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Convention on the Rights of Persons with Disabilities

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Consideration of reports submitted by States parties under article 35 of the Convention

List of issues in relation to the initial report of Mexico

Addendum

Replies by Mexico to the list of issues*

[Date received: 17 July 2014]

* The present document is being issued without formal editing.

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I. Introduction

1. This document contains the replies by the Government of Mexico to the list of issues that the Committee on the Rights of Persons with Disabilities (the Committee) transmitted to the Mexican State on 22 April last in preparation for the interactive dialogue that Mexico will hold with the Committee in September 2014 in compliance with the provisions of the Convention on the Rights of Persons with Disabilities. The reply includes information provided by 35 institutions of the three branches of government and was prepared on the basis of various inter-ministerial meetings.

2. To encourage the participation of civil society organizations, a national consultation with civil society was carried out on 23 June 2014 to substantiate Mexico's initial report on the implementation of the Convention on the Rights of Persons with Disabilities. Over 700 organizations of and for persons with disabilities participated in the consultation, together with specialists and civil servants responsible for social programmes for persons with disabilities. The following table shows the participation in the different states of the Republic:

National consultation process to substantiate Mexico's report on the implementation of the Convention on the Rights of Persons with Disabilities, 23 June 2013

	Rapporteur	*Participants*
Aguascalientes	Yes	8
Baja California	Yes	7
Baja California Sur	Yes	10
Campeche	Yes	19
Coahuila		
Colima	Yes	16
Chiapas	Yes	4
Chihuahua	Yes	
Distrito Federal	Yes	292
Durango	Yes	35
Guanajuato	Yes	12
Guerrero	Yes	12
Hidalgo		1
Jalisco	Yes	13
Mexico	Yes	57
Michoacán	Yes	18
Morelos	Yes	10
Nayarit		
Nuevo León	Yes	50
Oaxaca	Yes	14
Puebla		5
Querétaro	Yes	8
Quintana Roo		1

	Rapporteur	*Participants*
San Luis Potosí	Yes	24
Sinaloa	Yes	24
Sonora	Yes	9
Tabasco	Yes	15
Tamaulipas		
Tlaxcala	Yes	29
Veracruz	Yes	15
Yucatán	Yes	11
Zacatecas		
Total representatives attending		**719**

3. The consultation highlighted a number of achievements and challenges for the Mexican Government, namely:

- *Harmonization of state legislation.* While there have been major advances in Mexico's legal framework, concepts that denigrate and stigmatize persons with disabilities remain.
- Existence of *conditions that restrict access* to schools and health facilities by indigenous persons with disabilities.
- Measures are needed to protect the rights of persons with *psychosocial disabilities*, including mechanisms and/or protocols governing their institutionalization.
- In some cases, government programmes and activities make no provision for *multiple disability*; there is a need for state policies for sexual and reproductive health care; interpreters for the deaf should be recruited in the health sectors, particularly where information on *informed consent* is concerned.
- There is a need to strengthen the *National Information System on Persons with Disabilities* and machinery for the participation of civil society.
- It is necessary to review the operating rules for the *specialized training* of persons responsible for child care centres.
- *Awareness campaigns* should be carried out to inform the general public about correct terminology. Annex I sets out the results of the consultation in full.

4. The Mexican Government wishes to point to the following advances in the national agenda for promoting and protecting the rights of persons with disabilities, some of which are described in greater detail in the course of this document:

- Establishment of the National Human Rights Programme 2014–2018 (30 April 2014), which defines policies for ensuring implementation of the constitutional reform in the field of human rights, in force since June 2011. The Programme places human rights at the centre of all government action.
- Publication of the Decree under which the National Council for the Development and Inclusion of Persons with Disabilities (CONADIS) is attached to the Ministry of Social Development (SEDESOL) and ceases to be part of the Ministry of Health, strengthening the emphasis on comprehensive social care for this population group (29 March 2013).

- Publication of the National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (30 April 2014), currently in line with the Convention. It sets out objectives, strategies and policies to be pursued through broad coordination with all sectors of government and civil society organizations.
- Publication of the National Code of Criminal Procedure (5 March 2014), which takes account of the 2008 constitutional reform by establishing a new adversarial and oral criminal justice system that provides various mechanisms in support of persons with disabilities.
- Introduction by the Supreme Court on 31 March 2014 of a protocol for persons administering justice in cases concerning the rights of persons with disabilities, which seeks to establish guidelines and procedures to be followed by federal judges in cases involving persons with disabilities.
- Publication of the National Programme of Work and Employment for Persons with Disabilities 2014–2018 (28 April 2014), aimed at promoting the labour rights of persons with disabilities, with full respect for their dignity, equality and non-discrimination.
- Publication of the guidelines regulating the implementation of administrative measures and damage compensation in cases of discrimination, applicable once the National Council for the Prevention of Discrimination (CONAPRED) has considered complaints of alleged acts of discrimination and found them to be justified, in accordance with the provisions of the Federal Act on the Prevention and Elimination of Discrimination (13 June 2014).
- Signature by the Mexican Government, at the headquarters of the World Intellectual Property Organization (WIPO), of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (25 June 2014).
- Promulgation by the President of the Republic of the new Federal Telecommunications and Broadcasting Act (14 July 2014), which includes provisions guaranteeing persons with various disabilities access to telecommunication services on equal terms with other users and underlining the obligation of federal and state administrations to adapt Internet portals and other telecommunication services to make them accessible.

II. Reply by Mexico to the list of issues

A. Purpose and general obligations (arts. 1–4)

General obligations (art. 4)

1. Please provide updated information on the measures being taken by the State party to revise and harmonize existing legislation, both at the federal and state levels, with the Convention. Please also indicate the policies and programmes introduced to implement the Convention.

5. On 30 April 2014, the National Human Rights Programme 2014–2018 (PNDH) was published with the aim of defining the policies to ensure implementation of the June 2011

constitutional reform with regard to human rights.[1] In this connection, a standing committee was set up on 13 May to advance the important process of revising the regulations of the federal administration so as to harmonize them with the constitutional reform of human rights. In accordance with the first paragraph of article 1 of the Constitution, the Convention on the Rights of Persons with Disabilities, ratified by Mexico on 2 May 2008, is given constitutional status. In accordance with the pro persona principle, it therefore takes precedence over any other legal provision, provided it is more favourable.

6. Consistent with Mexico's policy of protecting human rights, the Congress of the Union has reformed 47 general or federal laws, including the Act on the Inclusion of Persons with Disabilities; the Social Development Act; the Federal Government Act; the Federal Act on the Prevention and Elimination of Discrimination; and the Federal Code of Criminal Procedure. These legislative amendments and changes are in accordance with the Convention. Annex II contains a complete list of all the federal laws that have been harmonized with the Convention.

7. Particularly important is the Act on the Inclusion of Persons with Disabilities, in force since 2011, which sets out the necessary guidelines for enabling persons with disabilities to exercise their rights on equal terms. The Act provides for the full inclusion of persons with disabilities within a framework of equality in all fields. A key element in the Act is the creation of a decentralised public body with overall responsibility for the State's policy in the field, namely the National Council for Persons with Disabilities (CONADIS).

8. In 2013, the Federal Administration Act was reformed, transferring CONADIS from the health sector to the social development sector. In May 2013, the President of Mexico published the agreement on the change of sector. The Mexican Government thereby underscored the change of paradigm that views disability less from a medical perspective than from the standpoint of comprehensive social care. At the same time, more responsibilities have been vested in the Ministry of Social Development (SEDESOL), an institution that will prioritize programmes for persons with disability. The Social Development Act has been modified to incorporate an inclusive language in keeping with the Convention.

9. On 20 March 2014, the reform of the Federal Act on the Prevention and Elimination of Discrimination was promulgated, strengthening the guarantees concerning the right to equality and non-discrimination recognized in article 1 of the Constitution and providing for the prohibition of discrimination based, among other things, on disability. At the state level, twenty-eight federal entities already possess anti-discrimination legislation.[2] Similarly, 21 state constitutions contain an anti-discrimination clause[3] and 17 specifically identify disability as a prohibited ground for discrimination.[4]

[1] On 10 June 2011, the constitutional reform in the field of human rights was published in the *Diario Oficial*, entailing the amendment of eleven human rights articles (1, 3, 11, 15, 18, 29, 33, 89, 97, 102 subparagraph (b) and 105); among other things, it laid the foundations for the recognition, protection and guaranteeing of human rights on which the State's action hinges and gave constitutional status to all the provisions in the international treaties to which the Mexican State is a party.

[2] Aguascalientes, Baja California, Baja California Sur, Campeche, Chiapas, Chihuahua, Coahuila, Colima, Distrito Federal, Durango, Estado de México, Guanajuato, Guerrero, Hidalgo, Michoacán, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Tamaulipas, Tlaxcala, Veracruz, Yucatán and Zacatecas.

[3] Baja California Sur, Chiapas, Coahuila, Colima, Durango, Estado de México, Guanajuato, Hidalgo, Jalisco, Michoacán, Morelos, Nuevo León, Oaxaca, Puebla, Quintana Roo, San Luis Potosí, Sinaloa, Tabasco, Tlaxcala, Yucatán and Zacatecas.

[4] Baja California Sur, Coahuila, Colima, Estado de México, Guanajuato, Hidalgo, Jalisco, Michoacán, Morelos, Nuevo León, Oaxaca, Puebla, Quintana Roo, Sinaloa, Tlaxcala, Yucatán and Zacatecas.

10. On 24 April 2014, the Chamber of Deputies, meeting in plenary, approved the legal opinion with the draft decree amending paragraph 5 and adding a new paragraph 6 to article 271 of the Federal Code of Civil Procedure. This establishes that the institutions responsible for the administration of justice are to draw up, with the support of interpreters, experts and under the supervision of CONADIS, the Legal Glossary of Mexican Sign Language. For its part, the Senate has made various legislative proposals aimed at promoting and protecting the rights of persons with disabilities.[5]

11. Particularly important is the adoption of the following special programmes providing for various measures by the Federal Government to ensure proper exercise of the rights of persons with disabilities:

- The National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (PNDIPD) was published on 30 April 2014 with the aim of establishing objectives, strategies and policies to be pursued through broad coordination with all sectors of government and civil society organizations.
- The National Programme of Work and Employment for Persons with Disabilities 2014–2018 was published on 28 April 2014. It provides for the dissemination and promotion of the labour rights of persons with disabilities, with full respect for their dignity and on the basis of equality and non-discrimination; for training, rehabilitation and placement in accordance with the aptitudes and skills of those concerned; and for the development of a National Labour Link Network coordinating the actions of the different agencies and entities of the Federal Civil Service (APF) responsible for the labour-market inclusion of persons with

[5] The proposals consist in: (i) guaranteeing disabled persons equal access to information through suitable instruments and technologies; (ii) aligning the national normative framework with the terminology and rights established in the Convention (draft decree amending and supplementing various legislative provisions concerning social assistance, sustainable rural development, the encouragement of reading and books, income tax, the Security and Social Services Institute for State Employees, the Social Security Institute for the Mexican Armed Forces, federal copyright, human settlements, physical culture and sport, and health – 10 September 2013); under consideration by the Chamber of Deputies: (iii) establishing that education should be inclusive and should guarantee equal access to exercise of this right (draft decree amending various provisions of the General Act on the Inclusion of Persons with Disabilities and the Education Act, with regard to inclusive education – 11 December 2012); under consideration: (iv) promoting prevention and care for the disabled and ensuring that medical services are equipped to guarantee them access and free movement (draft decree amending and supplementing various provisions of the Health Act with regard to disability – 7 March 2013); (v) ensuring that persons with disabilities are able to obtain loans, insurance and any other kind of financial service without impediment (draft amendment of the Credit Institutions Act, the Federal Finance Institutions Act, the Insurance Institutions and Mutual Societies Act, the National Banks and Securities Commission Act and the Protection and Defence of Financial Services Users Act – 19 March 2013); and, under consideration; (vi) encouraging the establishment of formats and mechanisms enabling the disabled to access the mass media (decision on the promulgation of the Federal Telecommunications and Broadcasting Act and the Mexican State Broadcasting Act; and the amendment, expansion and repeal of various provisions in the telecommunications and broadcasting field – adopted by the Congress of the Union on 9 July 2014) sent to the Federal Executive for promulgation.

disabilities and the recognition of good labour practices benefiting them.[6] The National Programme for Equality and Non-discrimination 2014–2018 (PRONAIND) was promulgated on 30 April 2014 with the aim of coordinating national policies in this area and establishing measures to promote a non-discriminatory approach in the action of the Federal Civil Service. It establishes 24 specific policies designed to guarantee the right of persons with disabilities to equality and non-discrimination.

- The Comprehensive Programme to Prevent, Address, Punish and Eliminate Violence against Women was published on 30 April 2014. It includes policies for developing activities that highlight and protect the human rights of disabled women and promote legislative harmonization, inclusion and non-violence.
- The Programme for the Protection, Rehabilitation and Social Inclusion of Persons with Disabilities and Their Families is aimed at providing prevention, rehabilitation and social inclusion services to persons with disabilities and their families, or those at risk of disability, through project subsidies, specialized rehabilitation services and professionalization of the human resources for improving care for persons with disabilities.[7]

12. In addition to normative measures, other activities contribute to legislative harmonization, such as the study collection *Legislar sin Discriminación*, which was developed in 2013 to further the inclusion of an egalitarian and non-discriminatory perspective in the legislative process in keeping with international obligations in the field of human rights, including the rights of persons with disabilities in terms of family rights, legal capacity, inclusive education and freedom of expression.

