

GENERAL LAW ON WOMEN'S ACCESS TO A LIFE FREE OF VIOLENCE

SRE

SECRETARÍA
DE RELACIONES
EXTERIORES



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**DECREE TO ENACT THE
GENERAL LAW ON WOMEN'S ACCESS
TO A LIFE FREE OF VIOLENCE**

A seal in the margin reads: United Mexican States – Presidency of the Republic

FELIPE DE JESÚS CALDERÓN HINOJOSA, President of the United Mexican States, informs its inhabitants that:

The Honorable Congress of the Union has sent me the following

DECREE

"THE GENERAL CONGRESS OF THE UNITED MEXICAN STATES DECREES:
ENACTMENT OF THE GENERAL LAW ON WOMEN'S ACCESS
TO A LIFE FREE OF VIOLENCE"

Sole Article

The General Law on Women's Access to a Life Free of Violence is hereby enacted.

GENERAL LAW ON WOMEN'S ACCESS TO A LIFE FREE OF VIOLENCE

TITLE ONE **CHAPTER I** GENERAL PROVISIONS

Article 1

The purpose of the present law is to establish coordination of the federation, the states and the municipalities to prevent, punish and eradicate violence against women, to establish principles and modalities to guarantee women's access to a life free of violence, which will favor their development and well-being in accordance with the principles of equality and nondiscrimination, and to guarantee democracy and comprehensive, sustainable development, which will strengthen the sovereign and democratic regime established in the Constitution of the United Mexican States.

The provisions of the law are of public policy, social interest and general observance in the Mexican Republic.

Article 2

The federation, the states and the municipalities, in their respective spheres of competence, shall issue legal regulations and shall take related budget and administrative measures to guarantee the right of women to a life free of violence, in accordance with international agreements in the field of women's human rights ratified by the Mexican State.

Article 3

All measures arising from the present law shall guarantee prevention, punishment and eradication of all types of violence against women, as well as related treatment during their life cycle, and shall promote their comprehensive development and full participation in all spheres of life.

Article 4

Guiding principles for the access of all women to a life free of violence that should be observed in the preparation and implementation of federal and local policies are:

- I. Legal equality of men and women;
- II. Respect for the human dignity of women;
- III. Nondiscrimination; and
- IV. Freedom of women.

Article 5

For purposes of the present law the following terms shall be understood as indicated below:

- I. Law: the General Law on Women's Access to a Life Free of Violence;
- II. Program: the Comprehensive Program to Prevent, Treat, Punish and Eradicate Violence against Women;
- III. System: the National System to Prevent, Treat, Punish and Eradicate Violence against Women;
- IV. Violence against women: any action or omission, based on gender, that causes women psychological, physical, patrimonial, economic or sexual harm or suffering, or death, in both private and public spheres;
- V. Types of violence: the forms, expressions and spheres in which violence against women occurs;
- VI. Victim: a woman of any age on whom any type of violence is inflicted;
- VII. Aggressor: a person who inflicts any type of violence against women;
- VIII. Human rights of women: the rights that are an inalienable, integral and indivisible part of the human rights contained in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the rights of the Child, the Inter-American Convention to Prevent, Punish and Eradicate Violence against Women (Belem Do Pará) and other international instruments in this field;
- IX. Gender perspective: a scientific, analytical and political vision of women and men. It proposes to eliminate the causes of gender oppression such as inequality, injustice and hierarchization of people based on gender. It promotes the equality of genders through equity, advancement and well-being of women; it contributes to building a society in which women

and men have the same value, equality in rights and opportunities for access to economic resources and political and social representation in decision-making spheres;

- X. Empowerment of women: a process through which women move from any situation of oppression, inequality, discrimination, exploitation or exclusion to a state of awareness, self-determination and autonomy, which is expressed in exercising the democratic power that arises from the full enjoyment of their rights and freedoms; and
- XI. Misogyny: behavior of hate for women, expressed in violent or cruel acts against them simply because they are women.

Article 6

Types of violence against women are:

- I. Psychological violence.- Any act or omission that harms psychological stability, which may consist of negligence, abandonment, repeated carelessness, jealousy, insults, humiliation, devaluation, marginalization, lack of love, indifference, infidelity, destructive comparisons, rejection, restriction of self-determination and threats, which lead the victim to depression, isolation, devaluation of self-esteem and even suicide;
- II. Physical violence.- Any act that inflicts non-accidental harm using physical force or some type of weapon or object that may or may not cause internal or external injuries, or both;
- III. Patrimonial violence.- Any act or omission that affects the survival of the victim. It may take the form of transformation, removal, destruction, retention or plundering of objects, personal documents, goods and securities, patrimonial rights, or economic resources used to meet the victim's needs and may cover damage to goods in common with or belonging to the victim;
- IV. Economic violence.- Any act or omission of an aggressor that affects the economic livelihood of the victim. It may take the form of restrictions aimed at controlling income from the victim's economic revenue, as well as receiving a lower wage for equal work in the same workplace;
- V. Sexual violence.- Any act that degrades or harm's the victim's body and/or sexuality, and consequently violates the victim's freedom, dignity and physical integrity. It is an expression of power abuse that implies male

- supremacy over women by degrading them and seeing them as objects;
and
- VI. Any other analogous acts that harm or may harm the dignity, integrity or freedom of women.

