
Amnesty International

DEVELOPMENTS AS OF SEPTEMBER 2003

“When evaluating what this government has achieved in terms of human rights, the crucial benchmark the international community and Mexican civil society will use will be whether it has been able to turn words into action”. (Irene Khan, *Proceso*, 16 August 2003)

The Secretary General of Amnesty International, Irene Khan, visited Mexico between 9 and 14 August 2003 to present a report entitled *Intolerable killings: 10 years of abductions and murder of women in Ciudad Juárez and Chihuahua* to the Mexican authorities, relatives of the victims and the national and international media.

During the visit, Irene Khan travelled to Ciudad Juárez to meet with affected families and women's and human rights organizations. She also laid a floral tribute to commemorate the victims which took place at the former cotton field where eight bodies were found in November 2001.



10 August 2003, Ciudad Juárez. Amnesty International's Secretary General Irene Khan lays a floral tribute in the former cotton field where eight bodies were found in November 2001. © AI

In its meetings with the Mexican authorities, Amnesty International emphasized three crucial recommendations:

- ? The federal authorities should immediately intervene to ensure that justice is done in Ciudad Juárez and Chihuahua and the state authorities should cooperate fully in investigating the cases in question.
- ? An independent judicial mechanism should be set up to review the cases of all those detained in connection with the abductions and murders and the extensive reforms required at the state level in the public security sphere and criminal justice system should be implemented.
- ? Respect for the dignity of the relatives and organizations working for women's rights should be demonstrated by publicly recognizing the legitimacy of their struggle for justice and condemning any acts of intimidation or harassment against them.

Commitments made by the authorities

The President

In her meeting with President Vicente Fox, Irene Khan said that the situation in Ciudad Juárez and Chihuahua was emblematic of the violence against women and structural problems that undermine human rights protection in Mexico, particularly within the criminal justice system. President Fox, while admitting that the situation in Ciudad Juárez was serious, believed that the murders and abductions of women in the city were an isolated phenomenon and did not acknowledge that these cases reflected serious deficiencies in human rights protection within Mexico. However, President Fox said that he was committed to ensuring that his government played an active and concrete role in putting a stop to the murders and abductions in Ciudad Juárez. At the beginning of September he repeated this commitment to the nation and announced the appointment of a commissioner to coordinate the federal government's involvement in clearing up the murders and abductions of women in Ciudad Juárez. At the time of writing no news has been received regarding the specific mandate of the commissioner and nobody had been appointed to the post.

The Minister of the Interior

In July the Interior Ministry (SEGOB) announced a 40-point Program to tackle public security, the criminal investigations, social advancement and women's rights in Ciudad Juárez. The program recognizes that it is a fundamental duty of the federal government to clear up the cases in question and that the federal government is responsible for promoting dialogue with relatives, victims and civil society as well as promoting institutional collaboration and initiatives with non-governmental organizations (NGOs). Coordination of the program was delegated to the *Subcomisión de Coordinación y Enlace para Prevenir y Sancionar la*

Violencia contra las Mujeres en Ciudad Juárez, Coordination and Liaison Sub-Committee for the Prevention and Punishment of Violence against Women in Ciudad Juárez, which was specifically set up for that purpose and is answerable to the *Comisión Política Gubernamental en materia de Derechos Humanos*, Governmental Human Rights Policy Committee. In August, the Interior Minister, Santiago Creel, informed Irene Khan of the publication of a monthly report monitoring the 40-point program (including the evaluation of specific goals).

The Chihuahua State Government

The Governor of Chihuahua did not meet with the Amnesty International delegation. A few days after the report was launched, the state authorities put out a statement in the media saying that the document was one-sided and biased. However, in a letter sent to the Secretary General of Amnesty International, the state government stressed that it was willing to exchange information about figures and criminal prosecutions and to assess the actions of its administration. It also said that Amnesty International's recommendations were being studied.

Office of the Attorney-General (PGR)

The PGR confirmed that it is working on 14 cases, including six murders that took place between September 2002 and February 2003 (Cerro Cristo Negro, Ciudad Juárez), and assessing the criminal prosecutions brought under state jurisdiction in connection with the eight cases from November 2001 (the bodies found in the former cotton field, Ciudad Juárez). However, there has still not been any final decision regarding PGR jurisdiction over these cases. The Attorney-General, General Macedo de la Concha, told Amnesty International that the PGR is gradually putting together data on other cases and gave assurances that he would be collaborating in all the investigations conducted by the state authorities.

Joint Investigating and Prosecuting Agency (*Fiscalía Mixta*)

On 11 August it was announced that a Joint Investigating and Prosecuting Agency, made up of the PGR and the Chihuahua State Prosecutor's Office (PGJE), was being set up to conduct investigations. Amnesty International welcomes this initiative in that it could be an effective mechanism for prosecuting the crimes in question but believes that it is limited since it only relates to the murders in Ciudad Juárez and does not include the cases from Chihuahua of a similar nature.

Amnesty International believes that the Joint Investigating and Prosecuting Agency should take over investigation of the murders of women in the city of Chihuahua, as well as the "current" missing person and "high risk" cases from Ciudad Juárez and Chihuahua, and review the legal proceedings in cases in which those arrested as the suspected perpetrators have made allegations of torture. Such a review should lead to the criminal prosecution and punishment of any official responsible for committing abuses such as negligence, complicity, the torture of detainees or use of threats or coercion against witnesses, lawyers or human rights defenders.

With regard to the measures that have been taken, Amnesty International believes that there is an urgent need for a **Search Commission** to be set up as a first step of a criminal

investigation when women go missing. Furthermore, with the consent of the families and the involvement of independent experts, for an exhumation program to be organized and for the review of the DNA tests in cases where the results have been contradictory.

The pattern continues - nine cases of abduction, murder and torture in Ciudad Juárez and Chihuahua

Between January and September 2003, 15 women were found murdered. At least eight of them showed signs of sexual violence. In addition, another 18 young women were reported missing. They include the following:

Claudia Judith Urías Berthaud, a 14-year-old secondary school student who vanished on 9 March 2003 in the city of Chihuahua after leaving her home to visit her grandmother. She never reached her destination. Although her mother reported her missing and constantly distributes leaflets with her photograph, her daughter has not reappeared. The family insist that the authorities' response has been inadequate.

Diana Yasmín García Medrano, aged 18, went missing in Chihuahua on 27 May 2003 when she was on her way to the *Escuela de Computación*, School of Computing, in the city centre. Her mother has distributed her photograph widely but so far the search for her has been in vain. According to the family, the Judicial Police made the 14-year-old younger sister of the missing girl give statements about Diana's personality using a polygraph and refused to allow the mother or another adult to be present. The family said that the officials responded to their protests by saying that "everyone here is a suspect". In September, the remains of a woman were found on the road to Ciudad Juárez. Diana's relatives recognized clothing and personal effects belonging to her. At the time of writing, they are awaiting the outcome of DNA tests.

On 15 July, the remains of a woman were found in Chihuahua. From the start the local authorities insisted that they were those of **Neyra Azucena Cervantes** who went missing on 13 May 2003. However, her family have been unable to confirm her identity. In August a DNA test was carried out by the PGR. The family had repeatedly refused to allow the PGJE to do one because they did not trust their results. **Miguel David Meza**, a cousin of Neyra, was arrested in connection with the case. He has alleged that he was unlawfully detained and tortured to make him confess to the offence. It is not known whether any investigations have been conducted into the torture allegations.

At the end of August, a 27-year-old Honduran woman, **Jennifer Carolina Albino**, was found dead on the road that goes from Chihuahua to Ciudad Juárez. According to the investigations carried out by the Joint Investigating and Prosecuting Agency, the woman was beaten and raped. The cause of death was asphyxia. A 20-year-old man was detained and has been charged with the murder.

In August, Amnesty International received further information about two cases in which detainees held in connection with these offences had been tortured. **Cynthia Kicker**, a US citizen, was arrested in Chihuahua at the end of May 2003 together with her husband, **Ulises Perzabal**, and accused of the kidnap and murder of Viviana Rayas. According to Cynthia's mother as well as other sources, the two were tortured, including through the use of electric shocks, in order to force them to confess to the crime. In the case of Viviana Rayas, despite the insistence of the authorities, there are still doubts regarding the identity of the remains buried (in her name). In this case the authorities have not run any DNA tests in order to identify her.

Amnesty International is appreciative of the federal authorities' openness and willingness to listen to the organization's concerns and welcomes the various initiatives taken to deal with the situation in Ciudad Juárez but, as the recent cases show, it is essential that all the recommendations contained in this report, as well as the international recommendations made by the UN and OAS mechanisms that have studied the case, are implemented in both Ciudad Juárez and Chihuahua in order to ensure that this brutal manifestation of violence against women is rooted out.

Mexico

Intolerable Killings

10 years of abductions and murders of women in Ciudad Juárez and Chihuahua

Chapter 1: Who protects the women of Ciudad Juárez and Chihuahua?

It is 10.15 on the night of 19 February 2001. People living near waste ground close to a maquila (an assembly plant) in Ciudad Juárez dial 060, the number of the municipal police emergency services, to inform them that an apparently naked young woman is being beaten and raped by two men in a car.

No patrol car is dispatched in response to the first call. Following a second call, a police unit is sent out but does not arrive until 11.25pm, too late to intervene. The car has already left.

Four days earlier, the mother of Lilia Alejandra García reported her 17-year-old daughter missing to the Unidad de Atención a Víctimas de Delitos Sexuales y Contra de la Familia, Unit for the Care of Victims of Sexual Offences and Offences against the Family. Lilia Alejandra, the mother of a baby and a three-year old boy, was working at a maquila called Servicios Plásticos y Ensamblés. At 7.30pm on the previous night, her colleagues saw her walking towards an unlit area of waste ground near the factory. Lilia Alejandra used to cross it every day to catch the bus home. But that night she never reached her destination.

On 21 February the body of a young woman was found on the waste ground near to where the emergency call had been made. It was wrapped in a blanket and showed signs of physical and sexual violence. The cause of death was found to be asphyxia resulting from strangulation. The body of the young woman was identified by the parents as being that of Lilia Alejandra. The forensic report concluded that she had died a day and a half earlier and that she had spent at least five days in captivity prior to her death.

A Municipal Police report taken at 11.15 pm on 19 February simply states "nothing to report" ("reporte sin novedad"). The identity of the woman attacked that day was never established and no attempt was made to investigate whether there was any connection between the incident and the abduction of Lilia Alejandra or any other case. The authorities never investigated the lack of response on the part of the 060 Emergency Services in Ciudad Juárez. There is still no lighting on the waste ground near the maquiladora. A small cross commemorates the place where the body was found.

Over 370 women murdered, at least 137 of them after being sexually assaulted - this is the harsh reality of the violence which women and teenage girls of Chihuahua state have been subjected to since 1993, according to reports received by Amnesty International. In addition, over 70 young women are still missing, according to the authorities, though Mexican non-governmental organizations say the figure is over 400. The response of the authorities over the past ten years has been to treat the different offences as ordinary acts of violence committed within the private domain, without recognizing the existence of a continuing pattern of violence against women, the origins of which are more deeply rooted in discrimination. The fact that the authorities, both within the state of Chihuahua and at the federal level¹, have been unwilling to recognize the extent of the pattern of violence against women and to implement effective policies for dealing with it, has meant that Chihuahuan society has been left without the protection it deserves while the families who have lost daughters, mothers and sisters have been left without an effective judicial remedy.

"We don't deserve this treatment or the pain we are suffering every day, all I am asking is that they find my daughter and for justice to be done".²

The murders with sexual violence that have taken place in Ciudad Juárez and the city of Chihuahua constitute, without a doubt, a most worrying and horrific example of violence against women. In the main, young women from poor backgrounds are abducted, held captive and sexually assaulted in a most ferocious manner before being murdered and left amongst rubble on wasteland. In some cases, their remains are found by passersby days or even years later. In other cases, the women are never found and their relatives have to live with the permanent anguish of never knowing what happened to them or where they are.

All the evidence seems to indicate that these young women are chosen by their killers because they are women who have no power within Chihuahuan society, itself characterized by high crime rates and public insecurity due to the fact that drugs trafficking and organized crime operate in the area. The women are usually workers from the *maquiladoras* set up by the multinational companies that control the economy of Ciudad Juárez as well as waitresses, workers in the informal economy or students. Many of them live in poverty, often with children to support. They are women who have no option but to travel alone on the long bus journeys that take them from the poor suburbs surrounding Ciudad Juárez to their place of work, study or leisure.

These horrendous crimes in which women and teenage girls are kidnapped and later found dead with signs of sexual assault are simply one of the most dramatic examples of the violence perpetrated against women in Chihuahua state, where domestic violence and sexual

¹ The United States of Mexico is a federation consisting of 31 "free and sovereign" states and the Federal District of Mexico City. The Constitution establishes the following federal institutions: the Executive, Legislature and Judiciary. Each of the 31 states and the Federal District have their own constitution and their own executive, legislative and judicial system, together with their own penal codes. The states are divided into municipalities.

² *"No merecemos este trato ni este dolor que sentimos todos los días, sólo estoy pidiendo que busquen a mi hija y que se haga justicia."* Testimony of Eva Arce, mother of Silvia Arce who disappeared on 11 March 1998 in Ciudad Juárez.

harassment in the community or at the workplace are also problems. However, despite the high number of cases, domestic violence was not made a criminal offence at the state level until three years ago and so far no one appears to have been convicted for it, showing that the authorities' response to the different types of violence affecting women has been slow and limited.



Since 1993 the relatives of young women who have been abducted or murdered have set up several different civil society groups. The intense pressure they have put on the Chihuahuan state to ensure that justice is done and that the pattern of abductions and murders is brought to an end has captured national and international attention.

In December 2001, after the bodies of eight women were found in a former cotton field in Ciudad Juárez, over 300 civil society groups from all over the country launched a campaign entitled “**Alto a la Impunidad: Ni una muerta más**”, “Stop Impunity: No More Murders of Women”, to exert pressure on the state and federal authorities and to increase attention worldwide. The photograph shows an event to commemorate the murdered women, victims of sexual violence in the city of Chihuahua, organized by representatives of the campaign. For further information, visit the following website: www.altoalimpunidad.org

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The pain of the families who do not know where their loved ones are or whose daughters have mysteriously gone missing only to be found later brutally murdered has not been adequately addressed by the authorities by ensuring that such crimes are prevented, investigated and punished. Given this attitude, the families and non-governmental organizations working on their behalf have been obliged to denounce the way the state has behaved and to fight for justice for themselves. They have brought the Ciudad Juárez and Chihuahua cases to the attention of the world and have forced the Mexican authorities to have to account for their behaviour at both national and international level. As a result of their persistent struggle, the families and human rights organizations have attracted the attention and intervention of various human rights mechanisms within the United Nations (UN) and the

Inter-American Commission on Human Rights (IACHR). They have also succeeded in getting the authorities to curb the blatant discrimination towards the victims and their relatives that was characteristic of the first few years after the crimes began. However, that pressure has still not resulted in the murders being stamped out and the local authorities are still refusing to recognize that the different crimes that have taken place share common features.

As further murders have continued to be reported, local, national and international pressure has grown. Meanwhile, with each new case the local authorities announce an "end to the problem" once one or several suspects have been arrested. However, further new cases carry on bringing pain to families and instilling further fear among the population, thus detracting from the credibility of the actions of the authorities, who seem more worried about the possible political repercussions the crimes might have than about their responsibility to protect citizens and ensure that justice is done. Furthermore, the current state authorities have refused to accept responsibility for investigating and punishing offences committed under the previous administration.³

Gender-based discrimination

"Women who have a night life, go out late at night and come into contact with drinkers are at risk. It's hard to go out on the street when it's raining and not get wet".⁴

Discrimination has been a persistent feature of the various offences against women that have been committed as well as in the response provided by the State. The Special Rapporteur on the Rights of Women of the Inter-American Commission on Human Rights (IACHR), Marta Altolaguirre, has highlighted this issue in her March 2003 report.⁵ She points out that, in 1993, when the crimes exhibiting a specific pattern began, the authorities repeatedly blamed the women themselves for their own abduction or murder and refused to acknowledge that the situation was out of the ordinary. In her 1999 report on Mexico, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Asma Jahangir, also said the following: *"The arrogant behaviour and obvious indifference shown by some state officials in regard to these cases leave the impression that many of the crimes were*

³ The *Partido de Acción Nacional (PAN)*, National Action Party, governed the state from 1992 until 1998 when it lost the elections. Since then the *Partido Revolucionario Institucional (PRI)*, Institutional Revolutionary Party, has governed the state.

⁴ *"Las mujeres que tienen vida nocturna, salen a altas horas de la noche y entran en contacto con bebedores, están en riesgo. Es difícil salir a la calle y no mojarse"*. Arturo González Rascón, Former Procurador de Justicia del Estado, State Public Prosecutor, February 1999. *El Diario de Juárez*, 24 February 1999.

⁵ *The Situation of the Rights of Women in Ciudad Juárez, Mexico*, report by the IACHR Special Rapporteur on the Rights of Women, 2002.

deliberately never investigated for the sole reason that the victims were "only" young girls with no particular social status and who therefore were regarded as expendable".⁶

Discrimination is not only evident in the crimes themselves, it also appears in other guises. The reaction of the authorities to the disappearance of the young women, the way in which the killings are investigated and the inadequate protection programs in place to prevent such murders are all examples of discriminatory treatment. Furthermore, the fact that the vast majority of the women murdered or reported missing come from poor backgrounds means that they suffer discrimination on two counts: on the basis of both gender and social class.

In her report, the IACHR Rapporteur states that *"[t]he denial of an effective response both springs from and feeds back into the perception that violence against women – most illustratively domestic violence – is not a serious crime. The lack of an effective official response is part and parcel of the larger context of discrimination. Addressing the killings necessarily requires addressing the larger problems of violence and discrimination based on gender through, first and foremost, prompt and effective access to justice".⁷*

None of this happens in Chihuahua state where the authorities deny the existence of a pattern of violence against women rooted in gender-based discrimination. The fact that the murders and abductions of women in Ciudad Juárez and Chihuahua have been played down is proof of this. There has been an ongoing policy of disinformation and denial of access to case files. The authorities have shown no interest in systematizing the information on the cases reported or in creating an effective record of data that would facilitate the investigations and help find and punish those allegedly responsible for the crimes.

Given this situation, the mistrust felt by the relatives and organizations working on behalf of the victims is understandable. However, those who have been most vociferous in speaking out against the official version of events have been subjected to intimidation and harassment and no attempt has been made to investigate such incidents or to identify those responsible. The state has also frequently attempted to publicly discredit individuals and organizations fighting for justice and truth so that those raising the criticisms will become marginalized. This has led to increasing scepticism that the authorities really have the political will to protect the rights of women in Ciudad Juárez and Chihuahua.

In most cases where a young woman has gone missing, there are no witnesses or clear evidence of kidnapping or other offences, especially in the first few hours after the woman has vanished. However, the families, while not knowing what has happened to her are nevertheless in a state of anxiety, all too aware of the pattern of abductions and murders. Despite this, the authorities refuse to open a formal criminal investigation (*averiguación previa*, preliminary investigation) to determine whether a criminal offence, such as unlawful detention (*privación de libertad*) or kidnapping, has taken place and disregard the pattern

⁶ Report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, E/CN.4/2000/3/Add.3, paragraph 89.

⁷ Report by the IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 36.

which ought to guide the state's actions from the outset. Although the authorities assured Amnesty International that a missing person's report is pursued with the same degree of urgency as a preliminary investigation, according to reports received by the organization, initial investigations are inadequate in many respects and the perception remains that the authorities have not learned sufficient lessons from ten years of similar abductions and murders.

It is precisely because there is a clear pattern to the sexual killings in Ciudad Juárez and, since 2000, in the city of Chihuahua that when a young woman goes missing, the relatives fear that something bad may have happened to her. From the outset they try to find out where she might be by contacting her friends, other families, her college or place of work. As time passes and the young woman fails to appear, their fears grow. They know that sometimes, as in other parts of the world, young women leave home without warning and then suddenly return or are found alive and well elsewhere. However, they are also aware of cases in which young women have vanished without explanation, never to be seen again or, in the worst case scenario, later to be found brutally murdered. Bearing all this in mind and even when it is not known whether a woman has left home of her own free will or not, Amnesty International believes that the authorities have a duty to immediately open a criminal investigation once she is reported missing. The investigation must have the necessary resources and political will committed to it, it must be linked to other State investigation mechanisms and it must give the families the opportunity to collaborate fully in the investigation (*la coadyuvancia*).⁸

Photocaption: The body of **Marcela Viviana Rayas** was found on 28 May 2003 in a lonely spot near the city of Chihuahua. She was reportedly last seen in the city on 16 March that year. Her relatives looked for her in vain from the day she went missing. They submitted a report to the *Procuraduría General de Justicia del Estado de Chihuahua (PGJE)*, Office of the Chihuahua State Public Prosecutor, and reported the case as a kidnapping. It seems that the authorities did not believe that there was reason to investigate it as such. The relatives complained that they were given no information about the progress of the investigation. Almost three months later she was found dead. Her body was in an advanced state of decomposition.

© Private.

⁸ Article 20.B.II of the Constitution of the United States of Mexico gives the relatives of victims or persons appointed by them the legal right to assist Public Ministry officials in investigations and criminal proceedings.

A thorough structural reform of the Mexican justice system is required if its investigation procedures and capabilities are to succeed in reducing the high impunity rate that exists for crime of all kinds, ensuring full access to justice for the victims of crime and a fair trial for the accused with full judicial guarantees. For several decades Amnesty International has documented the shortcomings in the justice system, particularly the excessively powerful role played by the Public Ministry which allows it to remain unaccountable, especially at the preliminary investigation stage.

Photocaption: Action in solidarity with abducted and murdered women from Ciudad Juárez and Chihuahua organized by civil society. © Guillermo Sologuren/LA JORNADA.

The organization has also criticized this quasi-judicial power because, since the prosecuting authorities at both federal and state level are part of the executive, such power is often exercised on behalf of the executive.⁹ However, although the structural inadequacies of the justice system are endemic, it is a fact that when the political stakes have been high, the authorities have managed to carry out effective investigations, as has happened in some cases involving drugs trafficking.

In the case of violence against women, discrimination within the justice system becomes yet another facet of impunity. For most women, being treated impartially and without discrimination by the justice system, whether at federal or state level, remains a dream. The Ciudad Juárez and Chihuahua cases are a clear example of the challenge facing the Mexican authorities to thoroughly reform the system to ensure access to justice for all citizens, both male and female.

