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Scientific articles

Situación que guarda el feminicidio ante la existencia de la Alerta de Violencia Género en el estado de Guerrero 2017-2022

Status of femicide in light of the existence of the Gender Violence Alert in the state of Guerrero 2017-2022

Situação de feminicídio devido à existência do Alerta de Violência de Gênero no estado de Guerrero 2017-2022

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Resumen

El presente artículo tiene como propósito analizar la situación que guarda el feminicidio en el estado de Guerrero, toda vez que a partir del año 2017 se decretó por la Secretaría de Gobernación a través de la Comisión Nacional para Prevenir y Erradicar (CONAVIM) la Alerta de Violencia de Género contra las Mujeres por violencia feminicida, que tiene como objetivo garantizar la vida de las mujeres, así como disminuir y erradicar la violencia de género. La metodología se basó en una investigación descriptiva, documental y analítica, se empleó el método estadístico y deductivo. El estudio comprende el análisis de las estadísticas



de dicho delito antes de la declaratoria, y las recabadas con posterioridad a ella; concluyéndose que el feminicidio tiene la misma magnitud y por consecuencia el mecanismo no ha cumplido con su objetivo.

Palabras clave: Feminicidio, Alerta de Violencia de Género, Guerrero, Mujer, Violencia feminicida.

Abstract

The purpose of this article is to analyze the situation of femicide in the state of Guerrero, since in 2017 the Ministry of the Interior, through the National Commission to Prevent and Eradicate (CONAVIM), decreed the Gender Violence Alert against Women due to femicide violence, which aims to guarantee the lives of women, as well as to reduce and stop gender violence. The methodology was based on a descriptive, documentary and analytical research, using the statistical and deductive method. The study includes the analysis of the statistics of this crime before the declaration, and those collected after it; concluding that femicide has the same magnitude and therefore the mechanism has not fulfilled its objective.

Keywords: Femicide, Gender Violence Alert, Guerrero, Women, Femicide violence.

Resumo

O objetivo deste artigo é analisar a situação do feminicídio no estado de Guerrero, desde que a partir de 2017 o Ministério do Interior, por meio da Comissão Nacional para Prevenir e Erradicar (CONAVIM), decretou o Alerta de Feminicídio contra a Mulher. devido à violência feminicida, que visa garantir a vida das mulheres, bem como reduzir e erradicar a violência de gênero. A metodologia baseou-se em pesquisa descritiva, documental e analítica, utilizou-se o método estatístico e dedutivo. O estudo inclui a análise das estatísticas do referido crime antes da declaração e das recolhidas depois dela; concluindo que o feminicídio tem a mesma magnitude e conseqüentemente o mecanismo não atingiu seu objetivo.

Palavras-chave: Feminicídio, Alerta de Violência de Gênero, Guerreira, Mulher, Violência feminicida.

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Introduction

The objective of this research was to analyze, understand and describe the situation of femicide in the state of Guerrero, from the declaration of the AVGM in 2017 to 2022, in order to determine the degree of effectiveness that the mechanism has had and whether it has fulfilled its role in safeguarding the human rights of women, particularly the right to life, liberty and human dignity; since the effectiveness in the protection of women is unknown, in the case of the crime of femicide.

Femicide is considered “the most extreme form of violence against women” (National Commission to Prevent and Eradicate Violence against Women [CONAVIM], 2016), it is “a *continuum* of anti-female terror that includes a large number of forms of sexual and physical abuse” (Russell and Radford, 2006, p. 68); that is, normally a woman who is a victim of femicide has experienced other types of violence, whether physical, psychological, sexual or economic, and the final one is considered: femicide.

In the words of Marcela Lagarde y de los Ríos, femicide is “one of the extreme forms of gender violence, it is made up of a set of misogynistic violent acts against women” (2018, p. 209), in its theoretical development, it considers the State as a structural part of the problem, where this crime is committed because the State and its institutions are incapable of providing protection to women, femicide “is a State crime” (Lagarde and de los Ríos, 2018, p. 217).

It is important to remember that the English term *femicide* It was introduced by Diana Russell in 1976 to refer to the murder of women by men for gender reasons (Russell and Radford, 2006, p. 79), and Marcela Lagarde translated it into Spanish as *feminicidio*, because it is a word that encompasses the murders of women, gender reasons and aims to "denounce the lack of response from the State in these cases and the failure to comply with its international obligations of guarantee, including the duty to investigate and punish" (Regional Office for Central America of the United Nations High Commissioner for Human Rights [OACNUDH] and UN Women, 2014, p. 13).

The constant violence against women for gender reasons has caused that since the nineties in Mexico there has been a search for the integration of legislation and actions that provide them with protection against this atrocious act and one of the people who has marked history is Marcela Lagarde, who, based on her theory of considering the State as part of the problem and that institutions do nothing to protect women, in Mexico the mechanism of the Gender Violence Alert against Women (hereinafter AVGM) was created, which draws the



attention of the states, practically a scolding, with the purpose of having "an immediate and articulated reaction-action between the three levels of government and the three state powers" (Bénédicte and Francoise , 2018, p. 16) to confront and eradicate femicides.

The General Law on Women's Access to a Life Free of Violence (hereinafter General Law) establishes in its article 22 that the AVGM is:

the set of coordinated, comprehensive, emergency and temporary government actions carried out by authorities at the three levels of government to confront and eradicate femicide violence in a given territory; as well as to eliminate comparative grievance resulting from inequalities produced by legal systems or public policies that prevent the recognition or exercise of the human rights of women, adolescents and girls, in order to guarantee their full access to the right to a life free of violence (General Law on Women's Access to a Life Free of Violence [LGAMVLV], 2007, Article 22).

The AVGM is given for two reasons: one for feminicidal violence which is considered as:

The extreme form of gender violence against women, adolescents and girls... is manifested through behaviors of hatred and discrimination that put their lives at risk or culminate in violent deaths such as femicide, suicide and homicide, or other forms of death (General Law on Women's Access to a Life Free of Violence [LGAMVLV], 2007, Article 21)

And the other is for comparative grievance, which seeks to protect women from any legal system or public policy that does not allow them to exercise their rights or have them recognized (General Law on Women's Access to a Life Free of Violence [LGAMVLV], 2007, Article 22).

The mechanism is temporary in nature, because it is implemented only while the femicide violence or comparative grievance that gave rise to the declaration is in force; and emergent, given that in light of the situation, the immediate implementation of a series of actions is intended to eradicate the problem. However, the actions provided for in the General Law and its Regulations are "medium or long-term measures that address a public policy program, difficult to achieve in the short term" (García-Flores, 2020, p.19).

