

## **NEWS RELEASE**

### **Tlatlaya case, a year on – UN rights expert urges Mexican authorities to consider new evidence**

MEXICO / GENEVA (3 July 2015) – The United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, today urged the Mexican authorities to consider new evidence recently released in the investigations into the death of 22 people, including a 15 years old girl, killed a year ago during a military operation against suspected criminals in Tlatlaya.

According to the Mexican authorities, all deaths happened as part of a ‘shoot-out’ during the confrontation, but media reports and the testimony of one of the three survivors show most of the victims were executed after the confrontation had ended.

The National Commission on Human Rights established that at least 12 of the deaths were extrajudicial executions. However, the Attorney General’s Office has charged seven soldiers for the murder of eight civilians, and claims that the rest were killed during the operation. Further, there has been no investigation regarding the chain of command implicated in the Tlatlaya case.

The new information consists of military documents which reveal the standing orders to the officer in charge of the operation, including a directive that “troops should operate massively at night and reduce activities during the day, in order to kill criminals’ (*abatir a los delincuentes*) in the darkness of the night”. According to the expert, the orders to law enforcement officials can never be to go out and kill criminals – it must be to arrest and only if it proves to be necessary minimum force should be used.

“Civil authorities have the obligation to investigate, prosecute and punish those responsible of the alleged extrajudicial executions, and also for issuing orders that could lead to violations of the right to life,” he said. “A human rights perspective must be included in all operation orders, with precise instructions on the protection of the right to life and the legitimate use of force.”

The Special Rapporteur expressed concern at the lack of significant progress in the investigations. “A year after the events, progress has been insufficient in the investigation to establish what happened in Tlatlaya, denying prompt access to justice to the victims and their families,” the human rights expert stated. “Officials whose actions or omissions made possible the concealment of serious violations of human rights should also be investigated.”

“The Mexican authorities also have the responsibility to guarantee the protection of the witnesses, and the relatives of all victims of Tlatlaya,” Mr. Heyns noted. “This responsibility also includes the security of human rights defenders related to the case.”

In his 2014 report\* on a country mission that he had conducted to Mexico, the human rights expert warned about the risks to the right to life of using a ‘military paradigm’ in security tasks, and reminded the State’s obligation to ensure that its security forces’ actions, including those performed by the armed forces, follow international standards.

In another report\* to the UN Human Rights Council on ‘Protecting the right to life in law enforcement operations’, the Special Rapporteur also analyzed the use of force as a last resort, in strict conformity with the international rules of proportionality and necessity, and the proper attention to those injured due to the use of force.

The independent expert urged the Mexican authorities to conduct this investigation in full in civil matters in order to guarantee its independence and impartiality, and therefore its effectiveness.

“Mexico can show its commitment to human rights, not only by solving Tlatlaya’s case and ensuring the end to impunity and providing integral reparations for the victims, but also by complying with all the recommendations contained in my mission report, submitted to the Human Rights Council in 2014. For this, I offer the Mexican government my full cooperation and support,” Mr. Heyns concluded.

**(\*) Check the 2014 reports:**

<http://www.ohchr.org/EN/Issues/Executions/Pages/AnnualReports.aspx>

Mexico, mission report (A/HRC/26/36/Add.1) and ‘Protecting the right to life in law enforcement operations’ (A/HRC/26/36)

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*The Special Rapporteur on extrajudicial, summary or arbitrary executions, **Christof Heyns** (South Africa), is a director of the Institute for International and Comparative Law in Africa and Professor of Human Rights Law at the University of Pretoria, where he has also directed the Centre for Human Rights, and has engaged in wide-reaching initiatives on human rights in Africa. He has advised a number of international, regional and national entities on human rights issues. Learn more, log on to:*

<http://www.ohchr.org/EN/Issues/Executions/Pages/SRExecutionsIndex.aspx>

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*UN Human Rights, country page – Mexico:*

<http://www.ohchr.org/EN/Countries/LACRegion/Pages/MXIndex.aspx>

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