



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States parties under  
article 18 of the Convention**

**Ninth periodic report of States parties due in 2016**

**Mexico\***

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*Note:* The present document is being circulated in English, French and Spanish only.

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## Contents

	<i>Page</i>
Introduction .....	3
I. Legislative advances .....	4
A. Human rights .....	4
B. New laws .....	5
C. Legislative reforms .....	6
D. Legislative harmonization .....	7
II. Institutional mechanisms .....	8
A. Gender violence alerts .....	10
B. Protocols .....	11
C. AMBER Alert Mexico .....	12
D. The Alba Protocol .....	13
III. New coordinated public security strategy .....	13
IV. Training and skills-building .....	15
V. Violence against women and girls .....	17
A. Prevention and care .....	17
B. Law enforcement and the administration of justice .....	21
VI. Education .....	25
A. Sexuality education .....	27
B. Action to prevent and address violence in educational establishments .....	28
VII. Health .....	30
VIII. Employment and remunerated work .....	34
IX. Participation in political and public life .....	37
X. Women human rights defenders and journalists .....	40
XI. Gender-sensitive poverty eradication policies and programmes .....	42
XII. Family and marriage relations .....	44
XIII. Progress in the federative entities .....	45
XIV. The Atenco case and the Campo Algodonero case .....	46
XV. Statistics .....	47

## Introduction

1. The Convention on the Elimination of All Forms of Discrimination against Women has, since 1981, served the Mexican Government as a road map for the development of its gender equality policies and for combating discrimination and violence against women. The Committee's observations on Mexico help refocus policies and actions and address areas of concern, as well as priority items on the National Gender Agenda.

2. Mexico has submitted eight periodic reports to the Committee. In keeping with the Convention's reporting guidelines, the Ministry of Foreign Affairs, the National Institute for Women and the Ministry of the Interior, in January 2016, invited 28 agencies and institutions of the Federal Administration, the legislature and the judiciary, as well as the National Conference of Governors and various autonomous bodies, to provide input for this ninth report. Reports from the federal agencies were received in February and March, from the federative entities (i.e. the 31 states of the Union and Mexico City) in May, and from the country's high courts of justice in July. Two general meetings and 12 specific ones were held to check and complement the information received.

3. In honouring the commitment to ensure broad participation in the preparation of this report, civil society organizations were invited, together with experts, academics and government representatives, to three consultation forums aimed at identifying the challenges currently facing Mexico in its pursuit of gender equality.<sup>1</sup>

4. During the process it became clear that the judicial and regulatory framework for safeguarding the rights of women and girls in Mexico, as well as policy and budgetary measures, had been strengthened with the placement of the Convention and other international instruments at the centre of the national equality policy, which, together with reforms made to the human rights provisions in the Constitution, the Planning Act and the Budget and Fiscal Responsibility Act, had bolstered the National Development Plan for 2013-2018 by mainstreaming gender equality.

5. The 2013-2018 National Programme for Equal Opportunity and Non-Discrimination against Women, whose implementation is compulsory for all government agencies, the legislature, the judiciary, the autonomous institutes and commissions and the federative entities, was similarly designed taking into account the Convention and the Committee's general recommendations, as well as its 2012 concluding observations on Mexico.<sup>2</sup>

6. The Programme comprises 314 lines of action, of which 109 are taken directly from the Convention and 154 are based on the Beijing Declaration and Platform for Action, the Regional Consensuses of Quito, Brasilia and Santo Domingo, the Convention of Belém do Pará and the Montevideo Consensus on Population and Development.<sup>3</sup> In short, 84 per cent of the Programme coincides with the country's

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<sup>1</sup> See annex 1.

<sup>2</sup> The National Programme for Equal Opportunity and Non-Discrimination against Women has 6 objectives, 36 strategies, 314 lines of action and 18 indicators, each with their respective targets. Available at: [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5312418&fecha=30/08/2013](http://www.dof.gob.mx/nota_detalle.php?codigo=5312418&fecha=30/08/2013).

<sup>3</sup> See annex 2.

international commitments, as well as its national equality policy and its anti-discrimination policies. Thus, for the first time, Mexico has a programme that is effectively linked to the sectoral, institutional and special programmes implemented under the National Development Plan to expedite progress towards gender equality based on the advancement of women's and girls' rights.

7. Furthermore, considerable progress was made by the federative entities in 2013-2016 in reducing gender gaps and by government institutions in the effort to combat violence against women and girls.

## **I. Legislative advances**

### **A. Human rights**

8. The liaison network (Red DH) of the 2014-2018 National Human Rights Programme, which comprises 54 offices and agencies of the Federal Administration, is advancing the harmonization of legislation with the 2011 constitutional reforms on human rights. The 2013-2018 National Programme for Equal Opportunity and Non-Discrimination against Women is contributing through its strategies and actions to align national and state legislation with international instruments and article 1 of the Constitution.

9. The following have been established or drafted to implement the reforms: a permanent committee for the review of the administrative regulations of the Federal Administration with a view to harmonizing them with the constitutional reforms on human rights; a working group with focal points for the federal offices, agencies and bodies operating in the federative entities; a comprehensive strategy for improving federal regulations and simplifying procedures and services, introduced in 2015 to bring legislation into line with human rights provisions;<sup>4</sup> and the documents *Bases conceptuales para la implementación de la reforma constitucional de derechos humanos en la administración pública federal* (Conceptual bases for the implementation of the constitutional reform on human rights in the Federal Administration)<sup>5</sup> and *Avances y retos en la implementación de la reforma constitucional de derechos humanos* (Progress and challenges in the implementation of the constitutional reform on human rights), published in 2015 within the framework of the 2014-2018 National Human Rights Programme, with input from all three branches of government and the National Human Rights Commission.<sup>6</sup> Also in 2015, the Ministry of the Interior and the Federal Commission for Regulatory Improvement signed a document setting out the bases for cooperation as a mechanism for mainstreaming a human rights perspective in the regulatory improvement process.

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<sup>4</sup> In 2015, 47.1 per cent of the drafting of proposals for the harmonization of regulations in 17 offices and agencies of the Federal Administration had been completed.

<sup>5</sup> [https://www.gob.mx/cms/uploads/attachment/file/81407/Bases\\_Conceptuales\\_para\\_la\\_implementacion\\_de\\_la\\_Reforma\\_Constitucional\\_de\\_Derechos\\_Humanos.pdf](https://www.gob.mx/cms/uploads/attachment/file/81407/Bases_Conceptuales_para_la_implementacion_de_la_Reforma_Constitucional_de_Derechos_Humanos.pdf).

<sup>6</sup> In 2014, a total of 8,666 public servants received training on the constitutional reform on human rights. In 2015, a further 6,470 public servants received training through classroom-style courses and a further 32,173 through the online platform "Conéctate a".

10. To include indigenous peoples' rights in the reform process, the Commission for Dialogue with the Indigenous Peoples of Mexico began the harmonization of national law with international treaties and agreements on indigenous matters in 2013, incorporating the rights of indigenous women in 2014.

11. The report *Diagnóstico sobre la implementación de la reforma constitucional de derechos humanos de 2011: evaluación del proceso a tres años de su entrada en vigor: una perspectiva integral del Estado mexicano* (Assessment of the implementation of the 2011 constitutional reform on human rights: evaluation of the process three years after its entry into effect: a comprehensive overview by the Government of Mexico), published in 2014, presents achievements and challenges, as well as the way forward.

12. Amendments related to equality between women and men were made to article 2 of the Constitution in 2016 (see annex 3). The National Commission for the Development of Indigenous Peoples promotes community initiatives and the participation of women through its Indigenous Peoples' Rights Programme. The participation of women rose from 46.1 per cent in 2014 to 52.1 per cent in 2015.

13. The Chamber of Deputies, as recommended in the Committee's concluding observations, undertook to harmonize federal legislation and called upon the local congresses of the federative entities to do the same. The Senate also took steps to bring legislation into line with human rights instruments.<sup>7</sup> Both the Supreme Court and the Ministry of Foreign Affairs have searchable human rights databases containing the rulings and judgments of the Inter-American Court of Human Rights, as well as the observations and general recommendations of United Nations treaty bodies.<sup>8</sup>

## B. New laws

14. Between 2012 and 2016, key legislation was passed to uphold women's rights: the General Victims Act, the *Amparo* Act, the National Code of Criminal Procedure, the General Rights of Children and Adolescents Act, the National Alternative Dispute Resolution Mechanisms for Criminal Matters Act, the National Enforcement of Criminal Law Act and the National Comprehensive Juvenile Criminal Justice System Act.

15. The 2013 General Victims Act establishes a national victim support system and a federal executive commission for victim support, whose purpose is to protect the rights of victims to, inter alia, assistance, care and due diligence, with a special emphasis on eliminating violence against women, enforced disappearances, homicide and femicide. State-level executive commissions for victim support also form part of the system.

16. The enactment of the 2014 General Rights of Children and Adolescents Act made it necessary to reform the General Provision of Services for the Treatment, Care and Comprehensive Development of Children Act to align it with the provisions in the Constitution on human rights, the Convention on the Rights of the Child and the

<sup>7</sup> See annex 4.

<sup>8</sup> <http://www.bjdh.org.mx/BJDH/> and <http://recomendacionesdh.mx/>.

Convention on the Elimination of All Forms of Discrimination against Women. This Act is implemented through various mechanisms: (i) the national system for the comprehensive protection of children and adolescents and its 32 associated state-level systems; (ii) the national system for the comprehensive development of the family, its 32 associated state systems and municipal ones; (iii) the Federal Child Protection Office and its 32 associated state offices; (iv) the National Child Protection Programme, the 32 associated state programmes and municipal ones; and (v) the national information system.<sup>9</sup>

### **C. Legislative reforms**

17. Between 2012 and 2016, four amendments were introduced to the General Women's Access to a Life Free of Violence Act, most notably: the criminalization of femicide in accordance with the Federal Criminal Code;<sup>10</sup> the reduction, from 24 hours to 8 hours, of the time in which protection orders must be issued; and the amendment of article 47 to establish that the Office of the Attorney General of the Republic must maintain a public register of crimes committed against women and establish gender-sensitive protocols for immediate searches for missing women and girls and for the investigation of discrimination offences, offences of a sexual nature, femicide, human trafficking and offences against personal liberty.

18. The amendment of the regulations of the General Women's Access to a Life Free of Violence Act eliminated flaws in the procedure for activating the gender violence alert mechanism, and a new procedure was created in 2014 with the participation of the Ministry of the Interior, the National Institute for Women, the National Human Rights Commission, civil society organizations, academics and specialists.

19. Five amendments were made to the General Equality between Women and Men Act, including the introduction of obligatory allocations in state budgets for the implementation of the national equality policy and the promotion of equality in employment and equal working conditions.

20. Two amendments were made to the General Prevention, Punishment and Eradication of Human Trafficking Crimes and Protection and Assistance of Trafficking Victims Act (the Human Trafficking Act), most notably, the homologous criminalization of human trafficking nationwide. Anti-trafficking laws have now been enacted in 26 federative entities, and implementing regulations have been adopted in 10.<sup>11</sup> The harmonization of legislation with the Human Trafficking Act has been completed in 15 states and partially completed in 7; in 4 others, it has yet to begin.

21. Four amendments were made to the Federal Prevention and Elimination of Discrimination Act. These expanded the guarantees of equality, the obligations of the three branches of government and the reparation measures (see annex 7).<sup>12</sup>

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<sup>9</sup> See annex 5.

<sup>10</sup> Article 325, on the crime of femicide.

<sup>11</sup> See annex 6.

<sup>12</sup> See annex 8. Twenty-six federative entities have adopted initiatives on equality between women and men, violence against women and/or to promote and protect the rights of children and adolescents.

22. In 2014, gender parity in the registration of candidates for election to the Congress of the Union and to local congresses was instituted through the reform of article 41 of the Constitution. In 2016, articles 7 and 47 of the Federal Responsibilities of Public Servants Act were amended to penalize violators of human rights and those who discriminate against women or refuse to apply the legislation that protects women's rights.

23. In 2016, the Senate adopted the General Act for the Prevention, Investigation and Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act.

#### **D. Legislative harmonization**

24. In 2015, article 73 of the Constitution was reformed to empower the Congress of the Union to issue, at a minimum, general laws criminalizing acts relating to kidnapping, enforced disappearance and other forms of deprivation of liberty, human trafficking, torture and other cruel, inhuman or degrading treatment, as well as electoral crimes. This will further homologize the criminalization of these acts throughout the country by preventing the federative entities from legislating on these matters.<sup>13</sup>

25. The Federal Criminal Code and the Federal Civil Code, which define domestic violence offences and the penalties for discrimination and femicide, were brought in line with the General Women's Access to a Life Free of Violence Act and the Convention of Belém do Pará. The relevant provisions of the criminal codes of 14 federative entities are aligned with those of the Federal Criminal Code.

26. In the new criminal justice system,<sup>14</sup> in force since 2016, 407 of a possible 416 local laws (98 per cent) are already harmonized with the adversarial criminal justice system, and 342 of a possible 352 (97 per cent) are already aligned with the National Code of Criminal Procedure.<sup>15</sup>

27. Legislation in the federative entities is being harmonized through national meetings on the subject. These meetings were introduced in 2013 and have been held regularly ever since. They bring together the gender equality commissions of local congresses, the heads of the mechanisms for the advancement of women and representatives of the judiciary in each federative entity, the federal legislature, local and federal offices, and civil society organizations. Every meeting focuses on legislative harmonization.<sup>16</sup> As a result, 138 criminal code regulations and 58 civil and family code regulations were amended, adopted or repealed between 2014 and 2016 with a view to ensuring respect for the human rights of women. The legal definition of femicide in the 32 federative entities was analysed as part of the 2013-2018 National Programme for Equal Opportunity and Non-Discrimination against Women.<sup>17</sup>

<sup>13</sup> [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5310071&fecha=13/08/2013](http://www.dof.gob.mx/nota_detalle.php?codigo=5310071&fecha=13/08/2013).

<sup>14</sup> The reform strengthens the rights of victims and initiates the transition from a mixed system to an oral adversarial system.

<sup>15</sup> [http://www.setec.gob.mx/es/SETEC/SETEC\\_MASTER](http://www.setec.gob.mx/es/SETEC/SETEC_MASTER).

<sup>16</sup> See annex 9.

<sup>17</sup> See annex 10.

28. The current Federal Criminal Code criminalizes rape crimes, including crimes equivalent to rape and rape by a spouse or cohabiting partner. It does not cover battery, so-called honour killings or adultery. No federative entity has criminalized honour killings. Adultery is classified as a criminal offence only in the states of Jalisco and Durango.

29. The National Institute for Women is monitoring progress in legislative harmonization in each federative entity, through an index that takes into account laws and regulations on equality, violence against women, discrimination and human trafficking. The index stood at 44.9 in 2010 and at 64.8 in 2015.<sup>18</sup>

## II. Institutional mechanisms

30. Mexico is consolidating its legislative framework and strengthening its coordination mechanisms to promote and protect the rights of women and girls: (i) the national system for equality between women and men, the highest coordination mechanism for equality, now operates at the ministerial level as a result of the commitment made by the President of Mexico at the United Nations in 2015,<sup>19</sup> and each of the 32 federative entities has adopted a law on equality between women and men, and 29 have established corresponding systems; (ii) action to prevent, address, punish and eradicate violence against women is coordinated across the country through a national system, and the 32 federative entities have enacted their own legislation on women's access to a life free of violence and are implementing local systems to prevent, address, punish and eradicate violence against women (the national system includes indicators to monitor progress in the implementation of the Convention of Belém do Pará); (iii) all 32 federative entities recognize the rights of the child and have established comprehensive child protection systems at the local level; (iv) 31 federative entities have adopted an anti-discrimination law; (v) legislation to combat human trafficking has been enacted in 26 of the federative entities, with an inter-agency commission coordinating action across the country;<sup>20</sup> (vi) the Federal Administration has 22 gender units; (vii) each of the 32 high courts of justice has a gender unit, the National Commission of High Courts of Justice has a gender equality commission, and the Supreme Court and the Council of the Federal Judiciary have established an inter-agency committee on gender equality in the federal judiciary, in addition to the Technical Secretariat for the Monitoring and Evaluation Committee for the Pact to Introduce the Gender Perspective in the Judicial Bodies of Mexico (which 23 federative entities have already endorsed); (viii) the legislature<sup>21</sup> and the autonomous institutes and commissions<sup>22</sup> are also involved in these efforts (ix) the 32 mechanisms for the advancement of women have grown stronger with the establishment between 2013 and 2016 of an additional 567

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<sup>18</sup> The Institute has almost completed the electronic platform for monitoring legislative harmonization.

<sup>19</sup> Commitment made by the President of Mexico at the event "Global leaders' meeting on gender equality and women's empowerment: a commitment to action", September 2015, New York.

<sup>20</sup> See annex 6.

<sup>21</sup> The Senate and the Chamber of Deputies each have a gender unit.

<sup>22</sup> The National Electoral Institute, the National Human Rights Commission, the National Institute for Transparency, Access to Information and the Protection of Personal Data and the National Institute of Statistics and Geography.

municipal branches, and 78 per cent of municipalities now have a branch, compared with 54.8 per cent in 2013 (9 federative entities have a branch in every municipality, 13 have a branch in over 90 per cent of their municipalities, and the rest have a branch in between 42.6 per cent and 90 per cent of their municipalities (42.6 per cent in the state of Oaxaca)).

