

MEXICO

CRC A/49/41 (1994)

232. The Committee considered the initial report of Mexico (CRC/C/3/Add.11) at its 106th and 107th meetings (CRC/C/SR.106-107), held on 11 January 1994, and adopted at the 130th meeting, held on 28 January 1994, the following concluding observations.

(a) Introduction

233. The Committee notes with satisfaction the early ratification of the Convention and the timely submission of the initial report of Mexico. In particular, the Committee appreciates the comprehensiveness of the report, which contains detailed information on the legal framework within which the Convention is implemented. The Committee, however, notes with regret the lack of information on the factors and difficulties impeding the implementation of the various rights recognized in the Convention, as well as the insufficiency of information on the concrete effects of measures adopted.

234. The Committee welcomes the written information provided by the Government in reply to the questions set out in the list of issues (CRC/C/4/WP.3), which were communicated to it before the session. Furthermore, the supplementary information provided by the delegation and its knowledge of matters connected with the Convention made it possible to engage in an open and constructive dialogue. The Committee also notes with appreciation the fact that replies to a number of questions raised during the dialogue were sent in writing to the Committee shortly after the consideration of the report.

(b) Positive aspects

235. The Committee welcomes the efforts made by the State party in bringing domestic law into line with the Convention, through the enactment of new laws, the amendment of the Constitution and the adoption of programmes specifically aimed at promoting and protecting the rights of the child. Among these achievements was the adoption, following the World Summit for Children in 1990, of the National Programme of Action, which focused on the areas of health, education, basic sanitation and assistance to minors in especially difficult circumstances as well as the periodical evaluation of the National Programme of Action. Other welcome developments are the adoption of the Law on the Treatment of Juvenile Offenders and the incorporation in the Constitution of the right of everyone to education through the amendment of its articles 3 and 31. The Committee also notes with interest the various activities undertaken by the National Human Rights Commission in the field of children's rights as well as the adoption of the National development Plan and the Solidarity Programme aimed at solving the serious economic and social problems encountered by the country.

236. The Committee also notes with satisfaction the serious efforts undertaken to inform children with respect to the Convention and to encourage their participation in the implementation process

through various innovative means.

(c) Factors and difficulties impeding the implementation of the Convention

237. The Committee takes note of the existing disparities in the country and the difficult economic and social situation of Mexico, characterized by a high level of foreign debt, the inadequacy of budgetary resources earmarked for essential social services benefitting children and the unequal distribution of the national wealth. These difficulties severely affect children, particularly those living in poverty and children belonging to minority groups or indigenous communities. The Committee also notes that the high level of violence in the society and within the family and the recent political violence connected with the uprising in the State of Chiapas have a considerable negative impact on the situation of children in Mexico.

(d) Principal subjects of concern

238. The Committee expresses its concern at the fact that laws and regulations relevant to the enforcement of the rights of the child are not always compatible with the provisions of the Convention. It regrets that there is no provision in the national legislation relating to the best interests of the child or the prohibition of discrimination against children. Mere reference in the report to the Convention as being the “Supreme Law of the Land”, pursuant to article 133 of the Constitution, should not preclude the Government from taking the necessary steps to fully harmonize national legislation with the provisions of the Convention, namely in the light of article 4 of the Convention. Similarly, the National Programme of Action adopted in 1990 and its enforcement machinery, based on the targets identified by the World Summit for Children, do not fully take into account the particularities of the Convention. Furthermore, similarly to the National Programme of Action adopted in 1990 and its enforcement machinery based on the targets identified by the World Summit for Children, a monitoring mechanism should be established to follow the implementation of the Convention.

239. The national legislation and practice should take into full consideration, in the light of article 5 of the Convention, the capacity of the child to exercise his or her rights, namely, in the field of citizenship.

240. The Committee expresses its concern at the unequal distribution of the national wealth in the country and the disparities and discrepancies in the enforcement of the rights provided for under the Convention between the different regions of the country, to the detriment of rural children and children belonging to minorities or indigenous communities.

