



# UNITED NATIONS

Press Release

---

## COMMITTEE ON RIGHTS OF CHILD EXAMINES REPORT OF MEXICO

23 May 2006

The Committee on the Rights of the Child today reviewed the third periodic report of Mexico on how that country is implementing the provisions of the Convention on the Rights of the Child.

In opening remarks, Maria del Refugio Gonzalez, Under-Secretary for Multilateral Issues and Human Rights at the Secretariat for Foreign Affairs of Mexico, said Mexico had carried out significant reforms, which had affected all sectors of the society, including children and the rights of the child. Those political and social changes had affected human rights as well. Mexico was promoting these rights, as well as development and democracy. The Government had deployed efforts to improve the living conditions of the indigenous citizens by reforming the institutional structures that dealt with them. There were 10 million indigenous persons who spoke 62 different languages.

In remarks made during the discussion, Committee Expert Norberto Liwski, who served as country Rapporteur to the report of Mexico, said there was growth and economic achievement in Mexico, with the increasing rate of investment in the country. However, there were 50 million poor people, among whom 53 per cent were minors. What further measures were being implemented to improve the situation? There had also been a reduction of budgetary allocation to certain areas concerning children. The delegation was asked to clarify the situation.

In his preliminary concluding remarks, Mr. Liwski said he appreciated the efforts of the State party to improve the conditions of Mexican children and hoped that remaining problems that children encountered in the country would be resolved.

Other Committee Experts raised questions related to, among other things, child labour, street children, violence against children, the situation of indigenous children, the provision of education in indigenous languages, budgetary allocation to education and health, measures taken to improve the conditions of poor children, breastfeeding, and children with disabilities.

The Committee will release its formal, written concluding observations and recommendations on the report of Mexico towards the end of its three-week

session which will conclude on 2 June.

The delegation of Mexico consisted of representatives of the Permanent Mission of Mexico to the United Nations Office at Geneva, the Secretariat for Foreign Affairs, the Secretariat for Public Security, the Secretariat for Health, the Technical Secretariat for the Council for Minors, the Secretariat for Social Development, the National Council for the Prevention of Discrimination, the Secretariat for Labour and Social Provision, and the National System for Integrated Development of the Family.

As one of the 192 States parties to the Convention, Mexico is obliged to present periodic reports to the Committee on its efforts to comply with the provisions of the treaty. The delegation was on hand throughout the day to present the report and to answer questions raised by Committee Experts.

When Chamber B of the Committee reconvenes in public on Wednesday, 25 May at 10 a.m., it will consider the initial report of Turkmenistan (CRC/C/TKM/1).

### **Report of Mexico**

The third periodic report of Mexico (CRC/C/125/Add.7) provides information on the legislative, administrative and judicial measures put in place with the view to implementing the provisions of the Convention on the Rights of the Child. It notes that Mexico resolutely undertook its commitment in favour of children and the country had achieved significant progress towards implementing the rights of children in recent decades. Fewer children die now than before, more go to school and there is less child malnutrition. There are more opportunities for children nowadays in Mexico. The efforts of the last decade are reflected in better conditions of health, education and protection.

The report notes that significant advances have been made, especially in the legal field, to guarantee the rights of children, including the reform of article 4 of the Constitution, which now includes specific rights for children. In 2000, the Act on the Protection of the Rights of Children was approved with the backing of all the country's political parties. In December 2003, reforms were introduced in the Federal Penal Code, the Federal Code of Penal Procedure, the Federal Act against Organized Crime and the Act establishing Minimum Rules for the Special Rehabilitation of Convicted Persons, all with a view to protecting children's rights. Much still remains to be done, however, to fully meet the objective of protecting all children's rights and ensuring the maximum development of their human and social potential.