TITLE II
MODALITIES OF VIOLENCE
CHAPTER I
VIOLENCE IN THE FAMILY SPHERE

Article 7

Family violence: An act of power abuse or intentional omission in an effort to dominate, subject, control or attack women, within or outside the family domicile, in a physical, verbal, psychological, patrimonial, economic or sexual way, when the aggressor is or has been related by consanguinity or affinity, by matrimony or common-law marriage, or maintains or has maintained a de facto relationship.

Article 8

The treatment, prevention and punishment models that the federation, the states and the municipalities establish are the set of measures and actions to protect the victims of family violence, as part of the State's obligation to guarantee women their safety and the full exercise of their human rights. To that end, they should take the following items into consideration:

- I. Provide victims with specialized care, legal advice and psychological treatment free of charge to favor their empowerment and redress the harm caused by the violence;
- II. Provide the aggressor with comprehensive specialized reeducation services free of charge to eradicate violent behavior through education to eliminate stereotypes of male supremacy and the macho patterns that produced his violence;
- III. Avoid care being given to the victim and the aggressor by the same person and in the same place. In no case whatsoever shall care be provided by persons who have been punished for exercising any type of violence;

- IV. Avoid mediation and reconciliation procedures, since they are unviable in a relationship of submission between the aggressor and the victim;
- V. Encourage the separation and distancing of the aggressor from the victim, and
- VI. Encourage the installation and maintenance of shelters for victims and their sons and daughters; information on their location shall be secret and specialized psychological and legal support shall be provided free of charge. The people who work in the shelters should have a professional license and ID for the specialty in which they perform their work. In no case shall persons who have been punished for exercising some type of violence be able to work in the shelters.

Article 9

To contribute to the eradication of violence against women in the family, the federal and local legislative branches, in their respective spheres of competence, shall consider the following actions:

- I. Classify the criminal offence of family violence to include factors of the type contained in the definition provided in article 7 of this law;
- II. Establish family violence as grounds for divorce, loss of parental authority and limits in the system of visits, as well as an impediment for care and custody of girls and boys;
- III. Stipulate that when parental custody is lost, either because of family violence and/or failure to meet support and rearing obligations, it shall not be recoverable; and
- IV. Include, as part of the sentence, the condemning of the aggressor to participate in comprehensive and specialized reeducation services provided free of charge.

CHAPTER II

LABOR AND TEACHER VIOLENCE

Article 10

Labor and Teacher Violence: This type of violence is committed by persons who have a labor, teacher or analogous relationship with the victim, apart from the hierarchical relationship, and consists of an act or omission in which

power abuse harms the self-esteem, health, integrity, freedom and safety of the victim, prevents her development and attacks equality.

It may consist of a single harmful event or of a series of events whose sum total produces the harm. It also includes persecution and sexual harassment.

Article 11

Labor violence consists of the illegal refusal to hire the victim or respect her job permanence or general conditions; the rejection of work performed, threats, intimidation, humiliation, exploitation and all types of discrimination based on gender.

Article 12

Teacher violence consists of behavior that harms the self-esteem of students with acts of discrimination because of their sex, age, social and academic situation, limitations and/or physical characteristics inflicted by male or female teachers.

Article 13

Sexual harassment is the exercise of power in a relationship of real subordination of the victim in relation to the aggressor in job and/or school spheres. It is expressed through verbal, physical or verbal and physical conduct related to sexuality with lascivious connotations.

Sexual harassment is a form of violence in which there is an abusive exercise of power –even without subordination– that leads to a state of defenselessness and risk for the victim, regardless of whether it takes place on one or several occasions.

Article 14

The federal entities, exercising their powers, shall take into consideration the following actions:

- I. Establish public policies that will guarantee women's right to a life free of violence in their jobs and/or with teachers;
- II. Strengthen the criminal and civil framework to ensure punishment for those who engage in harassment or persecution;

- III. Promote and disseminate in society that sexual harassment and sexual persecution are crimes; and
- IV. Design programs that will provide comprehensive reeducation services for victims and aggressors.

Article 15

To deal with sexual harassment and persecution, the three levels of governments should:

- I. Regain the dignity of women in all spheres of life;
- II. Establish mechanisms to encourage their eradication in private and public schools and workplaces through agreements and accords with school, business and union institutions;
- III. Create clear and precise administrative procedures in schools and workplaces to punish these crimes and discourage their commission.
- IV. In no case, make public the name of the victim to prevent any type of excessive victimization or publicity and pressure to abandon the school or job;
- V. For purposes of the preceding item, previous complaints about the same harasser or persecutor should be added, but the accuser or accusers should remain anonymous for the public.;
- VI. Provide specialized psychological and legal assistance free of charge to any victim of sexual harassment or persecution; and
- VII. Implement administrative punishment of upper hierarchies for harassment or persecution when they are negligent in receiving and/or processing a complaint.

CHAPTER III

COMMUNITY VIOLENCE

Article 16

Community violence consists of individual or group acts that violate basic rights of women and encourage their denigration, discrimination, marginalization or exclusion in the public sphere.

