A culture of impunity

Religious discrimination in Mexico

April 2020

CSW everyone free to believe



Executive summary

The Mexican constitution guarantees freedom of religion or belief (FoRB) and other human rights to all its citizens. However, in practice FoRB violations are a common and widespread occurrence in certain regions across Mexico.

In 2018 and 2019 CSW continued to receive reports of moderate to severe FoRB violations in states governed by the Law of Uses and Customs. In 2019 CSW received documentation regarding seven separate violations[1] in the state of Hidalgo, six separate violations in Chiapas, two separate violations in Oaxaca and one violation in Guerrero. All of these cases[2] were a result of the minority group's conversion from and refusal to participate in activities, including festivals, associated with the majority religion. The majority of these cases included either threats, illegal fines or arbitrary detention. The most common form of violation was the blocking of basic services such as water and electricity. Two cases resulted in forced displacement. At the time of publication of this report more than 38 children remain without access to education because of the religious beliefs of their parents. Vulnerable communities continue to complain about high levels of impunity and the lack of protection granted by the state officials, who often side with those of the majority religion. The lack of intervention by the state governments to protect FoRB is a clear indication that they continue to view FoRB violations as community issues or minor 'problems' rather than violations of fundamental human rights.

At the same time, escalated levels of violence continued to have an impact on religious leaders. Mexican president Andrés Manuel López Obrador, elected in July 2018, promised to fight corruption and find new ways to combat crime. Despite this, 2019 was the deadliest year in recent history. The National System of Public Security stated that 35,588 people were victims of homicides last year, 2.7% more than in 2018. In addition, nearly 5,000 people disappeared in Mexico in 2019 and were not found. CSW received reports of seven religious leaders murdered. Moreover, since the implementation of the US's Migrant Protection Program 'Remain in Mexico' at the start of 2019,[3] religious leaders working at migrant shelters are increasingly vulnerable. CSW received reports of two religious leaders who were kidnapped and later released, one attempted kidnap and the enforced disappearance of Pastor Aarón Méndez Ruiz and his assistant, Alfredo Castillo de Luna, who both appear to have been targeted because of their work with migrants and asylum seekers. CSW also received regular reports of threats, extortion and assault of religious leaders.

High levels of fear about speaking out against violations and a lack of trust in government institutions and justice mechanisms means that the number of reported and documented violations against religious leaders is mostly likely only a small percentage of the actual violations against religious leaders in a given year.

Recommendations

To the government of Mexico

- Fully guarantee rights associated with the right to freedom of thought, conscience and religion. This includes ensuring that these rights, as set out in Mexico's constitution, as well as in the Inter-American Convention on Human Rights (San José Pact), the Universal Declaration on Human Rights (UDHR), and the International Covenant on Civil and Political Rights (ICCPR), are upheld for all inhabitants and citizens of Mexico.
- Uphold legal guarantees for freedom of religion or belief (FoRB) for all; and where other laws apply, for example in communities governed by the Law of Uses and Customs, practise these in accordance with Mexico's constitution and its international human rights obligations.

1 'Separate violations' to mean individual attacks on religious communities, but that may have occurred in the same community.
2 This is most likely only a small percentage of the number of cases: at times the violations are hard to document as many of the affected communities live in remote areas that are not easily accessible or are affected by the insecurity situation in the country. Moreover, high levels of fear mean that many communities do not speak out for fear of repercussions.
3 Under this policy, refugees who have crossed the Mexican border and claimed asylum in the US are returned to Mexico to await a decision on their case.

- Give regular training in mediation and in human rights law, particularly pertaining to FoRB, to government officials at the state and federal levels responsible for religious affairs, to ensure better law enforcement and human rights promotion and protection.
- Ensure that government officials who have been shown to be derelict in their duties to uphold FoRB are removed from their positions.
- Provide sufficient resources to government officials responsible for religious affairs at the state and federal levels to carry out their duties, and in particular those in regions where there are frequent violations of FoRB or conflicts between religious communities.
- Actively pursue legal action against all individuals and groups responsible for violations of FoRB and other fundamental rights, and hold them to account for their actions. Individuals and groups who have committed criminal acts should be charged and prosecuted according to the law.
- Restore access to basic services for all religious minority communities and ensure that nobody has their access to electricity, water, education and health care restricted because of their religious beliefs.
- Carry out thorough and impartial investigations and prosecute those responsible for the violations committed in all the cases listed in this report.
- Where possible, provide protection to church leaders, including Catholic priests and Protestant pastors, who are under threat from illegal armed groups.
- Carry out thorough investigations into assassinations, kidnappings of and threats against church leaders, to establish motive and to hold those responsible to account.
- Publicly recognise the important social role that religious leaders play and that their ministries often also involve a social aspect – as such they should be treated as human rights defenders and afforded protection.
- Implement reforms to combat impunity for attacks against religious leaders.

To the National Commission for Human Rights

- Redesignate religious minorities as a category of vulnerable groups.

To the National Commission for Human Rights, individual state commissions for human rights, and the National Council for the Prevention of Discrimination

- Continue their important work monitoring and investigating cases of FoRB violations and religious discrimination.

To state governments

- Ensure safe return for the victims of forced displacement and/or compensation including provision for adequate and safe resettlement, only when there is no alternative, including because the victims are too fearful to return to their homes. Those responsible for their displacement must face justice.
- Promote and protect FoRB, ensuring that no one is pressured to convert to another religion or set of beliefs against their will.
- Ensure that the state commissions for human rights continue to actively engage with local nongovernmental organisations (NGOs) working on FoRB and with victims of FoRB violations, to continue to raise the profile of the issue, give a voice to the survivors, and contribute to a culture of tolerance and freedom of religion in their respective states.

To the European Union (EU) and member states

- In line with the Guidelines on FoRB, regularly engage with the Mexican federal government and state governments on cases and issues related to violations of FoRB, and encourage them to implement the recommendations above.

To the EU delegation in Mexico City

- Actively monitor cases of violations of FoRB.
- Work closely with the National Commission for Human Rights, the National Council for the Prevention of Discrimination, and state commissions for human rights on issues related to FoRB, and cooperate in awareness-raising and capacity-building within government institutions.
- Develop and maintain ties with civil society groups working on the issue of FoRB and work with them in awareness-raising and capacity-building on the subject within Mexican civil society.

To the government of the United States of America (USA)

- In line with the International Religious Freedom Act (IRFA), regularly engage with the Mexican government on cases and issues related to violations of FoRB, and encourage them to implement the recommendations above.
- The Embassy should actively monitor cases of violations of FoRB, feeding these back to the State Department for use in its reports and designation of countries of particular concern.
- Work closely with the National Commission for

Human Rights, the National Council for the Prevention of Discrimination, and state commissions for human rights on issues related to FoRB, and cooperate in awareness-raising and capacity-building within government institutions.

- Develop and maintain ties with civil society groups working on the issue of FoRB, and work with them in awareness raising and capacity building.
- Ensure that the US's Migrant Protection Program 'Remain in Mexico' protects the rights of migrants and human rights defenders, including religious leaders working at migrant shelters.
- Create and maintain funding opportunities for projects that promote FoRB.

To the government of the United Kingdom (UK)

- In line with the UK's commitment to FoRB, continue to raise FoRB cases in Mexico as a matter of urgency with the Mexican federal government.
- Ensure that the UK embassy develops and maintains ties with civil society groups working on the issue of FoRB, and work with them on awareness-raising and capacity-building on the subject within Mexican civil society at the national and state level.
- As part of the government's Respect in Education, increase funding so that schools in states governed by the Law of Uses and Customs can teach more children about respect for religious diversity.
- Create and maintain funding opportunities for projects that promote FoRB.

To the United Nations and member states

- Actively monitor cases of violations of FoRB, and encourage the Mexican government to protect human rights defenders and religious leaders and carry out thorough investigations as recommended by the Canadian embassy in Mexico's UPR.

Background

The country has a highly religious population. According to the 2010 census 83% self-identified as Roman Catholic, 5% Evangelical Protestants, 2% Pentecostals, 1% Jehovah's Witnesses, and 9% other religious communities; however, other studies show that the percentage of the population who self-identify as Protestant is likely to be much higher, at 8%[4] or 9%.[5] Despite this, Mexico has historically had a complicated relationship with religion; both Roman Catholics and Protestants have suffered severe persecution over the course of the country's history. Many citizens participate in religious activities on a regular basis without any hindrance. A significant percentage, however, is subjected to moderate and severe violations of their freedom of religion or belief (FoRB). Studies by CONAPRED show that stereotypes and negative attitudes towards religious diversity remain serious and pervasive problems in many parts of the country. The 2017 National Survey on Discrimination[6] (ENADIS) found that after appearances, discrimination on the basis of religion was the second biggest motive for discrimination. The study found that 32.3% of women and 24.8% of men over the age of 18 suffer discrimination as a result of their religion or belief. This does not take into account children below the age of 18 who suffer discrimination as a result of their religious beliefs (see 'Right to an education'). Moreover, the study also found that 45% of men and 44% of women believe that the more religions you allow in the country the more social conflicts there will be. Religious discrimination is particularly prevalent in indigenous communities where some local authorities have sought to impose religious uniformity in their communities. Religious discrimination has the potential to worsen in the face of government inaction.

The most significant root cause of religious discrimination is the entrenched culture of impunity in Mexico. The Mexican government is averse to involving itself in 'religious affairs', and reluctant to prosecute those responsible for criminal acts linked to FoRB violations, due to an extremely strict interpretation of the concept of separation of church and state.[7] FoRB as a basic right is not generally well understood although legally there is a strict separation between Church and state. Significant overlap between religion – in particular Roman Catholicism and pre-Columbian beliefs – and culture and tradition can lead to moderate FoRB violations. For example, despite laws against this, federal and state government officials, as well as public employees, sometimes participate in,

4 National Council for the Prevention of Discrimination (CONAPRED), 'Encuesta Nacional sobre Creencias y Prácticas Religiosas en México', 2016 (Spanish) www.conapred.org.mx/userfiles/files/Encuesta-Nacional-sobre-Creencias-y-Practicas-Religiosas-en-Me%CCxico_d....pdf

5 Pew Research Center, Religion in Latin America, 13 November 2014 www.pewforum.org/2014/11/13/religion-in-latin-america/

6 Encuesta Nacional Sobre Discriminación, 'Principales Resultados', 2017 (Spanish) www.inegi.org.mx/contenidos/programas/enadis/2017/doc/enadis2017_resultados.pdf

7 Crux, 'Mexico president opposes bill to end church-state separation', 19 December 2019 https://cruxnow.com/church-in-the-americas/2019/12/mexico-president-opposes-bill-to-end-church-state-separation/

in their official capacity,[8] or actively promote Roman Catholic festivals or holidays and pressure colleagues and employees to participate – and when challenged, justify this as a 'cultural' activity. Members of religious minorities are often pressured to participate in these activities.

