

In an unprecedented case

## **The Inter-American Court of Human Rights Sanctions Mexico for failing to adequately guarantee the life and personal integrity of women in Ciudad Juarez**

December 11, 2009 – The international organization Women's Link Worldwide celebrates the decision of the Inter-American Court of Human Rights sanctioning the State of Mexico for the torture and homicide of three women, whose bodies were found in a cotton field outside of Ciudad Juarez.

Of the hundreds of murders of women that have taken place in the past 16 years in Ciudad Juarez, the "Cotton Field" case, as it is known, is the first sanction against Mexico for not offering the proper guarantees to protect the life and physical integrity of three women, two of them minors, in a context of gender violence.

On April 27, 2009, Women's Link Worldwide submitted an [amicus curiae](#) before the Court in the case *Gonzalez and others ("Cotton Field") vs. Mexico*, where it was argued that the violence against women in Ciudad Juarez, which includes disappearances and murders, is part of a pattern of systematic violence based on gender, social condition, and age.

The cases of the women in the Cotton Field case are representative of the kind of violence, physical, sexual and psychological, that hundreds of women who were ultimately murdered, suffered. Their conditions in captivity, the torture, mutilation, sexual aggression and other acts of violence committed against them had the ultimate goal of degrading women as such acts can only be committed on women's bodies and were evident in the remains of the victims.

The absolute lack of justice is in itself gender discrimination on the part of Mexico, responsible for the shameful impunity that currently exists in the state of Chihuahua. As the Inter-American Commission of Human Rights explained, *"the impunity that attends these human rights violations perpetuates a social acceptance of gender-based violence, which in turn feeds women's sense of insecurity and their abiding mistrust of the administration of justice system."*

The [amicus curiae](#) submitted by Women's Link Worldwide supports the application submitted by the Inter-American Commission of Human Rights before the Inter-American Court of Human Rights and the legal arguments of the representatives of the victims, which sought to obtain a sanction to the State for human rights violations based on the gender and social condition of the victims.

Viviana Waisman, Executive Director of Women's Link Worldwide stated, *"the Inter-American Court's decision sets a precedent for Mexico and for the region regarding the legal interpretation of this kind of extreme violence against women and also becomes a precedent for the human rights system as a whole. I want to acknowledge the work of all the women's organizations that have worked for many years to demand justice for the crimes against women in Ciudad Juarez."*

## The Case

On September 21, 2001, after going to school and finishing her shift as a waitress, Laura Berenice Ramos Monárrez, age 17, did not return home. On October 10, 2001, Claudia Ivette González, age 20, was last seen when leaving *maquila* LEAR 173, where she was not allowed in for showing to work two minutes late. On October 29, 2001, Esmeralda Herrera Monreal, age 15, disappeared on her way home after working as a maid in a family home of Ciudad Juarez. When their relatives reported their disappearance, local authorities did not conduct any searches stating that the women were probably with their boyfriends.

On November 6<sup>th</sup> and 7<sup>th</sup> of 2001, eight bodies were found with signs of extreme sexual violence in a cotton field of the area.

The National Association of Democratic Lawyers A.C. and the Latin American and Caribbean Committee for the Defense of the Rights of Women, on behalf of Esmeralda Herrera Monreal and the organizations Non-Violence and Human Dignity Citizen Network and the Center for Women's Integral Development A.C., on behalf of Claudia Ivette González and Laura Berenice Ramos Monárrez, filed a petition with the Inter-American Commission of Human Rights in 2002.

On November 4, 2007, the Inter-American Commission of Human Rights filed an application to the Inter-American Court against Mexico, in relation to the Cotton Field cases, in which it stated that the Mexican government was internationally responsible for the lack of protective measures for the victims, two of them minors; for the lack of preventive measures taken against these type of crimes despite being fully aware of the existence of a pattern of gender violence that resulted in the murders of hundreds of women and girls; for the lack of response by local authorities when the disappearances were reported; for the lack of due diligence in the investigation of the murders and for the denial of justice and reparation for the families.

In its response, the Mexican government denied that the three cases were part of a pattern of systematic violence against women and argued that the Court had no jurisdiction over the case with regards to violations of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women "Convention of Belem Do Para".

After eight years, the families of the victims found justice thanks to the Inter-American Court's decision, which states that *"the young women González, Ramos and Herrera were victims of violence against women as defined in the American Convention and the Convention of Belem do Para. For the same reasons, the Court finds that the homicides were committed for gender reasons and occurred within a recognized context of violence against women in Ciudad Juarez."*

Additionally, the decision sanctions Mexico for not offering the proper guarantees of protection of the three victim's life and personal integrity.

The Court concludes that *"the State did not act promptly within the following hours and days after the disappearances were reported, wasting valuable time. In the period between the reports and the time the victims' bodies were found, the State limited itself to fulfill formalities and to take testimonies that, although important, lost their relevance when no search actions resulted from them. Additionally, the attitudes and declarations of public officials towards the families, indicating that the disappearance reports did not warrant urgent and immediate response, lead this Court to conclude that there were unjustified delays after the disappearances were reported. All of the above demonstrates that the State did not act with the due diligence*

*required to adequately prevent the death and aggressions suffered by the victims and that it did not act in a way that is reasonable to expect according to the circumstances of the case to put an end to their deprivation of liberty. The breach of due diligence is particularly serious given a context that was known to the State – which placed these women in a situation of particular vulnerability and the reinforced obligations imposed to the State in cases of violence against women, under article 7.b of the Convention of Belem do Para.”*

To learn more about the case, visit <http://www.corteidh.or.cr/>

To read the *amicus* submitted by Women's Link Worldwide, visit [http://www.womenslinkworldwide.org/pdf\\_programs/es\\_prog\\_ge\\_universal\\_legaldoc\\_amicusjua rez.pdf](http://www.womenslinkworldwide.org/pdf_programs/es_prog_ge_universal_legaldoc_amicusjua rez.pdf)

#### **About Women's Link Worldwide**

Women's Link Worldwide is an international human rights non-profit organization working to ensure that gender equality is a reality worldwide through the implementation of international human rights law and strategic work with the courts, including strategic litigation. [www.womenslinkworldwide.org](http://www.womenslinkworldwide.org)

#### **For more information contact**

Brújula Comunicaciones  
+57 1 285 6984 / +57 1 4872122  
+57 300 264 8634  
[info@brujula.com.co](mailto:info@brujula.com.co)