



Washington Office
on Latin America



Center for Women's
Human Rights

To: Foreign Policy Aides

From: Maureen Meyer, the Washington Office on Latin America (WOLA);
Luz Estella Castro, Center for Women's Human Rights (*Centro de Derechos Humanos de las Mujeres*), Chihuahua, Mexico;
Gustavo de la Rosa, member of the State Commission of Human Rights in the state of Chihuahua, Mexico

Date: January 27, 2010

Re: Women at Risk in Chihuahua, Mexico: Between military and police occupation, violence and drug trafficking

At the start of his government in December of 2006, President Felipe Calderón launched a series of initiatives to fight drug trafficking and insecurity in Mexico which included the deployment of the federal police and the military in counter-drug operations in various states in the country. In spite of these efforts, rampant violence continues; at the end of 2009 more than 6,500 assassinations had been recorded in relation to drug trafficking for that year alone, and there were more than 15,000 killings between December 2006 and December 2009.

Approximately 35% of the killings recorded in Mexico in 2008 and 2009 occurred in the border state of Chihuahua. In 2008, Ciudad Juárez—the biggest city in Chihuahua state which borders El Paso, Texas—had a homicide rate of 130 for every 100,000 residents.¹ In 2009, this rate reached 191.² In both years, Juárez had the highest assassination rate in the country and one of the highest in the world.³

In response to this violence, Joint Operation Chihuahua (*Operativo Conjunto Chihuahua*) was launched in April 2008. More than 8,000 police and soldiers were sent to the state to carry out security tasks. Despite the massive presence of security forces, extortions, robbery and assassinations significantly increased as did reports of human rights violations, with women being a particularly vulnerable target for abuse.

In a significant change in policy, the Mexican government announced on January 13, 2010 the gradual shifting of control over the operation to Mexico's Federal Police with the new name "Coordinated Operation Chihuahua". The government is dispatching an additional 2,000 federal police personnel to Ciudad Juárez and they will gradually assume all law enforcement roles in the northern part of the state of Chihuahua. The military's task will primarily be patrolling and monitoring the rural parts of the state, intelligence work and manning strategic checkpoints.⁴

¹ "Juárez, la ciudad más violenta del mundo" *El Economista*, August 26, 2009.

<http://eleconomista.com.mx/notas-online/politica/2009/08/26/ciudad-juarez-mas-violenta-mundo>

² Figueroa, Martha Elba. "De lejos siguen a Juárez Otras ciudades violentas." *El Diario*, January 11, 2010. <http://www.diario.com.mx/nota.php?notaid=64e6019218ba406c1de65a98b5c34fb6>

³ <http://www.elsiglodetorreon.com.mx/noticia/477776.ciudad-juarez-la-mas-violenta-del-mundo.html>

⁴ Stratfor Global Intelligence, Mexico Security Memo, January 18, 2010.

While this shift is important and more clearly requires the two bodies to adhere to their stated mandates, the military and the federal police have both received numerous accusations of human rights abuses in the context of the counter-drug operation in Chihuahua, suggesting the failure of the Mexican government to ensure accountability for the actions of its security forces.⁵

In the state of Chihuahua, *femicides* (gender-based murders of women) have been a rampant problem for years, many cases of violence against women are never investigated, and women have long suffered from the commodification of their bodies. Despite this background, it is evident that the government did not foresee how the new presence of 8,000 soldiers and police would gravely affect this already vulnerable population. As is detailed below, women have been sexually harassed at security checkpoints, they are at the forefront in the search for justice for detained or disappeared family members, and they are increasingly targets in the battles between drug trafficking organizations.

Women: victims of sexual harassment by military personnel and police

One example of the abuses women have suffered as a result of the counter-drug operations are the public physical inspections that include touching their breasts and intimate parts at the checkpoints established in various locations throughout the state.

The Center for Human Rights for Women (CEDEHM), based in Chihuahua City, received a testimony from Claudia (not her real name), who was detained by soldiers on November 4, 2009 while on her way to work in Ciudad Juarez. They asked her to get out of her car to inspect it and she complied but she asked them to do it quickly so she would not be late for work. This bothered the soldiers and they told her that in that case they would also have to do a physical inspection of her. Claudia asked them if there was a woman that could do this inspection but the soldiers only laughed. “They touched my body while saying—you smell so good—they were making fun of me and leaned me against the truck to continue checking me as if I was a delinquent and they touched my private parts. One of my coworkers passed by the place and stopped to ask me what was happening and if I was okay. The soldiers just laughed and one of them finally gave the order to let me go. This is something that has really affected me and I felt a feeling I’d never felt before of rage, helplessness, anger, and fear, a lot of fear. I’m not the only one, I have another friend that had the same thing happen to her”.