The state's reluctance to defend FoRB proactively is, in some parts of the country, compounded by the Law of Uses and Customs, which gives significant autonomy to indigenous communities to implement and maintain their own social and cultural norms. This law is meant to be exercised in line with human rights guarantees in the Mexican constitution, but in practice this is not enforced. Many local leaders in communities functioning under the Law of Uses and Customs mandate community uniformity in terms of religious practice and belief, compelling all members of the community to participate in the religious activities of the majority or face punishment.

Violations range in severity, usually starting with illegal fines, cutting off access to services such as water and electricity and prohibiting religious minority children from attending school. With the absence of government intervention and the culture of impunity, violations all too often escalate to the point of destruction of property, arbitrary detention, violence and forced displacement.

All state and federal governments have a designated office to deal with religious affairs, and it is the responsibility of these offices, particularly on the state level, to address FoRB violations and actively mediate a solution to religious conflicts. In reality, there is little political will to address these cases, and the officials are often poorly resourced and usually lack expertise and training in human rights, including FoRB. This severely limits their ability to address these situations effectively. The fact that the religious affairs office is a political appointment, responding to the governor of the relevant state – rather than an integrated office within the permanent state civil service – means that the activities of the office are often heavily influenced by political interests, compounding the problem. Most religious affairs officials appear to view their responsibility as primarily to contain cases of FoRB violations, reduce the number of reported cases, or to make them 'disappear', rather than to ensure that FoRB is protected.

Finally, increased general violence in Mexico due to the activity of different illegal groups involved in drugs, arms and human trafficking, and extortion rackets, has had a significant impact on the right to FoRB and the right to freedom of expression. The illegal groups see churches as an attractive target for extortion and fronts for money laundering, and church leaders as threats to their influence and aims. Some groups have incorporated religious beliefs into their identity and aggressively attempted to promote them, bringing them into direct conflict with mainstream religious leaders. In 2018 Mexico was considered the most dangerous country in the world for Roman Catholic leaders, with more priests and lay leaders killed there than any other country. While not as well documented, non-Roman Catholic religious leaders face the same threats. A significant number of religious leaders have been killed or kidnapped; precise figures are difficult to obtain because of witnesses' fear of retaliation by those responsible, and because of a fear of repercussions for the wider religious body if it is perceived to be speaking out.



Buildings in Guadalajara

Constitutional and legislative framework

Mexico is a member of the Organization of American States and the following treaties have entered into force in Mexico: the San José Pact, the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child, and the International Covenant on Economic, Social and Cultural rights (ICESCR).

Article 2 of the Law on Religious Associations and Public Worship, adopted in 1992 and amended in 2015, clearly lays out the rights and protections associated with FoRB.

The following articles from the constitution guarantee FoRB:

Article 1: 'Any form of discrimination, based on ethnic or national origin, gender, age, disabilities, social status, medical conditions, religion, opinions, sexual orientation, marital status, or any other form, which violates the human dignity or seeks to annul or diminish the rights and freedoms of the people, is prohibited.'

Article 2 of the Mexican constitution affirms that Mexico is a pluri-ethnic nation and affords a number of rights to its indigenous peoples, including the right

8 Alerta Chiapas, 'La católica cuenta de facebook del Ayuntamiento de Villaflores', 21 January 2020 (Spanish) https://alertachiapas.com/2020/01/21/la-catolica-cuenta-de-facebook-del-ayuntamiento-de-villaflores/

to implement their own social, economic, political and cultural organization, and the right to maintain and enrich their language and culture.

Article 24: 'Everyone is free to embrace the religion of his choice and to practice all ceremonies, devotions, or observances of his respective faith, either in places of public worship or at home, provided they do not constitute an offense punishable by law. Every religious act of public worship must be performed strictly inside places of public worship, which shall at all times be under governmental supervision.'

Despite strong constitutional protections for FoRB, frequent violations are often justified under the Law of Uses and Customs in parts of the country where there is a high indigenous population. Article 2 of the Mexican constitution affirms that Mexico is a 'pluri-ethnic' nation and affords a number of rights to its indigenous peoples. The Law of Uses and Customs, which is meant to protect indigenous culture and traditions, must be practised in accordance with the Mexican constitution and, for example, requires that fundamental human rights and gender equality be respected.

Despite these safeguards, cases of gender discrimination and violations of fundamental human rights, including FoRB, occur frequently in many of these areas. There is often little or no response from state or federal governments to violations of FoRB.

The majority of the violations of FoRB linked to abuse of the Law of Uses and Customs are concentrated in the states of Hidalgo,[9] Oaxaca,[10] Guerrero and Chiapas,[11] where there are significant indigenous populations. Cases have also been reported in Puebla, Michoacán, Jalisco and Nayarit. Authority structures are often localised, giving village and municipal authorities significant power over their populations. In many of these populations, which can be remote, there is no real state presence to monitor the implementation of the Law of Uses and Customs and ensure that it is practised in accordance with the human rights guarantees in state and federal law.

According to the law, the state government is primarily responsible for dealing with such conflicts; however, it often fails to take swift action to do so. State government officials have also been accused of trying to 'eliminate' or lower statistics of cases of FoRB violations by labelling them 'political and social' not religious problems. Such situations are often allowed to escalate to the point of violence before state officials take steps to address the conflict in question. In addition, charges are rarely, if ever, filed against those responsible for criminal acts including vandalism and acts of violence. This has allowed a culture of impunity to develop in at least 14 states in the country - especially in Chiapas, Guerrero, Hidalgo, Oaxaca and Puebla. In these states, the majority religious group often believes they have the right to enforce religious beliefs and practices at the local level.

Historically, the majority of FoRB violations have tended to arise from conflicts between traditionalist or syncretistic Roman Catholic local leaders, and non-Roman Catholics. The non-Roman Catholics may wish to exercise their right to practise their own faith or no faith, and tend to prefer not to be compelled to participate in or contribute financially to Roman Catholic religious festivals. The abuses range in severity from cutting off water and electricity supplies, preventing the children of the targeted group from attending school, to violent beatings and forced displacement. Local authorities often justify these abuses with the excuse that under the Law of Uses and Customs, it is their right to protect their culture; and that the majority religion, usually Roman Catholicism, is included in that.

9 In 2019, the Secretary of Religious Affairs in the state of Hidalgo went on the record saying there were no cases of religious intolerance in the state, despite significance evidence to the contrary and disagreement.
10 In 2019, Oaxaca's human rights ombudsman stated that despite advances in terms of human rights, FoRB violations are on the rise.
11 In 2019, the president of the Chiapas State Human Rights Commission stated that forced displacements on account of religious beliefs still persist. The announcement is a positive step towards more transparency.



Cathedral in San Cristobal de las Casas, Chiapas

The entrenched culture of impunity as it relates to FoRB has also led to a small but significant number of cases of non-Roman Catholics attempting to enforce religious conformity in their communities and persecuting those who do not comply.

Over the past decade CSW has received information on a handful of such cases. These cases demonstrate that if the government does not actively protect FoRB, violations are likely to continue even as religious diversity grows, as it is an accepted norm for the majority, whatever that might be, to compel and enforce participation in the majority religious activities.

Given the failure of the state government to fulfil its responsibilities, the federal government should intervene. However, apart from recommendations issued by the National Human Rights Commission (CNDH), the federal government continually fails to ensure that the constitutional rights of the victims of FoRB violations are upheld.

The failure of the government at all levels to protect FoRB, in addition to the geographic remoteness of these populations, language barriers, poverty, and the victims' low awareness of their rights, along with the historic marginalisation of these communities, all contribute to a culture of impunity and the cycle of religious intolerance continues.

In 2018 at Mexico's second Universal Periodic Review (UPR) cycle[12], it received and accepted one recommendation directly relating to FoRB. Mexico also received several recommendations which indirectly relate to FoRB, including recommendations to develop programmes for the social protection of citizens who suffer discrimination, to introduce legal provisions effectively guaranteeing the safety of human rights defenders and religious leaders, and to ensure that perpetrators of human rights violations are brought to justice.

Community FoRB violations

Right to an education

Article 3: The education imparted by the Federal State shall be designed to develop harmoniously all the faculties of the human being and shall foster in him at the same time a love of country and a consciousness of international solidarity, in independence and justice.

I. Freedom of religious beliefs being guaranteed by Article 24, the standard which shall guide such education shall be maintained entirely apart from any religious doctrine.

Mexicans at all levels of society often fail to recognise that members of religious minorities may not wish to participate in activities with a religious aspect, no matter how deeply these activities are entrenched in the culture.

The ENADIS study referenced earlier found negative attitudes in Mexico towards non-Mexican traditions and customs. On average, 56.6% of Mexican adults agree only a little or not at all that people should be able to practise 'non-Mexican' traditions or customs.

Two states, Chiapas and Oaxaca, which have some of the highest incidence of FoRB violations, had the highest percentages with 76% and 71.4% respectively. Percentages were also very high in other states where there are high rates of FoRB violations including Guerrero (67%) and Hidalgo (60.6%).

This thinking is present in all parts of society including the education system, and discrimination against religious minority children is common, especially outside of major urban areas.

12 UPR-Info, Database of Recommendations on Mexico www.upr-info.org/database/index.php?limit=0&f_SUR=111&f_SMR=All&order=&orderDir=ASC&orderP=true&f_Issue=All&searchReco=&resultMax=300&response=&action_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=RecoOnly, 19 March 2018

Violations occur in the educational setting in three main ways: forced participation in religious activities, prohibiting children from attending school, and forced displacement which results in children being unable to continue their studies.



