



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

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**Committee on the Elimination of Discrimination
against Women**
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**Responses to the list of issues and questions with regard to
the consideration of the combined seventh and eighth
periodic report**

Mexico*

* The present document is being issued without formal editing.



Acronyms and Abbreviations

AIDS	Acquired immune deficiency syndrome
ALDF	Legislative Assembly of the Federal District
ARV	Antiretroviral drugs
CAMI	Indigenous Women's Centre
CAPASITS	Out-patient Centres for the Prevention and Care of AIDS and Sexually Transmitted Infections
CDI	National Commission for the Development of Indigenous Peoples
CENSIDA	National Centre for HIV/AIDS Prevention and Control Persons
CJM	Women's Justice Centres
CNDH	National Commission on Human Rights
CNEGSR	National Centre for Gender Equity and Sexual and Reproductive Health
COFIPE	Federal Code of Electoral Institutions and Procedure
CONASIDA	National Council for AIDS Prevention and Control
CONAVIM	National Commission to Prevent and Eradicate Violence against Women
CONEVYT	National Social Development Policy Evaluation Council
CONOCER	National Council on Education for Life and Work
CONOCER	National Council for Standardization and Certification of Occupational Skills
CSO	Civil society organization
DOF	<i>Diario Oficial de la Federación</i> (the Official Federal Gazette)
ENDIREH	National Survey of the Dynamics of Family Relations
ENOE	National Occupation and Employment Survey
FAPPA	Agricultural Projects Support Fund
FEVIMTRA	Special Prosecutor for Crimes of Violence against Women and Trafficking in Persons
FODEIMM	Development Fund for Municipal Women's Bureaus
FOMMUR	Micro-Finance Fund for Rural Women Solidarity Enterprises
GEM	Gender Equity Model
HDI	Human Development Index
HIV	Human immunodeficiency virus
IFE	Federal Electoral Institute

IMEF	State Women's Bureau
IMM	Municipal Women's Bureau
IMSS	Mexican Social Security Institute
INALI	National Institute of Indigenous Languages
INDESOL	National Institute for Social Development
INEA	National Adult Education Institute
INEGI	National Institute of Statistics and Geography
INM	National Migration Institute
INMUJERES	National Women's Institute
LGAMVLV	General Act on Women's Access to a Life Free of Violence
LGIMH	General Act for Equality between Women and Men
MDG	Millennium Development Goals
NMILMH	Mexican Standard for Occupational Equality between Women and Men
NOM	Mexican Official Standard
PAEI	<i>Programa de Albergues Escolares Indígenas</i> [indigenous schools programme]
PAID	Care programme for displaced indigenous persons
PAIMEF	Programme for Women's Bureaus in the Federative Entities
PANITLI	National roster of indigenous language interpreters and translators
PEF	<i>Presupuesto de Egresos de la Federación</i> (Federal Budget)
PEMIG	Earmarked Budget for Women and Gender Equality
PFRI	Regional Indigenous Funds Programme
PFTPEG	Programme for Mainstreaming the Gender Perspective
PGJDF	Office of the Attorney General of the Federal District
PGJEM	Office of the Attorney General of Mexico State
PGR	Office of the Federal Attorney General
PI-O	IMSS- <i>Oportunidades</i> Programme
POPMI	Productive Organization Programme for Indigenous Women
PR	Proportional representation
PREVIOLEM	Teacher training programme for preventing violence against women
PROFEDET	<i>Procuraduría Federal de Defensa del Trabajo</i> (Federal Labour Protection Office)

PROMAJOVEN	Education Grants for Young Mothers and Pregnant Girls
PROMUSAG	Programme for Women in the Agricultural Sector
SAGARPA	Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food
SCJN	Federal Supreme Court of Justice
SCT	Ministry of Communications and Transport
SE	Ministry of Economy
SECTUR	Ministry of Tourism
SEDENA	Ministry of National Defence
SEDESOL	Ministry of Social Development
SEGOB	<i>Secretaría de Gobernación</i> (Ministry of the Interior)
SEM	Mexican Foreign Service
SEMAR	Ministry of the Navy
SEMARNAT	Ministry of Environment and Natural Resources
SENER	Ministry of Energy
SEP	Ministry of Public Education
SHCP	Ministry of Finance and Public Credit
SNIMH	National System for Equality between Women and Men
SNPASEVM	National System to Prevent, Treat, Punish and Eradicate Violence against Women
SP	<i>Seguro Popular</i> (“People’s Insurance” = SPSS)
SRA	Ministry of Agrarian Reform
SRE	Ministry of Foreign Relations
SS	Ministry of Health
SSP	Ministry of Public Security
STI	Sexually transmitted infections
STPS	Ministry of Labour and Social Security
TEPJF	Federal Elections Tribunal
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime

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.

1. The constitutional reform of 10 June 2011¹ in the matter of human rights significantly expanded the catalogue of human rights and fundamental freedoms and strengthened the mechanisms for their enforcement. With this reform, Mexico has incorporated all the rights enshrined in the international human rights treaties to which Mexico is party, including the CEDAW and the Treaty of Belém do Pará. That reform also enshrined the pro-personae principle by virtue of which the interpretation of any legal provision must at all times give priority to the individual.

2. As well, the articles of the Constitution relating to *juicio de amparo* have been reformed²: this is the means for requiring the State to restore any right affected by an act of authority. Motion for *amparo* can now be brought against alleged violations not only of the rights guaranteed by law but also those covered by the international treaties ratified by Mexico. In some cases, a judgment of *amparo* may be granted to all persons whose rights have been violated by similar acts, and not only to those who filed the motion.

3. During 2010, the National Commission to Prevent and Eradicate Violence against Women (CONAVIM) conducted a diagnostic analysis of Mexican criminal legislation on implementation of the commitments assumed by the Mexican State with respect to the international treaties on women's human rights³. The results were

¹ Decree amending the denomination of Chapter One of the First Title and reforming various articles of the Political Constitution of the United Mexican States, DOF, 10 June 2011 http://dof.gob.mx/nota_detalle.php?codigo=5194486&fecha=10/06/2011.

² Decree reforming, adding and repealing various provisions of articles 94, 103, 104 and 107 of the Political Constitution of the United Mexican States, DOF, 6 June 2011 http://www.dof.gob.mx/nota_detalle.php?codigo=5193266&fecha=06/06/2011.

³ This work involved a detailed review of Mexico's criminal and procedural legislation, including a comparative law analysis covering more than 45 international instruments (conventions, declarations, recommendations and resolutions) in the human rights area, and specifically on violence against women.

used to prepare 33 proposals for reforming the Penal Code and the code of criminal procedures⁴ of the states and the Federation⁵.

4. The National Women's Institute (INMUJERES), through the Programme for Mainstreaming the Gender Perspective (PFTPEG), has established a standing working agenda with the branches of the federal and state governments, with various agencies of the Federal Public Administration (FPA) and with the State Women's Bureaus (IMEFs).

5. In December 2011 INMUJERES, through the Programme to Strengthen Municipal Policies for Equality and Equity between Women and Men, supported the creation of 1,231 municipal women's bureaus (IMM), which are promoting women's human rights at the municipal level and are helping to raise awareness of the pressing needs and challenges in the area of legislative harmonization.

6. One of the main challenges is to pursue the harmonization of civil and criminal legislation at the federal, state and municipal levels, particularly as it relates to violence against women, human trafficking, equality and non-discrimination. Another challenge that must be addressed in applying the current legal framework is to transform normative frameworks into practical measures through the preparation and adoption of public policies designed to achieve effective institutional and cross-sector operation. There is a need to incorporate the gender focus into the production of information, particularly with respect to the dispensing of justice. Further steps must also be taken to amend or abolish laws and regulations in civil, criminal and family matters to eliminate certain legal or customary practices such as abduction and murder for reasons of honour.

⁴ The proposals contain new offences such as femicide, discrimination, family fraud, failure to provide subsistence, and others. They also amend some offences, including rape and trafficking, they eliminate other offences such as adultery, procuring, rape of a minor (*estupro*), and they rule out the reduction of penalties for homicide on the grounds of violent emotion or conjugal infidelity. In procedural terms, they propose amendments to the guidelines governing pardon, reparations for damages; the rules of interpretation in weighing the rights of the victims, and the unofficial issuance of protection measures for victims in order to prevent greater or irreparable harm and to guarantee full reparations for damages, with a gender perspective. For those states that have already implemented adversarial criminal proceedings, guidelines are proposed for incorporating victims' human rights.

⁵ As a result of that study, on 3 March 2011 the Special Committee on the Family of the Chamber of Deputies presented an initiative to reform the federal penal code and the federal code of criminal procedure. As well, the National Commission to Prevent and Eradicate Violence against Women (CONAVIM) prepared a proposal for parliamentary harmonization and will be submitting the corresponding proposals for evaluation and inclusion in legislative initiatives taken by Governors, State Congresses, mechanisms for the advancement of women, the Head of Government and the Legislative Assembly of the Federal District.

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.

7. INMUJERES is the lead entity within the federal government with respect to the national policy for equality. It establishes mechanisms, promotes activities, measures, policies and initiatives for mainstreaming the gender perspective, and it also fosters inter-institutional linkages among the various sectors, stakeholders, the three levels of government and the three branches of the Union, autonomous agencies, and civil society. Among the results of its work we may highlight the Earmarked Budget for Women and Gender Equality (PEMIG) and the reform to the Federal Budget and Financial Responsibility Act,⁶ which prohibits cuts below the previous year to budgetary programmes targeted at equality.

8. The General Act for Equality between Women and Men (LGIMH) and the General Act on Women's Access to a Life Free of Violence (LGAMVLV) have established, respectively, the National System for Equality between Women and Men (SNIMH) and the National System to Prevent, Treat, Punish and Eradicate Violence against Women (SNPASEVCM), mechanisms for coordination with various players and sectors at the national level, including the IMEFs representing their governments. Both of those acts mandate coordination between the federal government, the states, the Federal District and municipios, which are to contribute to enforcement within their fields of jurisdiction.⁷ In December 2011, the 32 federative entities had an LGAMVLV and they had implemented state systems in this area; 28 had published their respective regulations; 26 had legislation relating to gender equality;⁸ 12 had an equality system;⁹ and 19 had an equality programme or plan.¹⁰

9. Consistent with its legal attributes, INMUJERES works through its governing board to coordinate the activities of the SNIMH¹¹ and measures for linking it to other national or local systems, and it promotes inter-institutional collaboration; it convenes three regular annual sessions of the system to promote and implement strategies; it supports and advises member agencies and entities of the Federal

⁶ Approved by majority vote in the Chamber of Deputies: 6 December 2011.

⁷ Articles 7, 8, 14, 15 and 16 of the LGIMH and 35, 49 and 50 of the LGAMVLV.

⁸ Baja California Sur, Campeche, Coahuila, Colima, Chiapas, Chihuahua, DF, Durango, Guerrero, Hidalgo, Jalisco, Estado de México, Michoacán, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tamaulipas, Veracruz, Yucatán and Zacatecas.

⁹ Baja California Sur, Chiapas, Distrito Federal, Estado de México, Hidalgo, Jalisco, Puebla, San Luis Potosí, Sinaloa, Sonora, Veracruz and Zacatecas.

¹⁰ Chiapas, Chihuahua, Colima, Distrito Federal, Durango, Estado de México, Guerrero, Hidalgo, Morelos, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Tabasco, Tlaxcala, Veracruz, Yucatán, Zacatecas.

¹¹ Representatives of 18 ministries, PGR, the Legal Advisory Council, the Office of the President, the Social and Advisory Councils of INMUJERES, and permanent invitees such as: SCJN, the Equity and Gender Committees of Congress, IFE, CONAPRED, the IMEFs, municipal women's offices, the CNDH and various social organizations.

Public Administration (FPA) in coordinating their equality programmes. As well, it monitors application of the PEMIG and interacts with the gender units and liaison offices¹² of the entities, agencies and mechanisms created to combat sexual harassment in the FPA. Since 2001, INMUJERES has been holding regular meetings for the exchange of views, monitoring and coordination with the heads of the 31 IMEFs and the Federal District body, and it has links with 1,231 municipios that have municipal women's offices (IMMs).

