



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

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## Committee on the Elimination of Discrimination against Women Thirty-sixth session

### Summary record of the 751st meeting (Chamber B)

Held at Headquarters, New York, on Thursday, 17 August 2006, at 10 a.m.

Chairperson: Ms. Zerdani

### Contents

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

*Sixth periodic report of Mexico*

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*The meeting was called to order at 10.10 a.m.*

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

*Sixth periodic report of Mexico*  
(CEDAW/C/MEX/6, CEDAW/C/MEX/Q/6  
and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Mexico took places at the Committee table.*
2. **Ms. Espinosa Torres** (Mexico) said that the Mexican State had developed a legal and institutional framework that was designed to eliminate discrimination and exclusion, especially against women and other groups. The Political Constitution had been amended in 2001 to establish non-discrimination as an individual right that could be enforced both against the State and against individuals. According to that amendment, subordinate laws must not only prohibit discrimination but also provide for affirmative actions to ensure that everyone had access to the benefits of development. A Federal Council had been set up to prevent and eliminate discrimination which had led to the creation of the National Programme and the National Agreement for Equity and against Discrimination. In 2005, the legislature had approved the presidential proposal for a constitutional amendment on human rights. The General Act on Equality between Women and Men, which provided for creation of the National System and the National Programme for Equal Opportunities and Non-discrimination (Proequidad), had also been enacted under the current Administration.
3. At the beginning of the current Administration, the National Institute for Women (Inmujeres) had been elevated to ministerial rank, in accordance with the Beijing mandate. After six years, it had become established as the lead agency for gender issues. Thanks to its efforts, all 32 states in the Federation had put in place mechanisms for the advancement of women; 10 per cent of the municipal governments also had such mechanisms, and another 30 per cent were setting them up. The Chamber of Deputies had created its own Centre for Studies on the Advancement of Women.
4. The Governing Board of Inmujeres was made up of representatives of the Federal Public Administration,

the three branches of government, and civil society. Coordination was also facilitated by the inter-agency round table to combat violence, which included both government agencies and civil society organizations. The Women's Parliament, which was convened annually by the gender equity committees of the legislative branch, provided a bridge between State institutions and civil society. The creation of Proequidad had enabled the Federal Public Administration, for the first time, to report on and measure its progress on gender issues. Governments at the state and municipal levels had also drawn up their own gender programmes.

5. Another accomplishment of Proequidad was the consolidation of a network of policies and projects comprised of 76 gender units and liaisons in the Federal Public Administration. That network had been further strengthened through the gender mainstreaming programme, which helped identify discriminatory practices. By the end of 2006, 20 federal institutions would have adopted the programme. The law on career professional service in the Federal Public Administration had made it possible for more women to gain access to high-ranking positions. Gender mainstreaming was a guiding principle in the civil service.
6. As far as budgets were concerned, while 2.15 per cent of the federal budget had been earmarked for women's programmes in 2002, in 2006, women's programmes had received over 23 per cent. The number of federal programmes for women had risen from 25 in 2001 to 179 in 2006. Implementation guidelines for social programmes had been improved, as had monitoring and evaluation of the federal budget. Since 2004, the spending budget had stipulated that evaluations of social development programmes should include a section on their impact on well-being, equity, equality and non-discrimination against women.
7. The National Development Plan stressed the construction of a "culture of evaluation" to improve implementation of public policies and ensure that resources were used efficiently, especially for the benefit of the poorest sectors of the population. The current Administration had made a special effort to generate and systematize statistics on the status of women. In addition to the interactive system for follow-up on the Convention, it had created a State system of gender indicators which included 80 socio-economic indicators for conducting diagnostic studies

at the state and municipal levels. The second national population survey, in which data were disaggregated by sex in all categories, had been concluded recently, as had certain other surveys undertaken by the Government to provide a picture of the reality and the magnitude of violence against women. The most comprehensive of such studies was the National Survey on the Dynamics of Household Relations (ENDIREH). The seventh International Meeting on Gender Statistics would be held in 2006. The first national survey on discrimination in Mexico, conducted in 2005, had produced useful data for public discussion of the issue.

8. Mexico's social policy was summed up in the *Contigo* (With You) strategy, which took into account the close relationship between social and economic development. The *Oportunidades* (Opportunities) programme addressed the central issues involved in poverty. Thanks to that programme, more than 25 million poor Mexicans were receiving support in terms of education, health and food. An external evaluation of *Oportunidades* had stressed the importance of its efforts to promote gender equity and compensate for the disadvantages faced by women.

9. As far as health care was concerned, girls in the *Oportunidades* programme had fewer sick days than boys and used public health services more often, thus saving on medical expenses by not using private services. Reproductive health services were geared towards the specific needs of women. Health education programmes for female and male students at the higher level of secondary education were also important. Over 8.5 million people, 41 per cent of them belonging to indigenous communities, were benefiting from the *Seguro Popular* (People's Insurance) programme created by the current Administration. That programme provided free health care, including treatment of cervical, uterine and breast cancer, to poor women. Priority was given to households headed by women.

