



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

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## Committee on the Elimination of Discrimination against Women Fifty-second session

### Summary record of the 1052nd meeting

Held at Headquarters, New York, on Tuesday, 17 July 2012, at 3 p.m.

*Chair:* Ms. Pimentel

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the Convention (*continued*)

*Combined seventh and eighth periodic reports of Mexico (continued)*

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*The meeting was called to order at 3.00 p.m.*

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

*Combined seventh and eighth periodic report of Mexico (continued) (CEDAW/C/MEX/7-8, CEDAW/C/MEX/Q/7-8 and Add.1)*

1. *At the invitation of the Chair, the delegation of Mexico took places at the Committee table.*

*Articles 1 to 6 (continued)*

2. **Mr. Negrín Muñoz** (Mexico) said that the delegation would send written replies to the questions on the regulations governing the role of the security forces, police protocols used in cases of gender-based violence, regulations governing the use of force, the preservation of evidence and pre-trial detention; and the most recent results of surveys on violence within Mexico, particularly within the education system.

3. **Ms. Incháustegui Romero** (Mexico) said that after six years of discussions within Congress, the legal concept of femicide had been defined based on the common characteristics determined in investigation of cases of femicide over the years. More than 60 organizations had been consulted and 10 forums had been held with experts around the country. The definition encompassed the causes of all forms of sexual violence as well as cases where women had been injured or mutilated either before or after death, where there was a history of violence and harassment, where the victim knew her attacker and where the woman's body had been left in a public place. Therefore, the Mexican concept of femicide did not simply cover cases of domestic violence that resulted in the death of a woman, but also crimes of femicide perpetrated by acquaintances or strangers or even criminal organizations. Those found guilty of femicide could be given prison sentences of between 40 and 60 years, fined and could lose their inheritance rights if the victim was their partner or former partner. An investigation had been carried out in conjunction with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the National Institute of Women of Mexico into the registration of deaths where homicide was suspected since 1985, as there was a complete lack of coherence between the little data that was available from the Federal and State Offices of the Attorneys-General.

The results of that investigation had shown that there had been an increase of between 300 and 1,000 per cent of suspected homicides since 2007 and highlighted signs of impunity, such as the fact that in 30 per cent of cases forensic experts had failed to carry out autopsies, which had significantly hindered police investigations. National standards and guidelines had been drawn up as a result in conjunction with 24 Offices of Attorneys-General and were in the process of being implemented. A set of indicators had also been drawn up, with input from the National Commission to Prevent and Eradicate Violence against Women (CONAVIM), for a new national alert system that was politically neutral. In the past the alert system had only been implemented in particular districts depending on which political party was in power, which had ultimately been prejudicial to women and the protection of their rights. Steps were being taken, in conjunction with the Office of the Federal Attorney-General, to introduce a standardized civil registry that clearly distinguished between homicides and femicides depending on the legal concept of those crimes in the states concerned.

4. **Mr. Ruíz Carbonell** (Mexico) said that as a result of the agreements adopted by the National Conference on Law Enforcement, guidelines to standardize the investigation of crimes concerning the disappearance, rape and gender-based murder of women had been approved, which required each state and the Federal Government to adopt and implement protocols on the issue. To date, all states had designated a liaison officer and many had submitted a draft of those protocols. The guidelines would facilitate both Ministerial and police investigations with the Offices of the Attorneys-General and incorporated human rights provisions, child protection measures and a gender perspective.