Article 17

The Mexican State must guarantee women the eradication of community violence through:

- I. Reeducation without stereotypes and with warning information on the state of risk that women face in an unequal and discriminatory society;
- II. The design of a system to monitor violent behavior of individuals and society against women; and
- III. The establishment of a databank on protection orders and people subject to them, in order to take criminal policy actions that are related to and will facilitate the exchange of information among entities.

CHAPTER IV

INSTITUTIONAL VIOLENCE

Article 18

Institutional violence consists of acts or omissions of public servants at any level of government that discriminate or are intended to delay, obstruct or prevent the enjoyment and exercise of women's human rights and their access to the enjoyment of public policies aimed at preventing, treating, investigating, punishing and eradicating different types of violence.

Article 19

The three levels of government through which the exercise of public power is expressed have the obligation to organize the government apparatus in a manner which, in exercising their functions, will enable them to guarantee women's right to a life free of violence.

Article 20

To fulfill their obligation to guarantee women's right to a life free of violence, the three levels of government should prevent, treat, investigate, punish and redress any harm inflicted on them.

CHAPTER V

FEMICIDE VIOLENCE AND WARNING OF GENDER VIOLENCE AGAINST WOMEN

Article 21

Femicide violence is the most extreme form of gender violence against women, produced by the violation of their human rights in public and private spheres and formed by the set of misogynist actions that can lead to the impunity of society and the State and culminate in homicide and other forms of violent death of women.

Article 22

Gender violence warning is the set of government emergency actions to confront and eradicate femicide violence in a specific territory, exercised either by individuals or by the community itself.

Article 23

The warning of gender violence against women shall be aimed basically at guaranteeing the safety of women and the cessation of violence against them and at eliminating the inequalities produced by legislation that harms their human rights. Consequently the following measures should be taken:

- I. Establish an inter-institutional and multidisciplinary group with a gender perspective to carry out related follow-up;
- II. Implement preventive security and justice activities to treat and reduce femicide violence;
- III. Prepare special reports on the area and behavior of indicators of violence against women;
- IV. Allocate the budget resources necessary to deal with the contingency for warning of gender violence against women; and
- V. Publicize the reason for the warning of gender violence against women and the geographical area to be covered by the measures to be implemented.

Article 24

A warning declaration on gender violence against women shall be issued when:

- I. Crimes under state law concerning the life, liberty, physical integrity and safety of women disturb the social peace in a specific territory and society calls for the declaration;
- II. There is a comparative aggravation that prevents the full exercise of women's human rights; and
- III. The human rights bodies at the national level and the state level, civil society organizations and/or international bodies request it.

Article 25

It shall be the responsibility of the federal government, through the Interior Ministry, to declare the gender violence warning and it shall present the executive branch of the state in question with notification of the declaration.

Article 26

In response to femicide violence, the Mexican State shall redress the damage in accordance with the parameters established in the International Law on Human Rights and shall consider as redress:

- I. The right to rapid, expeditious and impartial justice: violations of women's rights should be investigated and those responsible should be punished;
- II. Rehabilitation: The provision of specialized legal, medical and psychological services free of charge for the recovery of the direct or indirect victims should be guaranteed;
- III. Satisfaction: measures that seek remedy aimed at the prevention of violations. Measures to be adopted include:
 - a) Acceptance by the State of its responsibility in relation to the harm caused;
 - b) Investigation and punishment of authorities who, by acts of omission or neglect, violate the human rights of victims of impunity;
 - c) Design and implementation of public policies to prevent the commission of crimes against women; and
 - d) Verification of facts and publication of the truth.

CHAPTER VI
PROTECTION ORDERS

Article 27

Protection orders are acts of protection and urgent enforcement based on the higher priority of the victim and are fundamentally of a precautionary and preventive nature. They should be granted by the competent authority immediately following knowledge of acts that probably constitute offences or crimes that imply violence against women.

Article 28

Protection orders authorized by the present law are strictly personal and nontransferable. They may be:

- I. Emergency orders;
- II. Preventive orders; or
- III. Civil orders.

Emergency and preventive protection orders shall be for a period no greater than 72 hours and shall be issued within 24 hours following knowledge of the facts that produce them.

Article 29

Emergency protection orders are those that appear below:

- I. Departure by the aggressor from the matrimonial domicile or the place the victim lives, regardless of ownership certification or possession of the property, even in cases where it is leased;
- II. Prohibition of the party probably responsible to approach the domicile, place of work, study and domicile of the descendents or any other person that frequents the victim;
- III. Reentry of the victim into the domicile, once her safety has been safeguarded; and
- IV. Prohibition of intimidating or harassing the victim or any member of her family in their social surroundings.

Article 30

Prevention protection orders are those that appear below:

- I. Withdrawal and storage of firearms belonging to the aggressor or any private security institution, regardless of whether they are registered in compliance with the pertinent regulations.
The above provision also applies to sharp or blunt weapons, regardless of their normal use, when they have been utilized to threaten the victim;
- II. Inventory of real estate and personal property held in common, including the victim's work implements;
- III. Use and enjoyment of personal property in the place being used as a domicile by the victim;
- IV. Access to the domicile held in common by police authorities or persons who assist the victim in taking her personal belongings and those of her daughters and sons;
- V. Immediate delivery of articles of personal use and identification documents of the victim and her daughters and sons;
- VI. Police assistance immediately reacting in favor of the victim, with explicit authorization to enter the domicile where the victim is at the time assistance is requested; and
- VII. Comprehensive reeducation services for the aggressor free of charge and using a gender perspective in duly accredited public institutions.