2. Please indicate what measures the State party has taken to inform the public, including indigenous peoples, about the General Act on the Inclusion of Persons with Disabilities and possible inconsistencies between this Act and existing legislation on this subject in each state in the Republic.

13. The National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (PNDIPD) establishes guidelines for dissemination, promotion and training activities on the international and national legal framework relating to disability, including the Act on the Inclusion of Persons with Disabilities (LGIPD). The federal entities are reforming their legislations on disability with the aim of harmonizing and standardizing them in relation to LGIPD. Eighteen of these local legislations have already been brought into line with the Convention, including with regard to reasonable accommodation, and six have implementing regulations. The following table highlights the dates on which these legislative texts were amended.

[6] The National Programme of Work and Employment for Persons with Disabilities 2014–2018 has five specific objectives: (i) to reconcile legislative provisions, public policy and institutional programmes so as to ensure decent work for disabled persons; (ii) strengthen the labour-market inclusion of disabled persons in keeping with their occupational skills and attitudes; (iii) further the conditions enabling disabled persons to have access to work training and skills development; (iv) guarantee a favourable working environment, with possibilities of access, development and permanency without discrimination; (v) facilitate cooperation with international bodies in research on and access to scientific and technical knowledge on disability.

[7] The programme consists of three subprogrammes: care for disabled persons (provides for the granting of federal subsidies for projects in the health, infrastructure and equipment and development fields for workplace, educational and social inclusion); provision of services for the disabled and their families in rehabilitation centres (comprehensive rehabilitation for the disabled population and those at risk of disability); human resource training and continuous education for medical and paramedical personnel (provided in rehabilitation centres).

State legislation on persons with disabilities

Entity	*Name*	*Date of adoption*	*Last amended*
Aguascalientes	Law on the social and productive integration of persons with disabilities	3 February 2000	23 August 2005
Baja California Norte	Law on persons with disabilities in the state of Baja California	15 October 2010	31 May 2013
Baja California Sur	State law on the inclusion of persons with disabilities in Baja California Sur	27 January 2014	27 January 2014
Campeche	Law on persons with disabilities in the state of Campeche	28 June 2012	28 June 2012
Chiapas	Law on the social inclusion of persons with disabilities in the state of Chiapas	30 May 2013	30 May 2013
Chihuahua	Law on care for persons with disabilities in the state of Chihuahua	25 September 2012	9 February 2013
Coahuila	Law on the development and inclusion of persons with disabilities in the state of Coahuila de Zaragoza	19 March 2013	26 January 2007
Colima	Law on the integration and social development of persons with disabilities in the state of Colima	4 May 2005	8 June 2013
Distrito Federal	Law on integration for development of persons with disabilities in the Federal District	10 September 2010	
Durango	Law on the social integration of persons with disabilities	23 December 2001	
Estado de México	Law on the protection, integration and development of persons with disabilities in the state of México	15 August 2012	15 August 2012
Guanajuato	Law on the inclusion of persons with disabilities	13 September 2012	
Guerrero	Law on persons with disabilities in the state of Guerrero	10 October 2011	
Hidalgo	Law on care for persons with disabilities in the state of Hidalgo	23 December 1998	23 December 1998
Jalisco	Law on care and comprehensive development of persons with disabilities	31 December 2010	29 April 2013
Michoacán	Law on persons with disabilities in the state of Michoacán de Ocampo	7 December 2004	29 October 2013
Morelos	Law on comprehensive care for persons with disabilities in the state of Morelos	4 July 2007	

Entity	*Name*	*Date of adoption*	*Last amended*
Nayarit	Law on protection and inclusion of persons with disabilities in the state of Nayarit	7 May 1996	28 May 2014
Nuevo León	Law on persons with disabilities in the state of Nuevo León	20 December 2005	13 January 2012
Oaxaca	Law on care for persons with disabilities in the state of Oaxaca	25 April 2009	
Puebla	Law on persons with disabilities in the state of Puebla	12 January	31 December 2012
Querétaro	Law on care and social integration of persons with disabilities in the state of Querétaro	2 July 1998	4 December 1998
Quintana Roo	Law on the development and inclusion of persons with disabilities in the state of Quintana Roo	16 July 2013	30 July 2013
San Luis Potosí	Law on the inclusion of persons with disabilities in the state and municipality of San Luis Potosí	11 September 2012	15 April 2014
Sinaloa	Law on the social integration of persons with disabilities in the state of Sinaloa	31 July 2000	6 September 2000
Sonora	Law on the social integration of persons with disabilities in the state of Sonora	12 July 1999	23 December 2013
Tabasco	Law on the rights of persons with disabilities in the state of Tabasco	14 May 2014	14 May 2014
Tamaulipas	Law on the social integration of persons with disabilities	26 November 1996	29 April 2014
Tlaxcala	Law on persons with various disabilities in the state of Tlaxcala	12 September 1997	12 December 2005
Veracruz	Law on the integration of persons with disabilities in the state of Veracruz de Ignacio de la Llave	26 February 2010	26 February 2010
Yucatán	Law on the integration of persons with disabilities in the state of Yucatán	7 December 2011	7 December 2011
Zacatecas	Law on integration for social development of persons with disabilities	10 May 1996	13 October 2005

14. The Ministry of Social Development (SEDESOL), the National Institute of Social Development and the National Commission for the Development of Indigenous Peoples (CDI) provide for the implementation of social programmes and the distribution of invitations to its meetings on access to justice and equality in the areas of gender, culture and communication, which benefit various population groups, including indigenous peoples and persons with disabilities.

15. The Programme for the Protection, Rehabilitation and Social Inclusion of the Disabled and Their Families includes a strategy for advising and informing on disability, in particular through talks for the disabled and their families on the Convention and its Optional Protocol, given at the rehabilitation centres attached to the National System for Comprehensive Development of the Family (SNDIF).

16. For the same purpose, SNDIF organizes working meetings at national level with the coordinators of the state rehabilitation centres, where they receive training on the Convention.

17. The webpage of the Ministry of Education's Programme for Strengthening Special Education and Educational Integration, as well as some pages concerned with special education in the federal entities and the series "Relevant and Inclusive Education", include the basic principles of the Act on the Inclusion of Persons with Disabilities.

18. There is a need to improve distribution among the country's indigenous peoples in order to inform them about the rights of persons with disabilities and the provisions of the Act on the Inclusion of Persons with Disabilities. It is for this reason that the National Institute of Indigenous Languages (INALI), in coordination with the National Council for Persons with Disabilities (CONADIS), is to promote specific measures to translate the relevant material into indigenous languages.

3. Please indicate when the State party will implement the National Programme for the Development of Persons with Disabilities 2014–2018, the term of office of the current Administration, and how activities will be coordinated between public institutions in following on from the 2009–2012 National Programme.

19. The National Programme for the Development of Persons with Disabilities 2009–2012 implemented various activities designed to foster a change of culture with regard to the social inclusion of the disabled. On 30 April 2014, the National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 was published in accordance with the National Development Plan 2013–2018 and in keeping with the principles embodied in the Convention.

20. The National Programme will implement cross-cutting public policies in cooperation with federal government bodies, the governments of the federal entities, the judiciary, offices of the Attorney-General of the Republic, independent constitutional bodies and civil society organizations.

B. Specific rights

Equality and non-discrimination (art. 5)

4. Please indicate when the State party plans to incorporate the denial of reasonable accommodation as a form of discrimination on grounds of disability in its anti-discrimination legislation.

21. The Act on the Inclusion of Persons with Disabilities assimilates all forms of discrimination to "discrimination on the grounds of disability", including "the denial of reasonable adjustment". The three branches of government must therefore take this into account in the design and implementation of legislative and policy proposals.

22. An element introduced in the Federal Act on the Prevention and Elimination of Discrimination (LFPED) based on the reform of 20 March 2014 was that of "reasonable accommodation", defined in article 1.1 as changes and adaptations in infrastructure and services that are necessary and appropriate and do not impose a disproportionate burden on or affect the rights of third parties and which are applied as required in a particular case to ensure that the persons concerned enjoy or exercise their rights on equal terms with other people. The amendment to the Act also involved the addition of article 9, section XXII *ter*, which includes under discrimination the denial of reasonable accommodation that guarantee the enjoyment or exercise on equal terms of the rights of the persons with disabilities. In addition to the above, article 15.4 provides that reasonable accommodation with regard to physical accessibility, information and communication form part of "equalization measures".[8]

23. At the local level, 18 of the 32 federal entities that have legislation on persons with disabilities have brought it into line with the Convention, including with regard to reasonable accommodation.

24. Moreover, four of the 32 local legislatures in the federal entities class the denial of reasonable accommodation as a form of discrimination;[9] the inclusion of this provision in local legislation, it should be noted, is in keeping with the "model law" drawn up by the National Council for the Prevention of Discrimination[10] as a guide to the drafting of local legislation.

25. It should be noted that the Supreme Court has begun to issue rulings on disability and the principles of equality and non-discrimination. A case in point is the ruling on the prohibition of discrimination against persons with disabilities in the contracting of insurance policies.

26. The judges started from the premise that disability in no way constitutes an illness and established that disability, in light of the social model, should be seen as a disadvantage caused by the barriers that society creates by failing to meet the needs of persons with disabilities adequately. The Supreme Court accordingly ruled that private insurance companies should adopt as the guiding principle of their activities the fundamental rights to equality and non-discrimination. This *amparo* ruling fixes the principles and guidelines in

[8] Article 15.3 of the Federal Act on the Prevention and Elimination of Discrimination defines equalization measures as those seeking to ensure effective access by all persons to genuine equality of opportunity by eliminating barriers of a physical, communicational, legislative or other nature that impede the exercise of rights and freedoms, with particular reference to women and groups in a vulnerable situation or subject to discrimination.

[9] The federal entities concerned are the states of Guanajuato, Nayarit, Quintana Roo and Veracruz.

[10] See http://www.conapred.org.mx/userfiles/files/Ley%20Modelo%20Conapred%282%29.pdf.

light of which legal systems should be analysed with regard to disability. The records show that eight opinions have so far been based on this *amparo* ruling.[11]

27. In addition, the Supreme Court at its January 2014 session decided in direct *amparo* review No. 1387/2012 to overturn the refusal of *amparo* to a person whose job application had been rejected on the grounds of disability, which had given rise to exclusion, thereby violating the principle of equality and non-discrimination and undermining freedom of employment. Supreme Court document *Asuntos sobre Discapacidad – Amparo directo en revisión 1387/2012, 22/01/2014* may be consulted in Annex III.

28. It should be noted, finally, that objective 1 of the National Programme for Equality and Non-discrimination 2014–2018 (PRONAIND) provides for equality and non-discrimination to be made compulsory throughout the public domain. This provision covers compulsory standards and technical specifications with regard to universal access to public events, including technical assistance and reasonable accommodation and accessibility audits for progressive implementation of the reasonable accommodation necessary in health facilities.

Women with disabilities (art. 6)

5. Please provide information on specific measures taken by the State party to combat the aggravated discrimination suffered by women and girls with disabilities, particularly in relation to violence and abuse. Please indicate what specific steps have been taken to provide them with legal and social protection and to make reparations.

29. The National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (PNDIPD) includes strategies and policies to promote affirmative action, with community participation, to protect persons with disabilities against any form of violence or abuse of their rights; to publicize the rights of women with disabilities; to conduct social communication, cultural exchange and civil protection campaigns targeting women with disabilities; to promote free public health services for disabled women at all levels of care; to promote the sexual and reproductive rights of women with disabilities; to campaign for shelters and refuges for women victims of violence that adapt their facilities to persons with disabilities; and to develop mechanisms to highlight gender violence and discrimination against women, children and disabled adults.

30. On 9 January 2013, the Official Gazette published the Victims' Act, which includes gender equality requirements and makes the State responsible for caring for victims on the basis of a specialized and differentiated approach that takes account of the person's age, sex, ethnicity, type of disability, sexual orientation and other characteristics. The law recognises that public policies in this area call for a cross-cutting gender approach.

31. The Act on Women's Access to a Life Free of Violence, articles 22 and 23 of which provide for a "gender violence warning system", is aimed at preventing violence against women, ensuring their safety and eliminating inequalities. On 25 November the Act's Regulations were amended with the aim of strengthening, clarifying and responding to

[11] The Supreme Court's position on this question was based on the recognition that persons with disabilities have special circumstances but also goals and needs similar to the rest of the population. The measures relating to disability seek to establish equality, understood as a state in which the persons concerned have a genuine possibility of achieving social well-being through instrumental values, referring not only to attitudes of non-discrimination in the strict sense but also the implementation of measures in the form of reasonable accommodation. See the annexed Supreme Court document *Asuntos sobre Discapacidad* – direct *Amparo* review No. 410/2012, 21/11/2012.

recommendations on gender violence by international organizations, civil society and researchers and experts on the topic.

32. The Comprehensive Programme to Prevent and Eradicate Violence against Women 2014–2018 establishes national commitments with regard to gender equality and provides for a cross-cutting gender approach in political processes and in the formulation and implementation of public policies on the prevention, treatment, punishment and eradication of violence against women. The programme includes various policies for promoting the rights of women, children, indigenous persons with disabilities, migrants, adolescents, the elderly and women in custody.

