



# MEXICO: THE ~~RAGE~~ OF WOMEN

STIGMA AND VIOLENCE AGAINST WOMEN PROTESTERS



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# 1. EXECUTIVE SUMMARY

**“Until that moment, it was unimaginable that the police would do that. It’s something we know about, but experiencing it is terrifying, because it’s the state. We know that there is impunity for any man from around here on the outskirts of town who commits a crime against a woman, but against the state it’s a lost cause.**

María M. Ángeles, feminist from the state of Mexico

Feminist demonstrations and women’s groups unaffiliated to any feminist women’s collectives, groups or organizations (referred to in this report as, feminist demonstrations and protests against gender-based violence against women), are protected by the human right to freedom of peaceful assembly. However, Amnesty International has documented how various authorities in Mexico have responded to women exercising this right with violence and human rights violations.

Various police forces have violated women’s and girls’ rights, including the rights to peaceful assembly; to liberty; to physical integrity; to freedom from torture and other cruel, inhuman or degrading treatment; and to a life free from violence. Amnesty International has found that the authorities have responded to protests by women and against gender-based violence against women with excessive and unnecessary use of force, with illegal and arbitrary arrests, with gender-based verbal and physical abuse against women and with sexual violence.

As this report shows, despite being mostly peaceful, feminist demonstrations and protests against gender-based violence against women have started to be stigmatized as violent. By characterizing the protests in this way, the authorities and various parts of the media create an environment hostile to women’s right to freedom of assembly, undermine the legitimacy of their activism and make violence against them by both the authorities and private individuals more likely.

The stigma faced by feminist demonstrations and protests against gender-based violence is based on and reinforces harmful gender stereotypes about women; that is, roles and concepts traditionally assigned by society to women. For example, the idea that women should stay at home instead of making trouble for themselves by demonstrating; or that actions such as painting slogans, breaking windows or targeting monuments, are not what women do. Indeed, trying to justify the human rights violations experienced by women on the basis of the behaviour of the women themselves constitutes, in itself, a stereotype that discriminates against them for daring to protest. Effective measures by Mexico to comply with its obligation to eradicate gender-based stereotypes that negatively affect women are long overdue.<sup>1</sup>

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<sup>1</sup> CEDAW Committee, General Comment 25, Article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, paras 7

The stigma of violence hanging over feminist demonstrations and protests against gender-based violence, and the gender stereotypes on which the violent responses against protesters are based, intersect with other forms of exclusion and marginalization, such as those experienced by women from the outskirts of the city; that is, the urban areas around Mexico City where there is a high rate of impunity for violence against women and women are excluded from exercising their human rights.

Several of the protesters who experienced human rights violations whose cases are documented in this report were aged between 12 and 17, so the authorities, far from guaranteeing the best interests of the child, are violating their human rights.

This report also shows the discriminatory and biased attitudes held by officials, whereby women who cover their faces – even with face masks as a hygiene measure to protect themselves from COVID-19 infection – or who dress in black, are viewed as suspects who are about to commit or have committed a criminal offence. Covering one’s face or wearing black cannot be equated with committing a crime, or assumed to be linked to acts of violence during demonstrations.

According to international human rights law, demonstrations are considered peaceful, and therefore protected by the right to freedom of assembly, except when there is widespread and serious violence. In the context of the right to peaceful assembly, only the use of force that is likely to result in injury or death or serious damage to property should be considered violent.<sup>2</sup> Therefore, the authorities should not brand as violent actions by protesters such as painting slogans, targeting monuments or breaking windows, since these expressions are protected by the rights to freedom of peaceful assembly and freedom of expression.

While state authorities can justifiably impose certain restrictions to prevent damage to public and private property, they should not take measures that unduly restrict human rights and prevent those who do so peacefully from demonstrating. Even if a group taking part in a protest uses violence, the authorities have a duty to ensure that those who are protesting peacefully can continue to do so, without using the acts of violence as a pretext for restricting or preventing others from exercising their right to protest.

