



EUROPEAN PARLIAMENT

2014 - 2019

*Plenary sitting*

22.10.2014

B8-0167/2014 }  
B8-0175/2014 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4) of the Rules of Procedure

replacing the motions by the following groups:

GUE/NGL (B8-0167/2014)

Verts/ALE (B8-0175/2014)

on the disappearance of 43 teaching students in Mexico  
(2014/2905(RSP))

**Javier Couso Permuy, Patrick Le Hyaric, Marie-Christine Vergiat,  
Malin Björk, Marina Albiol Guzmán, Paloma López Bermejo,  
Ángela Vallina, Lidia Senra Rodríguez**

on behalf of the GUE/NGL Group

**Ernest Urtasun, Josep-Maria Terricabras, Jordi Sebastià, Bodil Ceballos,  
Ska Keller, Ulrike Lunacek, Barbara Lochbihler, Ernest Maragall,  
Heidi Hautala**

on behalf of the Verts/ALE Group

RC\1038055EN.doc

PE537.070v01-00 }  
PE537.078v01-00 } RC1

EN

*United in diversity*

EN

## **European Parliament resolution on the disappearance of 43 teaching students in Mexico (2014/2905(RSP))**

*The European Parliament,*

- having regard to the Universal Declaration of Human Rights,
  - having regard to its previous resolutions on Mexico, particularly that of 9 March 2010,
  - having regard to the Havana Declaration of January 2014, particularly Point 1 thereof,
  - having regard to the EU local statement concerning Iguala, issued in agreement with the Heads of Mission of the EU Member States in Mexico, of 12 October 2014,
  - having regard to the pronouncements of the Office of the UN High Commission for Human Rights, the Inter-American Commission on Human Rights, and Amnesty International,
  - having regard to the Global Agreement between the EU and Mexico of 2000,
  - having regard to the High-Level Dialogue on Human Rights, as part of the EU-Mexico Strategic Partnership, of 2008,
  - having regard to the EU Strategic Framework on Human Rights and Democracy, of June 2012,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the human rights situation in Mexico is extremely critical, particularly in Chiapas, Oaxaca and Atencoles States;
- B. whereas, according to World Bank data, 52.3% of the population was living below the poverty line in 2012; whereas Mexico is among the countries with the most unequal distribution of wealth in the world;
- C. whereas the authorities are establishing an economic and social system based on despoilment, privatisation and commoditisation of basic resources such land, water and biodiversity;
- D. whereas this policy has as a corollary a climate of harassment of social organisations and the incarceration of many political militants and economic and social actors; whereas more journalists are murdered in Mexico than in any other country in the world;
- E. having regard to the collusion which exists among political office-holders, elected representatives and ‘cartels’ of drugs traffickers;
- F. where the substantial increase in the deployment of military personnel since the election of President Calderón in 2006 has had a very serious impact on human rights, with an increase in enforced disappearances, extrajudicial executions, acts of torture and arbitrary detention;
- G. whereas, according to official government figures, there are more than 22 000 ‘unlocated’

people in Mexico, whereas more than half of them have disappeared during the term of office of the current President, Enrique Peña Nieto, and whereas according to NGOs it is estimated that between 70 000 and 80 000 murders and more than 24 000 disappearances have occurred between 2006 and 2014;

