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PERIODIZATION OF FEMINICIDE IN CD. JUÁREZ

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Abstract

The aim of this paper is to present and analyze the main periods of femicide in Cd. Juárez, Chihuahua, in order to comprehend better this phenomenon and contribute to its investigation. Violence in Cd. Juárez reached humanitarian crisis proportions during the “war on drugs” created by former Mexican Presidents Felipe Calderón Hinojosa and Enrique Peña Nieto from 2006 to 2018. Cd. Juárez was the most dangerous city in the world from 2008 to 2011 and has remained among the 20th most dangerous cities since then. Femicide grown in the context of human trafficking, drug and arms trafficking and militarization on both sides of the Mexico/US border. One of the objectives of this paper is to present and analyze the main periods of femicide in Cd. Juárez, Chihuahua, in order to comprehend better this phenomenon and contribute to its investigation.

Keywords: femicide, “war on drugs”, US-Mexico border, periodization of femicide, “Cotton Field,” Inter-American Court of Justice.

Preface

Cd. Juárez has lived in a state of emergency for at least the period of time that the two former Mexican Presidents (Felipe Calderón Hinojosa and Enrique Peña Nieto) had an official war on drugs in Mexico (2006-2018). Cd. Juárez has been at the crossroads of drug trafficking, militarization in El Paso, Texas and Cd. Juárez, Chihuahua, migration crisis, arms trafficking, and human trafficking. The core of its economy and therefore, of its identity has been the maquiladora industry. These transnational industries have had an imprint in every part of the city: its planning, infrastructure or lack of it, educational curriculum, international bridges for transporting goods, displacement of communities, quality of life of their workers and their families, transportation, industrial waste, and others. The unrestricted application of neoliberal agendas that caused extreme social and economic inequalities, and the series of structural plans were part of a series of “shocks” applied to most Mexican people. However, the “war on drugs” was a new and improved “shock” that hit the hardest on the poor, the dissident, the indigenous, the migrants, the youth, and women. It is quite perplexing the levels of violence in Cd. Juárez have been depicted as a consequence of cartels internal fights rather than a humanitarian crisis. Particularly, considering that during the “war on drugs” about 500,000 people were killed, about 250,000 disappeared, at least three clandestine cemeteries of victims of femicide were found in Cd. Juárez, high number of abductions, human trafficking, systemic femicide against women and girls in some of the most gruesome and cruel ways in the history of humanity.

One of the objectives of this paper is to present and analyze the main periods of femicide in Cd. Juárez, Chihuahua, in order to comprehend better this phenomenon and contribute to its investigation. The order of this paper is the following: the first part presents the importance of femicide in Cd. Juárez, followed by an introduction of the terms “femicide” and “femicide.” Thereafter, there is a description of the four main periods followed by a conclusion.

Introduction.

The first feminecidial case in Cd. Juárez took place in 1993 with the disappearance of Alma Chavira Farel, a thirteen year-old child. Although femicide is not in the list of the leading causes of death among women, it is very important because the precise and almost predictable way these crimes have been carried out and also because of the level of impunity that have taken place after thirty years of the first femicide. There seems to be a fatal combination of intersections in the profile of the victims of femicide in terms of ethnicity, age, class, place where they live and work. Most of the victims are kidnapped, torture, endure group rape, mutilation, and killing. Their bodies are often found in vacant lots or desert areas in decay or semi-buried. The law enforcement agencies have consistently lost or misplaced evidence, they have threatened or attacked the victims families or lawyers and journalists, and have consistently incriminated clearly innocent scapegoats.

Just as in other cases of extreme and systematic cruelty in the killing of different groups, people who were quite close to the experience of femicide (such as their relatives and the community) did not have a vocabulary to describe such level cruelty at the time it was happening. That was the case of the word “genocide” that did not exist before the end of WWII. For the families of the victims of femicide, activists, and activists it has been very significant and empowering to have a definition of these crimes. For this reason, the authors believe that it is important to give a contextual map of the development of the word femicide. Jane Caputi and Diana Russell (1992), coined the term “femicide” to identify the political dimension of the murder of women in patriarchy. Since patriarchy aims to control women’s bodies and its ability to punish women, femicide happens within a system in which power and masculinity are displayed in hate and contempt for the female body and for the attributes associated with women. These authors also introduce the term “sexual terrorism” to point to the forms of oppression that impede women’s freedom (Caputi & H., 1992)

“Femicide is on the extreme end of a continuum of antifemale terror that includes a wide variety of verbal and physical abuse, such as rape, torture, sexual slavery (particularly in prostitution), incestuous and extrafamilial child sexual abuse, physical and emotional battery, [sexual harassment](#) (on the phone, in the streets, at the office, and in the classroom), genital mutilation (clitoridectomies, excision, infibulations), unnecessary gynecological operations (gratuitous hysterectomies), forced [heterosexuality](#), forced sterilization, forced motherhood (by criminalizing contraception and abortion), psychosurgery, denial of food to women in some cultures, cosmetic surgery, and other mutilations in the name of beautification. Whenever these forms of terrorism result in death, they become femicides. (Caputi & H., 1992, p. 15)

Both authors coined the term “femicide.” Marcela Lagarde de los Rios, a Mexican congresswoman, anthropologist and activist started to use the term “feminicidio” not necessarily as a translation from English to Spanish of the word “femicide,” but as a way to legally link the term to human rights. Lagarde de los Rios’ work has been intimately linked to femicide in Cd. Juarez from the very early stages of this phenomenon. In Lagarde de los Rios view “femicide is a very small visible part of violence against girls and women, it happens as culmination of a situation characterized by the repeated and systematic violation of human rights Women's. Their common denominator is gender: girls and women are cruelly violated by the mere fact of being women and only in some cases are they murdered as a culmination of the said violence, that can be public or private (Lagarde de los Rios, 2004). Julia Monárrez, a researcher at El Colegio de la Frontera Norte campus Cd. Juarez (a think tank on border issues with campus along the most important border cities in Mexico), added other dimensions to the term “femicide.” Monárrez calls for an inclusion of the entire progression of violent acts against women that range from emotional and psychological abuse, beatings, insults, torture, rape, prostitution, sexual harassment, child abuse, infanticide of girls, genital mutilation, domestic violence, and any policy that leads to the death of women, tolerated by the State (Monárrez, 2012). Chicana scholars Rosa Linda Fregoso and Cynthia Bejarano, to the murders of women and girls based on a gender-based power structure. It is also both public and private gender violence, involving both the State (directly or indirectly) and individual aggressors (private, state or para-state) and includes both systematic and generalized violence since one its main roles is to control women as a gender group. Ultimately “femicide” and “feminicidio” mean the same. Although all feminecidial or feminecidial violence is an epiphenomenon of gender relationships, it is important to highlight the specific way in which they were committed and/or to have a consistent typology of these crimes. The main reasons for having the same typification across the nations is to make more efficient police protocol, specific laws and ways of finding the criminals. Some types of femicide classification might be: intimate, non-intimate, infant, transphobic, racial, during genital mutilations, human trafficking, prostitution, and many others.