241. The Committee is troubled by the great number of complaints of ill-treatment of children attributed to the police and security or military personnel and is disturbed by the failure to take effective steps to punish those found guilty of such violations or to make public eventual punishments; this may lead to a feeling on the part of the population that impunity prevails and that it is therefore useless or dangerous to bring complaints before the competent authorities. The Committee is also preoccupied by the existence on a large scale of child abuse and violence within the family.

242. The Committee is worried at the lack of implementation, in practice, of the provisions of the Convention and domestic legislation relating to the administration of juvenile justice and the treatment of young offenders.

243. The Committee is alarmed at the large number of children who have been forced, in order to survive, to live and/or work in the streets. The exploitation of children as migrant workers is also of deep concern. Domestic law and its application in practice do not appear to be in conformity with the provisions of the Convention and relevant conventions of the International Labour Organization relating to the employment of minors.

244. A large percentage of children living in difficult circumstances, in particular children belonging to minorities or indigenous communities, appear to have left school without having been able to complete their primary education.

245. The Committee also notes with concern the high number of international adoptions of Mexican children.

(e) Suggestions and recommendations

246. The Government must take all necessary steps, in all areas, to ensure the respect and actual implementation of the provisions contained in national legislation relating to the rights of the child. Furthermore, the Committee recommends that the State party take necessary steps to fully harmonize federal and State legislation with the provisions of the Convention. Principles relating to the best interest of the child and the prohibition of discrimination in relation to children should be incorporated into domestic law, and it should be possible to invoke them before the courts. Relevant mechanisms should also be set up, parallel to those deriving from the National Programme of Action, to monitor the implementation of the Convention at the federal, state and local levels. Coordination between the various levels of the administration, as well as cooperation with non-governmental organizations involved in the implementation of the Convention and the monitoring thereof, should be strengthened.

247. The Committee emphasizes that the best interest of the child must be a guiding principle in the application of the Convention and that the authorities should undertake all appropriate measures to the maximum extent of their available resources to ensure that sufficient resources are allocated to children, particularly children living and/or working in the streets, children belonging to minority groups or indigenous communities and other vulnerable children.

248. The Committee recommends that the State party should intensify its action against all violence resulting in cases of ill-treatment of children, in particular when committed by members of the police force and security services and the military. The State party should ensure that cases of crimes committed against children by members of the armed forces or the police are tried before civilian courts.

249. The Committee recommends that urgent measures be adopted to combat discrimination against children belonging to the most vulnerable groups, in particular children subject to abuse or violence within the family, children living and/or working in the streets and children belonging to indigenous

communities, including measures to eliminate and prevent discriminatory attitudes and prejudices such as those based on gender. In the framework of the adoption process, due consideration should be given to the provisions of article 12 of the Convention. Furthermore, intercountry adoption should be considered in the light of article 21, namely, as a measure of last resort.

250. Finally, the Committee recommends that the provisions of the Convention should be widely publicized among the general public and, in particular, among teachers, social workers, law enforcement officials, the staff in correctional facilities, judges and members of other professions who are concerned with the implementation of the Convention. The Committee further recommends that, in the light of article 44, paragraph 6, of the Convention, the report submitted by the Government be made widely available to the public at large, including non-governmental organizations, and that the publication of the report be considered, along with the relevant summary records and the concluding observations thereon adopted by the Committee.

CRC CRC/C/90 (1999)

160. The Committee considered the second periodic report of Mexico (CRC/C/65/Add.6) and its supplementary report (CRC/C/65/Add.16) at its 568th and 569th meetings (see CRC/C/SR.568-569), held on 27 September 1999, and adopted ¹ the following concluding observations.

A. Introduction

161. While welcoming the submission of the State party's second periodic report, the Committee regrets that the report did not follow the guidelines for reporting. The Committee also welcomes the supplementary report as well as the wealth of information provided by the State party's delegation in the course of its dialogue with the Committee. The Committee notes with appreciation the written replies to the list of issues (CRC/C/Q/MEX/2), while regretting their late submission. In particular, the Committee is encouraged by the statement made by the State party's delegation that the Convention is used by the State party as the guiding tool for action in the field of children's rights. The Committee is encouraged by the constructive and open dialogue it had with the State party's delegation.

