mandate, the IGIE proposed creating a new investigation team, led by a new prosecuting attorney in order to ensure independence. The Assistant Attorney General for Human Rights would lead said team. In the view of the IGIE, it was essential to take the investigation out of the hands of the SEIDO (Assistant Attorney General's Office for Special Investigations of Organized Crime), and to assemble a team of investigators, who would take a fresh look at the case and were open to the proposed new lines of investigation and to whom all existing information would be provided. This would also help to prevent interference from officials previously in charge of the investigation. An agreement between the Mexican State and the IGIE was reached on these items before the IACHR in October 2015.

This new team was created in early November 2015, within the Office of the Assistant Attorney General for Human Rights of the Office of the Attorney General of the Republic. While the new team spent November and December becoming familiar with the case and some progress in the lines of investigation was achieved, starting in January several situations arose which hampered its efforts. As of that time, certain conditions blocked progress in the investigation, inasmuch as the team did not have independence and nor did it have access to the information it required in order to be able to properly perform its job.

The obstacles it faced included: A) breaking up the case file into new a lot of separate investigations, which deprived the investigation of relevant case information, thus keeping the investigation under the control of the SIDO B) Foot-dragging in collecting key evidence or putting up roadblocks to key pieces of evidence, such as taking the statements of state police agents, members of other police forces, state officials, investigation of the 5th bus, etc. C) Taking measures to block other parts of the investigation under the jurisdiction of the new investigation unit, even though they were carried out by the SIDO. D) Attempts at taking unneeded statements over again and making efforts to go back to the hypothesis of the waste dump, the investigation of the school, etc., regarding issues that had previously been investigated and without any basis to revisit.

Throughout this investigation and during the second IGIE mandate period, we have requested the collection of more than 900 pieces of evidence and, as of mid March 2016, only 50% had been completed. The week before the official release of this report, the completion rate rose to 81%. A lot of the evidence, which could be obtained through these requests, will remain within the preliminary investigation case file, so that whatever new leads emerge can continue to be crosschecked and assessed in order to support the investigation and the search for the 43 missing normalistas.

The IGIE regrets that the progress in fulfilling those requests did not materialize until one week prior to the release of this report. The expeditious response to our requests by the PGR over only the past week stands in sharp contrast with the stalling and delays we experienced over the prior four months of the second mandate period. It is evident that this evidence collection could have been conducted in a coordinated and orderly way all along and this would have aided in moving the investigation further along and helped to determine those responsible.

Not enough progress was made during the second mandate period to get to the bottom of the case. Even though some statements of law enforcement officials were taken and important information was requested and analyzed, such as cellphone tower records, other leads that were essential to the case investigation were not pursued. For example, it took more than seven months to file a request for international judicial assistance in order to look into the transshipment of drugs as the motive of the crime and, as of the present time, that information has not yet been received.

Additionally, the refusal of the PGR to interview or re-interview state officials, who were on duty at the time of the events, is another important roadblock to uncovering the truth.

The lack of access by the IGIE to military officers for interviews and the refusal of these officers to provide all of the documentary, videographic and photographic information they had in their possession, as well as the refusal to facilitate re-interviews with defendants, who could have provided information about the events and the fate of the disappeared, was equally serious. Without question, these lines of investigation should be followed in the future.

1. Cellphone call record investigation

The IGIE examined 42 telephone call records of interest belonging to the alleged perpetrators, municipal officials, the Iguala Police, the Cocula Police and individuals charged with belonging to the Guerreros Unidos cartel. At first, we examined all information from the telephone records that had been entered into the case investigation file. The numbers that were active on the night of September 26 and 27 were singled out. This information was compared to other pieces of evidence, such as statements provided by defendants to the PGJ and the PGR, to information in the ballistics comparison system, the C-4 and other relevant information. The information was sorted into four categories: Iguala Police, Cocula Police, alleged Guerreros Unidos and municipal officials.

The purpose of the analysis was to determine whether the movements captured by antenna signals and the actual intercommunication between parties was consistent with previously established events and whether it provided further information about events, which could not be previously established to the fullest extent, especially in order to determine the whereabouts of the 43 missing normal school students. The analysis served this purpose, but also aided in identifying lines of investigation that had not been properly followed.

Part of this information already appeared in the case file in March 2015 and another part of it was added over time at the request of the IGIE. Notwithstanding, despite numerous requests by the IGIE to do so, no comprehensive cross-comparison was ever conducted of information provided by the perpetrators. The IGIE and the PGR filed separate requests for information from the telephone companies beginning in April 2015. Unfortunately, this information was only partially provided and, therefore, a more accurate and thorough analysis on the location of the telephones at any particular time could not be conducted.

Telephone records analysis of the Iguala and Cocula Police

The analysis of telephone communications of the members of the Iguala Police, who were involved in the attack and the arrest of the normalistas on the night of September 26-27, 2014, bears out the facts that were recounted in the *Ayotzinapa Report, Investigation and First Conclusions of the Disappearances and Homicides of the Normalistas*, as to the chase of the students by the members of the Municipal Police of Iguala, the violent actions against them at the two scenes, Juan N. Alvarez Street and the Palace of Justice, as well as their being chased in the Colonia Pajaritos and 24 de Febrero neighborhoods.

Likewise, the telephone records of the Cocula police are consistent with their statements and corroborate the route they claimed they followed, from the Municipal Police Headquarters of Cocula (22:10), to the area around the House of Cesar Nava (22:18-22:28), then to the scene of Juan N Alvarez (22:37-23:12) and their transfer to and presence at Iguala Police Headquarters.

As for subsequent movements of the Cocula Police, the telephone of the chief of said police department, Cesar Nava, is picked up by the Truenos antenna, which is the closest one to the site known as “*Loma de Coyote*” [‘Coyote Hill’], at 23:25 to 23:48 hours. This time frame is consistent with the statements of four Cocula Police agents, who claimed to have gone to this location when they left the Iguala Police Headquarters. Later, the cellphones of four Cocula police agents are picked up by the antenna of this municipality between 23:56 and 24:27, which is consistent with the time they testified they returned to their Police Headquarters. During the early morning hours (1:08-7:12) of September 27, the cellphones of Cesar Nava and Pedrote Nava are picked up again by the Truenos antenna, at the entrance to the city of Iguala, near the *Loma de Coyote* site and, therefore, they would have returned to said location.

In their statements, the municipal police agents of Iguala assert that they were confined to barracks on alert at the facilities of the Regional Headquarters of the State Police in Iguala, during the early morning of September 27, 2014. Nonetheless, the telephone records show that at least three police agents continued to be out on patrol during the early morning hours far away from the facilities of the State Police. This circumstance has remained uninvestigated in the case investigation file on the disappearance of the 43 students.

Based on the phone communication analysis between parties, at least six members of the Iguala Municipal Police communicated with a telephone number identified in the contacts

of alleged members of the Guerreros Unidos cartel as “Caminante,” and at least three of them did so at critical times during the chase and detention of the students. The identity of this user has been established by the PGR.

Analysis of the telephone records of the alleged members of the Guerreros Unidos Drug Cartel

The first analysis of telephone records was of the six alleged Guerreros Unidos members, who testified in early October to the PGJ. Five of these members testified specifically about the Pueblo Viejo version of events and one member, about the Safe House (*Casa de Seguridad*) in Lomas. All of them communicated with each other on the night of September 26 and in the early morning of September 27, or show communications with common telephone numbers at key points in time. Two of them communicate with the telephone number provided in testimony by David Cruz Hernandez, the Civil Protection employee. In the contact lists of these persons, telephone numbers appear, with which the Municipal Police agents of Iguala communicated, who were also prosecuted. It can be inferred from this information that this group of persons knew each other, that they interacted with the Municipal Police of Iguala and that, on that night, they were in telephone communication at critical times into the morning of September 27. In other words, this is consistent with the statement that they could belong to the same criminal organization that was operating on the night of September 26 and 27 in the Municipality of Iguala, Guerrero.

None of the statements provided by those first five defendants appearing in case file 1/2015 is consistent with the movement registered by the antennas, which had picked up the signal of their mobile devices. However, the antennas do pick up signals in key locations and at key times, such as the location nearby Juan N. Alvarez and Periferico Norte or nearby Loma de Coyote.

The contradictions between the information appearing in the cellphone records of these people and their statements has not been explored as part of the investigation. There has been no inquiry either into why these individuals were physically present near the scenes of crime or locations relevant to the case and how they were involved in these events at that time.

The analysis of the cellphone records pertaining to Jonathan Osorio Cortez, one of the defendants, who claimed in his testimony to have participated in the scene at the waste dump, shows that the cellphone numbers that he gave in his statement do not match the locations where he claims to have been in this statement, specifically, at the Cocula municipal dump.