During the war on drugs, the Mexican state tended to put together all types of femicide in order to obscure the systematic killing of women by paramilitary armies and to construct them as intimate to place responsibility on the victims.

Femicide in Mexico emerged in an economic and political context of disruption of entire communities through the decisive implementation of neoliberal policies that started to be implemented since the late 1980s. According to Solis (2017), Mexico is the second country with the highest level of inequality among OECD countries and one of the highest among the G20 countries. With only minor fluctuations, this situation has not significantly changed in the last thirty years. The two factors that drive income inequality in Mexico are wage-restriction policies and the limited redistributive role of the state through tax policies. After NAFTA, these factors played a crucial role to secure a low-cost labor force for national and foreign manufacturing firms coming to Mexico (Solis 2017). Economic inequalities are translated in social inequalities such as education, healthcare, housing, and others, and in political inequalities like the distribution of political opportunities and power, control over local, regional and national governance, capacities to participate, etc. Some of the main consequences of persistent economic, social and political inequalities are people's sense of agency, belonging and trust in their communities, and the creation of a fertile breeding ground of violence, particularly towards the most vulnerable people in the communities (Solis 2017). Femicide in Mexico and Central America has reached humanitarian crisis, particularly in Cd. Juárez, Chihuahua, where there are many factors contributing to make this crisis worse, mainly migrant crisis, drug traffic, human traffic, war on drugs, US migration policies, militarization of the US/Mexico border, and an highly exploitative maquiladora industry at the center of its economy.

Femicide by paramilitary groups in the way we know them now, it is a relatively new phenomenon, that relies on the "sophistication" of modernity, the "informality" of wars, and radical changes in the governments to carry out them out in such a systemic and efficient manner. In the particular case of femicide in Latin America, the social and economic context has been the single-minded application of neoliberal agendas that have produced extreme social and economic inequalities, extra-official wars, the war on drugs, and ample corruption and impunity.

In Cd. Juárez, approximately 40 percent of femicide victims (in non-intimate crimes and by group of men) are children. For the most part, they are residents of marginalized areas with poor infrastructure, who were kidnapped and sexually tortured before being killed. Their bodies appeared in decay or semi-buried in depopulated areas in the outskirts of the city, and many of them were found in clandestine cemeteries. Typically, the victims families were many times victimized by the state due to lack of access to due process, persecution, lack of minimum follow up and investigation of the crimes.

Mexico has many observatories focused on gender violence that are normally part of an academic institution, such as El Colegio de la Frontera Norte (COLEF), Universidad Autónoma de México (UNAM), and others. Alfredo Limas Hernández and Myrna Limas Hernández set up a research line on social and gender violence at the Universidad Autónoma de Ciudad Juárez (UACJ) since 1997. In 2008, they instituted the *Observatorio de Violencia Sexual y Género* (Observatory of Social and Gender Violence) that is part of the same university. This was partly in response to the State and the private sector's denial of the killing of women and/or declarations that femicide was a sporadic phenomenon that they had already under control. The main objective of this observatory and archive is to maintain the collective memory of the city and create resources that might contribute to the delivery of justice to the families of the victims and studies on femicide in the region (Martínez Prado 2020). What follows is a description and analysis of the four main periods of Femicide in Cd. Juárez that were classified based on the date from this observatory in order to provide a tool for a more comprehensive understanding of the way femicide has developed in Cd. Juárez. We think that the periodization of femicide can contribute to recovering the historical memory of the struggles, processes and achievements trying to protect women's rights and security.

Limas Hernández have identified four main phases on femicide in Cd. Juárez based on the data from this observatory with the understanding that there are processes that overlap with other periods. Future events in femicide might make us reanalyze this periodization. Therefore, since history is continuous, all systems of periodization are more or less arbitrary, and therefore, subject to change. Nevertheless, we think that the periodization of femicide can be an important resource to facilitate the analysis and understanding of the political, economic, and social context and processes where femicide took place. What follows is the description and analysis of these periods.

First Period of Femicide in Cd. Juárez (1993-2000). Femicidal Emergence.

