

Introduction

While there are strong protections for freedom of religion or belief (FoRB) in the Mexican constitution, moderate to severe FoRB violations are regular occurrences in many parts of the country. The expansion of violent criminal groups in the country and the pervading climate of impunity has contributed to an increase in FoRB violations. Over the past decade there has been a significant increase in violence against religious leaders.

Uses and Customs

Mexico's Law of Uses and Customs allows indigenous communities to govern themselves according to traditional laws and customs. The law is meant to be exercised in line with the individual rights guaranteed in the constitution, but in practice the government at both the state and federal level does little to enforce it. As a result, the rights of religious minorities are routinely violated. A culture of impunity has become entrenched in around 14 states, and especially in 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.

A frequent method of pressuring members of minority faiths to join or participate in the activities of the majority religious group is to deprive them of access to basic services such as water and electricity. For 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.

Similar cases have been reported in Oaxaca and Chiapas. These cases are generally unresolved until members of the minority religious group pay fines or actively participate in the majority religion's activities.

Children of the minority religious groups are often barred from attending school by local leaders in an attempt to pressure their parents to join the majority faith. On 23 August 2018, 16 children from the communities of Coamila and Rancho Nuevo, in Huejutla municipality in Hidalgo State, were unable to register at the local school because their parents, did not contribute financially to the majority religion's local festivals. At least 38 children in the community remain without access to state education.

Similar cases have been documented in the states of Oaxaca and Chiapas. The Oaxaca State Ombudsman has denounced this practice, but the state government has taken little action.

Children who have been forcibly displaced with their families because of their religious beliefs are also frequently deprived of their right to an education. Due to the circumstances of their displacement, which often involves violence and destruction of property, many lack the paperwork necessary to enrol in a school in their new place of residence. School and government officials often turn the children away.

The forced displacement of religious minorities is a common occurrence in states where the Law of Uses and Customs is prevalent. On 28 July 2019, four Protestant Christians were forcibly displaced from their home in Cuamontax community, Huejutla municipality, Hidalgo state, as a result of the ongoing harassment they had been experiencing since October 2018 when they refused community work and financial contributions associated with a religious festival.

Illegal fines

Local authorities subject those who convert away from the majority religion to illegal fines. In Tajleivilhó, San Andres Larrainza Municipality, Chiapas state, 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. The Municipal President sided with the community and the Protestant family was forced to pay an illegal fine of \$5,000.00 MXN (£206.54 GBP). 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.

The impact of organised crime

Criminal groups often target churches for extortion, attempting to coerce church leaders into paying protection money or allowing their churches to be used for money laundering. In March 2017 the Roman Catholic Multimedia Centre (CCM) reported that 520 priests were currently being extorted. Priests have also been threatened, kidnapped, tortured and killed. 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. The situation of the Protestant community is believed to be similar, although

there has not been consistent documentation of these attacks.

Recent developments

Government officials in Hidalgo state have not addressed FoRB violations and 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 groups.

Religious leaders working at migrant shelters are increasingly vulnerable. The forced disappearance on 3 August of Seventh Day Adventist Pastor Aarón Méndez Ruiz and his assistant, Alfredo Castillo de Luna, is alarming. Both men appear to have been targeted because of their work with migrants and asylum seekers. 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.

In March 2020 reports emerged suggesting that the government may have agreed to pay an illegal fine to restore access to water for the two Protestant Christian families in La Mesa Limantitla.

Recommendations

To the government 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.
- Publicly recognize 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.
- Develop and maintain 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.

- 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.

To the government of the United Kingdom:

- 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