This report documents how the police authorities, contrary to their international obligations regarding the use of force and firearms, misused tactics such as kettling to cordon off large numbers of female protesters in Mexico City, which resulted in violations of the human rights of those demonstrating peacefully. It also details how they made arbitrary use of lethal force – which should be used only as a last resort when there is an imminent risk of death or serious injury to one or more people – to disperse a demonstration held on 11 November in the city of Cancún, municipality of Benito Juárez, Quintana Roo, resulting in three people being injured.

This report documents the unnecessary, excessive and disproportionate use of force as a way to restrict the right to peaceful assembly, by “preventively arresting or seizing”<sup>3</sup> individuals in order to arbitrarily detain those who wanted to participate in demonstrations or because they were “suspected” of criminal intent. In Culiacán, Sinaloa, the municipal police “preventively detained” three women who wanted to demonstrate on 10 September 2020, because they suspected that they were going to daub paint on the city’s Town Hall. A civic court judge<sup>4</sup> fined them for “causing a nuisance on a public thoroughfare”<sup>5</sup>, although he did not specify the specific conduct that he considered was the “nuisance” constituting a public order offence.

In León, Guanajuato, Amnesty International was able to establish that the municipal police illegally and arbitrarily detained at least nine of the 23 people arrested after the 22 August 2020 demonstration. These individuals, most of them women, were not committing any crime or administrative offence. The police authorities did not identify themselves to the detainees or tell them the reasons for their detention and used unnecessary and excessive force to arrest them.

In Ecatepec de Morelos, state of Mexico, on 10 September 2020, staff from the Attorney General’s Office of the state of Mexico, used excessive use of force to evict women who were occupying the headquarters of the State Commission on Human Rights (CODHEM) in an act of peaceful protest. Personnel from the Attorney General’s Office detained them without a court order and transferred them in unmarked vans not to the office of the Public Prosecutor’s Office for that municipality, but to that of the municipality of Atizapán de Zaragoza in the same state, which involved a 30-minute journey in the early hours of the morning in the open air in the back of pick-up trucks. The women protesters were transferred along with several children in these conditions, without adequate measures being taken to guarantee the best interests of the children. During a demonstration in Atizapán de Zaragoza on 11 September to demand the release of the detained

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<sup>2</sup> Human Rights Committee, General Comment No. 37 (2020), on the right to peaceful assembly (Article 21), UN Document, CCPR/C/GC/37, 17 September 2020, para. 15.

<sup>3</sup> “detenciones o aseguramientos preventivos”

<sup>4</sup> Administrative officer responsible for imposing sanctions for public order offences.

<sup>5</sup> “escandalizar en la vía pública”

women who had occupied the CODHEM offices, staff of the Attorney General's Office used unnecessary and arbitrary force against the protesters, throwing heavy objects at them to disperse them and pursuing them even after they had dispersed.

During the 9 November demonstration in Cancún, Quintana Roo, eight people demonstrating peacefully were detained, seven of them women. Two sustained head injuries during their illegal and arbitrary detention and did not receive the necessary medical attention. The eight were "preventively seized" for alleged damage to property. They were transferred to the Quintana Roo State Attorney General's Office and then to the Public Security Secretariat of the Municipality of Benito Juárez without having been brought before a competent authority or receiving a medical certificate.

During the arrests and transfers, several of the detained women and girls were subjected to physical violence of various kinds, as well as threats and verbal abuse based on gender stereotypes. All of the above, were designed to teach them a lesson for daring to go out and demonstrate and behaving in ways that are counter to gender stereotypes according to which women should stay at home and not go out looking for trouble.

In the various demonstrations documented in this report, the detained women felt intense fear of being victims of enforced disappearance, which can breach the absolute prohibition of torture and other cruel, inhuman or degrading treatment. The arbitrary nature of the detentions, the excessive use of force, the failure of police officers to inform them of the reasons for their arrest and identify themselves properly, the solitary confinement to which several of the protesters were subjected, transfers by unusual routes without knowing where they were being taken and, in some cases, without being brought before a competent authority, all reinforced this fear.