The first phase of this period starts with the first recorded case in Ciudad Juárez when Alma Chavira Farel, a 13-year-old girl disappeared, was sexually tortured, and killed by a stranger. Chavira Farel's body was found in 1993. Extra familial femicide cases after this, where the victims did not know their aggressors and girls or women were abducted first had a similar *modus operandi*. Five months later, on May, 1993, Gladys Janeth Fierro, a 12 year-year old girl was found in similar conditions as Alma Chavira Farel. This case was followed by the femicide of Silvia Rivera Morales, who was found on September 1995, in "Lote Bravo, south of Ciudad Juárez, Chihuahua airport. There were signs of sexual torture. In 1996, six bodies were found in the "Lomas de Poleo" desert zone. The victims were stabbed, mutilated and raped. Sagrario González a 17-year-old maquiladora worker, disappeared after leaving work in April 1998. Days later Sagrario González was found dead in a vacant lot, having been raped, strangled and stabbed (Estado Mexicano Juzgado Por Femicidio 2009). Another characteristic of this phase was that often the victims' bodies were found in the same place and time with other victims even though they disappeared at different times. Silvia Elena Rivera Morales, Olga Alicia Carrillo Pérez or Adriana Torres Márquez, from 1995, Sagrario González Flores (1998), among many others, were the most illustrative cases of young kids, teenagers or young women who were kidnapped and were found dead after several months of investigation and research by their relatives. This period was characterized by an almost total lack of training of professional prosecutors of justice to carry out crime scene investigation (i.e. collect and use of forensic evidence such as DNA sample management). The emergence of femicide as we know it, coincided with Chihuahua State governorship of Francisco Barrio Terrazas (1992-1998).¹ Barrio Terrazas style for dealing with social problems was confrontational, punitive, with defamation campaigns and, and best, indifference. His approach to femicide lacked sensitivity and at times, he showed open contempt for the victims and their families. This attitude has had an echo in most middle-class and conservative people in the area in ways that encouraged further discrimination against working class women. This line of dealing with violence against women partly explains why the state response to disappearances and femicide were characterized by continuous missteps, indifference, negligence and prejudice. For instance, it was common that families learned the discovery of the victims' bodies were through local newspapers or TV not by official communication from the government to them. Families have continuously reported being treated with contempt and that they are left with the task of searching for their daughters, and losing their jobs and resources while doing the job the state did not do (CEDIMC. 2018).² Chihuahua state ex-governor Barrio Terrazas rationale for the occurrence of femicide in Cd. Juárez, had a victim-blaming, perpetrator exoneration, and/or the portrayal of violent incidents as mainly domestic disputes or "crimes of passion"(Delgadillo 2015).³For instance, Barrio Terrazas declared that one of the main reasons for having such a large number of femicide in the city was due to family neglect to their children, lack of family values This lack of effective response to prevent violence against women has had a great impact in normalizing gender violence (Delgadillo 2015). In this initial phase, the state took over five years to "clarify" the cases of the two clandestine cemeteries of femicide victims known as "Lote Bravo" (1995) and "Lomas de Poleo" (1996), and other highly representative individuals that are discussed later in this work. The investigation of all these cases had notorious fabrications of responsible criminals, who for the most part were low-income workers who were tortured to confess crimes they did not commit and unjustly, served prison time.

It is in this phase when some families of the victims formed an association called "Voces sin Eco" (VSE) (Voices without Echo), with special activism of six families of femicide victims. Local and State institutions were negligent in their investigations and often failed to carry out important procedures such as the lost DNA evidence; delays in the searches of disappeared women. Often they limited the searches to morgues or hospitals or did not search at all. Until 2018, it was quite common to torture working-class men to make them incriminate themselves for femicidal cases. For the most part, suspects werenot brought to trial or reached the sentencing phase(Washington Valdez 2006).⁴In 1997, the governor set up a special prosecutor's office to investigate the homicides of women and the *Unidad Especializada en Delitos Sexuales y Contra La Familia*. However, both institutions were ineffective due to sexist, classist, misogynistic policies and an absolute lack of political will to clarify and eradicate femicidal violence. This political position was translated into thelack of financial support, equipment or qualified personnel (Ruiz 2003). One of the main problems in this phase was the fact that since the then Chihuahua State Prosecutor's Office did not have a protocol for the investigation of femicidal cases; there were discretionary presumptions about which murders could be considered femicide or not.

One of the after-effects of these inconsistencies, lack of protocol and clear procedures at the national level, has been limited and sound statistics of femicide up to now because some of the cases that were initially classified as homicide are now being reclassified as femicide.

The relatives of the femicidal cases that happened between 1995 and 1996, formed a group called *Voces sin Eco* (VSE) in 1998. However, this group ended in 2001. Guillermina Flores, sister of Sagrario Flores, was the spokeswoman of VSE. The main agenda for this group was to inform people about this new phenomenon at local, state, national and international level, demand due process, security to women, delivery of justice, prevention of crimes, stop to torturing scapegoats of femicidal cases. Many different organizations emerged with similar objectives. Some of them are: “Casa Amiga,” “Coordinadora de Organismos No Gubernamental,” Mesa de Mujeres,” Centro para el Desarrollo Integral de la Mujer (CEDIMAC), “Comité Independiente de Derechos Humanos de Chihuahua,” “Mujeres por Juárez” and “Nuestras Hijas de Regreso a Casa.” Throughout the years, there have been reconfigurations of umbrella organizations. As explained before, many families were victims of life threats, intimidation and the creation of climate of harassment towards specific organizations, activists and family members.⁵ For almost four decades, officials at the local, state, and federal level were from either the PRI or PAN. Political parties used femicide for political purposes and tended to blame each other for the rise or mishandling of femicide. Another phenomenon has had a long term impacts has been the “war on number counts” by different administrations. Until now, there has been an important archival work to find out femicide cases from this period and try to solve the crimes. Both parties used to fund NGOs focused on gender in a discretionary way and often both parties sabotaged each other’s work in such a way that allowed little or no cooperation at the local, state and national level. Pioneer observatories focused on gender violence were set up in this phase (i.e. El Colegio de la Frontera Norte and la Universidad Autónoma de Ciudad Juárez).⁶ The key elements of this period are the following: the first documented cases of femicide in Cd. Juárez coincided with deep economic and political changes in the nation that culminated with the signing of NAFTA. The global economic inequality is based on new forms of war where human rights violations of all sorts thrived. These processes have protected and concealed all forms of violence against women that go into a continuum from symbolic violence to femicide as probably the ultimate expression denial of all human rights against women. The radical social, economic, and political reconfiguration of Mexico transformed most public goods into merchandise and affected all society, especially those with the least resources. The growing violence across the country, aggravated by the economic crisis, has had a direct impact on violence against women and girls with the emergence of femicide in Cd. Juárez, Chihuahua. Para-military groups developed under radical economic inequality, and overtime started to enact violent forms of social control of the most vulnerable social sectors and territories. The agenda of these paramilitary criminal groups magnified gender inequality that already existed and that intersect with age, race and class.

After the state governance of Francisco Barrio (1988-1994), the next governor, Patricio Martínez (1994-2000), limited femicidal cases to a matter of the exercise of judicial authority, avoiding altogether the comprehensive understanding of this phenomenon in the social consciousness. There was a widespread media campaign against the victims’ families to silence them and further marginalize them based on their class, and race. Since the most visible members were the victims’ mothers, they were also target of gender violence too. During this time, the middle-class supported the state and media construction of the victims and their families and blamed the victims for their faith. Femicide was not seen as a public problem, but as a problem of people without a strong family structure. The different layers of victimization to the families created a climate. *La Coordinadora de Organizaciones No Gubernamentales por los Derechos de las Mujeres* (coordinator of non-governmental organization for women’s rights) formulated a civic agenda as a response to femicide in the city. In addition, the government set up legal institutions with special committees focused on femicide in Cd. Juárez. However, in this period, there were no special local or national commissions in the Congress or Senate, nor a no single initiative in strengthening and developing democratic governance with gender perspective.