Analysis of the cellphone records of the missing students

Analysis of the cellphone records of some of the normal school students, who were attacked the night of September 26 and 27, 2014 show that:

1. One of the normalistas, Jorge Anibal de la Cruz Mendoza, was alive at 1:15AM, given that he sent a personal message to his mother to recharge the telephone.



Mom can you reload my telephone, is urgent.

2. The cellphone number of another one of the normal school students, Jose Eduardo Bartolo Tlatempa, moves from the area of the Palace of Justice to the Loma de Coyotes area, and then to the Cocula antenna radius. At the time of Loma de Coyotes and Cocula, the antenna picks up the signal in a similar timeframe to that of the chief of police of Cocula, Cesar Nava. This could mean that Jose Eduardo Bartolo Tlatempa was taken in that direction at 23:57 hours, or else, that his cellphone was seized by the Cocula police.
3. Another one of the cellphones, specifically, that of Magdaleno Ruben Lauro Villegas, was picked up by the antenna two hours after the detention of the normal school students (0:33 hours on September 27), in the same area of the Palace of Justice where he was detained. The cellphone had probably been seized by one of the police agents who arrested him, or he was under arrest in or around that location.
4. As for the cellphone of Carlos Ivan Ramirez Villareal, on September 27, 2014, at 19:17 hours, the Villa de Guadalupe antenna picked up its signal, minutes later a two way message is sent from a different IMEI. This information indicates that this cellphone was still active 21 hours after the detention of the students, and was likely used by one of the perpetrators.
5. The signal of Julio Cesar Lopez Patolzin's cellphone was picked up at 23:56 hours in a location close to the Benito Juarez antenna, which is located in the town center of Iguala, at a site close to the Police Headquarters. On September 30, 2014, at 14:19 hours, the cell phone was still active three days after the detention.
6. Lastly, the signal of Jorge Antonio Tizapa Legideño's cellphone was picked up several days later on October 4 by the antenna identified as the one for the site of detention, the Margaritas antenna. This would indicate, as in the other instances, that the cellphone line continued to be active and that, because a change in the IMEI was detected, the cellphone was possibly in the possession of one of the perpetrators.

The use of the cellphones or phone lines after the detention of the normalistas in the early morning hours of September 27, or days later, contradicts the information included in the official story that all telephones had been burned in the Cocula waste dump. Even though this was essential information to identify the perpetrators and establish the fate of the missing students, no investigation was conducted to get to the bottom of where were these cell phone lines were used and who used them. The fact that relevant information was left out of the report in one of the cases warrants further inquiry.

2. Investigation of the 5th bus hypothesis

The investigation of the 5th bus hypothesis has been spearheaded by the IGIE from the beginning of its investigation. The request for international judicial assistance regarding the Chicago case or other background information from the US on drug trafficking using passenger busses is still in its beginning stages, because the international judicial assistance request took nearly seven months to be submitted effectively after the second mandate of the IGIE began in November 2015.

Moreover, in the judgment of the IGIE, the bus has not been fully identified. The expert's report notes differences, as reflected in the Ayotzinapa Report of September 6, 2015, between the bus described by the PGR and the bus appearing in the video recording of the Central Bus Station. The comparison led to the determination that these were most likely not the same bus.

More specific studies to identify the buses should have been conducted before inspecting a bus that cannot be positively confirmed as the one it is believed to be.


Sep. 26, 2014

It was 9:00 pm, I was at Iguala's terminal on bus 3278, I was sleeping in the cabin when the Ayotzinapa Normal school students arrived, throwing rocks at the cars that were at the terminal, then I left the cabin, they were coming towards me - telling me to start the car and then - more than 50 students got on the bus, I left the terminal with the bus, the police on watch of the entrance was not there, all the police were hiding in the bathroom, and we left towards the city of Chilpancingo but at the border of the city of Iguala, near the Procurator General of the Republic there were two federal police vehicles, four policeman were outside of those vehicle with their handguns aiming towards the bus, telling the students to get off the bus, the students obeyed the order of the officers and then two federal police vehicles guided me to the tollbooth and right there they told me to report to my boss so he can tell me what to do with the bus, I talked to the dispatcher of Cuautla and they told me to go to Jojutla and from Jojutla I was sent to Cuautla at 5:00 am.

26-SEP-2014

Fran los 9:00 P.M me encontraba en la terminal de
Ayotzinapa con el autobus 3378 ya ya me encontraba detenido en el
camarote cuando llegaron estudiantes de la normal de Ayotzinapa
para apoderarse los campos que habia en la terminal, entonces
sali del camarote cuando se dirigieron hacia ami y
diciendome que hechara andar el carro y entonces se
subieron al autobus más de 50 estudiantes y sali de
la terminal con el autobus, el policia entono encargado de
la entrada no se encontraba todos los policas estaban
escondidos en el baño y salimos en dirección a la ciudad
de Chilpancingo pero en la salida de la ciudad de iguala
a la altura de la procuraduria se encontraban dos patro-
llas de la Fedeal de Carinos, ya estando entre oficiales
alago de las patrullas con sus armas en mano apuntando
hacia el Autobus diciendoles a los estudiantes que desan-
cion del Autobus y los estudiantes obedecieron las ordenes
de los oficiales y entonces dos patrullas de Fedeal me
guaron hacia la caseta de cobro y ahí me dijeron que
me reportara con mi patrón para que me mostrara que es
lo que lleva hacer en el autobus y hablé a Héctor de Guayula
y me dieron indicaciones que me viniera para Iguala y de
Iguala me enviaron a Cuautla de las Sierran.

ATENTAMENTE



The version of events provided by the driver, as claimed in his statement, that the students had gotten off the bus just after they left the station is inconsistent and contradictory with the testimony of the normal school students, the C-4 evidence, and the statements of several managers and workers of the company, who testified that the driver wrote said document and that he had called in by telephone to the company relating that same information on the day of the events. It is also inconsistent with the handwritten statement signed by the driver, confirming the version of the normalistas, an image of which appears in its original form above. Lastly, the handwriting analysis of the signature bears out that it is the driver's handwriting, although the PGR's handwriting expert's report notes that the handwriting does not match, while the Federal Police's expert's report, which uses a higher standard of comparison, contends that it cannot be concluded that the handwriting does not belong to the driver.

The route followed by the bus that night is not consistent with the usual times of travel through that area, according to inquiries made by the IGIE. Though the information it provides is scant, the satellite tracker shows that the bus left the station, stopped and then continued on its way and that the bus was stopped for a time, which does not square with the driver's statement.

Additionally, if he did not get off with the students, and he did not stop near the bridge of the Palace of Justice, and the events did not take place, based on the testimony of the driver, he does not account for how he took nearly an hour to start out on the route he was supposed to. The IGIE made the trip and noted that said route goes through a location nearby the airport, and this warrants investigation.

In the view of the IGIE, this hypothesis remains unexplored to any depth. Many of the investigative efforts conducted thus far have been at the initiative of the IGIE, except for the handwriting expert report evidence. It is hoped that investigating the routes travelled, and other testimony, which could be taken, in addition to the international judicial assistance, will contribute to getting closer to the truth about the crime. It must also be investigated whether these witnesses are giving false testimony or whether they are seeking to hide the truth. The situation has evolved from no mention of the existence of any bus in the account of events on record in the case file, to the proven existence of this bus, and the story thereof being included in the account of the operation carried out the night of September 26 and 27, 2014 in Iguala. The students on that bus were survivors, the bus was not attacked, and the version of events given by the driver does not square with the proven truth.

The appearance of the handwritten statement and the testimony of the workers of the company support the version of events given by the normal school students. The involvement of two federal police patrol cars is consistent with other testimony of the normalistas and of the protected witness cited by the CNDH, who claimed that federal police were also very near where the 5th bus was stopped, at the scene of the Palace of Justice. All of these circumstances are even more significant evidence warranting further investigation into this event and this hypothesis.

3. Hypothesis of the Cocula Waste Dump

In the official story, dubbed the “historical truth,” two locations are consequential as to the fate of the missing normal school students: the Cocula waste dump and the San Juan River. Both of these locations are connected to the official story of the case thus far: that the normalistas had been murdered and burned at 0:00 hours of September 27, 2014, to the point that it is practically impossible to identify their remains, and were then thrown into the San Juan River, 50 minutes away by car from the dump and outside the surrounding area of the town of Cocula.

Following the release of our report of September 6, 2015, the IGIE announced that attempts were being made to return to the scene of the dump, in an effort to deflect attention from other areas that required further investigation and inquiry. The day after the release of our report, where it was announced that the IGIE firmly believed that the 43 bodies of the students had not been cremated, Mr. Tomas Zeron asserted at the PGR: *“We are sure that what happened is a large fire, that a significant number was burned there, though it cannot be affirmed that it was the 43, but yes a significant number of students.”*

In this way, a new version of the events emerged: it was no longer believed that the 43 students had been incinerated in the open air Cocula waste dump, but that a significant number of them had been.