10. In the SNPASEVCM, INMUJERES serves as executive secretariat,¹³ it fosters interagency coordination with the three levels of government, it convenes regular and special sessions and it monitors compliance with the System's decisions and its commissions. When it receives applications to issue a gender violence alert, it verifies that the legal requirements have been met, it reports the request to the system and it notifies the decisions to the applicants. With the support of its members, it has prepared regulations for the operation of the SNPASEVCM, the Integral Programme to Prevent, Treat, Punish and Eradicate Violence against Women, the model care protocol for use in shelters for female victims of violence and their children. It is promoting legislative harmonization, the generation of standardized information on care for victims, and it is participating in investigations undertaken by the FPA, IMEFs and IMMs.

11. As well, through PETPEG,¹⁴ INMUJERES is providing funding and training to the IMEFs through projects to incorporate a gender perspective into public policies and the institutional culture, and is assisting in design, implementation and monitoring. As well, the Programme for Strengthening Municipal Policies on Equality and Equity between Women and Men (FODEIMM), sponsored by INMUJERES, is supporting capacity building projects for municipal governments in the areas of training, planning policies with a gender perspective, plans, regulations, operating programmes and guidelines for an institutional culture of equality. INMUJERES is providing ongoing training and advice to the IMMs, preparing support materials such as the series of publications on local development with equality, and it is disseminating information through the "Local Development with Women" portal.¹⁵

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.

12. The LGAMVLV indicates¹⁶ that the SNPASEVCM is a collegial body with a mandate to pool efforts, tools, policies, services and interagency actions to prevent, treat, punish and eradicate violence against women in the Federation, the states, the Federal District and municipios, in order to achieve the objectives of that law and those in the international treaties ratified by Mexico concerning women's human

¹² There are 242 gender units that have an action plan.

¹³ Article 48 of the LGAMVLV, published in the DOF on 1 February 2007 and amended on 28 January 2011.

¹⁴ Instituted in 2008 in coordination with the state women's offices as the Fund to Strengthen Mainstreaming of the Gender Perspective. As of 2010, it is subject to operating rules.

¹⁵ Can be consulted at: <http://generodesarrollolocal.inmujeres.gob.mx/>.

¹⁶ Article 35: The Federation, the federative entities and municipios shall coordinate for the integration and functioning of the system [...].

rights. This system, which went into operation on 3 April 2007, comprises 47 members,¹⁷ including the Ministry of the Interior (SEGOB) which, through CONAVIM, chairs the system, and INMUJERES, which serves as the executive secretariat.

13. On this point, it should be noted that the CONAVIM was created on 1 June 2009 by presidential decree as a deconcentrated administrative organ of the SEGOB, for the purpose of exercising the powers given by law and regulation to that ministry with respect to the prevention, treatment, punishment and eradication of violence against women in Mexico. In other words, it has a mandate supplementary to the National System, by virtue of which it holds the chair and pursues specific functions flowing from the decree creating it.¹⁸

14. The National System and the CONAVIM, as noted in the combined seventh and eighth reports, have contributed to formulating, developing and promoting actions, programmes and specific policies with a gender perspective for the prevention, treatment, punishment and eradication of violence against women in our country, such as: establishment of the Commissions for Prevention, Treatment, Punishment and Eradication of Violence against Women, the Advisory Commission for issuing gender violence alerts, and a multidisciplinary, interagency group to study and analyze the possible issuance of a gender violence alert. As well, a national database on cases of violence against women has been established, and there has been further work on preparing the Comprehensive Programme to Prevent, Treat, Punish and Eradicate Violence against Women, a third round of the National Survey on the Dynamics of Family Relations (ENDIREH 2011) has been conducted, and gender perspective training and legislative harmonization have been promoted.

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.

15. Because Mexico is a representative republic, consisting of free and sovereign states united by a federal pact, the political Constitution establishes a framework for distributing powers or responsibilities between the states that make up the Federation and the Federation itself. In this respect, there are areas of government that fall within state jurisdiction and others that are of federal rank, i.e. of national impact above the sphere of state decisions.

¹⁷ Voting members: (a) SEGOB, INMUJERES, SEDESOL, Secretaría de Seguridad Pública, Procuraduría General de la República, Secretaría de Educación Pública, Secretaría de Salud, Consejo Nacional para Prevenir la Discriminación, Sistema Nacional para el Desarrollo Integral de la Familia; (b) state mechanisms for the advancement of women: three women's ministries, for the states of Chiapas, Guerrero and Michoacán; 28 state women's institutes and one state women's Council. Non-voting members: 6 invitees: SRE, STPS, National Commission for the Development of Indigenous Peoples, the Federal Judiciary, INEGI and, recently, the SHCP.

¹⁸ The decree creating CONAVIM establishes the operating responsibilities of the system, such as: declaring a gender violence alert and notifying the corresponding state government; preparing the programme in coordination with the other authorities in the national system; coordinating and monitoring, through the Executive Secretariat, the work of promoting and defending women's human rights, performed by entities and agencies of the FPA; establishing, using, supervising and maintaining, in coordination with the Executive Secretariat, all the instruments and activities intended to improve the system and the programme; and assisting the Minister of the Interior in supervising the system.

16. At the federal level, the Special Prosecutor's Office for Crimes of Violence against Women and Trafficking in Persons (FEVIMTRA) was created via Decision (*Acuerdo*) A/024/08 of the Federal Prosecutor General, published in the DOF of 31 January 2008. Its powers include those of investigating and prosecuting the offences stipulated in the Law to Prevent and Punish Trafficking in Persons (DOF, 27 November 2007) and acts of violence against women that fall within federal jurisdiction.

17. In all these cases, the federal jurisdiction of the Special Prosecutor's Office is based on article 50 (I) of the Act organizing the judiciary of the Federation¹⁹ and the provisions of the Federal Penal Code.²⁰

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.

18. In response to the events of 3 and 4 May 2006 in Texcoco and San Salvador Atenco, a number of domestic proceedings were initiated to investigate the facts and establish the corresponding penalties. As reported in the combined seventh and eighth reports of Mexico, those proceedings included a preliminary inquiry (FEVIM/03/05-2006) initiated by the Office of the Federal Attorney General (PGR); the investigation conducted by the Office of the Attorney General of the State of Mexico (PGJ-EM); the investigation by the Federal Supreme Court of Justice (SCJN); the complaint brought before the National Human Rights Commission (CNDH); and the petition submitted to the Inter-American Commission on Human Rights.

19. Handling by the National Human Rights Commission. Pursuant to article 103 (B) of the national Constitution as well as the first paragraph, 3, 4, 6, sections II and VII, sections I and III, of the law establishing the CNDH and article 89 of its internal rules of procedure, the CNDH at its own initiative opened case no. 2006/2109/2/Q to investigate alleged human rights violations flowing from the events in the municipios of Texcoco and San Salvador Atenco, State of Mexico, on 3 and 4 May 2006.

20. The CNDH sent its own inspectors and medical experts to the scene of the events and to the "Santiaguito" Prevention and Social Re-adaptation Centre (to which several of the individuals involved in the events were transferred), for the purpose of assessing the situation, including applicability of the so-called Istanbul Protocol..

21. On 16 October 2006, the CNDH issued recommendation 38/2006, addressed to the Governor of the State of Mexico and various federal authorities. The CNDH concluded that, on the basis of various statements taken from women involved in the events, there was evidence of conduct in violation of sexual freedom on the part of

¹⁹ <http://www.diputados.gob.mx/LeyesBiblio/pdf/172.pdf>

²⁰ <http://www.diputados.gob.mx/LeyesBiblio/pdf/9.pdf>

police officers, particularly during the arrest and transfer of the women to the Santiaguito detention centre.

22. The recommendation included a number of points addressed to the authorities of Mexico State and two other authorities. In particular, the authorities of Mexico State were held to be responsible for the acts referred to in the petition.

23. In fact, because such conduct could constitute such offences as sexual abuse and rape, they were brought to the attention of the Office of the Attorney General of the State of Mexico to determine how to proceed in each specific case.

24. The CNDH recommendation was accepted by the government of Mexico State, which made intensive efforts to comply with each of the recommendations. In its 2007 annual report, the CNDH considered that recommendation 38/2006 had been observed, i.e. it recognized that the government of Mexico State had taken sufficient steps in follow-up to that recommendation.

25. Handling by the National Supreme Court of Justice (SCJN). On the basis of the then-valid article 97 of the national Constitution, and at the request of Minister Genaro David Góngora Pimentel, the SCJN decided to exercise its powers of investigation with respect to the events in the municipios of Texcoco and San Salvador Atenco of 3 and 4 May 2006, constituting case 3/2006.²¹

26. It should be noted that, prior to the reforms that gave constitutional rank to human rights, published on 10 June 2011 pursuant to article 97 of the Constitution, the high court already had the power to investigate any act or acts that constituted "a grave violation of any individual guarantee". That power, discretionary in nature, did not constitute a judicial measure as such but rather an administrative measure, initiated ex officio to investigate deeds of public importance and interest in which there were indications that serious violations of individual guarantees had been committed.

27. The results of that investigation were contained in a report that was promptly submitted to the competent bodies, primarily the executive branch at the local or federal level and the public prosecution offices, for the appropriate attention and prosecution.

28. With the constitutional reform of June 2011, that power of investigation was conferred upon the National Human Rights Commission. As was the case with the previous power of the Supreme Court, under the present article 105 of the Constitution the CNDH can now open an investigation into facts that constitute serious violations of human rights "when it deems this appropriate or at the request of the federal executive, either of the chambers of the federal Congress, the governor of a state, the head of government of the Federal District, or the legislatures of the federative entities."

29. This new power of the CNDH, which is exactly equal to that formally held by the SCJN, requires civil servants to cooperate in the investigation by this independent agency and this includes the duty to provide information of a restricted nature.

30. In the specific case of the events at San Salvador Atenco, the purpose of the Supreme Court's investigation was to examine the actions of the various authorities

²¹ <http://201.159.134.50/Federal/PJ/SCJN/Sentencias/2009/21092009%281%29.pdf>

in order to determine whether they might have committed serious violations of individual guarantees.

31. On 6 February 2007, the full Supreme Court decided to establish an investigative commission comprising federal magistrates to determine whether there had been serious violations of individual guarantees in San Salvador Atenco. The SCJN confined its investigation to the following aspects: the causes that gave rise to the violations; the responsible parties; and the reasons that resulted in the events in Mexico State. The commission began its work on 23 February 2007.

32. The investigative commission conducted its activities in accordance with the rules and procedures stipulated in ruling (*Acuerdo General*) 16/2007 of the SCJN. The commission conducted an investigation and on 13 March 2008 it presented a preliminary report on the events of 3 and 4 May 2006. Subsequently, Justice José De Jesús Gudiño Pelayo prepared a report which was published in its public version on 2 February 2009.

33. At the conclusion of its sessions, the Plenary of the National Supreme Court of Justice issued its conclusions on the case, which included the following:

- According to the data from the investigation, and on the basis of the provisions governing the use of public force in Mexico, it found that there were indeed serious violations of individual guarantees committed in the events of 3 and 4 May 2006 in Texcoco and San Salvador Atenco, State of Mexico.
- There was no evidence of any express intention or orders to engage in such violations on the part of the authorities and officials who met on 3 May 2006 and authorized the use of force in this case, nor on the part of those who participated in the meeting to design the operations strategy.
- According to the data from the investigation, it is possible to identify individual and concrete involvement in the serious violations of individual guarantees.
- The respective bodies may expand the investigations to determine who may have been responsible for those violations.
- Juridical criteria were established on the use of public force, and these will serve as parameters and benchmarks for determining whether there have been serious violations of individual guarantees. The criteria were approved in order to ensure that the use of public force has legitimate backing and foundations, so that society will have the limitations and benchmarks that guarantee its protection against abuses and excesses that are not acceptable under any circumstance.

34. The SCJN resolution established criteria and guidelines which every branch of government, organ and institution involved has adopted in accordance with its own powers and responsibilities.

35. In particular, the then-President of the Supreme Court, Justice Guillermo I. Ortiz Mayagoitia, noted that the resolution on the events of Atenco must lead to improved conditions of security and social harmony, as appropriate in a constitutional state governed by the rule of law. He emphasized that the involvement of the SCJN in the investigations into the events of San Salvador Atenco and

Texcoco was a duty of the highest court of Mexico, directly related to safeguarding the constitutional state.