Furthermore, despite being considered a unique mechanism in the world by the National Human Rights Commission, several years had to pass for the first AVGM to be decreed, that is, the General Law was published in the *Official Gazette of the Federation* in 2007 and it was not until 2015 that the first one was decreed. From 2015 to August 2021,



there are 25 declarations in 22 states of the Republic (CONAVIM, 2021); in some states there are two declarations, as is the case of Guerrero, Veracruz and the State of Mexico.

In Mexico, femicide is a problem, given that it is one of the countries with a large number of femicides. According to the Gender Equality Observatory for Latin America and the Caribbean (2021) of ECLAC, the countries with the highest absolute numbers of femicides are: in first place, Brazil with 1,900; Mexico is in second place with 1,015; and in third place is Honduras with 234.

For its part, the Executive Secretariat of the National Public Security System (SESNSP, 2022), has presented alarming statistics on this crime, which increases every year. In absolute numbers, the following femicides have been committed: 2015 (412); 2016 (608); 2017 (742); 2018 (898); 2019 (946); 2020 (949); 2021 (978); and 2022 (954). Despite a difference of 28 femicides between 2021 and 2022, the percentage from 2015 to 2022 is 131%; that is, there is an increase of more than one hundred percent in seven years.

With respect to Guerrero, femicide was classified as a crime in the State Penal Code on December 21, 2010, in article 108 bis (Official Gazette of the Government of the State of Guerrero, 2010). Currently found in article 135, the criminal type considers specific gender reasons for its commission, the penalty ranges from 40 to 60 years in prison and a fine of 500 to 1000 times the Unit of Measurement and Update, in addition, the convicted person will lose all their rights in relation to the victim, including those of a family and inheritance nature, it was the first state to classify this crime, even before it was classified in the Federal Penal Code in 2012 (Valente-Fernández, 2019, p. 6).

However, there is no homologation regarding the circumstances of gender reasons that they consider, currently at the federal level there are eight and in the state of Guerrero there are seven, it does not consider as a circumstance *when the victim has been forced to work or there has been exploitation*. As stated by the United Nations Office on Drugs and Crime (UNODC), "the homologation of the wording of the criminal type of femicide should be prioritized, to ensure that the accreditation of the circumstances does not depend on subjective criteria" (2019, p.35) . Therefore, the legislative authorities must foresee the assumption that they have not yet established.

Guerrero currently has two AVGM, one for femicide violence (2017) and the other for comparative grievance (2020), but in this particular article only the first one is taken up, since "the problem reported was femicide" (Office in Mexico of the United Nations High Commissioner for Human Rights [UN-DH], 2021, p. 122). It is worth mentioning that the



request also highlighted other problems, such as intentional homicides of women, the presence of various types of violence against them, among others.

Likewise, for the analysis, the objective of the mechanism is considered to be “guaranteeing the lives of women... [and] generating the conditions and policies that contribute to the reduction and cessation of femicide violence against them” (General Law on Women's Access to a Life Free of Violence [LGAMVLV], 2007, Article 23).

Methodology

This research is descriptive and documentary. Since quantitative elements of femicide are presented to describe the reality that exists in Guerrero in relation to this crime. Data is collected from previously established secondary sources of the problem in question, as well as statistics that allow us to know and describe the AVGM and the results it has given since its declaration.

The following methods were also used:

Statistician. It was used to classify and interpret quantitative data obtained through the collection of information previously determined by government and civil institutions.

Deductive. Which allowed the transfer of discoveries from general aspects to the particularities of the problem under study, variables and their relationships with the object of research.

Applied research techniques:

Worksheet. This instrument allowed the recording of the information consulted for this research, which allowed the identification of specific sources and greater organization during the research process.

Bibliographic research. This technique was used to explore all written documents that contained useful and relevant information for the research.

Likewise, the research is analytical, by carrying out an exhaustive study of femicide to understand the problem. In addition, an analysis of this crime is made before and after the declaration of AVGM, to know if it has fulfilled the objective of reducing and eradicating femicides. In the words of the author Witker Velásquez (2021) "it is based on a logical analysis of legal language, which involves breaking down concepts and statements into different parts, thereby obtaining knowledge" (p. 9).

In order to clearly and precisely present the effects, effectiveness and consequently the reduction and eventual eradication of femicides in the state of Guerrero, the following graphs establish detailed and organized information on AVGM in the State of Guerrero, which shows its implementation in the face of the phenomenon under study.

Femicide in Mexico and Guerrero

In Mexico, femicide is linked to a series of errors in its investigation and registration "that respond both to the institutional capacities to classify or reclassify crimes... this affects the quality of the data reported by prosecutors and attorneys general regarding this crime" (Impunidad Cero, 2022, p. 14), these problems limit knowing the real context of femicide in the country.

According to Zepeda Lecuona and Jiménez Rodríguez (2020):

The number of open investigation files and the number of victims do not coincide in most states of the country...which makes invisible and generates an under-reporting of the real victims of these serious crimes...the under-reporting of femicide implies a re-victimization for murdered and violated women (p. 9).

That is to say, there are femicides that are not recorded, because there were more than one victim and a single investigation file is opened for all of them or because they were not classified as femicide, but rather as intentional homicides.

On the other hand, "despite the fact that the First Chamber of the Supreme Court of Justice of the Nation resolved in Amparo on review 554/2013 (Marina Lima case) that all violent deaths of women must be investigated as femicide, with a gender perspective and based on the highest international standards, during 2021 only 27% of intentional homicides of women were investigated as femicides" (Impunidad Cero, 2022, p. 13).

Of all the states in Mexico, only nine reported more than half of the murders of women as femicide. And if the intentional homicides and femicides reported by the SESNSP in 2022 are added, 3,761 were recorded, equivalent to 10.3 women murdered daily, an alarming figure.

But how does the lack of a gender perspective affect investigations into the murders of women? One of the most damaging consequences is the loss of important evidence and data; the fact that the line of investigation focuses on proving a crime that could be wrong and not seeing that it is a femicide; the lack of analysis of the context of the victim and the perpetrator, of the space where the crime occurred, all of this would help to know whether it



was a femicide or not. To this day, impunity persists and continues to be part of the problem in the commission of femicide. In addition, it should not be lost sight of that femicide is considered a State crime and the fact that high figures are reflected shows the lack of action and attention to the problem.

Doctors Marisol Alcocer and Giulia Marchese (2022) point out that the lack of analysis of the context allows us to fail to perceive the “general or systematic patterns that allow and legitimize femicides in a given context, through their commission and the reproduction of impunity surrounding their crimes” (p. 10).

For its part, Guerrero is a state that has 3,540,685 inhabitants of which 52% are women and 48% are men (INEGI, 2020) that, like most states in the Mexican Republic, has problems of poverty, violence, organized crime, kidnappings, homicides and femicides, among others.