31. The Gender Equality Commission of the Chamber of Deputies, which approves the federal budget, sets up inter-institutional working groups to analyse the implementation of its annex on pro-equality expenditures.

32. “Women’s City” centres (*centros Ciudad de las Mujeres*) were introduced in 2014. The centres are designed to empower women, and their work focuses on four areas: gender, human rights, the intercultural approach and youth. They integrate federal, state and municipal services to provide women access to, inter alia, justice, general health care, sexual and reproductive health care, education, and employment and occupational services. Two centres are currently operating, in Tlapa de Comonfort<sup>23</sup> and Tepeji del Río, and four are under construction, one each in the states of Querétaro and México and two in the state of Michoacán.<sup>24</sup>

33. To strengthen the national equality policy and combat violence against women and girls, the Federal Government and the governments of the federative entities signed a declaration on equality between women and men and created the Commission for Equality between Women and Men at the National Conference of Governors.<sup>25</sup> Agreements on equality were also signed between the Federal Government and the governments of the 32 federative entities.<sup>26</sup> In addition, the federative entities signed a specific collaboration agreement on the implementation of the international commitments assumed by Mexico on gender equality and non-discrimination. Child Protection Offices were established at the federal level and in the 32 federative entities.

34. The implementation of the General Women’s Access to a Life Free of Violence Act and of the 2014-2018 Comprehensive Programme to Prevent, Address, Punish and Eradicate Violence against Women is overseen through the national system to prevent, address, punish and eradicate violence against women. For the first time, the meetings of the system’s members are being chaired by the Minister of the Interior, which is evidence of the Federal Government’s commitment to its development. It has been agreed within the framework of the system to: (i) modify the procedures of the Gender Violence Alert Mechanism;<sup>27</sup> (ii) develop the Comprehensive Programme to Prevent, Address, Punish and Eradicate Violence against Women; (iii) develop a plan of action with new measures;<sup>28</sup> (iv) assess gender-based violence in the federative entities (for the National Conference of Governors); and (v) enhance the performance of the various commissions and

<sup>23</sup> See annex 11.

<sup>24</sup> Within a period of just over a year, the centres’ services had been used by approximately 150,000 women.

<sup>25</sup> The Commission has a thematic agenda and a programme of work comprising 29 strategies (see annex 12).

<sup>26</sup> The agreements include specific goals and actions, which are duly monitored.

<sup>27</sup> In 2013, the General Women’s Access to a Life Free of Violence Act was amended to establish a new procedure for gender violence alerts (see annex 13).

<sup>28</sup> See annex 14.

monitor progress. In 2015, civil society representatives were invited to participate for the first time.

35. The Office of the Attorney General of the Republic (PGR) has mechanisms for reporting violence against women, such as the Atención PGR hotline, which operates 24 hours a day and 365 days a year nationwide,<sup>29</sup> as well as first-response units and a new model for managing adversarial criminal proceedings. The National Commission for the Prevention and Elimination of Violence against Women coordinates the mechanism set up in 2015 to monitor cases of sexual torture perpetrated against women (see annex 15).

36. In 2015, the Office of the Special Prosecutor for Electoral Offences (FEPADE) established a register for recording reports and complaints of political violence against women. These can be submitted by telephone, through the FEPADETEL system, or online, through FEPADENET.

37. The Ministry of the Interior has introduced the “Dar Contigo” (Find you) programme for missing women and girls.<sup>30</sup> Between 2013 and 2016, the Ministry opened 1,727 cases, and 32 per cent of the missing women and girls were subsequently found.<sup>31</sup> The Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking has taken action in 100 per cent of its assigned cases, and in 79.7 per cent of these, the missing women or children were found (see annex 16).

## A. Gender violence alerts

38. The Government first activated the gender violence alert mechanism in certain municipalities in the states of México,<sup>32</sup> Morelos<sup>33</sup> and Michoacán.<sup>34</sup> The state of Jalisco declared its own alert, in accordance with its legislation.<sup>35</sup> Fifteen requests for alerts to be issued are currently being processed (see annex 17).

39. Public policies have been implemented at the local level to prevent and address violence against women within the framework of the gender violence alert mechanism. Particularly noteworthy are the effective measures taken in the states of Guanajuato, Morelos, Colima, Veracruz, Querétaro and Quintana Roo (see annex 18) and the training strategies implemented to build institutional capacity (see annex 19).

<sup>29</sup> Atención PGR receives reports and complaints from citizens and advises on other services provided by the Office of the Attorney General of the Republic.

<sup>30</sup> [http://www.cns.gob.mx/portalWebApp/wlp.c?jsessionid=88vTJzWcBffVf7nx8Tx4pJVycWLMwnJkX9t11L6TcMvzqm3GhMF2!68687041?\\_\\_c=84a](http://www.cns.gob.mx/portalWebApp/wlp.c?jsessionid=88vTJzWcBffVf7nx8Tx4pJVycWLMwnJkX9t11L6TcMvzqm3GhMF2!68687041?__c=84a).

<sup>31</sup> 362 in 2012, 496 in 2013, 324 in 2014, 421 in 2015 and 124 in 2016.

<sup>32</sup> In 11 municipalities in July 2015: Ecatepec, Nezahualcóyotl, Tlalnepantla, Toluca, Chalco, Chimalhuacan, Naucalpan, Tultitlán, Ixtapaluca, Valle de Chalco and Cuautitlán Izcalli.

<sup>33</sup> In eight municipalities in August 2015: Cuautla, Cuernavaca, Emiliano Zapata, Jiutepec, Puente de Ixtla, Temixco, Xochitepec and Yautepec.

<sup>34</sup> In 14 municipalities in June 2016: Morelia, Uruapan, Lázaro Cárdenas, Zamora, Apatzingán, Zitácuaro, Los Reyes, Pátzcuaro Tacámbaro, Hidalgo, Huétamo, La Piedad, Sahuayo and Maravatío.

<sup>35</sup> In the municipalities of Guadalajara, Zapopan, Tlajomulco, Tonalá, Tlaquepaque, Puerto Vallarta and Ameca, in February 2016.

## B. Protocols

40. There is a protocol for the gender-sensitive investigation of sexual violence by prosecutors, experts and the police<sup>36</sup> and a protocol for the gender-sensitive investigation of femicide by prosecutors, experts and the police.<sup>37</sup> The following protocols contain measures relating specifically to women: the protocol for investigating the crime of torture,<sup>38</sup> the standardized protocol for searching for missing persons and investigating enforced disappearances,<sup>39</sup> the protocol on forensic processing and identification,<sup>40</sup> the protocol for searching for missing or disappeared persons,<sup>41</sup> the standardized protocol for investigating the crime of torture<sup>42</sup> and the protocol of action in cases involving sexual orientation or gender identity for the staff of the Office of the Attorney General of the Republic.<sup>43</sup> In addition, the federal police have a handbook on handling gender violence alerts, which has been disseminated and promoted by the National Conference of Attorneys General.

41. Twenty-two federative entities have protocols on femicide,<sup>44</sup> while five have already published a protocol on gender-based murder,<sup>45</sup> and four others are in the process of doing so.<sup>46</sup>

42. The Supreme Court has published nine protocols for the judiciary,<sup>47</sup> including a protocol on issuing gender-sensitive judgments and a protocol of action for judges working on cases involving sexual orientation or gender identity. It has also promoted the adoption of the Ibero-American protocol for legal action to improve access to justice for individuals and groups in vulnerable situations.<sup>48</sup> There is a protocol for responding to political violence against women (drawn up by the Ministry of the Interior, the Electoral Tribunal of the Federal Judiciary, the National Electoral Institute, the Office of the Attorney General of the Republic and the National Institute for Women), which was used as a basis for filing 141 complaints and issuing 8 judgments in 2015-2016.<sup>49</sup> There is also a guide on submitting complaints regarding political violence against women.<sup>50</sup> The Ministry of Foreign

<sup>36</sup> [http://www.PGR.gob.mx/que-es-la-PGR/PGR\\_Normateca\\_Sustantiva/protocolo%20violencia%20sexual.pdf](http://www.PGR.gob.mx/que-es-la-PGR/PGR_Normateca_Sustantiva/protocolo%20violencia%20sexual.pdf).

<sup>37</sup> [http://www.PGR.gob.mx/que-es-la-PGR/PGR\\_Normateca\\_Sustantiva/Protocolo\\_Femicidio.pdf](http://www.PGR.gob.mx/que-es-la-PGR/PGR_Normateca_Sustantiva/Protocolo_Femicidio.pdf).

<sup>38</sup> [http://www.PGR.gob.mx/que-es-la-PGR/PGR\\_Normateca\\_Sustantiva/Protocolo%20Tortura.pdf](http://www.PGR.gob.mx/que-es-la-PGR/PGR_Normateca_Sustantiva/Protocolo%20Tortura.pdf).

<sup>39</sup> [http://www.PGR.gob.mx/que-es-la-PGR/PGR\\_Normateca\\_Sustantiva/protocolo%20violencia%20sexual.pdf](http://www.PGR.gob.mx/que-es-la-PGR/PGR_Normateca_Sustantiva/protocolo%20violencia%20sexual.pdf).

<sup>40</sup> [http://www.PGR.gob.mx/que-es-la-PGR/PGR\\_Normateca\\_Sustantiva/protocolo%20para%20el%20tratamiento%20e%20identificaci%C3%B3n%20forense%20\(2\).pdf](http://www.PGR.gob.mx/que-es-la-PGR/PGR_Normateca_Sustantiva/protocolo%20para%20el%20tratamiento%20e%20identificaci%C3%B3n%20forense%20(2).pdf).

<sup>41</sup> <http://www.ceav.gob.mx/wp-content/uploads/2012/06/PIFAI.pdf>.

<sup>42</sup> <http://www.gob.mx/pgr/documentos/protocolo-homologado-para-la-investigacion-del-delito-de-tortura>.

<sup>43</sup> [http://www.pgr.gob.mx/que-es-la-pgr/PGR\\_Normateca\\_Sustantiva/ProtocolodeActuacionLGBTI.pdf](http://www.pgr.gob.mx/que-es-la-pgr/PGR_Normateca_Sustantiva/ProtocolodeActuacionLGBTI.pdf).

<sup>44</sup> See annex 20.

<sup>45</sup> States of Campeche, Chihuahua, Michoacán, Querétaro and Tlaxcala.

<sup>46</sup> States of Aguascalientes, Coahuila, Durango and Quintana Roo.

<sup>47</sup> The protocols are available at <http://www.sitios.scjn.gob.mx/codhap/>.

<sup>48</sup> [http://www.sitios.scjn.gob.mx/codhap/sites/default/files/banner/archivos/Protocolo\\_Iberoamericano.pdf](http://www.sitios.scjn.gob.mx/codhap/sites/default/files/banner/archivos/Protocolo_Iberoamericano.pdf).

<sup>49</sup> See annex 21.

<sup>50</sup> [http://www.ine.mx/archivos3/portal/historico/recursos/IFE-2/UTIGyND/2016/Guia\\_Violencia\\_Politica.pdf](http://www.ine.mx/archivos3/portal/historico/recursos/IFE-2/UTIGyND/2016/Guia_Violencia_Politica.pdf).

Affairs has issued a protocol on consular assistance for victims of gender-based violence. In 2016, the Ministry of the Public Service, the Ministry of the Interior and the National Institute for Women published a standardized protocol for the Federal Administration on the prevention, response to, and punishment of sexual harassment.<sup>51</sup>

43. There are general guidelines to standardize the investigation of crimes involving the disappearance, rape or gender-based murder of women, as well as a guide for public servants on the immediate assistance to be provided to victims of homicide or femicide. There is also a comprehensive model for victim care for use by police personnel in the three branches of Government, which, together with its implementation handbook, sets out the human-rights-based detection, identification, intervention, assistance, protection and prevention procedures to be followed in cases of gender-based violence.

44. The Ministry of Defence has modified its rules and mechanisms for action to include a human-rights-based approach, especially regarding women and girls, as shown by: the new code of conduct for public servants employed by the Ministry of Defence; the booklet on human rights published as compulsory reading for the army and air force; the standard operating procedures of the Ministry of Defence's disaster assistance plan for civilians (Plan DN-III-E) that promote respect for the human rights of women and girls in shelters and refuges; the handbooks on equality between women and men and non-sexist language; and the review of administrative manuals to ensure their use of inclusive language.

### **C. AMBER Alert Mexico**

45. Between 2013 and 2015, all 32 federative entities joined the AMBER Alert programme. From May 2012 to October 2016, the coordination team for AMBER Alert Mexico, based in the Office of the Attorney General of the Republic, activated 713 alerts, which resulted in 482 tracings. The programme's success rate was estimated to be 62.9 per cent for the period mid-2012 to 2014, 68.6 per cent in 2015 and 70.4 per cent in 2016. The activation mechanisms have been diversified to include a toll free telephone number, an e-mail service and applications for mobile devices. Civil society organizations, academia, private companies, public security agencies and institutions participate in the programme, which has several tracing networks. Eighty per cent of AMBER Alert coordinators are currently certified in accordance with international standards (see annex 22).

46. The Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking promoted formal implementation of the AMBER Alert Mexico programme in the 32 federative entities, by providing advice, assisting with the drafting of state protocols,<sup>52</sup> establishing committees and forging links with civil society organizations and the media. In 2015, the Office organized regional round tables with the programme coordinators in the 32 federative entities, as well as workshops with representatives of offices of attorneys general and public

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<sup>51</sup> [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5450530&fecha=31/08/2016](http://www.dof.gob.mx/nota_detalle.php?codigo=5450530&fecha=31/08/2016).

<sup>52</sup> Based on the programme's national protocol.

prosecutors in the federative entities and the Office of the Attorney General of the Republic.

47. Social networks are extremely important for disseminating the alerts. The national coordination team opened two social media accounts in 2014: its Twitter account has over 86,000 followers and its Facebook account over 55,000.

48. In 2015, Iusacell, OnStar and Uno TV joined the programme to boost its impact. The National Chamber of Industry for Radio and Television, which has over 1,200 members, also participates, as does the company Uber.

49. The trilateral forum for AMBER Alert coordinators,<sup>53</sup> held in 2016, strengthened international cooperation on the strategies, methodologies, training and technologies used in the search for missing children.

#### **D. The Alba Protocol**

50. The Alba Protocol was consolidated in the state of Chihuahua to address disappearances of women and girls there. In 2012, an agreement was signed between the National Commission for the Prevention and Elimination of Violence against Women and the Office of the Attorney General of the State of Chihuahua on strengthening the Protocol and the technical working group that collaborates on its implementation. To date, the states of México, Jalisco, Tabasco and Guerrero have their own Alba Protocols.

51. The Office of the Attorney General of the State of Chihuahua has reported 1,112 activations, involving 1,143 individuals, of whom 1,120 were located. The success rate of the Alba Protocol is 95.7 per cent.

### **III. New coordinated public security strategy**

52. In 2013, the national public security strategy was revised, in line with the first goal of the National Development Plan for 2013-2018, which is to ensure a country at peace, with a view to strengthening institutions, building social and political consensus, promoting citizenship and combating gender-based violence, impunity and corruption, while respecting and protecting human rights.<sup>54</sup> The National Public Security Programme for 2014-2018<sup>55</sup> contains strategies to ensure full respect for human rights, as well as their promotion and protection, and to mainstream a gender perspective in all public security activities.<sup>56</sup> The National Programme for the Social Prevention of Violence and Crime,<sup>57</sup> the National Programme for Equality and Non-discrimination,<sup>58</sup> the National Programme to Prevent, Punish and Eradicate

<sup>53</sup> Canada, Mexico and the United States of America.

<sup>54</sup> National Development Plan for 2013-2018: [www.dof.gob.mx/nota\\_detalle\\_popup.php?codigo=5299465](http://www.dof.gob.mx/nota_detalle_popup.php?codigo=5299465).

<sup>55</sup> [http://dof.gob.mx/nota\\_detalle.php?codigo=5343081&fecha=30/04/2014](http://dof.gob.mx/nota_detalle.php?codigo=5343081&fecha=30/04/2014).

<sup>56</sup> National Public Security Programme for 2014-2018. Strategies 4.4 and 4.7.

<sup>57</sup> The National Programme for the Social Prevention of Violence and Crime for 2014-2018. [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5343087&fecha=30/04/2014](http://www.dof.gob.mx/nota_detalle.php?codigo=5343087&fecha=30/04/2014).

<sup>58</sup> [www.dof.gob.mx/nota\\_detalle.php?codigo=5343069&fecha=30/04/2014](http://www.dof.gob.mx/nota_detalle.php?codigo=5343069&fecha=30/04/2014).