10. The *Arranque Parejo en la Vida* (Start Life with an Even Playing Field) programme focused on reducing maternal mortality, improving overall health and overcoming deficiencies in services for women. In five years of operation, it had reduced deaths in pregnancy or childbirth by nearly 20 per cent. Many cases of mortality were caused by delays in transferring women to medical services with the capacity to provide the necessary care.

11. Mexico was under a moral obligation to the indigenous population. The Administration was therefore increasing resources and strengthening institutions so as to address the deficiencies in programmes targeting the indigenous population, especially women and girls. New public policies had been designed to meet the needs and demands of women in different regions and ethnic groups, especially in the areas of health, education and food. In particular, health centres for indigenous women had been set up in the context of the model pilot programme on health care and domestic violence.

12. In the field of education, projects had been carried out to improve indigenous girls' access to education, as well as their retention rates, enrolment and performance in the educational system. Poverty-reduction efforts included the Indigenous Development Strategy, which was implemented in 50 municipalities with an indigenous population of 92 per cent. The Strategy was aimed at improving the quality of housing, promoting literacy and school attendance and helping the people in other key areas. The Programme on Productive Organization for Indigenous Women (POPMI) provided assistance with organizing production activities from a gender perspective, focusing on sustainability and cultural diversity. Literacy programmes were conducted in Spanish and indigenous languages and were based on a bilingual and cross-cultural approach.

13. The Mexican Government's labour policy entailed developing intervention models for addressing the causes of female segregation, promoting labour legislation reform with a gender perspective and protecting women from violence and harassment in the workplace. The policy was also geared to ensuring equal access to employment, job stability, training and leadership positions so as to enable women to reconcile work and family life. A high-level unit had been created to promote gender equity projects. Public information campaigns had been conducted, including one entitled *Vamos por Leyes Justas* (Let's Create Fair Laws), which promoted equal opportunities, equal pay for work of equal value and prohibition of the requirement of a pregnancy test. Although the rate of economic participation of women with secondary and higher education had risen from 52 to 58 per cent, a high percentage of women still held low-paying jobs. In 2006, Inmujeres had developed a certification programme, the Gender Equity Model, which was

being used in both the public and the private spheres. By the end of the current Administration, more than 100 institutions would be using the Model.

14. To eliminate the stereotypes of women that prevailed in the patriarchal culture of Mexico and change behaviour patterns, an article had been included in the General Education Act that was designed to instil values such as gender equity, non-discrimination and respect for women. In particular, those values were being promoted in teacher training programmes and in free textbooks that were distributed to all students in basic education. Forty media campaigns had been conducted to promote such perceptions as the dignity of domestic work, equity on the job and at home and the right of women to decide on the number and spacing of children and on gender equity in social relations. Other campaigns had been carried out to promote the human rights of women.

15. Mexico was a country of origin, transit and destination for migration. Half of the undocumented aliens in the United States were Mexican, and 44 per cent of those Mexican immigrants to the United States were women. Taking a comprehensive approach to the phenomenon and bearing in mind its human, social and gender-related dimensions, Mexico had convened national consultations to develop a platform for the design and implementation of policies that would be consistent with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Government had launched a number of social, economic and political programmes with a gender approach, to help migrants. Efforts had also been made to train and sensitize migration officials on the human rights of women.

16. The phenomenon of trafficking in persons was being addressed from the standpoint of human rights, the administration of justice, and public health. Efforts in that area were aimed at improving coordination between the different government agencies concerned with the issue. The Project to Combat Trafficking of Women, Adolescents and Children in Mexico was being implemented in cooperation with the Inter-American Commission of Women of the Organization of American States and the International Organization for Migration; the Mexican counterpart agencies were the National Migration Institute and Inmujeres. At the bilateral level, the Letter of Understanding between the Governments of the United States and Mexico had been amended to strengthen cooperation in combating

human trafficking. Similar amendments had been made to the Memorandum of Understanding for the protection of women and children who were victims of trafficking between Mexico and Guatemala, as well as to the corresponding Memorandum with El Salvador. Mexico had signed and ratified the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. A bill was currently being discussed that would define trafficking as an offence. The Secretariat for Public Security had created the General Directorate for Trafficking and Smuggling as a unit of the Federal Preventive Police.

17. Mexico acknowledged that formal equality before the law had not yet been translated into the effective exercise of the right to due process and prompt justice for Mexican women. Nevertheless, the Government was working on training and raising awareness among judges and law enforcement authorities so as to introduce gender mainstreaming into the entire system. International instruments were used as the basis for court decisions. The investigation of abuses committed by authorities during the police intervention to restore order and the rule of law in Atenco would be pursued vigorously to ensure that all responsible parties received the appropriate penalties. The perpetrator in the case of pederasty had been extradited and jailed and was currently under criminal prosecution.

18. The Government was committed to creating an institutional structure that would make it possible to gradually eliminate violence against women. A number of mechanisms were already in place, including the inter-agency round table to coordinate actions against domestic violence and against women, and the mechanisms set up by the state governments. The National Programme for Life without Violence was supplemented by counterpart mechanisms in 16 states. A comprehensive model had been developed for the prevention and treatment of domestic and sexual violence which was used by all the states.

19. The infrastructure for treatment of victims had been strengthened in a number of ways, including by setting up a well-organized network of professional services consisting of 34 shelters for victims in 24 states. Twenty-five of those shelters were operated by civil society organizations. Victim hotlines had also been set up. As of January 2006, 28 of the 32 states had enacted laws to prevent and punish domestic violence.

