



Convention on the Rights of the Child

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Consideration of reports of States parties

List of issues in relation to the combined fourth and fifth periodic reports of Mexico

Addendum

Replies of Mexico to the list of issues*

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Part I

Reply 1

1. On 4 December 2014, the Act on the Rights of Children and Adolescents¹ was published, an unprecedented step forward in the promotion of children's and adolescents' rights in Mexico.
2. The Act establishes the National Comprehensive Protection System (SNPI),² which will facilitate communication, coordination and decision-making between the competent authorities of all levels of government. The System, which is to be established within 180 days of the Act's publication, will be chaired by the President of the Republic. It will have an executive secretariat³ which will promote and ensure compliance with the Act and which, at its first meeting, will appoint an executive secretary; 30 days later, it will adopt guidelines.⁴ The System will prepare implementing regulations of the Act, which will be published in June 2015 and describe specific aspects of the System. It will be required to include municipal and state protection systems.⁵
3. The National Comprehensive Protection System will need to set up a database on children and adolescents to collect and analyse disaggregated data and quantitative and qualitative indicators with a view to monitoring progress. It will also develop a national programme on children's and adolescents' rights.
4. The Act stipulates that civil society is to have a part in defining and implementing the System's policies to guarantee and fully protect children's and adolescents' rights. The implementing regulations of the Act must set out the conditions for appointing civil society representatives to the System in a public announcement with information on all the stages of the procedure, the deadlines and terms. The System will also establish mechanisms to guarantee the direct and effective participation of children and adolescents in the development of programmes and policies to guarantee and protect their rights. The children and adolescents who are selected by the System will have the right only to speak at its meetings, on an ongoing basis.
5. The implementation process will also include the development of a "model law" so that each federal entity can harmonize its legislation with the Act (June 2015). Local protection systems will be incorporated within 90 days of the local legislative amendments (September 2015). Local programmes for the protection of children's and adolescents' rights should be approved by around March 2016 and the municipal systems will be brought in subsequently. The Act will thus be able to be effectively implemented at the state and municipal level by 2016 at the latest.
6. The Act establishes a new entity: the Federal Office for the Protection of Children and Adolescents, together with local offices (described in part II. B).

¹ Annex I.

² Article 125 of the Act on the Rights of Children and Adolescents.

³ Under the Ministry of the Interior.

⁴ Provisional article 7 of the Act on the Rights of Children and Adolescents.

⁵ Articles 136 to 138 of the Act on the Rights of Children and Adolescents.

Reply 2

Programme of Action 2002–2010: A Mexico Fit for Children

7. Between 2002 and 2010, six reports⁶ on the achievement of the goals set out in the Programme of Action were prepared. The latest report shows advances in:

- Healthy living: 84 per cent. Malnutrition in children under 5 years of age dropped from 2,096 in 2000 to 1,026 in 2010;⁷
- Quality education: 89.5 per cent. The gross coverage rate for preschool education⁸ (aged 4–5 years) rose from 75.8 in 2000–2001 to 121.3 in 2010–2011. During the 2010/11 school year, 14.9 million pupils were enrolled in primary education; the level of enrolment reflected a gross rate of 100 per cent for the population aged 6 to 12 years;
- Comprehensive protection: 77.6 per cent. The percentage of children and adolescents aged 5 to 13 years who work fell from 5.6 per cent in 2007 to 4.5 per cent in 2009.

Approach to a comprehensive policy on the rights of children and adolescents

8. Once the Act on the Rights of Children and Adolescents has been adopted, the Programme of Action will be replaced by the National Programme for the Protection of Children and Adolescents,⁹ which will establish priorities in terms of children's and adolescents' rights, include evaluation, monitoring and citizen participation mechanisms, and make it mandatory to budget for the protection of children's and adolescents' rights. The National Programme for the Protection of Children and Adolescents will be adopted within 180 days of establishing the National Comprehensive Protection System,¹⁰ and provision for its implementation will be included in the Federal, state and municipal draft budgets.

Reply 3

9. The Act on the Rights of Children and Adolescents seeks to eliminate gender differences that make girls and adolescents vulnerable and lead to discrimination against them,¹¹ as well as modes of behaviour, customs, cultural practices and prejudices that lend themselves to gender-based inequality among children and adolescents,¹² particularly "gender stereotypes or any other kind of stereotype based on the idea of inferiority". Authorities are required to adopt measures and take the necessary affirmative actions to ensure that children and adolescents enjoy substantive equality, equal opportunities and the right to non-discrimination.

10. In education, the number of schools with staff trained in matters relating to gender-based violence has increased by 46 per cent, and normative materials that incorporate a gender perspective have increased by 32 per cent. Twenty-seven free basic education

⁶ For 2003, 2004, 2005, 2006, 2007, 2009 and 2010.

⁷ Incidence of malnutrition: rate per 100,000 children under the age of 5.

⁸ Number of pupils enrolled at the beginning of the school year for every 100 individuals at the official age corresponding to that level of education.

⁹ Under the Executive Secretariat. Article 130, Section II, of the Act on the Rights of Children and Adolescents.

¹⁰ Transitional article 7 of the Act on the Rights of Children and Adolescents.

¹¹ Article 40.

¹² Article 42.

textbooks have been analysed, and the removal of sexist content discriminating against women and girls has been recommended. A gender perspective, human rights and the elimination of violence have been included in the curriculum for upper-secondary education.

11. The Comprehensive Programme to Prevent, Address, Punish and Eliminate Violence against Women and the Youth Communities Programme¹³ promote actions to eliminate gender stereotypes and violence against girls and women. They also disseminate information on gender equality to young persons between the ages of 17 and 24 at educational, cultural and sports centres to prevent dating violence and to promote non-violent expressions of male identity and egalitarian relationships.¹⁴

12. The Social Inclusion Programme (PROSPERA) uses a gender perspective to identify the factors that exacerbate the inequality gaps that make women overburdened or disadvantaged. It provides support to mothers and has a scholarship programme that offsets the disadvantages faced by girls in gaining access to education through monthly payments of educational support that increases at the secondary and upper-secondary education level. There are 6,194,542 recipients of scholarships: 2,918,231 in primary, 2,112,932 in secondary and 1,163,379 in upper-secondary education.

13. The Programme for the Protection and Integral Development of Children¹⁵ includes measures to promote respect for and realization of children's and adolescents' rights on an equal basis.

14. The 2014 Cihuatl comprehensive project for bilingual training and dissemination of information on social welfare is designed to foster a culture of reporting crime in order to address, prevent and combat domestic violence and discrimination against indigenous women;¹⁶ it provides training to indigenous families in Veracruz with a view to combating discrimination against and ill-treatment of women of all ages. It has provided bilingual training to over 5,000 women and their families in their homes, while respecting their practices and customs.

Reply 4

15. The National Institute of Statistics, Geography and Information Technology (INEGI) reports a decrease in the number of homicides of children and adolescents.¹⁷ Disaggregated data on homicides of children and adolescents can be found in annex III.

16. The Office of the Attorney-General of the Republic (PGR) has reported 30 preliminary inquiries into homicides of persons under the age of 18, two of which were the result of organized crime. The Office has data as from 2014, when it began disaggregating data on preliminary inquiries into homicides according to age and sex.

17. With regard to locating disappeared persons,¹⁸ a law creating the National Registry of Missing and Disappeared Persons (RNPED) has been passed.¹⁹ The database is

¹³ The National Commission for the Prevention and Elimination of Violence against Women (CONAVIM).

¹⁴ Other activities are shown in annex II.

¹⁵ National Scheme for the Comprehensive Development of the Family (SNDIF). See annex II.

¹⁶ National Scheme for the Comprehensive Development of the Family/National Commission for the Development of Indigenous People (CDI).

¹⁷ From 2011 to 2013. The figures are based on information on vital statistics from federal entities' administrative records on accidental and violent deaths. It includes the records of 4,994 Civil Registry Offices and 1,157 Public Prosecution Services. Civil Registry Offices have data on deaths (homicides) based on death certificates. This information is supplemented by data from the Public Prosecution Service in the form of statistics reports.

constantly being updated and purged and contains data on missing persons disaggregated according to sex, age, nationality, ethnicity, distinguishing features, disability, federal entity and the date or place of disappearance.²⁰

18. On 26 February 2015 an updated list was published in the National Registry of Missing and Disappeared Persons. Between 1 January 2012 and 31 January 2015, 15,668 persons were reported missing, 3,677 of whom were minors (2,365 girls and 1,312 boys) and 10,597 of whom were adults (2,179 women and 8,418 men). The age of 1,394 such persons (321 females and 1,073 males) was unknown.

Table 1

Disappeared persons, 1 January 2012 to 31 January 2015

<i>Age</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
1-4	112	115	227
5-9	104	117	221
10-14	771	390	1 161
15-17	1 378	690	2 068
Adults	2 179	8 418	10 597
Age unknown	321	1 073	1 394
Total	4 865	10 803	15 668*

Source: Unified System for Information Exchange between Prosecution Services (SUIIEP).

* Preliminary data.