5. **Ms. García Espinoza de los Monteros** (Mexico) said that her Government condemned any act that threatened or endangered the life, physical integrity, assets and loved ones of a human rights defender or journalist. However, it was aware of the statistics in the reports produced by various United Nations entities and non-governmental organizations (NGOs) and had begun to make significant efforts to solve the problem. One problem related to the dangers faced by human rights defenders and journalists was impunity. The Office of the Federal Attorney-General had created the office of the Special Prosecutor for Crimes against the

Freedom of Expression in 2010, hence only a limited amount of data was available. Nevertheless, the study to follow up on actions to address femicide in Mexico had revealed that many journalists had been murdered in states such as Vera Cruz. The law already provided for a number of protective measures for individual human rights defenders, journalists, groups and buildings. Those measures sought to reduce risks to a minimum; they were appropriate, effective and temporary, in line with international standards, methodologies and best practices and sought to have a minimal impact on the daily life of the person concerned. All modern surveillance technologies and techniques were used and emergency procedures were in place; the authorities ensured their efficacy by constantly evaluating their suitability and assessing threat levels. More restrictive measures could be imposed if necessary and police officers trusted by the person concerned could be assigned to protect him or her. Protective measures were only put in place with the consent of the person concerned and were only discontinued once the authorities were sure that the person's life was no longer in danger. Between 2010 and 2012 the Special Prosecutor had investigated 66 cases, 9 of which concerned the murder of a journalist. Special protection measures were currently in place for 36 human right defenders: 14 were under protection orders issued by the Federal Ministry of Public Security and 12 were being reviewed by the Protection Mechanism Committee for Journalists and Human Rights Defenders.

6. **Mr. Navarrete Gutiérrez** (Mexico) said that the gender violence alert system had not been used because of the highly politicized discussions that had recently taken place within the advisory commission, a national, collegiate-style body, comprised of 48 federal and local departments, that sought to prevent, treat and punish violence against women. The Government had established a working group to examine the procedures for issuing a gender violence alert, which currently required civil society organizations to request a warning. A reform of the advisory commission, headed by the Ministry of the Interior, was currently under way with the goal of establishing objective, non-partisan mechanisms to ensure that the alert system protected women and guaranteed their rights.

7. **Mr. Hernández Benítez** (Mexico) said that the Migration Act of 2011 guaranteed not only the rights provided under the Mexican Constitution, but also

those contained in international human rights agreements to which Mexico was a party. The Interagency Commission to Prevent and Punish Trafficking in Persons had led the recent Blue Heart campaign in Mexico, in conjunction with the United Nations Office on Drugs and Crime (UNODC). In 2010 a procedural directive had been issued to assist immigration officers in detecting, identifying and providing assistance to victims of trafficking and guaranteeing those victims access to legal, medical and psychological help, in collaboration with various state institutions and shelters run by NGOs. All victims and witnesses of crimes of trafficking in persons were allowed to remain in the country for humanitarian reasons. In 2007 the member States of the Regional Conference on Migration had produced Regional Guidelines for Special Protection in Cases of Repatriation of Child Victims of Trafficking that provided immediate protection to those victims. The work of the Child Protection Officers, who also assisted migrant children, had been recognized by the Global Forum on Migration and Development and the Beta Groups (Grupos Beta) of the National Institute for Migration provided migrants with legal advice.

8. **Mr. Ruíz Carbonell** (Mexico) said that since the adoption of the Act to Prevent and Punish Trafficking in Persons in 2007, 19 federal and 3 state agencies had made legislative headway on the issue, notably the Act to Prevent, Punish and Eradicate Crimes relating to Trafficking in Persons and for the Protection and Assistance of Victims of those Crimes of June 2012, which promoted increased cooperation between federal and state entities; covered a greater number of legal concepts of trafficking; increased the penalties for those crimes; provided for reparations for victims; established more effective protection mechanisms for victims; and included the provisions of the Protocols to the United Nations Convention against Transnational Organized Crime. The Special Prosecutor for Crimes of Violence against Women and Trafficking in Persons had introduced a series of measures, including a special refuge for victims of trafficking, which was created in 2009 and had provided shelter to a total of some 290 women and 90 children. The Special Prosecutor had dealt with 17,000 cases, which included providing psychological and legal assistance. The criteria of the 2007 Act had been too restrictive which explained why, of the 259 inquiries carried out, only four had resulted in prison sentences.