36. Continuity of the investigations into the facts. On 15 July 2009 the PGR, through the office of the Special Prosecutor for Crimes of Violence against Women and Trafficking in Persons (FEVIMTRA), declared itself not competent to pursue the investigation, according to article 50 of the Organic Law of the Federal Judiciary²² and it handed over to the Attorney General of the State of Mexico all the evidence produced by the preliminary investigation PGR/FEVIM/03/05-2006, as a result of which the offences are being treated as ordinary crimes.²³

37. In a manner parallel to the federal investigations, the Office of the Attorney General of the State of Mexico initiated ex officio a preliminary investigation into the alleged crimes committed during the events in Atenco. According to information provided by that office, the investigations are continuing and a number of steps are planned in the near future.

38. Latest developments. On 30 June 2010 the SCJN ordered the release of the 12 members of the "People's Front in Defence of the Land" (*Frente de Pueblos en Defensa de la Tierra*, FPDT), including its leader Ignacio del Valle, on the grounds that unlawful or insufficient evidence had been used in charging them with the crime of kidnapping. The justices of the first chamber of the SCJN thereby upheld the appeals quashing the sentences handed down to the protesters, which ranged from 31 to 112 years' imprisonment.

39. Participation of the Inter-American Commission on Human Rights (IACHR). As a result of the full integration of Mexico into the inter-American human rights system, the IACHR is also examining a petition submitted by 11 women for alleged violations of their human rights during the events of San Salvador Atenco on 3 and 4 May 2006. That investigation is now underway within the inter-American system, and developments there will be reported in due course to this Committee.

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.

40. In response to public demands and in order to assist and protect the victims of crime, a special Office for Victims of Crime (PROVICTIMA) was created by a decree published in the DOF of 6 September 2011. This agency is managed and run by a governing board and a public prosecutor. It includes four representatives of

²² <http://www.diputados.gob.mx/LeyesBiblio/pdf/172.pdf>

²³ Ordinary crimes or crimes under "ordinary jurisdiction" (*fuero común*) are those specified in the penal code or social protection code of each state, with different penalties imposed for the commission or omission of various acts (offences). These codes are issued by the state congresses and the conduct they describe is applicable only within the territory of each state. The Penal code of the State of Mexico (<http://www.cddiputados.gob.mx/POLEMEX/leyes/Ley09.html>) stipulates, in Title 1 "Application of Criminal Law"; Chapter IV "Special Laws and Apparent Conflict of Rules", Article 4, that "in the case of a crime stipulated in a special local law, that law will apply and, as appropriate, the provisions of this code".

civil society who have distinguished themselves for their efforts to promote security and justice. INMUJERES is part of its governing board.

41. We also wish to mention the third version of the National Survey on the Dynamics of Family Relations (ENDIREH 2011),²⁴ conducted by the National Institute of Statistics and Geography (INEGI) with technical support from INMUJERES with a view to equipping our country with indicators for assessing progress in eradicating violence against women and identifying possible measures for implementation.

42. As well, in order to optimize access to justice for female victims of violence and to improve their quality of life, the CONAVIM is promoting the creation of Women's Justice Centres (CJMs) as one of its priority projects. These constitute a model for caring for women, created with an interagency, multidisciplinary and sequenced approach. During 2011 a total of 15 million pesos (US\$1,076,812)²⁵ in federal funding was transferred for the creation of these centres.²⁶

43. In July 2011, the SCJN ruled, in a unanimous vote, that sentences handed down by the Inter-American Court of Human Rights are binding on the federal judiciary.

44. With respect to sentences of the Inter-American Court, in a case known as "*Campo Algodonero*",²⁷ the Mexican State has complied with, among other things, the provisions concerning compensation, publication and recognition of responsibility.²⁸ In the *Valentina Rosendo Cantú* case,²⁹ in addition to recognizing international responsibility for omissions and reparations for damage, expressed through the Minister of the Interior in a public act on 15 December 2011, the case is being investigated by the PGR through the FEVIMTRA, which means that it will be heard before the ordinary courts and not the military courts.

45. With respect to human rights defenders, on 7 July 2011, in the context of the visit of the United Nations High Commissioner for Human Rights, the DOF published the basic features of a "mechanism for the protection of human rights defenders" based on coordinated action by the Ministry of the Interior, the agencies and entities of the Federal Public Administration, and the Federal Attorney General's Office.³⁰ This recognizes the right of all persons, individually or collectively, to promote the protection and enforcement of human rights and fundamental freedoms

²⁴ The results from ENDIREH 2011 will be available in May 2012.

²⁵ Figures in US dollars, at an exchange rate of 13.93 pesos to the dollar on 2 January 2012 Banxico

²⁶ progress is reported in negotiating collaboration agreements with the governments of Aguascalientes; Durango; Estado de México, Puebla and Sinaloa. Federal funds allocated for construction of the centre may be used only for the authorized project and periodic reports on their use must be submitted. Victims' privacy is safeguarded through the user data registration system which has security mechanisms. It may be noted that the Women's Justice Centre in Tuxtla Gutiérrez, Chiapas has already handled more than 800 cases, with an average of 40 women a day, just a month after its inauguration (26 November 2011).

²⁷ See http://www.conavim.gob.mx/es/CONAVIM/Campo_algodonero

²⁸ <http://www.conavim.gob.mx/es/CONAVIM/07112011>

²⁹ <http://www.presidencia.gob.mx/2011/12/alejandro-poire-romero-secretario-de-gobernacion-durante-el-acto-de-reconocimiento-de-responsabilidad-del-estado-mexicano-caso-valentina-rosendo-cantu>

³⁰ http://dof.gob.mx/nota_detalle.php?codigo=5199805&fecha=07/07/2011

at the national and international levels.³¹ The purpose of implementing such a mechanism is to take into account protocols, guidelines and manuals for establishing the administrative measures needed to protect human rights defenders. In this respect, female human rights defenders who suffer threats will now enjoy the protection of the federal government, coordinated by SEGOB, and this must be accorded with a gender perspective in consideration of their specific needs as women.

46. As well, the CNDH presented a special report in July 2011 on the situation of human rights defenders in Mexico³² covering the period from January 2005 to May 2011, with a view to sensitizing the authorities to the problems and the situation of vulnerability in which these people work. Among other things, that report concluded that the authorities of the three levels of government must pool their efforts for the effective recognition and protection of human rights defenders. The document also makes specific proposals to the Ministry of the Interior, the Ministry of Public Security (SSP), the PGR and state governors.

47. With respect to the protection of journalists, on 15 February 2006, by order of the Attorney General of the Republic, a special prosecutor's office was established to deal with crimes against journalists (*Fiscalía Especial para la Atención de Delitos cometidos contra Periodistas*, FEADP),³³ with authority to direct, coordinate and supervise investigations and, as appropriate, the prosecution of crimes committed against domestic and foreign journalists in the pursuit of their profession within the national territory.

48. In light of attacks on journalists, the SEGOB, the Ministry of Foreign Relations (SRE), the SSP, the PGR, the CNDH and the Regional Office of the United Nations Office on Drugs and Crime (UNODC) signed a coordination agreement on 3 November 2010, with a view to taking preventive and protective actions for journalists,³⁴ consistent with the lines of action in the National Human Rights Programme 2008-2012. This agreement establishes institutional and interagency measures to guarantee the safety of journalists, communication professionals and citizens whose personal integrity is threatened by situations related to freedom of the press. As well, under this agreement, an advisory committee was established on 3 December 2010 to provide technical advice and assistance to the competent authorities in applying measures of prevention and protection for the free exercise of journalistic work.

49. We may note that the federal budget for fiscal year 2012 has allocated 33.5 million pesos³⁵ (US\$2,404,156)³⁶ for enforcing judgments and friendly settlements

³¹ Pursuant to UN General Assembly Resolution 53/144 of 8 March 1999, approving the "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms".

³² *El Derecho a Defender* ("The Right to Defend"): special report on the situation of human rights defenders in Mexico <http://www.cndh.org.mx/sites/all/fuentes/documentos/Index/20110706.pdf>

³³ <http://www.pgr.gob.mx/combate%20a%20la%20delincuencia/delitos%20federales/FPeriodistas/FPeriodistas.asp>

³⁴ http://www.derechoshumanos.gob.mx/es/Derechos_Humanos/Mecanismo_de_proteccion_a_periodistas

³⁵ Of which 31 million pesos corresponds to increase as voted by the Chamber of Deputies. See *Presupuesto de Egresos de la Federación 2012, programas presupuestarios en clasificación económica* (L001).

³⁶ Figures in US dollars, at an exchange rate of 13.93 pesos to the dollar on 2 January 2012 Banxico.

issued by the Inter-American Commission and/or the Court and the CNDH for reparation of damages; and 29.5 million pesos³⁷ (US\$2,117,093) for mechanisms to protect journalists and human rights defenders.

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.

50. The best source of information on the prevalence of violence against women in Mexico is found in ENDIREH 2006.³⁸ According to that survey, during that year:

51. 43.2% of women 15 years and over had suffered some form of violence at the hands of their partner (spouse/partner, ex-spouse/ex-partner, boyfriend) during their last relationship. At the state level, the percentage varied between 54.1% in the State of Mexico and 33.7% in Coahuila. By marital status, at the national level the prevalence of spousal violence in the current or latest relationship was 46.4% among married/cohabiting women, 61.5% among separated/divorced women, and 26% among single women.

52. By types of spousal violence during the current or last relationship, 37.5% of all women 15 years and over declared that they had suffered emotional aggression that might affect their mental and psychological health, 23.4% had suffered some type of aggression to seize control of their income and the flow of household financial resources, and questioning with respect to their spending habits, and in 19.2% said that they had suffered some form of physical violence.

53. Sexual violence committed by spouses or partners during a relationship was reported by 9% of women. This percentage varied significantly by marital status: 4.4% for single women, 8.4% for women married or cohabiting, and 22.8% for separated or divorced women.

54. The 2011 ENDIREH survey was conducted in October and November. The results of that survey will be available in May 2012, and can thus be presented during the review of the combined seventh and eighth reports of Mexico.

55. Statistics from the justice authorities show that there are around 14,000 preliminary inquiries every year concerning the crime of rape³⁹ (13,894 in 2006; 14,199 in 2007; 14,078 in 2008; 14,850 in 2009; and 14,993 in 2010). For the crime of rape of a minor (*estupro*), there are around 2,500 preliminary inquiries each year (2,761 in 2006; 2,730 in 2007; 2,577 in 2008; 2,555 in 2009 and 2,365 in 2010). For

³⁷ of which 27 million pesos corresponds to increase as voted by the Chamber of Deputies. See Presupuesto de Egresos de la Federación 2012, programas presupuestarios en clasificación económica (P017).

³⁸ more information available at:

http://estadistica.inmujeres.gob.mx/formas/temas_descripcion.php?IDTema=4, and at: <http://www.inegi.org.mx/est/contenidos/Proyectos/Encuestas/Hogares/especiales/endireh/endireh2006/default.aspx>

³⁹ The most complete statistics available from the justice system record data by type of offence and by offender, but not by victim. However, partial reports from the local prosecution offices show that around 90% of victims of all sexual offences are women.

other sexual crimes, around 16,000 preliminary inquiries are opened each year (14,251 in 2006; 16,173 in 2007; 16,207 in 2008; 16,410 in 2009 and 16,755 in 2010).

56. Statistics on the dispensing of justice show around 4,500 individuals standing trial in each year for the crime of rape, and slightly over 3,500 receiving convictions for that crime each year (standing trial: 4,643 in 2006; 4,511 in 2007; 4,369 in 2008; 3,477 in 2009 and 3,157 in 2010. Convicted and sentenced: 3,577 in 2006; 3,563 in 2007; 3,675 in 2008; 3,245 in 2009 and 3,107 in 2010).

57. Around 4,000 persons are prosecuted each year for the crime of family violence (3,827 in 2006; 4,539 in 2007; 4,820 in 2008; 3,866 in 2009 and 3,801 in 2010) and around 2,000 persons are convicted (1,318 in 2006; 1,494 in 2007; 1,740 in 2008; 1,775 in 2009 and 1,894 in 2010).

58. In 2009, 743 men were being held⁴⁰ in a penitentiary centre for the crime of family violence; 8,490 for the crime of simple rape; 4,457 for crimes "equivalent to rape" and 4,368 for other sexual crimes.

59. Care centres and shelters for victims of domestic and gender violence and their children are operated by the state and municipal governments or by civil society organizations (CSOs). Mexico is reinforcing their operation and is stepping up its monitoring of the use of the budget. Funds provided and supervised by the Ministry of Health, SEDESOL, the National Institute for Social Development (INDESOL) through its programmes of support to the IMEFs and the programme for social coinvestment, as well as the INMUJERES programme for the support of women's bureaus in the federative entities (PAIMEF).