A significant achievement in the legislative field was the decision of the Supreme Court of Justice of the Nation to recognize the illegality of spousal rape.

20. A proposal would soon be drafted to create a framework law on violence which would fill the civil, penal and administrative loopholes in current legislation and make it possible to standardize legislation and public policies. The creation of the Commission and the Office of the Special Prosecutor to deal with the cases of women murdered in Ciudad Juárez and throughout the country was evidence of the federal Government's commitment to ensuring that people had access to the courts and that justice was done.

21. Women were increasingly visible as agents of development and structural change in both the public and the private spheres. Their contribution was measured not by the number of women holding decision-making positions but by the social recognition of their efforts to exercise their rights as citizens. The gender quotas established in the electoral reform of 2002 had led to a 6 per cent increase in the ratio of women in the federal legislative branch. In recent elections, the share of women deputies had been 24 per cent, practically the same as in the previous legislature. So far, the legal formula had only served the purpose of guaranteeing that more women could run for office. The law needed to be amended to guarantee the 30 per cent minimum acceptable share of seats actually won.

22. Thirty years after the First International Conference on Women, the women's agenda in Mexico had been consolidated thanks to a number of inclusive and representative mechanisms for dialogue. That progress had also been facilitated by different intergovernmental instruments, mechanisms and institutions. Mexico was a party to the main international human rights conventions, including those relating to women, and was committed to complying with regional agreements aimed at eliminating inequalities.

23. At the United Nations, Mexico was an active participant in the main bodies that were concerned with women's issues, such as the Commission on the Status of Women, the United Nations Development Fund for Women (UNIFEM), the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW) and the United Nations Economic Commission for Latin America and the Caribbean

(ECLAC). In the inter-American system, Mexico had participated in the creation of a follow-up mechanism to the Convention of Belem do Pará, for which it was also providing financial and technical support. Mexico had also participated actively in the Inter-American Commission of Women and had chaired the Ninth Regional Conference on Women in Latin America and the Caribbean, which had adopted the Mexico Consensus as the women's agenda for the region.

24. As Mexico continued to consolidate its democracy, all its institutions were moving towards a culture of equality, plurality and justice. The Government had laid the foundations for achieving the goal of equality between men and women in terms of their access to opportunities and the elimination of discrimination and violence. The gender perspective had been taken into account in the creation of institutions, the implementation of policies and the allocation of funds, always with a view to bringing to light and remedying existing inequities. The Mexican Government recognized and was prepared to tackle the challenges remaining. Accordingly, it would continue to pursue efforts in the following areas: improving the educational system and coordinating curricula with the supply of jobs on the labour market; transforming cultural practices to ensure the equitable distribution of domestic responsibilities; restructuring the pension system so as to recognize the contribution of unpaid work by women and of the reproductive function of women; harmonizing federal and local legislation and bringing national legislation into line with international instruments so as to guarantee gender equity and eliminate discrimination; guaranteeing women's access to the courts by sensitizing and restructuring the system; and incorporating more women into decision-making positions in every sphere, with the goal of achieving parity.

25. The creation and strengthening of institutions for the advancement of women was one of the key achievements of the current Administration. A significant number of initiatives, good practices and innovative public projects and programmes had been implemented, and a legislative framework had been put in place which provided a basis for further efforts to be undertaken by the next Administration. Change could not be achieved by government alone, however. That was why Mexico was committed to promoting a social process of shared responsibility and citizen participation. Full democracy could not be achieved

until discrimination and disparities between men and women were eliminated in all spheres of society. Compliance with the Convention was a priority commitment of the Mexican State.

*Articles 1 to 4*

26. **Mr. Flinterman** said that he would like to know how the federal Government ensured the implementation of the Convention by all the state governments. He noted that in its response to the Committee's question 2, the Government had acknowledged that various states still had discriminatory laws and had mentioned a number of obstacles. What measures could the federal Government take to ensure that such existing discriminatory laws at state level were repealed?

27. Paragraph 346 of the report referred to the new General Act on Equality between Women and Men and stated that more information could be found in the part of the report dealing with article 15 of the Convention. Unfortunately, that was not the case. He would like to know whether the General Act contained a definition of discrimination on the basis of sex that was based on article 1 of the Convention. What was the status of the General Act? Did the states also have power to enact legislation in the same field that could be more restrictive than the federal legislation?

28. In answer to question 6 of the list of issues and questions, the Government had stated that, prior to 27 April 2006, the federal-state linkage had been based primarily on voluntary cooperation, but that with the adoption of the General Act on Equality between Women and Men, the linkage was now obligatory. If a state did not enact a law on equality of women and men, what measures could the federal Government take in order to see to it that states complied with federal requirements? What powers were provided under the Constitution for the federal Government to ensure that municipal governments complied with the obligations?

29. Had the dissemination and educational programmes and campaigns produced any concrete impact, in particular in the case law of the Mexican judiciary? Were there any cases in which the Convention had been involved or had played a role?