Up until that time, none of those arrested had ever spoken of a lower number of students being taken to the dump and incinerated. On September 17, 2015, ten days after the statement of Mr. Tomas Zeron, one of the most wanted of the alleged perpetrators implicated was arrested: the man known by the nickname Corporal Gil. In his first testimony given at 6:30 AM in the presence of an IGIE official and an attorney of the family members of the 43 missing students, said defendant, Gildardo Lopez Astudillo, did not claim any involvement in the group known as Guerreros Unidos. In his second testimony given on that same date, September 17, 2015, at 21:30 hours, though not in the presence of the IGIE or of the attorney for the family members of the 43 students on this occasion, he testified that he belonged to the aforementioned organization and that normal school students had been divided up, some handed over in Lomas de Coyote and the others taken to a ranch where “they are cooked and become water”. Mr. Gildardo Lopez Astudillo is one of the defendant/detainees whose medical reports were examined by the IGIE, showing that there is compelling evidence that he was tortured.

Fourth Fire Study

Como parte del acuerdo firmado en Washington, para el segundo periodo de mandato del As part of the agreement signed in Washington for the second period of the IGIE mandate, the PGR insisted on conducting a new study of the fire dynamics in the Cocula dump. Even though the IGIE did not understand why the PGR was interested in doing this, it accepted cooperating with that Office in this regard in order to ensure the highest scientific standard in said investigation and credibility of the results. Lastly, the PGR chose three experts and the IGIE appointed the other three members to form the complete panel of fire experts.

The criteria used to conduct the study were mutually agreed upon between the PGR and the IGIE: that the study was supposed to answer several questions, the response should be by consensus and, in the event there is dissent over any point, the dissenting opinion was supposed to be included.

After the panel of fire experts was formed, the documentation was first sent in February and the visit to Mexico was conducted on March 7 and 8, 2016. The experts’ final report was submitted on March 30. During the course of the work of the experts, the PGR presented the issue to the experts claiming there had been a “controlled fire” and that at least 17 bodies had been burned, because the remains of 17 persons were found in the dump. Nonetheless, said conclusions cannot be found in any report put out by the PGR¹. There is no mention

1 For example, the criminal forensic expert’s report on the Cocula Municipal Waste Dump, based on the field visit from October 27 to November 6, 2014, (page 78632, dated November

in any of the conclusions reached in said report about any controlled fire. The PGR had determined the existence of the remains of 17 burned individuals (which the IGIE does not question), none of which have yielded a positive genetic identification match to any of the 43 missing students. In this area of the country, a high number of disappearances are reported and, therefore, the identity of said remains cannot be known.

The PGR fire experts included information that was not in their written report in an oral presentation to the panel, though they failed to mention, according to their own report, that “the temperature will rise up to a range of 1,600 degrees centigrade, causing the fire to spread in a radial fashion.” In order to assess the damage to the vegetation, only 3 samples of plants were used, determining that they were less than 40 days old, although the germination stage of the plant is not included in the aging. Notwithstanding, the vegetation evidence in and around the burning area noted by both Dr. Torero and in the subsequent experts’ report of the EAAF, indicates that the damage that would have had to be caused to the surrounding vegetation did not take place. And that plants older than 3 months to 2 years that were in the burning area only showed light signs of heat, thus disproving that said massive fire could have taken place one month before inspecting the waste dump.

The panel of fire experts had a deadline of March 31, 2015 to meet the objectives that were laid out for them, which were:

- a) “Determine the presence or absence of episode[s] of fire[s] in the Cocula Waste Dump and the characteristics that could be drawn from it.
- b) Analyze whether the conditions noted in the preliminary statements of the defendants as part of the preliminary investigation, regarding an episode of massive fire in a pyre burning for a duration of 16 hours, fuel and environmental conditions, the event of burning 43 bodies (or another number) of persons during the early morning and on September 27, 2014, could it have taken place in the Cocula waste dump, yielding the level of degradation of the bone remains and non-biological material found in the location.

Establish the conditions of flammability, timing and circumstances necessary to carry out said action, in a burning such as the one claimed, or establish the possible hypothesis of burning consistent with the situation of the bone remains and other circumstances of existing impact”.

7, 2014, AP 818/2014), in his first conclusions finds: “First: Based on the observation of the site, charred and burned bone fragments matching human anatomy were located: and that in assessing said site, because of its geographic location, topographical conditions and distance from urban areas, it is possible to establish that it is a site that is suitable to carry out acts aimed at depriving someone of life and then burning them. Second: Based on the direct observation of the concentrations outside of the grid lines drawn, bone remains of human origin were found, which make it possible to establish that at the site, actions were carried out for the purpose of burning persons habitually.”

After the three-page study was submitted, a finite period of time should have been established for analysis; the results should have been communicated to the family members; and, eventually, publicly disseminated. All of this should have been consensus-based, among the parties, the PGR and the IGIE, as had been established in the terms and conditions, which gave rise to the expert examination. Nonetheless, unilaterally, and with out any prior notice to the IGIE, the day said report was submitted, the PGR had called a press conference to release said results, even though this action was in violation of the principle of good faith and the agreements entered into with the IGIE. At said press conference, where no questions were allowed, the expert, who had come to Mexico to hand over the document in person, participated, passing over the rank of the IGIE. All of this was in violation of the basic agreements for the expert examination, as well as item 10 of the agreement entered into in Washington D.C. by the Mexican State, which set forth that the family members were to be informed in advance and, therefore, was a violation of confidence to be able to continue working with the PGR on the case of the dump.

Additionally, as outlined below, the content of said document is not based on any minimum scientific standard, but instead is a preliminary report and it does not provide any concrete evidence of the case from a scientific standpoint. There is no calculation, analysis or comparison of hypotheses to data, but rather several general assessments. All of this only served to add to the confusion, had a major impact on the family members and amounted to the PGR breaking the ground rules.

Some of the substantive portions of the document submitted by the fire experts are listed below:

1. *There is observable physical evidence in the Cocula gully that at least several (up to 5) fires occurred in the gully. This was obvious because of the burn marks found on the ground. One of the burning areas was considerably physically larger than the rest and contained the largest amount of fire residue, human remains and other physical evidence. This can be observed in plain sight, and does not presuppose that it was from an event on September 27, 2014. Additionally, the EAAF showed satellite photograph evidence as proof of burning in the area involved of the waste dump from 2010 and 2012.*
2. *Cocula gully was identified as the site of the burning of the bodies by the members of a local cartel charged with the crime. The PGR and the EAAF processed the site after (underlining in the original) it was identified by the defendants. However, the dump was not found through the defendants, but through two anonymous telephone calls indicating that the remains of the normalistas had been thrown there or had been buried in said location. The version of the burning was subsequent to statements of the defendants taken on September 28.*
3. *It also states: "The fact that there were bones in Cocula gully confirms that the statements are true," that the statements are coherent with each other and that there are no signs that they were prompted. However, the study conducted by the IGIE using*

the medical reports of the PGR show that the five defendants on whose statements the establishment of the hypothesis of the waste dump was based, presented serious signs of being tortured.

4. Lastly, regarding its general conclusions, it notes that it cannot be determined whether the fire event burning 43 persons in the weather and flammability conditions as claimed could have taken place or not, but that *“only a piece of full-scaled evidence will be able to support or strike down any hypothesis developed on the basis of the statements. The unknown factors are the necessary conditions for the destruction of 43 bodies in a period of 16 hours.”*

Additionally, in its recommendations it raised the need for additional evidence, which was precisely the questions that had been asked of the panel of experts to answer in its study: a) to determine the energy required to burn a body and the output thereof (there is no literature on this); b) to determine the minimum amount of Cocula wood necessary to sustain a fire to cremate a body; c) to determine the additional contribution of tires, plastics; d) whether it is possible to determine the dynamics of burning several bodies in a pyre”.

It is apparent that no line of reasoning to either agree or disagree with is offered, but only assertions lacking any evidentiary or scientific support, all of which are readily refutable. The evidence cited by the IGIE, and backed up by the EAAF study, indicates that said action did not take place in the municipal refuse dump of Cocula on September 27 under the circumstances and at the times claimed. It must be taken into account that:

1. They do not consider the fact that prosthetic teeth, which do not belong to any of the students, were found among the remains and that, to date, there has not even been a single positive identification of the remains from the Cocula dump². Furthermore, on April 8, 2014, the results from the Innsbruck institute were unsealed and they showed that the hair samples gathered from grid square E-12 did not belong to any of the 43 missing students.
2. They cite as supporting evidence the truthfulness of the statements that ballistic evidence was found. However, they do not take into consideration that those shells show varying degrees of oxidation revealing that each one was exposed to the elements for different lengths of time and that, according to the EAAF, there are more than 39 fire arms, most of which are long barrel weapons and not handguns, as

2 The only remains, which were identified as belonging to student Alexander Mora, did not come from the Municipal Waste Dump but rather from the San Juan River. His identification was made public by the PGR. However, it does meet the requirements to be deemed a positive identification. His identification was the result of other evidence collected in the San Juan River. It must be noted that said bag was not collected in the presence of the EAAF, despite the agreements signed between the PGR and EAAF that both parties would have to be present at all evidence collection.

the defendants claimed they used. Two weeks after leaving the area and not keeping it under custody and control, the PGR claims it found 42 shells together on a single rock, though not in the presence of the EAAF, in an area through which a high number of people had passed over the previous two weeks. This fact warrants further investigation.

