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LADB Staff

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## **Authorities Under Fire for Failure to Solve Juarez Killings, Murder of Activist**

by LADB Staff

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Mexican authorities remain under fire for their failure resolve two high-profile cases, the murders of hundreds of women in Ciudad Juarez during the past decade and the death of human rights activist Digna Ochoa in Mexico City in 2001.

### ***UN committee issues scathing report on Juarez***

In late January, the UN Committee on the Elimination of All Forms of Discrimination Against Women issued a report citing its "great concern" about the lack of progress in solving the murders of more than 300 women in Juarez since 1993. The committee issued the report after it investigated whether Mexico's poor handling of the killings had violated the Convention on the Elimination of Discrimination against Women.

The report found that the response of authorities to the murders and other forms of violence against women had been "extremely inadequate," especially during the early 1990s. Responding to the UN report, the Mexican government admitted it has faced major obstacles in the investigation but denied the existence of a deliberate policy of discrimination. "It must be acknowledged that there are social situations, stereotypes, attitudes, values, and age-old cultural traditions and customs that have been preserved throughout our history and that restrict women's development potential," the government said in its response.

President Vicente Fox's administration has placed a stronger emphasis on resolving the killings, appointing human rights lawyer Guadalupe Lopez Morfin to coordinate the investigations (see SourceMex, 2003-10-22). That appointment was followed by the creation of a special prosecutor's office led by attorney Maria Lopez Urbina (see SourceMex, 2004-02-04). Lopez Urbina has issued three reports on the investigation since taking office in early 2004. One report released in June 2004 blamed the administrations of former Chihuahua Govs. Francisco Barrio and Patricio Martinez for the lack of progress in the investigations (see SourceMex, 2004-06-23).

### ***Special prosecutor's latest report called inadequate***

In her latest report, released in early February, one year after her appointment, Lopez Urbina noted some progress in her investigations. At a news conference, she said federal authorities were investigating 50 suspects in the killings as well as 49 local law-enforcement officials, who were being looked at for possible negligence in past probes. Additionally, she noted that at least 143 public officials are now under investigation for negligence in the murders.

Lopez Urbina said her office has made progress in other areas, including the creation of a DNA data bank to identify victims and the establishment of the Fondo de Indemnizacion, which sets aside 25 million pesos (US\$2.2 million) for victims' families. The report raised skepticism among

human rights groups and victims' families. Victoria Caraveo Vallina, former director of the Instituto Chihuahuense de la Mujer, said there was strong disappointment in the report because victims' families were hoping for the names of the perpetrators and not negligent officials. "The mothers want the government to arrest those responsible for the deaths of their daughters," said Caraveo Vallina. "They don't want to hear about the officials who did not perform their jobs in the investigations."

Other advocates said current authorities are doing little to prevent more murders, with 22 more violent deaths of women reported last year. This is twice as high as in 2003. In early January, two federal judges convicted 10 men on charges of murdering some of the women. Many victims' families and human rights organizations doubt that these are the real culprits. For some, the convictions could hinder the investigations because they came several years after the suspects were taken into custody. "If they were sure these men committed the crimes, why did it take eight years to find them guilty?" said Esther Chavez, director of Casa Amiga, a nonprofit center that helps rape and abuse victims in Juarez.

Chavez raised other concerns about the credibility of the convictions, since some of the suspects claimed to have been tortured into confessing. "What worries me is that the government may be trying to say the cases have been solved when there are still so many gaps in the investigations," Chavez told the Associated Press.

### *EZLN, others call for Digna Ochoa case to be reopened*

Momentum is also picking up for authorities to reopen the case involving Digna Ochoa's death in Mexico City in 2001. Ochoa, who was affiliated with the Jesuit-run Centro de Derechos Humanos Miguel Agustín Pro (PRODH), was found dead of gunshot wounds in her apartment. At first authorities said Ochoa was murdered by unknown assailants (see SourceMex, 2001-10-31).

Subsequent investigations by Mexico City prosecutors (Procuraduría General de Justicia del Distrito Federal, PGJDF) concluded that Ochoa might have committed suicide (see SourceMex, 2002-03-20). The PGJDF's conclusions angered some human rights groups, who claimed Ochoa was probably murdered by paramilitary groups opposed to her legal work with activists who denounced impunity and environmental violations. Ochoa had been assisting campesino leaders Rodolfo Montiel Flores and Teodoro Cabrera, who had been imprisoned on false drug and arms charges. The two leaders were fighting efforts by multinational companies to conduct logging operations in Guerrero state (see SourceMex, 2001-11-14)

In 2003, Mexico City prosecutor Bernardo Batiz declared the Digna Ochoa investigation "closed" after authorities concluded that her death had been a suicide. But others, including Batiz's boss, Mayor Andrés Manuel López Obrador, left open the possibility that the investigation could remain open. "If there is any disagreement, we cannot close the case," the mayor said in July 2003.

Even with López Obrador's support for a continuing investigation, the case remained in limbo for several months. In July 2004, the Comisión de Derechos Humanos del Distrito Federal (CDHDF) issued a report criticizing the manner in which various authorities conducted the investigation. CDHDF president Emilio Álvarez cited more than 50 irregularities in the three

separate investigations, which cast doubt on the PGJDF's conclusion that Digna Ochoa committed suicide by shooting herself in the head. The commission's report, however, stopped short of saying whether Ochoa's death was suicide or murder.

In early January 2005, Subcomandante Marcos, a spokesperson for the Ejercito Zapatista de Liberacion Nacional (EZLN), resurrected the issue through a statement criticizing Batiz and the PGJDF for having abandoned the case. In doing so, he said, Batiz was in complicity with right-wing elements who want the truth about the case buried. "What the PGJDF did, Mr. Batiz, was fail to uncover the truth and to administer justice," Marcos said in a letter to the Mexico City attorney general.

Marcos' statement came as a surprise because the EZLN had said little about the Digna Ochoa case before. The letter attracted the attention of Lopez Obrador, who said he was willing to allow a group of specialists to review the case, but he did not promise to reopen the official investigation.

Batiz responded to the accusations, saying Marcos was making statements based on incomplete information. "It appears to me that he is talking about this with only the information that others have given him on this case," said Batiz. "He does not have full knowledge of the contents of the official record."

For many human rights organizations, the case is not closed. In late January, a group of Mexican and Canadian organizations handed a petition to the Fox government asking that the Ochoa investigation continue. The letter asked that the case be handled by international experts. "This is the only way we will have an investigation that is impartial and that strictly complies with Mexican law," said the letter. (Sources: Milenio Diario, 11/14/03; The New York Times, 07/21/04; Copley News Service, 07/22/04, 07/27/04; Reuters, 01/07/05, 01/27/05; El Financiero, 07/22/04, 01/28/05; Notimex, 01/30/05; El Universal, 07/18/03, 02/01/05; The Herald-Mexico City, 07/22/04, 01/28/05, 02/01/05; La Cronica de Hoy, 01/08/05, 01/10/05, 01/28/05, 01/31/05, 02/01/05; Los Angeles Times, 02/01/05; La Crisis, 01/10/05, 01/28/05, 02/01/05, 02/02/05; Spanish news service EFE, 01/07/05, 02/03/05; Associated Press, 01/08/05, 01/27/05, 01/31/05, 02/03/05; The Dallas Morning News, 02/01/05, 02/04/05; Agencia de noticias Proceso, 01/06/05, 01/07/05, 02/07/05; La Jornada, 07/21/03, 01/08/05, 01/10/05, 01/13/05, 01/20/05, 02/09/05)

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