Femicide is one of the crimes that has increased considerably in Guerrero. According to information presented by the Chamber of Deputies of the H. Congress of the Union - LIX Legislature and the Attorney General's Office of the State of Guerrero, 461 intentional homicides of women were committed from 2001 to 2005 (Chamber of Deputies of the H. Congress of the Union - LIX Legislature *et al.*, 2006, p. 99). At this time, the crime of femicide had not yet been classified.

Dr. Rosa Icela Ojeda Rivera conducted a study to understand the situation of femicide in Guerrero from 2005 to 2015, where it was found that 1,449 femicides were committed. She studied how women were murdered with exaggerated cruelty by being “decapitated, half-buried, dismembered, segmented and hidden in the trunks of cars” (Ojeda-Rivera, 2018, p. 30).

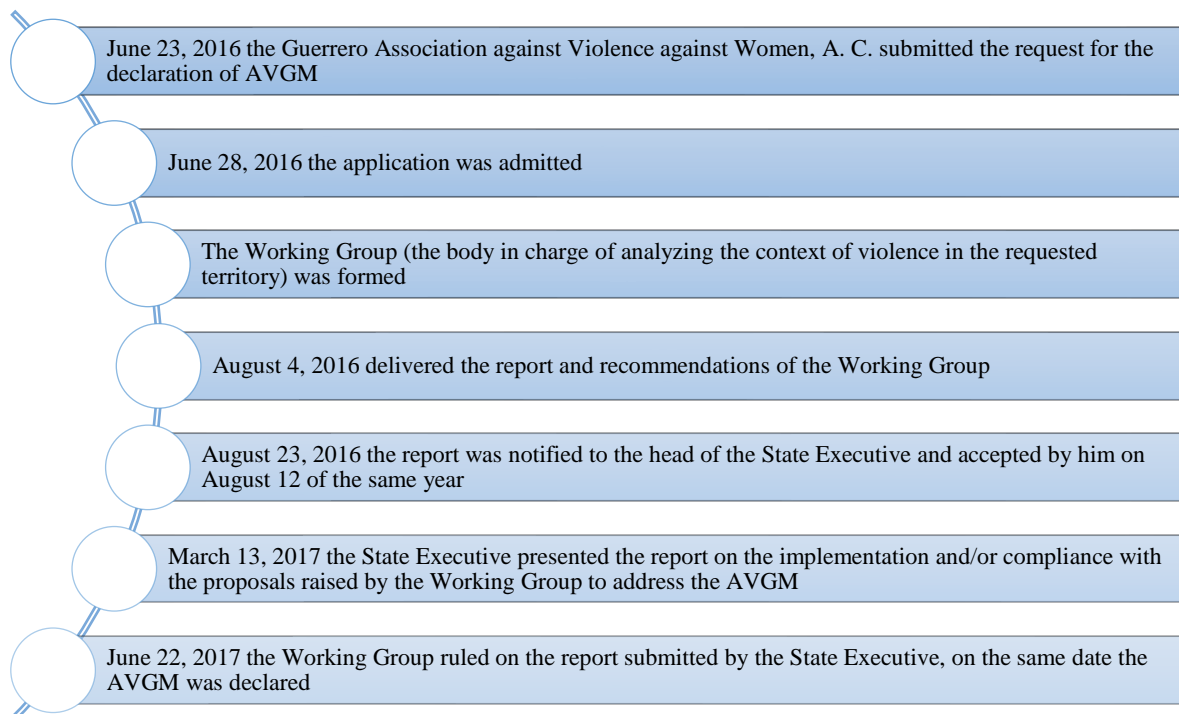
The studies mentioned above were the documents that helped the state to decree the AVGM for feminicidal violence, with the intention of confronting this extreme violence that women experience. Femicides were on the rise, considered a serious situation, and several municipalities began to be a focus of attention, " *Forbes magazine* on January 4, 2015 in its article *The most unsafe municipalities in Mexico* mentioned that it was from the year 2005 that a large scale of violence began in the municipality of Acapulco" (Ojeda-Rivera, 2018, p. 32). That is, at the national level, Acapulco occupied one of the first places in violence. Chilpancingo, Iguala, Tlapa, Chilapa and other municipalities also increased the number of feminicides.



AVGM process in Guerrero

The AVGM request in Guerrero was an issue that had been worked on by different civil associations in the state, which supported the request as *the Feminist Alliance*, the process was as follows (Figure 1):

Figure 1. AVGM declaration process in Guerrero



Source: Prepared by the authors using data from the Working Group report (2016b).

The AVGM request specified that it was being requested for the municipalities of “Acapulco de Juárez, Ayutla de los Libres, Chilpancingo de los Bravo, Coyuca de Catalán, Iguala de la Independencia, José Azueta, Ometepec and Tlapa de Comonfort” (Guerrereense Association against Violence towards Women AC, 2016, p. 19), since they were the places where the most intentional homicides of women and feminicides had been committed: Acapulco (431); Chilpancingo (45); Iguala (49), José Azueta (29); Tlapa (12); Ometepec (14); Coyuca (16); Ayutla (8); and other municipalities (297) (Working Group, 2016b), totaling 901 intentional homicides of women, of which only 142 were classified by the authorities as femicides, between the years 2010 and 2016.

Even knowing the magnitude of intentional homicides and femicides, the application process was very complicated, “the application was promoted with the signature of 26 civil

society organizations (the applicant declares that there were more than 50 organizations that participated in the movement, but 26 letters of adhesion were presented in the report)” (Anzo-Gómez, 2019, p. 84), in addition, 46 people from civil society participated, but only the Guerrero Association against Violence towards Women, AC (hereinafter the applicant) represented by Marina Reyna Aguilar was the only association that met all the requirements asked of associations in order to apply for the AVGM.

Once the application has been submitted, one of the important steps is the assessment carried out by the Working Group, which is responsible for analysing in detail the situation in the territory. Everything it needs to know about the magnitude and seriousness of the problem must be provided, and there must be coherence between the diagnosis and the measures established for the solution.

In relation to the ruling issued in Guerrero, the eight municipalities were visited only once, 9 interviews were conducted with civil organizations, 54 interviews with people in charge of administering and seeking justice, which was considered insufficient to know in detail the context in each municipality, because the context of Tlapa is totally different from that of Acapulco. This situation was reflected in the established proposals: they did not contain any limitation of application, all the measures were directed to all municipalities in general.

After the evaluation process of the situation was carried out by the Working Group and the proposals were presented, a period of six months (a period that currently does not exist due to the 2022 reform) was granted to the State Executive to comply with these proposals and once again it demonstrated that there was no interest in changing the situation, "it was observed that the state showed almost no progress in the conclusions and proposals issued by the Working Group" (Working Group, 2016a, p. 38), it was not possible to make visible a State policy to prevent, address, punish and eradicate violence against women, it failed to complete a single recommendation in its entirety, which is why the AVGM was issued in the aforementioned municipalities of Guerrero.