Human Trafficking Crimes and to Protect and Assist Trafficking Victims,<sup>59</sup> the National Human Rights Programme,<sup>60</sup> the Comprehensive Programme for Victims,<sup>61</sup> the Comprehensive Programme to Prevent, Address, Punish and Eradicate Violence against Women<sup>62</sup> and the Special Programme for Intercultural Education<sup>63</sup> were also established. All these programmes are interlinked, and annual reports on their progress have been issued since 2014.<sup>64</sup>

### Reparation for damages

53. The Government of Mexico has mechanisms for the reparation of damages, under the Victims Act, that are reinforced through the implementation of the decisions and recommendations issued by international human rights bodies and the Supreme Court.<sup>65</sup>

54. In 2016, at the fiftieth meeting of the National Conference of Governors, the 32 federative entities agreed to sign a framework agreement with the Executive Commission for Victim Support on coordination and collaboration in relation to victim care, the exchange of information and the design and implementation of public policies. The agreement establishes mechanisms for coordination and collaboration in the care, assistance and protection of victims of crime or human rights violations.<sup>66</sup> The Federal Legal Advisory Service of the Executive Commission for Victim Support guides and provides legal representation for victims.

55. Important mechanisms in the prevention and eradication of torture include: (i) the broad set of actions taken by all agencies responsible for the elimination of torture, especially the police and the armed forces; (ii) the adoption of the National Code of Criminal Procedure, which guarantees due process; (iii) the rulings of the Supreme Court on confessions obtained through torture; and (iv) the entry into force of the standardized protocol for investigating the crime of torture.

56. In 2015, the Missing Persons Search Unit in the Office of the Attorney General of the Republic was transformed into the Office of the Special Prosecutor for the Search for Missing Persons, which maintains a national register of clandestine graves and a DNA database and has drones to locate victims.

57. The state of Oaxaca has a protocol for police response to gender-based violence. The state of Veracruz has a programme for ensuring the safety of women on public transport and in public spaces, a campaign for ensuring the safety of women on public transport and a protocol outlining basic procedures for handling crimes of gender-based violence. The state of Querétaro has a protocol for action in the investigation and prosecution of crimes committed against women on the basis of gender. Mexico City has a protocol for the prevention, response to, and punishment of sexual

<sup>59</sup> [www.dof.gob.mx/nota\\_detalle.php?codigo=5343079&fecha=30/04/2014](http://www.dof.gob.mx/nota_detalle.php?codigo=5343079&fecha=30/04/2014).

<sup>60</sup> [www.dof.gob.mx/nota\\_detalle.php?codigo=5343071&fecha=](http://www.dof.gob.mx/nota_detalle.php?codigo=5343071&fecha=)

<sup>61</sup> [www.dof.gob.mx/nota\\_detalle.php?codigo=5400787&fecha=16/07/2015](http://www.dof.gob.mx/nota_detalle.php?codigo=5400787&fecha=16/07/2015).

<sup>62</sup> [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5343064&fecha=30/04/2014](http://www.dof.gob.mx/nota_detalle.php?codigo=5343064&fecha=30/04/2014).

<sup>63</sup> [http://dof.gob.mx/nota\\_detalle.php?codigo=5342484&fecha=28/04/2014](http://dof.gob.mx/nota_detalle.php?codigo=5342484&fecha=28/04/2014).

<sup>64</sup> There are annual progress reports for each programme.

<sup>65</sup> See thesis. 1a. CXCIV/2012 (10a); thesis 1a. CLXII/2014 (10<sup>a</sup>); thesis 1a. CXCIV/2012 (10a); thesis P. LXVII/2010; thesis 1a./J.21/2012 (10a); thesis 1a./CVII/2011; and thesis 1a./J.29/2013 (10a).

<sup>66</sup> The agreement was signed with each federative entity.

harassment. The states of Hidalgo,<sup>67</sup> Jalisco, Querétaro and Michoacán<sup>68</sup> have protocols for the prevention and handling of domestic and gender-based violence. Mexico City and the state of México have gender-sensitive protocols for the investigation of sexual offences. Mexico City and the states of Puebla and Chiapas have action plans for the prevention, handling, punishment and elimination of femicidal violence. The states of Baja California, Jalisco, Quintana Roo<sup>69</sup> and Sinaloa<sup>70</sup> have programmes for the prevention and handling of domestic and gender-based violence. The state of Puebla has a unit to follow up on the crime of femicide. The states of México<sup>71</sup> and Nuevo León have special prosecutors to investigate femicide; and Mexico City and the states of San Luis Potosí and Tabasco have investigation agencies that specialize in this field. Mexico City set up a single registry and a dedicated information system to identify women and girls at risk of femicidal violence. The states of Guanajuato<sup>72</sup> and Puebla have a care and response system for women. The states of Chihuahua,<sup>73</sup> Coahuila,<sup>74</sup> Colima,<sup>75</sup> Jalisco<sup>76</sup> and Michoacán<sup>77</sup> have specialized care units for women victims of violence. The state of Yucatán has a support fund for victims of crime. The states of Coahuila, México, Morelos, Nuevo León and Oaxaca have strategies to re-educate perpetrators of aggression.

#### IV. Training and skills-building

58. Federal and state public-security officials receive constant training in human rights, pursuant to the General Women's Access to a Life Free of Violence Act<sup>78</sup> and the General National Public Security System Act. Under the former,<sup>79</sup> the Office of the Attorney General of the Republic must provide specialized training to public prosecutors, experts and officials involved in the care of victims, to ensure a human-rights and gender-based perspective is applied in their work, from the moment complaints are made all the way through the court proceedings, especially in cases

<sup>67</sup> Protocol of the Special Unit for the Prevention and Handling of Domestic and Sexual Violence.

<sup>68</sup> Protocol for action by the prosecution service for the treatment of women victims of domestic and gender-based violence.

<sup>69</sup> Programme of comprehensive care for women in situations of extreme violence.

<sup>70</sup> "Únete" (Join) programme to end violence against women.

<sup>71</sup> The state of México has 42 care centres specialized in the prevention and handling of domestic, sexual and gender-based violence and a special unit in the state attorney general's office for crimes linked to gender-based violence.

<sup>72</sup> There is a state system and council for the care, support and protection of injured parties and victims of crime.

<sup>73</sup> The state of Chihuahua established a state council to ensure the right of women to a life free of violence, a unit to deal with sexual harassment cases and a care centre for women victims of violence.

<sup>74</sup> "Sí, mujer" (Yes, woman) centres, 18 care modules, 5 itinerant modules and inter-agency networks to provide care to women victims of violence and their children.

<sup>75</sup> A model for the professionalization of assistance provided to persons living in situations of violence, an itinerant care centre and external care centres.

<sup>76</sup> Development centres for women, itinerant care modules and a model of care for women victims of violence.

<sup>77</sup> Special unit for the handling of crimes of homicide committed against women.

<sup>78</sup> Art. 14. Awareness-raising, training and professionalization activities for public servants.

<sup>79</sup> [http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV\\_171215.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV_171215.pdf) article 47, sections II, III, IV, V, VI, VII, VIII, IX, X, XI.

of discrimination, violence against women and femicide. In 2014, the Executive Secretariat of the national public security system mainstreamed the gender perspective and the human rights of women in its umbrella programme to professionalize public security services.

59. Pursuant to the General Rights of Children and Adolescents Act,<sup>80</sup> state and federal authorities must promote training in the rights of the child. In addition, the Act stipulates that the national system for the comprehensive protection of children and adolescents must provide systematic training to impart knowledge of, and respect for, their rights.

60. The National Programme for the Social Prevention of Violence and Crime provides for the training of police forces and public servants in the subject of human rights and gender.<sup>81</sup> There are also training programmes for the prevention and handling of violence against women, domestic violence, violence in courtship and human trafficking.

61. The Sectoral National Defence Programme for 2013-2018 is reinforced by the Ministry of Defence's Human Rights Programme for 2014-2018, which contemplates extensive training and skills-building activities to increase respect for human rights and international humanitarian law.<sup>82</sup>

62. In 2016, the Ministry of the Navy transformed its Citizens Care and Protection Unit into the Unit for the Promotion and Protection Human Rights. To guarantee those rights, naval personnel are trained in human rights, international human rights law, international humanitarian law, gender equality and non-discrimination.

63. The Ministry of Defence and the Ministry of the Navy provide systematic training in human rights and gender equality. Both have reinforced the training they provide in human rights and in the prevention of sexual violence and violence against women and girls in situations of vulnerability and during operations against organized crime.

64. The federal judiciary<sup>83</sup> has held courses on gender equality and non-discrimination.<sup>84</sup> Since 2013, training has concentrated on three areas: (i) awareness-raising on equality between men and women and non-discrimination; (ii) formal academic training; and (iii) seminars and conferences (the virtual course on gender and the intercultural approach in the administration of justice complements training on servicing indigenous communities). From 2012 to 2016, local judiciaries held 840 training courses.

65. Twenty-nine federative entities have training programmes for public servants who work in the administration of justice that cover the human rights of women, the

<sup>80</sup> [www.dof.gob.mx/nota\\_detalle.php?codigo=5374143](http://www.dof.gob.mx/nota_detalle.php?codigo=5374143).

<sup>81</sup> Inter alia: community-oriented policing models that include specialized training from a human rights perspective; training for police officers on protocols for procedure in cases of domestic violence; and training for public servants on human rights perspectives, community cohesion, gender and non-discrimination in the implementation of preventive action.

<sup>82</sup> [http://www.gob.mx/cms/uploads/attachment/file/6612/PROGRAMA\\_DE\\_DERECHOS\\_HUMANOS\\_SDN.pdf](http://www.gob.mx/cms/uploads/attachment/file/6612/PROGRAMA_DE_DERECHOS_HUMANOS_SDN.pdf).

<sup>83</sup> The federal judiciary comprises the Supreme Court, the Council of the Federal Judiciary and the Electoral Tribunal of the Federal Judiciary.

<sup>84</sup> See annex 23.

gender perspective, the implementation of international instruments and violence against women.<sup>85</sup>

66. The Council of the Federal Judiciary strengthened the academic training of its cadres; the training courses on gender equality and non-discrimination are given in all cities that have federal courts. To professionalize its cadres, Mexico City made an agreement with the National Autonomous University of Mexico to establish a master's degree programme in gender and law. Since 2013, the Office of the Attorney General of the Republic has held annual national congresses on applying a gender-equality perspective in judging. Since 2013, the National Human Rights Commission has significantly increased the training courses it offers. The National Institute of Migration provides constant training in human rights and the protection of migrant women and girls. The Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking conducts training and skills-building activities for attorneys, police and experts working in offices of attorneys general and public prosecutors, as well as for judges and magistrates. See annex 25 for precise information, including statistics, on the training, skills-building, professionalization and awareness-raising activities of the Mexican Government in the areas of gender and human rights, and on their impact.

67. At the state level, the offices of local attorneys general and prosecutors systematically provide human rights training to their staff; 22 such offices held specific training courses in women's rights.

## **V. Violence against women and girls**

68. For the Mexican Government, ensuring that women can live lives free of discrimination and violence is a priority. For that reason, and in line with the Comprehensive Programme to Prevent, Address, Punish and Eradicate Violence against Women, it was established that, under the corresponding national system, the 32 women's advancement mechanisms and the agencies comprising that system would report, on a quarterly basis, on progress in relation to the Programme's 118 action lines, which include actions for addressing violence against indigenous women, women with disabilities, migrant women, adolescent women, older women and women deprived of their liberty.<sup>86</sup> An annual report on activities would also be published (see annex 26).

### **A. Prevention and care**

69. The women's justice centres in the country have been strengthened to prevent and address violence. The centres provide a full range of services: legal advice, assistance and support; medical care and psychological support; economic and social empowerment services; specialized care for children; and referrals to safe houses, shelters and refuges. Between 2013 and 2016, the number of women's justice centres grew from 7 to 31, thanks to federal-state cooperation (eight centres

<sup>85</sup> See annex 24.

<sup>86</sup> The Programme has 5 specific objectives, 16 strategies, 118 action lines and 10 compliance indicators.

are under construction).<sup>87</sup> To improve the legal services they provide, the Office of the Attorney General of the Republic developed guidelines for public prosecutors on the handling of violence against women, and mechanisms for certifying the centres' legal prosecution services were introduced. The National Conference of Attorneys General is supporting the project.

70. The National Institute for Women has registered more than 1,000 establishments that provide care to women victims of violence. These include state and municipal institutions, external care centres and mobile care units.<sup>88</sup> In 2013, the Ministry of the Interior established the 01800 "Háblalo" (Talk about it) 24-hour telephone hotline service, which operates nationwide 365 days a year and assisted 43,292 women between 2014 and 2015. To strengthen telephone support, the 066 emergency call centres were linked up with the women's advancement mechanisms in nine states.<sup>89</sup> Currently, work is being done to integrate them into the national 911 emergency telephone system.

71. The Ministry of Foreign Affairs established 42 *ventanillas* (service windows) at consulates to provide a full range of services to women.

72. The National Institute of Social Development allocates resources annually to the Women's Advancement Mechanisms in the 32 federative entities through its programme to support women's agencies and offices in the federative entities. In addition it promotes training on preventing and addressing violence against women (in 2013-2015, training was given to 24,490 persons, 65.3 per cent of whom were women) and supports over 300 specialized units that attend 330,000 women victims of violence each year.<sup>90</sup> Between 2013 and 2016, the programme's budget increased by 23.5 per cent.

73. The National Institute of Social Development also provided support for 1,863 civil society projects through its joint social investment programme between 2013 and 2015. These projects all focused on preventing or addressing gender-based violence or on promoting equality between women and men, non-discrimination or human rights, benefiting 590,261 persons (of whom 361,325 were women).

74. The National Institute for Women, through its programme to strengthen mainstreaming of the gender perspective, finances projects undertaken by the Women's Advancement Mechanisms and municipal women's institutes to prevent and address violence against women and girls. In addition it operates 300 women's development centres.

75. The Ministry of Health, through its programme for the prevention of, and response to, domestic and gender-based violence, is taking steps to limit the damage to health caused by violence and promote violence-free lives, specifically through the

<sup>87</sup> Aguascalientes, Campeche (2), Chiapas, Chihuahua (2), Coahuila (3), Colima, Durango, Mexico City, México State (3), Guanajuato, Guerrero (2), Hidalgo, Jalisco, Michoacán, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, San Luis Potosí (2), Sonora, Yucatán and Zacatecas.

<sup>88</sup> Information from the national system to prevent, address, punish and eradicate violence against women, based on data obtained from protection and care units, shelters and the comprehensive re-education programmes.

<sup>89</sup> Colima, Chihuahua, Durango, Michoacán, Querétaro, Quintana Roo, San Luis Potosí, Tamaulipas and Veracruz.

<sup>90</sup> See annex 27.

application of its integrated model for the prevention of, and response to, domestic and sexual violence, which provides both medical and psychological care. In cases of moderate violence, the Ministry's strategy to re-educate victims and perpetrators of intimate partner violence is applied. In 2015 the strategy was implemented nationwide to the benefit of more than 19,600 women in 1,063 groups and more than 14,000 men in 895 groups. In cases of severe violence, individualized and specialized attention is provided. From 2012 to 2016, the number of service units providing such attention increased from 284 to 335, and the number of women attended rose from 181,000 to over 230,000. In 2016, the number is projected to reach 250,000. From 2012 to 2016, the Ministry of Health increased its budget for combating domestic and intimate partner violence from 62.5 to 344.3 million pesos.

76. In 2015, the Ministry of Health sent out 1.8 million questionnaires to obtain more information on violence against women. The responses, which indicated that 19 per cent of women were victims of violence, allowed the Ministry of Health to provide medical and psychological care to more than 233,000 women victims of severe violence through its 335 specialized service units in the 32 federative entities.

77. The National Centre for Gender Equity and Reproductive Health of the Ministry of Health is in charge of allocating subsidies to shelters for women in situations of extreme violence, and their children, and to their external care centres, as applicable.<sup>91</sup> The National Institute for Women and the National Network of Shelters signed an agreement to professionalize the services provided by the shelters. In 2015, a census was conducted of government-funded collective housing.<sup>92</sup>

78. The programme on the rights of indigenous peoples of the National Commission for the Development of Indigenous Peoples, which promotes the right to equality, supports 24 shelters for indigenous women. These are also run by indigenous women and offer sexual and reproductive health services, as well as care for victims of gender-based violence, using a culturally appropriate, differentiated approach and a gender and rights-based perspective.<sup>93</sup> Between 2013 and 2016, the National Commission supported 286 projects on the prevention and response to violence using an intercultural approach, and 466 projects on strengthening indigenous women's rights. To increase indigenous women's access to justice, it funded 223 civil society projects designed to raise awareness of their rights and approved 82 projects on crime prevention and 72 on combating human trafficking.

79. The National Council for the Prevention of Discrimination published a catalogue of pro-equality measures<sup>94</sup> to support the implementation of the affirmative action and other measures aimed at redressing imbalances and promoting inclusion

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<sup>91</sup> The facilities, services, processes and products that shelters provide for women and their children who are victims of violence are regulated nationwide by the Mexican Official Standard for Shelters.

<sup>92</sup> Joint project of the National Institute of Statistics and Geography, the National System for the Comprehensive Development of the Family, the National Shelter Network and the National Institute for Women. The census identified 104 shelters and 83 refuges for women and their children living with violence, distributed across 31 of the 32 federative entities, the exception being the state of Baja California Sur.

<sup>93</sup> The indigenous women's shelter in Chalchihuitán, Chiapas, stands out. Its focus is on sexual and reproductive health and it has a network of traditional indigenous midwives.

