



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

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-sixth session

7 to 25 August 2006

### List of issues and questions for the consideration of periodic reports

#### **Mexico**

The pre-session working group considered the sixth periodic report of Mexico (CEDAW/C/MEX/6).

#### **Constitution, laws, plans of action and national machinery**

1. The report indicates that there is an initiative to classify murder of women as a separate offence in the Penal Code. What is the status of this initiative? If it has been approved, please specify the measures that will be taken for its effective dissemination and application and whether a special unit has been established to investigate murders of women.
2. The results of the study "Legislation with a gender perspective", which covers 31 states, recognizes that in some states, discriminatory laws that exclude women still exist. Indicate the specific areas in which such discriminatory provisions predominate, the main obstacles faced in achieving harmonization of national legislation and short-term measures planned to overcome them.
3. The report states that the Senate of the Republic is analyzing the Protection of Migrants and Immigrants Act initiative. What is the status of this initiative? If it has been adopted, please indicate the measures planned for its effective dissemination and application.
4. Please provide information on progress in reform of the Federal Penal Code and Code of Criminal Procedure, the adoption of the law to prevent and punish trafficking in persons approved by the Senate in 2005 and initiatives to adopt legislation at the state level.
5. What have been the challenges in the implementation of the National Programme for Equal Opportunities and Non-Discrimination against Women

2001-2006, and how do you plan to address them in the next plan? Are there mechanisms to ensure their effective application in each state?

6. The report states that, while fully respecting federalism, the national machinery has established working networks with state and municipal governments that consist of state institutes, councils, programmes and a secretariat. Please indicate whether the federal-state linkage is regulated, whether there is any type of normative or methodological regulation, and/or whether the linkages are based on voluntary cooperation. Also please indicate if there are initiatives to harmonize the operation and work of all the bodies.

7. The report indicates that one challenge is the need to strengthen inter-institutional mechanisms that collaborate in the monitoring of gender equality policies. Please indicate what measures have been taken in that regard.

### **Stereotypes and education**

8. The report contains broad and extensive information on initiatives to eliminate stereotypes. Please indicate if studies have been conducted on the impact of these activities and provide additional information on the specific programmes that have been implemented in rural areas and areas where indigenous populations live.

9. Please provide additional statistics on school enrolment and dropout rates disaggregated by gender and comparing urban and rural areas. Also, please include information on the main reasons girls and youth drop out of school and programmes to overcome this problem.

10. According to the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, 25 per cent of the indigenous population over 15 years of age is illiterate, women in a greater proportion than men (see E/CN.4/2004/80/Add.2). The report mentions a programme of indigenous educational hostels. Please indicate what other measures have been taken to ensure access to education for indigenous girls from various regions of the country, and also what measures are planned or have been taken to address the high level of illiteracy among adult indigenous women.

11. Please provide gender-disaggregated statistics on enrolment and completion of studies at the university level, specifically in technical areas.

### **Violence against women**

12. The report does not provide a clear overview of the scope of violence against women, especially taking into account the diversity, size and political structure of Mexico. Please provide detailed information on the causes and forms of violence, disaggregated by state and age of the women. In your reply please give information on the functioning of the system of indicators for measurement of family violence in Mexico and the results.

13. The report presents information on the various programmes and plans implemented for the prevention, protection, assistance to and elimination of violence against women and girls. However, the effectiveness of these activities is not clear, in view of the persistently high rates of violence against women. Please include an analysis of the impact of the measures taken.

14. Although the phenomenon of violence is general and affects all social classes and educational levels, studies consulted indicate that young disadvantaged women are more vulnerable. Are there programmes for the elimination of violence against women directed at this specific group of women, especially in those states with a higher incidence of violence?

**Exploitation of prostitution and trafficking in women and girls**

15. What efforts have been made to compile statistical data and surveys on trafficking that include information on its causes and consequences and the profile of the victims in each state? What progress has been made by the subgroup on trafficking in persons towards its objective of an integral vision for addressing this matter?

16. Please provide additional information on the exploitation of prostitution in Mexico, its incidence, causes and consequences and relevant legislation. In addition, please provide information on any programmes to address this problem.

**Political and public life**

17. The report states that, with regard to posts held by women, the most noticeable gaps can be observed in high level posts like under-secretaries and secretaries of State. Indicate what measures are planned or have been adopted to ensure women's access to those levels.