9. **Ms. García Gaytán** (Mexico) said that notable examples of special temporary measures in place to help vulnerable women and girls were the scholarship programmes for young mothers and young pregnant women (PROMAJOVEN) and for girls who were living in poverty or were members of indigenous groups, granted through the Oportunidades (“Opportunities”) Human Development Programme. The National Science and Technology Council had also implemented a federally-funded programme to help single mothers finish their university courses.

10. In an effort to encourage gender parity in the workplace, one of the goals of the national intersectoral defence programme of the Ministry of National Defence had been to increase the percentage of women in the military from 3.5 to 7 per cent; currently they had reached 6.5 per cent. The Mexican Standard for Occupation Equality between Women and Men had instigated dialogue within production industries, businesses and trades unions and ensured equal pay for work of equal value. Within the judiciary, only two of the 11 Supreme Court judges were women, there were no women legal advisors within the Federal Courts and women accounted for 24 per cent of the total number of judges and 18 per cent of magistrates.

#### *Articles 7 to 9*

11. **Ms. Murillo de la Vega** welcomed article 219 of the Federal Code of Electoral Institutions and Procedures that stipulated gender quotas for electoral candidates; however, there were still exceptions in the law. She asked whether the Government intended to remove those exceptions, such as in cases where a relative majority system was in place, or where the decision was left to individual political parties. The exceptions contained in the 2008 Federal Code were prejudicial, as each state applied the Code as they saw fit; the Federal Government should use its influence to change that. Limited information had been provided in the periodic report on the municipios, which were of particular interest to the Committee, as they were closest to the general population. In 2008, 4.6 per cent of municipal presidents were women and in 2010 that figure had risen to only 5.5 per cent.

12. **Mr. Guerrero Aguirre** (Mexico) said that in May 2012 women constituted just over 51 per cent of the electoral roll. Moreover, between 2006 and 2012 the number of female senate candidates increased from 37 to 44 per cent, while the number of female

parliamentary candidates went from 31 to 45 per cent. Given that the global average of women parliamentary representatives was 20 per cent, his country was on the right track. The Federal Electoral Institute considered that the exceptions to electoral gender quotas in local legislation should be removed and it would be submitting studies, carried out in coordination with the National Women’s Institute, to state authorities, recommending that the gender quotas be upheld. State authorities were independent of the federal government and could not be instructed by federal agencies; nevertheless, the Federal Electoral Institute would be recommending that all elected bodies move toward a 60-40 gender distribution, with parity as the long-term goal. The Federal Electoral Institute and the National Women’s Institute must provide state legislatures, which were responsible for overseeing municipal authorities, with the necessary support to extend the achievements at the national level, which already surpassed the targets in the Millennium Development Goals, to local and municipal chambers. The Federal Elections Tribunal had ruled that there should be no exceptions to the special temporary measures; it was therefore necessary for all the relevant governmental and non-governmental bodies to work together to implement that ruling.

13. **Ms. García Gaytán** (Mexico) said that two years earlier the Government had launched the SUMA initiative, in conjunction with civil society organizations and UN-Women, which sought to increase women’s participation at the municipal level tenfold and to ensure that women comprised 30 per cent of state and federal representatives, currently 17 and 23 per cent respectively. Women now accounted for 37 per cent of the Chamber of Deputies. However, at the municipal level much remained to be done; the Government’s goal was to increase women’s representation to 14 per cent. One of the strategies of the National Women’s Institute was to identify women leaders and provide them with political training to ensure that more women stood for local office and could ultimately be elected as mayors.

