

# **Mexico: “The challenge is to make sure that the Gender Violence Alerts become new tools that generate processes of alternative power and feminist autonomy”**

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**Gender Violence Alerts are a new tool with which human rights, feminist and civil society organizations in Mexico have sought to stop escalating levels of violence against women by forcing the government to devote more resources to anti-violence campaigns.**

Contents

- [The State of Mexico: A History](#)
- [Challenges, Lessons and \(...\)](#)

## **Introduction**

Under a 2006 law adopted by the Mexican Congress, when a Gender Violence Alert is declared in a state or municipality, government entities must enact measures to ensure that victims have access to free judicial, medical and psychological services. The judicial system is likewise responsible for expediting fair and impartial justice for the victim. Four further conditions must also be met: The state must accept responsibility for the damage inflicted on victims and commit itself to repairing it; investigations must be launched if government entities were in some way responsible or negligent; new policies must be implemented to confront violence against women; and the authorities must verify and publicize the investigations.

During the 1990s, the border city of Ciudad Juárez gained notoriety because of the large numbers of murdered women whose bodies were discovered on the side of roads and in vacant lots. In the last decade, femicides have subsided, though not ended in Juárez. More alarming are the rising levels of femicides in the state of Mexico, the most populous state in the country, bordering Mexico City.

Femicides are a form of hate crime that targets women because of their condition as women. They involve not only murder, but sexual violence, torture, genital mutilation and rape, with the bodies often left in public spaces. Through legal tools like Gender Violence Alerts, organizations advocating for women are, first of all, seeking to force the government to recognize that these crimes are taking place at all. But now that Gender Violence Alerts have become law, the real challenge is to make sure that they are implemented.

Josefina Chávez is a member of the Workers' Revolutionary Party (or PRT, the Mexican section of the Fourth International). She is a feminist researcher, contributor to the newspaper *Bandera Socialista* and editor of the Mexican magazine *Cuadernos Feministas*. This article on Gender Violence Alerts originally appeared in *Cuadernos Feministas* in 2015 and was translated by Héctor A. Rivera, who also wrote this introduction.

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THE GENERAL Law of Access to a Life Free of Violence was adopted by the Mexican Congress in 2006, and it came into law by a decree in 2007. Since then, several bureaucratic and political obstacles have been overcome so that the states of Mexico and Morelos could finally declare Gender Violence Alerts (GVA) in summer 2015.

These victories were achieved after years of struggle and organizing by non-governmental organizations (NGOs), feminist organizations, and civil society and human rights groups, as well as pressure from international entities, particularly the United Nation's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Since December 2010, the National Citizen's Observatory on Femicides and the Mexican Commission for the Defense and Promotion of Human Rights had requested the implementation of a Gender Violence Alert based on 922 cases of gender violence recorded between 2005 and 2010. In January 2011, the National System to Prevent, Sanction and Eradicate Violence Against Women (SNPASEVM) denied the petition to declare a GVA.

Afterwards, a district judge ruled that the rights of the organizations putting forward the petition had been infringed, but ordered the case closed anyway. Because of protests and pressure from these organizations in various states, SNPASEVM was forced to make some changes to its ruling, and afterward, several petitions for GVAs were accepted.

Before a GVA is declared, women's and human rights organizations have to draw up a list of recommendations that have to be met by the states in six months' time. If these recommendations are not met, a GVA is declared. In the case of Guanajuato, the GVA hasn't been declared because the government is implementing these recommendations.

The states of Nuevo Leon, Chiapas, Guanajuato, Michoacán, Colima, Baja California and Sonora have solicited an Alert, and its implementation is pending.

In the case of Chiapas, Nuevo Leon and the state of Mexico, women's organizations have pursued a legal route since their petitions for GVAs were illegally denied by the SNPASEVM. Through legal proceedings, women's organizations hope to force the state and its institutions—including the State's Women's Institutes—to accept investigations into femicides and to apply the GVA.

Since the Gender Violence Alerts are part of the new Law of Access to a Life Free of Violence, in various states, many organizations have requested them as a last resort to pressure state institutions.

This is taking place in a national context where violence, militarization, corruption and impunity have produced high social costs—for thousands of women, this has meant forced disappearances, as well as sexual slavery, with the rising phenomenon of human trafficking that brings in large sums of money to organized crime and its accomplices. Today, thousands of women are missing across the country, and there are entire areas where women's lives are in danger every day.

## **The State of Mexico: A History of Violence and Impunity**

For decades, there has been a history of violence against women taking place with impunity, which

is evident from high levels of forms of violence besides femicides.

For example, in May 2006, the town of Atenco was attacked by police, and 11 women were tortured and raped in the attack. This was under then-Governor Enrique Peña Nieto—the current President of Mexico and member of the Institutional Revolutionary Party (PRI).

