



ADDITIONAL INFORMATION ON THE DISCRIMINATORY SITUATION SUFFERED BY INDIGENOUS PEOPLES IN MEXICO PRESENTED BY THE NATIONAL NETWORK OF CIVIL ORGANIZATIONS "ALL RIGHTS FOR ALL"

Submission of the 16 ° and 17 ° reports by Mexico during the 80th Period of Sessions, February 14 and 15, 2012

Distinguished Committee Members:

The intention of this letter is to provide additional information to that submitted by the Mexican government in its 16° and 17° periodic reports which will be revised by the CERD Committee during its 80th Period of Sessions. The National Network of Civil Organizations "All Rights for All" A.C. (Red Nacional de Organismos Civiles "Todos los Derechos para Todas y Todos" A.C.), comprised of 72 non-governmental human rights organizations¹, hopes to foster the work of the Committee by giving independent information on the rights protected under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). This letter highlights several areas of concern related to historical and current discrimination experienced by indigenous peoples in Mexico, which results in a significant limitation on the full enjoyment of their human rights, and in particular, of the right to be recognized as indigenous peoples and to their cultural identity as well as their right to territory, education, health, labor rights, and access to justice. This document also analyzes several of these rights through a perspective of gender discrimination of indigenous women, who suffer multiple types of discrimination.

The CERD has established that:

"In the practice of the Committee on the Elimination of Racial Discrimination, in particular in the examination of reports of States parties under article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination, the situation of indigenous peoples has always been a matter of close attention and concern. In this respect, the Committee has consistently affirmed that discrimination against indigenous peoples falls under the scope of the Convention and that all appropriate means must be taken to combat and eliminate such discrimination."¹

In this regard, we would like to direct the attention of the Committee on the following issues of concern that directly affect the indigenous peoples of Mexico:

¹ More information about RedTDT is available in the following web page: <http://www.redtdt.org.mx>

BACKGROUND INFORMATION

Mexico is a country with a large indigenous population; it has about 62 ethno-linguistic groups representing more than a tenth of the Mexican population.² The results of the latest census conducted by the National Institute of Statistics and Geography (INEGI), 2010, indicate that over 910 million people speak an indigenous language.³

According to this census, 15.7 million people are considered indigenous, out of which 6.9 percent speak an indigenous language⁴. The states with the largest indigenous population according to birthplace are: Guerrero, Oaxaca, Chiapas, Veracruz, Yucatan, State of Mexico, Puebla and Hidalgo.⁵

As for the Afro-Mexican population, it is estimated that over 450,000 people have settled in Mexico.⁶ This population is concentrated mainly in Costa Chica, Guerrero, Oaxaca and Veracruz, and to a lesser extent in the states of Colima, Chiapas, M, Guanajuato, Michoacan, Puebla, Queretaro, Sinaloa, Tabasco and Yucatan.⁷

According to data presented in December 2011 by the National Council for Evaluation of Social Development Policy (Coneval), the states of Guerrero, Oaxaca, Chiapas and Veracruz -where the greatest concentration of indigenous and Afro-Mexican people is found- have the municipalities with the highest rate of population (82.6% and 73.6%) living in extreme poverty.⁸ These data account for the lag and invisibility experienced by indigenous peoples and Afro-Mexicans in Mexico.⁹

The most common forms of discrimination against these populations are abuse, exclusion and marginalization based on physical appearance in relation to skin color or ethnicity.¹⁰ In the indigenous sectors, extreme poverty has forced millions of people to migrate from rural to large metropolitan areas, such as Mexico City, where they are most vulnerable to discrimination.¹¹

According to the National Commission to Prevent Discrimination (CONAPRED), the main cause of discrimination against people of African descent is invisibility given that "[...] the culture of these group is not reflected in the map, in the statistics, in the census, in the public policy programs and budgets, in the legislation, in the Constitution and in museums, as part of the history of Mexico [...]"¹²

For its part, the National Commission on Human Rights (CNDH) considered as insufficient the actions and efforts made to combat discrimination in Mexico, so it made an appeal to fight it.¹³ CONAPRED has also stated that in Mexico there seem to be insufficient incentives to combat –in the society and through State institutions, the existing inequality in the participation of democracy mechanisms, and urged the academic debate to generate knowledge and tools on this issue.¹⁴

LEGISLATIVE FRAMEWORK

- *Constitutional Reforms*

On June 10, 2011 the Executive issued the Decree reforming the Mexican Constitution on the issue of human rights.¹⁵ One of the most important is the reform to the constitutional Article 1¹⁶ through which

human rights are recognized; furthermore, the reform elevates to constitutional rank the rights recognized in the international treaties that Mexico has signed and ratified and human rights consuetudinary norms. Likewise, Article 1° sets out the obligations of any authority to respect, guarantee, protect and promote human rights in accordance with the principles of universality, interdependence, indivisibility and progress, and it explicitly prohibits any type of discrimination.

This reform is an important step for human rights in Mexico in general, and for indigenous peoples and Afro-Mexicans in particular, because it means that authorities should consider, among others, the provisions of the International Labour Organization (ILO) 169 Convention concerning the right of indigenous peoples to consultation (Article 6). However, development projects that affect indigenous communities are currently being carried out without their consultation and prior informed consent. An example is the Mesoamerica Project or the mining concessions that have been granted to national and international companies for the exploitation of lands that are within the territory of the indigenous communities. Thus, the discrimination-free exercise of the rights of indigenous peoples and Afro-descendants is still a challenge.

In this regard, after more than 10 years of the reform made to Article 2 of the Constitution¹⁷ on the rights of indigenous peoples, this article remains an unresolved task of the Mexican state and the urgency and the need to review its implementation arises again. In its Concluding Observations to Mexico in 2006, the CERD Committee considered this situation and recommended that Mexico "should put into practice the principles set out in the constitutional reform in relation to indigenous matters in close cooperation with the indigenous peoples."¹⁸ In this sense, since 2003 the United Nations Special Rapporteur on Human Rights and Fundamental Freedoms of Indigenous Peoples (Special Rapporteur on Indigenous Peoples) had recommended Mexico to reopen the debate on indigenous issues with adherence to the principles signed in the Agreements of San Andrés and to international norms,¹⁹ but this has not taken place yet.