The use of various forms of sexual violence by members of the police against the protesters, as a form of gender-based violence and as a tactic to teach protesters a lesson for allegedly disturbing public order, is worrying. These forms included: threats of sexual violence, comments of a sexual nature, sexual harassment and failing to take measures to address sexual harassment by other male detainees, as well as medical examinations carried out in the presence of people who were not health personnel and without the consent of the protesters. Information was received that at least four protesters were subjected to sexual touching: two adolescent girls in León, Guanajuato, and one adolescent and another woman in Ecatepec de Morelos, state of Mexico. In Cancún, Quintana Roo, a woman reported that she was raped and information was received from another detained woman who experienced the same type of sexual violence.

Under international human rights law, rape is considered a form of torture. Other forms of sexual violence experienced by the protesters can also be considered contrary to the absolute prohibition of torture and other cruel, inhuman or degrading treatment because they were intended to teach protesters a lesson and caused them intense suffering. The authorities that received complaints or reports of the sexual violence experienced by the protesters failed to implement the Istanbul Protocol, while the criminal investigation authorities were negligent and did not ensure a prompt, timely and impartial investigation of reported rape cases.

More than two years after the Inter-American Court of Human Rights issued the ruling in the *Case of Women Victims of Sexual Torture in Atenco v. Mexico*,<sup>6</sup> Amnesty International found that Mexico has made minimal progress in adopting and implementing specific and effective measures to address gender-based violence against women, including various forms of sexual violence, in the context of demonstrations. Gender-based violence against women, including sexual violence, continues to be used by the authorities as a way to deter women from exercising their right to peaceful assembly. It is an illegitimate tactic and contrary to international law on maintaining public order and was used as a means to teach women a lesson for challenging gender stereotypes when they left the private space to take to the streets.

Amnesty International considers that the level of violence experienced by women and girls who take part in demonstrations in Mexico and the escalating violence against them by the authorities create a particularly dangerous environment for feminist demonstrators and those protesting against gender-based violence. The Mexican authorities must, therefore, adopt concrete measures to guarantee the right to freedom of peaceful assembly, the right to live free from violence, and all demonstrators' human rights in all the protests in which they participate.

Based on the research carried out, Amnesty International makes the following recommendations to all Mexican authorities at the various geographical levels:

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<sup>6</sup> Inter-American Court of Human Rights, *Case of Women Victims of Sexual Torture in Atenco v. Mexico*, Judgment of 28 November 2018, [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_371\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_371_ing.pdf)

## **RIGHTS TO FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY**

- Refrain from making stigmatizing statements against feminist demonstrations and those who protest against gender-based violence against women.
- Ensure ongoing recognition through the most wide-ranging means available of the legitimacy of feminist demonstrations and protests against gender-based violence against women.
- Ensure ongoing recognition through the most wide-ranging means available that painting slogans or symbols, as well as altering monuments, are manifestations of freedom of expression and cannot be considered acts of violence prompting the use of force during demonstrations or arrest.
- Ensure that those who participate in protests can cover their faces if they wish and thus exercise their right to assembly anonymously. And ensure that protesters will only be required to show identification when their conduct offers reasonable grounds to justify their arrest.

## **WOMEN'S RIGHT TO LIVE A LIFE FREE OF VIOLENCE**

- Adopt effective prevention and protection measures and guarantee women's right to live a life free of violence, particularly in the face of feminicides or gender-based killings of women and various forms of sexual violence.
- Guarantee access to justice and adequate reparation for those who have suffered gender-based violence and refrain from revictimizing those whose right to live a life free of violence is violated.

## **TORTURE AND SEXUAL VIOLENCE**

- Strengthen the Follow-up Mechanism for Cases of Sexual Torture Committed against Women (Mecanismo de Seguimiento de Casos de Tortura Sexual Cometida contra las Mujeres), allocating the necessary resources and ensuring that there is inter-institutional coordination in its operation.
- Carry out prompt, thorough, independent and impartial investigations into complaints of all forms of sexual violence brought by female protesters, which must apply a gender perspective, to ensure that those responsible are brought to justice and guarantee victims comprehensive reparation for the harm experienced.
- Ensure that the testimony of those who experience these human rights violations is treated as credible evidence in investigations into all forms of sexual violence and sexual torture and take measures to avoid revictimization.
- Strengthen the carrying out of forensic examinations in accordance with the Istanbul Protocol, ensuring gender-sensitive treatment of survivors and that female medical personnel are available to care for female victims and viewing the survivor as someone who has total control to decide how they wish to be treated.