<sup>94</sup> [http://www.conapred.org.mx/documentos\\_cedoc/CatalogoMedidas\\_WEB\\_Mireya\\_topgrl\\_INACCSS.pdf](http://www.conapred.org.mx/documentos_cedoc/CatalogoMedidas_WEB_Mireya_topgrl_INACCSS.pdf).

included in the comprehensive reform of the Federal Prevention and Elimination of Discrimination Act, as well as the pro-equality measures contemplated in the 2014-2018 National Programme for Equality and Non-Discrimination.

80. The National Commission for the Development of Indigenous Peoples works for the release of indigenous prisoners and achieved the release of 386 indigenous women during the current administration. There is a national roster of (198) bilingual indigenous lawyers who help to ensure that the indigenous population has access to justice.<sup>95</sup> The Commission signed a convention on collaboration for the implementation of the new criminal justice system with a multilingual and intercultural approach with the Council of the Federal Judiciary, the Ministry of the Interior, the Office of the Attorney General of the Republic, the National Institute for Indigenous Languages and the Executive Commission for Victim Support, with a view to enhancing the training of bilingual indigenous lawyers, interpreters, translators and public servants. Since 2014, the National Institute for Indigenous Languages has been providing training in judicial procedures for interpreters and translators (currently 115 are trained). In November 2015, the Institute signed an agreement with the National Commission of High Courts of Justice whereby the latter agreed to use the national roster of interpreters and translators who work with indigenous languages.

81. The Commission for Dialogue with the Indigenous Peoples of Mexico has undertaken to engage in activities to protect human rights, implement preventive measures and provide training, with the participation of security agencies and a special emphasis on the rights of indigenous women and indigenous legal systems.

82. The Executive Commission for Victim Support published a booklet on the rights of victims of child sexual abuse, for parents, teachers and specialists, among others. Cases of abuse are detected and reported through its comprehensive health-care model, whereby services are provided to victims of violence, free of charge and in keeping with the principles of non-discrimination, comprehensiveness, promptness and confidentiality, to increase their resilience and help them to move forward with their lives.<sup>96</sup>

83. The General Rights of Children and Adolescents Act recognizes the right of the child to a life free of violence and obliges federal and local authorities to prevent, address and punish violence and to provide for the physical and psychological recovery of child victims of violence, the restitution of their rights and their return to daily life. Child Protection Offices play a fundamental role in this. In addition, a Commission to End All Forms of Violence against Children and Adolescents was established as part of the national system for the comprehensive protection of children and adolescents.<sup>97</sup>

84. Between 2013 and 2015, the Interministerial Commission for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and the Protection and

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<sup>95</sup> Languages covered: Amuzgo, Chinanteco, Chontal, Chol, Cora, Maya, Mayo, Mexicanero, Mixteco, Náhuatl, Otomí, Pai Pai, Pame, Rarámuri, Teenek, Tepehuano del Norte, Tepehuano del Sur, Tlapaneco, Totonaco, Triqui, Tseltal, Tsotsil, Wixárika and Zapoteco.

<sup>96</sup> <http://www.ceav.gob.mx/wp-content/uploads/2014/07/MAIS-20150326.pdf>.

<sup>97</sup> Mexico is one of the pilot countries in the Global Partnership to End Violence against Children, promoted by UNICEF.

Assistance of Trafficking Victims ran six campaigns,<sup>98</sup> and in 2015, it organized 195 awareness-raising and training events. In 2015, the National Human Rights Commission launched the campaign “Freedom without deceit or false promises” (see annex 28).

85. The National Institute of Migration organizes visits to inspect and check the migration status of workers in massage parlours, nightclubs, canteens, bars, factories, hotels, restaurants, roadside venues and truck depots, among other locales, to identify possible trafficking victims. Between 2013 and 2016, it conducted 2,042 such inspections. The Institute also permanently offers courses on prevention (see annex 29) and, with the United Nations Office on Drugs and Crime, develops materials designed to prevent and raise awareness of human trafficking among the population groups most vulnerable to trafficking.<sup>99</sup> There are guidelines for monitoring media advertisements that might encourage or promote human trafficking, which include instructions for notifying the Office of the Attorney General of the Republic.

86. Seventy-eight per cent of federative entities are working to prevent domestic violence, 53 per cent to prevent femicide, 47 per cent to prevent torture and 38 per cent to prevent enforced disappearances; 91 per cent of federative entities have initiated criminal proceedings for violence against women; 84 per cent for intentional homicide against women; 72 per cent for sexual harassment and 66 per cent for femicide.

## **B. Law enforcement and the administration of justice**

87. According to the 2011 national survey on the dynamics of household relationships, 6.5 million women aged 15 and over are victims of physical or sexual violence at the hands of their partners and 69.4 per cent of them do not report the violence or seek help: 26.9 per cent because they think that it is unimportant, 25.2 per cent because they are afraid, 21.4 per cent because of their children, 19 per cent owing to shame, 14.5 per cent because they did not know they could and 11 per cent because they do not trust the authorities.

88. In 2014, the Office of the Attorney General of the Republic, some offices of state attorneys general<sup>100</sup> and the Jalisco Institute of Forensic Sciences signed an agreement on sharing genetic information to facilitate criminal investigations. The General Office for the Coordination of Expert Witness Services of the Office of the

<sup>98</sup> A national training campaign on human trafficking, an anti-trafficking campaign conducted in national indigenous languages, the “Your body is priceless” campaign, the “Be the one” campaign conducted at the border with the United States of America, and a communications campaign for the prevention of violence and crime were rolled out in 73 priority areas in the fight against human trafficking.

<sup>99</sup> These receive funding from the Merida Initiative and the Interministerial Commission for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and the Protection and Assistance of Trafficking Victims; the National Council for the Prevention of Discrimination, the National Commission for the Development of Indigenous Peoples and the National Council for the Development and Inclusion of Persons with Disabilities will participate in future.

<sup>100</sup> Those of the states of Baja California, Baja California Sur, Colima, Campeche, Chiapas, Morelos, Oaxaca, Puebla, Sinaloa, Tabasco and Tlaxcala.

Attorney General of the Republic manages the genetic database, known as CODIS, which contains genetic profiles of cadavers and of relatives of missing persons, as well as other genetic evidence.

89. The Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking can issue immediate protection orders in urgent cases, to take women victims of gender-based violence or trafficking into care. These orders are not subject to red tape or time limits. In 2014, the National Code of Criminal Procedure made it obligatory for public prosecutors to issue and implement protection orders and precautionary measures. More remains to be done, but improving the issuance of protection orders is in the workplan of the National Conference of Attorneys General.

90. From the end of 2012 to June 2016, offices of public prosecutors nationwide, outside the federal jurisdiction, issued 122,047 protection orders for women. In the same period, 8,729 convictions were handed down: 7,281 for domestic violence; 1,143 for homicide, 304 for femicide; and 1 for enforced disappearance. Between 2012 and 2014, women's deaths allegedly as a result of homicide fell from 4.6 to 3.7 per 100,000 women.<sup>101</sup>

91. In the period from August 2012 to October 2016, the Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking opened 1,491 preliminary investigations and 1,495 inquiries (see annex 16): 13.3 per cent of these resulted in criminal proceedings, with 53 convictions and 18 acquittals being recorded to date.<sup>102</sup> In 2014, the Office joined the Global Alliance against Child Sexual Abuse Online, and it is currently putting together a national human trafficking information system, with the assistance of the United Nations Office on Drugs and Crime. The Office also manages a special shelter offering comprehensive care to victims of extreme violence and human trafficking (see annex 30). Between 2013 and 2015, it trained just over 4,500 persons, through 75 courses on human trafficking organized for judges and magistrates and for the legal staff and expert personnel working in the offices of the attorneys general and public prosecutors of the federative entities.<sup>103</sup>

92. Since 2014, the crime of femicide has been disaggregated in the national census on law enforcement in the federative entities. According to the census, in 2014 there were 313 victims, and 247 alleged perpetrators were charged, most of them men; while in 2015 there were 322 victims, and 341 alleged perpetrators were charged. Considering that, on average, approximately 2,300 women are murdered every year, this shows that much work still needs to be done to identify and correctly classify femicides in statistical records.

93. Since 2013, the federal police have arrested and placed at the disposal of the public prosecution service 568 men associated with possible crimes of human trafficking, violence against women and sexual offences.

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<sup>101</sup> Statistics from the National Health Information System.

<sup>102</sup> The average prison sentence is 5.3 years. In all cases, perpetrators were ordered to make restitution for damages.

<sup>103</sup> Aguascalientes, Baja California, Baja California Sur, Chiapas, Chihuahua, Coahuila, Guanajuato, Hidalgo, Jalisco, Mexico City, México State, Morelos, Querétaro, Quintana Roo, Sinaloa, Tabasco, Tlaxcala and Veracruz. 2,471 women and 2,073 men were trained.

94. The Supreme Court issued, *inter alia*, five decisions related to access to justice for indigenous communities and peoples.<sup>104</sup> During the reporting period, it conducted activities to promote and protect the rights of indigenous persons, communities and peoples, improve access to justice for indigenous women, ensure inclusion and expand the use of an intercultural approach. The Court also published a protocol for the judgment of cases involving the rights of indigenous persons, communities and peoples, together with an online course on its implementation. Efforts were made to build capacity among indigenous peoples to ensure equal access to the procurement and administration of justice.

95. The colloquium on the administration of justice with a gender perspective and an intercultural approach, held for the federal judiciary with the participation of international specialists, academics, judges, senior officials from the Supreme Court, the Electoral Tribunal of the Federal Judiciary and the Council of the Federal Judiciary, representatives of the United Nations and of associations of indigenous women, complements the online course on strengthening the administration of justice with a gender perspective and intercultural approach, designed for court personnel.

96. The Federal Public Defender Service has indigenous administrative staff who assist public defenders. From 2013 to 2016, the Federal Public Defender Service provided legal advice to 474 indigenous women (see annex 32). In the federative entities, 22 offices of attorneys general have increased access to justice for indigenous women, through the provision of legal assistance, advice and interpretation services and by ensuring personnel have knowledge of customs and practices. Ties with civil society organizations have also been strengthened.

97. The Interministerial Commission for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and the Protection and Assistance of Trafficking Victims<sup>105</sup> operates through working groups whose members include civil society organizations and academia.<sup>106</sup> Commissions on human trafficking have been set up under the umbrella of the National Council of Governors (24 in 2015). In addition, a model for providing assistance and protection to victims of human trafficking has been developed, together with a protocol setting out the procedures and resources to be used in the rescue, assistance, treatment and protection of victims of human trafficking, by the hostels, shelters and halfway houses set up to take in such victims.<sup>107</sup> The Interministerial Commission also has a programme for eradicating trafficking.<sup>108</sup> In 2015, a systematic procedure for handling human

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<sup>104</sup> See annex 31.

<sup>105</sup> Comprises the Ministry of the Interior, the Ministry of Communications and Transport, the Ministry of Foreign Affairs, the Ministry of Public Security, the Ministry of Social Development, the Ministry of Public Education, the Ministry of Tourism, the Office of the Attorney General of the Republic, the National System for the Comprehensive Development of the Family, the Executive Commission for Victim Support, the National Institute for Women, the National Institute of Migration and the National Institute of Criminological Sciences.

<sup>106</sup> In 2014, the programme focused on the establishment of five special agencies to prosecute the crime of human trafficking, in as many federative entities.

<sup>107</sup> The National Programme for Equal Opportunity and Non-discrimination against Women pursues five lines of action in relation to human trafficking.

<sup>108</sup> See, for 2014 and 2015, the annual reports of the Interministerial Commission for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and the Protection and Assistance of Trafficking Victims.

trafficking cases, covering operations, detection, investigation, safe extraction and victim care, was developed.

98. Between 2013 and 2015, 601 charges of human trafficking were filed in court, and 414 resulted in convictions. In 2015, 429 preliminary investigations were opened (114 at the federal level and 315 at the state level), 124 convictions were handed down, 248 persons were sentenced and 439 victims received justice.

99. In 2013, the National Human Rights Commission published an assessment of the situation of human trafficking in Mexico;<sup>109</sup> the data were updated in 2014. In 2014, The Interministerial Commission for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and the Protection and Assistance of Trafficking Victims published a national assessment of the situation of human trafficking in Mexico, in conjunction with the United Nations Office on Drugs and Crime.<sup>110</sup> The National Institute for Women issued a diagnosis of the institutional capacity of women's offices and agencies in the federative entities to respond to human trafficking.<sup>111</sup> Reports were also published under the National Programme on Human Trafficking in 2014 and 2015 (see annex 34).

100. In 2015, at the second trilateral meeting on human trafficking and best practices in the implementation of legislation on human trafficking, the Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking agreed to increase collaboration, build investigative and prosecutorial capacities, obtain international legal assistance and work on the "Blue Lightning" initiative and the "Guardian Angel" programme.

101. The National Electoral Institute, the Office of the Attorney General of the Republic, the offices of local attorneys general and public prosecutors in the federative entities and the National Commission of High Courts of Justice signed an agreement to share information (fingerprints and biometric data) from the National Electoral Institute databases to help identify bodies and mortal remains in the investigation of missing person cases.

102. Seventeen federative entities are regularly handing down sentences for domestic violence, 9 for femicide, 15 for intentional homicide with a presumption of femicide and 8 for sexual harassment.

103. At the local level, from 2013 to 2016, the Mexico City judiciary opened 186 trafficking and procurement cases; recorded 1,019 female presumed victims and 110 male presumed victims, brought charges against 605 alleged perpetrators, tried 502 persons (29.3 per cent of whom were women) and issued 309 convictions and 78 acquittals. Mexico City established a central prosecution service for the human trafficking crimes and has a special refuge for women victims and child victims of trafficking that offers protection and security services, comprehensive care and secure accommodation with restricted access. The state of Coahuila established a protocol for providing comprehensive services to victims of human trafficking, which includes occupational training for victims and their integration into the labour force.

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<sup>109</sup> <http://appweb.cndh.org.mx/biblioteca/archivos/pdfs/diagnosticoTrataPersonas.pdf> and [http://appweb.cndh.org.mx/biblioteca/archivos/pdfs/diagnosticoTrataPersonas\\_anexo.pdf](http://appweb.cndh.org.mx/biblioteca/archivos/pdfs/diagnosticoTrataPersonas_anexo.pdf).

<sup>110</sup> <http://www.gob.mx/segob/documentos/diagnostico-nacional-sobre-la-situacion-de-trata-de-personas-en-mexico>.

<sup>111</sup> See annex 33.

## VI. Education

104. The Ministry of Public Education incorporated human rights, gender equality, the eradication of violence, health education, sexuality education and sexual and reproductive rights into the basic (preschool, primary and lower secondary) education programme, promoting skills-building in these areas throughout the programme. A gender-equality perspective was incorporated into the Sectoral Education Programme for 2013-2018 which includes actions to reinforce the retention of girls, adolescents and youth at all levels of education.<sup>112</sup>

105. The General Rights of Children and Adolescents Act emphasizes the right to education of children and adolescents. Guaranteeing that right is the responsibility of the three branches of government, which have the obligation to ensure that pregnant girls have access to and remain in school, take affirmative action on admission, retention and readmission, remove barriers to access, and provide educational opportunities and adopt positive measures for girls from vulnerable groups in regions that lag behind educationally and for economically or socially disadvantaged girls.

106. The National Education Grant Programme, which promotes gender equality, human rights and the eradication of violence through its regulations, provides grants for children and youth, especially in highly marginalized or socially backward rural and/or remote localities. In addition, grants are awarded to girls aged 12-17 who are either pregnant or already mothers to support their basic education (this programme was previously known as PROMAJOVEN). Grants are also available for upper secondary (high school) and higher education. The amounts of the grants for basic, upper secondary and higher education increase annually so as to narrow gaps in access, retention and completion of studies (see annex 35). Under the National Programme for the Social Prevention of Violence and Delinquency, grants for upper secondary education are awarded to girl students living in municipalities with high crime and violence rates: 228,608 such grants were awarded in 2013; 265,899 in 2014; and 301,807 in 2015.

107. In the basic education sector, the development of local frameworks in all 32 federative entities to promote harmonious relations in schools was coordinated through the Safe Schools Programme. The frameworks establish rules for inclusive, democratic and peaceful coexistence in schools, as well as agreements on harmonious relations. They also establish protocols for action, referral and follow-up and inter-agency school support networks. In the upper secondary sector, schools have been encouraged to review school rules and formulate school safety protocols.

108. In 2014, the objective of the programme “ConstruyeT” (Build yourself up) was modified to increase the social and emotional skills of teachers, directors and students and thereby promote well-rounded development, reduce inequalities, foster harmonious and satisfactory relations, social harmony and thoughtful and assertive decision-making. The programme’s strategies and materials use inclusive, egalitarian approaches.