33. These activities are complemented by the violence prevention strategies of the Programme of Support for Women's Organizations in the Federal Entities, which promotes comprehensive programmes at local level to prevent and address gender violence. Between 2006 and 2013 the Programme supported over 1,700 projects locally.

6. Please provide information on the situation of women and girls with disabilities in the State party and whether measures have been taken to prevent and combat the multiple forms of discrimination they face, including on the grounds of race, gender, social status and disability.

34. Concerning measures to prevent multiple forms of discrimination, an article has been added to the amended Federal Act on the Prevention and Elimination of Discrimination stipulating that the affirmative action for which the Act provides will be applicable as a matter of priority to persons or groups subject to discrimination, including women, children and persons with disabilities.

35. With regard to measures for combating multiple discrimination, one of the criteria for implementing administrative or remedial measures for alleged acts of discrimination will be the simultaneous presence of two or more grounds or forms of discrimination (art. 84, II *bis*).

36. The National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (PNDIPD) includes strategies and policies to encourage affirmative action aimed at preventing and addressing violence against children, women and disabled adults and promoting the integration and resilience of families and women carers for persons with disabilities.

37. Objective 3 of the National Programme for Equality and Non-discrimination 2014–2018 (PRONAIND) is focused on ensuring the progressive implementation of measures to close inequality gaps affecting the population subject to discrimination with regard to enjoyment of their rights. Strategies and policies exist in the areas of education, food and day care on behalf of children and disabled women in Mexico.

38. The Office of the Attorney-General of the Republic has incorporated in its gender violence response protocol the principle of non-discrimination and a differentiated approach to the diverse situations affecting women and children as well as the factors of vulnerability such as racial status, social situation and disability with a gender perspective.

39. With regard to prevention, since 2013 the National System for Comprehensive Development of the Family has been developing inclusive measures for disabled children and adolescents through a strategy for promoting a "culture of proper treatment" in the family and the community and through the Programme for the Protection, Rehabilitation and Social Inclusion of Persons with Disabilities and Their Families. Various materials have been produced in Braille and, as of 2014, in sign language.

Children with disabilities (art. 7)

7. What protocols are in place for recording, inspecting and monitoring conditions in shelters and other temporary accommodation for children with disabilities who have been the victims of crime or abandoned, or in respect of whom parental authority or guardianship is being disputed?

40. The Protocol for persons administering justice in cases involving children and adolescents, drafted and issued by the Supreme Court in February 2012, is a judicial tool systematizing the general principles to be taken into account in cases involving children and adolescents directly or indirectly, including those with some form of disability, and proposing rules for giving effect to those principles, with particular regard to the right of access to justice and the right to be heard. A second updated version of this document has been available since 31March.

41. The specialized shelter offering comprehensive care and protection to victims of extreme gender violence and trafficking, attached to the Attorney-General's Office, provides assistance to child and women victims of crime on the basis of a differentiated approach. In 2013, it assisted 80 victims, offering them comprehensive care (psychological support, legal advice, social, medical and pedagogical counselling, skills training workshops and recreational activities), and provided mobility training to a girl with psychomotor disabilities. The shelter's facilities are accessible to persons with disabilities.

42. The National Programme for the Advancement and Inclusion of Persons with Disabilities (PNDIPD) included strategies and policies for promoting the free provision of care in day-care centres and institutional nurseries for children with all types and degrees of disability; designing and implementing the official Mexican standard for the care of such children in day-care centres and nurseries; and furthering the implementation of the model of inclusive centres for the comprehensive care of children and young people with all types and degrees of disability.

Awareness-raising (art. 8)

8. Please provide information about the measures taken by the State party to monitor and combat media campaigns, programmes and messages that violate the dignity of persons with disabilities and reinforce stereotypes, such as the Telethon campaigns.

43. During the fourth special session of the Committee on the Elimination of All Forms of Discrimination against Persons with Disabilities, held in Panama City (May 2014), the International Telethon Organization (ORITEL) proposed aligning its awareness campaigns with the principles of the Convention and coordinating them jointly with governments and government agencies responsible for national policy on disability. The National Council for Persons with Disabilities (CONADIS) will be following up this initiative in coordination with the Ministry of the Interior.

44. On 30 December 2013, the Guidelines on Social Communication Campaigns for the Fiscal Year 2014 of the Federation Administration were issued. They emphasized that campaigns devised by government agencies and entities should avoid any kind of discrimination based, among other things, on disability (art. 61); and they highlighted the use of Mexican sign language through an interpreter or, if necessary, technologies enabling persons with hearing difficulties to have access to television campaigns (art. 63). The guidelines include a set of special provisions stating that the agencies and entities concerned should include in their programmes, strategies and campaigns contents that promote gender equality and should eradicate roles and stereotypes that foster any kind of gender discrimination or violence.

45. The reform of the Federal Act on the Prevention and Elimination of Discrimination gave the National Council for the Prevention of Discrimination (CONAPRED) the added function of drafting, disseminating and promoting the media circulation of contents aimed at preventing and eliminating discriminatory practices (art. 20, sect. XXXII), introducing inclusive forms of communication in the public and private domain (art. 20, sect. XXXIII), and promoting the right to non-discrimination through information and awareness campaigns (art. 20, sect. XXIX).[12]

46. The National Programme for Equality and Non-discrimination 2014–2018 (PRONAIND) includes an objective aimed at strengthening cultural exchanges in support of equality, diversity, inclusion and non-discrimination with community participation. It provides for strategies and activities to promote greater visibility and respect for groups subject to media discrimination and to encourage a focus on equality and non-discrimination in campaigns by all branches and levels of government.

47. The collection *Legislar sin Discriminación* (2013) includes a volume on freedom of expression, which is analysed in relation to violation of the right to equality and non-discrimination, of which some media outlets are guilty. The study proposes legislative changes to safeguard this right out of respect for the rights of others by prohibiting offensive and discriminating remarks that reinforce stereotypes.

48. From 2011 onwards, various television programmes were produced with the aim of combating stereotypes and furthering a culture of respect and equality among the general public:

- The series entitled “Nosotros... los otros” dealt with the subject of disability in the episode concerning the media, which analysed the discrimination to which various population groups are subject, including the stereotypes surrounding persons with disabilities to be found in the mass media;
- The children’s series “Kipatla, para tratarnos igual”, which seeks to alert the public, particularly children, to the different kinds of discrimination, deals with the subject of motor and intellectual disability in four of its episodes.

49. The National System for Comprehensive Development of the Family (SNDIF) is promoting the establishment of a national network for the dissemination of children’s rights, composed of young people aged between 10 and 17 committed to building a culture of respect, tolerance and protection. To date, it has 29 state branches, 1,233 municipal branches and 16,893 local branches. In the first quarter alone of 2014, information on the Convention on the Rights of the Child was distributed to 32,217 girls, 30,836 boys, 19,322 adolescent women 17,048 adolescent men, as 6,023 adult women and 2,011 adult men.

9. Given the State party’s multi-ethnic and multicultural population, please indicate what action has been taken to raise public awareness of rights under the Convention, particularly among members of ethnic groups and groups with a distinct cultural identity.

50. The National Human Rights Programme 2014–2018 (PNDH) provides for the design and improvement of tools to build capacity and awareness for assisting fellow

[12] Where a campaign, programme or message published in the media includes content considered discriminatory, including references to persons with disabilities, a complaint can be lodged with CONAPRED, which will examine and investigate the alleged case of discrimination. When a discriminatory act is found to have been committed, CONAPRED will proceed on the basis of the provisions of the Federal Act on the Prevention and Elimination of Discrimination, which can involve conciliation procedures, a decision to uphold the complaint and, where appropriate, administrative measures or reparations.

citizens from an intercultural and human rights perspective. It also proposes the institutionalization of a human rights focus in programmes to combat inequality and counter discriminatory stereotypes in public management.

51. Since 2011, the National Institute of Indigenous Languages (INALI) has been publishing on its webpage in Mexican sign language an item on the linguistic rights of children.

52. On 16 May 2013, INALI and the Centre for Research and Higher Studies in Social Anthropology (CIESAS) signed a specific cooperation agreement in support of the project "Documentation of the Maya Yucateca sign language: a lexicographical study", consisting of research on the sociolinguistic situation of the Maya Yucateca sign language, vocabulary research based on data obtained from the Nohkop community, and the development of an electronic vocabulary based on data from the same source. In addition, an electronic dictionary on the Maya Yucateca sign language was produced on 3 May 2014.

53. Since 2012, the National Council for the Prevention of Discrimination (CONAPRED) has been organizing a course on inclusion and disability through the distance education programme "Conéctate". The course is aimed at expanding awareness-raising and training services on the right to non-discrimination throughout the country and alerting state and federal officials and the general public to the consequences of discriminatory practices for persons with disabilities and for society. A total of 3,600 people have so far participated in these courses.

Accessibility (art. 9)

10. What monitoring, compliance and sanction mechanisms has the State party implemented to ensure to persons with disabilities access to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, at both the state and municipal levels?

54. The National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (PNDIPD) includes an objective aimed at making public and private places, transport and information technology more accessible to persons with disabilities. Similarly, the National Programme for Equality and Non-discrimination (PRONAIND) includes, as part of the goal of integrating the requirement of equality and non-discrimination, a strategy and various policies for promoting and applying standards that progressively guarantee universal accessibility in the sphere of the federal administration.

Access to the physical environment

55. In February 2014, the Chamber of Deputies meeting in plenary unanimously approved the legal opinion amending and supplementing various provisions of the Housing Act with regard to accessibility, which will benefit over 5 million persons with disabilities nationwide. The text was subsequently passed on to the Senate. Under the Act, it is proposed to establish a definition of the concept of accessibility and reasonable accommodation and to decide that decent housing is to be understood as housing that complies with existing regulations on universal accessibility and design as they relate to the disabled population.

56. Independently of these legislative changes currently taking place, the adoption in Mexico of design and construction guidelines for housing, communal areas, pathways and urban equipment and services is being promoted on the basis of a standard housing

construction code (CEV), drawn up by the National Housing Commission for adoption and adaptation in all the country's federal entities. The CEV is taking into account international efforts to coordinate norms and recommendations conducive to the construction of quality housing. It is also making accessibility compulsory in public and private buildings to ensure freedom of movement within a decent and safe environment.

57. The National Housing Council (CONAVI) monitors the urban design of certified developments (previously "sustainable integrated urban developments"), which are integrally planned development areas that contribute to the territorial planning of the states and municipalities and promote a more ordered and sustainable urban development. Through these developments, the Federal Government is integrating the concept of universal accessibility, that is to say, the conditions that urban environments must meet to be utilized by everyone in complete security and comfort.

58. As part of a review of the methodology for evaluating certified developments, CONAVI is working on a manual of urban design that addresses the needs of persons with motor and visual disabilities, the elderly and children, with the aim of providing housing developers with a guide to creating urban environments that meet the motor needs of its inhabitants.

59. It is also furthering an initiative to include in the evaluation methodology a requirement to construct a minimum proportion of homes that meet the essential design requirements for persons with disabilities, in accordance with CONAVI's construction code.

60. There are two official Mexican standards concerning care for persons with disabilities: (i) official Mexican standard NOM-015-SSA3-2012 (14 September 2012), on comprehensive care for the disabled; and (ii) official Mexican Standard NOM-030-SSA3-2013 (12 September 2013), laying down the architectural requirements for enabling persons with disabilities to enter, utilize, move about and stay in outpatient and hospital facilities forming part of the national health service. Both standards regulate health infrastructures nationally in such a way as to ensure access by persons with disabilities to outpatient and hospital facilities and medical treatment.

61. The Psychiatric Care Service (SAP) has a manual of procedures covering psychiatric care, ranging from outpatient treatment through to emergency psychiatric care. Provision is made for proper patient support and for patients to be informed about their treatment and diagnosis through a document of informed consent, consistent with official Mexican standards. The SAP's five medical units are accredited by the Directorate-General of Health Care Quality and Education, accreditation covering compliance with the requirement of infrastructure accessibility for persons with disabilities.

62. In the case of health care infrastructure projects implemented by state governments with federal funding, the issuing of a feasibility certificate prior to accreditation is dependent on compliance with official Mexican standards, including the architectural requirements for facilitating access, circulation, use and permanence by persons with disabilities in outpatient and hospital facilities belonging to the national health service.

63. In the education sector, the Directorate of Special Education attached to the Ministry of Education (SEP) will implement the School Management Strategy for Universal Accessibility in the 2014–2015 school year. This provides for the introduction of an accessibility certificate for school buildings, prior to the drawing up of an accessibility management plan. In addition to physical infrastructure, the certificate will cover aspects such as the school environment, extracurricular activities, equipment and curriculum as well as the requirements for facilitating access to education by young people with

disabilities. This activity forms part of the Technical Cooperation Project for the Development of Inclusive Educational Systems in the Mesoamerican Region.[13]

64. The National System for Comprehensive Development of the Family (SNDIF), through the Programme for the Protection, Rehabilitation and Social Inclusion of Persons with Disability and Their Families, promotes and guarantees accessibility through its subprogramme on care for the disabled, aimed at helping persons with disabilities to improve their living conditions through infrastructure and equipment projects.[14]

65. Within the Supreme Court, measures to eliminate physical, psychological and attitudinal barriers have begun to be reflected in the personal attention shown to visitors and the facilities in the Court's headquarters building.