3. The cracks in the rocks are consistent with temperatures of 200 to 400 degrees according to a UNAM study. Those calculations match the experimental testing conducted by Dr. torero, which attest to small-scale and not a large scale effects of fire.
4. The surrounding vegetation was not significantly damaged, which would have been the case as a consequence of the alleged pyre of 43 bodies. Moreover, several bushes and plants appearing in the burning area do not show any significant trace of exposure to heat. One bush, which was present in the area of highest concentration of burned remains prior to September 27, 2014, appears to have been cut down, when the PGR and EAAF fire experts arrived on October 27, 2014. It was only minimally exposed to heat.



5. A report by the Center for Atmospheric Sciences (CCA) of the UNAM, official letter CCA/ DIR/362/2015 of September 30, 2015. Said report finds: “The satellite-estimated precipitation (precipitation accumulated at 3 hour intervals) shows that there was precipitation in the area on September 26 between 1:00AM and 7:00AM local time and on September 27 between 1:00AM and 4:00AM. A report from Civil Protection of Guerrero indicates that it rained that night in Cocula.

Additionally, the aforementioned report issued by the Center for Atmospheric Sciences, official letter CCA/DIR/362/2015, supports the firm belief of the IGIE in conclusion 5, which reads: “The output of fire monitoring based on satellite information from NOAA and CONABIO show a single site of fire in the State of Guerrero on September 27, 2014, which does not match the coordinates of the town of Cocula, Guerrero.” In other words, the satellites detect one fire in the State of Guerrero, but not in Cocula.

6. A similar version appears in a report of the Government of the State of Guerrero: *Actions conducted by the Government of the State of Guerrero in light of the events occurring on September 26 and 27, 2014 in the Municipality of Iguala de la Independencia*. On page 11 of this report, under activity K) of the activities conducted on September 27, it states: “The Secretariat of Public Security and Civil Protection of the State conducted flyovers in the UH-1H helicopter, bearing tail number XC-LLK, to search for the students. This operation was coordinated with ground forces of the State Police³.”
7. The IGIE was able to interview two witnesses, who were present at the site the next day and did not observe any fire or anything mentioned in the version of the waste dump that day of September 27.

Based on this set of facts, the IGIE is able to claim that the bodies of the 43 missing students were not cremated at the Cocula Municipal Waste Dump on September 27, 2014.

4. Scene of the San Juan River

The official story is that on October 29 a bag was found in the San Juan River by Mexican Navy divers, who were combing the area. In said bag were found charred and cremated bone remains, including one remain that was in better condition and was identified in the end as belonging to Alexander Mora, one of the missing students. Said find would seem to verify the official story given earlier.

However, the IGIE found that the scene where said bag had been located on September 29 had actually been worked the day before and no supporting documents were ever entered into the record in the case file. Said actions were conducted without any legal support, and included: A) The head of the Criminal Investigation Agency, Tomas Zeron, bringing one of the detained defendants, Agustin Garcia Reyes, to the scene of the river. Said location is exactly where the bag would be found the next day. B) no record of the actions of several PGR forensic, video, photograph and other experts appears in the case file. C) no legal record was made of the collection of evidence, discarding or examination thereof.

3 Information card No. 04522 of September 29, of the Secretariat of Public Security and Civil Protection and Flight Log, September 27.

Evidence introduced by the IGIE is based on the review of numerous photos and films of the waste dump and the San Juan River, provided by several different photojournalists and reporters, who were present with the PGR at the location on the above-noted dates. The IGIE obtained photographs and videos of the first days of the investigation of said scene, which were conducted October 27 to 29, 2014. It also reviewed all photograph and video-related documentation about the municipal waste dump of Cocula and the San Juan River appearing in the case file PGR 001/2015.

Close examination of the images revealed that, while the PGR and EAAF expert teams, as well as most of the journalists who managed to gain access to the location, were engaged in their work at the Cocula waste dump, one of the defendants was taken to the area on the river where said bag would be discovered the next day. He was accompanied by a plainclothes escort and by the chief of the Criminal Investigation Agency, through a location without much security, which had been relieved at that time.



Defendant Agustín García Reyes with the chief of the AIC, 17:40 - 28/10/2014.

According to the second medical examination report, conducted 11 hours before he was taken to said location, detainee Agustín García Reyes had 30 external lesions, hematomas, excoriations and hematic scabs, even though his arrest took place without any resistance and the first medical examination report conducted by the Navy a few hours prior to the second report reveals no more than one lesion.

After remaining at said location, Agustín García Reyes, el Chereje, and PGR and AIC agents left. A patrol car blocked access to the road. A forensic crime scene search technician, wearing a white overall, took from the course of the river or the bank, at least one bone, which cannot be identified as being from a human or animal. Shortly afterwards, the EAAF agent goes down to the waste dump and finds the road blocked and therefore, gets out of his automobile and waits for them to let him through to return to his hotel. Meanwhile, the PGR forensic expert, who was in a nearby area, goes down to the

riverbed, apparently looking for further evidence. No information was given to the EAAF about what was being done, despite being the victims' expert witnesses. One PGR agent complained to the EAAF that "it [the EAAF] does little work and has gone down at the waste dump early."

No record appears in the case file of the following events:

- a) Even though bringing the witness-defendant to the sealed location was made public in a local newspaper article, the objectives and circumstances of doing so, in the presence of the chief of the Criminal Investigation Agency, is not on record in the investigation file;
- b) There is no document in the case investigation file explaining fulfillment of legal requirements, nor is there any record of custody, etc. for the transfer of the detainee on October 28;
- c) No record was made of collection or rejection of evidence from the course of the river or the river bank by a forensic medical expert, the assistant director of expert witness services; no photograph was taken of the scene; nor is any evidence analysis report in the case file of the exhibits collected at the scene;
- d) There is no reference in the case file to the *in situ* inspection of the riverbed by members of the expert witness services and PGR on the 28th;
- e) the register of photos and videos shows in the images it was made by PGR members and is not in the case file.



Finding and collecting bone samples, 18:04 - 28/10/2014.

All of the events take place in the afternoon of the 28th from 14:00 to 18:00 hours. The next day at 09:00 AM, a Navy diver found the bag with the bone remains in the same location and at the exact coordinates where the witness-defendant was present the previous day.

It was formally entered into the record in the case file that Agustín García Reyes and Jonathan Osorio Cortes were arrested and brought before a judicial officer on October 27, 2014, and that they testified during the early morning hours of October 28, 2014. The transfer of defendants Agustín García Reyes and Jonathan Osorio Cortes to the San Juan River and Municipal Waste Dump, both locations in the Municipality of Cocula, in order to reenact events as he saw them unfold to be used as evidence in the investigation, was carried out on October 29, 2014. There is no legal justification for his presence at the location on October 28, 2014.

LEAD PROSECUTOR'S RECORD OF ON-SITE SEARCH AND COLLECTION OF EVIDENCE IN THE SAN JUAN RIVER AT THE SITE OF THE SAN JUAN RIVER BRIDGE MUNICIPALITY OF COCULA, STATE OF GUERRERO

8:00 - 29/10/2014. Page 34 AP. PGR/SEIDO/UEIDMS/871/2014

Navy personnel, specifically, the underwater diving unit, dove into the River for the purpose of finding evidence, and consequently after approximately 50 minutes of searching the Mexican Navy personnel found and took out of the River near the bank, 3.5 meters from the stated tree under a tree whose roots go into the River, placing before the eyes of the undersigned and of the experts on the banks of the River on plain A, 3.0 meters northeast of the tree, a black colored bag made of synthetic material, which is marked as exhibit and/or bag ONE which is opened on one of its sides, which in its interior contains a moist mass with brown and black dirt-like material ... and being approximately 8:54 [AM]...

In an official PGR photograph, two bags, one black and one white, are found together on the banks of the river where the defendant was taken, once on the 29th. One of the official photographs shows the two bags with labels dated October 28, 2014, and belonging to the AP 818. However, in the prosecutor's official report of the on-site inspection conducted on the 29th, when the bag was found, it states that that event took place at 8:54AM and is included in the AP/871. In addition to this inconsistency, in the images taken by photojournalists, two bags of the same characteristics, one black with burned remains and one white the content of which is not visible, are located next to the San Juan River at 15:32 hours on the 28th.