Given the lack of attention to the problem of femicides by the State, Marcela Lagarde's theory becomes relevant, which establishes that the State is part of the problem by doing nothing to care for women, not guaranteeing sufficient protection and allowing femicides to continue to be committed (Lagarde-y de los Ríos, 2018).

Among the AVGM resolutions, the SECOND stands out, which contains the measures that the Government of the State of Guerrero must comply with in coordination



with the municipalities and the Ministry of the Interior, there are 20 in total, such measures are divided into three different types: Security Measures (5); Prevention Measures (8); and Justice and Reparation Measures (7). In this sense, the AVGM means establishing a comprehensive Program that, in addition to the requested measures, includes the dissemination of the same in the state.

In 2018, the municipality of Chilapa de Álvarez was added to the declaration, that is, it was extended to nine municipalities, but it was not until June 9, 2022, that CONAVIM officially extended the AVGM and notified the Government of the state of Guerrero, the same document reiterates the AVGM for femicidal violence in the 8 municipalities already mentioned and in Chilapa de Álvarez.

Now, as established by the General Law, the authorities within their area of competence must “prepare reports at least every six months to report on the progress in compliance with the measures established in the Declaration...” (General Law on Women's Access to a Life Free of Violence [LGAMVLV], 2007, Article 23, paragraph D). The authorities have the obligation to report what they are doing to comply with the AVGM.

The Working Group was transformed into a Multidisciplinary Interinstitutional Group (GIM), which is the body in charge of evaluating the progress made and whether the measures have been complied with or not. This body uses four categories as a basis for evaluating compliance with the decreed measures: not complied with; partially complied with; compliance process and complied with.

Since the declaration on June 22, 2017 until December 2022, only 3 compliance reports have been issued by the government of the state of Guerrero and consequently there are 3 evaluations carried out by the GIM, in the three reports the lack of a project that involves all authorities and Secretariats to participate in compliance with the AVGM was reflected; the actions do not have sufficient evidence to prove that they were carried out and much less present results; there is no suitability or clarity in the strategies; the actions did not work; and in general there was no progress in relation to compliance with the AVGM.

Results

Mexico is one of the countries with high numbers of femicides. *Table 1* presents the number of femicides recorded in recent years in each federal entity according to the Executive Secretariat of the National Public Security System (SESNSP):



Table 1. Femicides committed in the years 2019, 2020, 2021 and 2022 in the states of the Mexican Republic

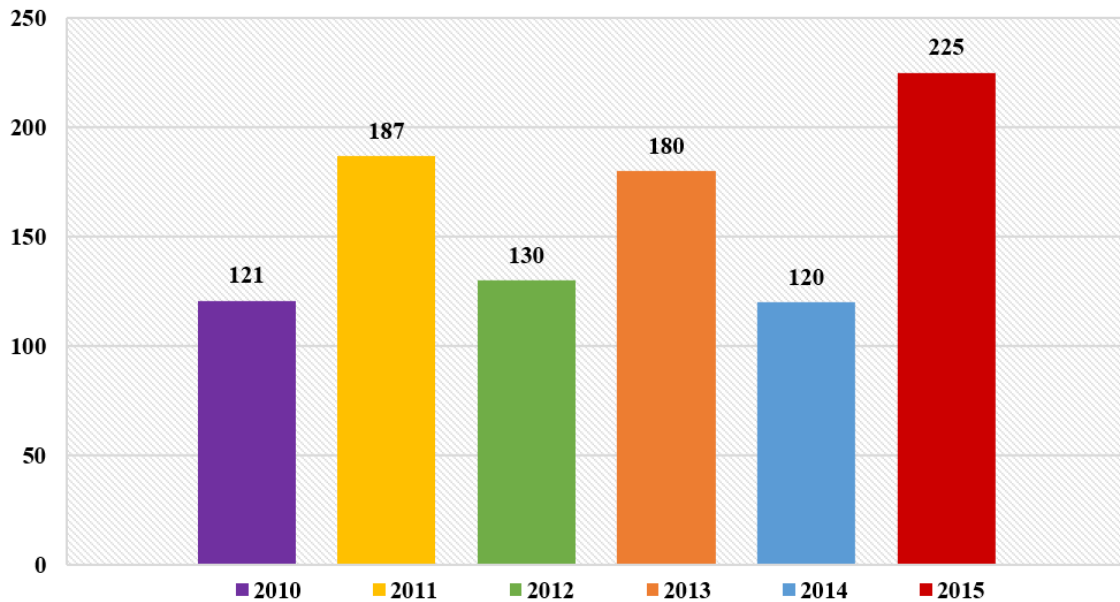
State	Year				Total
	2019	2020	2021	2022	
Aguascalientes	5	2	9	10	26
Baja California	23	31	19	24	97
Baja California Sur	2	4	7	6	19
Campeche	2	4	7	11	27
Chiapas	20	28	46	44	138
Chihuahua	29	30	44	38	141
Mexico City	68	64	65	73	270
Coahuila	24	24	22	24	94
Colima	11	12	4	18	45
Durango	10	12	10	18	50
State of Mexico	122	150	143	138	553
Guanajuato	18	19	30	21	88
Warrior	16	22	18	16	72
Gentleman	20	18	19	18	75
Jalisco	54	66	68	35	223
Michoacan	12	21	27	43	103
Morelos	39	33	23	32	127
Nayarit	5	12	7	2	26
New Leon	67	67	66	102	302
Oaxaca	27	38	43	41	149
Puebla	58	52	37	20	167
Querétaro	8	10	9	12	39
Quintana Roo	16	15	25	14	70
San Luis Potosi	28	27	24	12	91
Sinaloa	37	26	40	20	123
Sonora	37	31	42	30	140
Tabasco	27	15	15	17	74
Tamaulipas	13	12	4	20	49
Tlaxcala	3	6	10	3	22
Veracruz	157	84	69	68	378
Yucatan	3	6	5	5	19
Zacatecas	11	10	10	16	47

Source: Prepared by the authors with data obtained from the Executive Secretariat of the National Public Security System (SESNSP, 2022).

a) Statistics on femicide before the declaration of AVGM in Guerrero

In Figure 2 The document shows the femicides documented from 2010 to 2015 by the Hannah Arendt Observatory of Violence against Women in Guerrero (OVICOM) of the Ignacio Manuel Altamirano International Institute for Advanced Political Studies (IIEPA-IMA) of the Autonomous University of Guerrero, an institution of which Dr. Rosa Icela Ojeda Rivera is Coordinator. She also presented this information in her book *Femicides. Gender violence against women in Guerrero: January 2005 to December 2015*.