19. There are no data on “mothers” and/or “fathers” who have been killed or have disappeared, as that is not a criterion for statistical classification of victims. Moreover, it is not possible to identify cases that occurred in the context of organized criminal violence prior to 2014, as the database did not have data disaggregated according to that criterion.

Reply 5

20. The Act on the Rights of Children and Adolescents recognizes the right of children and adolescents to a life free of all forms violence and to protection of their personal integrity with a view to improving their well-being.²¹ Authorities at all levels should take steps to prevent, address and punish cases in which children or adolescents are affected by, inter alia, physical, psychological or sexual abuse, corruption, trafficking, sexual exploitation (commercial or otherwise) or any other type of exploitation.

Steps taken to put an end to impunity for sexual violence against children and adolescents

21. The Supreme Court of Mexico has issued a procedural protocol for justice administrators in cases concerning children and adolescents, which lists a number of

¹⁸ The whereabouts of a person may be unknown for various reasons: their absence may be voluntary or the result of domestic troubles, unlawful deprivation of liberty, national or international migration, imprisonment, death or a crime.

¹⁹ 17 April 2012.

²⁰ Information from the National Registry of Missing and Disappeared Persons is available on the website of the Executive Secretariat of the National Public Security System: www.secretariadoejecutivo.gob.mx.

²¹ Article 46.

considerations based on national and international principles regarding children, so that children and adolescents may participate in judicial proceedings that directly or indirectly involve them. Civil society considers this document an extremely useful tool for promoting children's and adolescents' access to justice.

22. The Charter of Rights of Victims of Child Sexual Abuse and the Protocol on Victims of Child Sexual Abuse²² seek to raise awareness of violence and child sexual abuse among children and adolescents, parents, and persons entrusted with the care of children and adolescents. The Protocol also describes how to determine whether a child or adolescent has been sexually abused and what to do about it.

23. Child abuse prevention programmes exist in the 32 federal entities.²³ Mexico City has a Programme for Victims of Child Abuse (PREMAN)²⁴ for children who are abused by their parents, guardians or custodians that seeks to promote their development and well-being through preventive actions, measures to identify cases of abuse and treatment. In 2014, the National Scheme for the Comprehensive Development of the Family in Mexico City dealt with 218 reports of child abuse, finding abuse or neglect in 82 cases, 14 of which were referred to the Office of the Special Prosecutor for Children and Adolescents.

24. A gender-sensitive protocol on judicial, police and expert investigation of femicide²⁵ has been issued²⁶ in order to incorporate a gender perspective and promote compliance with international legal standards on women and girls' human rights in judicial, police and forensic investigations of femicide. A gender-sensitive protocol on judicial, police and expert investigation of sexual violence has also been issued to provide the theoretical and methodological bases for incorporating a gender perspective into the administration of justice. It establishes the minimum requirements for conducting judicial, police and expert investigations of cases of sexual violence against women, in accordance with human rights standards.

Preventing torture of children and adolescents

25. Torture is prohibited under the Mexican Constitution and in various secondary laws. Mexico has signed international instruments for the prevention, investigation and punishment of torture and the reparation of victims both at the universal and inter-American level. The constitutional reforms that introduced the adversarial criminal justice system in 2008 and strengthened human rights in 2011 guarantee the protection of individuals and their access to justice.

26. The President of the Republic has introduced an initiative²⁷ authorizing Congress to issue, inter alia, general legislation on torture that duly affects all levels of government and uniformly criminalizes the offence.

27. The Supreme Court has issued²⁸ a procedural protocol for justice administrators in cases involving acts of torture or ill-treatment, in order to provide judges with guidance on the appropriate punishment of such practices.

28. Institutional guidelines have been issued²⁹ for federal prosecutors, legal and/or forensic medical experts and other staff of the Office of the Attorney-General of the Republic on the use of medical/psychological reports of possible torture and/or ill-treatment.

²² Executive Committee for Victims (CEAV).

²³ Annex IV.

²⁴ Mexico City Comprehensive Development of the Family.

²⁵ Office of the Attorney-General of the Republic. See annexes XLVI and XLVII.

²⁶ 3 March 2015.

²⁷ 2 December 2014.

²⁸ 9 December 2014.

29. Mexico constantly provides persons responsible for ensuring access to justice with training on the proper implementation of the Istanbul Protocol at the national level. Sixteen federal entities have regulations in this regard.

30. The National Council for Public Security has agreed³⁰ that the National Conference of Judicial Officers should develop protocols on investigation into torture, which will apply nationwide and include international best practices. It will also provide judicial officers with training on the implementation of such protocols. The proposals will be submitted for approval in May 2015. The protocols will be reviewed by experts, civil society organizations and victims of torture and enforced disappearance.

Prohibition of corporal punishment

31. The Act on the Rights of Children and Adolescents³¹ explicitly prohibits persons in contact with children and adolescents from exercising any type of violence against them, in particular corporal punishment. It guarantees the right of children and adolescents to a life free of violence and to personal integrity; it recognizes the obligation of authorities to prevent, address and punish cases of physical abuse and sets conditions for the administration of school discipline and obligations for those to whose care children and adolescents have been entrusted.

32. The states of Coahuila, Mexico and Tabasco have legislation that specifically prohibits corporal punishment and any type of physical violence towards children and adolescents. Querétaro has developed primary and secondary prevention measures.

Complaints mechanisms available to child and adolescent victims of violence

33. Mexico fosters a culture of prevention and reporting of cybercrimes against children and adolescents³² and organizes talks and events to encourage the direct and confidential reporting of various crimes.³³

34. The Office of the Attorney-General of the Republic is in the process of establishing a special law enforcement unit to assist and protect child and adolescent victims of crime. The unit will be responsible for providing judicial, police and expert training on children's rights, developing guidelines on immediate assistance for child and adolescent victims of crime, and distributing such guidelines to the relevant authorities, in accordance with the provisions of the Victims Act.

35. The Citizen Complaint and Help Centre provides toll-free hotlines. Calls concerning violence against women, human trafficking, crimes against children and adolescents, and missing children and adolescents are transferred to a specialized call centre attached to the Office of the Special Prosecutor for Crimes of Violence against Women and Trafficking in Persons.

36. The Executive Commission for Victim Support was set up under the Victims Act³⁴ as the federal legal advisory that guides, advises and legally represents victims of federal

²⁹ 18 August 2003.

³⁰ 19 December 2014.

³¹ Article 105.

³² Between January 2013 and November 2014, 30 complaints, affecting 14,720 persons, were processed.

³³ Complaints may be filed by calling the Commissioner Help Centre (CEAC) of the National Commission for Security (CNS) at 088 or through Twitter (@CEAC_CNS), e-mail (ceac@cns.gob.mx) or the "PF Móvil" application.

³⁴ The Act regulates the ways and means whereby the State recognizes and guarantees the rights of victims of offences and violations, especially the right to assistance, protection, care, truth, justice, full reparation and due diligence.

offences and human rights violations. It offers its services in central offices and in 15 state offices.

Reply 6

Concrete measures to prevent the separation of children and adolescents from their parents as a consequence of poverty

37. The Act on the Rights of Children and Adolescents states that a lack of resources is not sufficient grounds for separating children and adolescents from their families nor grounds for loss of parental rights. In the event that those who exercise parental rights find it difficult to care for their children and adolescents on a permanent basis owing to extreme poverty or need, separation will not be regarded as neglect or abandonment if they arrange for the children and adolescents to be cared for by others, ensure they are not subjected to violence and provide their subsistence.

38. The Social Inclusion Programme³⁵ supports assistance and coordination activities with a view to improving capacity-building, access to social rights, and the well-being of the population living in poverty through food and health-care services, education and productive and financial inclusion.

Regulation and coordination of public and private bodies responsible for providing alternative care

39. The Act on the Rights of Children and Adolescents³⁶ and the Acts on Health, Social Welfare, Comprehensive Childcare and Development Services, the National Social Welfare Programme 2014–2018 and Mexican Official Standard NOM-032³⁷ regulate social welfare centres, establishing the conditions and minimum requirements that must be met by public, social and private establishments or facilities that provide welfare services to children and adolescents who are vulnerable or at risk.

40. The Act on the Rights of Children and Adolescents provides for the establishment of the National Register of Social Welfare Centres³⁸ and a Federal Protection Office to follow up on protective measures to ensure the full restitution of children's and adolescents' rights.³⁹

41. The programme to strengthen the Offices for the Defence of Minors and the Family allocates resources to protect and assist children and adolescents in public and private welfare facilities and to regularize their legal and family situation. In 2015, 26,448,167 Mexican pesos⁴⁰ will be allocated to the 32 state offices.

“Casitas del Sur” case

42. On 30 June 2010, the Office of the Attorney-General of the Republic launched preliminary investigations into anonymous complaints regarding the disappearance of 15 children and adolescents from the “Casitas del Sur” home. The Office has provided psychological and medical support to the parents, children and adolescents since the recovery of the first child on 4 July 2010. To date, 12 children and adolescents have been

³⁵ Ministry of Social Development.

³⁶ Article 107 of the Act on the Rights of Children and Adolescents.

