

Legal framework

Mexico's constitution protects freedom of religion or belief (FoRB). Article 1 of the constitution affirms that the rights protected under the constitution and those in international treaties to which Mexico is party are protected equally. Article 2 of the constitution focuses on indigenous peoples and details their unique legal status, including their right to 'decide their internal forms of coexistence' and to 'apply their own legal system to regulate and solve their internal conflicts', with the condition that this practice does not violate the constitution and must respect 'fundamental rights, human rights, and, above all, the dignity and safety of women.' Article 24 protects FoRB, but prohibits the use of religious expression for 'political ends', campaigning or political propaganda and restricts 'ordinary religious acts' to 'temples'.¹

Mexico is a member of the Organization of American States and has ratified a number of international treaties which include provisions for FoRB, including the American Convention on Human Rights, International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), and the International Covenant on Economic, Social and Cultural rights (ICESCR).

'Uses and Customs' is an umbrella term referring to the right of indigenous communities to govern themselves according to their traditions. Although this is meant to be exercised in accordance with fundamental human rights as defined in the constitution and international law, in practice the government at the municipal, state and federal levels does little to ensure this. In many communities governed under Uses and Customs, leaders associated with the majority religious group believe it is their right to enforce religious belief and practice, including forced financial contributions to and mandatory participation in religious events.

Reports of serious FoRB violations affecting religious minorities at the local level, and in several states, have continued despite a 2020 ruling² by Mexico's National Supreme Court of Justice in favour of indigenous communities whose rights have been violated by village authorities through an abuse of Uses and Customs. A culture of impunity when it comes to FoRB violations is entrenched in around 14 states, and especially in Chiapas, Guerrero, Hidalgo, Jalisco, Oaxaca and Puebla. The government, at the federal, state and municipal level, has made little effort to improve understanding of FoRB among those in positions of authority.

Denial of basic services and civil rights

In communities governed under Uses and Customs, members of religious minorities are frequently disconnected from or blocked from accessing basic services such as water and electricity as a tactic to pressure them to convert to

or participate in activities linked to the majority religion. Although this is illegal, such cases are generally only resolved when members of the religious minority pay illegal fines or sign formal 'agreements' committing themselves to actively participate in and contribute financially to activities associated with the religious majority. In January 2020 two Protestant families from La Mesa de Limantitla in the Huasteca region of Hidalgo State were forced to sign an illegal agreement renouncing their right to hold religious services in order to have their water and other essential services reinstated. The families have been repeatedly threatened with expulsion or denial of access to services if they do not pay the remainder of a fine that was levied as part of the agreement. This case remains unresolved.

Three Protestant families in the community of Contepec, Huejutla de Reyes Municipality in Hidalgo State, have been summoned repeatedly before the village assembly since February 2025 because they have declined to participate in Roman Catholic activities and festivities. Community authorities, who belong to the Roman Catholic majority, maintain that all members of the community are obliged to contribute to these festivities. The religious minority families have been removed from the official list of members of the community. In practice, this means that they are blocked from accessing government programmes and are stripped of all rights associated with being a part of the community.

Arbitrary detention

Local authorities frequently use arbitrary detention as a tactic to intimidate and pressure members of religious minorities to renounce their beliefs and/or participate in religious activities. In July 2024 community leaders in Montenegro, San Juan Bautista Valle Nacional Municipality of Oaxaca State, arbitrarily detained married couple, Tito Mariano Méndez and Esther Abigail Pérez Ramírez, in an attempt to pressure them to withdraw a complaint made to the Oaxaca State Ombudsman's Office regarding their experiences of FoRB violations. The couple's complaint referred to incidents they have experienced due to the fact that they are Protestant Christians. In 2020 their house was destroyed in an arson attack following threats from community leaders due to their religious beliefs. In 2023 they pulled their children out of the local school due to severe mistreatment and discrimination because of their faith. Mr Mariano Méndez then filed a complaint with the ombudsman's office in Tuxtepec, Oaxaca, which subsequently requested a report from Montenegro community leaders regarding the family's situation that precipitated their detention. While they were freed a few days later after the state government travelled to the area to negotiate their release, no one responsible for their illegal detention or the other human rights violations has been held to account.

¹ Temples refers to buildings legally recognised for religious use.

² CSW, 'Mexico: Supreme Court rules in favour of displaced indigenous minorities', 14 July 2020 <https://www.csw.org.uk/2020/07/14/press/4734/article.htm>

Forced displacement

Studies on the phenomena of forced displacement in Mexico have indicated that religious intolerance is one of a number of primary motivating factors in such cases.³ Forced displacement almost always takes place after a series of escalating FoRB and human rights violations have already occurred and the government has failed to intervene.