B. Follow-up measures undertaken and progress achieved by the State party

162. The establishment of initiatives such as the National Programme of Action for Children (1995-2000), the National Development Plan (1995-2000), and the Programme for Education, Health and Nutrition (PROGRESA) are regarded as positive measures in line with the Committee's recommendations (see CRC/C/15/Add.13, para. 16). In this regard, the Committee welcomes the fact that the State party, one of the six countries that convened the World Summit for Children in 1990, has undertaken measures, in conjunction with the other conveners, to hold a series of events to evaluate and follow up the commitments made by States in 1990.

163. In the light of the Committee's recommendation (CRC/C/15/Add.13, para. 19), the Committee welcomes the multiple measures undertaken by the State party, in particular by the National Commission of Human Rights (CNDH) and the National System for the Integral Development of the Family (DIF), to create awareness of the principles and provisions of the Convention. In this regard, the holding of the Children's Federal Elections (1997), an illustration of the principle of respect for the views of the child (art. 12 of the Convention), is also welcomed by the Committee.

164. The Committee welcomes the State party's accession (1999) to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (the Belem do Pará Convention) and the legislative reform process aimed at making domestic violence a crime in the State party's domestic legislation. The Committee considers these as positive measures to combat gender discrimination and child abuse and ill-treatment, in line with the Committee's recommendation (CRC/C/15/Add.13, para.18).

¹ At the 586th meeting, held on 8 October 1999.

165. The Committee welcomes the State party's accession (in 1994) to the 1993 Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption in line with the Committee's recommendation (CRC/C/15/Add.13, para. 18). The State party's accession (in 1999) to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is also welcomed by the Committee.

166. The Committee also welcomes the implementation of the Reciprocal Programme for Obtaining Maintenance Fees (URESARURESARURESARURESARURESARURESAR) signed between the State party and the United States of America, which has particular importance owing to the high emigration rate of Mexican nationals to that country.

167. The Committee welcomes the measures taken by the State party to prevent and combat the abuse of drugs by children and, in particular, the agreement signed between the State party, UNICEF and the United Nations Drug Control Programme (UNDCP) to work jointly to prevent and combat drug abuse by children.

C. Factors and difficulties impeding further progress in the implementation of the Convention

168. The Committee notes that widespread poverty and long-standing economic and social disparities within the State party are still affecting the most vulnerable groups, including children, and hampering the enjoyment of the rights of the child in the State party. The Committee also notes that this situation has been particularly aggravated by severe economic crises and drastic economic reforms.

D. Principal subjects of concern and Committee recommendations

D.1. General measures of implementation

169. While noting the measures taken by the State party to implement the Committee's recommendation (CRC/C/15/Add.13, para. 15) concerning the need to harmonize domestic legislation with the Convention, in particular in relation to the process for enacting the Child Protection Code, the Committee remains concerned that current domestic legislation on children's rights, both at the federal and State levels, does still not reflect the principles and provisions of the Convention and that measures taken to harmonize domestic legislation seem somewhat fragmented and do not take into consideration the holistic approach of the Convention. The Committee reiterates its recommendation that the State party continue its process of legislative reform to ensure that domestic legislation relating to children's rights, both at the federal and state levels, is in full conformity with the principles and provisions of the Convention and reflects its holistic nature.

170. The Committee welcomes the appointment of 32 state procurators for the defence of the rights of the child and the family and takes note of the proposals to enact a general act establishing the role and powers of their offices. However, the Committee is concerned about the limited powers and resources, both financial and human, of these offices to function in an effective manner for the protection of children's rights. The Committee recommends that the State party continue its efforts, including legislative measures, to strengthen the mandate and independence, both at the federal and state levels, as well as to increase the resources, both financial and human, of the offices of the state

procurators for the defence of the rights of the child and the family.

