



RESPONSES TO INFORMATION REQUESTS (RIRs)

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Mexico: Protection available to women victims of domestic violence in the state of San Luis Potosi (2005-June 2007).

Research Directorate, Immigration and Refugee Board du Canada, Ottawa

Situation

Maria Concepcion Tovar Monreal, head of San Luis Potosi's Deputy Attorney General's Office for Sex Crimes and Domestic Violence (Subprocuraduria Especializada para la Atencion de Delitos Sexuales y Violencia Familiar) is cited by *La Jornada San Luis* as saying that in the state of San Luis Potosi, an average of 20 cases of domestic violence are reported daily (*La Jornada San Luis* 31 May 2006). From January to May 2006, more than 1,000 complaints were lodged with her office (*ibid.*). Every month, 8 to 10 complaints of sexual violence are registered, which Tovar Monreal estimates, represent only 10 percent of all sexual assaults (*ibid.*).

San Luis Potosi's Attorney General's Office for the Defense of Women, Minors and Families (Procuraduria de la Defensa de la Mujer, el Menor y la Familia, PRODEM) reportedly received a higher number of complaints for domestic violence in 2005 (1,072 by early December) than in 2004 (792) (Notimex 11 Dec. 2005). During a 6 June 2007 telephone interview, the Deputy Director of PRODEM and head of the Assistance Centre for Victims of Domestic Violence (Centro de Atencion a Victimas de Violencia Intrafamiliar, CAVIF) of San Luis Potosi, suggested that a higher number of complaints is likely the result of a higher level of confidence in state institutions after efforts were made to address the [translation] "culture of non-reporting".

In 21 May 2007 correspondence with the Research Directorate, the President of a non-governmental organization Otra Oportunidad A.C. of San Luis Potosi, which offers services to women who are victims of domestic violence, indicated that discussions were underway regarding how to apply the federal government's February 2007 General Law on Women's Access to a Life Free of Violence (*Ley General de Acceso de las Mujeres a una Vida Libre de Violencia*) in San Luis Potosi (see also San Luis Potosi 24 Apr. 2007; *ibid.* 28 Mar. 2007). According to her, there is a lack of knowledge as well as limited financial and human resources to implement some of the law's provisions (Otra Oportunidad 21 May 2007). She added that efforts have been made in the capital city for governmental institutions and civil society organizations to work together to combat violence against women but that some obstacles make reform more difficult, including the general lack of awareness of the issue, inadequate institutional and police response and lack of police training (*ibid.*). The President stated that domestic violence is not seen as a major offence, as shown by the penalties attached to it, ranging from fines of USD 300 to USD 500 (*ibid.*). However, the state penal code indicates that prison sentences of six months to three years can be imposed for a crime of domestic violence (San Luis Potosi 30 Aug. 2000).

Police and judiciary

According to the President of Otra Oportunidad, there is no specialized police unit for gender crimes and state legislation does not provide for restraining orders (21 May 2007). The penal code indicates only that the public prosecutor's office [translation] "will grant necessary protective measures [to the victim]" (San Luis Potosi 30 Aug. 2000).

Governmental services and programs

The Office of the Attorney General (Procuraduria General de Justicia, PGJ) of San Luis Potosi has reportedly developed a program that aims to reach victims of domestic violence in the capital city; the program involves a mobile unit composed of a public prosecutor specially trained to deal with domestic violence and sexual abuse, a social worker and a psychologist, all working to diminish the occurrence of such crimes and to foster [translation] "a culture of reporting [of crime]" (*El Sol de San Luis* 20 Apr. 2007).

Another deputy attorney general's office that specializes in providing assistance to victims of sex crimes and domestic violence (Suprocuraduria Especializada para la Atencion de Delitos Sexuales y Violencia Familiar) operates under the direction of the Office of the Deputy Attorney General for Sex Crimes and Domestic Violence (San Luis Potosi n.d.a). This specialized office is a division of the public prosecutor's office (Ministerio Publico) assigned to work within the Network of Family Development Agencies for San Luis Potosi (Sistema Nacional para el Desarrollo

Integral de la Familia, DIF San Luis Potosi); it operates an office in the central area of the city of San Luis Potosi that is open daily from 8 am to 10 pm (ibid.).

According to *San Luis Hoy*, DIF San Luis Potosi created CAVIF to respond to increases in domestic violence linked to demographic growth (*San Luis Hoy* 22 Apr. 2007). In a telephone interview with the Research Directorate the head of CAVIF could not provide definite statistics but estimated that CAVIF helps between 10 and 15 women a month and helped more than 90 children during the month of May 2007 (San Luis Potosi 6 June 2007). According to the DIF San Luis Potosi Web site, CAVIF provides about 2,500 psychological consultations a year on average (San Luis Potosi n.d.b). CAVIF is composed of three sections, including one focusing on prevention (ibid. 6 June 2007) and offers workshops, classes and conferences to improve knowledge and awareness of domestic violence (ibid.; ibid. n.d.b).

