



**Convention on the  
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COMMITTEE ON THE RIGHTS OF THE CHILD  
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**WRITTEN REPLIES BY THE GOVERNMENT OF MEXICO CONCERNING  
THE LIST OF ISSUES (CRC/C/MEX/Q/3) FORMULATED BY THE  
COMMITTEE ON THE RIGHTS OF THE CHILD IN CONNECTION  
WITH ITS CONSIDERATION OF THE THIRD PERIODIC REPORT OF  
MEXICO (CRC/C/125/Add.7)\***

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### **List of abbreviations**

|          |   |
|----------|---|
| CDI      | National Commission for the Development of the Indigenous People              |
| CENSIDA  | National Centre for the Prevention of HIV/AIDS                                |
| CNDH     | National Human Rights Commission  |
| CONAFE   | National Council for the Promotion of Education                               |
| CONAPO   | National Population Council   |
| CONAPRED | National Council for the Prevention of Discrimination                         |
| DIF      | Comprehensive Development of the Family                                       |
| IFE      | Federal Electoral Institute   |
| IMSS     | Mexican Social Security Institute   |
| ISSSTE   | Institute of Social Security and Social Services for State Employees          |
| INALI    | National Institute of Indigenous Languages                                    |
| INEGI    | National Institute of Statistics, Geography and Information Technology        |
| INI      | National Institute for Indigenous Affairs                                     |
| INM      | National Institute for Migration  |
| OHCHR    | Office of the United Nations High Commissioner for Human Rights               |
| ORDPI    | National Commission for the Development of the Indigenous Peoples             |
| PNDPI    | National Programme for the Development of the Indigenous Peoples<br>2001-2006 |
| PRONIM   | Primary school programme for migrant children                                 |
| SEDIF    | State systems for comprehensive development of the family                     |
| SMDIF    | Municipal systems for comprehensive development of the family                 |
| SNDIF    | National System for Comprehensive Development of the Family                   |
| UNDP     | United Nations Development Programme  |
| UNICEF   | United Nations Children's Fund  |

## Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible before 5 April 2006.

### A. Data and statistics, if available

1. Please provide disaggregated data (by sex, age, indigenous and minority groups, urban and rural areas) covering the years 2004 and 2005 on the:

(a) Number and proportion of children under 18 living in the State party

1. According to the National Population Council (CONAPO), children account for 40.5 per cent of the population of Mexico. Statistical tables of the child population are given below.

#### Children as a proportion of the total population<sup>1</sup>

| Children aged under 18 | 2004  | 2005   | 2006* |
|------------------------|-------|--------|-------|
| Male                   | 20.99 | 20.82  | 20.64 |
| Female                 | 20.20 | 20.042 | 19.85 |
| Total                  | 41.19 | 40.86  | 40.50 |

2. There are 31,982,832 people aged under 14 in Mexico. Of these, 16,321,679 are boys and 15,661,153 are girls; 24,085,607 live in urban areas, 6,126,007 in mixed areas and 1,771,218 in rural areas. More detailed information on the child population of Mexico, by municipality, sex and age group, is given in annex I.

(b) Number and proportion of children belonging to indigenous, minority, refugee and internally displaced groups

3. Indigenous peoples make up some 12 million of Mexico's inhabitants, or more than one tenth of the population. There are 21,407 communities where more than 40 per cent of the population is indigenous. The 2000 census recorded the indigenous population as comprising 62 ethno-linguistic groups with corresponding variants.<sup>2</sup>

4. The following table gives the number of indigenous people aged under 18 by age and sex for the years 2004, 2005 and 2006, as provided by CONAPO.

**Indigenous population aged under 18 at mid-year, by sex and age**

| Age              | 2004       | 2005       | 2006       |
|------------------|------------|------------|------------|
| Total population | 13 201 806 | 13 365 976 | 13 528 579 |
| Male             |            |            |            |
| Total population | 6 607 494  | 6 686 944  | 6 765 550  |
| Under 18         | 2 788 504  | 2 763 734  | 2 738 141  |
| 0-4              | 714 214    | 707 336    | 704 626    |
| 5-9              | 789 786    | 770 601    | 749 571    |
| 10-14            | 816 526    | 815 255    | 810 790    |
| 15-17            | 467 978    | 470 542    | 473 154    |
| Female           |            |            |            |
| Total population | 6 594 312  | 6 679 032  | 6 763 029  |
| Under 18         | 2 696 722  | 2 671 119  | 2 644 594  |
| 0-4              | 685 220    | 678 476    | 675 690    |
| 5-9              | 761 366    | 741 610    | 720 459    |
| 10-14            | 793 186    | 791 332    | 786 142    |
| 15-17            | 456 950    | 459 701    | 462 303    |

5. As to the number of child refugees in Mexico, 5 boy refugees and 4 girl refugees were recorded in 2004, out of a total of 72 refugees in Mexico. In 2005 there were 5 boy refugees and 5 girl refugees, out of a total of 131. Detailed information on refugee children for 2004 and 2005, by age group and nationality, can be found in annex II.

2. **In the light of article 4 of the Convention, please provide additional disaggregated data for the years 2004, 2005 and 2006, on budget allocations and trends (in absolute figures and in percentages of the national and regional budgets or GDP) allocated to the implementation of the Convention, evaluating also the priorities for budgetary expenditures given to the following:**

(a) **Education (different types of education, i.e. pre-primary, primary and secondary education)**

6. Public expenditure per pupil increased in real terms at all levels of education between 2001 and 2004: pre-primary by 8.3 per cent, primary by 7.9 per cent and secondary by 8 per cent. Public expenditure per pupil in basic education showed the greatest percentage increases during the current Government's first four years in office, thanks to programmes to enhance quality and equity.

7. In accordance with the Education Act, the Fifth Government Report of President Vicente Fox Quesada allocates 8 per cent of GDP to education, as a six-yearly goal to be attained by 2006.

8. The following table shows expenditure on education for 2004 and 2005 (in millions of pesos).<sup>3</sup>

| Year | National expenditure on education | National expenditure on basic education | Pre-primary (expenditure per pupil) | Primary (expenditure per pupil) | Secondary (expenditure per pupil) |
|------|-----------------------------------|---|-------------------------------------|---------------------------------|-----------------------------------|
|      |                                   |   | Amount                              | Amount                          | Amount                            |
| 2004 | 532 513.2                         | 209 492.3                               | 9.91                                | 8.9                             | 13.8                              |
| 2005 | 581 701.7                         | 224 698.5                               | 10.4                                | 9.4                             | 14.02                             |
| 2006 | No data                           | No data                                 | No data                             | No data                         | No data                           |

9. In 2006, the reallocation of resources to the education sector was in the order of 4 per cent, which means that for 2006 the amount reallocated was 16,579 million pesos, giving a total of 356,923 million pesos.

**(b) Health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health-care services for children)**

10. The following table shows the amount allocated to health expenditure under the Ministry of Health programmes for 2002-2005.

**Ministry of Health**

| Programmes                                  | Millions of pesos |             |             |              |
|---|-------------------|-------------|-------------|--------------|
|   | 2002              | 2003        | 2004        | 2005         |
| “Opportunities” human development programme | 1 816 299.0       | 2 110 800.0 | 3 212 218.9 | 3 767 053.7  |
| People’s health insurance                   | 162 464.7         | 1 043 767.6 | 3 052 460.7 | 8 320 919.9  |
| Groups in vulnerable situations (DIF)       | 254 361.7         | 562 040.5   | 528 165.4   | 652 815.1    |
| Persons with disabilities (DIF)             | 466 283.9         | 262 446.1   | 248 953.7   | 289 602.7    |
| “Equal start in Life”                       | 0.0               | 6 229.7     | 22 772.9    | 27 711.9     |
| Children and young people                   | 180 937.0         | 193 330.7   | 215 531.9   | 247 160.4    |
| HIV/AIDS control and prevention             | 181 186.8         | 364 246.4   | 300 350.0   | 509 315.8    |
| Total                                       | 3 061 533.1       | 4 542 861.0 | 7 580 453.5 | 13 814 579.5 |

11. The following table describes health spending as a proportion of GDP for 2002-2004:

**Health expenditure as a percentage of GDP 2002-2004<sup>4</sup>**

|                | 2002 | 2003 | 2004 |
|----------------|------|------|------|
| Total states   | 2.8  | 3.0  | 3.3  |
| Total national | 2.7  | 2.8  | 3.1  |

**(c) Programmes and services for children with disabilities**

12. The Persons with Disabilities Programme run by the National System for Comprehensive Development of the Family (SNDIF) had a budget of 261,531,038.30 pesos in 2004 and 318,877,125.25 pesos in 2005.

**(d) Support programmes for families**

13. In 2003, SNDIF made some alterations in its programme structure, converting the Social Food Aid for Families Programme into two new programmes: Food Aid for Families in Vulnerable Situations and Food Aid for Vulnerable Persons. The aim of the Social Food Aid for Families Programme is to provide families with direct temporary food aid to alleviate their precarious situation. In 2005, 6.9 million food allocations were made.

14. Food Aid for Vulnerable Persons alleviates vulnerability by distributing food supplies; 7.8 million allocations were made in 2005.

15. Resources for food allocations were reduced between 2000 and 2005, coming down from 22.2 million pesos in 2000 to 14.7 million pesos in 2005. The reason for this is that new food aid strategies have encouraged a gradual shift in resources towards school meals, especially hot meals, and towards provision for at-risk under-fives who are not in school. This was a decision taken by consensus at the national level with the state systems for comprehensive development of the family (SEDIF).

16. At the same time, through the Habitat Programme, the Federal Government offers households in situations of material poverty various possibilities for improving their position. Some of the main achievements in this regard are:

- In 2004:
  - Support for 8,351 urban and social development projects;
  - Assistance to 709,000 poor households in 818 housing estates or priority areas in 173 towns and metropolitan areas in 218 municipalities around the country and 12 districts of the Federal District;
  - Federal allocation of 1,875 million pesos, supplemented by 1,965 million pesos in local allocations.

- In 2005:
  - Support for 11,110 projects;
  - Assistance to 719,000 poor households in 960 housing estates or priority areas in 202 towns and metropolitan areas in 262 municipalities around the country and 16 districts of the Federal District;
  - Federal subsidies of 2,132 million pesos and contributions from local beneficiary governments of approximately 2,150 million pesos.

**(e) Support for children living below the poverty line**

17. The information provided below relates to the main anti-poverty programmes run by the Ministry of Social Development, which include a range of initiatives and support measures designed to improve the welfare of poor families.

**Main family support programmes implemented by the Ministry of  
Social Development: Changes in annual budget  
(thousands of pesos)**

| Programme                                    | 2004         | 2005         |
|--|--------------|--------------|
| “Opportunities” human development programme  | 25 651 700.0 | 31 104 400.0 |
| Rural supply programme, run by DICONSA       | 1 276 754.3  | 1 269 000.0  |
| Social milk supply programme, run by LICONSA | 400 000.0    | 376 800.0    |
| Agricultural day labourers programme         | 130 200.0    | 110 600.0    |
| Habitat programme                            | 1 758 521.8  | 1 914 940.5  |
| Microregions programme                       | 628 242.1    | 563 300.0    |
| Food aid programme                           | 500 000.0    | 500 000.0    |

18. Expenditure on social and human development in the first half of 2005 totalled 414,926.7 million pesos, an increase in real terms of 7.9 per cent over the same period in 2004. Total expenditure on social development as a proportion of GDP increased by 0.2 per cent by the end of September 2005, rising from 10.1 per cent in 2004 to 10.3 per cent in 2005.

19. Of the total amount, 45.5 per cent went to education services; 21.5 per cent to social security-related activities; 18.4 per cent to health; and the remaining 14.6 per cent was used to support the areas of town planning, housing and regional development, drinking water and drainage, and welfare.

20. Resources allocated to poverty eradication in 2005 amounted to 129,408.9 million pesos. This represented a doubling of that budget line compared with expenditure at the start of the Government’s term of office, and an increase in real terms of 13.8 per cent from 2004. As a

percentage of GDP, at 1.6 per cent it was 0.5 per cent higher than in 2000 and 0.2 per cent up on 2004. As of July 2005, expenditure on poverty-eradication programmes accounted for 1.4 per cent of GDP.

21. Per capita expenditure on poverty eradication has increased considerably:

**Expenditure on poverty eradication, Federal and per capita, 2000-2005<sup>5</sup>**

|  | 2000     | 2001     | 2002     | 2003     | 2004      | 2005      |
|--|----------|----------|----------|----------|-----------|-----------|
| Total expenditure<br>(millions of pesos) | 61 122.6 | 69 293.3 | 85 592.3 | 92 176.7 | 109 343.9 | 129 408.9 |
| Per capita expenditure<br>(pesos)        | 607.8    | 680.5    | 830.7    | 884.5    | 1 037.9   | 1 215.7   |

22. In addition, expenditure on the Opportunities Programme, one of the most important in the fight against poverty, has expanded by 152.7 per cent in real terms under the current Government.

**(f) Protection of children who are in need of alternative care including the support of care institutions**

23. Major programmes in this area are the SNDIF-run child development centres and community child welfare centres. The child development centres operate in urban areas via school-based services and reach 45,610 children aged 0-6 in situations of vulnerability, in 501 childcare centres. These services give priority to the children of working mothers not in receipt of childcare benefits. In 2004 and 2005, the centres had a budget of 1 million pesos for 27 states per year.

24. The community child welfare centres operate in rural and marginal urban areas, catering for 76,201 children aged 2-6 in situations of vulnerability in 1,832 centres. They are open to anyone of limited means or living in remote areas who lacks access to childcare, welfare and education services. In 2004, the centres had a budget of 1,637,045 pesos for 23 states, and in 2005, a budget of 1,437,465 pesos for 23 states.

**(g) Programmes and activities for the prevention of and protection from child abuse, child sexual exploitation and child labour**

25. SNDIF has been running its child abuse prevention programme for more than 23 years. Under the programme, complaints may be made either in person or by e-mail and, anonymously, and, where the alleged abuse is substantiated, free social, psychological and legal support is provided to the children victims of this terrible problem, but also to the perpetrators (parents, guardians, etc.). Support is also offered to parents through the school to ensure that, if the abuse occurred within the family, it does not happen again. The programme budget in 2004 was 2,872,100 pesos and in 2005, 1,416,474 pesos.



26. SNDIF also runs a programme for the prevention, monitoring and eradication of the commercial sexual exploitation of children. The aim of this programme is to promote systematic policies and actions for the prevention, monitoring and protection of children either subjected to or at risk of commercial sexual exploitation, with the participation of the three levels of government, public and private institutions and civil society organizations at the national and the international levels. Resources allocated to this programme in 2004 amounted to 12 million pesos and in 2005, 7 million pesos.

27. Through its various programmes on child labour and exploitation, the Ministry of Labour and Social Welfare allocated 1,786,627.18 pesos in 2004; 2,178,916.05 pesos in 2005; and 4,553,040 pesos in 2006. Under the International Programme on the Elimination of Child Labour (IPEC), the ministry earmarked the sum of US\$ 1.9 million for 2003-2005; the allocation for 2006 is US\$ 500,000.