The fact that the state has not managed to solve or stamp out these crimes against women has engendered deep distrust of the judicial apparatus and politicians. The failure of the authorities to respond in a transparent way has led to speculation and hypotheses about what may be behind the crimes. There are rumours that those responsible are being protected, that drugs traffickers and others involved in organized crime are allegedly implicated or that people living in the United States might be behind the crimes. Other theories suggest motives connected with satanism, pornography or organ trafficking. As long as the justice system is not doing its job, speculation will only continue to grow.

Given that most of the Ciudad Juárez and Chihuahua cases have gone unpunished, relatives and civil society organizations have repeatedly requested the *Procuraduría General de la República (PGR)*, Office of the Attorney General, to claim jurisdiction over the cases

⁹ "Mexico: Unfair trials: unsafe convictions", AMR 41/007/2003, March 2003.

and take charge of the investigations.¹⁰ For years the PGR refused to do so on the grounds that the crimes in question, unlike organized crime, did not constitute federal offences over which they could claim jurisdiction, but involved kidnapping or murder carried out by private persons, offences which normally fell to state jurisdiction.

In recent months, according to media reports, the PGR has claimed jurisdiction over several cases on the grounds that there is evidence that federal offences, such as organ trafficking, have been committed. Although the PGR's intervention in these cases is no guarantee that an effective investigation will be carried out - since to a certain extent the PGR suffers from the same shortcomings as the State Public Prosecutors' offices - its involvement may help to correct the mistakes made in the investigations of these cases carried out by the authorities at the local level. Above all, it is crucial that the violence against women and discrimination that characterize the pattern are recognized as such and that the federal authorities assume responsibility for ensuring that justice is done in all cases and that the necessary resources are allocated. For that reason, it is essential that the mechanisms adopted to ensure coordination between all authorities at municipal, state, federal and international level to prevent, punish and eradicate the abduction and murder of women in Ciudad Juárez and Chihuahua are effective and benefit from the cooperation of relatives and non-governmental organizations representing them.

President Vicente Fox and his administration have promised to promote human rights protection at all levels, both inside and outside the country. Amnesty International very much welcomes this increasing openness and commitment and sees it as a first crucial step in seriously addressing many of the human rights violations that have occurred in Mexico. The murders and abductions of women in Ciudad Juárez and Chihuahua bear many of the features that undermine the credibility of the justice system and foster impunity. Governing parties at different levels of the federation frequently take advantage of the divisions between the authorities at municipal, state and federal level, both for their own interests and in order to evade responsibility for addressing human rights violations. The Mexican authorities have a challenge ahead of them, as well as a duty, to overcome the institutional failings that foster impunity and to ensure compliance with the principles established in the international human rights instruments to which Mexico is a party.

¹⁰ The system of *Procuradurías Generales de Justicia*, Public Prosecutor's Offices, or *Ministerio Público*, Public Ministry, is also based on the federated structure of the country's institutions. At the federal level, the *Ministerio Público de la Federación*, the Public Ministry of the Federation, is part of the *Procuraduría General de la República (PGR)*, Office of the Attorney General, and is headed by the *Procurador General de la República*, Attorney General. In the case of the 31 states, the Public Ministry is part of the 31 *Procuradurías Generales de Justicia de los Estados (PGJE)*, State Public Prosecutor's Offices, and, in the case of the Federal District, of the *Procuraduría General de Justicia del Distrito Federal (PGJDF)*, Federal District Public Prosecutor's Office, each headed by their respective *Procurador General de Justicia del Estado*, State Public Prosecutor. The Attorney General and the State Public Prosecutors are part of the executive branch of government and are proposed or directly appointed by the President or governor. Crimes can be subject to either state jurisdiction (in the case of ordinary criminal offences) or federal or military jurisdiction.

Research by Amnesty International

Amnesty International has found the official data compiled in connection with the abduction and killing of women in Chihuahua State to be inadequate. It therefore decided to compile its own database of information looking at the data from the perspectives of gender and human rights and cross-referencing reports from different sources: official, non-governmental, judicial, academic and the testimonies of affected families. The figures provided are not intended to be conclusive but are an attempt to quantify as carefully as possible information highlighting the extent of the violence perpetrated against women in Ciudad Juárez and, more recently, in the city of Chihuahua. Much of the information was obtained as a result of visits made to Chihuahua State and Mexico City by Amnesty International delegates during 2002 and 2003 and is based on testimonies received from victims' relatives and women's and human rights organizations as well as interviews with local and federal authorities.

This document focuses on the cases of murder with sexual violence and abduction of women in Ciudad Juárez and Chihuahua because they constitute one of the most alarming examples of violence against women. It looks at the failure of the Mexican authorities to see them in the context of a pattern of abductions and killings of women and girls that share similar features, thereby denying the relatives a proper response and an effective judicial remedy. Through the examination of specific cases, the report provides an analysis of the State's failure to exercise due diligence in preventing, investigating and punishing such crimes. It also sets out Mexico's obligations under international human rights standards, together with a series of conclusions. The report ends with a set of recommendations which, in the opinion of Amnesty International, need to be fully and effectively implemented.

Chapter 2: The scale of the problem

"... We went to her workplace, we went to see her friends, we went to see her clients. On Monday I went to the Special Prosecutor's office and they couldn't find the report I'd lodged. We went out searching every day and we said to other mothers and relatives of missing persons, what are we going to do? [...] We went to the Special Prosecutor's office, then to the Office for the Care of Victims and all those places [...] after a while they changed the Special Prosecutor. We went there time and time again. But the case stayed stuck there. They said there were no lines of enquiry, it went from one prosecutor to another, but no investigation was carried out and they didn't do a search for her either.

We went to see the Public Prosecutor, I asked him why they hadn't carried out a search for her, why they hadn't pursued the investigations and he said there were no lines of enquiry but I told him there were. I told him you have the names of the people, why don't you call them in to make statements? They replied that they had already followed up with everyone. They told me that just to make out they were doing something but they were doing nothing. We went to Chihuahua, we asked for copies of the file, there we saw that there had been no movement in the proceedings for four and a half years and that they had not searched for Silvia [...].

We went to see the governor, I told him what was going on, I asked him why, if those were the men who did it, there was no right to punish them, he told me don't worry, we're going to get them, we're going to see that justice is done. Next time we went to see him, he asked us why we were asking him for justice and said we should be asking the previous governor, that's what he told us ..."

Photocaption: Evangelina Arce, mother of Silvia Arce. © private.

A chronology of ten years of abductions and murders of women

1993

12 May 1993. The body of an unidentified woman found [...] on the slopes of Cerro Bola [...] in a supine position and wearing denim trousers with the zipper open, the said garment pulled down around her knees [...] penetrating puncture wound to the left breast, abrasions on the left arm, blunt force injury with bruising at the level of the jaw and the right cheek, abrasion on the chin, bleeding in the mouth and nose, linear abrasion near the neck, light brown skin, 1.75 cms., brown hair, large coffee-coloured eyes, 24 years old, white brassière pulled up above the breasts. Cause of death asphyxia resulting from strangulation.¹¹

Between May and October ten bodies of young women, all showing signs of violence, are found. They include the body of Mireya Hernández.

The records show that a total of 25 women were murdered, a third of them showing signs of sexual assault.

1994

At least seven women are reported raped. Several had been strangled and one of them burned. The body of a 12-year-old girl is found. She was last seen walking towards a bus stop in the city centre.

Five male suspects are identified and charged.

1995

¹¹ “Localizado el cuerpo de una mujer no identificada [...] en las faldas del Cerro Bola [...] en posición de decúbito dorsal y vestido con pantalón de mezclilla con el zipper abierto y dicha prenda en las rodillas [...] herida punzo penetrante en seno izquierdo, escoriaciones en brazo izquierdo, golpe contuso con hematoma a nivel maxilar y a nivel de pómulo derecho, escoriación en mentón, hemorragia bucal y nasal, escoriación lineal cerca del cuello, de tez morena clara, 1,75 cm, pelo castaño, ojos grandes color café, 24 años, brasiere blanco por encima de los senos. Causa de muerte asfixia por estrangulamiento” Office of the Assistant State Public Prosecutor, Northern Area, Office for Preliminary Investigations (Subprocuraduría de Justicia del Estado, Zona Norte, Oficina de Averiguaciones Previas). Murders of women which have caused indignation at various social levels of the community 1993-1998 - Preliminary Investigation 9883/93-0604, Ciudad Juárez, Chihuahua, February 1998.

There is a sharp rise in the number of killings. Local organizations record at least 42 murders.¹² In 18 cases, there is evidence of sexual assault.

Between August and November eight bodies are found. One of them is identified as **Elizabeth Castro**, a 17-year-old *maquila* worker who went missing on 14 August. Her hands were tied with her shoelaces. She had been raped and strangled.

On 22 August the skeletal remains of 16-year-old **Angélica Márquez Ledezma** are found. On the day she disappeared she had gone to look for work in a *maquila* with her husband. She never returned home. The body of another woman who could not be identified was found next to her.

16-year-old **Silvia Elena Rivera** is found dead on 1 September in Lote Bravo. Eight days later, the body of 20-year-old **Olga Alicia Carrillo** is found in Zacate Blanco. The autopsy reveals bitemarks and that pieces of her left breast, including part of the nipple, have been bitten off, possibly by a human being.

The bodies of **Adriana Torres**, aged 15, **Ignacia Morales** and **Cecilia Covarrubia**, aged 16, are found. Cecilia had gone missing with her baby, who has still not been located.

1996

Between March and April eight bodies are found in Lomas de Poleo, a sparsely-populated area on the desert outskirts of the city. They include the semi-naked bodies of 16-year-old **Verónica Guadalupe Castro**, who had been stabbed to death and whose hands were bound with a shoelace, and 17-year-old **Rosario García Leal**, who had been strangled. The other six could not be identified.

In the second half of the year the body of 17-year-old **Sandra Juárez** from Zacatecas is found. She had found a job at a *maquiladora* called CENECO and was supposed to turn up for work on 8 July. She is found strangled in an area of Río Bravo. On 10 August the body of 14-year-old *maquila* worker **Sandra Ivette Ramírez** is discovered.

Three months later, on 14 November, 35-year-old **Leticia García Rosales** is found dead in a ravine. In December 15-year-old **Brenda Lizeth Najera** and 13-year-old **Susana Flores** go missing. They are both found dead. Their bodies show signs of sexual assault and torture.

That year 43 women are murdered. In 19 cases there is evidence of sexual assault.

1997

¹² According to official figures compiled by the *Policía Judicial del Estado de la Zona Norte*, State Judicial Police for the Northern Area, which is attached to the *Departamento de Homicidios*, Homicide Department, a total of 35 women were murdered during 1995. (Recommendation 44/98, CNDH, p.42).

Between March and April one woman goes missing and ten women are found murdered, six of them naked or semi-naked and showing signs of sexual assault. Five of the bodies are identified as being those of **Cinthia Rocío Acosta**, aged 10, **Ana María Gardea**, aged 11, **Maribel Palomino**, aged 19, **Silvia Guadalupe**, aged 19, and **Myriam Aguilar**, aged 16.

Five young women are found dead in the last quarter of the year. One of them is identified as **Marta Gutiérrez y Plancarte**.

On 13 October **María Ester Afarro** is found dead and semi-naked on one of the PEMEX football pitches. In November 19-year-old **Erendira Buendía Gómez** is found on waste ground. Her body shows signs of strangulation and sexual assault.

That year at least 16 of the total of 37 women murdered were sexually assaulted.

1998

38 women are murdered. In 17 cases, there is evidence of sexual assault.

On 3 January the body of 13-year-old **Jessica Martínez Morales** is found at the bottom of a gully. She had disappeared the previous Christmas. She reportedly died twelve hours before being found.

On 11 March **Silvia Arce** is reported missing, never to be seen again.

On 13 March 22-year-old **Argelia Irene Salazar**, who works at the Mallinckrodt Medical *maquiladora* goes missing on her way to work at six o'clock in the morning. Her semi-naked body is found under a railway bridge on 21 April.

In July the *Comisión Nacional de Derechos Humanos (CNDH)*, National Human Rights Commission, issues Recommendation 44/98 after carrying out its own investigation. It concludes that the judicial, state and municipal authorities at several levels are guilty of negligence and dereliction of duty [*negligencia y omisión culposa*].

In September the body of **Hester van Nierop**, a young Dutch tourist who had travelled to Ciudad Juárez, is found under a bed in a hotel room. Her throat had reportedly been cut.

The *Fiscalía Especial para la Investigación de Homicidios de Mujeres (FEIHM)*, Special Prosecutor's Office for the Investigation of the Murder of Women, is set up.

1999

On 17 February, 13-year-old *maquila* worker **Irma Rosales** is found dead from asphyxia. She had been raped.

On 17 March, 14-year-old **Nancy Villalba**, a worker at Motores Eléctricos, a *maquiladora*, survives a sexual assault. Her captor is the driver of a bus belonging to the *maquiladora* where she worked. After being assaulted, she had been left for dead. The man is arrested a few days later.

Of a total of 28 women murdered, nine show signs of sexual assault.

2000

The phenomenon of abductions and murders involving sexual assault and targeted at young women spreads from Ciudad Juárez to the state capital, Chihuahua. In May 17-year-old **Myriam Cristina Gallegos** and 14-year-old **Jacuelín Cristina Sánchez Hernández** are reported missing by relatives. Next day the semi-naked body of Jacuelín is found in bushes in a ravine. Myriam has still not been found.

On 25 July **Irma Márquez**, a worker at Electromex, a *maquiladora* in Ciudad Juárez, leaves work but never reaches home. Her family reports her missing. Next day her body is found on waste ground inside a plastic bag. There is evidence of rape as well as four stab wounds. The alleged perpetrator is charged.

On 19 October, 18-year-old **Verónica Martínez**, a worker at Motores FASCO, another *maquiladora*, disappears in Ciudad Juárez.

That year 39 women are murdered. Nine had been sexually assaulted.

2001

Between February and March, **Rosalba Pizarro**, **Minerva Teresa, Julieta Marlen González** and **Yesenia Concepción Vega**, all aged between 16 and 18, go missing in the city of Chihuahua. Their relatives have never seen them again.

On 21 February, 17-year-old *maquila* worker **Lilia Alejandra García** is found dead near Ciudad Juárez. Her body is wrapped in a blanket and the cause of death is found to be asphyxia resulting from strangulation.

On 10 October, 20-year-old **Claudia Ivette González Banda**, a worker at LEAR 173, a *maquiladora*, is reported missing after being refused entry to work for arriving two minutes late.

On 29 October, 15-year-old **Brenda Esmeralda Herrera Monreal** is seen for the last time.

On 6 and 7 November, eight bodies are found opposite the headquarters of the *Asociación de Maquiladoras (AMAC)*, Association of *Maquiladoras*, in a former cotton field located only one hundred metres from very busy arterial roads. The discovery shocks the general public. Hundreds of people from Ciudad Juárez hold a massive protest and memorial event at the place where the bodies were found. Eight crosses commemorate the young women (*see cover photograph*).

On 14 December over 300 women's, social and human rights organizations, including the main Mexican NGOs and women's groups and relatives from Ciudad Juárez and Chihuahua, come together to launch a campaign called "*Alto a la Impunidad, ni una muerta más*", "Stop Impunity: No more murders of women".

That year 51 cases are reported, 22 of which are murders with sexual violence.

2002

On 25 January a group of children find the body of **Merced Ramírez Morales**, a worker at the Admeco *maquila*, on the slopes of Cerro Bola. She died after being sexually assaulted.

On 22 September, the skeletal remains of a woman clad in a blue overall belonging to the FASCO *maquiladora* are found at the entrance to the Juárez Industrial Park. Preliminary reports indicate that death occurred about twelve months earlier.

In October, a skeleton and the semi-naked body of a woman thought to be about 18 or 20 years old are found on Cerro Cristo Negro. Several months later, they are reportedly confirmed as being the remains of **Teresita López** and **Gloria Rivas Martínez**.

On 2 March, **Paloma Angélica Escobar**, a worker at the Aerotec *maquila* and a student, is reported missing in the city of Chihuahua. A month later, her body is found in a ravine on the road to Aldama. It shows signs of sexual assault and strangulation.

On 1 April in the same city, 17-year-old **Bianca Socorro Quezada Pérez** and 15-year-old **Yesenia Barraza** are also reported missing.

The Inter-American Commission on Human Rights (IACHR) grants precautionary measures on behalf of the wives of two men detained in connection with the murders who have allegedly been tortured as well as the defence lawyer and a local human rights defender. They have been subjected to threats and intimidation.

Out of a total of 43 women murdered, at least eight had been sexually assaulted.

2003

In March, the IACHR Special Rapporteur on the Rights of Women, Marta Altolaguirre, issues a report entitled "The Situation of the Rights of Women in Ciudad Juárez, Mexico: The Right to be Free from Violence and Discrimination".

16-year-old **Esmeralda Juárez Alarcón**, a worker at the Venusa *maquila*, is found dead on 17 February. She was last seen on 8 January. Her body is found lying next to those of 18-year-old **Violeta Mabel Alvidrez** and 17-year-old **Juana Sandoval Reyna** who were reported missing on 4 February 2003 and 23 September 2002 respectively.

On 28 May, 16-year-old **Marcela Viviana Rayas** is found dead in a lonely spot near the city of Chihuahua. Her relatives reported her missing on 16 March.

On 14 July the remains of another woman are found in the city of Chihuahua. According to reports, the body may be that of 19-year-old **Neyra Azucena Cervantes** but this has not yet been fully confirmed by her family.

Ciudad Juárez: Gateway to the north

"I have been here for nine years looking for a better life for my children. My daughter had finished secondary school and wanted to carry on with her studies. She had only been working for two weeks. My daughter went off to work. I don't know whether she took the usual route but no one could explain where she went".¹³

Ciudad Juárez, on the border with the United States, is one of the 67 municipalities of Chihuahua, the largest state in the country. The city is situated in the desert and is separated from its northern neighbour, the United States, and the city of El Paso by the Río Bravo river. Today, with 1,220,000 inhabitants, it is the most heavily populated city in Chihuahua state. Its location has enabled it to undergo significant economic development but it has also attracted organized crime, especially drugs trafficking, which has generated high levels of violence.



Ciudad Juárez, bus carrying workers from the *maquiladora* industry. © AI

In the mid-1970's, the Mexican State adopted the Border Industrialization Program (BIP) which created the conditions required to install so-called *maquiladoras*, assembly plants for export products, in the area. Since then, the economic relationship between the United States and Mexico has become closer. The benefits on offer to companies to set up factories in the area have meant that a large number of transnational companies have moved in to take advantage of the favourable conditions

which include cheap labour, very low or non-existent taxes, political patronage and a minimum level of regulation.

The dramatic growth of the *maquiladora* industry in the area around Ciudad Juárez increased even further when the North American Free Trade Agreement (NAFTA) established between Mexico and its northern neighbours came into force in 1994, spreading

¹³ *"Tengo aquí nueve años buscándoles una vida mejor a mis hijos. Mi hija había terminado su secundaria y quería seguir estudiando. Tenía dos semanas que había comenzado a trabajar. Mi hija se fue a trabajar. De ahí no sé si mi hija tomó la ruta, pero nadie supo dar razón."* Mother of María de los Ángeles Acosta, whose body was reportedly found in November 2001 in a former cotton field in Ciudad Juárez.

further into the country, including to the city of Chihuahua. However, the world recession that began in 2000 has had a severe impact on the area.

The *maquiladora* industry in Ciudad Juárez largely makes its profits by paying lower wages to its employees than those paid in the United States and other developed countries, a practice which is an effect of globalization other parts of the world have also experienced. However, within Mexico, the chance of earning a comparatively higher wage than elsewhere has made the *maquila* industry a strong magnet for many people from other parts of the country stricken by poverty as a result of economic crises or industrial restructuring and who go there to look for work or as a first step before trying to enter the United States.

For many years women have made up the majority of the workforce in the *maquilas*, although at present that figure is down to 50 percent.¹⁴ With regard to the role of the *maquiladoras* in Ciudad Juárez society, the IACHR Special Rapporteur on the Rights of Women reminds the Mexican State that it "bears responsibility for ensuring that the *maquilas* are meeting their duties under law to their workers, and has a special role in encouraging the *maquilas* to invest in measures to support the workers and communities that serve them and helping to channel such investment for the public good".¹⁵

Amnesty International calls on companies to adopt an explicit human rights policy. Such a policy must be implemented at all levels of the company and apply to subsidiary and associated companies, partners and subcontractors. In the context of Ciudad Juárez, where there is a pattern of violence against women affecting many female workers, the organization believes that the *maquiladoras* must look after the safety of their female employees both inside and outside of their premises. In particular, companies should encourage and invest in improvements to public lighting and security for their employees on the transport services taking them to and from work. Although the authorities are responsible for improving the social environment for all inhabitants, the *maquilas* should use their influence and work together with the authorities in improving public safety and solving gender-based crime. Amnesty International has been told that the management in some *maquilas* is organizing workshops to raise awareness among their employees about the issue of violence against women. Amnesty International very much welcomes such initiatives and urges companies to develop more and ensure that women's organizations are fully involved in them.

¹⁴ With regard to the problems faced by women working in *maquilas*, the Committee on the Elimination of Discrimination against Women (CEDAW) expressed its "concern about the poor conditions of employment of Mexican women, particularly the wage discrimination, the vertical and horizontal segregation to which they are exposed and the inadequate social benefits they receive. The Committee is especially concerned about women working in the informal sector, including domestic workers, and those employed in the *maquila* industry whose basic labour rights are not respected; in particular, the Committee is concerned about the pregnancy test demanded by employers which exposes women to the risk of being let go or fired in the event that it proves positive". CEDAW/C/2002/EXC/CRP.3/Rev.1, paragraph 441.

¹⁵ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 90.

According to official figures for 2000, 43 percent of the inhabitants of Ciudad Juárez arrived there as migrants, thus creating a very large floating population. This population has created its own space in the city, in disadvantaged areas where poverty, deteriorating housing and urban services, criminality and environmental pollution feed off one another. The social and urban polarization has resulted in a city of stark contrasts. At one extreme there are several wealthy enclaves and, at the other, very poor run-down areas. The urban landscape is a mixture of large industrial estates and shopping centres, areas where all services are provided and the streets are paved and tree-lined, and vast areas of waste ground, unpaved streets, small clusters of shacks surrounded by rubbish dumps and anonymous streets without any type of urban amenity. Bearing in mind that the victims of violence against women largely come from the most vulnerable groups, the marginalization of this section of the population is a serious obstacle to the rights of women in Ciudad Juárez.