³⁷ Mexican Official Standard NOM-032-SSA3-2010, Social Welfare. Provision of social welfare services for children and adolescents who are vulnerable or at risk.

³⁸ National Scheme for the Comprehensive Development of the Family.

³⁹ Article 122, subparagraph III, of the Act on the Rights of Children and Adolescents.

⁴⁰ The exchange rate as at 12 March 2015 was 15.4 Mexican pesos to the dollar.

recovered, and criminal proceedings have been launched against 47 persons for trafficking in minors and involvement in organized crime.

43. The National Scheme for the Comprehensive Development of the Family:

- Has placed 90 children and adolescents from that home in welfare facilities (mostly on a temporary basis);
- Has provided legal assistance following preliminary investigations and criminal proceedings;
- Has taken decisions with regard to the loss of parental rights;
- Has carried out legal actions, such as name corrections and regularization of school certificates;
- Has provided medical and psychological assistance to the children and adolescents concerned;
- Currently provides shelter to 18 children and adolescents.

“La Gran Familia” (Mama Rosa) case

44. The operation was conducted in the “Gran Familia” shelter in Zamora, Michoacán, run by a woman known as “Mama Rosa”. As a result, 292 children and adolescents were sent to shelters run by the National Scheme for the Comprehensive Development of the Family and the State Schemes for the Comprehensive Development of the Family. At present, 100 children and adolescents have been returned and 192 are still at the shelters.

45. The Office of the Attorney-General of the Republic and the Executive Commission for Victim Support have followed up on the rescued children and adolescents. In addition, inter-institutional⁴¹ plans for legal, medical and psychological support and social work have been drawn up. Actions include:

- Changing the names of adolescents whose surname was Verduzco Verduzco (after the woman who ran the shelter) back to their original names;
- Regularizing identity documents and school records;
- Psychological therapy; and
- Assistance with reintegration (support in finding work, returning to school, engaging in recreational and cultural activities).

46. As a result of the operation, detention orders were obtained against six people for illegal deprivation of liberty in the form of abduction, trafficking in persons for the purposes of forced begging, trafficking in persons in the form of exploiting begging by others, trafficking in persons for the purposes of labour or forced services, and organized crime.

Prevalence of private adoption

47. The Offices for the Defence of Minors and the Family have agreed:

⁴¹ The Executive Commission for Victim Support, the Office of the Attorney-General of the Republic, the Ministry of the Interior, the National Scheme for the Comprehensive Development of the Family and the Ministry of Health.

- To give priority to the best interests of the child in respect of adoption and raise awareness in professional, cultural and academic fields of the importance of taking adoption between individuals out of the framework of what is lawful;⁴²
- Not to process intercountry adoptions of healthy children under the age of 5, except in cases of sibling groups, and not to promote adoption between individuals.⁴³

Reply 7

Programmes and policies for the inclusion of children and adolescents with disabilities

48. The Act on the Rights of Children and Adolescents adopts a cross-cutting approach to the rights of children and adolescents with disabilities, providing for specific measures to be taken in relation to accessibility, health, education and access to justice. It also includes a chapter on the right to inclusion for children and adolescents with disabilities, which recognizes their right to substantive equality and prohibits discrimination against them in various areas of life.⁴⁴

49. The National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2018 guides government actions concerning the rights of persons with disabilities in Mexico. The Programme promotes free care for children and adolescents with any type or degree of disability in childcare facilities and day-care centres and establishes a model of inclusive, comprehensive care centres for children and adolescents with disabilities.⁴⁵

50. The Programme for the Protection, Rehabilitation and Social Inclusion of Persons with Disabilities and their Families encourages actions to include children and adolescents with disabilities by promoting a culture of respectful treatment within families and communities.⁴⁶

Inclusive education

51. The Programme for Inclusion and Equity in Education seeks to build capacity among public schools, strengthen the Support Centres for Students with Disabilities and support public institutions of higher education in their efforts to ensure inclusive education for children and adolescents with disabilities.

52. Through the substantive programme for the educational inclusion of children with disabilities in schools, medical and psychological support and physical and occupational therapy are provided and home and school visits are conducted to raise awareness about inclusive education.

53. The networks of parents of children with disabilities, children with multiple disabilities and deaf and blind children⁴⁷ encourage the development of basic skills in addressing and supporting the special educational needs of children and adolescents with disabilities.

⁴² Workshop XXII, Sonora, October 2010, organized by the National Scheme for the Comprehensive Development of the Family.

⁴³ Workshop XXIII, Jalisco, May 2011 and Workshop XXIV, Zacatecas, October 2011, organized by the National Scheme for the Comprehensive Development of the Family.

⁴⁴ Articles 54–56.

⁴⁵ See: www.conadis.gob.mx/noticia.php?noticia=20.

⁴⁶ This programme is now called E-040 “Services to Support Vulnerable Groups – Comprehensive Rehabilitative Support”. The National Scheme for the Comprehensive Development of the Family.

⁴⁷ The Ministry of Public Education.

54. The substantive programme for the educational inclusion of children with disabilities in schools⁴⁸ is being implemented in 21 rehabilitation centres in 17 states and in the Federal District. It is designed to benefit children and adolescents with disabilities who are enrolled in school as well as those who, for various reasons, are not in school, and it encourages their inclusion in social development efforts and helps to ensure full respect for their human rights.

Right to health

55. Various specialized public agencies serve the needs of children and adolescents with disabilities, children and adolescents with Down syndrome, children and adolescents who need psychiatric care and/or children and adolescents with mental or behavioural disorders.⁴⁹

56. The Mexican Social Security Institute runs 184 physical medicine and rehabilitation centres that provide services to beneficiaries with functional and structural impairments, so as to encourage their reintegration into the familial, social, educational and labour environment. These centres care for children and adolescents with minor disabilities or with disabilities that do not leave them dependent on others, while children and adolescents with moderate disabilities may receive care at the inclusive childcare centres. From 2009 to 2014, a total of 17,211 children and adolescents with disabilities were cared for; of those, 16,315 had minor disabilities or disabilities that did not leave them dependent on others, and 896 had moderate disabilities.

57. The Persons with Disabilities Programme⁵⁰ granted 72,486,918.38 pesos in subsidies in 2013 and 55,985,218.17 pesos in 2014 to the state schemes for the comprehensive development of the family, the municipal schemes for the comprehensive development of the family and civil society organizations to fund projects to improve support for persons with disabilities, infrastructure and equipment and include persons with disabilities in the labour market, in education and in society.

Recreation and culture

58. Workshops, lectures, performances, seminars, courses and leisure activities for children and adolescents with disabilities are offered as part of the Programme to Support Particular Groups and the “Wings and Roots” Programme (2013–2014).⁵¹ These activities are designed by professionals specializing in disability, Down syndrome, autism and visual, hearing and motor impairments, and they encourage the inclusion of these children in the life of the community and showcase their artistic talents. The exhibition titled “Feel to Imagine: the art of photographing without seeing”, which was organized in collaboration with the civil society organization Eyes of Feeling (Ojos que Sienten), was seen by more than 300,000 persons and displayed the skills of photographers with visual disabilities.

⁴⁸ The National Scheme for the Comprehensive Development of the Family. In 2013, a total of 1,358 children with disabilities (who were patients at the rehabilitation centres) enrolled in regular and special schools, and another 1,756 enrolled between January and September 2014. Through the programme, medical and psychological support and physical and occupational therapy are provided and home and school visits are conducted to raise awareness among students and parents about inclusive education.

⁴⁹ Annex 5.

⁵⁰ The National Scheme for the Comprehensive Development of the Family.

⁵¹ The National Council for Culture and the Arts.

Accessibility

59. Through the Programme to Support Particular Groups, cultural facilities were created, adapted and renovated to make them accessible to persons with disabilities, and the protocols on civil protection were revised in order to safeguard those persons' physical integrity in the event of a disaster.

60. In the field of education, the School Management Strategy for Universal Accessibility was implemented,⁵² under which accessibility rating certificates are issued for school buildings, taking into account aspects such as the physical infrastructure in schools, the school environment, extracurricular activities, equipment, curricula and access to education for children and adolescents with disabilities.⁵³

Preparation to enter the labour market

61. The substantive programme for the inclusion in the labour market of persons with disabilities⁵⁴ provides for skills assessments and inclusion in training and employment opportunities, hand in hand with family guidance, counselling on employment rehabilitation, occupational guidance and psychological support for the individual and the family. The programme is coordinated with businesses, institutions and trade unions so as to raise their awareness and advise them on the recruitment of persons with disabilities.⁵⁵

Combating discrimination

62. The reform of the Federal Act on the Prevention and Elimination of Discrimination defines as a discriminatory act the denial of reasonable adjustments to ensure that persons with disabilities can enjoy or exercise their rights on an equal footing.

Progress made in indigenous and remote areas

63. The National Commission for the Development of Indigenous Peoples is renovating the Indigenous Children's Hostels to ensure their accessibility; it also provides medical care that includes recovery of motor skills, hearing and vision lost through chronic degenerative diseases.⁵⁶

64. The coverage of the Rehabilitation Centres and Basic Rehabilitation Units⁵⁷ has increased significantly; as at September 2014 there were 1,501 Basic Rehabilitation Units

⁵² The Ministry of Public Education.

