



Save the Children

**REPORT SUBMITTED BY
SAVE THE CHILDREN
FOR THE **UNIVERSAL**
PERIODIC **REVIEW** OF
THE STATE OF MEXICO**

March 2018, Mexico City

www.savethechildren.mx





María Josefina Menéndez Carbajal

CEO, Save the Children México

Nancy Ramírez Hernández

Director of Political Advocacy

Sandy Poiré

Director of Quality and International Affairs

Jorge Vidal Arnaud

Director of National Programs

Antonio Nava García

Director of Finance and Administration

Maite Cervera Ceberio

Director of Fundraising and Marketing

Mariana Valdés Riveroll

Director of Strategic Partnerships, Mexico
and LATAM

Azucena García

Director of Communications

CONTENT

I. GENERAL LAW ON THE RIGHTS OF CHILDREN AND ADOLESCENTS AND THE NATIONAL SYSTEM FOR THE INTEGRAL PROTECTION OF CHILDREN AND ADOLESCENTS.....	6
II. RIGHT TO A LIFE FREE FROM ALL FORMS OF VIOLENCE.....	8
III. CHILD MARRIAGE.....	12
IV. RIGHT TO SAFE MIGRATION.....	14
V. RIGHT TO HEALTH.....	18
VI. RIGHT TO PARTICIPATION.....	22



Katia*, 11 years old, 4th grade, Colima:

“National System for the Integral Protection of Children and Adolescents (SIPINNA) makes the water come, makes electricity come” (SIPINNA for its’ Spanish acronym)



Edgar*, 17 years old, 3rd year high school, Sinaloa:

“SIPINNA is a system that helps protect the rights of children and adolescents”

I. GENERAL LAW ON THE RIGHTS OF CHILDREN AND ADOLESCENTS AND THE NATIONAL SYSTEM FOR THE INTEGRAL PROTECTION OF CHILDREN AND ADOLESCENTS

1. The Mexican State has made progress on the legal and institutional framework for fulfilling the rights of children and adolescents. The General Law on the Rights of Children and Adolescents was enacted, the National System for the Integral Protection of Children and Adolescents was established, and the country project “25 for 25: National Objectives for Children’s Rights” was defined.

2. Nevertheless, there is a lack of harmonization of the General Law on the Rights of Children and Adolescents between local and federal legislation, as well as analysis to identify the resources needed for its effective implementation.

3. Recommendation 148.3 has yet to be fulfilled, regarding signing and ratifying the “Optional Protocol to the Convention on the Rights of the Child on a communications procedure” (UPR, Second Cycle, Paragraph 148, Recommendation 148.3, Portugal).

4. SIPINNA needs to be strengthened, given autonomy, and provided with the necessary technical, human, and financial resources to effectively construct public policy for children and adolescents on the local, state and federal level. Furthermore, public prosecutors for child and adolescent protection need in practice to be conceived as part of the SIPINNA, which requires establishing them as agencies that are external and independent of the National System for Integral Family Development (DIF) and avoiding a welfare-based focus for the measures of special protection.



Sara*, 12 years old, 6th grade, Baja California:

“To stop violence in homes, you need to talk with your family and make them understand what is wrong and what is right. And that if they don’t understand the consequences, they could hurt their family members”



Teo*, 9 years old, 4th grade, Puebla:

“I would ask for justice and talk with parents because in their generation they were taught to be violent”



Celia*, 15 years old, 3rd year middle school, Chiapas:

“To stop school violence, everyone as students of the institution needs to make the right decisions and act correctly. And if that doesn’t work, we’d need to organize ourselves so that every student helps campaign and snuff out the violence, which is not only in schools but in the entire country, and has become really serious in different cases”

II. RIGHT TO A LIFE FREE FROM ALL FORMS OF VIOLENCE

5. Mexico has made progress on implementing Recommendation 148.81, related to setting up an integral system to protect children's rights and develop a national strategy to prevent and address all forms of violence (UPR, Second Cycle, Paragraph 148, Recommendation 148.81, Iran).

6. Mexico has committed to the Sustainable Development Goals, of which goal 16.2 sets forth ending all forms of violence against children by 2030. Mexico became a pathfinder country in the Global Partnership to End Violence Against Children and established a National Commission and Action Plan for that purpose.