60. The confidentiality of the shelters and care centres is respected, consistent with the rights and provisions established in international treaties concerning women's human rights ratified by Mexico, as well as those in domestic legislation.

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 Penal code.

61. Femicide is one of the most serious problems facing Mexico. Femicide constitutes a specific form of violence, characterized by State impunity and social permissibility. This is the link that Mexico is now seeking to break through various actions to prevent, treat, punish and eradicate violence against women (see responses to questions 6, 7 and 9).

62. Among the measures and actions taken to strengthen the institutions responsible for preventing, treating, punishing and eradicating gender violence and femicide are the investigations conducted by the Special Committee established by the Chamber of Deputies, the Mexico Office of the UNHCR, UN Women, CONAVIM, UNAM and the Colegio de Mexico to consider and monitor closely the actions taken by the competent authorities with regard to femicide. Those

⁴⁰ At one of the following legal stages: sentencing stage, appeals stage, sentenced, or with a confirmed sentence. Source: INEGI-Encuesta Nacional de Gobierno 2010. Poder Ejecutivo Estatal Gobierno, seguridad pública y reinserción social. More information at: <http://www.inegi.mx/est/contenidos/Proyectos/censosgobierno/eng2010/default.aspx>

investigations have produced a number of reports, including "Femicide violence in 10 entities of the Mexican Republic", "Femicide", "Analysis of the Mexican crime classification", "Femicide in Mexico: estimates, trends and changes 1985-2009"⁴¹ and "Diagnosis of criminal and procedural codes". The committee has also sponsored various forums, conferences, campaigns and roundtables.

63. In 2006 discussions began for making femicide a crime: civil society organizations contributed greatly to this work. On 13 December 2011 the Chamber of Deputies approved the draft decree reforming the federal penal code and the LGAMVLV, the organic law of the federal public administration, and the organic law of the Attorney General's office, with a view to making femicide a crime.

64. The document included nine initiatives as well as significant amendments to the definitions of such offences as sexual harassment, sexual abuse, rape, family violence, artificial insemination, artificial fertility and provoked sterility. The bill is now awaiting approval by the Senate and publication in the DOF, anticipated during the second legislative session beginning in March 2012.⁴²

65. Progress has also been made at the local level. In December 2011, 10 states had approved and published the definition of the crime of femicide.⁴³ The State of Chiapas recently approved this initiative, although publication is still pending. The states of Baja California, Coahuila, Hidalgo, Jalisco and Sinaloa are debating similar initiatives to make femicide a crime.

66. In October 2011 the State of Hidalgo established a special prosecutor for dealing with femicide. In that same month, the Attorney General of the Federal District (PGJDF) published a protocol for ministerial and expert investigation of the crime of femicide⁴⁴ and announced the variables that must be included in the preliminary inquiry system (SAP)⁴⁵ for femicide cases. The State of Guerrero has a protocol for dealing with cases of extreme violence where the victim's life is at risk and the State of Mexico has a protocol for investigating homicide from the femicide perspective.

67. In June 2011 CONAVIM began creation of the CJMs with a view to reducing the incidence of female homicide (see response to question 6).

68. Since publication of the LGAMVLV and its regulations no gender violence alert has been declared, as the two requests presented to SNPASEVCM were ruled out of order.

⁴¹ The document presents data from the registry of female mortality, summarizes efforts to eliminate the invisibility of homicides and to understand the phenomena more thoroughly, in order to develop tools to combat it. The study also provides evidence for the states to standardize penalties, and proposes direct action for arresting and punishing offenders.

⁴² H. Cámara de Diputados. Gaceta Parlamentaria, year XV, no. 3408-III, 8 December 2011. <http://gaceta.diputados.gob.mx/>

⁴³ Colima, Distrito Federal, Durango, Guerrero, Guanajuato, Estado de México, Morelos, San Luis Potosí, Tamaulipas and Veracruz. Penalties are up to 70 years imprisonment, in some states (e.g. DF) the existence of any type of relationship is considered an aggravating factor.

⁴⁴ In November, the PGJDF obtained the first sentence relating to the crime of femicide.

⁴⁵ Circular C/002/2011, of 14 November 2011:

<http://www.ordenjuridico.gob.mx/Documentos/Estatal/Distrito%20Federal/wo66182.pdf>

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.

69. The Federal Government's Programme of Action to Prevent and Eradicate Violence against Women in the Ciudad Juárez, Chihuahua, also known as the "40-Point Programme" was wrapped up in August 2010. The final report highlights the actions taken by the various federal, state and municipal offices and agencies participating in the programme.⁴⁶ We may note, for example, the analysis and proposal for a cooperation law (currently in force),⁴⁷ collaboration for international technical assistance, investigation techniques for integrating preliminary inquiries with a gender perspective; creation of a special shelter for victims of trafficking, outreach campaigns to raise awareness about gender and violence against women (courses, workshops, seminars, publications etc.).

70. Specialized technical and psychological help relating to family and gender violence has also been provided since 2004. Courses dealing with technical issues in treating addictions have been offered for judges and court appointed attorneys; the Victim Care Centre of Chihuahua continues to offer guidance and legal advice, psychological and medical support and assistance, an effort now reinforced by the FEVIMTRA services. Visits were also conducted to verify the standards applied in cases of family violence, protective measures were taken in favour of human rights defenders; work began on creation of the CJMs; guidelines were established for compiling the national database on missing women (published in 2009);⁴⁸ work continued on preparation of a care model for shelters; steps were taken to create a state network for treating and preventing violence against women; financing was provided to civil society organizations for the restoration of public spaces, among other actions; scholarships were granted for continuing basic studies, and support activities for migrants were initiated.

71. There have also been revisions to the protocol on treatment, response and coordination among federal, state and municipal authorities in cases of missing women and girls in Ciudad Juárez, known as the "Alba Protocol". As noted in the combined seventh and eighth report of Mexico, the *Campo Algodonero* judgment issued by the IA-Court in 2009 strengthened the Programme's activities and led to creation of an inter-agency working group to monitor its enforcement.

72. The final report of the "40 Point Programme" provided input for preparing a new proposal, one that would give follow-up to pending issues and propose new actions and strategies. In this manner the Annual Work Programme 2011⁴⁹ of the

⁴⁶ Ministries of External Relations, Public Security, Social Development, Education, Health, Interior, National Migration Institute, National Institute of Geography and Statistics, INMUJERES, Prosecutor General's Office of the State of Chihuahua, Instituto Chihuahuense de la Mujer, etc.

⁴⁷ The International Cooperation for Development Act was published on 8 April 2011 in the DOF.

⁴⁸ *Acuerdo* 02-2009 of the Secretary of Public Security, published on 16 April 2009: <http://dof.vlex.com.mx/vid/secretario-integrar-casos-violencia-56482650>

⁴⁹ Approved on 19 July 2011 by the Commission on Government Human Rights Policy of the SEGOB.

Sub-commission on Coordination and Liaison for the Prevention and Eradication of Violence against Women in Ciudad Juárez⁵⁰ is based on the joint work of the FPA and CSO coordinators, and includes 23 lines of action.

73. Among those lines of action we may mention the plan to provide training and awareness raising in human rights and the gender perspective for civil servants, the support for CSO projects for empowering women in the prevention and eradication of violence; strengthening and creating care centres and shelters for female victims of violence; comprehensive care for women in the Social Re-Adaptation Centre of Ciudad Juárez; monitoring the *Campo Algodonero* judgment; organizing forums and other training and awareness raising activities in the maquila industry with a view to improving women's working conditions; and promoting the update of Chihuahua state legislation to bring it into line with the international human rights framework.

74. The Alba Protocol is activated whenever a girl or woman is reported missing in that city, so that she can be found as quickly as possible. The protocol was updated as a result of the *Campo Algodonero* judgment and as part of the 40 Point Programme. The update institutes a critical operating path that consists of three phases: preventive coordination, emergency search, and conclusion and deactivation of the operation.

75. In this respect, the search action plan is implemented by the three levels of government in coordination with the social media, CSOs and public and private agencies throughout Mexico. The technical group comprises the Prosecutor General of the State of Chihuahua, the Federal SSP, the PGR, the Chihuahua Women's Institute (ICHMujer), the State Social Communication Department, and SEGOB.

76. Through the ICHMujer, in September 2011 the Chihuahua state government launched a femicide prevention campaign in Ciudad Juárez in order to make the general public aware of activation of the Alba Protocol, using a telephone hotline (01-800-838-7830) and the slogan: "Disappearances in Juárez must disappear. Activate the Alba Protocol to help find missing girls and women."

77. The campaign is being financed by the PAIMEF of INDESOL and with funding from ICHMujer and the state government budget. 3,000 brochures and 30,000 posters have been printed; 72 city trucks have been labelled; 58 trucks for transporting maquila workers; 12 theatrical events have been held at strategic points of the city. To ensure proper distribution of materials a geo-referenced study was used, prepared by the Colegio de la Frontera Norte, with priority to the neighbourhoods of greatest risk and vulnerability for women.⁵¹

78. We may note that CONAVIM is developing measures of control and effectiveness with a view to improving the Alba Protocol and implementing it nationwide.

⁵⁰ From its beginning in June 2003 to December 2011, the Subcommittee for Coordination and Liaison to Prevent and Eradicate Violence against Women in Ciudad Juárez, Chihuahua, had held 34 meetings.

⁵¹ This is the case with public performance facilities in the following areas: Granjas Chapultepec, Aztecas, Francisco I Madero, Chamizal, Vista Hermosa, Los Olivos, Riveras del Bravo and Puerto Anapra

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).

79. On 7 April 2011 the National Senate approved amendments to articles 19, 20 and 73 of the Mexican Constitution to incorporate trafficking in persons among the offences for which the court will order preventive detention while the accused is being processed, and also to include for victims of trafficking the right to have their identity and personal data safeguarded.

80. Pursuant to the Act to Prevent and Punish Trafficking in Persons⁵² and its regulations,⁵³ on 2 January 2011 the "National Programme to Prevent and Punish Trafficking in Persons" was published,⁵⁴ as the outcome of the work of the Interagency Commission to Prevent and Punish Trafficking in Persons, of which INMUJERES is an invited member. The purpose of this programme is to prevent and combat trafficking in persons and to provide care and protection to victims through coordination, collaboration and awareness raising in the public, social and private sectors. The intent is to promote policies, programmes and prevention activities that will help to make women and girls less vulnerable to the crime of trafficking.

81. On 7 June 2011 a bulletin was published containing the procedure to be followed by the INM in detecting, identifying and treating foreign victims of crime, including victims of human trafficking.⁵⁵ That procedure indicates that, regardless of the foreign victim's migration status, all necessary measures must be taken to guarantee protection and care for such victims as well as to respect their human rights, for which purpose they will be granted facilities for their medical and psychological care, information about their rights, with special emphasis on the right of access to justice and the respective procedures, protection of their identity, personal data, and migration assistance.

82. With respect to the number of investigations into the crime of human trafficking, from January 2010 to 18 November 2011 FEVIMTRA reports that 143 preliminary inquiries were initiated; 177 preliminary inquiries were processed; 77 preliminary inquiries were finalized; and 47 preliminary inquiries were assigned to the courts. Since the creation of FEVIMTRA, there has been one conviction and one acquittal.

⁵² Published in the DOF of 27 November 2007.

⁵³ Published in the DOF of 27 February 2009.

⁵⁴ http://dof.gob.mx/nota_detalle.php?codigo=5174064&fecha=06/01/2011

⁵⁵ http://www.inm.gob.mx/index.php/page/Boletin_17811

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.

83. According to the Study of International Legislation and Comparative Law on Prostitution⁵⁶ conducted by parliamentary researchers of the 60th Legislature of the Chamber of Deputies in June 2007, the causes of prostitution include discrimination, economic inequality, lack of economic resources, low education levels, family disintegration, feelings of abandonment and inferiority. The study also notes that the principal consequences of prostitution are sexually transmitted infections such as HIV/AIDS, herpes and gonorrhoea, addictions such as to narcotics and alcohol, which entail social rejection, violations of the law, unwanted pregnancies, and disintegrated families, among other outcomes.

84. As indicated in the combined seventh and eighth reports of Mexico, there is no federal legislation to regulate or prohibit prostitution, which remains a matter for regulation by each state.