Gustavo de la Rosa, who is in charge of the Ciudad Juarez office of the Chihuahua State Human Rights Commission, also received a testimony in which Maria (not her real name) reported that on April 9, 2009, she was detained by a group of federal police in Juarez. The federal police checked her car and a policewoman asked her to put her hands on the roof of the car to be checked for drugs or firearms. The police “checked absolutely every part of the body, multiple times, especially around the bust and between my legs, in front of six other policemen who were smiling as they watched how I was being checked. I didn’t cry. At first I was very scared and then

⁵ In Chihuahua, the State’s Human Rights Commission received three complaints of human rights violations by military forces in 2007. A year later, when the counter-drug operation began, it received 162 complaints, of these 88 were presented by women. In the first ten months of 2009, the Commission had received 149 complaints, including allegations of torture, forced disappearance, and extrajudicial executions, 78 of these complaints were presented by women. While these complaints are against the military, the Federal Police have also been implicated in abuses. Of the 886 complaints received at the Complaints Program for Joint Operation Chihuahua in the last ten months, 400 were against the Federal Police. *Response from the State Human Rights Commission to a FOIA request by CEDEHM, No. 035122009*, <http://infomex.transparenciachihuahua.org.mx/infomex/>

I got nervous, and in the end I was very angry. It is clearly abuse of authority, but again, what can you do?”

In light of these and other incidents that he has witnessed, Gustavo de la Rosa protested before the federal police expressing that they can only do physical inspections for women that have been previously detained for being caught committing a crime. In response, Commander Jose Castillo stated that they “have instructions to inspect women to check that they do not have weapons or drugs on their body even if they do not have previous evidence and that the agents give special attention to the bust because women can hide drugs in their bras, in their underwear and even in their vagina”.

Women: Indirect Victims

In counter-drug operations, women are the main witnesses that observe how soldiers enter their homes and take their children and husbands without a warrant. They are the ones who desperately look for their family members and confront the soldiers who have detained them to demand that they are presented to the corresponding civilian authorities.

In his work for the Human Rights Commission, Gustavo de la Rosa has documented multiple cases of women that are looking for their family members or that have reported abuses against them. Many women must ask to be admitted to the military barracks to look for their family members. When they have done so the soldiers have responded with rude comments or gestures and by mocking them and denying that their family members are detained in spite of the fact that the women themselves witnessed how the soldiers, in their uniforms and official vehicles, took them from their homes.

On December 29, 2009, ten armed soldiers in uniform, arbitrarily detained Jose Angel Alvarado Herrera, his cousin Nitza Paola Alvarado Espinoza, who is 31 years old and a mother of three, and Rocio Irene Alvarado Reyes, who is 18 years old, in the community of Benito Juárez in Buenaventura, Chihuahua. The family immediately reported what had happened to the community police and to the State Attorney General’s Office in Nuevo Casas Grandes, but the authorities refused to accept their complaint. It was not until December 31st when the Public Minister of Buenaventura accepted the complaint; that same day he informed the family that he had information that the three people were detained in the 35th Infantry Battalion barracks and that they were being investigated by the army.⁶ Nevertheless, to this day, the whereabouts of Jose Angel, Nitza and Rocio are unknown. Forced disappearance, according to the UN, constitutes a serious crime and “when women are victims of disappearances, they are particularly vulnerable to sexual and other types of violence”.⁷

On January 3, 2009 Josefina Reyes was assassinated by an armed group in Ciudad Juarez. Josefina had publicly reported the disappearance of one of her sons at the hands of the Mexican Army. Since 2008, Josefina actively participated in protests against violence in the city and violations of human rights perpetrated by the military. According to witnesses, Josefina was fighting against the men who tried to kidnap her and they told her “you think you are tough

⁶ Amnesty International, Urgent Action 9/10 – “Three People Unlawfully Arrested by Army in Mexico”, January 12, 2010. See also: CEDEHM, “Acción Urgente por la desaparición forzada a manos del Ejército de dos mujeres jóvenes y un hombre en Chihuahua”, January 11, 2010. <http://www.cencos.org/es/node/22437>

⁷ UN Office of the High Commissioner for Human Rights, Forced or Involuntary Disappearances, Fact Sheet No. 6/Rev.3 <http://www.ohchr.org/Documents/Publications/FactSheet6Rev3.pdf>

because you are with the organizations" and then they shot her in the head. The assassination of Josefina remains in impunity and the authorities have not provided any information regarding progress made in investigating those responsible.⁸

Sexual Violations by Armed Groups

The CEDEHM knows of 12 cases of the rape of women that were perpetrated by armed men in Chihuahua between 2008 and 2009. Given the impunity and insecurity in the state, in most cases it is not possible to discern whether those responsible were soldiers, the police or members of organized criminal groups. Likewise, many women who are victims of sexual violence by armed groups are afraid to report the incidents because they are threatened that they will be killed.