Access to transport

66. In accordance with the Federal Motor Transport and Ancillary Services Regulations, federal public transport terminals must be signposted to enable services to be easily located by users and must provide facilities for the disabled, such as accessible ramps, reserved seats, specially equipped restrooms and telephone booths placed at a suitable height.

67. On 20 November 2013, a legally enforceable circular was published containing guidelines on access to airport infrastructures and air transport services by persons with disabilities and/or reduced mobility, with the aim of standardizing operational, administrative and infrastructure criteria relating to the provision of public transport services to persons with disabilities and/or reduced mobility to ensure accessibility.

68. A suburban train network has been established as a means of transport accessible to persons with disabilities. The suburban railway pays special attention to persons with disabilities, the elderly, pregnant women and women with small children with the aim of providing a quality, equitable and efficient service. The following facilities are available to users in every station:

- Access for persons with reduced mobility, properly signposted.
- Signposts for the general public and persons with visual impairments.
- Lifts and places in trains for the disabled, the elderly and pregnant women.
- Wheelchairs and spaces for people with wheelchairs inside trains, to include a safety belt and a special button indicating that a passenger is leaving the train.
- Access ramp for persons with disabilities.

[13] Information on the project is available at the following website: http://educacionespecial.sepdf.gob.mx/CEDULADD/#/.

[14] Three strategies have been adopted for implementing this programme: provision of services for the early detection and prevention of disability in the general public or persons at risk of disability; provision of comprehensive rehabilitation services for disabled persons or those at risk of disability and their families; provision of educational, occupational and social inclusion services for disabled persons and their families. To this end, the following measures have been adopted: (i) early detection through visits to education centres, child development centres, and first-level care centres; (ii) information sessions on the prevention of disability aimed at the general public and persons at risk of disability; (iii) medical care and specialized paramedical services for disabled persons and those at risk of disability and their families; (iv) physical, occupational and language therapy services; (v) discharge of patients for rehabilitation treatment; (vi) the design and repair of prostatic appliances to assist in the comprehensive rehabilitation of persons with disabilities; (vii) the educational, occupational and social inclusion of disabled persons through interagency coordination activities; (viii) guidance and training in the rehabilitation process for the families of disabled persons to assist in the social inclusion process.

- Platform at the Buenavista train terminal reserved for persons with disabilities, the elderly and pregnant women entering the train.
- Tactile guides for non-sighted or visually impaired persons.
- Train doors with sound alarms for the visually impaired and visual alarms (hotspots) for persons with hearing disabilities.
- Staff members with portable equipment are available to assist persons with disabilities wishing to top up their travel passes.

69. On 21 and 22 April, the Ministry of Communications and Transport organized a workshop to draw attention to ways of providing better road transport facilities for the disabled, with the aim of raising awareness and creating a culture of respect and inclusion for persons with some form of disability. Training was provided to 130 workers in the public sector.

Access to information and communication

70. On 14 July 2014, the President of the Republic promulgated the new Federal Telecommunications and Broadcasting Act, which contains various provisions guaranteeing persons with disabilities equal access to telecommunication services (arts. 2, 191 sect. XIV, 199, 200, 201, 202 and 203). It makes it compulsory for federal and state entities and agencies in the three branches of government to facilitate access to their webpages. It also recognises the right of audiences to subtitling and dubbing in Spanish or Mexican sign language so as to make programmes accessible to persons with hearing difficulties. Such services must also be available in some segment of one peak-hour television news broadcast at least. Similarly, article 11 of the Mexican State's Public Broadcasting System Act prohibits any discrimination in radio broadcasting based on disability. Annex IV includes a document containing the relevant articles in this Act with regard to disability.

71. In 2011, the National Council for the Prevention of Discrimination (CONAPRED) issued a Guide for Government Action on accessible websites. It is a tool for promoting information access and interaction on an equal footing, aimed particularly at encouraging federal civil servants to take measures within their remit to develop accessible websites offering all persons the possibility of accessing and utilizing the information, goods and services available on the Internet.[15]

Access to information technology systems

72. On 25 November 2013, the National Digital Strategy was published at the request of the Office of the President with the aim of increasing the availability and use of information technologies so as to maximize their economic, social and political impact, to the benefit of the quality of life of Mexican citizens. The strategy contributes to accessibility for persons with disabilities and, consequently, their full social inclusion.

73. The Federal Act on the Prevention and Elimination of Discrimination (LFPED) establishes a complaints mechanism that enables CONAPRED to investigate all discriminatory acts against persons with disabilities. Between 2011 and 30 June 2014, it is reported to have examined 213 cases of alleged discrimination concerning the right to

[15] The Guides for Government Action are a tool developed by CONAPRED for advising and, where necessary, urging public, private and social institutions to adopt measures and take initiatives to help prevent discrimination and promote equal opportunities, with the aim of addressing situations of discrimination to be found in specific areas of public life and affecting the exercise of one or more human rights of persons or population groups.

accessibility. Over 80 per cent of these discriminatory acts were attributed to individuals and the rest involved acts said to have been committed by public officials.[16] The majority of these alleged acts of discrimination related to discrimination on grounds of disability, in violation of various rights in the areas of transport, culture, recreation and leisure in particular.

Equal recognition before the law (art. 12)

11. Please explain what steps the State party has taken to revise and repeal civil legislation declaring persons with disabilities legally incapable, with a view to abolishing guardianship and legal means of declaring a person legally incompetent, and procedures for declaring or certifying "incapacity".

74. The National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (PNDIPD) includes policies to promote legislative reform with regard to legal capacity so as to enable persons with disabilities to express their will freely and without discrimination and guarantee recognition of their legal personality.

75. The Senate is currently considering this question, since the different approaches it has to examine show that a variety of processes or procedures might be applicable to those whom the State has a duty to protect, particularly persons with intellectual disabilities,

76. Following the constitutional reform of 2011 in the field of human rights, the judgements of the Supreme Court have recognized and reinforced the rights of persons with disabilities. In a case involving the interpretation of a declaration of legal incompetency, the granting of an *amparo* order was accompanied by guidelines stating that that disability should be judged in each particular case, taking into account the opinion of the person concerned. This is consistent with the social model of disability embodied in the Constitution and with the fundamental rights contained therein.[17] It is worth noting that the Supreme Court's judgement in this case was drafted in an easy-read format, aimed at persons with disabilities and reflecting the guidelines issued by international experts on the topic of disability (clear typography, large print, short paragraphs and unjustified text). To date, twelve opinions based on this *amparo* ruling have been placed on record.

77. The information document on the legal capacity of persons with disabilities and supported decision-making mechanisms, submitted by CONAPRED to the Supreme Court in September 2013, proposes measures that would grant persons with disabilities the level of safeguards, support and reasonable accommodation consistent with international law.

78. Volume IV of the collection *Legislar sin Discriminación*, concerning legal capacity, proposes general parameters for promoting legislative changes at the federal and state level, for providing persons with disabilities with assistance in expressing their wishes, having regard to proper legal safeguards, and for creating mechanisms that offer a degree of legal certainty and respect for the enjoyment and exercise of the human rights of all persons. The study is currently being distributed among the state congresses with the aim of bringing it to the attention of legislators throughout the Mexican Republic.

[16] The reform of LFPED, promulgated on 21 March 2014, unified complaints procedures and claims that were previously considered separately and with different effects in the case of discriminatory acts committed by individuals or by federal civil servants. The reform establishes a complaints procedure relating to alleged acts, omissions or social practices of a discriminatory nature attributed to individuals, whether persons or legal entities, as well as to federal public servants and federal public authorities.

[17] The guidelines contained in the Court's judgement are set out in the document *Asuntos sobre la Discapacidad*, Supreme Court (Annex), *Amparo* review No. 159/2013, 16/10/2013.

79. It should be noted that, as part of the objective of harmonizing the national legal system, the National Programme for Equality and Non-discrimination 2014–2018 includes a policy for enabling the results of the aforementioned studies on legal capacity to be put into practice by making specific provision for the promotion of legislative reforms on legal capacity that will allow free expression of the applicant's wishes without discrimination.

12. Please explain what measures the State party has adopted to promote the legal regulation of the system for supported decision-making so that persons with disabilities can fully exercise their legal capacity, and what steps have been taken to revise the *pro homine* principle and its legal interpretation, in accordance with article 12.

80. The Congress of the Union has decided to incorporate the *pro homine* principle in article 1 of the Political Constitution of the United Mexican States (Official Gazette of 10 June 2011), extending its scope to all persons. The second paragraph of the article states that "the provisions relating to human rights shall be interpreted according to this Constitution and the international treaties on the subject by furthering the broadest protection of people at all times".

81. On 6 June 2011, the constitutional reform with regard to *amparo* was published. This represents an unprecedented extension of the rights of persons, including those with disabilities, and of their access to justice, while strengthening the federal judiciary and consolidating the Supreme Court as a constitutional tribunal. Another advance made in this respect was the introduction of the concept of "legitimate interest". Any person who considers his or her rights to be infringed may now cite legitimate interest as a basis for petitioning for a writ of *amparo* and protection in federal court, without having to demonstrate that he or she has legal standing in the matter. It also makes the remedy of *amparo* available in the event of an omission on the part of the authorities or when collective interests are affected. Furthermore, the Supreme Court has been empowered to issue generally applicable rulings of unconstitutionality when a given law has been held to be unconstitutional in more than one court decision.

82. The *Amparo* Act, implementing articles 103 and 107 of the Constitution, was promulgated on 2 April 2013. This new law develops and gives effect to the constitutional reform and strengthens the remedy of *amparo* as an effective legal tool for the protection of human rights. The passage of this Act marks the beginning of a new type of *amparo* procedure in line with international standards and Mexico's obligations relating to access to justice and due process.

83. It is important to note that, on 8 December 2011, the Official Gazette published the adoption, endorsed by the Senate, of the decision by the federal executive to withdraw the interpretative declaration on article 12 of the Convention so as to give persons with disabilities equal recognition as persons before the law.

Access to justice (art. 13)

13. Please provide information on whether, in implementing the new criminal justice system, special measures have been introduced to guarantee the rights and due process safeguards of persons with psychosocial and intellectual disabilities.

84. On 5 March 2014, the National Code of Criminal Procedure (CNPP) was published in the Official Gazette, implementing the constitutional reform of 2008 and establishing a new adversarial and oral system of justice. The Code provides for the following rights for persons with disabilities under articles 10 (equality before the law), 46 (language), 84

(general rule on notification), 109 (rights of the victim or aggrieved party) and 270 (sample collection in the case of refusal by the person concerned).

85. In accordance with article 10 of the Code, "All persons involved in criminal procedure shall receive the same treatment and shall have the same opportunities to support the accusation or the defence. Any discrimination on the grounds of ethnic or national origin, gender, age, disability, social condition (...) shall be inadmissible". The second paragraph refers specifically to persons with disabilities, providing for reasonable accommodation to be made to the procedure on request and for flexibility to be shown to take account of the specific circumstances of the victim and aggrieved party or, where appropriate, the accused or, more generally, any other person involved in the proceedings.

86. With regard to article 46 concerning the language in which the judicial proceedings are to be conducted, the Code establishes that provision should be made for a translator or interpreter or for technological resources enabling the disabled person to obtain the requested information in comprehensible form or, failing that, for someone capable of communicating with the person, which can be at the direct request of the disabled person or at the discretion of the competent authority.

87. A special regime also exists for the collection of samples under the investigation procedure when the person concerned refuses to supply them or has some type of disability, in which case the necessary support will be provided to enable the relevant decision to be taken by the competent authority, as indicated in article 270.

88. The Guide to the Architectural Design of the Infrastructure of Buildings in the New Mexican Criminal Justice System provides for various accessible physical spaces, specifically rooms for oral proceedings and buildings for people running the system.

89. Within the federal prison system, steps have been taken to ensure accessibility, means of evacuation and freedom of movement for all without any architectural impediments, in compliance with design and signage standards in buildings, passage ways and toilet facilities within the Federal Social Rehabilitation Centres (installation of entry and exit ramps for all and provision for managing inmates with disabilities).

90. In the recently created Federal Centres operating on the basis of long-term prison capacity service contracts, provision is made from the start of the contracting process for specific areas for persons with disabilities.

14. Please explain what kind of procedural and age-related accommodations are in place to facilitate access to justice for persons with disabilities. Please also indicate what reasonable accommodations are provided to ensure that persons with disabilities have access to the judicial and administrative systems, including indigenous justice systems, particularly in relation to information and communication (such as the use of sign language, pictograms, alternative communication, bimodal systems for blind-deaf persons, guide-interpreters, Braille, hearing loops and radiofrequency systems) in courtrooms and other public areas.

91. The National Programme for the Advancement and Inclusion of Persons with Disabilities includes various strategies and policies to guarantee the right of persons with disabilities to accessibility, universal design, transport, and information and communication technologies.

92. During federal criminal proceedings, the Special Indigenous Affairs Unit of the Attorney-General's Office provides the assistance of a translator and interpreter in the indigenous language and dialect identified by the person concerned as his or her own, with the aim of respecting the person's fundamental rights. Radio stations are also used to

publicize, with the help of a translator, the rights of indigenous persons involved in federal crimes.