Anapra, a deprived suburb of Ciudad Juárez. © AI

A large number of young women come to Ciudad Juárez from rural areas and small towns throughout Mexico. They are women from poor backgrounds who migrate elsewhere where they face the numerous risks inherent in living in an industrialized urban society characterized by high levels of both common and organized crime.

Widespread violence and gender-based violence

*"While Ciudad Juárez as a locality is marked by a number of special challenges, including high levels of violence that affect men, women and children, the levels of violence against women, and the impunity in which most cases remain show that the gender dimensions of this violence have yet to be effectively addressed."*¹⁶

Since 1993 the number of murders in general has grown considerably in Ciudad Juárez, making it one of the cities with the highest rates of violence in Mexico. The large number of male murders is connected with the impact that drugs trafficking has on the state as well as the economic crisis. In fact, since 1993 there was a dramatic growth in the presence of drugs trafficking and other aspects of organized crime, thus generating a climate of insecurity and corruption in Ciudad Juárez.¹⁷

Although the general murder rate increased from 1993 onwards, the number of female murders quadrupled while the number of male murders trebled. In 1985, according to data from the *Instituto Nacional de Estadística, Geografía e Informática (INEGI)*, National Institute of Statistics, Geography and Computing, for every ten men murdered, one woman was murdered; ten years later, for every six men murdered, one woman was murdered. In the same period, the ratio for the Federal District of Mexico City remained the same as it had been in 1985. Since 1997, INEGI has not published statistics of murder victims by gender, making it difficult to do any further comparisons. However, as the chronology shows, the murder rate for women in Ciudad Juárez has remained high over the past ten years and has not fluctuated much.

Although murders of women can be attributed to many different motives and perpetrators, many cases share common features that indicate gender-based violence; that is to say, the gender of the victim seems to have been a significant factor in the crime, influencing both the motive and the context as well as the type of violence suffered by the woman and the way in which the authorities responded to it. Consequently, despite the fact that men, women and children are all affected by the general manifestations of violence in the community of Ciudad Juárez and Chihuahua, by studying the murders and abductions of women, it is possible to detect a pattern of violence against women, in other words, violence that has a clear gender dimension.

¹⁶ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 28.

¹⁷ In 1999 the media reported the discovery of so-called "narcofosas", "drug graves", on a ranch near Ciudad Juárez. It was expected that the remains of up to 200 people reportedly kidnapped in the context of the presence of drugs trafficking in the state would be found. In the end the remains of only nine people were found and many others are still missing.

Violence against women

"...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."

"Violence against women shall be understood to include physical, sexual and psychological violence:

that occurs within the family or domestic unit [...].

- a. that occurs in the community and is perpetrated by any person, including, among others, rape, sexual abuse, torture, trafficking in persons, forced prostitution, kidnapping and sexual harassment in the workplace, as well as in educational institutions, health facilities or any other place; and
- b. that is perpetrated or condoned by the state or its agents regardless of where it occurs."

Inter-American Convention on the Prevention,
Punishment and Eradication of Violence Against Women "Convention of Belém do Pará"
(arts. 1 and 2)

International standards on violence against women state that such violence has its roots in the historically unequal relations between men and women and is one of the key social mechanisms by which women have been forced to remain in a subordinate position when compared to men. Violence against women is recognized as being a form of discrimination against women which totally or partially prevents them from enjoying their civil, political, economic, social and cultural rights.¹⁸

Violence against women manifests itself in different forms and in different contexts. The murders in Ciudad Juárez and Chihuahua include a significant proportion of cases that occur in the context of domestic or intrafamily violence. In her report, the IACHR Special Rapporteur points out that "*The killing of women [...] is strongly linked to and influenced by the prevalence of domestic and intrafamilial violence*".¹⁹ The fact that the state authorities recognized family violence as a specific offence only three years ago illustrates the resistance there is to acknowledging the seriousness of this phenomenon and its relationship to other female murders.

At present, the authorities distinguish between "serial" and "situational" murders. Included among the second category are what the state authorities describe as "crimes of passion", murders related to drugs trafficking or robbery, sexual offences, fights, intrafamily violence, acts of revenge and culpable homicide or killings for which the motive is unknown.

¹⁸ CEDAW, Committee on the Elimination of Discrimination against Women, General Recommendation 19 on Violence against Women (1992).

¹⁹ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 57.

However, classifying them in this way makes it impossible to determine to what extent the gender of the victim influenced the killings. If that is not done, it is difficult for the State to develop investigation strategies or prevention mechanisms.

In this report, while recognizing that cases of other types of murder also deserve a comprehensive response on the part of the state authorities and, in particular, prompt, thorough and impartial investigations, Amnesty International has focused its research and recommendations on the cases of abduction and murder with sexual violence²⁰ because they are the most extreme example of violence against women and impunity. The report highlights the fact that violence against women and the failure of the state authorities to take effective action to prevent, investigate, punish and eradicate the crimes in question are expressions of discrimination against women. Public policies formulated on the basis of a gender perspective, in other words, a perspective that is sensitive to the many forms that discrimination takes in the perpetuation of these crimes, are therefore required to combat this type of violence.

Features of the pattern of abductions and killings with sexual violence

- *The identity of the victims: female, teenagers and poor*

From the start, one of the most worrying aspects of the murders with sexual violence that have occurred in Ciudad Juárez is the fact that the characteristics of the victims and the manner in which they were abducted and killed, with their bodies left abandoned, have conformed to a pattern.

More than half of the victims are women and girls aged between 13 and 22 although at least one case involved an 11-year-old girl. This would seem to indicate that being a teenager is one of the selection criteria used by the killers and for this reason the appropriate authorities should devise specific prevention strategies to improve the protection of that vulnerable group.

Two thirds of the victims were studying and working. They are women whose lives had just started and who, in the words of their mothers, sisters, teachers or friends, "wanted to make something of themselves" ("*querían salir adelante*"). For that reason, many were studying at night or at weekends after going to work. Despite their youth, some already had children and were heads of household.

²⁰ This encompasses all types of sexual violence, including not only rape but also all other acts that constitute attacks against sexual freedom and dignity but which fall short of rape. For example, the fact that a murder victim has been found naked or semi-naked although there are no signs of rape has been deemed to be an act of violence or sexual abuse in itself. The number of murders in which there were signs of sexual violence includes multiple or serial murders as well as all other cases not classified by the authorities as serial killings and in which there was evidence that the victim had been attacked or subjected to sexual abuse.

- ***The types of violence inflicted***

"When we found her, my daughter's body told of everything that had been done to her".²¹

"(...) findings: Wound with irregular edges on the left earlobe probably due to an attempt to bite it off. The area described in the autopsy certificate as devoid of fabric (...) corresponds ... to amputation of the left breast, partial amputation of the nipple probably as a result of being bitten, possibly by a human being".²²



From left to right: the mother of Erika Noemí Carrillo, missing since April 2002; Norma Ledesma, the mother of Paloma Escobar, found dead in March 2002, and Lucha Castro, lawyer and women's human rights defender. © AI

A common factor in many of these cases is that many of the young women were kidnapped, held captive and subjected to brutal sexual violence before being killed. The types of violence include rape, biting, beatings, stab wounds and mutilation. The cause of death in over 70 percent of these murders was either asphyxia resulting from strangulation or injuries caused by blows.

The physical and mental suffering of the victims indicates a form of violence based entirely on

their domination and humiliation as young women. In most cases the bodies were abandoned on waste ground near the city or in sparsely-populated areas on the periphery. The suffering extends to the families of the victims who have to live with the permanent nightmare of knowing the pain their loved ones went through while in captivity.

"My life consists of going to bed to sleep for short periods, that is if I can sleep at all, because since what happened to my daughter, it's very hard".²³

²¹ "Cuando lo encontramos, el cuerpo de mi hija hablaba de todo lo que le habían hecho." Norma Andrade, mother of Lilia Alejandra, forum held by the *Asociación para los Derechos de la Mujer y el Desarrollo (AWID)*, Association for Women's Rights and Development, 2002.

²² "(...) hallazgos: Herida con bordes irregulares en el lóbulo de la oreja izquierda por probable mordedura con seccionamiento. La zona que en el certificado de autopsia se describe como desprovista de tejido (...) corresponde ... a amputación de la mama izquierda, amputación parcial del pezón por probable mordedura, posiblemente humana." Autopsy Certificate, revised version, September 1995, case of Olga Alicia Carrillo.

²³ "Mi vida es acostarme a dormir un rato si es que puedo dormir, porque desde que pasó esto de mi hija es muy difícil". Amnesty International interview with the mother of María de los Ángeles Acosta whose body was reportedly found in November 2001 in a former cotton field in Ciudad Juárez.

- **Impunity**

"When the perpetrators are not held to account, as has generally been the case in Ciudad Juárez, the impunity confirms that such violence and discrimination is acceptable, thereby fueling its perpetuation".²⁴

The impunity rate for cases of women murdered with or without sexual violence is very difficult to determine, mainly because the information held by the authorities is extremely variable and contradictory.²⁵ Amnesty International has requested a list of individual cases showing the identity of the women and those convicted for the offences concerned but so far the authorities have not provided such information. The state authorities recently compiled a general list without names and identities but even so it is impossible to reach any verifiable conclusions on the basis of such lists.

The government of Chihuahua state has repeatedly said that investigation structures have been strengthened, especially since the creation of the *Fiscalía Especial para la Investigación de Homicidios contra la Mujer (FEIHM)*, Special Prosecutor's Office for the Investigation of the Murder of Women, in 1998. At the end of 2002, they said that, while they accepted that in the early stages "there were various delays and irregularities, ... it must be recognized that 93 of those responsible for the killing and disappearance of women, including accomplices and collaborators, have been delivered to justice" and, therefore, "it cannot be considered that a phenomenon of impunity prevails in Ciudad Juárez, insofar as this concept implies the inactivity of the Government to sanction those responsible".²⁶

In almost all cases, the authorities are referring to "situational" murders which they claim have largely been "solved". However, the PGJE tends to describe a case as "solved" when in fact the accused has only been brought before a judge, in other words, as part of the investigation and before the evidence against the accused has been presented or questioned by a court. By referring to these cases as "solved", the state authorities are disregarding the responsibility they have throughout the proceedings to guarantee that justice is done. They also try to portray "serial" and "situational" murders as two completely separate phenomena in order to play down the implication that the society is suffering from high levels of violence against women. Their refusal to recognize the common roots of such crimes, such as discrimination and women's subordination, influences the way in which the cases are investigated and documented. In general, the state authorities have portrayed the levels of "situational" crimes as being normal within the context of the country, claiming that they are

²⁴ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 128.

²⁵ A common practice has been to equate the number of victims with the number of case files when, in fact, a file sometimes contains more than one victim.

²⁶ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 139.

not unusual if compared with other places, and that, in the "situational" cases, most of the culprits have been arrested.

The state authorities believe that most of the "serial" murders have also been solved, arguing that several people have been arrested in connection with such crimes. However, there has been only one conviction and the quality of the investigations and the doubts concerning possible violations of the right to a fair trial call into question the legitimacy of the legal proceedings.

Prosecutions and arrests: fighting impunity or encouraging it?

On 30 May 2003 it was reported in the media that the Chihuahua PGJE had given the PGR a document claiming that the Special Prosecutor's Office for the Investigation of the Murder of Women (*FEIHM*) had dealt with 258 cases of female murder since 1993, that there had been 79 convictions, that 98 case files were open (preliminary investigations), that 17 arrest warrants were pending and 10 preliminary investigation case files had been closed or were in the process of being closed (*La Jornada*, 30/5/2003).

As of the beginning of 2003, at least 21 men were in detention accused of about 40 murders that exhibited the features of serial offences. Only one of them, Abdel Sharif, who had been arrested in 1995, had been convicted: at the beginning of 2003 he was sentenced to 20 years' imprisonment for the murder and rape of Elizabeth Castro García. None of the others under investigation for serial offences has been convicted.

In 1996, police operations and questioning in the central area of Ciudad Juárez resulted in the arrest of ten members of a gang called *Los Rebeldes*, the Rebels, who were accused of murdering several women and had allegedly been paid by Abdel Sharif from prison to divert the investigation away from him. Six members of the gang are still in custody awaiting sentence. Several gang members withdrew their confessions, alleging that they had been tortured.

In 1999, a 14-year-old girl survived a sexual assault and identified bus driver Jesús Manuel Guardado Márquez, nicknamed "*El Tolteca*", as being responsible. When he was arrested, he identified other members of an alleged gang of drivers as being responsible for the murder of 20 women between 1998 and 1999, once again allegedly paid by Sharif from prison. Four of *Los Chóferes*, The Drivers, are still in detention. They also allege that they were tortured while in detention to make them confess.

In November 2001 two bus drivers, Víctor Javier García Uribe and Gustavo González Meza, were arrested and accused of murdering the eight young women whose bodies were found in the cotton field. They were also allegedly tortured.

In April 2003 the authorities arrested two people in Chihuahua for the murder of Marcela Viviana Rayas. The two detainees, Ulises Ricardo Perzábal Ibáñez and Cinthia Louise Kicker, have alleged that they were tortured to make them incriminate themselves.

In contrast to the early years, the authorities no longer display a lack of interest in their public discourse. As a result of national and international pressure, they know that if they do not respond to the abductions and murders in question, it will have a political cost. However, the conduct of the state authorities over the past ten years has justifiably caused the relatives and society as a whole to be sceptical. When a new murder is reported, if there is political pressure on the authorities, they move to arrest the alleged culprits almost immediately and claim that they have put an end to the problem. However, the quality and methodology of the investigations are once again questioned when detainees allege that their right to a fair trial has been violated and the families complain of irregularities in the investigations. As long as young women carry on being abducted and murdered, society will question the good faith of the authorities and their ability or willingness to protect young women.

- ***The invisibility of the women who go missing***

In 1998 the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Asma Jahangir, was the first authority from the international community to turn her attention to the seriousness of the problem of the women from Ciudad Juárez: "*Since 1993 [...] in Ciudad Juárez [...] [g]irls as young as 15 had been murdered, usually after having been raped and in many cases mutilated. Far more have "disappeared" and do not find mention in the official figures given by the authorities*".²⁷

According to information provided by the state authorities to the IACHR Special Rapporteur, of the people reported missing between 1993 and 2002 in Ciudad Juárez, a total of 257 remained unaccounted for.²⁸ In March 2003, the authorities gave delegates from Amnesty International a list of 69 cases²⁹ for that period which they recognize as "current missing person cases" and are the subject of official investigations. Non-governmental organizations in the state, on the other hand, claim that over 400 women are still missing. The difference in the figures appears to show that the procedures used to record that a person has been located lack rigour, thus creating great uncertainty about the true number of women who are missing. Amnesty International has also gathered data on about 75 unidentified murdered women whose skeletal remains or bodies have been found over the past ten years and in whose cases there has so far been no official attempt to determine identity. That figure corresponds to 18 percent of the total number of women murdered in Ciudad Juárez in the past ten years.

²⁷ Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Asma Jahangir, document E/CN.4//2000/3/Add.3, 25 November 1999, paragraph 85.

²⁸ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 51.

²⁹ Chihuahua PGJE. *Programa de atención a víctimas. Unidad de delitos sexuales y contra la familia. Informe de expedientes de mujeres desaparecidas desde 1993 hasta el 27 de marzo de 2003, Ciudad Juárez*. Victim Attention Program. Sexual Crimes and Crimes against the Family Unit. Report of the case records of women reported missing between 1993 and 27 March 2003, Ciudad Juárez.

"High risk" missing person cases

Three years ago the PGJE in Ciudad Juárez developed the concept of "high risk" missing person cases based on whether or not, prior to going missing, the young woman in question had had a stable routine and had showed any desire to leave home. As of March 2003, of a total of 69 ongoing missing person cases, only one case from Ciudad Juárez was considered by the authorities to be "high risk". It is the case of 18-year-old **María Isabel Mejía Sapien** who went missing on 10 May 2002. In Chihuahua the "high risk" concept has not been explicitly adopted. In talks with Amnesty International delegates, the authorities also admitted that, in order to determine the level of risk, they distinguish between the behaviour of "good girls" and those who have no fixed routine or who have a difficult relationship with their parents. If the latter is the case, the authorities tend to use it to argue that the missing woman has left voluntarily to escape from her family, thereby discrediting the parents and ruling out the possibility of her being treated as the victim of abduction. What is more, even if a case is determined to be "high risk", this does not mean that it is dealt with differently from the legal standpoint. There is no presumption that the person has gone missing as part of a criminal act and therefore no criminal investigation is opened.

When a person goes missing, the authorities are faced with a series of challenges. In the case of Ciudad Juárez and Chihuahua, when a family realizes that a daughter has not come home or arrived at work or is not with friends as they thought, they try looking for her everywhere. If, as a result of those initial inquiries, they do not find her, they anxiously approach the authorities, fearing that the brutal saga of murders involving women from the city might include their own daughter.

In the early years, the authorities refused to act on a missing persons report until several days had passed. They justified this delay on the grounds that the woman might have gone off with her boyfriend without informing her family and that in all probability she would turn up safe and sound. Such delays in starting investigations and legal formalities form an integral part of the negligence of the state which refuses to address the implications of the pattern of kidnapping and murder of young women, who have initially been reported missing, and to investigate the possibility that they may have been kidnapped or abducted.

This negligence has repeatedly been denounced by families and organizations as one of the clearest signs that the authorities have a discriminatory attitude towards the victims and their relatives, who lack the resources or influence to ensure that the instruments of justice are effectively used on their behalf. In the early years, the result of this policy of inaction was that the authorities would only begin the process of investigation when the missing woman was found dead in the desert or on waste ground so that the chance of finding her alive and identifying those responsible was lost.

Since 1998 the authorities have insisted that this is no longer the case and that they now start investigating as soon as a family reports someone missing. However, families continue to denounce the lack of rigour and inadequacy of the initial investigations which tend to

exclude the possibility that the missing person may have been held captive or kidnapped and assume from the start that the young woman will reappear alive.

"[O]ver these years, only a small number of files (fewer than 10) were transferred from the prosecutor in charge of missing persons to the prosecutor for homicides. It was not clear at the time of the Special Rapporteur's visit the extent to which efforts had been made to cross reference data on the missing women with that of unidentified homicide victims".³⁰

The fact that a large number of the missing women are minors obliges the State to take measures to find and protect them as a matter of urgency, in accordance with the UN Convention of the Rights of the Child³¹ which Mexico has ratified. In all cases, the crucial factor obliging the State to intervene as soon as a woman is reported missing is the fact that a pattern of violence against women and girls exists in Chihuahua state.

³⁰ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 53.

³¹ Convention on the Rights of the Child, ratified by Mexico in 1990.

Chapter 3: Conduct of the authorities called into question

"The Special Rapporteur (...) was amazed to learn of the total inefficiency, incompetence, indifference, insensitivity and negligence of the police who investigated these cases earlier".³²

"What language do I have to speak in for you to take notice of what I'm saying, a girl is being beaten and raped ...".³³

The fact that the competent authorities have failed to investigate and bring to trial those responsible for these crimes against women or to provide information to the families has been a permanent feature of the last ten years. The police have made insufficient efforts in their investigations to establish the whereabouts of the women reported missing, they have not collected all the necessary evidence and there have been unjustifiable delays or insufficient follow-up to possible vital evidence. To these should be added the apparent lack of political will to deal with the situation, the agony of the relatives who want justice done and the frequent hostile attitude of justice officials.

This part of the report focuses on the failure of the state to investigate the cases effectively, prevent and punish the crimes and respond openly and actively to the concerns of the families of the victims.

This chapter does not look at all the abductions and murders with sexual violence reported since 1993 but mainly analyzes a number of cases in which the organization has been able to obtain testimonies and has had access to information contained in the official case files. It examines the various aspects of the failure of the authorities to exercise due diligence and the mistakes repeatedly made in the investigations, giving as examples some of the cases investigated by Amnesty International. Many of the cases contain more than one of the highlighted aspects, resulting in superficial or, in some instances, virtually non-existent investigations. The pattern of negligence they illustrate is so strong that it calls into question whether the authorities have the political will to put an end to these crimes. The text boxes presented in this chapter examine the role played by the different state and federal authorities and institutions in addressing the abductions and murders of women in Chihuahua state.

³² Report on the mission to Mexico carried out by the Special Rapporteur on the independence of judges and lawyers, E/CN.4/2002/72.Add.1, paragraph 161.

³³ "En qué idioma tengo que decirles que me hagan caso, que están golpeando, violando a una muchacha ..." Telephone call to the emergency services from a witness in the case of Lilia Alejandra García Andrade, after the police had failed to respond to an earlier call (February 2001). Three days later Lilia Alejandra was found dead.

The Human Rights Ombudsman. The recommendation by the *Comisión Nacional de Derechos Humanos (CNDH)*, National Human Rights Commission.

"In observing the growth of this social phenomenon and failing to deal with, control or eradicate it, the state authorities have been guilty of dereliction of duty since not only did they not anticipate or prevent it but they also failed to provide maximum care". (Recommendation 44/98, p. 64).³⁴

In 1998, the CNDH, the official institution responsible, among other things, for investigating complaints of human rights violations committed by State officials (except in the case of the judiciary), carried out an investigation into 81 cases of female murder in Chihuahua state.

Following five years of inaction by the local authorities, the CNDH issued Recommendation 44/98 and concluded that several levels of the judicial authorities and the state and municipal government of Chihuahua were guilty of negligence and dereliction of duty. It called for criminal and administrative investigations to be opened into senior officials at the State Public Prosecutor's Office, including the prosecutor, the regional coordinator and the head of Preliminary Investigations, the coordinator of the *Unidad Especializada de Delitos Sexuales contra la Familia y Personas Desaparecidas de la Subprocuraduría de la Zona Norte*, Specialist Unit for Sexual Offences against the Family and Missing Persons at the Office of the Assistant Prosecutor for the Northern Area, as well as Public Ministry officials and staff from the *Área de Servicios Periciales*, Forensic Services, and the Judicial Police.

The recommendation was rejected by the municipal and state authorities who accused the CNDH of trying to damage the image of the ruling party at that time, the PAN, during an election year. However, when the new PRI administration won the elections, it also failed to implement the recommendation.

In 2003, Amnesty International delegates were informed by representatives of the state government that Recommendation 44/98 only referred to the previous government and that therefore they could not comply with it.