The Second Period of Femicide

The second period starts in 2001 with the discovery of “Cotton Field” clandestine cemetery, with eight bodies of girls and women. This period lasted approximately until 2007. Kidnapping of girls and women continued to happen without any case been solved. The “Cotton Field” litigation process in the Inter American Court of Human Rights, started to link human trafficking to femicidal cases. Human trafficking started to expand throughout the country.

However, due to its geographical location, Cd. Juárez has been one of the main focal points for transnational human trafficking. There are countless discrepancies in the number of femicide victims given the fact that the state was not efficient in the investigations of disappeared girls and women, particularly in distinguishing those who were kidnaped of those who left home supposedly on voluntary basis, and also the lack transparency in the reports of victims of kidnapping (Torres 2007). Notwithstanding, approximately 3000 girls and women disappeared in this period in Cd. Juarez.

The “Cotton Field case” is a breakthrough legal case in the history of femicide. This cemetery was located in one of the most expensive areas of the city, next to the U.S. consulate in Cd. Juárez and in front of the maquiladora association headquarters, the main employer of the city who has actively trying to suppress denunciation of femicidal crimes for fears of discouraging foreign investment. Claudia Ivette González, Esmeralda Herrera Monreal, and Laura Berenice Ramos Monárrez, were reported missing by relatives and the state failed to investigate their cases. A citizen notified the police about the brutally murdered girls and women he saw while walking through this track of land (González et al vs Mexico 2009). This case was crucial for advancing international law, because it was presented before the Inter-American Court of Human Right with a resolution that made the Mexican state responsible for human rights violations. On November, 2009, the IACHR found the Mexican state responsible for violating article 4, 5, 7, 8, 19, and 25 in relation to 1 and 2 of the American Convention. The Mexican state violated article 7 (b) and (c) of the Convention of Belém do Pará. ⁷because the state did not protect women’s rights and their security (González et al vs Mexico 2009). Some of the most important elements of the IACHR are that the Mexican state had to improve specific investigation policies, provide professional training programs, make a public education program on the issue, pay medical expenses of the victim’s relatives, to pay monetary damages, and, to monitor their compliance (González et al vs Mexico 2009).

As stated before the families, particularly the mothers of the victims, have been at the forefront in their demand for the delivery of justice. Many private individuals from the community started to work with the mothers of some of the victims of femicide when it was evident that they faced enormous to have access to justice. Different NGOs have supported some of the victims’ families initiatives on and off throughout the years. Many of them have had strings attached and some have been more consistent than others. Patricio Martinez, Chihuahua State Governor from 1998 to 2004 had an aggressive campaign against these community-based organizations and the victims’ families. In particular those groups that denounced the strong link between organized crime and the state. University professors, *organizations de base*, and NGOs, initiated a initiatives with the families of the victims that followed participatory and empowering models.

In 2001, the *Red Ciudadana de No Violencia y Dignidad Humana* (Citizen Network for Non-violence and Human Dignity), was created after eight bodies of girls and women were found in the cotton field. The Network for Non-violence and Human Dignity designed a poll, an entire exercise to recover and to find out what these crimes meant to people at that time. It was ten when they realized that the delivery of justice had to come through international advocacy, due to the systematic negligence and impunity (Torres 2007). Members of *La Red Ciudadana* had used all the local, state and national legal venues to solve these crimes and the families did not have any satisfactory response. In 2002, members of *La Red* gathered 20 thousand completed forms of a thorough survey about femicide in Cd. Juarez. The results were sent to the Inter American Human Rights Commission (Torres 2007). *La Red Ciudadana* convene CEDIMAC, and NGO to work more closely with the mothers of the victims.

La Red Ciudadana and CEDIMAC’s saw the need to treat the victims’ families from PTSD and other health issues related to different trauma caused by violence, negligence, mistreatment, irregularities on the legal procedures. The two organizations collected and organized the testimonies in such a way that were key in the “Cotton Field” case. These testimonies also document the use of violence and illegal incarceration of innocent men. They knew these men were innocent because their physical appearance, and more importantly because their declarations did not agree with some evidence, with statements from the witness or with forensic investigations (Torres 2007). The fabrication of criminals created quite a great deal of hopelessness in the families because they felt that the fabrication and inefficiency by the state was another way of exerting violence against their rights, it did not guarantee the families right to justice and above all, it did not put an end to femicide (Torres 2007). Both organizations prepared reports provided by expertise in forensics, gender studies, sociology, international law and human rights. On March 2002, *La Red* and CEDIMAC and three of the victims' mothers, Irma Monrreal Jaime, Benita Monarrez, and Josefina González presented a petition against the state of Mexico to the Inter-American Commission on Human Rights.

By February 4, 2005, The Inter-American Commission on Human Rights admitted individual petitions of Esmeralda, Claudia Ivette, y Laura Berenice, and for almost three years the plaintiffs provided to the ICHR supporting official information of the controversial processes that were carried out by the state and other evidence of the case. On November 4, 2007, the Inter-American Commission on Human Rights filed the lawsuit against the state of Mexico. In this process, the defendants integrated the accusation as an accrued pattern, not just against these three victims. In this conjuncture, the representatives sought to expand the number of victims, given the fact that by then there was more information about the other five victims that were found in the “cotton field.” However, the attempt include the other five victims was not successful after an interlocutory judgement in the same Inter-American system. The court declared Mexico responsible for the murders of three young women. Nevertheless, it is important to point out that neither the interlocutory sentence nor the clarification and thorough investigation of those five victims have not been adequately analyzed. The hearing against the Mexican State took place in Chile in 2008 and on November 2009, the Inter-American Human Rights Court ruled in the “Cotton Field vs Government of Mexico” case. The IACHR declared the Mexican state responsible for human rights during the investigations of the femicide of three young women.