85. The federal jurisdiction is confined to imposing punishment of 2 to 9 years' imprisonment and a 50 to 500 days' fine for the crime of procuring upon persons who exploit another person's body through the commercial sex trade, those who maintain that trade or derive any form of profit from it, those who induce or solicit persons to sell their bodies in sexual trade or who facilitate the means for them to deliver themselves into prostitution, and those who manage, administer or sustain, directly or indirectly, brothels, rendezvous houses or places expressly dedicated to prostitution, or who obtain any benefit from their proceeds.⁵⁷

86. It should be noted that, as a measure for discouraging prostitution and combating human trafficking, a decree⁵⁸ was published in the DOF in July 2011 inserting a new article 13 to the Act to Prevent and Punish Trafficking in Persons and adding a second paragraph to article 5, whereby persons who contract advertising through any means of communication as well as persons who publish announcements that fall under any of the forms of conduct that characterize trafficking in persons will be punished according to the provisions of that law. Article 13 establishes the obligation to monitor and ensure that announcements published by any means do not contravene the provisions of that law.

⁵⁶ The study is available at: <http://www.diputados.gob.mx/cedia/sia/spe/SPE-ISS-14-07.pdf>. Prepared by Elma del Carmen Trejo García, Parliamentary Investigator, and Margarita Álvarez Romero, Assistant Parliamentary Investigator.

⁵⁷ Articles 206 and 206bis of the federal penal code.

⁵⁸ Decree adding various provisions to articles 5 and 13 of the Act to Prevent and Punish Trafficking in Persons, published in the DOF of 1 June 2011.

87. At the state level, 25 of the 32 states⁵⁹ punish the crime of procuring under their criminal legislation; 15 states⁶⁰ provide specific penalties for the crime of procuring when minors or legally incompetent persons are involved; and 9 provide penalties for sexual tourism involving minors or legally incompetent persons.⁶¹

88. Furthermore, as a result of the Diagnostic Study of Mexican Criminal Legislation on the Implementation of Commitments assumed by the Mexican State under international treaties concerning women's human rights, conducted by CONAVIM (see question 1), 33 reforms to the federal and state criminal and procedural codes were proposed, with a view to eliminating from those codes the concept of procuring.

89. The State of Veracruz is considering specific legislation in this area: the Act on Prostitution and Social Prophylaxis, under which prostitution will be permitted in "tolerance zones", as indicated by the state health department or its subdivisions, with the agreement of the local political authority, and provided certain requirements are met. It also spells out operating rules for the "tolerance zones" and for determining persons who may engage in the exercise of prostitution.

90. That law also provides registration mechanisms and health requirements that must be met by persons engaged in prostitution and the places where prostitution is allowed; for these purposes the opinion of the Ministry of Health may be sought.

91. It is important to note that 18 of the 32 Mexican states⁶² have provisions in their health legislation governing prostitution or sex services. Those provisions establish the rules that must be observed, including knowledge of and use of preventive measures to avoid the spread of sexually transmitted diseases, to prohibit prostitution by minors, and to prohibit prostitution by persons suffering from a sexually transmitted disease or other serious infectious condition that would pose a threat to the health of others through sexual relations.

92. The Health Act of the State of Durango provides (article 223) that the state and municipalities must prepare and execute assistance programmes for persons engaged in prostitution, with special emphasis on training programmes for employability, including where possible work grants for incorporation into the productive sector.

⁵⁹ Baja California Sur, Campeche, Coahuila, Colima, Chiapas, Chihuahua, Distrito federal, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, Estado de México, Michoacán, Morelos, Nayarit, Nuevo León, Puebla, Quintana Roo, Sinaloa, Sonora, Tamaulipas, Veracruz, Yucatán, Zacatecas.

⁶⁰ Baja California Sur, Campeche, Coahuila, Colima, Chiapas, distrito Federal, Durango, Guanajuato, Hidalgo, Nuevo León, Puebla, Querétaro, San Luis Potosí, Tamaulipas, Veracruz.

⁶¹ Baja California, Baja California Sur, Colima, Distrito Federal, Michoacán, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa.

⁶² Aguascalientes, Baja California Sur, Coahuila, Colima, Chiapas, Durango, Guerrero, Hidalgo, Morelos, Nayarit, Nuevo Leon, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Tabasco, Tlaxcala.

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

93. Amendments have been made to the Mexican Army and Air Force Organization Act as well as the Organization Act and the Act Governing Promotions in the Mexican Navy, with a view to promoting gender equality.

94. By regulation of the Chamber of Deputies,⁶³ the legislative initiatives presented until 1 September 2009 were declared "concluded matters". From that date until November 2011, 20 initiatives were submitted relating to equitable gender representation:⁶⁴ of these one was rejected, 13 are pending and six were reported out positively. Of the latter, two were reports for preparing the internal rules of procedure of the Chamber of Deputies⁶⁵ and four were included in the report approved on 15 December 2011 for reforming four articles of the Federal Code of Electoral Institutions and Procedures (COFIPE)⁶⁶ on alternates of the same sex in elections after 2012, under penalty of denial of candidacies. As a precedent, in November 2011 the Federal Electoral Tribunal (TEPJF) amended the IFE order⁶⁷ establishing the registry of persons of the same sex as candidates and alternates for Deputy and Senator in the federal elections of 2011-2012.⁶⁸

95. As a special, temporary measure, as of December 2011, with respect to quotas for Relative Majority (RM) candidacies: 21 states have a quota of 30% or more; in one state the quota is less than 30%, in three states it is a recommendation only, and in seven states there is no quota. In the Proportional Representation (PR) lists, nine states establish parity; 14 have quotas between 30% and 40%; three have a quota of less than 30%; in two it is a recommendation, and four states have no quota. The penalty for disregarding the gender quota is denial of registration in 18 states, two of which also impose a fine; four other states merely provide for notice to the parties, and eight specify no penalty.

⁶³ A Transitional Article provided that decisions must be taken on the matters presented before 1 September 2009.

⁶⁴ For reforming the COFIPE with respect to parity, alternation and penalties for missing quotas; reforms to the Constitution regarding gender equality and access to positions, incorporation of gender equity in the membership of the Judiciary Counsel and incorporation of equality in the membership of congressional bodies.

⁶⁵ Voted on 15 December 2011.

⁶⁶ Report on reforming and expanding articles 20, 218, 219 and 225 of the COFIPE, approved on 7 December 2011 by the Interior Committee of the Chamber of Deputies and voted in plenary on 15 December 2011. The bill was submitted to the Senate to complete the approval process.

⁶⁷ Resolution approved by majority vote of the Upper Chamber of the TEPJF on 30 November 2011.

⁶⁸ There are now 120 formulas of 300 federal candidates by Relative Majority (RM) for deputies and 26, of the 64 in the Senate.

96. In July 2011 the regulation governing the audit of national political party funds⁶⁹ was amended to require that 2% of ordinary spending must go to training, promotion and development of women's political leadership. It requires the seven existing national political parties to prepare an annual work plan and allows for their actions to be monitored case by case, with respect to quantitative and qualitative review and criteria for preparing and evaluating projects. In this context, the IFE has issued a manual for the programmed expenditure accountability system and guidelines for preparing programmes;⁷⁰ its party funding audit unit will be auditing them, using a budget of 2 million pesos (US\$160,908.81)⁷¹ earmarked in the 2011 PEMIG. Funding for training and promoting women's leadership is earmarked in the electoral rules of 15 states: 10 have earmarked 2%, one earmarks spending for various groups, and four have earmarked more than 2%. INMUJERES is working with the parties' gender units on strategic planning with a gender perspective.

97. Among other measures, activities involving training, promotion and monitoring of women's political rights are being pursued under the Strategic Platform for Political Equity. The UNDP and the TEPJF are developing a project for gender equality, political rights and electoral justice in Mexico, with a view to strengthening the exercise of women's human rights.

98. Under the IFE's fourth National Competition for Civil Society Organizations 2011-2012, 32 projects have been approved to identify gaps and barriers to women's equal social and political participation and to determine training needs for the development of civic skills. The projects will be conducted in 17 states and will be targeted at various population groups in urban, rural and indigenous areas. Mexico is also participating in the project to strengthen women's political participation and promote an agenda for economic empowerment⁷² (the *SUMA Democracia es Igualdad* project), under which advice and skills development⁷³ will be provided for 1,500 women at the federal, state and municipal levels⁷⁴ over a period of three years prior to registration of candidates. In this context, in December 2011 more than 2,000 women took part in seven forums and more than 500 women were trained.

99. The General Council of the IFE⁷⁵ has approved the electoral councillors for the 32 local boards for the federal elections in 2011-2012 and 2014-2015: of the 384

⁶⁹ Amendments made by the General Council of the ISP, approved on 4 July 2011 and published in the DOF on 7 July 2011. The funds transferred from the National Executive Committee of each party to the State Steering Committees, member organizations, foundations or research institutes, political training centres, as well as for training, promotion and development of women's political leadership must be recorded in special accounts, specifying their intended use. This results from joint work of INMUJERES, IFE, international bodies and civil society.

⁷⁰ 5 October 2011 and published in the DOF on 20 October 2011.

⁷¹ At the average annual exchange rate 2011, Bank of Mexico.

⁷² Endorsed by INMUJERES and the recommendation of the IFE and the TDPJF, financed by UN Women and INMUJERES, with cooperation by the IMEFs of participating states, and coordinated by five civil associations: Equidad de Género: Ciudadanía, Trabajo y Familia; Instituto de Liderazgo Simone de Beauvoir; Mujeres Trabajadoras Unidas; Inclusión Ciudadana; and Liderazgo, Gestión y Nueva Política.

⁷³ To hold or seek public office and stand for election, as well as to promote programmes and policies to promote the women's agenda and enhance their presence in decision-making bodies. In 2010 Mexico was selected to participate in this project.

⁷⁴ Michoacán, Jalisco, Sonora, San Luis Potosí, Nuevo León, Chiapas and Veracruz

⁷⁵ Approved on 7 October 2011. With the backing of INMUJERES, the Grupo Ciudadano Mujeres al Poder urged the IFE to respect parity in the makeup of the local councils.

citizens selected, 49.2% are female; among the full candidates there is gender parity, and 48.4% of alternates are women. The IFE held the first meeting of local councillors⁷⁶ to address the gender perspective in their operations.

100. The federal government has appointed women to senior decision-making positions in the STPS, PGR, SECTUR, CONAVIM and PROVICTIMA.

101. The Mexican Standard for Occupational Equality between Women and Men (NMILMH) and the Gender Equity Model (GEM) are instruments for encouraging women's participation in decision-making positions in the public and private sectors. In order to comply with the NMILMH, the STPS has developed an online self-diagnosis aid for self-evaluation and an e-learning course on occupational equality, and it is disseminating the charter of working women's rights and obligations. With respect to the GEM, from 2003 until December 2011 roughly 1,200 organizations participated (about 42% public sector, 25% private and 33% parastatal). In 2012, the GEM will focus most of its activity in the private sector (for more detail on the NMIMLH and other measures in the labour field, see the responses to questions 15 and 16).

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

102. The programme of basic education grants for young mothers and pregnant girls (PROMAJOVEN)⁷⁷ comes in follow-up to the National Development Plan 2007-2012 and the Education Programme 2007-2012.⁷⁸ Its objective is to help reduce the education gap by providing grants to girls between the ages of 12 years and 18 years 11 months who are mothers or are pregnant and living in conditions of vulnerability, regardless of their marital status, and who wish to begin, continue or complete their basic education studies in any public education system.

103. At the present time, PROMAJOVEN is coordinated by the General Directorate of Indigenous Education, as a programme that combines actions on behalf of equity with attention to social, linguistic, cultural and ethnic diversity. It is a national programme that operates with full regard to educational federalism. In the fourth quarter of 2011 the programme provided scholarships to 11,495 beneficiaries, 2,386 of whom completed their basic education studies.⁷⁹

104. PROMAJOVEN has had equality-earmarked funding since 2008 (see Annex 13.1). In addition to funding for scholarships to the beneficiary population⁸⁰ there is another amount to provide technical support for the programme's operation.

105. As reported to the Committee in the seventh and eighth combined reports of Mexico, other measures intended to keep girls in school include education grants through the "Opportunities" Human Development Programme for members of beneficiary families between the ages of 8 and 21 years. Since 1997 the amounts of

⁷⁶ Held in November 2011.