#### *Articles 10 to 14*

14. **Ms. Bailey** said that the figures given in the periodic reports indicated a slightly higher school enrolment rate for men at all educational levels, until the undergraduate level, with the widest gap in technical institutions. Illiteracy rates were also higher

amongst women, and she asked what steps were being taken to address that problem. It was not clear from the data provided on educational opportunities for indigenous women what percentage of the eligible population was covered by the 285 indigenous women who had been given higher education scholarships. There was also no information on the technical or vocational areas of study pursued by women, which was important as training of that nature was more likely to lead to higher paid employment. She welcomed the high numbers of women undergraduates but expressed concern that most of those women were enrolled in teacher training institutions. She asked for details to be provided on measures to encourage more women to study other subjects. In the light of paragraph 131 of the report, she asked whether employment was based on merit and, if so, what barriers were preventing women from entering the labour market.

15. She noted that the number of teenage pregnancies had risen sharply and that the State party had introduced a programme to ensure that pregnant girls and teenage mothers remained in education. However, in the last quarter of 2011, only 20 per cent of the girls enrolled in the programme had completed their basic education. If the other participants had dropped out, she would like to know the reasons given and the overall success rate of the programme.

16. Regional and neighbourhood violence had affected many schools and their pupils and needed to be addressed, but there was also a problem of sexual violence within schools. It would be useful to have information on who the victims of that violence were, who the perpetrators were and what mechanisms were in place to monitor incidents.

17. **Mr. Bruun**, welcoming the proposals to reform the Federal Labour Act to eliminate pregnancy test requirements for job seekers, as recommended in the Committee's concluding observations on the sixth periodic report (CEDAW/C/MEX/CO/6), asked what stage the reform initiative had reached. Referring to the voluntary standards scheme for the application of anti-discrimination standards by employers, he asked how many employers had been certified as a result of the scheme and whether it included the private sector. He welcomed the introduction of the intervention protocol for cases of sexual harassment; more information was needed on the number of cases where it had been used, how often sanctions were imposed and what steps had

been taken to prevent reprisals against those who reported sexual harassment.

18. There were deep structural inequalities in the Mexican labour markets: pay gaps were huge, female unemployment was disproportionate and there was a severe shortage of childcare. He asked whether the State party intended to ratify the International Labour Organization (ILO) Convention No. 156 on workers with family responsibilities and what policies were in place to change structural inequality. Women also accounted for 90 per cent of domestic workers, who were often not given a legal contract. Current regulations governing domestic workers dated from the 1930s. He asked what steps Mexico was taking to improve the situation of domestic workers and whether it intended to become a signatory to ILO Convention No. 189. Protection also needed to be extended to those women workers in the maquiladora industries, indigenous women and women with disabilities. Lastly, he asked what steps had been taken as part of the fight against organized crime to provide vulnerable groups with other viable means of employment.

19. **Ms. Arocha Dominguez** said that she was surprised that further to the Committee's 2006 concluding observations on the question of abortion, 20 states had adopted amendments to the law to protect life from the moment of conception. She asked whether any studies had been undertaken to assess whether such measures had led to an increase in unsafe abortions. While the existing law on abortion in Mexico City was limited it still offered women an option but she wondered what provisions were made under the law for victims of rape and incest. Rape was often used as a weapon against women; coercing victims to continue with a resulting pregnancy was not the same as a woman choosing to end an unwanted pregnancy. Furthermore, abortions currently accounted for around 7 per cent of the maternal mortality rate, a figure that would be exacerbated by further restrictions on access to abortion. The State party's maternal mortality target set under the Millennium Development Goals was 22.2 per 100,000 live births, yet in 2010 it stood at 50, despite the many health programmes introduced by the Government. Something was obviously going wrong somewhere, particularly in the south-east of the country where there was a large rural and indigenous population. She asked what steps were being taken to identify failures or poor service quality and to overcome them. She reiterated the concerns expressed

by the Committee on the Elimination of Racial Discrimination in its most recent concluding observations on Mexico that the highest figures for maternal and infant mortality were found among the indigenous population and people of African descent. Lastly, she requested further information on the quality, availability and interagency coordination of the national sex education policy, which also appeared to be failing given the persistently high number of teen pregnancies.