⁵³ See: <http://educacionespecial.sepdf.gob.mx/CEDULADD/#/>. See annex 6 for information on further progress achieved.

⁵⁴ The National Scheme for the Comprehensive Development of the Family.

⁵⁵ It is being implemented in 17 rehabilitation centres: The Iztapalapa Model National Research and Training Centre for Rehabilitation and Employment Integration; the Chihuahua Rehabilitation and Special Education Centre; the Guadalajara Comprehensive Rehabilitation Centre; the Toluca Rehabilitation and Special Education Centre; the Cuautla Comprehensive Rehabilitation Centre; the Cuernavaca Comprehensive Rehabilitation Centre; the Tepic Rehabilitation and Special Education Centre; the Puebla Rehabilitation and Special Education Centre; the Quintana Roo Comprehensive Rehabilitation Centre; the San Luis Potosí Rehabilitation and Special Education Centre; the Ciudad Victoria Rehabilitation and Special Education Centre; the Xalapa Rehabilitation and Special Education Centre; the Guadalupe Zacatecas Rehabilitation and Special Education Centre; the Ensenada Comprehensive Rehabilitation Centre; the Tepic Rehabilitation and Special Education Centre; the Mérida Rehabilitation and Special Education Centre and the Oaxaca Rehabilitation and Special Education Centre.

⁵⁶ Actions taken by states are described in annex 7.

⁵⁷ The National Scheme for the Comprehensive Development of the Family.

throughout the country. This care model brings outpatient rehabilitation services to the most remote municipalities and communities.

Reply 8

Access to health services

65. There are various public health services available in Mexico for different population groups: the people's health insurance scheme, the Mexican Social Security Institute, the Institute of Social Security and Services for State Employees and the Twenty-First Century Health-Care Programme.⁵⁸ All of these serve children and adolescents by providing them with health services as well as courses, workshops, day care and preventive medical care. The Social Inclusion Programme run by the Mexican Social Security Institute serves 2.8 million children, 2.5 million adolescents and 4 million indigenous persons. Children and adolescents without identity documents receive care on an equal footing with others.

Coverage of health services in remote areas

66. The Social Inclusion Programme operates by geographic area in the facilities of the health-care system, which establishes mechanisms for the referral and counter-referral of patients to secondary and tertiary care facilities. It has provided care to 6.1 million families living in about 117,000 different localities throughout the country.⁵⁹

67. There is also the Food Aid Programme, which in 2014 benefited about 950,000 families spread across 39,062 localities in 2,254 municipalities and the Federal District. Of those, 131,304 families live in indigenous localities.⁶⁰

Child mortality and morbidity

68. Actions taken to reduce mortality among children under 5 years of age include the Universal Vaccination Programme, the programme to prevent, control and treat acute respiratory and diarrhoeal diseases, the Clean Water Programme, oral hydration therapy and the National Health Weeks, as well as training for health-care workers in comprehensive care to children.⁶¹

69. Actions taken to reduce child mortality include: the promotion of breast-feeding, neurological development assessments, early learning and training in comprehensive care for children.⁶²

Child nutrition

70. The Child and Adolescent Nutrition Programme coordinates actions to strengthen prevention and food inspection and monitoring. Primary Health-Care Units assess the nutritional level of children and adolescents to determine whether they are malnourished, overweight or obese. As a preventive measure, mothers are encouraged to use exclusive breast-feeding for the first 6 months of life and continued breast-feeding up to 2 years of age. Efforts focus on supplementary feeding to prevent malnutrition in children under 5 years of age.

⁵⁸ Through a financing scheme, the Twenty-First Century Health-Care Programme grants health-care access to children under 5 years of age who lack coverage.

⁵⁹ Data from 2014.

⁶⁰ Other actions taken are described in annex 8.

⁶¹ The mortality rates for children under 5 years of age and children under 1 year of age are shown in annexes 9 and 10.

⁶² Annex 11 describes actions taken at the state level.

71. As part of the School Meals Programme,⁶³ the Government provides breakfasts or lunches that are prepared in accordance with nutrition quality standards and are offered in conjunction with measures involving nutrition guidance, quality assurance and food production. These meals are provided to 6.3 million children and adolescents every day.

Child development

72. The Health Sector Programme promotes capacity-building so as to provide children with early learning opportunities and good parenting, offers training for health-care workers, and raises awareness about the importance of monitoring children's development and about how parents can protect their children through daily actions.

Childhood obesity

73. Through public health interventions, a comprehensive health-care model and intersectoral public policies, the National Strategy to Prevent and Monitor Excess Weight, Obesity and Diabetes⁶⁴ seeks to change public and private behaviour so as to increase people's physical activity levels and establish good eating habits.⁶⁵ It aims to reverse the epidemic of non-communicable diseases, particularly type 2 diabetes. The Strategy is being implemented by: monitoring the weight of children from 43 days to 4 years of age in day-care centres; encouraging breast-feeding; assessing children's nutritional status; selling exclusively healthy foods and beverages in public buildings; carrying out the Check Yourself, Weigh Yourself, Get Moving ("Chécate, Mídete, Muévete") campaign, and applying the Protocol for Genetic Research on Childhood and Adolescent Obesity.

Drug use⁶⁶

74. The Programme for the Prevention and Treatment of Addiction and the Programme for the Prevention of Addiction and Violence, which target adolescents from 12 to 19 years of age, focus on the prevention and treatment of addiction and encourage adolescents to be active, responsible, safe and assertive by promoting a healthy lifestyle.

Maternal mortality

75. The maternal mortality rate continues to drop. In 2010, the rate was 44.1 per 100,000 live births,⁶⁷ compared with 38.2 in 2013. Measures taken include: providing training to 1,198 maternal and perinatal health-care workers; increasing the coverage of guest houses for pregnant women (currently 84); translating into indigenous languages materials on maternal, sexual and reproductive health; and training 9,146 midwives in 27 states (28 per cent more than in 2013).

76. The comprehensive intervention strategy takes a preventive and pre-emptive approach and, in order to reduce and prevent maternal death, promotes the prevention of pregnancy in high-risk conditions (among adolescents and women of childbearing age with chronic degenerative diseases), the prevention of serious complications during pregnancy, childbirth and the post-partum period, and the timely and effective handling of obstetrical emergencies.

⁶³ Coordinated by the National Scheme for the Comprehensive Development of the Family at the national level (in 32 states and 2,300 municipalities).

⁶⁴ See annex 12.

⁶⁵ See http://promocion.salud.gob.mx/dgps/descargas1/estrategia/Estrategia_con_portada.pdf.

⁶⁶ See annex 13.

⁶⁷ Deaths per 100,000 live births.

Healthy environment

77. Mexico has made significant legislative and institutional progress in environmental matters. The Act on the Rights of Children and Adolescents recognizes the right to live in a healthy, sustainable environment under conditions conducive to children's development, well-being and healthy, harmonious growth – physical as well as mental, material, spiritual, ethical, cultural and social. In the federal entities, the school subject “environmental education for sustainability” was included in the curriculum for the 2012/13 academic year, and the “Green School” programme for environmental management in schools was carried out.⁶⁸

Reply 9

78. In January 2015, the President of the Republic presented the National Strategy for the Prevention of Teenage Pregnancies,⁶⁹ which expands the scope of the national model programme referred to in the list of issues. The Strategy is implemented through a group of 11 units⁷⁰ with the objective of designing better public policies for adolescents, in order to reduce the fertility rate among adolescents 15 to 19 years of age 50 per cent by 2030, eliminate pregnancy among girls 14 years of age or younger⁷¹ and promote satisfying and responsible sexual health through talks and workshops on sexual and reproductive health education and through the online course titled “Let's Talk about Sex”. The eight prongs of the Strategy include 90 lines of action, which are aimed at strengthening education, health, the prevention of violence and opportunities for young people to have a better future.

Prevention of adolescent deaths and health risks

79. Mexico is taking measures to prevent deaths among adolescents and risks to their health caused by a lack of access to safe abortion.⁷² These include providing access to gynaecological and obstetrical services through the Mexican Social Security Institute and providing care to the daughters aged 16 years or younger of insured persons and pensioners.

80. Only in cases covered by federal law is curettage used as a method for terminating unwanted pregnancies. Any pregnant patient who has a miscarriage or abortion is treated in health-care facilities as an obstetric emergency case.

Reply 10

81. Mexico gives priority to safeguarding the human rights of child and adolescent migrants, whether accompanied, unaccompanied or separated from their parents, during their entry, transit, residence and/or return to their countries of origin.⁷³ There are two different procedures for dealing with unaccompanied child and adolescent migrants — one

⁶⁸ See annex 14.

⁶⁹ See annex 15.

⁷⁰ The Ministry of the Interior, the Ministry of Health, the Ministry of Social Development, the Ministry of Education, the National Population Council, the National Scheme for the Comprehensive Development of the Family, the National Institute for Women, the Institute of Social Security and Social Services for State Employees, the National Commission for the Development of Indigenous Peoples, the Mexican Institute of Youth and the Mexican Social Security Institute.