Forced participation

Children are sometimes forced to participate in overtly religious activities against their will under the guise of 'cultural education.' On the celebration day for Xantolo[13] (2 November), for example, teachers often require children to bring chocolate and flowers as an offering to their dead ancestors. These celebrations are part of their curriculum; for example in Spanish lessons students often write poems to the dead and in art they might perform a dance celebrating Xantolo together. The class practises the dance in the days leading up to the celebrations. Children from minority religious groups may not wish to take part on account of their religious beliefs, but classmates and teachers often pressure them to participate.

Article 5 of the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief states that 'Every child…shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians'. Parents have a legal right to object to their children's participation in religious activities that contradict their beliefs; however this right is rarely respected in situations such as these.



Girl from Guerrero

Since this right is often not respected and the teachers often refuse to make any accommodation for religious minority children in school, many students feel they have no other choice but to refuse to attend school on that day. On the celebration day for Xantolo in 2017, several students in the state of Hidalgo reported to CSW that teachers threatened to mark them down in Spanish and art classes if they did not participate in activities related to the religious celebration. In this case the threat was not followed through.

There are no official figures on the number of children who have been forced to participate in religious activities at school. This is partly due to parents' lack of understanding with regard to their legal right to object to their children's participation in religious activities that contradict their beliefs.



Children from El Encanto, Chiapas

13 Guardian, 'Xilitla, Mexico: where Day of the Dead meets carnival', 31 October 2017 www.theguardian.com/travel/2017/oct/31/xilitla-mexico-day-of-the-dead-festival-celebration-sierra-gorda

Banned from school

In some areas of the country, members of a religious minority are pressured by local authorities either to convert to the majority faith, or to participate actively in activities such as religious festivals linked to the majority faith, through financial support or physical involvement. When they refuse to participate, the local leaders often strip the families of basic services including education, by barring their children from attending school. Schools are state institutions and under Mexican law should therefore be strictly secular; however, in these cases, school officials often collaborate with local government officials to prevent religious minority children from attending. The state and federal governments rarely intervene to uphold FoRB or protect the rights of these children.



Girl from Hidalgo

In the communities of Rancho Nuevo and Coamila, in Huejutla Municipality, Hidalgo, Protestant families have been removed from the register of inhabitants, essentially erasing their legal existence. As a result, their access to education, healthcare and other government benefits has been denied. In August 2018 in Rancho Nuevo and Coamila local authorities directed that the local school be closed to prevent 16 children, whose parents are Protestant Christians, from attending classes there.

In April 2019, CSW received information that indicated that at least 38 children in the community remained without access to an education. They remain without access to state education.

Forced displacement

Many of the cases of religious intolerance under the Law of Uses and Customs end in the forced displacement of individuals from the minority group. Most of these victims wait years for their cases to be resolved, if they ever are. The act of displacement causes disruption to the children's education. Some parents are reluctant to enrol their children in a new local school, hoping that their displacement is only temporary. Displacement often also means a significant loss of income and children who were in secondary education at the time of the expulsion are often expected to seek work in the urban setting, and/or take care of younger siblings, to help the family; meaning they miss out on vital years of schooling and that their possibilities for the future are significantly reduced. Most forcibly displaced families lack a new permanent residential address which proves another obstacle to enrolling children in a local school. In other cases the violent nature of the forced displacement, with families fleeing their homes and leaving their belongings behind, often means the parents lack the necessary paperwork to enrol their children in a new school; most are unable to return to their community to obtain the documents.

Even when Mexican government officials fail to intervene, international attention to these cases can help. In one example, Kevin González Morales from San Miguel Chiptic, Chiapas was expelled from his community with his family in spring 2018. In January 2019, Kevin told CSW he hoped to be a doctor one day, but his family's forced displacement meant that he missed over a year of schooling. In September 2019, CSW received news that international pressure through campaign efforts and local lobbying by Mision 21 Gramos, meant that Kevin was able to resume his education.



Kevin from San Miguel Chiptic, Chiapas

There are no official figures on the number of children who have been denied an education because of their religious beliefs or those of their parents, because of the abuse of the Law of Uses and Customs. This is partly because these cases usually occur in tandem with forced displacement or deprivation of other basic services, for example water and electricity, and are rarely reported as a separate violation.

CSW's partners told CSW that it is likely that hundreds of children remain without access to an education as a result of the religious beliefs of their parents.

Right to water, electricity and other basic services

Article 4: 'Everyone has the right to access, disposal and treatment of water for personal and household consumption in sufficient measure, safely, acceptably and affordably.'

One of the most common violations associated with attacks on FoRB is the cutting off of basic services, including water and electricity. Denial of access to water creates a burden for those who are targeted and can lead to serious health issues such as parasitosis, amoebiasis, malnutrition, diarrhoea and gastrointestinal disorders.

In one example in October 2018, Gabriel Lara Antonio and Gilberto Badillo, both members of the Protestant Evangelical Missionary Baptist Church of Mexico and residents of Cuamontax del Huazalingo in the state of Hidalgo, requested that they be excused from required financial contributions and community work linked to the celebration of Roman Catholic festivals and activities associated with Xantolo.

The activities for which they requested exemption included Roman Catholic Masses held in the public village cemetery. Lara Antonio and Badillo expressed a desire to continue to contribute to and participate in all non-religious community activities.



Entrance sign for Cuamontax del Huazalingo

Village leaders refused the men's request and issued them with illegal fines. When the two men continued to refuse to participate in the religious activities, the village leaders cut off their electricity on 8 November 2018 and their access to water and sewage services on 25 November 2018; their access to these services was not restored before they were forcibly displaced in July 2019.

In another example, on 14 January 2019 authorities cut water and sewage services to two Protestant Christian families in La Mesa Limantitla, Huejutla Municipality, Hidalgo state. They are no longer recognised as members of the community and now must walk a kilometre to access water. On 22 July 2019 a further eight families from the community were forced to sign an agreement renouncing their faith; they are no longer allowed to participate in Protestant religious services.

State government officials rarely intervene to restore access to water and electricity, although these are both public services and the denial of basic services can continue for years. Those responsible for cutting the services are rarely held to account for their actions, and as a result victims remain vulnerable.

Mision 21 Gramos reported to CSW that a significant number of cases in Chiapas remain open and unresolved. In one example approximately 31 Protestant Christian families in Mariano Matamoros, Venustiano Carranza Municipality, Chiapas have had access to water, sewage and other basic services denied since 2012; as a result these families have suffered a variety of illnesses such as diarrhoea, gastrointestinal diseases, parasites and malnutrition. According to Mision 21 Gramos, the deaths of two elderly men suffering from diabetes can be linked to some degree to their lack of access to water because of their religious beliefs.[14]

On 28 October 2018, community leaders cut off another man's access to water after he began attending the Protestant religious services in the community. Similarly, in Barrios San José, Teopisca municipality, also in Chiapas, 15 Protestant families have been without access to water since May 2016. In a third example in Chiapas, ten Protestant Christian families from El Encanto, Las Margaritas Municipality, have been without water since 26 November 2016. In July 2018, the community began to install sewage services in the community, but did not install these services for the Protestant Christian families. In July 2019 the community began upgrading the electricity services. The electricity company would not install electricity for the affected families until an agreement was made between the Protestant Christian families and the community leaders. Three Protestant Christian families were forced to cooperate with taxes for Roman Catholic festivals in order to receive access to basic services. Seven Protestant Christian families have resisted pressure to pay taxes for these festivals, and remain without access to basic services as a result.



Streets in San Cristobal de las Casas

Another long term case is that of Miguel Pérez Diaz and his family in Tajlevilhó, San Andres Larrainza Municipality, Chiapas, which, according to Mision 21 Gramos, has been ongoing for over four years. In October 2015 local authorities in Tajlevilhó realised that members of the Vision of Faith Christian Evangelical Church in Mumuntic community, Chamula municipality had visited Tajlevilhó and prayed with Pérez Diaz and his family. The family received a warning that they were not permitted to practise a religion other than Roman Catholicism. In December 2015 community leaders cut off the family's access to water and electricity. When the family attempted to reconnect these services they were arbitrarily detained for approximately 26 hours. They were forced to pay an illegal fine of MXN10,500 (approximately GBP434 or USD565) in order to reconnect water services. The family did not have the means to pay the local authorities; therefore the local authorities accepted part of the family's terrain as a form of payment.



Miguel Pérez Diaz and his family in Tajlevilhó, San Andres Larrainza Municipality, Chiapas

On 10 May 2018 local authorities cut off access to the Pérez family's water services again, without issuing a prior warning to the family. Local authorities justified the denial of services because the family no longer wished to participate in traditional Roman Catholic festivals. Local authorities arrived at the family's home and cut the water pipe in such a way that there was no possibility of reconnection. The family found a tap available at a distance, where they could drink water. Several times when it was not raining, they carried water to their homes in secret. When it rained they collected water in bottles.

In April 2019 the local authorities caught the Pérez family collecting water and as punishment detained Pérez Diaz for approximately four and a half days.

As a condition of his release from detention, he was forced to sign a document agreeing to an illegal fine of MXN5,000 (approximately GBP207 or USD269) annually to have the family's access to water reinstated. He was given a month to obtain the money. The fine was eventually paid by some acquaintances.

In cases where the state government takes action to restore services, it is often done through negotiated, extra-legal agreements.

For example, Mision 21 Gramos reported that under the terms of one of these officially negotiated agreements on 27 October 2018, 23 Protestant families in Yocnajab el Rosario, Comitán Municipality, Chiapas were forced to pay an illegal fine of MXN5,000 (approximately GBP207 or USD269) per family to have access to water reinstated.

Right of burial

Law on Religious Associations and Public Worship, Article 2(c): 'Not to be a target of discrimination, coercion or hostility because of their religious beliefs, nor to be obligated to publicly state their beliefs.'

A common violation associated with freedom of religion in Mexico is the denial of the right to burial. The cemeteries concerned are state property[15] and are therefore open to the public, regardless of the faith of the deceased.

