

127 Session of the Human Rights Committee: Human rights concerns in the United Mexican States

A submission by Christian Solidarity Worldwide (CSW)

Introduction

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB). CSW wishes to bring the following concerns and recommendations to the Committee's attention, in reference to Mexico. This submission draws on CSW's research and detailed witness testimonies, and considers Mexico's current commitments to the International Covenant on Civil and Political Rights (ICCPR), with a particular focus on Article 18.

Background

2. Article 1 of Mexico's constitution prohibits discrimination on the basis of religion and Article 24 guarantees freedom of thought, conscience, religion or belief to all citizens, stating: '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.'
3. Mexico ratified the ICCPR on 23 March 1981. However, violations of the right to FoRB have occurred for decades in many states. A concomitant longstanding impunity in religion-related violence, the Law of Uses and Customs and a lack of understanding of FoRB has created an enabling environment for the regular violations against the right to FoRB.

Violations of the right to freedom of religion or belief (FoRB)

4. While the constitution is secular and Article 24 articulates the right to freedom of thought, conscience and religion, this right is not always enjoyed by religious minorities. The widespread influence of Roman Catholicism and pre-Columbian religious beliefs strongly influence public life, especially at the local level. The Law of Uses and Customs, which is in place in parts of the country with a significant indigenous population, guarantees local and regional autonomy to members of indigenous communities and delegates considerable power to local authorities. This law has been abused to justify violations of FoRB.
5. Article 2 of the constitution affirms that Mexico is a 'pluri-ethnic' nation and affords a number of rights to its indigenous peoples, including the right to implement their own social, economic, political and cultural organisation and the right to maintain and enrich their language and culture; with the caveat that this must be practised in accordance with constitutional law and that human rights and gender equality must be respected. Despite these safeguards, cases of gender discrimination and violations of fundamental human rights, including FoRB, occur frequently in many of the areas where the Law of Uses and Customs is in effect. There is often little or no response from state or federal governments to FoRB violations.
6. In many states a culture of impunity exists, but these practises are predominant in the states of Chiapas, Guerrero, Hidalgo, Oaxaca and Puebla. In these states the majority religious group often believes it is their right to enforce religious belief and practice at the local level.
7. In November 2018, in Cuamontax del Huazalingo, Hidalgo state, Gabriel Lara Antonio and Gilberto Badillo, of the Protestant Evangelical Missionary Baptist Church of Mexico requested to be excused from community work and required financial contributions linked to the celebration of Roman

Catholic festivals and activities linked to the Day of the Dead. They expressed a desire to contribute and participate in all non-religious community activities. Village leaders refused to allow this and attempted to force the men to participate in the religious activities, including Catholic Masses held in the village cemetery. When the two men refused to participate, village leaders cut off their electricity on 8 November and on 25 November they cut off their access to water and sewage services. Despite complaints to regional and state authorities, no action was taken to protect the victims' rights. The men continued to resist community pressure to renounce their faith and on 1 February 2019 the situation escalated with the two men being arbitrarily detained and imprisoned for 24 hours in an effort to force them to comply. At the same time, the village leaders placed barbed wire around their homes to prevent entry. On 28 July 2019 Uriel Badillo Lara, Adelina Simón Pozos, Pastor Gilberto Badillo and Agustina Lara, all Protestants, were forcibly displaced from the community. State authorities took no action to prevent their expulsion.

8. On 10 July 2019, two Protestant families from La Mesa Limantitla, Huejutla Municipality, Hidalgo state were threatened with forced displacement if they did not apologise to community leaders and agree to fully participate in all community activities, including contributing financially to Roman Catholic festivals and ringing the Catholic church bells. The case is ongoing and unresolved.
9. On 22 July 2019 local authorities attempted to force 10 Protestant families from La Mesa Limantitla to sign a document renouncing their faith. In August 2019, community leaders cut the families' access to water in an effort to pressure them into complying.