In this period, the administration was focused on the “Cotton Field” litigation due to national and international pressure. However, that administration used this case to neglect the group victims of “Cristo Negro” clandestine cemetery and other individual femicide cases. In reality, the state did not investigate in a thorough manner all the cases, including “Cotton Field” case, nor did it follow due process in this phase. As we have stated before, the number of femicidal cases in the region and in the country is never going to be officially known. The state kept the bodies of some femicide victims for many years, as it was the case of Adriana Sarmiento Enríquez, from the Juárez Valley, who disappeared in 2008, the government kept Sarmiento Enríquez’s body at the *Servicio Médico Forense (SEMEFO)* (Forensic Medical Service) for two years before informing the victim’s mother. Even though, Ernestina Enríquez was in constant contact with the government since her daughter disappeared and tried to help in the investigations. Likewise, Lilia Berenice Esquinca Ortiz, who disappeared on March, 2010 her body was kept at the SEMEFO for two years and 10 months without informing her family. Her case has not brought under the remit of the law. The practices of “keeping” or “hiding” the bodies by the state were part of the “cotton field” litigation process in the IACHR, when the state declared that they did not carry out such mistakes after 2001.

This phase had a paradoxical and contradictory moment because on the one hand, the litigation in IACHR “Cotton field” was a great step towards the defense of the rights of women and girls. On the other hand, there was an alarming rise in the violence against women and girls never experienced before in the city’s recent history. For this reason, *La Red Ciudadana de No Violencia y Dignidad Humana* (Citizen Network for Non-violence and Human Dignity) and CEDIMAC filed the femicide cases of Olga Alicia Carrillo (2005), Cecilia Covarrubias (1995), Sagrario González (1998), Maria Elena Chavez (2000) Brenda Berenice Rodríguez (2003) against the Mexican State to the IACHR on April, 2007 in Mexico City. The network and CEDIMAC started to have a sustained relationship with leading experts on human rights in order to strengthen the “cotton field” IACHR case. That was the main reason why Carmen Herrera⁸ and Ariel Ariel Dulitzky⁹ were included into this case. A team from *La Asociación Nacional de Abogados Democráticos (ANAD)* (National Association of Democratic Lawyers) joined the defense of Ms. Irma Pérez.

In this phase, there was an important development in the field of women’s rights in that they had to be considered as human rights. The first steps towards the international advocacy and the lawsuit against the Mexican State in the Inter-American Court of Human Rights started in this period. There was a permanent critic and mistrust of the state actions from *la Red Ciudadana de no Violencia y Dignidad Humana*, the victims’ families of the “Cotton Field” case, and, other families of young girls and women victims of non-intimate femicide. As a way of minimizing non-intimate femicidal cases, the state placed all violence against women, domestic and non-intimate, under the same category. Numerous political and institutional strategies that were set up in these phases pretended to protect the rights of women. However, none of the four clandestine cemeteries with girls and women (in 1995, 1996, 2001 and, 2003) and other serial, non-intimate femicidal cases with excess use of force and brutality, were clarified in this period. Although the state created some new agencies, such as “*La Comisión para Juárez,*” (the Commission for Juárez), which was headed by the then Mexican President Vicente Fox, the climate of extensive impunity persisted. Likewise, the Congress founded specialized agencies, but the results were limited. In 2006, one of the committees of the Congress presented “*La Ley General de Acceso de las Mujeres a una Vida Libre de Violencia*”, but it was not approved until the next legislative period in 2017.

The state treated the victims' families at best, as a passive group that were a depository of the state services. They were not perceived as people who had a strong sense of agency, with an important human rights agenda and activism who could have had a leading role in the promotion of their own empowerment and skills.

This period was distinguished for exerting a sustained repression to human rights advocates. One example is the case of defense lawyer Sergio Dante Almaraz. Dante Almaraz was gunned down on the streets of Juárez for defending Victor Javier Garcia, who in turn was tortured to declare that he was one of the "Cotton field" criminals. Parallel with the continuing feminicide in the city, the state prosecutor's office created different and specialized commissions and regulatory frameworks in favor of women's rights. Needless to say, these institutions did not guarantee the rights of women and girls who had the profile of those who were victims of feminicide.

Third Period of Feminicide: The Consolidation Phase

One of the most defining characteristics of this period from approximately 2000 to 2010 was "the war on drugs" which lasted from 2006 to 2018. Cd. Juárez changed forever since the war on drugs was launched in 2006 by the former Mexican President Felipe Calderón Hinojosa (2006-2012) and continued by Enrique Peña Nieto (2012-2018), with the financial and logistical support of the Plan Merida.¹⁰ Mexico adopted a securitization policy in the name of the war on drugs that gave extraordinary means to the government to use in the name of security of the people.¹¹ The war achieved the economic and political goals of terrorizing Mexican population to such a degree that it made possible to make fundamental political and economic reforms that benefited international private sectors (i.e. privatization of national oil, labor, educational, electoral, telecommunication, tax, and other reforms). At the international level, the drug industry thrived in this period because drugs were cheaper, of higher quality and, more widespread in the U.S. (Bowden 2010). The Plan Mérida has been a mechanism to enable political intervention, and social control of the country mainly by the US, as it was the case in the Plan Colombia. At the national level, it became clear that the political and economic elite used this war as a façade to end competition with the Sinaloa Cartel (Hernández 2020).¹²

At the local level, there was the deployment of 10,000 soldiers in Cd. Juárez, an operative called "*Operativo Conjunto Chihuahua*," where the national soldiers were used to defeat the Juárez cartel and favor the Sinaloa Cartel so that so that this latter one could have almost the national control of drug trafficking (Hernández 2020). The city lived an apparent contradiction: at the peak of the war on drugs, when it became the most dangerous city in the world (from 2007 to 2011) from 148 to 130 murders per 100,000 inhabitants.¹³ At the same time, it was named the best city in the American continent for foreign investment. The war created massive displacement, loss of jobs, orphans, and an ingrained violence that is will be hard to eradicate.¹⁴ Gender violence was often overlooked or minimized far more than in other periods due fact that most of the killing of thousands of men, women, children and infant were not investigated or solved, and also because most of the victims of the war were men.