However, many local authorities in states where the incidence of FoRB violations is high, frequently use access to the cemetery as a pressure point, denying the right of burial in the cemetery if the deceased or their family are of a minority faith.

On 12 April 2018, CSW received reports that Diego Hernández Solórzano, the local community leader in Coamila, Huejutla Municipality, Hidalgo refused to allow the burial of a baby in the local cemetery because the baby's parents did not belong to the majority religious group. The parents were forced to travel to the capital of the municipality in Huejutla to bury their baby.

The same year, in Chiapas, Mision 21 Gramos reported that village authorities in Yocnajab el Rosario, Comitán Municipality blocked the local Protestant community from burying one of their dead in the village cemetery because they had refused to contribute financially to and take part in a Roman Catholic festival. The families were forced to bury Mrs Consuelo Méndez Hernández in the municipal capital on 29 September 2018.



Cross in San Cristobal de las Casas

Often the state's response to these violations is to contain the situation by paying illegal fines instated by local authorities, rather than address the root cause and to ensure that FoRB is upheld. Without intervention from the state government to ensure all are granted access to state cemeteries, many consider the only alternative to be the purchase of land for a private, religion-specific cemetery. This remedy requires the victims to find a solution and highlights the failure of the state, at all levels, to maintain rule of law and uphold FoRB.

Right to property

Article 27: Private property shall not be expropriated except for reasons of public use and subject to payment of indemnity.

15 Cemeteries were nationalised and made state property in 1859 by President Benito Juárez under the Law for Secularising Cemeteries to ensure equal burial rights for all.

In many cases, rising tensions and an absence of state intervention to uphold FoRB result in violations of the property rights of minority religious groups. Attacks against their properties range in severity and include threats and attacks on homes, personal property and places of worship.

Often threats of violence to property come first.

In Tajlevilhó, San Andres Larrainza Municipality, Chiapas, local authorities convened a meeting in June 2019 where they agreed that if the Protestant family did not pay an illegal fine their home would be burnt down and destroyed.



Members of Miguel Pérez Diaz's family in Tajlevilhó, San Andres Larrainza Municipality, Chiapas

The municipal president sided with the community and the Protestant family was forced to pay an illegal fine of MXN5,000 (approximately GBP207 or USD269). The family took out a loan in order to pay the fine, but the monthly interest on the loan was so high that they were compelled to sell two hectares of their land in June 2019 in order to pay the debts.

Frequently, threats of violence to property are carried out, either to force families to flee their homes or to prevent families from returning to the community. The illegal confiscation and destruction of land often deprives the victims of their main source of income. In one example, five Protestant families were forcibly displaced from their homes in Napite community, San Cristobal de las Casas Municipality, Chiapas, on 20 October 2019. In the days following, members and leaders of the community entered the family's homes and destroyed them. Animals were let loose on the families' land to destroy their crops and main source of income. Despite a complaint filed with government offices by the victims, no action has been taken to restore the property of the victims nor to hold the village officials to account for their illegal actions.

In Rancho Nuevo and Coamila communities, Huejutla Municipality, Hidalgo, families who have converted away from the majority religion have seen their land targeted by other members of their community who know they have no means of protecting their land and that the government is unlikely to intervene. At the end of 2019, community members cut down trees located on the land belonging to the Protestants and sold the wood.[16]

In some cases property is arbitrarily confiscated, rather than destroyed, in order to pressure the religious minority families and inhibit their use of the land. Land may also be divided among other community members for their own benefit and use. In May 2019 community leaders attempted to forcibly displace a Protestant family from their land in Santa Lucia Buenavista, Jamiltepec Santiago Ixtayutla Municipality, Oaxaca by dividing the land that belongs to them in order to distribute it to Roman Catholic community members. Despite an agreement made in 2017 to respect the family and their religious beliefs, they continue to experience harassment on the grounds of their religious beliefs. In another example, in Cuamontax, Huazalingo Municipality, Hidalgo in October 2019,

16 The production of lumber is one of the main economic activities in this community and trees are a valuable commodity.

the community leaders gave Uriel Badillo Lara, who had been forcibly displaced three months earlier, one week to collect his belongings, threatening to distribute them among members of the community if he did not obtain them.



Protestant family from Santa Lucia Buenavista, Jamiltepec Santiago Ixtayutla Municipality, Oaxaca

The majority of FoRB violations involve Protestant Christians who have converted away from the majority faith; however, other groups, including Jehovah's Witnesses, are also affected. There are also cases involving Jehovah's Witnesses. It is believed that Jehovah's Witnesses experience some of the most frequent attacks on their FoRB in Mexico, but there are no official figures regarding these cases.

In 2019 the General Directorate for Religious Associations (DGAR) within the Interior Ministry (SEGOB) at the federal level reported that the authorities of Tamalcuatitla and Tetla communities, Yahualica Municipality, Hidalgo, had summoned the inhabitants of both villages to agree to the expropriation of the property of Aristeo Hernández Hernández and his family, and their forced displacement from Tamalcuatitla, on the basis that the family are Jehovah's Witnesses and do not belong to the majority religion.

Freedom from arbitrary detention

Article 9 of the Universal Declaration of Human Rights: 'No one shall be subjected to arbitrary arrest, detention or exile.'

Another common violation associated with freedom of religion in Mexico is that of arbitrary detention. In one example, on 1 February 2019 Gabriel Lara Antonio and Gilberto Badillo from Cuamontax, Huazalingo Municipality, Hidalgo, were arbitrarily detained and illegally imprisoned for 24 hours in an effort to force them to participate in the traditional Roman Catholic festivals.

Detainees are often subjected to violence or the threat of violence in order to force them to participate in traditional Roman Catholic activities. In another example, in June 2019, authorities in Tajlevilhó, San Andres Larrainza Municipality, Chiapas arrived at Miguel Pérez Diaz's home accompanied by a mob of about 20 people carrying sticks and machetes. They threatened and harassed his family and arbitrarily detained Pérez Diaz once again for about 72 hours. A community meeting was called at which the authorities pressured the family to pay another fine, threatening to burn down their house if they did not.

Arbitrary detention is often also used as a tool by community leaders to prevent detainees from attending important meetings regarding their future in the community. On 19 October 2019, community leaders in Napite, San Cristobal de las Casas Municipality, Chiapas arbitrarily detained four men following their attendance at a religious service under the pretext that the type of religious service was not permitted in the community. Enrique Gómez Lopez, Aureliano Pérez Enzin, Silvestre Senovio Gómez Lopez, and Leonardo Pérez Diaz were detained in the community jail from approximately 10am until 6pm. While they were in the jail a community meeting was held and an agreement made to remove them from the community register, essentially stripping them of their legal identity, and blocking them from access to all social programmes, essentially erasing their existence in the community.

Right to work

Law on Religious Associations and Public Worship, Article 2: 'Religious reasons cannot be invoked in order to impede anyone from engaging in any kind of work or activity.'

As noted in the case of Napite community, San Cristobal de las Casas Municipality, Chiapas in the

previous section, one objective of the arbitrary destruction of property is to remove the victims' ability to earn a living. Most of the communities affected are rural, and composed of small scale farmers with low levels of education and who speak Spanish as a second language, if at all. Barred from working their land, they are often left with few alternatives to earn an income. In the case of Santa Lucia Buenavista, Jamiltepec Santiago Ixtayutla Municipality, Oaxaca, mentioned in the previous section, it is believed that their donkey, which was essential for their work, was killed to deprive them of their ability to work and earn an income to support themselves and their families.

After religious tensions increased in the community of Cuamontax del Huazalingo in the state of Hidalgo, Uriel Badillo Lara, the adult son of Gilberto Badillo and also a Protestant Christian, lost his only source of income after village leaders shut down his small business. Despite complaints to regional and state authorities, no action was taken to protect the victims' rights.



Uriel Badillo and his wife, Hidalgo

In more extreme cases, where forced displacement occurs, the victims are also separated from their land and often forced to take refuge in larger cities where they have limited employment opportunities due to linguistic barriers and education levels. Many of the forcibly displaced religious minority communities interviewed by CSW in Hidalgo, Oaxaca, Chiapas and Guerrero in October, November and December 2019 are living in extreme poverty. The groups are composed of families, including infants and the elderly. They are dependent on government assistance, which is not always forthcoming or easy to access, or charity from local churches, which are often operating with limited resources.

The working age adults and indeed children in these communities, who usually have few transferable skills in an urban setting, are often forced to seek work in the informal sector. This leaves adults and children from minority groups vulnerable to human traffickers and others who would take advantage of their situation.

Most reported that their homes and lands had been taken over by the same people responsible for their expulsion, and expressed doubt as to whether they would ever be able to recover their property.

Right to worship

Law on Religious Associations and Public Worship, Article 2: 'The State of Mexico guarantees to the individual, the following rights and freedoms as they pertain to religion: a) To hold or to adopt the religious belief of one's choosing and to practice, individually or collectively, the acts of worship or rites according to their preference.'

In the majority of cases the right to worship is consistently violated.

Local officials seek to bar the members of the minority religious group from engaging in any kind of religious activity, whether that be Sunday morning church services, Bible studies or meeting together for prayer.

This is exemplified by the case mentioned in 'Freedom from arbitrary detention', Napite, San Cristóbal de las Casas Municipality, Chiapas. On 19 October 2019 Pastor Octavinao Perez Santiz arrived in the community to lead a regularly occurring Protestant service. Community leaders arrived and ordered everyone to leave, asserting that that type of religious service is not permitted in the community.



Young boy from Tajlevilhó, San Andres Larrainza Municipality, Chiapas

Prior to this, on 3 September 2019, Silvestre Senovio Gomez Lopez was arbitrarily detained in Napite for holding a religious service. He was subsequently forced to agree to no longer invite any pastors to the community, hold any kind of religious services or preach.