7. But those measures are not enough. Every day, an average of 3 children or adolescents die by homicide.¹ From January 2015 to December 2017, there were 160 femicides of females under 18 years old.² At least 30 thousand children and youth collaborate with organized crime groups in activities ranging from extortion to human smuggling.³ In 2014, national and state DIF offices treated an average of 152 children and adolescents daily for probably cases of child abuse.⁴ 63.1% of children and adolescents under 14 years old have suffered some type of violent discipline, which is added to the fact that corporal punishment is not explicitly prohibited by the General Law on the Rights of Children and Adolescents and civil and family codes in Mexico's 32 states.⁵

¹ National Institute of Statistics and Geography (INEGI for its acronym in Spanish), Mortality Data set: Deaths by homicide, 2016.

² Executive Office of the National Public Security System, et al., Information on crime and emergencies with a gender focus. Data up to December 31, 2017, National Information Center, 2018.

³ Inter-American Commission on Human Rights, Violence, childhood and organized crime, 2015.

⁴ Commission to End All Forms of Violence Against Children and Adolescents, et al., Action Plan for Mexico. Global Partnership to End Violence Against Children, 2017.

⁵ United Nations Children's Fund (UNICEF), et al., National Survey of Children and Women, 2015.

RECOMMENDATIONS

8. Stay committed to Sustainable Development Goal 16.2, and guarantee the continuity and strengthening of the Action Plan through an evaluation of results and progress achieved thus far. The Plan should be strengthened with a long-term vision that deals with the structural causes of violence, has adequate and clearly assigned resources in the Federal Budget, and sets forth mechanisms for monitoring, evaluation and accountability.

9. The National Development Plan, Sector Plans and the National Program for Child Protection should incorporate a transversal strategy that deals with the structural causes of violence against children and adolescents and ensures coordination between the different sectors. Its design should effectively incorporate civil society participation, including children and adolescents.

10. Assess current public policy for preventing and dealing with violence against children and adolescents in order to determine that it is constructed with a human rights focus, responds to root causes of violence, implemented with a transversal vision, and has a real impact on decreasing violence.

11. Strengthen the creation and distribution of information related to violence experienced by children and adolescents, ensuring that the National Information System of Children and Adolescents Rights is established and immediately published. The System should consider all types of violence against children and adolescents and generate data that is not yet available, such as data regarding to migrant and trafficked children and adolescents, those affected by organized crime, etc. Furthermore, the data should be disaggregated by gender, age, income, ethnicity, migration status, disabilities and geographic location.

12. Guarantee that public prosecutors for child and adolescent protection possess the financial, technical and human resources needed to perform their duty to prevent and reparations for any human rights violation against children or adolescents.

13. Ensure that all public officials in contact with child and adolescent victims of human rights violations are duly trained in human rights and the implementation of operating procedures for guaranteeing the necessary measures for special protection and reparations.

14. Comply with Recommendation 30 regarding corporal punishment, guaranteeing that the General Law on the Rights of Children and Adolescents and civil and family codes in Mexico's 32 states explicitly prohibit corporal and psychological punishment. Furthermore, implement a broad national campaign to reaffirm the rights of children and adolescents and promote violence-free upbringing alternatives (UPR, First Cycle, Paragraph 93, Recommendation 30, Sweden).

15. Comply with Recommendation 148.82 to protect children and adolescents against violence related to organized crime, ensuring comprehensive reparations for victims, including measures for restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition. To lower chances that children and adolescents are recruited by organized crime, it is essential to guarantee them opportunities to develop a dignified life project (UPR, Second Cycle, Paragraph 148, Recommendation 148.82, Algeria).



Santiago*, 17 years old, 2nd year high school, Nuevo León:
“Women are more likely to be attacked or hurt because they are thought to be weak, they are vulnerable”

III. CHILD MARRIAGE

16. It is estimated that in Mexico, 6.8 million women between the age of 15 and 54 were married before turning 18 years old.⁶ Women that marry at a young age are not able to fully exercise their rights to health, education and protection, and are more likely to suffer violence and recreate cycles of poverty. The lack of harmonization between local civil or family codes and the General Law on the Rights of Children and Adolescents, the latter of which establishes 18 years as the minimum age for marriage without exemptions or exceptions, contributes to furthering this rights violation against children and adolescents.

RECOMMENDATION

17. Harmonize the legal framework in all of Mexico's states with the General Law on the Rights of Children and Adolescents to establish 18 years as the minimum age for marriage without exemptions or exceptions. Furthermore, establish culturally relevant public policies for the empowerment of girls and adolescent women.

⁶ INEGI, National Survey of Demographic Change, 2014.