In April 2024 the authorities of the villages of Rancho Nuevo and Coamila in the Huejutla de Reyes Municipality of Hidalgo State, forcibly displaced 170 members of a Protestant Baptist religious minority. Human rights violations linked to FoRB have been ongoing and severe in the two neighbouring villages since 2015. Local authorities have repeatedly attempted to force members of the religious minority to participate in Roman Catholic religious festivals, including through financial donations, lighting candles and actively participating in acts of worship. Despite detailed documentation of the case dating back to 2015, the municipal government continues to deny that the incidents in Rancho Nuevo and Coamila are linked to FoRB.

In December 2022 a member of the church was admitted to hospital in critical condition after being tied to a tree and beaten by village leaders. While she survived the attack, she continues to suffer health challenges related to her ordeal,⁴ which have been aggravated by her recent displacement. Other members of the community have been arbitrarily detained, beaten, barred from accessing medical care, fired from their jobs, blocked from burying their dead, and had their lands arbitrarily confiscated. Since 2018 religious minority children have been barred from attending the local school.

In March 2024 the pastor of the church, Rogelio Hernández Baltazar, was arbitrarily detained for 48 hours along with other leaders of the church. In early April village leaders sanctioned the takeover of five plots of land belonging to members of the church, cutting down trees, removing stones, and destroying their crops. Over the following months, the state government attempted to convene meetings with the victims, the local authorities responsible for their expulsion and municipal officials. The local authorities ignored many invitations to attend or attempted to place unreasonable conditions on their participation.

In September 2024 an agreement was brokered by the municipal government allowing for the return of the displaced families with guarantees for FoRB in return for dropping a case filed against the local authorities with the state prosecutor's office. The agreement was not honoured by local authorities in the two villages, however, and with no effective remedy to allow them to return home with guarantees for their safety, the displaced families relocated

to the neighbouring state of Veracruz where they established the new community of Paz.

In November 2023 the San Isidro Arenal community assembly in the Chinantec Region of northeastern Oaxaca State, affirmed a 1993 'agreement' which established that Roman Catholicism is the only permitted religion in the village. Thirteen families belonging to the Interdenominational Christian Church (ICIAR), a Protestant minority in the community, were subsequently subjected to harassment and threats. On 6 August 2024 the families were forcibly dispossessed of their lands and livestock, and their church located on the Cerro Cajon ranch was burned down. More than 300 men looted the families' property and homes, destroying the cacao and mango trees which provide major source of their income. The families were forcibly displaced and have relocated to the Santiago Jocotepec Municipality in another part of the state due to the failure of the government to intervene to protect their rights.

The right to an education

Religious minority children in communities governed under Uses and Customs are sometimes barred from attending school by local leaders, in an attempt to pressure their parents to join the majority religion. In 2017 the local authorities in El Encanto, Las Margaritas Municipality, Chiapas State, prevented children of four Protestant families from re-enrolling in the local school because their parents declined to participate in religious activities associated with the majority. Parents were forced to send their children to a school in a community 20 minutes away by public transport, the cost of which was equivalent to the cost of one meal. Similar cases have been documented in Hidalgo, Jalisco and Oaxaca. As noted above, the long running case of Rancho Nuevo and Coamila involved the 2018 barring of religious minority children from attending the local school. No action was taken by the government to address the situation in accordance with Mexican law which guarantees the right to an education.

From 2021 to 2024 leaders in Mixquitic Municipality in Jalisco State blocked teachers from working at the school in the Protestant Christian majority community of Codorniz, although teachers were permitted in Roman Catholic majority villages. In 2024 this discriminatory treatment came to an end, after the intervention of the state religious affairs office following advocacy by CSW.

Children who have been forcibly displaced along with their families because of their beliefs are also often subsequently deprived of their right to an education. Due to the circumstances of their forced displacement, often involving destruction of property and violence, many are unable to obtain the paperwork necessary to enrol in a school in their

³ The Mexican Commission for the Defence and Promotion of Human Rights, AC (CMDPDH), 'Forced Displacement in Mexico', 15 December 2022 (Spanish) <https://cmdpdh.org/2022/12/15/desplazamiento-interno-forzado-en-mexico/>

⁴ FoRB in Full, 'After a brutal attack on one of their own, a religious minority community in Mexico is waiting for justice and religious freedom', 17 April 2023 <https://forbinfull.org/2023/04/17/after-a-brutal-attack-on-one-of-their-own-a-religious-minority-community-in-mexico-is-waiting-for-justice-and-religious-freedom/>

new place of residence. School and government officials rarely make the process easy for the parents and sometimes turn the children away.

The impact of organised crime

According to the Catholic Multimedia Centre (CCM), one cardinal, 59 priests, one deacon, four church employees, nine lay leaders and a Roman Catholic journalist were murdered between 1990 and 2024. Two priests were forcibly disappeared during the same period.⁵ Threats and attacks against religious leaders are likely underreported, especially when it comes to Protestant Christian leaders, whose experiences have not been systematically documented. Cases often go unreported because of the high levels of fear of retaliation. Religious leaders note that authorities are quick to label these attacks and murders as ‘common crimes’ (often robberies gone wrong), rather than investigating the cases fully, which further distorts the statistics.

