



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Exceptional session

Summary record of the 570th meeting

Held at Headquarters, New York, on Tuesday, 6 August 2002, at 3 p.m.

Chairperson: Ms. Abaka

Contents

Consideration of the reports submitted by States parties under article 18 of the
Convention (*continued*)

Fifth periodic report of Mexico (continued)

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The meeting was called to order at 3.10 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Fifth periodic report of Mexico (continued)
(CEDAW/C/MEX/5; CEDAW/PSWG/2002/EXC/CRP.1/Add.8)

1. At the invitation of the Chairperson, Ms. Espinosa Torres, Ms. Lajous, Ms. García Gaytán, Ms. Quintanilla Rodríguez, Ms. Rubio Ramírez and Ms. Bonfil Sánchez (Mexico) took places at the Committee table.

Articles 1 to 6 (continued)

2. **Ms. Espinosa Torres** (Mexico), in response to earlier questions about women's participation in political parties and elected posts, said that the National Women's Institute (INMUJERES) was working, through training and dialogue, with women in the various political parties and with women's organizations to bring about change. The recent amendments to the Federal Code of Electoral Institutions and Procedures had been achieved in large part owing to the women's movement.

3. Some Committee members had asked about the Mexican delegation's response to the rape of indigenous women in Chiapas by members of the armed forces. By analogy with the mechanism created in Ciudad Juárez to open dialogue and channels of communication between the authorities and the civil society of Chihuahua concerning the problem of violence against women there, the Institute was considering the creation of a similar mechanism to operate in militarized zones. The Institute was committed to resolving the situation in collaboration with the government offices responsible for indigenous affairs.

Articles 7, 8 and 9

4. **Ms. Goonesekere** said that, according to the report, women did well on the entrance examinations for the Mexican foreign service and were admitted in fairly large numbers at the entry level. Yet the statistics showed a dramatic decline in women's participation at the consular and higher levels of the foreign service. She would like to know whether the National Women's

Institute had diagnosed the reasons and had any plans to correct the situation.

5. **Ms. Gaspard** said that she was particularly concerned about women's low rates of political participation at the local levels. In most countries the situation was normally the reverse, as women put more effort into the decisions that affected their daily lives. In the next report, the Committee would appreciate more statistics showing the pattern at the various electoral levels and offering some clarification as to whether the changes in the electoral laws mandating a quota of women candidates on electoral lists applied to local elections as well.

6. **Ms. Regazzoli** said that she shared the concern about low participation at the local level, where some of the problems affecting women could best be resolved.

7. On the matter of health, she would like to know more about what new steps had been taken since the fourth report to meet the growing demand for contraceptives. She would also like to have more information about efforts to involve men in family planning and about links between reproductive health initiatives and efforts to combat HIV/AIDS. She was concerned at the increase in the proportion of the women and girls under age 15 suffering from AIDS. Since the epidemic appeared to be expanding despite government efforts to control it, there was an urgent need for information on how infection was being transmitted, whether through sexual contact or through drug use, to what extent it affected prostitutes, street children or ordinary housewives and to what extent it had become a problem in rural areas that were sources of emigration. She would also be interested to learn what concrete results had been obtained from the *Lazo Rojo* programme in convincing the public of the seriousness of the disease and the importance of condom use as the most effective means of prevention.

8. She was also interested in hearing more about how the Government was addressing the problems of an increase in teenage pregnancies. The Committee appreciated the full information given on alcohol, tobacco and drug addiction and hoped to see statistics in the next report showing the degree of reduction of use. She wanted to know whether the Mexican Government had any programmes to raise awareness, among men as well as women, of the link between

sexually transmitted human papillomavirus and cervical cancer.

9. Violence against women of all ages seemed to be worsening since Mexico became a party to the Convention. In that regard, it would be interesting to hear how the “Cybernetic Police” mechanism functioned. Collaboration with Interpol might be helpful in combating the traffic in women in the north of Mexico. On a more basic level, hotlines for reporting violence and awareness-raising campaigns to give women the courage to report were essential tools.

10. **The Chairperson**, speaking in her capacity as an expert, said that she, too, was concerned about the low representation of women in politics at the local level. The point of decentralization was to bring power to the doorstep of the people. In their own communities women were usually more visible and more effective at bringing about change, and local involvement gave them an opportunity to advance in politics from the grass roots. The Government of Mexico should consider the use of the temporary special measures as provided for in article 4, paragraph 1, of the Convention to increase women’s political participation.