Bags San Juan River bridge, PGR photograph

In response to this illegal action, days after the IGIE's report was released, Mr. Zeron made a public statement claiming that his action was legal and that members of the United Nations High Commissioner's Office for Human Rights were even witnesses to the event. Said institution officially denied this claim. In the opinion of the IGIE, this response amounts to improper manipulation by a senior official of the AIC of Mexico, and these events warrant an independent investigation, with the AIC barred from any involvement and decisions must be made to punish those responsible for said practices, as appropriate. The actions of the expert services of the PGR also warrant investigation. The credibility of the finding of the bag in the San Juan River has been called into question, following the concealment of these facts and the attempt to subsequently justify them.

Resuming searches

In this new stage, search operations were resumed as of mid December 2015. These investigations were conducted by the new PGR investigation unit, with the accompaniment of the IGIE, the transportation and security support of the Federal Police and with security perimeter protection provided by the Secretariat of the Navy. In one instance, based on tips provided, two bodies were found which did not belong to any of the normal school students.

Searches during the second period of the IGIE mandate can be summarized as follows:

1. In the company of the IGIE, 25 explorations and 9 searches were conducted during this stage;
2. Search operations fell behind schedule and the number and pace of searches have not met the requirements of the case of the disappearance of the 43 normal school students;

3. Locations have been successfully identified, on the one hand, by assessing information appearing in the PGR case file and crosschecking it with a few other sources and, on the other hand, by examining satellite photos of the locations and dates of the events, selecting sites through preliminary exploration;
4. The PGR has not used satellite photos nor laser technology (LIDAR), while only the EAAF has examined some satellite photos provided by the United Nations;
5. The possible use of cremation ovens from private companies of the municipality of Iguala has not been investigated in order to determine a potential link to the events and figure out what fate the missing normalistas might have met;
6. No map of graves of bodies and bone remains found in Iguala and surrounding locations is available;
7. In none of the explorations or searches have any of the 43 normal school students been found either dead or alive.

Despite these results, the searches must not be interrupted because the 43 students are still missing. Until such time as the facts are elucidated and the whereabouts of the normalistas is determined, the searches must continue. This is precisely the reason why forced disappearance is regarded as an ongoing or continual human rights violation.

Search efforts must continue to follow the lines of investigation or information that is crosschecked with other sources and evaluated, always with the participation of experts and using appropriate technology as required in each instance.

4. Victim and survivor care and assistance

One component of the IGIE mandate is to evaluate the care and assistance provided to the victims of the events of Iguala and to their family members and to issue recommendations on this aspect, in keeping with the highest international standards.

As part of its mandate and of the reason for its presence in the country, the IGIE has been focused from the very start on contacting the different victims, as well as the institutions of the State involved in the investigation, such as SEGOB or the PGR, and those in charge of victim care or monitoring whether victims' rights are being taken into account, namely, the CEAV and the CNDH. Coordination of engagement with the State in this area was addressed from the beginning with the Office of the Assistant Secretary for Human Rights of the SEGOB.

Challenges for the State in caring for and engaging with victims

Using victims' testimony as a point of reference, the IGIE has worked for over more than one year to provide technical advice to the State and support the victims' family members. As a result of this effort, the IGIE outlines below some of the issues that have arisen in providing this care, which it deems important not only for the particular case, but also in order to establish a policy that effectively provides the care required by victims.

1. Completing the case analysis and the ramifications thereof
2. Clarifying victims' benefits, rights and guarantees under the law.
3. Overcoming the wide gap of confidence and legitimacy.
4. Preventing stigmatization of the family members and normal school students.
5. Preventing further forms of victimization.
6. Preventing excessive formalization and bureaucratization in providing care and assistance.
7. Including the victims in the lines of communication and the decision-making process.
8. Differentiating between recognition as victims and the discourse of reparation: stay away from language that can lead to misunderstandings.
9. Shifting the narrative of the official version of events.

Victim care has been a focal point of the IGIE's work during the two terms of its mandate. During this second term, the Group's most significant actions have been intended to support efforts to care for the most seriously injured, to conduct the second autopsy on the body of Julio Cesar Mondragon Fontes, a normal school student who reappeared murdered, brutally tortured by hooded gunmen in the early morning hours of September 27, 2014, very nearby the scene of the two attacks on the normalistas in the industrial zone of Iguala. The results of said autopsy were recently released and show the brutal treatment, torture and the injuries inflicted upon him. The IGIE hopes that the results of said autopsy become part of the investigation and that those responsible for the violations committed against him are determined, brought to justice and punished. This example also stands as proof of the consequences of the fragmentation of cases among different courts, locations and jurisdictions, in investigating the cases of other murdered normalistas as well as in the frequent revictimization to which the victims are subjected when the bureaucracy or formal procedural aspects take precedent over the victims themselves. In this particular instance, the simple process of collecting a DNA sample took three months, while the body remained exhumed. The report does raise some points about interaction between the CNDH and the CEAV, and the IGIE also makes recommendations for the necessary overhaul of victim care and assistance policies in Mexico, as well as providing criteria for a victim care program in line with international standards.

JULIO CÉSAR MONDRAGÓN FONTES PERFORMING OF AUTOPSY AND GENETIC SAMPLING		
44 Approximate legal encounters, with Mexican Government Agencies	9 locations, where procedures took place (CdMx, Tenancingo, Iguala, Toluca, Tenango, Tecamatlan, Jalapa, Chilpancingo, Houston)	People and Institutions 51 approximately were required to complete: <ul style="list-style-type: none"> • Exhumation of the body • Update record • Find cause of death • Take DNA sample

IGIE contributions to the dialogue with the State and victim care

This section lays out steps taken by the IGIE to facilitate victim care and open lines of communication between them and the State:

- 1) Response to the request of the Federal Police to facilitate contact and interviews with the family members. In-depth interviews were conducted and the necessary anthropomorphic data was collected for the search efforts by the Federal Police, in the presence of the IGIE.
- 2) At the request of the PGR, reaching out to the normalistas and the PGR in order to take statements and add to prior statements. New statements were taken of the surviving normal school students in order to complete the information appearing in the file. The IGIE was present when said statements were taken in order to help build confidence in the investigation process.
- 3) Dialogue and measures of care for the injured. The Group often mediated and encouraged dialogue between the victims and the SEGOB and the CEAV in order to secure care for the injured and, in one instance, family members of the murdered individuals. The IGIE arranged a visit of the Cuban medical team to provide a second opinion about Aldo Gutierrez's treatment.
- 4) Arrangements to restore health care at the Isidro Burgos Normal School for the family members in the case. At the request of the family members, the IGIE arranged with officials for the restoration of health care services for the family members and for care in cases of emergency and the establishment of care and assistance procedures.
- 5) Engagement with the family members of Julio Cesar Mondragon and conducting of a second autopsy. The IGIE examined the autopsy report and proposed to the State

and the family members that a new autopsy should be performed as part of the case investigation, and facilitated joint efforts between the PGR and the EAAF in the presence of the CNDH.

- 6) Emotionally preparing family members for the shock of the investigation and findings, such as the discovery of clothes months after the events. The Group presented the objects found and helped the family members to prepare for the process of identification, by conducting an initial selection of positively identified family members through photographs of clothes or objects in conjunction with the EAAF.
- 7) Arrangements and support for the dialogue with the President of Mexico, Enrique Peña Nieto, on the occasion of the anniversary of the events. At the request of the State, the IGIE collaborated in the preparation of said meeting with the family members and was present during the actual meeting.
- 8) Establishing a space of dialogue, presentation and support for the new investigation team of the PGR to engage with the family members at the different meetings scheduled during the second period of the IGIE mandate.
- 9) At the request of authorities, the IGIE joined several discussion meetings between the Secretary of Government, the prosecuting attorney of the PGR and the family members of the case.
- 10) Facilitating dialogue and reviving the search efforts among the PGR, EAAF and the IGIE. During the second period of its mandate, the Group facilitated and was present in the decision-making process on the search for the normalistas, based on information gathered by the IGIE itself, the PGR and the EAAF.

