



Convention on the Elimination of All Forms of Discrimination against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE 376th MEETING

Held at Headquarters, New York,
on Friday, 30 January 1998 at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Third and fourth periodic reports of Mexico (continued)

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of Mexico (continued) (CEDAW/C/MEX/3-4 and Add.1 and CEDAW/C/1998/I/CRP.1/Add.4)

1. At the invitation of the Chairperson, Ms. Sauri (Mexico) took a place at the Committee table.

2. Ms. SAURI (Mexico), continuing her response to question 47 under article 14, contained in the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.4), said that the technical cooperation network of institutions and agencies providing support to rural women was coordinated by the National Women's Programme (PRONAM). Since December 1996, three working meetings on public-sector policies and programmes for rural women had been held with a view to incorporating a gender perspective in areas ranging from health, education and labour to financing, sustainable development, legal advice and family matters. The commitments laid down at the first such meeting included establishing inter- and intra-institutional mechanisms to generate and support productive and development projects, offering workshops on the techniques of negotiating contracts, strengthening cooperation with rural development institutions at both the state and federal level, establishing closer links with non-governmental organizations in order to identify and address obstacles to obtaining credit, and disseminating information with a gender perspective. The second meeting, devoted to land reform, had focused on a study on Mexican women in agriculture and a book published jointly by the Ministry of Social Development and the United Nations Development Programme (UNDP) on the role of Mexican women in local government. The network would continue to promote closer coordination at the national level in an effort to fulfil international commitments, identify the priority needs of Mexican rural women by the competent bodies with a view to obtaining international assistance for various projects, and formulate an integral approach by Government agencies to such areas as health, work, education and international cooperation.

3. As a result of a national survey of activities, programmes and projects for rural women carried out by the various State ministries, 30 federal public institutions, 6 academic institutions, 15 social organizations and 10 non-governmental organizations had been added to the national network. The Ministry of Agriculture, Stockbreeding and Rural Development provided equipment to rural women and promoted, inter alia, farming activities, micro-enterprises, fruit and vegetable gardening and the use of medium-sized machinery. The Ministry of Social Development carried out poverty eradication programmes, including programmes for farm labourers and for the development of social enterprises; it had also established a fund to support enterprises owned by rural women and regional funds for indigenous people. The National Institute for Indigenous Peoples channelled resources to 4,500 indigenous women, with the participation of the World Food Programme. In 1996, the National Women's Programme (PRONAM) had implemented projects to improve nutrition, housing and production. Within the framework of a decentralization and regional development

project supported by the World Bank, a pilot programme of productive activities for indigenous and mestizo women in northern and central Veracruz was being implemented. The Ministry of Land Reform was carrying out the Programme for the Certification of Ejidos (PROCEDE). There were 139,000 female ejido farmers in Mexico, representing 17.5 per cent of those persons entitled to a smallholding or to common-use land. It also supported the basic production needs of rural women in the most marginalized regions.

4. The Ministry of the Treasury and Public Credit promoted the integration of women into agricultural production and provided credit facilities to that end. The National Rural Loan Bank provided a total of 24 million pesos in agricultural loans to 451 rural women's groups. The Ministry of Health sponsored programmes for the detection and treatment of cervical, uterine and breast cancer as well as dysplasia. It also provided family planning services, neo-natal care and assistance with labour and delivery in communities where there were no traditional midwives.

5. The National Farmers Confederation promoted the advancement of rural women's interests by encouraging grass-roots female leadership. The National Federation of Women's Agricultural Units and rural women's economic organizations offered business training to women in rural areas. Finally, the María Lavalle Urbina scholarship fund provided scholarships to rural girls who were the daughters of poor farmers and fishermen.

6. Under a programme entitled "Women in Solidarity", which provided services to rural communities and, to some extent, indigenous peoples, 4,500 women's committees were carrying out 6,100 social and productive projects. In Veracruz, thanks to an innovative programme for women, rural women's involvement in their own development as well as women's collective work were being strengthened. Traditional projects relating, for example, to water, electricity and sewing workshops, were aimed at easing the burden of household work and increasing efficiency and income generation. In six years, 14 regional organizations, involving 8,106 women, had been formed in the Sierra Norte region of the state of Veracruz. Regional organizations had promoted 439 productive projects and published a manual on training workshops for indigenous women.