With the reform of the Constitution, the right of children to satisfy their needs in terms of food, health, education and healthy recreation was raised to constitutional status, the report says. Legislation was enacted in 11 states to provide children with access to justice and to introduce public policies that guarantee the rights established in the Convention. In view of the fact that most of the violence against children originates in the home and the family, new laws have been passed to provide assistance in the event of and to

prevent domestic violence in 18 states, which constitute the legislative framework of efforts made to deal with this problem. Domestic violence is defined as an offence in 15 state penal codes.

### **Presentation of Report**

MARIA DEL REFUGIO GONZALEZ, Under-Secretary for Multilateral Issues and Human Rights at the Secretariat for Foreign Affairs of Mexico, said Mexico had carried out significant reforms, which had affected all sectors of the society, including children and the rights of the child. Those political and social changes had affected human rights as well. Mexico was promoting these rights, as well as development and democracy. Mexico was open to all human rights mentoring and was ready to cooperate with the international community.

Ms. Del Refugio Gonzalez said the report was drafted with information submitted by the Government and civil society was also involved in its preparation. In 2000, President Fox had signed a cooperation agreement with the High Commissioner for Human Rights which led to the opening of an office of the High Commissioner the following year and the elaboration of a diagnosis of the human rights situation. On the basis of this diagnosis, the Government had established a national programme for human rights in December 2004. In the national sphere, major steps had been taken with the aim of enhancing the rights of children and their full enjoyment of their rights. The National Council had been established to prevent discrimination. Mexico had ratified the two Optional Protocols to the Convention. Equally, the Institute for Women had been established to further promote the rights of women.

Ms. Del Refugio Gonzalez said the Government of Mexico had deployed efforts to improve the living conditions of its indigenous citizens by reforming the institutional structures that dealt with indigenous people. There were 10 million indigenous persons who spoke 62 languages.

In order to succeed in its policies, Mexico believed that it should work hand-in-hand with the international community, Ms. Del Refugio Gonzalez said. A number of secretariats had been created with the purpose of strengthening services for children and women.

ANA ROSA PAYAN CERVERA, a member of the delegation of Mexico, said the Government was committed to abide by its international obligations in all areas. The major challenge of the country was poverty. The Government was implementing concrete measures, in particular to improve the living conditions of children. Health and educational conditions had been improved and the situation was now better than five years ago. The school scholarship scheme had been beneficial to many poor students. The gender gap in secondary schools had been closed with the introduction of better school accommodation for girls.

Ms. Cervera said one of the challenges limiting girls from pursuing their

education was early pregnancy. However, through a campaign of awareness raising, the situation had now been reversed. The best interests of the girl child had been taken seriously by the Government through the introduction of positive measures to support girls. Food scholarships had also been encouraged for those needy children. Other measures in health areas included preventive measures against diseases affecting children. The situation of child labour, which had been a major problem in the past, had now been improved. Children of migrants had also been taken into consideration through Governmental measures aimed at protecting family ties and solving problems arising due to the absence of a parent or both parents.

JOSE ANTONIO AGUILAR, a member of the delegation of Mexico, said with the entry into force on 12 March of the Constitutional reform, a new system of juvenile justice had been established in line with requirements of the provisions of the Convention. Minors between the age of 12 and 18, who were in conflict with the law, could be kept in centres for their rehabilitation.

LEOPOLDO DOMINGUEZ ARMENGUAL, a member of the delegation of Mexico, said that the new judicial reform was aimed at integrating minors who had committed offences. It covered the possibility of rehabilitation programmes for minors who had committed offences. The measures taken, following the reform, envisaged the setting up of an infrastructure for the social integration of young criminals and developing educational facilities for vocational training for them.

### **Questions and Comments by Committee Experts**

NORBERTO LIWSKI, the Committee Expert who served as country Rapporteur to the report of Mexico, said Mexico had been a historical site for many centuries, and the neighbouring countries shared a similar cultural heritage.

The United Nations Children's Fund (UNICEF) and the Office of the High Commissioner for Human Rights had played important roles in the promotion of human rights in Mexico. Referring to the report, he asked if it had been disseminated throughout the country. Did the Government envisage doing the same with the Committee's concluding observations?