Meeting with Napite community, San Cristobal de las Casas Municipality, Chiapas

Some villages and municipalities have implemented local regulations that ban the entry of religious minorities. Often anyone perceived as defying this ban is met with severe consequences. On Saturday 19 May 2018, Samuel Vázquez Sánchez from the community of Santo Domingo Corona, Las Margaritas Municipality, Chiapas, went to visit the families in San Miguel Chiptic[17] who had had their fences destroyed and had been threatened with the destruction of their homes in March and April 2018. He sang and prayed with them. He returned to his home the same day. On Wednesday 23 May 2018 when he passed through San Miguel Chiptic in his vehicle, the authorities identified him and detained him, on the charge of preaching the gospel. Sánchez notified the leaders of his church in Santo Domingo Corona of his detention and asked them to negotiate on his behalf. Sánchez's uncle sought to find him but was arrested on the same charge. They were both arbitrarily detained in San Miguel Chiptic, where authorities demanded MXN50,000 pesos each for their release, approximately USD2,542 or GBP1,915 per person.

Forced participation in religious activities

Law on Religious Associations and Public Worship, Article 2: 'The State of Mexico guarantees to the

17 This case is explained in depth in 'Forced displacement'.

individual, the following rights and freedoms as they pertain to religion:… b) Not to profess religious beliefs, to abstain from practicing religious rites and acts and not to belong to a religious association… d) Not to be obligated to lend personal services nor to contribute money or any other kind of support to an association, church, or any other religious grouping, nor to participate or contribute in the same way to rites, ceremonies, festivals, services or acts of religious worship.'

Government officials, usually at local and municipal levels, and sometimes at higher levels of government, frequently attempt to compel citizens to participate in religious activities. Many of the conflicts in areas where the Law of Uses and Customs is in effect, arise from an expectation that all members of a given community will participate fully in the majority religion activities, through financial donations, labour contributions and physical participation.



Protestant woman from El Mesón Zapote

On 23 May 2019 several Protestant Christians from El Mesón Zapote, Ayutla de los Libres Municipality, Guerrero were threatened with imprisonment and illegal fines if they did not accept Roman Catholic leadership roles in the community. Agreements were signed stipulating that the rights of all families in the community should be respected and that members of the minority religion family did not have to take up positions that conflicted with their religious beliefs. However, in a meeting with CSW on 7 December, victims told CSW that the agreements are not being respected and that one man has been forced to accept a position which involves looking after people at the traditional Roman Catholic festivals.

In areas where the Law of Uses and Customs is in effect it is often expected that all members of a given community will participate in religious activities and festivals celebrating the locale's Roman Catholic patron saint. In one example, on 21 April 2019, 12 Protestant men from 'Christ is Coming Guided by the Holy Spirit' Pentecostal Church in Chiquinivalvo, Zinacantán Municipality, Chiapas were arbitrarily detained. The arbitrary detention followed a local assembly meeting where Juan Hernández Pérez, the church pastor, had declined a position as religious administrator of the traditional 'de la Santa Cruz' Roman Catholic celebrations, which were scheduled for 3 May.

The men were released after complaints were made to the municipal and state authorities, but they were then denied access to water and electricity. An agreement was made between the 12 Protestant Christians and the local authorities which restored their access to water and electricity but obligated them to contribute towards traditional Roman Catholic festivals and take up community leadership roles with religious components. However, according to Mision 21 Gramos, the Protestant Christians did not accept the terms of the agreement and remain without access to water.

Citizens who convert away from the majority faith, and those who remain Roman Catholic but do not wish to participate in the activities around the festival, are often targeted for punitive measures. On 18 November 2019 Filiberto Hernández López, a Protestant from Guadalupe Shucun, Zinacantán Municipality, Chiapas, was arbitrarily detained when he declined the position of mayor of the community, a position which includes the responsibility for and authority to organise the traditional Roman Catholic festivals and religious activities. He was illegally fined and later released. He has since been threatened with forced displacement. Under pressure from the local authorities and the village assembly, he was forced to sign an agreement and take up the position of mayor.

Indigenous women's rights

Article 2B: 'In order to promote equal opportunities for indigenous people and to eliminate discriminatory practices, the Federation, the Federal District, the States and the local councils shall establish the necessary institutions and policies to guarantee indigenous people's rights and comprehensive development of indigenous communities. Such institutions and policies shall be designed and operated together with them. In order to eliminate the scarcities and backwardness affecting indigenous towns and communities, authorities are obliged to:...V. Promote indigenous women's development

by supporting their productive projects, protecting their health, granting incentives for their education and fostering indigenous women's participation in decision-making process of their communities.'



Woman in Guerrero

Indigenous women who are also part of religious minorities often experience FoRB violations in unique ways. They are often, for example, blocked by local authorities from receiving government benefits specifically allocated to indigenous women. Communities operating under the Law of Uses and Customs are often the target of a number of government programs. In 1997 the Mexican federal government launched a programme (Prospera[18]) designed to influence education, health and nutrition in poor communities. Since then, it has been used by local officials as a way of pressuring women, children and families to join the majority religion. In one example, on 25 May 2019 two Protestant Christian women from El Mesón Zapote, Ayutla de los Libres Municipality, Guerrero were threatened that if they did not convert to the majority religion they would be blocked from accessing government benefit programmes, including the provision of fertiliser and manure for their crops, which are their only source of food and income.

While depriving religious minorities of access to basic services[19] such as water, electricity, sewage services and education, women within these groups can be singled out for especially harsh treatment. In one example, as two Protestant Christian families in La Mesa Limantitla, Hidalgo, had their access to basic services denied as a result of their religious beliefs in January 2019 a woman from one of the families was simultaneously stripped of her position as the community representative for a government wellbeing programme ('Bienestar'). The same woman was systematically ostracised and left without support, after the local authorities threatened community members that if anyone visited her during her recovery from a hysterectomy operation on 22 July 2019, they would also have their access to basic services cut off. The woman told CSW that as a result no one visited her or offered support following the operation. The woman's daughter-in-law, who was living with her as her carer following surgery, was forced to return to her own home in the community because she is pregnant and could not manage any longer without access to water and sewage services, leaving the woman isolated and alone.

In some of the most extreme cases, women have been subjected to sexual assault because of their religious beliefs; however, this is likely to be severely under-reported because of the stigma associated with sexual assault. In general, FoRB violations uniquely affecting women are likely to be underreported due to a more general culture of male dominance. When communities of victims are approached, most meetings are exclusively held with men or the men often dominate conversations, speaking on behalf of their families and wider community. Even if they are given room to speak, women are unlikely to talk about their unique experiences of FoRB violations, especially if those experiences involved sexual assault.



Woman and child, Guerrero

18 The program was originally known as PROGRESA (Programa de Educación, Salud, y Alimentación) in 1997, was restructured and renamed Oportunidades in 2002, and renamed Prospera in 2014.
19 CSW, 'Village authorities cut utilities to Protestants', 16 June 2015 www.csw.org.uk/2015/06/16/news/2630/article.htm

Civil and political rights

Article 35: Rights of citizens: I. Right to vote; Article 2A: …III. 'In no case the communitarian practices shall limit the electoral or political rights of the citizens in the election of their municipal authorities.'

Local and municipal officials frequently strip the local citizens of their rights and legal access to benefits as yet another way to pressure them to join the majority religion. In the communities of Rancho Nuevo and Coamila, in Huejutla Municipality, Hidalgo, Protestant families have been removed from the register of inhabitants, essentially negating their legal existence and stripping them of their ability to vote on community matters. Similarly, community leaders in the aforementioned Napite, San Cristobal de las Casas Municipality, Chiapas stripped four Protestant Christian men of their legal identity, by removing them from the community register, blocking their access to social programmes and the right to vote.

In another example, in the La Mesa Limantitla, Huejutla Municipality, Hidalgo, local authorities stripped two Protestant Christian men of their rights as community members and when it came to the development of ecotourism in the community, the two men were excluded from the community discussions.



Entrance sign for La Mesa Limantitla

Forced displacement

Article 24: 'Everyone is free to embrace the religion of his choice and to practice all ceremonies, devotions, or observances of his respective faith, either in places of public worship or at home, provided they do not constitute an offense punishable by law.'

In the most extreme cases and in the face of government inaction to uphold FoRB, forced displacement takes place as hostilities against religious minorities escalate.

Forced displacement is often accompanied by violent mob action, physical violence, and damage and destruction of property. Once displaced, victims have limited options in the absence of government assistance and intervention. Many communities have spent years in a state of displacement, waiting on state government promises of a 'solution' to their cases.

Uriel Badillo Lara, Adelina Simón Pozos,Gilberto Badillo and Agustina Lara were forcibly displaced from their home in Cuamontax community on 28 July 2019, as a result of the ongoing harassment they had been experiencing since October 2018 when they refused community work and financial contributions associated with the traditional Xantolo festival. They have not been able to return to the community and are currently living in temporary accommodations, with no access to work. To date Badillo Lara has resisted signing an agreement to renounce his faith, despite coming under direct pressure from the regional government Religious Affairs Officer, Jose Antonio Vital, and the state Religious Affairs Officer, Ivan Huesca, to do so. Vital and Huesca have made numerous statements to the press indicating that the 'problems' (referring to the denial of access to basic services, illegal fines, arbitrary detention, and other human rights violations referenced earlier) are the fault of the Protestant Christians because they are not cooperating with the majority religious group.

State government officials often relocate displaced communities in an attempt to provide a remedy for the original displacement. However, this approach fails to address the root cause of the problem, or

to hold the perpetrators of the FoRB violations to account through the legal system.

In addition, simply relocating religious minorities undermines attempts to build religious pluralism and tolerance by creating new communities based on a single religion while allowing the previous community to continue in its enforcement of the majority religious beliefs.

In August 2013, a family from the Seventh Day Adventist Church in San Miguel Chiptic, Altamirano, Chiapas had their house destroyed by local community representatives. The family did not take legal action as they had hoped to reach an agreement with the local community representatives but were unable to do so. On 15 March 2018, at 2pm, local community members destroyed the properties of three more families belonging to the Seventh Day Adventist Church. The families received threats on 4 March 2018 that if they did not renounce their faith their houses would be destroyed and they would be forcibly displaced. The municipal police were aware of the threats but did not take investigatory action; there was initially no response from municipal or state authorities.



Scenery in Chiapas

In September 2019 the community members signed an agreement with government entities. The agreement does not allow the displaced families to return to their community, but it creates a new and independent community for them and explicitly says that San Miguel Chiptic will continue to be Roman Catholic. The presence of two physical, legal communities that have a specific, restrictive religious identity is likely to create further problems in the future. Furthermore, the agreement allows for the release of the man who destroyed the property, demonstrating the culture of impunity that can exist around FoRB violations in Mexico.