30. **Ms. Dairiam**, referring to article 3 of the Convention, recalled that in the Committee's concluding comments on Mexico's previous report, it had requested an evaluation of Mexico's policies at all

three levels of government and a specific timetable for monitoring and evaluating the progress achieved in complying with the Convention. She would like further information on how the Convention had been implemented in federal, state and municipal policies. Had it been incorporated into the mainstream policies and plans of the country?

31. The report stated that the National Development Plan 2001-2006 included a poverty-reduction strategy. It also listed nine objectives under the Proequidad programme. She would like an explanation of the link between those programmes and how they contributed to implementation of the Convention. The report indicated that gender indicators were incorporated into both the National Development Plan and the *Contigo* poverty-eradication strategy. Was it only at the operational level of the policy that Mexico had gender indicators or were there specific goals and objectives and targets within the National Development Plan and the *Contigo* strategy to advance the equality of women and eliminate discrimination, as required by the Convention? If so, how were those goals operationalized?

32. Was Proequidad a parallel plan or was it an integral part of the National Development Plan and the poverty-reduction strategy? If Proequidad was a parallel plan, what incentive did the various ministries and sectors and states have to implement it? Were there separate budgets? What would be done to ensure that priority was given to Proequidad?

33. Was discrimination, both direct and indirect, being eliminated? Was discrimination by private actors addressed through the national development plans and policies? Were there temporary special measures to accelerate de facto equality? Were disaggregated data on the basis of sex and ethnicity collected to assess the results of the programmes so that the Committee could assess whether de facto equality was being achieved?

34. She would like to know why, in the agreements that were being signed with the national ministries under the National Agreement for Equity, the term "equity" was used rather than "equality".

35. The report stated that there were mechanisms for the advancement of women in at least 10 per cent of the municipalities and that 40 per cent were considering them. Were those mechanisms being set up voluntarily or were they mandatory? Why was the process taking so long?

36. **Ms. Popescu**, referring to article 3, said that she too would like clarification as to what meaning Mexico attached to the concept of equity. She would also like to know how Mexico ensured that there was coherence and harmonization among the various gender mechanisms that had been instituted at various levels? What efforts were being made by Inmujeres in that respect? The report mentioned that gender indicators were used in the budget process. She would like further information on how gender sensitization was implemented in the budget setting. Also, what was the role of Inmujeres in that respect? She would welcome a clarification of the responsibilities of the National Commission on Human Rights and of the cooperation and coordination between Inmujeres and the Commission. What were the functions of the National Commission for the Development of Indigenous Peoples in monitoring the situation of indigenous women? What was the role of Inmujeres in that regard? In the statistical data disaggregated by sex, it would be very useful to provide further disaggregation to show the situation of indigenous women.

37. She would appreciate clarification about the scope of the General Act on Equality between Women and Men and what legal mechanisms there were for implementation of that Act. The report had mentioned that the results of the presidential targets system would be known by the end of 2006. She would like to know if there would be a midterm assessment of the effectiveness and implementation of the system.

38. **Ms. Patten**, referring to article 4, asked whether the Government planned to adopt temporary special measures to overcome the underrepresentation of women in the fields mentioned in the report. In reading the report, she sensed that there was a lack of understanding of what temporary special measures were. In fact, the report used the term "affirmative action" instead of "temporary special measures". Although some of the measures highlighted on page 81 of the English version of the report, such as the award of scholarships to girls, could amount to temporary special measures, the other measures listed on pages 79 to 83 were not. Given the importance of temporary special measures as a strategy to accelerate de facto equality of women, she urged the Mexican Government to take cognizance of the Committee's general recommendation No. 25, which clarified the nature and meaning of article 4, and to follow the guidelines of the general recommendation when reporting on the

implementation of article 4 (1). The report should explain Mexico's reason for choosing one type of measure over another and the justification for the adoption of such a measure.

39. Reference should be made to specific goals, targets and timetables, and an explanation should be given as to the steps being taken to enable women to have access to the measures. How many women were affected by the measure? What amount of resources would be redistributed to how many women and in what time frame? She would like to know whether Proequidad was the institution responsible for designing, implementing, monitoring and evaluating temporary special measures, and whether women had a role in the design of such programmes. She enquired whether the Government envisaged the adoption of temporary special measures on behalf of rural and indigenous women. She strongly recommended that temporary special measures should be directed at women who were subjected to multiple discrimination, including rural women.

40. **Ms. Espinosa Torres** (Mexico) replying to the question as to whether measures taken by the federal Government could be enforced in the states, said that a number of federal laws were being proposed which would serve as the umbrella under which state laws could be adopted. The Government was working with the local congresses of the 32 states with a view to eliminating all local legislation, both civil and penal, that might create discrimination based on sex. Inmujeres was the lead agency in that dialogue and was working in coordination with federal and local legislatures and with the mechanisms created for the advancement of women at the state and local levels. The obligatory link was established by the Constitution, which also required compliance with international instruments. The powers of municipal governments were spelled out in article 115 of the Constitution.

41. The General Act on Equality between Women and Men had just recently been enacted and published, and the regulations for its implementation were still in the drafting stage. The Act would be implemented in coordination with Inmujeres. The General Act called for a national network of structures, methods and procedures involving all organizations and governmental authorities working on the advancement of women at the federal, state and local levels. The programme would be developed by Inmujeres, which

would take into account the needs of institutions and municipalities, and the characteristics of discrimination in each region.