7. Replying to question 47 under article 14, she said that contraceptives had been more widely distributed in Chiapas with a view to diminishing the overall fertility rate, which was the highest in the country (3.6 children per woman). The rate of women's participation in the economy was 28.1 per cent in Chiapas, compared to the national average of 35.1 per cent. Women in Chiapas worked mainly in the tertiary sector. Nearly half of indigenous girls between 6 and 14 years of age and 65 per cent of indigenous women over 15 years of age were illiterate.

8. In a situation of cultural isolation and dependency on the land and its resources, the problems of land ownership and agricultural exploitation in Chiapas were aggravated by rapid population growth, particularly in the jungle area. Plummeting coffee prices, the lack of crop diversification and the closure of the national market to meat from Chiapas for health reasons had all aggravated tensions in that region. The federal Government had accorded top priority to the situation in Chiapas, where its poverty eradication programmes

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focused on health, education, housing and the social infrastructure. At the same time, it was pursuing a reconciliation and peace process.

9. Under the first component of its social and productive strategy - development financing - the federal Government accorded top priority to Chiapas in its annual budget. Under the strategy, which was designed to remedy the region's serious underdevelopment, 57 billion pesos had been channelled into assisting the areas in greatest need, ensuring equitable resource distribution, and eradicating poverty. Under the Social Development Agreement, an added 3 billion pesos had been earmarked for development financing, largely for direct use by municipal governments.

10. Since the social strategy of the federal Government also stressed the infrastructure improvement, a considerable investment in that area had been made in 1994 to improve the drinking water supply, sewerage facilities and the provision of electricity to municipalities. The Ministry of Communications and Transport had launched an ambitious road-building programme, which included construction projects on the highway along the southern border; the paving and resurfacing of roads; the construction of an international bridge; and the building of the Palenque and San Cristóbal airports. The National Water Commission had installed drinking-water systems in 290 communities, covering a population of 200,000 inhabitants.

11. The federal programme to improve the coverage and quality of education had resulted in a significant increase in girls' school enrolment, more than double the national increase in enrolment in the last three years of primary school. Facilities accommodating 103,000 new pupils at that level had been constructed and 300 television schools had been equipped. The number of pupils successfully completing school had risen from 43 per cent in 1994 to 61 per cent in the 1996-1997 school year. Other initiatives included the distribution of textbooks in the main indigenous languages and community education programmes for 400,000 pupils in indigenous regions. In addition, 50 new high schools and a technical university had been opened. In the area of health, 32 primary health care units had been opened in 1997 alone, increasing health coverage in Chiapas by 10 per cent to 87 persons per 100 inhabitants.

12. In the area of nutrition, free breakfasts were distributed to nearly half the pupils enrolled in pre-school programmes and primary school; and 1,730 rural stores serviced nearly 2 million inhabitants. Daily rations of milk and tortillas were also being provided to 160,000 children and 70,000 families, respectively. In addition, approximately one out of every three families in Chiapas benefited from an integrated nutrition, education and health programme conducted in the Los Altos and mountain regions.

13. With a view to creating 30,000 new jobs, primarily in agriculture, for a predominantly youthful population, Government programmes stressed the diversification of production and promoted cash crops. Cattle-raising, milk production and genetic improvement programmes were being supported by the Rural Alliance; and the private sector was providing assistance for crop diversification, including the cultivation of African palm trees and commercial wood plantations. Social organizations sponsored programmes to increase productivity and income with a view to creating 21,000 temporary jobs annually.

Interest-free credit had been granted to approximately 55,000 producers; more than 50,000 indigenous producers received annual support from the regional funds of the National Indigenous Affairs Institute. In addition, 500 productive projects, which generated approximately 13,000 jobs every year, were being financed from the enlarged budget of the National Social Enterprises Fund, primarily in the Altos and Sierra regions and the jungle and northern areas. Strengthening social organizations was a key component of all programmes relating to production and employment. The programmes, which were participatory in nature, were aimed at affording rural and indigenous producers access to financing, technology and training.