In January 2003 the CNDH began a new investigation into the murders and abductions of women in Ciudad Juárez and set up an office in the city. At the beginning of April 2003, the CNDH President presented a preliminary report entitled *"Acciones Realizadas en el Caso de Femicidios en el Municipio de Ciudad Juárez, Chihuahua"*, "Action carried out in the case of Femicides in the Municipality of Ciudad Juárez, Chihuahua", in which "the poor clear-up rate" (*el escaso esclarecimiento*) in the cases in question is recognized and a proposal is made for the creation of a public body to coordinate the investigation work that would be answerable to the federal government. It also urges the PGR and the PGJE to ensure that the legal right of the relatives to assist in the investigations (*la coadyuvancia*) exists in practice.

³⁴ *"Las autoridades estatales han incurrido en una omisión culposa al observar el crecimiento de este fenómeno social y no atenderlo, controlarlo o erradicarlo, ya que no sólo no lo previeron ni previnieron sino que tampoco extremaron sus cuidados"*

Leads ignored and delays in the investigation of missing person reports

The abduction and murder of **Lilia Alejandra García Andrade** in February 2001, which is highlighted in the introduction to this report (see chapter 1) and left a family in mourning and two children motherless, was a tragedy which might have been avoided. So far Lilia's killer has not been caught and the circumstances of her death have still not been clarified. Furthermore, the authorities and the *maquiladora* have not coordinated their efforts to install public lighting on the waste ground where her body was left and the authorities have not accepted that they are answerable for the mistakes committed when investigating the abduction and murder in question.

In the case of Lilia Alejandra, despite the fact that crimes of this kind had been happening for eight years, the authorities had been incapable of establishing effective response systems for dealing with emergency calls reporting the apparent abduction of women. Worse still, the state authorities failed to evaluate the mistakes made and denied that there was any connection between the emergency call and Lilia's abduction and murder. Furthermore, no disciplinary action has been reported. In fact, the register of that day's events simply said "nothing to report" ("*reporte sin novedad*").

The way in which the competent authorities dealt with the emergency call reporting the possible abduction and rape was clearly inadequate, but their behaviour is even more serious if it is borne in mind that Lilia Alejandra García Andrade had been reported missing only shortly before. Relatives of victims told Amnesty International that there were delays in the first stages of the investigation when there was a greater chance of finding the woman alive and identifying those responsible.

In fact, despite the mother of Lilia Alejandra filing a missing person report on 15 February, the first page in the official case dossier is the report of the discovery of her body on 21 February 2001. There is no documentary evidence that any official search took place between 15 and 21 February in order to determine the whereabouts of the young woman. Later on, when investigating Lilia Alejandra's murder, the authorities again played down the importance of new information. The case dossier shows that data was provided by the FBI (Federal Bureau of Investigation) about the presence in the area where her body was found of alleged drugs traffickers who may have had some connection with the abduction and murder. However, the authorities did not follow up this line of enquiry in the way they should have done.



Norma Andrade, mother of Lilia Alejandra whose body was found in February 2001 in Ciudad Juárez. Next to the mother, Lilia's daughter © AI

On 4 January 2000, when 18-year-old **María Isabel Nava Vázquez** went missing, her father went to the FEIHM and demanded that they take action. According to him, the special prosecutor said *"It's only Tuesday"* and assured him that his daughter was probably with her boyfriend and that she would turn up. The father insisted that they had already waited 24 hours and asked the prosecutor indignantly, *"Are we going to wait until she turns up dead?"*³⁵ Her body was found on 27 January 2000. She had been brutally murdered. The autopsy indicated that she had apparently been held captive for two weeks before her death.

Seventeen-year-old **Silvia Elena Rivera Morales** was a student and worked in a shoe shop in Ciudad Juárez when she went missing on 11 July 1995. Her mother reported her missing to the Public Ministry and provided photographs. According to her mother, when she went to make the complaint, it took them over 72 hours to attend to her. At the time, there was about to be a change of government and the official who dealt with her said, *"We can't do anything until the voting is over. Your daughter probably went off with her boyfriend or is out somewhere with a friend"*.³⁶ In addition, the current Governor of Chihuahua reportedly asked her on one occasion why she had come to ask him for justice when she should really be addressing Francisco Barrio who was the state governor at the time her daughter went missing.³⁷ Such a response fails to recognize that, despite the change of government, the State has an ongoing duty to investigate and bring to trial those responsible.

The body of Silvia Elena Rivera was found on 9 September 1995 in Lote Bravo together with those of **Olga Alicia Carrillo** and **Rosario García Leal**. Olga Alicia Carrillo had gone missing on 10 August 1995 after leaving work. According to her mother, she was a rank and file member of the *Partido de Acción Nacional (PAN)*, National Action Party, and was last seen outside the PAN headquarters. Since it was abnormal for her daughter not to come home, she immediately reported her daughter missing.

In the cases described above, the authorities in charge of the investigations did not, upon receiving the missing person reports, comb the area or immediately carry out urgent search operations and did not check whether any of the unidentified bodies found while the young women were missing might be theirs. There appears to have been no attempt to systematize the data available about the circumstances in which they had gone missing in order to help with their location and identification.

Searches did not include activities such as immediately distributing the photographs of the victims, at least in the places where they had last been seen. Nor were the state media

³⁵ *"¿Vamos a esperar hasta que aparezca muerta?"*. From *Señorita Extraviada* [A Young Woman is Missing] by Lourdes Portillo: Distributed by *Women Make Movies*, 462 Broadway, #500, New York, NY 10013.

³⁶ *"No podemos hacer nada hasta que pase la votación. A lo mejor su hija se fue con el novio o estará con una amiga por ahí"*.

³⁷ Testimony of Ramona Morales, the mother of Silvia Elena Rivera, given to Amnesty International delegates during an interview held in Ciudad Juárez in November 2002.

used to publicize photographs or to get the community to participate in the search. On the whole, the bodies have been found by individuals by chance rather than as a result of the concerted efforts of the police, another indication that the investigations have at best been superficial.

In the case of Olga Alicia Carrillo, delays that were detrimental to the victim reached such extremes that it took the authorities six days after she had gone missing to go to the place where she was last seen alive. In the case of Silvia Rivera Morales, her mother reported at the beginning of 2003 that the last initiatives recorded in the case dossier relating to the investigation of the case of her daughter and the other young women found with her dated from 1998.

Fiscalía Especial para la Investigación de Homicidios de Mujeres (FEIHM), Special Prosecutor's Office for the Investigation of the Murders of Women

Given the inability of the PGJE to address the situation, local organizations had been calling for such an office to be set up since 1996. The former state governor, Francisco Barrio (1992-1998), opposed its creation saying that the number of murders "*is no greater than that in other parts of the state or country, on the contrary, it's a percentage that can be seen as normal.*" (*La Jornada*, 2 December 1997).³⁸

However, the CNDH investigation and public pressure resulted in the appointment in early 1998 of a prosecutor to direct the FEIHM, a new unit attached to the *Subprocuraduría de Justicia de la Zona Norte*, Office of the Assistant Prosecutor for the Northern Area. Since then, the institution has had seven different directors. The relatives' hopes that it would lead to improved coordination and systematization of investigations and that they would be able to openly exercise their right to assist in them (*la coadyuvancia*) have come to nothing.

As of April 1999, four special prosecutors had resigned without making any progress in the enquiries. That month, the new special prosecutor, Suly Ponce, announced the arrest of four members of a gang called *Los Chóferes*, The Drivers. As other authorities had done, Suly Ponce focused her efforts on Abdel Sharif and other defendants he had allegedly paid from prison to commit murders with sexual violence. But women's bodies continued appearing after the arrests and anger grew within the community. Nevertheless, the prosecutor and other authorities insisted on the guilt of the principal suspect in detention and refused to take any notice of warnings by organizations and relatives that the situation had still not been brought under control.

The state authorities have insisted to the IACHR Special Rapporteur and representatives of Amnesty International that the FEIHM has played an important role in helping to solve cases. Some of the accounts in this chapter show the steps the Special Prosecutor's Office has taken to investigate some specific cases of abduction and murder. However, the absence of public detailed reports on the actions of the FEIHM makes it extremely difficult to assess the impact of its work.

³⁸ "*no es mayor al que existe en otras partes del estado o de la República, sino un porcentaje que puede considerarse normal*"

Delays in opening criminal investigations

In cases of missing persons the forms used by the authorities to record the information provided by the families are called “*reportes*” (“reports”). Any statement made by the families for these reports is not treated as a formal complaint or *notitia criminis* (notice of a crime) that would set the police machinery in motion. A missing persons report is simply an administrative report. Although it should be the duty of the state to establish whether the missing person was the victim of a crime, for ten years it has been the families who have had the burden of proof to demonstrate that the woman did not leave voluntarily.

The authorities have stated that when a woman is reported missing, even though an offence as such is not deemed to have been committed, she is sought by the Public Ministry using the same techniques as those used when investigating a crime.

The first step taken in response to a missing persons report is for the Judicial Police, under the guidance of the Public Ministry, to try to locate the person. This is the task of the *Unidad de Atención a Víctimas de Delitos Sexuales y Contra la Familia*, Unit for the Care of Victims of Sexual Offences and Offences against the Family, which is answerable to the Preliminary Investigations Department and provides social care and advice in cases of family violence and to victims of sexual offences, as well as to people who file missing persons reports for all types of people: men, women and children.

Through the Social Work Office of the Unit for the Care of Victims of Sexual Offences and Offences against the Family, a missing persons report is drawn up, a meeting is arranged with the family, the person's physical characteristics are recorded and, in coordination with the Public Ministry, attempts are made to locate them. If the person is found, their main job is to organize meetings to foster family reconciliation.

Women and girls located after having run away from home make up 80 percent of the total number of missing persons cases dealt with by the Unit for the Care of Victims of Sexual Offences and Offences against the Family. The unit clearly plays an important role in finding people who have left home voluntarily and in reconciling them with their family if possible. However, the fact that it is geared towards cases in which the person has left voluntarily means that their work is mainly of a welfare nature. The unit does not have the technical capability to receive formal complaints and take the necessary first steps in cases in which the family insist that the person has not left of their own free will but that it is a case of kidnapping, abduction or some kind of unlawful detention for which an immediate criminal investigation should be launched. In the case of minors, the State has an even more urgent responsibility to protect the rights of the missing person and to open a criminal investigation.

In practice, the authorities, in failing to accept the existence of a pattern of murders with sexual violence, refuse to open a criminal investigation to determine whether an offence has been committed and prefer to assume that the person departed voluntarily without informing the family, perhaps because of family problems. Initially the Public Ministry's main

focus seems to be to ask questions about the family background. In fact, from the start, the families are often treated with suspicion. This means that, in the eyes of the families, the investigations to locate the young women are limited and discriminatory.

The Public Ministry argues that a criminal investigation cannot be opened until it has been established that an offence has been committed. However, article 2 of the Code of Criminal Procedure for the State of Chihuahua states that "*it is the responsibility of Public Ministry officials to carry out a preliminary investigation to gather information to determine whether criminal proceedings should be brought*".³⁹ Article 2 of the Federal Code of Criminal Procedure spells out even more clearly that the aim of the preliminary investigation is to "*perform and order the carrying out of all acts that might lead to the establishment of the corpus delicti and the probable responsibility of the defendant, as well as reparation of the wrong*".⁴⁰ The fact that the Public Ministry refuses to open a preliminary investigation shows that there is a presumption on the part of the state that the person has gone away of their own free will. Even in the cases defined by the state itself as "high risk" (see chapter 2), a criminal investigation is not opened.

According to the authorities, the issue of a criminal investigation is irrelevant given that they investigate cases in the same way to determine whether a criminal offence has been committed and to locate the missing woman. However, in the Mexican justice system, a formal criminal investigation affords better guarantees because the Public Ministry officials who work on preliminary investigations are those with greater skill, authority, resources and experience in gathering all the essential evidence required in a criminal investigation.

In addition, the concept of *la coadyuvancia*, in theory, guarantees the relatives the right to see and question all the procedural formalities that are carried out and incorporated into the case dossier and to make suggestions about leads to be followed up. A preliminary investigation obliges the state to justify its actions. Without a preliminary investigation, the missing person has no legal protection and the family has no full right to justice but is dependent on the good will of the authorities assigned to the case.

In the case of **Marcela Viviana Rayas** who went missing and was found dead in Chihuahua in May 2003, despite repeated specific requests from the family for them to do so, the authorities refused to recognize that there was evidence to suggest that she was abducted or being held against her will after she had gone missing. The decision to open a preliminary investigation and determine what offence has been committed lies with the Public Ministry. In the cases of four women who went missing in the city of Chihuahua in 2001 when the

³⁹ "*compete a los funcionarios del Ministerio Público practicar la averiguación previa para recoger información con el fin de determinar si se ejerce acción penal*" (Código Penal Procesal del Estado de Chihuahua).

⁴⁰ "*practicar y ordenar la realización de todos los actos conducentes a la acreditación del cuerpo del delito y la probable responsabilidad del inculpado, así como a la reparación del daño*" (Código Federal Penal Procesal)

relatives requested that one of the cases be transferred to the Preliminary Investigations Unit, it was the Public Ministry which refused to do so. The absence of an independent, swift and effective appeals process constitutes a fundamental violation of the right to justice and leaves the family without effective recourse.

The fact that there is a pattern in which women are kidnapped and then murdered should lead to reform of the Public Ministry and Judicial Police to ensure that criminal investigations are opened on the assumption that the person, especially in the case of a minor, has gone missing as a consequence of a criminal offence, and remain active until the whereabouts of the person is corroborated. The executive and legislature should consider introducing mechanisms to improve the operation of the justice system, in particular, the regulations defining responsibilities and supervision of the preliminary investigation. In particular, consideration should be given to introducing reforms that would ensure that a judge oversees the criminal investigation of missing person cases and that the right to appeal against any legal ruling is regulated.

La Procuraduría General de Justicia del Estado (PGJE), the Office of the State Public Prosecutor

The PGJE forms part of the executive branch of state government and comes under the control of the governor. Under the Constitution it is authorized to investigate and prosecute crimes with the assistance of the judicial police under its command. The recommendation made by the CNDH in 1998 that an investigation be launched at different levels of the PGJE to identify those responsible for the negligence and dereliction of duty was never implemented and no systematic removal of tainted officials inside the PGJE was ever carried out. Furthermore, in 1998, two FBI experts gathered data to help with the investigations carried out by the PGJE. According to local organizations, the experts analyzed 25 case dossiers and issued recommendations but these were never made public and no information was provided about what steps had been taken to comply with them.

Over the years, non-governmental organizations which have publicly criticized the failure of the authorities to take action to carry out effective investigations into missing person reports and murders have been subjected to verbal attacks and smear campaigns by the PGJE. In June 2003, after the body of Marcela Viviana Rayas, who had gone missing earlier that year on 16 March, had been found and the alleged culprit, Ulises Ricardo Perzábal, had been arrested, the prosecutor, Jesús José Solís Silva, announced to the media that enquiries were continuing and, if necessary, would involve investigating inside women's organizations.⁴¹ On other occasions officials have told the media, without presenting any evidence for such allegations, that such organizations take advantage of the families of victims and are financially motivated.

⁴¹ Statements published in *El Diario*, Chihuahua, on 4 June 2003.

Incompetence in protecting evidence and negligence in forensic examinations

"When we started in the Special Prosecutor's Office, we didn't even have the most basic equipment: gloves, paper bags, tape; we did not have a culture of preserving the crime scene; those areas were contaminated, we ended up losing evidence".⁴²

The unwillingness to gather all the relevant data in the case of **Olga Alicia Carrillo** and **Silvia Elena Rivera Morales** is just one example of the numerous serious failings there have been in the gathering and documenting of the evidence that is required for a proper investigation to be carried out. The relatives of the victims, their representatives and forensic researchers have all made similar complaints about the shortcomings in basic investigation procedures, such as protecting the crime scene, systematically collecting evidence and preserving it, and listing and cross-referencing the different cases according to time of abduction and death and where and when the bodies are found. These tasks have simply not been carried out in many cases.

Indeed, the notorious failure of the authorities to carry out effective searches has led families to organize their own searches for bodies and physical evidence. In many cases crucial material evidence as well as witness statements have been weakened because of delays or lack of skill in following up leads. This makes it increasingly improbable that the perpetrators will be identified and prosecuted.

In March 2003 the state authorities told Amnesty International delegates that when they came to power in 1998, they received over 20 bags of unidentified remains from the previous administration and that the case dossiers had been seriously damaged when the archive where they were kept was flooded.

Amnesty International has referred in previous reports to the fact that the Public Ministry's forensic services lack adequate training and independence, both of which are necessary to ensure that forensic testing is impartial and transparent.⁴³ In the cases described below, the authorities provided contradictory and incorrect information to the families with regard to the identity of their loved ones, causing them a great deal of distress. In other cases in which there were signs of sexual assault on the bodies, the authorities did not carry out examinations to determine the presence of semen or failed to record the fact that there were signs of sexual assault.

⁴² "Cuando iniciamos en la Fiscalía ni siquiera teníamos el equipo más elemental: guantes, bolsas de papel, cinta; no teníamos la cultura de preservar el área del crimen; se contaminaban esas áreas, terminamos perdiendo evidencias." Suly Ponce, Special Prosecutor between 1999 and 2002, in a televised interview: *Señorita Extraviada*, by Lourdes Portillo: Distributed by Women Make Movies, 462 Broadway, #500, New York, NY 10013, USA.

⁴³ *Mexico: Unfair trials: unsafe convictions*, AMR 41/007/2003, March 2003; *Mexico: Justice betrayed, Torture in the judicial system*, AMR 41/021/2001, July 2001.

- **The case of the eight bodies found in the cotton field**

"I said, I can't take any more. Whether it is my daughter or not, I want that body".⁴⁴



Site commemorating the eight women whose bodies were found in November 2001, Ciudad Juárez. © AI.

In November 2001 the bodies of eight women were found in a former cotton field opposite the offices of AMAC (*Asociación de Maquiladoras de Ciudad Juárez*, Ciudad Juárez Association of *Maquiladoras*) in the middle of the city. Although initially the names of the probable victims were announced by the authorities, the process to objectively determine their identity has continued for over 18 months without any firm conclusions being reached. Anthropometric, craneometric and DNA tests have yielded contradictory results and generated a great deal of uncertainty. The insistence of the local authorities on the validity of the results obtained from their tests, despite the fact that they do not match those obtained by the federal laboratories belonging to the PGR, has engendered further distrust among the relatives.

The fact that the bodies have not been identified has prevented the families from observing the rites that usually accompany the death and burial of a loved one and seriously disrupted their grieving process. They have been unable to heal their wounds and are forced to live in permanent pain which is reawakened every time they hear news that more bodies have been found. The confusion caused by the failure to identify the bodies in a timely fashion and the absence of adequate official information has further deepened the suffering of the families concerned, seriously damaging their mental and emotional health.

⁴⁴ *"Dije: Ya no quiero más. Sea o no sea mi hija, yo quiero ese cuerpo"*. Amnesty International interview with Benita Monarrez, the mother of Laura Berenice Monarrez, conducted in November 2002.

The bodies of the eight victims were found on 6 and 7 November 2001. Two days later, the authorities reported that, according to preliminary analyses, the remains were probably those of:

Claudia Ivette González Banda, 20, a *maquila* operator,
Laura Berenice Ramos Monarrez, 17, a student,
Guadalupe Luna de la Rosa, 19, a student at the *Instituto Técnico de Ciudad Juárez*, Ciudad Juárez Technical College
María de los Ángeles Acosta Ramírez, 19, a *maquila* worker and student,
Brenda Esmeralda Herrera Monreal, 15, a domestic servant,
Verónica Martínez Hernández, 19, a *maquila* worker and student,
Bárbara Araceli Martínez Ramos, 21, a maid,
Mayra Juliana Reyes Solís, 17.

However, so far, all the analyses and tests carried out by experts only concur on the identity of one of them: Brenda Esmeralda Herrera.

In November 2001 a first anthropometric test carried out by the PGJE concluded that two of the bodies found on 6 November were those of Brenda Esmeralda Herrera M. (188/01) and Claudia Ivette González Banda (189/01).⁴⁵ Relatives of Claudia Ivette and Brenda Esmeralda recognized items of clothing that the young women were wearing when they went missing. The bodies were handed over to the families of Brenda and Claudia Ivette.

In January 2002 the authorities ordered a second anthropometric test on three more bodies and concluded that they were those of Laura Berenice Ramos Monarrez (190/01), María de los Ángeles Acosta Ramírez (192/01) and Mayra Juliana Reyes Solís (193/01).⁴⁶

Meanwhile, during 2002 the PGR forensic laboratories were asked to carry out DNA tests on the eight bodies. The relatives expected this to be a swift and conclusive procedure. However, it was several months before they received the results which were eventually communicated to them informally and not by the investigating authorities. The results caused even greater confusion because they only confirmed that, in the case of the body previously



Josefina González, mother of Claudia Ivette González, whose body was found in November 2001. © AI

⁴⁵ 21 November 2001, Dr. Irma Rodríguez Galarza.

⁴⁶ 8 January 2002, Dr. Jesús Genaro López.

identified as that of Brenda Esmeralda Herrera, the DNA showed "*probable genetic relationship with the Herrera Monreal family*".⁴⁷ With regard to the body of Claudia Ivette González, the DNA test concluded that "*Skeletal remains 189/01 cannot be compared with the Banda González family or any other family due to the absence of a genetic profile in the bones concerned*".⁴⁸ In the other six cases, the DNA tests did not confirm the identities determined by the anthropometric test: "*There was no genetic relationship between the Ramos Monarrez, Reyes Solís, Acosta Ramírez, Luna de la Rosa and Martínez Ramos families and the (six sets of) skeletal remains 190/01, 191/01, 192/01, 193/01, 194/01 and 195/01*".⁴⁹

In the case of the Martínez Hernández family, the DNA tests concluded that there was a genetic relationship with one set of skeletal remains (191/01). However, this conclusion did not match the results of a craneometric test carried out in November 2001 which had identified another body as being that of Verónica Martínez. That body had been handed over to the family.

The families' confusion and distress was further increased when a third anthropometric test was carried out by the PGJE on five sets of remains in which the DNA tests had been negative. Two of the bodies were once again identified as being those of María de los Ángeles Acosta (192/01) and Mayra Juliana Reyes Solís (193/01). The other three were found to be those of Guadalupe Luna de la Rosa (191/01), Verónica Martínez Hernández (194/01) and Barbara Aracely Martínez Ramos (195/01). Although the results contradicted the DNA tests and there was still confusion about the identities, for example, in the case of Verónica Martínez, the Chihuahua authorities have insisted that these latest analyses are legally valid for determining the identity of the victims.