CSW has also received reports of forced displacement in Oaxaca, Hidalgo, Puebla, Guerrero and Jalisco. On 4 December 2017, 42 Jehovah's Witnesses and 24 Protestants (13 of whom were children) were forcibly displaced from Tuxpan de Bolaños in Bolaños Municipality, Jalisco after local authorities destroyed most of their homes. The expulsions of religious minorities from Tuxpan de Bolaños followed the forcible displacement of 20 Protestant families (approximately 50 individuals including children) in January 2016, from the same village. In December 2015 a resolution adopted by the village assembly stated that the Protestant members of the community would be expelled if they refused to convert to Roman Catholicism. The Jalisco State Human Rights Commission recommended community dialogue to resolve the issue in December 2015. The government officials took no action to address the first forced displacement in January 2016. Despite warnings officials also did nothing to prevent the 2017 displacement. To date these families have been unable to return to their village.



Alma in Jalisco

State officials tasked with dealing with religious affairs, including violations of FoRB, are often lacking in the required knowledge, training and resources to carry out their job. As a result, once a community is

displaced because of religious violence and threats, they can expect to wait years for their case to be resolved, if it ever is.

Those affected by displacement are a minority within an already marginalised indigenous minority in their states; their plight is largely unknown among the general public and is disregarded by the government at all levels, which sees no political advantage to helping them.

Mediation and informal agreements

State government narratives about FoRB violations are often confusing and contradictory, and are frequently aimed primarily at reducing statistics of FoRB cases. This, along with a lack of full and thorough investigations, means that a culture of impunity surrounds the majority of cases.

In government meetings held during CSW's 2019 fact-finding assignment to Mexico, it was apparent that officials have little confidence in their laws, and rule of law. Officials point to the fact that although strong laws exist on a general level, they are rarely enforced.

This creates a cycle in which people break the law but rather than engage justice mechanisms through the legal system, government officials seek to 'mediate,' 'negotiate' or find an 'agreement' between victims and perpetrators. Aside from concerns about government unwillingness to uphold rule of law, this approach also has a fundamental flaw: if people will not obey the law, why would they obey an 'agreement'?

This language of 'agreements' in the face of human rights violations and criminal activity is problematic. Agreements can only work if the government intervenes before a crisis and should only be a solution if no crimes have taken place.

However, CSW has observed that many agreements have been negotiated by lawyers and government officials who lack a strong understanding of FoRB. As a result, agreements do not result in just outcomes and may invite further restrictions on FoRB.

In Cuamontax, mentioned earlier, an 'informal' agreement (see appendix) from February 2019 left the Protestants in the same position as before – they were still forced to participate and contribute financially to Roman Catholic festivals, and Protestants are banned from the village. One Protestant signed, under pressure, but another refused and was later forcibly displaced with his family. Despite formal complaints and the fact that these events were covered by the local press, the government again took no action to protect the Protestant Christians' rights or to hold to account those responsible for the human rights violations against them.

If the negotiation of agreements is done in a timely way before any crimes have been committed, then this form of community mediation could be a constructive approach. Even in these cases, however, the government needs to ensure that they have a FoRB expert on hand to review the agreement and make sure that any agreement is in line with the Mexican constitution and international law.



Meeting with Protestant families from La Mesa Limantitla

In the case of the aforementioned La Mesa Limantitla, local and state government officials proposed a similar 'agreement' which the Protestant Christians refused to sign. Many communities living under the conditions of these agreements, which often go back several years, continue to experience violations of the right to FoRB.

Right to life

Attacks against religious leaders

Article 6 of the ICCPR to which Mexico is party: 'Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.'

The spread and entrenchment of violent criminal groups across Mexico has had a substantial and devastating impact on freedom of religion in many parts of the country. Criminal groups often demand total cooperation on the part of civilians in areas under their influence. Civil society institutions, including religious groups, are often seen as competition in the criminal groups' goal of total and active loyalty from the population. Some criminal groups have also incorporated religious beliefs into their identity, and seek to enforce the practice of these beliefs in areas under their control. A significant portion of the income of the drug cartels battling for power and territory across Mexico comes from extortion, and many of the groups see churches as attractive targets. In addition, churches are often perceived by the illegal groups to be useful fronts for money laundering. Church leaders who openly refuse to cooperate with the criminal groups in any of these areas, or who simply attempt to remain independent, often face severe repercussions. This, in turn, has a chilling effect on the free exercise of religion.



Pastor from Guerrero

In Mexico, religious leaders often fulfil the role of community leaders. In an interview with CSW, Father Omar Sotelo Aguilar, director of the Catholic Multimedia Centre (CCM), explained,

'Religious leaders are a target for organised crime for multiple reasons; however, there are some patterns which indicate that violence against priests and their pastoral support staff can be attributed to the fact that a priest contributes to social stability. By targeting these figures with disappearances, extortion and threats, the parish area is destabilised; members of organised criminal groups take advantage of this to impose a culture of silence and terror. These are key factors in the development of corruption, injustice, violence and death.'

Seven priests were killed in 2018 and one priest was killed in 2019.

According to the CCM 44 priests have been killed in the last decade, and more than 80% of the registered cases involving the murders or disappearance of priests remain open.

Currently the states with the highest rates of crime are Guerrero, Michoacán, Veracruz, Tamaulipas, México, Jalisco and Mexico City. Individual Protestant leaders report similar trends in their churches and denominations; however, threats and attacks on Protestant leaders are less well documented. In 2019 CSW documented ten attacks on Protestant leaders. On 18 August 2019 Alfrery Lictor Cruz Canseco, a Protestant leader from Christian Fellowship Church in the municipality of Tlalixtac de Cabrera, Oaxaca was murdered. Cruz Canseco was waiting in his car after a church service when he was shot and killed. On 24 November 2019 a Protestant leader in Zacatecas was kidnapped before beginning the church service. He was later released, but CSW has been unable to confirm whether or not a ransom was paid to secure his release.

Church leaders have complained that local and state police are quick to label these attacks and murders as 'common crime', most frequently as robberies gone wrong, rather than investigating the cases fully. In February 2018, for example, Germaín Muñiz García and Iván Añorve Jaimes were attacked when travelling on the Taxco-Iguala federal highway in the state of Guerrero. They were returning home from a religious festival in celebration of the Virgin of Candelaria. Both priests died and others were injured. The state prosecutor released statements which implied that one of the priests had links to illegal armed groups and that the victims bore some level of responsibility for the attack. However, the CCM and the Catholic Church at the state and national levels strongly condemned these statements. The state prosecutor later retracted these statements. A lack of thorough investigation was also demonstrated in the attempted murder of Father Miguel Camacho Méndez of the Sanctuary of Mercy Church, in the parish of Tambaca, Tamasopo Municipality, San Luis Potosi on 3 November 2019. According to media reports, his attacker, who was detained for 48 hours, was later released due to a supposed lack of evidence against him.

In addition to their role as community leaders, religious leaders sometimes take on the role of human rights defenders (HRDs), engaging with various human rights initiatives in order to bring the issues of their respective communities to the attention of those who can provide legal, practical or advocacy assistance. This is exemplified in the case of Pastor Aarón Méndez Ruiz, the director of the Casa del Migrante AMAR migrant shelter in Nuevo Laredo, Tamaulipas on the US-Mexico border.

Pastor Aarón Méndez Ruiz and his co-worker Alfredo Castillo de Luna were forcibly disappeared on 3 August 2019. Neither has been heard from since.

Members of a criminal group came to the shelter looking for Pastor Mendez Ruiz, who was not there at the time, and took Castillo de Luna instead. Upon returning to the shelter, Pastor Mendez Ruiz left to search for Castillo de Luna. It is believed the pastor was targeted because he was protecting Cubans, housed in the shelter, from attempts by criminal groups to kidnap and hold them for ransom. Earlier this year, 15 Cubans staying at the AMAR migrant shelter were kidnapped and returned after ransom was paid but they had been beaten and tortured while in captivity.

On 4 October the Inter-American Human Rights Commission (CIDH) called on the Mexican government to detail what measures it has taken 'to determine the whereabouts or destination' of Méndez Ruiz and Castillo de Luna, to protect the families of the victims and to report on the progress of the investigation. Despite the fact that the two men have been missing for more than seven months now, those close to them report that no communication has been received from either of them, and there has been no ransom demand.

According to the CIDH report on the case, a warning attributed to the Northeast Cartel (Cartel Del Noreste) circulated on social media in the weeks following the two men's disappearance: 'Operation CATAS, sending priests to hell! Every immigrant will pay us here!!! It doesn't matter if they come from or hide in a church. Priests, pastors. [non-Catholic] Priests. Bishops. You are warned.'

Similarly, on 24 October 2019 Father Alberto Ruiz Pérez, a Catholic priest, human rights defender and director of El Refugio Casa del Migrante migrant shelter in Jalisco, was assaulted, extorted and threatened at gunpoint on 24 October. El Refugio Casa del Migrante suspended activities until 3 November 'as a security measure'.

Staff at the shelter, located in the Cerro del Cuatro neighbourhood of Tlaquepaque, Jalisco, received a

phone call at midday on 24 October from someone impersonating a priest. The caller claimed that Father Ruiz Pérez had been in an accident and later called in at the shelter to collect money that they said was needed by the priest. The staff at the shelter gave the fake priest the money and only realised they had been tricked when Father Ruiz Perez returned to the shelter later that day unharmed. Later that evening at approximately 10pm, a couple approached the parsonage requesting a religious service. When they entered, they were joined by five armed men who attacked the priest, holding him inside at gunpoint along with a group of nuns who work at the shelter. The men forced them to cooperate as they searched the rooms and stole MXN20,000 that was intended to build a new chapel in the community.

In a statement published on social media, the El Refugio Casa del Migrante team called on the federal government, local authorities and the state Prosecutor's Office to protect Father Alberto Ruiz Pérez, his family and team and to address what happened as 'a direct and calculated attack against the El Refugio Casa del Migrante team as human rights defenders for migrants'.