171. With regard to the Committee's recommendation (CRC/C/15/Add.13, para. 15), the Committee welcomes the measures taken by the Ministry of Health and the national System for the Integral Development of the Family (DIF) in the coordination and monitoring of the implementation of the National Plan of Action (1995-2000) and takes note of the establishment of the National System for the Follow-up and Monitoring of the Implementation of the Convention (1998). However, the Committee remains concerned that the National System is only operational in seven states of the State party's territory. In this regard, the Committee recommends that the State party continue taking effective measures to accelerate the establishment, within the framework of the National System for the Follow-up and Monitoring of the Convention, of commissions, at the federal and state levels, to guarantee the implementation of the Convention. In addition, the Committee encourages the State party to continue working in close cooperation with non-governmental organizations active in the field of children's rights. Furthermore, the Committee recommends that non-governmental organizations be included in the design and implementation of policies and programmes carried out by the National System.

172. While taking note of the statistics on the situation of children contained in the supplementary report provided by the State party, in particular those developed for monitoring the National Plan of Action for Children (1995-2000), the Committee remains concerned about the lack of disaggregated data for all areas covered by the Convention. The Committee recommends that the State party continue reviewing and updating its data collection system, with a view to including all areas covered by the Convention. In addition, the Committee encourages the State party to use the information provided by its next population census (2000) as a basis for the development of disaggregated data on children's rights. Such a system should include all children under 18 years of age, and specifically emphasize the situation of vulnerable groups of children, as a basis for assessing progress achieved in the realization of children's rights and to help design policies for better implementation of the provisions of the Convention. In this regard, the Committee encourages the State party to seek technical assistance from, *inter alia*, UNICEF.

173. With regard to the provision of training for professionals working with and for children (see Committee's recommendation, CRC/C/15/Add.13, para. 19), the Committee welcomes the efforts undertaken in this area, in particular by the National Commission of Human Rights (CNDH) and DIF. The Committee encourages the State party to continue implementing systematic education and training programmes on the provisions of the Convention for parliamentarians and all professional groups working for and with children, such as judges, lawyers, law enforcement officials, civil servants, municipal workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers. Technical assistance from, *inter alia*, the Office of the High Commissioner for Human Rights and UNICEF could be requested in this regard.

174. In the light of its recommendation (CRC/C/15/Add.13, para.16), the Committee welcomes the measures undertaken by the State party in designing and implementing social policies and programmes for children. Nevertheless, the Committee remains concerned that, despite the State party's measures in this area, poverty and social and regional inequalities are still affecting a large number of children and their families. The Committee reiterates its recommendation

(CRC/C/15/Add.13, para. 16) that such measures should be undertaken "to the maximum extent of available resources" in the light of articles 2, 3 and 4 of the Convention. The Committee further recommends that the State Party give priority to ensuring that sufficient budgetary allocation is provided to social services for children and that particular attention is paid to the protection of children belonging to vulnerable and marginalized groups.

D.2. Definition of the child

175. The Committee expresses its concern that the minimum legal ages for marriage of boys (16) and girls (14) in most of the states of the State party are too low and that these ages are different for boys and girls. This situation is contrary to the principles and provisions of the Convention and constitutes a form of gender-based discrimination which affects the enjoyment of all rights. The Committee recommends that the State party undertake legislative reform, both at the federal and state levels, to raise and equalize the minimum legal ages for marriage of boys and girls.

D.3. General principles

176. The Committee welcomes the information provided by the State party about the national public referendum regarding the rights of the child and takes note of the process of constitutional reform generated by this referendum; both initiatives are in line with the Committee's recommendation (CRC/C/15/Add.13, paras. 15 and 16). In this regard, the Committee encourages the State party to continue these initiatives with the aim of introducing into the Constitution the principles of non-discrimination and the best interests of the child (arts. 2 and 3 of the Convention).

177. While the Committee acknowledges the State party's measures to implement the Committee's recommendation (CRC/C/15/Add.13, para. 18) concerning the protection of the rights of the most vulnerable groups of children, in particular the measures carried out by PROGRESA, DIF, the National Indigenous Institute (INI) and CONMUJER, the Committee is of the opinion that these measures need to be reinforced. The Committee reiterates its recommendation and further recommends that the State party increase measures to reduce economic and social disparities, including between urban and rural areas, to prevent discrimination against the most disadvantaged groups of children, such as girls, children with disabilities, children belonging to indigenous and ethnic groups, children living and/or working on the streets and children living in rural areas.