**(h) Programmes and services for street children and abandoned children**

28. SNDIF has had a programme in place since 2001 to care for girls, boys and adolescents on the streets, run under the slogan “From the Streets Back to Life”. This programme was developed to coordinate the efforts of state and civil society organizations working with street children and young people, and their families.

**Prevention and care programme for children and adolescents  
on the streets: “From the Streets Back to Life”  
Outcomes 2003-2005<sup>6</sup>**

| Item                             | 2003   | 2004    | 2005   |
|----------------------------------|--------|---------|--------|
| SMDIF partners                   | 136    | 126     | 79     |
| Civil society organizations      | 83     | 73      | 92     |
| Total beneficiaries              | 30 913 | 80 355  | 27 357 |
| Specific projects                | 128    | 122     | 113    |
| Beneficiaries                    | 18 024 | 261 184 | 21 615 |
| Research                         | 11     | 13      | 7      |
| Beneficiaries                    | 11 438 | 36 711  | 3 916  |
| Education and maintenance grants | 140    | 56      | 113    |

29. Since its launch in 2001, the From the Streets Back to Life programme has launched initiatives which have had a direct impact on the target population: 534 specialized care projects, 48 studies and 14,772 bursaries; in addition, the programme has set up 32 state committees, comprising, across the country as a whole, 31 state systems for the comprehensive development of the family (SEDIF), two financial or second-tier civil society organizations, 102 implementing or first-tier civil society organizations and 150 municipal systems for the comprehensive development of the family (SMDIF).

30. Investment by the Federal Government in the From the Streets Back to Life programme between 2003 and 2005 amounts to 39.1 million pesos, earmarked for the operation of street children’s centres in Mexico City. The amount allocated to the programme in 2004 was 37 million pesos and in 2005, 24,751,430 pesos.

**(i) Juvenile justice**

31. The Minors Council is the body responsible for the administration of juvenile justice in Mexico, and part of the Ministry of Public Security; its budget allocation in 2004 was 50,596,959 pesos for all aspects of its work. A breakdown of the Council's budget can be found in annex III.

32. In addition, the Department for Preventive Measures and Treatment of Minors had a budget of 55,579,909 pesos in 2005, to cover all treatment and detention of minors in Mexico.

**Please also indicate the expenses of the private sector, in particular for health and education.**

33. The Ministry of Education calculates that private-sector expenditure on education in 2004 and 2005 was around 1.7 million pesos per year.

34. As to health spending, the most recent data available go up to 2003, as shown below:

**Private expenditure on health 2000-2003<sup>7</sup>**

|                | 2000          | 2001          | 2002          | 2003          |
|----------------|---------------|---------------|---------------|---------------|
| Total states   | 163 148 205.7 | 191 066 125.3 | 216 617 695.5 | 16 442 615.60 |
| Total national | 163 148 205.7 | 191 066 125.3 | 216 617 695.5 | 244 271 719.0 |

**3. Please provide disaggregated data (by sex, age groups, indigenous and minority groups, urban, rural and remote areas) for the years 2004 and 2005 on the number of children deprived of a family environment and separated from parents.****(a) Separated from their parents**

35. In the cases dealt with by SNDIF and involving couples with children (whether in consensual unions, marriages or open relationships), 80 per cent of the children remain in the mother's care; these are mainly children under the age of 7, as provided by article 282, section V, final paragraph, of the Federal District Civil Code.<sup>8</sup> According to SNDIF data, 5 per cent or less of its total annual caseload relates to children separated from their parents, since minors generally live with their mothers after separation or divorce, and in cases involving single mothers, the majority of children end up in the care of their grandparents or some other relative.

**(b) Placed in institutions**

36. The programme for the provision of comprehensive care for children and adolescents in vulnerable situations (national model centres and private welfare institutions with cooperation agreements with SNDIF) runs two national model care, research and training centres for the very young (childcare centres) in the Federal District, which take children aged 0-6 (or, exceptionally, 8); one national model care, research and training centre (the Graciela Zubirán Villarreal Centre) for girls (6-18); and one national model care, research and training centre for boys (6-18).

37. An annual average of 463 children and adolescents passed through these centres between 2001 and 2005; medical, psychological, educational, social, dental, nursing, speech therapy, rehabilitation and nutrition services were also provided on a total of 5,564,433 occasions (in respect of nutrition, 3,025,406 food allocations were provided).

38. SNDIF has also strengthened its regulatory role under the Social Welfare Act, by concluding cooperation agreements with 11 private welfare institutions or civil society associations which deal with groups that, by virtue of their situation of vulnerability, cannot be catered for by the system's national model centres. SNDIF give such institutions a monthly amount per beneficiary to ensure that beneficiaries receive quality comprehensive care, delivered with warmth.

39. These institutions deal with children and adolescents with conditions such as HIV/AIDS, neuromusculoskeletal disorders, mental retardation (ranging from slight to severe), educational backwardness or behavioural problems, and who in addition are neglected, have been rejected by their families or have no contact or only partial contact with their families, or, where such ties exist, their families lack the financial means or the ability to care for them.

40. These civil society associations catered for an annual average of 130 children and adolescents in the period from 2001 to 2005. The length of stay is not fixed, but depends on the duration of the beneficiary's or the family's situation of vulnerability.

**(c) Placed with foster families**

41. According to information provided by SNDIF, the concept of foster families does not exist in Mexican law. If parents are unable to care for their children, however, they ask another member of the family (the closest relative) to do so.

**(d) Adopted domestically or through inter-country adoptions**

42. In 2004, 973 children were adopted, 100 of them abroad; 291 children with disabilities were put up for adoption. A total of 307 children were adopted in 2005, 16 of them abroad; 121 children with disabilities were put up for adoption. The SNDIF list of inter-country adoptions for 2004-2005 is provided in annex XXVIII.

**4. Please specify the number of children with disabilities, disaggregated by sex, age and indigenous and minority groups, covering the years 2004 and 2005.**

43. The following table provides information from CONAPO on the number of children in Mexico with some form of disability, by age and sex. For information on the number of children with disabilities by state, see annex IV.

| Age   | Total     | Male    | Female  |
|-------|-----------|---------|---------|
| Total | 1 795 300 | 943 717 | 851 583 |
| 0-4   | 44 629    | 24 047  | 20 582  |
| 5-9   | 89 159    | 49 345  | 39 814  |
| 10-14 | 102 181   | 56 135  | 46 046  |
| 15-19 | 91 396    | 51 552  | 39 844  |

**(a) Living with their families**

44. According to INEGI, 7 per cent of Mexican households have occupants with some form of disability (INEGI, 2000). According to information from INEGI for 2000, the prevalence of disability among the Mexican population is 18.4 per thousand inhabitants; for children aged under 10 the figure is 6.1 per thousand in that age group; and for those aged 10-19, 9.3 per thousand.

**(b) In institutions**

45. It is estimated that around 100,000 children with some form of disability are in care nationwide (Ministry of Basic Education, 2005).

**(c) Attending regular schools**

46. According to the twelfth Population and Housing Census (2000), there are 111,274 children aged under 18 with some form of disability in normal schools.

47. That census also revealed that, of the nearly 177,000 children aged between 6 and 14 with disabilities, only 63 per cent attend some form of educational institution; of those 56 per cent are boys and 44 per cent girls. More detailed information on school attendance by type of disability, sex, locality and indigenous group, is given in annex V.

48. This group has the highest school attendance rates of the disabled population as a whole: attendance rates decline as age increases.<sup>9</sup>

| Level of education | No. of pupils |
|--------------------|---------------|
| Nursery            | 611           |
| Pre-primary        | 16 164        |
| Primary            | 212 015       |
| Secondary          | 126 1         |
| Total              | 354 963       |

**(d) Attending special schools**

49. The number of pupils attending multiple care centres (special schools) during the 2004/2005 school year was 95,184.

**Total number of centres for children with disabilities in Mexico<sup>10</sup>**

| Centres                       | 2004  | 2005  |
|-------------------------------|-------|-------|
| Service units                 | 4 242 | 4 342 |
| Special schools               | 70    | 72    |
| Multiple care centres         | 1 321 | 1 352 |
| Training centres              | 31    | 32    |
| Psychoeducational centres     | 14    | 14    |
| Integrated group units        | 16    | 16    |
| Early intervention centres    | 4     | 4     |
| Ordinary school support units | 2 778 | 2 844 |
| Gifted children               | 8     | 8     |

**(e) Not attending any school**

50. According to Ministry of Education calculations, 62,157 children with disabilities did not attend school in 2000. The following table shows the age distribution of the population with disabilities who attend school.

**People with disabilities aged 6-29**

**School attendance or non-attendance by age group and sex, 2000  
(percentages)**

| Sex/age | Total population with disabilities (aged 6-29) | Attend school |            | Do not attend school |            | Unspecified |
|---------|--|---------------|------------|----------------------|------------|-------------|
|         |  | Total         | Percentage | Total                | Percentage |             |
| Male    | 249 199  | 85 207        | 100        | 159 757              | 100        | 4 235       |
| 6-14    | 97 465   | 61 827        | 72.6       | 33 728               | 21.1       | 1 910       |
| 15-19   | 51 552   | 15 609        | 18.3       | 35 137               | 22         | 806         |
| 20-24   | 50 834   | 5 384         | 6.3        | 44 667               | 28         | 783         |
| 25-29   | 49 348   | 2 387         | 2.8        | 46 225               | 28.9       | 736         |
| Female  | 191 092  | 66 943        | 100        | 120 991              | 100        | 3 158       |
| 6-14    | 79 375   | 49 447        | 73.9       | 28 429               | 23.5       | 1 499       |
| 15-19   | 39 844   | 11 994        | 17.9       | 27 268               | 22.5       | 582         |
| 20-24   | 37 610   | 3 943         | 5.9        | 33 084               | 27.4       | 583         |
| 25-29   | 34 263   | 1 559         | 2.3        | 32 210               | 26.6       | 494         |

**5. With reference to child abuse, please provide disaggregated data (by age, sex, indigenous and minority groups and types of violations reported) for the years 2004 and 2005.**

**(a) Number of individual complaints received per year in the last three years**

51. According to SNDIF, 82,717 complaints of child abuse have been submitted in the country as a whole in the past three years. Information on these complaints and their outcomes is given in annex VI.

52. The National Human Rights Commission (CNDH) received 357 complaints in 2005, 157 relating to girls and 200 to boys. In 2004 there were 246 complaints, 97 relating to girls and 149 to boys. In 2003, 183 complaints were received, 79 relating to girls and 104 to boys. More detailed information on the number of complaints in 2003 and 2004 is given in annex VII.

53. The 10 grounds most commonly cited in the 357 complaints received by CNDH in 2005 were the following:

|  |                   |
|--|-------------------|
| Abuse of public authority  | 117               |
| Violation of children's right to physical integrity                | 73                |
| Civil service irregularities                                       | 72                |
| Non-provision or inadequate provision of public health services    | 56                |
| Non-provision or inadequate provision of public education services | 40                |
| Violation of the rights of migrants                                | 31                |
| Arbitrary detention  | 20                |
| Abuse of office  | 20                |
| Cruel or degrading treatment                                       | 20                |
| Medical negligence   | 19                |
| Total  | 468 <sup>II</sup> |

54. In addition, complaints alleging discrimination may be submitted to CONAPRED. The Central Claims and Complaints Office at CONAPRED is responsible for receiving individual complaints and claims and taking appropriate action on cases. Its function is primarily one of conciliation and it has the authority to impose administrative measures.

55. In 2005 CONAPRED received a total of 13 complaints and 19 claims relating to discrimination against children. Annex VIII contains a series of tables providing information on the claims and complaints received by CONAPRED in 2004 and 2005.

**(b) Number and percentage of reports which have resulted in either a court decision or other types of follow-up**

56. Of the 357 complaints received by CNDH in 2005, 37 are still under consideration and 320 have been concluded. The outcomes in the latter cases are as follows:

|  |     |
|--|-----|
| Counselling                                  | 212 |
| Resolved following procedure                 | 66  |
| Complainant showed no interest in proceeding | 13  |
| Amicable settlement                          | 9   |
| Unsubstantiated                              | 8   |
| Complaint withdrawn                          | 4   |
| Complaints merged                            | 4   |
| No jurisdiction                              | 2   |
| Recommendation                               | 2   |

The two recommendations were as follows:

| No.   | Case   | Status                                       | Authority   |
|-------|--|--|---|
| 21/05 | Minor David Erick Aguilera Pérez                         | Accepted with evidence of partial compliance | Ministry of Education   |
| 22/05 | Lilian Sylvana Reyes Espinosa and newborn Reyes Espinosa | Accepted with evidence of partial compliance | Institute of Social Security and Social Services for State Employees (ISSSTE) |

57. Of the total number of complaints submitted to SNDIF in 2004, abuse was established in 22,842 cases and 3,917 complaints were referred to the Public Prosecutor's Office. In 2005 9,027 cases of abuse were established and 1,373 complaints were referred to the Public Prosecutor's Office. In 2004 SNDIF also dealt with 36,609 victims of child abuse out of the total number of complaints received, and 11,541 in 2005. Information on the outcomes of the complaint submitted to SNDIF in 2004 and 2005 can be found in annex VI.

58. The special unit to investigate trafficking in children, undocumented persons and organs (Attorney-General's Office) resolved six cases, and continues to investigate crimes of child pornography at the request of third countries, as well as trafficking in children.

59. Details of the complaints received by CNDH in 2003 and 2004 can be found in annex IX.

**6. Please specify the criteria for "poverty" and indicate the number of children living below the poverty line. Please also specify the support for children living below the poverty line.**

60. Since Mexico did not have a widely accepted official definition of poverty, in 2001 the Ministry of Social Development convened a group of recognized independent national experts to join the Technical Committee for the Measurement of Poverty in Mexico. The Committee suggested that the INEGI national survey of household incomes and expenditure should be used as the primary source of information for the estimation of poverty on the basis of the agreed methodology. The Committee also used as a measure of well-being the income per person revealed in the surveys.

61. The Ministry adopted the methodology suggested by the Committee and in this way, following the criteria of the Committee on the basis of the INEGI national survey in 2000, defined three benchmarks for the classification of the population by level of income. Position on each poverty line is determined by daily income per person; the lines are set above the threshold of one dollar a person a day:

- Food poverty threshold: households in which income per person was less than that considered necessary to cover nutritional requirements, i.e. the equivalent of 15.4 2000 pesos per person per day in rural areas and 20.9 pesos in urban areas;
- Skills development threshold: households in which income per person was less than that needed to meet nutritional requirements (defined as above) plus the income required to cover education and health expenditure, i.e. the equivalent of 18.9 2000 pesos per person per day in rural areas and 24.7 pesos in urban areas;

- Wealth development threshold: households in which income per person was less than that needed to meet nutritional requirements and basic consumption in the areas of health, education, clothing, footwear, housing and public transport, i.e. the equivalent of 28.1 2000 pesos per person per day in rural areas and 41.8 pesos in urban areas.

62. The following tables show percentages of the three poverty thresholds for the child population, initially calculated from the INEGI 2000 survey and updated on the basis of the 2002 and 2004 surveys (Technical Committee for the Measurement of Poverty).