- H. whereas the Mexican authorities often fail to investigate crimes and to prosecute and adequately punish offenders, and whereas, according to the National Human Rights Commission, between 98 and 99% of crimes remain unpunished, whereas the impunity which prevails in Mexico is one of the reasons for the rise in violence and crime in the country, and whereas social inequalities and the extreme poverty of the population are also responsible for a rise in violence;
- I. having regard to the frequent cases of disappearances and abductions of women, especially from the indigenous population, and whereas the term ‘feminicide’ is derived from the definition of violence against women in Article 1 of the Belem Do Para Convention, which stipulates that ‘violence against women shall be understood as any act or conduct, based on gender, which causes death or physical, sexual or psychological harm or suffering to women, whether in the public or the private sphere’; whereas the eradication of feminicide and the punishment of those who have committed it are an obligation and must be a priority in any state where the rule of law prevails;
- J. whereas in the night of 15 to 16 October 2014, María del Rosario Fuentes Rubio, a young Mexican woman who had denounced the activities of drugs cartels, was murdered in Tamaulipas State;
- K. whereas on 13 October 2014, Román Atilano, the leader of a group of farmers who had demanded compensation for land flooded by the construction of a dam in Sinaloa State in north-eastern Mexico, was murdered during the broadcasting of his weekly radio programme;
- L. whereas 22 presumed criminals (according to official sources) were killed during a confrontation in Tlatlaya on 30 June 2014; whereas, since then, witnesses have stated that these people (including a 15-year-old girl) were executed in cold blood by military personnel after having gone to the scene; whereas at the end of September eight military personnel involved in this massacre were arrested;
- M. appalled by the atrocities of 26 September 2014, in the Mexican city of Iguala/Guerrero, when policemen opened fire on unarmed students from the Ayotzinapa Rural University (Escuela Normal) and shot dead three of the students, a football trainer, a football player and a bus driver, and left around 20 people wounded; deeply shocked that the events resulted in the forced disappearance of 43 students, who are still missing;
- N. whereas both the massacre and the forced disappearances happened in the middle of a city located merely 190 km from the capital of Mexico, with two military battalions and a Strategic Operation Centre of the Federal General Prosecutor on the ground; whereas according to eyewitnesses, members of the local security forces handed over at least 17 of the 43 students to criminal gangs, without any intervention from other security forces; whereas the students were allegedly abducted in police cars and handed over to members of the drug cartel Guerreros Unidos;

- O. whereas the Federal Authorities failed to take prompt and comprehensive action following such an outstanding crime, and did not start to search for the missing students and adequately protect the survivors and the families without delay; whereas the Federal Authorities only addressed the issue after desperate Ayotzinapa students and relatives of the missing persons themselves had occupied the Autopista del Sol, more than one week later and after a national and international outcry;
- P. whereas a week after the abductions, one of the alleged detained perpetrators indicated five mass graves near Iguala on 3 October 2014, with 28 carbonised corpses, which might not be the missing students, according to DNA analysis; whereas more mass graves have been discovered in the area since; whereas the Argentinian forensic specialists need better conditions in order to do their necessary work to identify the dead;
- Q. whereas clear links and cooperation between local authorities and criminal gangs have been revealed in earlier reports by Mexican human rights organisations, and have been confirmed by the Mexican secret service, CISEN, for the case of Iguala, but those reports never led to any official attention and action; whereas this collusion is certainly at the origin of this new crime; whereas at least 11 members of the security forces carried German weapons in a previous police attack against students of the Ayotzinapa University on 12 December 2011, in Chilpancingo / Guerrero, in which policemen killed two students;
- R. whereas the mayor of Iguala, José Luis Abarca, and the head of the local security forces, Felipe Flores, are wanted but have fled; whereas 44 policemen and members of criminal groups are detained meanwhile – 36 of them policemen from Iguala and Cocula / Guerrero;
- S. whereas the recent events in Guerrero represent an unprecedented degree of human rights violations and expose extremely serious issues of impunity, collusion between police officers and organised crime gangs, and excessive use of force, and therefore must be addressed within the framework of the strategic relations between the EU and Mexico, both the Global Agreement and the Strategic Partnership making use of the existing instruments;
- T. whereas the EU and Mexico are linked by a Global Agreement containing a human rights clause, and a Strategic Partnership, with a clear set of common values, whose violations bear consequences for both the Agreement and the Partnership; whereas with the Strategic Framework on Human Rights and Democracy of June 2012, the EU pledged to ‘place human rights at the centre of its relations with all third countries, including its strategic partners’ and to throw its ‘full weight behind advocates of liberty, democracy, and human rights throughout the world’;
- U. whereas Mexico has undertaken many commitments in terms of the protection of human rights at international level; whereas the respect for these commitments is superior to national law; whereas with the current Iguala case, the credibility of the United Mexican States as warrant for the respect of human rights is definitively at stake regarding the international community;
- 1. Calls on the federal authorities to do everything possible to find the 43 students from Ayotzinapa Teacher Training College in the town of Iguala and for those responsible for the crimes committed to be brought to justice and punished; stresses, similarly, the need for a genuine, transparent and impartial investigation into these human rights violations and for normal procedural rules to be applied;