## **USE OF FORCE AND FIREARMS**

- Respond to possible acts of violence by specific groups of protesters in a differentiated and proportionate manner, respecting and protecting the right to peaceful assembly of those who demonstrate peacefully.
- Carry out prompt, thorough, independent and impartial investigations into unnecessary and excessive use of force during demonstrations to establish the responsibility of individual police officers as well as those in the chain of command.
- Ensure ongoing and thorough cycles of evaluations of human rights training for police forces, their outcomes and impact.
- Put in place a professional civil service career for police forces which operates in accordance with obligations to respect and guarantee the employment rights of members of these bodies and is based on performance, with indicators linked to building trust with the public and respect for human rights.
- Ensure that there is a specialized, independent mechanism, external to police forces, in charge of monitoring, supervising and improving these institutions.
- Guarantee an inter-institutional response during demonstrations, in such a way that there is not only coordination between different police forces, but also that coordinated and directed responses are given by a non-operational body.

## **ARBITRARY DETENTIONS**

- Guarantee that no one is detained solely for peacefully exercising their rights to freedom of expression or peaceful assembly.
- Immediately and unconditionally release anyone who has been detained solely for peacefully exercising their rights to freedom of expression or peaceful assembly, drop any related charges that are still pending and close the respective investigations.
- Ensure that every member of the police guarantees the right of every person to be informed, from the moment of arrest, of the reasons for their detention and their rights, including the right to immediately contact a lawyer of their choice and their family.

## 2. CONCLUSIONS AND RECOMMENDATIONS

**“This fear, thinking that a tragedy is going to happen... the state doesn’t know what to do with this [protests], it doesn’t understand, it can’t handle it, and I think this is particularly true of the police... So they blast it, which is their normal practice in the face of defiance.”**

Aracelia Guerrero Rodríguez, a member of the Marabunta Humanitarian Peace Brigade (Brigada Humanitaria de Paz Marabunta), who accompanied protesters in Atizapán de Zaragoza, state of Mexico<sup>7</sup>.

Amnesty International considers that the level of violence experienced by women and girls who take part in demonstrations in Mexico and the escalating violence against them by the authorities create a particularly dangerous environment for feminist demonstrators and those protesting against gender-based violence who do not belong to feminist collectives or women’s groups, in which they are at risk of various human rights violations. The duty of due diligence of all authorities, based on the obligations to protect and guarantee human rights, requires the Mexican authorities to adopt concrete measures to guarantee the right to freedom of peaceful assembly, the right to be free from violence and all the human rights of demonstrators in all protests in which this group of people participate.

The various physical and verbal attacks, intimidation and sexual violence to which the protesters were subjected show that the authorities’ actions were in breach of their obligation to respect the human rights to freedom of assembly, to live free of violence, to physical integrity and to freedom from torture and other ill-treatment. The authorities used all the forms of violence described in this report to punish women who dared to take to the streets to demonstrate and to teach them a lesson and prevent them from demonstrating again.

The violence used against women and girl protesters, coupled with the fact that they were abused while demonstrating against gender-based violence against women or demanding justice in specific situations of gender-based violence, means that these women were victims of multiple human rights violations.

Women and girls in Mexico live in an environment where the state’s actions do not protect their rights. When this leads them to protest on public thoroughfares against gender-based violence, they are abused in a number of ways, including by being subjected to gender-based violence. The prevailing impunity in cases of gender-based violence and the continuous human rights violations against women and girl protesters have

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<sup>7</sup> “este miedo a pensar que va a pasar una tragedia (...) el Estado no sabe qué hacer con esto, no comprende, está rebasado, y lo pienso mucho con lo de los policías. (...) Entonces es una bomba que es lo que ellos normalmente practican contra el desafío.”

undermined trust in the institutions that should protect them and guarantee their rights. Worse still, those women and girls who make the decision to take to the streets to raise their voices and demand justice in cases of gender-based violence against women are not only stigmatized as bad women for daring to challenge traditional gender roles, but are also automatically accused of being violent and provocative. Being stigmatized in this way on many occasions has consequences that go beyond the individual level; they are expressed at the family and community level, including the breakdown of family relationships and loss of employment.

