



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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### MEX102554.E

Mexico: The new federal law to combat violence against women (2007)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Approved by the Senate in December 2006 and enacted as federal legislation by President Felipe Calderon on 1 February 2007, the General Law on Women's Access to a Life Free of Violence (*Ley General de Acceso de las Mujeres a un Vida Libre de Violencia*) (IPS 14 Feb. 2007) requires "federal and local authorities to prevent, punish and eradicate violence against women" (AP 1 Feb. 2007; see also Mexico 1 Feb. 2007). Divided into three broad sections or [translation] "titles" (*titulos*), the law contains a number of chapters that outline definitions of violence and lays out specific responsibilities for federal, state and municipal governments to address matters such as victim assistance (e.g., protection orders) and access to government-run shelters (Mexico 1 Feb. 2007). In particular, the law defines various types of violence against women, including domestic violence, workplace violence, institutional violence and gender-based violence, and also outlines provisions for protection orders (*ibid.*).

Article 1 of the law states that its objective is to [translation] "guarantee [women's] access to a life free of violence that favours their development and well-being according to the principles of equality and non-discrimination" (Mexico 1 Feb. 2007). In this context, key elements of the law provide for raising women's awareness of their rights and of where they can go to access protection (AP 1 Feb. 2007). Moreover, the law lays out the responsibilities of municipal, state and federal authorities in regards to offering protection to women victims of violence, which includes, among other things, establishing shelters for women and rehabilitation programs for aggressors (Mexico 1 Feb. 2007, Art. 40-50). In particular, the law outlines three types of protection orders which can be issued by authorities: emergency, preventative and civil (*ibid.*, Art. 28-32). Emergency protection orders allow authorities to remove the aggressor from a home where domestic violence has taken place and to prohibit the aggressor from approaching the victim's home, her workplace or place of study, the homes of her relatives, and any other home she visits regularly (*ibid.*, Art. 29). Preventative protection orders allow, among other things, the authorities to seize an aggressor's firearms, to access the victim's home to retrieve her belongings or those of her children, and to provide the victim immediate assistance when requested; preventative orders also allow authorities to offer aggressors free specialized treatment services in accredited public institutions (*ibid.*, Art. 30). According to the law, both emergency and preventative protection orders must be issued within 24 hours of knowledge of the events that generate the order and neither may exceed 72 hours in duration (*ibid.*, Art. 28). Civil protection orders may, among other things, temporarily suspend the aggressor's right to visit or live with his children, require immediate provisional child support payments, which can be guaranteed by seizure of the aggressor's assets, and grant the victim exclusive possession of her residence (*ibid.*, Art. 32).

Regarding timelines for implementation of the new law, the Inter Press Service (IPS) reported that a National System to Prevent, Treat, Punish and Eradicate Violence Against Women had to be established by April 2007, while the federal government was required to present specific regulations by May 2007 (14 Feb. 2007). State governments would then be expected to amend legislation to reflect the new regulations (IPS 14 Feb. 2007). Information on the progress in implementing the new law could not be found among the sources consulted by the Research Directorate.

Reaction to the new law has been mixed, with some observers stating that it is a positive development and critics noting that it suffers from implementation challenges (BBC Mundo 2 Feb. 2007; *Houston Chronicle* 8 Mar. 2007; Women's eNews 3 Feb. 2007). According to a BBC Mundo article, the President of the National Institute for Women (Instituto Nacional de las Mujeres, INMUJERES), Rocio Garcia Gaytan, has called the law an important step forward but has also indicated that much more work needs to be done to address this issue (2 Feb. 2007). News sources report that human rights groups have called this legislation a "breakthrough" because it represents an unprecedented acknowledgement by the federal government that violence against women should be considered a national priority (*Houston Chronicle* 8 Mar. 2007; Women's eNews 3 Feb. 2007). In contrast, INMUJERES president Garcia Gaytan has suggested that it would be at least one year before the new law could be implemented because it requires political will on the part of state governments to carry out the necessary reforms (*El Universal* 7 Mar. 2007). In addition, IPS reported in February 2007 that while the law is greatly dependent upon an increase in resources to enforce it, government funding for implementation is still pending (14 Feb. 2007; see also *Houston Chronicle* 8 Mar. 2007). Moreover, the *Houston Chronicle* points out that insufficient infrastructure (i.e., lack of women's shelters) poses an additional challenge to implementing the law (8 Mar. 2007).

No further information on the development of the General Law on Women's Access to a Life Free of Violence could 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.

#### References

Associated Press (AP). 1 February 2007. E. Eduardo Castillo. "Mexico Enacts Law on Domestic Violence." (Boston.com) <[http://www.boston.com/news/world/latinamerica/articles/2007/02/01/mexico\\_enacts\\_law\\_on\\_domestic\\_violence/](http://www.boston.com/news/world/latinamerica/articles/2007/02/01/mexico_enacts_law_on_domestic_violence/)> [Accessed 11 May 2007]

British Broadcasting Corporation (BBC) Mundo. 2 February 2007. "Mexico enfrenta la violencia domestica." <[http://news.bbc.co.uk/hi/spanish/latin\\_america/newsid\\_6325000/6325263.stm](http://news.bbc.co.uk/hi/spanish/latin_america/newsid_6325000/6325263.stm)> [Accessed 13 Mar. 2007]

*Houston Chronicle*. 8 March 2007. "Legislating Safety / Mexico Takes Pride in Prioritizing Women's Security." (Factiva)

Inter Press Service (IPS). 14 February 2007. Diego Cevallos. "Mexico: Law on Violence Against Women - Necessary but Not Sufficient." <<http://ipsnews.net/print.asp?idnews=36566>> [Accessed 11 May 2007]

Mexico. 1 February 2007. Camara de Diputados del H. Congreso de la Union. Leyes Federales de Mexico. *Ley General de Acceso de las Mujeres a un Vide Libre de Violencia*. <<http://www.cddhcu.gob.mx/LeyesBiblio/pdf/LGAMVLV.pdf>> [Accessed 15 May 2007]

*El Universal* [Mexico City]. 7 March 2007. Liliana Alcantara. "Elaboran regalmento de ley contra violencia hacia mujeres." <[http://www.eluniversal.com.mx/notas/vi\\_410873.html](http://www.eluniversal.com.mx/notas/vi_410873.html)> [Accessed 13 Mar. 2007]

Women's eNews [New York]. 3 February 2007. Lorraine Orlandi. "Mexico Replies to Juarez With Anti-Violence Law." <<http://www.womensenews.org/article.cfm?aid=3084>> [Accessed 11 May 2007]

#### Additional Sources Consulted

**Publications:** *Latin News*

**Internet sites, including:** Amnesty International (AI), *Diario de Mexico* [Mexico City], EFE News Service, Freedom House, Human Rights Watch (HRW), *The New York Times*, Resource Center of the Americas, United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), United States (US) Department of State, *The Washington Post*.

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