178. The Committee takes note of the efforts made in the field of legislative reform to integrate the principles of "best interests of the child" (art. 3) and "respect for the views of the child" (art. 12) into domestic legislation, at both state and federal levels. Nevertheless, the Committee remains concerned that these principles are not fully implemented. The Committee recommends that further efforts be made to ensure the implementation of the principles of "best interests of the child" and "respect for the views of the child", especially his or her rights to participate in the family, at school and in other social institutions. These principles should also be reflected in all policies and programmes relating to children. Awareness raising among the public at large, including community leaders, and educational programmes on the implementation of these principles should be reinforced in order to change traditional perceptions of children who are too often regarded as the objects (Doctrina de la Situación Irregular) rather than the subjects of rights.

179. In the light of article 6 and other related provisions of the Convention, the Committee expresses its concern about the threat to the right to life of children caused by the degree of militarization in the State party and the confrontations with “irregular armed civilian groups” in parts of the State party’s territory, especially in the states of Chiapas, Oaxaca, Guerrero and Veracruz. The Committee recommends that the State party take effective measures to protect children against the negative effects of these confrontations. The establishment of rehabilitation measures for child victims of these confrontations is also recommended.

D.4. Civil rights and freedoms

180. Although the State party has made significant progress in the area of birth registration, the Committee is of the opinion that greater efforts are needed to ensure that all children are registered, especially those belonging to the most vulnerable groups. The Committee recommends that the State party strengthen its measures to ensure the immediate registration of the birth of all children, especially of those living in rural and remote areas and belonging to indigenous groups.

181. With regard to the State party's initiatives to promote children's participatory rights, the Committee is of the opinion that these efforts need to be improved and strengthened. In the light of articles 12, 13, 14 and 15 of the Convention, the Committee recommends that further measures be undertaken to promote the participation of children in the family, at school and in other social institutions, as well as to guarantee their effective enjoyment of the fundamental freedoms, including those of opinion, expression and association.

182. Although the Committee notes with appreciation the measures taken by the State party to comply with the Committee's recommendation (CRC/C/15/Add.13, para.17), it remains concerned about the persistent number of alleged cases of children who have been detained in extreme conditions which amount to cruel, inhuman or degrading treatment, and cases of children physically ill-treated by members of the police or the armed forces. The Committee recommends that the State party reinforce its judicial mechanisms to deal effectively with complaints of police brutality, ill-treatment and abuse of children, and that cases of violence and abuse against children be duly investigated in order to avoid the impunity of perpetrators. In this regard, the Committee endorses the recommendations made by the Committee against Torture in May 1997 (A/52/44, paras. 166-170).

D.5. Family environment and alternative care

183. While the Committee welcomes the measures taken by the State party to comply with the Committee's recommendation (CRC/C/15/Add.13, para. 18), it is still concerned about the insufficient alternative care measures for children deprived of a family environment. The Committee recommends that the State party continue taking the necessary steps to develop alternatives to institutional care of children (e.g. domestic adoption and foster care). The Committee also recommends that the State party reinforce its monitoring and evaluation system to ensure the adequate development of children living in institutions. The Committee encourages the State party to continue taking measures to review periodically the placement and treatment of children, as enshrined in article 25 of the Convention.