The fact that in the DNA tests the bone sample did not contain a genetic profile and that the results did not appear to corroborate the identity of the victims caused controversy between the PGR and PGJE, with each criticizing the other's methods of collecting and preserving DNA samples. This has resulted in further distress and uncertainty for the families who have no confidence in any of the authorities.

"I went to see the previous assistant prosecutor on countless occasions without being received and the day he received me, he said "you have to wait". On 6 March 2002 I went to the Assistant Prosecutor's Office [...] to identify the body of my daughter [...], the official told me that it wasn't possible to see the body in order to identify it because all that was left were the

⁴⁷ "*probable relación de parentesco genético con la familia Herrera Monreal*".

⁴⁸ "*La osamenta 189/01 no puede confrontarse con la familia Banda González ni con ninguna otra familia debido a la ausencia de perfil genético en dicha osamenta*". DNA reports dated April, September and October 2002.

⁴⁹ "*Las familias Ramos Monarrez, Reyes Solís, Acosta Ramírez, Luna de la Rosa y Martínez Ramos no presentan parentesco genético con las (seis) osamentas 190/01, 191/01, 192/01, 193/01, 194/01 y 195/01*". DNA reports dated April, September and October 2002, PGR, Área de Dictámenes Periciales, Expert Reports Division.

skeletal remains since the skin had been removed to carry out analyses but, assuming it is my daughter, this was done without asking my permission".⁵⁰

- **Signs of sexual assault ignored**

The failure to keep a proper record of the circumstances of death shows that the authorities refuse to acknowledge that the violence in these cases is gender-based. This is what a former member of the *Servicio Forense de Ciudad Juárez*, Ciudad Juárez Forensic Service, said with regard to sexual violence and the carrying out of tests to determine the presence of semen:

"Semen tests haven't been done and that is frustrating because it is evidence that has been lost, in some cases it was done, but not in a hundred percent of cases as it should have been and that is down to negligence".⁵¹

Sixteen-year-old **Cecilia Covarrubias** went missing in Ciudad Juárez on 14 November 1995. Her body was found two days later in Loma Blanca. Although the authorities found clear evidence of sexual assault in the autopsy, the expert opinion simply reported "*violent death from a firearm with characteristics of murder*";⁵² leaving aside any mention of the marks of blows and evidence of sexual assault gathered at the crime scene which were never analyzed in the course of the investigation.

The relatives reportedly only learned that their daughter's body had been found as the result of a press article published 16 days later. The family's grief at the loss of their young daughter was further exacerbated by the fact that their baby granddaughter, who was with Cecilia at the time and whose name had not yet been legally registered, went missing with her and has not been seen since.

In 1996 a baby inexplicably appeared on an official list of deaths as "unidentified female" but the grandmother has persisted with her demands for the fate and whereabouts of

⁵⁰ "*Acudí innumerables veces a ver al anterior subprocurador sin ser recibida, y el día que me recibió me dijo «que siguiera esperando». Acudí el día 6 de marzo de 2002 ante la Subprocuraduría [...] a reconocer el cuerpo de mi hija [...], la licenciada me dijo que no es posible ver el cuerpo para reconocerlo, que lo único que se encuentran son los restos óseos que por motivo de estudios le fue retirada la piel, esto sin autorización de mi parte en el supuesto de que fuera mi hija*". Complaint filed with the Inter-American Commission on Human Rights by the mother of Laura Berenice, CIDH/P283/02.

⁵¹ "*No se han hecho exámenes de semen y eso es frustrante porque es una evidencia que se ha perdido, en algunos casos sí, pero no en el cien por cien como debiera haberse hecho y esto por negligencia*". Amnesty International interview with the former director of *Servicios Periciales*, Forensic Services, for Ciudad Juárez, Óscar Maynez, in 2002.

⁵² "*muerte violenta con arma de fuego con características de homicidio*". *Departamento de Identificación Criminal y Medicina Legal*, Department of Criminal Identification and Forensic Medicine, PGJE, November 1995.

her granddaughter to be clarified. Meanwhile, the authorities have not complied with their obligation to open a criminal investigation in connection with the missing baby.

The case was not included in her mother's murder file and is not currently deemed to be "high risk" (*see chapter 2*). The child is not listed as alive, dead or missing, neither her existence nor her identity have ever been recognized. Four years later, a civil case was opened in response to the grandmother's demand for the clarification of the identity of a young girl who had appeared in the family neighbourhood at the time of the abduction of Cecilia. A judge concluded in 2001 that the girl was not her granddaughter. However, no DNA tests were carried out to determine her identity.

On 22 September 2002, a man discovered the body of **Erika Pérez Escobedo**, a migrant originally from Matamoros, Coahuila, at the side of a road in Ciudad Juárez. The body was semi-naked and showed signs of sexual abuse. The municipal police reportedly said that the victim had been found in bushes with her blouse pulled up above her breasts and her trousers pulled down around her knees. The strap of her handbag was around her neck.

Despite the conditions in which the body was found and the state of her clothing, the state prosecutor asserted that the young woman had not been sexually assaulted, that she had worked in a bar and died from an overdose.⁵³ The investigation did not therefore fall within the jurisdiction of the FEIHM. Non-governmental organizations asked for a second autopsy to be carried out in the presence of an outside expert because they had no confidence in the procedures used by the state prosecutor's office. The request was denied and the case was closed.

Over a period of four weeks between 23 September and 26 October 2002, three new sets of skeletal remains were found. According to reports, the authorities did not establish the cause of death or whether or not the women had been sexually assaulted in any of the three cases.

The authorities insist that they have stepped up their efforts to improve areas such as technical assistance, training and equipment. They also told Amnesty International about the forthcoming opening of a modern forensic laboratory in the state and said that there would be greater cooperation with the FBI on forensic matters. However, the effectiveness of these new initiatives has not yet been demonstrated. The fact that the promised laboratory, as well as forensic services in general, come under the control of the PGJE raises questions about the credibility of the handling of tests and the impartiality with which evidence is gathered and presented. The potential effectiveness of the innovations announced could be seriously undermined by the fact that the forensic services are not independent and autonomous and the Public Ministry is not sufficiently accountable.

⁵³ *El Diario*, 24 September 2002

During 2003, the claiming of jurisdiction over several cases by the PGR has coincided with the announcement of new leads which could supposedly link some of the crimes to the trafficking of organs. This raises questions about the results of the autopsies carried out on the victims up until now since the absence of organs has never been reported.

The state and municipal governments and public safety policies

According to the CNDH report (Recommendation 44/98), despite the seriousness of the cases of abduction and murder of women, the budget allocations for justice and public safety between 1994 and 1997 were not used and the municipal authorities only submitted a vague report about what had been done. In 1998 the abductions and murders of women in Ciudad Juárez and public safety were key issues in the election campaign. However, once the elections were over, the mothers of the victims found that the campaign promises made by the candidates were left up in the air. When the government changed, the new authorities claimed their hands were tied by the mistakes made in the earlier investigations:

"I ask the people of Chihuahua how they can now ask us to clear up crimes when all we have received from the previous administration is 21 bags of bones. We don't know their names. We don't know the circumstances of what happened to them. The case files are badly compiled. How do we investigate these murders?"⁵⁴

In 2002 the state authorities reported that the budget allocated by the federal government to public safety in the municipality and the state was very low. However, the state budget increased. Additional resources were provided for improving public services such as lighting and street paving as well as security in high risk areas and improvements in the recruitment process for the drivers of the buses used by *maquila* workers. Reports were also received that, in conjunction with the US authorities on the other side of the border, two "red alert" ("*línea roja*") emergency telephone lines were installed, one in Ciudad Juárez and one in El Paso, on the other side of the Río Bravo river.

Civil society organizations have stressed that women are still very vulnerable and say that the measures taken are not extensive enough and have had little impact on cutting crime. They say that some progress has been made with the installation of public lighting at bus stops and in some areas but that it has not extended to most of the deprived neighbourhoods. They complain that some public safety initiatives, such as the promotion of self-defence courses, have put the onus on women to protect themselves without tackling the root of the problem. The organizations are continuing to call on the state and municipal governments to adopt a comprehensive crime prevention strategy.

⁵⁴ "Le pido yo al pueblo de Chihuahua cómo pueden hoy reclamarnos que esclarezcamos crímenes cuando lo único que recibimos de la administración anterior fueron 21 bolsas con huesos. No sabemos cómo se llaman. No sabemos en qué circunstancias fueron aquellos hechos. Los expedientes están mal integrados. ¿Cómo investigamos estos homicidios?" Governor of Chihuahua Patricio Martínez (*El Norte*, p. 10b, 20/06/99)

Investigations diverted and evidence falsified

As well as the unjustified delays and absence of action in following up leads in investigations or summoning possible witnesses to make statements, the authorities have failed to record vital evidence. In some cases, such as that of **Paloma Angélica Escobar Ledesma**, false evidence was entered into the case file. In other situations, people arrested in connection with the crimes in question have alleged that their confessions were obtained as a result of torture, as in the cases of Víctor Javier García and Gustavo González Meza.

- **Falsification of evidence. The case of Paloma Angélica Escobar Ledesma**

On 3 March 2002, Norma Ledesma, the mother of 16-year-old **Paloma Angélica Escobar Ledesma**, a worker at the Aerotec *maquila* in the city of Chihuahua, reported her daughter missing to the Department of Preliminary Investigations in Chihuahua. That same day, Commander Gloria Cobos Ximello, *Jefa del Grupo Especial de Delitos Sexuales y contra la Familia*, Head of the Sexual Offences and Offences against the Family Unit, in the city of Chihuahua, was put in charge of the investigation.

photocaption: Paloma Angélica Escobar Ledesma, who was 16 years old. Her body was found on 29 March 2002 © private

Paloma left her home at 3.15pm on 2 March and was seen at the *Escuela Ecco*⁵⁵ that same day 15 minutes later. Her family's search to find her alive was in vain. On 29 March Paloma's body was found in bushes at Km 4 along the road that goes from Chihuahua to Aldama. According to the autopsy report, she was wearing several undergarments, one of which was not recognized by her family. Paloma had been dead for over 20 days and the only remaining evidence of the identity of the assailant were traces of pubic hair on the hands of the victim.

On 30 March, officers of the judicial police said they had found a photograph of the suspected assailant at the site where the body had been found. That same day, Paloma's ex-boyfriend, Vicente Cárdenas Anchondo, was arrested, the main evidence against him being the photograph. Next day two witnesses gave statements to the Public Ministry claiming that the same photograph had been handed over the day before to Commander Gloria Cobos, at her request, by a former girlfriend of the detainee who did not know that it was going to be used for that purpose. According to one witness, the photograph, which was in good condition when handed over, was found, one day later, to be dirty and creased.

⁵⁵ *Escuela Ecco* is a chain of private centres which give computing classes.

On 31 March, when the apparent attempt to falsify evidence was discovered, the Public Ministry decided to release the victim's ex-boyfriend and open an internal enquiry which found the commander responsible for "planting" evidence. On 4 April 2002, the Chihuahua PGJE suspended the commander and opened an investigation on grounds of abuse of authority and making false accusations. Commander Cobos was initially charged with abuse of authority but an administrative judge is currently only pursuing the lesser offence of making false accusations. Following a year of persistent requests from the family, on 15 January 2003 Commander Cobos appeared before the Department of Preliminary Investigations. However, she refused to answer any questions related to her conduct in the case of the murder of Paloma Escobar.

With regard to the investigation of Paloma's death, despite the fact that, a week after she had gone missing, the Sexual Offences and Offences against the Family Unit had obtained a statement from a key witness regarding the possible identity of the culprits, it was only at the end of May 2002 that several official letters were sent out calling for the suspects to be found. In fact, the case dossier shows that investigation of the individuals against whom, according to several witnesses, evidence was strongest came to a halt as a result of the intervention of Commander Cobos when she tried to implicate Paloma's ex-boyfriend. The suspects left the city and the authorities claim that they lost trace of them. So far they have not been located in order to make new statements.

The Public Ministry did not take any steps to correct the mistakes resulting from the attempt on the part of Commander Gloria Cobos to mislead the investigation and apparently did not investigate the possibility that she may not have been acting alone. The Public Ministry agents did not urgently look into the question of the possible guilt of the individuals who had been identified previously, allowing them to go about their business. No searches of private or public buildings or homes were ordered neither was there investigation of the use of cars and telephones. It allowed time to pass and the crime trail therefore went cold. Other possible means of obtaining evidence were postponed, including a scene of crime investigation at the *Escuela Ecco*, something which the family had repeatedly requested and which was not carried out until the beginning of 2003, almost a year later. Given that the search for the suspects has come to a standstill, on 21 June 2002 a lawyer, a social worker and representatives of the *Comisión Mexicana de Derechos Humanos*, Mexican Human Rights Commission, and *Justicia para Nuestras Hijas*, Justice for our Daughters, two non-governmental organizations which have supported the families' demands and are part of the "Stop Impunity" campaign, were appointed by Paloma's family to be their official representatives (*coadyuvantes*) in the investigation.

- **Allegations of torture during criminal investigations**

During investigations into the abductions and murders, the families and non-governmental organizations have raised questions about the procedures followed and the charges brought against alleged suspects by the authorities. Many of the detainees awaiting

sentence in the cases the state has classified as "serial murders" have claimed that torture was used to obtain information and confessions.

Amnesty International and other organizations have repeatedly called on the authorities to stop the Public Ministry from being able, without a judge being present, to take self-incriminating statements which are later recognized by the courts. The fact that such confessions, though obtained as a result of torture, are frequently still accepted as evidence in court shows that torture is still being used as a means of investigation by the Judicial Police and Public Ministry. The absence of an independent and impartial judiciary and the unwillingness of judges to implement international human rights standards, especially at the state level, means that the courts are not effectively protecting the rights of the accused to physical integrity and a fair trial.

On 9 November **Víctor Javier García** and **Gustavo González Meza** were arrested at their homes two days after the eight bodies were found in the former cotton field. According to their testimonies, the officers did not identify themselves. The men were arrested in front of their families who were not informed of why they were being arrested or where they would be taken.

*"They blindfolded me and bound my hands and feet, [...] they kicked me in the testicles and I laid down and they started hitting me; they said that I and El Cerillo had killed eight girls and that if we did not admit it, things would get worse for us, they would kill me and El Cerillo and my family, because my father and wife were after them and they would torture them as well. [...] My torture went on for three hours [...] they forced us to confess... Then a woman came in and told me she was from Human Rights [sic] and she didn't want me to take the blindfolds off [...] I said yes, they were torturing me with electric shocks, beatings and burns. She left and afterwards my torture got worse ...they made us sign a statement we never read."*⁵⁶

The detainees said that they had first of all been taken to a private house where they were tortured and threatened. According to their official complaints, as a result of this coercive treatment they were forced to confess to the murders of the eight young women who had been found two days earlier. That same night a video recording was made of their confession. According to their testimonies, the detainees had their own lawyer who, together with their relatives, had been trying to locate them since the night of their arrest. But when

⁵⁶ *"Me vendaron los ojos, las manos y los pies, [...] me dieron un patadón en los testículos y me acosté y me empezaron a golpear; me decían que yo y El Cerillo habíamos matado a ocho muchachas y que si no nos echábamos la culpa, nos iba peor, nos iban a matar a mí y al Cerillo y a mi familia, ya que mi papá y mi esposa se fueron atrás de ellos, que también a ellos los iban a torturar. [...] Fueron tres horas mi tortura [...] nos pusieron a confesar a la fuerza... Después entró una mujer y me dijo que era de Derechos Humanos y no me quiso quitar las vendas [...] le dije que sí me estaban torturando con toques, golpes y quemaduras. Ella salió y después fue peor mi tortura ... nos hicieron que firmáramos una declaración que nunca leímos."* Complaint submitted by Gustavo González Meza to the *Comisión Estatal de Derechos Humanos*, State Human Rights Commission, for torture, arbitrary detention and violations of the right to a fair trial, 15 November 2001.

they went to the PGJE, the PJE units denied that they were in custody there and did not provide any information about where they were being held. The detainees were therefore unable to have access to their lawyer who they were only able to see two days later, after they had been presented to the media by the PGJE as the perpetrators of the crimes in question.

According to the authorities, the detainees were transferred to the *Academia Estatal de Seguridad Pública*, State Public Security Academy, where, on the night of 9 November, their statements were duly taken in the presence of a court-appointed defence lawyer. The detainees rejected these claims and said that, during the first few days of their detention, they were not informed about any court-appointed defence lawyer and that they constantly sought the presence of their own defence lawyer.

On the night of 11 November, the two men were transferred to prison. In the trial dossier there are two certificates relating to medical check-ups carried out that day six hours apart. In the first, which took place just before 3pm, the PGJE forensic doctor certified that the detainees showed no external signs of violence. However, in the second which was carried out in the prison at 8pm, the doctor certified that the detainees arrived at the prison with burns to the genitals and blows, bruises and contusions on several parts of the body.⁵⁷

On 12 November, when appearing before a judge, the two men alleged that they had been tortured and ill-treated and forced to make a confession. Although local and international journalists took photos of the injuries apparently caused by the torture, the *juez 3.º de lo Penal*, judge from the 3rd Criminal Court, reportedly did not want evidence of the injuries to be accepted into the proceedings in support of the statement. The lawyer told Amnesty International that, when arriving with the detainees at the court, he asked the judge to record the injuries they had suffered. According to the lawyer, the judge replied that he could not do so because there was insufficient light to see by. The detainees complained to the judge that they had been handcuffed and tied up and that they had been beaten and burned in the genitals. The lawyer said that the judge replied that the injuries to their wrists had been caused by their watches. According to the lawyer, the judge insisted that it was not possible for him to record the burns they had suffered to the penis, chest and stomach in the case file.

The authorities tried to claim that the injuries suffered by the detainees were self-inflicted. However, a document from the director of the prison where Gustavo González Meza and Víctor Javier García were held after questioning indicates that they were suffering from injuries upon arrival at the prison.

The signs of torture were not investigated by the judge and the confessions were incorporated into the trial dossier as evidence. Five days after their arrest, the judge from the 3rd Criminal Court remanded Víctor Javier García and Gustavo González Meza in custody on suspicion of murder and aggravated rape.

⁵⁷ Complaint submitted by Gustavo González Meza to the State Human Rights Commission for torture, arbitrary detention and violations of the right to a fair trial, 15 November 2001.

On 12 November, the relatives of the detainees submitted a complaint for torture and kidnapping to the *Comisión Estatal de Derechos Humanos (CEDH)*, State Human Rights Commission. The case was also submitted to the CNDH who referred it back to the CEDH on the grounds that jurisdiction fell to them. It took almost one year for the CEDH to deal with it and in November 2002 it ruled that there was no evidence to support the complaint. However, it appears that the CEDH did not take proper steps to determine the credibility of the allegations. Amnesty International has on several occasions documented the lack of rigour in the investigations into torture complaints carried out by various state commissions and this case simply reflects the weakness of many of these institutions which are not sufficiently independent of the executive.

Amnesty International is not aware that the PGJE investigation team made any attempt to find evidence that linked the accused with the eight murdered women such as, for example, establishing their whereabouts on the different days when the young women went missing. According to reports, the authorities initially arrested the accused on the basis of earlier statements made by other people who had been arrested in connection with the murder of other women. One of the suspects had been arrested before but had been released when the judge decided there was insufficient evidence against him. Afterwards, the police allegedly kept him under surveillance. The failure to carry out proper investigations to find evidence that links suspects to the crimes in question is demonstrated in the observations made by the former director of *Servicios Periciales*, Forensic Services, for Ciudad Juárez:

"The investigation division should question witnesses, look for evidence and set parameters with regard to times, victims and areas. Something which is done throughout the world in such cases but which here has unfortunately not been done".⁵⁸

Reports received by Amnesty International concerning attempts to tamper with evidence would seem to confirm that the PGJE investigations in the case of the two defendants were unsound. In the course of the investigation, two officials reportedly protested and refused to alter evidence and as a result were reportedly sacked or resigned. They included the transport director who had submitted drugs tests carried out on the accused questioning assertions that the two men were drug addicts and that they had taken drugs before abducting and murdering the women. According to reports, judicial police agents appear to have tried to plant evidence in a car belonging to a relative of Víctor Javier García in order to connect him directly with the crimes but the then *director general de Servicios Periciales*, director general of Forensic Services, did not allow the supposed evidence to be included in the case dossier. There are no indications that any investigations were carried out on grounds of abuse of authority in order to identify those responsible for these attempts to divert the investigation.

⁵⁸ *"El área de investigación debe interrogar a testigos, buscar evidencias y crear parámetros en torno a tiempos, víctimas y zonas. Lo que se hace en todo el mundo en estos casos y que aquí desafortunadamente no se ha hecho".* Amnesty International interview with Óscar Maynes, former director of *Servicios Periciales*, Forensic Services, in Ciudad Juárez, 2002.

In February 2003, Gustavo González Meza was found dead in his cell in the *Prisión de Máxima Seguridad de Chihuahua*, Chihuahua Maximum Security Prison, in circumstances which have not been clarified, after he had undergone surgery.

La Procuraduría General de la República (PGR), Office of the Attorney-General

Since 1998 mothers, relatives and human rights defenders have been calling on the federal government to ensure that jurisdiction over the cases in question passes to the PGR and to set up an inter-disciplinary group of specialists to handle them:

"It has been beyond the capabilities of the local authorities to deal with these murders and abductions of young women and the case must therefore be passed to the jurisdiction of the Attorney General's Office. What is needed now are not only good intentions but a specialized group of really competent criminologists, sociologists and lawyers who can analyze the causes and consequences. As long as that does not happen, the results will be the same, more women will go missing".⁵⁹

In general, the PGR has argued that, despite the alleged lack of diligence on the part of the state authorities to prevent and punish human rights violations, it cannot intervene to determine who is responsible because it does not have the necessary jurisdiction - a situation which has encouraged impunity in various states.

In 2002 the Attorney-General, General Macedo de la Concha, publicly stated that although the PGR was collaborating in the investigations into the Ciudad Juárez and Chihuahua cases, the cases in question fell under state jurisdiction. Just before the end of the year, the PGR stressed that, since there was no connection between the murders and drugs trafficking and no federal official was involved in any of the offences, it therefore had no authority to bring the cases under federal jurisdiction.

It was not until 2003 that the PGR declared that several of the cases from Ciudad Juárez may come under its jurisdiction. In May 2003, it reported that it was following up several lines of inquiry related to alleged organ trafficking, pornography and the possible involvement of religious sects in the cases of 14 women from Ciudad Juárez⁶⁰. In July, General Macedo de la Concha also announced the setting up of an inter-institutional group to pursue investigation and prosecution of the offences. Amnesty International hopes that the PGR's intervention will bring about a significant change so that the cases in question can be cleared up and effective prevention mechanisms to eradicate impunity can be established.

