

## INFORMATION NOTE

### 2nd Universal Periodic Review of Mexico (23.10.2013)

*Previous UPR of Mexico in: 10 February 2009 (4th session of the UPR)*

### 17th session of the UPR – Human Rights Council

#### *Summary of child related issues*

Troika: Burkina Faso, Kazakhstan, Czech Republic

#### I- Issues pertaining to juvenile justice and the rights of the child in general

##### 1. Issue n°1: juvenile justice

Delegations	Recommendations	Responses by Mexico
Indonesia.	Consider the implementation of a juvenile justice system.	In December 2012, the Federal Justice for Adolescents Act was promulgated. This law is intended to ensure that adolescents charged with or convicted of a criminal offence enjoy the rights set forth in the Constitution and in international treaties.
Holy See, Nigeria.	Guarantee access to justice to migrant children.	<i>*not mentioned*</i>

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## 2. Issue n°2 : child trafficking, exploitation and labour

Delegations	Recommendations	Responses by Mexico
Chile, France, Paraguay, Norway, Bolivia, Serbia, Singapore, Spain, Sri Lanka, Costa Rica, Trinidad and Tobago, USA, Algeria, Switzerland.	Criminalize enforced disappearances.	Enforced disappearance is currently defined as an offence in its own right in the laws of 15 federal entities. A number of bills are before Congress that would align the definition of this offence with the standards established in the international convention on this subject.
Egypt.	Provide support for victims of trafficking.	The government is trying to come up with measures. We know that a lot more needs to be done.
Italy, Norway	Provide figures of the number of children victims of trafficking.	<i>*not mentioned*</i>

## 3. Issue n°3: Education and health

Delegations	Recommendations	Responses by Mexico
Malaysia, Djibouti, Ecuador, Holy See, India, Indonesia, Thailand.	Ensure the access to education to indigenous children and children of African descent.	The school hostels programme for indigenous children helps ensure the school enrolment and continued attendance of indigenous children at each level of education as well as strengthening intercultural relations and improving the diets of such children in the municipalities that exhibit the most marginalization and greatest educational lags.
Lebanon.	Include the promotion of cultural diversity in education programmes.	A constitutional amendment was passed in February 2013 to improve the quality of compulsory education in order to ensure that students receive the best education possible by giving them access to better educational materials, teaching methods, organizational arrangements and educational infrastructure and fully qualified teachers and administrators. The amendment stipulates that education must promote cultural diversity.
Nigeria, South Sudan.	Guarantee the right to education for migrant children.	<i>*not mentioned*</i>

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Holy See, India, Nigeria.	Ensure that migrant children have access to health care services.	The Migration Act, which entered into force in May 2011, guarantees access to health care for migrants.
Bosnia and Herzegovina.	Implement the CEDAW recommendations on adequate and accessible services, in order to reduce infant mortality rate among indigenous people.	The Twenty-First Century Health-Care Programme <sup>34</sup> combats child (under-5) mortality <sup>35</sup> and was providing coverage to 6.8 million boys and girls as of December 2012.

#### 4. Issue n°4: Violence and poverty

Delegations	Recommendations	Responses by Mexico
Chile, Denmark, New Zealand, Sierra Leone	Prevent violence against girls.	The System for the Comprehensive Development of the Family (SNDIF) fosters a violence-free family environment through its use of the Peaceful Resolution of Family Conflict Model. But efforts need to be made in protecting children against violence.
Estonia, Philippines, UK.	Continue the fight against impunity concerning violence against children.	The government is working to criminalize violence against children.
Iran .	Provide reparation for victims of violence and bring the perpetrators to justice.	<i>*not mentioned*</i>
Nigeria, Pakistan, Palestine, Trinidad and Tobago, Azerbaijan, Bangladesh, China, Malaysia, Thailand.	Continue the fight against poverty.	The National Development Plan establishes the fight against poverty and hunger as a priority on the Government's agenda.

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## 5. Issue n°5: Convention on the Rights of the Child and other legislation

Delegations	Recommendations	Responses by Mexico
Portugal.	Adopt and ratify the OP3.	<i>*not mentioned*</i>
Sri Lanka.	Adopt and ratify the Convention against discrimination in education.	<i>*not mentioned*</i>
Ireland.	Implement the 2011 report of the working group on voluntary and enforced disappearances.	<i>*not mentioned*</i>

### II- Other relevant issues with positive feedbacks by the States present at the review:

- On 6 June 2011, an amendment to the Constitution concerning the remedy of *amparo* was promulgated which represents an unprecedented expansion of the system of rights and access to justice. This amendment strengthens the federal judiciary and reaffirms the position of the Supreme Court as the nation's Constitutional Court.
- Torture and ill-treatment are expressly prohibited in articles 19, 20 and 22 of the Constitution. The implementing regulations for these provisions are set out in the Federal Act on the Prevention and Punishment of Torture, which is now being reviewed and amended by Congress in accordance with the recommendations made by the Committee against Torture of the United Nations.
- The Special Prosecutor's Office for Crimes against Freedom of Expression was established in July 2010 to direct, coordinate and supervise the investigation and prosecution of crimes committed against journalists.
- Discrimination was classed as a federal offence in April 2012.