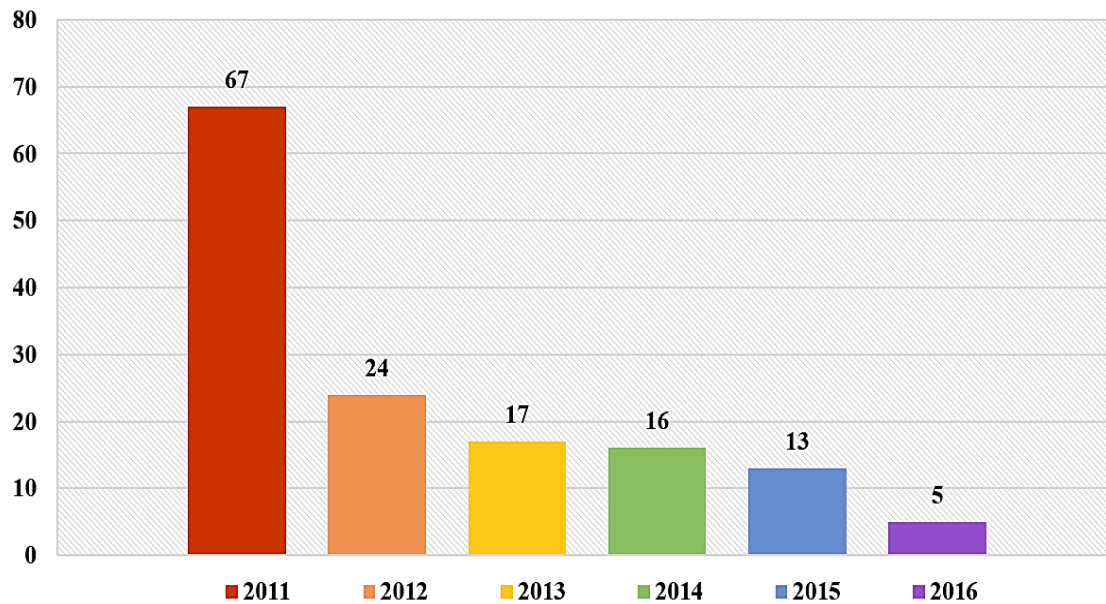
Figure 2. Femicides in the state of Guerrero before the AVGM, data from OVICOM



Source: Prepared by the authors using data from the Hannah Arendt Observatory of Violence against Women (OVICOM, 2017).

963 femicides were recorded from 2010 to 2015. On the other hand, Figure 3 presents official data collected by the Attorney General's Office of the State of Guerrero. According to this institution, the following femicides were committed:

Figure 3. Femicides in the state of Guerrero before the AVGM, data from the Attorney General's Office of the State of Guerrero



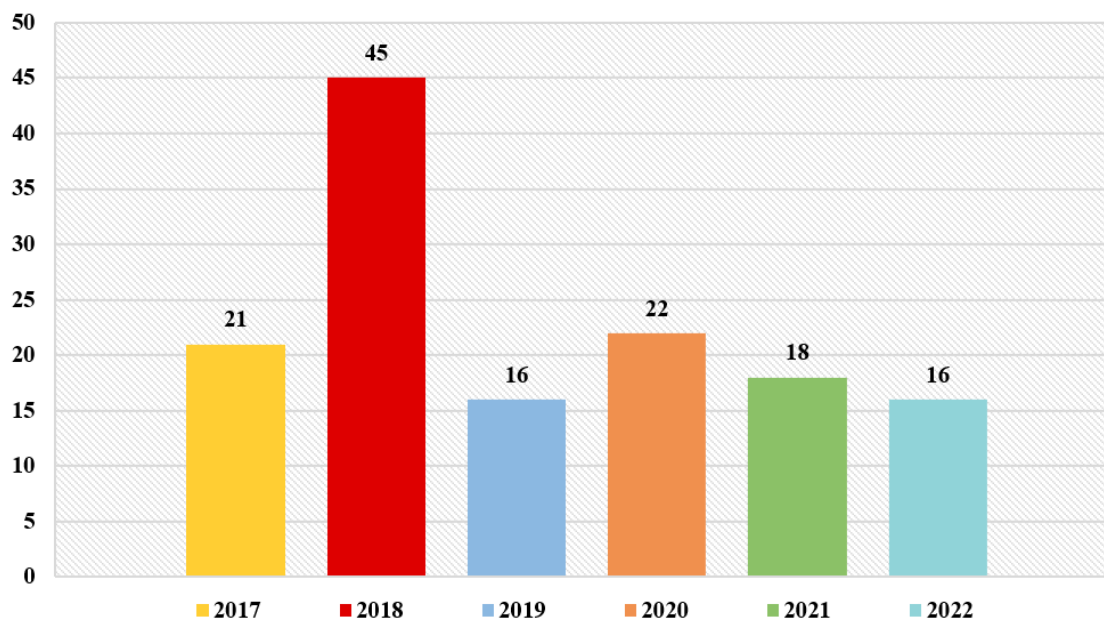
Source: Prepared by the authors using data from the Working Group (2016).

In total, 142 femicides were reported from 2011 to 2016 by the Guerrero State Prosecutor's Office.

b) Statistics on femicide after the declaration of AVGM in Guerrero

Now, Figure 4 immediately presents the statistics on femicide after the AVGM. First, it shows the data from the official institution in charge of collecting them, called the Executive Secretariat of the National Public Security System (SESNSP):

Figure 4. Femicides in the state of Guerrero since the implementation of the AVGM data from SESNSP