On the reform of the Constitution, Mr. Liwski said it was an important measure, which the Committee took into consideration. He said that there was doubt with regard to the law emanating to article 4 of the Constitution concerning the implementation of the Convention. He asked about the measures taken to bring state laws in line with the federal law. The criminal responsibility of children aged 12 to 14 years seemed to be weak for the protection of the rights of children. In principle, it should cover the age groups of children who were 13 to 16 years.

There was growth and economic achievement in Mexico, with the increasing rate of investment in the country. However, there were 50 million poor

people, among whom 53 per cent were minors. What further measures were being implemented to improve the situation? There had also been a reduction of budgetary allocation to certain areas concerning children. The delegation was asked to clarify the situation.

With regard to the law that children should not be subjected to torture, the Expert said, what kind of treatment was given to those who were subjected to torture and mistreatment in child institutions? What efforts were being made to improve the living conditions of indigenous children?

Another Expert said impressive progress had been made by Mexico during recent years. The Convention had been cited in 80 per cent of cases of juvenile justice. Was the treaty referred to in cases other than those concerning juvenile justice? The Catholic Church was the dominant religious force in Mexico despite the existence of other religions. What was the extent of the freedom of religion in the country? Were students of other creeds obliged to participate in Catholic teachings in schools? The lack of libraries had diverted children's attention to watch television. What measures were being taken to diversify recreational activities for children? What steps were being taken by the Government to close the big gap between the poor and the rich in Mexico?

The National Human Rights Commission of Mexico had been established and was functioning in accordance with the Paris Principles on the establishment of national human rights institutions, an Expert said. How did the Commission deal with the rights of children? Were all children treated equally by the Commission? The Government had set up 21 state commissions to monitor the follow-up to the implementation of the Convention. What was the relationship between those state commissions and the National Human Rights Commission? What efforts were being made so that the opinions of children were heard?

Another Expert raised the issue of child participation and the right to freedom of expression and asked about the activities of the children's parliament in 2005 and 2006. Children and adolescents feared the police because of the bad experiences some of them had had; what measures were being taken to improve the situation. What role did children play in participation in decisions concerning them? Did children express their opinions concerning the cases in which they were involved?

The promotion and protection of the rights of the child through the implementation of a poverty reduction strategy was a very important measure, said an Expert. To what extent did children and adults alike discuss the provisions of the Convention? The report was silent on the issue of the translation of the Convention into other local languages; what measures were being taken to translate the treaty into other Mexican languages. The report also was silent with regard to international cooperation concerning the implementation of the Convention in Mexico. The delegation was also requested to provide more information on the age of marriage and the legal age of consent to sexual intercourse. What was the age for army

conscription?

Another Expert said the issue of preserving indigenous cultures should not be a question of assimilation but rather integration. Through integration, the indigenous people could maintain their cultures. She asked the extent of disparities in terms of regions and gender issues. She also asked if the process of decentralization might prevent disparities in all areas.

### **Response of Mexico**

Responding to a series of questions and comments by Committee Experts, the delegation of Mexico said that there had been guarantees that the constitutional reforms would be implemented. Because of the rigidity of the Constitution, a two-third majority of the General Congress was required to reform it. The states were very much involved in the process of reform and were expected to implement the provisions of the reform, particularly with regards to child rights. In half of the Mexican states, the Convention was implemented with regard to juvenile justice. All other states were also abiding by the provisions of the Convention.

There had been a lot of progress on birth registration, the delegation said. Last year, 98 per cent of pre-primary school pupils produced birth certificates before they were enrolled in schools. Further improvements would also be made to ensure that all new births were registered. A mobile civil brigade network was operating throughout the remote areas to increase awareness and to encourage birth registration.

Although Mexico's democracy was in its infant age, it was developing fast. The Government was also making more efforts to promote democracy.

