

# FEMINICIDE VIOLENCE

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## THE PANDEMIC IGNORED

WOMEN'S CONDITIONS  
IN OAXACA DURING  
THE COVID-19 PANDEMIC



# **Femicide violence: The pandemic ignored**

## ***Women's conditions in Oaxaca during the COVID-19 pandemic***

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## 1. PRESENTATION AND METHODOLOGY

This report was written within the context of an official announcement of the UN Special Rapporteur on violence against women, its causes and consequences, Dubravka Simonovic. That public official announcement was looking to gather information related to “the increase of domestic violence against women during COVID-19”<sup>1</sup> through a guideline of specific questions about the increase of domestic violence and the governmental and civil society responses to this situation. The present report gathers, in that sense, facts, and information related to those issues, considering specifically the COVID-19 pandemic held between March 21st and June 21st, 2020.

The information that will be shown ahead was gathered and systematized using two tools from “Consortio para el Diálogo Parlamentario y la Equidad Oaxaca A. C. (Consortio Oaxaca)”.

### 1.1. Femicide Violence Platform

Every day Consortio Oaxaca keeps track of the main news and information regarding gender-related violence from local newspapers: Noticias. Voz e Imagen de Oaxaca, and Imparcial, together with some news and reports issued in electronic platforms from different parts of the State, and information published by governmental instances as the “Fiscalia General del Estado de Oaxaca (FGEO)” (State Prosecutor’s General Office). That information is available online through the digital platform “Femicide Violence Consortio Oaxaca”<sup>2</sup>.

To be able to compare the situation related to gender- based violence, the data registered during the first 3 months of lockdown (from March 21st to June 21st) are compared with the previous 3 months available on the platform (from December 21st to March 21st).

1. Call for contributions: The COVID-19 and the increase of domestic violence against women. Available at: [https://www.ohchr.org/SP/Issues/Women/SRWomen/Pages/call\\_covid19.aspx](https://www.ohchr.org/SP/Issues/Women/SRWomen/Pages/call_covid19.aspx)

2. Consortio Oaxaca. Femicide Violence Platform. Available at: <https://db.violenciafeminicida.consortiooaxaca.org.mx/>

## 1.2. Telephonic helpline for women suffering violence

Consortio Oaxaca provides direct support, counseling, referrals, and in some cases litigation for women victims of violence in Oaxaca. Since the day the health advises and sanitary recommendations were issued and established in Oaxaca regarding the lockdown restrictions on March 21st, Consortio Oaxaca together with other civil organizations from the state, led by an initiative from "Equis Justicia para las Mujeres", adapted the strategies for giving service to women victims of violence, promoting through social networks<sup>3</sup>, radio stations, and journalist related with Consortio Oaxaca's labor, a merging telephone helpline. That kind of accompaniment existed previously, nevertheless, its promotion was not widely shared, as the counseling was done mostly in person and only on some occasions over the phone.

The information from these phone counseling interactions has been systematized and will be shared ahead.

## 2. GENDER-RELATED VIOLENCE AGAINST WOMEN IN OAXACA BEFORE AND DURING COVID-19 PANDEMIC

Women around the world are being affected in different and considerable ways under the context of lockdown. UN Women Mexico<sup>4</sup> has alerted against repercussions from restrictive measures, pointing out: 1) an increase of domestic violence related to stress and unemployment; 2) bigger obstacles accessing essential services; 3) paralization of access to justice; 4) lack of access to basic sexual and reproductive health services.

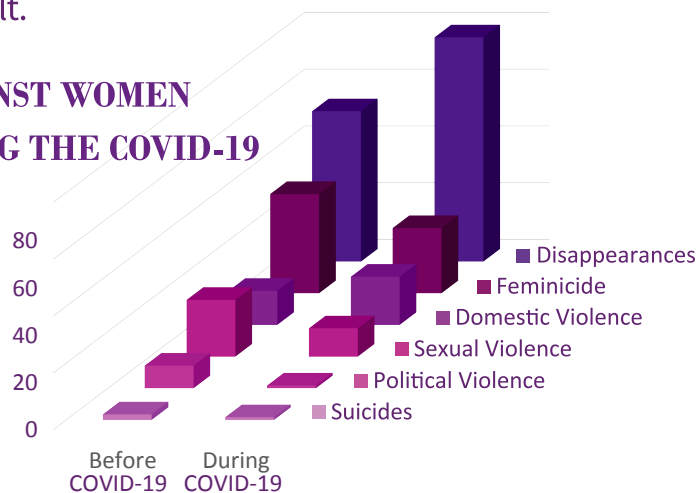
3. Consortio Oaxaca, Ixmucane, DDSER, Meraki, Ges Mujer. March 2020. Civil Organizations poster for merging attentions related with gender-related violence during the pandemic. Available at: <https://www.facebook.com/consorcio.oaxaca/photos/a.463545914035729/1351418411915137/?type=3&theater>

4. United Nations Mexico (April, 2020). Covid-19 and its impact on violence against women and girls. Available at: [https://www2.unwomen.org/-/media/field%20office%20mexico/documents/publicaciones/2020/abril%202020/covid19\\_violenciamujeresninas\\_generalabril2020.pdf?la=es&vs=2457](https://www2.unwomen.org/-/media/field%20office%20mexico/documents/publicaciones/2020/abril%202020/covid19_violenciamujeresninas_generalabril2020.pdf?la=es&vs=2457)

## 2.1. Data from Consorcio Oaxaca Femicide Violence Platform

It has been verified that several impacts related to restrictive isolating measures have happened in Oaxaca. Based on the data from the Consorcio Oaxaca Femicide Violence Platform, the recurrent situations related to violence against women have been disappearances of women, feminicides, domestic violence, and sexual assault.