14. A number of agreements had been concluded to improve the situation in Chiapas. Under the Agrarian Agreements, concluded in 1996 between the Government and 72 farmers and indigenous organizations, 187,000 hectares of land had already been distributed. An investment fund had been established in support of those agreements. Under regional agreements, social service centres had been established in the regions of Las Cañadas and Los Altos, and the mountainous and northern areas. The social service centres were mechanisms for formulating development strategies with community participation. The programme in Las Cañadas was an example of a successful programme in which more than 240 million pesos had been utilized to install electrical and water facilities and improve rural housing and roads. The programme had been based on dialogue and consultation, including with the Ejército Zapatista de Liberación Nacional (EZLN). The dialogue had also formed the basis for the social agreement for the northern and Chol regions, which had resulted in the construction of health facilities, the paving and construction of roads, and the supply of drinking water to 20 communities. The social agreement for the Los Altos region, one of the most densely populated areas of Chiapas, had resulted in the construction of infrastructures, the expansion of services, and the promotion of productive development.

15. Outlining the overall progress achieved in the state of Chiapas during the 1995-1997 period, she noted the provision of basic health services to 600,000 inhabitants; a vaccination campaign which covered 91 per cent of children between the ages of one and four years; a 25 per cent decrease in mortality caused by acute diarrhoeal diseases in children under five years of age between 1994 and 1996; and the establishment of the "Chiapas Health 2000" programme and of a decentralized Health Institute in 1996. A programme to assist persons displaced by the conflict in Chiapas had been created in 1998. In its first nine days of existence, it had serviced 2,300 indigenous people, mainly women and children. As a result of the conflict in the region, indigenous women had begun to organize in order to assert their rights, and PRONAM was monitoring the situation of women in Chiapas. Many of the proposals put forward within the context of the political upheaval had concerned women, such as the importance of respecting their human rights, dignity and integrity in conflict resolution; recognition on the part of local authorities of decisions taken by women's groups, and the equal participation of women in the election of local authorities. The proposals and demands of indigenous women were currently being considered by Government agencies to determine the appropriate way to respond to them and non-governmental organizations which worked with indigenous women were being supported in order to achieve better results in the various activities being carried out.

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16. Referring to question 48 under article 14 in the report of the pre-session working group, she said that health services took into account major health risks and addressed priority problems. Under the Programme for Reproductive Health, an information, education and communications campaign, based on the principle of "informed and shared consent", promoted the use of various methods of contraception. The Programme offered sexual health education courses to 60 per cent of the adolescents in rural communities, and all rural women of childbearing age were briefed on risk factors in pregnancy. The Programme's objectives for the 1996-2000 period were, *inter alia*, a 20 per cent reduction in preventable maternal mortality; the analysis of 50 per cent of maternal deaths with a view to formulating preventive strategies; the follow-up of 90 per cent of high-risk pregnancies with the help of community volunteers, rural health assistants and midwives; the distribution of contraceptives to 90 per cent of women who gave birth; and an increase of 80 per cent in the use of intra-uterine devices and surgical methods. The Programme also promoted the literacy and basic education of 14,300 women receiving integral health care. In addition, pregnant women were monitored by local volunteers in the "Adopt a pregnant woman" programme. Another vital aspect of health care was the elimination of unsanitary conditions through the building of latrines and the provision of training in handling human waste and water chlorination.

17. The National Institute of Adult Education, which provided services to 2.2 million women, 76 per cent of whom were located in the rural areas, was developing a literacy project with a gender perspective. Distance education facilities included the Satellite Education Television Distribution Network (EDUSAT) and an educational television series which prepared mothers as community educators. In March 1998, a national women's health card would be distributed in order to monitor perinatal care and facilitate family planning and the early detection of cervical and uterine cancer. Other programmes included the Programme for Education, Health and Nutrition (PROGRESA), launched during the 1997-1998 school year as a multisectoral effort to combat extreme poverty by encouraging children to attend school.

18. Regarding the percentage of women among rural migrants to urban areas (question 49), approximately half of all migrants in the period 1987 to 1992 had been women and, of those, almost three quarters had migrated to towns with over 20,000 inhabitants. Migration could also be measured in terms of place of birth, and according to the 1990 and 1995 censuses, approximately 52 per cent of the 14 million who were then living in a place other than their place of birth were women. As to the situation of migrant women, 1987-1992 data indicated that approximately 5 per cent over the age of six had no education; 52 per cent, primary education; 34 per cent, secondary education; and 8 per cent, higher education. Most migrant women were adolescents and young adults, and those under 15 generally migrated with their families. About 13 per cent of the women were between the ages of 5 and 14, 16 per cent between 15 and 24, 12 per cent between 25 and 34, and 5 per cent above the age of 35.