**Children in food poverty as a percentage of total age group**

|      | Aged under 1 | Aged 1-5 | Aged 6-11 | Aged 12-17 | Total aged under 18 |
|------|--------------|----------|-----------|------------|---------------------|
| 2000 | 31.0         | 30.6     | 37.0      | 30.1       | 32.7                |
| 2002 | 26.8         | 27.7     | 29.7      | 25.1       | 27.4                |
| 2004 | 22.9         | 24.2     | 24.7      | 22.1       | 23.6                |

**Children in skills poverty as a percentage of total age group**

|      | Aged under 1 | Aged 1-5 | Aged 6-11 | Aged 12-17 | Total aged under 18 |
|------|--------------|----------|-----------|------------|---------------------|
| 2000 | 39.3         | 40.0     | 46.4      | 38.0       | 41.6                |
| 2002 | 33.8         | 34.9     | 38.2      | 32.3       | 35.1                |
| 2004 | 32.7         | 33.6     | 34.3      | 30.8       | 32.9                |

**Children in wealth poverty as a percentage of total age group**

|      | Aged under 1 | Aged 1-5 | Aged 6-11 | Aged 12-17 | Total aged under 18 |
|------|--------------|----------|-----------|------------|---------------------|
| 2000 | 59.5         | 63.0     | 67.7      | 61.2       | 63.9                |
| 2002 | 59.0         | 63.8     | 65.2      | 59.7       | 62.7                |
| 2004 | 57.9         | 59.6     | 60.2      | 54.3       | 58.0                |

63. As a result of a range of actions taken by the Federal Government to promote the development and care of Mexico's child population, the percentage of people aged under 18 living in food poverty was cut from 33 per cent to 24 per cent between 2000 and 2004. The proportion of those living below the skills poverty threshold declined from 42 per cent to 33 per cent and there was also a significant decrease in the proportion of those living in material poverty, which came down from 64 per cent to 58 per cent.

64. In 2000, 24.2 per cent of Mexico's population was living in food poverty. By 2004 that figure had declined to 17.3 per cent, which means some 5.6 million Mexicans had moved out of extreme poverty. The following table shows trends in poverty in Mexico between 2000 and 2004.<sup>12</sup>



### Poverty in Mexico 2000-2004

| Benchmark      | Area     | Number living in poverty<br>(millions) |      |      | Reduction<br>in numbers<br>2000-2004<br>(millions) | Percentage<br>change<br>2000-2004 |
|----------------|----------|--|------|------|--|-----------------------------------|
|                |          | 2000                                   | 2002 | 2004 |  |                                   |
| Food poverty   | National | 23.6                                   | 20.5 | 18.0 | 5.6  | 23.7                              |
|                | Rural    | 16.1                                   | 13.3 | 10.9 | 5.2  | 32.2                              |
|                | Urban    | 7.5                                    | 7.2  | 7.1  | 0.4  | 5.3                               |
| Skills poverty | National | 31.1                                   | 27.8 | 25.6 | 5.5  | 17.6                              |
|                | Rural    | 19.1                                   | 16.8 | 14.1 | 5.0  | 26.1                              |
|                | Urban    | 12.0                                   | 11.0 | 11.5 | 0.5  | 4.1                               |
| Wealth poverty | National | 52.4                                   | 51.3 | 48.9 | 3.5  | 6.6                               |
|                | Rural    | 26.4                                   | 25.1 | 22.5 | 3.9  | 14.7                              |
|                | Urban    | 26.0                                   | 26.2 | 26.4 | -0.4   | -1.5                              |

65. To provide support to children and young people in poverty, the Ministry of Social Development set up the “Contigo” (“With You”) strategy. One component of that strategy is the “Opportunities” human development programme, which works in the areas of education, health and nutrition, in the last of these running its own food support programmes.

### Opportunities programme by project type 2000-2005<sup>13</sup>

| Item   | 2000    | 2005 <sup>e</sup> |
|--|---------|-------------------|
| Beneficiaries  |         |                   |
| Families (thousands)   | 2 476.4 | 5 000.0           |
| Rural areas  | 2 129.8 | 3 452.5           |
| Semi-urban areas   | 341.6   | 870.2             |
| Urban areas  | 5.0     | 677.3             |
| Municipalities   | 2 166   | 2435              |
| Localities   | 53 232  | 82 993            |
| Project type   |         |                   |
| Education  |         |                   |
| Grants awarded (thousands) <sup>2</sup>  | 2 485.3 | 5 299.0           |
| School kits distributed (thousands) <sup>3</sup>                               | 1 281.6 | 1 846.6           |
| Health <sup>4</sup>  |         |                   |
| Average number of consultations per month<br>(thousands)                       | 1 624.4 | 3 342.9           |
| Training courses given on health, nutrition and<br>hygiene matters (thousands) | 2 004.4 | 2 781.9           |
| Nutrition  |         |                   |
| Food supplements distributed (millions of<br>doses):                           | 555.7   | 561.2             |
| - to children under 5  | 386.7   | 416.5             |
| - to pregnant and breastfeeding women  | 169.0   | 144.7             |

**7. Please provide disaggregated data (by sex, age, indigenous and minority groups, urban and rural areas) covering the years 2004 and 2005 on the:**

**(a) Enrolment and completion rates in percentages of the relevant group in pre-primary schools, in primary schools and in secondary schools:**

66. Enrolment by sex in the school system (millions of pupils):<sup>14</sup>

|               | 2004/2005 |          |          | 2005/2006 |          |          |
|---------------|-----------|----------|----------|-----------|----------|----------|
|               | Total     | Male     | Female   | Total     | Male     | Female   |
| School system | 31 816.9  | 15 953.3 | 15 863.6 | 32 482.1  | 16 313.1 | 16 169.0 |
| Basic         | 24 634.1  | 12 534.2 | 12 099.8 | 25 024.2  | 12 742.1 | 12 282.1 |
| Pre-primary   | 4 086.8   | 2 064.1  | 2 022.7  | 4 524.5   | 2 288.6  | 2 235.9  |
| Primary       | 14 652.9  | 7 503.3  | 7 149.5  | 14 498.3  | 7 419.2  | 7 079.1  |
| Secondary     | 5 894.4   | 2 966.8  | 2 927.6  | 6 001.4   | 3 034.3  | 2 927.1  |

67. Completion rates:

**Education indicators for the implementation of the Convention on the Rights of the Child**

| Indicator           | 2003/2004   |         |           | 2004/2005   |         |           | 2005/2006   |         |           |
|---------------------|-------------|---------|-----------|-------------|---------|-----------|-------------|---------|-----------|
|                     | Pre-primary | Primary | Secondary | Pre-primary | Primary | Secondary | Pre-primary | Primary | Secondary |
| Completion rate (%) |             | 98.6    | 72.5      |             | 99.5    | 75.3      |             | 99.9    | 76.3      |
| Dropout rate (%)    |             | 1.3     | 6.8       |             | 1.3     | 6.3       |             | 1.2     | 5.8       |
| Coverage (%)        | 58.8        | 93.0    | 87.0      | 63.2        | 93.0    | 88.8      | 66.7        | 93.0    | 90.4      |

*Source:* SEP: Historical statistics of the national education system (<http://www.sep.gob.mx/work/appsitel/nacional/index.htm>).

Indicators and forecasts system ([http://www.sep.gob.mx/WB2/sep/sep\\_1418\\_sistemas\\_de\\_indicado](http://www.sep.gob.mx/WB2/sep/sep_1418_sistemas_de_indicado)).

**Indigenous education**

68. Total numbers and percentages of the indigenous population in pre-primary and primary education:<sup>15</sup>

| School year | Total No. of children in pre-primary education | Total No. of indigenous people served by the Central Indigenous Education Office | % of indigenous population aged over 15 without having completed primary education | Enrolment (No. of pupils) |         | Teachers  |         |
|-------------|--|--|--|---------------------------|---------|-----------|---------|
|             |  |  |  | Pre-primary               | Primary | Preschool | Primary |
| 2004/2005   | 4 086 800                                      | 1 298 798  | 49.9   | 343 779                   | 343 779 | 15 054    | 34 911  |
| 2005/2006   | 4 524 800                                      | 1 313 175  | 49.8   | 371 300                   | 371 300 | 16 140    | 34 861  |

69. Total numbers of indigenous pupils enrolled in pre-primary education:<sup>16</sup>

| Age     | First grade of pre-primary | Second grade of pre-primary | Third grade of pre-primary |
|---------|----------------------------|-----------------------------|----------------------------|
| 3 years | 60 359                     | 1 568                       | 28                         |
| 4 years | 134                        | 128 300                     | 2 238                      |
| 5 years | 0                          | 156                         | 149 788                    |
| 6 years | 0                          | 1                           | 1 207                      |

70. Enrolment at boarding schools 2004/2005:<sup>17</sup>

| Schools | Pupils |       |       |        |        |       |        | Staff |
|---------|--------|-------|-------|--------|--------|-------|--------|-------|
|         | 1°     | 2°    | 3°    | 4°     | 5°     | 6°    | Total  |       |
| 1 085   | 5 958  | 8 233 | 9 585 | 10 475 | 10 068 | 8 867 | 53 186 | 3 393 |

71. Enrolment at social integration centres 2004/2005<sup>18</sup>

| Centres | Pupils |     |     |     |     |     |       | Staff |
|---------|--------|-----|-----|-----|-----|-----|-------|-------|
|         | 1°     | 2°  | 3°  | 4°  | 5°  | 6°  | Total |       |
| 26      | 372    | 424 | 596 | 602 | 673 | 604 | 3 271 | 533   |

72. Where the education of migrant children is concerned, the Ministry of Public Education has a primary education programme for migrant girls and boys designed to promote basic education for migrant children, by providing primary education services, in 2006, for all children - boys and girls - of migrant farm-workers through a system of inter-institutional collaboration. Under the coordination of the Ministry of Public Education, the programme operated in the 2004/2005 school year in 15 institutions and 293 educational centres and in the farm-workers' camps and home communities. It served 11,049 migrant children, 49.7 per cent of them girls and 50.3 per cent boys. A total of 623 teachers worked in the programme, supported by 71 classroom assistants, who received training and advice from 34 specialists and 15 coordinators.

73. In 2006, the Federal Government allocated the following resources to these programmes:<sup>19</sup>

| Programme   | 2006             |
|---|------------------|
| National programme for the strengthening of special education and educational integration | \$104 840 398.00 |
| Primary education programme for migrant girls and boys                                    | \$6 235 090.00   |

**(b) Total numbers and percentage of children dropping out of school or repeating years<sup>20</sup>**

|                     | 2004/2005     |              |                 | 2005/2006*    |              |                 |
|---------------------|---------------|--------------|-----------------|---------------|--------------|-----------------|
|                     | Drop-out rate | Failure rate | Completion rate | Drop-out rate | Failure rate | Completion rate |
| Primary education   | 1.7%          | 5.0%         | 89.7%           | 1.6%          | 4.7%         | 91.3%           |
| Secondary education | 7.1%          | 18.4%        | 78.8%           | 6.8%          | 18.0%        | 79.6%           |

74. Annex X contains end-of-year figures for 2003/2004, providing additional information on children completing the school year.

75. The following table provides total figures and percentages on the completion rate, drop-out rate and failure rate for indigenous children:<sup>21</sup>

| School year   | Primary schools with grade 6 | Completion rate | Drop-out rate | Failure rate |
|---------------|------------------------------|-----------------|---------------|--------------|
| 2004/2005 (1) | 8 495                        | 84.6            | 3.0           | 9.2          |
| 2005/2006 (2) | 8 712                        | 86.2            | 3.0           | 9.2          |

**(c) Total number and percentage of children not attending school**

76. The school attendance rate between the ages of 3 and 14 (covering pre-primary, primary and secondary levels) in the 2003/2004 school year was 88.09 per cent, indicating almost universal coverage. In the school year 2004/2005 it increased further, to 90.25 per cent. Further information on educational coverage, disaggregated by sex, may be found in annex XI.

77. Children in Mexico not attending school constitute 10 per cent of the population of school-going age: 9 out of every 10 children (aged between 6 and 14) attend school and access to education, according to the National Institute of Statistics, Geography and Information Technology (INEGI), is most limited in the rural areas.<sup>22</sup> In the country as a whole, of all children aged between 15 and 19, 47 per cent are attending school and 53 per cent not.<sup>23</sup>

**Percentage of children in school<sup>24</sup>**

| Level                        | Coverage  |           |
|------------------------------|-----------|-----------|
|                              | 2002/2003 | 2003/2004 |
| Pre-primary                  |           |           |
| Aged 3 in childcare          | 20.6      | 22.1      |
| Aged 4 in childcare          | 63.2      | 66.4      |
| Aged 5 in childcare          | 81.4      | 85.8      |
| Aged 3, 4 and 5 in childcare | 55.5      | 58.6      |
| Primary                      | 93.1      | 93.0      |
| Secondary                    | 85.6      | 87.0      |

**(d) Teacher-pupil ratio**

78. The following table shows the teacher-pupil ratio in percentage terms for the years 2003-2005. Annex XII provides more details on the ratio between pupils, teachers and schools, in the statistics for the start of the school year prepared by the Ministry of Public Education.

**Pupil-teacher ratio**

|                        | 2003/2004 | 2004/2005 |
|------------------------|-----------|-----------|
| Pre-primary            | 23.7      | 24.1      |
| Indigenous pre-primary | 23.6      | 24.8      |
| Primary                | 27.1      | 26.8      |
| Indigenous primary     | 28.7      | 28        |
| Secondary              | 22.9      | 22.7      |

*Source:* Ministry of Public Education.

- 8. Please provide disaggregated statistical data (by sex, age groups, indigenous and minority groups, urban, rural and remote areas) on infant and child mortality and malnutrition, early pregnancy, sexually transmitted diseases (STDs), mental health, suicide, drug use, and alcohol and tobacco abuse for the years 2004 and 2005. Please also provide numbers of health professionals working in the health-care services for children.**

**Infant mortality**

79. The most recent official figures on mortality in Mexico relate to 2004, since the database for deaths is only finalized 10 months after the year to which the data relate.

80. During 2004, official records show a rate of 15.7 deaths among infants of up to 1 year in age for every thousand births, representing a drop of 13.7 per cent by comparison with the figures for 2000 (18.2 deaths among infants of up to 1 year in age for every thousand births). It should be stressed, however, that estimates by the National Population Council (CONAPO) on the actual extent of child mortality in Mexico, including adjustments for under-registration, show that, in 2004, child mortality was 19.7 deaths for every thousand births, showing a decrease of 15.5 per cent by comparison with the estimates for 2000 (23.3 deaths among children of up to 1 year in age for every thousand births).

81. Mortality figures for children aged up to 5 show that the number of deaths in this age group fell by 15.8 per cent during the period 2000-2004 (in 2004, there were 24.0 deaths for every thousand births, as against an estimated 28.5 deaths for every thousand births in 2002). Mortality among children aged up to 5, however, represents 85 per cent of all child deaths, with the main causes of death being infections acquired during the perinatal period, congenital malformations, deformities and chromosomal anomalies.