⁷¹ The Strategy has eight prongs: intersectoral cooperation; citizenship and sexual and reproductive health; gender mainstreaming; the life cycle and life plans; shared responsibility; youth participation; research and scientific evidence; and assessment and accountability.

⁷² See annex 16.

⁷³ These terms are defined in article 2 of the Migration Act.

for returned Mexican migrants and the other for foreign migrants — which are used to verify whether or not they entered the country with a relative. These procedures are carried out by child protection officers with the support of the state systems for the comprehensive development of the family and the consular authorities, safeguarding at all times the best interests of the child, which are determined on the basis of interviews conducted by persons with specialized training who may be accompanied by a representative of the National Human Rights Commission or a local commission.

82. The Act on the Rights of Children and Adolescents⁷⁴ provides that the relevant authorities should base their actions on the principle of the best interests of the child when providing care and special protection to child and adolescent migrants, in accordance with international standards. Children and adolescents are not deported and may benefit from procedures for either their assisted return or regularization of their migration status. In cases where assisted return is determined to be desirable, the relevant consulate is notified so that arrangement may be made to receive the child in his or her country of nationality or residence. This process is carried out in collaboration with the relevant authorities from the country of nationality or residence.

83. As previously stated,⁷⁵ the child protection officers protect the rights of unaccompanied child and adolescent migrants, conducting rescue operations and providing advice, assistance, special care and humane treatment. There are currently 454 child protection officers in the 32 federal branch offices.

84. In the face of the exceptional increase in the flow of unaccompanied child and adolescent migrants during the summer of 2014, the Southern Border Programme was developed in coordination with Guatemala for the purpose of protecting the rights of those who enter and transit through Mexico and managing the international crossings so as to increase development and security in the region, in accordance with the principle of shared responsibility.

85. In addition, the procedure for detecting, identifying and supporting foreign victims of crime provides that foreign child and adolescent migrants who have been identified as possible victims of crime are to receive support from staff members of the National Institute for Migration with training in children's rights and referred immediately to a state scheme for the comprehensive development of the family or to another public or private institution that can provide specialized support while their migration status is being resolved.

Protection of unaccompanied migrant children and adolescents from violence at the hands of criminal organizations

86. The Office of the Attorney-General of the Republic has held meetings with prosecutors from El Salvador, Guatemala, Honduras and the United States of America to address the issue of crimes committed against migrants through a shared responsibility approach and from a human rights perspective. As a result, a strategy has been adopted to protect the safety and integrity of migrants, especially unaccompanied children and adolescents, and to prosecute criminal organizations linked to trafficking in persons.

⁷⁴ Chapter 19 of the Act establishes special protection measures that the authorities must take to guarantee the rights of children and adolescents.

⁷⁵ Paragraphs 272–278 of the State party's report.

Protection of unaccompanied migrant children and adolescents from abuse by the authorities

87. Article 11 of the Migration Act establishes that migrants are entitled to submit complaints of human rights violations regardless of their migration status and stipulates that immigration officials who violate the human rights of migrants shall be dismissed.⁷⁶

Combating impunity in cases of abuse by State authorities

88. Reports of extortion, corruption or fraud on the part of staff members of the National Institute for Migration may easily be submitted through a free hotline (01 800 00 INAMI (46264)) and through its website and e-mail address. Complaints may be submitted anonymously and confidentially.

89. In the event that staff members of the Institute fail to meet their obligations, the Internal Control Body is informed by means of the complaints submitted to the National Human Rights Commission so that it may initiate administrative investigation procedures, and the appropriate criminal or administrative sanctions are imposed. In addition, respect for human rights is taught as part of the training strategy established by the Fifth Inspectorate-General of the National Human Rights Commission.

90. Mexico and the United States have established the High-Level Group for the Prevention of Border Violence, which seeks to prevent incidents, rebuild trust in communities on both sides of the border, and follow up investigations into deaths caused by United States immigration officers, including the deaths of the two teenagers Sergio Adrián Hernández Güereca⁷⁷ and José Antonio Elena Rodríguez.⁷⁸

Reply 11

Determination of the best interests of the child in migration and asylum situations

91. Like article 11 of the Migration Act, the Act on the Rights of Children and Adolescents stipulates that the principle of the best interests of the child shall be a primary consideration in administrative migration procedures involving child and adolescent migrants.⁷⁹

92. The implementing regulations for the Migration Act establish a procedure to assess and determine the best interests of unaccompanied foreign migrant children and adolescents, which takes precedence in all decisions regarding their treatment, especially in procedures for family reunification, regularization of their situation by granting refugee status and assisted return.

93. With support from national and international institutions, the model used by child protection officers to guarantee the rights of children and adolescents throughout the process of repatriation and safe return to their communities of origin has been strengthened. This model standardizes repatriation procedures by establishing a single return process, giving priority to the rights of children and adolescents over administrative formalities.

94. In 2014, a protocol was established on caring for unaccompanied or separated child and adolescent migrants who are being housed by the State,⁸⁰ with a primary focus on

⁷⁶ Article 140, paragraph VI.

⁷⁷ In El Paso (United States of America) on 6 June 2010.

⁷⁸ In Nogales, Sonora, on 10 October 2012.

⁷⁹ Article 89 of the Act on the Rights of Children and Adolescents.

⁸⁰ The National Scheme for the Comprehensive Development of the Family.

assessing the best interests of children and adolescents.⁸¹ It will be implemented in the transit units and shelters housing unaccompanied child and adolescent migrants. This will help to identify migrant children and adolescents who are particularly vulnerable and to determine what recommendations should be implemented in order to carry out specific actions to give the children and adolescents access to their rights.

95. In collaboration with UNICEF, the Ministry of Foreign Affairs developed the Protocol on Consular Support for Unaccompanied Child and Adolescent Migrants.⁸² This instrument, which is based on the Convention and guided by Advisory Opinion No. OC-21/14 of the Inter-American Court of Human Rights,⁸³ will make it possible to conduct initial assessments of the best interests of children and adolescents who come into contact with Mexican consular offices abroad and to issue recommendations to institutions involved in caring for those children and adolescents, with a view to adopting comprehensive protection measures. The Protocol ensures compliance with the Act on the Rights of Children and Adolescents, establishes the necessary procedures to conduct an initial risk assessment, and constitutes an important contribution to the National Comprehensive Protection System in determining the best interests of the child in each particular case. It will be shared with the ministries of foreign affairs of Central American countries as a good practice to be replicated.

96. Mexico has established within the Regional Conference on Migration an ad hoc working group on unaccompanied child and adolescent migrants for the purpose of encouraging immediate action, including measures to determine the best interests of the child, to provide effective protection to unaccompanied children and adolescents during any stage of the migration flow, and to establish a database on shelters in the region. It has also encouraged the Mexican consulates in the United States⁸⁴ to invite their Central American counterparts to participate in local meetings between working mechanisms and the United States authorities and to share lessons learned regarding unaccompanied child and adolescent migrants.

97. With regard to asylum, the National Institute for Migration and the Commission for Aid to Refugees are jointly responsible for determining the best interests of child and adolescent asylum seekers, and they consider whether family reunification might entail any rights violations, either because the individual is in the process of applying for refugee status, or because he or she may be a victim of or witness to a crime, or for any other relevant reason, so as to guarantee protective measures and comprehensive protection. The best interests of unaccompanied children and adolescents who initiate procedures for the recognition of refugee status are also assessed. This assessment includes seeking out alternative accommodation in migrant holding centres for minor asylum seekers.⁸⁵

⁸¹ As mentioned in the annex (§107), the protocol was developed by the National Scheme for the Comprehensive Development of the Family, the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees and civil society organizations.

⁸² See annex 17.

⁸³ Advisory Opinion No. OC-21/14 on the rights and guarantees of children in the context of migration and/or in need of international protection is available at: http://www.corteidh.or.cr/docs/opiniones/seriea_21_eng.pdf?bcsi_scan_11a27411b226e6d9=0&bcsi_scan_filename=seriea_21_eng.pdf.

⁸⁴ Mexico has a network of 50 consulates in the United States.

⁸⁵ In 2014, of the 47 child and adolescent asylum seekers identified by the National Institute for Migration, 25 per cent were living in alternative accommodation outside the migrant holding centres, including those who had been referred to the support centres run by the National Scheme for the Comprehensive Development of the Family or to private institutions working with the Commission for Aid to Refugees. Annex 17.

98. There has been a significant increase in the number of child and adolescent asylum seekers and applicants for refugee status since 2005.⁸⁶ Most are between 14 and 17 years of age and are citizens of El Salvador, Guatemala or Honduras. Under current legislation, they are allowed to settle in Mexico as permanent residents. To that end, they are referred to institutions that take responsibility for them and provide them with an education until they reach the age of majority. This encourages their integration into society and helps them acquire the skills needed to live independent lives as adults.

Implementation of article 112 of the Migration Act

99. When unaccompanied foreign child and adolescent migrants are admitted to a migrant holding centre and pending their transfer to facilities run by the state schemes for the comprehensive development of the family, the immigration authorities take the necessary measures to protect them and to inform the National Human Rights Commission and the relevant state commission so that their rights may be guaranteed.