11. **Ms. Espinosa Torres** (Mexico) said that to counter the poor local political participation the National Women’s Institute was creating a network among women mayors, thus far in 84 municipalities. Women were better represented as town councillors and registrars, and in posts in municipal administrations, where they had an opportunity to break through traditional cultural prejudices to higher positions of local power. The recently amended electoral law was a federal law and applied only to federal elections. However, six of the states had their own electoral quota laws and another six were debating following suit.

12. The “Cybernetic Police” programme was intended to enable women to report instances of violence to the police via the Internet and receive a quick response. Some of the states already had hotlines, and work was going forward on a national hotline. The Mexican Government was very concerned about the increasing violence, but believed that some of the reported increase was due to awareness-raising efforts that had encouraged more women to venture to bring complaints. The Government, with the encouragement of the President, was actively working on coordinating the “single window”, proposed in the

“Ideal Route” study discussed earlier, through which women victims of violence could look for help with the certainty of being heard and having their complaints followed up.

13. **Ms. Lajous** (Mexico) said that Mexico had a long tradition of women’s participation in the foreign service, which had been given impetus by the holding of the first World Conference on Women in Mexico City. Currently, 13.5 per cent of Mexican ambassadors were women and the present administration had made an effort to appoint women to ambassadorial rank. Roughly half the applicants for the foreign service were women, and there were already many women in the ranks. At present, two of the Deputy Ministers for Foreign Affairs were women, with responsibility for human rights and democracy and for global issues.

14. **Ms. García Gaytán** (Mexico), speaking from the perspective of a member of the Chamber of Deputies, said that the recent amendments to the electoral law, in addition to establishing the principle of women’s participation in political decision-making, provided, specifically with reference to the Congress, that no more than 70 per cent of candidates for deputy or senator on each party’s list could be of the same sex, and that on proportional representation lists of three candidates at least one candidate must be of a different sex than the other two.

15. Moreover, the importance of the women’s vote in Mexico had led many political parties to reform their own rules and to put forward women candidates to attract the women’s vote. She was confident that when Mexico submitted its next report the proportion of women deputies would exceed 25 per cent.

16. **Ms. Quintanilla Rodríguez** (Mexico) said that as Director of the Department of Reproductive Health she was eager to see more women not only in political but in leadership positions, for instance, as directors of hospitals and heads of district health departments.

17. With regard to contraceptives, Mexico’s regulations were often taken as a model by other countries. The Government was attempting to address the current shortage through a joint purchase with the United Nations Population Fund of a six-months’ supply to be distributed through intensive awareness-raising campaigns involving community health workers and public health providers. The intention was to make the programme permanent and to make reproductive health a matter of national security. Programmes to

raise awareness of the importance of contraceptive use and family planning were directed at men as well as women.

18. Women's health was ranked as a matter of public health in the budgets of all health institutions. The women's health programme was not focused solely on women of reproductive age but took an integrated approach covering a woman during her entire lifetime. Pregnant women infected with HIV received care to prevent their children from being born with AIDS. It was well understood in Mexico that cervical cancers were primarily sexually transmitted diseases caused by human papillomavirus and that men must be involved in prevention. The Cancer Institute had developed a cheaper test that could be made more widely available for detection of the condition. Programmes had been launched to combat the increase in teenage pregnancies, which was one factor in higher maternal and infant mortality.

19. One of the problems impeding the improvement of health care for women was the poor quality of medications commonly available to them. A technical guide for couples to HIV/AIDS prevention for couples was being produced and the Government had purchased a large supply of female as well as male condoms. Moreover, a programme had been instituted to test for HIV infection in rural women and in prostitutes. The latter once declared free of infection, had been converted into health workers and had even formed non-governmental organizations. Another programme had been launched to make women active in advocating for their own health and that of their families. Although Mexico had many problems in reproductive health, it also had useful experience and innovative ideas to share with other countries through South-South programmes.

20. **Ms. Rubio Ramírez** (Mexico), speaking from the perspective of a worker in education and a member of the Mexican teachers' union, said that, although much progress had been made in putting institutional mechanisms in place, real participation by women in decision-making developed more slowly because of traditional cultural attitudes. Gender inequity was still reflected throughout the society in terms of services provided and access to opportunities. The challenge was to channel the experience that had been gained into a coherent policy.

21. There was a national consensus on the importance of quality education, and the law placed no obstacles to equal access to education for men and women. But in practice stereotypes prevailed that regarded certain economic activities associated with the best jobs, as traditionally masculine. In consequence, there was a movement gaining ground for reform of education, not only in terms of curricula, programmes and career guidance, but in an effort to restructure the entire education system to make it more diverse, flexible and pluricultural.