At CAVIF, women are offered social, psychological and legal support (ibid. 6 June 2007). CAVIF also offers group therapy programs to help women and children who are victims of domestic violence, as well as programs for aggressors (ibid.). Most of the complaints registered by CAVIF are for crimes against children since CAVIF is a specialized agency within PRODEM (itself within DIF San Luis Potosi) and has public prosecutors specialized in dealing with crimes against minors (ibid.). CAVIF is open daily from 7:30 am to 9:30 pm (ibid.).

The Assistance Centre for Victims of Crime (Centro de Atención a Víctimas del Delito, CAVID) is sometimes mistaken for CAVIF (ibid.). However, CAVID reports to the Ministry of the Interior of San Luis Potosi (Secretaría General de Gobierno) and provides help to victims of all types of crime, which means, according to the head of CAVIF, that a woman would have to lodge a complaint or at least have to mention that she had reported a crime in order to obtain assistance from CAVID (ibid.). CAVIF helps all victims, irrespective of whether they have registered a complaint or not (ibid.). However, the head of CAVIF also indicated that women are re-directed toward the office of the Deputy Attorney General for Sex Crimes and Domestic Violence for legal assistance and registration of their complaint (ibid.).

The San Luis Potosi Institute for Women (Instituto de las Mujeres del Estado de San Luis Potosi, IMES) responds to women victims of domestic violence through the telephone help line Telmujer (ibid.). Telmujer is a free service that offers legal and psychological advice to women facing, among other things, mistreatment from their partners (ibid. 16 Apr. 2007; ibid. n.d.d); 98 percent of calls are made by women (ibid. 16 Apr. 2007). The help line received 2,523 calls in 2003 and 3,427 in 2006 (ibid. 16 Apr. 2007). If legal help is required by the woman, she is directed towards other institutions, including PRODEM or the Deputy Attorney's General Office specialized in providing assistance to victims of sexual crimes and domestic violence (ibid. 16 Apr. 2007).

In 2006, more than two million Mexican pesos [approximately CAD 200,000 (XE 5 June 2007)] was provided to San Luis Potosi by the Mexican Congress through a federal program developed to support the work of institutions helping women in the states (Programa de Apoyo a las Instancias Estatales de las Mujeres) (San Luis Potosi 28 Mar. 2007). The funds have been used in part to provide training to state employees who assist women victims of violence (ibid.).

The State Commission for Human Rights (Comisión Estatal de Derechos Humanos, CEDH) is part of an inter-institutional team fighting gender and domestic violence, and it participated in national conferences on the subject in 2005 and 2006 (San Luis Potosi n.d.c, 33-34). Other members of the team include CAVIF, DIF San Luis Potosi, municipal DIFs, IMES, the Ministry of Health (Secretaría de Salud) and others (ibid. 6 June 2007). The team's main goal is to [translation] "support victims of domestic violence in their dealings with relevant institutions" (ibid. n.d.c, 34).

Non-governmental organizations

The organization Otra Oportunidad operates a centre where it receives and evaluates women victims of domestic violence before offering them shelter (21 May 2007; San Luis Potosi 6 June 2007). The organization offers a year round, 24-hour telephone service for women who wish to have access to the shelter (Otra Oportunidad 21 May 2007). Access is granted for a period of three months; however, each case is evaluated and help is provided for as long as necessary (ibid.). Within the shelter, a [translation] "life plan" is developed with each woman to help her, for instance, to evaluate her skills and to find work and a place to live (ibid.). Follow-up assistance is provided for up to six months depending on resources (ibid.).

Shelters have a referral policy that permits women from other states to enter a shelter in the state of San Luis Potosi (ibid.; San Luis Potosi 6 June 2007). Women are sent from one city to another in cases deemed [translation] "high risk" (Otra Oportunidad 21 May 2007). According to the President of Otra Oportunidad, in one case, possibly because of a lack of respect for confidentiality, an aggressor with high social standing was able to track his victim, who had been sent to a distant state; the victim eventually went abroad (ibid.).

The San Luis Potosi shelter is the biggest in the country: a total of 154 women and 248 children were helped at this shelter in 2006, out of 934 women and 1743 children who were registered on a list containing statistics for 24 shelters in Mexico (Otra Oportunidad 21 May 2007).

Information on whether non-governmental organizations or shelters receive governmental funding could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: The Instituto de las Mujeres del Estado de San Luis Potosi did not respond within the time allowed for this response.

Internet sources, including: Factiva, Gobierno del Estado de San Luis Potosi, Secretaria de Seguridad Publica de San Luis Potosi.

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