184. Although the Committee takes note of the establishment of the National Programme against Domestic Violence, 1999-2000 (PRONAVI), it remains concerned that, as acknowledged in the State party's report, physical and sexual abuse - within and outside the family - is a serious problem in the State party. Concern is also expressed that domestic legislation, at both the federal and state levels, does not explicitly prohibit the use of corporal punishment in schools. In the light of, inter alia, articles 19 and 39 of the Convention, the Committee recommends that the State party continue taking effective measures, including setting up multidisciplinary treatment and rehabilitation programmes, to prevent and combat child abuse and ill-treatment of children within the family, at school and in society at large. It suggests that law enforcement should be strengthened with respect to such crimes, that adequate procedures and mechanisms to deal effectively with complaints of child abuse should be reinforced in order to provide children with prompt access to justice and that the use of corporal punishment at home, in schools and other institutions, be explicitly prohibited by law. Furthermore, educational programmes should be established to combat traditional attitudes within society regarding this issue. The Committee encourages the State party to consider seeking international cooperation to this effect from, inter alia, UNICEF and international non-governmental organizations.

D.6. Basic health and welfare

185. With regard to the measures taken to improve the health standards of children, in particular initiatives to reduce infant mortality, the Committee remains concerned at the persistence of regional disparities in access to health care, at the high rates of malnutrition among children under five years of age and those of school age, especially in rural and remote areas and among children belonging to indigenous groups. The Committee recommends that the State party continue taking effective measures to ensure access to basic health care and services for all children. More concerted efforts need to be taken to guarantee equal access to health care and to combat malnutrition, with special emphasis on children belonging to indigenous groups and children living in rural and remote areas.

186. While welcoming the State party's initiatives and programmes in the field of adolescent health, in particular those of the National Programme of Prevention to Adolescent Mothers and the National Council for the Prevention and Control of HIV/AIDS (CONASIDA), the Committee remains concerned at the high teenage maternal mortality rate and the high number of teenage pregnancies. The Committee recommends that the State party continue its efforts to prevent the spread of HIV/AIDS and that it take into consideration the recommendations adopted by the Committee on its day of general discussion on "Children living in a world of HIV/AIDS" (CRC/C/80). The Committee also recommends that further efforts be undertaken for the development of child-friendly counselling services and of care and rehabilitation facilities for adolescents.

D.7. Education, leisure and cultural activities

187. While the Committee notes with appreciation the State party's achievements in the field of education, it remains concerned about the high drop-out and repetition rates in primary and secondary schools, and the disparities in access to education between rural and urban areas. The Committee is particularly concerned about the situation of children belonging to indigenous groups

regarding their access to education and the low relevance of the current bilingual educational programmes available for them. In the light of articles 28, 29 and other related articles of the Convention, the Committee recommends that the State party continue its efforts in the field of education by strengthening its educational policies and system in order to reduce regional disparities in access to education and to strengthen ongoing retention programmes and vocational training for drop-out students. The Committee also recommends that the State party continue taking effective measures to improve the educational situation of children belonging to the most vulnerable groups, in particular, with regard to bilingual education programmes for children belonging to indigenous groups. The Committee encourages the State party to consider seeking technical assistance in this area, inter alia, from UNICEF and UNESCO.

D.8. Special protection measures

188. Although the Committee is aware of the measures taken by the State party, in particular by INI, it remains concerned about the living conditions of children belonging to indigenous groups, especially with regard to the full enjoyment of all the rights enshrined in the Convention. In the light of articles 2 and 30 of the Convention, the Committee recommends that the State party take effective measures to protect children belonging to indigenous groups against discrimination and to guarantee their enjoyment of all the rights recognized by the Convention on the Rights of the Child.

189. While welcoming the fact that the State party's legislation complies with international labour standards and the measures taken for the eradication of child labour, the Committee is still concerned that economic exploitation remains one of the major problems affecting children in the State party. The Committee is particularly concerned that the State party, in its second periodic report, categorized only "street children" as "working children". The Committee is of the opinion that this misconception affects the scope and perception of this social phenomenon. In this regard, the Committee is particularly concerned that a large number of children are still involved in labour activities, especially in the informal sector and in agriculture. The Committee expresses its concern at the insufficient law enforcement and the lack of adequate monitoring mechanisms to address this situation. In the light of, inter alia, articles 3 and 32 of the Convention, the Committee recommends that the State party reconsider its position regarding the issue of child labour. The situation of children involved in hazardous labour, especially in the informal sector, deserves special attention. Furthermore, the Committee recommends that child labour laws should be enforced, the labour inspectorates strengthened and penalties imposed in cases of violation. The Committee recommends that the State party consider seeking technical assistance from the International Labour Organization's International Programme for the Elimination of Child Labour (IPEC). The Committee encourages the State party to consider ratifying ILO Convention (No 138) regarding Minimum Age for Admission to Employment (1973) and the new ILO Convention (No 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999).