22. In addition to the commitment of non-governmental organizations and the Government to reform, the participation of women in unions was essential. The worldwide decline in union membership was not unrelated to the global feminization of poverty. In teaching, which employed a high proportion of women, that phenomenon was associated with declining salaries and inadequate social security benefits. Nevertheless, in response to pressures to harmonize social aspirations and gender equity, the Government Employee Social Security and Services Institute (ISSSTE) had recently recognized that a woman worker had the same right as a man to enrol a spouse under the health insurance programme, thus challenging much of the country's social legislation, which was based on the idea that a woman's place was solely in the home. Such stereotypes must also be eliminated from school textbooks and the designing of curricula. One of the innovative temporary special measures the Ministry of Education had taken was to earmark a proportion of scholarships for girls in order to close the gap between the number of girls and boys remaining in the educational system.

Articles 10 to 14

23. **Ms. Ferrer Gómez** welcomed the Government's efforts to reduce gender disparities in education, in particular through scholarships for female students. However, further efforts were clearly required to reduce the high levels of female illiteracy. She would appreciate additional information on the percentage of women in administrative, teaching and research posts, particularly at university level. The delegation should also describe measures undertaken to promote the participation of women in educational decision-making. It should also explain the salary differential between high- and low-level positions.

24. The weak participation of women in the economy (36 per cent in 2000) was a cause for concern, as were the significant gender gap in salaries, the lack of social benefits for working women and the fact that the large proportion were employed in the informal sector and as domestic workers. Furthermore, the statistics relating to female workers in the 12 to 15-year age group betrayed the existence of child labour.

25. The delegation should also describe measures being implemented to address female unemployment in rural areas and to combat the evident exploitation of some 500,000 women in the *maquiladoras* industry (export production). One maquilador had claimed that its objective was to produce goods, not to look after women. Clearly, information awareness campaigns and recommendations were insufficient to ensure the implementation of existing legislation and respect for the basic rights of women workers.

26. **Ms. Livingstone Raday** said that it was still unclear whether there was a specific law to prohibit discrimination in employment. The delegation should clarify the geographical scope of any such law, as well as any criminal, civil or administrative enforcement mechanisms in place. It should also detail the number of legal actions brought to date, and explain who was currently entitled to initiate proceedings. More detailed information on specific *de jure* as well as *de facto* measures for preventing discrimination in the workplace would also be welcome.

27. The enforcement of basic labour standards was also a matter of concern, especially in the low-paid sector where some 25 per cent of women — according to the report — earned less than the minimum wage. The delegation should explain what measures were being undertaken to address the slavery-like conditions in the *maquiladoras* industry, where women reportedly suffered spontaneous miscarriages owing to poor health and safety in the workplace, and were prosecuted when they underwent abortions.

28. The Committee would appreciate more gender-disaggregated data, in particular on the hourly wage gap in various sectors of the labour market.

29. **Ms. Tavares da Silva** noted that no mention had been made of sex education for boys, or of men's role in reproductive health.

30. **The Chairperson**, speaking in her capacity as expert, requested the delegation to clarify whether

indigenous women were subjected to compulsory medical testing and involuntary sterilization.

31. **Ms. Gaspard** said that the Government should be collecting data on poverty among older women. It should also study their retirement situation. Data on girls' participation in education, disaggregated by field and level of study, would also be appreciated. The Committee would also appreciate further information — whether orally or in the next report — on the current state of academic research on gender issues in Mexico.

32. **Ms. Schöpp-Schilling** asked whether the Government was aware that the absence of labour protection for domestic workers amounted to discrimination within the meaning of article 1 of the Convention. The delegation had referred to improved social security coverage for daily agricultural labourers, but it was unclear what proportion of those labourers were women.

33. **Ms. Feng Cui**, having welcomed the Government's efforts to support rural women through microcredit schemes, asked whether all applications for credit were approved and whether any special guarantees were provided to indigenous persons. If she had understood correctly, credit was often issued through intermediate organizations and in some cases only to women's organizations. The delegation should provide information on the interest rates charged to poor women and indicate whether the schemes had actually helped such women overcome poverty. It should also provide further details of efforts to protect the rights of women in vulnerable groups, including Mexican immigrants to the United States of America.

34. **The Chairperson** invited the delegation to respond to the experts' questions.

35. **Ms. Espinosa Torres** (Mexico) said that her delegation could not agree with the experts' interpretation of women's labour conditions, particularly with regard to the *maquiladoras* industry. The Government recognized that conditions were not always up to standard and was making concerted efforts to compile disaggregated statistics, introduce flexible schedules for women workers and provide access to training and day care. Nor was it true that pregnancy tests were carried out on workers. Concerned to improve the situation, the Government had established a technical commission to implement

follow-up to the Convention, which involved women from several regions.