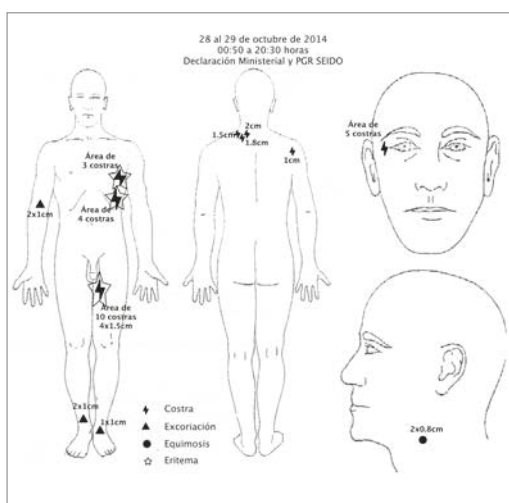
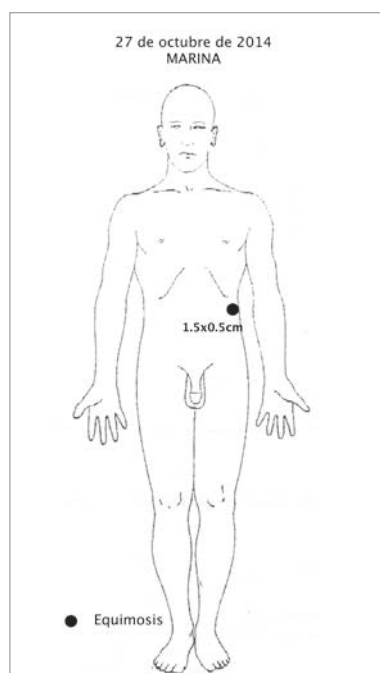
5. Investigation of complaints and signs of torture

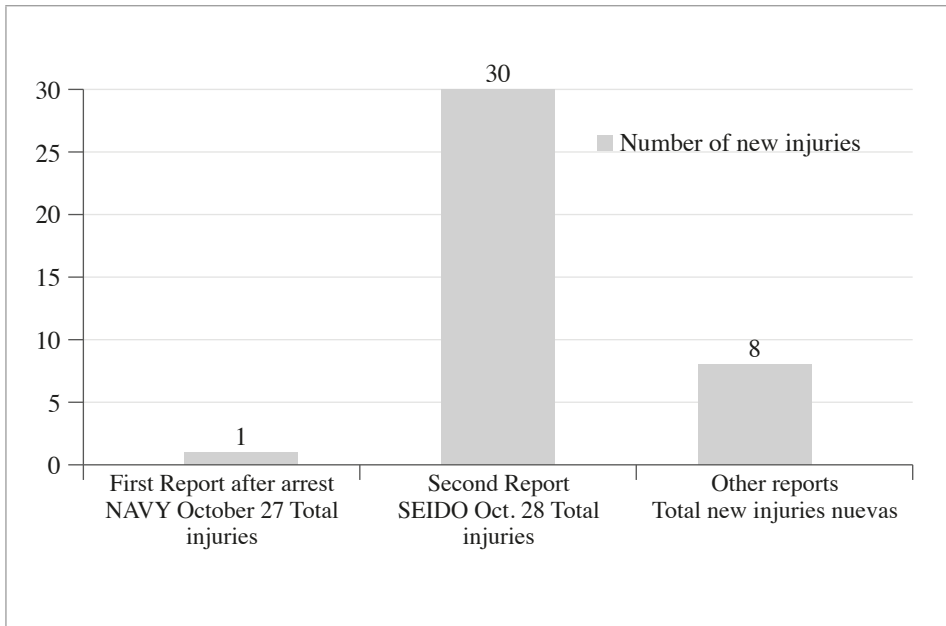
In reviewing the case file and a preliminary study, which Dr. Francisco Etxeberria, an expert in the investigation of such cases, was in charge of conducting, it came to the attention of the IGIE that a high number of medical reports mentioned physical injury in almost 80% of the defendants. During this second period of its work, the IGIE examined 17 cases of defendants regarded as members of the Guerreros Unidos, connected to the version of the waste dump of Cocula, as well as a group of Cocula and Iguala policemen, who were arrested around one month after the events in question.

The IGIE analysis is based on the medical reports and statements included in the case file. This study was submitted for discussion to a panel of international experts, members of the team from the International Rehabilitation Council for Victims of Torture (IRCT) of Copenhagen, which provided many suggestions and even validated the methodology and conclusions. The study shows both significant signs of torture in these cases, and that no

medical reports were issued in keeping with international standards for investigations into complaints of abuse and torture.

It also shows that no request for reports based on the Istanbul Protocol were filed until very late. Such reports must be conducted with the requisite independence and expertise, so that the problems identified are not repeated, and they must also include an investigation into the extent of liability of the agents and security forces, who performed the arrest and held the detainees in custody. The investigation of cases of torture is a basic requirement for the prevention and establishment of adequate practices in respecting human rights. The sketches below show the different injuries sustained while the detainee was in custody beginning with the first medical report followed by subsequent ones.





The general conclusions of the analysis of the 17 selected cases are that:

1. There are significant differences between the versions of facts regarding the origin of the injuries, which are officially claimed to have been inflicted prior to or during the arrest, and the account of the arrested defendants, who sometimes claim they were subjected to torture. Nonetheless, there is a glaring inconsistency in the allegations that the injuries were inflicted prior to or during the arrest, because in most of the medical reports, which were written at the time of the arrest, there is no mention of injuries, while the first medical examination and report, conducted and written hours later by the SEIDO, references many injuries.
2. In other instances, there is direct evidence that the arrests were conducted peacefully, based on existing information. The arrests by the municipal police agents were carried out without any violence or resistance. In one instance, the arrests were conducted at the seat of the municipal government of Cocula, and Iguala policemen were arrested at a training course, while they were at the barracks in Tlaxcala. In other instances of defendants' arrests, such as one member of the Guerreros Unidos cartel, the record indicates that when he was apprehended and brought before a judicial official, the arrest was peaceful.
3. The medical reports, which were sequentially drafted following the arrests, reveal in every instance, that new injuries were inflicted while being held in custody, at different points in time. This means that the injuries could not have been the result of abuses during the actual arrest.

4. Some defendants reported to the Office of the Public Prosecutor (MP), and others, to the IGIE, being subjected to torture during visits to the CEFERESOS (the federal prison facilities). The pattern of injury, in many instances, is consistent with the testimony of the arrested defendants.
5. A Certificate of Injury was not drawn up for most of the detainees at the time of their testimony, even though several of them claimed to have injuries on their bodies.
6. The conclusions of the three Injury Mechanics reports, which categorically found, except in one instance, that the injuries cited in the physical integrity reports are the result of handling during arrest and not torture, are not backed up by any supporting evidence, because in the first medical report no mention is made of any injuries to many of these men, while mention is indeed made in subsequent reports, and in 17 instances, new injuries are noted during the period of being held in custody. It must be taken into account that neither the assessment nor the statements of the detainee regarding the causes of said injuries were included in the Injury Mechanics report, nor was the detainee interviewed [about this].
7. Several of the examinations/reports on physical integrity and on Injury Mechanics were conducted collectively, and not on an individualized case by case basis, on both detained defendants and members of the Guerreros Unidos drug cartel, such as in the case of the Cocula policemen examined. Said practice is incompatible with international standards of investigation.
8. None of the psychological interviews, where the detainees are informed that they are being interviewed to assess their emotional status, explores or assesses potential abuses or mistreatment, even when the detainees claim to have been tortured.
9. No photographs or sketches of injuries are included in the case file and, consequently, a lot of evidence for subsequent analysis is missing. Nonetheless, in interviews with the IGIE at prison facilities, some of the detainees claimed that photos were taken of their injuries, but said photos do not appear in the case file. This fact warrants verification. It is supposed to be standard procedure for the PGR to take photographs when detainees present injuries.
10. A balanced examination of all testimony and statements, physical evidence, records of initial court appearances and other materials, in the judgment of the IGIE, all shows significant evidence of mistreatment, abuse and torture, based only on the reports in the case file alone. When the defendant mentioned to the MP that he had been tortured, said statement was not assessed in keeping with international standards, either as a lead for investigation or for prevention, and no record was entered into the case file that any steps were taken at all in this regard. It must be stressed that guarantees of respect for medical rights during

periods of detention do not only include writing the report but also informing other authorities about the findings so that timely measures can be taken to protect the integrity of the detainee. The fact that new injuries appear in successive reports shows that the medical evaluation did not serve as a guarantee of prevention of further forms of mistreatment.

11. Judging from the information gathered by the IGIE, the State has not applied the Istanbul Protocol, when torture was reported to the MP itself or when findings were suggestive of torture. The State was not ordered to produce reports based on said Protocol until after the matter was brought before a judge many months later. And, after the judge issued these instructions, those reports still took another 14 to 20 months longer from the time of detention to be submitted. The IGIE noted in a public statement issued on December 7, 2015, that after that length of time, potential evidence can become undetectable and it is much more difficult to apply said protocol and/or to draw conclusions about cases. In any case, the IGIE believes that reports must be completed promptly, by trained personnel, who must have the necessary independence, as recommended in the Protocol of Istanbul itself.

6. Problems identified and the IGIE's input into the investigation of human rights violations in Mexico

The IGIE's first report put forward many recommendations to address the problem of forced disappearance in Mexico. In this first report, difficulties and obstacles, which are not just exceptions to the rule or of a temporary nature, in the Mexican criminal investigation system were brought to the fore. In addition to undermining the investigation into the events of September 26 and 27, 2014 in Iguala, these difficulties are colored by more everyday issues, which permeate the Mexico legal system. Some of these issues are explained below, although a thorough analysis of the Mexican justice system falls outside of the scope of this report. The obstacles described below synopsise the findings and evidence gleaned from the work on the Ayotzinapa case.