### VIOLENCE AGAINST WOMEN BEFORE AND DURING THE COVID-19




During confinement, an alarming increase of disappearances of women and girls was noticed registering 79 cases (compared with 53 registered cases during the previous three months), showing also an increase in domestic violence with 17 registered cases (compared with 12 cases during the previous period).

Facts about violence	Before COVID-19	During COVID-19
Domestic Violence	12	17
Disappearances	53	79

The numbers of feminicides and sexual violence registered decreased :

Facts about violence	Before de COVID-19	During COVID-19
Feminicides	35	23
Sexual Violence	20	10

It's important to notice that even though the records of feminicides decreased, it's concerning that they are still happening and mostly in public places.



During the three months of lockdown that this report covers there have been 23 feminicides -that includes the murder of a baby and two 7 years old girls that were shot on the street-. Over 60% of the victims were killed with firearms, and the rest with knives, beaten, burnt, or strangled. 48% of the killings happened when women were in public spaces.

In this context, it is important to point out that, in Oaxaca, even during lockdown, women are still forced to go out to the streets; in Mexico, 6.1 million<sup>5</sup> women depend on several forms of informal economies, and /or everyday sales, and the rates of women depending on those types of incomes increases in States with high levels of poverty like Oaxaca<sup>6</sup>. Data registered in the platform show that the main risk of going out to the street for women, beyond the health risks and possible detentions for not respecting the sanitary restrictions<sup>7</sup>, is violence against them, just because they are women, as it has been shown by the increase of disappeared women and the number of feminicides in public places registered during this period.

In this sense, we need to mention the terrible case of Fátima, Itzel, and Casandra, three young women that went missing in between the months of March and April, when they left their homes after receiving job offers for cleaning houses and babysitting in Tuxtepec City, in the Papaloapan Basin region. Their bodies were found on a clandestine grave on June 14th<sup>8</sup>. It's important to mention that from the 8 regions Oaxaca is divided, the Papaloapan Basin has, together with the Istmo region, the first place of registered feminicides with 7 records and the 4th place of disappearances with 9 cases registered during the first 3 months of lockdown<sup>9</sup>.

5. Indigo Report. (March, 8, 2020). Women, the other economy force. Available at: <https://www.reporteindigo.com/indigonomics/-mujeres-la-otra-fuerza-economica-mexico-pib-sector-informal-oportunidades/>

6. INEGI. (May, 2020). National Survey about Occupation and Employment, population over 15 years, first trimester 2020. Available at: [https://www.inegi.org.mx/contenidos/programas/enoe/15ymas/doc/resultados\\_ciudades\\_enoe\\_2020\\_trim1.pdf](https://www.inegi.org.mx/contenidos/programas/enoe/15ymas/doc/resultados_ciudades_enoe_2020_trim1.pdf)

7. El Universal (April, 22, 2020). Murat decrees fines and up to 36 hours detentions for those not using masks. Available at: <https://oaxaca.eluniversal.com.mx/estatal/22-04-2020/decreta-murat-multashoras-de-arresto-quie-no-use-cubrebocas-en>

8. Excelsior (June, 14, 2020). Body of Fatima founded on a clandestine grave, she was 18. Available at: <https://www.excelsior.com.mx/nacional/hallan-cuerpo-de-fatima-en-fosa-clandestina-tenia-18-anos/1388147>

9. Consorcio Oaxaca. (April, 2020). Feminicide and women disappearances in the Papaloapan. Available at: <https://consorciooaxaca.org/feminicidio-y-desaparicion-de-mujeres-en-el-papaloapan/>

Besides having a high risk of suffering violence in public spaces, an important increase in domestic violence during this pandemic needs to be considered. It has been shown that home is an unsafe place for women, not only the streets as it was considered. Being confined with the aggressor increase the risk and reduce the possibilities to access means and networks, as they are closely supervised and restrained from making phone calls or go out to the street. Those conditions imply a high risk for the physical, sexual, and mental integrity of girls and women.

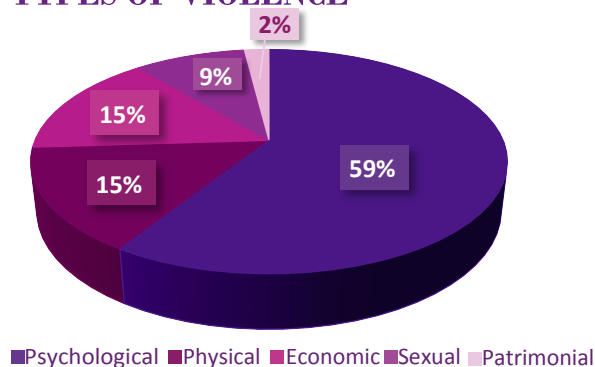
## 2.2. Telephone helpline data

To the information systematized from written media, it is added the information gathered through telephonic assistance given by Consorcio Oaxaca. During the three months this report covers, phone calls from 50 women were answered.