19. With regard to the legislation on cohabitation (question 50), the labour and social security laws gave much the same rights to common-law partners as to wives of workers. Not every *de facto* union was recognized as cohabitation, however: a couple must have had children whom they recognized or must have lived together for at least 5 years with no previous undissolved marriage.

Article 501 of the Federal Labour Act, for instance, established that surviving common-law partners were entitled to death benefits in the absence of a surviving partner if they met such conditions and if they had depended upon the worker for their support. Her Government had sought to give the Committee as much information as possible, but was well aware that it needed to do a great deal to guarantee equality in the daily lives of all its citizens.

20. Ms. FERRER commended the Government for the frankness of its report and the very useful exchanges that it had carried on with non-governmental organizations prior to submitting it. Also laudable were the high level of the delegation that it had sent to meet with the Committee, and the delegation's exhaustive answers to the questions in the report of the pre-session working group.

21. One of the most important steps taken by the Government had been the establishment of the National Programme for Women (PRONAM); and a great many relevant programmes, regulations and laws had in fact been adopted since the previous report, including provisions to combat violence against women. The information provided on education, health and employment was particularly interesting. The delegation had given a good sense of the achievements and obstacles, and it had been corroborated by outside sources.

22. Although the Constitution guaranteed gender equality and the Convention had been incorporated into domestic law, some Mexican laws were still incompatible with the Convention, according to a study done of national laws by the Commission on Human Rights. PRONAM should do a state-by-state analysis and Mexico's state legislatures should be made to modify any laws found wanting, especially in the areas of family law and the legislation regulating the maquila industry. Affirmative action should be used to increase the numbers of women in decision-making positions, and PRONAM must prevent the abuse of indigenous women, notably in the state of Chiapas, who were particularly poor and marginalized, and establish special health and social services for them under much needed anti-poverty programmes. It was clear that the Mexican Government had the political will to tackle all those problems.

23. Ms. BUSTELO GARCIA DEL REAL observed that any economic and social advances in Mexico would affect all Latin America, and noted its legislative and de facto progress since the previous report. As the economy improved, it must distribute the wealth more equitably to economically and geographically disadvantaged states, and especially to disadvantaged women, some of whom, like those working in the maquila industry, lived beyond the reach of government protection. Under its federal system, it was true that the Government could not impose its will on state legislatures, but more federal funds would speed up reforms. The Government must also allocate needed funds for home care, care of the disabled and day care for the children of working mothers. A more reliable and inclusive system of data on women would be necessary.

24. Regarding the proposed regulation of prostitution by the federal Human Rights Commission (issue 18), it was to be hoped that the legislation drafted would not be discriminatory in stipulating medical requirements for women but not for their male clients and that it would conform to all articles of the Convention. It was not clear whether homosexuality was addressed in the Penal

Code and whether abortion was prohibited. Gender-based statistics on minimum pensions and the conditions for entitlement would also be useful.

25. Ms. OUEDRAOGO said that she appreciated the analytical, frank report giving abundant information on national programmes. It would be interesting, however, to know to what extent women had mobilized to help themselves, what women's associations had been founded and what the reaction of women had been to the report. The many nationally coordinated mechanisms set up to address what were admittedly multisectoral problems might conceivably have created a problem of leadership and ultimate responsibility, and she wondered if there were any plans to merge some of those agencies.

26. Despite the many programmes tailored to rural women, it would be interesting to know how many rural women had actually acquired the confidence to run businesses or take out loans, and how the Government was planning to encourage them to become entrepreneurs.

27. Ms. AOUIJ observed that despite the precedence given to the Constitution and the Convention in Mexican law, some laws were still discriminatory and did not include a specific affirmation of the right to equality for women. If the Convention could not be invoked directly in Mexican courts, legislation to that effect ought to be adopted. Laws promoting the advancement of women were particularly crucial in the control of the family, where women were often assigned to stereotypical roles and did not share responsibility. The very early marriage age of 14 years, the fact that child care was left exclusively to mothers until the age of seven and the discriminatory inheritance laws were also matters of concern. Mexico further needed a national law concerning violence against women, and judges must change their attitude towards rape. As Mexico began to emerge from a very difficult economic crisis, care must be taken to distribute the benefits to all, especially the most disadvantaged and, among them, rural women. The Government's political will was incontestable: it now remained for it to eliminate the gap between the de facto and de jure situations.

