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Fox Appoints Special Prosecutor to Investigate Women's Murders in Juarez

by LADB Staff
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Caving in to pressure from domestic and international human rights organizations, President Vicente Fox's administration has agreed to create a special prosecutor's office to investigate several hundred unsolved murders of women in Ciudad Juarez during the past decade. The new office called the Fiscalia Especial para la Atencion de los Homicidios de Genero en Ciudad Juarez, Chihuahua will be headed by Maria Lopez Urbina, an attorney with extensive experience in state and federal criminal investigations. She most recently served as the representative of the Procuraduria General de la Republica (PGR) in Coahuila state.

Attorney General Rafael Macedo de la Concha said Lopez Urbina would assist Guadalupe Morfin Otero, who was appointed in October 2003 to coordinate the investigation into the Juarez deaths. At least 370 young women have been murdered in Juarez since 1993, although hundreds of others have disappeared and remain unaccounted for. Most of the victims have worked in maquiladoras and other factories, but some have also been high school students and store clerks (see SourceMex, 2002-09-11).

The creation of the special prosecutor's office is significant because it is considered the first concrete step on the part of the Fox administration to involve the federal government fully in the Juarez cases. Federal authorities had repeatedly declined to investigate the Juarez murders on the grounds that the cases were the jurisdiction of law-enforcement agencies in Ciudad Juarez and Chihuahua state (see SourceMex, 2003-04-30).

The PGR made some exceptions in July of last year when it determined that about a dozen cases could fall under federal jurisdiction because victims appeared to have killed by organ traffickers (see SourceMex, 2003-07-30). This still left the majority of the cases in the hands of municipal and state investigators.

Morfin's appointment in October provided victims' relatives and human rights groups with some reason for optimism, but many felt that Morfin's office lacked teeth and that the federal government could go further (see SourceMex, 2003-10-22). One of the principal functions of Morfin's office was to develop a 40-point strategy to discourage further abductions and murders of women in Juarez and in the capital city of Chihuahua. Her office, however, had little power to address past incidents.

Mixed reaction from human rights advocates
Many human rights advocates were heartened by the creation of the new special prosecutor's office because it brought in the federal government's law-enforcement capabilities. "Better late than never," said Jose Luis Soberanes, president of the Comision Nacional de Derechos Humanos (CNDH), who urged that the administration show its commitment to the case by allocating sufficient funds for Lopez Urbina to perform her duties properly.
Sen. Leticia Burgos Ochoa, secretary of the human rights committee (Comision de Derechos Humanos) in the upper house, also applauded the creation of the prosecutor's office and reiterated the need for Macedo de la Concha to support Lopez Urbina's work. "It is indispensable that the new prosecutor have the full support of the PGR and any other federal and state government entities," said Burgos, a member of the center-left Partido de la Revolucion Democratica (PRD).

Responding to these appeals, Fox pledged his full commitment to resolving the Juarez cases. "Guadalupe Morfin and Maria Lopez Urbina...can count on the full support of my government to perform their duties," the president said at a press conference.

Lopez Urbina said her duties would include investigations of Juarez and Chihuahua state law-enforcement authorities to determine whether they had hindered or bungled the investigations of the murder cases.

A report published by Amnesty International last year sharply criticized Chihuahua state police as inefficient and corrupt and accused officers of tampering with evidence and using torture to obtain confessions. "I will investigate the cases where there is evidence of inefficiency, negligence, or intolerance on the part of public servants so there is no more impunity for those who failed to fulfill their duty," said Lopez Urbina.

Some human rights organizations met the creation of the new prosecutor's office with skepticism. The Comision Mexicana de Defensa y Promocion de los Derechos Humanos (CMDPDH) criticized the government for not consulting with civil society in this decision and not spelling out a clear mission for the new office. "There was no adequate consultation in the designation of the new prosecutor, despite the opportunities for dialogue between federal agencies and nongovernmental organizations," said the CMDPDH.

The CMDPDH and other organizations also questioned whether Lopez Urbina was the proper person to lead the new prosecutor's office. "Does she have the stature? The personal qualifications? The political backing? The trust?" asked Mariclaire Acosta, a human rights activist who preceded Soberanes at the CNDH. "Mexico has had special prosecutors before. They come in with big announcements and then get mired in bureaucracy, infighting, and threats and end up achieving nothing."