42. The campaigns mentioned in the report had had a significant impact, not only on the institutions concerned but also on the population at large, which was becoming sensitized to women's issues. The campaigns were designed to promote compliance with the Convention. As mentioned in the report, a number of innovative laws had been enacted and others were being amended with a view to gradually eliminating all discrimination. Some initiatives were still under discussion in the Chamber of Deputies or the Senate, including a bill on trafficking of persons and another one designed to combat organized crime.

43. Replying to the question on the evaluation of women's programmes, she said that Inmujeres, in coordination with the Administration, supported the creation of measurement tools for assessing the impact of indicators at all levels of government. Those tools, which included the gender perspective, had been developed in close collaboration with the National Institute of Statistics, Geography and Information Technology. Progress reports were issued every year, and the impact of anti-discrimination policies was already evident in the sectors of health, employment, education and social development. Inmujeres realized that policies must be inclusive, not limited to a single government agency. Proequidad was a cross-sectoral programme based on the National Development Plan, and its work was coordinated with sectoral, institutional and special programmes.

44. During the six years of the current Administration, the proportion of budgets that incorporated the gender perspective had risen from under 3 per cent to over 24 per cent. Many of those budgets were not specifically designated for women's programmes, but they promoted cross-sectoral policies designed to introduce gender mainstreaming.

45. With regard to temporary special measures to achieve de facto equality, she said that Mexico was implementing affirmative actions, which were already having the desired effect of eliminating discrimination and bringing equality closer in a very large and complex country that was lagging behind in many regards. Increasingly, disaggregated data were becoming available in different areas. The National Agreement for Equity was one of the earliest

mechanisms created by the current Administration in order to get all ministries and departments in the federal Government involved in the effort to bring about equity and equality of opportunity. The term "equity" was used because equity represented a step on the way to achieving equality. Equality was the ultimate goal, but first it was necessary to bring about equitable conditions that would enable women to realize their full potential.

46. All federal agencies now had mechanisms for the advancement of women which worked in coordination with the state agencies. In addition, municipal institutes had been created in nearly 10 per cent of the municipalities (230 out of over 2,400 municipalities nationwide). All levels of government were working hard to comply with the obligations created by the relevant international instruments, and to ensure that the women's institutes remained operational under future Administrations. The goal was to see those mechanisms established in at least half of the municipalities. She realized that progress had been slow, but the Administration had managed to instil in the municipalities the desire to create and promote more agencies for the advancement of women.

47. The heads of the women's agencies met regularly; in six years, Inmujeres and the state institutes had held 13 coordination meetings. It might seem that there was fragmentation, but in fact, there was a government-wide network of agencies working for the advancement of women. Implementation of the General Act on Equality of Opportunities between Women and Men would be mandatory throughout the federal Government, as well as at the state and municipal levels. The National Commission on Human Rights would be responsible for monitoring and following up on the national equality policies.

48. The National Institute for Women applied a data-collection methodology whereby government agencies at all levels provided information based on gender indicators, thus providing users with a clear picture of the situation regarding equality between women and men. The national survey on violence had cast light on the problem of violence at the state level and had been used to design public policies in that area. Plans for 2007 would include the budgetary provisions needed to implement the law on equality.

49. Pursuant to article 22 of the General Act on Equality between Women and Men, the National

Commission on Human Rights would be responsible for monitoring implementation of the law on equality. The Act also provided for the development of an information system to show the situation with respect to equality and the impact of public policies in that regard.

50. In the effort to ensure greater participation of women in public life, temporary special measures had been adopted through the electoral law. So far, access for women to the legislative branch had been improved in terms of candidacies, but not in terms of actual seats in congress. Women accounted for only 24 per cent of deputies in the Chamber of Deputies. Amendments to the electoral legislation would be proposed with a view to guaranteeing representation not only in candidacies but in access to seats in the Chamber of Deputies.

51. She realized that the actions mentioned by Ms. Patten were not considered temporary special measures, but they laid the groundwork for overcoming the cultural stereotypes, patriarchal traditions and machismo that had characterized Mexican society. The Government had heeded the Committee's recommendation and was working on the design of affirmative actions, using disaggregated indicators, public information campaigns, and sensitization and training workshops for stakeholders at the federal, state and local levels and including the executive, legislative and judicial branches. Workshops were also being organized to create awareness of the importance of adhering to the Convention in court decisions and in public policy.

52. The evaluation of the Proequidad programme had proved very useful, since it served as an indicator in preparing budgets for the different departments of the federal Government and assessing the progress made in each department.

53. **Mr. Martín de la Rosa** (Mexico) said that, under the federal system, the planning process was carried out in coordination with the states and municipalities, bearing in mind the need for consistency between plans drawn up at the different levels. The federal system called for municipal autonomy on the one hand and federal oversight on the other. Federal legislation provided for a democratic and participatory planning process which included consultations with society at large as well as with specific sectors. The political parties also played an important role in Mexican society and hence in the planning consultations.