In 2001, there had been a general survey to establish a break down of children's activities and the manner in which they were occupied, the delegation said. The Government was encouraging families to protect children from becoming television addicts and to change their habits to pursue other cultural activities.

On the issue of integration of indigenous children, the delegation said there was a debate that if the indigenous people were fully integrated into the Spanish-speaking educational system, they might lose their indigenous languages. Since independence, efforts were being made to protect indigenous identities; at present, education was provided in indigenous languages.

Students who were Jehovah Witnesses had been expelled from schools because of their disrespect for the national symbols, the delegation said. That measure did not in any way violate their right to freedom of religion.

The report of the National Human Rights Commission was drafted in consultation with civil society, the delegation said. Questions and inquiries were included before it was finalized.

Education for indigenous children was bilingual so that they retained their mother tongue, the delegation said. In 24 states, there had been a number of such schools where many indigenous Mexicans participated.

The delegation said the number of parents and children living in poverty was high in Mexico, despite achievements in the economic sphere. Although poverty was a grave issue in the country, the Government was moving in the right direction to overcome the situation.

### **Questions by Experts**

An Expert said a number of figures were used with regards to the 2005 and 2006 budgetary allocations, which needed further clarification by the delegation. What were the initiatives taken with regard to budget allocation for opportunities in health? The community participation programmes for adolescent health were also worth mentioning. Did all people enjoy health services? With regard to HIV/AIDS, did the Government ensure the distribution of medicine to victims of the disease? Children migrating to the north were subjected to ill-treatment. How did the Government receive children deported from the United States?

Another Expert asked if children and adolescents enjoyed their privileges as members of children's parliament. On the economic exploitation of children, he asked about the resources for development projects. Did the states receive adequate budgetary allocations to improve the living conditions of children. Referring to ILO Convention No. 138 on the minimum age for employment, he asked about the practical minimum age of employment? Had the Government put in place provisions penalizing the employment of children? Children disappeared and were later found dead; what measures were being taken to prevent such incidents?

An expert said the centres where children in conflict with the law were kept were very isolated and far from their families. There had been reports of ill-treatment and poor facilities in the centres. Who controlled those centres? What were the legal conditions of pre-trial detention involving children? The report did not make any reference to the involvement of children in armed conflict and the age limit to participate in hostilities. The State did not mention the existence of armed groups in its territories. What happened to Guatemalan children hosted in Mexico? On the issue of adoption, the number of adopted children had gone down because of the slow and difficult procedure, and because of the preference to give children to rich families.

### **Response of Mexico**

The delegation said Mexico's military service was still maintained although it was not at war with any of its neighbours. Only 1 per cent of the population under the age of 18 years was concerned by the service, which could take a few months because of the small size of the army.

Mexico was moving forward in making progress in its efforts to register new births, the delegation said. A mobile team had been set up to implement the programmes concerning birth registration.

There was a law on tax coordination and budgetary allocation to states, the delegation said. The budget allocation was decided by the federal parliament. The budget allocation was progressive with the aim of overcoming disparities among families. Last year, 5 million households had benefited from family assistance provided by the states.

The number of families receiving free health services was increasing, the delegation said. Children with respiratory and mental illness had been provided with special services. The campaign of immunization vaccines had also been strengthened. Diseases related to child mortality had been reduced, thanks to the preventive measures in all parts of the country, including to residents in the rural regions. With regard to adolescent health, the use of contraceptives was encouraged, and sexual education was being given in schools and other institutions.

The spread of cases of syphilis and HIV infection of pregnant mother had been a challenge in the field of health. In order to prevent the vertical transmission of such diseases to the babies, the Government had made efforts to provide medical assistance to the mothers. Programmes had also been implemented to reduce tobacco and other drug consumption among the young people.

Asked about the extent of suicide, the delegation said it was a problem in the country. Although there was no explicit programme on the prevention of suicide, measures had been taken to treat children with mental health problems and to raise awareness on the issue of suicide.