### Profile and characteristics of the services given:

- 1) Age of women varied: 60% had between 20 and 39 years.
- 2) 24% belong to an ethnic group: Zapotecan mostly, but also, Afromexican, Mixe, Chocholtecan, Mazatecan, and Mixtecan.
- 3) The counseling was related to different needs from different types and domains of violence suffered<sup>10</sup>.

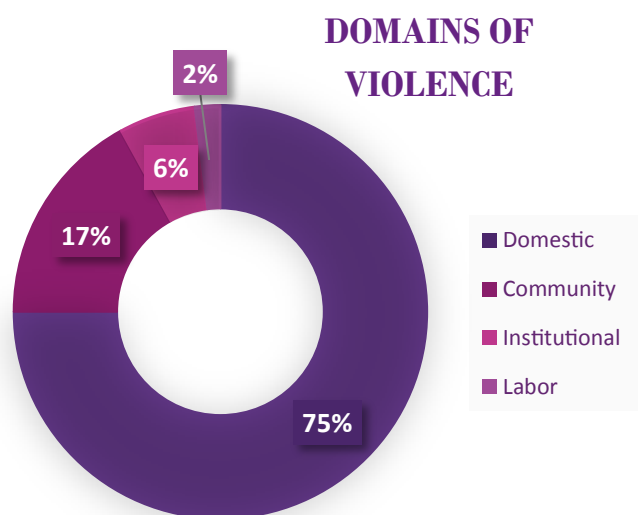
### TYPES OF VIOLENCE



During confinement, psychological violence (59%) was the most reported, followed by physical violence (15%), economic violence (15%), sexual violence (9%), and in a lower percentage, patrimonial violence (2%).

10. This classification considers the categories established in the "Ley General de Acceso de las Mujeres a una Vida Libre de Violencia (LGAMVLV)". Available at: [http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV\\_130420.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV_130420.pdf)

It is important to point out that 28 of the 50 women (56%) that went to Consorcio Oaxaca mentioned they suffered two or more types of violence.



During the months of lockdown, the number of cases related to domestic violence (75%) stands out. Another important manifestation was the one related to community violence (17%), and in lower rates, institutional (6%), and labor (2%).

It is important to point out that only 2 women (4%) out of 50 that came to Consorcio Oaxaca reported suffering more than one domain of violence.

From those 50 women, 39 reported having suffered domestic violence; comparing those numbers with the 23 cases the organization worked with related to domestic violence during the previous months, -on-site or over the phone- it is obvious the dramatic increase in domestic violence situations.

It is also important to mention that not all of the women that request telephone counseling continued with a legal process. From the 50 women that received counseling, 22 filed a criminal complaint (44%), 28 didn't (56%); 10 of the women (20%) were directly sent to the "Centro de Justicia para las Mujeres (CEJUM)" (Women Justice Center). The reasons for not making a lawsuit reported by women have to do with a lack of trust in authorities, and with fear of retaliation from the aggressor, more while being confined with them.



## 3. STATE GOVERNMENT RESPONSE

### 3.1. Telephone helpline

The State Government provided telephone helplines to attend women under violent situations. On permanent bases, since before the sanitary emergency was declared, the official websites of the “Fiscalía General del Estado de Oaxaca (FGEO)” (State Prosecutor’s General Office) displayed their contact phone numbers, including the one for the CEJUM (Women Justice Center)<sup>12</sup>.

From the moment the lockdown was declared, on March 21st, 2020, the FGEO<sup>13</sup> informed they were going to reinforce their telephone helpline services but without a proposal of differentiated attention for women suffering violence.

It is until May 19th, 2020, when the first differentiated action from the FGEO <sup>14</sup> took place as they published the "Guía de Actuación para las Mujeres en situación de Violencia durante el Aislamiento por el COVID-19"<sup>15</sup> ( Women’s suffering violence acting guide during COVID-19 lockdown) through a videoconference. This digital guide looks to share information about women's rights, actions to be taken in case they suffer violence, and ways to access services provided by the institution, like the possibility to submit online complaints, or through Whatsapp and also telephonic attention.

That guide provides useful tools, but it’s important to consider it needs to be adapted to Oaxaca’s reality considering that: 1) Oaxaca has 8 regions in which 16 native languages are spoken, so the information available needs to be

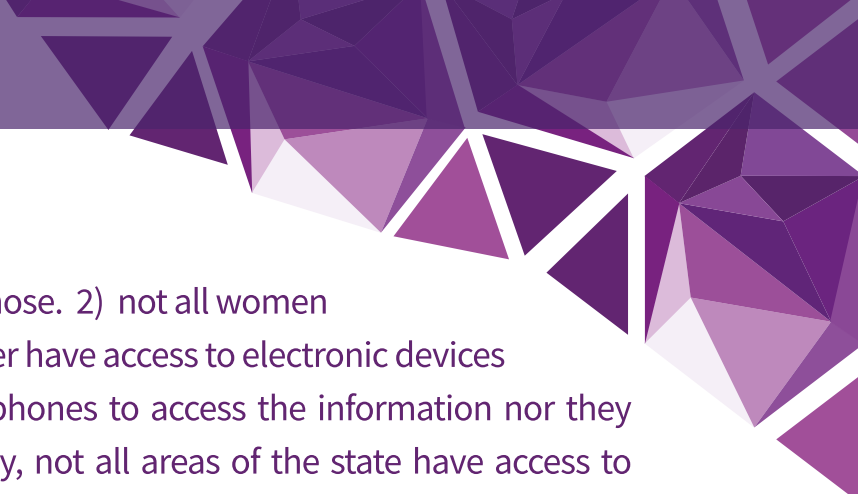
11. State Prosecutor’s General Office. Contact. Available at: <http://fge.oaxaca.gob.mx/index.php/contacto>