109. The educational reforms of 2013 aim to increase support for young people and adults who have not completed their basic education through the national campaign

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<sup>112</sup> Sectoral education programme: [http://www.sep.gob.mx/work/models/sep1/Resource/4479/4/images/PROGRAMA\\_SECTORIAL\\_DE\\_EDUCACION\\_2013\\_2018\\_WEB.pdf](http://www.sep.gob.mx/work/models/sep1/Resource/4479/4/images/PROGRAMA_SECTORIAL_DE_EDUCACION_2013_2018_WEB.pdf).

to promote literacy and eliminate gaps in education of the National Institute for Adult Education and collaboration with state governments. The number of women in rural and urban areas at absolute beginner level (i.e. who are illiterate) incorporated into the programme increased almost fourfold between 2012 and 2015, from 56,673 to 225,163 in rural areas and from 82,352 to 315,688 in urban areas.<sup>113</sup>

110. In higher education, through affirmative action to promote women's participation in undergraduate and postgraduate courses in engineering, technology and physical and mathematical sciences, the education grants awarded to women increased from 666 in 2012-2013 to 88,563 in 2014-2015.

111. The National Polytechnic Institute has a programme to encourage research with a gender perspective, and the National Institute for Women and the National Council of Science and Technology have a joint fund for sectoral research and development for funding research into emerging gender issues. The "Sor Juana Inés de la Cruz" award was established for the best research theses in gender studies.

112. The National Polytechnic Institute is collaborating with Google Mexico on the "Shoot for the Moon" project and promoting the participation of students from polytechnic upper secondary schools in science and technology through the "Startup Weekend" programme for young persons. Technological and polytechnic universities also offer grants to women who wish to study electrical engineering, automobile mechanics, mechatronics and similar subjects, as an affirmative action measure.

113. The National Commission for the Development of Indigenous Peoples runs the Indigenous Education Support Programme, which encourages the retention of indigenous children in the education system and operates through homes and canteens for indigenous children. In 2013-2016 over 142,000 girls and 150,000 boys benefited from the programme, with an ever increasing number completing their studies. The Commission also offers grants for higher education and support for degree obtention: 3,287 such grants were awarded to women and 2,983 to men in 2014-2016.

114. The Indigenous Women's Academic Enhancement Programme melds efforts, actions and resources to promote the continued education of indigenous women through the offer of places on postgraduate courses specifically to indigenous women and through the provision of additional support to those who already have a grant from the National Council of Science and Technology.<sup>114</sup> The Programme for Agricultural Day Labourers includes incentives to keep children at school that benefited 4,615 girls and 5,089 boys in 2015.

115. Between 2013 and 2016, the National Institute for Adult Education helped over 529,000 women and 189,000 men to become literate and more than 1.8 million women and 1.3 million men to finish their initial, primary or lower secondary education. In addition, 112,666 older adult women also completed at least one of the levels of the basic education programme (61.5 per cent of those enrolled), and 3,608 indigenous women aged 65 years and over completed the entire basic programme (80.7 per cent of those enrolled). Of the older adults who became literate, 66.2 per

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<sup>113</sup> See annex 36.

<sup>114</sup> The programme has three modalities: postgraduate education grants for indigenous women, support for the education of indigenous women to boost regional development and additional support for indigenous women grant-holders.

cent (88,144) were women; and of the older indigenous persons, 80.4 per cent (6,733) were women.

116. Through the Institute's special certification programme, 96,477 persons aged 65 years and over were accredited in the first six months of 2016 as having completed primary and lower secondary education; 54,456 of them (56.4 per cent) were women.<sup>115</sup>

## A. Sexuality education

117. The national strategy for the prevention of adolescent pregnancy combines the efforts of 13 federal agencies and the 32 federative entities. The Ministry of Public Education is responsible for, and has been implementing, the corresponding action plans since 2015.<sup>116</sup>

118. A number of competitions were organized as part of action in the areas of education, health, sexuality and sexual rights: one in 2013 for the design of alternative games focusing on sexual and reproductive health, contraceptives and the prevention of sexually-transmitted infections among adolescents under the slogan "Include yourself in the prevention!"; one in 2014 for coming up with 10 actions for preventing adolescent pregnancies under the slogan "10 out of 10 for prevention"; and two in 2016, for the design of media campaigns, one under the title "Prevention!" aimed at children and adolescents, and another with the network of broadcasters supporting the prevention of pregnancies among adolescents, under the slogan "It's your life, your future: make it a safe one".

119. The 2012 campaign "A condom is more reliable than leaving it to fate" ended that same year. However, as part of the national strategy for the prevention of adolescent pregnancy, a campaign called "Life plans. Get informed; it's your right!" was launched to prevent pregnancy and sexually transmitted infections in adolescents. The Ministry of Health has organized a series of annual campaigns: "It all begins with good decisions" (2013), "Planning is your best life decision" (2014) and "Some things can be left to chance ... Having children is not one of them" (2015). From 2013 to 2015, there were also campaigns on, inter alia, preventing unplanned teen pregnancies, comprehensive sexuality education, an integrated approach to the prevention of unplanned pregnancies and spread of sexually-transmitted infections among adolescents, and on sexuality in general.<sup>117</sup>

120. To foster good decision-making and promote the rights of adolescents, the Mexican Institute of Radio in 2015 broadcast campaigns on the prevention of addiction and the promotion of sexual and reproductive rights through radio stations nationwide.<sup>118</sup> There are also longer-term national campaigns under way, such as the one on teen pregnancy prevention, and the campaigns "It's your life, your future: make it a safe one", "What should I do?" (whose website provides up-to-date information

<sup>115</sup> Based on the "Life and Work" model of education.

<sup>116</sup> [http://www.gob.mx/cms/uploads/attachment/file/98138/ENAPEA\\_Marzo.pdf](http://www.gob.mx/cms/uploads/attachment/file/98138/ENAPEA_Marzo.pdf).

<sup>117</sup> Media unit of the Ministry of Public Education, Televisión Educativa, Channel 22, Channel 11, Mexican Institute of Radio, and Radio Educación.

<sup>118</sup> <http://www.imer.mx/micrositios/prevencion/embarazo/>.

and guidance), “Being a mother isn’t child’s play” and “I do take care of myself”, not to mention multiple state-level, civil society and private-sector initiatives.<sup>119</sup>

121. Various departments of the Ministry of Public Education are working on the 2015-2018 sectoral agenda for comprehensive sexuality education, which is based on 13 international and 12 domestic instruments and focuses on preventing pregnancy among adolescent girls.<sup>120</sup> The agenda includes actions carried out by 21 areas of the education sector and seeks to guarantee comprehensive sexuality education and to revitalize it using a scientific and human-rights-based approach.<sup>121</sup> The agenda is organized into seven work streams: coverage; educational plans, programmes and materials; teacher training; research; communication and outreach strategies; and affirmative action and mainstreaming.<sup>122</sup>

122. Since 2013, the Ministry of Public Education and the National Adult Education Institute have joined efforts to bolster the inclusion of women who have fallen behind academically, by promoting their certification in basic education under the “Education for life and work” scheme.<sup>123</sup>

123. In the basic education programme, sexuality is addressed from a broad perspective. Emotional ties, gender and reproduction are covered in both preschool and primary school. In lower secondary school, human sexuality is also addressed from a personal and social standpoint, highlighting the importance of a fully realized sexuality, the risks of infections and of pregnancy at a young age, the importance of caution and prevention, contraceptives, and the power to make responsible, healthy and risk-free decisions.

124. Mexico City has performed 154,071 interventions under the lawful termination of pregnancy programme, in keeping with the sexual and reproductive rights framework.

## **B. Action to prevent and address violence in educational establishments**

125. Under the General Rights of Children and Adolescents Act, all authorities have the obligation to establish a multidisciplinary body responsible for putting in place prevention, care and referral mechanisms for cases of ill-treatment, harm, assault, abuse and any other form of violence against children and adolescents in educational establishments. They also have the obligation to eliminate all teaching practices that are discriminatory or exclusionary or that undermine human dignity or integrity, in particular humiliating or degrading treatment. The Act is being implemented through a sophisticated mechanism for coordination at the federal, state and municipal levels.

126. A methodology has been developed to align the administrative regulations of the Ministry of Public Education with the constitutional principles of human rights,

<sup>119</sup> Another relevant webpage is Revive.mx: <http://saludsexualcdmx.mx/>.

<sup>120</sup> See annex 37.

<sup>121</sup> From 2013 to date, thousands of teachers, students, medical interns, providers of user-friendly services, lobbyists and parents have been trained in sexual and reproductive health.

<sup>122</sup> <http://www.censida.salud.gob.mx/descargas/principal/InformeejecutivodelGIPEA2015.pdf>.

<sup>123</sup> See annex 38.

gender equality, non-discrimination and the eradication of violence.<sup>124</sup> In 2013, those principles were incorporated into the rules of operation for programmes in the education sector.

127. A national survey on exclusion, intolerance and violence was conducted to determine the extent and nature of, and tackle, violence in public upper secondary schools. Around 37 per cent of students who reported having experienced repeated violence stated that they “had been ignored”, and a similar number said that they had been “insulted”. The act of violence most commonly reported by female students was “being spoken of badly” (30.3 per cent). For men, it was being “insulted” (46.9 per cent). 25.8 per cent of female students stated that they had experienced violence on four or more occasions.<sup>125</sup>

128. The Ministry of Public Education is putting in place measures to prevent violence against women and girls, distributing gender-sensitive materials and conducting studies and research on 13 aspects of gender equality.<sup>126</sup> Action has also been taken to prevent and ensure an immediate response to violence and bullying and to ensure that incidents are investigated and punished.<sup>127</sup> The National College of Technical Vocational Education has implemented a protocol to address school violence, and the Colegio de Bachilleres (the association of upper secondary school students) has had a protocol for taking action in cases of workplace violence and/or acts of discrimination since 2013. The National Polytechnic Institute has implemented a prevention, response and punishment programme to eradicate bullying and harassment in workplaces and educational establishments, and the National Institute of Fine Arts and Literature has a mechanism to prevent and address sexual harassment and associated gender-based violence. The National Technology Institute of Mexico, which brings together 266 federal, regional and local technology institutes and centres, has an ombudsperson and a gender network to address gender-based discrimination and violations of women’s rights. A manual on gender equality management was also published through the national system of technology institutes. In addition, 8 of the 11 intercultural universities are improving their academic programmes, and 50 per cent have implemented the Programme to Promote Gender Culture, which aims to eradicate violence against women and addresses condom negotiation, gender equality and sexuality.

129. The National Programme for Harmonious Relations at School, in keeping with the national policy for bully-free schools and the operating guidelines of the strategy for continuing education and professional development, promotes gender-sensitive, harmonious and peaceful relations in preschool, primary and lower secondary schools, as well as measurable gender equality, respect for human rights, the use of intercultural approaches and the eradication of violence. With a view to protecting and addressing the needs of victims of violence at all educational establishments, the guidelines for education authorities on the handling of

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<sup>124</sup> To enable Mexico to meet its obligations in the education sector, the methodology applies cross-cutting principles and operational categories defined by the Office of the United Nations High Commissioner for Human Rights and the Organization of American States.

<sup>125</sup> Ministry of Public Education, third national survey on exclusion, intolerance and violence in upper secondary schools.

<sup>126</sup> See annex 39.

<sup>127</sup> See annex 40.

complaints of ill-treatment or abuse of students in upper secondary schools that fall under the administrative authority of the Office of the Under-Secretary for Technological Education and Research are also applied under the Programme.<sup>128</sup>

130. The Supreme Court has issued six opinions on school bullying and the right to education,<sup>129</sup> as well as a protocol on the procedure to be followed in cases involving children and adolescents. It also gave a workshop on gender equity awareness and violence prevention, in collaboration with the National Autonomous University of Mexico.

131. At the state level, 13 equality units have been formally established by local education authorities.<sup>130</sup> Between 2014 and 2015, the Ministry of Public Education took action to prevent violence in workplaces and educational establishments as part of a project to strengthen gender equality policy in 26 federative entities. The project involves: standardizing policies on the eradication of school and gender-based violence in education; developing the necessary framework and rules to prevent and address school and gender-based violence; and awareness-raising campaigns to promote an institutional culture based on respect for human rights, gender equality and the eradication of gender-based violence.<sup>131</sup>

## VII. Health

132. Data from the 2015 intercensal survey indicate that the percentage of the population not registered with the People's Health Insurance Scheme decreased from 33.8 per cent in 2010 to 17.3 per cent in 2015. The number of persons registered was 52.9 million in 2012 (53.9 per cent were women), 55.6 million in 2013 (54 per cent were women), 57.3 million in 2014 (54.1 per cent were women) and 57.1 million in 2015 (54.3 per cent were women). There has been a significant increase in the types of ailments that can be treated under the scheme: 1,621 in 2016<sup>132</sup> compared with 284 in 2012.<sup>133</sup> Registered members are entitled to health care, medication, diagnoses and treatment.

133. As part of affirmative action to reduce maternal mortality rates under the scheme, there is a strategy known as "Healthy Pregnancy", whereby women in the lowest seven income deciles receive services free of charge. In 2015, 9.1 million people were enrolled in the scheme as a result of the registration drive conducted as part of the National Crusade against Hunger.<sup>134</sup> The PROSPERA Programme of the Mexican Social Security Institute, which provides basic services for populations in

<sup>128</sup> The Office of the Under-Secretary for Technological Education is now the Office of the Under-Secretary for Upper Secondary Education.

<sup>129</sup> See annex 41.

<sup>130</sup> See annex 42.

<sup>131</sup> See annex 43.

<sup>132</sup> <http://seguropopular.col.gob.mx/segpop/pdf/cartaDerechosSP.pdf>.

<sup>133</sup> Universal Catalogue of Health Services 2012. National Social Health Protection Commission (People's Health Insurance Scheme), <http://www.censida.salud.gob.mx/descargas/biblioteca/documentos/CAUSES2012.pdf>.

<sup>134</sup> Universal Catalogue of Health Services 2012. National Social Health Protection Commission (People's Health Insurance Scheme), <http://www.censida.salud.gob.mx/descargas/biblioteca/documentos/CAUSES2012.pdf>.

rural, remote and poor urban areas, also promotes enrolment in the scheme.<sup>135</sup> As part of its effort to ensure the provision of health services to indigenous women, the Ministry of Health has enrolled 2.6 million indigenous women in the scheme.

134. In 2015, Mexican official standard NOM-047-SSA-2015 was published to address the health of persons aged 10 to 19. This standard authorizes health workers to provide guidance, counselling and contraceptives to prevent unplanned pregnancies. In 2016, NOM-007-SSA2-2016 was published to establish care for women during pregnancy, childbirth and the puerperium and care for newborns, based on respect for the reproductive rights of all persons, including the rights to decide on the number of children they wish to have and the timing and spacing of their births, to be informed as to how to realize those wishes and to attain the highest standard of sexual and reproductive health. In addition, mandatory official standard NOM-046-SSA2-2005 was amended to ensure access to health services for women victims of domestic, sexual or gender-based violence.<sup>136</sup>

135. In 2015, the legislature added provisions to the General Health Act, the General Society Security Act and the General Institute of Social Security and Social Services for State Employees Act to establish universal access to treatment in the case of obstetric emergencies, in particular for poor women or women living in very marginalized areas.<sup>137</sup>

136. The General Rights of Children and Adolescents Act upholds their right to the protection of their health, which must be respected by the authorities at every level. The Act requires the provision of preventive health care, as well as education and services for sexual and reproductive health and the prevention of pregnancy in pre-adolescent and adolescent girls, and the provision of advice and guidance on sexual and reproductive health for pre-adolescent and adolescent girls. Associated implementation and coordination mechanisms are in place.

137. The national strategy for the prevention of adolescent pregnancy was launched in 2015 with the aim of reducing the adolescent fertility rate by 50 per cent by the year 2030 and eliminating pregnancies among girls under 15. Over 100 prevention and care measures have been implemented, more than 2 million people, including young persons, have received training, and the “¿What should I do?” campaign is reaching over 40 million people.<sup>138</sup> Additionally, all but six federative entities now have a working group for the prevention of adolescent pregnancy.<sup>139</sup>

<sup>135</sup> 6.7 million of the 12.2 million beneficiaries of the PROSPERA programme, including 3.6 million women, are enrolled.

<sup>136</sup> Between 2012 and 2015, the Ministry of Health delivered 1,144 capacity-building workshops to 11,520 doctors and 19,967 health-care professionals with a view to improving care for victims of violence against women and raising awareness of the mandatory nature of the standard. The Ministry has also trained 77,410 people to publicize and monitor compliance with the standard.

<sup>137</sup> In 2010, only 66.3 per cent of women were registered with any health service. By 2015, the number had risen to 83.7 per cent. For men, the figures were 62.7 per cent in 2010 and 80.5 per cent in 2015.

<sup>138</sup> The annual report is available at: [http://www.gob.mx/cms/uploads/attachment/file/60988/INFORME\\_Ejecutivo\\_del\\_GIPEA\\_2015\\_versi\\_n\\_definitiva.pdf](http://www.gob.mx/cms/uploads/attachment/file/60988/INFORME_Ejecutivo_del_GIPEA_2015_versi_n_definitiva.pdf).

<sup>139</sup> The federative entities that have yet to establish a working group for the prevention of adolescent pregnancy are the states of Baja California Sur, Chihuahua, Guanajuato, Nayarit, Nuevo León and Tamaulipas.

138. The 2013-2018 Programme of Specific Action regarding Adolescent Sexual and Reproductive Health, which takes a human-rights-based approach, aims to: (a) facilitate universal access for adolescents to information, education and guidance on sexual and reproductive health; (b) reduce the unplanned pregnancy rate and the incidence of sexually transmitted diseases among adolescents; and (c) address factors hindering the full exercise of sexuality and reproductive health by the adolescent population.