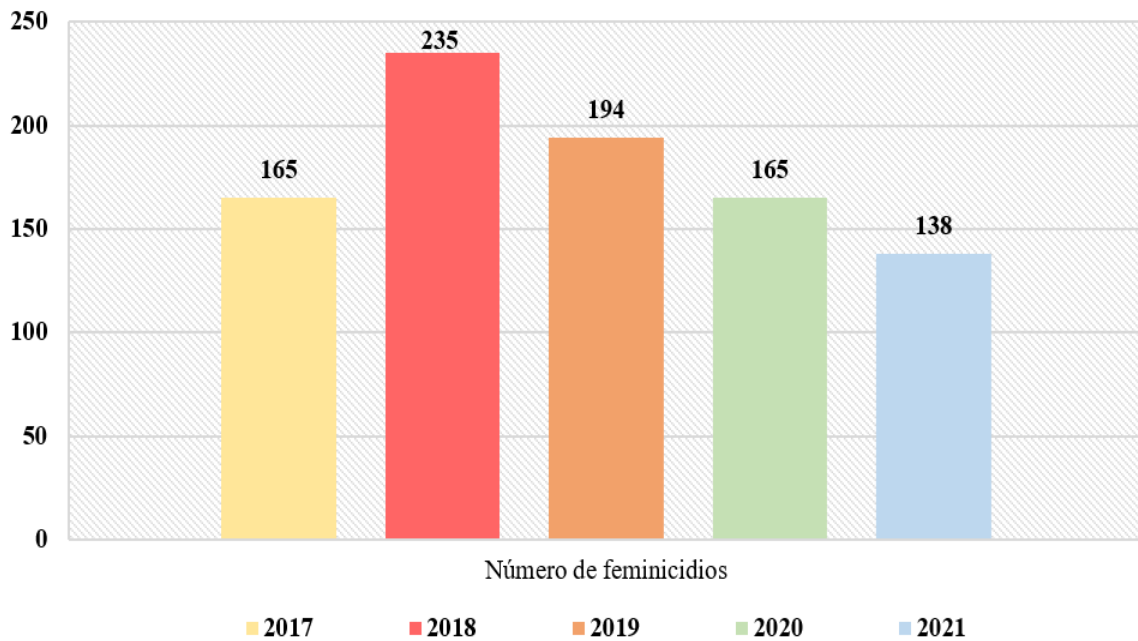


Source: Prepared by the authors using data from the Executive Secretariat of the National Public Security System (SESNSP). (2022).

Secondly, there are statistics that show that violent murders of women in Guerrero are not recorded and investigated as femicide, based on the characteristics of how the victims were found, which is presented by the Guerrero Association against Violence towards Women, AC, which independently of the SESNSP, has obtained its own data based on information documented through the different written and digital media in the state.

What the association takes into account to classify the murder of women as femicide is the observation of how the bodies were found, that is, that it meets any of the assumptions established in article 135 of femicide of the Penal Code for the Free and Sovereign State of Guerrero (Guerrereense Association against Violence towards Women, AC, 2022). Below are the statistics managed by the Guerrero Association against Violence towards Women, A.C. (Figure 5).

Figure 5. Femicides in the state of Guerrero since the implementation of the AVGM
data from AGCVM, AC

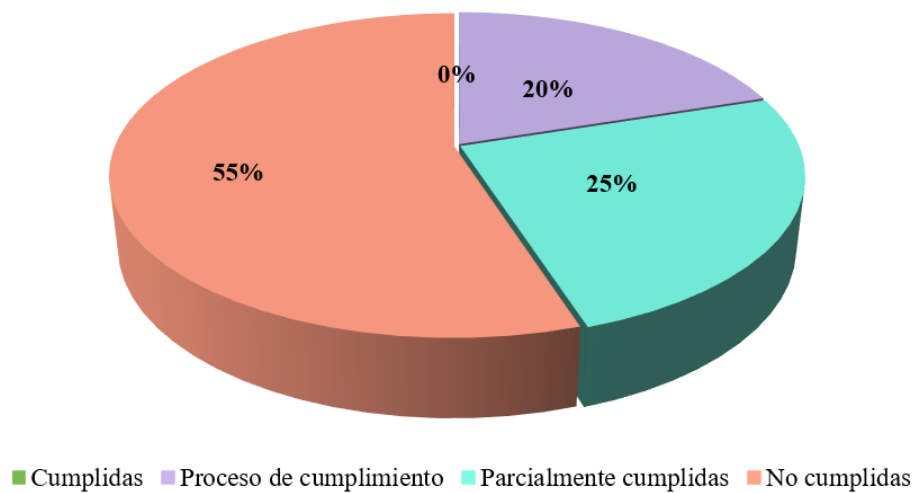


Source: Prepared by the authors using data from the Guerrero Association against Violence towards Women, AC (AGCVM, AC, 2022).

In five years, 897 femicides have been committed or at least should be investigated as such. The authorities tend to ignore the AVGM, which establishes the duty to strengthen the Attorney General's Office of the State of Guerrero to attend to and investigate the crimes of femicide. To this end, a unit for the analysis and evaluation of investigative work would be created. Also, a context unit would be created to carry out investigations of femicides, issues that have not happened given that the actions carried out by state authorities were not related to what was requested (Multidisciplinary Interinstitutional Group, 2021, p. 5).

Five years after the declaration, the degree of compliance with the AVGM measures is as follows: 11 measures not complied with, of which 2 are security-related, 2 prevention-related, and 7 justice and reparation-related; 4 in the process of compliance, 1 is security-related and 3 prevention-related; 5 partially complied with, of which 2 are security-related and 3 prevention-related; 0 complied with, see Figure 6.

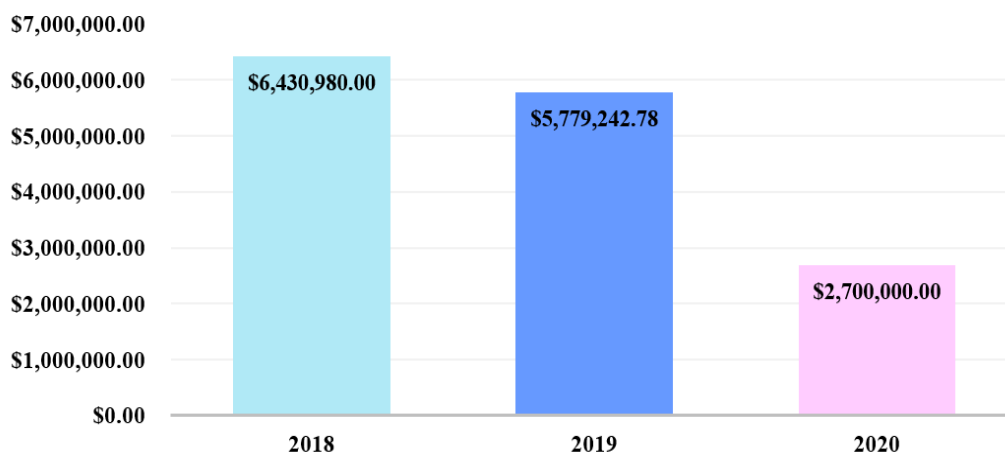
Figure 6. Level of compliance with the measures decreed in the AVGM in the state of Guerrero



Source: Prepared by the authors with data from the Interinstitutional and Multidisciplinary Group. (2021)

It is important to mention that economic resources are designated for the fulfillment of the mechanism; the following amount has been delivered from the federal budget (Figure 7):

Figure 7. Federal economic resources used for the implementation of the AVGM in Guerrero



Source: Prepared by the authors using data from the Multidisciplinary Interinstitutional Group. (2021)

In total, from 2018 to 2020, the federal government has given the state government of Guerrero 14,910,222.78 pesos for the implementation of actions that comply with the AVGM declared in the state.