- ***Laws to eradicate discrimination***

While progress has been made at the legislative level in the recognition of equality and on the prohibition of discrimination through the approval of the Federal Law to Prevent and Eliminate Discrimination (LFPED),²⁰ the creation of CONAPRE²¹, and the approval of the respective state laws to prevent and eliminate discrimination, there is still a long way to go. As for state laws, only 11 out of 32 states have approved local legislation, which leaves still a significant amount of pending work for the harmonization of legislation.

On the other hand, in order for these laws to be effective, it is necessary to implement the required mechanisms and the legal resources that allow for officials that violate the laws to be punished. The undersigned organizations have not heard of any proceedings against officials that have not complied with the law.

RIGHT TO RECOGNITION OF IDENTITY AND CULTURE OF INDIGENOUS PEOPLES

In the General Recommendation No. 23 on Indigenous Peoples, the CERD Committee called on States parties to the Convention to respect and recognize cultural differences, history, language and the

lifestyle of indigenous peoples as enrichment to the State's cultural identity, and to promote their conservation.²² Furthermore, the Special Rapporteur on Indigenous Peoples stated that according to the human rights based approach "[i]ndigenous peoples must thus be identified as subjects of collective rights that complement the rights of their individual members. These rights are recognized in various international instruments, particularly in the United Nations Declaration on the Rights of Indigenous Peoples."²³

Despite the constitutional recognition of Mexico's multicultural identity and the recognition of indigenous peoples, recent cases illustrate violations of the right to identity of this group and of the right to the recognition of their culture. For example, the indigenous community of San Ildefonso, Hidalgo, was not given access to development projects of the government because it is not officially registered as an indigenous group, despite the fact that 90% of its population speaks Hñähñu and they still preserve their traditions, music and crafts. So they had to seek official recognition to be creditors to social development benefits.²⁴

In the same community, an indigenous girl could not be registered nor obtain a birth certificate simply because of how her name was conformed and written. The case of Doni_Zänä had to go through a legal process and reach international instances so that the girl could be recognized as a Mexican citizen with the name and identity she wanted. The process began when Cesar Cruz and Marisela Rivas, Doni_Zänä's parents, who tried to register her at the Registry Office in the municipality of San Ildefonso, the officials who heard her case did not admit the name because it was written with an umlaut and an underscore and they could not register these symbols, they assured the parents that they would be told the same thing at the Registry Office of the State. They offered to register her with a less complicated name, thus ignoring the cultural background and identity of the name her parents had chosen; "Doni_Zänä" –which means in Hñähñu "Moon Flower", was special because they were florists for the Day of the Death (celebrated on the 2nd of November) and their daughter had been born on the 1st of November. Furthermore, if no symbols were used the meaning of the name would change to "biter stone", clearly losing its identity. To get her registered, the parents of Doni_Zänä went before the National Population Registry, the National Human Rights Commission, the Commission for the Development of Indigenous Peoples, CONAPRED and before the High Commissioner's Office of Human Rights before the United Nations in Mexico. Two years later they got their daughter registered as they wished; during those two years Doni_Zänä had no legal personality, which prevented her access to education and to social programs that require registration.²⁵

In this regard, we request the Committee to recommend that Mexico take the necessary actions to eliminate discrimination against indigenous peoples in their recognition as such and of their identity, and to respect their culture, traditions, practices and customs.

RIGHT TO ACCESS ALL PLACES AND SERVICES FOR PUBLIC USE, SUCH AS TRANSPORTATION, HOTELS, RESTAURANTS, CAFES, THEATERS AND PARKS (Article 5 § (f) OF THE CERD)

Racial discrimination against indigenous peoples reaches unimaginable extremes. There are few recorded cases of discrimination based on ethnic origin, in the access to public places, given that this is still considered as part of normal life and few indigenous people dare to denounce it. But an example of this is the case of a group of five indigenous Wirárika who were forced to leave the restaurant La

Parroquia, located in downtown Tepic, in the state of Nayarit, by order of the manager of the establishment under the argument that the Huichols "are very dirt".²⁶ This case led to a recommendation by CONAPRED in which it stated that the staff of the establishment should take non-discrimination courses.²⁷

RIGHT TO EQUALITY AND NON-DISCRIMINATION ON THE ACCESS TO THE ESCR BY INDIGENOUS PEOPLES (Article 5 § (e) CERD)

▪ ***Right to Education (Article 5 § (e)(v) CERD)***

Despite its acceptable educational indicators, Mexico faces the poor quality of education that the State provides and the exclusion to which many indigenous children and youth are subjected to in the educational system.²⁸ As noted by the United Nations Special Rapporteur on the Right to Education during his visit to Mexico in 2010, "the exclusion of educational opportunities in Mexico has a very specific target, which can be summarized in one sentence: the poor receive a poor education."²⁹ The education provided by the State does not have the quality required by the current job market and it is even less thought to be an education that dignifies the human being; rather, it limits the individual to become unskilled, cheap and uncritical workforce. Our leaders have lacked vision and interest in investing in the education system in order to have an educated, competitive, productive and critical population that contributes to build a democratic state of law and that respects human rights.³⁰

In the cited document, the Rapporteur stated that not even 1% of the indigenous population entering primary manages to enter university (as opposed to 17% of the national population)³¹ in spite of the great demand that exists for the few intercultural universities, which for the Rapporteur suggests that indigenous peoples respond to the opportunities that are presented to them.³² One of the obstacles for indigenous peoples to access education is the fact that the criterion for investing on education is based on a cost-benefit analysis, whereby the installation of educational institutions is conditional upon the size of the population, ie there must be a certain number of residents concentrated in one area for the state to decide to set up a school.³³ This system does not take into account that about 70% of the rural communities have around 100 inhabitants and thus, it prevents many children and adolescents from being able to go to school;³⁴ while those who manage, have to travel long distances.

In addition, the educational model becomes insufficient for the recovery and empowerment of indigenous languages and cultures, there is a lack of teacher training programs and often teachers are not familiar with the languages of the students they educate.³⁵ According to the Rapporteur, the main problem that the education authorities are facing is to provide quality education; the "education supply does not meet the social inequalities that mainly affect marginalized populations, it also does not introduce structural measures that address more effectively their needs, and nor does it invest sufficient resources for their care."³⁶ Although there are important initiatives, it would appear as if the system was either reproducing these inequalities or it is very slow in removing them.