12. State Prosecutor’s General Office. Women Justice Center. Available at: <http://fge.oaxaca.gob.mx/index.php/cejum>

13. State Prosecutor’s General Office. (March, 2020). COVID-19. Contingency plan. Available at: <http://fge.oaxaca.gob.mx/wp-content/uploads/2020/03/PLAN-CONTINGENCIA-COVID-19-FGE.pdf>

14. More information on the public presentation available at: <https://www.facebook.com/FISCALIAGobOax/photos/a.1388339418147398/2570181286629866/?type=3&theater>

15. State Prosecutor’s General Office. (May, 2020). Women’s suffering violence acting guide during COVID-19 lockdown. Available at: <http://fge.oaxaca.gob.mx/wp-content/uploads/2020/05/guia-actuacion-mujeres.pdf>



presented and published also in those. 2) not all women know how to read and write neither have access to electronic devices like computers, tablets, or smartphones to access the information nor they know how to use them; 3) finally, not all areas of the state have access to telephonic services or internet. We need to consider also that, according to Coneval<sup>16</sup> 23.3% of the population of the state lives under extreme poverty conditions and 44.1% under poverty.

Even more concerning is that the tools given by the FGEO are not being well implemented. In several cases documented, we were able to notice that the assistance through the telephone numbers given by the FGEO was delayed or inexistent.

*Example: M.V.G. case (1)*

*During the night of June 1st, the sister of a 33 years old woman called Consorcio Oaxaca after her sister M.G.V. and her kids suffered a severe physical assault by M.G.V's partner. She informed us that she had been calling the official helplines without being able to reach them. Consorcio Oaxaca gave her another phone number to contact the Prosecutor's Office and the link she was going to need to submit a formal complaint; M.G.V. called getting as an answer that they were not going to be able to go help her, giving her an appointment for next day at 9 am.*

*The severity of the injuries forced her to attend a private clinic, as the public ones were not attending those kinds of cases because of COVID-19 restrictions. M.G.V. was treated at the clinic and discharged in the early morning. It is important to point out that the victim was the one paying for the treatments at the private clinic.*

*Until today, the case has not been formally processed. (we will share more about M.G. V.'s situation in this regard on 3.3 and 4 sections, related to Protective Orders and Access to Justice).*

16. National Council for Evaluation of Social Development Politics. Federative entities. Oaxaca. Available at: [https://www.coneval.org.mx/coordinacion/entidades/Oaxaca/Paginas/Pobreza\\_2018.aspx](https://www.coneval.org.mx/coordinacion/entidades/Oaxaca/Paginas/Pobreza_2018.aspx)



## 3.2. Shelters

### State shelters

We can conclude that part of the effect of the COVID-19 pandemic in Mexico, and particularly in Oaxaca is that it is making evident and wider the conditions of disparity and lack of rights already existing. About shelters, in Oaxaca City, the Municipal Shelter for women suffering violence was given to a former local deputy, Hugo Jarquín<sup>17</sup> in April 2017. That situation was irregular and left completely unattended all women suffering violence. In April 2019, the State Government opened a "halfway" house, a shelter with minimum safety conditions to give women an answer while the Municipal Shelter was recovered<sup>18</sup>.

There is an alternative shelter from the CEJUM (Women Justice Center), but it is transitory and it only accepts 5 women maximum at a time.

## 3.3. Protective Orders

In compliance with the current federal<sup>19</sup> and state<sup>20</sup> laws on this matter, in Oaxaca, protective orders should be issued, nevertheless, its implementation has been deficient, and it has been even worst during the lockdown context.

Based on the analysis of telephone counseling done by Consorcio Oaxaca during the lockdown, on just a few occasions those orders were emitted and when they were, they were just reduced to send notifications to the municipal police so they would just patrol the area, or to give a phone number telling the women to call if needed, meaning when they are once again assaulted.

17. Pagina 3. (May, 2017). ¿Political negotiations? Municipal government gives women's shelter to "perredista" Hugo Jarquín.

Available at: <http://pagina3.mx/2017/05/negociaciones-politicas-municipio-entrega-refugio-para-mujeres-violentadas-al-perredista-hugo-jarquín/>

18. El Universal. (May, 2020). Women's shelter in danger. Available at: <https://oaxaca.eluniversl.com.mx/estatal/15-05-2019/refugio-para-mujeres-esta-en-vilo-imm>

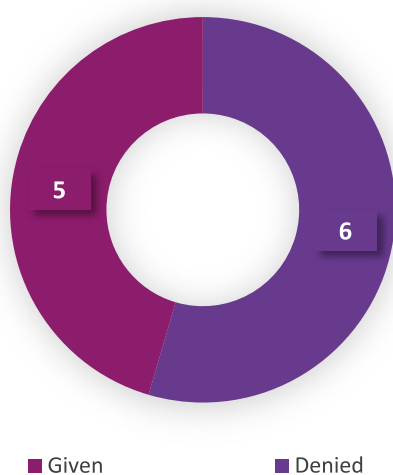
19. Ley General de Acceso de las Mujeres a una Vida Libre de Violencia (LGAMVLV). Available at: [http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV\\_130420.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV_130420.pdf)