Regarding measures to prevent the crime of femicide, taking into account that it recognizes “violence as a progressive *continuum of violence and attacking it in a comprehensive manner can prevent femicide*” (Bejarano-Celaya, 2014, p. 28), it seeks to prevent from the first aggressions, in the AVGM the measures established in Table 2 are highlighted:

Table 2. AVGM prevention measures

Measures decreed in the AVGM	Action by the authorities of the state of Guerrero
Develop a diagnosis of the types and forms of violence against women, to understand the problems in each region.	The latest report stated that there is progress in diagnosis, but there is no evidence.
Integrate and update the State Data and Information Bank on cases of violence against women, thereby having statistics and data on violence, to implement policies that help prevent it.	People have been trained to upload data to the Bank, but they do not submit detailed information, nor data that is already in the system, and no mention is made of public policies resulting from the data in the Bank.
To train and raise awareness on human rights.	Courses have been conducted, but no results reports have been submitted.
Create gender violence prevention campaigns.	Flyers and commercials were made , but no detailed information is kept.
Establish a culture of non-violence in the public and private sectors.	Strategy designs and workshops were presented to young people, however, there is insufficient evidence of the workshops.
Create immediate care modules for women at risk.	There are only service modules in 6 alerted municipalities.
Create a program to assist men who generate violence.	From 2019-2020, there was a federal program implemented by the Ministry of Health, the Family and Gender Prevention and Care Program, which aims to re-educate aggressors, but the state does not have a local program to follow up.

Source: Prepared by the authors using data from the Multidisciplinary Interinstitutional Group. (2021)

Discussion

At the national level, legislation has been implemented to protect women and the crime of femicide has been classified, however, it has not been enough, it has only increased over the years, the growth percentage in a period from 2015 to 2022 is 131%, the entities with the highest number of victims of femicide were the State of Mexico with 553, followed by Veracruz (378), Nuevo León (302), Mexico City (270). The entities with the lowest incidence were Baja California Sur (19) and Yucatán (19), in second place, is Tlaxcala (22) and followed by Aguascalientes (26) and Nayarit (26) (SESNSP, 2022).

As has been mentioned in other sections, the AVGM aims to reduce and eradicate femicide and arises in response to the high incidence of femicides in Mexico. However, something is failing, since the state with the highest rate of femicide is the State of Mexico and was the first with AVGM in 2015. It currently has two AVGMs and the incidence of the crime continues to be a serious problem.

Femicides in the state of Guerrero have not decreased, much less have they been eradicated with the existence of the AVGM. Although taking into account that in official data presented by the State Attorney General's Office, 142 femicides were committed before the AVGM and 138 after the declaration, according to the SESNSP, both in a period of six years, it might seem that it did decrease, but it was found that investigations are not carried out with a gender perspective, because if they were, the figure would be very high; and even accepting that there was a decrease, the number after five years with an active mechanism is questionable.

Remembering that the objective of this mechanism is to generate the conditions and public policies aimed at reducing and eradicating femicide violence (General Law on Women's Access to a Life Free of Violence [LGAMVLV], 2007, Article 23), especially since five years after the declaration the degree of compliance with the measures is as follows: 11 measures not complied with; 4 in the process of compliance; 5 partially complied with, and none have been complied with.

Furthermore, it cannot be said that economic resources are the problem for complying with the AVGM, since there has been federal support, which has provided 14,910,222.78 pesos in three years; the state and municipal governments are also obliged to consider in their budgets resources that are destined for compliance. Currently, it is not known specifically how the money has been spent, the projects that are still in force and those that are not, as well as the benefits.



In the reports submitted by the state government, a myriad of actions were listed, but only to justify the financial resource. It is a serious problem that in the three opinions issued by the GIM, the state government was asked to present evidence that the measures were in accordance with what was requested, to present progress, and that in none of them was this request fulfilled. “It was identified that the projects carried out contributed minimally to compliance with the measures, the above derived from the lack of continuity in the projects or from not having received the products with the expected quality” (Interinstitutional Multidisciplinary Group, 2021, p. 5), that is, they were only done to present information.

An attempt has been made to avoid maintaining high official statistics, since before the AVGM, since as could be observed in the data presented by the State Attorney General's Office, it indicates that in the period from 2011 to 2016, only 142 femicides were recorded, while OVICOM reported 963 from 2010 to 2015; the difference is clear, intending not to show the poor work that has been done with the protection of women's right to a life free of violence.

The same thing is happening after the declaration of the mechanism. The discrepancy between the records of the SESNSP and the Association is notable. The first establishes that in a period from 2017 to 2022, 138 femicides were committed, while the second indicates that from 2017 to 2021 there were 897 femicides. There is an abysmal difference, which highlights the lack of a gender perspective in the investigations.

Although the Association's statistics are based on the media, it should not be overlooked that they are currently a source that can help us understand the particular characteristics of the murders of women, thereby determining which assumptions are met and which crimes they fall under. In addition, it is the media that, with their news and criticism, forces the authorities to do their job and exerts social pressure, which generates a great impact. In this sense, despite not being an official monitoring, it should be considered as a parameter to know the reality and determine the true number of murders of women that should be investigated as femicides and compare what is shown in official statistics.

It is important to highlight that the same SESNSP in its data has established that the municipalities of Acapulco de Juárez and Chilpancingo de los Bravo have appeared since 2017 within the lists of the 100 municipalities with the most femicides at the national level. In 2018, municipalities that are not alerted were also found on this list, such as Taxco de Alarcón and Tlacoachistlahuaca. In 2019, another municipality that was found was Iguala de la Independencia.



In 2021, in Guerrero, only 13.1% (Impunidad Cero, 2022, p. 14) of the murders of women were reported as femicide, that is, the investigation was carried out as if it were femicide and with a gender perspective to find out whether it was or not; while 86.9% of the murders of women are reported as intentional homicide, being one of the nine states that were below the national average of 27%.

The provisions of the Protocol for Ministerial, Police and Expert Investigation with a Gender Perspective for the Crime of Femicide in the State of Guerrero, published on March 31, 2017, in the *Official State Gazette*, have been ignored. This states that public prosecutors, police and experts are obliged to investigate all violent deaths of women from a gender perspective, until the existence of gender-based violence is ruled out. The investigation must even be carried out from a gender perspective even when there is no suspicion of violent death.