Amnesty International is concerned about the continued use of sexual violence as a way to teach women, including adolescents, a lesson or punish them for exercising their right to assembly. Two years have passed since the Inter-American Court of Human Rights issued its judgment in the *Case of Women Victims of Sexual Torture in Atenco*, in which it found Mexico responsible for violations of women's human rights in the context of demonstrations. However, this report shows that there have been no structural changes to address gender-based violence against women because they are women, or during demonstrations to demand justice. The Mexican authorities are aware of the dangers and especially of the risk of gender-based violence against feminist protesters and women and girls protesting to demand justice in cases of gender-based violence against women. Mexico must, therefore, urgently adopt effective measures aimed at preventing gender-based violence in these situations.

Sexual violence is *per se* a violation of the human right to physical integrity, but it can also amount to torture when used with the intention of inflicting suffering or punishment. The Mexican authorities must act with due diligence in the investigation of these cases from the first moment they become aware of these violations.

The stigma surrounding feminist demonstrations and gender-based violence against women reinforces the stereotypes and discrimination that women and girls constantly face in Mexico. The state violates women's right to non-discrimination not only because it generates and fosters this stigma, but also because it fails to take effective measures to address the discrimination experienced by women protesters.

The human rights violations documented in this report by Amnesty International, coupled with the stigma faced by feminist demonstrations and protesters and those who speak out against gender-based violence, can have the effect of deterring women from exercising their right to peaceful assembly. Several of those who took part in the demonstrations documented were participating for the first time, and some of them, as well as other women who had participated previously, said that they were afraid to go out to protest again, at least in the short and medium term. This highlights how human rights violations can have a chilling effect on the exercise of the right to demonstrate, especially among adolescents taking part for the first time.

In León, Guanajuato, the police authorities did not comply with their obligation to guarantee the exercise of the right to demonstrate peacefully. They reacted with unnecessary and excessive use of force in response to non-violent actions, such as painting, and actions that did not pose a threat to life or risk causing physical injury. In addition, they arbitrarily detained several protesters simply for exercising their rights to freedom of expression and peaceful assembly.

The protesters involved in the peaceful occupation of CODHEM were evicted with excessive use of force and without complying with minimum guarantees for the respect of their human rights or those of the children present at the occupation. The protest in Atizapán de Zaragoza was dispersed by throwing benches and heavy objects at any protester, without the authorities having made efforts to isolate and control those who posed a danger or were committing a crime.

In Mexico City, the authorities chose to use the tactic of kettling as a way to prevent damage to property and cordoned off a large number of peaceful protesters, thereby preventing them from continuing to exercise their right to peaceful assembly, and did not let them leave for several hours. They therefore used force disproportionately and violated the rights of peaceful protesters whose movement was restricted.

In the case of Cancún, Benito Juárez, Quintana Roo, the authorities used firearms indiscriminately, even when there was no risk to anyone's life. They continued firing and chasing protesters, even though the gathering had dispersed. They also did not isolate or control those who were committing an act of violence; on the contrary, they arbitrarily detained peaceful protesters.

The police violations have had a permanent impact on the women interviewed. Before they did not trust the police and after the human rights violations experienced during the protests, this distrust increased their feelings of fear at the sight of patrol cars or of interacting with members of the police force.

The civic court judges, administrative officials responsible for imposing sanctions for administrative offences, did not fulfil their role as guarantors of human rights. They imposed fines on women because they were

going to demonstrate and “were suspected of intending to daub paint on walls”<sup>8</sup> in Culiacán, and reprimanded 23 people in León, Guanajuato, nine of whom are considered by Amnesty International to have been arbitrarily detained because they were not committing any crime or administrative offence.