28. Ms. HARTONO asked whether copies of the Mexican Constitution or copies of the parts of the Constitution concerning gender issues could be made available to the Committee. Referring to page 11 of the oral presentation, she sought clarification as to the period of time during which radical changes had occurred in the cultural and educational life of Mexico. The Government should be more explicit in that regard in the next report. She wished to know why 10 per cent of the population between 6 and 12 years old was handicapped, which was rather alarming.

29. Ms. CARTWRIGHT asked about women's access to justice. She was very interested in seeing how the provisions of the Convention were actually translated into reality for Mexican women. Although women were entitled by law to own land, raise mortgages and inherit, and programmes had been established to ensure that they had an equal allocation of land, did they in reality receive a fair share of land? Did widows routinely receive a full share of their husband's estate under his will, or was there a preference for male relatives? If widows did not receive a full share of their deceased husband's assets, particularly land, were there adequate provisions for seeking redress from the

courts? Concerning rape and sexual offenses, while she applauded the measures that had been taken by the Mexican Government under article 6 of the Convention, she was very concerned about reports of widespread problems regarding the reluctance of the police to arrest men accused of rape and allegations that members of the police and armed forces had raped women in their custody. Was the Government making a determined effort to ensure that any such reported offenses were prosecuted? There was a need for ongoing education to make those responsible for administering the justice system, in particular the police, armed forces, lawyers and judges, not only aware of how such offenses affected women's lives, but also of the commitment that Mexico had made by ratifying the Convention. There must be a strong commitment on the part of the judiciary itself to undergo and maintain such educational programmes. She was pleased to note that there was a reasonably good proportion of women in the judiciary. There must be ongoing efforts to enhance the proportion of women in the judiciary because that would make it easier for women who were victims of sexual crimes to come forward.

30. There should be a law on marital rape, which was essential if attitudes about forced sexual relations were to be changed. Although there was a marital property regime, reports reaching the Committee suggested that if a woman was responsible for the break-up of a marriage, she did not receive a share of the marital property. That was disquieting because women needed somewhere to live and a source of income, especially if they had children and had no income-earning potential. Following the break-up of the relationship between persons living together, was there any possibility of obtaining redress from the courts to divide any property fairly between the partners, irrespective of whether there were children? How broad was the regime for the provision of legal assistance to women who were defendants in criminal actions or who wished to bring civil actions themselves?

31. Ms. SHALEV said that while the Committee was very concerned about the extent of adolescent pregnancy, it welcomed the national programmes for the prevention of pregnancy and the provision of integral care for teenage mothers. The Government's next report should provide details on the results of those programmes. It should consider decriminalizing abortion, since the statute was not enforced and it only made abortion more dangerous for women. There seemed to be a structural problem under the existing legal regime. In some states, there were exceptions to the criminal prohibition of abortion when the mother's life was in danger or when the pregnancy was the result of rape. On the other hand, there were no legal procedures for women to establish their right to a legal abortion. As far as consent to contraception was concerned, although a woman had the right to decide on the number and the timing of children, the results of studies conducted by non-governmental organizations showed that only two methods of contraception were offered by Government institutions, namely, sterilization and intra-uterine devices. The Committee was even more concerned about complaints alleging that, in violation of Mexican laws, women had been sterilized or fitted with intra-uterine devices without their knowledge or written consent. According to one study, a quarter of the women who had been sterilized had claimed that they had not been informed of the irreversible nature of the procedure or of alternative methods of contraception. Thirty-nine per cent of those women had claimed that they had not even signed a consent form. While she did not know whether there was a gender bias in the medical

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system, she would urge the Government to consider that issue very carefully in order to determine whether there was any way of educating health-care professionals about the right of all patients, particularly women, to informed consent with respect to sterilization.