139. The 2013-2018 Family Planning and Contraception Programme has been designed to: (i) increase access to family planning and contraception services and improve their quality; (ii) address the specific family planning and contraception needs of the population, in particular those of socially disadvantaged groups; and (iii) incentivize active and planned paternity and encourage men to take on their share of responsibility in family planning and contraception matters.

140. The Ministry of Health has been purchasing contraceptives centrally since 2014. As a result, every health centre now has a steady supply of at least 12 forms of contraception, including long-acting reversible contraceptives and emergency contraception. The national health information system registers 450,000 adolescent contraceptive users every year. There are 1,494 youth-friendly services across the 32 federative entities providing sexual and reproductive health care for adolescents, and a network of nearly 1,000 volunteers is working to prevent adolescent pregnancy.<sup>140</sup> The Ministry of Health, the Mexican Social Security Institute and the Institute of Social Security and Social Services for State Employees have all agreed to provide their services to adolescents and youth regardless of whether or not they are registered with them.

141. In coordination with the United Nations Population Fund, a guide to the accreditation of teen-friendly services was produced, as well as a model for comprehensive sexual and reproductive health care for adolescents, to standardize organization, training and service delivery in this area and bring it into line with the national strategy for the prevention of adolescent pregnancy.

142. Almost 2.5 million births are registered in Mexico each year. Two key goals of the 2013-2018 Programme for Specific Action on Maternal and Perinatal Health are: (1) promote women's universal access to high-quality and respectful services during the preconception, pregnancy, birth, puerperal and neonatal phases; and (2) contribute to reducing maternal and perinatal morbidity and mortality by taking an intercultural approach and awarding priority to high-risk, marginalized groups.<sup>141</sup>

143. Maternal mortality fell from 960 deaths and a maternal mortality ratio of 42.3 in 2012 to 861 deaths and a maternal mortality ratio of 38.2 in 2015.<sup>142</sup> The maternal mortality ratio is currently 31.7 deaths per 100,000 births, and the causes of maternal death have shifted from direct to indirect obstetrical causes. From 2013 to 2015 the number of women receiving medical care during pregnancy rose, and the average number of prenatal consultations is now 8.2. Care during birth and

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<sup>140</sup> See annex 44.

<sup>141</sup> Ministry of Health, 2013-2018 Programme for Specific Action on Maternal and Perinatal Health, Health Sector Programme: [http://cneqsr.salud.gob.mx/contenidos/descargas/SMP/SaludMaternayPerinatal\\_2013\\_2018.pdf](http://cneqsr.salud.gob.mx/contenidos/descargas/SMP/SaludMaternayPerinatal_2013_2018.pdf).

<sup>142</sup> Per 100,000 live births.

breastfeeding is also on the rise. Breastfeeding is supported through two strategies: the breastfeeding-friendly hospital initiative and milk banks (the Mexican Social Security Institute operates 43 of these hospitals and one milk bank). In 2015, the “Turn no one away” policy was put into action across the national health system, while the community “godparent” strategy to support pregnant women in their medical care and respond more quickly to warning signs of obstetric problems was implemented in 14 states.<sup>143</sup>

144. The national helpline 01800 MATERNA provides information in 13 indigenous languages. Traditional and technical midwifery is promoted (there are 15,996 registered midwives, 14,996 of whom are active). To ensure that women living in remote areas are able to access treatment in the event of obstetric complications, 110 special hostels that care for pregnant women have been established. Services include accommodation, food, transportation and assistance with child care.

145. In 230 health districts with indigenous populations, services are offered using the model developed for the provision of intercultural care to indigenous and Afrodescendent peoples. In 2015, 81 intercultural liaison workers that speak indigenous languages were employed in nine states to support the obstetrical care of indigenous women in emergency rooms and during medical consultations.

146. The National Institute for Women and the National Commission for the Development of Indigenous Peoples broadcast a radio programme called “Stay safe, listen to your body”, which informs indigenous women about the warning signs to look out for during pregnancy, childbirth and the puerperium; the bulletins are transmitted in nine indigenous languages.<sup>144</sup>

147. In 2014, the National Centre for the Prevention and Control of HIV/AIDS presented the political agenda on HIV/AIDS, which targets women and approaches the issue from a gender and human-rights-based perspective. In 2016, the plan for the eradication of the vertical transmission of HIV and the congenital transmission of syphilis and the algorithms for the detection of HIV in pregnant women were finalized, as was the associated quick reference guide. Work is under way to modify Mexican official standard NOM-010-SSA2-2010, on the prevention and control of HIV infection. In addition, the National Centre for the Prevention and Control of HIV/AIDS has been carrying out activities since 2014 to support the referral of women to health services so that they can consult a doctor and access medication.

148. In 2014, article 30 of the General Victims Act harmonized the regulations implementing the General Health Act regarding the provision of medical services to ensure that health-care personnel cannot restrict the provision of emergency contraception or the termination of pregnancy to women victims of sexual violence to cases in which a complaint or lawsuit has been filed. In 2016, changes were made to Mexican official standard NOM-046-SSA2-2005 on domestic and sexual violence and violence against women, which provides for the voluntary termination of pregnancy in

<sup>143</sup> States of Campeche, Durango, Guanajuato, Guerrero, Hidalgo, México, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, Tabasco, Tlaxcala and Veracruz.

<sup>144</sup> Amuzgo, Chinanteco, Mexicano de Guerrero, Mixteco, Mixe, Tlapaneco, Tzeltal, Tzotzil and Zapoteco.

cases of rape in accordance with the General Victims Act,<sup>145</sup> which requires health-care personnel to terminate a pregnancy on the basis of the word of the victim or the person requesting it without there being any obligation to confirm the veracity of the claim they make in that regard.<sup>146</sup> In a statement published nationwide, the Ministry of Health declared that, regardless of the changes in local constitutions with regard to the protection of life from conception, the termination of a pregnancy resulting from rape was not punishable. The statement also emphasized the obligation to ensure application of Mexican official standard NOM-046-SSA2-2005 and to provide prophylaxis to prevent infections, including HIV/AIDS, for which 8,575 doctors were trained.

149. In order to ensure that women who have been raped have access to emergency contraception and to treatment to prevent the transmission of sexually transmitted diseases and HIV/AIDS, the Ministry of Health has procured and distributed an average of 124,500 emergency contraceptive treatments and over 8,700 courses of antiretroviral prophylaxis medication in the 32 federative entities every year since 2013. Access to emergency contraception in the case of rape is free in all rural hospitals and rural medical units.

150. To protect the human rights of victims, the General Victims Act establishes the obligation to provide victims with immediate medical attention. State and federal public hospitals must accordingly provide immediate emergency care and cannot deny admission on any grounds. The voluntary termination of pregnancy is specifically mentioned in the Act as an emergency medical service to be provided in the cases permitted by law, with absolute respect for the victim's wishes.<sup>147</sup>

151. Despite this progress, 17 state constitutions protect life from the moment of conception,<sup>148</sup> and the criminal codes of the 32 federative entities criminalize abortion in accordance with the Federal Criminal Code.

## VIII. Employment and remunerated work

152. The Federal Labour Act has been revised and now addresses matters such as substantive equality, equal pay, decent work, the prohibition of sexual and workplace harassment, non-discrimination, paternity leave and vocational training. The Act safeguards equality, eliminates discrimination against women and guarantees their employment-related rights and freedoms, as well as access to the

<sup>145</sup> The General Victims Act imposes an obligation on the Mexican State to treat women who suffer sexual violence and to guarantee them the right to voluntarily terminate the pregnancy if they became pregnant as a result of rape. The Act abolishes the requirement to seek authorization from the competent authority to perform the procedure and is one of the grounds for amendment of Mexican official standard NOM-046-SSA2-2005.

<sup>146</sup> Health-care personnel involved in the voluntary termination of a pregnancy shall not be required to verify the word of the applicant; they shall act on the basis of the principle of good faith.

<sup>147</sup> <http://www.diputados.gob.mx/LeyesBiblio/pdf/172.pdf>.

<sup>148</sup> States of Baja California, Chiapas, Chihuahua, Colima, Durango, Guanajuato, Jalisco, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sonora, Tamaulipas and Yucatán. Information provided by the Information Group on Reproductive Choice: [https://www.gire.org.mx/index.php?option=com\\_content%20&view=article&id=%20409&Itemid=1154&lang=es](https://www.gire.org.mx/index.php?option=com_content%20&view=article&id=%20409&Itemid=1154&lang=es).

same opportunities as men. New prohibitions have also been introduced that prevent employers from, for example, requiring female workers to supply medical certificates confirming they are not pregnant or pressuring a pregnant worker to resign. The Act regulates maternity leave, allowing mothers to transfer up to four of their six weeks' prenatal leave to the post-partum period and enabling breastfeeding mothers to adapt their work schedules. However, urgent changes are still needed, especially to the provisions on paid domestic work.

153. The national wage discrimination index fell from 8.3 per cent in 2010 to 5.2 per cent in 2016, but the wage gap is still significant in some occupations: among public officials and managers, women earn 28.4 per cent less, and in the industrial sector they earn 31.8 per cent less.

154. The Employment Connections Programme run by the Ministry of Labour and Social Security includes labour exchanges, job fairs, a programme for seasonal agricultural work in Canada, employment portals, state-level employment systems and job placement centres and has placed an equal number of women and men.

155. In 2015, Mexican official standard NMX-R-025-SCFI-2015, on occupational equality and non-discrimination, was published to promote egalitarian and inclusive practices that increase equality between women and men,<sup>149</sup> resulting in significant benefits for both workers and workplaces. In 2016, 24 workplaces were certified, affecting 28,581 workers (12,997 women); 196 workplaces are in the process of being certified.

156. Mexico has numerous public policies for empowering women economically, as well as entrepreneurship and production projects to support the entry of more women into the labour market. The Women's Small and Medium-Sized Enterprise Programme, which supports formal micro-, small and medium-sized businesses run by women, was launched in 2016. The Programme is a joint venture of the National Institute for Women, the development bank Nacional Financiera and the National Institute for Entrepreneurship. It provides women entrepreneurs with commercial loans of up to five million pesos, as well as preferential interest rates, a reduction or waiver of the collateral requirements associated with other loan products and access to tools for boosting their businesses.<sup>150</sup>

157. There are several institutional mechanisms for financing women's production projects, such as the National Financing Programme for Micro-entrepreneurs and Rural Women, which, under the current administration, disbursed 7,666.5 million pesos to microfinancing institutions, 70.1 per cent more than the 3,576.8 million pesos disbursed under the previous administration.<sup>151</sup>

158. Microfinancing institutions granted almost 3.6 million microcredits to 3 million micro-entrepreneurs (91.4 per cent of whom were women), spread across 2,084 municipalities in the 32 federative entities. To promote the economic empowerment of female micro-entrepreneurs, 85.9 per cent of the participants in the more than 118,400 training sessions organized under this administration were women.

<sup>149</sup> [http://dof.gob.mx/nota\\_detalle.php?codigo 5411973&fecha 19/10/2015](http://dof.gob.mx/nota_detalle.php?codigo 5411973&fecha 19/10/2015) and <http://www.gob.mx/cms/uploads/attachment/file/153721/Padron de CT certificados NMX 04102016.pdf>.

<sup>150</sup> <http://empresarias.INMUJERES.gob.mx/>.

<sup>151</sup> The percentage change in real terms was calculated using the national consumer price index. The deflator used was 1.2616.

159. Other bodies encourage equality and non-discrimination in the workplace. For instance, the Supreme Court agreed on bases for the promotion of equal opportunities for women and men<sup>152</sup> and for the investigation and punishment of workplace and sexual harassment at the Court,<sup>153</sup> and issued a manual of good practices for the investigation and punishment of workplace and/or sexual harassment at the Court.<sup>154,155</sup> The Ministry of Defence has its own guide to labour incentives, as well as standardized wage scales and paternity leave programmes. It promotes the recruitment of women in male-dominated fields and their promotion to senior posts, conducts workshops on balancing family and work life and has a committee for preventing and responding to sexual harassment, with its own response mechanism.

160. The Mexican Social Security Institute amended its code of conduct and conflict-of-interest prevention for public servants, with a view to strengthening respect for human rights and equality and to eradicating violence and sexual harassment in the workplace. The Institute also has a working group on preventing and addressing sexual harassment, which seeks to improve gender equality and handling of violence.

161. To advance the principle of equal pay for equal work, the National Institute for Women promoted the mainstreaming of gender equality in the criteria that local, regional and national labour offices must apply when developing minimum-wage and equal-pay frameworks. It also helped develop criteria for the operational programme to promote decent or dignified work in conditions that are healthy and free from violence, in order to monitor employers' fulfilment of their obligations regarding human and labour rights.

162. The 2014-2018 National Programme for Equality and Non-Discrimination promotes the application of criteria designed to increase the recruitment and retention of women in leadership and decision-making posts; and the 2013-2018 National Programme for Equal Opportunity and Non-Discrimination against Women has seven strategies and 58 action lines to advance women's access to decent, remunerated work and production-related resources.

163. Mexico City has a protocol for preventing, addressing and sanctioning sexual harassment in the public administration of the Federal District, an inter-agency commission for expenditure on equality, and guidelines for publishing job vacancies and for the recruitment, contracting and promotion of personnel that focus on ensuring gender equality and equal opportunities for women and men in the capital's public administration.

#### **Remunerated domestic work**

164. Unfortunately, domestic work was not the subject of major amendments under the 2012 reform of the Federal Labour Act. A new section was added setting out the

<sup>152</sup> Available at: <https://www.scjn.gob.mx/Documents/AGA-II-2012.pdf>.

<sup>153</sup> [http://dof.gob.mx/nota\\_detalle.php?codigo=5267059&fecha=06/09/2012](http://dof.gob.mx/nota_detalle.php?codigo=5267059&fecha=06/09/2012).

<sup>154</sup> <https://www.scjn.gob.mx/Documents/MANUAL%20DE%20BUENAS%20PRACTICAS.pdf>.

<sup>155</sup> Practices described include: an awareness-raising day, a series of training workshops on preventing and addressing workplace and sexual harassment, an equal opportunities campaign, an assessment of inequality in the opportunities for women and men, and a series of awareness-raising workshops on ensuring a violence- and discrimination-free workplace.

basic rights that must be upheld by employers, but domestic workers' labour rights were not expanded to put them on a par with the rights of all other workers. The Social Security Act does have special provisions for domestic workers, such as voluntary affiliation.

165. According to data from the 2015 intercensal survey, 68.5 per cent of women engaged in paid domestic work have no employment benefits, compared with 76.3 in 2010.<sup>156</sup> In short, the obligation to ensure that remunerated domestic workers enjoy all labour rights has yet to be met.

166. The 2014-2018 National Programme for Equality and Non-Discrimination and the 2013-2018 National Programme for Equal Opportunity and Non-Discrimination against Women include strategies and lines of action designed to ensure that the labour rights of remunerated domestic workers are recognized, by specifying their rights, increasing their incorporation into the mandatory social security system, and guaranteeing that domestic work is valued, without discrimination.

167. In terms of research, there have been two publications of note, *Legislar sin discriminación* (Legislate without discrimination), volume VI, on domestic work, issued by the National Council for the Prevention of Discrimination, and *El trabajo doméstico en México: la gran deuda social* (Domestic work in Mexico: the enormous social debt), issued by the Ministry of Labour and Social Security.

168. Mexico has not yet ratified International Labour Organization (ILO) Conventions Nos. 156 and 189, despite appeals for it to do so.<sup>157</sup> A round table of experts on moving towards implementation in Mexico of ILO Convention No. 189 (the Domestic Workers Convention, 2011), was convened in 2013. The Mexican Government and authorities and specialists from other countries participated in the round table whose purpose was to deepen understanding of the issue, estimate the implementation costs and develop a road map for the ratification of the instrument. The Ministry of Labour and Social Security developed the road map based on the criteria of progressiveness and gradual change so that the Convention might be ratified.

## IX. Participation in political and public life

169. Since 2014, thanks to the reform to the political and electoral provisions of the Constitution, gender parity among candidates for the Congress of the Union and local congresses is guaranteed, and women's political rights have been broadened. Also in 2014, the Federal Code of Electoral Institutions and Procedures was repealed and replaced with the General Electoral Institutions and Procedures Act and by the General Political Parties Act.<sup>158</sup> Pursuant to this new legislation, political parties are obliged to ensure gender parity in the registration of candidates to the legislature and to identify and make public the criteria used to do so. Assigning electoral districts where the parties have won the fewest votes to one gender or the

<sup>156</sup> National Institute of Statistics and Geography, 2010 population and housing census.

<sup>157</sup> On 25 July 2012, 4 and 6 September 2012, 23 April 2013, 29 May 2013, 3 October 2013, 11 March 2014, 21 May 2014, 23 July 2014, and 1 March 2016.

<sup>158</sup> The previous quota system (40%) was replaced by a parity system, with the formula being applied for the first time in the 2014-2015 federal elections.

other is not permitted. In the event of violations of this legislation, the electoral authority will not accept registrations.<sup>159</sup> The 32 federative entities have enacted laws to incorporate parity in their regulatory frameworks. Twelve state constitutions recognize parity, and five also provide for parity in municipalities.