20. **Ms. Bailey** noted that six of the ten agencies listed in Annex 9 to the report loaned significantly less money to women than men and overall nearly 40 per cent of the funds were never distributed. She asked whether fewer women had applied or if their applications were more likely to be declined. Were the funds not distributed owing to a lack of demand or because candidates failed to meet the criteria, and were men and women subject to the same criteria? Data, disaggregated by sex and location, on the total number of applicants accepted, declined and who defaulted was needed in order for the Committee to make a fuller assessment. She also requested information on women's access to bank loans and credit, particularly microcredits, which were of great importance as women, particularly indigenous and rural women, tended to have a lower rate of participation in the formal sector than men. Lastly, she noted the high number of indigenous households that were not registered in the national social security scheme and asked what percentage of those households were headed by women and whether safety nets, such as the Oportunidades programme, were adequate in meeting the basic needs of those households. She wondered whether the non-enrolment of women in the national or state social security scheme was widespread outside of the indigenous population, what impact it had on those women and whether social security payments were based on contributions. In that case, what provision was made for women who had never worked?

21. **Ms. Bareiro-Bobadilla** expressed concern that in the region of Chiapas, indigenous women faced gender-based discrimination within indigenous structures, which ultimately fell under the responsibility of the federal Government. Indigenous women who married men from outside of their community lost their land rights and there were cases of indigenous women being sold. She asked what steps were being taken to protect the rights of indigenous

women and eliminate discriminatory practices within indigenous communities. The issue of indigenous women's access to land was of particular concern; she asked whether the State party envisaged adopting temporary special measures to ensure equal access to land, as well as political office, health services, quality education and labour markets. The military presence in certain territories as a result of ongoing efforts to combat drug trafficking had an undeniable effect on the indigenous communities in those areas, particularly the women. She asked what measures could be taken to assist those women in the face of the violence resulting from the militarization of those areas. It was vital for the authorities to adopt a strategy in line with international standards that guaranteed women's human rights in spite of the ongoing military presence. She asked what steps were being taken to prevent increasing numbers indigenous women from turning to prostitution in areas near military zones and bases. She asked whether courts of first instance and the Office of the Federal Attorney-General were competent to examine cases of violence against women, particularly indigenous women, currently heard by military courts, and how the Government ensured the investigation, prosecution and punishment of military and paramilitary personnel who had committed acts of sexual violence or other crimes against indigenous women. She urged the State party to consider the issue of adequate reparations for indigenous women victims, such as those of the Acteal massacre. It was also important to consider the rights of indigenous women in the context of migration and immigration. Lastly, she asked how the State party intended to present and tabulate the results of the recent census.

22. **Ms. Betanzos Ordaz** (Mexico) said that the results of the 2010 census had shown an 11 per cent reduction in the illiteracy rate of indigenous peoples over the last decade, with a 7 per cent drop in illiteracy amongst indigenous women. That reduction was attributed to the literacy programmes aimed at indigenous peoples and the indigenous residential schools programme. The latter sought to encourage indigenous children and adolescents, enrolled in public schools, to attend school, through differentiated models depending on the level and ability of the pupils, prioritizing those from communities with little or no educational options. Evaluations of the programme had shown that it had reduced the access gap and increased pupils' attendance at both the primary and secondary level, as well as providing food and accommodation to

indigenous pupils. The programme was largely welcomed by local communities as it had proved to be important to local economies and promoted equality between boys and girls. Between 2006 and 2012, support had been given to just over 196,500 indigenous girls. In addition, the Government had implemented the Indigenous Scholarship Programme that provided financial support to indigenous students in higher education institutes in an effort to reduce the disadvantages they faced as a result of marginalization and discrimination. Through that programme between 2007 and 2011, some 1,500 indigenous women had received assistance compared to 960 men. A scholarship programme for indigenous postgraduate students had also been created recently in conjunction with the Social Anthropology Research and Higher Studies Centre (CIESAS) and the National Commission for the Development of Indigenous Peoples (CDI). That interinstitutional initiative sought to promote the individual and collective development of indigenous peoples by training researchers and encouraging them to become leaders in their fields.