Article 31

Federal, state and Federal District authorities, within their spheres of competence, shall be responsible for issuing emergency and preventive orders of this law, and shall take into account:

- I. Existing risk or danger;
- II. Safety of the victim; and
- III. The staff available.

Article 32

Civil protection orders are those that appear below:

- I. Temporary suspension of the aggressor's system of visits and shared living experiences with his descendants;
- II. Prohibition of the aggressor selling or mortgaging goods belonging to him when they are part of the matrimonial domicile and, in any case, when they are goods jointly owned by the husband and wife;

- III. Exclusive possession by the victim of the property that served as the domicile;
- IV. Preventive attachment of the aggressor's property, which should be registered temporarily in the Public Registry of Property to guarantee alimony obligations; and
- V. Provisional and immediate alimony obligations.

These orders shall be processed before courts that deal with family matters or, if they are not available, the pertinent civil courts.

Article 33

It shall be the responsibility of the competent jurisdictional authorities to evaluate the orders and determine similar measures in their resolutions or sentences. The reason for this is that civil, family or criminal trials or procedures may be taking place in the competent courts.

Article 34

Persons older than 12 years of age may request the competent authorities to represent them in the requests and actions so the related authorities can, by virtue of their office, grant the orders; those under 12 years of age may only request orders through their legal representatives.

TITLE III

CHAPTER I

NATIONAL SYSTEM TO PREVENT, TREAT, PUNISH AND ERADICATE VIOLENCE AGAINST WOMEN

Article 35

The federation, the states and the municipalities shall work in coordination with each other to integrate and operate the System, whose purpose is the set of inter-institutional efforts, instruments, policies, services and actions to prevent, treat, punish and eradicate violence against women.

All measures carried out by the State should be free of any discrimination whatsoever. Thus, consideration shall be given to language, age, social situation, sexual preference and any other condition to enable them to gain access to public policies in the field.

Article 36

The System shall be formed by the heads of:

- I. The Interior Ministry, who shall preside over the System;
- II. The Social Development Ministry;
- III. The Public Security Ministry;
- IV. The Federal Attorney General's Office;
- V. The Public Education Ministry;
- VI. The Health Ministry;
- VII. The National Women's Institute, who will serve as Executive Secretary of the System;
- VIII. The National Council to Prevent Discrimination;
- IX. The National System for Comprehensive Family Development; and
- X. Mechanisms for the advancement of women in the states.

Article 37

The Executive Secretariat of the System shall prepare draft regulations for the operation of the System and shall submit them to the members for consideration and possible approval.

CHAPTER II

COMPREHENSIVE PROGRAM TO PREVENT, TREAT, PUNISH AND ERADICATE VIOLENCE AGAINST WOMEN

Article 38

The Program shall contain actions with a gender perspective so as to:

- I. Advocate and develop knowledge of and respect for women;
- II. Transform the socio-cultural behavior models of women and men, including the formulation of formal and non-formal education programs and activities at all levels of education and instruction to prevent, treat and eradicate stereotyped behavior that allows, develops and tolerates violence against women;
- III. Provide human rights education and training for staff in charge of the administration of justice, police forces and other officials in charge of policies to prevent, treat, punish and eliminate violence against women;

- IV. Give education and training on women's human rights to the staff in charge of administering justice in order to provide them with instruments that will enable them to judge from a gender perspective;
- V. Provide specialized services free of charge for the treatment and protection of victims, through public and private authorities and institutions;
- VI. Foster and support public and private education programs aimed at increasing society's awareness of the causes and consequences of violence against women;
- VII. Design programs for treating and training victims to enable them to participate fully in all spheres of life;
- VIII. Monitor mass media to ensure they do not foster violence against women and that they favor the eradication of all types of violence, so as to strengthen respect for the human rights and dignity of women;
- IX. Guarantee investigation and preparation of statistical diagnoses of the causes, frequency and consequences of violence against women in order to evaluate the efficiency of the measures developed to prevent, treat, punish and eradicate all types of violence;
- X. Publish general information and statistics each semester on cases of violence against women so they may be integrated into the National Data and Information Bank on Violence against Women;
- XI. Promote priority inclusion in the National Development Plan of government measures and policies to eradicate violence against women;
- XII. Promote a culture of denouncing violence against women in the framework of the efficiency of institutions to guarantee their safety and physical integrity; and
- XIII. Design a comprehensive model for treatment of the human rights and citizenship of women that should be implemented by institutions, care centers and shelters that assist victims.

Article 39

In the Draft Budget of Expenditures of the Federation, the Federal Executive shall propose allocating a budget item to guarantee the fulfillment of the objectives of the System and Program provided for in the present law.