82. The drop in the mortality rate for children aged up to 5 indicates that, if the trend observed during recent years is maintained, it will be feasible to attain the target set in the Millennium Development Goals of reducing the under-five mortality rate by two thirds between 1990 and 2015.
83. More detailed information on child mortality rates in Mexico, disaggregated by age, urban and rural area and cause of death, may be found in annex XIII.
84. Public health measures for the under-fives have led to a substantial drop in mortality from intestinal infections and from acute respiratory infections, which, in 1990, featured among the primary causes of death in this population group. In the case of intestinal infections, over the period from 2000 to 2004, the mortality rate for children under 5 was cut by 28.6 per cent (from 30.4 to 21.7 per 100,000 children), while that for acute respiratory infections dropped by 14.7 per cent (from 51.6 to 44.0).

### **Malnutrition**

85. In 2004, SNDIF published the results of its fourth national height census, investigating the nutritional status of children in grades 1-6 of primary education. The study shows a countrywide decline in the number and prevalence of under-height children, which dropped from 17.9 per cent in 1994 to 8.9 per cent in 2004.
86. Where children aged 6, 7 and 8 are concerned, the under-height rates are 7.4 per cent, 15.2 per cent and 26.5 per cent, respectively. Where the sex of the children is concerned, more boys than girls are under-height, with overall rates of 9.99 and 7.78 per cent, respectively.
87. The greatest prevalence of under-height children is found in the rural areas, with a rate of 17.3 per cent, while in urban areas the rate is only 5.8 per cent. The malnutrition rate among indigenous groups stands at 40.4 per cent, affecting more girls than boys (97,793 and 39,510, respectively).
88. The food aid provided by the state systems for comprehensive development of the family has a certified nutritional value complying with the official standard NOM-169-SSA1-1998, for the high-risk groups social food assistance programme, which has established that food aid must constitute between 20 and 53 per cent of all daily food needs, according to the population group. The aim is to prepare 766 separate school meal menus in 2005, providing on average 472 kilocalories and 18 grams of protein per meal, representing 24.84 per cent of the recommended daily intake for preschool and school-age children.
89. In 2001, nine state systems were conducting quarterly quality controls by submitting samples for analysis by laboratories accredited with the Mexican accreditation authority (EMA); in 2005, 25 state systems were conducting such controls, representing a threefold increase over the administrative period 2000-2006. It is essential, however, that all the state systems for comprehensive development of the family should eventually conduct such quarterly controls.

90. SNDIF also runs a school meals programme, through which it aims to provide hot or cold meals to children suffering from malnutrition or at risk, at various levels of public preschool and primary education, focusing mainly on indigenous, rural, and marginal urban areas.

91. The average number of daily meals distributed under the school meals programme rose from 4.5 million in 2000 to 5.6 million in 2005. This increase is primarily due to the focus placed on indigenous areas, where large numbers of children have benefited from the programme: in 2005, the programme reached 1.1 million indigenous children.

92. Similarly, when SNDIF initiated its new programme structure in 2004, the state systems launched their programme for children under 5 at risk and not attending school (AM5A), to provide food rations intended to boost the nutritional status of children in indigenous, rural and marginal urban areas who were not receiving food aid from any other programme. Over the period 2004/2005, food aid for beneficiaries of the AM5A programme was increased from a level of 51.7 to 59 million rations.

### Early pregnancy

93. According to latest estimates by CONAPO, and based on the general population and housing census of 2000, the number of childbirths by adolescent mothers aged between 15 and 19 dropped from 315,869 in 2000 to 247,668 in 2005, representing a decrease of 21.6 per cent. Accordingly, the specific fertility rate of this population group dropped from 60.5 births per thousand in 2000 to 46.4 births per thousand in 2005. At the same time, the use of birth control by girls aged between 15 and 19 increased from 5.49 per cent in 2002 to 5.68 per cent in 2005.

94. The following tables provide more detailed statistics on this issue.

### Fertility among girls aged between 15 and 19

#### Mexico 2000-2004<sup>25</sup>

| Year | Births (thousands) | Specific fertility rate* |
|------|--------------------|--------------------------|
| 2000 | 315 869            | 60.4                     |
| 2004 | 259 257            | 48.8                     |

### Ministry of Health figures showing the numbers of adolescent girls using birth control as a proportion of all women using birth control

#### Mexico 2000-2005<sup>26</sup>

| Year | Total  | Girls under 20 | Girls under 20 as percentage of total |
|------|--------|----------------|---------------------------------------|
| 2002 | 2 847  | 156            | 5.49                                  |
| 2003 | 2 981  | 169            | 5.69                                  |
| 2004 | 3 100  | 181            | 5.84                                  |
| 2005 | 3 224* | 183**          | 5.68                                  |

### **Sexually transmitted diseases**

95. As is the case with the population as a whole, for young Mexicans trichomoniasis represents the principal form of sexually transmitted infection or infection transmitted between mother and child. In 2003, trichomoniasis infection rates rose to 12.7 cases for every 100,000 children aged under 14, while for children and young people aged between 15 and 24 the figure was 213.5 per 100,000. It should be noted, however, that while since 2000 there has been a steady increase in the trichomoniasis infection rates among children under 14 (4.7 cases per 100,000), among children and young people aged between 15 and 24 the infection rate has remained below 251 cases per 100,000 over the last four years.

96. Congenital syphilis, human papiloma virus and hepatitis B have maintained their place as the second most widespread source of sexually transmitted infection among children aged under 14, with levels fluctuating since 2001 between 0.3 and 0.4 cases per 100,000 children in this age group (with a total infection rate of 1.0 per 100,000).

97. Among children and young people aged between 15 and 24, human papiloma virus represents the second most widespread course of sexually transmitted infection. In 2003, 16.8 cases of the virus were registered for every 100,000 young people in this age group, representing an increase of 73 per cent over the rates recorded in 2000 (9.7 cases per 100,000). Where other forms of sexually transmitted infection are concerned, for people aged between 15 and 25 rates have remained below 5 cases per 100,000, with a perceptible decline in the number of cases of gonorrhoea, genital herpes and chancroid, with infection rates of 2.8, 2.2 and 1.0 cases per 100,000, respectively, for young people in this age group.

98. In 2003, the HIV/AIDS and other sexually transmitted infection rates were estimated at 13.3 per 100,000 young people aged between 15 and 24, while in 2000 this rate had stood at 14.8, thus representing a decline of slightly more than 10 per cent, primarily due to the decline in the number of cases of gonorrhoea and genital herpes.

### **Mental health**

99. Where mental health is concerned, the Comprehensive Mental Health Care Centre (CISAME), which falls under the National Mental Health Council of the Ministry of Health, is the only body in the country offering specialized outpatient mental health care for children. In 2005, the centre attended to 32,070 children and, in 2004, to 31,990. Countrywide, there are 37 psychiatric care and mental health centres, 31 of these are psychiatric hospitals, 5 are community mental health centres and 1 is the above-mentioned Comprehensive Mental Health Care Centre. In the country as a whole, there were 667 mental health professionals in 2005. More detailed information on the type of consultations provided in 2004 and 2005 and the profiles of the mental health professionals working in the country may be found in annex XIV.

### **Suicides**

100. The table below provides statistics on suicides in 2004 by children aged between 10 and 17.<sup>27</sup>



**Suicides of children aged between 10 and 17, by sex and age group**

| 2004             |       |            |      |            |       |            |
|------------------|-------|------------|------|------------|-------|------------|
| Age group        | Total | Percentage | Boys | Percentage | Girls | Percentage |
| 10-17            | 419   | 10.2       | 276  | 8.0        | 143   | 21.1       |
| 10-14            | 148   | 3.6        | 98   | 2.9        | 50    | 7.4        |
| 15-17            | 271   | 6.6        | 178  | 5.2        | 93    | 13.7       |
| Residential area | Total |            |      |            |       |            |
| Total            | 419   |            |      |            |       |            |
| Rural            | 105   |            |      |            |       |            |
| Urban            | 305   |            |      |            |       |            |

**Drug use**

101. According to the national drug addiction survey conducted in 2002, an estimated 215,634 children aged between 12 and 17 (representing approximately 16 per thousand of the total population of this age group) had used illegal drugs at least once in their lives, of whom 77.7 per cent were boys and 22.3 per cent girls.

**Alcoholism**

102. Where alcohol is concerned, 25.7 per cent of the population surveyed (children aged between 12 and 17) admitted to being regular drinkers, with the rate in urban areas nearly double that in rural areas (30.1 per cent, as against 14.4 per cent).

**Tobacco**

103. Some 9 per cent stated that they smoked.

**Vaccination**

104. In 2004, the influenza vaccination was included in the basic vaccination programme for under-fives. In the first phase, 1.8 million children aged between 6 and 23 months benefited from the programme. Accordingly, since 2004, the vaccination programme includes 11 immunogens protecting infants from poliomyelitis, diphtheria, whooping cough, tetanus, hepatitis B, such invasive infections as *Haemophilus influenzae b*, tuberculous meningitis, measles, rubella, mumps and influenza.

105. Full vaccination coverage for babies under 1 year of age rose to 94.4 per cent in 2000 and passed 95 per cent in 2003 and 2004. For children aged between 1 and 4, vaccination coverage rose from 98.0 per cent in 2000 to 98.2 per cent in 2002.

106. The vaccination campaign has had a far-reaching effect, as poliomyelitis has been eradicated in Mexico since 1990 and diphtheria since 1991. At the same time, other illnesses, such as measles, whooping cough, mumps and rubella, have been brought under control. In addition, in Mexico neonatal tetanus has been brought below the elimination criterion set by the World Health Organization: less than one case per 1,000 live births in every health district.

### Health professionals

107. Mexico's social security institutions estimate that there is an average of 1.5 doctors per thousand inhabitants, including general practitioners, specialists, residents, medical interns and dentists, who are in direct contact with their patients; in the case of people with no access to social security, however, this ratio is only slightly above one to a thousand.

**9. Please provide disaggregated statistical data (including by sex, age group, indigenous and minority group, urban, rural and remote areas) on children infected or affected by HIV/AIDS.**

108. In 2004, the registration rate of new cases of HIV infection for children under 14 was 3.4 per million, representing a drop of 39.7 per cent from the 2000 rate for this population group (5.7 per million). With children and young people between 15 and 24, however, there was an increase of 32 per cent, as the registration rate of new HIV cases was 46.6 per million, as against 35.1 per million in 2000.

109. The estimated rate of new AIDS cases among children under 15 for the period 2000-2002 was approximately 5.4 per year per million. The rate for children and young people between 15 and 24 dropped slightly, from 48.8 per million in 2000 to 40.9 per million in 2002.

110. Until 2004, perinatal transmission remained the main cause of AIDS infection in children under 15, accounting for 81.4 per cent of all reported AIDS cases in this age group since the emergence of this disease. It should be noted, however, that in recent years the prevalence of HIV/AIDS among pregnant women has remained stable at 0.09 per cent, owing to the national policy of providing anti-retroviral treatment free to all pregnant women. It is anticipated that this will also lead to a decline in the number of new HIV and AIDS cases due to perinatal transmission.

111. In 2004, among young people aged between 15 and 24, the primary pathway for the transmission of AIDS has been sexual activity, accounting for 94.3 per cent of all AIDS cases, with certain significant differences between men and women. Among women, transmission has been primarily through heterosexual activity (91 per cent), while among men, homosexual relations have been the primary source of transmission (61 per cent).

**Prevalence of AIDS and sexually transmitted infections  
among young people aged 15-24, Mexico 2000-2004<sup>28\*</sup>**

| Indicator   | 2000 | 2001 | 2002 | 2003 | 2004 |
|---|------|------|------|------|------|
| Prevalence of AIDS and STDs among 15-24-year-olds | 14.8 | 12.2 | 11.1 | 10.3 | 11.2 |

112. Where prevention is concerned, over the period 2000-2005 some 4 million media spots have been broadcast across the country: 3,658,879 by radio and 301,170 by television. At the same time, handouts and leaflets supporting the prevention campaigns have been prepared and disseminated through the 52 state-level programmes for HIV/AIDS and STD prevention, civil society organizations working with young people and other Mexican institutions.

**10. Please provide appropriate disaggregated data (including by sex, age, indigenous and minority groups, and type of crime) for the years 2004 and 2005, in particular on the number of:**

**(a) Persons below 18 who have allegedly committed a crime, reported to the police**

113. The following table sets out the number of criminal investigations of reported offences by persons below 18 and the number of minors in conflict with the law in 2004, based on information provided by the Ministry of Public Security.

**Minors in conflict with the law<sup>29</sup>**

| Period                 | Male  | Female | Total |
|------------------------|-------|--------|-------|
| August-December 2003   | 3 065 | 297    | 3 362 |
| January-September 2004 | 6 080 | 340    | 6 420 |

**Preliminary investigations referred to the Office of Juvenile Commissioners, with or without the detention of minor suspects, 2005<sup>30</sup>**

| Procedure                 |                            | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec.  | Total |
|---------------------------|----------------------------|------|------|------|------|-----|------|------|------|-------|------|------|-------|-------|
| Preliminary investigation | Without detention of minor | 227  | 201  | 252  | 284  | 221 | 264  | 242  | 223  | 207   | 226  | 244  | 218   | 2 809 |
|                           | With detention of minor    | 264  | 293  | 304  | 277  | 270 | 334  | 343  | 316  | 299   | 316  | 318  | 269   | 3 603 |
| Total                     |                            |      |      |      |      |     |      |      |      |       |      |      | 6 412 |       |

**(b) Persons below 18 who have been sentenced and type of punishment or sanctions related to offences including length of deprivation of liberty**

114. During 2005, 57,890 minors were referred to the Federal District Minors' Council for offences of various kinds. Proceedings were instituted against 29,266 of these, and in 22,438 cases a final ruling has been handed down. The table in annex XV provides more detailed information on the types of punishment ordered over the period 2004-2005.

**(c) Detention facilities for juvenile offenders (under 18) and their capacity**

115. In Mexico the authority responsible for juvenile diagnostic and detention centres is the Ministry of Public Security and, more specifically, its Department for Preventive Action and the Treatment of Minors (DGPTM). Across the country, there are 54 detention centres for minors, as listed in annex XVI.

116. The Department operates five residential treatment centres and one external treatment centre. Currently, there are 633 minors undergoing various kinds of treatment in the residential centres, 4.58 per cent of whom are girls and 95.42 per cent boys. Of this total figure, 351 are between 14 and 17 and 282 are 18 years of age. Of the 633 minors undergoing residential

treatment, 5 were admitted for offences relating to sexual abuse, 1 for breaking and entering, 18 for health-related offences, 1 for extortion, 113 for murder, 8 for bodily injury, 427 for property-related offences, 4 for carrying prohibited weapons, 29 for illegal deprivation of liberty and 27 for rape.

117. Where external treatment measures are concerned, the Interdisciplinary External Treatment Centre currently has 1,943 minors on its books, who remain under the supervision and responsibility of their parents and guardians and attend therapy sessions at the centre in accordance with treatment programmes drawn up for the group to which they have been assigned.

118. Residential treatment measures are the responsibility of a specialized interdisciplinary team, comprising specialists in the fields of medicine, psychology, education, social work, psychiatry and vocational training.

119. Treatment periods differ: external treatment lasts between six months and one year, while for residential treatment, the minimum period is six months and the maximum five years. It should be noted that treatment does not stop when the minor reaches majority age. The treatment programmes cover moral guidance and a range of educational, vocational, training, cultural, therapeutic and support activities. Furthermore, the treatment is comprehensive, staged and interdisciplinary and, while targeted at the young offenders themselves, always endeavours to secure the unconditional support of their families.