54. The Secretariat for Social Development, which was responsible for implementing poverty-reduction programmes, always bore in mind the need for consistency and coordination between the different levels of government. The *Oportunidades* programme focused on the role and status of women. The Secretariat's database contained information on male and female beneficiaries, and each programme was monitored to ensure not only equality between women and men, but in some cases, priority for women.

55. The Habitat programme, which had been established in 2003, was the outcome of a pilot experiment carried out with funds authorized by the Congress. The programme for women heads of households targeted working women. The Habitat programme provided opportunities and security for women who were at risk because of the climate of violence in which they lived. Those programmes were carried out not only by the federal Government, but also in the context of agreements with the state and local governments, with special emphasis on combating urban poverty. Habitat, in particular, was designed to tackle poverty in the large cities.

56. The *Contigo* strategy was designed to provide support for poor families and promote gender equity. In the case of Habitat, special attention was given to Ciudad Juárez. Additional resources of up to 36 million pesos had been allocated over the last few years, and funding had been provided for 53 civil society organizations that were working with the at-risk population. By law, 20 per cent of the budget for the Habitat programme had to be earmarked for social programmes to benefit women.

57. During 2006, the Committee on Equity and Gender of the Chamber of Deputies had allocated approximately 100 million pesos to the National Institute of Social Development. The funds were to be used by state agencies to draft legislation to provide special protection to women. It was not enough to simply develop local institutions; a new legal framework was needed as well. The Institute was also working with the municipal governments to find innovative ways to help working women, both by providing care for their preschool children and by enabling them to engage in production activities. Special attention was also given to reproductive and general health programmes in both urban and rural areas. The gender-disaggregated database developed by the Secretariat for Social Development was now

available on the Internet, and the information was updated on a regular basis.

58. **Ms. Gálvez** (Mexico) said that she belonged to the ñañihú ethnic group and had experienced first-hand the triple discrimination that was the lot of poor indigenous women. There were 62 indigenous ethnic minorities in Mexico, so developing public policies was a very complex undertaking, because different ethnic groups had different cultural values, especially in areas such as sexual and reproductive health.

59. Every aspect of the work of the National Commission for the Development of Indigenous Peoples involved affirmative action, given that the indigenous peoples were the poorest groups in the country. The Commission, which had been in existence for only three years, had to develop policies that were both strategic and practical. One of the most important affirmative actions taken by the Commission was the implementation of inter-institutional coordination. The network of roads had been expanded, and coverage of electric power and clean drinking water had been extended, thanks to the efforts of the Commission and the agencies and utilities concerned. The number of families in the *Oportunidades* programme had increased from 500,000 to 1.1 million. School attendance for five-year-old children had risen from 61 per cent in 2000 to 79 per cent in 2006. The *Oportunidades* programme had improved school retention among indigenous girls. The scholarships provided under the programme were higher for girls than for boys. Sexual and reproductive health programmes that were tailored to the different cultures and ethnic groups had been set up in coordination with the Secretariat of Health. Those programmes were carried out in coordination with the women's institutes in the states and municipalities.

60. The programme to eliminate violence against indigenous women was also coordinated with the women's institutes. The issue of traditional practices and customs in the indigenous communities was a matter of great concern to the Commission. The discrimination experienced by indigenous women within their own communities was excused because of the traditional practices and customs. The Commission was sponsoring production programmes for indigenous women. At present, 100,000 indigenous women were involved in such programmes, which were led by a woman who spoke their own language. Those activities had given the women a new sense of empowerment.

#### *Articles 5 and 6*

61. **Ms. Tavares da Silva**, referring to article 5, said that she was concerned about the situation in Ciudad Juárez and would like to know in particular why there were still no visible results in terms of numbers, despite the considerable investment of political and technical resources. Although there had been cases of femicide in other states, the pattern of violence against women in Ciudad Juárez was especially disquieting. She was appalled by the cases of crimes committed by members of the police and the military. Many cases went beyond domestic violence, such as those which had occurred in San Salvador Atenco in May 2006. She noted that the mandate of the Special Prosecutor extended beyond Ciudad Juárez and hoped that the new Special Prosecutor would be able to act effectively in the prevention and the punishment of the widespread violence.

62. What exactly was the mandate of the new Special Prosecutor? Could the Special Prosecutor investigate cases usually under state jurisdiction? What powers would the Special Prosecutor have to address cases of serious human rights violations? What would the Special Prosecutor achieve in the Ciudad Juárez cases beyond analysing the situation and reviewing the files? What did the federal Government intend to do to end impunity, stop the crimes and address the root causes?

63. She would like to know why the Office of the Attorney General considered that only crimes involving sexual violence amounted to gender-based violence and that other types of crime would fall under social violence. Was it true that the final report submitted in February 2006 had stated that investigation of reported disappearances in Ciudad Juárez could not be undertaken until a crime was confirmed? Was it not enough that disappearances had occurred in Ciudad Juárez? Why had the 31 million pesos of the trust fund for compensation to victims' families had to be returned to the federal treasury for bureaucratic reasons? Was there no way of circumventing bureaucratic errors in order not to cause more harm to the victims' families? Was it true that the support fund for victims' families required them to sign a document agreeing to withdraw from the inquiry into the truth of the crimes? What measures would be taken to deal with all the other situations of violence in other parts of the country that had come to light?