20. Ley Estatal de Acceso de las Mujeres a una Vida Libre de Violencia de Género. Available at: [http://docs64.congreso0oaxaca.gob.mx/documents/legislacion\\_estatal/Ley+Estatal+de+Acceso+de+las+Mujeres+a+una+vida+libre+de+violencia+de+genero+\(Ref+Dto+1728+LXIV+Legis+aprob+30+sep+2020+PO+43+5a+Secc+24+oct+202.pdf](http://docs64.congreso0oaxaca.gob.mx/documents/legislacion_estatal/Ley+Estatal+de+Acceso+de+las+Mujeres+a+una+vida+libre+de+violencia+de+genero+(Ref+Dto+1728+LXIV+Legis+aprob+30+sep+2020+PO+43+5a+Secc+24+oct+202.pdf)

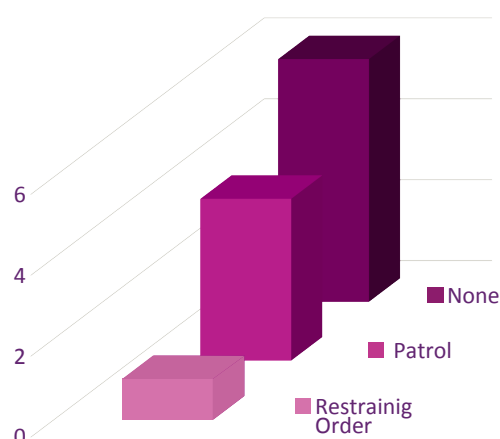
Besides, when the given numbers have been used to call a police patrol, we have documented this kind of answers to justify the lack of actions being taken: *"we are patrolling different streets right now"* or *"we won't involve in conjugal problems"*, showing sexist prejudices and lack of proper training to the police department being responsible to give that protection.

During the pandemic, we were able to document the deficient, delayed, and neglected use of protective orders. Of 39 women under domestic violence accompanied by Consorcio Oaxaca, 11 requested a protection order that was denied in most of the cases (6 cases) and only once given to keep away the aggressor.

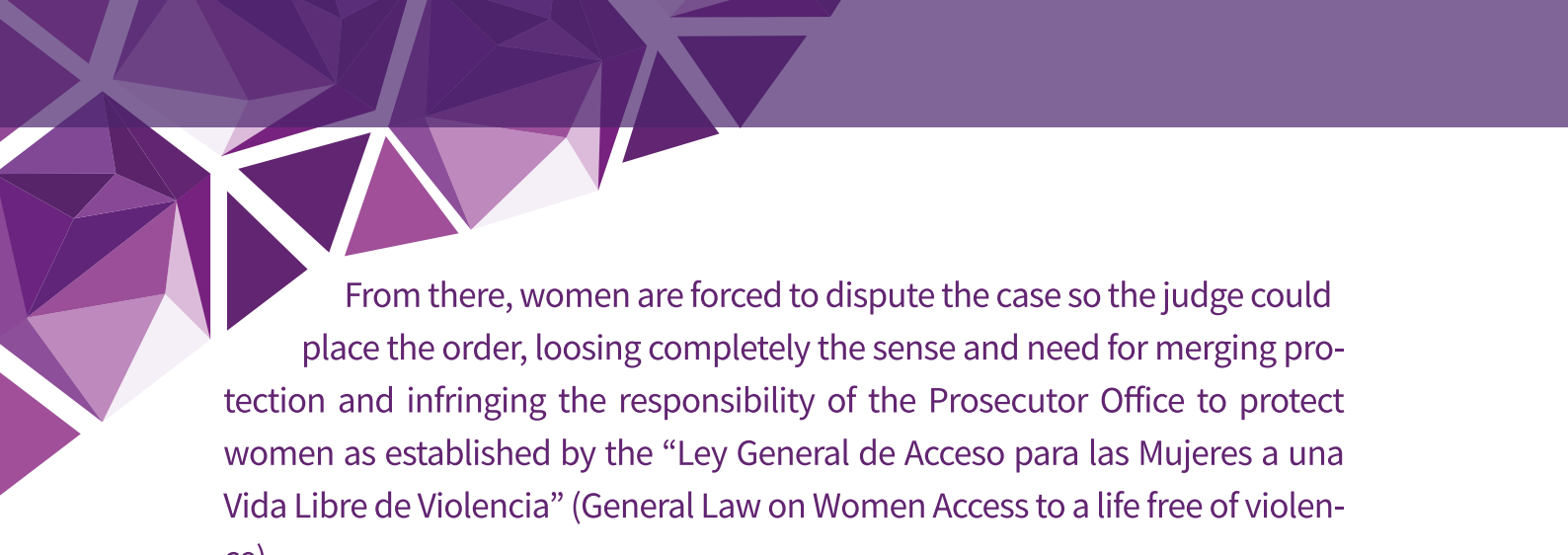
**RESPONSES TO PROTECTIVE ORDERS REQUESTED**



**TYPE OF PROTECTIVE ORDER GIVEN**



In the four cases where police patrol was given, they justify not issuing a restraining order to avoid alerting the aggressor. The same argument was used in six of the cases where protective orders were denied, saying that they should better attend the Family Court letting the judge be the one that delivers the order when the case ends being prosecuted.