Antonio*, 11 years old, 6th grade, Puebla:

“People who migrate would be safer asking the government for help and if there was more security for them”



Juan*, 12 years old, 6th grade, Oaxaca:

“Migrants should hide because Migration captures them”

IV. RIGHT TO SAFE MIGRATION

18. Mexico has committed to protect and defend the rights of migrants, especially of children and adolescents (UPR, Second Cycle, Paragraph 148, Recommendations 148.173, 148.174, 148.175 and 148.176, Bolivia, Nicaragua, Vatican, Nigeria).

19. Nevertheless, from 2012 to 2016 detentions of unaccompanied children and adolescents from Central America's Northern Triangle (Guatemala, Honduras and El Salvador) by Mexican migration officials increased from 5,754 to 38,518.⁷ Unaccompanied children and adolescents traveling through Mexico, whether Central American or Mexican, are especially vulnerable to exploitation and deception. Many are recruited illegally to labor in the worst types of jobs, such as begging, pornography, forced prostitution, drug trafficking and domestic work in slave-like conditions. They are often victims of traffickers.⁸

20. The General Law on the Rights of Children and Adolescents establishes the right of migrant children and adolescents to integral and special protection, as well as the right to due process. However, the Mexican government's response to migration continues to be characterized by measures of persecution and migratory control, which has caused systematic violations of the rights of migrant children and adolescents. Furthermore, there lacks a focus on preventing the forced migration of children and adolescents, since the structural causes forcing them to abandon their places of origin (Northern Triangle countries and Mexico in particular) are rarely dealt with, such as poverty, marginalization, and widespread violence.

⁷National Population Council, et al., Annual Report on Migration and Remittances, 2017.

⁸ Amnesty International, Living in the Shadows. A primer on the human rights of migrants. Amnesty International Language Resource Centre, 2006.

RECOMMENDATIONS

- 21.** Harmonize the Migration Act with the General Law on the Rights of Children and Adolescents to provide comprehensive protection and guarantee due process for children and adolescents.
- 22.** Launch and strengthen multilateral actions in coordination with the countries involved, through a vision of human security and development cooperation that promotes violence prevention and the creation of improved living conditions in the communities of origin.
- 23.** Create human rights-focused regional public policies that are differentiated and specialized for children regarding forced displacement and protection mechanisms and care for children and adolescents migrating in the Northern Triangle of Central America and Mexico.
- 24.** Design and implement operating procedures for the care of migrant children and adolescents in coordination with consulates, embassies and state departments of the countries involved, as well as in coordination with civil society organizations and all sectors and organized groups that provide services directly or indirectly to the migrant population in their country of origin, transit, or destination.

25. Strengthen the human and financial resources and infrastructure given to public prosecutors for child and adolescent protection so they are trained to provide differentiated services to migrant children and adolescents and seekers of protection.

26. Promote special care programs that take into account access to justice and the reparation of damages for migrant families and unaccompanied minors — refugees or not — who have suffered violent attacks.

27. Strengthen mechanisms for reporting human rights abuses and violations within migrant populations, including differentiated analysis of abuses committed against children and adolescents.

28. Design and implement information campaigns to prevent the criminalization and discrimination against migrants.



Ivonne*, 10 years old, 5th grade, Yucatán:

“I think I’m not in good health because sometimes they’ve told me I have anemia, but I don’t know if it’s true I have it”



Miguel*, 11 years old, 6th grade, Nuevo León:

“I don’t know, I’m not in good shape, I feel like my health isn’t very good”

V. RIGHT TO HEALTH

29. 16.2% of children and adolescents lack access to healthcare, the maternal mortality rate is 34.6 deaths of women per 100,000 live births, and the under-5-year-old mortality rate is 15.1 deaths per 100,000 live births.⁹ Even when progress has been made towards universal health services, unequal service quality, the coverage of interventions offered by providers, and the accessibility of services remain as challenges.

30. 27.6% of children and adolescents lack access to food,¹⁰ chronic malnourishment affects 1.5 million children under 5 years old,¹¹ and 33.2% of the population between 5 and 11 years old are overweight or obese.¹²

RECOMMENDATIONS

31. Comply with Recommendation 148.155 to increase efforts to reduce the maternal mortality rate, in particular by adopting a broad strategy on safe maternity, in which priority is given to access to prenatal, postnatal and obstetric quality health services (UPR, Second Cycle, Paragraph 148, Recommendation 148.155, Uruguay).

32. Comply with the target set by the World Health Organization to reduce anemia by 50% for non-pregnant women in reproductive age between 2012 and 2025.