93. The National Commission for the Development of Indigenous Peoples (CDI) undertakes various activities to support the indigenous population, whether as victim or accused, with the help of interpreters-translators in indigenous languages. The institutions operating the criminal justice system (defence counsel, Attorney-General's Office and the judiciary) are responsible for ensuring exercise of the right of access to justice.

94. The activities under CDI's indigenous rights programme include the following:

- The activity entitled "Exercise of cultural and communication rights" provides for "support to indigenous communicators for the production and implementation of intercultural communication projects", for carrying out communication projects in the areas of culture, society, rights and the environment, including programmes aimed at particular sectors, such as women, young people and persons with disabilities;
- The activity entitled "Support for access to level-three medical care" promotes and manages specialized medical treatment in health facilities for indigenous patients. It provides support for meeting the cost of specialized medical expenses and additional supplies such as prosthetic devices.

95. In coordination with the National Institute of Indigenous Languages, CDI has a strategy for the training, accreditation and certification of interpreters in indigenous languages in the sphere of justice administration and enforcement.

96. Under a cooperation agreement signed by CDI, the Federal Institute of Public Defenders and the National Institute of Indigenous Languages, bilingual indigenous lawyers have received training in criminal law to enable them to provide legal assistance to the indigenous population, in particular indigenous women involved in some form of criminal proceedings.

97. Under the indigenous shelter project "La Casa de los Mil Colores", the indigenous population is assisted through the provision of crutches, wheelchairs, artificial legs, arms, eyes and hips, sticks, walking frames, spectacles, orthopaedic shoes, hearing aids and other devices.

15. Please explain what measures the Mexican Government has taken to ensure that a human rights-based approach is taken in the administration of justice for persons with disabilities by those working in this area (such as the police, public prosecutors, lawyers and public defenders, court staff, judges and prison staff), at the federal, state and municipal levels.

98. The Attorney-General's Office has carried out various inspection and training activities between 2009 and the present:

- Inspection activities, in bodies authorized to verify compliance with human rights standards, such as Attorney-General's Office branch and sub-branch offices in the Federal District and the federal entities, including compliance with regard to decent and fair treatment and the accessibility of facilities as regards the disabled. From 1 January 2009 to 30 June 2014, 165 inspections were carried out.
- A basic human rights course, a seminar on discrimination and the rights of persons with disabilities and a seminar on the human rights of vulnerable groups, covering such topics as respect for dignity, participation and inclusion in society, accessibility, and equality and non-discrimination. The courses involve the participation of the National Human Rights Commission and CONAPRED, the

Attorney-General's Office and national and international human rights organizations.

- From 2009 to 2012, seventeen seminars were held on the topics of discrimination and the rights of persons with disabilities. A total of 340 persons attended these events, which provided 185 hours of training in all.
- Since 2012, a seminar has been held on the human rights of vulnerable groups, including a specific topic on the human rights of persons with disabilities, which has involved the participation of 525 persons in eight activities.

99. The Supreme Court has drawn up a Protocol for persons administering justice in cases concerning the rights of persons with disabilities, which proposes guidelines and policies to be followed by federal judges in cases involving persons with disabilities. The Protocol focuses on the right of access to justice, underlining the reforms that are needed, both in culture, attitudes and physical infrastructure and in the content of proceedings and judicial decisions, for justice to be exercised on equal terms with the non-disabled population. It also seeks to make a contribution in the three areas relevant to the right of access to justice: legal, physical and communicational (sign language, Braille, digital formats or easy-read and readily understood texts). To date, 5,000 copies of the Protocol have been printed together with 5,000 CD-ROMs, 250 copies in Braille and 250 audio versions.

100. The Supreme Court also has a Protocol on incorporating the gender perspective in trial procedure, in audio version and in Braille.

101. In 2012, the Council of the Federal Judiciary (CJF) endorsed the proposal concerning the implementation of policies for recruiting persons with disabilities on equal terms and in an inclusive environment. This proposal contains a series of mandatory guidelines for all council officials, aimed at ensuring equality of access, remuneration, promotion and tenure and the establishment of conditions conducive to inclusion. It requires that the necessary structural changes be made to ensure accessibility and that furniture and technological equipment should be adapted.

102. CJF organizes various training forums for court personnel in the areas of human rights, disability, equality, non-discrimination and inclusion in the world of work. This serves to strengthen the Council's policy of awareness raising, as part of an unqualified commitment to safeguarding the human rights of all individuals in all circumstances.

103. Objective 6 of the National Programme for the Advancement and Inclusion of Persons with Disabilities (PNDIPD) includes strategies and policies for harmonizing legislation so as to facilitate access to justice and the participation of persons with disabilities in political and public life.

104. Training on the culture of disability has been provided through talks, courses and workshops for staff in central offices and Federal Social Rehabilitation Centres. In cooperation with CONAPRED, online courses have been organized on disability and non-discrimination.

Liberty and security of the person (art. 14)

16. Please explain what specific measures the State party has taken to reform the regulations currently governing psychiatric committal (official Mexican standard 025-SSA2-1994), which does not provide for judicial oversight of the committal process or for a periodic review mechanism.

105. PNDIPD includes a strategy and policies to promote activities that protect the rights of persons with disabilities in public or private institutions.

106. Since 2013, the Health Act has provided (in article 71) that involuntary committal should be notified to the judicial authorities and that the health authorities should coordinate with the public bodies responsible for the protection of human rights to ensure respect for the rights of persons committed.

107. The Ministry of Health has strengthened its training activities. On 20 and 27 June 2014, it held a training course on human rights and the prevention of cruel, inhuman or degrading treatment for officials from the National Institute of Psychiatry, which was attended by 244 participants including medical and administrative staff. The course was repeated in the Fray Bernardino Álvarez psychiatric hospital using a video recording of the event and involving the participation of 150 persons.[18]

108. Volume IV of the *Colección Legislar sin Discriminación* on legal capacity establishes the right of patients to release from a psychiatric institution as one of the components of legal capacity and highlights the lack of clear and appropriate procedures in cases of psychiatric committal, which subjects persons with disabilities to clear violations of their legal capacity and the most basic principle of respect for their wishes.

17. Please explain the criteria and protocols for authorizing committal, especially of persons with intellectual and/or psychosocial disabilities, and say whether these processes and the institutions involved are subject to periodic review by a competent authority.

109. PNDIPD includes strategies and policies for adopting measures to protect the rights of persons with disabilities in closed rehabilitation centres and for taking steps to relocate persons with intellectual or mental disabilities through models of non-institutional social reintegration.

110. Article 75 of the Health Act stipulates that the committal of mentally disturbed persons, which should only take place as a last therapeutic resort, should be governed by ethical, social and human rights principles and by the requirements laid down by the Ministry of Health and other relevant legal provisions. Article 73, section VII, of the Health Act provides for the participation of outside observers to ensure full respect for the human rights of persons with mental and behavioural disorders in the care of institutions within the national health system. Units of the Psychiatric Care Service may be visited by national and international organizations qualified and competent in the human rights field, which should submit their request in writing in the approved form.

111. Concerning inspections, and in keeping with article 63, section IX, of the Regulations implementing the Office of the Attorney-General Act, the Directorate-General for the Promotion of a Human Rights Culture, the Processing of Complaints and

[18] The next training sessions will be held on: 16 July 2014 (Mental Health Community Centre (CECOSAM) Cuauhtémoc, 35 officials); 30 July 2014 (Samuel Ramírez Moreno Psychiatric Hospital, 150 officials); 6 August 2014 (CECOSAM) Iztapalapa, 34 officials); 20 August 2014 (CECOSAM) Zacatenco, 44 officials); 27 August 2014 (Juan N. Navarro Children's Psychiatric Hospital, 150 officials).

Inspections carries out human rights prevention, observation and inspection activities in the various administrative units of the Attorney-General's Office in keeping with the international human rights framework.

112. As mentioned in the response to question 15, the Attorney-General's Office carries out inspections in areas authorized to verify compliance with human rights standards. The Human Rights Protection Units also provide *in situ* legal advice and psychological help to members of the public requesting it. From 2012 to 30 June 2014, legal advice was provided to 3,343 persons and psychological care to 910.

18. What legislative, administrative and judicial measures is the State party taking to ensure that nobody is committed against their will on grounds of disability? Please provide information on the number of public and private closed institutions for persons with disabilities, such as psychiatric hospitals, shelters and asylums, and the number of persons in those institutions.

113. Article 75 of the Health Act stipulates that the committal of mentally disturbed persons should take place only as a last resort and that it should be governed by ethical, social and human rights principles and by such requirements as the Ministry of Health and other relevant legislative provisions may prescribe. There are thirty-three institutions to which people with psychosocial disorders may be committed for treatment.

114. In two psychiatric hospitals of the Psychiatric Care Service, 150 persons are confined with moderate to severe psychosocial disability, abandoned by their family members. However, identity procedures have been carried out in the case of 50 of them and measures are under way to reintegrate them in the community.

115. The National Institute for Older Persons (INAPAM) is compiling a register of institutions at national level providing care for the elderly. While many of these are private centres, INAPAM has a register of 55 nursing homes in the Federal District and Metropolitan Area, catering for an estimated 825 patients. The register shows the states of Aguascalientes, Chiapas, Guanajuato, Morelos, Nuevo León, San Luis Potosí, Sinaloa, Tlaxcala and Puebla to have one centre each, the exception being Puebla which has seven.

116. The six centres coordinated by INAPAM cater for persons aged 60 or over, the most vulnerable being those over 80, as a consequence of ageing and susceptibility to disability. Some 300 persons are receiving care, 30 per cent of whom have some form of disability.

117. PNDIPD includes policies aimed at providing permanent Attorney-General's Office staff with training and awareness programmes on caring for persons with disabilities; integrating the standpoint of persons with disabilities in the design and updating of the Attorney-General's Office's operating procedures; establishing measures to relocate persons with intellectual or mental disabilities through models of non-institutional social reintegration; promoting the compiling of a census or register of persons with disabilities in closed social rehabilitation centres; and promoting measures to verify the care and treatment of persons with disabilities in public or private institutions so as to protect their rights and integrity.

118. Under measures to reduce inequality in enjoyment of the right to health by persons and groups subject to discrimination, PRONAIND includes a policy for monitoring the conditions in psychiatric institutions to ensure they are compatible with a decent life, free of discrimination and violence.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

19. Please explain what specific action the State party is taking to prevent, punish and eradicate abuse against persons with psychosocial disabilities in psychiatric institutions, including physical and sexual abuse and inhuman and degrading treatment, such as the use of chemical, physical and mechanical restraints and extended confinement.

119. Draft official Mexican standard PROY-NOM-025-SSA2 for the provision of health services in units offering comprehensive medico-psychiatric hospital care was submitted in 2013.

120. The standard is aimed at establishing operational and organizational criteria for the activities of establishments providing comprehensive medico-psychiatric hospital care, which should be continuous, of good quality and delivered with warmth and full respect for the human rights of patients.

121. It stresses, among other things, the need to obtain the informed consent of patients, a family member, a guardian or a legal representative as the basis for voluntary or involuntary admission to hospital units providing comprehensive medico-psychiatric care. It also draws attention to certain of the human rights of the users of these services, namely: they should be treated with dignity and humanity, should not be subject to discrimination on account of their mental condition, should receive multidisciplinary care and should be protected against any form of exploitation, abuse or degrading treatment. It also mentions that the isolation of patients is unnecessary and a violation of their human rights and that the use and installation of isolation rooms and courtyards is prohibited in any of the units providing comprehensive medico psychiatric hospital care.

122. The standard is consistent with and implements the international standard "Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care", adopted by the United Nations General Assembly, and is in line with the Mexico Declaration on the restructuring of psychiatric care (12 October 2006). It is hoped that it will be possible for this standard to be adopted shortly.

123. The National Mental Health Council (CONSAME) has drawn up a procedure for supervising all the country's psychiatric hospitals with regard to their functioning, quality of their services, respect for the human rights of patients and implementation of the Modelo Miguel Hidalgo mental health programme. Ten psychiatric hospitals have been involved in this process.[19] A report has been drawn up on the current status of all the psychiatric hospital supervised, with the aim of urging the federal authorities to take the necessary legislative and administrative measures to ensure strict respect for the rights of persons with psychosocial disabilities.

124. CONSAME sets aside a budget for the programmes "Invierno Sin Frío" and "Rehabilitación Psicosocial", which is reserved exclusively for hospital entities and takes account of the users. The first programme is aimed at dignifying patients by providing resources for the purchase of clothing and footwear; while the programmes focusing on

[19] Hospital Psiquiátrico Civil Libertad (Ciudad Juárez, Chihuahua); Hospital Psiquiátrico Cruz del Sur (Oaxaca, Oaxaca); Hospital Psiquiátrico Dr. Rafael Serrano "El Batan" (Puebla, Puebla); Hospital de Salud Mental de Orizaba (Orizaba, Veracruz); Unidad de Atención a la Salud Mental de San Agustín (Tuxtla Gutiérrez, Chiapas); Centro de Salud Mental (Chihuahua, Chihuahua); Hospital de Salud Mental "Dr. Miguel Valle Bueno" (Durango, Durango); Centro de Atención Integral en Salud Mental; Estancia Prolongada (Guadalajara, Jalisco); Hospital Regional Alta Especialidad de Salud Mental (Villahermosa, Tabasco); and the Hospital Psiquiátrico Samuel Ramírez Moreno (Distrito Federal).

psychosocial rehabilitation involve sheltered workshops, banks for skills reinforcement *(banco de reforzadores)* and therapeutic outings, the goal being to help patients achieve maximum independence and recover their psychosocial skills and, above all, their decision-making powers.