From there, women are forced to dispute the case so the judge could place the order, losing completely the sense and need for merging protection and infringing the responsibility of the Prosecutor Office to protect women as established by the “Ley General de Acceso para las Mujeres a una Vida Libre de Violencia” (General Law on Women Access to a life free of violence).

*Example 1: A.D.M.R. case*

*On June 5th, A.D.M.R. was the victim of aggression from her partner who threw her chlorine on her eye, causing the risk of retinal detachment; he didn't allow her to contact anybody nor use the cellphone and neither to get medical treatment. A.D.M.R. presented a legal complaint and later, on June 9th, contacted Consorcio Oaxaca because there was no progress on her case and because she was afraid of more attacks from her partner that is someone with political power. She was directed to CEJUM, where she received psychological counseling and a more direct follow up of her complaint; nevertheless, even after being requested, protective orders were not issued, arguing some disadvantages noticing the aggressor in advance. From this, the aggressor has still been trying to contact her, even sending gifts; even though she has been insisting on getting the protection order. The aggressor is still free and the case has not been prosecuted.*

*Example 2: L.M.B. case*

*On April 20th, L.M.B. called the helpline to inform that she was living domestic violence and that the aggressor was refusing to leave the house, even being of her property. She was directed to file a complaint and request a protection order. The Public Prosecution denied the protection order, arguing again, that doing that was only going to alert the aggressor, that the best for her was to ask the Family Court to order the aggressor to leave the place, that they were only able to help her with police guarded tours.*

*The victim achieved to drive away from her home the aggressor but not as a result of the actions taken by the responsible authorities but through a community protective strategy. With Consorcio Oaxaca's participation, a proposal for addressing the Neighbors Committee to support the casting away of the offender was built, a strategy that worked as he left the place.*

*The aggressor is still free and the case has not been prosecuted.*

*Example 3: M.V.G. case (2).*

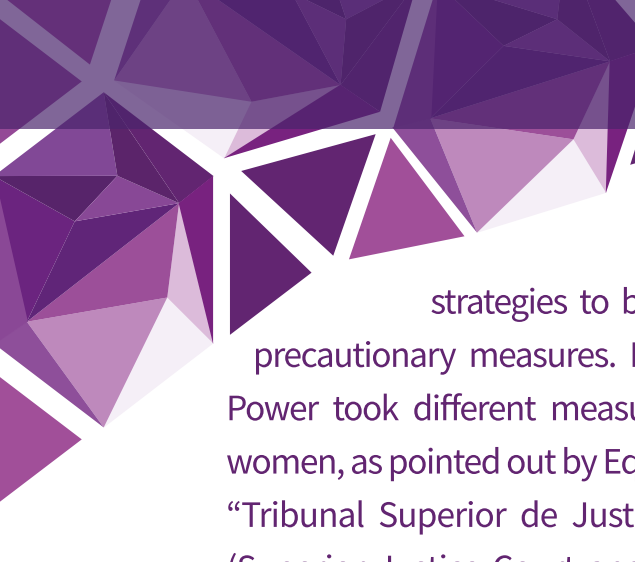
*After the aggression suffered by M.V.G. and her kids and later hospitalization on June 1st, on June the 3rd, 2020, Consorcio Oaxaca contributed requesting a protective order. The Public Prosecutor issued an order on June 4th, which was a simple request for the Municipal Police to do guarded tours. The woman was not able to return home, because there was still a high risk for her, so she left with her children to live with a relative.*

*Until June 9th, and after some pressure from Consorcio Oaxaca the Public Prosecutor ordered the Safety Women Police Patrol to go with M.G.V. to her former address to be able to pick up personal documents and clothes for her and her children, and even with the presence of police agents she was harassed by the aggressor's relatives, situation informed to the Public Prosecutor responsible of the investigation. The case has not been prosecuted and she was told it was going to be a delay because of the COVID-19 pandemic.*

The best protective measures against domestic violence, particularly in the lockdown context, should warrant women they wouldn't need to leave their homes, therefore, one of the most effective and less revictimizing ways to assure the safety and integrity of women's lives is by giving immediate protection, through restraining orders imposed to the offender, meaning forcing them to leave the home of the victim. Nevertheless, since the confinement in Oaxaca began, based on the information from the cases Consorcio Oaxaca was involved with, only 1 of 11 cases that requested protective orders received one that intended to keep away the aggressor. The recurrent arguments given by FGEO were their claim about the importance of "not alerting the aggressor", saying it was better to attend court.

From this, the acting of the Judiciary Power becomes a keystone. It is important to mention the research that was done at the end of March by the organization "Equis Justicia para las Mujeres"<sup>21</sup> where they pointed out that Oaxaca was included in the five states with the worst grades in terms of means to protect women during the pandemic, considering the State didn't establish specific.