2. Expresses its condolences to the families of the six persons shot dead, and its solidarity with the relatives and co-students looking for the 43 missing students, and asks the Mexican authorities to provide full protection for the lives and physical integrity of the surviving students, the relatives and friends of the 43 missing students, and the human rights defenders accompanying the case; further asks the authorities to provide for psychosocial attention and to effectively implement the precautionary measures assigned to them by the Inter-American Commission on Human Rights;
3. Is shocked by the continuous deterioration in the human rights situation in Mexico and by the lack of serious commitment on the part of the Mexican state to combating impunity; condemns once again the enforced disappearances and murders committed by, or with the complicity of, the Mexican state;
4. Equally expects from the Mexican authorities a full investigation into the 43 forced disappearances and, eventually, extrajudicial killings, the six murders, the 20 wounded and other parts of the multiple crime of September 2014 in Iguala, an exhaustive establishment of all responsibilities, and the prosecution and effective condemnation of the parties responsible at all levels, in line with international standards;
5. Stresses that the families of those abducted and killed need to have full access to justice and to be kept fully informed at all stages of the investigation, and that reparation must be made for the harm done;
6. Asks for the inclusion of the killing of two Ayotzinapa students, on 12 December 2011, whose cases have come to nothing due to the lack of interest of the authorities, in the prosecution;
7. Welcomes the establishment of committees in the Mexican Congress and Senate to monitor the investigations, and asks to be informed of their respective findings;
8. Asks for a swift investigation into the identity of the 28 corpses found in five mass graves at the beginning of October 2014, and into the authors of this further abhorrent crime in Iguala, and for equal investigations to be carried out into at least three further mass graves, and stresses the urgent need to set up a unified, public and accessible national registry of missing and disappeared persons, and a DNA database to identify the thousands of dead bodies found in mass graves in Mexico;
9. Also calls for a full investigation into the circumstances surrounding the attack and abduction, including the repeated failure of state and federal authorities to investigate frequent reports on collusion between local and public officials and criminal gangs;
10. Underlines the urgent need to effectively dismantle all cooperation structures between authorities and organised crimes;
11. Stresses that, if solved in court, the Iguala case must not be a one-off; reminds the Mexican authorities of the broader context of the murder case of Finnish citizen Jyri Jaakola and Mexican citizen Bety Cariño, killed near San José Copala in Oaxaca on 27 April 2010, while a further 20 Mexican and European citizens were wounded, and reiterates the need to finally ensure witness protection, execute arrest warrants, proceed to trial and ensure due punishment of the party responsible for the murder;

12. Calls on the EU to make putting an end to impunity an absolute priority in its relations with Mexico; urges the Commission to initiate a genuine political and human rights dialogue with that country, and calls for annual statements to be submitted to the European Parliament concerning the action taken on the recommendations from that dialogue;
13. Calls on the EU and its Member States to work together with regional organisations, particularly CELAC, to implement the Havana Declaration of January 2014, particularly Point 1 thereof, stresses that Mexico is a member of CELAC and considers therefore that that organisation should play a key role in defending human rights in the region;
14. Considers again that relations between the EU and third countries should be based on cooperation and mutual development rather than on partnership and free trade agreements; is of the opinion that the foreseen modernization of the Global Agreement between the EU and Mexico should be put on hold, its chapters and aims be revised, all possible loopholes for a spill over of organised crime influence, not at least in the financial services sector, be detected, and that the way how to shield trade rules from criminal abuse should be intensely discussed with experts, the European and Mexican Parliament and civil society, while a closer cooperation of human rights issues, including binding enforcement mechanisms, are developed, before any other steps are taken,
15. Supports the call by NGOs for the Office of the Prosecutor at the ICC and the Court in The Hague to devote particular attention to the crimes committed in Mexico and, if appropriate, launch an international inquiry;
16. Asks all EU Member States, including Germany, to suspend or withhold any negotiation of security agreements between themselves and Mexico, and to declare Mexico a no-go area for arms cooperation, until such time as the rule of law is re-established in the whole of the Mexican territory and organised crime is under control and dismantled;
17. Asks the Commission to demand from the Member States precise information on their past and present arms cooperation with Mexico, so as to trace and confiscate European arms in the hands of organised crime;
18. Considers, likewise, that it will only be possible to resolve the recurrent problems experienced in Mexico by guaranteeing the same rights to all citizens and tackling the problems associated with control over fertile farmland and resources, unemployment and poverty, by means of measures to combat corruption, social inequalities and discrimination and by promoting the social, political and economic reforms necessary in order to guarantee a genuinely independent and democratic state;
19. Instructs its President to forward this resolution to the Council, the Commission, the EuroLat Parliamentary Assembly, the governments and parliaments of the Member States, the bodies of CELAC and the Government of Mexico.