⁵⁹ *"Las autoridades locales han sido rebasadas por asesinatos y desapariciones de jóvenes mujeres, por lo que se hace necesaria la atracción del caso hacia la Procuraduría General de la República. Ya no se requiere sólo buena voluntad, se requiere un grupo especializado de criminólogos, sociólogos, abogados realmente capaces que analicen las causas y las consecuencias. Mientras eso no se haga veremos los mismos resultados, las desapariciones."* Comité Independiente por los Derechos Humanos de Chihuahua, Chihuahua Independent Human Rights Committee, *El Diario*, p.13b, 7 May 1998.

⁶⁰ *La Jornada*, 6 May 2003.

Investigations at a standstill

Silvia Arce and **Griselda Mares** went missing after leaving work at a night bar at 2.30am on 12 March 1998. Workmates last saw them with three men in a car which was identified in the course of the investigation thanks to eyewitness statements.

A week after they went missing, the PGJE received a formal complaint from **Verónica Rivera**, a young woman who worked in the same bar as Silvia Arce and Griselda Mares. Verónica stated that she had been abducted, tortured and released by her captors after being kept in captivity on 8 and 9 March of that year in Ciudad Juárez.

According to her testimony, one of her captors claimed to be a police officer from the PGR and allegedly told her that he would let her go on condition that she said nothing about the incident.

On 24 March a Public Ministry official signed an official document recording the emotional state of Verónica Rivera and the physical injuries she suffered and concluded that she had been held prisoner and subjected to physical and psychological torture. He also put it on the record that she had requested protection and that fears were expressed for the lives and wellbeing of Silvia Arce and Griselda Mares.

The Public Ministry and four PJE officials were officially assigned to investigate the cases of the three women which had been put together in a single case file. They carried out intensive inquiries, gathered several different testimonies and pieces of evidence corroborating the circumstances surrounding the method, time and place of Verónica's abduction and identified the vehicles and houses used as well as two male suspects believed to be responsible for the abduction of Silvia Arce and Griselda Mares.

On 30 March 1998, on the basis of the evidence collected, the PGR police officer was identified as being the probable perpetrator of the abduction of Verónica Rivera. The Public Ministry officials assigned to the investigation communicated the results of their inquiries to their superiors and these were confirmed in the case file.

On 6 April 1998 the Department of Preliminary Investigations agreed to issue a summons ordering the PGR officer and a former police officer to appear before a judge for their alleged responsibility in the abduction of Verónica Rivera.

After that the investigations came to an abrupt halt. Between 1998 and March 2003 only ten pages were entered into the case file. Since April 1998 no further official action has been taken to establish the whereabouts of Silvia Arce and Griselda Mares. No further legal rulings have been handed down in connection with those allegedly responsible for the abduction and torture of Verónica Rivera and there is no record of whether she was granted the protection she asked for. In those five years, no record has appeared in the file and no

document has been issued explaining why the criminal investigation has remained inactive. The summons ordering those allegedly responsible to appear before a judge was never served.

In March 2003 the authorities reported that the file had been reopened at the end of 2002 but that they had been unable to locate the alleged suspects, including the PGR officer. There is no formal record of any steps having been taken in the course of the investigation to establish their whereabouts. There is just one document dated March 2003 authorizing a search in Veracruz for a civilian implicated in the case.

In March 2003 Silvia's family and their lawyers submitted a document to the FEIHM asking for the summonses issued against all the individuals identified as suspects to be enforced. At the time of writing, Amnesty International has no knowledge of any new steps having been taken to do so by the FEIHM.

The federal legislature

In November 2001 the Chamber of Deputies at federal level set up a Special Commission, made up of twelve deputies from different political parties, to monitor the murder of women in Ciudad Juárez. The Commission divided its work into several sub-committees covering the following areas: improvement of the service provided to the relatives of victims, implementation of justice, collaboration with specialists, crime prevention and public safety issues, and legislative measures. The sub-committee dealing with the service provided to families got the Special Commission to donate one million pesos to the *Fundación Fidevida*, a foundation set up to provide financial assistance to the children of the murdered women.

As far as legislative measures are concerned, the Commission has stressed that, in recent years, both at federal and state level, the legislation on violence against women has been strengthened. For example, in June 2003, the *Ley Federal para Prevenir y Eliminar la Discriminación*, Federal Law to Prevent and Eliminate Discrimination, was passed, article 4 of which states: "*Discrimination shall be understood to be any distinction, exclusion or restriction which, based on ethnic or national origin, sex, age, disability, social or economic condition, state of health, pregnancy, language, religion, beliefs, sexual preferences, civil status or on any other grounds, results in the withholding or annulment of the recognition or exercise of people's rights and true equality of opportunity*".⁶¹ If this law is enforced, it will be an important step towards ending discrimination in Mexico.

⁶¹ "*Se entenderá por discriminación toda distinción, exclusión o restricción que, basada en el origen étnico o nacional, el sexo, la edad, la discapacidad, la condición social o económica, las condiciones de salud, el embarazo, la lengua, la religión, las opiniones, las preferencias sexuales, el estado civil o cualquier otra, tenga por efecto impedir o anular el reconocimiento o el ejercicio de los derechos y la igualdad real de oportunidades de las personas*".

Rosalba Pizarro Ortega, aged 16, **Julieta Marlen González Valenzuela**, aged 17, **Yesenia Concepción Vega Márquez**, aged 16 and **Minerva Torres Abeldaño**, aged 18, all went missing in the city of Chihuahua between February and March 2001. They did not know each other. What links them are the dates they went missing, the circumstances in which it happened and the fact that they were teenagers from poor backgrounds, students, *maquila* workers or workers in the formal or informal economy. They are also linked by the fact that the investigations were headed by Commander Gloria Cobos, *Jefa del Grupo Especial de Delitos Sexuales y contra la Familia*, Head of the Special Sexual Crimes and Crimes against the Family Unit, in the city of Chihuahua, who in April 2002 was accused of falsifying evidence in the case of the abduction and murder of Paloma Escobar Ledesma.

According to the information contained in the case files, there are several pieces of evidence and testimonies that seem to establish links between the four cases and provide numerous leads regarding the identity of people who may know where they are or have been involved in what happened to them. However, so far, the four young women are still missing and the authorities have taken no action to capture those who were probably responsible. Despite the fact that the statement provided by one of the individuals who may have been involved in the abductions is believed to be untrue, further investigations into that person were never carried out.

In January 2003 Rosalba's mother, together with the mothers of Julieta and Minerva, filed a formal complaint for kidnapping with the PGJE in Chihuahua. On 23 January the legal director of the PGJE rejected it and returned the file to the unit which had been dealing with the case up until then, arguing that "*members of the Public Ministry are split into different groups solely for administrative and not juridical, jurisdictional or legal purposes*".⁶²

Photocaption: Photographs of Yesenia, Minerva, Rosalba and Julieta published in the electronic newsletter of the Office of the Chihuahua State Public Prosecutor (PGJE). Rosalba went missing on 22 February 2001, Yesenia Vega went missing on 26 February 2001, Julieta Marlen González went missing on 7 March 2001 and Minerva Teresa Torres went missing on 14 March 2001. © private.

This decision appeared to shut off all legal channels through which the case could be brought before a court of law, as should happen with the type of offences the testimonies would seem to indicate. The absence of an independent legal mechanism to oversee

⁶² "*la división que existe de los miembros del Ministerio Público en diversos grupos, únicamente obedece a cuestiones administrativas y no jurídicas, competenciales o legales*". Ruling, Lic. José Manuel Ortega Aceves, legal director of the PGJE, 23 January 2003, page 282.

preliminary investigations makes it impossible for the family to make any kind of effective appeal against Public Ministry rulings.



Consuelo Valenzuela Moreno, mother of Juliet Marleng González who went missing on 7 March 2001. Chihuahua. © AI.

In addition to the cases of the four young women who went missing in Chihuahua and that of Silvia Arce, there are other cases in which possible suspects have been identified but not brought in for questioning and in which suspects have been questioned but investigations not pursued.

Another instance in which the Public Ministry and the judiciary did not dispense justice for the family of the victim and failed to follow up leads in the investigation properly is that of **Erika Ivón Ruiz Zabala**, a 16-year-old secondary school student. Her body was found on 29 June 2001 in the cemetery in the city of Chihuahua, six days after she went missing. Her mother said: *"All her clothes were scattered around the cemetery. The day we found her, she was naked. I said to the judicial police how could they put in the paper that my daughter had not been attacked when I saw her with three fingers missing and her hair scattered all around. The judicial police found the clothes themselves. They put them in a small bag and did no tests on them, I don't know whether they could have got any fingerprints from them".*⁶³

In this case the judge turned down a request from the mother to investigate and bring to trial several people who had been identified as responsible for her daughter's murder. The judge defined the offence involved simply as secret burial, a minor offence for which he ruled that the statute of limitation had expired and so no criminal action was brought. The case was closed and the family was denied access to justice.

El Instituto Nacional de las Mujeres (INMUJERES), National Institute for Women and the inter-institutional groups (Mesas Interinstitucionales)

⁶³ *"Estaba toda su ropa regada en el panteón. El día que la encontramos ella estaba desnuda. Yo les dije a los judiciales cómo pusieron en el periódico que mi hija no había sido atacada si yo la vi sin tres dedos y su cabello andaba todo regado ahí. Los judiciales mismos hallaron la ropa. Echaron la ropa en una bolsita y no le hicieron pruebas, no sé si le sacarían alguna huella".*

The *Instituto Nacional de las Mujeres (INMUJERES)*, National Institute for Women was created by the government of President Vicente Fox. Through INMUJERES, working in conjunction with the Chihuahua State government, in December 2001 an inter-institutional group was set up to formulate public policies for preventing and eradicating all forms of violence against women. In the group, women's and human rights organizations stressed, among other things, the need to adopt preventive measures to ensure the safety of *maquila* workers. INMUJERES reported that they were working on agreements with representatives from the *maquiladoras* and it was hoped that nurseries and therapy services for the relatives and children of victims would be set up in coordination with the Ministries of Health, Education and Social Development in order to provide orphans with education, health and food.

Three other groups have also been set up: a discussion forum, an inter-institutional state group to coordinate activities to prevent and deal with family violence and violence against women, and a group to look at technical and legal issues (*Mesa Técnico-Jurídica*). The latter was encouraged by the families and NGOs and was set up with the sole intention of looking at ways of making progress with the investigations, determining lines of action and analyzing situations in which protection measures are required. It is made up of members of the judicial, state and municipal authorities, INMUJERES, relatives of the victims, lawyers and representatives of the families (*coadyuvantes*). However, the group has serious limitations and does not appear to offer the solutions the families are looking for. It has not been possible for the group to inspect case files or track their progress. In addition, as of the first quarter of 2003, the group had not drawn up an agenda or agreed its working methods, objectives or evaluation mechanisms. These fora do not seem to have increased trust between complainants and representatives of the state. Relations between the authorities and representatives of civil society on them have reportedly been very tense. The families involved reported that their ability to assist the authorities in investigations (*la coadyuvancia*) had been completely weakened and was not helping to ensure that the interests of the victims prevailed because the authorities were not dealing with important requests properly and time was being spent on unnecessary discussions rather than on systematic work to follow up cases.

The discrediting and harassment of the victims' relatives and human rights defenders

Instead of responding to the concerns of the families and NGOs and supporting the lawyers in their search for truth and justice, on some occasions the authorities have tried to discredit their work or co-opt the organizations concerned. Relatives and human rights defenders have also been subjected to harassment by unidentified individuals. In none of the cases reported have those responsible been identified and brought to justice. There are also reports that relatives have been directly warned to give up their attempts to see justice done.⁶⁴

In April 2003, in what appears to have been a deliberate smear campaign against civil society organizations, the Office of the Chihuahua State Public Prosecutor announced that it was investigating the finances of *Nuestras Hijas de Regreso a Casa*, Bring our Daughters Home, one of the organizations set up by the mothers of missing and murdered women from Ciudad Juárez. The organizations which make up the coalition known as "Stop Impunity, no more Murders of Women" believe that this is being done in an attempt to undermine the work of the organizations and families involved and said the following: "*The disproportionate level of interest the authorities are showing in investigating the funding of a victims' organization is worrying when, so far, they have displayed insufficient will and have been negligent in investigating the cases of the murdered and missing women*".⁶⁵ Two months earlier, the organizations were put at greater risk of possible harassment after the Chihuahua State Prosecutor publicly accused them of political and financial opportunism.

Among those who have been threatened is **Marisela Ortíz Rivera**, a human rights defender working with *Nuestras Hijas de Regreso a Casa*. On 20 March 2003, when she was returning home in her car, she was followed by a small truck which collided with her car, pushing it up against a traffic light. Marisela Ortíz Rivera managed to escape but next day the



Alma González, women's human rights defender next to a poster protesting against violence against women in Chihuahua. © AI

⁶⁴ Amnesty International has frequently documented incidents in which victims of human rights violations, lawyers and human rights defenders in Mexico have been the target of smear campaigns, particularly at the hands of state-level authorities in several states. See "Mexico: Daring to raise their voices", AMR 41/040/2001, December 2001.

⁶⁵ "*Resulta preocupante el interés desmesurado de las autoridades por investigar los fondos de una organización de víctimas cuando hasta el momento no han tenido la suficiente voluntad y han sido negligentes en la investigación de los casos de mujeres asesinadas y desaparecidas.*"

driver of the truck was seen outside her house. Her relatives gave the police details about the truck and the driver. So far the authorities have not informed them what action has been taken to investigate the incident or arrest the driver of the truck.

Evangelina Arce, the mother of Silvia Arce and a member of the *Comité Independiente de Derechos Humanos de Chihuahua*, Chihuahua Independent Human Rights Committee, was intimidated and assaulted in a Ciudad Juárez street on 30 April 2003. She was reportedly attacked by three unidentified men who, as well as stealing her bag, kicked her repeatedly. During the previous week, she said she had seen an unidentified car parked outside her house. During 2003 Evangelina has received several anonymous telephone calls. Shortly before the intimidation began, she had delivered a statement before the National Human Rights Commission in which she had stressed the failure of the authorities to take legal steps to locate and capture those who may have been responsible for her daughter's abduction. Other organizations and individuals working on cases in the city of Chihuahua have also reportedly been threatened because of their work.

Groups of relatives of victims have also reported intimidation in the case of the parents of Paloma Escobar. In November 2002 a Public Ministry official assigned to the case publicly accused the parents of obstructing justice. The accusation was officially recorded in the case dossier and publicized in the press and on television as a result of media statements made by the official. For over a year the mother of Paloma Escobar asked the Public Ministry and the inter-institutional group looking at technical and legal matters (*mesa Técnico-Jurídica*) on several occasions for former Commander Gloria Cobos, who had committed abuses of authority during the investigation of the abduction and murder of her daughter Paloma Escobar (see above), to be summoned to make a statement to the authorities. As a result of this demand, the authorities present at several of the meetings warned the relatives that the meeting would be suspended and proceedings on the case halted if they persisted with that attitude. On another occasion, the family also reported that their son was under surveillance by strangers.

The relatives and lawyers of Víctor Javier García and Gustavo González Meza, the two men arrested and allegedly tortured to make them confess to the killing of the eight women found in Ciudad Juárez in November 2001, have also been subjected to a campaign of harassment and threats. On 7 February 2003, **Miriam García**, the wife of Víctor Javier García, was threatened by two unidentified men who forced entry into her house. She was getting ready to attend an event organized by local NGOs to protest at the murders and abductions of young women in Ciudad Juárez and Chihuahua. The men reportedly threatened her, saying, "*If you go to the event this evening, you will die, because we'll get you or your husband, so now you know*".⁶⁶

On 5 February 2002, **Mario Escobedo Anaya**, the lawyer acting for Gustavo González Meza, was shot dead by the State Judicial Police. According to official reports, the

⁶⁶ "*Si te presentas al evento de la tarde, te mueres, porque eres tú o tu esposo, así que ya sabes*".

police acted in self defence because the lawyer fired first. This version of events is reportedly contradicted by witnesses who claim that Mario Escobedo Anaya did not fire at the police. That same day, Miriam García was threatened on the telephone by someone who reportedly told her that she would also die if she went on saying what she thought. As a result of these events, in September 2002 the Inter-American Commission on Human Rights (IACHR) called for protection measures for Víctor Javier García's wife, Miriam García, and his lawyer, Sergio Dante Almaraz, as well as for Blanca Guadalupe López, the wife of Gustavo González Meza. Prior to that, in April 2002, the IACHR had already granted protection measures on behalf of **Esther Chávez Cano**, the founder of "*Casa Amiga*", an organization which provides psychological support to women who have survived domestic and/or sexual violence in Ciudad Juárez. Esther Chávez reported that she had been threatened because of her investigations into the abductions and murders of women in Ciudad Juárez.

The federal government

In November 2001, President Vicente Fox spoke about the case of the women from Ciudad Juárez and asked the PGR to assist in investigating the crimes. On 8 March 2003, in a speech for International Women's Day, the President personally took the case up again and called the murders of the women in Ciudad Juárez "*an act of barbarism which deserves all our repudiation and attention*"⁶⁷ but, although he insisted that "*women's demand that justice be done with regard to the murders in Ciudad Juárez is legitimate*"⁶⁸, he did not call on the PGR to claim jurisdiction over the cases (*Cimacnoticias*, 9 March 2003).

In June and July 2003, as federal bodies gradually became more involved in the situation in Ciudad Juárez, it was announced that the *Secretaría de Gobernación (SEGOB)*, Interior Ministry, would be coordinating initiatives to prevent and investigate the murders of women in Ciudad Juárez. At the end of July, the Interior Minister announced the implementation of a *Programa Integral de Seguridad Pública*, Integrated Public Safety Program, involving 300 officers from the *Policía Federal Preventiva*, Federal Preventive Police, to deal with the crimes taking place in Ciudad Juárez. While the increased involvement of federal authorities in the cases from Ciudad Juárez and Chihuahua is a positive step, justice must be transparent and there must be accountability.

⁶⁷ "*un acto de barbarie que merece todo nuestro repudio y atención*".

⁶⁸ "*reclamo de justicia de las mujeres por los asesinatos en Ciudad Juárez es legítimo*"

Chapter 4: The international responsibility of the State

*"Effective approaches to the killings require effective approaches to violence against women. Such violence is, above all, a human rights problem. Applying due diligence to prevent such violence, as required under international and national law, requires attention to the gender dimensions of the problem..."*⁶⁹

Violence against women violates a whole range of fundamental human rights, civil and political as well as economic, social and cultural.⁷⁰

The pattern of murders and abductions of women in Ciudad Juárez and Chihuahua has not only entailed violations of the victims' rights to life and physical integrity but has also violated almost every right of all women in the community, especially the youngest and poorest. The constant threat of violence has affected their freedom of movement, their right to work in safe conditions and their right to the highest possible level of physical and mental health.

Although those responsible for the violence may not be state officials, that does not mean that the cases in question fall outside the scope of international law. International human rights standards place a clear responsibility on States to take effective measures to deal with any types of conduct by private individuals which impede the full exercise of human rights, including violence against women in the context of the family or the community.

Just as violence against women involves a whole range of women's human rights, the whole range of human rights standards can and must be applied in their entirety to combat it and bring those responsible to justice, whether or not they are State officials.

The failure of the State to respond effectively to the murders and abductions, as described in the previous chapter, means that the Mexican State incurs international responsibility under the obligations it has contracted as a result of ratifying regional and international standards such as the American Convention on Human Rights (ACHR) and the International Covenant on Civil and Political Rights (ICCPR). It also contravenes regional and international standards that deal specifically with violence against women as well as other relevant treaties and instruments which will be examined below.

These standards, which complement and reinforce each other, provide a useful framework for comprehensively evaluating the effectiveness of the authorities' efforts to combat these forms of violence against women. They also specify concrete measures

⁶⁹ Situation of the Rights of Women in Ciudad Juárez, Mexico, IACHR Special Rapporteur on the Rights of Women, 2002, paragraph 165.

⁷⁰ CEDAW, General Recommendation 19, paragraph 7; Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, "Convention of Belém do Pará", articles 3, 4, 5 and 6.

governments should take not only to crack down on abusive behaviour but also to prevent it from recurring. The common thread shared by all these instruments is the obligation to combat discrimination against women and end impunity, both of which are root causes of the violence women encounter in all areas of their lives.

The duty to protect and ensure rights with due diligence

The rights to life, physical integrity, liberty and personal safety are enshrined in the ICCPR and ACHR. These standards make it an obligation not only to "respect" the rights recognized in them (in other words, ensure that they are not violated by State officials) but also to take necessary measures to "protect and ensure" those rights when they are threatened by the criminal behaviour of private individuals.

Under article 1 of the OAS **American Convention on Human Rights**, States have a duty to ensure the exercise of human rights to all persons within their territory or jurisdiction. The Inter-American Court of Human Rights outlined what that obligation involves in a judgment on a case of forced disappearance in Honduras in which the identity of those responsible was not known.⁷¹ The Court used the concept of "due diligence" to describe the degree of effort a State must make to comply with its obligation to ensure the exercise of human rights, even in cases where the abuses have been committed by people who have no connection with the State:

"An illegal act which violates human rights and which is initially not directly imputable to a State (for example, because it is the act of a private person or because the person responsible has not been identified) can lead to international responsibility of the State, not because of the act itself, but because of the lack of due diligence to prevent the violation or to respond to it as required by the Convention."

According to the Court, acting with "due diligence" means that the State must take reasonable steps to prevent human rights violations, use the means at its disposal to carry out serious investigations, identify those responsible, impose the appropriate punishment and ensure that the victim receives adequate reparation.⁷²

If the State apparatus acts in such a way that the violation goes unpunished and the victim's full enjoyment of such rights is not restored as soon as possible, the State can be said to have failed in its duty to ensure the exercise of those rights. *"The same is true when the State allows private persons or groups to act freely and with impunity to the detriment of the rights recognized by the Convention"*.⁷³

⁷¹ Inter-American Court of Human Rights, Velásquez Rodríguez Case, Judgment dated 29 July 1988, para. 172.

⁷² Ibid., para. 174.

⁷³ Ibid., para. 176.