Rights of the Child - education

10. Children belonging to minority religious groups are frequently barred from attending school by local leaders in an effort to pressure their parents to join the majority faith. A number of such cases have been documented in the states of Oaxaca, Hidalgo and Chiapas. State governments have taken little action to protect the right of minority faith children to an education.
11. Children who have been forcibly displaced along with their families because of their religious beliefs are also frequently deprived of their right to an education. Because of the circumstances of their displacement, which often involves violence, many lack the paperwork necessary to enrol in a school in their new place of residence.
12. In August 2018 in Coamila, Huejutla municipality, Hidalgo state, local authorities directed that the local school be closed in order to prevent 16 children, whose parents are Protestant Christians, from attending classes there.

Right to life – violence by organized criminal groups

13. 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.
14. On 21 May 2019 Pastor Miguel Ángel Bucio Villa, a Protestant leader from Uruapan, Michoacan state was kidnapped and murdered. Organized criminal groups are believed to be responsible.
15. On 17 June 2019 Pastor Manuel Ramos a Protestant leader from Horeb Baptist Church in Córdoba, Veracruz state was kidnapped. Organized criminal groups demanded one million pesos from the church. The pastor was released on 18 June 2019, but he and his family subsequently fled the area.
16. On 23 July 2019 Father Juvenal Candía Mosso, a Catholic leader from Cuernavaca, Morelos state, survived an attempted murder. According to the Archdiocese in a July 23 statement, Father Juvenal Candía Mosso was shot in Cuernavaca while riding in a taxi to a prison ministry meeting. The priest

was shot and taken to the hospital. The driver was also injured in the attack, and died from his wounds.

17. On 3 August 2019 Pastor Aarón Méndez Ruiz, a Protestant leader and director of Casa del Migrante AMAR migrant shelter in Nuevo Laredo Tamaulipas state was kidnapped and forcibly disappeared by a criminal group. Members of the criminal group took Pastor Méndez Ruiz by force after he refused to hand over kidnap Cuban migrants from the shelter who the criminal group intended to hold for ransom. The fate of Pastor Méndez Ruiz is unknown.
18. On 18 August 2019, Alfrery Lictor Cruz Canseco, a Protestant leader from Fraternidad Cristiana Church in the Municipality of Tlalixtac de Cabrera, Oaxaca was murdered. Alfrery Lictor Cruz Canseco was waiting in his car after a church service when he was shot and killed.
19. On 22 August 2019, Father José Martín Guzmán Vega, a Catholic priest from Santa Adelaida, Matamoros, Tamaulipas state was murdered.

Conclusion

20. The ICCPR recognises the inherent dignity of every person and the equal and inalienable rights afforded to all. To guarantee this, every person must enjoy civil and political freedom without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. CSW has documented violations to the right to FoRB, along with cases of enforced disappearances of Mexican citizens. CSW urges the Human Rights Committee to take heed of the contents of this report and to act in accordance with international obligations to ensure the government of Mexico receives clear recommendations to address these concerns and that measure are put in place to ensure the Mexican government protects and upholds the rights of all its citizens.

Recommendations to the government of Mexico

21. Recognise and promote equality of citizenship and respect for differing religious beliefs.
22. Consider initiating civic education programmes promoting FoRB, unity, and pluralism, and beginning mandatory human rights and equality training for all government officials.
23. Ensure that individual states respect FoRB in its entirety, this includes intervening in cases where religious minorities:
 - Have their access to basic services, including electricity, water, education and health care, cut off or restricted.
 - Are forcibly displaced
 - Are pressured to convert to another religion
 - Are arbitrarily detained
 - Suffer theft and destruction of property
 - Have their land confiscated.
24. Fully compensate members of religious groups that have been forcibly displaced and deprived of places to live, work and worship through violence, and facilitate reconstruction and/or access to viable alternative land.
25. Uphold the right to change ones religion or belief, and the right to hold no religion or belief.
26. Launch full and thorough investigations into every case involving extortion, assault or murder of religious leaders, ensuring that perpetrators are brought to justice.

27. Address every source of violence in a swift, decisive and unbiased manner, sourcing international assistance if required, and ensuring that every vulnerable community is provided the protection it requires, regardless of the religion or ethnicity of its inhabitants.