100. In response to this, the National Institute for Migration has issued guidelines on protection for migrants,⁸⁷ which set out the terms under which the immigration authorities must take action to protect unaccompanied child and adolescent migrants.

101. The number of transit units and shelters for child and adolescent migrants has increased.⁸⁸ Temporary shelters have been built in Chiapas, and 11 state schemes for the comprehensive development of the family have built similar reception centres.⁸⁹ All of these shelters are exclusively for unaccompanied child migrants.

Administrative detention of child and adolescent migrants

102. The Act on the Rights of Children and Adolescents provides that housing or shelters for child and adolescent migrants should be established and should comply with minimum standards to ensure that they provide suitable care. These shelters must respect the principle of separation and the right to family unity. Accompanied children and adolescents may stay with their families, unless doing so would not be in their best interests.⁹⁰

Reply 12

Eradication of child labour

103. Efforts to combat child labour include inspections of agricultural work and underground coal mining. Between 2012 and 2014, 1,094 children and adolescents were removed from work in those sectors and the perpetrators punished.

104. The Inspection Protocol for Child Labour and the Protection of Adolescents of Working Age was created,⁹¹ and in February 2014 it was introduced at the National Conference of Labour Ministers, for application at the local level.

⁸⁶ See annex 18.

⁸⁷ Adopted in November 2012.

⁸⁸ As at the end of 2014, there were 47 transit units and shelters. *Source*: The National Scheme for the Comprehensive Development of the Family.

⁸⁹ Baja California, Chihuahua, Coahuila, Guerrero, Nuevo León, Oaxaca, Sonora, Tabasco, Tamaulipas, Tlaxcala and Veracruz.

⁹⁰ Article 95 of the Act on the Rights of Children and Adolescents.

⁹¹ Ministry of Labour and Social Welfare (STPS)

105. Mexico acknowledges the need to strengthen its efforts to eradicate domestic child labour and to address the structural causes of poverty with a view to eliminating the root problem.⁹²

Interministerial Commission to prevent and eradicate child labour and to protect adolescents of working age in Mexico

106. Notable achievements of the Interministerial Commission⁹³ include:

- Establishing 32 state commissions;
- Signing the Declaration of Zero Tolerance towards Child Labour in the Value Chain of the Sugar Cane Agro-Industry in Mexico, on 12 June 2013;
- Fostering dialogue with trade union organizations during the International Forum on Child Labour: Sharing Trade Union Experience in Latin America;
- Promoting cooperation agreements, in seven state governments and their autonomous universities, to promote decent work, entry into the workforce, respect for human rights, and the prevention and eradication of child labour;⁹⁴
- Conducting, in October 2013, the Campaign for No Child Labour in Mexico, with a view to raising awareness about its social, physiological and psychological effects;
- Developing the National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescents of Working Age, which will be published in the coming months;
- Creating the “No Child Labour in Mexico” award in recognition of the work of federal, state and municipal institutions as well as civil society organizations and trade unions that have contributed to the prevention and eradication of child labour and the protection of adolescents of working age. The award will be presented for the first time in June 2015.

107. Child labour consequently decreased from 10.5 per cent to 8.6 per cent. Between 2011 and 2013, some 540,000 children and adolescents were no longer working.

108. Under the Programme for Children and Adolescents at Risk (PAMAR), centres were established in towns and cities with significant marginal populations.⁹⁵ In 2014, 80,763 children were served by 263 centres, which endeavour to channel the skills and abilities of children and adolescents through occupational training workshops, game centres, libraries and sports, cultural and other activities.

109. The Senate is studying the possibility of ratifying the ILO Minimum Age Convention, 1973 (No. 138). In October 2014, Mexico joined the Latin America and the Caribbean Free of Child Labour Regional Initiative, which is working to hasten the elimination of child labour in the region.⁹⁶

⁹² Outcome of the civil society forum of 25 and 26 February.

⁹³ Information on the establishment of the Commission is provided in §111 of the addendum.

⁹⁴ Baja California Sur, Campeche, Coahuila, Colima, Nuevo León, the State of Mexico and Tlaxcala; the Olmeca University of Tabasco, the Veracruzana University, the Technological University of Santa Catarina and the Mariano Escobedo General Technological University, both of Nuevo León.

⁹⁵ National Scheme for the Comprehensive Development of the Family (SNDIF).

⁹⁶ See <http://iniciativaregionalcontraeltrabajoinfantil.org/>.

Reply 13

Evaluation of the Strategy for Prevention and Care for Street Children and Adolescents, implemented in eight States⁹⁷

110. In 2012 and 2013, the Centre for Economic Research and Teaching conducted an evaluation of the Programme for the Protection and Comprehensive Development of Children, an essential part of the prevention strategy, which considered prevention and care for street children and adolescents with emphasis on follow-up and monitoring of special projects. Aspects requiring institutional strengthening were identified within the State Schemes for the Comprehensive Development of the Family and expert civil society organizations in order to optimize and effectively carry out such programmes. A national strategy was designed for the provision of comprehensive care, taking into consideration the needs and characteristics of each area, its inhabitants and forms of community life.

111. The results included the following:

- During 2014, 15,319 street children and adolescents received care and 109 specialized care projects were developed;
- Ten state committees comprising specialized public and private institutions and specially concerned with the provision of care to street or at-risk children and adolescents were further developed in order to assess and monitor the programmes designed for the target groups;
- The sum of 7,052,427 pesos was allocated to the National and State Schemes for the Comprehensive Development of the Family and to civil society organizations for the provision of specialized comprehensive care to street children and adolescents.

Reply 14

Results of the National Coordinating Office to Prevent, Address and Eliminate the Commercial Sexual Exploitation of Children

112. The Interministerial Commission to prevent, combat and punish crimes related to trafficking in persons was established in 2013; it guides the application of related federal policy, and promotes and coordinates, throughout the Republic, the inspection and monitoring of programmes, activities and tasks, as well as evaluation, accountability and transparency.

113. As part of efforts to improve coordination in the implementation of the national programme to prevent, punish and eradicate crimes related to trafficking in persons and to protect and assist the victims of such crimes, the Interministerial Commission, working with the National Council of Governors, took steps to establish interministerial and inter-agency committees on trafficking in persons throughout the federal entities. There are currently 22 inter-agency committees, councils and bodies concerned with trafficking in persons.

114. The Senate approved the establishment of the Special Commission to Combat Trafficking in Persons, and launched the National Conference of Legislators Against Trafficking in Persons, a standing body for discussion, decision-making and policy development that seeks to strengthen coordination and promote responsibility sharing

⁹⁷ Baja California, Chihuahua, Nuevo León, Jalisco, Puebla, the Federal District, Guanajuato and the state of Mexico.

among legislators throughout the country, with a view to harmonizing the national legal framework related to trafficking in persons.

115. The various ministries that participate in the Interministerial Commission have prepared and distributed nearly 2,520,000 sets of materials to raise awareness of the issues, in the forms of posters, leaflets, cartoons, folders, bracelets, magnets, brochures, banners and primers.

116. The Interministerial Commission has also created a website ([www.gobernacion.gob.mx/Trata de Personas](http://www.gobernacion.gob.mx/Trata_de_Personas)) to promote prevention, punishment and eradication of crimes related to trafficking in persons, as well as protection and care for victims.

117. The Health Act of 2013 was brought into line with the Act and Regulations on Human Trafficking in respect of transplants.

Implementation of action plans for preventing, addressing and eradicating the sexual exploitation of children

118. Between December 2012 and October 2013, the Research Division of the Federal Police took part in 12 operations related to the crime of child pornography and human trafficking, mainly in Mexico City and Veracruz, in which 65 alleged offenders were taken into custody and 107 victims freed.

119. The National Institute for Social Development has given support to 18 projects conducted by the Joint Social Investment Programme, the Support for Women's Organizations Programme in the federal entities and the Prevention of Violence against Women Programme. Areas covered include:

- The provision of legal, medical and psychological care to women and children suffering from gender violence, through the "Red Alert" system;
- The prevention of trafficking into the United States and via the Internet of children and adolescents at risk;
- Efforts to prevent human trafficking and to identify indigenous and other youths at risk in the state of Chiapas, using a participatory community process with a gender focus;
- Capacity-building and coordination between indigenous leaders and agencies to prevent trafficking in indigenous women and girls in the gulf region of San Luis Potosí and in the central zone;
- Reintegration of victims of human trafficking.

120. The Programme for the Protection and Comprehensive Development of Children⁹⁸ — under the rubric of preventing the sexual exploitation of children and caring for such children — encourages the development of guidelines for the promotion, design and application of rights-based models, strategies and comprehensive operation approaches to protect children and adolescents who are victims or at risk of sexual exploitation.

121. In pursuance of work plans to prevent, address and eradicate the sexual exploitation of children in the federal entities, the State Schemes for the Comprehensive Development of the Family carried out programmes in 240 municipalities in 22 states.⁹⁹

⁹⁸ National Scheme for the Comprehensive Development of the Family.