125. To protect the child population treated in the National Health Institutes, as well as the staff of those bodies, the following committees have been established:

(a) The Committee for the Prevention of Child Abuse: established on 15 November 2004, consists of a group of multidisciplinary health professionals and is aimed at providing quality medical care to young people treated in hospital who have been the victims of some form of abuse. The Child Abuse Clinic was also set up and has treated 91 patients to date.

(b) The Committee responsible for receiving complaints and providing counselling on harassment and sexual harassment was established in April 2012 to help sensitize staff responsible for treating and monitoring these abuses; to boost the development of an institutional policy; to establish clear, confidential and impartial procedures in support of permanent prevention and care measures; and, above all, to raise the awareness of hospital staff as a whole with regard to the problem of harassment and sexual harassment.

126. The National Programme for the Advancement and Inclusion of Persons with Disabilities (PNDIPD) includes the following policies: developing programmes or activities to safeguard and protect persons with disabilities against exploitation, violence, abuse, torture and cruel, inhuman or degrading punishment; supporting projects by civil society organizations to promote respect for and exercise of the rights of persons with disabilities; promoting mechanisms for highlighting gender violence and discrimination against women, children and elderly persons with disabilities; and furthering dissemination of the services of social organizations and institutions providing legal and human rights advice with regard to disability, discrimination and violence.

Protecting the integrity of the person (art. 17)

20. Please provide information about the specific measures taken by the State party to protect persons with disabilities from forced sterilization and, in particular, to prevent the practice of forced abortion for women and girls with disabilities. Please also provide information on independent monitoring mechanisms to protect the right to integrity of the person of persons with disabilities and their composition and role and programmes and measures adopted by those bodies.

127. The health sector, through its various branches, does not promote forced sterilization or abortion; on the contrary, it furthers respect for human rights.

128. Persons who practice sterilization without the consent of the patient or who exert pressure on the patient to accept it are subject to punishment under the Health Act, in addition to any criminal responsibility incurred.

129. With regard to family planning, information activities and educational guidance in the indigenous communities are provided in Spanish and in the relevant indigenous language or languages in the region or community concerned.

Liberty of movement and nationality (art. 18)

21. Please provide information on steps taken by the State party to ensure that children with disabilities are registered at birth and have identity documents.

130. On 17 June 2014, the amendment to article 4 of the Constitution, incorporating the right of every person to identity and to be registered immediately following birth, was published in the Official Gazette. The competent authority is required to issue the original certified copy of the birth certificate free of charge.

131. The Mexican Government is currently consolidating a new state policy on the right to identity, which ranges from a change to the overall legal framework to the implementation of public policies specifically targeted at vulnerable groups, such as persons with disabilities. Under this policy, a proposal for issuing birth certificates in Braille is being considered.

132. The Act on the Protection of the Rights of Children and Young Persons is designed to ensure their full and comprehensive development, which implies the opportunity to develop physically, mentally, emotionally, socially and morally on equal terms. One section refers to the right to identity, which comprises: (i) having a first name and the family name of the parents from the time of birth and being entered in the civil register; (ii) having a nationality, as provided for in the Constitution; (iii) knowing one's descent and origins, except in cases prohibited by law; and (iv) belonging to a cultural group and sharing with its members customs, religion, language or tongue, without this being interpreted as grounds for denying a person's rights.

133. In 2011, articles 1 and 4 of the Constitution were amended to include, among other things, the principle of the best interests of the child, guaranteeing the universal right to legal identity.

134. On 22 April 2013, a cooperation agreement was signed on the implementation of the National Campaign for Universal and Timely Birth Registration. The aim of the campaign is to coordinate the efforts of the Federal Government and the federal entities to establish a universal register in which all Mexican children are registered free of charge immediately following birth.

135. By February 2014, twenty cooperation agreements had been signed with states of the Republic and the signing of agreements was under way in the other federal entities. On 19 March 2014, the communication strategy for the National Campaign for Universal and Timely Birth Registration was issued to highlight this important initiative.

Living independently and being included in the community (art. 19)

22. Please provide information on measures adopted by the State party at the local level to introduce inclusive community services, the programmes implemented and on how persons with disabilities have been involved.

136. The National Programme for Social Development 2014–2018 (PRONADES), developed and coordinated by the Ministry of Social Development (SEDESOL), includes measures relating to persons with disabilities which form an integral part of national social policy. They include: the implementation under social programmes of care schemes that contribute to the observance of the rights of persons with disabilities; the dissemination among the beneficiaries of social programmes of a culture of respect and non-discrimination towards persons with disabilities; emphasis on the link between persons with disabilities and poverty; the promotion of social participation by persons with

disabilities to further their contribution to community development; and identification of the needs of persons with disabilities through mechanisms for collecting and compiling socio-economic information from social programmes.

137. Objective 4 of PRONADES includes the construction of an egalitarian society in which the rights of all persons are protected. The strategy "guarantees the rights of persons with disabilities to social inclusion and comprehensive development" through measures such as: (i) promoting support within the Federal Civil Service for furthering the economic, educational, productive and work-related development of persons with disabilities; (ii) encouraging agreements for the establishment of specialized centres for the provision of health care, welfare and protection for persons with disabilities; (iii) promoting the construction and adaptation of public and private spaces, transport and information technology to guarantee the right to accessibility of persons with disabilities; and (iv) coordinating measures with the executive, legislative and judicial branches of government to ensure access to justice and the participation of persons with disabilities in the country's political and public life.

138. The Ministry of Social Development has programmes and operating rules aimed at promoting effective enforcement and unrestricted observance of the rights of persons with disabilities, young people and the indigenous peoples. The programmes include:

- The Child Day-Care Support Programme for Working Mothers;
- The Social Milk Supply Programme, run by LICONSA, S.A. de C.V.;
- The Community Canteen Programme;
- The Social Co-investment Programme;
- The Productive Options Programme;
- The Old-age Pension Programme;
- The Life Insurance Programme for Heads of Household;
- The 3 x 1 Migrant Workers Programme;
- The "Oportunidades" Human Development Programme.

139. The Ministry of Social Development's Department of Geo-Statistics and Beneficiary Patterns, responsible for integrating beneficiary patterns and compiling the inclusive socio-economic information questionnaires (CUIS) enabling potential beneficiaries of the Ministry's programmes to be identified, provides the following statistics:

Programme	*Number of disabled beneficiaries*	*Percentage of women disabled beneficiaries*
Old-age Pension	142 832	61.5
"Oportunidades" Human Development Programme	126 114	49.6
Food aid programme	40 890	46.1
Social Milk Supply Programme	34 612	61.5
Child Day-Care Support Programme for Working Mothers	3 305	46.2
Priority Development Areas	2 487	53.6
Temporary Employment Programme	1 044	54.4

140. The Social Infrastructure Contributions Fund (FAIS), whose guidelines, work catalogue, planning mechanisms and beneficiary monitoring, evaluation and identification are defined by SEDESOL, directly benefits populations living in extreme poverty and communities with a high or very high level of social backwardness. Activities at municipal and state level that may be financed by FAIS include rehabilitation, construction, maintenance and expansion of infrastructure and equipment to facilitate access by persons with disabilities.

141. PROMAJOVEN scholarships are awarded by the Ministry of Education as a strategy for creating better learning and living conditions for girls and young people aged between 12 and 18, whether mothers or pregnant, with or without disability, who wish to begin, continue or conclude their basic education, whether in the regular state school system or in some branch of the state system in the federal entities. In the academic year 2012/13, the sum of US$120,076,000 was devoted to this programme at national level.

142. The National Institute for Older Persons (INAPAM) has various community programmes and services in areas such as community development, tourism and recreation, sociocultural activities, physical culture, work training, leisure activities, educational and psychological services, health education and the promotion of employment for senior citizens.

143. Activities in the area of employment include the National Labour Link Network Monitoring and Follow-Up System, which is a mechanism for integrating information from the state labour link networks to provide decision-making elements for improved inclusion in the workplace of vulnerable persons, including those with disabilities, on the basis of decent working conditions and equality of opportunities and treatment. From January to June 2014, fifty-six public and private organizations in 24 federal entities and 32 municipalities participated in this programme.

Respect for home and the family (art. 23)

23. Please indicate what steps the State party has taken to amend its legislation so as to recognize the right of persons with disabilities to have a family and what, if any, concrete support is provided to parents with disabilities in meeting their responsibilities in bringing up their children.

144. The Subprogramme on the Provision of Services to Persons with Disabilities organizes talks at “parents’ workshops” to improve the way in which parents discharge their responsibilities for caring for their children. These talks take place at 23 rehabilitation centres forming part of the National System for Comprehensive Development of the Family.

145. The collection *Legislar sin Discriminación* includes a volume on “Marriage and Families”, which highlights the reforms needed for it to be made compulsory to respect the wishes of persons with disabilities and to enable them to exercise their specific rights, including family rights such as the right to marry.

Education (art. 24)

24. Please provide updated information on the legislative measures and programmes developed by the State party since 2008 to guarantee the right to inclusive education, including teacher training and in-service training, at the state and municipal levels.

146. The National Development Plan 2013–2018, in the section entitled Inclusive Mexico and Mexico with Quality Education, makes the commitment to protect the rights of persons with disabilities and contribute to their comprehensive and inclusive development.

147. The National Human Rights Programme, under objective 2 entitled "Preventing human rights violations", likewise provides for a national education policy mainstreaming human rights, gender equality, inclusion and non-discrimination. The measures foreseen include: adapting the provisions regulating educational centres so as to eliminate obstacles to the right to education; and promoting measures conducive to an inclusive education guaranteeing non-discrimination and the full integration of vulnerable individuals.

148. Specifically, the reform of the Education Act in 2013 refers to the need for the education authorities to take measures to strengthen special education and to include persons with disabilities, in particular by granting special support to groups with special requirements.

149. To put these commitments into practice, the Sectoral Education Programme for 2013–2018, under the heading Inclusion and Equity, refers to the need to develop new areas and forms of educational provision for the disabled, in particular new educational models, new teaching materials, skills development for teachers and support for schools. This takes account of a State policy that seeks to create suitable conditions for the inclusion of persons with disabilities at the different levels of the national education system.

150. The Ministry of Education's Educational Inclusion and Equity Programme, announced in December 2013, includes the objectives of improving the capacities of state schools, strengthening care centres for students with disabilities and supporting state higher education institutions to ensure the educational inclusion of population groups at risk of exclusion, in a vulnerable situation or with some form of disability. It seeks to strengthen the capacities of schools and educational services catering for indigenous children and migrants, single-teacher and multigrade schools and educational services providing for pupils with special education needs, with particular emphasis on those with disabilities and exceptional aptitudes. In this connection, the breakdown of the budget allocation for 2014 is as follows:

- Basic education: $345,281,635;
- Upper secondary education: $50,000,000;
- Higher education: $150,000,000;
- TOTAL: $545,281,635.

151. Educational provision at the higher secondary level includes the high school programme for persons with disabilities not attending school, which is taught in care centres for the disabled in the Federal District and in the 46 Gilberto Rincón Gallardo classrooms located in the different states of the Mexican Republic.

152. With regard to initial and in-service teacher training, various courses and diploma programmes have been provided at the national and state level, including: skills development for managing diversity in and from school levels I, II and III; inclusive education; the right to non-discrimination in Mexico; learning styles and the application of neuroscience to teacher creativity in response to diversity; managing diversity in the

primary school classroom; constructing inclusive schools to cope with diversity; diploma course in special education; early detection of learning problems in the classroom; specialized course in educational inclusion and diversity; introduction to the Braille system and use of the abacus; and Mexican sign language. Master's degree courses have also been provided on special education with an inclusive focus and on education in the field of pedagogical intervention and school learning.

153. In the 2012/13 school year, 135,423 teachers of basic, special and indigenous education were trained in the federal entities to strengthen educational provision for pupils with disabilities and generalized developmental disorders. For the purpose of analysis, the data provided by the federal entities concerning the professionalization of teachers is grouped under five main headings:

- Specialized data, referring to topics specifically related to care for the disabled;
- Inclusive education, comprising topics relating to inclusive education;
- Teaching work, focusing on support for teachers in their everyday practice, in relation to such questions as bullying, self-esteem and resilience;
- Fields of learning, involving topics relating to the four fields of learning in basic education (language and communication, mathematical thought, exploration and understanding of the social and natural world, and personal development for living together);
- Other, including topics not corresponding to any of the above, relating to forms of work, evaluation, education service monitoring and technical advisory boards.

154. These initial and in-service training activities have had an impact in bringing about changes of approach in the teaching of disabled pupils, in increasing the acceptance of diversity in the classroom and gradually modifying teaching practice.

155. It should be added that the National Programme for Inclusion and Non-discrimination (PRONAIND) includes objectives aimed at reducing inequality in enjoyment of the right to inclusive education without discrimination, and incorporates policies for teacher training to promote equality and combat discrimination.