Furthermore, the criteria of the Supreme Court of Justice of the Nation, which establishes that:

When investigating the violent death of a woman, the investigating bodies must conduct their investigation based on a gender perspective, for which a method must be implemented to verify whether there was a situation of violence or vulnerability in the victim due to gender issues. Thus, in the case of violent deaths of women, the authorities must explore all possible lines of investigation – including the fact that the deceased woman was a victim of gender violence – in order to determine the historical truth of what happened... Consequently, all cases of deaths of women, including those that *prima facie* appear to have been caused by criminal motives, suicide and some accidents, must be analyzed from a gender perspective, in order to determine whether or not there were gender reasons in the cause of death and to be able to confirm or rule out the cause of death (Judgment of Amparo in Review 554/2013, 2015).

The use of the gender perspective as a tool in the development of research implies that the social context and the patterns that originate and reproduce violence against women are studied, determining its origin, as a consequence of a structured, tolerated and rooted situation in a community that allows the violation of human rights” (Protocol for Ministerial, Police and Expert Investigation with a Gender Perspective for the Crime of Femicide, 2017, Article 9), allowing a detailed analysis to be made in each case, thus obtaining a classification and determining whether the conduct was committed for reasons of gender.



Despite the specific criminal type and the AVGM, femicide is a crime that has been characterized by impunity, there has been "negligence in the investigation, persecution and prosecution by the authorities ..." (Montero, 2019, p. 155) and the processes of administration of justice are very slow, in addition, it must be observed that the gender perspective is not yet applied in the investigations (Ibarra-García and Damián-Bernal, 2020) or the authorities do not know how it should be applied, sometimes the crime is classified as intentional homicide, the investigation follows that line of investigation forgetting the gender perspective, when it should be investigated as if it were femicide.

In this sense, it can be stated that there is a need – and it is of utmost importance – for the gender perspective to be incorporated into investigations, for the murders of women to be investigated as femicides because this allows the investigation to be carefully conducted in every sense. Firstly, it grants the possibility of considering all the indications without ignoring any; secondly, it is more likely to prove the crime without needing evidence in the end; lastly, the guilty party can be punished for femicide, which would stop it being a crime with so much impunity.

The above logic or requirement is given because it has been shown that in cases where the investigation is carried out as intentional homicide, it results in the “impossibility of obtaining evidence or elements of proof that constitute the crime of femicide” (Impunidad Cero, 2022, p. 43). As happened with the cases of Rubí Marisol Frayre Escobedo and her mother Marisela Escobedo, who fought for the punishment of the person who committed the femicide of her daughter and ended up murdered. It should not be lost sight of that femicide is not just another murder, but that this type of crime implicitly carries that hatred towards women and allows the historical context of violence exercised against them to continue to be reproduced.

It is unquestionable that “if the analysis is not carried out from a gender perspective, femicides can be considered homicides” (Alcocer-Pirulero and Marchese , 2022, p. 9), causing the perpetrator not to take responsibility for the femicide committed; the victims and offended parties do not obtain justice; the truth of the facts is not known, leaving the crime unpunished ; and as a consequence, there is no evidence of real data on the crime of femicide in the state.

Regarding prevention, it has not been fully covered either, since actions are carried out halfway or there is insufficient evidence of their implementation. It is one of the points that has been least fulfilled, however, there should be a more comprehensive and rigorous



policy that considers education, the family and social environment, since these are the areas that could contribute the most in terms of prevention.

Finally, it is highlighted that the AVGM is primarily governed by the General Law enacted in 2007; and its Regulations published in 2008, and on April 29, 2022. There was a reform that changed many issues of the process and the most important point to highlight is the establishment of a Strategic Action Program, where the policies and programs to be followed must be set out; the deadlines for their execution; the authorities and their responsibilities that will be assigned; the economic resources that will be allocated; and the evaluation and monitoring indicators, issues that did not exist when the mechanism was decreed in Guerrero.

Conclusions

In Guerrero, despite having very broad legislation that requires authorities to investigate the murders of women from a gender perspective, investigations are not carried out under that premise; in the state, 86.9% are reported as intentional homicide, allowing impunity to take hold when the perpetrator is not punished for the correct transgression, the victims and offended parties do not obtain justice, and the truth of the facts is not known.

Femicides in Guerrero are a latent problem, which over time has been sought in ways to be made invisible. According to the above, it is highlighted that investigations are not carried out with a gender perspective, that crimes are disguised as intentional homicides so that the real problem is not known, because being considered a state crime, and that it is part of the problem, it does not provide the protection and conditions for the safeguarding of women, the easiest thing is to disguise the problem so that there is no accusation against it.

The existence of an AVGM for femicidal violence has not helped to solve the problem; femicides have not decreased and even less have they been eradicated. Considering only the official data, according to those presented by the State Attorney General's Office, before the declaration, 142 femicides were committed and after it, the SESNSP indicated that there were 138, both in a period of six years, it could seem that there was a decrease of 4 femicides. But considering the data of the Association and that the investigations are not carried out with a gender perspective, this is in doubt; and even accepting that there was a decrease, the number after five years with an active mechanism is questionable. The AVGM has not had the effectiveness that was expected because five years after its existence in Guerrero there has not been a real change, femicides continue to be a latent problem.



When it is observed that the activities or actions do not work, they are not given continuity, no results are presented and no accreditation is given for what they have done, it is evident that the problem lies in the lack of a structured project of the activities to be carried out, in order to be able to give continuity to them and make a change evident or to know what works and what does not.

In other words, what the authorities in charge of enforcing the AVGM are doing is a political action, where activities are supposedly carried out, but it is evident that they are doing more to meet a requirement or to justify expenses, than to protect women from the violence they experience, there are no clear objectives and they do not show results; it is important to recognize that this mechanism was decreed before the 2022 reform and the need to restructure the decreed measures should be assessed so that the mechanism in Guerrero is efficient.

Now, the non-existence of the emerging action of the mechanism is evident, five years have passed since its declaration and there is not a single measure fulfilled. Given the actions of the State Executive and the authorities that must participate in the fulfillment of the AVGM, it is necessary to make this mechanism truly impact and confront femicides, which is why the following is suggested: a) A general assessment of all the activities and/or actions that have been carried out since the beginning of the AVGM be carried out and an opinion be presented on the activities that have worked or could work; b) The creation of an action plan that takes into consideration the real situation of each municipality, that the actions are viable and in accordance with the reality that is experienced in the municipality. That the activities and/or actions are classified as short, medium and long term; c) The action plan must present activities and/or actions directed to the different State Secretariats, but they must act together to have better results; d) That actions be sought to have an impact on violence in general suffered by women, but especially on wilful homicides and femicides; e) That there be a group of people in charge of supervising compliance with the AVGM and that those who do not do so be sanctioned.

Future lines of research

- Contexts of femicide in Guerrero, an analysis by municipality or region, which addresses the particular characteristics of the municipalities and the population.
- The development of an action plan in Guerrero and a restructuring of the actions carried out in the state to comply with the AVGM.

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