33. Strengthen first level health services and mechanisms for channeling emergencies involving births and the neonatal stage. Consider models that include community participation due to its importance within communities.

⁹ System of Information of the Millennium Development Goals. Indicators Consult. 2015.

¹⁰ National Council for the Evaluation of Social Development Policy, et al., Poverty and the social rights of children and adolescents in Mexico, 2014.

¹¹ National Institute of Public Health (INSP), 2012 National Health and Nutrition Survey, 2012.

¹² INSP, Midpoint National Health and Nutrition Survey, 2016.

34. Implement the CERD¹³ and the CEDAW¹⁴ recommendations on adequate and accessible health services in order to lower the high maternal and infant mortality among the indigenous population (UPR, Second Cycle, Paragraph 148, Recommendation 148.157, Bosnia and Herzegovina).

35. Comply with the target set by the World Health Organization to reduce the number of children under-5 who are stunted by 40% by 2025, starting from the prevalences of 2010.

36. Guarantee that effective and low-cost interventions, such as breastfeeding, are implemented and reach all populations. Combat barriers to breastfeeding, including cultural, work-related, institutional and informational.

37. Implement a comprehensive school health and nutrition policy on a local and national level that promotes children and adolescents to develop healthy personal and food habits.

Sexual and reproductive health and adolescent pregnancy

38. Two out of every 10 births in Mexico are from adolescents under 20 years old, while one out of every two adolescents aged 12 to 19 who begin sexual activity become pregnant.¹⁵

¹³ Committee on the Elimination of Racial Discrimination.

¹⁴ Convention on the Elimination of all Forms of Discrimination Against Women.

¹⁵ INSP, 2012 National Health and Nutrition Survey, 2012.

RECOMMENDATIONS

39. Comply with Recommendation 148.154 to intensify efforts to guarantee universal access to health services, information and education on health and sexual and reproductive rights, particularly for adolescents (UPR, Second Cycle, Paragraph 148, Recommendation 148.154, Uruguay).

40. Evaluate and publish progress in access for adolescents to friendly sexual and reproductive health services. On that basis, define a strategy with goals to guarantee universal coverage.

41. Evaluate educational programs to determine the implementation rate of comprehensive sexuality education (CSE) in Mexico's schools, along with the progress made and pending tasks for training teachers on CSE at all levels of schooling.

42. Improve the inclusion of CSE criteria within educational curriculum and teaching materials, in particular the topics of gender, interpersonal relationships, pleasure, information on sexual and reproductive health and HIV, rights, sexuality and citizenship, violence prevention and diversity.

43. Promote male joint responsibility in sexual and reproductive health through the implementation of specific programs aimed at adolescent boys in health centers, schools, and sports and community centers.

44. Implement a policy for supplying accessible contraception methods, informational and promotional campaigns, and constant training of health personnel to prevent stigmatizing the adolescent population that seeks help regarding sexual health.



Patricia*, 13 years old, 2nd year middle school, Chiapas:

“It’s important that they pay attention to us, that they listen to us, that they are aware of our problems and the situations we have, that there’s more protection in the streets, that we aren’t lacking anything, that we have a good education inside and outside of school, that there’s gender equality”



Daniel*, 17 years old, 3rd year high school, Baja California:

“To protect our rights, we need to make a group that represents all children and give opinions that benefit everyone”

VI. RIGHT TO PARTICIPATION

45. One-fourth of Mexican adults believe that the opinions of children and adolescents regarding political decisions should be considered little or not at all, and 2 out of 10 believe that children and adolescents participate through their parents and other adults.¹⁶ The public investment in the right to participate for children and adolescents is only 1% of the total expenditure in children and adolescents.¹⁷

RECOMMENDATIONS

46. Increase the budget assigned to children and adolescent participation.

47. Guarantee mechanisms of participation for children and adolescents in spaces where they develop and receive services, such as schools, recreational spaces, medical services, etc.

48. Establish permanent spaces for participation of children and adolescents on federal, state and local levels in all institutions related to SIPINNA, and monitor and evaluate the degree to which the opinions of children and adolescents are gathered in creating laws and public policies in their interest.