Criminal organisations' reasons for targeting church leaders are complex. Church leaders who speak out publicly, for example in sermons, against violence or criminal activity are often perceived as directly challenging the criminal groups' authority. Those who are actively involved in church ministries that support drug and alcohol addicts, migrants – as exemplified in the case above – victims of human rights violations including trafficking, and those looking to leave or avoid involvement in criminal groups, are also at risk. Criminal groups work to coerce church leaders into active cooperation, for example by allowing the criminal group to use the church as a front for money laundering or by turning over money from the offering plate to the criminal group. Church leaders who resist these attempts often receive an ultimatum to 'leave or die'. For example, on 16 June 2019 Pastor Manuel Ramos, a Protestant leader of Horeb Baptist Church in Córdoba, Veracruz was kidnapped. Organised criminal groups demanded MXN1,000,000 (approximately GBP41,345 or USD53,812) from the church as a ransom. The pastor was released on 18 June 2019, but he and his family subsequently fled the area. It is not confirmed if a ransom was paid for his release.

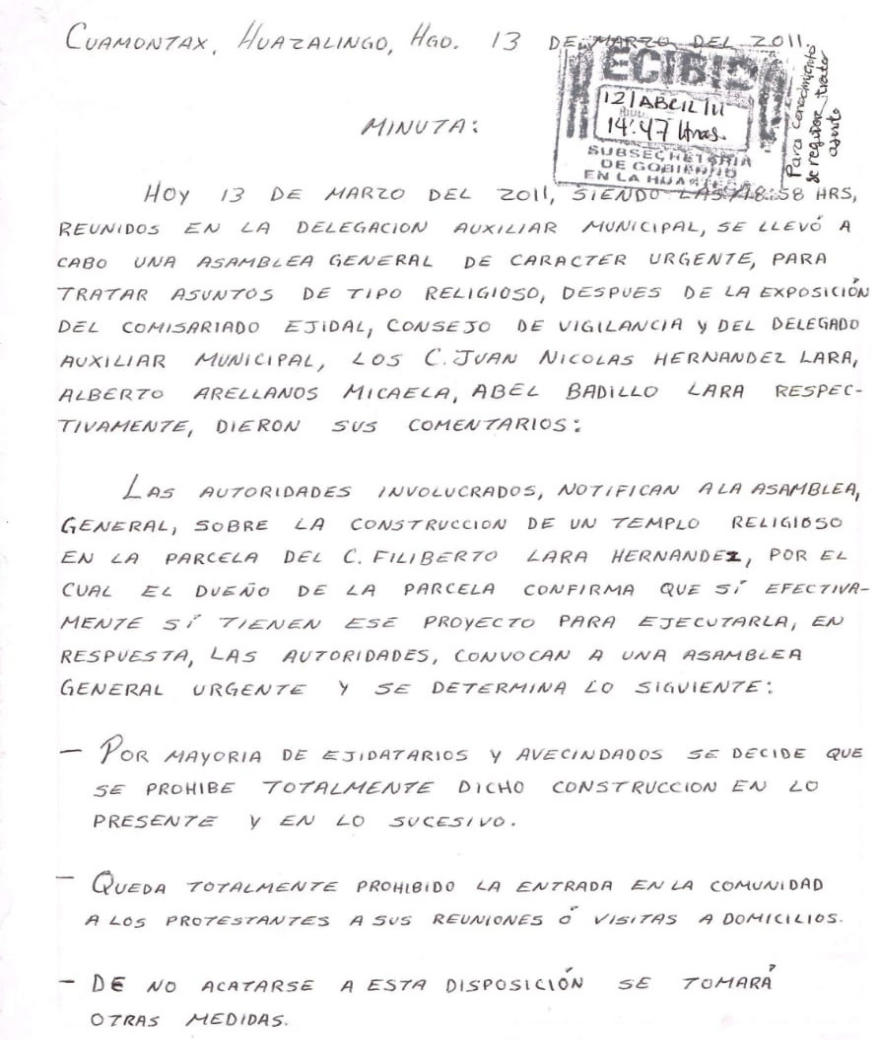
Some criminal groups in Mexico have incorporated religious beliefs and 'black magic' into their identity[20] and this can bring them into direct confrontation with religious leaders who do not share those beliefs. The Zetas group, factions of the Gulf and Sinaloa cartels[21], and some La Mara Salvatrucha, also known as MS-13[22], and Mara 18 members are thought to be significantly involved in the cult of Santa Muerte[23], or Saint Death. Historically, in the state of Michoacán criminal groups La Familia Michoacana and Los Caballeros Templares (Knights Templar) have aggressively promoted their own religious cults, to the extent that some Catholic parishes in the state were shut down and priests withdrawn because of threats from the criminal groups.

The high level of fear engendered by the brutal and very public tactics of the illegal groups to intimidate the population means that church leaders and other victims of these violations of FoRB are usually extremely reluctant to speak out. For example, on 5 January 2019 a Protestant pastor from Oaxaca was murdered. The case was not reported in the media and Mexican partners told CSW that the victim's wife was reluctant to share additional information for fear of repercussions. Moreover, in May 2019 a Protestant pastor reported receiving death threats from an organised criminal group in Oaxaca. In August 2019, a pastor's wife in Zacatecas was violently kidnapped and released several days later. It is not known whether a ransom was paid for her release. While the high levels of fear and lack of documentation makes it difficult to measure precisely the extent of these abuses, both Catholic and Protestant leaders have told CSW that this is one of the most serious problems facing the Church at the current time, and its impact on FoRB has been alarming.

The situation is exacerbated by government inaction, or inadequate action, which has entrenched impunity. Beyond intermittent verbal condemnations, little has been done to address this violence.

20 InSightCrime, 'Mexico, Colombia Drug Raids Reveal Human Skulls, Saints, and Spells', 1 November 2019 www.insightcrime.org/news/brief/mexico-colombia-drug-raids-reveal-human-skulls-saints-spells/
21 Evangelical Focus, 'Christian leaders react to the violence of the Sinaloa drug cartel', 23 October 2019 http://evangelicalfocus.com/world/4837/Christian_leaders_react_to_the_violence_of_the__Sinaloa_cartel
22 Washington Post, '"You feel that the devil is helping you": MS-13's satanic history', 20 December 2017 www.washingtonpost.com/news/retropolis/wp/2017/12/20/you-feel-that-the-devil-is-helping-you-ms-13s-satanic-history/
23 Catholic Herald, 'The Church's life-and-death struggle with Santa Muerte', 11 April 2019 https://catholicherald.co.uk/magazine/the-churchs-life-and-death-struggle-with-santa-muerte/

Appendix



CUAMONTAX, HUAZALINGO, HGO. 13 DE MARZO DEL 2011.

RECIBIDO
12 ABRIL 11
HORA 14:47 Hras.
SUBSECRETARIA DE GOBIERNO EN LA HUAZ...
Para conocimiento de registro trámite cuanto

MINUTA:

HOY 13 DE MARZO DEL 2011, SIENDO LAS 18:58 HRS, REUNIDOS EN LA DELEGACION AUXILIAR MUNICIPAL, SE LLEVÓ A CABO UNA ASAMBLEA GENERAL DE CARACTER URGENTE, PARA TRATAR ASUNTOS DE TIPO RELIGIOSO, DESPUES DE LA EXPOSICIÓN DEL COMISARIADO EJIDAL, CONSEJO DE VIGILANCIA Y DEL DELEGADO AUXILIAR MUNICIPAL, LOS C. JUAN NICOLAS HERNANDEZ LARA, ALBERTO ARELLANOS MICAELA, ABEL BADILLO LARA RESPECTIVAMENTE, DIERON SUS COMENTARIOS:

LAS AUTORIDADES INVOLUCRADOS, NOTIFICAN A LA ASAMBLEA, GENERAL, SOBRE LA CONSTRUCCION DE UN TEMPLO RELIGIOSO EN LA PARCELA DEL C. FILIBERTO LARA HERNANDEZ, POR EL CUAL EL DUEÑO DE LA PARCELA CONFIRMA QUE SÍ EFECTIVAMENTE SÍ TIENEN ESE PROYECTO PARA EJECUTARLA, EN RESPUESTA, LAS AUTORIDADES, CONVOCAN A UNA ASAMBLEA GENERAL URGENTE Y SE DETERMINA LO SIGUIENTE:

- POR MAYORIA DE EJIDATARIOS Y AVECINDADOS SE DECIDE QUE SE PROHIBE TOTALMENTE DICHO CONSTRUCCION EN LO PRESENTE Y EN LO SUCESIVO.
- QUEDA TOTALMENTE PROHIBIDO LA ENTRADA EN LA COMUNIDAD A LOS PROTESTANTES A SUS REUNIONES Ó VISITAS A DOMICILIOS.
- DE NO ACATARSE A ESTA DISPOSICIÓN SE TOMARÁ OTRAS MEDIDAS.

Page 1 of the 2011 'agreement' prohibits the construction of a Protestant church on the property of one of the Protestant families in the village, and also prohibits Protestant Christians from entering the community and attending religious services.



Copia. 12 ABRIL 2011.

UNA VEZ TOMADA ESTA DESICIÓN LOS INVOLUCRADOS, DE LA RELIGION PROTESTANTES, POR OBLIGACIÓN Y DERECHO ESTARAN SUJETAS AL REGLAMENTO INTERNO VIGENTE EN EL EJIDO.

- DAR SERVICIO SOCIAL A LA COMUNIDAD.
- DAR COOPERACIONES ECONOMICAS.
- PARTICIPAR EN ASAMBLEAS.

INGRESADO 12 ABR 2011 COMISION DE DERECHOS HUMANOS VISITADURIA REGIONAL HUEJUTLA, HGO.

NO HABIENDO OTRO ASUNTO QUE TRATAR SE CIERRA LA PRESENTE MINUTA SIENDO LAS 19:20 HRS. DONDE SE INCLUYE LAS FIRMAS Y/O HUELLAS DIGITALES DE LOS QUE INTERVINIERON EN LA ASAMBLEA.

COMISARIA EJIDAL CUAMONTAX, HUAZALINGO, HGO.

