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Mexico: Shelters for women victims of violence in the Federal District; the possibility of obtaining a protection order (2006 - April 2008)

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Emergency centres and shelters: legislative standards

The Law on Women's Access to a Life Free of Violence in the Federal District (*Ley de Acceso de las Mujeres a una Vida Libre de Violencia para el Distrito Federal*), which came into force on 8 March 2008, provides for emergency centres (*casas de emergencia*) and shelters for women victims of violence (Distrito Federal 29 Jan. 2008, Art. 49-53). The Ministry of Social Development (Secretaría de Desarrollo Social) is responsible for the coordination of the centres and shelters at the local and national levels (Distrito Federal 29 Jan. 2008, Art. 17; see also Notimex 2 Feb. 2008). According to Article 49 of the law, emergency centres are open 24 hours a day, 7 days a week to accept women victims of violence as well as secondary victims of violence for up to three days (Distrito Federal 29 Jan. 2008).

Article 50 of the Law on Women's Access to a Life Free of Violence in the Federal District defines a shelter as a place that is open 24 hours a day and that offers primary and secondary victims of violence a safe place to stay temporarily (*ibid.*). The law does not set a maximum length of stay but allows for a number of factors, including physical or psychological instability, and the risks faced by the primary or secondary victims, to be taken into account when determining how long they require shelter (*ibid.*, Art. 50).

According to Pilar Sánchez Rivero, the director of the women's shelter Albergue para mujeres que viven violencia, since the Law on Women's Access to a Life Free of Violence came into force, women subjected to an extreme risk of violence can avoid the formalities of being admitted into a shelter for abused women (*El Universal* 11 Mar. 2008). Previously, in order to be admitted into a shelter, all women victims of violence had to go through Domestic Violence Prevention and Care Units (Unidades de Atención y Prevención de la Violencia Familiar, UAPVIF), Women's Assistance Centres (Centros Integrales de Apoyo a la Mujer, CIAM), or the Office of the Attorney General of the Federal District (Procuraduría General de Justicia del Distrito Federal) (*ibid.*). Now, in cases of extreme violence, a shelter can accept women as soon as the violence is reported (*ibid.*). Women are first received by the UAPVIFs and are subsequently directed to the government shelter or to a private shelter in the Federal District (*ibid.*).

Shelters in the Federal District

The website of the National Network of Shelters (Red Nacional de Refugios) lists three partner shelters in the Federal District: Fundación DIARQ IAP; Fortaleza, Centro de Atención Integral a la Mujer IAP; and Casa de las Mercedes IAP (n.d.a).

The government of the Federal District also runs a shelter that specifically serves victims of family violence, the Albergue para mujeres que viven violencia (Red Nacional de Refugios n.d.a; CIMAC Noticias 10 Dec. 2007). This shelter, which falls under the responsibility of the Ministry of Social Development (*Reforma* 11 Mar. 2008), is not part of the National Network of Shelters (CIMAC Noticias 10 Dec. 2007). It offers accommodation for up to three months or up to six months in exceptional situations (*ibid.*). Women and their children are offered psychological, legal and medical assistance (*ibid.*). According to government statistics published by CIMAC Noticias, a Mexican women's news agency, the Albergue para mujeres que viven violencia accepted 88 women in 2007 (*ibid.*); the Mexico City daily newspaper, *Reforma* reports that 35 victims were admitted during the first three months of 2008 (11 Mar. 2008). On 11 March 2008, *El Universal* reported that, according to Sánchez Rivero, the Albergue para mujeres que viven violencia had accepted 14 women and 23 children by the time the article appeared and that by the end of the year, it could accept 350 victims of violence.

In correspondence sent to the Research Directorate on 8 May 2008, the coordinator of the "Tina Modotti" unit of the Federal District's Institute for Women, a unit located in Coyoacán, (Unidad Coyoacán "Tina Modotti" del Instituto de las Mujeres del Distrito Federal), stated that Coyoacán has an emergency centre that is run by the UAPVIF Coyoacán that accepts women and their children who are waiting for a spot in a shelter where they can stay for a longer period of time (Distrito Federal 8 May 2008). Women and their children in Coyoacán can also go to

the Fortaleza shelter, which offers three months of accommodation, as well as legal and psychological assistance (ibid.).

According to the Mexican news agency Notimex, a shelter in Azcapotzalco opened in March 2008 (Notimex 28 Mar. 2008). This shelter is managed and funded by the borough (*demarcación territorial*) and can offer services to 22 women and 18 children (ibid.).

Coyoacán and Azcapotzalco are just 2 of 16 boroughs in the Federal District; information on the situation in the other boroughs could not be found among the sources consulted by the Research Directorate.

In an article published in *Reforma*, Sánchez Rivero stated that at least seven additional shelters are needed in the Federal District to meet demand (11 Mar. 2008).

Possibility of obtaining a protection order

According to *El Universal*, Mexican shelters receive no police protection, and attacks against staff and facilities have been reported (20 Sept. 2006; see also *Houston Chronicle* 14 Jan. 2007). The *Houston Chronicle* also indicates that on several occasions, men have physically threatened workers in Mexican shelters in order to find out where their wives are; however, shelter locations are kept secret, and victims are often placed in shelters in other states for their protection (ibid.). Information on the situation in the Federal District itself could not be found among the sources consulted by the Research Directorate.

The Law on Women's Access to a Life Free of Violence in the Federal District provides for the possibility of obtaining an emergency protection order (Distrito Federal 29 Jan. 2008, Art. 63). Under Article 69 of the law, anyone who knows that there is a risk to the safety, freedom or integrity of a primary or secondary victim may seek an emergency protection order (ibid., Art. 69). The order may also contain a condition forbidding contact (ibid., Art. 66). Pursuant to Article 66, a criminal judge may issue an emergency protection order prohibiting an aggressor from visiting any location frequented by the victim or the secondary victims (ibid., Art. 66). In addition, the judge may issue a protection order that enables the authorities to take primary and secondary victims to an emergency centre or shelter (ibid., Art. 68).

One innovation of the Law on Women's Access to a Life Free of Violence in the Federal District, as pointed out by Leticia Bonifaz, a legal adviser with the government of the Federal District, is that the protection measures (*medidas de protección*) set out in the law can be implemented without requiring the intervention of the Office of the Public Prosecutor (Ministerio Público) (*Reforma* 8 Mar. 2008). According to *Reforma*, the Superior Court of Justice of the Federal District (Tribunal Superior de Justicia del DF, TSJDF) has set up a telephone hotline for the public, and calls are directed to a civil, family or criminal law judge (ibid.), in accordance with Article 58 of the law (Distrito Federal 29 Jan. 2008). Previously, a person had to file a report with the Office of the Public Prosecutor before the judicial police could intervene (*Reforma* 8 Mar. 2008).

According to *Reforma*, judges of the TSJDF have begun issuing protection orders (*Reforma* 13 Mar. 2008). According to Edgar Elías Azar, chair of the TSJDF, at least 15 protection orders have been issued (ibid.).

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

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Additional Sources Consulted

Oral sources: A representative of the Red Nacional de Refugios and representatives of the local branches of the Instituto de las Mujeres del Distrito Federal did not respond to a request for information within the time constraints of this Response.

Internet sites, including: Comisión de Derechos Humanos del Distrito Federal, *Diario de México*, Instituto de las Mujeres del Distrito Federal, Mexico - Centro Nacional de Equidad de Género y Salud Reproductiva, Servicio Universal de Noticias.

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