170. After the 2014-2015 federal elections, a historic percentage of members of the Chamber of Deputies were women: 42.4 per cent in the sixty-third legislature (2015-2018). In addition, women accounted on average for 37.7 per cent of members of the local congresses, with the proportion reaching over 50 per cent in several states. After the 2015-2016 local elections, the percentage of women mayors increased from 8.9 per cent to 13.4 per cent.

171. Between 2014 and 2016, the Electoral Tribunal of the Federal Judiciary ruled on several challenges related to gender parity in the nomination of candidates to federal, state and municipal representative bodies, establishing six items of jurisprudence on parity between women and men in the lists of candidates standing for elected office.<sup>160</sup> Between 2013 and 2016, the Office of the Special Prosecutor for Electoral Offences logged 335 investigations into allegations of political violence against women<sup>161</sup> and put in place the FEPADETEL and FEPADENET systems to receive complaints and grievances.<sup>162</sup> The National Electoral Institute has a national system for registering pre-candidates and candidates, including independent candidates, for both federal and local elections. The system generates gender parity reports.

172. The Women's Political Participation Observatory was established in 2014, and there are now 10 state observatories.<sup>163</sup> In 2016, a protocol for responding to political violence against women was established, which led to eight judgments against political violence being issued.<sup>164</sup> A guide on filing reports or complaints about political violence against women with the National Electoral Institute was disseminated. At the local level, six federative entities have passed legislation on political violence.<sup>165</sup>

173. The amendments made to articles 2 and 26 of the Constitution are important for the political participation of indigenous women and their access to decision-

<sup>159</sup> In the 2014-2015 elections, the National Electoral Institute removed three councillors from the Institute of Elections and Civic Participation of Chiapas for failing to respect gender parity; the Electoral Tribunal of the Federal Judiciary subsequently ordered the dismissal of all the members of the Council.

<sup>160</sup> See annex 45.

<sup>161</sup> The Office of the Special Prosecutor for Electoral Offences, the Ministry of the Interior, the Electoral Tribunal of the Federal Judiciary, the National Electoral Institute, the Executive Commission for Victim Support and the National Institute for Women developed an action protocol for addressing political violence against women.

<sup>162</sup> See annex 46.

<sup>163</sup> In Mexico City and the states of Hidalgo, Veracruz, Aguascalientes, Coahuila, Jalisco, Nuevo León, Querétaro, Sinaloa and Zacatecas.

<sup>164</sup> See annex 21.

<sup>165</sup> The states of Baja California, Campeche, Coahuila, Jalisco, Oaxaca and Veracruz have amended their laws on women's access to a life free of violence to include the issue of political violence. At the federal level, there are 10 bills in the Senate, of which 9 are covered by the report of Joint Committees on Gender Equity and Legislative Studies. There are five in the Chamber of Deputies.

making.<sup>166</sup> In 2013, the National Commission for the Development of Indigenous Peoples and the Electoral Tribunal of the Federal Judiciary signed an agreement to carry out joint projects to strengthen, promote and disseminate the political and electoral rights of the indigenous population. In 2014 and 2015, two specific agreements were signed to ensure the continuation of these projects.<sup>167</sup>

174. The National Electoral Institute has a programme for the political participation of indigenous women, and this year it published two manuals to train them and increase their participation.<sup>168</sup> In 2015, the Institute financed 76 civil society projects in 24 federative entities to promote the participation of women in the public sphere by developing their civic leadership skills. Forty-seven of the projects (61.8 per cent) focused on indigenous women. The Institute has also deployed 81 mobile citizen service modules in indigenous areas to register the population on the electoral roll and conducts awareness-raising activities in different indigenous languages.<sup>169</sup> Since 2015, the Office of the Special Prosecutor for Electoral Offences has been promoting the participation of indigenous women in political life.

175. Between 2013 and 2015, the National Commission for the Development of Indigenous Peoples promoted training in leadership for indigenous women, benefiting 5,029 persons (5,023 women). The National Commission also supported the diploma course to strengthen leadership among indigenous women developed by the National Autonomous University of Mexico and other institutions, which benefited 80 women. The Commission for Dialogue with the Indigenous Peoples of Mexico promotes gender parity in the communities governed by indigenous customs and practices, including through legislative and regulatory proposals that emphasize the rights of indigenous women. At the state level, the National Electoral Institute works with different indigenous peoples, promoting the integration of indigenous women in representative bodies.<sup>170</sup>

176. The Mexican Government is aware that the political advancement of women can lead to political violence, especially in indigenous communities. As a result, in 2016 the Electoral Tribunal of the Federal Judiciary established the Federal Electoral Public Defender Service for Indigenous Peoples and Communities, to provide free legal services for the defence of their political and electoral rights. In addition, the Electoral Tribunal ruled on various forms of recourse in connection with the legal protection of indigenous peoples and communities and their members and ensured the participation of women in elections governed by internal regulatory systems.<sup>171</sup>

<sup>166</sup> [http://www.diputados.gob.mx/LeyesBiblio/pdf/LGIPE\\_130815.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/LGIPE_130815.pdf) pp. 10-11.

<sup>167</sup> See annex 47.

<sup>168</sup> One on the identity and participation of indigenous women; and one on the rights of indigenous women, focusing on agendas and leadership.

<sup>169</sup> See annex 48.

<sup>170</sup> The Electoral Code of Michoacán provides that the indigenous communities and peoples of the state may elect their municipal authorities and choose how they should be comprised based on their customs and practices, guaranteeing the equal participation of women. In 2014, the Electoral Institute of the State of Nayarit participated in the leadership development and training event organized to increase access for the women of the four indigenous peoples of Nayarit to decision-making forums. In the state of Querétaro, indigenous women participated in a programme on the exercise of citizenship in the 2014-2015 elections.

<sup>171</sup> Examples of recourse to the Electoral Tribunal of the Federal Judiciary may be found at <http://portal.te.gob.mx/contenido/ius-electoral-0>.

177. As a result of the 2014 political and electoral reform, political parties have to allocate 3 per cent of their public funding to the training, promotion and development of female political leadership. The federative entities have provided for allocations ranging from 3 per cent to 5 per cent in their legislations. The National Electoral Institute has specific criteria for evaluating political parties' annual work programmes, and its Inspection Unit has a comprehensive system of traffic light indicators to monitor political party resources. Work has been done to follow up on female political leadership activities and identify useful tools for monitoring resources. The report on the review of the 14 annual work programmes of the political parties serves as a point of reference for monitoring the resources assigned to the development of female political leadership,<sup>172</sup> and the methodology to assess the impact of programmed expenditures is used to verify political parties' compliance with the law.<sup>173</sup>

178. An investigation conducted by the Electoral Institute of the State of Baja California Sur concluded that more parties were assigning financial resources to women's political leadership in 2014 than in 2010.<sup>174</sup> The Electoral Institute of the State of Colima fined the Partido Encuentro Social party for not assigning 3 per cent of its budget to training and women's leadership. The Electoral and Citizen Participation Institute of the State of Guerrero found violations of the obligation to assign resources to women's leadership by 11 political parties in 2014 and penalized them accordingly.

179. The Mexican Government has identified the political empowerment of women, improving the policing of resources for female leadership and the further development of political leadership for women who wish to be independent candidates as priority areas for action.<sup>175</sup>

## **X. Women human rights defenders and journalists**

180. To implement the Protection of Human Rights Defenders and Journalists Act,<sup>176</sup> the corresponding regulations were issued in 2012,<sup>177</sup> and changes were made to the protection mechanism for human rights defenders and journalists<sup>178</sup> to reduce the time frames for completing risk assessments. The mechanism was established to analyse, implement, assess and issue suitable protection measures, as approved by its Governing Board, which comprises representatives of the Ministry of the Interior, the Office of the Attorney General of the Republic, the Ministry of Foreign Affairs and the National Human Rights Commission.

<sup>172</sup> See annex 49.

<sup>173</sup> See annex 50.

<sup>174</sup> In 2010, two parties spent funds under this heading; in 2014 the figure had risen to six.

<sup>175</sup> See annex 51.

<sup>176</sup> The Act provides for cooperation between the Federal Government and the federative entities in the implementation of preventive and protection measures to protect the lives, integrity, freedom and security of persons at risk: <http://www.diputados.gob.mx/LeyesBiblio/pdf/LPPDDHP.pdf>.

<sup>177</sup> [http://dof.gob.mx/nota\\_detalle.php?codigo=5280962&fecha=30/11/2012](http://dof.gob.mx/nota_detalle.php?codigo=5280962&fecha=30/11/2012).

<sup>178</sup> <https://www.gob.mx/segob/acciones-y-programas/mecanismo-de-proteccion-de-personas-defensoras-de-derechos-humanos-y-periodistas>.

181. The National Security Council and the Advisory Council. Up to 2016, the protection mechanism had benefited 612 persons: 262 women (84 journalists and 178 human rights defenders) and 350 men (164 journalists and 186 human rights defenders).

182. The Freedom House organization is working with the protection mechanism to enhance the technical aspects of case intake, risk evaluation and the enforcement of protection measures and to improve the methods, processes and procedures involved. In the case of women, the risk analysis methodology used is gender sensitive and takes into account the following: the levels of discrimination, violence and risks they face; the cultural, social, economic and institutional environments in which they live or work; their membership of employment organizations, groups or networks; and their family relationships.

183. As of September 2016, 710 risk assessments had been carried out, 308 of which concerned women. The Protection Mechanism has a fund for the protection of human rights defenders and journalists.

184. The Office of the Special Prosecutor for Offences Committed against Freedom of Expression trains public officials at all three levels of government, as well as journalists and defenders of freedom of expression and the right to information across the country, through its course on the protocol for preventive protection measures and emergency protection measures<sup>179</sup> and its manual on the prevention of crimes against freedom of expression. Since 2013, it has provided training to over 6,000 public servants and defenders of freedom of expression.

185. Article 73 of the Constitution was amended to enable federal authorities to investigate offences perpetrated against journalists.<sup>180</sup> Since 2013, the Office of the Special Prosecutor for Offences Committed against Freedom of Expression has had the authority to investigate local crimes committed against journalists, other persons or facilities that affect, limit or vitiate the right to information, freedom of speech or freedom of the press. It now has more autonomy, resources and technical capacity<sup>181,182</sup> and has exercised its authority in 48 state-level investigations, issuing conclusions in 31. The Office had the highest record for criminal prosecutions in 2015, having prosecuted 21 cases in the courts that year.<sup>183</sup>

186. Federative entities were encouraged to introduce laws to protect journalists and human rights defenders, with the result that, between 2013 and 2016, 11 federative entities adopted such legislation and an additional 11 adopted relevant regulations.

187. Mexico City has a protocol on support for journalists and has conducted an assessment of the right to defend human rights. It has also adopted public policies on protection and justice for human rights defenders.<sup>184</sup> The national manual and

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<sup>179</sup> <http://www.PGR.gob.mx/Fiscalias/feadle/Documents/NUEVOS/Num%205%20MANUAL%20PROTOCOLO%20DE%20MEDIDAS.pdf>.

<sup>180</sup> [http://dof.gob.mx/nota\\_detalle.php?codigo=5256052&fecha=25/06/2012](http://dof.gob.mx/nota_detalle.php?codigo=5256052&fecha=25/06/2012).

<sup>181</sup> [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5297902&fecha=03/05/2013](http://www.dof.gob.mx/nota_detalle.php?codigo=5297902&fecha=03/05/2013).

<sup>182</sup> See annex 52.

<sup>183</sup> See annex 53.

<sup>184</sup> [http://www.derechoshumanosdf.org.mx/docs/Diagnostico%20Defensores\\_as%20VF.pdf](http://www.derechoshumanosdf.org.mx/docs/Diagnostico%20Defensores_as%20VF.pdf).

protocol on the development of public policies on human rights are in line with the new principles set forth in the Constitution.<sup>185</sup>

188. In 2016, the National Commission on Human Rights issued recommendations concerning the exercise of freedom of expression in Mexico and harm done to human rights defenders. Both were based on the number of complaints handled annually<sup>186</sup> and the number of registered murders of journalists. The Commission is investigating 176 cases of harm perpetrated against journalists and the media, and it compiled 208 files on human rights defenders between 2012 and 2015. In response to an increase in murders of civilian human rights defenders, the highest incidence being in the states of Chihuahua, Guerrero and Oaxaca, it issued 21 precautionary measures to protect human rights defenders whose physical integrity was at risk<sup>187</sup> and 32 to protect journalists and the media.<sup>188</sup>

## XI. Gender-sensitive poverty eradication policies and programmes

189. Most poverty eradication programmes are financed by the Federal Government, are clearly gender sensitive and take a multidimensional approach. The normative framework protecting women's rights reinforces the programme-specific instruments for regulating the mainstreaming of the gender perspective in planning and budgeting activities, including for the federal budget.

190. The guidelines on mainstreaming a gender perspective in the programmes funded from the federal budget that focus on indigenous and rural women provide for the inclusion indigenous and rural women and affect 67 social programmes subject to rules of operation,<sup>189</sup> 24 of which earmark a portion of their budget for gender equality.<sup>190</sup>

191. While more progress is needed with regard to land tenure and women's participation in decision-making positions in *ejidos* (communal landholdings) and *comunidades* (joint landholdings in rural communities), the situation is improving. Women now have tenure over almost 30 per cent of land in *ejidos* and *comunidades*, as holders of agricultural rights over common, jointly held or parcelled land or of deeds to residential plots, and there are approximately 44,000 women in decision-making positions.

192. In 2014, 28.5 million women were registered as living in poverty, 78.4 per cent of whom belonged to populations that spoke an indigenous language. Twenty-five per cent of beneficiaries of the Mexican Social Security Institute's PROSPERA Programme are indigenous women, and 95 per cent of cash transfers under the programme are made to women from poor families. A total of 5,158 community

<sup>185</sup> [http://www.gobernacion.gob.mx/work/models/SEGOB/Resource/1093/8/images/Manual\\_politica\\_publica\\_dh.pdf](http://www.gobernacion.gob.mx/work/models/SEGOB/Resource/1093/8/images/Manual_politica_publica_dh.pdf).

<sup>186</sup> 98 in 2012, 68 in 2013, 95 in 2014 and 79 in 2015.

<sup>187</sup> [http://www.cndh.org.mx/sites/all/doc/Recomendaciones/generales/RecGral\\_025.pdf](http://www.cndh.org.mx/sites/all/doc/Recomendaciones/generales/RecGral_025.pdf).

<sup>188</sup> [http://www.cndh.org.mx/sites/all/doc/Recomendaciones/generales/RecGral\\_024.pdf](http://www.cndh.org.mx/sites/all/doc/Recomendaciones/generales/RecGral_024.pdf).

<sup>189</sup> <http://www.gob.mx/sedesol/documentos/reglas-de-operacion-de-los-programas-sociales-2016>.

<sup>190</sup> *Presupuesto de Egresos de la Federación* (federal budget). [http://www.diputados.gob.mx/LeyesBiblio/ref/pef\\_2016.htm](http://www.diputados.gob.mx/LeyesBiblio/ref/pef_2016.htm).

kitchens have been established in 21 federative entities; 453 operate in the municipalities covered by the National Crusade against Hunger.

193. Through the “Pink Rooms” programme, 287,000 low-income families have had an extra room added to their home, and a further 165,000 rooms are under construction.

194. The National Commission for the Development of Indigenous Peoples has merged some of its support programmes with production-related projects for indigenous women, which has improved their effectiveness and increased the equality policies that use an intercultural approach. The Indigenous Cultural Radio Network strongly promotes gender equality, reproductive health, access to justice, the prevention of domestic violence and the prevention of human trafficking, in 36 languages. It also disseminates translations of the Convention on the Elimination of All Forms of Discrimination against Women, the Convention of Belém do Pará, justice protocols and national laws.<sup>191</sup>

195. Education grants have been provided 6.2 million students under the PROSPERA Programme in 2016. The grants have been awarded to an equal number of female and male students in basic education and to more female than male students in upper secondary education (608,000 women and 587,000 men).

196. The education sector is promoting education as a means to overcoming poverty. The National Education Grant Programme gives priority to female applicants from rural municipalities or who are indigenous or live in areas with a low or very low human development index. Students who are pregnant and/or young mothers receive grants to help them begin, resume, continue or complete their studies. Between 2013 and 2015, more than 28,000 grants were awarded in 546 indigenous municipalities, and 36,622 were given to adolescents in 640 municipalities covered by the National Campaign against Hunger. In the higher education sector, financial assistance was provided to 26,245 indigenous women for the 2013/2014 academic year and to 29,758 for 2014/2015.

197. The National Council for the Promotion of Education provides monthly grants for children, including children with disabilities, from rural communities with no education services who have to travel to other communities to attend school, even if they are educated within their own locality. More than 68,000 students, 51 per cent female and 49 per cent male, received such assistance in 2014 and 2015.

