

# Chacrana Handbook on Sexual Abuse Law

## Mexico

### 1. General Situation

#### a. National Priority

In order to address the [high prevalence of gender-based violence](#) in Mexico, the Mexican government has enacted a series of laws, regulations, institutions, and mechanisms with the encouragement of civil society organizations and international bodies, such as the Inter-American Commission on Human Rights (IACHR), which regularly issues [comprehensive reports evaluating the situation and making recommendations to the Mexican state](#). Mexico's cornerstone law on gender-based violence is [The General Act on Women's Access to a Life Free of Violence \(\*Ley General de Acceso de las Mujeres a una Vida Libre de Violencia\*\)](#), passed in 2007.

Like most laws on gender-based violence in Latin America, the law defines the different types of violence against women, such as violence in the workplace or the school, violence in the community, violence in public institutions, domestic violence, and femicide. But Mexico's General Act [goes further](#): It creates a national system of [alerts on gender violence—the first of which was issued in 2015](#)—coordinates different institutions to prevent, protect, attend and sanction violence against women (the Public Health System, the National Women's Office, and the Special Prosecutor's Office), and creates protective mechanisms; namely, a national network of women's shelters.

The national network of women's shelters is [an essential part of the law](#) and is operated both privately, by NGOs, and publicly, as part of the [Red Nacional de Refugios](#). With approximately 72 shelters in operation today, some in every region in Mexico, the shelters provide free psychological, educational, medical, legal, and social work services to victims of sexual violence throughout the country.

Mexico's National Women's Institute ([INMUJERES](#)), a public institution, has launched several training programs on women's rights for staff and officials in public prosecutors' offices [in a number of Mexican states](#). INMUJERES also created a national program to prevent, punish, and eradicate violence and discrimination against women, titled National Program for Equal Opportunity and Nondiscrimination for Women ([Plan Proequidad](#)) to make the gender perspective part of all regular policies and programs in every sector of the federal government and to encourage new policies and programs.

#### b. Difficult Reality

Despite the [government's efforts](#), gender-based violence in Mexico is [among the worst in Latin America](#). A 2018 government survey found that 80% of women in Mexico [don't feel safe](#) and a survey of women in Mexico City reported that a staggering 96% of women in Mexico City have experienced [some form of sexual harassment in public](#), leading to the creation of women-only subway cars and buses marked with "Sólo Mujeres". Other government programs, like a ["penis seat"](#) to raise awareness of sexual harassment on the subway and a city-branded whistle to toot when threatened, have had little effect.

According to Human Rights Watch, Mexican laws [do not adequately protect women against violence](#) and contain provisions making the severity of punishments for some sexual offenses contingent upon the “chastity” of the victim, in contradiction of international standards. The victims of crimes are often met with impunity when seeking justice in the courts, where [only 2% of perpetrators end up in prison](#). As a result, a majority of sexual violence in Mexico [goes unreported](#).

Mexican women’s rights activist María de la Luz Estrada, coordinator of the National Citizen's Observatory of Femicide, expressed the issue during a march to demand safety and justice for women in Mexico City in September of 2019, [“This is a state that doesn't punish, that doesn't guarantee the rights of women, much less victims.”](#)

In sum, women traveling to Mexico for retreats involving psychedelic plants and preparations administered in Mexican clinics or in collaboration with indigenous peoples of Mexico—peyote, psilocybin, and, to a lesser extent, iboga and ayahuasca—should exercise caution and be aware of the laws and resources listed below.

## 2. Specific Laws

- [The General Act on Women’s Access to a Life Free of Violence \(\*Ley General de Acceso de las Mujeres a una Vida Libre de Violencia\*\)](#) of 2007. This law defines the different types of violence against women, coordinates public institutions, and creates a national network of women’s shelters for victims of gender-based violence. Each of Mexico’s 32 states has its own state law echoing this, which includes the implementation of local systems to prevent, punish, and eradicate gender violence against women.
- [Article 325 of the Federal Penal Code](#), which provides a penalty of 40 to 60 years for femicide.
- [Article 265 of the Federal Penal Code](#), which provides a penalty of 8 to 20 years for rape.
- [Article 259 of the Federal Penal Code](#), which criminalizes sexual harassment by federal employees. Each Mexican state has its own laws on sexual harassment, most requiring physical damage to occur before the harassment is criminally actionable.

### 3. Resources

Life Without Violence (Vida sin Violencia) 24/7 hotline for women

- 018009112511

National Network of Shelters (Red Nacional de Refugios) 24/7 hotline

- 018008224460
- [renarac@rednacionalderefugios.org.mx](mailto:renarac@rednacionalderefugios.org.mx)

#### INMUJERES

- Blvd. Adolfo López Mateos 3325, piso 5., San Jerónimo Lídice, Ciudad de México. C.P. 10200
- +55 53226030

Asociación para la Defensa de la Mujer, Mexico City

- Cerezas 86, Col del Valle Sur, Benito Juárez, 03100 Ciudad de México
- +52 55 5575 0152

National Network of Shelters (*[Red Nacional de Refugios](#)*)

**Check the Ayahuasca Community Guide for the Awareness of Sexual Abuse:**

<https://chacruna.net/community/ayahuasca-community-guide-for-the-awareness-of-sexual-abuse/>