Recommendations regarding investigation

1. Reduce formality and bureaucracy
2. Limit the weight of testimonial evidence and confessions
3. Improve the quality and method for taking testimony
4. Attach greater value to expert and objective evidence
5. Redesign institutions so that expert witness services are independent of the PGR
6. Strengthen capacity for analysis of evidence
7. Conduct analysis of context in order to be able to investigate criminal patterns and liability
8. Incorporate in the investigation all criminal offenses and human rights violations
9. Stay away from prosecuting human rights violations as organized crime offenses.
10. Do not judge the quality of the investigation based on the number of defendants
11. Consolidate investigations to avoid fragmentation of cases
12. Promote a periodic reporting system to victims
13. Engage in public communication in order to avoid leaks by the PGR about the investigation
14. Gain access to all sources of information and strengthen lines of investigation
15. Investigate potential liability of superiors and not only the actual perpetrators
16. Use technology in the search for the disappeared
17. Practice exhumation, inhumation and preservation and hand over bone remains.
18. Adequate care and public management of victims
19. Prevent revictimization and criminalization of victims
20. Produce medical reports in keeping with international standards
21. Ensure medical rights during detention
22. Adopt a cooperative attitude with international assistance

Formality and bureaucracy in the Mexican criminal justice system

Compared to other criminal investigation systems, the Mexican system is bogged down in excessive formal procedure and heavy bureaucracy. This stems partly from the country's inquisitorial legacy, which still prevails throughout Mexico, though the country is transitioning to an oral adversarial system. The adversarial system, used in other countries of the region, is more public and is based on the right to confront or challenge evidence or witnesses. It is possible that this obstacle will eventually be removed, at least in part, because of the overhaul that the Mexican system is undergoing.

The written legal system still in use in the federal jurisdiction of Mexico and in most of the States of the Republic, consisting of entering a written record or narration of every

proceeding and documenting every step of the proceedings, no matter how small it is, encourages rigid rules and narrow-minded approaches to any investigation. A case as complex as Ayotzinapa stands as a glaring example of the consequences of investigating and trying a case under the inquisitorial system.

The use of pre-established, busy and extensive forms does not streamline proceedings, much less make for an efficient investigation. Often, substance is sacrificed for procedure and form takes precedent over substance and truth. This formalism often places limits on how far and effective the Mexican legal system is able to go. One important cause for concern is that under the ongoing judicial reform, investigation of organized crime is still carried out under the inquisitorial system, which greatly undermines the independence and transparency of the investigation.

Preponderance of testimonial evidence and confessions

A great deal of importance is attached in the Mexican criminal investigation system to confessions and testimony of defendants as evidence. It would seem that testimony is used as the basis for opening an investigation and confessions are used as the grounds for bringing charges against a suspect. Objective and scientific evidence seem to take a back seat to testimony and confessions and, in many cases, is even used on an exceptional basis for this purpose.

This situation is evident in the Ayotzinapa case. The investigations conducted by the PGJ and the PGR into the fate of the 43 missing normal school students are predicated on the confession of the alleged defendants, who claim to be members of the Guerreros Unidos drug cartel. The Ayotzinapa Report of September 2015 presents the version given by different defendants: they received the normalistas, who had been detained by the municipal police forces, and were directly responsible for the ultimate fate of the students. These versions are very contradictory and, consequently, must be crosschecked with other evidence. The authorities must call into question whether the defendants are lying, or figure out what their motivation could be to make such extensive statements. Testimony as the only support for the case theory does not stand on very solid ground. Taking into consideration only the defendants' testimony in an investigation can lead to errors and omissions and then, impunity. The case theory cannot be contingent upon the version of one individual, who may have a variety of reasons why he testified as he did. Using a confession as the only evidence, or a confession along with circumstantial evidence, paves the way for the practice of torture or other cruel, inhuman and degrading treatment. Consequently, in its two reports, the IGIE made an effort to draw conclusions based on objective evidence.

Dependence on expert witness services

In Mexico, expert witness services are provided by the PGR. Specifically, the Criminal Investigation Agency of the PGR is in charge of providing these services and, therefore,

independence or impartiality in criminal investigations cannot be ensured. Said dependence compromises the work and the results in these areas, since it is not free of any influence from the very office in charge of conducting the investigation and bringing the charges. An expert witness report or testimony must be free of any inappropriate connection to the parties in the case. Nonetheless, in the Mexican criminal justice system, this service is formally and structurally linked to the PGR and, therefore, cannot be free of such a connection.

Lack of capacity to analyze evidence

The capacity to analyze the entire body of evidence is a key element to solving complex cases. Nonetheless, the IGIE noted shortcomings in the evidence analysis capacity of the PGR. For example, a great deal of the investigation conducted by the IGIE in the first period of its mandate was based on investigations and evidence that had been previously collected, but had not been cross-checked or analyzed. It would seem that there is greater interest in simply collecting evidence than in the subsequent assessment thereof.

The success of an investigation is not measured in terms of the number of exhibits or pieces of evidence collected in the case or the size of the case file. At times, it would seem as though there were greater interest in the quantity than the quality of evidence. Investigators or public prosecutors must look at, interpret and analyze evidence using the criteria of comprehensiveness and free and reasoned judgment.

Absence of contextual analysis

It is essential to understand crime in terms of the particular setting of the victims and the reality in which it takes place, so that investigations of criminal offenses and human rights violations can form a more complete picture of the truth. As a corollary to this approach, some countries, such as Colombia or Guatemala, have gone so far as to create ‘criminal context units,’ in order to specifically focus investigations on incidents, which may be linked to criminal networks, armed groups or contexts of violence in a particular part of the country.

Context helps to establish the *modus operandi* of the perpetrator, the way criminals work on the inside and the outside, the regional dynamics involved, essential logistical aspects, communication networks, among other things.

The IGIE sounded a note of caution at its first meetings with the PGR and in public statements that the investigations were too fragmented or compartmentalized, especially all of the investigations into human rights violations, and that there was no group of professionals with interdisciplinary training, who could conduct a more comprehensive analysis based on patterns of conduct and common elements in cases of said violations. It should be a priority to fill this void with structural analysis, which would unquestionably

help to gain insight into the dynamics of human rights violations and crime and would provide for a more comprehensive and adequate response to impunity in these cases.

Investigating human rights violations as organized crime

The widespread practice of investigating these cases as organized crime offenses grants broad powers to skirt the normal rules of criminal investigation. No clear limits or defined standards have been established to legally combat organized crime. In order to reinforce the fight against impunity for human rights violations in Mexico, international standards, which are the product of international consensus and part of the case law of the highest courts, must be upheld.

Otherwise, to use a more lax justice system to fight organized crime compromises the whole investigation and makes it easy to introduce practices such as *in flagrante* indictment by law enforcement officers and opening separate preliminary investigations [into interconnected cases], which is at the core of what the IGIE has called fragmentation of the investigation and of case files.

Number of arrests or quality of investigations?

It would seem that the success of criminal investigations in Mexico were judged, at least publicly, by the number of persons apprehended. By this measure, an investigation would be considered on track and successful, if a significant number of alleged perpetrators were brought before a judge for an initial appearance. It would seem that agents are overzealous to carry out arrests rather than get to the bottom of the crimes or carry out quality investigations. The risk of this approach is that people are arrested to be investigated, instead of investigated to be arrested. In short, this can turn the investigation into the punishment.

The Ayotzinapa case stands as an example of rushing to bring charges in order to arrest people for minor crimes and not for forced disappearance. There was an eagerness to apprehend a high number of persons allegedly responsible in the crimes, on charges of organized crime, illegally carrying firearms or kidnapping and not on charges of forced disappearance or other human rights violations. Nonetheless, the crime of forced disappearance can only be solved by getting to the bottom of the facts and determining the fate and whereabouts of the missing persons. The investigation and punishment of those allegedly responsible is a complementary but not the only measure, nor is it sufficient in keeping with the State's duty to ensure rights in cases of human rights violations.

Fragmentation of investigations

The investigation into the crimes of Ayotzinapa was constantly being fragmented or whittled down into separate cases. This impeded the consolidation of numerous

interconnected cases into a single case, hampered the investigation and made it impossible to look into and analyze the case as a whole.

Any fragmentation acts as a barrier to getting a complete picture of the facts, makes it difficult to bring together the defendants, their family members and their representatives and does not ensure adequate involvement in the case. Fragmentation also increases the risk of evidence of connected events falling through the cracks and does not take into consideration patterns of conduct, the context and interconnectedness of the crimes committed, or other relevant aspects, which can help to determine liability and the *modus operandi* of the perpetrators in any investigation.

