



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
1 November 2011

Original: English

Committee on the Elimination of Discrimination against Women

Fifty-second session

New York, 9-27 July 2012

List of issues and questions with regard to the consideration of periodic reports

Mexico

The pre-session working group considered the combined seventh and eighth periodic report of Mexico (CEDAW/C/MEX/7-8).

Constitutional, legislative and institutional framework

1. The report mentions the enactment, at the federal level, of the General Act on Women's Access to a Life Free of Violence. Please provide information on actions taken and mechanisms in place to ensure that similar laws on the access of women to a life free of violence that have been adopted at the state level fully comply with the federal legislation and with the provisions of the Convention. Please also provide detailed information on the existing challenges to harmonize civil and criminal legislation at the federal, state and municipal levels with the provisions of the Convention.
2. According to the report, the National Women's Institute has focused its actions in mainstreaming a gender perspective in compliance with the General Act for Equality between Women and Men and the General Act on Women's Access to a Life Free of Violence. Please clarify the role of the Institute with respect to the coordination mechanisms created under these laws. Please also clarify how it is ensured that efforts to mainstream a gender perspective in the formulation of policies and programmes at the federal level are not diluted at the state and municipal levels.
3. Please explain the interconnectedness between the mandates and actions of the National System to Prevent, Treat, Punish and Eradicate Violence against Women and those of the National Commission to Prevent and Eradicate Violence against Women.



Legal complaint mechanisms

4. According to the report, the Special Prosecutor's Office for Crimes of Violence against Women and Trafficking in Persons has been created to guarantee access to justice to women victims of violence. Please clarify the mandate and the jurisdiction of this office.

5. The report mentions that a non-jurisdictional investigation of the Federal Supreme Court of Justice concluded that grave violations of human rights were committed in San Salvador Atenco, in 2006. Please clarify why the report mentions that the acts committed in San Salvador Atenco have been classified as ordinary crimes. Please provide updated information on any developments of the case, including on the prosecutions and punishment of perpetrators and on reparations for the victims.

Violence against women

6. Please provide information on how the persistent climate of impunity and insecurity in the State party has impacted women on the enjoyment of their rights. In this context, please also provide information on measures taken to protect women, including human rights defenders and journalists, from violence.

7. Please provide detailed information on the prevalence of domestic and sexual violence, the rate of cases reported, prosecutions and punishment of perpetrators. The report mentions the existence of care centres and shelters to treat victims of domestic and gender violence. Please indicate whether the overall operations of these care centres and shelters are monitored, such as the adequate use of the budget allocated to them and the respect of the confidentiality of the victims.

8. According to information received, rampant femicide is taking place across the territory of the State party. Please provide information on measures and actions taken to combat femicide. Has the gender violence alert warning been activated? Please provide updated information on the actions taken to define the crime of femicide in the Criminal Code.

9. Please provide detailed information on the assessment of the 40-Point Programme of Action, aimed at the implementation of the Committee's recommendations on the cases of violence against women in Ciudad Juárez, made by the Commission on Government Human Rights Policy. Please also provide information on the implementation of the Alba Protocol, aimed at improving the response at all levels of the government for the search and location of disappeared women and girls in Ciudad Juárez.

Trafficking and exploitation of prostitution

10. Please provide information on the impact of the measures taken to combat the phenomenon of trafficking in persons, including internal trafficking, as requested by the Committee on its previous concluding observations. The report mentions that up to June 2010, the Special Prosecutor's Office for Crimes of Violence against Women and Trafficking in Persons opened 63 preliminary inquiries related to trafficking in persons. Please provide updated information on the number of reported cases, prosecutions and convictions since the enactment of the Act to Prevent and Punish Trafficking in Persons (2007) and its regulations (2009).

11. The report provides limited information on the phenomenon of exploitation of prostitution in the State party. Please provide detailed information on the extent of prostitution and its roots and consequences, on measures taken to discourage the demand for prostitution, including sexual tourism, and on rehabilitation programmes offered for women and girls involved in prostitution.

Participation in the political life

12. The report acknowledges that parity between men and women is still a challenge and that women's participation in decision-making posts is limited. Please provide further information on developments towards the adoption of a number of bills aimed at the equal representation of men and women such as those mentioned in the annex on article 7 of the report. Please also provide information on measures taken to promote women's participation in decision-making positions in the private and public sectors. Please provide information on measures, including temporary special measures, to promote women's political participation.

Education

13. Please provide further information on the basic education scholarship programme for young mothers and young pregnant mothers. Please also provide information on other measures at different levels of education aimed at keeping girls in school, such as prevention of sexual harassment.

14. The report mentions that the percentage of women completing their basic studies in the National Adult Education Institute is higher than that of men. Please indicate the illiteracy rates for indigenous, rural and urban women. Please also provide information on existing options offered to women registered at the National Adult Education Institute to continue with their studies after completing their primary and secondary education.

Employment

15. Taking into consideration that a comprehensive labour reform has not been approved, please provide information on measures taken, including temporary special measures, towards the elimination of discriminatory practices against women in the field of employment such as the requirement of pregnancy tests, inflexible working conditions and pay differentials. Please also provide information on the complaint mechanisms available to women whose rights have been violated by the maquiladora industries, given that the Federal Labour Inspection Directorate does not have jurisdiction over these industries.

16. Please provide further information on the initiative to promote labour practices with a gender perspective mentioned in paragraph 155 of the report, specifically on the criteria applied to determine what constitutes a policy that reconciles work and family life and to combat sexual harassment in the workplace.

17. According to the report, 55.8 per cent of the total working force are women working without social security benefits. Please provide information on measures envisaged to ensure the right to social security for women, in particular in cases of maternity leave, retirement, unemployment and sickness.

Health

18. In the light of constitutional changes in a number of states to protect life from the moment of conception, please indicate which type of measures have been taken to effectively protect the sexual and reproductive rights of women and on accessibility of therapeutic abortion in the concerned states. Please indicate measures taken to address clandestine abortions. Please also provide information on measures taken or envisaged to guarantee that women are not prosecuted and sentenced for having undergone an abortion.

19. The report is silent with respect to HIV and AIDS, including prevalence among women. Please provide information on measures taken to assess the extent of HIV and AIDS, prevention programmes, treatments for women infected with HIV and AIDS, particularly pregnant women, and accessibility to services for women.

Disadvantaged groups of women

20. Please provide detailed information on specific measures to address discrimination against indigenous women in their access to education, health and employment, as well as detailed information on the support services offered by the Indigenous Women's Centres (Casas de la Mujer Indígena). Please also provide information on strategies in place to guarantee indigenous women's access to justice. Has the strategy for training and accrediting indigenous language interpreters in the state of Chiapas been, for example, extended to other states? Please provide detailed information on measures in place to protect indigenous women from violence and displacement in the context of the military operations against drug trafficking.

Marriage and family relations

21. Please provide updated information on the status of the legislative reform proposals mentioned in paragraph 205 of the report, such as the elimination of the provision that requires a woman to wait 300 days after she gets divorced before she can remarry.