Of the known cases, only one woman officially reported the case to CEDEHM. In 2008, she was taken by three armed men who took her to an uninhabited area and raped her; they said that they would hurt her if she reported them. After she filed her complaint the men acted on their threats by cutting off three of her fingers and burning the soles of her feet.⁹

Murders of Women

Chihuahua and Ciudad Juarez are internationally known for the unresolved femicides that have occurred in the state. Chihuahua is the Mexican state that has received the highest number of recommendations by national and international human rights bodies regarding human rights violations against girls and women. Today it is even a more dangerous state to live in given the high rate of murders and kidnappings, which includes women and girls.

According to the homicide unit within the State Attorney General's Office, 184 women were murdered in 2009, a record that triples the highest numbers of murders of women during the most critical years of femicide in the state. Of these murders, only 25 have been transferred to the Special Office for Investigating Murders Against Women because they are considered to be linked to gender issues and not organized crime.¹⁰ Some of the other women have been murdered after having endured physical and sexual violence by members of armed groups.

In November 2009, hours after the murder of two women in Ciudad Juarez, "narco-graffitis" appeared that explicitly referenced these murders. In this case it would appear that one drug cartel gave the order to kill the family members of an enemy cartel, including the women, and in their retaliation message the rivals threatened to do the same.¹¹ Laura Carrera, the head of the Mexican government's National Commission to Prevent and Eradicate Violence Against Women has declared that, "women in this time of war between drug traffickers are being made the weapons and tools to humiliate the other...women are becoming like loot in the war on drugs".¹²

⁸ Amnesty Internacional, Urgent Action 01/10, "Human Rights Defenders at Risk After Killing in Mexico," January 5, 2010.

⁹ For security reasons no additional information can be published on this case.

¹⁰ Saavedra, Héctor, "Ciudad Juárez supera 2,600 muertes en 2009 y es urbe más violenta de México," EFE, December 31, 2009. http://www.elperiodicodemexico.com/nota.php?id=330410#Scene_1

¹¹ "Noche de narcoamenazas en Juárez," El Agora, November 12, 2009 <http://www.elagoradechihuahua.com/Noche-de-narcoamenazas-en-Juarez,19528.html>

¹² El Economista "Mujeres, botín de guerra para el narco: SEGOB", November 17, 2009. Declarations made by Laura Carrera, the head of the Mexican government's National Commission to Prevent and Eradicate Violence Against Women.

The cases described above illustrate how women are direct and indirect victims of drug trafficking, of violence, and of abuse by members of the military and the police forces, without the Mexican government taking effective measures to protect them or to sanction those responsible for the abuses. The U.S. government has supported Felipe Calderon's government in its efforts to combat drug trafficking, in particular through the Mérida Initiative. Nevertheless, respect for human rights should be considered an essential component of the government's efforts to ensure security in the country, not an obstacle.

Recommendations

1. When the United States Congress provided funds to Mexico under the Mérida Initiative it recognized the need to make progress on respect for human rights in Mexico, specifying that 15% of the funds could not be released until the State Department reported on the Mexican government's fulfillment of a set of human rights requirements. In its revision of the State Department's next Mérida Initiative report on Mexico, we ask that Congress pay particularly close attention to any information included in the report on the consequences of the military and federal police presence in counter-drug operations on women's rights, as well as the Mexican government's efforts to protect women and to investigate and sanction those responsible for violating their human rights.
2. Given the recent wave of threats and attacks against human rights defenders in the state of Chihuahua, the United States Congress should ask that the State Department express to the Mexican government its concerns regarding the risks that confront human rights defenders in the state. In particular, the State Department should ask the Mexican government to ensure the protection of the members of the Women's Human Rights Center (CEDEHM, *Centro de Derechos Humanos de las Mujeres*) who were granted protection measures by the Inter-American Commission on Human Rights and the security of Gustavo de la Rosa, a member of the State Commission of Human Rights who has publicly denounced the abuses committed by the army in Juarez and has been the subject of death threats related to his work as a human rights defender.