156. The National Council for the Prevention of Discrimination (CONAPRED), in conjunction with the Ministry of Education, has developed a course on the right to non-discrimination in school, which was included in the 2011/12 in-service teacher training programme. In addition, 77 instructors from the Teacher-Training Directorate received training, which they subsequently transmitted to 9,794 teachers. This was the basis for the online course "Tolerance and non-discrimination in school", in which 221 persons participated between December 2012 and May 2014.

157. Since 2004, in cooperation with the Ministry of Education, CONAPRED has organized a national competition on successful experiments in educational integration, aimed at promoting the right to non-discrimination, equality of opportunity and respectful treatment towards disabled pupils, based on educational strategies and educational inclusion. Entries can take the form of video, audio, written, pictorial compositions or any other form of expression conveying the participant's experience of educational integration. In the ninth edition of the competition in 2013, its scope was broadened to include the experience of educational integration from the child's standpoint.

158. Volume III of the collection *Legislar sin Discriminación*, concerned with inclusive education, analyses the education system in Mexico and notes the absence in current educational legislation of a comprehensive, clear and searching vision of the specific needs of population groups such as disabled children. In this connection, one can point to various proposals for changing the federal, state and constitutional legislative framework to

establish an inclusive educational system based on the highest international standards in the field.

159. The degree, postgraduate qualification and master's courses in social work at the National School of Social Work of the Autonomous University of Mexico (UNAM) include subjects that involve training students in fields relating to the rights of persons with disabilities (a human rights component in the sixth semester of the degree course and a human rights seminar in the master's course). Fifty-six students from the social work degree course have completed their social service placement assignments in institutions connected with the topic of disability. Since 2012, the School has been developing a comprehensive project, in association with UNAM's Institute of Neurobiology, assisting some 350 mothers of neurologically impaired infants following treatment at the Institute, with the participation of interns from the social work degree course. Since 2010, the Open University and Distance Education System has also been developing various disability-related academic activities.

160. On 31 July 2013, the Centre for Social Studies and Research in Health and Disability was established with the aim of developing strategies for caring for the disabled as well as promoting inclusion and equal opportunities for persons with disabilities and developing social research in the health field.

161. UNAM's National School of Social Work also provides extracurricular courses to students and the general public on topics such as Braille, inclusive development and social community cohesion, and caring for persons with disabilities.

162. UNAM's Committee on Care for the Disabled has been working since 2004 to support disabled pupils. The work began in the Faculty of Philosophy and Letters, involving the promotion of accessibility, and spread to other faculties such as Law, Ontology, Architecture, Accounting, Political and Social Sciences and the National School of Social Work.

25. Please provide data on the total percentage of students enrolled in mainstream schools and special schools in the period 2008–2013, disaggregated by sex, age, language and disability.

163. The Ministry of Education has worked in conjunction with the National Institute of Statistics, Geography and Information Technology (INEGI) on developing a tool for parents (questionnaires for pupils) in conformity with the Convention. The tool is identical to the one used in the 2013 Census of Schools, Teachers and Pupils in Basic and Special Education, aimed at producing information on persons with disabilities (physical, sensory, intellectual and mental) and on the technical support, scholarships and special education services they receive. The results of the census have provided the Mexican Government with better information on existing infrastructure, services and equipment and on the state of the buildings where the education takes place.

164. From the start of the 2012/13 school year, the Federal District's multiple care centres offering work training in the context of occupational and life skills training have issued occupational skills certificates based on the Mexican Qualifications Framework (MMC) and in line with the International Standard Classification of Education (CINE). Disabled pupils can in this way have their knowledge certified and take their place in the world of work and/or pursue their studies.

165. Mexico's national education statistics for 2012–2013 show that the total number of pupils at all levels in 2008 was 33,747,186 and the number in the basic education system 25,603,606. The proportion enrolled in special education was 1.5 per cent and 0.5 per cent of these had some form of disability. The discrepancy between the percentage of pupils attending special education establishments and those with some form of disability reflects

the fact that the first figure includes pupils with outstanding aptitudes and abilities or specific talents as well as those receiving additional care as a result of behavioural, language and learning difficulties but who are not disabled in any way.

166. In 2009, the number of pupils registered at all levels in the national education system was 33,875,685 and the number in basic education 25,596,861. The proportion enrolled in special education was 1.64 per cent and 0.55 per cent of those had some form of disability.

167. In 2010, the number of pupils registered at all levels of the national education system was 34,384,971 and the number in basic education 25,666,451. The proportion enrolled in special education was 1.89 per cent and 0.71 per cent of those had some form of disability.

168. In 2011, the number of pupils registered at all levels of the national education system was 34,821,326 and the number in basic education 25,782,388. The proportion enrolled in special education was 1.94 per cent and 0.73 per cent of those had some form of disability.

169. In 2012, the number of pupils registered at all levels of the national education system was 35,251,068 and the number in basic education 25,891,104. The proportion enrolled in special education was 1.98 per cent and 0.74 per cent of those had some form of disability.

Health (art. 25)

26. Please provide information on steps taken by the State party to bring the Health Act in line with the Convention and on specific efforts to guarantee universal access to services and programmes for persons with disabilities.

170. Article 74 of the Health Act was amended on 5 August 2011 with the addition of article 74*bis* containing provisions on the human rights of persons with psychosocial disabilities, and in 2010 arrangements were made to include mental health treatment in the Social Health Protection System.

171. On 8 April 2013, the Decree amending and supplementing various provisions of the Health Act with regard to disability was published. This involved amendments to articles 3.XVII, 6.III, 33.III, 59, 100.VI, 104.I, 112.III, 168.I, II and V, 173 (first paragraph), 174.I, II, III, IV, V and VI, 175, 177, 178, 180, 300; and to the heading of Title 9 "Social Assistance, Prevention of Disability and Rehabilitation of Persons with Disabilities". These amendments incorporated the agreed language of the Convention, involving the substitution of terms such as "handicap" and "handicapped" by "disability" and "persons with disabilities", and adjusting the definition of "disability" in line with article 2 of the Constitution.

172. One of the central objectives of the National Programme for the Advancement and Inclusion of Persons with Disabilities (PNDIPD) is to improve the access of persons with disabilities to health services and specialized care.

27. Please provide information on measures carried out for the effective implementation of the reforms to the Health Act in relation to mental health, as published in the Official Gazette of 15 March 2013, especially with regard to guaranteeing the right to live in the community for persons with psychosocial disabilities.

173. The psychiatric care services have a project aimed at removing patients from an institutional setting and reintegrating them in the community. It proposes a substitute model

for providing care and assistance in the everyday life of the community to neglected patients who lack responsible family members and the necessary self-esteem to cope with their mental disabilities but who do not need to be hospitalized. The project is intended to help patients restore their social links and access and exercise their human rights, such as the right to liberty, housing, recreation and life in the community, by offering a protected residence opportunity to 150 patients with chronic mental disabilities (130 male inmates in the Samuel Ramírez Moreno Psychiatric Hospital (HPSRM) and 13 female inmates in the Dr. Juan N. Navarro Children's Psychiatric Hospital (HPIJNN)); residential-type accommodation in the community subject to the availability of a social network and the possibilities of social reintegration in each particular case; and social reintegration and rehabilitation programmes (art. 26) to support the process of release into the outside world, with the assistance of mental health professionals.

174. The National Mental Health Council (CONSAME) has developed a targeted mental health action programme (PAE) with the general aim of ensuring access to comprehensive quality services based on a community model firmly rooted in respect for human rights. In particular, the programme embodies a strategy for boosting mental health services and furthering the creation of services for social reintegration in the community.

175. The Mexican Social Security Institute runs a "day hospital" programme, providing rehabilitation treatment for patients with psychosocial difficulties aimed at integrating them in community activities. In addition, the social work departments forming part of the mental health team carry out psychosocial studies and evaluate patient support networks to further their integration in community life.

176. Articles 31 and 36 of the Medical Services Regulations of the Security and Social Services Institute for State Employees provide for the development of mental health and addiction programmes geared to the prevention, treatment, monitoring and rehabilitation of mental disturbance and disorders resulting from substance use, abuse and dependence. The Institute's principal activities are:

- Training courses on the factors affecting mental health, the causes of personality changes and methods of preventing and monitoring this type of disorder. From January to April 2014, it organized 8,726,774 interviews, 866,880 talks and 6,447,683 activities of an informative nature, making a total of 13,041,337 information activities; and, in the education sphere, it arranged 1,958,205 interviews, 343,472 talks and 12,156 courses, attended by 3,989,218 participants.
- Mental health detection tests carried out using specially designed questionnaires and instruments. 10,482 tests were carried out between January and April.
- Thirty-five universal prevention campaigns in which all branches participated and themselves designed some of the publicity material on the topic in question.
- Provision of specialized medical care and medication to patients with psychosocial disabilities through the psychological and/or mental health and psychiatric consultancy service.

177. One of the central objectives of the National Programme for the Advancement and Inclusion of Persons with Disabilities is the social inclusion of persons with intellectual or mental disabilities on the basis of models, standards or protocols for their treatment.

Participation in political and public life (art. 29)

28. Please provide information on the measures taken by the State party to amend article 266, paragraph 5, of the Federal Code of Electoral Institutions and Procedures, which provides that: "In no circumstances shall persons who are not in possession of their mental faculties be granted access to polling stations."

178. The new Electoral Institutions and Procedures Act, published on 15 May 2014, contains no amendments on this point, and it is therefore considered necessary to revise this provision to make clear that it refers exclusively to persons under the influence of narcotics or intoxicated and not to those with disabilities.

179. Under its current legal system, the Mexican State establishes and guarantees the political rights of persons with disabilities and provides for their enjoyment of those rights on equal terms with others and their participation in the country's political and public life.

180. In compliance with article 29 of the Convention, the National Electoral Institute (INE) has implemented the following measures:

- Under its National Strategy of Civic Education for the Development of a Democratic Political Culture in Mexico 2011–2015, INE promotes a programme for encouraging social practices and political policies conducive to citizenship building. The programme seeks to analyse civic practices geared to solving problems that stand in the way of equitable development and/or public policies promoting equality of opportunity between men and women and non-discrimination against minorities on grounds of ethnicity, race, politics, sexual preference, disability or any other circumstance.
- During the last electoral process (2012), 143,130 polling stations were installed, staffed by one million election officials. Each official received training on his or her functions and duties on Election Day; and rules and standards governing access to polling stations were laid down, among other things to increase awareness of the procedures that must be followed to facilitate voting by persons with disabilities.
- In December 2013, following an appeal against a discriminatory act, the National Council for the Prevention of Discrimination (CONAPRED) signed an agreement with the former Federal Electoral Institute (IFE) to include in the 2014/15 Manual for Polling Station Officials in Federal Electoral Process, as well as in subsequent versions, a paragraph setting out the rules to be followed regarding persons with intellectual disabilities so as not to limit or restrict the right to vote on the grounds of their disability. The rules in question must be implemented by the polling station electoral boards.
- In October 2013, the Gender Equality and Non-discrimination Technical Unit was set up within INE, with the broad aim of ensuring that the Institute strengthen its strategies, programmes and projects in the area of gender equality and non-discrimination so as to further the attainment of substantive equality within the Institute and the policies it implements.
- With reference to articles 8 and 29 of the Convention on raising social awareness (art. 8) and promoting political participation (art. 29), the Institute organized two seminars with an international focus to provide a forum for analysing the current situation regarding the exercise of political rights by persons with disabilities, with the aim of helping to improve the prevailing conditions and develop mechanisms for

increasing the participation and representation of persons with disabilities. Both initiatives took place in 2013.[20]

181. Since 2013, the Federal District Electoral Institute has developed the following electoral tools to assist persons with disabilities and the elderly: Stampx stamps; modular electoral holding panels; ballot paper holding clips; Braille mask with instructions; urns with bevelled voting slot and Braille label; triangular crayons; package box with harness and credential marker; magnifier lens (Fresnel) to assist persons with visual impairment in polling station electoral boards (2012). These tools have been used in electoral and citizen participation processes in the Federal District.

182. The Institute has also initiated a series of contacts with various government agencies and civil society organizations of persons with disabilities to distribute among persons with disabilities and the elderly electoral materials with devices to support this population sector and is considering new schemes that could facilitate exercise of the right to vote by these persons.

183. In June 2014, at the "Lic. Ignacio Trigueros" National Institute for the Blind, the Institute presented materials for use in electoral booths (ballot papers, markers and Fresnel magnifier lenses) that safeguard the right to vote for persons with visual disabilities.

184. The National Programme for the Advancement and Inclusion of Persons with Disabilities includes various policies in this area, namely: inclusion of the disability variable in databases on political participation compiled by the electoral authority for statistical purposes; dissemination of statistical information on persons with disabilities produced by the electoral authority; inclusion of means of identifying persons with disabilities in voting cards with photographs; diagnosis of the obstacles to the inclusion of persons with disabilities among polling station officials in federal elections; improved training of polling station officials in dealing with persons with disabilities; inclusion of measures to ensure that polling stations, modules and booths established by the Electoral Institute are accessible to persons with disabilities; devising and distributing accessible electoral materials to facilitate exercise of the vote by persons with disabilities; exchange of good practices with other electoral bodies to ensure political participation by the disabled; promotion, in collaboration with other organizations, of measures to increase political participation by citizens with disabilities; increasing the awareness and training of the staff of electoral bodies with regard to disability.