23. **Ms. Barreneche** (Mexico) said that Mexico's elevated school dropout rates for girls reflected high teen pregnancy rates, early entry into the labour force and lack of support in isolated rural areas. While recent figures showed an illiteracy rate of 6 percent for girls between the ages of 15 to 19, their pregnancy rate in 2009 was 35%, leading many to leave school. The dropout rate for girls receiving sex education was six times lower than that for those who did not. She enumerated a host of programmes adapted to meet the educational needs of girls in diverse populations, including those speaking Spanish as a second language and/or working in the fields, as well as pregnant girls and teenaged mothers, but more needed to be done.

24. At the university level, the ratio of female to male students was 70:30, with women largely gravitating to more traditional careers. Resources were being allocated to recruit more women to the hard sciences, and there was a programme to provide day care facilities on university campuses. Of 2.5 million scholarships awarded during the six-year Presidential term now drawing to a close, 60 per cent had gone to women.

25. **Ms. Espinosa Torres** (Mexico) said that the national labour law had not been revised since 1978. There had been many attempts to reform it, with provisions to eliminate discrimination on the basis of

gender, sexual preference and age, as well as to protect the rights of pregnant and breastfeeding women and women with disabilities. The current draft, relying on the Decent Work recommendations of the International Labour Organization, would for the first time require all workplaces to be fully accessible. Due to parliamentary in-fighting and Mexico's recent electoral process, that new legislation, which also contained important enforcement measures and penalties with respect to sexual harassment, was still pending, as was ratification of ILO Conventions Nos. 156 and 189.

26. **Mr. Bucio Mujica** (Mexico) said that Mexico's 2.1 million domestic workers faced multiple forms of discrimination. Numerous attempts to reform both the national labour law and the social security system had failed, largely due to the weight of cultural stereotypes. He confirmed that there were still conflicts in certain parts of Mexico between some provisions of the Constitution and respect for the autonomy of indigenous peoples and established uses and customs. Following the Constitutional reform of 2011, it was incumbent on the federal Government and state legislatures to reconcile the two in order to prevent discrimination against indigenous women. A recommendation from the Committee would be helpful in that regard.

27. Concerning recognition of the identity, rights and needs of people of African descent, the Ministry had developed an agenda to address those issues that would establish their legal status and rights within the Mexican Constitution.

28. **Ms. Del Río Zolezzi** (Mexico) confirmed that abortion was a crime under Mexican law, but that there were exceptions. In pregnancies resulting from rape, abortion was permitted in all states, even those that had passed Constitutional reforms protecting life from the moment of conception. It was true that such regulations had created confusion among legal and health professionals, along with unnecessary barriers to emergency abortion as allowed under regulation 046-SSA2-2005. Training programmes for health personnel, including 7000 doctors a year, were underway to ensure that they clearly understood the provisions of that law, which had been upheld by the Supreme Court and remained in force throughout Mexico. Forcing a woman to continue a pregnancy resulting from rape would violate her human rights.

29. Abortion was the fifth leading cause of maternal death and that figure was not declining quickly enough. It was hoped that there would be no setbacks to the abortion law of Mexico City and that the new city government as well as the new Congress, along with society as a whole and the health sector itself, would uphold women's rights.

30. With maternal mortality at 50.1 per 100,000 live births, Mexico was far from approaching its target under the Millennium Development Goals. Although there were clear signs of a decline, there was still a gap between the figures for indigenous women and those for women elsewhere in the country. Prompt, quality emergency obstetrical care was key to preventing maternal death. The challenge remained to provide the necessary technology and highly-trained personnel to meet such emergencies across the entire country, and to maintain the recent rate of decline.

31. **Ms. García López** (Mexico) said that Mexico had a number of programmes and strategies to address the housing needs of workers in both the formal and informal labour markets. Women in both urban and rural settings were the majority recipients of housing subsidies offered through most of the main programmes, with an increase commensurate with the programmes' respective investment in gender-specific initiatives.