64. **Ms. Gabr** noted that in response to questions 17 and 18, Mexico had stated that one of the main obstacles to women occupying higher positions was the existence of a discriminatory culture. The various programmes and studies that had been undertaken to deal with that situation did not seem to be enough to remedy it, and she would like to know why. Why did stereotypes and negative perceptions continue to influence the phenomenon of violence against women, especially domestic violence? Did the activities in that area take the overall picture into consideration, or were they merely isolated programmes in different states? Were the efforts to improve education mainstreamed and implemented throughout the country, including in rural and indigenous areas?

65. Mexico's response to question 8 was inadequate. She would like to see a full and comprehensive response on the subject of evaluation of initiatives to eliminate stereotypes.

66. **Ms. Arocha**, said that she shared the concerns expressed by Ms. Tavares da Silva and Ms. Gabr about the violence against women in Ciudad Juárez. In particular, she would like to know what were the reasons for the delays in concluding investigations that went back to 2003. Were further delays expected? What factors explained the lack of results in providing justice to victims and family members and the slow process of awarding compensation and punishing perpetrators? It was important to bring to justice not only the actual perpetrators, but also all others who might have been involved. What mechanisms and measures had been adopted to deal with the situation? What bodies were evaluating the process, and how regularly was that work being done? What programmes had the country adopted? What accountability and evaluation measures had been taken, and how frequently were they applied?

67. On the question of decentralized resources at the state level, she said she would like to know what resources were being allocated to deal with cases of violence. In the State of Chihuahua and Ciudad Juárez, for example, were there decentralized resources, both economic and human, for dealing with the issue? She would like more detailed information on measures taken to deal with the situation in San Salvador Atenco and what impact those measures had had. Was there a methodology for preventing and dealing with such situations in the future?

68. Turning to the question of trafficking in women, she said she would like to know what was the role of the states in the project that was being carried out in cooperation with the International Organization for Migration and the Organization of American States. Had training and resources been provided? Had the programme had an impact on the internal trafficking of women, especially of maquila workers and prostitutes?

69. **Ms. Shin**, referring to article 6, asked for information on the impact of Mexico's programmes to combat trafficking in women. Had trafficking decreased over the years? How many cases of trafficking had been discovered? How many traffickers had been arrested, and how many had been convicted? How many victims had been identified?

70. What was the timetable for congressional action on the anti-trafficking legislation? What plans did the federal Government have for implementing the law in all 32 states? She noted that 13 states defined trafficking in persons as an offence, which meant that the remaining states did not define it as an offence. What would happen if a trafficker committed a crime in one state and then fled to another state that did not penalize trafficking? She was concerned not only about international trafficking but also about internal trafficking. She would like more information on how federal and state prosecutors worked together in trafficking cases. She would also appreciate more information on what kind of assistance and protection victims could get. How were victims identified, and how did the authorities get them to cooperate with police so that traffickers could be arrested?

71. She was alarmed at the extent of child trafficking and the actions of paedophiles. Was there a list of paedophiles? What measures were being taken to combat child pornography? Concerning the exploitation of prostitution, she would like to know how many pimps or brokers of prostitution were arrested or convicted every year, and what was the trend over time? Why were clients of prostitutes not punished?

72. **Ms. Espinosa Torres** (Mexico), referring to the questions regarding stereotypes, said that the situation was improving, as people were becoming more aware of the problem. Programmes targeting families and schoolchildren were having an effect on the younger generation. The Government was making a special effort in the area of human rights, especially for

women. A field office of the United Nations High Commissioner for Human Rights had been established in Mexico. Programmes and workshops were being organized to eliminate the stereotypes and discrimination against women that led to violence against them.

73. Responding to questions about the situation in Ciudad Juárez, she said that the Government was taking measures to address the problem of violence against women not only in Ciudad Juárez but throughout the country. The current budget included three million pesos, equivalent to US\$ 300,000, for each of the agencies involved in combating violence. Resources had also been earmarked for diagnostic studies on the situation with regard to violence, and the individual agencies and states also had their own programmes in that area.

74. On the issue of trafficking, she said that it was still too early to provide statistics on the impact of anti-trafficking measures. The different agencies concerned were coordinating their efforts. Twenty-two of the 32 states treated trafficking as an offence and had victim assistance programmes.

75. **Ms. Morfín** (Mexico) said that she was the Commissioner for the Prevention and Eradication of Violence against Women in Ciudad Juárez. Her office had expressed its disagreement with some of the decisions of the Office of the Attorney General, as in the case of the fund for victims' families. It was encouraging that the situation had been acknowledged and that funds were beginning to be activated to meet the immediate needs of the families.

76. The fact that the Special Prosecutor had competence at the national level and that the Chihuahua state government was implementing far-reaching reforms in its justice system were positive signs. The state had undertaken a comprehensive response to the situation, with truth and justice as the guiding principles. Public policies had been designed in close consultation with civil society. Her appointment as Commissioner and the appointment of the Special Prosecutor were the result of the campaign carried out by the victims' mothers and by civil society and of the response of national and international human rights organizations.

