

Mexican judge waves pre-trial detention for 8 military officers accused in disappearance of 43 students

Mexico City, Mexico -- A federal judge in Mexico ruled to release eight military officers allegedly involved in the 2014 disappearance of 43 students from the Ayotzinapa Rural Teachers' College.

While the military officers have not been acquitted of their alleged crimes, their release from pre-trial detention has drawn criticism against the court.

Raquel Ivette Duarte Cedillo, a Judge from the Second District of Federal Criminal Proceedings, made the decision on January 20. The officers will continue with their trial proceedings outside of a jailhouse after [reportedly](#) posting bonds of under USD \$3,000.

The judge's decision immediately sparked controversy nationwide and directed criticism at the federal government, led by President Andrés Manuel López Obrador.

In the past, the president has been [accused](#) by parents of the 43 missing students of allegedly stagnating the investigation and protecting top military officials.

The Inter-American Court of Human Rights and the Ayotzinapa Case

In June of last year, the eight military officials were remanded into pre-trial detention After the federal prosecutor's office [accused](#) them of forced disappearance and organized crime.

The officers' defense team appealed the pre-trial detention to another court, citing a ruling from the Inter-American Court of Human Rights, which [ruled](#) that preventive detention infringes human rights and due process.

In November 2023, a court circuit in Mexico City granted a hearing to the military officials to debate their pre-trial detention.

Then, in January, Federal Judge Cedillo ruled in favor of the military officials' appeal, granting them the right to continue their trial outside of jail.

The court imposed conditions such as a 50,000 pesos (USD \$2,900) bond, handing over their passports to the authorities, refraining from approaching the victims or attempting to communicate with them, and reporting to the district court every 15 days.

The ensuing political battle

On January 21, the Attorney General's Office (FGR) [condemned](#) the Federal Court's decision and announced it would begin an investigation into the judges involved in the release of the eight military officials.

According to the Attorney General's Office, "undue advantages were granted to those who did not deserve it," affecting the 43 disappeared students, their families, "their security, and the nation itself, given the brutality of the abuses committed."

On January 24, Minister of Interior Luisa María Alcalde shared a letter sent in December 2023 to the President of the Judiciary in Mexico, Judge Norma Piña Hernandez, stressing concerns regarding the possible liberation of the eight military officers after the November hearing where their pre-trial detention was questioned.

The letter, [shared on López Obrador's orders](#), was presented as evidence by the government against the judiciary and its lack of action to prevent the release of the alleged criminals.

For his part, López Obrador claimed the liberation of the eight officers was a political move to discredit the army and to "make him look bad" and slammed the Inter-American Commission on Human Rights (CIDH) and other rights groups.

"Imagine, the human rights commission, the Inter-American Commission on Human Rights, then the so-called human rights organizations intervene, and they intervene so that a sentence is issued and those responsible are released with the argument that they had been tortured," said López Obrador.

However, the Federal Judiciary Council, the body in charge of monitoring the judiciary, [revealed](#) last Tuesday that only the military contested the new hearing on November 2023, enabling the ruling on January 20.

The Attorney General's Office did not challenge the hearing or argue why it was necessary not to revoke the pre-trial detention, allowing the military officer's pleas to go uncontested.