18. Provide additional information on the causes of the low representation of women at the decision-making levels of the State administration and data by state and municipality. Have temporary special measures been considered at the various decision-making levels, in accordance with article 4.1 of the Convention and the Committee's General Recommendation No. 25?

**Employment**

19. The report indicates that, regarding the requirement of a negative pregnancy test for women in the garment industry, INMUJERES has proposed legislative reform. Please indicate whether this reform has been approved, what other measures have been taken to eliminate discrimination against women working in the garment industry and whether there are mechanisms to monitor compliance with labour laws in that industry.

20. Aside from the distribution of printed material to raise awareness of the salary gap between women and men, what sanctions exist in labour law for employers who do not observe those regulations and the existing mechanisms for implementation and monitoring? Please indicate if other measures have been taken as well and describe them.

21. What are the monitoring and oversight mechanisms to ensure that working women have access to maternity leave at the state level?

22. Provide detailed information on the participation, conditions of access to social security and benefits for women in the informal sector and the garment industry.

23. The report includes information on job creation programmes and training for women in rural and indigenous areas. Please describe the impact of those programmes.

### **Health**

24. Describe the results of the programme of action with the objective of guaranteeing universal access to sexual and reproductive health care at the state level, for urban and rural regions. In your reply, indicate whether there is a follow-up and evaluation mechanism and identify the greatest challenges to access to health care for women and measures planned to overcome them.

25. Provide information on measures taken or planned to address clandestine abortions, which represent the fourth leading cause of death for women.

26. The report provides abundant information on health programmes, plans and activities for women. Please include additional information on women's morbidity-mortality indicators, basic causes and behaviours in urban and rural areas, and for indigenous women.

### **Migrants**

27. The Special Rapporteur on the human rights of migrants included in her report (E/CN.4/2003/85/Add.2) information on cases of abuse and sexual violence against migrant women day labourers in the agricultural sector, as well as the maltreatment that migrant women domestic workers are subjected to. Aside from the Beta Groups initiative mentioned in the report, please describe measures taken to study in depth the incidence of violence against women and girls. Please include additional information and statistics on the profile of migrant women and girls, the occupations in which they are concentrated, their nationalities and demographic profile and indicate whether there are plans to establish an integral policy.

### **Marriage and family**

28. The Human Rights Committee, in its concluding observations, urged the State party to remove all remaining discriminatory provisions in regard to marriage, divorce and remarriage (see CCPR/C/79/Add.109). Please indicate the status of the reforms of the following provisions of the Federal Civil Code: provisions establishing the minimum age of marriage at 17 years for boys and girls; provisions concerning the regime for separation of property, proof of maternity and paternity and the requirement that women must wait 300 days after finalizing a divorce to contract a new marriage. The Committee stresses that, under the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, the minimum age of marriage for men and women is 18 years.

### **Violence against women in Ciudad Juarez**

29. The report presents ample and extensive information on the legislative, institutional and training measures, among others, that have been taken. Please provide a concrete analysis of the positive impact of those measures. Describe the inter-institutional links and the effective application of the 40-point plan of action for the prevention of violence, emphasizing Ciudad Juarez, approved in 2003.

30. The Committee was dismayed to learn that the number of women murder victims during 2005 is similar to the number during 2004 and notes with concern that, while many measures have been adopted, they do not appear to have stemmed the wave of violence against women. Please provide additional information about the characteristics and causes of these new cases and specify whether they are different types of cases with different motives.

31. The rapporteur of the Council of Europe on equity and gender, who visited Ciudad Juarez in April 2005, stated her concern at the “incompetence, negligence, and corruption, among other characteristics of the actions to solve the murders”, referring to the actions of the authorities. Please provide the official evaluation of the actions of the authorities at various levels.

32. The Committee is aware of the existence of programmes and resources to provide care and compensation to the victims. Describe how these programmes have been put into effect and the criteria applied for just compensation for the harm caused to victims and their families.

33. With regard to the group of unidentified bodies and cases closed for lack of evidence, please describe the measures taken to ensure the proper use of resources for the identification of victims, securing evidence, preservation of crime scenes and the relevant forensic and police investigations.

34. Please provide additional information on the measures taken with regard to public security and their impact, as well as actions to prevent violence and disappearances of lower-income people who use public transportation.

35. Describe the methodology applied to the classification of violent deaths and the exhaustive determination of the causes, in order to avoid erroneously classifying as “domestic violence” those cases that may result from economic, social and cultural motives for women’s murders.

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