As a way of evaluating this phase, we observed that before the decisions of the "Cotton Field" case ruling, the Mexican authorities kept the policy of omission and violation of girls and women's human rights. In this period, the power of paramilitary organizations become stronger at the regional, national and the global level, particularly during the war on drugs (2006-2018). The Mexican structural deficit that violated social contexts and generated the susceptibility of numerous risk groups. These highly vulnerable groups that co-existed with each other due to their multiple levels of precariousness were the target of paramilitary and military organizations. That was the case of Central-American migrants, indigenous rights activists, women, students, teachers, journalists, and many other groups. The war on drugs initiated by former President Felipe Calderón and continued by Enrique Peña Nieto, had a dead toll of approximately 500,000 deaths and 250,000 disappeared people. At the same time, there were numerous responses from the civil society to stop such deadly situation for each one of the groups above mentioned. However, the phenomena that is taking place in Mexico are not only domestic but rather global ones that require the political willingness to solve them at the global level (i.e. human, arms and drug trafficking).

Regarding feminicidal violence in the region in this phase, there was an exponential increase in impoverished girls and women number of murders and the aggravation of that victimization for reasons of gender and class, in intersectionality with other elements. Feminicidal cases, kidnapping, and human trafficking extended throughout the country, mainly in the states of Puebla, Estado de Mexico, Sinaloa and Tamaulipas.

However, it has been in Cd. Juárez were more clandestine cemeteries of victims of femicide have been found. In the Valle de Juárez case, the same government oversights that took place in the 1990s and 2000s, were also carried out in this phase. The main missteps involved the following: lack of investigation and location of girls and women who reported as disappeared; there were cases when bodies of femicide victims were found, but were kept in government institutions for long periods of time, without notifying their relatives. Fabrication of “facts” related to the investigation by the Prosecutor's Office; and, once again, material authors of femicide continued to enjoy impunity. Lastly, most femicide court sentences were given to the lower levels of criminal organization, and they lacked deeper investigation of the top member of the hierarchy or the involvement of politicians and police authorities in those criminal organizations.

Femicide, as gender violence that allows fear and the fragility of the democratic state, was consolidated at this stage. In this period, which includes years Felipe Calderón Hinojosa and Enrique Peña Nieto presidencies, the instances that the Federal Government had founded in Ciudad Juárez in the early 2000s, in the Government of Vicente Fox were totally dismantled. The Commission for Juárez became a National Commission with a local office with few personnel and diminished competences, low profile and minimal incidence. In turn, the institutional differentiation with government agencies in the executive powers, or legislative instances, did not mean a counterweight to gender violence against girls and young women, especially the most impoverished ones. That is, the official instances for the advancement and procurement of women's rights tended to take care of short-term logistics and were insufficient given the increasing criminality and greater victimization of women.

In this phase, the largest clandestine cemetery of women in the country was found with the remains of at least 23 female murder victims (all the victims vanished from Ciudad Juárez between 2009 and 2011) in what is known as “El Arroyo del Navajo” in El Valle de Juárez since 2011. To this day, the criminal investigation of this clandestine cemetery still without conclusions. Despite the high number of victims in this clandestine cemetery, there was not a deployment of security entities. In fact, the victims were part of uninvestigated disappearances that is; adequate police searches were not carried out. These girls and young women had very similar profile of most victims of femicide in the area. The Mexican State labelled the “Arroyo del Navajo” case “the court case of the century” because it involved imprisoning a group of men to 700 years in total for the kidnapping of eleven of the victims, for having them as sexual workers in “Hotel Verde” downtown Cd. Juárez, torturing them and eventually committing femicide. Experts from the Inter-American Human Rights Commission concluded that the court sentence does not have a judicial value because of the important number of irregularities (Carmona and Castañón 2020).¹⁵ Fifteen girls and young women are not part of this case and there is even less almost no information about their identities and cases. There is the presumption that they were also prostitution rings victims.¹⁶

The core component of this period is the collapse of the state policy to confront femicidal violence in Ciudad Juárez. Although there are institutions of administration and delivering of justice specialized in crimes against women based on gender, non-intimate femicides that are preceded with kidnapping, human trafficking and rape have persisted in the last three decades without envisioning an eradication of these crimes in the near future. Not a single one of all femicide cases have been fully tried. To this date, there has not been a full investigation even in the 2010 “Valle de Juárez” clandestine cemetery. Even though all available institutions created in the state have taken part in this case, the most that state has done was to bring trial and hold responsible a group of men and women for participating in activities related to the disappearance and human trafficking of some of the femicide victims of this clandestine cemetery. It is important to point out that today as never before, the state has at its disposal more sophisticated legal frameworks to rely on (i.e. the precedent of the ruling of “Cotton field” case in the IACHR for over a decade and its operative paragraphs of the sentence). The state has now more solid scientific resources, professional competence, if limited, they are available. There are multiple explanations for the Mexican lack of ability to prevent, eradicate and punish femicidal violence at the local, regional and national level, apart from the obvious ones. As discussed before, non-intimate, femicidal cases are strongly linked to a variety of crimes that range from drug, arms and human trafficking. All of these crimes are globally interrelated and as such, they require a global action to tackle them. In order to have a fair share in the benefits and costs of globalization, there is a badly needed global transformation of neoliberal economies that have created such economic, political and social inequalities. Mexico, as many other countries in the world, has paid a large price for the welfare of most Western countries, particularly those with permanent arms economies with far-reaching negative consequences.

The Inter American Court of Human Rights “Cotton Field” case was a turning point in the history of human rights advocacy in the country that had a commitment to gender as a focus of analysis and included approaches that reflected women's perspectives and concerns. Women's rights advocates managed to prepare a complex case with minimum resources, in a climate of sustained and vast human rights violations that was exacerbated by paramilitary and military forces in war on twelve-year war on drugs and by the economic, political and social violence created by neoliberal policies. However, as we know, the Achilles heel of international laws lies in its relative ambiguity in comparison to municipal law, and more so, in its lack of enforceability. This has been the case all over the globe, including Western democracies, who have evaded, manipulated or obstructed these legal systems—thus, undermining it at critical junctures. In the “cotton field” case, both very unequal parties in terms of resources were in charge of making sure that the IACHR ruling and recommendations were implemented over the years. This resolution was created with the best democratic and inclusive intentions but it is a monumental task for the plaintiffs, which so far has not been successful to prevent femicide.