120. The *Girls' Diagnosis and Treatment Centre (CDTM)* is responsible for administering residential treatment measures for girl offenders. On average, this centre has between 20 and 40 inmates, and can accommodate up to 60. The young offenders are housed in accordance with a range of criteria, depending on their physical, psychological and social characteristics.

121. The centre has the necessary facilities for the girls to engage in the daily programmes prescribed under their treatment regimes and takes in girls from the ages of 11 to 18. Management of the centre is particularly complex, given the emotional problems contingent on the young age of the inmates and the fact that many of them have been abandoned or thrown out by their families.

122. The *Minors' Comprehensive Development Centre (CDIM)* is responsible for administering residential treatment measures primarily for child offenders who, at the time of their admission, were between 11 and 15 years of age. On average, this centre has between 40 and 60 inmates and a total capacity of 60. The child offenders are housed in accordance with a range of criteria, depending on their physical, psychological and social characteristics.

123. The centre was designed in such a way as to prevent children developing aberrant behaviour tendencies under the influence of older and more dominant children. Management of this centre is also complex, given the young age of its inmates, with the emotional problems contingent on their age and the fact that most of them come from broken homes.

124. The *Dr. Alfonso Quiroz Cuarón Special Care Centre (CAEQC)* is responsible for administering detention and residential treatment measures for young offenders who, in terms of their personality, demonstrate a high degree of social dysfunction and a marked propensity for anti-social behaviour. The centre can accommodate up to 12 boys.

125. The *Community Reeducational Residential Treatment Centre (CTR)* is responsible for administering residential treatment measures, primarily for boys who, by reason of good behaviour, their character traits and favourable prognosis, are likely to derive full advantage from the benefits of the institution. The centre currently has between 20 and 30 inmates, and can accommodate up to 42.

126. The *Boys' Treatment Centre (CTV)* is responsible for administering residential treatment for boys between the ages of 15 and 18. On average, the centre houses between 500 and 550 boys, while it is designed to accommodate a maximum of 450; the inmates are housed in accordance with the physical, psychological, medical and social characteristics in one of the three wings constituting the centre as follows:

- *Wing 1:* houses between 220 and 250 boys, aged 17 and above, considered to be of medium risk;
- *Wing 2:* houses between 220 and 240 boys, aged between 14½ and 17, but of smaller stature. Boys in this wing are considered to be of lower risk than those in the first wing;
- *Wing 3:* houses between 50 and 100 boys considered to be of high risk, because of their pronounced antisocial character traits, their age and their physical and psychological make-up.

127. The *Interdisciplinary External Treatment Centre (CITE)* is responsible for exercising supervision over boy and girl offenders, aged between 11 and 18, who have committed minor offences, continue to receive the support of their families and remain in full-time education or vocational training. This centre applies specialized systems and methods, with elements from a range of relevant sciences, special fields and disciplines, based on a diagnostic analysis of the young offender's personality, with a view to ensuring his or her full social adaptation. The centre does not have accommodation facilities.

**(d) Persons below 18 detained in these facilities and persons below 18 detained in adult facilities**

128. The following table shows the numbers of minors receiving treatment at the various residential centres.<sup>31</sup>

| Centre                                 | Boys' Treatment Centre |               | Girls' Diagnosis and Treatment Centre |               | Minors' Comprehensive Development Centre |               | Dr. Alfonso Quiroz Cuaron Special Care Centre |               | Community Re-educational Residential Treatment Centre |               |
|--|------------------------|---------------|---------------------------------------|---------------|--|---------------|---|---------------|---|---------------|
|  | Under 18               | 18 and over** | Under 18                              | 18 and over** | Under 18                                 | 18 and over** | Under 18                                      | 18 and over** | Under 18  | 18 and over** |
| Number of children receiving treatment | 306                    | 243           | 15                                    | 18            | 35                                       | 3             | 0   | 14            | 17  | 7             |
| Total                                  | 549                    |               | 33                                    |               | 38                                       |               | 14  |               | 24  |               |

**(e) Persons below 18 kept in pretrial detention and the average length of their detention**

129. As determined by the State Attorney's Office, minors may appear as detainees before the Public Prosecutor's Office for offences of a federal nature and may only be held for a maximum of 48 hours. The following table shows the numbers of minors held in pretrial detention in 2004 and 2005.

| Year | Boys: health-related offences | Boys: various offences | Girls: health-related offences | Girls: various offences | Total |
|------|-------------------------------|------------------------|--------------------------------|-------------------------|-------|
| 2004 | 155                           | 61                     | 15                             | 6                       | 237   |
| 2005 | 166                           | 31                     | 10                             | 6                       | 213   |

130. The principal function of the diagnosis centres is to carry out, promptly and in an appropriate manner, the necessary medical, psychological and social studies to determine the personality traits and make-up of the young offenders, with a view to developing individualized treatment programmes designed to ensure their social rehabilitation.

131. The *Girls' Diagnosis and Treatment Centre (CDTM)*, described in paragraph 120 above, provides residential treatment for girls over 11 and under 18 with a propensity to commit offences for periods of between 22 and 30 working days.

132. The *Boys' Diagnosis Centre (CDV)* is responsible for administering detention procedures for boys aged over 11 and under 18. The centre takes in boys who are undergoing residential treatment measures, keeping them for periods of between 22 and 30 working days; it can accommodate up to 161 boys in dormitories sleeping 23 each.

133. The following table shows the number of children receiving attention in the country's diagnosis centres in 2005.<sup>32</sup>

| Centre                                 | Girls' Diagnosis and Treatment Centre | Boys' Diagnosis Centre |
|--|---------------------------------------|------------------------|
| Number of children receiving attention | 12                                    | 302                    |
| Total                                  | 314 children                          |                        |

**(f) Reported cases of abuse and maltreatment of persons below 18 occurred during their arrest and detention**

134. According to the National Human Rights Commission, in 2005, 21 complaints regarding such matters were lodged, 16 concerning boys, 4 concerning girls and 1 in which the injured parties were a girl and a boy. In 2004, 19 complaints were lodged, 13 relating to boys and 3 to girls.

**11. With reference to special protection measures, please provide statistical data (including by sex, age, urban or rural area) for the years 2004 and 2005 on:**

**(a) The number of street children and children involved in sexual exploitation, including prostitution, pornography and trafficking**

135. On the issue of street children, according to the second study on girls, boys and adolescents in 100 towns in 2002-2003, prepared in 2003 by UNICEF and SNDIF, in the period 2002-2003 there were 114,497 children at risk of becoming street children (including those already on the streets). Of those, 34,248 were girls and 80,249 boys; 13,932 were aged between 0 and 5 and 100,565 between 6 and 17. Adding the street children of the Federal District (14,322), the total comes to 128,819. Through its programme "From the Streets Back to Life", in 2004, SNDIF attended to the needs of 80,355 children living on the streets and in 2005, to 27,357 such children.

136. According to the study entitled "Stolen Childhood", carried out in 2001 by SNDIF, UNICEF and the Social Anthropology Research Centre (CIESAS), at that time more than 16,000 boys and girls were being sexually exploited for commercial gain.

**(b) The number of children involved in sexual exploitation who received rehabilitation treatment**

137. In 2005, SNDIF inaugurated the country's first centre providing comprehensive care for the victims of the commercial sexual exploitation of children, which, since its establishment, has attended to the needs every month of some 100 children at high risk of exploitation, providing services in the areas of social work, clinical psychology, educational psychology, medical attention, dental care, sports activities and nutrition.

138. In addition, Puerto Vallarta municipality operates a hostel for children at risk of ending up on the streets, designed to offer a safe haven where their immediate food, accommodation and educational needs are met, with the provision of recreational, sports and cultural activities, psychological care, social work and medical attention. It should be noted here that, while the hostel is not exclusively intended for the victims of commercial sexual exploitation, it will, as a first resort, be able to provide immediate care for children in such situations. In addition, the municipality has set up a technical municipal committee to eradicate the commercial sexual exploitation of children in the municipality; the committee has a membership of 18, representing nine government bodies.

139. Besides this, the Baja California state system for comprehensive development of the family keeps a register with data on 179 children who are either the victims of commercial sexual exploitation or at high risk of so becoming, and who are being assessed and attended to through the implementation of a comprehensive care programme.

**(c) Number of children involved in child labour (formal and informal sectors)**

140. In 2005, a total of 13,972,782 children aged between 12 and 17 were registered, 6,987,749 of them girls and 6,985,033 boys. Of this total, 10,136,348 were from urban areas and 3,836,434 from rural areas and 1,745,991 were in employment.<sup>33</sup> The tables in annex XVII provide further details, including a breakdown by sector.

141. According to the findings of the SNDIF second study on child and young workers in 100 towns in 2002, there are 94,795 boys and girls working in the country's main cities, of whom 65.2 per cent (61,803) are boys and 34.8 per cent (32,992) girls.

**(d) Number of unaccompanied minors, asylum-seeking and refugee children, as well as internal and transnational migrants**

142. According to the National Institute for Migration (INM), in 2004 there were 39,690 registered cases of Mexican children being repatriated, either alone or accompanied. Of these, 13,481 unaccompanied children were channelled to the various public and private institutions making up the network of transit hostels, and also to other institutions. In 2005, there were 44,727 cases of minors being repatriated, and 22,055 of these were channelled to institutions. Annex XVIII provides information disaggregated by sex and state on the number of minors repatriated during the period 2002-2005.

143. Where refugee children in 2004 and 2005 are concerned, the relevant information may be found in the reply to question 1, paragraph (b), in the first part of the questionnaire.

144. *Inter-agency programme for the care of border-area children:* this was launched 10 years ago through a coordinated effort by public and private entities concerned with the welfare of border-area children<sup>34</sup> - boys and girls, migrants and returnees - as a joint undertaking by SNDIF, the Ministry of Foreign Affairs and INM. Thanks to collaborative efforts between SNDIF and all the states and municipalities of the country's northern and southern border areas, care was provided in 2005 to 18,392 migrant and returnee boys and girls, through the programme's network of public and private hostels.

145. The Ministry of Social Development operates an agricultural day-labourers' programme, designed to promote better living and working conditions for casual farm workers and their families. In 2004, through 10,848 projects, the programme helped provide housing, food, health care, education, employment and legal services to a total of 578,759 persons, 158,994 of them women, 210,823 men and 208,942 children under 14. The projects were implemented in 1,315 work units situated in 257 different municipalities and 18 different states.



146. Also in 2004, projects were implemented and placed on a sound footing to provide vocational services for casual farm workers' children aged under 14 who were not attending school. Under these projects, efforts were made to build new schools, leisure centres and day-care centres and to renovate and refurbish existing ones and to promote implementation of the system of children's care and schooling centres.<sup>35</sup> In addition, special social welfare projects for the children of casual farm workers were strengthened: these include the children's care and schooling centres, a programme for children in especially difficult circumstances in rural areas (PAMCEDAR) and a project to promote the exercise of the rights of children of agricultural day-labourers (PROCEDER).

**(e) Number of children living in prisons with their parents**

147. According to the special report on the human rights situation of detainees in children's detention centres in Mexico, issued on 8 July 2003 by the National Human Rights Commission (CNDH), at that date there were 4,496 boys and 257 girls in detention; of those, 123 were indigenous and 20 foreign. The report also stated that 13 girls were pregnant, 4 others had their children living with them in the detention facility. It should be noted that submission of this report contributed to efforts to ensure the revision of article 18 of the Political Constitution of the United States of Mexico, the revised version of which was published in the Official Gazette on 12 December 2005.

**12. Please provide data on the number of children who have been affected, directly or indirectly, by violence, armed conflict or militarization of certain areas and provinces during the period covered by the third periodic report. Please also indicate the amount of financial resources allocated for their physical and psychological recovery and social reintegration.**

48. The following table indicates the approximate number of children directly or indirectly affected by the 1994 conflict and violence in Chiapas.<sup>36</sup>

| 2004 |       |       | 2005 |       |       |
|------|-------|-------|------|-------|-------|
| Boys | Girls | Total | Boys | Girls | Total |
| 917  | 917   | 1 834 | 254  | 254   | 508   |

149. Registered numbers of internally displaced persons in Mexico are higher in those states where the population is more marginalized, the population density is higher and there is a greater proportion of indigenous people. Such States are Guerrero, Oaxaca and Chiapas. The table below indicates the approximate numbers of children displaced in Chiapas during 2004 and 2005.<sup>37</sup>

| 2004 |       |       | 2005 |       |       |
|------|-------|-------|------|-------|-------|
| Boys | Girls | Total | Boys | Girls | Total |
| 917  | 917   | 1 834 | 254  | 254   | 508   |

150. Over the same period, the following funds were allocated for displaced persons in Chiapas.

| 2004          | 2005          |
|---------------|---------------|
| 15 490 000.00 | 12 971 415.27 |

151. In 2004, these funds were used to buy land, to build housing, to acquire plots, to clear roads and to install drinking water supplies. In 2005, they were used to buy land and build housing. Funds allocated for returnees (former refugees) in 2005 totalled \$5,517,644.00 pesos, earmarked for the purchase of land.

### **B. General measures of implementation**

**1. Please provide specific information on those recommendations contained in the Committee's previous observations (CRC/C/15/Add.112) which have not yet been fully implemented, in particular those related to:**

**(a) Harmonization of federal and state legislation with the provisions of the Convention (para. 10)**

152. SNDIF operates two childcare centres (0-6 years) and two children's shelters, one for girls and one for boys (7-18 years). Efforts are made in these establishments to provide an ambience as close as possible to a family environment. In addition, the children receive medical and psychological care, receive meals, attend educational classes and engage in recreational activities. To provide these services, the establishments enlist the services of doctors, nurses, nutritionists, psychologists and teachers on a full-time basis.

153. SNDIF has four model childcare centres for children who, for a range or reasons, no longer live with their parents:

1. Coyoacan "Casa Cuna" National Model Investigation and Rehabilitation Centre (0-6 years), providing care for 43 girls and 50 boys;
2. Tlalpan "Casa Cuna" National Model Child-Care, Investigation and Rehabilitation Centre (0-6 years), providing care for 30 girls and 45 boys;
3. "Graciela Zubirán Villarreal" National Model Child-Care, Investigation and Rehabilitation Hostel for Girls (7-18 years), providing care for 175 girls;
4. National Model Child-Care, Investigation and Rehabilitation Hostel for Boys (7-18 years), providing care for 107 boys.

**(b) Data collection (para. 13)**

154. One of the main challenges facing the Mexican Government and to which attention has been drawn by such civil society organizations as the Network for Children's Rights and the Citizens' Observatory on Childhood, Adolescence and Family Policies, is the lack of any

updated information system on the situation of children in general. The Government has made considerable efforts through INEGI and its various departments to set in place a reliable information system, notable among which is the newly established system for monitoring the situation of children and adolescents (SISESIA), drawn up by units of the Human and Social Development Office and INEGI.

155. SISESIA consists of a set of statistical series, compiled and arranged in accordance with the various areas of the 2002-2010 programme of action for children and adolescents (PAFI), namely: social and demographic context; quality education; healthy living; poverty and childhood; and comprehensive care. Further information about the system may be found at the website: <http://200.23.8.226/sisesia/indicadores.html>.