198. Part of the poverty-eradication strategy is to ensure women, particularly indigenous women, have access to higher education. To that end, efforts are being made to promote young indigenous women’s access to upper secondary education and to the intercultural universities. Over 1,000 students, 49 per cent female and 51 per cent male, from five federative entities (the states of Chihuahua, Guerrero, Puebla,

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<sup>191</sup> Many actions have been taken to publicize and build capacity in the gender-sensitive administration of justice, the intercultural approach and indigenous rights, and events have been held to promote access to justice for indigenous women (in coordination with the Ministry of Foreign Affairs, the National Commission for the Development of Indigenous Peoples, the National Institute of Indigenous Languages, the Council of the Federal Judiciary and the Electoral Tribunal of the Federal Judiciary) and to review the case files of indigenous women deprived of their liberty with attorneys working in the public defender offices of the federative entities and the Federal Public Defender Service.

Sinaloa and Yucatán) had registered for the intercultural baccalaureate within two years of its creation.

199. In the 2015/16 academic year, 7,551 women and 6,456 men (54 per cent and 46 per cent, respectively, of the total) matriculated at the intercultural universities, which are located in the states of Sinaloa, San Luis Potosí, Hidalgo, Quintana Roo, Michoacán, Guerrero, Puebla, Veracruz, Tabasco, Chiapas and México. Of the 11 intercultural universities, 8 are receiving support to enhance their academic programmes,<sup>192</sup> and 50 per cent have a programme promoting a gender-sensitive culture that addresses, inter alia, the eradication of violence against women, condom negotiation, gender equality and sexuality.

## XII. Family and marriage relations

200. The bill to amend articles 168 and 184 of the Federal Civil Code is currently before the Chamber of Deputies.<sup>193</sup> It aims to expand the range of assets constituting communal marital property to include intangible assets and employment benefits (pension and insurance benefits), to ensure that assets and alimony are assigned between spouses in the event of divorce in a way that meets the subsistence and other needs of children, and to uphold a women's right to receive alimony if a divorce is by mutual consent. Twenty-five states already have court procedures for determining the tangible and intangible assets that form part of the community property to be divided in the event of divorce.

201. In five federative entities, a registry of those who have fallen behind in their alimony payments has been created to enforce compliance with alimony obligations.<sup>194</sup> The Supreme Court ruled that a woman claiming alimony from her spouse on the basis that she devoted herself to household tasks and to caring for and raising the children may be presumed to need it.<sup>195</sup> 75 per cent of federative entities recognize unpaid work performed by women in the home, while 78 per cent take economic disparities between spouses into consideration in divorce cases<sup>196</sup> and award alimony from a gender-equality perspective.<sup>197</sup>

202. The day-care programme for children of working mothers also operates in indigenous localities and benefits over 278,000 households that live below the economic welfare line. The life insurance programme for female heads of household brings peace of mind to 6.2 million female heads of household living in poverty or in a vulnerable situation.

203. The pension programme for older adults benefits almost 5.5 million persons. As of the third quarter of 2016, the programme covered 144,287 persons in situations of extreme poverty and with a food deficit.

204. Between 2013 and 2015, the Council of the Federal Judiciary issued 20 *amparo* judgments that recognized tangible and intangible assets as part of the

<sup>192</sup> Programme to improve quality in educational institutions.

<sup>193</sup> Articles 287 and 288.

<sup>194</sup> Mexico City and the states of Chiapas, Coahuila, Mexico and Zacatecas.

<sup>195</sup> Case law, p. 619, No. 1a./J. 6/2013. IUS Registration No. 2001218.

<sup>196</sup> Supreme Court Opinion: No. 1a. CDXL/2014. IUS, Registration No. 2008109, p. 239.

<sup>197</sup> Supreme Court Opinion: No. 1a. XCI/2015. IUS, Registration No. 2008544, p. 1383.

community property to be divided upon divorce and established redress mechanisms that considered the economic disparities between spouses and women's unpaid work. A total of 219 judgments were rendered in direct *amparo* proceedings, 100 judgments in *amparo* review proceedings and 225 judgments in indirect *amparo* proceedings, in which assets were being divided owing to separation or divorce.<sup>198</sup> At the federal level, 74 judgments were rendered in direct *amparo* proceedings, 6 in *amparo* review proceedings and 9 in indirect *amparo* proceedings, for allowances requested by women on the basis of their work in the home.

205. The General Rights of Children and Adolescents Act requires the minimum age for marriage to be set at 18 years, to protect children and adolescents from forced marriage. To date, 19 federative entities have implemented this requirement, and no exemptions have been permitted.

206. There is no law on responsible fatherhood, but action was taken to promote it: the Federal Labour Act now includes provisions on paternity leave;<sup>199</sup> the General Equality between Men and Women Act was amended in 2016 to ensure a more equal distribution of family responsibilities; and all government agencies are required to grant paternity leave.<sup>200</sup> The federal judiciary also grants maternity and paternity leave to public servants.

207. Mexico City and the state of Coahuila have guidelines on responsible fatherhood, which aim to ensure the balanced and harmonious relations in the family, as well as a registry of those who fall behind in their alimony payments (most of whom are men). The Civil Code of the state of México stipulates that, in the event of divorce, a spouse who has been performing the household tasks shall be entitled to a proportional and fair division of the assets acquired during marriage.

### **XIII. Advances in the federative entities**

208. The 32 federative entities are revising their normative and legal frameworks to guarantee the rights of women and girls. They are incorporating legislative advances and eliminating discriminatory and exclusionary aspects in order to bring their legislation into line with current federal and international instruments. They are working to have at their disposal public policies and programme tools for reducing inequalities between women and men by developing state programmes on equality and on combating violence against women. The local-level efforts and coordination mechanisms in the federative entities have expanded and improved, addressing the issues on the National Gender Agenda according to their own priorities.

209. Each federative entity is facing different challenges in its efforts to promote and protect women's rights through its strategies that pursue substantive equality. These include combating violence, eliminating discrimination and providing access

<sup>198</sup> See annex 54.

<sup>199</sup> The Ministry of the Interior, the National Security Commission, the Ministry of Foreign Affairs, the Ministry of Defence, the Ministry of Social Development, the Ministry of the Economy, the Ministry of Communications and Transport, the Ministry of Tourism, the Supreme Court, the Electoral Tribunal of the Federal Judiciary, the National Institute of Migration and the National Institute for Women all granted paternity leave before it became mandatory to do so.

<sup>200</sup> [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5439346&fecha=31/05/2016](http://www.dof.gob.mx/nota_detalle.php?codigo=5439346&fecha=31/05/2016).

to justice for women; achieving growth, development and progress in communities and towns; and upholding human rights on a daily basis. Their progress and good practices are presented in annex 55.

#### **XIV. The Atenco case and the Campo Algodonero case**

210. The Inter-American Commission on Human Rights informed Mexico this year of its decision to refer the case *Mariana Selvas Gómez et al.* to the Inter-American Court of Human Rights for it to consider whether the reparation measures were sufficient according to Inter-American standards. In 2013, the Mexican Government acknowledged its responsibility and has since made every effort to ensure that justice is served, to punish those responsible and to take remedial action and make structural changes to prevent a recurrence.

211. Over 30 individuals are in detention and are facing criminal proceedings. The Office of the Attorney General of the State of México, as mandated by the Supreme Court, significantly revised its processes and set up a special fund to care for the victims and their families, which covers financial compensation, rehabilitation, educational support, comprehensive health care, medical and psychological care, and housing. It also amended the state's local legislation on violence against women and public security.

212. The Government has gender-sensitive action protocols for the prosecution service. It has increased the number of women's justice centres and is consolidating the municipal systems for preventing, addressing, punishing and eradicating violence against women. It also took action at the local and federal levels to eradicate structural factors that gave rise to human rights violations.

213. The state of México has its own anti-trafficking programme and set up 124 municipal systems to promote equal treatment and opportunities and to prevent, address, punish and eradicate violence against women. It enacted five laws on the eradication of torture and other crimes, including any form of gender-based violence, and revised the provisions on violence against women in its codes of criminal procedure. It developed seven protocols of action, on torture, femicide, sexual freedom, missing persons, mistreatment of victims, and other crimes, including gender-based violence. It also established the Ad Hoc Working Group for the Atenco Case.

214. At the federal level, six programmes and mechanisms were created to prevent, address and eradicate gender-based violence and all types of crime against women. Women's rights centres, citizen networks and inter-agency networks were set up. In addition, to ensure there would be no recurrence, extensive legislative and policy reforms were carried out.

215. In order to provide full redress to the victims and follow up on the recommendations of the Inter-American Commission on Human Rights, measures were taken to ensure restitution, rehabilitation, satisfaction, financial compensation and the provision of medical attention.

216. To date, the Office of the Attorney General of the State of México has referred the cases of 48 individuals to court for the crime of torture and argued that, in

accordance with international standards and treaties, the statute of limitations does not apply to torture. As a result, 32 people have been brought to trial for torture and/or criminal acts of omission.

217. Regarding the 14 operative paragraphs of the Inter-American Court of Human Rights in the case of *González et al. (Campo Algodonero)*, 15-18, 20, 22, 23 and 25 have been implemented, while numbers 12, 13, 14, 19, 21 and 24 are in the process of being implemented. The Mexican Government is pressing ahead with the criminal proceedings and has taken demonstrable action to continue its investigation, prosecution and punishment of the perpetrators: it signed two agreements on the coordination of public policies to prevent and eradicate violence against women and girls, which transfer federal resources to the state of Chihuahua to implement the ruling on the Campo Algodonero case; it formed an international team of experts to help the Office of the Special Prosecutor for Cases involving Women Victims of Gender-Based Crime investigate with a gender perspective, in accordance with the action protocols for the eradication of violence against women; and it has taken steps to improve the procedures followed by the Special Unit for the Investigation of the Gender-based Murder of Women.

218. An inventory of evidence in the Campo Algodonero case has been drawn up, a Criminal Information and Analysis Unit was established in Ciudad Juárez in 2014, there are protocols of action for crimes falling within the jurisdiction of the Office of the Public Prosecutor of the State of Chihuahua, and minimum legal standards for police conduct, based on respect for fundamental human rights, were established.

219. At the federal level, five protocols were developed, on violence against women, searching for missing persons, torture, crime and femicide. A national registry of data on missing and disappeared persons was created to record information on persons reported missing to the public prosecution service.

220. The Subcommittee on Coordination and Liaison for the Prevention and Eradication of Violence against Women in Ciudad Juárez, coordinated the Working Group on Victim Care from 2012 to 2015, to enhance coordination among the competent authorities on the resolution of missing person cases in which women had disappeared. In view of the progress made in implementing the ruling on the Campo Algodonero case, it was taken up by the plenary of the Subcommittee.

## **XV. Statistics**

221. The statistical information generated in Mexico comes from three sources: censuses, surveys and administrative records. These must all be integrated to ensure proper statistical information on women and girls.

222. The national government censuses link four projects: the national censuses on state and federal law enforcement and the national censuses on the administration of justice at the state and federal levels, with statistics on the activities and resources of the judiciary and the country's law enforcement institutions.

223. In 2015, a project was launched to compile data from the administrative records on the administration of justice in the high courts of the federative entities.

224. The National Statistical and Geographical Information System has been conducting a national survey on urban public security since 2013, which measures perceptions of public security. The national survey on victimization and perception of public security is conducted annually to estimate the prevalence and incidence of crime against households and persons and generates data on the perception of public security and the action taken by the authorities. The fourth edition of the national survey on the dynamics of household relationships this year will provide new data on violence against women.<sup>201</sup> It is already considered information of national interest.<sup>202</sup>

225. With regard to administrative records, the National Statistical and Geographical Information System prepares the statistics of public human rights bodies. The record of protection orders covers up to the end of 2015 and includes orders from 30 high courts of justice and 28 offices of state attorneys general.<sup>203</sup>

226. Mexico maintains a missing persons register (the national registry of data on missing and disappeared persons), which obtains data from all the offices of public prosecutors and attorneys general in the country.<sup>204</sup> The registry is available to the public and constantly updated.

227. Given the need for a system to collate information to measure and classify violence against women, the Specialized Technical Committee on Information with a Gender Perspective of the National Statistical and Geographical Information System decided to develop an integrated system of statistics on violence against women,<sup>205</sup> to be finalized this year, which will link up at least 28 statistical projects.<sup>206</sup>

228. In view of the need for comprehensive and standardized information systems, work is under way with the federal and state judiciaries to establish standardized processes for information gathering and record production, using much more complete data on both victims and perpetrators. The High Court of Justice of Mexico City already has the complete information system and has shared it with the other federative entities. In addition, a network for judicial statistics<sup>207</sup> was established in the National Commission of High Courts of Justice to strengthen statistical and information systems in the 32 high courts.

<sup>201</sup> The survey is used to estimate the prevalence of violence by type and domain and provides information on the victims, their relationship with their attacker, the consequences of the violence, the assistance sought, the care received and the complaints filed.

<sup>202</sup> [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5421754&fecha=30/12/2015](http://www.dof.gob.mx/nota_detalle.php?codigo=5421754&fecha=30/12/2015) 2016. The next national survey on the dynamics of household relationships will be conducted in 2016.

<sup>203</sup> The courts of the states of Guerrero and Quintana Roo, and the offices of the attorneys general of the states of Colima, Nayarit, Tamaulipas and Sinaloa have yet to be included.

<sup>204</sup> <http://secretariadoejecutivo.gob.mx/rnped/consulta-publica.php>.

<sup>205</sup> The Working Group on Statistics on Violence against Women of the National Statistical and Geographical Information System's Specialized Technical Committee on Information with a Gender Perspective brings together representatives of the National Institute for Women, the National Commission for the Prevention and Elimination of Violence against Women, the Ministry of the Interior, the National Population Council, the Ministry of Security, the Ministry of Public Education, the Ministry of Social Development and Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking.

<sup>206</sup> See annex 56.

<sup>207</sup> This body serves as a point for coordination among the National Institute for Women, UN-Women, the Office for the High Commissioner for Human Rights, the Ministry of the Interior and the National Institute of Statistics and Geography.

229. With regard to law enforcement statistics, although 28 federative entities have systems to record data on violence against women, the records are not standardized, do not use the same classifications and do not capture the same data. As a result, further efforts are required to enable the generation of data based on all the offices of attorneys general in the country.

230. There is still no reliable record of femicides; deaths of women with a presumption of homicide are used as a proxy indicator. In 2012, 2,768 deaths of women with a presumption of homicide were recorded compared with 2,246 in 2015. The average number of women murdered each day fell from 7.6 to 6.1.

231. Data on time-use were collected in the third survey on the subject in 2014. These are key input for policies on equality between women and men, for reducing inequality gaps and for preparing the satellite account on unpaid work in the home.

232. Finally, to integrate a gender perspective in the production of statistics, guidelines were adopted in 2015 for mainstreaming a gender perspective in the National Statistical and Geographical Information System.

### Databases

233. The National Centre for Planning, Analysis and Information for the Fight against Crime of the Office of the Attorney General of the Republic manages a database of persons reported missing at the local level, pursuant to the National Plan for the Search for Missing Persons, which operates through three mechanisms.<sup>208</sup> The National Conference of Attorneys General established a specialized network for the search for missing persons, whose database is updated by all the prosecutors and attorneys general in the country, and approved a standardized structure for the databases on missing persons in the federative entities. The Office of the Attorney General of the Republic has also established a forensic genetic database to support the search for missing persons.

234. In 2014, the Institutional System of Statistical Information of the Office of the Attorney General of the Republic started to capture data on missing and found persons. Since 2015, data on victims have become very important under the new adversarial criminal justice system, and the Office of the Attorney General of the Republic captures those data using its Justicia@.Net system. A system for the management of ante-mortem/post-mortem information has operated under an agreement with the International Committee of the Red Cross since late 2015. This ante-mortem/post-mortem database<sup>209</sup> is found in all branches of the Office of the Attorney General of the Republic, in the offices of local attorneys general and public prosecutors and in the forensic medical services of all the federative entities.

235. The Federal Legal Advisory Service has a database on care provided to victims of crime and human rights violations, including women victims of trafficking.<sup>210</sup>

<sup>208</sup> The urgent search mechanism, the single register of mass graves and the national administration of justice network for the search for missing persons.

<sup>209</sup> The International Committee of the Red Cross: AM/PM (Ante-mortem and Post-mortem) for the collection of information on unidentified human remains.

<sup>210</sup> See annex 57.

236. The national data and information bank on cases of violence against women generates information on 22 federative entities only irregularly, although improvements have been made<sup>211</sup> and more than 1,200 persons have been trained in its use. Nevertheless, it still has problems in terms of the consistency, timeliness, mandatory collection and quality of its information. In 2016, the Ministry of the Interior decided to redesign the bank.

237. The states of Coahuila, México, Guanajuato, Nuevo León and Puebla have databases on violence against women. Mexico City has an information system that links the data on law enforcement and the administration of justice, and allows for the follow up of each offence. The state of Sinaloa has a gender indicator system.<sup>212</sup> The state of Baja California has a database of information on cases of violence against women. The state of Campeche has a system of indicators to monitor gender gaps. The public prosecution service of the state of Chihuahua has two forensic genetics laboratories. The state of Chihuahua also has its own system for managing DNA records used in forensic identification and its own forensic medicine service, which is responsible for registering entries and releases from the state morgue.

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<sup>211</sup> Modules were added to record protection orders, and agreements were signed with the states of Veracruz, México and Michoacán to strengthen the databank.

<sup>212</sup> In coordination with the National Institute of Statistics and Geography; the system has over 335 indicators of gender inequality.