Given the situation, the Rapporteur recommended Mexico in 2010 to "develop a more accurate diagnosis of the educational needs of indigenous peoples and of the rural areas in general"³⁷ so that it can determine the policies needed to diminish the inequality gap in the access to education by indigenous peoples and rural communities.

Discrimination in the field of education against girls, adolescents and women

The National Council for Educational Development (Conafe) reported that in the rural areas of Oaxaca, Chiapas, Guerrero and the Sierra of Puebla, girls experience greater discrimination by their families, as they are the ones who prevent them from attending school.³⁸ In general the femininity index in rural areas, according to available data (2004), was 95.4, meaning that for every one hundred children attending school there were 95 girls. But by age groups we found that absenteeism among girls in rural areas reached 7.3% for girls between 6 to 12 years, this percentage increases with the age and for the group of adolescents (13 to 15 years), it reached 36.7 percent.³⁹ The violation of the right to receive a school education worsens in indigenous communities where the school attendance rate of indigenous girls from 6 to 14 years living in rural communities is of about 82 percent. Only 69.8 percent of indigenous girls from 6 to 14 years in rural communities are literate, a low rate when compared to urban locations, where the percentage of this sector increases to 77.7 percent.⁴⁰

The Citizen Observatory of Education notes that "the current educational policy has placed in the margins of the system the educational programs and modalities for adults, the so-called vulnerable groups and for indigenous peoples. With little money and with underpaid and ill-prepared teaching figures, it is not feasible to resolve the lack of education in these groups".⁴¹

▪ ***The right to health (Article 5 § (e) (iv) CERD)***

The degree of exclusion and poverty experienced by indigenous peoples and Afro-Mexicans is also reflected in the access to their right to health. Many communities still suffer from the so-called "diseases of poverty." CONAPRED, taking into account the data from 11th 2005 population count, indicated that out of 1000 people that speak an indigenous language, 75 are not entitled to health services nationwide. The same percentage applies to indigenous adult population that is not entitled to any health care service.⁴²

The main causes are lack of physical access to basic services like drinking water, that allow for an adequate quality of life; similarly, the lack of physical and economic access to medical facilities or basic health services are some of the problems that hinder timely and quality medical attention to this sector, which is critical because many of the diseases, preventable or curable in their early stages, become fatal in patients. An example of this is that three of the leading causes of death among the indigenous populations are gastrointestinal and respiratory infections (diarrhea, pneumonia, among others).⁴³

Maternal Mortality

The racial discrimination exercised by society against indigenous women is added to the gender discrimination against women present at the social institutions and in some indigenous communities.⁴⁴ The problems of access to the right to health by indigenous peoples are structural, budgetary and have to do with services that do not comply with standards of accessibility, availability, acceptability, and quality;⁴⁵ however, these problems intensify when it comes to the maternal health of indigenous and poor women living in rural areas who experience a transversal discrimination for being female, going

through the biological process of pregnancy, being indigenous and being poor in rural areas. The situation we want to highlight in this report, given the seriousness of the issue, is the maternal mortality⁴⁶ among indigenous women. A disproportionately high number of indigenous women are most often the ones who suffer violations to their right to life, personal integrity and their right to sexual and reproductive health.

Indigenous women have the highest maternal mortality rates in the country, which is not surprising given the analysis made above on access to health services by indigenous peoples and on development indexes. According to the CDI, "[i]n Mexico, the concentration of infrastructure and medical resources in urban areas has contributed to the dispersion of attention and of the coverage of health care services that does not reach the indigenous population primarily located in rural areas."⁴⁷ The states with the most serious maternal mortality problems are Chiapas, Chihuahua, Guerrero, Nayarit and Oaxaca, which show a maternal mortality ratio of more than 80 per 100 000 live births.⁴⁸ According to figures from the Ministry of Health (2002-2008), the States with the highest maternal mortality rates were Oaxaca, Chiapas and Guerrero, presenting maternal mortality ratios of 98.7, 96.8 and 96.5 per 100 000 live births respectively.⁴⁹

According to these figures, the Mexican government has failed to achieve the objectives set in the Millennium Development Goals (MDGs)⁵⁰ and has failed to comply with the commitments made at the Fourth World Conference on Women in Beijing (1995) and its Platform for Action (Declaration of Beijing).⁵¹

This fact is linked to the lack of exercise of their sexual and reproductive rights and with the institutional violence against indigenous women. Among the major obstacles in this regard, the following stand out: 1) lack of access to contraception methods, 2) lack of access to education and information on health issues including sexual and reproductive health, 3) lack of proper and quality care of indigenous maternal health, 4) lack of appropriate care during childbirth, 5) lack of knowledge by the health staff of the indigenous languages and traditions,⁵² 6) drug shortages and poor infrastructure in Indigenous communities, among others; the effects of these obstacles are the deaths of thousands of indigenous women.⁵³

As for the recent maternal mortality rates, the only available data comes from the Ministry of Health (2008) which recorded 1,167 maternal deaths in total.⁵⁴ In the states with the largest indigenous population, the following data was recorded: Veracruz 101 deaths, Chiapas 95 deaths, Oaxaca 70 deaths and Guerrero 63 deaths.⁵⁵ The main causes of death identified in this report are: unsafe abortion, hypertensive disorders during pregnancy, bleeding during pregnancy, childbirth and postpartum complications mainly from pregnancy and childbirth; sepsis and other puerperal infections; and venous complications in pregnancy, childbirth and in the puerperium.⁵⁶

However, the figures are outdated and do not disaggregate by indigenous or African descent. Besides, the existences of sub-records is likely due to the lack of reliable statistics in the health centers or in the place of death, since many indigenous women are not even reported as maternal deaths when they die at their homes or in transfers between hospitals. It is therefore necessary that the State provides reliable figures to measure the extent of the problem in its true dimension, to concentrate resources

and create appropriate public policies to advance in reducing the maternal mortality rates in indigenous women.

For its part, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) states that it is the State's obligation to take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, under conditions of equality between men and women, access to health care services, including those related to family planning.⁵⁷ As various rapporteurs and UN committees have pointed out, this means that States should remove the legal and factual barriers to the access to abortion under safe conditions, given that this is a major cause of maternal mortality. In this sense, civil society organizations working for women rights point out that the recent "anti-abortion" laws in 18 states violate the right to health and do not allow for advancement in the exercise of this right.⁵⁸ In this regard, we urge the Committee to decide on this issue and recommend that Mexico eliminate the barriers in the access to legal and safe abortion, according to the recommendations made by the Special Rapporteur on the right of everyone to the highest attainable standard of physical and mental health⁵⁹ and the arguments put forward by the majority of the justices of the Mexican Supreme Court of Justice⁶⁰ in the recent discussion of this topic.