32. Women's access to the social security system remained a great challenge, although efforts were being made to ensure universal coverage to those working in the informal sector. Programmes of waivers and cash transfers for education, nutrition and health provided support to low-income families. In 2010 and 2011, the programme 70 Más had benefited more than 2 million people over the age of 70, more than half of them women. The goal was to ensure that older people who worked or had worked in the informal sector, especially women, had access to health care. Overall, those additional layers of the safety net were aimed at preventing inequality and the violence to which it could lead.

#### *Articles 15 and 16*

33. **Ms. Halperin-Kaddari** asked for specific time frames for removing the requirement that a divorced woman had to wait 300 days before remarrying and for requiring DNA tests as proof of paternity, and wished to know the reasons for the delay in their adoption. She also wondered about the status of a proposed national

alimony registry and asked if there was any provision for the State to provide women with at least minimal cash supplements if their husbands defaulted on their payments.

34. With respect to the legal change recognizing common-law spousal status, she requested clarification on what that recognition actually meant, and whether it entailed specific protective measures or conferred specific rights.

35. There were still huge gaps between the number of hours spent on domestic work by men and women, with women devoting more than 42 hours a week to household tasks and men only 15. Especially after divorce, such figures would translate into huge economic gaps. It would be interesting to know what was envisaged in a proposed plan to recognize women's domestic labour and how it would compensate them for such work, specifically with respect to the choice of property regime after divorce. There was a clear difference between the options of separate and joint property. It would be important to know whether either or both included future property, such as pensions and savings, and whether women received enough information to make those choices prior to entering marriage.

36. **Ms. García Gaytán** (Mexico) said that there were disparities in the way non-payment of alimony was treated in different states. She proposed that a national registry of alimony debtors could serve, as she believed was now the case in Mexico City, to deny credit to those applying for loans or permits from any other authority if they had fallen behind in alimony payments.

37. **Ms. Maccise Duayhe** (Mexico) said that under Mexican civil law, joint property included only real estate, household property and savings. Unless she was owed alimony, a divorced woman was not entitled to a share of her ex-husband's pension if he was disabled or retired, nor were the husband's future earnings factored into a joint property marriage. Whether they had married under separate or joint property regimes, divorced or divorcing women in all Mexican states were entitled to alimony if they had dedicated themselves to the home or children or lacked other means of support. Such protection ended if they remarried or began to live with someone else.

38. The so-called "express divorce" established in Mexico City in 2008 made it easier for women to



escape situations of domestic violence. Following adoption of that measure, which loosened the requirements for divorce, the number of divorces in the capital rose by 500 per cent between 2008 and 2009, with 52 per cent of the proceedings initiated by women.

39. **Ms. García Gaytán** (Mexico) proposed that the word “micro” should be removed from the term “microcredits”, because while such small credits helped rural women survive, they were insufficient to help them build savings. Calling them “micro” put an unnecessary cap on them.

40. **Ms. Murillo de la Vega**, invoking the contradictions within and between existing bodies and legislation, asked how Mexico proposed to address human trafficking when the Special Prosecutor’s Office for Crimes of Violence against Women and Trafficking in Persons had no jurisdiction over organized crime. She wondered if there were plans to broaden the jurisdiction of that Office. With respect to abortion, she asked how the Supreme Court could uphold women’s right to abortion in Mexico City while the National Human Rights Commission dared to challenge that same ruling on Constitutional grounds. When medical personnel and social workers behaved like undercover police, grilling women about their reasons for seeking an abortion, women’s rights to health were violated. A further complication was the role of the Catholic Church, which continued to bar women’s access to contraception. She urged Mexico to continue its campaign to promote the use of condoms despite opposition from fundamentalist churches. With a teen pregnancy rate above 30 per cent, it was vital to resist such pressure.