Based on the research carried out, Amnesty International makes the following recommendations to all Mexican authorities at all geographic levels:

### **RIGHTS TO FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY**

- Review legislation, policies and practices regarding public gatherings and demonstrations in order to guarantee and facilitate the effective exercise of the right to freedom of expression and peaceful assembly by women and girls, in accordance with the international human rights obligations entered into by Mexico.
- Refrain from making stigmatizing statements against feminist demonstrations and those who protest against gender-based violence against women.
- Ensure ongoing recognition through the most wide-ranging means available of the legitimacy of feminist demonstrations and protests against gender-based violence against women.
- Ensure that any restrictions imposed on the rights to freedom of assembly and expression are demonstrably necessary and proportionate to fulfil the legitimate objectives expressly enshrined in international human rights law. In particular, the authorities must refrain from using criminal and administrative legislation to deter participation in demonstrations and to silence criticism of the authorities by other means.
- Ensure ongoing recognition through the most wide-ranging means available that painting slogans or symbols, as well as altering monuments, are manifestations of freedom of expression and cannot be considered acts of violence prompting the use of force during demonstrations or arrest.
- Ensure that those who participate in protests can cover their faces if they wish and thus exercise their right to assembly anonymously. And ensure that protesters will only be required to show identification when their conduct offers reasonable grounds to justify their arrest.
- Ensure that the use of force during demonstrations conforms to international standards, in particular the United Nations Basic Principles on the Use of Force and Firearms. In particular, ensure that institutions, as well as law enforcement officials, fulfil their obligation to recognize the right to peaceful assembly, facilitate the exercise of this right, use force only when other means prove ineffective and are held accountable for their actions in the context of the right to demonstrate.

### **WOMEN'S RIGHT TO LIVE A LIFE FREE OF VIOLENCE**

- Adopt effective prevention and protection measures and guarantee women's right to live a life free of violence, particularly in the face of feminicides or gender-based killings of women and various forms of sexual violence.
- Guarantee access to justice and adequate reparation for those who have suffered gender-based violence and refrain from revictimizing those whose right to live a life free of violence is violated.
- Carry out prompt, thorough, independent and impartial investigations into complaints of all forms of gender-based violence against women and girls, which must apply a gender perspective, to ensure that those responsible are brought to justice and guarantee victims comprehensive reparation for the harm experienced.

### **TORTURE AND SEXUAL VIOLENCE**

- Publicly acknowledge the scale of the problem of torture and other ill-treatment in Mexico, in particular the use of sexual violence against women, and send a clear message, disseminated through the most wide-ranging means available, that these acts will not be tolerated and that those responsible will be brought to justice.

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<sup>8</sup> “eran sospechosas de querer pintar las paredes”

- Strengthen the Follow-up Mechanism for Cases of Sexual Torture Committed against Women (Mecanismo de Seguimiento de Casos de Tortura Sexual Cometida contra las Mujeres), allocating the necessary resources and ensuring that there is inter-institutional coordination so that it can achieve its objectives.
- Carry out medical examinations of people in police custody, respecting at all times the consent of the individual being examined, out of sight and earshot of police officers. The medical examination report should reflect statements made by the individual regarding how injuries occurred, as well as the physician's assessment of the consistency of the injuries with those complaints. Furthermore, the report must be made available to the person examined.
- Investigate and, where appropriate, suspend any member of the police force, regardless of their rank, suspected of being involved in acts of torture or other ill-treatment, and in particular in the use of sexual violence against women.
- Ensure that no public official found directly or indirectly responsible for torture or other ill-treatment, or who, as part of the chain of command, has covered up, facilitated, or supported these acts in any way, is employed in other public security, prosecutorial or judicial institutions
- Carry out prompt, thorough, independent and impartial investigations into complaints of all forms of sexual violence brought by female protesters, which must apply a gender perspective, to ensure that those responsible are brought to justice and guarantee victims comprehensive reparation for the harm experienced.
- Ensure that the testimony of those who experience these human rights violations is treated as credible evidence in investigations into all forms of sexual violence and sexual torture and take measures to avoid revictimization.
- Strengthen the carrying out of forensic examinations in accordance with the Istanbul Protocol, ensuring gender-sensitive treatment of survivors and that female medical personnel are available to care for female victims and viewing the survivor as someone who has total control to decide how they wish to be treated.