CONSEJO DE VIGILANCIA DEL EJIDO DE CUAMONTAX, MPIO. DE HUAZALINGO, HGO.

C. JUAN NICOLAS HERNANDEZ LARA
COMISARIADO EJIDAL

C. ALBERTO ARELLANOS MICAELA
CONSEJO DE VIGILANCIA

P. Padro González Hdez.

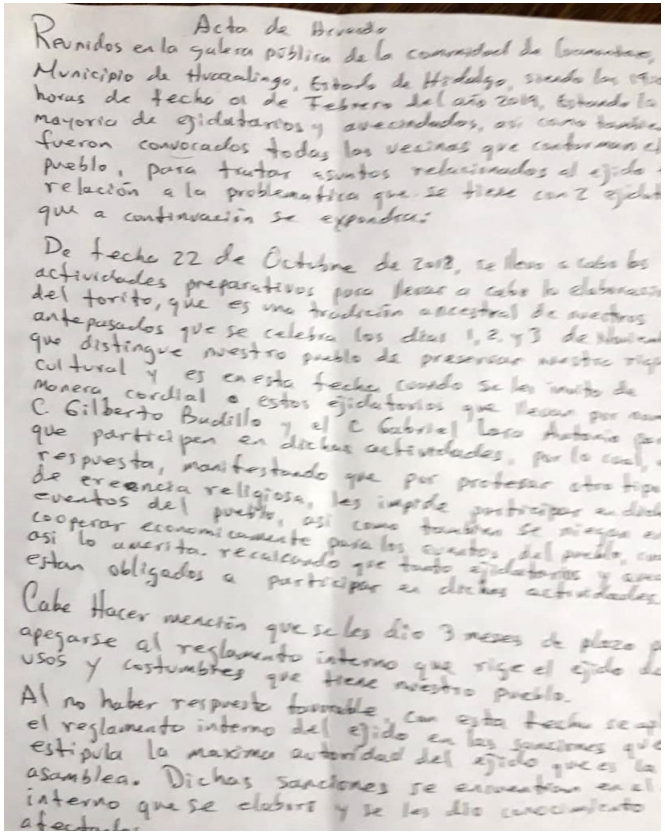
DELEGACION MUNICIPAL CUAMONTAX

LARA
AUXILIAR

GOBIERNO ECLESIASTICO DIOCESIS DE

Page 2 of the 2011 'agreement' states that Protestant Christians must participate in community activities, contribute financially and participate in community assemblies.

Appendix



Acta de Avenido

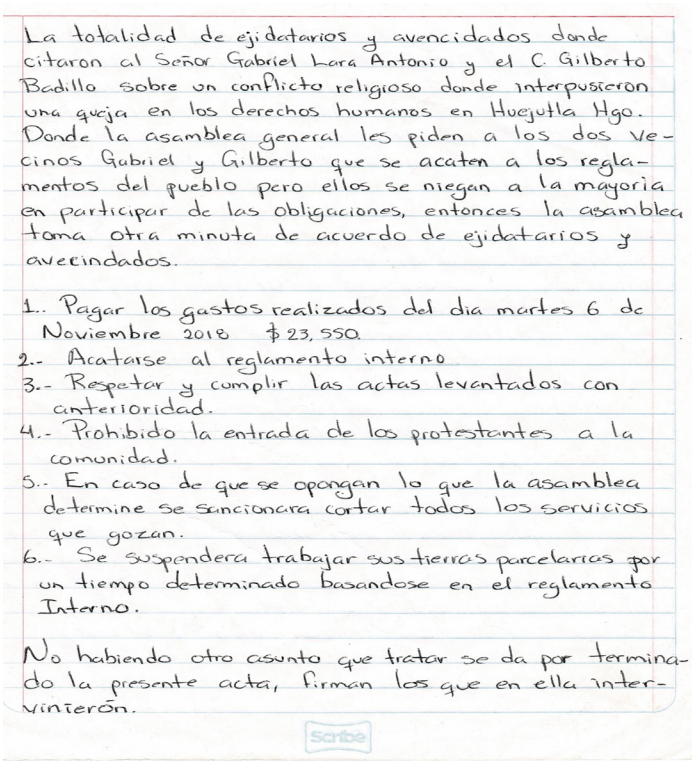
Reunidos en la galera pública de la comunidad de [illegible] Municipio de Huazalingo, Estado de Hidalgo, siendo las [illegible] horas de fecha 01 de Febrero del año 2019, estando la mayoría de ejidatarios y avecindados, así como también fueron convocados todos los vecinos que conforman el pueblo, para tratar asuntos relacionados al ejido relación a la problemática que se tiene con 2 ejidat que a continuación se expondrán:

De fecha 22 de Octubre de 2018, se llevo a cabo las actividades preparativos para llevar a cabo la elaboración del torito, que es una tradición ancestral de nuestros antepasados que se celebra los días 1, 2, y 3 de Noviem que distingue nuestro pueblo de preservar nuestro rig cultural y es en esta fecha cuando se les invito de manera cordial a estos ejidatarios que llevan por nom C. Gilberto Badillo y el C. Gabriel Lara Antonio pa que participen en dichas actividades, por lo cual, respuesta, manifestando que por profesar otra tipo de creencia religiosa, les impide participar en dich eventos del pueblo, así como también se niegan a cooperar económicamente para los cuatros del pueblo, con así lo avalan. recalcando que todos ejidatarios y aveci estan obligados a participar en dichas actividades.

Cabe Hacer mención que se les dio 3 meses de plazo p apegarse al reglamento interno que rige el ejido de usos y costumbres que tiene nuestro pueblo.

Al no haber respuesta favorable con esta fecha se ap el reglamento interno del ejido en las sanciones que estipula la maxima autoridad del ejido que es la asamblea. Dichas sanciones se encuentran en el interno que se elaboro y se les dio conocimiento afectados.

Page 1 of the 2019 'agreement' states that the Protestant Christians refused to participate in activities related to traditional festivals in November 2018.

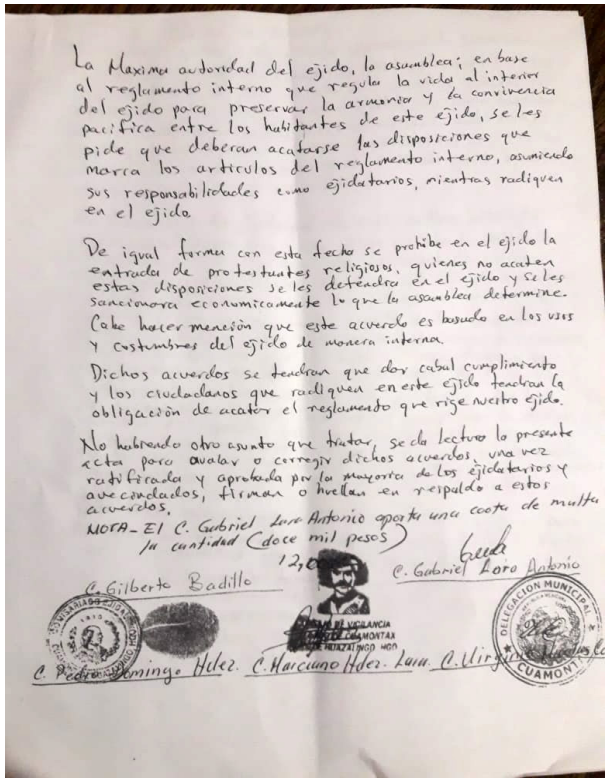


La totalidad de ejidatarios y avecindados donde citaron al Señor Gabriel Lara Antonio y el C. Gilberto Badillo sobre un conflicto religioso donde interpusieron una queja en los derechos humanos en Huejutla Hgo. Donde la asamblea general les piden a los dos vecinos Gabriel y Gilberto que se acaten a los reglamentos del pueblo pero ellos se niegan a la mayoria en participar de las obligaciones, entonces la asamblea toma otra minuta de acuerdo de ejidatarios y avecindados.

1.- Pagar los gastos realizados del dia martes 6 de Noviembre 2018 $ 23, 550.
2.- Acatarse al reglamento interno
3.- Respetar y complir las actas levantados con anterioridad.
4.- Prohibido la entrada de los protestantes a la comunidad.
5.- En caso de que se opongan lo que la asamblea determine se sancionara cortar todos los servicios que gozan.
6.- Se suspendera trabajar sus tierras parcelarias por un tiempo determinado basandose en el reglamento Interno.

No habiendo otro asunto que tratar se da por terminado la presente acta, firman los que en ella intervinieron.

Page 2 of the 2019 'agreement' states that should the Protestant Christians refuse to accept the agreement and financial contributions they would be denied access to basic services and would be denied the right to work their land.



La Maxima autoridad del ejido, la asamblea; en base al reglamento interno que regula la vida al interior del ejido para preservar la armonia y la convivencia pacifica entre los habitantes de este ejido, se les pide que deberan acatarse las disposiciones que marca los articulos del reglamento interno, asumiendo sus responsabilidades como ejidatarios, mientras radiquen en el ejido.

De igual forma con esta fecha se prohibe en el ejido la entrada de protestantes religiosos, quienes no acaten estas disposiciones se les detendra en el ejido y se les sancionara economicamente lo que la asamblea determine.

Cabe hacer mención que este acuerdo es basado en los usos y costumbres del ejido de manera interna.

Dichos acuerdos se tendran que dar cabal cumplimiento y los ciudadanos que radiquen en este ejido tendran la obligación de acatar el reglamento que rige nuestro ejido.

No habiendo otro asunto que tratar, se da lectura lo presente acta para avalar o corregir dichos acuerdos, una vez ratificada y aprobada por la mayoria de los ejidatarios y avecindados, firman o huellan en respaldo a estos acuerdos.

NOTA- El C. Gabriel Lara Antonio aporta una cuota de multa la cantidad (doce mil pesos) 12,0

C. Gilberto Badillo — C. Gabriel Lara Antonio

C. Pedro Domingo Hdez. — C. Marciano Hdez. Lara — C. Ulr...

Page 3 of the 2019 'agreement' stipulates once again that Protestant Christians are prohibited from entering the community and that those who do not cooperate will be detained and fined.