32. Ms. JAVATE DE DIOS, noting the laudable efforts made by the Government in all fields to enhance the status of women, said that there was still considerable room for improvement in many areas. Thus, there was a need to further harmonize federal and state laws, especially in the area of violence against women; perhaps minimum standards could be imposed at the state level. A better and more coordinated system was crucial. In that regard, the training and education of law enforcement and judicial personnel were also crucial. A change was required in the attitudes of the very people entrusted with protecting women. A massive campaign to educate Mexican women about their rights would be a key element in a successful comprehensive programme on violence against women. It would be particularly helpful if the Convention, especially the general recommendation on violence against women, was widely circulated among organized women's groups. Since violence against women had long-term physical and mental health consequences, as well as intra- and inter-generational repercussions, an infrastructure of services must be established to provide victims with a place of refuge and assistance. The primary responsibility for responding to that socially based gender violence lay with the Government. The Committee was urgently concerned about violence experienced by particularly vulnerable groups, including indigenous women in areas of political conflict who had allegedly been raped and tortured, women in prisons and women suspected of belonging to the political opposition. While she appreciated the very thorough analysis of the situation in Chiapas and the programmes in place to accelerate the economic and social conditions there, she believed that assistance must also include women's access to the justice system. Accountability was of crucial importance in that regard. She wondered whether there were measures to penalize the police and military authorities who committed abuses.

33. She asked whether there was a policy to legalize prostitution and, if so, whether a public debate had been held on the potential impact of such a policy. If prostitution were decriminalized, would it mean the decriminalization of women in prostitution? Would that lead to the decriminalization of pimps and traffickers?

34. She was concerned about the number of reported cases of mandatory pregnancy tests as a prerequisite for employment, especially in the maquila industry. That practice constituted flagrant discrimination against women. The Government should investigate those reports and establish mechanisms for redress. While both the oral and written reports provided detailed information on migration within Mexico, there were no data whatsoever on the migration of Mexicans, especially women, abroad. How many women migrated to work abroad? Where did they go and was there any policy to protect such women?

35. Ms. SCHÖPP SCHILLING said that, given the Government's excellent understanding of affirmative action, it should now conduct a systematic review of all the areas in which the *de facto* inequality of women still existed, in order to determine the thrust of further affirmative action measures. The next

report should give a consolidated account of steps taken by the Government in that regard. The Government should also prevail upon the private sector to institute affirmative action programmes. She was very concerned about the discrimination against women in certain sectors of employment, which especially affected young pregnant women. The Government should tackle that issue head on by prosecuting the enterprises involved, providing legal assistance to the women and generally signalling that such discrimination in the private sector was unacceptable.

36. Ms. SAURI (Mexico), responding to the questions posed by members of the Committee, said that even in difficult times, the Government had made considerable efforts to maintain its expenditures on health, welfare and poverty alleviation at the same level. The budgetary allocation in 1998 for social needs was 57 per cent. As far as the implementation of conventions, particularly in the area of violence against women, was concerned, the great complexity of the federal system multiplied the number of stages and even obstacles that had to be dealt with in order to produce changes at the regional and local levels. While several states already had legislation in the administrative sphere for assisting and protecting victims, penal and civil law reforms were now required. In that regard, the Federal District's penal code had been amended to reflect the fact that rape could occur between a married couple or common law partners. In 1994, the Supreme Court had ruled that the undue or excessive exercise of a right was not unlawful. The reform undertaken by Congress had established clearly that forced intercourse between a married couple might be characterized as rape. Although adultery was still punishable, in most states it was not considered a crime. However, it was grounds for divorce. The code of the Federal District, which still considered adultery a crime, was an exception.

37. With respect to the evaluation of employment schemes, she totally agreed with the experts. The Government was developing a system to monitor the situation of women in Mexico, and was keen to implement its commitments under the Beijing Platform for Action with respect to the assessment of women's household work in order to elaborate a model for national accounts. A model for national household income and expenditures had been developed. The statistics unit was now evaluating the information and she hoped that the results would be available by April.

38. On the question of access to nurseries, she agreed that there should be equal entitlement for men and women; efforts were being made to consolidate the system, which currently catered to working mothers, widowers, and divorced men with custody.

39. The Government was endeavouring to strengthen the coordination of federal bodies under the umbrella of the National Programme for Women (PRONAM); all federal bodies had an obligation to fulfil the objectives assigned to them within that framework.

40. There had been no cuts in education and health care; the Government was also pursuing a policy of poverty reduction. Because of the high birth rate among teenage girls, a programme had been formulated to provide care to adolescent mothers, and pregnancy prevention strategies were being intensified.

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The Ministry of Education had made various commitments to promote sex education in schools and in the army.

41. It could not be said that there had been radical changes during the reporting period; there had been significant social changes, but no radical shift in the concept of equality. With regard to information on the disabled, she said that the information provided was derived from a survey carried out in primary schools, and therefore related only to children between the ages of 6 and 12; moreover, it included even minor disabilities. The census to be carried out in the year 2000 would include questions about people with various disabilities, but until then, no further information was available.