CHAPTER III

THE DISTRIBUTION OF SPHERES OF COMPETENCE IN THE FIELD OF PREVENTING, TREATING, PUNISHING AND ERADICATING VIOLENCE AGAINST WOMEN

Article 40

The federation, the states and the municipalities shall assist in fulfilling the objectives in conformity with the spheres of competence provided for in the present law and in other applicable legal instruments.

First Section. The Federation

Article 41

The powers and obligations of the federation appear below:

- I. Guarantee the full exercise of women's right to a life free of violence;
- II. Formulate and conduct comprehensive national policy from a gender perspective to prevent, assist, punish and eradicate violence against women;
- III. Ensure full compliance of the present law and applicable international instruments;
- IV. Prepare, coordinate and apply the Program referred to in the law, seeking assistance from the other authorities in charge of implementing the present legal instrument;
- V. Educate women about human rights in their native tongue;
- VI. Ensure the dissemination and promotion of indigenous women's rights based on recognition of the multicultural composition of the nation;
- VII. Ensure that practices and customs of all society do not violate women's human rights;
- VIII. Coordinate the creation of programs with a gender perspective for the reeducation and social reinsertion of women's aggressors;
- IX. Guarantee appropriate coordination among the federation, the states and the municipalities in efforts to eradicate violence against women;
- X. Carry out information campaigns through the National Women's Institute and the assistance of local bodies with emphasis on the doctrine of comprehensive protection of the human rights of women, knowledge

of the laws, measures and programs that protect them, and the legal resources that assist them;

- XI. Advocate the forming and updating of inter-institutional coordination agreements among the different government entities in order for them to serve as a channel for achieving comprehensive treatment of victims;
- XII. Enter into cooperation, coordination and joint action agreements in this field;
- XIII. Assist public and private institutions dedicated to treating victims;
- XIV. Implement specific measures that will serve as action tools for the prevention, treatment and eradication of violence against women in all spheres, in a framework of integrating and promoting human rights;
- XV. Promote and conduct investigations with a gender perspective on the causes and consequences of violence against women;
- XVI. Evaluate and consider the efficiency of the actions of the program based on the results of the investigations provided for in the previous paragraph;
- XVII. Submit an annual report on the advances of the program to the Congress of the Union;
- XVIII. Ensure that the mass media do not promote stereotyped images of women and men, and eliminate behavior patterns that generate violence;
- XIX. Develop all the mechanisms necessary to fulfill the present law; and
- XX. Carry out any other action conferred on it by this law or other applicable regulations.

Second Section. The Interior Ministry

Article 42

It shall be the responsibility of the Interior Ministry to:

- I. Preside over the System and declare warnings for gender violence against women;
- II. Design a comprehensive policy with a gender perspective to promote a culture of respect for women's human rights;
- III. Prepare the Program in coordination with other authorities members of the System;

- IV. Formulate bases for coordination among the federal, local and municipal authorities for the prevention, treatment, punishment and eradication of violence against women;
- V. Coordinate and follow up on actions at the three levels of government in the field of protection, treatment, punishment and eradication of violence against women;
- VI. Coordinate and follow up on efforts to promote and defend women's human rights carried out by agencies and entities of the Federal Public Administration;
- VII. Establish, utilize, supervise and maintain all instruments and actions aimed at improving the System and the Program;
- VIII. Implement and follow up on the activities of the Program in order to evaluate their effectiveness and redesign activities and measures to move forward in eliminating violence against women;
- IX. Design a comprehensive policy with a crosscutting vision for the prevention, treatment, punishment and eradication of violent crimes against women;
- X. Ensure that the mass media favor the eradication of all types of violence and strengthen the dignity of women;
- XI. Punish, in compliance with the law, the mass media that do not fulfill the provisions stipulated in the previous paragraph;
- XII. Conduct a national diagnosis and other complementary studies periodically using a gender perspective on all forms of violence against women and girls, in all spheres, to provide objective information for the preparation of government policies in the field of prevention, treatment, punishment and eradication of violence against women.
- XIII. Disseminate through the various media, the results of the System and of the Program referred to in this law;
- XIV. Enter into cooperation, coordination and joint action agreements in this field; and
- XV. Carry out any other actions provided for to fulfill the present law.

Third Section. The Social Development Ministry

Article 43

It shall be the responsibility of the Social Development Ministry to:

- I. Foster social development with a vision of comprehensive protection of women's human rights and a gender perspective to guarantee them a life free of violence;
- II. Assist in the promotion of women's human rights;
- III. Formulate state social development policy taking into account the advancement of women and their full participation in all spheres of life;
- IV. Carry out actions to improve the conditions of women and their families in disadvantaged and poverty situations;
- V. Promote policies of equality in conditions and opportunities for men and women to achieve the advancement of women and their empowerment and to eliminate gender gaps and disadvantages;
- VI. Promote prevention and treatment policies related to violence against women;
- VII. Establish, utilize, supervise and maintain all the instruments and actions aimed at improving the System and the Program;
- VIII. Enter into cooperation, coordination and joint action agreements in the field; and
- IX. Carry out any other actions provided for to fulfill the present law.