21. Equis Justicia para las Mujeres. (March, 2020). (Non) judicial protection during COVID-19. Available at: [https://equis.org.mx/wp-content/uploads/2020/03/DESProteccion\\_Informe.pdf](https://equis.org.mx/wp-content/uploads/2020/03/DESProteccion_Informe.pdf)



strategies to be able to respond and issue protective orders or precautionary measures. From the publishing of that report, the Judiciary Power took different measures that strengthened the response services for women, as pointed out by Equis Justicia para las Mujeres<sup>22</sup>. The president of the “Tribunal Superior de Justicia y del Consejo de la Judicatura de Oaxaca” (Superior Justice Court and Judiciary Counsel from Oaxaca) informed that since April 12th, 2020, the “Guía de Acciones del Poder Judicial del Estado de Oaxaca para la Prevención y Atención en materia de violencia de género ante la contingencia del Covid-19”<sup>23</sup> (Action guide for Oaxaca’s Judicial Power for prevention and attention to gender violence during COVID-19 lockdown), was published and that one “Unidad de Igualdad de Género en el Poder Judicial”<sup>24</sup>. (Gender Equality Unit for Judicial Power) was created. They also informed that 47.5% of the hearings done during the first 21 days of the pandemic were gender-related acts of violence and that 37 protective orders and 218 alimony orders were issued<sup>25</sup>.

The guide the Judiciary Power published has the same limitations in terms of accessibility, that the guide of FGEO has.

## 4. IMPACTS ON ACCESS TO JUSTICE FOR WOMEN

In Oaxaca since the confinement period was established, besides all the bias and deficiencies to submit a complaint, we need to mention that if the courtrooms are open, it is only with limited personnel making guards on specific days, only having hearings of urgent cases. Hearings from extremely serious cases not considered urgent, for example of feminicides, have been suspended impacting the access to justice and increasing the safety risk for relatives involved.

22. NVI Noticias (May, 15th, 2020). Organization Equis Justicia para las Mujeres, recognizes work of judicial power of Oaxaca in attention to cases. Available at: <https://www.nvinoticias.com/nota/146079/organizacion-equis-justicia-para-las-mujeres-reconoce-labor-de-pjeo-por-mejora-en>

23. Judicial Power of Oaxaca. (April, 12th, 2020). Action guide for Oaxaca’s Judicial Power for prevention and attention to gender violence during COVID-19 lockdown. Available at: <https://www.tribunaloaxaca.gob.mx/seccionesInformativas/publicidad/publicidad12042020/Descargas/TMP.pdf>

24. Judicial Power of Oaxaca. (April, 14th, 2020). Oaxaca Judicial Power creates Gender Equality Unit. Available at: <https://www.tribunaloaxaca.gob.mx/PlantillaNoticia/Indx/MgAxADMANwA1ADMA>

25. NVI Noticias. (May, 15th, 2020). Organization Equis Justicia para las Mujeres, recognizes work of judicial power of Oaxaca in attention to cases. Available at: <https://www.nvinoticias.com/nota/146079/organizacion-equis-justicia-para-las-mujeres-reconoce-labor-de-pjeo-por-mejora-en>



*Example: María del Sol Cruz Jarquín case*

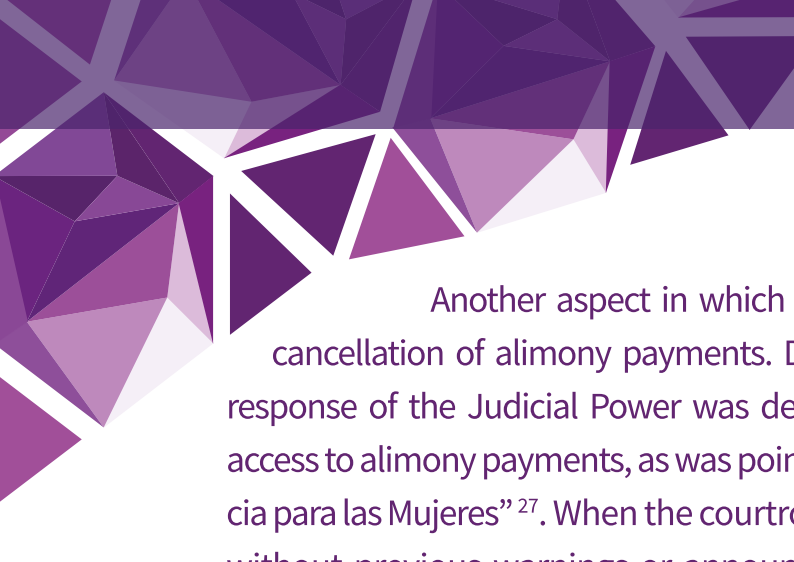
*María del Sol Cruz Jarquín, a 27 years old photojournalist was murdered on June 2nd, 2018 under a political violence context. Besides the serious deficiencies and concealment of the investigation that has been documented along the process; within the context of COVID-19, the hearing programmed related to an alleged responsible was suspended. Nevertheless, the suspension of judicial activity has not stopped her mother's demands for justice that together with supporting organizations started a digital campaign during May and June, called "Hasta que la Justicia Llegue" (Until Justice Comes). From this process of demanding justice, the harassment and attacks towards her mother, Soledad Jarquín Edgar, and people supporting her claim #JusticiaParaSol have increased<sup>26</sup>.*

Under the cases considered as urgent, we find domestic violence, but even in these cases the service given to victims issuing legal claims is delayed and deficient, and several hearings have been canceled; thus affecting women's safety and their revictimization. Through telephone counseling, we have documented that when women go to FGEO they are not able to find the required personnel, and from there they need to go around different offices to obtain the integral attention they need. When they submit a domestic violence claim they need to travel, by their means, to the “Dirección de Servicios Periciales” (Forensic Services Offices) that is located in a remote area of Oaxaca City. Regarding psychological counseling, there is also a lack of personnel and dilation of services.