**(c) Allocation of resources and implementation of programmes for vulnerable children (para. 15)**

156. To support prevention and care programmes for children, the SNDIF budget has been decentralized and divided among the state-level systems for comprehensive development of the family (SEDIF). In the specific case of the “From the Streets Back to Life” programme, the child abuse prevention programme had a budget of 2,872,100 pesos in 2004 and 1,416,474 pesos in 2005.

**Achievements of the prevention and care programme for street children  
“From the Streets Back to Life”, January-November 2004<sup>38</sup>**

| Item                | 106 municipal DIF systems | 63 civil society organizations | Total  |
|---------------------|---------------------------|--------------------------------|--------|
| Investigations      | 5                         | 5                              | 10     |
| Children benefiting | 1 218                     | 4 714                          | 5 932  |
| Projects            | 49                        | 43                             | 92     |
| Children benefiting | 4 561                     | 8 451                          | 13 012 |
| Bursaries           | 904                       | 620                            | 1 524  |

157. The Attorney-General’s Office has been implementing a national campaign to combat child prostitution and pornography, under the slogan “Open your eyes - but don’t hold your tongue!” together with SNDIF, UNICEF-Mexico and the National Women’s Institute. The first phase of the campaign was devoted to public awareness-raising, through the radio and television and with the dissemination of leaflets, brochures, articles in the press and in magazines, mass mailings, electronic bill-boards and murals. During the second phase, launched on 22 October 2002, a central office was set up to receive anonymous complaints concerning the commercial sexual exploitation of children, with a toll-free telephone line, 01 800 02 10 3 43, with a view to encouraging people to make such reports.

158. The Attorney-General’s Office has also been implementing other programmes, including a support programme for the prevention and elimination of the commercial sexual exploitation of children and for the protection of victims of such exploitation, run under the auspices of the ILO International Programme on the Elimination of Child Labour; and a support programme for the families of children who are lost, abducted or missing.

159. At the fourteenth National Conference of the Justice Department, held in Victoria city, Tamaulipas, on 3 and 4 December 2003, it was agreed to establish a national centre to combat the commercial sexual exploitation of children, as a collaborative venture designed to serve as a strategic planning and analysis team to combat such exploitation, and to set up a shared database which would provide a comprehensive overview of the problem.

160. To tackle the problem of child abuse and family violence, the Attorney-General's Office has launched the "Niñotel PGR" children's hotline, enabling children to receive guidance in such matters as family violence, child abuse, and drug dependence. On average some 200-300 calls are received daily. Based on information reported by children calling the Niñotel PGR hotline, 75 per cent of these children come from nuclear families (father, mother and children), and 8 per cent experience violence in the family. Notwithstanding these reports, it has been established that 70 per cent of the children using the hotline actually suffer from isolation and resort to the hotline as a means of getting someone to listen to them, as they no longer receive any attention from their parents. In this way, Niñotel PGR is providing the Attorney-General's Office with a means of tackling this problem affecting Mexican children.

161. In addition, SNDIF operates a programme for the care of the disabled which, in 2004, attended to the needs of 60,062 children with some form of disability, representing an increase of 2.3 per cent over the comparable figures for 2000. The programme offers a range of services meeting the needs of disabled children. Further information on the programme may be found in annex XIX, which describes activities conducted by SNDIF for children in this category.

**(d) Juvenile justice and conditions of children living in detention centres (para. 23)**

162. As noted above, on 8 July 2003, CNDH presented its special report on the human rights situation of detainees in children's detention centres in Mexico, in which it looked at the situation in these centres and reviewed breaches of the juvenile inmates' rights to be treated with respect, to all-round development, to health care, to legal security and to equality.

163. Accordingly, CNDH set down its views and issued a compendium of 17 principles substantiated in the Mexican Constitution and the international instruments signed and ratified by Mexico, including those issued by the United Nations, with a view to ensuring that both the Federal Government and the state governments, recognizing the serious shortcomings in the justice system for minors, should, within their areas of competence and to the extent possible, take the necessary steps to guarantee full respect for the human rights of under-age persons placed in detention in the facilities in each of these states, with due consideration always for the best interests of the children themselves.

164. In addition, with the drafting of the act on the protection of the rights of children and the recent revision of article 28 of the Constitution, on 12 March 2006, relating to the issue of juvenile justice, the Mexican Government has taken its first steps towards reforming the justice system in Mexico for minors and meeting its international commitments in this regard.

**(e) Prevention of HIV/AIDS (para. 27)**

165. To ensure unimpeded access to quality health care, over the period 1998-2002 the Mexican Government granted free anti-retroviral treatment to pregnant women and children under 18 who were living with HIV, through the FONSIDA trust fund. Over the period 2002-2004, it met its official commitment to provide universal cover to all persons living with HIV, including pregnant women and girls aged under 18. Treatment costs were covered from the federal budget, channelled through the National HIV/AIDS Prevention and Control Centre. Since 2003, there has been universal access to anti-retroviral treatment in Mexico, thanks to the efforts of the Federal and state governments in providing access for those members of the population who have no social security.

166. As part of the coordinated work conducted with reproductive health programmes, stepped up efforts have been made to prevent perinatal transmission, through the early detection of syphilis and HIV, by providing screening tests for pregnant women coming for prenatal care. Over the period 1999-2004, there has been a sixfold increase in the syphilis detection rate for pregnant women attending health-care centres.

167. With a view to promoting HIV/AIDS prevention among children and adolescents, institutional campaigns have been developed and conducted to spread the message in society, with adolescents as the primary target audience and also focusing on their parents as their closest points of reference. Mass media campaigns have also been conducted to counter the stigma of HIV/AIDS and associated acts of discrimination.

**(f) Protection of indigenous children (para. 29)**

168. Through the Office for the General Coordination of Special Programmes and Projects, CDI aims, among other things, to develop and implement a range of campaigns, projects and programmes to promote the development of indigenous peoples, working in coordination with other departments of the federal administration or independently, when these are not covered under the mandate of such other departments.

169. The school hostels programme for indigenous children caters to the needs of indigenous populations in areas where there are no educational facilities. The programme provides accommodation and meals, promotes better health care, helps build a sense of cultural identity and encourages recreation activities. Its aim is to ensure that indigenous children in areas deprived of schools should be able to enrol for and complete their elementary and secondary schooling, supported by the services provided in community and school hostels. A total of 355.4 million pesos was budgeted for the programme in 2005; these funds were used to attend to the needs of 59,872 beneficiaries in 1,082 hostels in 21 states.

170. The community hostels programme is a service run and overseen by the municipal and local authorities to support children in lower and upper secondary education. A total of 13.0 million pesos was earmarked for this programme in 2005, benefiting 3,301 children in 48 community hostels, situated in eight different states.

**(g) Measures taken to address the problem of child labour and street children (para. 30)**

171. To combat the problem of child labour, SNDIF is conducting a programme for the prevention, monitoring, discouragement and eradication of child labour involving children from marginal urban areas. Between 2004 and 2005, the programme reached 99,501 child workers (45,894 in 2004 and 53,607 in 2005) and 144,298 children considered at risk, as members of families in a vulnerable situation (38,171 in 2004 and 35,377 in 2005). The programme aims to strengthen both the educational and family situation of its beneficiaries, by providing additional support for adolescent and child workers from marginal urban areas between the ages of 6 and 17 years and 11 months, to enable them to conclude their basic education and, once this has been concluded, to provide them with the necessary skills to take part in the productive development of the country.

**Programme for the prevention, monitoring, discouragement and eradication of marginal urban child labour<sup>39</sup>**

| Activities                                    | 2004   | 2005   | Total   |
|---|--------|--------|---------|
| Child and adolescent workers in the programme | 45 894 | 53 607 | 99 501  |
| Children and adolescents at risk              | 72 473 | 71 825 | 144 298 |
| Families participating in the programme       | 38 171 | 35 377 | 73 548  |

172. In addition, in the area of child labour, SNDIF is operating its programme “From the Streets Back to Life”, described in the response to question 2 (h) of part 1 of the questionnaire, contained in paragraphs 28-30, 135, 156, 172, 204 and 205 of the present document.

173. For its part, the Ministry of Labour and Social Welfare runs the following programmes to prevent and combat the exploitation of child labour and to protect the rights of minors.

174. Programme to prevent and combat the exploitation of child labour, which comprises the following strategies and activities:

- Promotion and dissemination of equal working conditions, by preparing and distributing a range of materials designed to raise awareness throughout the country of the problem of child labour;
- Special awareness-raising and training programmes, in the form of symposiums, seminars, workshops, conferences and other events, some jointly organized with the federal labour offices and other bodies, including:
  - Three meetings of the Forum on Child Labour, to consider the results of the follow-up to Convention 182 of the International Labour Organization (ILO), held to mark World Day Against Child Labour in 2003, 2004 and 2005;

- Six regional seminars on child labour in Mexico and ILO Convention 182, held in 2001 and 2002;
- Three children’s art competitions,<sup>40</sup> held to mark World Day Against Child Labour in 2003, 2004 and 2005;
- Inter-institutional strengthening measures, to prevent and combat the exploitation of child labour, through the tripartite working group set up in June 2004 for follow-up to ILO Convention 182, currently comprising 18 workers’ organizations, two employers’ organizations and the Ministry of Labour and Social Welfare.

175. CONAPRED has joined the various efforts being undertaken by the Federal Government to eradicate the problem of child labour and to support efforts to combat the discrimination suffered by street children. To this end, as part of a continuing campaign to combat discrimination mounted by the Human Rights Commission of the Federal District, in July 2005 CONAPRED and human rights organizations from the States of Guanajuato, Guerrero, Querétaro, San Luis Potosí, Sinaloa and the Federal District, issued a document entitled *Towards an agenda for non-discrimination*, designed to set in motion priority activities for the effective exercise of the right to non-discrimination and to give effect to the obligation of all states to uphold human rights on a non-discriminatory basis.

**2. Please provide information on cases, if any, where the Convention has been directly invoked in the courts, and if so, please provide examples of such cases.**

176. According to information from the Young Persons Unit, which provides the services of court-appointed defence lawyers and reports to the Minors Council - the body administering justice in respect of minors breaching the criminal law in the Federal District - the Convention on the Rights of the Child has been invoked in decision-making bodies, namely, the advisory board and the upper division of the Minors Council.

177. The Young Persons Unit analysed a cross-section of minors’ case-files for the months of September, October, November and December 2004 and 2005 and came up with the following findings:

| 2004   | 2005   |
|--|--|
| In 36.7% of cases the Convention on the Rights of the Child was invoked in proceedings | In 70.5% of cases the Convention on the Rights of the Child was invoked in proceedings |

| The following are representative examples from both years:   |   |
|--|---|
| 2004   | 2005  |
| <p><b>Case-file</b> 1814/01-10</p> <p><b>Offence:</b> Aggravated theft</p> <p><b>Convention articles invoked:</b> 3, paragraph 1, and 37 (b), stipulating, respectively, that the best interests of the child shall be given primary consideration in any action concerning the child undertaken by institutions or authorities, and the principle of minimum intervention</p> <p><b>Substance of the suit:</b> the adviser is requested to order the discontinuation of the detention treatment measures in the best interests of the child offender and in accordance with the principle of minimum intervention, which establishes that the deprivation of liberty should be used only as a measure of last resort and for the shortest possible time</p> | <p><b>Case-file</b> 2492/03-11</p> <p><b>Offence:</b> Aggravated theft</p> <p>Article 12, paragraph 2, of the Convention invoked, which guarantees the child's right to a hearing</p> <p><b>Substance of the suit:</b> the advisers of the upper division are requested to ensure that the child is granted a hearing and able to assert his rights</p> |

**3. Please provide updated information on the establishment of the State Committees of the National System for Monitoring and Supervising the Implementation of the Convention on the Rights of the Child (mentioned in paragraph 21 of the State party report) and on other mechanisms, if there are any, to coordinate policies and programmes on children's rights, including services for children, among relevant departments and ministries and between the central and local levels.**

178. By mid-2000, the Federal Government, through SNDIF, had arranged for state committees of the national system for monitoring and supervising the implementation of the Convention on the Rights of the Child to be set up in all 32 of the country's states. In some States, such as Colima, Querétaro, Nayarit, Puebla, Guerrero, Hidalgo and Oaxaca, this process has been under way since 1999. The political climate prevailing since the July 2000 elections has, however, caused this seemingly promising process to stall.

179. To date there are 24 state committees responsible for monitoring and supervising implementation of the Convention on the Rights of the Child, which are continuing efforts to disseminate information on and raise awareness of the Convention. These are situated in the States of Aguascalientes, Baja California, Baja California Sur, Campeche, Coahuila Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, México, Nayarit, Oaxaca, Puebla, Querétaro, San Luis Potosí, Sinaloa, Sonora, Tamaulipas, Tlaxcala and Zacatecas.



**4. Please provide further information on the activities of the National Human Rights Commission for the Protection of Human Rights in the area of the rights of the child and on consideration given to empowering the National Human Rights Commission to initiate legal proceedings.**

180. CNDH operates a programme on women's, children's and family matters, with specific responsibility for protecting the rights of children. The following paragraphs describe the programme's activities and outcomes over the period from January 2000 to 15 March 2006.

181. *Support network for woman and children whose human rights have been violated:* the purpose of this network is to provide legal and psychological guidance and referral to the appropriate authorities to all persons requesting assistance, whether by telephone or e-mail, or by calling in person at the network's coordination offices. The network's database is constantly updated.

| Service provided by telephone or in person | Service provided by e-mail | Follow-up procedures |
|--|----------------------------|----------------------|
| 858  | 279                        | 152                  |

182. It should be noted that the coordination offices do not include among their functions the processing of complaints. That said, however, when in the course of providing legal guidance it becomes apparent that the authorities have violated the fundamental rights of children who are the victims of sexual abuse and ill-treatment, these victims are referred to the CNDH Complaints and Guidance Office or to the State Attorney's Office or human rights commission of the state in question.

183. *National programme to protect women and children and to combat desertion and failure to meet maintenance obligations:* operating through a scheme whereby members of the law departments of state universities which agree to support the programme provide social services entirely free of charge, this programme undertakes to secure the guaranteed payment of maintenance. For this purpose, documents prepared by staff of the programme on women's, children's and family matters, are provided, setting out the procedures for free assistance in obtaining maintenance payments, which have been drawn up in accordance with civil and family law and civil and family legal procedure in each of the states of the Republic.<sup>41</sup>

| Public officials informed | Law students providing services | Persons assisted (cases) |
|---------------------------|---------------------------------|--------------------------|
| 13                        | 213                             | 697                      |

184. *National free adoption programme*: the aim of this programme is to educate people about the steps to be taken when adopting a child or a person lacking full legal capacity. For this purpose brochures have been prepared for each of the states in the country, with due account for the relevant provisions of civil and family law.

185. CNDH currently does not have the power to initiate legal proceedings. A proposal put forward by the Federal Government is currently before the Senate, however, which undertakes, among other things, to grant CNDH the power to bring actions on the grounds of alleged unconstitutionality in cases involving human rights violations, which would accord it a much stronger role in protecting the rights of children.

186. Annex XX lists other measures and programmes undertaken by CNDH during 2005 in relation to the protection of children's rights. A folder is also attached, containing information on activities conducted by the various state commissions in the field of children's rights.