Organised criminal groups target religious leaders, who often hold significant influence in their community, as an effective way to destabilise a community and to establish a culture of silence and terror. Criminal groups extort churches, attempting to coerce religious leaders into paying protection money or allowing their churches to be used for money laundering. Those who resist these efforts become targets. Religious leaders who are involved in social work and community outreach are especially vulnerable in areas of the country under the influence of criminal groups. On 30 August 2021 Father José Guadalupe Popoca Soto, priest of the parish of San Nicolás de Bari, located in Galeana, Zacatepec de Hidalgo Municipality, Morelos State, was murdered in his room in the parish house. According to media reports, Father Popoca Soto’s work to rehabilitate youth who had or were trying to leave gangs is thought to be a possible motive for the attack. On 22 May 2023 Friar Javier García Villafañá was assassinated on the Cuitzeo-Capacho Highway as he was on his way to officiate evening Mass in Capacho, Huandacareo Municipality, Michoacan, and on 20 October 2024, 51-year-old Father Marcelo Pérez Pérez, an indigenous priest and human rights defender, was shot and killed in San Cristóbal de las Casas, Chiapas after officiating mass.

Religious leaders working on the US-Mexico border where there is an ongoing migrant crisis are also targets. On 3 August 2019 Seventh Day Adventist Pastor Aarón Méndez Ruiz and his assistant, Alfredo Castillo de Luna, were abducted from the migrant shelter run by Pastor Méndez Ruiz. The men are believed to have been targeted because their refusal to cooperate with criminal groups in schemes to kidnap and extort migrants and asylum seekers staying at the shelter. Despite an October 2019 call from the Inter-American Human Rights Commission (CIDH) instructing the Mexican government to report on the process of the investigation into the two men’s disappearance, there has

been no news of their whereabouts since their abduction. According to the CIDH report, a warning attributed to the Northeast Cartel 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.’

Recommendations

To the government of Mexico:

- Uphold legal guarantees for freedom of religion or belief for all; and in communities governed under Uses and Customs, ensure that these are practiced these in accordance with Mexico’s constitution and its international human rights obligations.
- 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, including from illegal armed groups, under the National Protection Mechanism for Human Rights Defenders and Journalists.
- Carry out thorough investigations into assassinations, kidnappings of and threats against religious leaders, to establish motive and to hold those responsible to account.
- Proactively increase efforts to address intolerance and discrimination based on religion or belief, including by providing training for the judiciary and local authorities and ensuring that adequate support is given to displaced communities and that water and sanitation services are unconditionally restored in cases where such rights have been denied.

To the European Union and Member States:

- In line with the EU Guidelines on FoRB, engage regularly with the Mexican federal and state governments on cases and issues related to violations of FoRB. Special focus should be given to collaboration 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. This should include awareness-raising and capacity-building within government institutions, for example through exchanges of best practice.
- Ensure that the Mexican government adequately recognises existing FoRB violations ahead of any ratification of the EU-Mexico FTA, and the potential of these violations to constitute non-compliance with the ‘essential elements clause’ and any chapter on trade and sustainable development.
- Urge the Mexican government to officially recognise religious leaders as human rights defenders under

⁵ Catholic Multimedia Centre Special Investigations Unit, ‘Annual Report 2024: Violence against priests, religious and institutions of the Catholic Church in Mexico’, 9 December 2024 <https://ccm.org.mx/>

the National Protection Mechanism for Human Rights Defenders and Journalists.

- As part of the EU Delegation and Member State Embassy strategic plans on human rights undertake a coordinated effort to monitor FoRB issues closely. This should be undertaken with input from civil society groups, with whom wider awareness-raising and capacity building activities on FoRB as a human right should also be undertaken.
- Urge the government of Mexico, at every level and appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Mexico'.

To the United Nations and Member States:

- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on Mexico, addressing the vulnerabilities and violations faced by religion or belief minorities.
- Encourage UN Special Procedures to request country visits to Mexico, including the UN Special Rapporteur on the right to FoRB, the Special Rapporteur on Minority Issues, Special Rapporteur on Indigenous Rights and other relevant mandate holders, and ensure that members of civil society can freely meet with them without reprisal.
- Call on the government of Mexico to work with the UN Division for Sustainable Development Goals (DSDG) to ensure 'no-one is left behind' in the realisation of the 17 Sustainable Development Goals (SDGs) in Mexico, including SDGs on education, gender equality, water and sanitation and reducing inequalities.
- Ensure that the right to freedom of religion or belief and other intersecting rights are consistently raised with the government of Mexico, including during high-level visits and other bilateral exchanges.
- Urge the government of Mexico, at every level and appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Mexico'.

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