The investigation *"must be undertaken in a serious manner and not as a mere formality preordained to be ineffective"*. It cannot rely on the bringing of criminal action by the victim or his or her family or the submission of proof by private parties without the authorities themselves carrying out an effective search for the truth. According to the Court, *"This is true regardless of what agent is eventually found responsible for the violation. Where the acts of private parties that violate the Convention are not seriously investigated, those parties are aided in a sense by the government, thereby making the State responsible on the international plane"*.⁷⁴

The Court therefore concluded that, although it had not been possible to attribute the disappearance to State officials, the State's failure to act with due diligence was in itself a breach of the duty to ensure the victim the rights to life, liberty and personal integrity.⁷⁵

The UN Human Rights Committee, which monitors compliance with the **International Covenant on Civil and Political Rights**, has also stated that the duty to "ensure" the rights included in the Covenant require appropriate measures to be taken to prevent and investigate abuses perpetrated by private persons or entities, punish those responsible and provide reparations to the victims.⁷⁶

Both the ICCPR and the ACHR assert the obligation to respect, protect and ensure rights without discriminating on grounds of sex and to ensure equality for men and women both in the enjoyment of rights and in the protection of the law.⁷⁷ When the law does not provide women with sufficient protection against violence, either because of the way in which offences are defined or the way in which the law is enforced, the State has responsibility by virtue of these anti-discriminatory provisions.

Due diligence and violence against women

The concept of "due diligence" has been enshrined in several instruments adopted by the international community over the past ten years with the specific intention of combatting violence against women.

The UN **Declaration on the Elimination of Violence against Women** reaffirms the State's obligation to *"[e]xercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons"*.⁷⁸ It sets out what this means by describing the

⁷⁴ Ibid., para. 177.

⁷⁵ Ibid., paras. 185-188.

⁷⁶ Human Rights Committee, Draft General Comment on article 2 of the ICCPR, CCPR/C/74/CRP.4/Rev.3, para. 7.

⁷⁷ Articles 2(1), 3 and 26 of the ICCPR and articles 1 and 24 of the ACHR.

⁷⁸ Declaration on the Elimination of Violence against Women (art. 4c).

judicial, legislative, administrative and educational measures States should take to comply with their responsibilities.

The UN Special Rapporteur on Violence against Women has put forward a series of criteria for assessing whether States have adhered to the due diligence standard through ensuring that the right not to be subjected to violence by private persons is available to women. They include considerations such as whether constitutional guarantees are provided, how the criminal justice system operates, whether it is possible to obtain reparations, whether support services, education and public awareness programs exist and whether adequate statistical data is being collected.⁷⁹

Although the **Convention on the Elimination of All Forms of Discrimination against Women** does not explicitly refer to violence against women, the UN Committee which monitors its implementation has stated that gender-based violence is a form of discrimination as defined in the Convention.⁸⁰ In its General Recommendation 19 on Violence against Women, the Committee on the Elimination of Discrimination against Women (CEDAW) further analyzes the measures the State should take in seeking to prevent and prosecute such violence.

The Convention on the Elimination of All Forms of Discrimination against Women was ratified by Mexico in 1981. In 2002, on examining the report submitted by the Mexican Government regarding its compliance with the Convention, CEDAW expressed deep concern at events in Ciudad Juárez and the continuing murder and abduction of women, stressing that:

"[The Committee] is especially concerned at the apparent lack of results of the investigations into the causes of the numerous murders of women and the failure to identify and bring to justice the perpetrators of such crimes with a view to protecting women against this type of violence".⁸¹

The Committee called on the Mexican Government to promote and accelerate compliance with Recommendation 44/98 put forward by the National Human Rights Commission.

⁷⁹ Report of the Special Rapporteur on Violence against Women to the 1999 session of the Commission on Human Rights, E/CN.4/1999/68, para.25.

⁸⁰ According to the Committee, gender-based violence is "violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty." General Recommendation 19, CEDAW, para.6.

⁸¹ CEDAW report, August 2002 session, UN Doc. A/57/38.

The recent adoption of the **Optional Protocol to the Convention**⁸², which was ratified by Mexico in 2002, has created a further mechanism for combatting violence against women by giving women who have been denied justice in their country the opportunity to seek redress at an international level for violations of their rights under the Convention. It allows victims or their representatives to submit a complaint directly to the Committee once all other remedies have been exhausted so that the Committee can carry out its own investigations and reach a decision on the case in question.

The Inter-American system offers the optimum legal framework for combatting violence against women. It is the only system which has a binding treaty on the issue: the **Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women** (“**Convention of Belém do Pará**”). The Convention reflects the enormous efforts that have been made in the Americas to develop specific measures that will protect women's right to a life free from violence, both in the home and the community as well as while in the custody of State officials.

The treaty explicitly codifies the obligation to act with due diligence in order to prevent, investigate and punish violence against women and to adopt all appropriate legal and administrative measures without delay.⁸³ As far as prevention is concerned, the States parties are committed to the progressive introduction of specific awareness-raising measures geared towards modifying social and cultural patterns of behaviour based on gender stereotypes and prejudices as well as promoting the training of staff involved in the administration of justice and law enforcement.

They are also committed to providing specialized services, including readjustment programs, for women who have been subjected to violence, encouraging the media to contribute towards the eradication of violence against women and ensuring research and the gathering of statistics so that effective policies can be formulated.⁸⁴ The Convention obliges States parties to take special account of the vulnerability to violence of migrant women, minors and women who are socio-economically disadvantaged - categories into which the majority of the Chihuahua victims fall.⁸⁵

The Convention makes it possible for the Inter-American Commission on Human Rights to receive petitions and take action on the issue. The doctrine established fifteen years ago by the Inter-American Court with regard to the responsibility to respond with "due diligence" to abuses committed by private persons has been applied more recently in cases of violence against women examined by the Commission.

⁸² Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly on 6 October 1999.

⁸³ Article 7.

⁸⁴ Article 8.

⁸⁵ Article 9.

Referring to a case of domestic violence in Brazil, the Commission concluded that *"the failure to prosecute and convict the perpetrator under these circumstances is an indication that the State condones the violence suffered"*. According to the Commission, when there is a general pattern of negligence and lack of effective action by the State in tackling violence against women committed by private persons:

"The condoning of this situation by the entire system only serves to perpetuate the psychological, social, and historical roots and factors that sustain and encourage violence against women. [...] That general and discriminatory judicial ineffectiveness also creates a climate that is conducive to domestic violence, since society sees no evidence of willingness by the State, as the representative of the society, to take effective action to sanction such acts".⁸⁶

Other standards that apply to violence against women

Mexico is also a party to other international human rights treaties which, if complied with, could help in stamping out and preventing the type of violence against women seen in Chihuahua state.

International standards on protection of the rights of the child are particularly relevant since a third of the victims of the abductions and murders were under 18 years of age. Such standards recognize that children require greater protection against violence, including sexual violence within the home and community, because they are more vulnerable and less able to defend themselves.⁸⁷ The **Convention on the Rights of the Child** makes it an obligation to protect children against all forms of physical and mental abuse, ill-treatment or exploitation, including sexual abuse, whoever may be responsible and irrespective of sex or social origin.⁸⁸

In over a third of the cases of murdered women investigated by Amnesty International, there is evidence that they were raped or subjected to some other form of sexual violence before they died. Given the nature of the offence, rape committed by state officials has been recognized as being *"an especially traumatic form of torture"*.⁸⁹

It has also been pointed out that the State incurs responsibility under the international standards which prohibit torture if the authorities do not take adequate measures to prevent and punish rape and other forms of sexual violence committed by private persons.⁹⁰ The

⁸⁶ IACHR, Case 12,051, María da Penha Fernandes Maia, Brazil, April 2001, paras. 55 and 56.

⁸⁷ General Comment 17 of the Human Rights Committee on the rights of the child (1989)

⁸⁸ Convention on the Rights of the Child, arts. 2 and 19.

⁸⁹ Report of the UN Special Rapporteur on Torture (1995) E/CN.4/1995/34, para.19. See also the IACHR judgment in the case of *Mejía v. Peru* (1995), the judgment of the European Court in the case of *Aydın v. Turkey* (1997) and the judgments handed down by the Tribunal for the Former Yugoslavia in the cases of *Delalic* and *Furundzija* (1998).

⁹⁰ Human Rights Committee, General Comment 20, para.2; Reports by the UN Special Rapporteur on Violence against Women (E/CN.4/1996/53, para. 50, and E/CN.4/2002/83, para. 6)

Inter-American Convention to Prevent and Punish Torture of the OAS and the **UN Convention against Torture** establish State responsibility for acts of torture or ill-treatment carried out by private individuals if they are committed with the consent or acquiescence of a public official.⁹¹

The cases of women who have gone missing in Chihuahua state also share several important elements of the definition of a 'disappearance' contained in the **Inter-American Convention on Forced Disappearance of Persons** and the **UN Declaration on the Protection of All Persons from Enforced Disappearance**. According to these standards, a 'disappearance' consists of: depriving someone of their freedom "*in whatever form*", failing to provide information or refusing to acknowledge that deprivation of freedom or to give information on the whereabouts of the person concerned, and impeding his or her recourse to legal remedies. As far as responsibility is concerned, a 'disappearance' is considered to be the act of depriving a person of his or her freedom "*perpetrated by agents of the state or by persons or groups of persons acting with the authorization, support, or acquiescence of the state*".⁹²

In several of the cases described in previous chapters, there appears to be evidence that state officials may have been involved in carrying out or covering up abductions of women in Chihuahua state, evidence which has not been duly investigated by the appropriate authorities. In the remaining cases, while there may not have been direct involvement, the State has demonstrated a general pattern of negligence and lack of effectiveness comparable to the pattern of "tolerance by the state" which the IACHR found in relation to violence against women in the case of Brazil.⁹³

Regardless of whether or not these cases strictly fall within the standard notion of a 'disappearance', from the perspective of the relatives of the victims the pain is the same, the torture of not knowing the whereabouts of a loved one is the same and the lack of legal protection is the same. Just as in cases of 'disappearance' committed by State officials in Mexico⁹⁴ or other countries, the relatives of the women who have gone missing in Chihuahua state are asking for their rights to truth, justice and compensation to be recognized. Like other relatives of the 'disappeared', they have the right to know what happened to their relatives, weep for them if they are dead, have their bodies returned to them, go through the grieving process and bury them in accordance with their own cultural, religious or human beliefs or traditions.⁹⁵

⁹¹ Articles 2 and 3 of the Inter-American Convention; article 1.1 of the UN Convention.

⁹² Article II of the Inter-American Convention already cited; Preamble to the UN Declaration.

⁹³ IACHR, Case 12,051, María da Penha Fernandes Maia, Brazil, April 2001, paras. 55 and 58.

⁹⁴ See *Mexico: "Disappearances": an ongoing crime*, Amnesty International (AMR 41/020/2002).

⁹⁵ Inter-American Court of Human Rights, Velásquez Rodríguez Case (1988), para. 181, and Villagrán Morales et al. Case (1999), paras.173-77.

These rights give rise to many State duties towards the victims, including the duty to provide families with information about the search for their loved ones, determine what happened and punish those responsible, and publicize the results in the affected community.⁹⁶ For the relatives of the missing women, the right to have the bodies identified and returned to them is an obligation that has still not been met by the State. This also applies to the right to be granted impartial and effective access to justice and to receive appropriate reparation. The latter does not only mean purely monetary compensation but also restitution and rehabilitation (for example, the exhumation, identification and return of the victim's remains) as well as assurances that such violations, whether committed by act or omission, will not recur.⁹⁷

⁹⁶ Draft set of principles for the protection and promotion of human rights through action to combat impunity, compiled by the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1997/20/Rev.1).

⁹⁷ Basic principles and guidelines on the right to a remedy and reparation for victims of violations of international human rights and humanitarian law, compiled by the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/2000/62)

Chapter 5: Conclusions and Recommendations

Assessed against the relevant international standards, the response from the Mexican authorities to the pattern of murders and abductions of women in Ciudad Juárez and Chihuahua has clearly been wanting. As far as international law is concerned, the authorities have failed in their duty to exercise due diligence in four areas: the investigation of the crimes, punishment of those responsible, the provision of reparations to the victims and crime prevention.

As far as the investigations are concerned, the case dossiers have revealed what in other instances has been termed "a pattern of intolerable negligence"⁹⁸ to the extent that, despite the existence of evidence pointing to what actually happened, the majority of cases remain unpunished. According to the dossiers examined by Amnesty International, the justice system did not open criminal investigations with the degree of urgency the cases merited, vital clues were not investigated or followed up, evidence was allowed to become contaminated, key testimonies were unjustifiably discredited, allegations that suspects were tortured were not properly investigated and torture allegations were not recorded. In addition, criminal investigations were not carried out into the reported harassment of witnesses. Procedures for identifying bodies and the autopsies carried out on the victims were not performed in accordance with the standards required to help solve the crimes.

After 1998, when the CNDH accused the investigating structures of serious irregularities, dereliction of duty, negligence and abuse of authority, the authorities not only failed to implement the recommendation but continued to allow those who had permitted the crimes to go unpunished, several of whom have gradually risen in rank, to carry on without any review of their work or punishment.

As far as punishing those responsible is concerned, the authorities have insisted that most of the cases of murder of women have been "solved" but, according to their own statistics, out of more than 300 cases, there have been only 79 convictions and in the case of the "serial" murders, there has been only one conviction. Many of the accused have been in custody for several years so that minimum standards for a fair trial have not been observed. Allegations that torture has been used to make them confess and other aspects of the criminal proceedings against them, raise serious questions about the legitimacy and effectiveness of the measures taken by the authorities to identify and punish those responsible.

As far as reparations are concerned, the issue of financial compensation for the victims and their relatives is crucial, especially bearing in mind that many of the families were dependent of the wages earned by the victim. Far from having their rights restored, for ten years many of the relatives have been treated with discrimination and contempt by the authorities. *La coadyuvancia* has not worked as a mechanism to ensure that the interests of the victim are protected in the course of legal proceedings and, in the cases of women who have

⁹⁸ IACHR, Villagrán Morales Case (1999).

gone missing, this right has been denied to the relatives because the authorities have refused to open criminal investigations.

As far as prevention is concerned, the pattern of abductions and murders continues. The authorities insist that they have taken measures to prevent such crimes from recurring. However, these initiatives have not substantially modified the climate of insecurity or the quality of the investigations to prevent crimes recurring. Furthermore, the fact that the state refuses to recognize that there is a pattern of violence based on gender discrimination gets in the way of formulating and implementing effective public policies to eradicate such crimes.

Over the past decade, the pattern of non-compliance with the minimum requirements of the "due diligence" standard has been so marked that it calls into question whether the authorities have the will and commitment to put an end to the murders and abductions in Chihuahua and the violence against women they exemplify. For ten years it has been the relatives of the missing and murdered young women who, together with women's organizations, have had to fight for their right to justice. So far, more than anything else, the initiatives taken by the authorities appear to be geared to curbing the intense national and international pressure they are under and avoiding any negative political repercussions.

Despite the impunity surrounding these and many other cases of human rights violations in various Mexican states, the federal authorities have argued that they are constitutionally prevented from intervening. However, other countries of the Americas with federal systems of government have passed legislation to prevent inaction at the state level in cases of human rights abuses so that the federal authorities assume their international responsibility for ensuring that human rights are fully observed throughout the country as article 28 of the American Convention on Human Rights obliges them to do.

Over the past few years, the federal government has taken important steps in relation to violence against women, including ratifying the Optional Protocol of the Convention on the Elimination of All Forms of Discrimination against Women, adopting the *Ley Federal para Prevenir y Eliminar la Discriminación*, Federal Law to Prevent and Eliminate Discrimination, and setting up INMUJERES. One of the most significant advances has been the drawing up by INMUJERES of a *Programa Nacional de Igualdad de Oportunidades y No Discriminación contra las Mujeres, 2001-2006 (PROEQUIDAD)*, National Program of Equal Opportunities and Non-Discrimination against Women, 2001-2006, which seeks to strengthen the ability of all sectors of public administration at a federal level to deal with gender and discrimination issues. The success of these positive measures will be measured by the impact they have in practice and the practical mechanisms and tools they provide to eradicate violence against women and other forms of discrimination.

Over the past few months, the news that jurisdiction over several of the cases of crimes against women in Ciudad Juárez is to pass to federal jurisdiction owing to the existence of evidence that federal offences may have been committed, has raised hopes that it will lead to radical change in the effectiveness of the investigations. Another promising step

has been the recent decision by the Interior Ministry to encourage a multi-institutional response at all levels of the State. However, it is worth bearing in mind that for ten years the State's response to the crimes against women in Chihuahua has been characterized by repeated announcements of new initiatives which in practice have not produced concrete results and have only served to generate scepticism and frustration among the relatives and civil society.

It is to be hoped that federal involvement in the development of preventive measures and pursuance of the investigations will not simply be used to silence national and international public opinion, but will lead to a review of the performance of the authorities in all the cases of abduction and murder of women and ensure that the victims and their relatives receive justice and reparation.

The following recommendations strengthen and complement those which, since 1998, have been made repeatedly to the Mexican Government by the Special Rapporteur on the Rights of Women from the Inter-American Commission on Human Rights, the UN Special Rapporteurs and the UN Committee on the Elimination of Discrimination against Women so that violence against women in Chihuahua state can be brought to an end.

Amnesty International hopes that these recommendations will be of use to the authorities in formulating effective and coordinated policies in relation to investigation, punishment, reparations and prevention. The organization believes that they are essential components of a comprehensive strategy to respond with due diligence to this dramatic manifestation of violence against women. Only when these measures have been implemented will it be possible to say that these killings are no longer being tolerated by the Mexican State.

Amnesty International recommendations to the federal, state and municipal authorities

Condemn and investigate the murders and abductions of women

- **Publicly acknowledge and condemn the abductions and murders of women** in Ciudad Juárez and Chihuahua, stressing the dignity of the victims and the legitimacy of the relatives' struggle for truth, justice and reparations.
- **Carry out prompt, thorough, effective, coordinated and impartial investigations** into all cases of abduction and murder of women in Chihuahua state and ensure that they are given the necessary resources.
- **Urgently address society's demand regarding who has jurisdiction** to investigate these cases so that more effective, swift and thorough investigations, endowed with the necessary resources and experts and the full cooperation of all other authorities, can take place. The federal authorities must assume full responsibility for ensuring the efficacy of the investigations and fulfill their obligations to Mexican society and the international community.
- **Establish an urgent search mechanism** in the event that women and girls are reported missing, giving particular attention to cases that conform to the existing pattern and cases of minors. This mechanism must be the first stage of a criminal investigation with full powers in which the families and their representatives are able to participate. Steps must be taken to revive investigations into all the current cases of missing women.
- **Provide the necessary resources, training and legal framework** so that Public Ministry and police officials can carry out effective investigations in accordance with the international standards cited in chapter 4. In particular, the procedures followed in gathering and analyzing data and prosecuting and preventing this violence should adhere strictly to the provisions of the “Convention of Belém do Pará” and other standards on violence against women.
- **Incorporate a gender perspective** into all investigation procedures and case assessments by analyzing the way in which the gender of the victim affects the context and form of the violence, the consequences of it and the authorities' response to it. Investigations of rape and other forms of sexual violence should comply with international standards.
- **Public Ministry procedures should be reviewed** to guarantee that they are impartial and independent and that the judiciary supervise these in order to ensure accountability.

- **Strengthen the legal framework in order to ensure that the concept of *la coadyuvancia* is implemented**, improve regulation of the powers of the Public Ministry when starting a preliminary investigation and determining what offence has been committed, and ensure that Public Ministry decisions can be appealed quickly and effectively before an independent court.
- **Strengthen the role of the *Mesa Técnico-Jurídica* (inter-institutional group looking at technical and legal issues)** and authorize it to review and manage case dossiers, while strengthening the role played by the victims' representatives in the investigations (*la coadyuvancia*).
- **Ensure that the forensic services at state and federal level are independent** from the prosecution service and that they have appropriate resources and the necessary training in the methodology of investigating gender-based violence and human rights. Exhumations, autopsies and the identification of corpses must conform to international standards and, where necessary, the advice of experts from national or international organizations should be sought.
- **Carry out an exhumation program** to enable places where remains may be found to be located and the remains to be identified. Identification must be determined scientifically and with full respect for the dignity of the victims and their relatives. In the event of contradictory results, the tests must be reviewed by independent experts, with the consent of the families. The bodies of the victims must be handed over to the relatives without delay once identity has been established.

Punish those responsible while ensuring that they receive a fair trial

- **Investigate and punish any negligence, failure to act, complicity or tolerance on the part of public officials** in the abductions and murders of women in Chihuahua state. Any official believed to be responsible for committing serious human rights abuses such as torture should be brought to justice with the full guarantees necessary for a fair trial and removed from his or her post pending the outcome of the investigations.
- **Speed up the trials that are pending against alleged perpetrators** and undertake new transparent investigations in cases where proceedings may be invalidated as a result of violations of the right to a fair trial, such as the accepting into evidence of self-incriminating statements obtained under torture.
- **Refrain from publicly asserting in the media that suspects are guilty** before their trials have been completed in accordance with the requirements of law.

- **Train judges in matters relating to violence against women and human rights** and encourage them to cite domestic and international legislation that protects women's rights in their rulings and verdicts.

Provide reparations and support to the victims and their relatives

- **Ensure that the relatives, as well as human rights defenders** who have been working to bring violence against women to an end, can carry out their legitimate work without fear of reprisal and with the full cooperation of the authorities, in line with the UN Declaration on Human Rights Defenders.
- **Investigate, condemn and punish promptly and thoroughly incidents** in which relatives, *coadyuvantes* and civilian bodies have been subjected to surveillance, harassment and threats.
- **Issue a high-level federal and state directive** supporting and recognizing the work of the civil society organizations and relatives' associations in Chihuahua state and calling on all state and federal authorities to respect and promote programs of coordination and cooperation with them.

Prevent violence against women

- **Allocate adequate resources to improving public safety** from the perspective of women's right to live free from violence, for example by installing lighting and organizing security patrols, paving streets and setting up emergency telephone lines and mechanisms for facilitating reporting of crime.
- **Ensure that the *maquilas* meet their legal obligations** to their workers. In conjunction with the companies, the authorities should ensure the safety of the employees, both the day and night shifts, on the transport taking them to and from home as well as in the industrial estates and surrounding areas, especially on building sites, bridges and abandoned streets.
- **Ensure that the *maquilas* fully support the investigations** into the abductions and murders of women and that they work together with public law enforcement agencies on implementing prevention programs.
- **Organize education programs and advertising campaigns** so that society as a whole is actively involved in eradicating the intolerance and discrimination which have a direct bearing on violence against women. Such campaigns should be extended to schools, workplaces and the whole community and be encouraged and carried out jointly with the private sector, especially the *maquiladora* industry.