⁹⁹ Baja California Sur, Campeche, Coahuila, Colima, Chipas, Chihuahua, Durango, state of Mexico, Guerrero, Hidalgo, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Quintana Roo, San Luis Potosí, Sonora, Tlaxcala, Veracruz and Yucatán.

Reply 15

Impact of steps taken to prevent child trafficking for the purposes of sexual exploitation and forced labour

122. In addition to the steps described above, there are inter-institutional efforts to protect children and adolescents who are victims or at risk of sexual exploitation. Of particular note are the design and implementation of strategies for the rehabilitation and social reintegration of victims of the sexual exploitation of children, and forums, meetings, workshops, theatrical productions and play activities for children and adolescents that emphasize the risks associated with such exploitation.

123. Since 2009, the Office of the Attorney General of the Republic has been operating a special shelter that offers comprehensive care to victims of extreme gender violence and human trafficking. This temporary shelter lodges young girls, adolescent girls and women who have been victims of these crimes and offers them support for a safe and protected recovery, through a multidisciplinary approach with a gender perspective and a focus on personal development, involving social work and medical, psychological and educational care.

124. The National Institute for Migration is part of the “Amber Alert Mexico” national programme, which activates real-time alerts that help to locate abducted or missing children and adolescents who may have been taken out of the national territory for the purpose of human trafficking or smuggling.

125. The Comprehensive Programme for the Prevention of Human Trafficking¹⁰⁰ seeks to combat the trafficking of children and adolescents for the purposes of commercial sexual exploitation; it focuses on prevention and encouraging reporting, through awareness-raising,¹⁰¹ training,¹⁰² promotion of the national code of conduct,¹⁰³ and information sharing: implementation of the “No Trafficking” campaign aimed at domestic and foreign tourists in four destinations for the purpose of discouraging sex tourism, and the distribution of more than 350,000 sets of educational and promotional materials to support each activity.

126. The Executive Commission for Victim Support provides services in the areas of social welfare, psychology and medicine, as well as ongoing legal assistance tailored to the specific needs of each victim. Specialized multidisciplinary approaches are used for the provision of medical and psychological assistance, legal guidance, follow-up and the management of social services in keeping with human rights standards, with emphasis on dignity and confidentiality in victim recovery and efforts to prevent them from again falling victim. A procedural protocol is currently being developed for the specialized care of children and adolescents.

Protection of migrant children and adolescents

127. Mexico is working with other member countries of the Regional Conference on Migration to give effect to the regional guidelines for special protection in cases of the repatriation of child victims of trafficking. Handbooks have been prepared under the

¹⁰⁰ Ministry of Tourism (SECTUR).

¹⁰¹ 2010 to 2014: 59 awareness-raising forums for 15,336 people on the prevention of human trafficking for purposes of sexual and labour exploitation of children and adolescents in the travel and tourism sector.

¹⁰² 57 courses for training facilitators.

¹⁰³ Over 1,000 tourist agencies have pledged to participate, and a website has been created, www.codigodeconducta.mx, to promote compliance with the national code of conduct.

auspices of the Regional Conference on Migration on ways of identifying child victims of trafficking and on measures to be taken for the repatriation and transfer of the victim, if such is determined to be in his or her best interests.

128. Using the Alba-Keneth Alert System, the National Institute for Migration has rapidly and effectively located children and adolescents who had been abducted or had disappeared, and to provide them with care and shelter.

129. The Northern Border Network¹⁰⁴ provides care to migrant children who attempt to cross the border and who, owing to their vulnerability, are likely to become victims of human trafficking.

130. The Programme for the Integration of Migrant Children into the community of Tamaulipas has helped 1,100 girls and boys. It provides a means of regularizing the identity documents of children born in the United States to repatriated or deported Mexican parents, giving them legal residency in Mexico, and consequently access to education and health care.

131. As for forced labour, the Government of Mexico is carrying out consultations with a view to ratifying the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29).

Reply 16

Alternatives to detention

132. The detention of adolescents is considered an extreme measure and should be for as short a time as possible, so as to encourage the reintegration of adolescents in conflict with the law into society and family, and to foster the full development of their potential.¹⁰⁵

133. Programmes have been designed for adolescents with substance dependence issues linked to the commission of petty crimes; such programmes favour rehabilitation and social reintegration over incarceration.

134. Addiction Treatment Courts were first introduced in Nuevo León and Morelos, and are now also operating in Chihuahua, Durango and the Federal District.

135. The state of Morelos has also put in place a unit charged with comprehensive protection measures for adolescents (UMECA). It operates on the basis of the presumed innocence of any adolescent in conflict with the law and the implementation of protective measures as alternatives to deprivation of liberty.

136. Custodial sentences for juveniles under the age of 12 years in conflict with the law are not envisaged in Coahuila and Yucatán. In the state of Mexico adolescents between the ages of 12 and 14 in conflict with the law are given non-custodial sentences; in Tamaulipas they can be placed on probation or be required to carry out a community service or pay reparation to the victim and be subject to restrictions on movement (such as confinement to the home or during leisure hours).

Supervision of detention centres for children and adolescents

137. There are no federal centres for the detention of adolescents and young adults in conflict with the criminal law; and each federal entity is responsible for administering and implementing whatever measures are decided.

¹⁰⁴ National Scheme for the Comprehensive Development of the Family (SNDIF).

¹⁰⁵ In 23 of the federal entities, laws on juvenile justice have been brought into line with the adversarial criminal justice system. In the other federal entities, such legislation conforms to the National Code of Criminal Procedure. Annex 44.

138. The National Human Rights Commission has been using an inspection handbook to evaluate conditions of detention on the basis of national and international protection standards; it sets out four sets of procedures, including interviews with adolescents, directors of detention centres, medical staff, security, custodial and technical staff, and anonymous surveys of detainees. Facilities are inspected to monitor how adolescents are treated and to check procedures and conditions in all areas; records and registers are also reviewed.

139. State-level human rights commissions also carry out visits to detention centres to monitor the situation of adolescents deprived of their liberty.

Complaint mechanisms

140. Instances of alleged violations of human rights can be brought to the attention of the National or State Human Rights Commissions through any channel, and in particular during inspection visits carried out by these commissions and by the national mechanism for the prevention of torture.

Harmonization of legislation in the area of juvenile criminal justice

141. The amendment to article 18 of the Constitution of 2006 provided for the establishment of the Comprehensive Justice System for Adolescents, aligned with the new adversarial criminal justice system, which will be in operation in Mexico no later than June of 2016.

142. The Federal Justice for Adolescents Act was promulgated in 2012 and amended in December 2014 to harmonize it with the National Code of Criminal Procedure and with the adversarial criminal justice system.¹⁰⁶ This Act, which will take effect after the entry into force of the National Code of Criminal Procedure in all the federal entities, but no later than 18 June 2016, lays the foundation of the justice system for adolescents.¹⁰⁷

143. On 21 October 2014, however, the Senate passed a decree to amend articles 18 and 73 of the Constitution in order to establish a comprehensive adolescent justice system.¹⁰⁸ It expressly stipulates that children under the age of 12 who are accused of having committed or been a party to a crime may only receive social assistance. It also gives Congress the sole power to enact legislation on criminal procedure, alternative conflict-resolution methods, enforcement of sentences and the juvenile criminal law, which will apply in the Republic and throughout the federal system before the ordinary courts.

Reply 17

144. As stated in the first report of Mexico on the implementation of the Optional Protocol of the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/MEX/1), there is no armed conflict in Mexico, and therefore no recruitment or participation of children or adolescents in non-State armed groups.

145. Mexico recognizes, however, that children and adolescents may be victims of organized crime; consequently Mexican criminal law covers the crime of corruption of minors, which is also defined as a criminal offence in the criminal codes of the federal entities.

¹⁰⁶ The Code of Criminal Procedure represents an important step forward in the national legal framework, incorporating 33 codes into a single instrument.

¹⁰⁷ To date, in only 14 of the federal entities does criminal justice law follow the adversarial model.

¹⁰⁸ The amendment remains pending in the Chamber of Deputies.

146. For the purposes of prevention, the National Programme for the Social Prevention of Violence and Crime (PNPSVD) was developed in accordance with a citizen security approach, with due recognition of the State's obligation to ensure security as a human right. Focusing on action at the local level, it is directed towards groups at particular risk with a view to public measures to prevent violence and foster peaceful co-existence in order to restore the social fabric. Examples of these activities are described in paragraphs 80, 81, 120 and 121 of the addendum to the State party's report.

Part II

A. New bills or enacted legislation and any accompanying regulations

147. The Act on the Rights of Children and Adolescents which recently entered into force represents a paradigm shift in understanding the rights of the child in Mexico.¹⁰⁹ In addition to the points noted in Part I, reply 1, the Act also:

- Recognizes children and adolescents as holders of rights;
- Defines child policy through governing principles and criteria that will guide institutions at all levels of government;
- Sets out a scheme under the respective authority of the Federation and the state entities for the harmonious implementation of mechanisms, actions, policies and programmes;
- Sets out guidelines for the participation of the private and social sectors in programmes for the protection and exercise of the rights of children and adolescents;
- Reinforces the principle of the best interests of the child by establishing that programmes carried out by the authorities should take into consideration the cultural, moral, affective, educational and health interests of children and adolescents and take their opinions into account;
- Recognizes groups of children and adolescents that are particularly vulnerable (children with disabilities and indigenous children);
- Expands the rights of children and adolescents having the status of migrants;
- Recognizes 18 rights and provides for two specific groups.