### III- Adoption of the report :

- **176 recommendations were made. Mexico will examine them and provide responses no later than the 25<sup>th</sup> session of the HRC.**
- **Recommendations pertaining to children:**

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- Sign and ratify the Optional Protocol to CRC on a communications procedure [148.3]
- Consider ratifying the Convention against Discrimination in Education [148.10]
- To always protect the rights of children [148.37]
- Carry out follow-up mechanisms on UPR recommendations that enable to verify the implementation and impact of norms and measures adopted to promote equal rights and non-discrimination for all citizens, particularly vulnerable groups such as women, children , ethnic minorities and LGBT communities, among others [148.39]
- Continue its promotion of legislation and actions aimed at eliminating discrimination and strengthening the protection of the rights of disadvantaged groups such as women, children and indigenous peoples [148.41]
- Work more strongly against incitement to racial hatred and racist violence against indigenous persons and persons of African descent [148.46]
- Take effective measures to prevent racial discrimination and violation of the rights of indigenous peoples [148.47]
- Enact and enforce laws to reduce incidences of violence against women and girls [148.66]
- Develop a model of care for violence against women and girls especially focused on indigenous population, in accordance with the acknowledgment made in paragraph 139 of the Report [148.73]
- Adopt inclusive solutions at the state and local levels involving local enforcement agents, judiciary, community organisations and schools; end tolerance of and impunity for gender-based violence against women and girls, and that solutions include the situation of women in prisons [148.80]
- Set up a comprehensive system to protect children’s rights and develop a national strategy to prevent and address all forms of violence [148.81]
- Ensure a better protection for children and adolescents against violence related to organized crime [148.82]
- Enhance the dissemination of information and figures regarding children and young persons who fall victims to the struggle against drug-trafficking [148.83]
- Continue its policies and efforts to combat human trafficking especially those of women and children [148.86]
- Continue the fight against impunity, especially regarding violence against women, children, human rights defenders, journalists and all other vulnerable groups [148.104]
- Reinforce its efforts to tackle impunity and corruption nationwide via the creation of a federal anti-corruption institution with the ability to prosecute; and through the allocation of adequate resources to investigate and prosecute crimes against women and children [148.106]
- **Continue its efforts to ensure the protection of children’s rights, including by fully**  
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**implementing the 2012 federal justice for adolescents act and considering implementing of restorative justice system [148.110]**

- Allocate appropriate financial and human resources to effectively implement its National Development Plan on poverty eradication and access to education [148.140]
- Further enhance institutions and infrastructure for human rights, policies and measures toward enhancing the social inclusion, gender equality and non-discrimination, favourable conditions for vulnerable groups of women, children, indigenous people, migrants and refugees [148.146]
- Intensify efforts to guarantee universal access to health services, information and education on health and sexual and reproductive rights, particularly for adolescents [148.154]
- Expand and reinforce its work in the health and education sectors, particularly to protect the rights of vulnerable sectors, including indigenous peoples, women and children [148.156]
- Implement the CERD and the CEDAW recommendations on adequate and accessible health services in order to lower the high maternal and infant mortality among the indigenous population [148.157]
- Work to ensure executing the constitutional reform that aims at improving the level of compulsory education in order to ensure that education will contribute in the promotion of the principles of cultural diversity, equality in enjoying rights, and the importance of the family and others [148.158]
- Ensure that the education contributes to cultural diversity, equal rights and the dignity of the person [148.159]
- Continue improving the quality of education for all, including indigenous children, through the provision of more infrastructure, educational materials and learning tools [148.160]
- Continue working on the design of public policies to ensure access and continuance of children and adolescents in the different educational levels, especially children belonging to indigenous peoples and poor [148.161]
- Further strengthen efforts in the field of the right of education, including by increasing the national budget allocation for education and promoting multi-cultural education [148.162]
- Recommend that the government allocate more resources to education for vulnerable students and the disabled [148.163]
- Effectively protect and guarantee the safety and human rights of migrants, especially women and children, including those that are in transit in the national territory, ensuring their access to justice, education, health and civil registry, incorporating the principle of the best interest of the child and the family unit [148.75]
- Maintain the humane policy that ensures the protection of the rights of migrants, and guarantee them access to justice, education and healthcare, regardless of their status [148.176]

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