Fourth Section. The Public Security Ministry

Article 44

It shall be the responsibility of the Public Security Ministry to:

- I. Train the staff of different police bodies to deal with cases of violence against women;
- II. Take the necessary measures and actions in coordination with other authorities to achieve the objectives set forth in the present law;
- III. Establish the National Data and Information Bank on Cases of Violence against Women;
- IV. Design a comprehensive policy to prevent violent crimes against women in public and private spheres;

- V. Establish the actions and measures that should be taken for the reeducation and social reinsertion of the aggressor;
- VI. Implement and follow up on the Program activities for which it is responsible;
- VII. Formulate actions and programs to foster a culture of respect for women's human rights;
- VIII. Design a comprehensive policy with a gender perspective and crosscutting vision for the prevention, treatment, punishment and eradication of violent crimes against women;
- IX. Establish, utilize, supervise and maintain all the instruments and actions aimed at improving the System and the Program;
- X. Enter into cooperation, coordination and joint action agreements in the field; and
- XI. Conduct any other actions provided for to fulfill the present law.

Fifth Section. The Public Education Ministry

Article 45

It shall be the responsibility of the Public Education Ministry to:

- I. Define in education policies the principles of equality, equity and nondiscrimination between men and women and full respect for human rights;
- II. Develop educational programs at all school levels to foster a culture of life free of violence against women, as well as respect for their dignity;
- III. Guarantee actions and mechanisms that will favor the advancement of women at all stages of the education process;
- IV. Guarantee the right of girls and women to education, to literacy and to access, continuation and completion of studies at all levels by their receiving scholarships and other grants;
- V. Conduct multidisciplinary research aimed at creating models to detect violence against women in education centers;
- VI. Train teaching staff in the human rights of women and girls;
- VII. Incorporate into education programs at all levels of instruction respect for the human rights of women, as well as education content to modify social and cultural behavior models that imply prejudices and are

- based on the idea that one of the sexes is superior or inferior and on stereotyped functions assigned to women and to men;
- VIII. Formulate and apply programs that will enable the early detection of problems regarding violence against women so that urgent initial responses can be given to female students who are victims of some type of violence;
 - IX. Make a clean record with no violence against women a requirement for all types of job applicants;
 - X. Design and disseminate educational materials that will promote the prevention and treatment of violence against women;
 - XI. Provide training activities for all staff in education centers in the field of human rights of girls and women and policies for the prevention, treatment, punishment and eradication of violence against women;
 - XII. Rid education programs of subjects that make apologies for violence against women or contribute to promoting stereotypes that discriminate and foster inequality between women and men;
 - XIII. Establish, utilize, supervise and maintain all instruments and actions aimed at improving the System and the Program;
 - XIV. Design a comprehensive policy with a gender perspective and crosscutting vision for the prevention, treatment, punishment and eradication of violent crimes against women;
 - XV. Enter into cooperation, coordination and joint action agreements in the field; and
 - XVI. Conduct any other action provided for to fulfill the present law.

Sixth Section. The Health Ministry

Article 46

It shall be the responsibility of the Health Ministry to:

- I. Design, in the framework of the comprehensive health policy for women and with a gender perspective, a policy for the prevention, treatment and eradication of violence against women;
- II. Provide victims with comprehensive and interdisciplinary medical and psychological care with a gender perspective through the health sector institutions;

- III. Create training programs for health sector staff regarding violence against women and guarantee treatment for the victims and the application of NOM 190-SSA1-1999: Provision of health services. Criteria for medical care for family violence;
- IV. Establish professional and effective programs and services with 24-hour service in public agencies related to care in cases of violence against women;
- V. Provide comprehensive reeducation services to victims and to aggressors to enable them to participate fully in public, social and private life;
- VI. Disseminate material in the institutions of the health sector referring to prevention and treatment measures for violence against women;
- VII. Refer the victims to institutions that provide treatment and protection for women;
- VIII. Improve the quality of treatment given to female victims;
- IX. Participate actively in the implementation of the Program by designing new models of prevention, treatment and eradication measures for violence against women, working in collaboration with other authorities in charge of implementing the present law;
- X. Ensure that the human rights of women are respected in the provision of health sector services;
- XI. Train health sector personnel to detect violence against women;
- XII. Support the authorities in charge of conducting investigations in the field of violence against women, providing the following information:
 - a) The number of victims receiving treatment at hospital centers and services;
 - b) The situations in which violence is inflicted on women;
 - c) The type of violence for which the victim receives treatment;
 - d) The effects on women caused by violence; and
 - e) The resources spent on treatment for the victims.
- XIII. Enter into cooperation, coordination and joint action agreements in the field; and
- XIV. Conduct any other actions provided for to fulfill the present law.

Seventh Section. The Office of the Attorney General of the Republic

Article 47

It is the responsibility of the Office of the Attorney General of the Republic to:

- I. Promote the training and specialization of Agents of the Federal Investigative Police Force, Agents of the Public Prosecutors' Office and of all the staff in charge of the administration of justice in the field of the human rights of women;
- II. Provide the victims with guidance and advisory services for their effective treatment and protection, in conformity with the Organic Law of the Office of the Attorney General of the Republic, its Regulations and other applicable legal regulations;
- III. Order the measures necessary for the victim to receive emergency medical care;
- IV. Provide the entities in charge of statistics with the necessary references on the number of victims given care;
- V. Provide the victims with comprehensive information on the public or private institutions in charge of their care;
- VI. Provide the victims with objective information that will enable them to recognize their situation;
- VII. Promote a culture of respect for the human rights of women and guarantee the safety of those who denounce violations;
- VIII. Enter into cooperation, coordination and joint action agreements in the field; and
- IX. Conduct any other actions provided for to fulfill the present law.