## **USE OF FORCE AND FIREARMS**

- Bring the National Law on the Use of Force into line with international human rights law, in particular the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the judgments of the Inter-American Court of Human Rights.
- Respond to possible acts of violence by specific groups of protesters in a differentiated and proportionate manner, respecting and protecting the right to peaceful assembly of those who demonstrate peacefully.
- Ensure that anyone who is injured or affected as a result of the use of force receives assistance and medical attention as soon as possible and establish a procedure by which the incident is reported without delay to superiors, who must guarantee an effective review by independent administrative or judicial authorities who can initiate criminal proceedings, if necessary.
- Carry out prompt, thorough, independent and impartial investigations into unnecessary and excessive use of force during demonstrations to establish the responsibility of individual police officers as well as those in the chain of command.
- Establish a mechanism for ongoing monitoring and oversight to measure and evaluate the effectiveness of existing policies, protocols and guidelines on the use of force.
- Ensure continuous training for police forces to equip them with theoretical and practical tools, in accordance with international best practices, on human rights, including women's rights, gender-based violence, the right to peaceful protest and the UN Basic Principles on the Use of Force and Firearms. This training must be carried out in working hours, independently from the time assigned to other training, and be continuous.
- Ensure ongoing and thorough cycles of evaluations of human rights training for police forces, their outcomes and impact.
- Put in place a professional civil service career for police forces, which operates in accordance with obligations to respect and guarantee the employment rights of members of these bodies, as well as a

career path that provides for vertical and horizontal promotion, based on performance, with indicators linked to building trust with the public and respect for human rights.

- Ensure that there is a specialized, independent mechanism, external to police forces, in charge of monitoring, supervising and improving these institutions.
- Adopt measures to ensure accountability by the police, implemented throughout the entire political and operational chain of command, in relation to all police operations, including those linked to the exercise of the right to freedom of assembly.
- Guarantee an inter-institutional response during demonstrations, in such a way that there is not only coordination between different police forces, but also that coordinated and directed responses are given by a non-operational body.

## **ARBITRARY DETENTIONS**

- Guarantee that no one is detained for peacefully exercising their rights to freedom of expression or peaceful assembly.
- Immediately and unconditionally release anyone who has been detained solely for peacefully exercising their rights to freedom of expression or peaceful assembly, drop any related charges that are still pending and close the respective investigations.
- Ensure that every member of the police guarantees the right of every person to be informed, from the moment of arrest, of the reasons for their detention and their rights, including the right to immediately contact a lawyer of their choice and their family.
- Establish clear regulations for all police bodies regarding detention and the use of force. Ensure they receive appropriate and continuous training and evaluation on these and other relevant issues, such as their functions as first responders in the criminal justice system.
- Establish the mandatory use of geolocation devices by police patrols and of audio and video cameras inside the cabins of their vehicles in order to prevent torture and other ill-treatment. The recording should be considered an essential element to attest to the legality of an arrest or detention, in particular to verify the place and time in which it was carried out and the good or bad physical condition of the person arrested. Its use should be limited to these purposes. The recordings obtained must be managed in such a way that police bodies cannot alter them and must be made available to the detained person and their defence. A competent authority, independent from the police, should oversee the correct use of the recordings and ensure their disposal after a reasonable time in most cases and immediately in relation to recordings of any other person not arrested who for any reason was transported by the police.

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# MEXICO: THE (R)AGE OF WOMEN

## STIGMA AND VIOLENCE AGAINST WOMEN WHO PROTEST

Despite the fact that they were mostly peaceful, feminist demonstrations and protests against gender-based violence against women have started to be stigmatized as violent. The authorities have responded to these demonstrations, which are protected by the right to peaceful assembly, with excessive and unnecessary use of force, illegal and arbitrary detentions, verbal and physical gender-based abuse against women and sexual violence. Several of these practices breach the prohibition of torture and other cruel, inhuman or degrading treatment.

More than two years after an emblematic judgment was issued in the *Case of Women Victims of Sexual Torture in Atenco v. Mexico*, on human rights violations against women in the context of the demonstrations, Mexico has made minimal progress in taking measures to prevent gender-based violence and other human rights violations against women protesters. Women who demonstrate against gender-based violence are at particular risk of human rights violations. The Mexican authorities know this and must, therefore, bolster their obligation to respect, protect and guarantee all the human rights of women and girls who protest.