41. Comparing the sentences for human trafficking — 5 years — and for abortion — up to 35 years in certain Mexican states, she said that efforts should be made to bring such sanctions into line with agreed standards.

42. Similar contradictions persisted with respect to land ownership by rural indigenous women. When such women’s physical safety was threatened, the national Government deferred to local self-determination, but when local laws did not protect women’s right to own land, the federal Government did not defend them.

43. In a recent survey, over half the population had agreed that women’s rights were not respected. That view was supported by the data. The number of women claiming to have been abused had risen from

14 million to 18 million. Of 16,000 reported rapes, only 3 per cent had led to convictions. Laws had no use if they were not applied.

44. Lastly, she asked who would ensure follow-up to the Committee’s 234 recommendations to the Ministry of Education.

45. **Ms. Rasekh** described the case of an indigenous women’s rights activist from Chiapas who had been brutally raped and repeatedly threatened but who had not pressed charges because she mistrusted the Mexican legal system. The woman had been forced to relocate despite protection from the Inter-American Commission on Human Rights. She asked what forms of protection the Mexican Government was prepared to offer human rights activists and whether, given the high rate of violence and trauma experienced by women in Mexico, free therapeutic counselling was provided to victims and their families.

46. **Ms. García Gaytán** (Mexico) acknowledged the gap in jurisdiction over human trafficking and organized crime and said that the delegation would convey the Committee’s recommendation on that point to the appropriate body in Congress.

47. **Mr. Ruiz Carbonell** (Mexico) confirmed that the Special Prosecutor’s Office for Crimes of Violence against Women and Trafficking in Persons did not have jurisdiction over organized crime but said that there was a division on organized crime within the Office of the Attorney-General that had jurisdiction over trafficking of both men and women.

48. **Ms. García Gaytán** (Mexico) said that it was true that legal changes in a number of Mexican states decreeing that life began at conception were confusing. Some women were uncertain whether abortion was a crime even in cases of rape. Doctors, whether they agreed or disagreed with the new statutes, were also intimidated. Every clinic and hospital in Mexico was obliged to offer rape victims contraception within 72 hours, as well as to perform an abortion if a woman requested it; refusal to do so was strictly punished. However, large signs needed to be prominently displayed at clinic entrances so women knew their rights.

49. **Ms. Nazares Jerónimo** (Mexico) said that it was important to note that article 6 of the law on human trafficking contained a provision on organized crime that described the whole criminal chain of trafficking

from recruitment to hiring to employment and that set forth an ascending scale of penalties.

50. **Ms. Del Río Zolezzi** (Mexico) said that the Ministry of Health offered psychotherapeutic support in all 34 Mexican states to women who had experienced violence. Almost 50,000 women had received such services since 2008 and the goal for 2013 was 196,000. A number of other institutions, including Pro Víctima and the Special Prosecutor's Office for Crimes of Violence against Women and Trafficking in Persons, also provided such support.

51. **Ms. García Gaytán** (Mexico) said that all Government agencies worked with all 34 states under the joint obligation to support women who were victims of violence. There were also small temporary shelters that provided therapeutic services to abused women and their families before more permanent housing for them could be found.

52. **Mr. Negrín Muñoz** (Mexico) said either the Ministry of the Interior or the Ministry of Foreign Affairs had to report cases such as the one of the woman in Chiapas to the Inter-American Commission on Human Rights, which had the authority to correct existing protective measures or to demand that new ones be put in place. It was difficult to speak about a case without knowing its details.

53. **Ms. García Gaytán** (Mexico) acknowledged that Mexico was living through a difficult moment, but that there had been more progress on women during recent years than ever before, thanks to a powerful alliance between Government and civil society. The members of her delegation would continue to work for women's rights from their respective spheres to make sure that there was no backsliding.

54. **The Chair** encouraged the members of the delegation to ensure that Mexico implemented further measures to address its remaining problems.

*The meeting rose at 5:40 p.m.*