The case became known worldwide, and several women were unjustly jailed for months. Even though the Mexican government admitted in 2013 during a hearing at the Inter-American Commission on Human Rights that the police had committed “excesses” against human rights, the victims have yet to receive due justice.

Most recently, in 2015, the women who were victims of sexual torture nine years ago called for an investigation into the chain of command that issued the orders for the attack, among them Peña Nieto. Although the government offered to set up a financial trust for the victims, this doesn’t translate to justice, and to date, the case remains open at Mexico’s National Human Rights Commission and at the Inter-American Court for Human Rights.

In 2005, an investigation carried out by the Chamber of Deputies (the lower house of the Mexican Congress) exposed the responsibility of several figures, and the results weren’t to the liking of the State government. This investigation was necessary to learn about the obstacles preventing access to justice for women. Furthermore, it generated proposals and recommendations for local governments.

Finally, on April 28, 2014—after four years of struggle by civil society in the State of Mexico—the National System to Prevent, Sanction and Eradicate Violence Against Women accepted the petition for a Gender Violence Alert. In addition, it was announced an inter-institutional and multidisciplinary group would launch an investigation to reinforce the GVA in the State of Mexico. However, while the institutional quagmire continued, the number of femicides continued to grow.

When the petition for an Alert in the State of Mexico was accepted, it coincided with an election year, with Peña Nieto running for President. The GVA was labeled a political maneuver to discredit his campaign. Thereafter, governors from different states took the same stance against the Alerts. Instead of seeing GVAs as an opportunity to combat violence against women, the stance of these politicians contributed to the normalization of that violence.

When the governor of the State of Mexico announced in April 2015 that he was “requesting” a Gender Violence Alert, it came as a big surprise for feminist and civil society organizations. It also revealed the cynicism of government officials, since the governor sought to take credit for the GVA’s implementation without acknowledging the years of work by feminist and civil society organizations.

This “bold” news came at the same time that the government was signing an agreement with the State’s Women’s Institute (Inmujeres). This revealed that government was finally green-lighting the Gender Violence Alerts when things had crossed the line. How else could the bureaucratic and Kafkaesque justify their rejection of an Alert?

## **Challenges, Lessons and Perspectives**

We must recognize the work of the National Citizen’s Observatory on Femicides for this victory, and its ability to push the governor of the State of Mexico into a corner. At the same time, we must recognize the work of Las Libres in the state of Guanajuato; the numerous actions by the Independent Human Rights Commission of Morelos; as well as the work in Chiapas, where new

alliances and actions were carried out to mobilize the citizenry.

We must also recognize the support of journalists whose commitment and solidarity continually document femicides and make them visible. And we must recognize the work of compañeras organizing in states where Alerts haven't been implemented: Colima, Nuevo León, Baja California, Sinaloa, Hidalgo, Veracruz and Oaxaca.

The struggle to win implementation of Gender Violence Alerts has required a lot of effort and organization, and it must be noted that important alliances have been forged between feminist, citizen, academic, journalistic and human rights organizations. We must also recognize that a lot of tactics have been employed to promote the visibility and recognition of gender violence and femicides as a social epidemic and as a problem that concerns all of society, and so must be tackled collectively.

Nevertheless, none of these actions are enough to bring about a major mobilization to defend the life and the liberty of women. It will be necessary to generate new strategies that will strengthen the organization and self-organization of women, as well as the strengthening of independent spaces of struggle free from government intervention. This is the only way we will be able to sow and to deepen stronger alliances.

This is a major challenge and it is urgently necessary in order to put ourselves in a different plane of struggle and shift the politics of the state from an independent position, from a position of horizontal democracy. This reorientation is fundamental in order to confront the coming stage of the struggle: we must make governments follow through with the implementations of the Gender Violence Alerts and in states where recommendations are being implemented. But how will we pressure the government from an independent position?

This must be done by involving broader sectors of society to make sure that everything the state does is publicly scrutinized. We must do away with the secretive commissions that vouch for the state. On the contrary, we must involve women and the populations of communities in the municipalities where Alerts are being declared. We must organize popular assemblies and women's assemblies of implementation, solidarity and organization with the families of victims of femicides.

The challenge is to make sure that the Gender Violence Alerts become new tools that generate processes of alternative power and feminist autonomy. We must be aware that, in and of themselves, the GVAs will not get rid of violence against women, and we must generate deeper processes to question the true causes of patriarchal violence against women.

Therefore, we must denounce, we must be vigilant, and we must apply political pressure.

**Josefina Chávez**

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**P.S.**

\* "A tool to fight gender violence in Mexico". Socialist Worker (USA). March 23, 2016:  
<http://socialistworker.org/2016/03/23/a-tool-to-fight-mexicos-gender-violence>