**5. Please provide further information on the elaboration and content of the 2002-2010 Programme of Action mentioned in the report (para. 20), including information on the body which would be charged with overseeing its implementation and on measures to ensure coordination with other ongoing national programmes for children.**

187. The 2002-2010 programme of action, entitled *A Mexico fit for children*,<sup>42</sup> places special emphasis on the human and social development of children and adolescents and is guided by the rights and needs of children and adolescents. The programme of action follows an integrated approach, designed to ensure a timely and appropriate response to the needs of children at each stage of their lives. It operates under the Government's Contigo strategy and forms part of its life-cycle policies. The aim is to achieve enhanced coordination among institutions, and between institutions and the public, social and private sectors. The programme includes such cross-cutting elements as the need to ensure sexual equality and to respect cultural and ethnic diversity.

188. More than 25 subsidiary departments of the Federal Government are participating in the coordinated implementation of the programme, including SNDIF, the Ministry of Public Education, the Ministry of Labour and Social Welfare, the Ministry of Social Development, CDI, the Ministry of Internal Affairs, the Ministry of Public Security, CNDH and the State Attorney's Office.

189. The programme comprises five sections, subdivided into nine chapters:

- First section: the chapter on the general framework sets out the programme's underlying principles at the international and local levels. It provides a global balance sheet for the decade, indicating how Mexico has performed in achieving its targets for the 1990s. It also contains a detailed description of the Contigo social policy strategy, as a response to the challenges facing child development in Mexico;

- Second section: this presents an overview of the country's population distribution by age group, placed in the context of the demographic transition currently being experienced by Mexico. It includes a detailed analysis of the social status of children in Mexico, with reference, in particular, to their environment, home, housing and family life, and a description of programmes designed to create and build capacities and opportunities for children, as part of an overall vision of human and social development;
- Third section: this describes activities conducted by the Federal Government to improve the facilities available to children in three broad areas: healthy life; quality education; and comprehensive care for children and adolescents in especially difficult circumstances;
- Fourth section: this provides a legal and juridical analysis of the rights of children and adolescents, from the development of rules and the dispensing of justice to the creation of an appropriate legal framework for children and adolescents;
- Finally, it looks at the various instruments in place in the country to ensure comprehensive protection for the rights of children and adolescents.

190. To coordinate the programme's monitoring and evaluation activities, in July 2001 the Government set up its National Children's and Adolescents' Council (COIA), which, together with nine government departments, is responsible for monitoring attainment of the country's targets relating to children and adolescents. The council has the task of coordinating and defining policies, strategies and activities to ensure the full and comprehensive development of children and adolescents.

191. In its role as a monitoring and evaluation mechanism, the programme establishes principles, activities and strategies to achieve the 21 internationally agreed targets relating to health (10 targets), education (6 targets) and comprehensive care (5 targets). Annex XXI lists the 21 targets established by the programme.

192. An annual report is submitted on the programme, reviewing its progress in each of the areas of its work and providing statistical tables on attainment of the 21 targets mentioned above. To date, there have been two annual progress reports, for 2003 and 2004.

193. According to the 2004 progress report, there has been a 52.3 per cent improvement in attainment of the programme's targets. The precise figures for the three areas are: 64 per cent for health, 43.8 per cent for education and 48.9 per cent for comprehensive care.

194. Among the principal gains made to date in the area of health are significant reductions in the children's under-five mortality rate, which have been made possible by a vaccination campaign covering almost the entire under-five population and by providing comprehensive care to all children attending health centres or receiving vaccinations.

195. With regard to quality education, the Opportunities Programme constantly increased the number of bursaries which it provided. Thus, in the 2003/2004 school year, 4,577,000 bursaries were awarded; and in 2004/2005, 5,100,000 bursaries. Added to this, Mexico has made significant progress towards closing the gap between boys and girls in primary and secondary school attendance: secondary school attendance figures are now even higher for girls than for boys.

196. On the matter of comprehensive care for children and adolescents in especially difficult circumstances, thanks to coordinated efforts at all levels of society it has been possible to maintain the steady decrease in child labour. Thus, between 2000 and 2004, employment levels among children aged 12 and 13 dropped by some 25 per cent, while that for boys and girls between the ages of 14 and 17 dropped by nearly 1 per cent.

197. Annex XXII contains statistical tables showing progress in attaining the 21 targets set by the programme for 2004. The present document is also accompanied by a CD containing the 2002-2010 programme of action: *A Mexico fit for children*, and also assessment and progress reports on the programme for the years 2003 and 2004.

**6. Please provide further information on the existing practice, structures and agreements regarding cooperation between the Government and non-governmental organizations involved with the promotion and protection of children's rights.**

**Ministry of Social Development**

198. In 2003, the Ministry of Social Development, through the National Social Development Institute (INDESOL), launched a model care system for street children or children at risk of becoming street children, called the Matlapa Strategy. The primary aim of this model system is to provide contact centres where efforts are made to boost the morale of street children and guide them towards social reintegration. These centres are coordinated and run by civil society organizations and offer a range of basic and specialized services in such areas as the provision of meals, hygiene, emotional and psychological support, addiction treatment, legal security, human rights education, remedial teaching, artistic, recreational and sports activities and health-care services.

199. In 2003, 959 children attended the 10 centres, of whom 461 were street children and 498 at risk of so becoming. By the end of 2004, it was estimated that the Matlapa centres had attended to the needs of 1,312 children and young people, of whom 533 were living on the streets and 779 at risk of so doing, in other words, an increase of 353 over the figures for 2003.

200. Currently, in the Federal District, support is being provided for eight centres for street children. Between January and June 2005, these centres attended to the needs of 1,635 children (885 boys and 750 girls, either already living on the streets or at risk of so doing). It is estimated that services were provided in 2005 for 2,372 persons under the age of 25 (1,175 boys and men and 1,197 girls and women).

## **Ministry of Internal Affairs**

201. On 11 March 2003, the Commission on Government Human Rights Policy was set up, with the primary aim of coordinating activities being conducted, at both national and international levels, by the various departments and units of the Federal Government relating to human rights policy, with a view to stepping up the exercise and safeguarding of those rights.

202. One of the commission's 10 subsidiary bodies is the Subcommission on the Rights of the Child, with representatives from departments of the federal civil service and civil society organizations. For the purposes of carrying out its work, the subcommission is subdivided into the four following working groups: Healthy life; Child participation; Comprehensive care; and Quality education.

203. The Subcommission was actively involved in drawing up the tables that were used in developing the national human rights programme and, among its outputs, the following are worthy of note:

- Conducted the first national symposium on the current situation of children's rights in Mexico and their prospects for the future, held in June 2004, which resulted in a number of proposals on ways of promoting the comprehensive development of children;
- Submitted proposals for the reform of the Juvenile Criminal Justice Act;
- Currently preparing the second symposium on children, which is to be held with the active participation of children and adolescents themselves;
- Working also on the organization of a conference to discuss the alternative report to the Committee on the Rights of the Child for the period 1999-2004 and Mexico's report to the Committee.

## **SNDIF**

204. A prominent role in cooperation between civil society and the Government is played by the programme for street children, "From the Streets Back to Life", and that for children in border areas. Both these programmes undertake to meet the needs of migrant and refugee children and those at risk of ending up on the streets, through the coordination of efforts with a range of public institutions and civil society organizations, thereby creating a context for dialogue and feedback, conducive to the development of public policies for the benefit of these children.

205. The programme "From the Streets Back to Life" provides for the formation of a national committee,<sup>43</sup> responsible for evaluating its activities, and state committees<sup>44</sup> for each state system for comprehensive development of the family, which coordinate and follow up the conduct of projects, studies and bursary schemes operated by civil society organizations, and the state and municipal systems. The state and municipal systems for comprehensive development

of the family play a leadership role, as coordinators of the committee. Civil society organizations participating in the programme are elected by a process of public nomination and they in turn designate at least one and up to three representatives to attend meetings of the committee, with speaking and voting rights. Each of these representatives of the health, labour, education and development sectors has the right to take the floor and to vote at meetings of the committee.

206. The programme for border-area children includes a federal-level working group<sup>45</sup> responsible for the conduct of joint activities to assist unaccompanied migrant and returnee children and adolescents, both Mexican and foreign. In addition, there are local coordinating committees,<sup>46</sup> which serve as the negotiating and decision-making bodies on the ground analysing the strengths and weaknesses of the arrangements made to protect children and adolescents travelling on their own.

### **CDI**

207. CDI has a programme to promote agreements in the area of justice, which is specifically designed to support projects to promote and defend the rights of indigenous peoples and to launch activities related to the administration of justice. To this end, the programme has supported projects targeted at the needs of indigenous children, involving awareness-raising and training measures in the field of human rights and, more particularly, the rights of the child. During 2005, the programme supported 10 organizations operating in 8 different states, 45 municipalities and 81 towns, thus directly benefiting 10,474 persons, of whom 7,694 were female and 2,780 male, from the Tzotzil, Mayo, Tojolabal, Otomí, Mazahua, Zapoteco and Maya nationalities, to a total amount of 864,000 pesos.

208. A list of all the organizations and projects supported by the programme in 2005 may be found in annex XXIII.

### **CONAPRED**

209. In October 2004, the Council signed an agreement on cooperation with the Mexican Child Support Foundation, aimed at upholding rights and equality and combating all forms of discrimination against children. Under this agreement, the Council has carried out the following activities with the Foundation:

- Training course on the eradication of discrimination for teachers and officials from the organization;
- Preparation of an information brochure entitled: “Non-discrimination is a fundamental right. Why should it be necessary to promote the right to equality and to prevent discrimination in community child centres?”
- Taking part in the closing annual meeting of the Mexican Child Support Foundation, held on 8 December 2004 on the theme of “Non-discrimination in basic education”.

210. Among the Council's key objectives is to provide support for and cooperate with institutions attending to the needs of children with disabilities. To this end, on 18 April 2005, a general cooperation agreement was signed between CONAPRED and the foundation Teletón AC, with a view to combining their efforts in support of the development of children in this category.

### **State Attorney's Office**

211. The State Attorney's Office, through the Department for Crime Prevention and Community Services, is actively involved in a national coordination campaign to prevent, monitor and eradicate the commercial sexual exploitation of children. This campaign involves the participation of 28 public, private and academic institutions, civil society organizations and international agencies. The following non-governmental organizations are participating in the campaign:

- THAIS Social Development Advisory Services, which forms part of the inquiry subcommittee;
- Infancia Foundation IAP, which leads the prevention subcommittee;
- Casa Alianza IAP, which forms part of the monitoring subcommittee;
- Executive Women's Association of the Mexican Tourism Industry, which forms part of the prevention subcommittee;
- International Federation of Tour Operators, which also forms part of the prevention subcommittee.

212. In addition, the State Attorney's Office is working on the conclusion of a cooperation agreement with the non-governmental organization Save the Children Sweden, with the aim of setting up and maintaining a web page to disseminate information about missing Mexican children.

### **Ministry of Health**

213. Extensive coordination efforts have been undertaken among various institutions and between the different sectors, to combat addiction. In addition, particular focus has been placed on awareness-raising and training in the workplace, conducted primarily with the joint committees on safety and hygiene, in both the government and the private sectors. There is a telephone hotline, open 24 hours a day, 365 days a year, and run by a team of 90 health professionals, specially trained to provide assistance over the telephone. The centre has 30 phone-lines and can be called from anywhere in the country on a toll-free 800 number.

214. Recently, the Ministry of Health announced the formation of an advisory council for persons with disabilities, which will serve as a consultative and advisory body, of an honorary nature, set up for the purpose of formulating proposals and expressing views on the programmes and activities being undertaken to benefit disabled persons, and also to invite proposals and to submit them to the National Council for the Disabled.

**7. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.**

215. The main challenge facing Mexico is to overcome the marginalization, social exclusion and poverty in which thousands of its children live. For this to happen, efforts must be made by all the departments concerned, with the primary objective of ensuring that children enjoy such basic services as access to health care, nutrition and education. To this end, the Mexican Government accords due importance to the development of children and is making concerted efforts to promote and extend the opportunities and benefits enjoyed by children and adolescents through the Contigo strategy.

## **Part II**

**Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.**

216. To date no translations have been made of the Convention on the Rights of the Child into the indigenous languages of Mexico. With the adoption in 2003 of the Indigenous Peoples (Language Rights) Act, however, and the establishment of the National Institute of Indigenous Languages, such translations should be available in the near future.

## **Part III**

**Under this section, the State party is briefly (3 pages maximum) to update the information provided in its report with regard to:**

### **New bills or enacted legislation**

217. Attention is drawn under this heading to the revision of article 4 of the 2004 Constitution, which accords the status of a constitutional right to the right of children to fulfilment of their needs in the areas of nutrition, health, education and recreation. To this end, on 29 May 2000, the Children's Rights (Protection) Act was promulgated, as the act implementing article 4 of the Constitution and providing the national legislative framework for the protection of the specific rights of children. Annex XXIV contains the full texts of the act and of article 4 of the Constitution.

218. In addition, in August 2001 the revised version of article 1 of the Political Constitution of the United States of Mexico was published, with an additional paragraph 3 containing a clause prohibiting any discrimination on the grounds of, among others, ethnic or national origin, gender or age.

219. In 2002, the Federal Government submitted a parliamentary bill on the prevention and eradication of discrimination; the act - the Federal Act on the Prevention and Eradication of Discrimination in Mexico - was unanimously approved and finally published in the Official Gazette on 12 June 2003. CONAPRED was established pursuant to this act. The text of article 9 of the act, describing, among other things, conduct deemed discriminatory against children, may be found in annex XXV.



220. Where the administration of juvenile justice is concerned, the revised version of article 18 of the Constitution entered into force on 12 March 2006. Pursuant to this revision, in accordance with the principles enunciated in the Convention on the Rights of the Child, the current poorly coordinated system for the administration of justice to minors will be discontinued. Under the constitutional reform, a new act, consistent with the revised provisions, for the implementation at both federal and state levels of article 18 must be promulgated within a period of six months. Under the reform, justice for juveniles will be administered through a system of adversarial prosecution, based on the principles of due process and protection of the juvenile's best interests. The reform also prescribes the need to set in place alternative judicial measures, other than detention, which should only be applied as a measure of last resort, for the shortest possible period of time, only for minors of 14 and above and for anti-social acts deemed particularly serious. Annex XXVI contains the full revised text of article 18 of the Constitution.

221. Attention is also drawn, in this context, to the Social Assistance Act, published in the Official Gazette on 2 September 2004; the Persons with Disabilities Act, published in the Official Gazette on 10 June 2004; the legal opinion accompanying the draft decree on promulgation of the Trafficking in Persons (Prevention and Punishment) Act, submitted to Congress on 9 December 2004; the Indigenous Peoples (Language Rights) Act, published in the Official Gazette on 13 March 2003; and the revision of section 4 of article 7 of the General Education Act, published in the Official Gazette on 13 March 2003, stipulating that compulsory basic education must be provided to children in their mother tongues, in addition to Spanish.

### **New bodies**

222. CONAPRED, set up under the 2003 Federal Act on the Prevention and Eradication of Discrimination, commenced operation on 27 March 2004, as the state body responsible for implementing policies to combat discrimination throughout the territory of the country and for monitoring observance of the act. Its mission is to coordinate activities by the Federal Government and to guide state strategies to tackle the problem of discrimination. A description of the activities carried out by CONAPRED in 2004 and 2005 may be found in annex XXVII.