According to the Guttmacher Institute "[m]aternal health experts suggest that in order to close the gap in social and economic inequality that has as a result a high morbidity and mortality in certain population sectors, it will be necessary to provide free and universal obstetric care access to all women."⁶¹ Likewise, the Human Rights Commission has recommended the states to eliminate discrimination against women in health care services, prioritizing efforts and resources to address the particular needs of women who are at greater risk of suffering harm to their integrity in their access to maternal health (poor, indigenous, Afro-descendants women and women in rural areas).⁶²

- ***Labour rights in Mexico City (Article (5) § (i) CERD)***

Due to structural and cultural causes, 43% of the indigenous population is working in the primary sector, 35% in the tertiary sector and 21% in the secondary.⁶³

Indigenous people living in the Mexico City are constantly discriminated against in various spheres, including in the workplace. However, the precarious situation in which they live is made invisible, there is little information and knowledge about the indigenous sector in urban areas and thus they are often stereotyped, stigmatized and discriminated against because of their ethnicity, physical appearance or cultural identity. This results in segregation, exclusion and lack of respect as well as in the annulment of their individual and collective rights. It should be noted that many indigenous people in the city are migrants and discriminated against for their migrant condition in the labor market, which assigns to them the dirtiest, most dangerous or degrading jobs, this is coupled with the fact that they have no legal protection or it is ineffective, which prevents them from assimilating into city life as full citizens.

The Special Report of the Human Rights Commission of Mexico City (CDHDF) emphasizes the situation of indigenous people engaged in the informal trade in the street.⁶⁴ In the period of 2000 to 2006, the government issued an edict that ordered the police to begin negotiations with an indigenous group of artisans; however, in the agreement of cooperation with the Government of Mexico City, they were not recognized as non-salaried workers and the spaces designated for the them to conduct their trade

were given instead to national and transnational companies.⁶⁵ On the other hand, there is no record of any attention given to indigenous people engaged in street vending but that are not artisans. The CDHDF stated that "[t]he recurrence of stigmatization towards indigenous vendors immediately puts them and their human rights in a vulnerable situation, given that their actions are limited to the street, they are in a permanent confrontation with the authority."⁶⁶

In this regard we request the Committee to recommend to Mexico to remove barriers that discriminate against indigenous peoples in their access to the ESCR, particularly the right to education, health and work; and to take positive measures to eliminate the multiple discrimination which girls, adolescents and indigenous women suffer in the exercise of these rights.

RIGHT TO PROPERTY, LAND AND HOUSING OF INDIGENOUS PEOPLES (Article 5 § d(v), e(III) CERD)

In the report on the review of Mexico in 2006, the CERD Committee stated that

“The Committee reiterates its concern that indigenous communities have no legal security with regard to land tenure, particularly in the Huasteca region, where the indigenous communities’ struggle for recognition of their ownership of land and the granting of titles has resulted in dozens of deaths over the past three decades. (Art.5 (d)(v)).

The Committee reminds the State party of its general recommendation 23 on the rights of indigenous peoples, in particular paragraph 5 which calls on State parties to recognize and protect the rights of indigenous peoples to own, develop, control and use their lands and territories. The Committee also recommends that the State party should ensure the effective implementation of the programme for dealing with hot spots, which is designed to settle conflicts caused mainly by disputes over land ownership. The Committee requests the State party to supply information in its next periodic report on progress made in this area.”⁶⁷

In this regard the undersigning organizations consider it relevant to report to the Committee on the situation of forced displacement and other damages to the lands and territories of indigenous peoples, who suffer as a result of the concession and construction of mega development projects. This concern arises after the implementation without any control mechanisms of public work projects which include large-scale construction of dams, mines, wind farms, and highways⁶⁸ that violate, in virtually all of the cases, the right to housing, water, healthy environment, self-determination, information, consultation and to collective land of the indigenous people.⁶⁹ This is added to the absence of mechanisms to enable those affected to have satisfactory judicial protection as well as access to compensatory and restitution measures equivalent to what they have lost.⁷⁰ Moreover, those who fight for their territory and become defenders of their land and the environment are strongly repressed, doing their advocacy work at a high risk of losing their physical and mental integrity or even their lives.⁷¹

In 2011 the Federal Electricity Commission (CFE), one of the two institutions that implements the construction of dams (the other one is the National Water Commission), made public its intention to carry out in the next 12 years 11 hydroelectric projects.⁷² Meanwhile in April 2011 the Ministry of Economy, contemplated in its registry of mining investment projects, 757 projects without giving any step forward towards adapting the relevant implementation policies of these projects in the framework of human rights or on the recommendations that the country has received on the subject.

Due to its location in areas of great natural wealth, the majority of indigenous lands in the country are the target of private capital, mostly foreign, trying to exploit them commercially through the imposition of large infrastructure and without the consent of the communities who are denied any information.⁷³

According to civil society reports⁷⁴ and documentation of cases by organizations that belong to the RedTDT, some of the registered megaprojects that have affected the territories of indigenous peoples and the enjoyment of their rights are: a) the dam "Paso de la Reyna" in Oaxaca –in these projects the human rights of defenders and activists against the projects have also been violated, b) the dam "Picacho" in Sinaloa, d) and the dam "Cerro de Oro" in Oaxaca⁷⁵ and e) the touristic project of Barrancas del Cobre in Chihuahua.