190. In view of the assessment and recommendations made by the Special Rapporteur on the sale of children, child prostitution and child pornography (see E/CN.4/1998/101/Add.2) regarding the situation of the sexual exploitation of children in Mexico, the Committee welcomes the measures taken by the State party to combat this phenomenon, in particular, the establishment of the Inter-

institutional Commission to Eradicate the Sexual Exploitation of Children. In this regard, and in the light of article 34 and other related articles of the Convention, the Committee recommends that the State party take all effective measures to implement the recommendations made by the Special Rapporteur following her visit to Mexico. In particular, the Committee recommends that the State party conduct a study on the issue of commercial sexual exploitation of children with a view to designing and implementing appropriate policies and measures, including care and rehabilitation; and that it reinforce its legislation, including punishment against perpetrators; and that it conduct awareness raising campaigns on this issue.

191. While the Committee is aware of the measures taken by the State party on the situation of "repatriated children" (menores fronterizos), it remains particularly concerned that a great number of these children are victims of trafficking networks, which use them for sexual or economic exploitation. Concern is also expressed about the increasing number of cases of trafficking and sale of children from neighbouring countries who are brought into the State party to work in prostitution. In this regard, the Committee recommends that the State party continue taking effective measures on an urgent basis to protect Mexican migrant children, to strengthen law enforcement and to implement the State party's national programme of prevention. In an effort to combat effectively intercountry trafficking and sale of children, the Committee suggests that the State party increase its efforts in the area of bilateral and regional agreements with neighbouring countries to facilitate the repatriation of trafficked children and encourage their rehabilitation. Furthermore, the Committee endorses the recommendations made by the Special Rapporteur on the sale of children, child prostitution and child pornography following her visit to Mexico (see E/CN.4/1998/101/Add.2) with regard to the situation of children living in border areas.

192. With regard to the administration of the juvenile justice system, the Committee remains concerned that:

- (a) Federal and state legislation is not all in accordance with the principles and provisions of the Convention, especially regarding the low age of criminal responsibility;
- (b) Deprivation of liberty is not systematically used only as a measure of last resort;
- (c) Children are often detained together with adults in police stations;
- (d) Cases are processed at a slow pace;
- (e) Detention centres have very poor conditions;
- (f) Juveniles have insufficient access to legal assistance;
- (g) Insufficient rehabilitation measures exist for juvenile offenders;
- (h) There is insufficient supervision and monitoring in detention centres;
- (i) There is limited trained staff in detention centres.

In the light of articles 37, 40 and 39 and other relevant standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, the Committee recommends that the State party:

- (a) Effectively implement a juvenile justice system in accordance with the Convention and other related international standards;
- (b) Ensure the improvement of the conditions of children living in prisons and detention centres;
- (c) Develop centres for the rehabilitation of children in conflict with the law;
- (d) Prohibit the use of violence by law enforcement officials;
- (e) Ensure that the use of deprivation of liberty is used only as a measure of last resort;
- (f) Guarantee prompt access to justice for children in pre-trial detention;
- (g) Develop alternative measures to deprivation of liberty;
- (h) Strengthen its training programmes on the relevant international standards, for judges, professionals and staff working in the field of juvenile justice.

Furthermore, the Committee suggests that the State party consider seeking technical assistance from, inter alia, the Office of the United Nations High Commissioner for Human Rights, the Centre for International Crime Prevention, UNICEF and the International Network on Juvenile Justice through the Coordination Panel on Juvenile Justice.

193. Finally, in the light of article 44, paragraph 6, of the Convention, the Committee recommends that the periodic report and written replies submitted by the State party be made widely available to the public at large and that consideration be given to publishing the report, along with the relevant summary records and concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.