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Abduction of 43 students in Guerrero/Mexico

Greens/EFA motion for resolution

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The European Parliament,

- 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 pronunciations of the Office of the UN High Commission for Human Rights, the Inter American Commission on Human Rights, and of amnesty international ,

- having regard to its resolution on Mexico, of January 2010,

- 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 Strategic Partnership EU--Mexico, of 2008,

- having regard to the EU Strategic Framework on Human Rights and Democracy, of June 2012

- having regard to Rule 135 of its Rules of Procedure,

A. appalled by the atrocities of September 26, 2014, in the Mexican city of Iguala/Guerrero, when policemen opened the 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,

B. whereas both the massacre and the forced disappearances happened in the middle of a city at a merely 190 km distance from the capital of Mexico, with two military battalions and an Strategic Operation Centre of the Federal General Prosecutor on the ground; whereas according to eye witnesses 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 allegedly the students were abducted in police cars and handed over to members of the drug cartel *Guerreros Unidos*,

C. whereas the Federal Authorities failed to promptly and comprehensively take action in 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 themselves had occupied the Autopista del Sur, more than one week later and after national and international outcry,

D. whereas a week after the abductions, one of the alleged detained perpetrators indicated five mass graves near Iguala on October 3, with 28 carbonised corpses, which might not to be the missing students, according to DNA analysis; whereas more mass graves have been discovered in the area since, whereas the Argentinean Forensics need better conditions to do their necessary work to identify the dead,

E. 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,

F. whereas this tragedy happens in a context of long standing violence against social movements, political opposition and human rights defenders in Mexico, in particular, but far from exclusively, in Guerrero; whereas the authors of these massacres, state agents or not, benefit from an almost total impunity, which has worked as an incentive to more crime, as is evident in the case of feminicide, or in the recent case of Tlatlaya, state of Mexico, on June 30, 2014, where soldiers killed 22 unarmed persons, of whom at least 19 were executed while kneeing on the ground,

G. whereas at least 11 members of the security forces carried German weapons in a previous police attack against students of the Ayotzinapa University, on December 12, 2011, in Chilpancingo / Guerrero, in which policemen killed two students,

H. whereas the mayor of Iguala, José Luis Abarca, and the head of the local security forces , Felipe Flores, are on want, but have fled; whereas 44 policemen and members of criminal groups are detained meanwhile – 36 of them policemen from Iguala and Cocula/Guerrero,

I. whereas the Office of the Attorney General issued in August 2014 the number of 22.322 persons disappeared since 2006 in Mexico, 44 per cent of which occurred during the current administration, without serious commitment by the Authorities to investigate , prosecute and stop impunity, whereas not a single of these cases has led to court and condemnation at federal level,

J. 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 strategic relations between the EU and Mexico, both the Global Agreement and the Strategic Partnership making use of the existing instruments.

K. 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 bears consequences for both the Agreement and the Partnership; whereas with the *S*trategic 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",

L. whereas Mexico has taken 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 Republic of Mexico as warrant for the respect of human rights is definitively at stake regarding the international community,

1. 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, asks the Mexican Authorities to provide full protection to 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,

2. Expresses its outmost condemnation of the brutal crime; expects from the Mexican Authorities to do everything possible to find the missing students without further delay and bring them back alive,

3. Equally expects from the Mexican Authorities a full investigation into the 43 forced disappearances and, eventually, extrajudicial killings, the six murders, 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 responsible at all levels, in line with international standards,

4. Stresses that the families of the abducted and killed need to have full access to justice, to be kept fully informed at all stages of the investigation, and that the harm done has to be repaired,

5. Asks for the inclusion of the killing of two Ayotzinapa students, on 12 December 2011, whose cases have come to nothing, due to lacking interest of the authorities, into the prosecution,

6. Welcomes the establishment of committees in the Mexican Congress and Senate to monitor the investigations, and asks to be informed on their respective findings,

7. Asks for a swift investigation into the identity of the 28 corpses, found in five mass graves at the beginning of October, and into the authors of this further abhorrent crime in Iguala, and to carry out equal investigations 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 data base to identify the thousands of dead bodies found in mass graves in Mexico,

8. 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,

9. Calls the office of the prosecutor of the ICC to pay particular attention to the massacres and force disappearances committed in Mexico and in case it considers them to be within its jurisdiction request the Office of the Prosecutor to open an investigation on those crimes,

10. Underlines the urgent need to effectively dismantle all cooperation structures between authorities and organised crimes,

11. Firmly asks the EU and the Member States to monitor, within the High Level Dialogue on Human Rights and other fora, the clarification of the crime until all material and intellectual perpetrators are punished, and the criminal structures dismantled, and to urgently offer protection measures to civil society and particular members of human rights organisations under threat in Guerrero,

12. 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 April 27, 2010, while 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 responsible of the murder,

13. Asks all EU member states to suspend or withhold from any negotiation of security agreements between them and Mexico, among them Germany, and to declare Mexico a no go area for arms cooperation, as long as the rule of law is not re-established in the whole of the Mexican territory and organised crime is under control and dismantled,

14. 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,

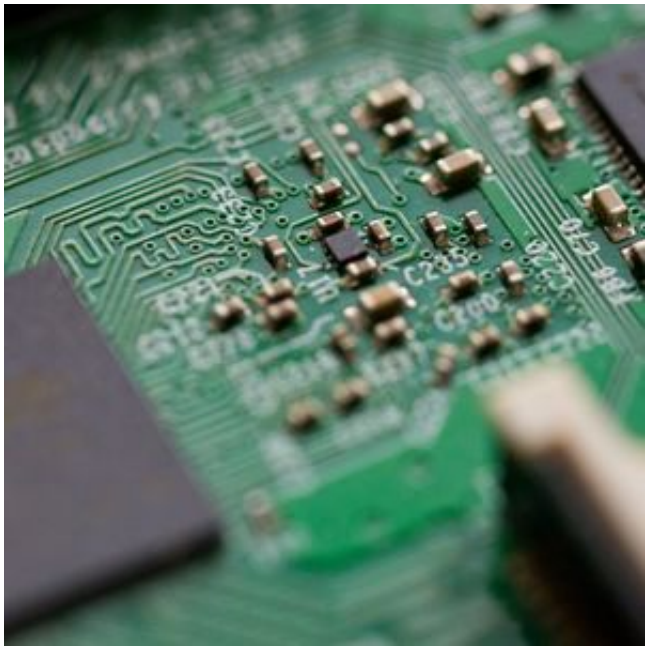
15. Is of the opinion that the foreseen modernization of the Global Agreement between the EU and Mexico should be put on hold, its chapters and aims be revised, all possible loopholes for a spill over of organised crime influence, not at least in the financial services sector, be detected, and that the 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,

16. Instructs its President to forward this resolution to the Commission, EEAS and the Council, the Government of the Member States, the Republic of Mexico, the Organisation of American States and the Office of the UN High Commissioner on Human Rights in Mexico.

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