Similarly, the mines have been another example of how the involvement of transnational corporations has affected rural and indigenous communities in Mexico. Examples of these mining projects are: a) *Plata Fortuna* Silver in San José del Progreso, Oaxaca, b) *New Gold Mine* in Cerro de San Pedro, San Luis Potosi c) Paredones Amarillos mine in the Sierra la Laguna Biosphere Reserve, Baja California operated by the Canadian company *Vista Gold*, d) the mining of the Canadian company *Minefinders* in the Ejido Huizopa, Madera Municipality, Chihuahua, e) the mining of the transnational company Gold Corp Inc in the community of Mazapil, Zacatecas, f) the exploitation by the company *Blackfire* in Chicomuselo, g) the mining concession to *Altos Hornos de Mexico*, in Santa Maria Zaniza g) the presence of the transnational *Linear Gold* which is the company with the largest number of hectares (328 thousand 160) distributed in 15 municipalities of the state such as: Copainalá, Ixhuatan, Pichucalco, Rayon, Villa Comaltitlán, Motozintla La Concordia, Amatenango del Valle, Angel Albino Corzo, Escuintla, Huixtla, Mapastepec Motozintla Tapilula and Villa Flores in Chiapas.⁷⁶

One of the main problems faced by the indigenous peoples affected by the mega-projects has to do with access to information and the right to be consulted in accordance with international standards. The government does not inform the communities about the projects' plans, does not take them into account as participants in the planning process and nor does it give them any information about the environmental or health impact of the mining concession or of the construction of the mega project. Thus, the indigenous groups do not have information on how these projects will affect them, on whether they will be forcefully displaced or on the environmental damage involving their land, ignoring their relationship with the land and their worldview.⁷⁷

During the Permanent Forum session, under the UN Economic and Social Council (ECOSOC) which ended in May 27, 2011, the agencies' rapporteurs warned of the concern that exists in the UN on issues that endanger indigenous peoples given the lack of recognition of the right to consultation, highlighting those relating to the extractive industries, the commodification of water, megaprojects involving forced displacement or armed conflict and the extinction of indigenous languages.⁷⁸

In the case of mining concessions, the Law on Mining and other laws relating to projects⁷⁹ ignore indigenous peoples.⁸⁰ According to a report by Fundar, "the exclusion of communities in the decision making process on projects that involve fundamental changes in their environment and in their life can

lead to situations where human rights, understood in a broad perspective that includes economic, social and cultural rights and the environment, are severely injured."⁸¹

Thus, human rights violations caused by the construction of mega dams, as in the aforementioned cases, are related to cases of damage to the environment caused by flooding and to the forced displacement of entire communities who are uprooted from their ancestral land, affecting also the community ties and their cultural roots.⁸² In recent years there have been instances of forced evictions, especially in the area of Guerrero and Chiapas, in favor of mining and logging concessions, or under the pretext of creating ecological reserves, as is the case for Montes Azules, Chiapas. While the actions taken by the State in its discourse support these groups, the reality is that measures are needed to adequately respond to the demand for land and housing for the affected communities.⁸³

In the case of mining, the environmental impact reaches unimaginable extremes since most of these mines operate through "open" mining. The residuals generated by this type of mining tend to be highly toxic for the nearby town causing serious and chronic damage to health through the pollution of water and air.⁸⁴ This has an especial effect on the right to drinking water for the community⁸⁵ and, in general, in the quality of life and very survival of the communities. Although in some cases, communities are given a form of compensation, this is not sufficient to achieve a successful reintegration and it does not consider the community's relationship with their land.⁸⁶

As if that were not enough, opponents of the project are facing threats, harassment and repression to the extent of cases in which environmentalists who defend and their land have been murdered.⁸⁷ This also generates a breakdown of the community social tissue as it creates divisions and conflicts between community members who oppose the mega project and those who defend the project because of particular interests they have in it.⁸⁸

Another of the rights that are violated in this scenario, and that is no less devastating, is the access to justice and effective remedies to stop or suspend the megaprojects that violate the rights of indigenous peoples.⁸⁹ First, many of indigenous groups do not know their rights and the resources they have for their own protection. Second, they must pay expensive environmental or administrative lawyers to fight the concessions and the results of environmental impact studies. Third, in Mexico there is so far no effective remedy that allows citizens to bring actions on environmental issues, even though an amendment was approved in 2011 that allowed for collective actions in this matter; this law still needs to be regulated so that it can be determined that the communities have a legitimate interest and not just a legal interest (which would require a direct impact and to prove the damage) to access a legal resource of this nature.⁹⁰ The lack of legal measures has led many communities to take action through a political process which in many cases has resulted in great repression and in violence in the communities.

Furthermore, in accordance with the Walter International Human Rights Clinic,

"In most cases, the courts have turned out to be an inefficient solution, since officials from the executive power simply ignore court rulings that ordered construction of projects to be stopped as well as the statements made by human rights organizations that confirmed that the right to information and to consultation had been violated."⁹¹

One of the emblematic cases on this issue is the case of the indigenous people Wixárika/Wirikuta considered by the United Nations for Education, Science and Culture Organization (UNESCO) as Natural World Heritage and Cultural Heritage and that is home to the indigenous community Huichol (wixárika). Wikárika has faced intense fighting since February 2008 for the recognition of indigenous rights, such as the right to their sacred territory, to consultation, to their cultural identity and to a healthy environment, among others, due to the implementation of two mine projects, one gold mining project by the company *Golondrina SA de CV*, a subsidiary of Canada's *West Timmins Mining*, and another silver mining project by the companies *Firs Majestic Silver*, the Canadian company *Resources Revolution Corp* and its Mexican subsidiary *Real Bonanza SA of C.V.*, among others.⁹²

The Bernalejo or the heart of Wirikuta, is one of the sacred sites that are within the geographical area of Wirikuta, an extension of 140 thousand 211 hectares covering 7 municipalities of the highlands of San Luis, such as Protected Natural Reserve, the Management Plan of the Protected Natural Area as Wirikuta's Natural Sacred Site and the Historical Cultural Route of the Huichol people (2008); the gold mining projects that are located here are "La Lira" and "El Bernalejo", covering an area of 77.63 and 37.88 hectares respectively, and the silver mining project "Real de Catorce," which is to be carried out in 6 thousand 678 hectares that comprise the 22 concessions granted in 2009.⁹³

Wirikuya is considered as one of the sacred sites of the world; its mining has endangered one of the most important centers of pilgrimage and indigenous prayer worldwide, as well as the environmental stability of a fundamental region of the Chihuahuan Desert.⁹⁴

The State has granted concessions to foreign and Mexican mining companies for up to 50 years without the participation of indigenous people in the decision making process, in plain violation of national and international law applicable to the case⁹⁵ concerning the right to consultation and the protection of their ancestral land and despite it being a UNESCO protected area, a sacred site and being inside a protected nature reserve.