*Example: M.G.V. case (3)*

*After the aggression suffered by M.V.G. and her kids and later hospitalization on June 1st, the next day she went with her sister to the Prosecutor's Office to submit her denounce where she waited for two hours to be told, still injured, that she needed to go to “Servicios Periciales” (Forensic Services Offices) for a medical exam; so to say, travel for one hour, on her means, - as she was told there was no transportation available - and then return with the medical report. The family ends up paying for a private ambulance so that M.G.V. could complete that part of the process.*

26. Consorcio Oaxaca. (June, 15th, 2020). Press report. Available at: <https://consorciooaxaca.org/comunicado-de-prensa-4/>. More information available at: <https://aristeginoticias.com/0806/mexico/indigna-retiro-de-espectacular-con-exigencia-de-justicia-por-el-asesinato-de-la-fotoperiodista-maria-del-sol>



Another aspect in which women have been affected is with the cancellation of alimony payments. During the first weeks of lockdown, the response of the Judicial Power was deficient in their effort to ensure women access to alimony payments, as was pointed out by the organization “Equis Justicia para las Mujeres”<sup>27</sup>. When the courtrooms were closed on March 20th, 2020, without previous warnings or announcements, women were informed that they will need to go to the “Secretaría General in Ciudad Judicial” (General Secretary at Judicial City), located around one-hour distance to submit or follow up her cases. Until April´s second week, an office of “Fondo de Administración de Justicia” (Justice Administration Found) located in the Family Courts was opened, allowing women to avoid the need to go to “Ciudad Judicial” (Judicial City).

The telephone counseling calls confirmed how important this problem is for women during the pandemic: 8 women out of 50 assisted by Consorcio Oaxaca ask for counseling in that regard. One case is important to be mentioned: a woman victim of domestic violence decided to report and denounce and also began the request of custody and alimony. When she was directed to the CEJUM (Women Justice Center), there they help her to got the claim for domestic violence but not to start the alimony complaint.

*Example: Y.M.O. case*

*On April 26th, Y.M.O. contacted Consorcio Oaxaca after suffering domestic violence and being physically, psychologically, and sexually assaulted on several occasions by her concubine, who also compromised the life of her baby. It is important to mention that she was denied to denounce at the FGEO, arguing that the facts happened in a different city, even when some of the aggression had happened in the city where the claim was made. From there she was directed to the CEJUM where she received assistance to submit the denounce and got psychological attention, but they didn´t help her with custody and alimony. The offender is still free, there is no progress in the case because the argument is that they need to wait till the quarantine is over.*

27. Equis Justicia para las Mujeres. (March, 2020). (Non) judicial protection during COVID-19. Available at: [https://equis.org.mx/wp-content/uploads/2020/03/DESProteccion\\_Informe.pdf](https://equis.org.mx/wp-content/uploads/2020/03/DESProteccion_Informe.pdf)



## **5. OBSTACLES FOR PREVENTING AND FIGHTING DOMESTIC VIOLENCE DURING CONFINEMENT**

Considering what we have been presenting as the main elements of analysis, we consider that the biggest obstacles for preventing and fighting domestic violence during lockdown are:

- Lack of gender-perspective and understanding of needs for women under domestic violence from FGEO, State and Municipal Police, and the whole Judiciary Power.
- Reduction of personnel in institutions that affect the response of follow up to domestic violence claims even when considered urgent.
- The closing of family courtrooms where only one person is there keeping guard.
- Delay, denial, and the deficient issue of effective protective orders
- The little or null attention of police in the police patrols implemented as protective orders.
- The lack of trained personnel to assist victims of psychological violence.
- The deficient, delayed, or null service given to the emergency calls to institutional helplines.
- The sanitary measures severely limit on-site attention of NGO's to women victims of domestic violence; the phone services helps giving advice and counsel but don't have the same impact for accessing justice as when it is possible to attend the court or the prosecutor's office. We need also to consider how difficult could be for women suffering domestic violence to be able to make a phone call when they are isolated together with the aggressor.





## **6. GOOD GOVERNMENTAL PRACTICES: OAXACA'S CASE**

- The existence of the CEJUM, that has been acting with a better gender perspective than the other governmental institutions. Nevertheless, its accompaniment to the issuing of protective orders has been deficient and delayed as the psychological attention has been too.
- Different actions were undertaken by the Judiciary Power to protect women during the pandemic, after being pointed out as one of the five worst states with for means and measures to protect women.

## **7. GOOD NGO's PRACTICES: OAXACA'S CASE**

- The network created between civil society organizations to give telephonic accompaniment to women. In Oaxaca, the coordination and impulse to develop those networks came from Equis Justicia para la Mujeres and was coordinated among organizations part of the “Observatorio Ciudadano de Centros de Justicia para Mujeres” (Civil Observatory of Women Justice Centers): Consorcio Oaxaca, Ixmucane, and GesMujer) and other civil organizations (DDSER Oaxaca, and Meraki).
- The permanent and public emergency helpline together with the emotional and legal counseling for women suffering domestic violence.
- The possibility to direct women with specific and direct contacts to different judicial institutions together with formal documents and mechanisms including follow up. Those procedures help formalize the accompaniment even working from distance.
- Strengthening the women's support network, looking for protective strategies that involved their families and neighbors providing means, answers, and actions for possible emergencies: setting a safe place to arrive, having documents and personal belongings kept by someone else, etc.