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## Senate Ratifies Arturo Chavez As Attorney General

by LADB Staff

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In a somewhat surprising move, the Senate easily confirmed Arturo Chavez to replace Eduardo Medina Mora as federal attorney general despite strong criticisms about his record as chief prosecutor in Chihuahua state during the 1990s. Chavez was confirmed by a vote of 78-27 with overwhelming support from the governing Partido Accion Nacional (PAN), the Partido Revolucionario Institucional (PRI), and the Partido Verde Ecologista Mexicano (PVEM). The center-left Partido de la Revolucion Democratica (PRD) and the Partido del Trabajo (PT) cast the nay votes. Calderon nominated Chavez following strong controversy regarding Medina Mora's tenure as head of the Procuraduria General de la Republica (PGR). Medina Mora, who resigned in early September as part of a partial overhaul of Calderon's Cabinet, was strongly criticized for his failure to curb drug-related violence (SourceMex, September 09, 2009).

Critics question nominee's efforts in murders of Juarez women Chavez, who served in a border state at the forefront of the war against drugs, was seen as a capable prosecutor who could make the campaign against drug traffickers more effective. "He has the right profile to be attorney general," said PVEM Sen. Arturo Escobar, who cast a vote in favor of Chavez. But the president's nomination of Chavez came under fire from human rights advocates, who cited the nominee's failure to solve the murders of hundreds of women in Ciudad Juarez during his tenure as state attorney general in the 1990s. By some accounts, almost 400 women were murdered in Juarez in the 1990s and early 2000s (SourceMex, February 09, 2005). The matter was left in the hands of Chihuahua state authorities until former President Vicente Fox's administration decided to intervene in 2003 (SourceMex, July 30, 2003, June 01, 2005 and March 01, 2006).

In a report published in 1998, the Comision Nacional de Derechos Humanos (CNDH) accused the Procuraduria General de Justicia del Estado de Chihuahua (PGJ), which was headed by Chavez, of delaying investigations and omitting key evidence in 24 cases that occurred in 1993 and 1994. "The number of murders of women increased at a time when he was chief prosecutor in Chihuahua, and he didn't give the matter sufficient attention," said Leticia Cuevas, coordinator of the women's rights organization Red por los Derechos Sexuales y Reproductivos. Other subsequent reports criticized local and state authorities for failing to solve the cases (SourceMex, June 23, 2004).

Without presenting details, Chavez acknowledged "errors, omissions, and negligence" by some law-enforcement agents that were under the jurisdiction of his office. He used this as an opportunity to press for better training for law-enforcement agents "so that these mistakes do not occur again." Some observers criticized senators who voted to ratify Chavez while ignoring his record in Chihuahua in relation to the women's murders. "The PAN, PRI, and PVEM supported this nomination despite outcry from organizations like the Inter-American Commission on Human Rights (IACHR), Amnesty International (AI), and the UN regarding the impunity that prevailed while [Chavez] headed the PGJ," said the Agencia de noticias Proceso (apro).

The PRI voted overwhelmingly for Chavez but did not offer any strong endorsements for the nominee. PRI Sen. Jesus Murillo Karam expressing the sentiment of most members of his party, saying it was the executives' prerogative to nominate his own candidates for Cabinet positions. "The law stipulates that the president has the right to appoint and remove the head of the PGR," said Murillo. PAN, Chavez deny negligence in Juarez cases PAN Sen. Alejandro Gonzalez and others defended their vote, pointing out that Chavez succeeded in resolving 73% of the cases that were brought to his office. During his testimony before the Senate, Chavez presented details of the cases that came before the Chihuahua prosecutor's office. He told senators that 65 of the 93 cases were resolved satisfactorily, including the arrest of 54 perpetrators. Of those arrested, 32 have been sentenced to jail. He pointed out that his office was unable to move forward on another 28 cases because authorities were unable to determine the identity of the victim. "We could not gather evidence to go after a probable suspect," he said.

Critics in the Senate did not budge, with PRD Sen. Pablo Gomez wondering if the nominee was going to run the PGR like he did the PGJ. "If the PGR is organized the same way it was in Chihuahua, things are not going to improve, they are going to worsen," said Gomez. Gomez and fellow PRD Sen. Rene Arce also accused Chavez of manufacturing evidence and employing tactics like torture to extract confessions from individuals who may or may not have committed the crimes. Human rights advocates made their presence known at Chavez's confirmation, with demonstrators holding signs outside the Senate building calling the nominee an "assassin." During his testimony, Chavez offered to double PGR efforts to solve the cases that remain pending. "I reiterate my offer and my commitment to meet with nongovernmental organizations (NGOs), not only to build mechanisms to prevent these occurrences but to clarify the cases that remain unsolved," said Chavez.

Chavez supports military involvement in drug war Another controversial topic that arose during the confirmation hearing was the continued use of military in the campaign against drug traffickers. Chavez said he fully supports using soldiers in this effort because they have been instrumental in helping the government make some advances in controlling drug traffickers. While the military might have played a role in keeping the war against drug traffickers from escalating in some areas, members of the armed forces are also accused of human rights violations in many communities where they have been stationed (SourceMex, February 20, 2008, July 16, 2008 and August 12, 2009).

It was precisely this issue that Sen. Gomez raised during Chavez's confirmation. He suggested that the nominee was simply going to be "a yes-man" in Calderon's scheme to create a "police state" in Mexico. Chavez broke with Calderon and with the Congress in expressing his disagreement with a recently approved law to decriminalize possession of small amounts of marijuana and other drugs (SourceMex, August 26, 2009). "This is not a solution to our problem," Chavez said during testimony. "Decriminalization only leads to increased consumption." On another somewhat controversial topic, Chavez reiterated his opposition to implementing the death penalty in Mexico. While Mexico is unlikely to begin using capital punishment, the death penalty is no longer off the table in discussions on how to deal with violent crime (SourceMex, December 10, 2008).

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