⁷⁷ <http://www.promajoven.sep.gob.mx/>

⁷⁸ 2011 Rules of Operation, published by *Acuerdo* 554 of 29 December 2010.

⁷⁹ Preliminary figure. Final information is expected from the states in January 2012.

⁸⁰ The grant entails a monthly amount of 650 pesos (approximately US\$52.30) for a maximum of 10 months during fiscal year 2011.

grants beginning with secondary school have been greater for girls. During the school year 2010-2011, 2.6 million young women receive scholarships, 1.6% more than in the previous year, representing 50.2% of all grants (see Annex 13.2).

106. In addition to the activities mentioned in the combined reports, such as scholarships for girls and women at different levels of instruction, there is also a programme to create and consolidate day-care centres and nurseries in public state universities, which in 2011 had a budget of 50 million pesos (approximately US\$4,022,526).

107. To help eliminate and prevent sexual violence and harassment, the SEP is promoting a teacher training programme for the prevention of violence against women (PREVIOLEM), with a view to establishing activities for awareness raising, professional development and continuous training in basic education (for teachers, principals and pedagogical support personnel), in the area of human rights, gender equality and violence prevention. To this end, a network has been established in each of the country's 574 teacher training centres. The intent is to reach an annual target of 30,000 education personnel nationwide.⁸¹

108. The strategies include: comprehensive sex education, workshops, national awareness raising events and campaigns to collect signatures as a sign of commitment to combating violence, following the initiative of the United Nations Secretary-General, "Unite to End Violence against Women". On the occasion of International Day to Eliminate Violence against Women, 1 million signatures were formally delivered to the UN representative's office in Mexico.

109. In 2010 the General Directorate of Education Services Iztapalapa⁸² launched a programme of "sexual education for the student communities", in a move to eradicate all forms of violence against minors and to promote healthy sexual development through theoretical and practical workshops that will provide strategies for sexual education and the prevention and treatment of sexual violence. The target population consists of teachers and teaching assistants, parents, and preschool, primary and secondary school pupils. Publications include: "Sexual education and the prevention of child sexual abuse", "Sexual Violence: identification and prevention of child sexual abuse", and "For my health and your peace of mind let's talk about sexuality".

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

110. According to the Population and Housing Census 2010, the illiteracy rate among the population 15 years and over declined by around 5.5 percentage points between 1990 and 2010. In 1990, 12.4% of persons 15 years and older did not know how to read or write, and in 2010 that figure was 6.9%. The illiteracy rate among women is 8.1% on average, but there is a great difference between the figure for rural women (18.2%) and that for urban women (5.3%) (see Annex 14.1). There is

⁸¹ At the end of the third quarter of 2011, the programme had reached 20,921 education workers.

⁸² The programme is being conducted in Iztapalapa, one of the 16 *Delegaciones* of the Federal district.

also a difference between indigenous women in rural areas (39.5%) and those living in an urban setting (27.4%) (see Annex 14.2).

111. The main thrust of the National Institute for Adult Education (INEA) is to help women over the age of 15 to complete their basic education (basic, primary and secondary) (see Annex 14.3). But it also provides support for male and female graduates to continue their education through cooperative arrangements with higher-middle education institutions such as the Colegio de Bachilleres, via the National Council of Education for Life and Work (CONEVYT). On the other hand, some studies indicate that the 15-19 years population is the one most likely to continue its studies at the next level.

112. In this respect, the cooperation agreement between the SFP, SEP, INEA and Colegio de Bachilleres seeks to establish cooperative activities to encourage civil servants of the FPA to complete their primary and secondary education and motivate them to continue on to upper middle education. The collaboration agreement between the General Directorate of Agricultural Technology Education and INEA seeks to establish cooperative mechanisms for improving Adult Education services. Its provisions include assistance to INEA community instructors to complete their studies at the upper middle level.

113. CONEVYT provides three basic tools for continuing studies at the upper middle level, after obtaining a secondary school certificate:

- Online baccalaureate from the Mexico City Colegio de Bachilleres, through the "Open and Distance Teaching System" (SEAD).
- "*Con lo que sabes Certifica: Acuerdo 286*" provides accreditation for knowledge equivalent to the general baccalaureate obtained through self-instruction or work experience.
- The competition for entry at the upper middle level, offered through the Metropolitan Commission of Public Institutions of Upper Middle Education, consists of a single exam to assess skills and knowledge, offering entry to a wide variety of upper middle education institutions. Results in recent years show similar admission rates for women and men, although the trend suggests that the proportion of women is rising: in 2009, 49.3% of successful candidates were female; in 2010, 49.5%; and in 2011, 49.6%.

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.

114. As noted in the combined 7th and 8th reports, the STPS has since 2009 been granting certification in the NMILMH standard to public, private and social organizations committed to the professional and human development of their workers. That standard contains five key aspects: (1) equality and nondiscrimination in the guiding principles and documents of the organization, in the staff recruitment and selection processes, and opportunities for promotion, in salaries, incentives and

compensation for work of equal value, as well as in stability of employment; (2) social welfare and access to training and educational activities with equality of opportunities, as well as practices that promote reconciliation of working, family and personal life;⁸³ (3) a suitable working atmosphere, free of discrimination and workplace violence; (4) accessibility and ergonomics for persons with disabilities, pregnant women or nursing mothers; and (5) freedom to join a union. In March 2011 the President of the Republic ordered certification for all agencies and entities of the FPA. From June 2009 to November 2011, a total of 61 organizations (50 public and 11 private) had been certified, to the benefit of 41,581 individuals (48.7% women and 51.3% men). INMUJERES was certified in 2011

115. At the state level, the STPS and INMUJERES have since 2008 been pursuing a strategy entitled "Steps toward Occupational Equality" which combines the efforts of labour and business organizations and government agencies. As part of this strategy, "itinerant meetings for occupational equality" are being held, where the players involved sign letters of commitment to work jointly with local government bodies. As of December 2011 the strategy had been implemented in nine states.⁸⁴ The commitment letters focuses on applying the principle of "equal pay for work of equal value"; the adoption of measures of shared responsibility between working, family and personal life within the workplace; an initiative to reform the state penal codes to include sexual harassment and workplace violence; inclusion of a provision against both offences in collective labour contracts or in general conditions of work; and elimination of the requirement to pass a pregnancy test as a condition for getting or keeping a job. With respect to the GEM, mentioned in the combined seventh and eighth reports, see question 12.

116. With respect to the prosecution and enforcement of labour justice, including justice for female maquila workers, the STPS works through a decentralized body, the Federal Labour Protection Office (PROFEDET), the main objective of which is to defend the labour rights of male and female workers through free legal advice and representation. Between September 2010 and July 2011 PROFEDET provided services to working women in 78,651 cases (40.8% of total) of which 63,360 involved advisory services, 1,991 related to conciliation, 12,615 involved complaints, and 685 required resort to *amparo*. In addition, the amendment to article 102 of the national Constitution, adopted on 1 July 2011, has eliminated the restriction which had prevented human rights agencies at the national and state level from exercising competence in labour matters.

⁸³ Theme 2 includes: full and universal coverage of social security, vacations, vacation bonus, Christmas bonus, profit sharing (for private firms), support for housing, maternity services, training and awareness in gender and nondiscrimination for all personnel, flexible work time schemes and policies, both for women than for men, which will make it possible to reconcile family and working life; combined working days or hours in the organization and at home, etc. For details on the contents of the five themes, see: <http://www.stps.gob.mx/ANEXOS/NMX%20Iguadad%20Laboral%20entre%20Mujeres%20y%20Hombres.pdf>

⁸⁴ States were selected on the basis of data from the Occupational Segregation Index by Federative Entity 2007, published in INEGI "Mujeres y Hombres 2008", 12th edition, Mexico 2008, p.330.

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

117. With respect to the criteria for determining the existence of policies for reconciling work and family life, the "family-friendly business" (*Empresa Familiarmente Responsable*) award granted by the STPS encourages the gender perspective in labour practices from three angles: reconciliation of working and family life, equality of opportunities, and combating workplace violence and sexual harassment.⁸⁵ From 2006 to the end of 2010 this distinction was awarded to 295 firms employing 257,398 persons (62.2% men and 37.8% women). To assist in reconciling work with family life, the SEP also has the Full-Time School Programme for basic education: in the school year 2010-2011 there were 2,273 schools enrolled in the programme. There is also the Extended Day School Programme in which 662 schools participated in the first half of 2011. These two programmes have benefited more than 648,000 pupils.

118. Another support measure is the Nurseries Programme for Working Mothers: at the end of 2011 there were 9,039 nurseries in operation, providing childcare service for 300,000 boys and girls (of whom 2,927 had some form of disability). From its beginning in 2007 until the end of 2011 the programme had served 850,000 boys and girls in 1,230 municipios: of these, 432 are predominantly indigenous municipios and 46 have low HDI; 673 nurseries are in municipios with high or very high degrees of marginalization. The service is estimated to have benefited 730,000 women, allowing them to find or keep a job and to contribute more actively to the family economy; it also provides employment for more than 40,000 women as childcare workers and 9,300 as nursery managers.

119. As part of the Institutional Culture Programme (INMUJERES), a strategy has been prepared for addressing cases of sexual harassment, with a mechanism for action and administrative procedures. It was initially distributed for adoption in the 19 entities of the FPA participating in the programme. As of September 2011, 48 FPA entities had designed and prepared their mechanism and "roadmap". An analysis of implementation of the action plans currently being pursued in 244 agencies and entities of the FPA shows that 44.7% have strategies for prevention, treatment and punishment of harassment cases and a complaints programme, and 63.5% are conducting campaigns through their internal communications media, which include procedures for filing complaints. Through its online training strategy, INMUJERES is offering a course on the prevention and treatment of sexual harassment. Accreditation was provided for 123 individuals (88 women and 35 men) in 2010 and for 819 (556 women and 263 men) in 2011.

⁸⁵ The award recognizes firms that have labour practices such as the following: flexible working hours; work by results and objectives; benefits that strengthen family integration (child care, nurseries or other facilities for breast-feeding, life insurance, medical costs, cafeteria, transportation, laundry, psychological, family or legal advice, and health guidance); supports (days of leave or economic support) for persons attending family events, without affecting their income and labour rights; supports for family development (education grants for the children of staff, support for educational tools, school for mothers and fathers, etc.). For further detail on the aspects assessed in awarding the distinction, see: http://www.stps.gob.mx/bp/secciones/sala_prensa/actividades/2011/mayo/archivos/LINEAMIENTOS%20EFR%202011.pdf

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

120. The Federal Labour Act recognizes women's right to social security; articles 164 to 172 regulate women's work, in particular the protection of women in maternity and maternal leave. STPS estimates based on the National Occupation and Employment Survey (ENOE) for the third quarter of 2011 indicate that 56.6% of the female working population is engaged in the informal sector where the services and social security guaranteed by law are unavailable. As a way of providing health services to these women and those working in the informal labour market the national government, through the Health Ministry, offers the Social Health Protection System ("*Seguro Popular*", SP). As of 30 June 2011 that programme had 48.5 million affiliates, of whom 54% were women. The SP offers, as part of its protection, medical care for patients with breast and cervical-uterine cancers.⁸⁶

121. For older adults without Social Security, there is the "70 and Over" programme which at the end of 2010 had registered 2,167,036 beneficiaries, of whom 51.2% were women.⁸⁷ The bimonthly allowance of 1,000 pesos (US\$80.45) for persons 70 years and older represents 50% of the household income of beneficiaries and is their primary source of support in 90% of cases. The "Opportunities" Human Development Programme also provides a stipend of 350 pesos a month (US\$25.34) for older adults. In August 2011, INMUJERES published General Recommendation 27 on Older Women and Protection of Their Human Rights, adopted by the CEDAW Committee in December 2010, along with a manual of federal government programmes and services for seniors.

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

122. A Family Planning and Contraception Programme has been in place for 40 years as a measure to protect and promote responsible sexual and reproductive health, and it has done much to lower the risks of mortality associated with childbirth by reducing the number of high-risk pregnancies and encouraging couples to delay having their first child and to increase the spacing between children. In 2007 the number of contraceptive users is estimated to have risen by 7%. Among female adolescents, 3,478,946 were actively using some contraceptive method between September 2010 and August 2011. During that same period, 48.8% of adolescents who gave birth in Health Ministry hospitals subsequently opted for a modern contraceptive method. The Adolescent Health Care Programme (PASA) and

⁸⁶ In 2010 the SP covered medical care for 7591 cases of breast cancer in 4761 cases of cervico-uterine cancer; the corresponding figures for the first half of 2011 are 4227 and 2857, respectively.