"The responsibility of governments in protecting and promoting indigenous rights as well as their social, cultural, religious and spiritual practices under full respect for their territories, institutions and traditional forms of organization are some of the areas that are found in articles under [international treaties that protect indigenous rights]"⁹⁶

Given the situation, the Wixárika people has filed ineffective lawsuits at the domestic level and has come before international bodies, the Rapporteur James Anaya and before the Mexico Office of United Nations High Commissioner for Human Rights to enforce their claims.⁹⁷

The UN CESCR in its 2006 Concluding Observations on Mexico, urged the State to consult in due form the indigenous and local communities affected on large-scale projects that are to be carried out on the lands and territories that they have, that they traditionally occupy or otherwise use, and to seek prior informed consent in any process leading to decisions on these projects that affect their rights and interests under the Covenant, in line with the ILO Convention No. 169 concerning indigenous and tribal peoples in independent states. The Committee also urged the Mexican government to recognize the rights of ownership and possession of indigenous communities over the lands they traditionally

occupy, to ensure adequate compensation and/or alternative accommodation and land for cultivation for indigenous communities and local farmers affected by this type of projects, and to protect their economic, social and cultural rights.⁹⁸

In this sense we invite the CERD Committee to decide in the same lines as the ESCR Committee, to request Mexico for more information on this issue and make a call for attention so that the state prompt and effective solutions to this problem.

Women in defense of Mother Earth: situation of discrimination in Chiapas

Women have been affected by limited access to land, a fact that derives from both, the social practices that prevail within the family and community, and the public policy and laws that are negligent to a gender perspective and imposed from the status quo of a patriarchal, predatory and discriminatory system that allows and encourages gender inequality.

For the indigenous women of Chiapas, not to own land or other elements that ensure their livelihood, reinforces their position of subordination, worsening at the same time their situation of poverty or extreme poverty and of insecurity of their rights. According to figures provided by the INEGI, in Mexico there are 30,305 social properties, out of which 2,057 are located in Chiapas. Only 33,457 are women holders (ejidatarias) while 258,488 are men.⁹⁹

State	Social Properties	Ejidatarios					
		Total	Men	Women	With individual land		
					Total	Men	Women
Mexico	30 305	3 873 054	3 223 141	649 913	3 263 225	2 730 992	532 233
Chiapas	2 057	291 945	258 488	33 457	273 312	245 749	27 563

Based on a research conducted by the Center for Women's Rights in Chiapas, 77.80% of the land is under men's titles, while 18.50% is in the favor of women,¹⁰⁰ these women are also characterized by:

1. Being older than men owners because the land was acquired by a spouse or partner who passed it on to them as inheritance;
2. Have little involvement in decision-making processes in communities;
3. Are limited in their rights over parcels and over common use lands.

Out of the total number of women who have a right over land, 12.2% speaks an indigenous language and 23.72% speak Spanish, in comparison to men holders out of which 81.6% speaks an indigenous language and 74.58% speak Spanish.¹⁰¹

Owner of the land according to language

Owner of Land	Indigenous Language	Spanish	Total
Woman	(6) 12.2%	(14) 23.72%	(20) 18.52%
Man	(40) 81.6%	(44) 74.58%	(84) 77.78%
Both	(3) 6.2%	(1) 1.7%	(4) 3.7%
Total	(49)100%	(59)100%	(108)100%

Source: Diagnóstico CDMCH, 2004

Thus, the constant is the limited access of women to land. Single women and/or widows are mainly the ones who do not have the necessary support for the acquisition of land or to ensure the legal certainty of the land they possess, so sometimes they are stripped of their land with the permissibility of governmental authorities. The origin of this exclusion is based on patriarchal cultural practice of communities who believe that the earth will be better preserved by men than by women; at the time of marriage, women will lose all rights to it. Therefore, it is undeniable that the exclusion of this right is discriminatory based on gender conditions.

Access to land for women not only depends on the mechanisms provided for in the agrarian law, but on the structures determined by the culture, traditions and customs, the social organization of peoples, and the modes of inheritance that inhibit access to land for women in rural areas.

An example of this is the case of Lucia Martinez Huet's. On October 25, 2010 in the place Bochilte, Ejido Lázaro Cárdenas, Municipality of Huixtan, Lucia was stripped of her land by Miguel Morales Ico, brother of her late husband Sebastian Morales Sántiz, with the complicity of the ejido and of an employee of the Agrarian Ministry who argued that Lucia had no right over the land given her status as widow and as woman. Although Lucia has documents proving ownership, she is still being harassed by her brother in law Miguel Morales Ico.

Another example is the case of the women Raymunda Roblero Rodriguez, and Tereza de Jesus Gutierrez Rodriguez, who live in Ejido Bella Vista del Norte in the municipality of Frontera Comalapa, Chiapas. In March 2006 these women, who are not holders of land rights, were threatened with being expelled from the Ejido by the Ejido authorities, basing their threat on the application of their internal Rules of Procedure, which states that "*women who marry or join in union with men that are not from the community must live outside the ejido, in case they refuse, they will be evicted with the help of the police requesting the intervention of Public Prosecutor.*"

The provisions that make up this type of rules are the result of the customs prevailing in the place, which in this case are associated with the keeping the land in the possession of men, preventing women from enjoying having access to it and from participating in the political and social decision making of the community, since only those who are land owners can participate in the decisions made by the ejido assembly.

Furthermore, this rule does not apply to men who can marry women from other communities. This is because the women that are married into the community are not entitled to own, inherit or share property with their partner and thus, they will not compete for leadership and power relations, perpetuating and ensuring their compliance and subordination with the patriarchal model. It should be noted that the toleration and omission of the Mexican state as well as the neglect by the authorities

who have the task of advising the ejido population and the community in the development of their internal rules, has resulted in discrimination against women in their communities and has violated the principle of equality, preventing the effective exercise by these women of the right to decide with whom to raise a family, and the place in which they wish to reside.

With this, the Mexican State has failed to comply with its constitutional obligation to guarantee equality between men and women and respect the traditions and customs of the indigenous groups, provided that they do not violate human rights. It has also failed to comply with commitments acquired through the ratification of international instruments such as the CEDAW and the Inter-American Convention to Eliminate Violence against Women (Convention of Belem do Pará), which protects the right of women to be free from all forms of discrimination, to be valued, and to be educated free of stereotype patterns of behavior and social and cultural practices based on concepts of inferiority or subordination.

Therefore, it is necessary that the peoples and communities generate alternatives that recognize specific forms of relation of women with the land and territory to implement and strengthen strategies that facilitate women's access to natural resources, to the decision-making spheres, to education and training services, and to means of obtaining resources to improve the processes within families and communities under equality conditions.