The dismantling of the instances that the Federal Government had founded in Ciudad Juárez for the federal attention of femicidal violence in the city in the 2000s has severely limited local actions against femicide. The Commission for Juárez became a National Commission with an office with few staff and diminished competencies, low profile and minimal incidence. That trend has not been reversed by any level of government since then. At the same time, institutional differentiation with government agencies in the executive powers has not been translated as a counterweight to gender violence especially to the most impoverished ones. In other words, the official bodies for the advancement and guarantee of the rights of girls and women tended to deal with the logistics of a low level of public security and were insufficient given the increasing crime and the greater victimization of women in the border city.

Fourth Period of Femicide in Cd. Juárez.

This period starts when the current Mexican President, Andrés Manuel López Obrador took power on December, 2018 and officially ended the war on drugs. The aftermath of the war was a dead toll of approximately 500,000 killings, 250,000, over 100,000 of war orphans. Forty percent of people in Mexico are under 18 years old and have lived most of its lives in a war on drugs. Entire communities displaced due to drug trafficking violence or by mining industries across the nation. The last four administrations institutionalized corruption in every aspect of the public life that resulted in historical economic inequality, almost total lack of investment in public goods, historical debt and very sophisticated criminal organizations that have penetrated the state and national and formal economy. López Obrador's presidential campaign was based on the idea that he was going to carry out the “fourth transformation,”¹⁷ as a symbolic break with radical neoliberal policies that have caused significant economic and social lagging for most Mexicans.¹⁸ The two basic social and economic lines are “*Primero los Pobres*” (Poor People First) and “*Juntos Haremos Historia*” (We Make History Together). Given the fact that López Obrador was elected under the MORENA Party (Movimiento de Renovación Nacional which also means “brown woman”) with an umbrella of different party coalitions, and that MORENA has the majority of seats in the Congress and Senate. López Obrador has focused on improving the quality of life of the 60 percent of the entire Mexican population who live in extreme poverty, health, community development, and anti-corruption programs. He has been the target of political campaigns to discredit him, and plots to taking him out of power with “soft” *coup d'état* by the national and international elite who benefited from the corruption of previous administrations. Ironically, the now called “Presidente de la muerte,” due to the number of people killed, human rights abuses, disappearance and links to organized crime, former President Felipe Calderón Hinojosa, has been using femicidal cases to call for the resignation of López Obrador in feminist marches. In previous administrations, the state used to relegate some of its responsibilities to NGOs. The federal government used to fund some NGOs with little accountability and in return for political favors. The new presidential administration is diverting that subsidy to state institutions that can take a more holistic approach with specialists and institutions that are more accountable. The official end of the war on drugs has not been translated into lack of organized criminal activity. This situation has to do more with the deep influence of criminal organizations with previous administrations and equally important to the fact that their crimes are transnational and as such, they have to be dealt globally. Mexican people have paid very dearly the costs of negative aspects of globalization, from low-wages, the effects of arms traffic, human traffic, drug traffic, exploitative transnational industries, displacement, and gross inequality..

In the particular case of Ciudad Juárez, the “Valle de Juárez” the main legal framework has been the ruling of the “cotton field” or González et al vs Mexico case before the IACHR, and some legal reforms that came from the *Ley General de Acceso de las Mujeres a una Vida Libre de Violencia* (LGAMVLV). General Law on Women’s Access to a Life Free of Violence. This case was investigated under the *Fiscalía Especializada en Atención a las Mujeres Víctimas de Violencia por Razones de Género* (Prosecutor Specialized in Attention of Women who are Victims of Gender-based Violence), which was instituted by the state of Chihuahua in 2012.

It is still too early to assess President Lopez Obrador’s initiatives and their results since he has been in power 20 months. In general, he has tried to have a comprehensive approach to crime. He has invested in social goods, given priority to the poor and has embarked in a campaign against corruption.

Conclusions

Cd. Juárez has lived in a state of humanitarian crisis for decades. Although violence against women has been part and parcel in human history, the systemic way of committing these crimes, the level of violence and cruelty from abductions to human trafficking, prostitution and an unspeakable dead, can only be carried out in modernity. Femicide victims’ families, in particular the mothers, have been the ones who started the demand of delivery of justice, local, regional, national and international awareness of femicide, and the demands for human rights of all parties involved in femicidal cases, including scape goats who have been unfairly incarcerated. Throughout the different periods of femicide, there have been more sophisticated modus operandi to commit such crimes. The state has consistently failed to protect minors and women lives, human rights, due process. The states actively violated victims’ families human rights. A turning point in the history of femicide has been the “Cotton Field” vs Mexico case in the Inter-American Court of Human Rights due to the thorough application of theoretical tools at hand on gender violence, the quality of the presentation of the cases and the ruling. One of the main problems of International Courts’ rulings has been the lack of accountability from the part of the defense party. Femicide takes place in a context of transnational crimes, and as such these crimes have to deal with the nations that are involved in such illegal transactions.

There is an enormous paradox regarding the protection of women in modern history. On the one hand, there is a vast number of public policies, norms, rules, training, means to denounce violence as never before. On the other hand, there is an increment of systemic violence against women. During the pandemic, almost all forms of violence and crimes have decreased whereas violence against women has been on the rise. It seems that for the most part the concentration, if any, has been on reaction to emergencies. Primarily immediate attention, emergency telephone numbers, and emergency responses with shelters. There are also numerous remedial and preventive initiatives such as laws, public policies, regulations at the local, state and federal levels. Clear differentiation in the autonomies and sovereignty of the states and even *Universidad autónomas*. As stated before, these initiatives have not worked for the most part because there is a clear need of a more radical transformation in society that changes gender relations, human relations, our relation with the environment. In other words, it seems that the exploitation of humans for the accumulation of capital and destruction of human and other types of lives, has been the key in the extreme devaluation, violence and ultimately killing of women.