42. Nearly 140,000 women had become registered land owners, compared with 30,000 in 1970. In matters of inheritance, there was no preference for males; if a person died intestate, under the Civil Code the estate was divided equally between male and female children. On the question of rape and sexual offences, there had been significant efforts by society and the Government to denounce and combat police abuses. Between 1989 and 1990 a number of rapes in Mexico City had been perpetrated by members of the forces of the Office of the Public Prosecutor, and the culprits had been sentenced. After that incident, special agencies had been established to deal with sex crimes; and broad social mobilization had led to significant changes in the area of domestic violence. The armed forces were maintaining peace and tranquillity and, even in conflict areas such as Chiapas, were strictly abiding by the laws.

43. With regard to marital property, the marriage contract could be concluded under the regime of separation of property or joint property; when the contract was broken, in the first case, each spouse kept his or her own property, and in the second, the property was divided equally between the spouses. Special attention was being paid to cases of women over the age of 50 who had not worked outside the home and had no possibility of entering the labour market after divorce.

44. Under the law on abortion, there were five cases in which abortion was not considered a crime: rape, danger to the mother's life, risk of serious deformity, forced artificial insemination (two states) and economic distress in the case of women with three or more children (one state). Abortion was not regarded as a method of family planning. The public health authorities were trying to tackle the problem and, as noted in the report, there had been a reduction in the rate of maternal mortality from natural and induced abortions.

45. On the question of consent to contraception, disciplinary measures were taken when the norms on family planning were violated. There had been a case in Puebla in which 23 women had claimed that they had not been given sufficient information before being fitted with intra-uterine devices. The medical personnel concerned had been penalized and dismissed. In general, the health bodies were able to combat any coercion of women with regard to their constitutional right to determine the number and spacing of their children. A national commission for medical arbitration had been in existence for one year, and most of the complaints of malpractice concerned gynaecological care. The National Human Rights Commission had investigated and resolved cases which had arisen in public bodies of the health sector.

46. She agreed that there was a need for a massive campaign to educate Mexican women about their rights. Members of the Committee had been provided with a booklet about women's rights in Mexico. Mexican legislation prohibited the dismissal of pregnant women. There had been complaints about mandatory pregnancy tests as a condition for employment. Under the labour legislation, all workers had to undergo medical examinations before being hired, but there was no mention of pregnancy tests. There was no discrimination against pregnant women either in the labour legislation or in practice. There was a need to increase women's knowledge of their rights, however.

47. The CHAIRPERSON said that it was clear that the Mexican Government had done much to promote the full exercise of the rights of all Mexican women under all the articles of the Convention. It was also clear that the women's movement had grown and its demands were being heeded by the Government. However, Mexico, as a multi-ethnic and multinational State, was confronted with very serious political, economic and social conflicts, in which women and children were those most affected. She drew attention to the severe problems of women in the rural sector, especially indigenous women and women working in maquiladoras, and to acts of violence against women, especially rape, by members of the police force, which had been reported by non-governmental organizations. The Government should devote increased attention to the protection of victims, effective administration of justice, and the punishment of perpetrators. The report gave cause for optimism about the future of Mexican women.

48. Ms. Sauri (Mexico) withdrew.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

49. Ms. SADIK (Executive Director, United Nations Population Fund (UNFPA)) said that women's health, including sexual and reproductive health, was finally being acknowledged as a human right. The Convention could be a powerful tool in the struggle to achieve women's right to health, which would save millions of lives each year and remove one of the most formidable obstacles to gender equality and women's empowerment.

50. Women's health depended not only on appropriate health care but also on their status in the family, in employment and in political life. To guarantee women's health, countries must broadly address discrimination based on gender. They must reject social and cultural norms that valued women only as mothers, ensure the exercise of informed choice in marriage and family formation, and work to eliminate gender-based violence and harmful practices. The human rights of women included their right to have control over and decide freely and responsibly on matters relating to their sexual and reproductive health, free of coercion, discrimination and violence.

51. Health-related discrimination against girls and women occurred throughout their lifespan, and included prenatal sex selection, female infanticide, and neglect in favour of sons. Maternal mortality and morbidity due to preventable causes constituted a violation of women's right to life. Unequal power relations in sexual matters compounded women's vulnerability to sexually

transmitted diseases and repeated pregnancies. Older women experienced chronic disabilities due to earlier health-related discrimination and sexual violence.