Eighth Section. The National Women's Institute

Article 48

It is the responsibility of the National Women's Institute to:

- I. Serve as the Executive Secretariat of the System through the Head of the Institute;
- II. Integrate investigations promoted by the agencies of the Federal Public Administration on the causes, characteristics and consequences of violence against women, and evaluate the prevention, treatment and

eradication measures and the information arising from each of the institutions in charge of promoting the human rights of women in the states or municipalities. The results of these investigations will be announced publicly so that measures to eradicate violence may be taken;

- III. Propose programs, measures and activities they consider pertinent for eradicating violence against women to the authorities in charge of enforcing the present law;
- IV. Collaborate with the institutions of the System in designing and evaluating the model for giving treatment to victims in shelters;
- V. Advocate the creation of treatment and protection units for the victims of violence provided for in the law;
- VI. Refer the victims to comprehensive reeducation programs that will enable them to actively participate in public, private and social life;
- VII. Promote and ensure that the treatment offered in the various public or private institutions is provided by specialists in the field with no prejudice or discrimination whatsoever;
- VIII. Disseminate a culture of respect for the human rights of women and urge justice administration entities to guarantee the physical integrity of those who denounce violations;
- IX. Enter into cooperation, coordination and joint action agreements in the field; and
- X. Conduct any other actions provided for to fulfill the law.

Ninth Section. The States

Article 49

It is the responsibility of the states, in conformity with the provisions in this law and local regulations applicable in this field, to:

- I. Implement and articulate their public policies in harmony with the comprehensive national policy using a gender perspective for the prevention, treatment and eradication of violence against women;
- II. Exercise their regulating powers for the enforcement of the present law;
- III. Assist in the adoption and consolidation of the System;

- IV. Participate in preparing the Program;
- V. Strengthen the public and private institutions that provide victims with treatment;
- VI. Establish the State System for the Prevention, Eradication and Punishment of Violence against Women and incorporate its content into the System;
- VII. Promote, in coordination with the federation, programs and projects for treatment, education, training, research and culture on the human rights of women and on nonviolence, in accordance with the Program;
- VIII. Advocate local programs for the advancement and development of women and improve their quality of life;
- IX. Provide budget, human and material resources for the state programs and the Program in coordination with the authorities that comprise the local systems;
- X. Advocate the creation of shelters for victims in accordance with the treatment model designed by the System;
- XI. Promote information programs for the population in this field;
- XII. Advocate comprehensive reeducation programs for the aggressors;
- XIII. Disseminate the content of this law through all the mass media;
- XIV. Present an annual report on the progress made in the local programs;
- XV. Promote investigations on the causes and consequences of violence against women;
- XVI. Review and evaluate the effectiveness of the actions, the public policies and the state programs based on the results of the investigations provided for in the previous paragraph;
- XVII. Advocate the participation of private organizations dedicated to the promotion and defense of the human rights of women in the implementation of state programs;
- XVIII. Receive from private organizations the proposals and recommendations on the prevention, treatment and punishment of violence against women in order to improve mechanisms for its eradication;
- XIX. Provide the entities in charge of statistics with the necessary information for their work;
- XX. Advocate reforms in the sphere of competence to meet the objectives of the present law and to establish that when crimes against life and

physical integrity are committed against women, their gender situation makes it an aggravating circumstance;

- XXI. Enter into cooperation, coordination and joint action agreements in the field; and
- XXII. Conduct any other actions applicable to the field and authorized by the law or other legal regulations for implementation by the states.

Federal authorities shall take the necessary steps to encourage the local authorities to amend their legislation to make it an aggravating circumstance when crime against life and physical integrity is committed against women.

Tenth Section. Municipalities

Article 50

It shall be the responsibility of the municipalities, in conformity with this law and local laws in this field and in accordance with a gender perspective, to perform the following duties:

- I. Implement and articulate, in accordance with the national and state policy, the municipal policy to eradicate violence against women;
- II. Assist the federation and the state in the adoption and consolidation of the System;
- III. Promote, in coordination with the states, training courses for persons who treat victims;
- IV. Implement the actions necessary to fulfill the Program;
- V. Support the creation of comprehensive reeducation programs for aggressors;
- VI. Promote education programs on equality and equity between genders to eliminate violence against women;
- VII. Support the creation of safe houses for the victims;
- VIII. Participate and help in the prevention, treatment and eradication of violence against women;
- IX. Carry out, in accordance with the System, public information programs regarding violence against women;
- X. Enter into cooperation, coordination and joint action agreements in the field; and
- XI. Deal with other matters concerning violence against women, when authorized to do so by this law or other legal regulations.