36. Although there was no law on discrimination as such, there was an office of gender equality which was implementing an array of programmes to improve women's working conditions. Efforts were also under way to revise the labour code. The issue of social benefits and retirement rights for women domestic workers was currently under consideration and would include a review of current legislation.

37. **Ms. García Gaytán** (Mexico), responding to questions raised on social security coverage of women working in the informal sector and wage discrimination, said that the federal labour law was currently undergoing extensive review. The National Women's Institute was participating in that reform process as an observer and a number of issues of interest to women, including protection of rights, safeguarding equality and the elimination of discriminatory policies, were expected to be incorporated into the new federal labour legislation. In follow-up to the responses provided on the rights of women employed in the *maquiladores* sector, she reiterated that the Government of Mexico sought to protect the rights of all women, including those working in such industries.

38. Recalling Mexico's status as a developing country of limited resources, she acknowledged that salaries of domestic workers appeared low, and that there was a discrepancy between salaries paid to men and women.

39. **Ms. Quintanilla Ramírez** (Mexico) said that programmes on reproductive health targeted men and women equally. Although adolescents were well informed on the subject, there was some concern that many were involved in risky sexual behaviour and practices. With adolescents constituting a large proportion of the total population, the Government had not yet devised a universal policy, and was striving to convey the message of responsible exercise of sexuality to adolescents in all walks of life through a comprehensive and integrated programme on reproductive health.

40. In terms of male participation, she said that 18 per cent of the budget on reproductive health had been earmarked for projects targeting men. The ratio of surgical contraceptive interventions was still weighted in favour of women, namely 7:1, but it was hoped that

as a result of the budgeted measures an equal number of men would opt for such procedures in due course.

41. Medical testing was not compulsory, but women were informed of their rights and encouraged to participate in preventive care and public health schemes. Accordingly, cancer screening and follow-up services had been made widely available and, at the community level, group discussions had proved a useful tool in disseminating information on health issues. She stressed that involuntary sterilization was no longer practised and that men were offered the possibility of reversing earlier sterilization procedures at no cost. On the other hand, women who wished to be sterilized had great difficulty in gaining access to such services due, inter alia, to an insufficient number of health centres and a shortage of health personnel with proficiency in the indigenous languages. The Government was strengthening its initiatives in several areas, including prenatal counselling, education of indigenous communities and public education.

42. **Ms. Bonfil Sánchez** (Mexico) wished to make it clear that complaints about access to services were actually exceptional and did not reflect the manner in which programmes normally operated.

43. The microcredit schemes were among the most important strategies adopted by the Government to create employment, generate income and provide economic opportunities for rural and indigenous communities by lending capital to assist women in productive work. It was not possible to grant all requests that were submitted since each credit scheme had specific conditions and eligibility requirements and there were not sufficient resources to fund all projects. Microcredit was granted to organizations contributing to collective empowerment, public participation and local decision-making and to women on an individual basis according to need. In general, such credit was either interest-free or provided at low rates of interest. She outlined some of the funding programmes designed for rural development, as described in paragraphs 687 ff. of the report, and said that there were no specific data available to measure the success of microcredit grants.

44. The Government of Mexico had adopted a number of effective measures for the protection of migrant workers in Mexico and abroad, including education and health projects to address the personal needs of labourers and their families.

45. **Ms. Rubio Ramírez** (Mexico) said that in spite of growing empowerment of women and although the qualitative advancement of women in education surpassed that of men in terms of lower drop-out rates and increased acquisition of literacy skills, there remained a gap in favour of men. The majority of workers in education were women, but men were predominant at the highest levels of academia and research. However, in addition to a number of pilot programmes funded chiefly through international sources, the Government was currently undertaking an integrated reform of the education system and was due to sign a framework agreement between federal and state governments, the legislature and judiciary, unions and all other competent authorities to affirm their commitment to education and to ensure a positive impact on labour, employment and the national culture.

Articles 15 and 16

46. **Ms. Kwaku**, citing paragraph 715 of the report, which referred to article 2 of the Civil Code establishing the equality of men and women, and the amendment of that article to strengthen that provision, she asked the delegation to comment on reports that certain groups, such as refugee women, did not enjoy equal status with refugee men or Mexican nationals.

47. **Ms. Kapalata** referred to paragraph 749 ff. of the report, regarding new civil legislation on joint ownership of property and separation of property. She wished to know whether the provisions of amended article 182 (d) applied to all types of recognized marriages in Mexico, or only to civil marriages, and in the case of the latter, what was the status of other forms of marriages, and how the issues of property ownership were dealt with in such marriages.