Failure to satisfy the victims' right to the truth and to information

The family members and victims do not have easy and transparent access to basic information relating to the investigation of their case, to developments therein and to the status of the respective legal proceedings. In many instances, the information is not provided to them in a timely fashion, is incomplete and sometimes gets distorted. In other instances, victims receive the information through the media and not directly through their family members or their representatives. One example of this in the Ayotzinapa case was the information provided by the PGR on March 31, 2016, regarding a fourth study on the fire dynamics in the Cocula waste dump, which forced the IGIE to hold a press conference on April 6, 2016 to explain the many inconsistencies with the information provided by the PGR.

Public communication and investigation leaks by the PGR

While the IGIE is aware of the heightened degree of public interest in the case and that it is the duty of the press to report on issues of interest to the public, in the case of Ayotzinapa, much of the investigation conducted by the PGR and, particularly, the content thereof, was disseminated and made public by the media, sometimes misrepresenting the facts. It is inexplicable how evidence, that is presumably under seal and must be legally protected, appears outlined, commentated or analyzed in the press, and many times does not reflect the true facts. At times, certain versions were wrongfully leaked to the media and this wrongful action amounts to unlawfulness, inasmuch as the law does not allow evidence to be disclosed in its entirety. Those leaks not only compromise the investigation, but also set into motion several reactions, which undermine the independence and impartiality of any judicial investigation. If the proceedings were oral and public, everyone could gain access to the information in the hearing at the same time; however, since the proceedings are closed to the public, the PGR alone decides what is made public and what remains confidential and this also promotes compartmentalization of information.

Limits and obstructions to the investigation

The investigation ran into difficulties, which were not exclusively attributable to the sheer complexity of a case of this magnitude. The slow pace of response to the requests of

the IGIE, the delay in collecting many pieces of evidence, the overly formal and non-substantive replies to many of the concerns, the lack of requests to other authorities or entities involved in the events, the failure to follow other lines of investigation, can not all be construed as merely coincidental obstacles and difficulties. These different situations were not just occasional barriers to the investigation but were structural in nature.

Failure to investigate potential liability of superiors

Criminal investigations in Mexico specifically target actual perpetrators of crimes and when potential involvement of public servants is investigated, factors such as the chain of custody or responsibility of senior officials in public administration, are not explored in order to determine degrees of responsibility. In the case of Ayotzinapa, the highest-ranking state agent with the highest degree of liability brought before the justice system is Jose Luis Abarca Velazquez, who was the mayor of Iguala at the time of the events. However, public officials, who failed to act, for the most part have not been the subjects of investigation.

Liability of superiors is determinative in any investigation of public officials, particularly, in cases of gross human rights violations. The links in the chain of command are fundamental to assess whether subordinates and their superiors are liable. Moreover, some state's agents hold positions of guarantor of rights, such as the members of the police and military forces, meaning, they have the duty to protect citizens' rights, the failure of which can amount in turn to a human rights violation.

Lack of adequate victim care and management

In Mexico, victims of human rights violations are relegated to a secondary role. Despite enactment of the 2013 General Law of Victims, which introduced a new approach and greatly enhances the response to concerns over victim care and assistance, some deviant implementation of the law has raised concern. Some issues faced by victims include: public use of measures of assistance or reparation for the victims as a means of legitimization, excessive publicity, failure to comply with agreements with the victims, the view that money can substitute for reparation.

Revictimization and criminalization of victims

Public statements of some state's agents, leaks of sensitive information to the media, disregard of certain public policies affecting the victims, blaming the surviving normal school students or even the missing students for crimes, are some examples of revictimization of the family members and normalistas. Public calls to investigate the normal school students or officials of the Normal School of Ayotzinapa for alleged responsibility in the disappearances, accusations linking the family members to

the Guerreros Unidos criminal drug cartel without any evidence to warrant such an investigation, are a few examples of revictimizing actions.

Often, in cases of forced disappearance, criminalization of victims is used to deflect attention away from the true perpetrators or masterminds of the crimes and shifting it onto the victims. Actual guilt, many times, is rendered meaningless and it is common for attempts to be made to pin the blame for the crimes on the victims themselves, as often happens in cases of sexual violence and feminicide. It is important for the authorities be sensitive and alert to such practices in order to prevent them, as this can have further negative impacts on the family members and undermine the confidence in the institutional framework, which is the foundation of any process of restoration of rights as citizens. The IGIE has raised the alert on many occasions about these forms of distorting the facts by shifting suspicion onto the aggrieved persons, instead of crosschecking evidence and letting the facts speak for themselves about the liability of the perpetrators.

Sovereignty or prospects for cooperation

The technical assistance provided by the IGIE to the State, as part of compliance with the precautionary measures granted by the IACHR, has led to a novel, interdisciplinary mechanism in the search for the disappeared students, the criminal investigation, and victim care and assistance. Additionally, under the IGIE mandate, it is empowered to provide input on the formulation of public policies to address forced disappearance, such as the Group's contributions to the law on the disappearance of persons.

A discourse of total openness and cooperation prevailed when the IGIE first arrived in the country and this greatly facilitated our work at the initial stages. However, at the same time, other public officials and some sectors of public opinion, in particular, felt threatened by this new arrangement of technical assistance from the international community, calling into question newly uncovered versions of the facts, or the IGIE's investigation and evidence-based management of the case and its addressing victim care and assistance in keeping with international standards. Some people did not look favorably upon a group of "foreigners" coming in to question parts of the investigation in Mexico. The IGIE heard statements such as "they don't know Mexican law" or "things are done differently here," in an attempt to discredit our work. Additionally, in a context of heavy polarization in Mexico as it already was, the IGIE was turned into a tool used by some to further polarize things. Instead of responding to the substance of the IGIE's proposals, or examining the substantive issues, different sectors reacted by asking "whose side are they on anyway," and whether or not the IGIE is for or against one version of the truth, or for or against the institutions. The Group has even been subjected to a smear campaign against the individual members as a way of questioning our work. In spite of everything, the IGIE has continued to perform its duty and remains committed to the case, to the family members and to the State, in the interest of finding the truth.

Polarization can be used to frame the issue in terms of “you’re either with me or against me,” which not only is not very constructive but is also a far cry from what our work really involves. The only way to break free of the polarization is to speak of the substantive issues, the proposals, the evidence, and to not try to defend ourselves, as if what we do were a threat to anyone. The IGIE has tried to effectively contribute to changing the way the investigations, searches and the work with victims is viewed.

Mexico's receptiveness has been essential for the IGIE to be able to cooperate in overcoming the serious human rights situation, and it will continue to do so in order to implement a follow-up mechanism to help in all the work, which still remains to be done. Nonetheless, a major overhaul is needed and the obstacles standing in the way of the investigation, as outlined in the *Ayotzinapa Report*, must be overcome. The international community can contribute to overcoming some of the obstacles that kept impunity in place and impeded the enjoyment of prompt justice and effective respect for human rights. But Mexico, its people and its institutions must play the leading role in this endeavor.

“Well we... I mean... we want nothing more than that... To know about the boys and for there to be justice. Then after that, then we can deal with that business about... What is it called?... Reparation for damages. But not until they appear, until... All of this is clarified, until there is an answer, a good one I hope ... Then we can talk about that, for now we can't. We want our children back, and then we can deal with that later.” Family member, Ayotzinapa.

“It has been several months now, almost two years. So our wound is still there, open.” Mother, Los Avispones

The Interdisciplinary Group of Independent Experts (IGIE) was created by the Inter-American Commission on Human Rights, in agreement with the Mexican State and the representatives of the victims, to provide international technical assistance from a human rights perspective in the investigation into the forced disappearance of 43 students of the Raul Isidro Burgos rural normal school of Ayotzinapa, in Guerrero State. It began its work in March 2015.

After consulting with the representatives of the fathers and mothers of the 43 missing normal school students on October 19, 2015, the Inter-American Commission on Human Rights decided to extend the mandate of the IGIE until April 30, 2016.

During said period, the IGIE continued to fulfill its obligations conducting many searches for the normalistas of Ayotzinapa in different areas of the State of Guerrero. It also suggested pursuing new lines of investigation and furthered the investigation process, including the analysis of recently uncovered events, which took place on the night of September 27 and 28, 2014, involving actions of other police and security forces, their modus operandi and motives for their actions. It provided advisory services on the draft law on disappearance to make sure that it met international standards and that search protocols serve their primary purpose. Additionally, it collaborated on different measures of victim care and supported the creation of spaces of communication between the State and the family members, establishing criteria so that treatment is dignified, expeditious, participatory, and abides by principles of international human rights law.

On April 30, 2016, the Mexican State announced that it did not want to extend the mandate of the IGIE again, although the mechanism of case follow-up has yet to be defined. This report provides more material to be able to continue with the investigation, victim care, and the search for the fate of the missing normal school students.