185. Under its strategy to reduce inequality in the enjoyment of political rights by persons and groups subject to discrimination, the National Programme for Equality and Non-discrimination (PRONAIND) includes a policy to promote the necessary conditions to enable persons with disabilities to exercise their right to vote.

[20] International Seminar on the State of Political Rights of Vulnerable Groups (24 and 25 April 2013), organized with the Electoral Tribunal of the Federal Judiciary, the United Nations Development Programme, the Ministry of Foreign Affairs and the International Institute for Democracy and Electoral Assistance.
The International Forum on the Political Rights of Disabled Persons: an Unfinished Task (8 and 9 July 2013), organized with the National Human Rights Commission, the Electoral Tribunal of the Federal Judiciary, the Ministry of Foreign Affairs and the International Institute for Democracy and Electoral Assistance.

Participation in cultural life, recreation, leisure and sport (art. 30)

29. Please provide information on measures adopted by the State party to ensure that cultural, recreational, leisure, sports and tourism facilities are accessible to persons with disabilities, including children with disabilities, and on accessibility measures incorporated into the tender process for public works and tied public funding.

186. The National Council for Culture and the Arts (CONACULTA) has taken various measures on behalf of persons with disabilities, namely:

- A programme established in 2001 aimed at ensuring free access to cultural goods and services for vulnerable groups suffering from disability and other conditions. The activities are carried out in collaboration with state and federal government, are free of charge and are designed by specialists in questions involving persons with disabilities, Down's syndrome, autism and hearing, visual and motor impairments. Between its inception and 2013, the programme has expanded its coverage to 24 federal entities. In 2013, it assisted 22,849 persons through activities such as workshops, lectures, shows, seminars, courses and play sessions.
- In coordination with the National Council for the Prevention of Discrimination (CONAPRED), CONACULTA has continuously expanded, adapted and renovated its premises to provide free access and greater security for persons with disabilities. In many of its facilities, such as museums, schools, libraries, theatres, cinemas and cultural centres, it has introduced access ramps, Braille lift buttons, toilets adapted for wheelchair use, Braille signposts, handrails, designated parking spaces, tactile guidepaths for accessing premises and places reserved for persons in wheelchairs.
- It also has specialized services in the public libraries it runs, such as rooms for the non-sighted in the México and Vasconcelos Libraries in Mexico City, book collections in Braille, tiflotechnic consultation systems enabling the non-sighted to access computer applications and programmes, and personalized assistance by librarians.

187. The National Sports Commission (CONADE) is following up the Act on the Inclusion of Persons with Disabilities by ensuring that facilities comply with the provisions on universality and is offering technical advice to state sporting institutes on the construction of sports facilities to ensure that they comply with the accessibility standards of the National Institute of Physical and Educational Infrastructure (INIFE).[21]

188. The original design of the Mexican Paralympic Centre (CEPAMEX) guaranteed the accessibility and inclusion of persons with physical, mental or sensory disabilities. CEPAMEX's facilities are accessible in accordance with the Institute's accessibility standard, meeting as they do the requirements relating to freedom of access, circulation and use of the Centre's sports areas.

189. In November 2013, the Supreme Court issued enforceable circular CO SA-09.2/13 "Guidelines on the accessibility of persons with disabilities and/or reduced mobility to airport infrastructures and air transport services", which remedies the lack of effective regulation and supervision of airline services operating in Mexico, ensuring that the companies concerned do not deny or restrict their services to persons with disabilities.

190. Stemming from the publication of this circular, areas in which services for the disabled need to be improved have been identified, and licence and permit holders have

[21] The accessibility standard is aimed at helping persons with disabilities to enter, move about and stay in educational establishments and at assisting their integration in school life and in the use and enjoyment of all the school's facilities.

been instructed to fulfil their contracts. To date there has been a 70 per cent improvement in compliance, although some outstanding issues remain such as ways of providing information to persons with visual, hearing or speech impairments.

191. Airport concession and permit-holders have likewise been informed of the requirements contained in the circular. The next review of their master development plan should include the implementation schedule and investment plan for ensuring that the airport buildings have the minimum infrastructure necessary to enable disabled passengers to use the air terminals safely and effectively.

192. To guarantee the rights of persons with disabilities and consolidate tourism as an accessible and inclusive activity enabling the population at large to travel and engage in recreational activities in accordance with their needs and preferences, the Ministry of Tourism (SECTUR) has compiled the Sectoral Tourism Programme for 2013–2018 (PROSECTUR). With a focus on accessibility and inclusion, this programme provides for the development of public policies benefiting the most vulnerable sectors, such as persons with disabilities, the indigenous population and women.

193. The National Council for Persons with Disabilities (CONADIS), in coordination with SECTUR, has included a strategy and policy on tourism in the National Development Plan and the National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 (PNDIPD), with the aim of mainstreaming accessibility in the country's tourist activities.

194. PNDIPD includes various strategies to promote the inclusion of persons with disabilities in community life through artistic and cultural activities, to guarantee the right of persons with disabilities to enjoy artistic activities and develop their artistic capacities, to promote the access of persons with disabilities to tourist services and destinations, and to further through the National Sports System their right to practise physical education and adapted sport or Paralympic activities.

30. Please indicate when the State party intends to sign and ratify the World Intellectual Property Organization (WIPO) Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

195. On 25 June 2014, the Mexican Government signed the Marrakesh Treaty at the headquarters of the World Intellectual Property Organization (WIPO). This will benefit over 1 million Mexicans who have difficulty in acquiring reading matter since it will guarantee them access to a greater volume of works by both national and foreign authors in Braille, audio and Macrotipo formats, for example.

196. Mexico possesses the necessary legislation for implementing this treaty. Independently of any other reform that might be adopted, article 44 of the Federal Copyright Act provides for a limitation of copyright in favour of persons with visual disabilities, enabling books to be reproduced on a non-profit-making basis with the exclusive aim of making them accessible to such persons.

C. Specific obligations

Statistics and data collection (art. 31)

31. Please indicate the measures adopted by the National Council for Persons with Disabilities (CONADIS) in coordination with the National Institute of Statistics, Geography and Information Technology (INEGI) for the development of a national information system on persons with disabilities and its sectoral implementation in public policy.

197. In 2014, the Specialized Technical Committee on Information on Disability was inaugurated as a collegiate body for standardizing and homogenizing the methodology for collecting information on the topic of disability, taking the International Classification of Functioning, Disability and Health (ICF) as its conceptual framework. The Committee is currently drawing up its work programme.

198. The Specialized Sectoral Technical Committee on Health is developing a project on an identification card for persons with disabilities, which is coordinated by INEGI with the participation of health sector institutions and civil society organizations. The main aim of this identification card is to support the integration of persons with disabilities in a context of equality and equal opportunity.

199. In Mexico, a total of 7,751,677 persons (6.6 per cent of the total population) have some form of disability. The majority are elderly persons aged sixty or over (51.4 per cent), adults between the age of 30 and 59 (33.7 per cent), young people aged 15 to 29 (7.6 per cent) and children aged 0 to 14 (7.3 per cent). Eight out of every ten persons with disabilities are over 29 years of age. The largest proportion of persons with disabilities is concentrated in the elderly age group. Thirty-one out of every 100 elderly people report disability, compared with only 6 out of every 100 adults and only 2 out of every 100 young people and children. The percentage of women with disabilities is slightly higher than that of men (52.3 per cent compared with 47.7 per cent), although it varies according to the age group. In the case of children and young people disability is found more frequently among males, whereas with adults and the elderly it is more frequent among females.

200. As from the 2013/14 school year, statistical information on disability is disaggregated in the end-of-year statistics of the Federal District's basic education schools and in Mexico's Comprehensive Statistical Information Systems (SIIE), in line with the Convention and reflecting the concern for diversity and inclusive education. These statistics will enable a register to be kept of persons with disabilities, indigenous populations, migrants, outstanding abilities and aptitudes, the support and technical assistance that the teaching staff will be required to give and the additional care and reasonable accommodation necessary.

201. The National Programme for the Advancement and Inclusion of Persons with Disability 2014–2018 (PNDIPD) includes a strategy for promoting activities to capture, produce, process, systematize and circulate statistical information to consolidate the National Information System on Disability.

International cooperation (art. 32)

32. Please provide information on the use made of resources obtained by the State party through international cooperation for the implementation of the Convention, and in what way persons with disabilities and their representative organizations participate in the design, development and evaluation of the projects funded.

202. Mexico was the prime mover in the establishment of the Convention on the Rights of Persons with Disabilities and, since its entry into force, has promoted the strengthening of the institutions provided for in the treaty. This is the case with the Conference of States Parties to the Convention, which was presided over by Mexico from 2008 to 2010. Our country promoted the idea that the Conference should become a forum for substantive reflection among the States parties, agencies of the United Nations system, committee experts and organizations of persons with disabilities for the purpose of exchanging good practices.

203. Mexico also campaigned for the Committee on the Rights of Persons with Disabilities to be given the necessary tools to perform its important work. It was successful, with New Zealand, in securing the agreement of the United Nations General Assembly in 2010 and 2012 to give the Committee additional time to carry out its work.

204. Our country also supported the establishment of the United Nations Fund for Promoting the Rights of Persons with Disabilities. Since 2012, it is one of the countries that has made voluntary contributions to the Fund to enable it to carry out its activities and has promoted its objectives.

205. These and other actions attest to the active participation of Mexico in promoting and protecting the rights of persons with disabilities at international level, including through the important role of international cooperation. A case in point is the adoption by the Human Rights Council of resolution 26/20, submitted by Mexico and New Zealand, establishing the Office of Special Rapporteur on the Rights of Persons with Disabilities, which includes among its functions promoting the exchange of good practices and international cooperation, in coordination with the Committee and other competent bodies.

206. At national level, one of the main purposes of the International Cooperation for Development Act (LCID) and the International Cooperation for Development Programme (PROCID) is to eradicate inequality and promote social inclusion and human rights. On this basis, following finalization of the programme cycles with the United Nations system, the United Nations Development Assistance Framework (UNDAF) agreement was signed on 14 May 2013.

207. The six UNDAF cooperation areas[22] mainstream the different dimensions of inequality, including disability. This ensures that the results, strategies and activities under the cooperation framework cater for vulnerable persons and that provision is made for activities that take account of these different dimensions. Recently, various instruments of cooperation with the United Nations system (UNFPA, UNICEF, FAO and UN-Habitat) have been updated to bring them into line with the National Development Plan and with UNDAF. In this way, the crosscutting focus on disability is reflected in each of these instruments, as it will be in subsequent agreements with the United Nations system.

208. The records of the Mexican International Cooperation Agency show that a project was developed between 2009 and 2012 involving the strengthening of a specialized

[22] Equality, equity and social inclusion; productive economic development, competitiveness and decent work; public safety, social cohesion and justice; environmental sustainability and green economy; and the Global Partnership for Development.

programme for the rehabilitation of officials of the Ministry of Public Security disabled in the discharge of their function of preventing and combating delinquency. The project involved reinforcing the capacity of the National Rehabilitation Institute and/or public bodies specialized in rehabilitation, implementing procedures for improving the living conditions of disabled officials and promoting a new rehabilitation system within the Ministry.

209. During the 2013/14 biennium, the project "Technical Cooperation for the Development of Inclusive Education Systems in the Mesoamerican Region" was carried out in the framework of the Mesoamerican Network of Inclusive Education (REMEI), under the Mesoamerican Programme of International Cooperation for Development. The project provides for the introduction of a certificate of accessibility in school buildings and the design by country of a universal accessibility school management proposal in acknowledgement of the international commitments embodied in the Convention on the Rights of Persons with Disabilities. These activities will be included in the Management Plan for Universal Accessibility in the Mesoamerican Region, to be implemented in the 2015/16 biennium. The participating countries are: Belize, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Dominican Republic and Mexico.

National implementation and monitoring (art. 33)

33. Please indicate when the national mechanism to promote, protect and monitor implementation of the Convention on the Rights of Persons with Disabilities, for which 33 public bodies for the defence and protection of human rights were designated on 21 February 2011, will become operational.

210. In February 2011, the National Human Rights Commission and the state human rights commissions participated in a meeting to present the framework for promoting, protecting and monitoring the implementation of the Convention on the Rights of Persons with Disabilities, at which they were invited by the Federal Government to serve as the promoting, protecting and monitoring mechanism.

211. Without prejudice to the independence of the work of independent human rights bodies and such information as the National Human Rights Commission may submit to the Committee on its activities, attention is drawn to some of the measures taken by the Commission to guarantee the rights of persons with disabilities, such as the distribution of printed materials, national campaigns, lectures, forums, round tables and information talks.

212. The following activities were carried out during 2013: (i) 207 promotional activities, which reached 20,350 recipients, including persons with disabilities, staff of organizations of and for disabled persons, public officials, legislators, academics, students, parents of disabled persons and the general public; (ii) 286 meetings with organizations belonging to civil society and the three levels of government, aimed at promoting analysis and debate on the human rights of persons with disabilities in 29 federal entities; (iii) 424 consultancies on the human rights of persons with disabilities and 2,007 requests for collaboration in collecting information on disability, with the involvement of civil society associations. Monitoring activities were carried out in all the country's federal entities.