⁸⁷ Source: INMUJERES, *Sistema de Estadísticas de los Padrones de Programas Gubernamentales* (<http://padrones.inmujeres.gob.mx/programanio.php?idPrograma=65>)

the National Childhood and Adolescence Health Centre (CENSIA) are targeted at this population segment.⁸⁸

123. Mention should be made of NOM 046-SSA2-2005, the Mexican official standard on criteria for preventing and treating domestic and sexual violence and violence against women,⁸⁹ observance of which is mandatory for all institutions of the National Health System and for health service providers in the public, social and private sectors throughout the country, on penalty of criminal, civil or administrative sanction.

124. That Standard sets criteria to be observed in detection, prevention, medical treatment and guidance provided to users of public health services, and in particular to persons involved in situations of family or sexual violence, and provides for the notification of cases. It too was prepared in follow-up to Mexico's international commitments, including those with respect to CEDAW and the Convention of Belém do Pará.

125. On 27 May 2010 the SCJN upheld the constitutionality of NOM 046-SSA2-2005. With that decision, all federal and state clinics and hospitals are required to offer and guarantee supply of emergency contraception to female victims of sexual violence, and in cases of rape they must proceed to terminate the pregnancy if the woman so requests.⁹⁰

126. Abortion is criminalized throughout the country, but there are various exceptions and extenuating circumstances, specific to each federative entity. As the Committee was informed in the seventh and eighth consolidated report, the Penal Code of the Federal District was amended in 2007 to decriminalize abortion before the 12th week of gestation (see paragraph 170).

127. Among the grounds for exception, abortion is allowed for rape in the penal codes of the 32 states; for criminal negligence in 30 states; for risk of death in 29 states; for serious genetic or congenital malformations of the foetus in 14 states; for grave threat to health in 12 states; for artificial insemination without consent in 11 states; and for economic reasons if the woman has at least three children, in one state (see Annex 18.1).

128. In Annex 10 of the 2012 federal budget, an amount of 1,141,479,346 pesos (US\$81,943,958)⁹¹ is earmarked for "reproductive health care and gender equity in health".⁹² Among the priority programmes of the National Centre for Gender Equity

⁸⁸ Source: Quinto Informe de Gobierno, September 2011. <http://www.informe.gob.mx/informe-de-gobierno/quinto-informe-de-gobierno>.

⁸⁹ Amendment to NOM-190-SSA1-1999, provision of health services. Criteria for medical care for family violence, to become NOM-046-SSA2-2005. Family violence, sexual violence and violence against women. Criteria for prevention and care, DOF, 16 April 2009, <http://www.iner.salud.gob.mx/descargas/juridico-normasmexicanas/NOM-046-SSA2-2005.pdf>

⁹⁰ press release of the SCJN 141/201, 27 May 2010:

<http://www2.scjn.gob.mx/red2/comunicados/comunicado.asp?id=1851>

⁹¹ Figures in US dollars, at an exchange rate of 13.93 pesos to the dollar on 2 January 2012 Banxico

⁹² Of which 636,100,000 pesos (US\$45,664,034) corresponds to increase as voted by the Chamber of Deputies. See <http://www.apartados.hacienda.gob.mx/presupuesto/temas/pef/2012/index.html>

and Reproductive Health are the Family Planning and Contraception Programme⁹³ and the Sexual and Reproductive Health Programme for Adolescents.

129. In Guanajuato seven women charged with *homicidio en razón de parentesco* ("murder of a relative") were released from prison in September 2010, after an amendment to the state penal code. In some states, however, there are still women in prison, at various stages of prosecution.

130. INMUJERES has declared its opposition to prosecuting women for turning to abortion for any reason. In this connection, it considers it very important to support actions and measures to give women access to information and to the full range of contraceptive methods, so as to reduce the incidence of abortion in Mexico.

131. The National Bioethics Commission, a decentralized body of the Health Ministry, has presented a discussion paper concerning the decriminalization of abortion as a way to promote rational, sustained and orderly dialogue.⁹⁴

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.

132. According to the National Registry of AIDS Cases, kept by the National Centre for Prevention and Control of HIV/AIDS (CENSIDA), as of 30 November 2011 there were 151,614 cumulative cases of AIDS (82% males and 18% females). In 2011 the prevalence of HIV infection in pregnant women was six per 10,000 (0.06%). According to the Administration, Logistics and Surveillance System for Antiretroviral Drugs (ARV), 42,544 persons were receiving treatment in December 2011 (10,299 women and 32,245 men), and 709 pregnant women were undergoing treatment, under the control and monitoring of the Outpatient Centres for Prevention and Care of AIDS and Sexually Transmitted Infections (CAPASITS) or in the comprehensive care services of the Health Ministry hospitals. The country has the capacity to provide ARV to all pregnant patients, and these drugs are universally available, free of charge, in public institutions. The health sector has adopted a specific plan for preventing HIV in pregnant women and for eliminating congenital syphilis, for providing appropriate medical treatment, and for preventing newborns from contracting both diseases.

133. For pregnant women with HIV/AIDS, the National Centre for Gender Equity and Reproductive Health (CENGRS) is working at three stages: preconception, conception, and post-conception. The preconception phase emphasizes family planning and contraception, respecting the right of the patient to become pregnant and advising her of the risks involved when she has the disease, and the importance of early treatment with ARV. In the conception phase, the emphasis is on detection of HIV/syphilis in pregnant women, with their informed consent, on screening, and on treatment of positive cases. In this stage, treatment is combined with prenatal care in specialized centres and in the CAPASITS. In the post-conception stage, HIV-

⁹³ Tasks include the prevention of unplanned and high risk pregnancies, reducing the risk of perinatal mortality, abortion and sexually transmitted infections. It also seeks to foster a responsible attitude to reproduction, improve living conditions for individuals, both for parents and for their children, and reduce fertility levels.

⁹⁴ <http://cnb-mexico.salud.gob.mx/descargas/pdf/comisionnacional.pdf>

positive patients are advised to avoid breast-feeding and the newborn is monitored for 18 months. Substitute milk is provided for infants during the first six months, and guidance is provided in the use of high-continuity family planning methods. In 2011 the Health Ministry provided funding to 31 states and the DF for rapid HIV testing (Annex 19.1 provides information by state for that year).

134. Under the Specific Action Programme for Gender Equality in Health 2007-2012, between September 2010 and August 2011 the gender perspective was incorporated into activities of Mexico's Country Coordinating Mechanism for the Global Fund. As well, INMUJERES, in coordination with CENSIDA and civil society organizations, hosted workshops on HIV and gender, self-esteem, leadership and negotiation for 128 women with HIV/AIDS and health personnel in the states of Veracruz, Mexico, and Baja California; it delivered copies of the Sexual and Reproductive Health Guide for Women with HIV/AIDS to 63 CAPASITS around the country; it sponsored a competition for prevention projects and three forums on women's HIV/AIDS issues; it held a forum entitled "a political agenda for women regarding HIV/AIDS: leadership in action"; it published a "guide for incorporating the gender perspective into health programmes", distributed to state health services; and during the 12 National Congress on HIV/AIDS and Other Sexually Transmitted Infections it organized, together with CONASIDA, a forum entitled "strengthening female leadership in response to HIV/AIDS in women in Mexico".

30. 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.

135. To combat discrimination against indigenous women in the education field, the National Commission for the Development of Indigenous Peoples (CDI), through the Indigenous Hostel Schools Programme (PAEI), serves children and young people who have no educational opportunities in their community. In 2011, 46.8% of beneficiary students were females and 97.7% of them completed the school year 2010-2011. In that same year the Intercultural Universities enrolled 7,045 students (53.8% female and 46.2% male), of whom 3,670 (52% of total involvement) were indigenous and speakers of an indigenous language.

136. Since 2008 the CDI has been running projects to address strategic issues for indigenous women relating to exercise of their rights, treatment and prevention of gender violence, sexual and reproductive health care, empowerment and professional development, sensitization of the indigenous male population, and political participation for indigenous women. Highlights include: the Indigenous Women's Centres, coordinated efforts to prevent and address violence against women with an intercultural focus; strengthening capacities for gender equity in the indigenous population; co-investment to create and support training facilities for indigenous women; and measures coordinated with civil society or academic institutions.

137. As mentioned in the combined seventh and eighth report of Mexico, under the heading of employment and productive projects for the indigenous population of both sexes, the CDI operates the Regional Indigenous Funds Programmes (PFRI) and the Productive Organization Programme for Indigenous Women (POPMI) (see Annexes 20.1 and 20.2). The Agrarian Reform Ministry (SRA), through the Support Fund for Productive Agricultural Projects (FAPPA) and the Programme for Women in the Agricultural Sector (PROMUSAG), provided support in the first half of 2011 to 2,531 men and 10,418 women for implementation of 2,222 productive projects in indigenous municipios.

138. In the first half of 2011 the Ministry of Economy, through the Microfinance Fund for Rural Women (FOMMUR), distributed 49,838 micro credits in 484 municipios of 28 states (119 municipios in Priority Attention Areas). The average amount of these credits was 6,149.42 pesos (US\$494.76). The 60,610 rural women who received these credits invested the funds in service activities (such as food vending, small variety stores, crafts, clothing and footwear). In the case of the National Support Fund for Solidarity Enterprises (FONAES), 1,184 credits were awarded to open or expand a business, benefiting 3,146 female social entrepreneurs, generating 2,808 new jobs, and helping preserve 376 existing jobs.

139. In 2010 and 2011 the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food (SAGARPA) held 11 regional training workshops for rural women leaders, attended by 1,139 women who strengthened their capacities for strategic planning of their productive projects, creating micro-businesses, and incorporating information and communication technologies into their projects. Through the Internal Labour Mobility Programme, the STPS offers services to put the unemployed or underemployed in touch with potential employers, and it provides economic support for labour mobility and training. In the first half of 2011 it served 2,915 women in indigenous municipios, and found jobs for 1,564 women.

140. The Indigenous Women's Centres (CAMI) are facilities specially designed and built for the prevention and treatment of violence and the promotion of sexual and reproductive health for indigenous women, with a gender and intercultural focus. In December 2011 there were 19 such centres. Their principal activities in terms of disseminating women's rights include participation in awareness raising events; providing support and translation in cases involving government bodies; care and counselling for women facing problems of violence; working with men on such issues as violence, alcoholism, drug consumption and building masculinity; workshops for children and young people; community promotion; legal and emotional counselling for women experiencing violence; advice on child care and custody; conciliation or mediation for couples before turning to other legal channels; participation in interagency efforts to address gender violence and channelling cases to the corresponding institutions; and self-help groups.

141. When it comes to sexual and reproductive health, the main activities relate to preventing maternal mortality; monitoring pregnancies; detecting and monitoring high-risk pregnancies; prenatal monitoring; monitoring the quality of care received and helping women deal with health agencies; translation between indigenous women and their physician; training in contraceptive methods, sexually transmitted diseases, prevention of adolescent pregnancy; community discussion groups and workshops on sexual and reproductive health; conferences, discussions on health

and participation in specialized events; studies, preparation of traditional herbal medicines and sale of medications; and traditional medicine.

142. In 2010 care and information on sexual and reproductive health issues, masculinity, violence and rights were provided to 4,426 women and 566 men, and 28 projects for treating family and gender violence were supported, benefiting 51,401 women and 16,552 men.

143. As mentioned in the combined seventh and eighth report of Mexico, the Health Ministry has pursued various strategies to strengthen maternal and perinatal health for rural and indigenous women. These include professional midwife services.⁹⁵ Under the current administration, as of June 2011, 1,915 traditional midwives had been evaluated for a cumulative total of 2,210 midwives certified since 2006. In the first half of 2011, midwives attended at 11,984 births.

144. In 2010 the Health Ministry identified and established contact with 5,080 midwives and 1,049 traditional indigenous therapists. The Ministry reports that more than 40,000 pregnant women were referred by traditional midwives in indigenous communities for professionally assisted childbirth in medical units of the IMSS-Opportunities Programme (PI-O) run by the Mexican Social Security Institute (IMSS), which combines medical and community efforts in support of health priorities. In 2010, under the PI-O, midwives handled 159,385 inquiries, provided 89,225 prenatal consultations, and assisted at 10,104 childbirths. As well, they referred 17,090 candidates for family planning and 65,016 patients for prenatal control. Total referrals for obstetrical care amounted to 4,443 [sic] and 8,754 newborns. Finally, 21,219 women were referred for cervical inspection.