### **Recently adopted policies**

223. In December 2002, the Ministry of Public Security set up an inter-institutional group to combat computer crime in Mexico (DC Mexico), with the aim of ensuring security and providing a reaction force to combat Internet crime, through the use of computer systems. The group's primary objectives are, among other things, to identify and dismantle organizations set up for the purpose of stealing, pandering, trafficking in and corrupting minors, and for the preparation, dissemination and promotion of child pornography, by any methods; and to analyse and conduct studies in this area of the activities of local and international paedophile organizations and of child prostitution networks. Since its establishment, DC Mexico has met on 16 occasions, bringing together 90 representatives of the public, private and university sectors.

224. In addition, the Ministry of Public Security, working through the Federal Preventive Police, has set up a computer police service, including local computer police units in the States of Jalisco, Yucatán, Baja California, Nuevo León, Guerrero and the Federal District.

225. With regard to migration, on 28 February 2004, Mexico and the United States of America signed a memorandum of understanding on the safe, orderly, dignified and humane repatriation of Mexican nationals, setting out the basic criteria underpinning repatriation procedures from inside the country, the entry ports or the frontier between Mexico and the United States and suggesting ways of improving those procedures.<sup>47</sup> Repatriated unaccompanied minors are channelled directly by INM regional offices to the municipal bodies of SNDIF or to one of the network of hostels run by the inter-agency programme for border-area children.

226. In 2004, an operation was launched, to set up model care centres for repatriated minors in the frontier areas of the cities of Tijuana and Mexicali, Baja California, and Nogales and San Luis Río Colorado, Sonora. These centres are run by the municipal SNDIF bodies and are designed to provide prompt attention to repatriated Mexican minors.

227. On 23 April 2004, during the official visit by President Vicente Fox to Guatemala, a memorandum of understanding was signed on the protection of women and children victims of human trafficking on the frontier between Mexico and Guatemala. The memorandum makes provision for training of migration service officials, to raise their awareness of need to accord different treatment to this vulnerable group.

228. Other noteworthy activities relating to migration include: the signing, on 2 July 2004, of the arrangements for the safe and orderly repatriation of Central Americans in the border areas of Mexico and Guatemala; the signing, on 19 May 2005, of a cooperation agreement between INF and SNDIF, establishing and strengthening cooperation between the two bodies, with a view to carrying out joint actions for the benefit of migrant and repatriated Mexican and foreign children and adolescents; and the setting in operation, from 30 April 2005, of a transit hostel for under-age migrants in the city of Tapachula, Chiapas, with the aim of providing comprehensive and differentiated care for members of this group; and, finally, plans, for the first half of 2006, for the conclusion of an inter-agency cooperation agreement between SNDIF, the Mexican Refugees Assistance Commission (COMAR) and INM, to set in place procedures for providing care for migrant Central American children in Tapachula, Chiapas.

### **Recently implemented programmes and projects and their scope**

229. In the area of education, the Ministry of Public Education has set in place a number of programmes providing for children in vulnerable conditions, including a national programme to promote special education and educational rehabilitation and a primary education programme for migrant children, to meet the special educational needs of children in this category.

230. Under the national health programme for 2001-2006, the revisions and additions to the health act enter officially into force in May 2003, thus providing the legal underpinnings for the launching of a new comprehensive social security scheme, known as the social health protection system, designed to democratize the health system in Mexico. This process of revision is intended to ensure enjoyment by the people of Mexico of their constitutional right to social and health protection, through a people's health insurance scheme providing insurance for a range of medical services (consultations, hospitalization and surgery), and access to the required medication.

231. The action programme run under the slogan “An equal start in life” is designed to reduce neonatal and infant mortality and to prevent birth defects. The programme includes a number of strategies to encourage pregnancies that are planned and not unwanted, to ensure adequate antenatal care, to reduce to a minimum risks during childbirth and to provide continuous monitoring of the growth and development of children up to the age of 2.

232. Where malnutrition is concerned, in 2003 SNDIF, working in cooperation with the state systems for comprehensive development of the family, launched a comprehensive social food-aid strategy (EIASA), incorporating four programmes, three of which have a direct or indirect impact on child beneficiaries. The four programmes are:

- School meals
- Care for high-risk children under 5 not attending school
- Food aid for families in vulnerable situations
- Food aid for vulnerable groups

233. The programme to provide care for high-risk children under 5 not attending school is targeted at children between the ages of 6 months and 5 years not attending school and showing some sign of undernourishment or at risk of becoming undernourished, living in priority areas and not receiving assistance under any other programme. The assistance provided comes in the form of a milk formula for children between 6 months and 1 year, baby-food for children aged between 1 and 3, and hot meals for children aged between 3 and 5. The target population for this programme numbers some 1.1 million children and in 2005 assistance was provided to more than 345,000.

234. In addition, a project to set up national children’s networks for the promotion of comprehensive family development was launched in 2002, as part of the strategy for the promotion and dissemination of the rights of the child. The basic aim of the project is to coordinate, on a country-wide basis, a network of children and adolescents who actively promote and disseminate knowledge of their rights within their families, schools and communities, with the support and recognition of local authorities, so as to ensure community participation based on local realities.

235. Following an invitation sent out by SNDIF to the 32 state systems, 30 states and the Federal District have signed up to participate in the project.<sup>48</sup> By December 2005, there were 24 state networks in place, with 29 child promoters at the state level, 1,233 at the municipal level and 4,138 at the local level.

### Notes

<sup>1</sup> \* Estimated figures. Source: INEGI, 12th Population and Housing Census, 2000.

<sup>2</sup> Aguateco, Amuzgo, Cakchiquel, Cochimí, Cora, Cucapá, Cuicateco, Chatino, Chichimeco jonaz, Chinantecos, Chocho, Chol, Chontal de Oaxaca, Chontal de Tabasco, Chuj, Guarijío, Huasteco, Huave, Huichol, Ixcateco, Ixil, Jacalteco, Kanjobal, Kekchí, Kikapú, Kiliwa, Kumiai, Lacandón, Mame, Matlatzinca, Maya, Mayo, Mazahua, Mazateco, Mixe, Mixtecos, Motozintleco or Mochó, Náhuatl, Ocuilteco, Otomí, Paipai, Pame, Pápago, Pima, Popoloca, Popoluca, P'urhépecha or Tarasco, Quiché, Seri, Tacuate, Tarahumara, Tepehua, Tepehuano, Tlapaneco, Tojolobal, Totonaca, Triqui, Tzetzal, Tzotzil, Yaqui, Zapotecos, Zoque.

<sup>3</sup> Education System of the United Mexican States (2004). Source: Fifth annual report of the Ministry of Education (2005).

<sup>4</sup> Note: Public spending on health includes budget items 12 and 33, State allocations (from 1999), Mexican Social Security Institute (IMSS), Institute of Social Security and Social Services for State Employees (ISSSTE) and Petróleos Mexicanos (PEMEX) (from 1993).

<sup>5</sup> Authorized budget.

Source: Ministry of Finance and Public Credit, [ref. E/1994/104/Add.18 3rd rept., §487] based on information from government departments and states.

<sup>6</sup> Source: SNDIF - Child Protection Department.

<sup>7</sup> Figures in thousands of current pesos. Source: Ministry of Health.

<sup>8</sup> “If the application for divorce is accepted, the following measures will be taken on a provisional basis and only for the duration of the legal proceedings:

V. The children shall be placed in the custody of such person as may be designated by mutual agreement, who should be one of the spouses; care may be shared. In the absence of such agreement, the judge will decide, in accordance with the procedure established by the relevant code and taking account of the views of the minor. Except where there is serious risk to the normal development of the children, minors under the age of 7 shall remain in the mother's care. A mother's lack of financial resources shall not preclude her being given preference in the matter of care.”

<sup>9</sup> Source: Questionnaire 911 School Year 2004/2005.

<sup>10</sup> Source: Fifth Annual Report of the Ministry of Education (2005).

<sup>11</sup> The total is greater than the number of complaints recorded for the period, as any given complaint may involve more than one violation.

<sup>12</sup> Source: Technical Committee for the Measurement of Poverty.

<sup>13</sup> Footnotes to table: <sup>1</sup> Information on families, municipalities and communities up to end of two-month period November-December; <sup>2</sup> Information up to end of 2005; <sup>3</sup> Information provided by the National Council for the Promotion of Education (CONAFE); <sup>4</sup> Information provided by the Ministry of Health; <sup>e</sup> Estimated figures. Source: Opportunities Programme, Ministry of Health, CONAFE.

<sup>14</sup> Source: Quinto Informe de Labores (Fifth progress report) (2005), Ministry of Public Education.

<sup>15</sup> Includes total numbers in initial, preschool and primary education. Estimates for May 2005. Source: Central Indigenous Education Office in the Ministry of Public Education.

<sup>16</sup> Source: Quinto Informe de Labores (Fifth progress report) (2005), Ministry of Public Education.

<sup>17</sup> Central Indigenous Education Office in the Ministry of Public Education.

<sup>18</sup> Central Indigenous Education Office in the Ministry of Public Education.

<sup>19</sup> Source: Operating rules 2006. Figures in Mexican pesos.

<sup>20</sup> \* Figures are estimates; thousands of pupils. Source: Quinto Informe de Labores (Fifth progress report) (2005). Ministry of Public Education.

<sup>21</sup> (1) Estimates for completion, drop-out and failure rates; (2) Estimates. Source: Ministry of Public Education.

<sup>22</sup> Source: INEGI. Statistics prepared for Teacher and Student Day 2002.

<sup>23</sup> Source: INEGI. Statistics prepared for Teacher and Student Day 2002.

<sup>24</sup> Source: Educational System of the United States of Mexico: Figures for 2003/2004 School Year (2005).

<sup>25</sup> \* Per 1,000 women aged 15-19. Source: CONAPO Estimates 2000-2050, 2003 edition.

<sup>26</sup> Figures in thousand; \* Projections for December; \*\* January-September; Source: Health Information System.

<sup>27</sup> Source: INEGI Vital Statistics Database, 2004.

<sup>28</sup> Rates per 100,000 inhabitants. This indicator is based on all reported cases of HIV, syphilis and gonorrhoea infection. The increase observed since 2003 is connected with the rise in the number of cases of the three forms of sexually transmitted infection used in calculating this indicator, gonorrhoea, syphilis and HIV, primarily because the first two rose by 15.1 per cent

and 11.8 per cent, respectively. A significant decline has been observed in cases of gonorrhoea, which has affected the pattern of decline in the infection rate; in the current year, however, this trend appears to be stabilizing and the decline rate is becoming less steep. Source: Ministry of Health.

<sup>29</sup> Source: Department for Preventive Action and the Treatment of Minors, Ministry of Public Security.

<sup>30</sup> Source: Department for Preventive Action and the Treatment of Minors, Ministry of Public Security. Data updated in March 2006.

<sup>31</sup> Minors who at the time of commission of their offence were under 18. Source: Department for Preventive Action and the Treatment of Minors. Data valid for 6 March 2006.

<sup>32</sup> Source: Ministry of Public Security Department for Preventive Action and the Treatment of Minors. Data for March 2006.

<sup>33</sup> An employed person is understood to be a person who has worked at least one hour in the previous week. This may include working in the fields or in a family business or business run by others.

<sup>34</sup> Child or adolescent travelling alone and unaccompanied by any adult, bound for the United States of America.

<sup>35</sup> In 2004, through the agricultural day-labourers' programme, the system of children's care and schooling centres was expanded from 114 to 121 centres in 13 States: Baja California, Baja California Sur, Colima, Durango, Hidalgo, Michoacán, Morelos, Nayarit, Puebla, San Luis Potosí, Sinaloa, Sonora and Veracruz. In these centres, educational and health-care services and meals are provided for the children of day-labourers, to prevent them being put to work in the fields.

<sup>36</sup> Source: Commissioner for Community Reconciliation in the Chiapas Conflict, 2006.

<sup>37</sup> Source: Commissioner for Community Reconciliation in the Chiapas Conflict, 2006.

<sup>38</sup> Source: SNDIF Child Protection Department.

<sup>39</sup> Source: SNDIF Child Protection Department, 2005.

<sup>40</sup> Three States took part in the first children's art competition on the theme of child labour, held in 2003: Aguascalientes, Michoacán and Sinaloa.

The second competition was held in 2004 on the theme "What do you think are the worst forms of child labour?" and entries were received from more than 7,000 children, from 109 municipalities, 21 companies and 83 institutions and 24 States (Aguascalientes, Campeche,

Chiapas, Chihuahua, Colima, Federal District, Guanajuato, Guerrero, Jalisco, Michoacán, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Yucatán and Zacatecas).

The third competition was held in 2005 on the theme of the exploitation of children in domestic labour, and the participants expressed their artistic views on the types of domestic labour and situations of risk in which they had seen children working and the heavy tasks they performed in other people's households. Entries were received from more than 4,500 schoolchildren in 22 states.

<sup>41</sup> The documents and explanatory notes have been sent to the States of Aguascalientes, Baja California, Baja California Sur, Campeche, Coahuila, Colima, Chihuahua, Chiapas, Durango, Estado de México, Guanajuato, Guerrero, Hidalgo, Jalisco, Michoacán, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, Quintana Roo, Sonora, Tabasco, Tlaxcala, Tamaulipas, Veracruz, Yucatán and Zacatecas.

<sup>42</sup> A printed version of the programme is attached.

<sup>43</sup> Made up of the institutions signatory to the cooperation agreement concluded in March 2001 between the ministries of health, social development, labour and social welfare, SNDIF and the second-tier civil society organizations, whose task is to provide advisory services, assistance and financial support.

<sup>44</sup> Made up of state-level representatives of the same federal bodies, and of representatives of the civil society organizations active in the state in question.

<sup>45</sup> Made up of representatives of the institutions which set up the inter-institutional subprogramme in 1996, the Ministry of Foreign Affairs, INM, SNDIF and the juvenile rehabilitation centres. The formal establishment of this working group is planned for 2005, through an agreement drawn up for this purpose between SNDIF and INM.

<sup>46</sup> Made up of state-level representatives of the same federal bodies, and also representatives of the civil society organizations active in the state in question.

<sup>47</sup> Article 3 of the memorandum stipulates, among other things, that:

“Incapacitated persons, unaccompanied minors and other vulnerable individuals should be repatriated during daylight hours to ensure their safety. The Mexican Participating Agencies should make every effort to have the appropriate family welfare representatives receive such persons upon repatriation from the United States;

“[...]

“Timely special notification and information should be provided by [Department of Homeland Security] authorities for cases where additional preparation will be required to receive an unaccompanied minor or an individual with medical, mental or other special needs.”

<sup>48</sup> Following their launch in 2002, the following States have joined the networks:

2002: 13 States: Campeche, Colima, Guanajuato, Jalisco, México, Nayarit, Oaxaca, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Tlaxcala and Yucatán.

2003: Six States: Coahuila, Distrito Federal, Michoacán, Nuevo León, Puebla and Tabasco.

2004: Two States: Sonora and Veracruz.

2005: Three States: Aguascalientes, Baja California and Durango.



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