THE RIGHT TO EQUAL TREATMENT BEFORE THE COURTS AND ALL OTHER JUSTICE ADMINISTRATION INSTITUTIONS (ARTICLE 5 § a OF THE CERD)

The lack of protection of indigenous peoples in Mexico, in regard to due process and judicial guarantees, is clearly evident. Indigenous men and women involved in legal proceedings, accused for the commission of a crime, face a discriminatory system alien to their culture, conception of justice, of an inquisitorial nature and expensive in monetary terms. Most processes are plagued with evident irregularities, which start from the moment of detention –the vast majority of which are carried out in an arbitrary manner-, continue into the ministerial investigation which is conducted under pressure and, in many cases under torture, and culminates the a partial and unfair administration of justice.¹⁰²

There are approximately 7,000 indigenous prisoners in jails across the country, and at least one quarter are in Oaxaca.¹⁰³ Indigenous prisoners face an obsolete system of enforcement and administration of justice that particularly affects them. The situation is so grave that since 2004 there have been comprehensive reforms to the criminal justice system at federal and state level and in 2008 the reform to the criminal justice system introduced a system of an adversarial nature, with more guarantees and with oral proceedings¹⁰⁴ that would replace the inquisitorial system that nonetheless, still prevails in the vast majority of the states in Mexico.

In the current inquisitorial system, discrimination and due process violations against indigenous people is a constant. The main violations that have been documented are:

- Indigenous people are not familiar with the process and the judicial proceedings (and its different stages) they are undergoing mainly due to ignorance of the Spanish language,¹⁰⁵ thus, the main barrier that they face in court is that they do not have access to official translators and

interpreters in their language.¹⁰⁶ This is one of the most frequent irregularities, and perhaps the most important because it sets the basis for the possibility of an adequate defense.

According to a research conducted in the state of Oaxaca by the Office of the High Commissioner for Human Rights in Mexico, out of the 586 cases that were analyzed, 84% of the indigenous defendants did not have an official translator or interpreter.¹⁰⁷ In Mexico there are currently 263 certified interpreters of indigenous languages for a population of over a million who speak only their native language.¹⁰⁸ For many prosecutors, judges or justices, it is enough to hear the indigenous person speak a few Spanish words not to request a translator, assuming that the person speaks Spanish and will understand the proceedings. According to article 2, section A, paragraph viii) of the Mexican Constitution: "... *indigenous people have at all times the right to be assisted by interpreters and lawyers who have knowledge of their language and culture*", with regards to the right of self-adscription as a member of an indigenous community, it is not necessary that the indigenous person does not speak Spanish to be eligible for a translator, instead, the translator must be provided "at all times". "This stems from a conception of language as a way of seeing the world rather than as a means of transmitting ideas and words. In that sense, allowing the indigenous person to express himself in his own language, even if he speaks Spanish, - is a step forward in the recognition of their cultural identity."¹⁰⁹

In some prisons in extremely marginalized regions as Malinaltepec, Tlapa de Comonfort, Ayutla de los Libres, Acapulco and Chilpancingo, in the state of Guerrero (the prisons cited represent only a sample), cases have been identified where Mixtecos and Tlapanecos (members of indigenous groups) have been held for more than six months without knowing the causes underlying the accusation that resulted in their deprivation of liberty, since they do not speak Spanish.

The absence of an interpreter is particularly worrisome for civil and human rights organizations, since this has had repercussions in the inefficient integration of the preliminary investigation to the extent of seriously affecting, for example, indigenous women who were prosecuted for crimes they did not commit.¹¹⁰

- The absence of a public defender which provides adequate defense is one of the causes for discrimination in the indigenous people's access to justice. The OHCHR identified that 67% of indigenous persons did not have counsel assistance at the public prosecutor's office, while 58% of the non-indigenous persons gave the same answer; 27% of the indigenous persons did not have a lawyer during their initial statement compared with 13% of the non-indigenous.¹¹¹ In addition, it was found that most respondents could not speak with their counsel before the Public Prosecutor or before giving their initial statement.¹¹² In cases where a public defender is assigned, these have little professional training and excessive workloads that do not allow them to be fully engaged in each of the cases, and thus they do not fulfill with obligations: they do not attend the proceedings, especially in remote places where the indigenous persons usually are, and their performance is limited to requesting copies and extensions of time or procedural terms without presenting any evidence.¹¹³

The absence of counsel during the investigation impairs the legal proceedings and the demand to repair serious violations. That is the exemplary case of the Me'Phaa indigenous Laura Lopez, who was convicted through, among other violations, the imputation of prosecution witnesses who were not present at the scene and that pointed out simple assumptions, the backing of improper and inadequate measures by the public prosecutor and a delay of 8 months to present evidence offered by the defense.¹¹⁴

- There is an additional form of discrimination against the members of the ethnic groups settled in marginalized communities that materializes in the abuse of the legal term to be tried.¹¹⁵ It is common to observe the abandonment of judicial proceedings against indigenous people; this often has its origin in the inactivity by the judge to hold any pending diligence and the lack of procedural activity by the defense attorney. In the same vein, poverty, marginalization and difficulty with language, are still factors that have an effect on the legal term in which persons belonging to ethnic groups are tried. It is often observed that the violation of a trial within a reasonable time causes or brings with it the meta-temporal application of preventive detention without releasing the accused indigenous person. With the same concern it has been noted that this situation has led to some judges, feeling pressured for incurring in an evident administrative and even criminal liability due to such delay, to issue judgments to justify the prolonged duration of that so-called precautionary measure, although clearly the evidence does not conclusively generate the conviction of criminal responsibility. According to official figures, 36%¹¹⁶ of the Indigenous prison population is being prosecuted under the "measure" of preventive detention in Mexican prisons.

An example of this is the case of Zenaida Pastrana, an indigenous woman belonging to the Mixteca ethnic group who does not speak nor understand Spanish. Zenaida has been detained since 2003 in the Mountain region of Guerrero. She got a first instance court ruling after 5 years of proceedings and given the many reruns of the procedure due to appeals, she is still being deprived of her liberty in spite of her innocence. Zenaida was forced to put her fingerprint on a self-incriminating statement before the public prosecutor, it stated that she was assisted by an interpreter, which is false, in a criminal trial for the crime of murder committed in reality by her spouse and not by her.