145. With respect to access to justice, the CDI programme to promote justice agreements (PPCMJ) provides economic support for projects to promote and defend the rights of indigenous peoples, and it sponsors activities in the justice area implemented by farming cooperatives and social organizations. In 2011 it supported 535 organizations taking action to strengthen their traditional legal systems. It also provided advisory services, management, payment of surety and reparations for damages caused by first-time indigenous offenders; legal defence and representation in civil and criminal proceedings; and indigenous language translation and interpretation services in criminal proceedings. During that year the programme served 20,824 indigenous women and men in eight states.

146. In 2010 and 2011 the CDI co-hosted events to promote access to justice for indigenous women, held in four states, intended to enhance the professional skills of persons involved in the dispensing of justice. As part of the project for the release of indigenous prisoners, during the period 2006-October 2011 the programme secured the release of 470 indigenous women who were first-time offenders with few financial resources, by posting the bonds demanded by the competent authorities and making institutional arrangements to assist in their reintegration into the family unit and into community life.

147. In 2011, INMUJERES undertook a diagnostic study of the situation of indigenous female prisoners to examine their legal situation, the status of their

⁹⁵ In this respect, mention must be made of the study on the use and role of nonmedical providers of prenatal and obstetric care in Mexico: professional midwives and obstetrical nurses. Evidence and areas of opportunity, conducted by the National Institute of Public Health over the period 2005-2011.

human rights, their living conditions, their family situation in prison, and to identify needs in terms of policies and legislative reforms to change their situation and provide them with the support needed for their release. The analysis was based on a study of 105 cases of inmates in 21 penitentiaries in the states of Chiapas, Oaxaca and Veracruz, which have the greatest number of indigenous female prisoners.

148. A strategy for training, accreditation and certification of indigenous language interpreters in the justice system is being pursued jointly by the National Institute of Indigenous Languages (INALI) and the CDI, under a specific collaboration agreement. As part of that strategy, 11 diplomas had been awarded as of December 2011⁹⁶ and more than 370 persons had been trained. To date, 263 interpreters (83 of them women) have been accredited in 27 linguistic groups. INALI has conducted local and regional certification programmes and has sponsored creation of the National Roster of Interpreters and Translators in Indigenous Languages (PANITLI) to meet the institutional and social demand for interpretation and translation services in indigenous languages in the administration of justice, health, and public services in general. In addition, since mid-2010 the National Council for Standardization and Certification of Occupational Skills (CONOCER) has been authorized to assess and certify interpreters' skills.⁹⁷

149. In 2006 the CDI implemented the project for care of displaced indigenous persons (PAID) with a view to combining the efforts of federal, state and municipal bodies to assist the relocation or return home of indigenous persons displaced by acts of violence, armed conflicts, human rights violations, or religious, political, cultural or ethnic intolerance, with full respect for their cultural diversity. The programme provides support for the acquisition of farmland and urban building lots, including the costs of ownership registration, as well as materials for housing construction and inputs for productive activities.⁹⁸ In 2011, a total of 1,048 heads of family, 26.11% of them women, received support.

150. INALI has translated the principal messages of the federal campaign against trafficking in persons into 21 indigenous languages. The translations were broadcast from May to December 2011 via the indigenous cultural broadcasting system (SRCI) in both their "labour" and "sexual" trafficking versions. In December 2011 the SEP published a book entitled "Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Our rights in indigenous languages".

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

151. To date, the legislative reform initiatives mentioned in paragraph 205 of the combined seventh and eighth report of Mexico are still under debate. However, other initiatives have been approved in favour of equality, at both the federal and

⁹⁶ In Guerrero, Oaxaca, Chihuahua, Veracruz, Chiapas, Quintana Roo, Yucatán, Distrito Federal, Campeche, Puebla and San Luis Potosí.

⁹⁷ On 9 June 2009 the DOF published Technical Occupational Skills Standard NUINL001.01 on the oral interpretation of indigenous languages into Spanish and vice versa in the justice system, as a benchmark for evaluating and certifying persons serving as interpreters in judicial proceedings.

⁹⁸ For the most recent assessment of PAID by CONEVAL see http://www.cdi.gob.mx/coneval/paid_completo_eed2010_2011.pdf

local levels: in some states, such as the State of Mexico and Guerrero and the Federal District, civil and family law contain no provisions that would prevent women from remarrying once they have obtained a divorce.⁹⁹ In Michoacan, the Legislature has completed debate and analysis on removing from the state penal code the offence of wounding and homicide "for reasons of honour" or "violent emotion", under which the murder of a spouse in cases of "infidelity" could be excused.

152. Mention should also be made of the 2011 constitutional reforms which give constitutional status to the human rights contained in international treaties to which Mexico is party, and which amend the applicability of *amparo* judgments (see response to question 1). In a historic decision, after analyzing the judgment issued by the Inter-American Court of Human Rights in the *Radilla* case, the SCJN ruled in July 2011 that all judges must verify that the laws they apply are consistent with the Constitution and with international human rights treaties.

153. With respect to the rights of the child, two articles of the national Constitution have been amended to provide that, in all decisions and actions of government, the principle of the higher interest of the child must take precedence. As well, the General Act on the Provision of Services for Integral Care and Development of Children was published in October 2011, guaranteeing children's access to comprehensive care and development services under conditions of equality, quality, warmth, security and adequate protection, such as to promote full exercise of their rights.

⁹⁹ Olamendi, Patricia. *Mujeres, familia y ciudadanía. Discriminación y exclusión en los códigos civiles de México*. UNIFEM, Mexico, 2008, p. 48

Annexes

Question 13

Annex 13.1. Funding for PROMAJOVEN 2008-2011

Area	Programme	Amount (millions of pesos)			
		2008	2009	2010	2011
Public education	Basic education grants for young mothers and pregnant girls	47.2	52.2	51.4	65.3

Annex 13.2. Grants to Women from the “Opportunities” Human Development Programme, 2007-2011

Area	2007- 2008	2008- 2009	2009- 2010	2010- 2011
Total	2 591 414	2 533 348	2 565 122	2 605 279
By educational level				
Basic	2 171 630	2 110 062	2 112 036	2 130 568
Primary	1 275 321	1 226 822	1 224 238	1 240 118
Secondary	896 309	883 240	887 798	890 450
Baccalaureate	419 784	423 286	453 086	474 711

Source: Ministry of Social Development.

Question 14**Annex 14.1. Illiteracy rate among urban and rural populations 15 years and over, by sex, 2010**

<i>Locality</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>
Total	6.9	5.6	8.1
Rural	15.7	13.1	18.2
Urban	4.4	3.4	5.3

Source: INEGI, Population and Housing Census 2010. Tabulated from basic questionnaire.

Annex 14.2. Illiteracy among indigenous women 15 years and over, urban and rural

<i>Entity</i>	<i>Population 15 years and over (Women)</i>			<i>Illiterate (Women)</i>					
	<i>Total</i>	<i>Urban</i>	<i>Rural</i>	<i>Total</i>	<i>%</i>	<i>Urban</i>	<i>%</i>	<i>Rural</i>	<i>%</i>
Mexican Republic	2 746 774	1 161 670	1 585 104	944 827	34.4	318 204	27.4	626 623	39.5

Source: INEGI, Population and Housing Census 2010.

Annex 14.3. Students completing level, by sex (2010)

<i>Educational level</i>	<i>Women</i>	<i>%</i>	<i>Men</i>	<i>%</i>	<i>Total</i>
Literacy (basic)	85 316	74%	30 052	26%	115 368
Primary	112 625	61%	71 718	39%	184 343
Secondary	202 701	52%	184 949	48%	387 650
Total	400 642	58%	286 719	42%	687 361

Source: National Institute for Adult Education, Directorate of Planning, Administration, Assessment and Dissemination. Information and Quality Division, Department of Statistics.

Question 18**Annex 18.1. Grounds for exception to the crime of abortion in state penal codes**

<i>Grounds for exception</i>	<i>Allowed</i>	<i>Not allowed</i>
Rape	32	-
Between 75 days and three months after the rape or pregnancy	9 Baja California Coahuila, Colima, Chiapas, Chihuahua, Hidalgo, Oaxaca, Veracruz and Quintana Roo	23 Not allowed
Criminal negligence	30	2 Chiapas and Nuevo León
Life at risk	29*	3 Guanajuato, Guerrero, Querétaro
Severe genetic or congenital malformations of the foetus	14 Baja California Sur, Coahuila, Colima, Chiapas, Federal District, Guerrero, Hidalgo, México, Morelos, Oaxaca, Puebla, Quintana Roo, Veracruz and Yucatán.	18 Aguascalientes, Baja California, Campeche, Chihuahua, Durango, Guanajuato, Jalisco, Michoacán, Nayarit, Nuevo León, Querétaro, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala and Zacatecas.
Grave risk to health	12 Baja California Sur, Colima, Chihuahua, Federal District, Hidalgo, Jalisco, Michoacán, Nayarit, Nuevo León, Tamaulipas, Tlaxcala, Zacatecas	20 Aguascalientes, Baja California, Campeche, Coahuila, Chiapas, Durango, Guanajuato, Guerrero, México, Morelos, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Veracruz, Yucatán
Artificial insemination without consent.	11 Baja California, Baja California Sur, Colima, Chihuahua, Federal District, Guerrero, Hidalgo, Morelos, San Luis Potosí, Tabasco and Veracruz	21 Aguascalientes, Campeche, Coahuila, Chiapas, Durango, Guanajuato, Jalisco, México, Michoacán, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, Quintana Roo, Sinaloa, Sonora, Tamaulipas, Tlaxcala Yucatán and Zacatecas.
Economic reasons, when the mother has at least three children	1 Yucatán	31 not allowed
At the request of the mother, during the first 12 weeks of pregnancy	1 Federal District	31 not allowed

* Explicitly allowed in 26 states. Although Chihuahua, Federal District and Hidalgo do not specifically consider "life at risk", this is included in the exception for "grave risk to health".

Source: Dirección General de Transversalidad de la Perspectiva de Género. INMUJERES, December 2011.

Question 19**Annex 19.1. Mexico. HIV testing by state, 2011**

<i>State</i>	<i>Number of tests</i>	<i>State (cont.)</i>	<i>Number of tests (cont.)</i>
Total	1,102,281		
Aguascalientes	14,175	Morelos	3,543
Baja California	13,310	Nayarit	15,100
Baja California Sur	4,017	Nuevo León	25,150
Campeche	6,688	Oaxaca	40,000
Coahuila	28,000	Puebla	77,100
Colima	8,500	Querétaro	18,000
Chiapas	49,125	Quintana Roo	3,000
Chihuahua	23,875	San Luis Potosí	16,300
Federal District	34,993	Sinaloa	43,000
Durango	0	Sonora	25,500
Guanajuato	0	Tabasco	50,000
Guerrero	31,800	Tamaulipas	36,675
Hidalgo	32,400	Tlaxcala	151,600
Jalisco	51,205	Veracruz	0
México	236,350	Yucatán	14,925
Michoacán	27,950	Zacatecas	20,000

Source: CNEGSR, Ministry of Health, Dec.2011. For states with 0 value, the official test funding report is not available.

Question 20**Annex 20.1. Mexico. Regional Indigenous Funds Programme (PFRI)**

<i>Fiscal year</i>	<i>Indigenous beneficiaries</i>				
	<i>Total</i>	<i>Men</i>	<i>%</i>	<i>Women</i>	<i>%</i>
2006	24 932	12 743	51.1	12 189	48.9
2007	22 261	10 879	48.9	11 382	51.1
2008	17 233	8 281	48.1	8 952	51.9
2009	13 626	6 425	47.2	7 201	52.8
2010	13 560	6 410	47.3	7 150	52.7
2011	14 740	6 901	46.8	7 839	53.2

Source: CDI, Coordinación General de Fomento al Desarrollo Indígena (CGFDI).

Annex 20.2. Mexico. Productive Organization Programme for Indigenous Women (POPMI)

<i>POPMI</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>Total</i>
Projects supported	1 768	1 577	2 186	2 192	2 550	3 827	14 100
Women served	22 136	19 134	26 293	25 053	28 356	42 128	163 100

Source: CDI, Coordinación General de Fomento al Desarrollo Indígena (CGFDI).