77. A team of forensic anthropologists from Argentina had come to Ciudad Juárez to help identify the remains of the murdered women. The victims'

families were no longer being harassed. Thanks to the cooperation between federal and local prosecutors, the cases of four individuals who had been charged with torture and set free had been reopened. The outcome of those cases was pending. By March 2006, 400 women had been murdered, 177 persons had been convicted and were in prison, and many other cases were being processed.

78. The Chihuahua state legislature was reviewing the relevant legislation to bring it in line with international conventions on the rights of women and girls. The police forces in Ciudad Juárez now had a protocol for responding immediately when women and girls were reported missing or lost. The federal legislature was considering defining femicide as a separate offence. The intervention model applied by Ciudad Juárez and the State of Chihuahua set an example that was being considered by other countries throughout Latin America.

79. **Ms. Pérez Duarte** (Mexico) explained that she had been appointed as Special Prosecutor to investigate crimes involving violence against women in Mexico. Her Office was empowered to prosecute and imprison persons who had committed acts of violence, of any type, against women. She was also empowered to coordinate her work with the local prosecutors' offices. Her Office applied the international guidelines developed by the Follow-up Mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belem do Pará Convention). It had the capability to support the work of local prosecutors and provide them with intelligence and expert services. In conjunction with the National Autonomous University of Mexico, her staff had developed a specialized university-level course for local prosecutors and experts with a view to upgrading their skills and their ability to deal with cases of gender violence.

80. Since its creation in February 2006, the Office of the Special Prosecutor had located and returned to their homes many girls and women who had been reported missing during that period. As far as earlier cases were concerned, including the more notorious cases in Ciudad Juárez, three of the women reported missing between 1995 and 2005 had been found alive. That might not seem like much, but the search effort had represented a new approach to the investigation of such cases. In the Ciudad Juárez cases, 177 officials had been found responsible for omissions in the

administration of justice but had been acquitted under the statute of limitations. In that regard, her Office, in coordination with the local prosecutors and government officials, was drafting a request for an advisory opinion to be submitted to the Inter-American Court of Human Rights. Once the Inter-American Court's reply was received, her Office would ask the Supreme Court of Justice of the Nation for its views on the implications of the advisory opinion.

81. In coordination with the local prosecutor, she was conducting a preliminary *ex officio* investigation into the events of San Salvador Atenco. She was also responding to direct complaints from women who had suffered violence. She had not intervened directly in the Castaños case because the local prosecutor was already dealing with it, but her Office was providing support in the form of experts and intelligence. In the case of Lidia Cacho, the preliminary investigation had been initiated in response to a direct complaint. The Supreme Court had also conducted an investigation, and its findings should be available soon.

82. **Mr. Lugo** (Mexico), explaining that he was the Director General for Trafficking and Smuggling of the Federal Preventive Police, said that there had been much disinformation about the events of San Salvador Atenco and Texcoco. The conflict in Atenco had involved more than a dispute between flower vendors and authorities. The Frente de Pueblos en Defensa de la Tierra was a radical, disruptive organization which had become known for its acts of violence. On 3 and 4 May 2006, the flower vendors had acted illegally, and the police and state authorities had intervened. The situation had become complicated when hundreds of people armed with machetes and other weapons, including a homemade cannon, had blocked a federal highway and kidnapped and beaten police officers. Assistance had been requested, and the police had deployed an operation so as to prevent the occurrence of atrocities. Up to then, the victims of atrocities had been the members of the federal police force and the state security officers. Nevertheless, concrete measures were being taken, including the preliminary investigations referred to by the Special Prosecutor. On 4 August, the state authorities had arrested one of the police officers who had sexually assaulted some of the women.

83. The issue of trafficking had been on the Government's agenda since April 2002, when the national security cabinet had instructed the Secretariat

of the Interior, the Secretariat of Public Security and other agencies to combat the trafficking of persons. Over time, the authorities had developed a methodology for dealing with organized crime rings that were involved in trafficking. There were still some gaps in the anti-trafficking legislation. The bill on preventing, combating and punishing trafficking in persons, which had been approved by the Senate in December 2005, was under review in the Chamber of Deputies. However, the federal legislation already covered 150 offences which were related to trafficking in one way or another. The state prosecutors were already able to deal with cases of trafficking.

84. **Mr. Treviño** (Mexico), referring to a question by Ms. Arocha, said that the National Migration Institute was working in coordination with the International Organization for Migration to develop a procedure for helping female victims of trafficking. The procedure included providing legal assistance in connection with investigations conducted by the Office of the Attorney General.

85. In 2004, the National Migration Institute and the National Institute for Women had organized a public event to introduce the project on trafficking of women, adolescents and children in the Americas. The project was designed to provide information on trafficking to government officials, academics, civil society and at-risk populations, especially children, women and migrants. In a couple of weeks, the Migration Institute would be publishing reports on the situation at the northern and southern borders of Mexico. The Inter-American Commission of Women of the Organization of American States and the International Organization for Migration were also cooperating with the project; the national counterparts for Mexico were the National Migration Institute and Inmujeres, as well as the relevant federal and state agencies, non-governmental organizations and grass-roots organizations.

86. The National Migration Institute had established a special category of visa, the non-immigrant visitor's visa, which entitled the bearer to remain in the country legally while his or her case was being processed. The visas were usually granted for one year and could be renewed until the case was concluded.

*The meeting was adjourned at 1 p.m.*