- **Bring legislation at both federal and state level** into line with international standards on violence against women and ensure that it is implemented through the PROEQUIDAD Program and other appropriate mechanisms. In particular, such legislation should affirm women's right to a life free from violence and to be valued and brought up free from social or cultural patterns that are based on concepts of inferiority or subordination. Each state should introduce laws against discrimination and violence against women that are based on the same principles and prioritize specific programs for enforcing them.
- **Amend article 133 of the Constitution** in order to make it clear that the obligations contracted by Mexico under international treaties take precedence over national legislation, including the Constitution.
- **Introduce legislation to ensure that the obligations incumbent on Mexico** under human rights conventions are fully applied and enforced throughout the country and that state entities within the federation cannot use their autonomous powers to allow impunity to continue.

Appendix: Statistical Summary

When starting this research Amnesty International found the official data available on the cases of women from Ciudad Juárez and Chihuahua who have been abducted or murdered to be inadequate. This was a significant obstacle because any examination of violence against women as a human rights violation needs to be based on data that is broken down by sex, something which was not done for almost ten years, and to follow a methodology that includes looking at the reality of women's human rights, the justice system, gender and the victims⁹⁹.

The organization therefore developed its own database incorporating these categories and cross-referencing information obtained from different sources: official, non-governmental, legal and academic, as well as the direct testimony of affected families. The figures provided are not intended to be definitive but are an attempt to portray as accurately as possible the main features of what is the most alarming manifestation of violence against women in Ciudad Juárez and, in recent years, Chihuahua.

The most salient features are: the persistence of a trend of sexual violence over a ten-year period during which there has been no significant variation in the panorama of female murders, the types of violence inflicted, the identity of the victims (their age, social background and occupation) and the invisibility of the missing women.

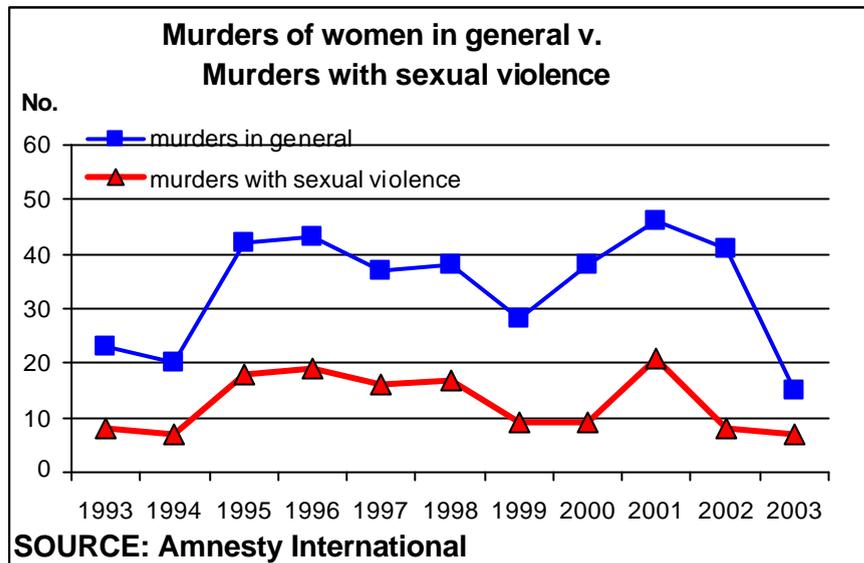
- ***Female murders***

Since 1993 there has been a considerable increase in the number of male and female murders in Ciudad Juárez, making it a city with one of the highest levels of violence in Mexico. Female killings quadrupled while male killings increased threefold. The figures given in the following graph show murders with sexual violence in Ciudad Juárez (1993-2003) plus eight cases of murder with sexual violence (1999-2003) from Chihuahua which exhibit the same features.

- ***Female murders with sexual violence***

Over 370 women murdered (72 of them unidentified), at least 139 of them after being sexually assaulted - this is the harsh violent reality to which, according to reports received by Amnesty International, the women and teenage girls of Chihuahua state have been subjected. In addition, about 85 young women - over 400 according to Mexican non-governmental organizations - have been reported missing.

⁹⁹ UN Commission on Human Rights, Report of the expert group meeting on the development of guidelines for the integration of gender perspectives into United Nations human rights activities and programmes, E/CN.4/1996/105.



In the case of Ciudad Juárez several main features go to make up the pattern of gender-based violence :

The above graph highlights the first feature of the pattern of gender-based violence in Ciudad Juárez: the persistence of a trend of sexual violence over a ten-year period during which there has been no significant variation in the panorama of female murders. As of September 2003, 15 murders of women were recorded overall, eight of them with signs of sexual assault.

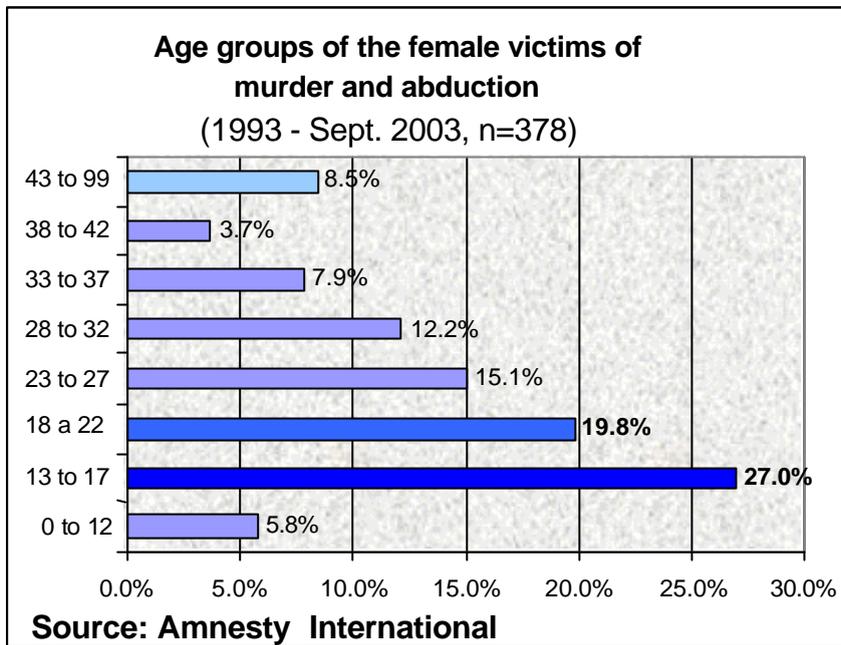
The other main features are:

- *The types of violence inflicted*
- *The identity of the victims: age, social background and occupation*
- *The places where the bodies are left*
- *The invisibility of the missing women*

- *The identity of the victims: female, teenagers and poor*

According to the sample studied, almost half of the victims were very young women of between 13 and 22 years of age (46.8%), although there have been several cases of girls aged between 1 and 4 years.

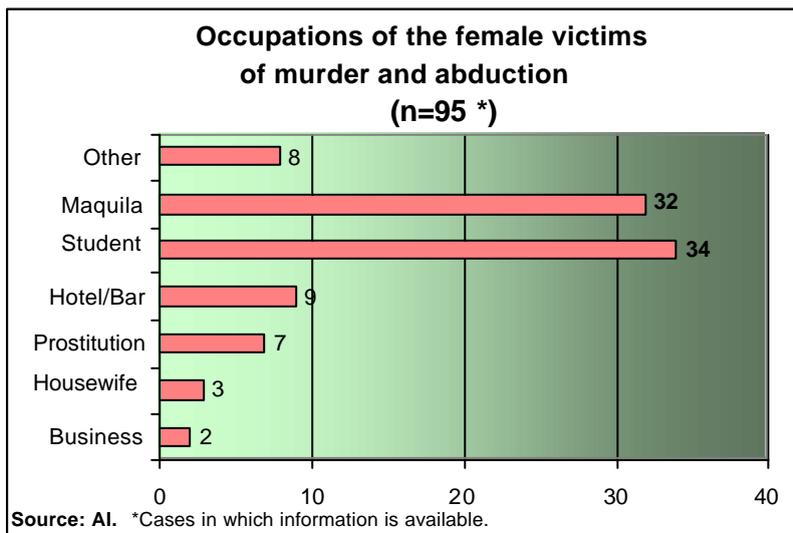
This seems to indicate that being a teenager is one of the selection criteria used by the assailants and that this age group is very vulnerable in the area around Ciudad Juárez and Chihuahua. If women of up to 27 years of age are added, the total rises to 61.9%.



The study of occupations was carried out on a sample of almost one hundred victims. In a large number of cases, the official statistics provided by FEIHM and the PGJE did not include data broken down by occupation as being a significant aspect of the identity of the victims.

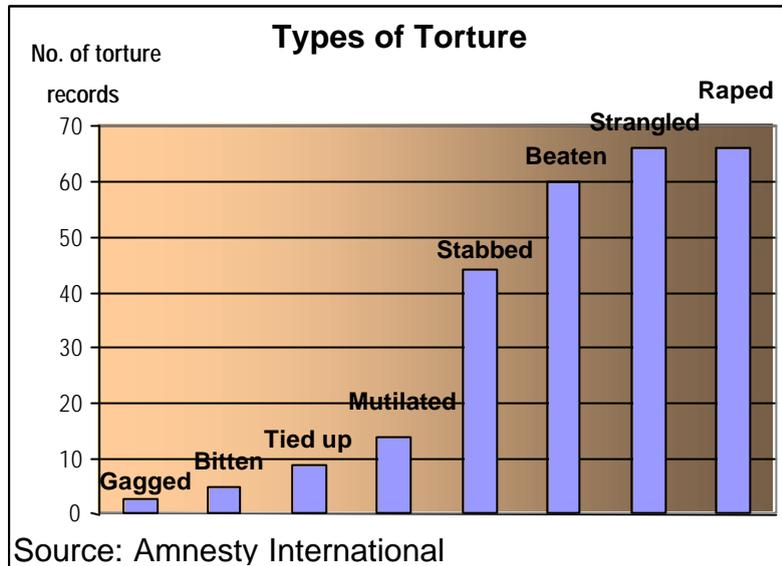
According to the sample analyzed, two thirds of the victims were students, maquila workers and domestic servants or employees. They were women who were just starting out in life and who, in the words of their mothers, sisters, teachers or friends, "wanted to make something of themselves" (*"querían salir adelante"*). Many were therefore studying in the evenings or at weekends after going to work. Despite their youth, some already had children and were heads of household.

- *The types of violence inflicted*



In a large proportion of the cases, the types of violence inflicted on the bodies of the women indicate a form of gender-based violence and sexual torture that goes beyond the act of rape recorded in over half of the cases involving sexual violence. Despite their gravity, these aspects of gender-related human

rights violations are still inexplicably under-recorded or rendered invisible in the official reports, statistics, analyses and forensic records.



The whole range of categories of violence described in the graph - the gagging of victims, biting them, tying them up, subjecting them to mutilation, stabbing, beatings, strangulation or rape - and reported by primary sources - are manifestations of torture in its broadest sense. The analysis sought to discover the different types of suffering to which the victims were subjected by their assailants. In

this way it was possible to establish that, in several cases, a single victim was subjected to many different types of torture prior to death.

There was evidence of injury to the bodies of the women not only in cases of sexual assault but also in cases where sexual violence was not used, though to a lesser extent.

Sexual violence includes other forms of torture, such as sexual humiliation and psychological torture, which were impossible to quantify for this study but are inherent to the nature of gender and the conditions of defencelessness and prolonged captivity that, as a result of forensic tests, some of the victims were shown to have suffered.

Analysis of cause of death also shows the defenceless state of the victims. In over 70 per cent of the cases of murder with sexual violence, death resulted either from asphyxia caused by strangulation or from blows while, in contrast, the use of firearms occupied an almost insignificant place in the statistics (1 case). On the other hand, in cases where women were killed without being sexually assaulted, the use of firearms took first place (51 cases). In cases of domestic violence, firearms were used in 50% of cases.

- ***The places where the bodies are left***

According to the sample, 41% of the victims were found in sparsely populated desert areas outside the city where they could only be taken by car while another 25% were found in sparsely populated urban areas or the industrial area.

It is also wellknown that there are often delays in discovering the bodies of the victims. Of 118 cases where it has been possible to determine from the autopsy how long the victim had been dead, a third of the victims had died four days or more before being found and a fifth a month or more before being found.

Location in which victims of sexual violence were found	No. of cases	%
Sparsely-populated areas on the outskirts	57	41.3%
Sparsely-populated urban areas or the industrial area	34	24.6%
City	22	15.9%
Home	14	10.1%
Hotel/Motel	6	4.3%
Other	5	3.6%
Total	138	100.0%

- ***The invisibility of the missing women***

In 2002, after eight years of silence on the subject of missing women, the state authorities told the IACHR Special Rapporteur on the Rights of Women that the whereabouts of 257 women reported missing between 1993 and 2002 in Ciudad Juárez had not been determined. In March 2003, the authorities gave Amnesty International delegates a list of 69 cases from that period that are categorized as “current cases of missing women” (*“desapariciones vigentes”*) and are still under investigation and in August 2003 they supplied an additional list of 217 described as “cases of missing women on file” (*“desapariciones en reserva”*). Local NGOs, on the other hand, allege that over 400 women are still missing. The difference between these figures would seem to indicate a lack of rigour in the procedures for recording when a woman has been located, thereby creating great uncertainty about the actual number of women still missing.

Amnesty International has gathered data on 85 missing women and 72 unidentified murdered women whose skeletal remains or corpses have been found over the past ten years and in whose cases so far no official attempt to identify them has been reported.

It is important to stress that the cases where identity has not been determined may correspond to cases of women who are missing. However, as long as those cases remain unidentified and the whereabouts of the missing women has not been established, it is also not possible to confirm that the two categories are mutually exclusive.

**List of Missing Women
Ciudad Juárez and Chihuahua, 1993 – August 2003 (85 cases in total)**

The list published below contains the names of 85 women who have been reported missing and whose whereabouts or fate is not known. It includes a list of 69 victims recorded by the FEIHM in Ciudad Juárez and provided to Amnesty International, all of whom are recorded as "current cases of missing women", as well as cases reported by non-governmental civil organizations and families who have been directly affected.

For ten years, the authorities refrained from making public a full list of women who had been reported missing. An important gap in the data received is the fact that age is missing from many of the records.

Date	Name of the Victim	Age	City	Record No.
22/12/1993	MARIA DEL ROSARIO GOMEZ SOLIS		C. Juárez	26456/93
04/05/1995	VERONICA MONTAÑEZ MONRREAL		C. Juárez	10659/93
19/06/1995	ABIGAIL ESMERALDA REYES JACOBO		C. Juárez	14260/93
16/11/1995	Baby girl, daughter of CECILIA COVARRUBIAS	8 days	C. Juárez	None.
05/12/1995	MARIA ELENA GARCIA SALAS		C. Juárez	24219/93
1996	ERICA IVONNE MADRID RIOS		C. Juárez	16876/96
1996	LIDIA HERRERA HERRERA		C. Juárez	6839/96
06/01/1996	GUADALUPE ESPINOZA BOYSO		C. Juárez	252/99
25/01/1996	VERONICA MUÑOZ ANDRADE		C. Juárez	1816/96
26/01/1996	ROSINA BLANCO RAMOS		C. Juárez	12905/96
27/02/1996	MARIA GUADALUPE DEL RIO VAZQUEZ		C. Juárez	4011/96
12/06/1996	MICAELA RIOS SALDIVAR		C. Juárez	13586/96
01/07/1996	MIRIAM GLIZETH BERNAL HERNANDEZ		C. Juárez	301/98
12/08/1996	CATALINA DUARTE CARRERA		C. Juárez	15788/96
30/09/1996	ALMA DELIA LOPEZ GUEVARA		C. Juárez	599/98
10/10/1996	BLANCA GRISEL GUZMAN		C. Juárez	33/96
22/03/1997	ELENA GUADINA SIMENTAL		C. Juárez	201/97
01/10/1997	BLANCA CECILIA RIVAS LOPEZ	13	C. Juárez	20385/97
11/03/1998	GRISELDA MARES MATA		C. Juárez	191/98
12/03/1998	SILVIA ARCE		C. Juárez	5333/98
02/04/1998	GABRIELA HOLGUIN REYES		C. Juárez	259/98
13/04/1998	MIGUELINA SOTO MELENDEZ		C. Juárez	7661/98
07/12/1998	MARIA DEL ROSARIO PLACIOS MORAN		C. Juárez	688/98

Date	Name of the Victim	Age	City	Record No.
18/03/1999	ANA AZUCENA MARTINEZ PEREZ		C. Juárez	159/99
01/05/1999	CARMEN CERVANTES TERRAZAS	42	C. Juárez	354/99
01/05/1999	ROSA VELIA CORDERO HERNANDEZ	25	C. Juárez	368/99
23/07/1999	MARIA DEL ROSARIO RAMOS REYES		C. Juárez	390/99
18/11/1999	ELIZABETH RODRIGUEZ PEREZ		C. Juárez	557/99
25/02/2000	CELINA URIBE VASQUEZ		C. Juárez	74/00
08/04/2000	MARTA FELICIA CAMPOS MOLINA		C. Juárez	143/00
08/04/2000	MERLIN ELIZABETH RODRIGUEZ SAENZ	17	C. Juárez	19454/00
04/05/2000	MIRIAM CRISTINA GALLEGOS	17	C. Juárez	
20/05/2000	BLANCA ESTELA GARZA AGUIRRE		C. Juárez	242/00
01/11/2000	NANCY EDITH HERNANDEZ CHACON		C. Juárez	437/00
12/12/2000	ERIKA NOEMI CARRILLO ENRIQUEZ	20	Chihuahua	
22/02/2001	ROSALBA PIZARRO ORTEGA	16	Chihuahua	
26/02/2001	YESENIA CONCEPCION VEGA MARQUEZ	16	Chihuahua	
07/03/2001	JULIETA MARLENG GONZALEZ VALENZUELA	17	Chihuahua	
13/03/2001	MINERVA TERESA TORRES ALVELDAÑO	18	Chihuahua	
15/04/2001	MARGARITA RUIZ CHAPARRO	45	C. Juárez	262/01
25/04/2001	MARIA DE LOS ANGELES ACOSTA	19	C. Juárez	118/01
07/06/2001	MARIA DE JESUS SANDOVAL GONZALEZ		C. Juárez	244/01
23/06/2001	LORENZA CLARA MAVIE TORRES	26	C. Juárez	177/01
25/06/2001	MAYRA JULIANA REYES SOLIS	17	C. Juárez	
06/08/2001	MARIA ROSINA GALICIA		C. Juárez	199/01
30/09/2001	GUADALUPE LUNA DE LA ROSA	19	C. Juárez	398/00
19/10/2001	VERONICA MARTINEZ HERNANDEZ	20	C. Juárez	422/00
28/10/2001	MARIA DE LOS ANGELES GUTIERREZ PORT.		C. Juárez	266/01
07/11/2001	BARBARA ARACELI MARTINEZ RAMOS	20	C. Juárez	008/01
18/02/2002	SOFIA TORRES	15	C. Juárez	
18/02/2002	DINORA GUTIERREZ	24	C. Juárez	
25/02/2002	ALMA MARGARITA LOPEZ GARZA	27	C. Juárez	40/02
10/03/2002	CLAUDIA NOHEMI ROMERO		C. Juárez	47/02
01/04/2002	YESENIA MARGARITA BARRAZA QUIÑONES	15	Chihuahua	
01/04/2002	BIANCA SOCORRO QUESADA PEREZ	17	Chihuahua	
29/04/2002	NANCY JAQUELINE DORADO V.		C. Juárez	90/02

Date	Name of the Victim	Age	City	Record No.
08/05/2002	MARIA FATIMA FLORES ORTIZ		C. Juárez	98/02
10/05/2002	ISABEL MEJIA SAPIEN		C. Juárez	103/02
06/07/2002	TERESA DE JESUS GONZALES MENDOZA	13	C. Juárez	139/02
10/08/2002	MAYRA YESENIA NAJERA LARRAGOITI	15	C. Juárez	172/02
11/08/2002	BEATRIZ ANGELICA VALERA		C. Juárez	173/02
17/08/2002	SAMANTHA YESENIA CARRAZCO CARRAZCO		C. Juárez	182/02
16/11/2002	SAN JUANA ESMERALDA SIFUENTES RIVAS		C. Juárez	243/02
21/11/2002	ROSA MARIA MAYELA ITUARTE SILVA		C. Juárez	250/02
20/12/2002	ERIKA ABIGAIL LOERA	26	C. Juárez	
03/01/2003	MARIA CONCEPCION TORRES CAMPOS		C. Juárez	002/03
06/01/2003	LIZETH SOSA MENDOZA		C. Juárez	006/03
10/01/2003	ESTELA GARDEA CHAVEZ	32	C. Juárez	007/03
11/01/2003	MARIA GUADALUPE SEGURA FERNANDEZ		C. Juárez	008/03
20/01/2003	LUISA GARCIA HERNANDEZ		C. Juárez	017/03
23/01/2003	MARICRUZ LEOS HUERTA		C. Juárez	019/03
02/03/2003	MARIBEL PARRA PEREZ		C. Juárez	044/03
03/03/2003	MARIA DE LOS ANGELES FRANK MARTINEZ		C. Juárez	048/03
09/03/2003	YOHANNA PATRICIA MIRANDA GONZALEZ		C. Juárez	056/03
13/03/2003	SAYRA LUZ LUJAN CAMPA		C. Juárez	6642/03-999
17/03/2003	VICTORA ALOMA HOLGUIN VARELA		C. Juárez	062/03
23/03/2003	BLANCA ESTELA URRIETA COLON		C. Juárez	064/00
25/03/2003	ADRIANA MORIN ZUGASTI		C. Juárez	065/03
30/03/2003	MARIA ISABEL RAZCON FERNANDEZ		C. Juárez	067/03
30/03/2003	MARISELA GONZALEZ VARGAS		C. Juárez	066/03
31/03/2003	CRISTAL PALACIOS ROSALES		C. Juárez	8513/03-999
31/03/2003	PERLA PATRICIA DE LA CRUZ JACOBO		C. Juárez	8513/03-999
31/03/2003	KARLA PAOLA RODRIGUEZ ROMERO		C. Juárez	8513/03-999
09/03/2003	CLAUDIA JUDITH URIAS BERTHAUD	14	Chihuahua	
13/05/2003	NEIRA AZUCENA CERVANTES	16	Chihuahua	