CHAPTER IV
TREATMENT OF VICTIMS

Article 51

The authorities in their respective spheres of competence should provide treatment for victims as indicated below:

- I. Foster the adoption and implementation of actions and programs through which they provide them with protection;
- II. Promote the treatment of victims by various health sector institutions, as well as both public and private treatment and service institutions;
- III. Provide the victims with comprehensive medical, psychological and legal treatment, free of charge and expeditious;
- IV. Provide a safe house for the victims; and
- V. Report cases of violence that occur in education centers to the competent authority.

Article 52

Victims of any type of violence shall have the following rights:

- I. To be treated with respect for their physical integrity and full exercise of their rights;
- II. To have immediate and effective protection by the authorities;
- III. To receive true and sufficient information to enable them to decide on the treatment options;
- IV. To have free and expeditious legal assistance;
- V. To receive medical and psychological information;
- VI. To have a shelter as long as needed;
- VII. To be valued and educated free of behavior stereotypes and social and cultural practices based on concepts of inferiority or subordination; and
- VIII. In cases of family violence, women who have daughters and/or sons may take them to the shelters with them.

Article 53

The aggressor shall be obligated to participate in the comprehensive reeducation programs when ordered to do so by the competent authority.

CHAPTER V
SHELTERS FOR THE VICTIMS OF VIOLENCE

Article 54

It shall be the responsibility of the shelters, from a gender perspective, to:

- I. Apply the Program;
- II. Ensure the safety of the women who are in them;
- III. Provide the women with the necessary treatment for their physical and psychological recovery, enabling them to participate fully in public, social and private life;
- IV. Give information to the victims on institutions entrusted with providing legal assistance free of charge;
- V. Provide the victims with the necessary information to enable them to decide on the treatment options;
- VI. Have staff who are duly trained and specialized in this field; and
- VII. Conduct all the activities essential to the prevention, protection and treatment of the persons who are in the shelters.

Article 55

The shelters shall be safe places for victims, which means their location cannot be provided to persons unauthorized to go there.

Article 56

The shelter should provide the victims and, if necessary, their daughters and sons with the following specialized services free of charge:

- I. Lodging;
- II. Food;
- III. Clothing and shoes;
- IV. Medical service;
- V. Legal advice;
- VI. Psychological support;
- VII. Comprehensive reeducation programs to enable them to be in a position to participate fully in public, social and private life;
- VIII. Training so they can acquire knowledge to perform a work activity; and
- IX. Job referral service so they can obtain a remunerated work activity if they request it.

Article 57

The stay of the victims in the shelters cannot exceed three months unless their physical, psychological or risk situation persists.

Article 58

For purposes of the previous article, medical, psychological and legal staff of the shelter will evaluate the condition of the victims.

Article 59

In no case may the victims be kept in the shelters against their will.

TRANSITORY PROVISION

First Article

The present Decree shall enter into force on the day following its publication in the Diario Oficial de la Federación.

Second Article

The Federal Executive shall issue the Regulations of the law within 90 days following the entry into force of the present Decree.

Third Article

The National System referred to in this law shall be formed within 60 days following the entry into force of the present Decree.

Fourth Article

The Regulations of the System must be issued within 90 days following the entry into force of the present Decree.

Fifth Article

The National Diagnosis referred to in article 44, paragraph XII, of this law should be carried out within 365 days following the establishment of the System.

Sixth Article

Resources to carry out the programs and implement the activities arising from the present law shall be covered by the budget authorized for the decentralized agencies, entities and bodies of the federal executive, legislative and judicial branches, autonomous bodies, states and municipalities for the present and subsequent fiscal years and shall not require additional organizational structures due to the law's effects.

Seventh Article

The National Data and Information Bank on Cases of Violence against Women referred to in article 45, paragraph III, must be established within 365 days following the formation of the System.

Eighth Article

In a framework of coordination, the state legislatures shall propose the necessary amendments in the local legislation, provided for in article 49, paragraphs II and XX, within a period of six months following the entry into force of the present law.

Mexico, D.F., December 19, 2006.- Dep. **Jorge Zermeño Infante**, President.- Sen. **Manlio Fabio Beltrones Rivera**, President.- Dep. **Maria Eugenia Jimenez Valenzuela**, Secretary.- Sen. **Renán Cleominio Zoreda Novelo**, Secretary.- Signatures.”

In compliance with the provisions in article 89, paragraph 1, of the Constitution of the United Mexican States, and for its due publication and observance, I issue the present Decree in the Residence of the Federal Executive Power, in Mexico City, Federal District, on January 30, 2007. - **Felipe de Jesús Calderón Hinojosa**.- Signature.- Interior Minister **Francisco Javier Ramírez Acuña**.- Signature.

(First Section) DIARIO OFICIAL Thursday, February 1, 2007

Thursday, February 1, 2007 DIARIO OFICIAL (First Section)

MINISTRY OF FOREIGN AFFAIRS

UNDER MINISTRY FOR MULTILATERAL AFFAIRS AND HUMAN RIGHTS
GENERAL DIRECTORATE FOR GLOBAL TOPICS
OFFICE OF THE ASSISTANT GENERAL DIRECTOR FOR GLOBAL AFFAIRS
DIRECTORATE FOR WOMEN'S INTERNATIONAL AFFAIRS

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