48. She noted further that, as stated in paragraph 761 of the report, a 1999 National Symposium had recommended that universities and academic centres should conduct research on the value of financial and non-financial contributions made within the home and undertake a reappraisal of women's role in the home. She was curious to know whether such research had been conducted and, if so, what were the results.

49. She also requested clarification on a point discussed earlier relating to land acquisition by refugee women. Was such ownership stipulated by law and what qualifying criteria were specified? She asked the delegation to explain further the distinction made

between migrant women and refugees in that connection.

50. **Ms. Goonesekere** asked for clarification about property regimes. In the framework of the concept of "family property", would a person be able to make use of the disposal of property in order to protect the rights of women? In the case of domestic violence, she asked whether human rights units had been put in place to enforce the protection of women and children. Noting that the marriage of minors aged 16 or under contravened the provisions of the Convention on the Rights of the Child and article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, she asked what was the rationale for retaining that provision in Mexican legislation.

51. **Ms. Tavares da Silva** said that she shared Ms. Kapalata's interest in the results of the recommendation on valuing the contributions made by women in the home. In addition, she asked whether the results of that research would be applied solely to divorce settlements, or whether they were expected to apply more widely.

52. **Ms. Hazelle** (Rapporteur), referring to the status of the National Women's Institute as a participant in the reform of the federal labour law, asked the delegation to explain why so important a body as the Institute had not been accorded a higher status than observer.

53. **Ms. Livingstone Raday** explained that, in her earlier comments regarding workers in the *maquiladores* sector, she had simply been referring to reports and that they should not be taken as factual. Through her query she had wished to establish whether the Government of Mexico had carried out fact-finding activities on the sector.

54. **Ms. Regazzoli** (Vice-Chairperson), commenting on the participation of women in politics, said that a major challenge was to ensure that in the 2003 elections women were elected to a minimum of 30 per cent of seats in all federal districts of Mexico. Greater participation at all levels and increased numbers of women in decision-making would convey the sense of belonging that was needed to solve the diverse social and economic problems. In seeking to monitor the application of the Convention, and through its recommendations, the Committee sought to improve the status of women as a platform for improving societies and nations on the whole.

55. **Ms. Espinosa Torres** (Mexico) said that the Government was making enormous efforts to reduce the gap between women and men in access to development. For example, an office comprising representatives of the Ministry of Labour and Social Security as well as of the labour and business sectors had been set up to reach agreements on the reform of federal labour legislation. The National Women's Institute was able to participate in those activities as an observer, and had presented a comprehensive initiative on improving existing labour legislation with respect to the situation of working women. It was hoped that the initiative would be presented to the Congress in the near future.

56. Major efforts were also being made to recognize, dignify and quantify domestic work. Similar programmes under way in some countries of the European Union were serving as the Institute's model. While those efforts had met with some success in the capital, challenges remained in convincing magistrates in rural areas to apply the underlying principles; to counter that obstacle, the Institute was involved in setting up workshops to heighten magistrates' awareness of and sensitivity to the issues involved.

57. Commenting on the concerns expressed with regard to the situation of indigenous women, she said that for the first time a national programme had been set up specifically to deal with that subject. During its first year of operation, the programme had confirmed the existence and nature of discrimination suffered by indigenous women in domestic labour, domestic violence, health and education; moreover, a review of the financing mechanisms for the establishment of handicraft centres, which represented an important economic resource for indigenous women, had been carried out. Programmes dealing with health education, domestic violence, gender awareness and multicultural issues had also been put in place. Labour offices, involving the participation of displaced persons and members of civil society, were also being established in the context of upholding the rights of indigenous people in conflict zones, especially in the state of Chiapas.

58. With regard to concerns expressed about the right of refugee women to own land, she said that the refugees involved, formerly from Guatemala, had lived in the states of Campeche and Quintana Roo for 17 years, and that the Government had recently decided to grant land to those wishing to remain in Mexico.

59. **Ms. Lajous** (Mexico) thanked the members of the Committee for their observations and comments. Speaking on the subject of emigration, she noted that increasing numbers of women were seeking remunerative employment and while the Government was not always able to provide such employment opportunities within Mexico, it was working through its consulates throughout the United States of America and Canada to ensure the best possible conditions for those of its citizens who chose to emigrate. It was also actively pursuing negotiations on an agreement on migratory labour that would protect the rights of migratory workers, and had recently recognized the status of dual nationality in an effort to enable Mexican workers outside the country to exercise their rights as Mexican citizens.

The meeting rose at 5.30 p.m.