¹An accountant and businessman, was the first governor affiliated to PAN (Partido de Acción Nacional) a conservative and oppositional to the PRI (Partido Revolucionario Institucional). He belonged to a group of politicians who in the 1980s and 1990s led important struggles for electoral democracy. His campaign was often an showcased of conservative grassroots organizations and mobilization, anti-centralism, and based on the idea that the North of Mexico was quite superior to the most indigenous South based on its proximity to the US and also on the concentration of Indigenous populations in the South. Many working class northerners followed the PAN assuming that they represent an organized opposition to the PRI, but once the PAN was in power, politicians like Barrio Terrazas turned their back to the working class, peasants, and women. PAN and PRI formed important political and economic alliances. Barrio Terrazas legacy regarding the way he dealt with femicide was his total lack of sympathy, classism, sexism and a strong smear campaign against the victims and their families. Barrio Terrazas often declare that violence against women were not surprising because the victims walked in dark places at night and wore provocative clothing. Another legacy has been his

anti-intellectualism by closing down one of the most important agricultural university in the country, Escuela de Agricultura Hermanos Escobar, after a students' strike.

³Barrio Terrazas and “The girls move around to certain places, they go out with certain type of people, and they allowed certain trust to tramps who become their aggressors... Women are responsible of this (killing of women) for using mini-skirts, and going out late... the number of victims of feminicide is normal” (Delgadillo 2015). Felipe Terrazas, regional coordinator of the state attorney general's office under Barrio Terrazas, declared to the National Commission of Human Rights (CNDH) visitors that “it could not be known whether or not they (the victims of feminicide) were trading with their body, what is certain murdered women is that they knew them very well in nightclubs” (Delgadillo 2015).

⁴ For instance, to carry out professional interviews, interview informants, suspects, and witnesses to ascertain alibis, clues, time frames, and possible suspects; keeping detailed records; keeping evidence caref María del Carmen Herrera is a reknown attorney specialized in criminal law and studies of violence against women in Colombia. ully and ensuring they were sent to the proper department; running fingerprints; there was not a database to obtain matches; they could not maintain an in-depth knowledge of federal and state statutes and court cases related to work performed and agency rules and regulations (Washington Valdez 2006)

⁵ This is the case of Norma Andrade, the mother of Lilia Alejandra García Andrade, disappeared on February 14, 2001 Lilia Alejandra's body was found wrapped in a blanket seven days later with signs physical and sexual assault. Marisela Ortiz, teacher of Lilia Alejandra, and co-founder of “Nuestras Hijas de Regreso a Casa” with Norma Andrade, was granted political asylum in the US in 2011. Norma Andrade lives in Mexico City with 24 hours protection granted by ex-President Felipe Calderón since 2012.

⁶ The following international and national institutions have observatories in Mexico: Universidad Nacional Autónoma de México, Comisión Nacional de los Derechos Humanos, Comisión Nacional para Prevenir y Erradicar la Violencia contra las Mujeres, Instituto Nacional de las Mujeres, ONU Mujeres México, Red Nacional de Instituciones de Educación Superior.; INMUJERES, CONAVIM, Comision Nacional de Derechos Humanos, Programa de Asuntos de la Mujer y de Igualdad entre Mujeres y Hombres, and ANUIES, ONU Mujeres México. (Observatorio Nacional para la Igualdad de Género en las Instituciones de Educación Superior 2019)

⁷The Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, known as the Convention of Belém do Pará (where it was adopted in 1994), defines violence against women, establishes that women have the right to live a life free of violence and that violence against women constitutes a violation of human rights and fundamental freedoms(OEA, 1994).

⁹Dulitzky is a UT Austin Clinical Professor of Law, the Director of the Human Rights Clinic and the Director of the Latin America Initiative and who has directed the litigation of more than 100 cases in front of the Inter-American Commission and Inter-American Court of Human Rights. Professor Dulitzky was the Latin America Program Director at the International Human Rights Law Group and Co-Executive Director of the Center for Justice and International Law (CEJIL).

¹⁰The Merida Initiative was approved on June 30, 2008 by the US government to provide financial and logistical support to the Mexican government to combat drug trafficking and transnational crime. The package consisted in \$1.4 billion in a three-year commitment (2008–2010) to the Mexican government for military and law enforcement training and equipment, as well as technical advice and training to strengthen the national justice systems.

¹¹ In fact, securitization policies waerto secure international private investment.

¹² According to Hernández (2013), Felipe Calderón Hinojosa created 40,000 jobs within the federal police to combat narcotraffic. Genaro Garcia Luna, Secretary of Public Security and Luis Cardenas Palomino, head of the Division of Regional Security are in the payroll of El Cartel of Sinaloa, led by “El Chapo Guzmán” (Ravelo, 2012; Univision, 2012; Hernández, 2013). The Cartel of Sinaloa delegated all the logistic work to the *Policia Federal* who used government vehicles and resources for drug trafficking (Hernández, 2013). Most of the information regarding former President Calderón's partnership with the Sinaloa cartel came out at “El Chapo's” trial on February 2019, and more importantly, when Genaro Garcia Luna, the Minister of Public Security under Felipe Calderón was arrested on December the same year, “on charges that he allowed the Sinaloa cartel to operate with impunity...(he) received millions of dollars in bribes from the Sinaloa cartel in exchange for providing protection for its drug trafficking activities” (Agren 2019).

¹³The year 2007, with three hundred and seven murders, was the bloodiest in the history of the city—about twenty-six killings a month. January 2008 had over forty—the total for the year ran one thousand six hundred and sixty (Blake 2010).

¹⁴ There was abandonment of twenty-five percent of the houses, forty-percent of the business shattered, a hundred thousand jobs lost, a displacement of over one hundred thousand people, twenty-five per cent of the houses have been abandoned, forty per cent of the business shuttered, at least a hundred thousand jobs lost, and where a hundred and four thousand people have fled (Bowden 2010).

¹⁵ Among them, torturing the defendants, relying only on unreliable witnesses, lack of thorough investigation (Carmona and Castanon 2020)

¹⁶ The case of Brenda Berenice Castillo Garcia is illustrative of this situation. Castillo Aguilar disappeared on 2008, she was taken to California, USA without her passport and reportedly appeared on a controversial Los Angeles television program, "Jose Luis Sin Censura," in the spring of 2011- more than two years after she disappeared on January 6, 2009 .

¹⁷ The three previous radical transformations in Mexico were Independence from Spain (1810-1821), Reform Movement (1858-1861), Mexican Revolution (1910-1917).

¹⁸ López Obrador, partly won the elections thanks to a coalition that included his own party *Movimiento Regeneración Nacional (Morena)*, *Partido del Trabajo (PT)* and *Partido Encuentro Social*.

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