Lopez Urbina's appointment was also criticized by some officials in Chihuahua Gov. Patricio Martinez Garcia's administration. Martinez is a member of the Partido Revolucionario Institucional (PRI), which retains a large number of governorships in Mexico despite its loss of the presidency in 2000. PRI officials said the Fox administration is using the new office to gain votes ahead of this year's gubernatorial election. "It is not necessary to create another prosecutor's office to solve these cases," said Oscar Valadez Reyes, who heads the state attorney general's northern region.

**Issue expected to surface in 2004 gubernatorial race**

The unsolved Juarez deaths are expected to become a principal issue in the gubernatorial campaigns, with Fox's center-right Partido Accion Nacional (PAN) placing a large share of the blame
for the unsolved crimes on the Martinez administration. The PRI has responded by assigning blame to Martinez Garcia's predecessor Francisco Barrio Terrazas, a member of the PAN and former Juarez mayor.

The Chihuahua gubernatorial election, one of three gubernatorial races scheduled for July 4, 2004, will be between federal Deputy Jose Reyes Baeza of the PRI and federal Sen. Javier Corral Jurado of the PAN. The PRD, which received only 5% of the vote in the 2001 Chihuahua gubernatorial election, is considering throwing its support to Corral. If the center-left party supports Corral, it could be the only instance where the PAN and PRD back a common gubernatorial candidate.

Party leaders Luis Felipe Bravo Mena of the PAN and Leonel Godoy of the PRD reached an informal agreement in late January to form coalitions in the Chihuahua, Durango, Oaxaca, and Zacatecas gubernatorial elections this year, but the accord unraveled in February because of opposition from influential party members who felt the parties were philosophically incompatible. The states of Aguascalientes, Veracruz, Puebla, Sinaloa, Tlaxcala, and Tamaulipas will also elect governors this year. A faction of PRD officials is pushing for the party to support Corral as an individual without linking with the PAN. The party views Corral as one of the few "progressive" members of the PAN.

In addition to the gubernatorial race in Chihuahua, voters will also be electing a new mayor for Ciudad Juarez to replace Jesus Alfredo Delgado. The PAN has held the Juarez mayoral post since 1992. The new mayor and governor will not only have to face the ongoing investigations of corruption in the Juarez murders but the city's violent drug-related crime. In a recent incident reported in late January, law-enforcement officials uncovered at least 11 bodies during an investigation at the home of drug trafficker Humberto Santillan Tabares, a leader in the cartel allegedly run by notorious trafficker Vicente Carrillo Fuentes.

Authorities said the victims, many of whom showed signs of torture, might have been informants or members of rival drug cartels. Among those arrested in this case were 13 members of the Chihuahua state police. "Instead of protecting and guaranteeing the safety of the population, they are openly working with organized crime," deputy attorney general Jose Luis Santiago Vasconcellos said of the state police. "This is serious, and we are not going to tolerate it. We will fight it to its core."

Authorities frequently stumble on mass graves of victims of drug-related crimes. In 1999, reports surfaced that more than 100 victims were buried at the ranch of a notorious drug trafficker, but authorities uncovered only eight bodies (see SourceMex, 1999-12-15). Experts say other victims of drug-related crimes are probably buried elsewhere in the Juarez metropolitan area. "Juarez is a giant cemetery," said Oscar Maynes, a former forensics expert for Chihuahua state. "If you know where to dig in this vast desert, you'll likely find bodies buried." (Sources: La Jornada, 11/04/03, 01/15/04; El Financiero, 01/22/04; The Washington Post, 01/28/04; Associated Press, 01/13/04, 01/30/04; The Dallas Morning News, 01/15/04, 01/28/04, 01/30/04; Notimex, 01/20/04, 01/22/04, 01/28/04, 01/30/04; Reuters, 01/28/04, 01/30/04; Los Angeles Times, 01/28/04, 01/31/04; La Cronica de Hoy, 01/14/04, 01/29/04, 02/02/04; The Herald (Mexico), 01/15/04, 01/22/04, 01/28/04, 02/02/04; Unomasuno, 01/22/04, 02/02/04; Agencia de noticias Proceso, 01/14/04, 01/30/04, 02/02/04, 02/03/04; El Sol de Mexico, 01/14/04, 01/30/04, 02/03/04; El Universal, 01/14-16/04, 01/30/04, 02/03/04, 02/04/04; Milenio Diario, 01/15/04, 01/30/04, 02/04/04)