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<b>To:</b>	SMART Core <>
<b>Subject:</b>	(SBU) MEXICO: Ayotzinapa Investigation Makes Incremental Progress, No Major Breakthroughs
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**Reference:** A) [20 Mexico 368](#)  
B) [19 Mexico 3806](#)  
**Subject:** (SBU) MEXICO: Ayotzinapa Investigation Makes Incremental Progress, No Major Breakthroughs

**1. (SBU) Summary:** Six years following the disappearance and suspected murder of 43 Ayotzinapa students, 40 students remain missing and suspects arrested are yet to face trials or convictions. With renewed focus and resources for the investigation, authorities have made incremental progress, including labeling the Ayotzinapa disappearances a state crime, making new arrests, and issuing additional arrest warrants. In November, authorities arrested the first Army (SEDENA) officer linked to the case, a significant step since SEDENA previously refused to cooperate in the investigation. A recent wave of arrest warrants against Guerrero state officials, and the detention of the former head of the Federal Ministerial Police, present openings to reinvigorate the investigation. **End summary.**

**(SBU) Mexican President Labels Ayotzinapa a State Crime**

2. (SBU) President Lopez Obrador pledged to solve the Ayotzinapa case, promised unlimited resources for the investigation, and has met regularly with the victims' families. In 2018, he established the Presidential Commission of Truth and Justice for Ayotzinapa just three days after taking office and later established

a Special Prosecutor's office for the case (Ref A). On the sixth anniversary of the disappearance, Lopez Obrador broke with the denials from the previous administration and publicly apologized to the victims' families on behalf of Mexico for what he affirmed was a crime committed with the active or passive participation by the state. The prosecutor general accused the previous government of a cover up and the special prosecutor announced it had issued the first arrest warrants for federal government officials – 25 soldiers and police.

### **(SBU) Investigations Make Gradual Progress**

3. (SBU) Authorities made moderate progress over the past year in advancing the investigation by identifying key suspects and issuing arrest warrants, but none have reached trial. In March, a federal judge issued an arrest warrant against Tomas Zeron, the former head of Mexico's Criminal Investigation Agency, on charges of planting evidence and torturing witnesses to elicit false confessions. Zeron then fled the country. In June, authorities arrested Angel Casarrubia Salgado "El Mochomo," a Guerreros Unidos cartel leader they suspect played a key role in the students' forced disappearance. At the same time, they issued arrest warrants for 46 Guerrero government officials for their alleged involvement in the disappearances. In September, former head of the Federal Ministerial Police Carlos Gomez Arrieta turned himself in after the release of a video showing him torturing a witness to obtain a confession. None of the suspects to date has faced trial.

4. (SBU) On November 12, Mexican authorities arrested SEDENA Captain Jose Martinez Crespo, one of the officers in charge of the SEDENA battalion in Iguala the night of the disappearances. The Prosecutor General's Office (FGR) charged him with forced disappearance and colluding with the Guerreros Unidos cartel. Crespo's lawyer says FGR is relying on testimony from someone who claims he heard the cartel paid Crespo for his cooperation. Analysts say it will be difficult to prove SEDENA collusion with organized crime without a first-hand witness or phone and financial records linking Crespo to the cartel.

5. (SBU) Still, Crespo's arrest – the first of a soldier in the case – and SEDENA's cooperation in providing access to personnel, phone records, and location data are both notable differences in support of fact-finding efforts. The Interamerican Commission on Human Rights (IACHR) report on Ayotzinapa faulted the initial Mexican investigation for failing to question SEDENA personnel and not subpoenaing data collected by SEDENA the night of the attacks. Then-Defense Secretary Cienfuegos denied Army involvement in the case and refused to cooperate, but Lopez Obrador instructed the military to cooperate in the investigation.

6. (SBU) This year investigators also found new forensic evidence that

conclusively disproved the Pena Nieto administration's approach to the case. In March, the investigators found human remains in a ravine approximately half a mile from the trash dump the Pena Nieto administration identified as the crime scene. Forensic analysis by the University of Innsbruck in Austria determined the remains matched the DNA of Christian Alfonso Rodriguez, one of the 43 missing students and only the third experts have identified conclusively. This finding underlined the value of investigating other possible locations and faulted the Pena Nieto administration for refusing to search other locations.

**(SBU) Procedural Irregularities Set Back Investigation**

7. (SBU) Despite forward momentum, the investigation has also experienced a series of setbacks due to procedural irregularities. Authorities released in 2019 "El Gil," the Guerreros Unidos leader accused of ordering the attack, and 77 out of 146 others detained with suspected links to the crime, due to allegations the police or investigators tortured them to extract confessions (Ref B). This led the administration to affirm they would have to start the investigations "from scratch." The government arrested several organized crime figures who families and analysts believe were involved in the disappearances, including "El Carrete," leader of the Los Rojos cartel, but for charges unrelated to the disappearances. A judge sentenced "El Carrete" to 20 years in prison for organized crime in September, but none of the evidence presented in the case tied back to the disappearances.

8. (SBU) In light of these issues, legal analysts now question whether authorities will successfully prosecute any of the organized crime figures involved in the disappearances. Human rights violations and procedural irregularities tainted much of the original evidence authorities collected six years ago, prompting courts to dismiss it. As finding new evidence after so many years will be difficult, FGR has focused on prosecuting former officials for irregularities in the initial investigation (cases that are more likely succeed), or for failing to do their jobs the night of the attacks.

**(SBU) Comment:** (b)(5)

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