148. The implementing regulations of the Act will be issued 180 days after its entry into force.

149. The Federal Act on the Prevention and Elimination of Discrimination was amended in 2014 to incorporate programmes to prevent and eradicate discrimination against children and adolescents, while stipulating that any impediment to or obstruction of the right to be heard and/or that restricts the conditions necessary for full growth and development shall be considered discriminatory. It also sets out affirmative measures with a view to protecting the right of children and adolescents to equality and non-discrimination by abrogating or repealing any regulations that impose discriminatory requirements on enrolling and attending schools or seeking and holding jobs.

¹⁰⁹ See Part I, reply 1.

B. New institutions, their mandates and funding

150. The Act on the Rights of Children and Adolescents provides for the establishment of the following institutions:

- National Comprehensive Protection System (see Part I, reply 1);
- Federal and State Offices for the Protection of Children, designed to follow up measures for the special protection of children and adolescents and to restore their rights. They are required to ensure the rights of children and adolescents by advising and representing children and adolescents in judicial and administrative proceedings. The Act assigns budget resources for this purpose.

C. Newly adopted and implemented policies and programmes and their scope

151. The National Human Rights Programme offers a means of consolidating government policy in respect of children and adolescents. This programme is national in scope, complies with international standards and recommendations, ensures the participation of civil society, has an independent mechanism for monitoring and evaluation and will serve to implement the constitutional amendment of 2011 on human rights.

152. Mexico has signed a cooperation agreement with UNICEF for the development of a policy to address and protect the rights of children and adolescents, with a view to incorporating a rights-oriented approach into activities carried out under the National Programme for the Social Prevention of Violence and Crime, and to framing protocols for the provision of care in contexts of violence and strategies for the prevention of violence in the family, the home and the community.

D. Newly ratified human rights instruments

153. No new human rights instruments have been ratified.

Part III

Reply 1

154. As from 2012, the federal budget includes an appropriation for action in support of children and adolescents.¹¹⁰

Reply 2

155. There is no information available on administrative responsibility or administrative sanctions imposed on public servants for the mismanagement of funds allocated for children and adolescents.

¹¹⁰ See annex 19.

Reply 3

156. The Federal Council of Justice has a record of federal criminal sentences handed down in cases where the victim was a child or adolescent.¹¹¹

157. See statistical information related to child and adolescent victims of abuse and violence, which also covers alleged offenders.¹¹²

Reply 4

158. Annexes 22 and 23 offer information on infant mortality, maternal mortality, malnutrition, children and adolescents infected or affected by HIV/AIDS, birth weight, vaccination coverage, child and adolescent pregnancies, child and adolescent suicides, the number of children and adolescents using narcotic drugs, and the availability of drinking water and sanitation facilities; and children and adolescents with mental illness.

Reply 5

159. Information is provided on the number of abandoned children and adolescents.¹¹³

Reply 6

160. According to the National Council for the Development and Inclusion of Persons with Disabilities, there are 7,751,677 persons with disabilities in Mexico. Of these, 7.3 per cent are children from the ages of 0 to 4.

161. Starting in 2015, boys and girls with disabilities should be admitted to day-care centres and nurseries run by the Ministry of Social Development. Public or government-contracted day-care centres are open to children with moderate disabilities, who may be admitted between 45 days from birth and the age of 5 years and 11 months. A number of civil society organizations care for children with severe to multiple disabilities.

162. As from the 2012/13 school year, multiple-care centres in the Federal District offer occupational training certificates in line with the International Standard Classification of Education. Persons with disabilities consequently benefit from skills certification, workforce inclusion and continuing studies.

163. Information is provided in annexes 34 to 37 on children and adolescents with disabilities who attend regular primary schools, who do not attend school, who attend regular secondary schools, and who receive care under special rehabilitation programmes.

Reply 7

164. Annexes 38 and 40 contain information about school enrolment and completion rates, the percentage of dropouts and repetitions, and the teacher-pupil ratio.

¹¹¹ See annex 20.

¹¹² See annex 21.

¹¹³ See annex 33.

Reply 8

165. In 2009, 2011 and 2013, the number of children engaged in child labour was 3,247,289, 3,077,069 and 2,536,693, respectively.¹¹⁴

Table 2

Child and adolescent victims of trafficking¹¹⁵

<i>Men</i>	<i>Women</i>	<i>Purpose of activity</i>
96	7	Sex
26	24	Work
1		Forced begging
18	5	Child pornography
1		Illicit advertising

Reply 9

166. Information is provided to the Committee on adolescents in conflict with the law.¹¹⁶

167. Regarding children and adolescents in pretrial detention and the average length of such detention, as at March 2014, that number had risen to 4,734 (4,448 males and 286 females). Of the total, 1,841 were subject to prosecution and 2893 were in treatment; 4,438 had been detained for ordinary offences and 296 for federal crimes.

168. The average length of pretrial detention throughout the country is four months, in accordance with the law in force.

169. With regard to cases of abuse and ill-treatment of children and adolescents during detention and imprisonment, information gathered during inspection visits carried out by the National Human Rights Commission in 2014 indicates that in the 56 operational detention centres, 279 minors reported some kind of ill-treatment.

Reply 10

170. Statistics on migrant children (2008–2014) are shown below.

¹¹⁴ Information from the year 2013 is available at www.inegi.org.mx/est/contenidos/proyectos/encuestas/hogares/modulos/mti/mti2013/default.aspx.

¹¹⁵ Information provided by the Office of the Special Prosecutor for Crimes of Violence against Women and Trafficking in Persons (FEVIMTRA).

¹¹⁶ See annexes 41 to 43 on alleged offenders, infrastructure for adolescents in conflict with the law and population of facilities for adolescents.

Table 3
Migrant children (2008–2014)

	2008		2009		2010		2011		2012		2013		January– September 2014	
	Total	NA	Total	NA	Total	NA	Total	NA	Total	NA	Total	NA	Total	NA
Mexican children and adolescents repatriated by the United States	34 083	18 192	26 016	15 583	20 438	13 705	15 524	11 519	17 129	13 589	16 971	14 078	11 202	9 399
Foreign children and adolescents returned to their countries of origin	6 410	4 570	4 113	1 991	4 850	2 869	4 129	2 801	5 966	4 009	8 350	5 477	13 620	6 229
Central American children and adolescents returned to their countries of origin	6 391	4 555	4 011	1 958	4 637	2 754	4 015	2 737	5 858	3 947	8 221	5 412	13 514	6 176

Source: Centre for Migration Studies of the Migration Policy Unit of the Ministry of the Interior.

171. The network of consulates along the border of Mexico and the United States look after unaccompanied Mexican migrant children and adolescents detained by the North American authorities during their attempts to cross without documents. The Local Repatriation Agreements concluded by the two countries set out specific terms for the repatriation of unaccompanied children and adolescents and ensure that repatriations are carried out in a coordinated manner and at suitable times and that the relevant consulate is notified.

172. Between January and December 2014, the consular network assisted in the repatriation of 13,552 children and adolescents, marking a significant decrease (16 per cent) in the number of children repatriated during the same period in 2013, which was 16,016.

173. The increase in the flow of unaccompanied Central American migrant children and adolescents in transit toward the United States that was noted during the summer of 2014 provided food for thought about consular procedures for the protection of Mexican children. This situation led to a fresh appraisal of the topic from a long-term, regional perspective based on shared responsibility and giving rise to ongoing cooperation schemes among the countries involved. Emphasis has been placed on a rights-based focus consistent with official policy, as expressed in “Mexico and the migrant phenomenon: a vision for the 20th century”,¹¹⁷ which sets migrants at the heart of public policy in their dual capacity as holders of rights and partners for development.

¹¹⁷ See www.sre.gob.mx/proteccionconsular/images/stories/documentos/Home/DoctoMexicoFrentealFenomenoMigratorio.pdf.

Reply 11

174. The State party has no further information on this issue.

Reply 12

School bullying

175. At the sixty-ninth session of the General Assembly of the United Nations, Mexico launched an unprecedented initiative to protect children and adolescents from school bullying. The resolution, adopted by consensus and co-sponsored by 72 countries, aims to raise awareness about bullying throughout the world and its impact on the enjoyment of the rights of children and adolescents.

176. The National Strategy for the Prevention of School Bullying¹¹⁸ frames efforts to protect the physical and psychological integrity of children and adolescents in schools and homes and covers such topics as information-sharing, guidance on designs for living together at school, training of staff, research, and the establishment of inter-institutional networks, assistance to schools and the formulation of care protocols.¹¹⁹

¹¹⁸ Ministry of Education/National System for Comprehensive Family Development.

¹¹⁹ See annex 45.