An adolescent could refuse to make any confession before the judicial authorities, the delegation said. Interpretive services were provided to those children whose mother tongue was not Spanish. In the event of deprivation of freedom, the family of the detainee could visit. No detainee was completely cut-off from his or her ties with the outside world. The procedure of any court case involving a child should be wrapped up within one month. Children born in prison facilities remained with the detained mother up to 4 years of age before they left their mothers in order to live with a close relative.

Mexico was a mosaic of cultures with its pre-Colombian heritage, the delegation said. The indigenous people were not living in isolation from the other population; they lived in all parts of the country and intermingled with other citizens.

Mexico was not at war with anyone, the delegation said, adding that in 1994, an armed conflict was ignited, which lasted for only 11 days. In the southern border areas of Tapachula, access to children had been difficult because of the heavy presence of migrants. In the north, the situation of children accompanying adults who desired to migrate was a complex one. With the

arrival of migrants in the north, six shelters had been set up to care for children.

Because of the conflict in the Chapas region, 12,000 persons had been displaced following the violence, the delegation said. A social programme of resettlement had been implemented to help those indigenous victims who had left their homes. There had been a historical problem to deal with the indigenous people, particularly with health provisions.

Since the 1980s, the rate of school attendance had been increasing, with the rate of illiteracy standing at 11 per cent in 2005, the delegation said. The gender gap had been broken down with the number of girls attending secondary schools exceeding that of boys. There had been initiatives to help non-school attendants, covering vast areas. The number of scholarships and care for their families had also been increased significantly, thus reducing the cases of dropouts and street children. Under the rural education programme, 30,000 students had been awarded in 2005 with scholarships to attend schools outside their own communities where there were no school facilities.

Mexico would experiment with the system of foster families when it adopted legislation concerning that issue in August, the delegation said. It was hoped that the practice would reduce the number of street children, who were living without appropriate care.

Since Mexico adopted the ILO Convention No. 182 on extreme forms of child labour, a new culture and new awareness had started to take place with regard to child labour in the country, the delegation said. Competent labour inspectors had been trained to monitor the employment of children and to address the problem within the community. A draft law was also under preparation to define the age limit of children to be engaged in hazardous activities in order to protect them. A campaign of awareness raising was also being carried out among the indigenous with regard to child labour.

The issue of sexual exploitation of children in some regions had been a concern to the Government, which did not spare efforts to fight the phenomenon by distributing pamphlets and other publications to raise awareness.

An ongoing dialogue was being carried out with civil society with regards to the problem of street children, the delegation said. Civil society and state committees were participating in the provision of health and educational services to street children.

The Government had made available services to support child victims of violence to lodge their complaints and to be cared for, the delegation said. The perpetrator of the violence was held responsible for the violation of the integrity and dignity of the child. The kidnapping and murder of a child could be attributed to acts of an organized gang or individual acts of revenge. Children in trouble could use the hotline provided to them to reach the police or judicial authorities.

Breastfeeding had long been widespread in Mexico, the delegation said, adding that 58 per cent of mothers breastfed their children at least up to the age of 6 months. The Government was encouraging mothers to feed their children with breast milk and substitute milk was made available to those who were in need.

The centres for children with disabilities had been brought closer to families, the delegation said. At least 1,200 networks were providing help and facilities to children with disabilities. Mobile teams were also providing assistance to children living in remote areas. There were 300,000 children with disabilities under the age of 18 years. The Government was providing care to those children.

### **Preliminary Concluding Remarks**

NORBETO LIWSKI, the Committee Expert who served as country Rapporteur to the report of Mexico, said he appreciated the efforts of the State party to improve the conditions of Mexican children and hoped that remaining problems that children encountered in the country would be resolved.

\* \* \* \* \*

*For use of the information media; not an official record*

[SITE MAP](#) | [SEARCH](#) | [INDEX](#) | [DOCUMENTS](#) | [TREATIES](#) | [MEETINGS](#) | [NEWSROOM](#) | [DATABASES](#)