52. Those concerns had gained increasing recognition as human rights issues in the past decade. The World Conference on Human Rights, the International Conference on Population and Development, and the Fourth World Conference on Women had each advanced the process. Since then, many developing countries had begun to broaden their approach to reproductive health care and address the needs of adolescents for reproductive health information and services. There had also been significant initiatives to strengthen national laws promoting the rights to reproductive and sexual health, gender equality and freedom from sexual violence. UNFPA was making a concerted effort to put all its programme activities into a human rights framework and was adopting that approach in training its staff, along with counterparts in Governments and non-governmental organizations, about reproductive rights and advocacy for the implementation of human rights instruments. It also planned to provide support to non-governmental organizations for advocacy activities concerning reproductive rights.

53. The progress that countries were making could be supported immensely through the human rights treaty monitoring process. The Convention, in particular, was an indispensable instrument for holding Governments legally accountable for neglecting or violating women's right to health. UNFPA strongly supported the proposal that the Committee should make a general recommendation on article 12 of the Convention concerning countries' obligations with regard to women's health. Such a step would be in line with the recommendations of the round table on human rights approaches to women's health, held in December 1996, which had called on the treaty bodies, United Nations agencies and non-governmental organizations to work together to integrate a gender-sensitive human rights perspective into their respective programmes. Since then, there had been ongoing discussions, and an informal inter-agency working group of gender and human rights focal points was meeting regularly. UNFPA and the Committee had discussed involving members of the Committee in the formulation, mid-term review and evaluation of UNFPA country programmes, as well as regional meetings and field staff training. UNFPA would be glad to assist any of the treaty bodies, at their request, with regard to the implementation of reproductive rights.

54. Ms. GONZALEZ expressed appreciation for the work of UNFPA in Latin America, in support of the efforts of Governments, women's associations and non-governmental organizations. In many countries, women were assuming their role in society and forming structured groups. As a result, Governments were recognizing the need for policies to support and strengthen the situation of women and ensure their right to sexual and reproductive health. UNFPA had also done much in the area of information and education on family planning and recognition of the human rights of women.

55. Ms. SHALEV said that the International Conference on Population and Development, under Ms. Sadik's leadership had been a turning point in the process of ensuring women's health. The presentation by Mexico reflected a change in State party reporting which owed much to assistance and support from

UNFPA; that change could also be seen in reports from non-governmental organizations.

56. Ms. CORTI commended UNFPA for increasing the visibility of the Committee in promoting women's rights and in particular their right to health. UNFPA had also provided invaluable assistance in the preparation of questions to States parties. She hoped that that cooperation would continue.

57. Ms. CARTWRIGHT expressed appreciation to UNFPA for its cooperation with the Committee in promoting women's right to full health care. The Committee was increasingly concerned about the impact of culture, tradition and religion on women's human rights, particularly their access to certain types of health care. She asked whether UNFPA had any programmes to deal with the increasing impact of fundamentalist forces on the ability to provide reproductive health services to women.

58. Ms. SADIK said that UNFPA and the Committee were working towards the same goals, and should continue their partnership. UNFPA was committed to advocacy; it was not enough to change laws, since behaviour changed only when there were changes in society. People who could make a difference in their societies needed to speak out; women and non-governmental organizations must speak out; leaders must speak out.

59. Tradition and culture were frequently used to discriminate against women and girls. The right of adolescent girls to have access to health care and services needed to be addressed in a pragmatic way. Decision-makers were often reluctant to take action. UNFPA was working actively to develop a pragmatic approach without attacking culture and religion. It was working with UNESCO to develop a curriculum on gender esteem and values at the primary and secondary school levels, and was organizing essay contests, seminars and conferences on adolescent health. Young people were desperate for information and access to services; and UNFPA was working with youth groups to provide such services. Although there was a great deal of progress on issues of women's and reproductive health in general, progress on adolescent health was very slow. Since teenage pregnancy was increasing, a great deal of attention needed to be paid to the problem, which evoked a stronger reaction from conservative groups than perhaps any other issue.

60. UNFPA was preparing a review on the situation five years after the International Conference on Population and Development, and one topic would be reproductive health and rights and the empowerment of women, including adolescent health. In that connection, round tables would be held on reproductive rights and gender issues, and on adolescent health.

The meeting rose at 6.20 p.m.