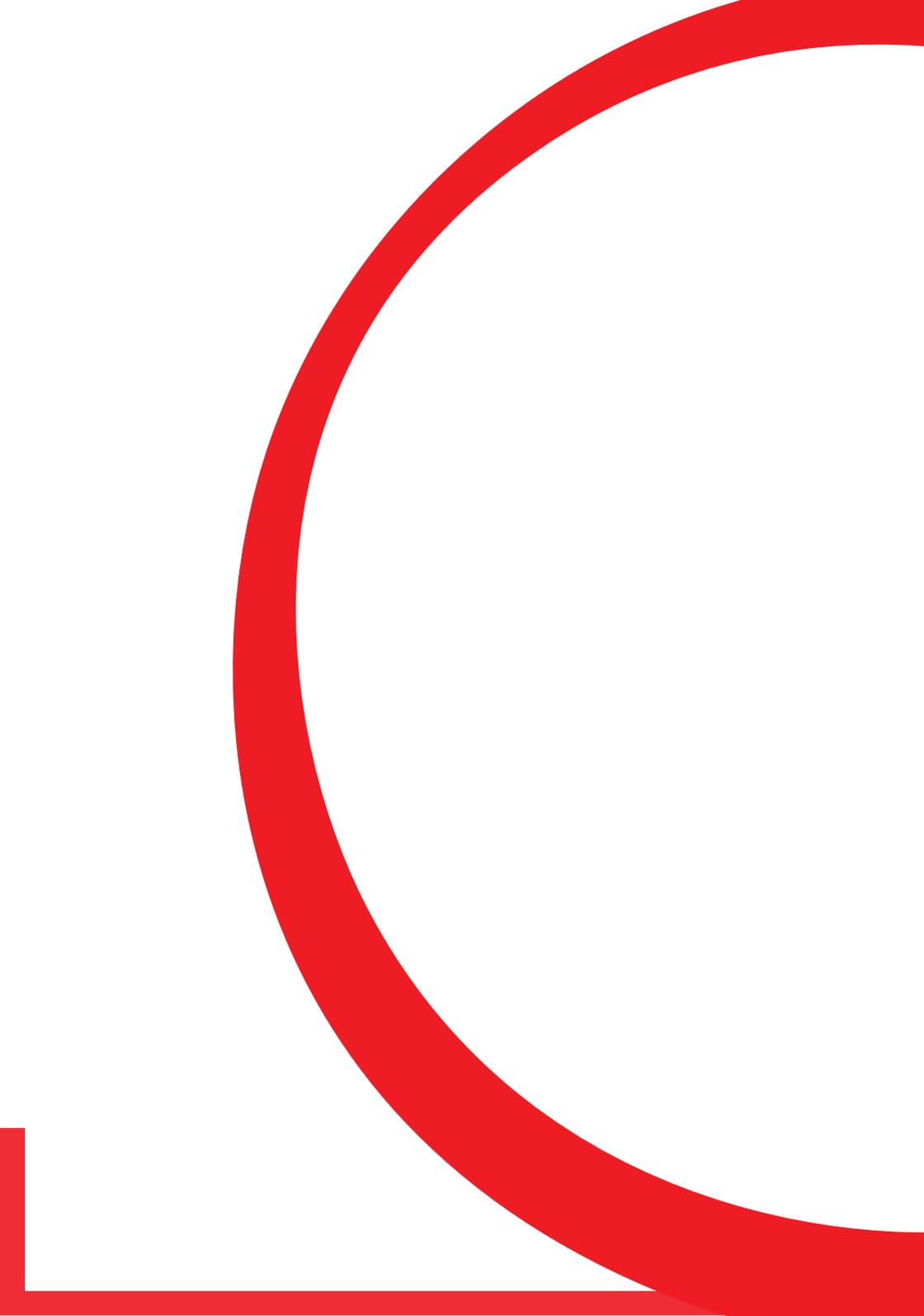
49. In concordance with Recommendation 26.b of the Committee on the Rights of the Child Rights made to the State of Mexico, establish friendly mechanisms and train public officials so that children and adolescents are heard during relevant legal and administrative procedures, and monitor the implementation of the “Operating procedure for those imparting justice in cases that affect children and adolescents.”

¹⁶ National Autonomous University of Mexico, Knowledge, ideas and representations about children, adolescents and youth. Change or continuity? National Survey of Children, Adolescents and Youth. Mexicans Seen By Themselves Library, 2015.

¹⁷ UNICEF, Public Investment in Childhood and Adolescence in Mexico. Updated edition 2008-2011, 2011.

**REPORT SUBMITTED BY
SAVE THE CHILDREN
FOR THE **UNIVERSAL**
PERIODIC **REVIEW** OF
THE STATE OF MEXICO**

March 2018, Mexico City







Save the Children