- With the same concern it has been noted that investigations are characterized by the fabrication of confessions or incriminating statements, which the prosecutor makes the accused and witnesses sign under false pretenses, torture and abuse; taking advantage of the indigenous persons' partial or total ignorance of the Spanish language, which has become a common practice.¹¹⁷ This situation is added to the absence of a defense attorney (although his signature appears), since, as it has been documented that he is only present at the preliminary statement, or even after it. In the study conducted by the OHCHR on Access to justice for indigenous people in Oaxaca, 291 cases of possible acts that constitute torture were detected. Recurrence of indigenous prisoners who were subjected to this practice is 21% while for non-indigenous people, it is 15%.¹¹⁸
- Finally, access to justice for indigenous people is done in complete ignorance of their customs. Defense lawyers, judges and other participants in the judicial process do not know their

language, culture and the rights that protect them, so that they can recognize the indigenous person as an individual and collective subject as well as his right to be recognized as a group.¹¹⁹ That is, the proceedings do not contemplate that the indigenous people should be judged according to their traditions, customs and worldview, for this it is required to carry out special reports to determine these factors, however this is not done. The OHCHR Mexico has observed that "[t]he invisibility of his right is such that the in the files surveyed, in 562 cases, the detained indigenous person was prosecuted and convicted for a crime of a local nature. In only three of these 562 cases (or slightly more than 0.5%), anthropological, cultural or linguistic expert reports were presented during the investigation [...] [and] in none there was a registered effect on the decisions by the local judges."¹²⁰

Emblematic cases of this situation

The indigenous Mazahua Magdalena García Durán, declared a prisoner of conscience by Amnesty International, despite having won several appeals, was detained in relation to the same facts for 18 months; she was acquitted of all charges and released on November 9, 2007.¹²¹ On the other hand, indigenous Jacinta Francisco Marcial was released after three years in prison, falsely accused of kidnapping six elements of the then Federal Investigation Agency (AFI).¹²²

Another case is that of Ricardo Ucán Seca, indigenous mayan who was imprisoned after an unfair trial, this is an example of the discrimination that persists against the Mayan people of Yucatán at the three levels of government. The lack of an interpreter or translator, the absence of an adequate defense and the discrimination he suffered –all of which constitute violations of due process- prevented Don Ricardo Ucán to show that he acted in self-defense when he took the life of Chan Bernardino in June 2000, for which he was sentenced to 22 years in prison. The High Court of Justice of Yucatán even claimed that Ricardo was not indigenous mayan because there was electricity, a school, and various services in his locality. Ricardo's public defender did not present evidence or arguments to prove self-defense. The first instance judge did not take into account the elements of conviction and the irregularities in the procedure and instead, he convicted Ricardo. The irregularities were upheld by the appellate court stating that the first instance court decision was legal. The case of Ucán Ricardo came before the Commission on Human Rights which secured his release with the signing of a settlement between the victim and the Mexican government who acknowledged that serious irregularities had been present in this case.¹²³

When talking about justice, however, the right of these people to access their own indigenous jurisdiction, based on their legal systems, should not be left aside. This right, explicitly mentioned in Article 2 of the Constitution and Article 169 of the ILO Convention, should be recognized by the national authorities. However, the expressions of community justice are often unknown, are not fully recognized in practice and in legislation¹²⁴ and in some cases, have been prosecuted. In Guerrero, where indigenous peoples of the Mountain Coast have organized themselves around the Regional Coordinator of Community Authorities (CRAC) to find an alternative community justice and security in the region, the promoters of this system originating in the communities themselves often face questions by formal authorities which have, in some cases, translated into criminal proceedings.

In this regard the Special Rapporteur on Indigenous Peoples has recommended that "[i]ndigenous law (customary law) shall be recognized and respected before all judicial instances involving an indigenous person or community and should be incorporated into a new conception of indigenous justice."¹²⁵ The OHCHR in Mexico also stated that " [t]he federal and state governments should recognize, respect and support community policies, indigenous courts and other forms of indigenous conflict resolution mechanisms of the indigenous peoples themselves. "¹²⁶

In the administration of criminal justice the absence of an intercultural and gender perspective is evident. In Mexico there are several states that have Indigenous Justice Prosecutor Offices and/or Indigenous Courts; however, the character of the vast majority of them is nominative since they are subjected to the procedures of the Mexican judicial system which does not recognize the vision of order and justice that indigenous peoples have. Thus, the Mexican State does not recognize the judicial instances of indigenous peoples, but it simulates it does through the creation of nominative prosecutors and/or courts.

According to the information contained herein, there is a gap between the CERD provisions and the reality of indigenous men and women. The multiple types of discrimination experienced by women in the exercise of their human rights stands out. There is still a lack of inclusive public policies and laws that make visible the problems faced by indigenous peoples due to their situation of marginalization; as well as of affirmative actions that remove the inequality in which they currently live, and in which they have historically lived, so that they can have access to all programs and exercise their rights on equal terms.

We hope the information provided here is useful during the review session of the report to be presented by the Mexican government in order to ensure compliance with its obligations under the CERD, and for the CERD Committee to recommend on the discussed topics, taking into account the current situation, the concerns of the undersigning organizations and the recommendations by other UN agencies.

That is all for the present and we take this opportunity to reiterate our highest consideration and esteem.

¹ CERD, General Recommendation No. 23: Indigenous Peoples (August 18, 1997). CERD/C/51/Misc.23/rev.1 párr.1.

[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/73984290dfea022b802565160056fe1c?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/73984290dfea022b802565160056fe1c?Opendocument)

² Ministry of Foreign Affairs (SRE), Human Rights Cooperation Program between Mexico and the European Commission, "Human Rights of Indigenous Peoples", Mexico, November 2006, pp. 11.

³ INEGI, Population and Housing Census, 2010. Basic Questionnaire, <http://www.censo2010.org.mx/>

⁴ CONAPRED, Briefing on Racial Discrimination in Mexico, Mexico City, March 21, 2011, pp. 7 Available at http://www.conapred.org.mx/redes/documentos_cedoc/Dossier%20DISC-RACIAL.pdf

⁵ *Ibidem*, Cfr. INEGI, op. cit.

⁶ CONAPRED, op. cit. pág 1,

⁷ Martínez, Luz María, "Presencia Africana en México, CONACULTA, en "Ichantecolotl", Informative body of CIESAS, Year21, No. 247, March, 2011

⁸ CONEVAL, "Medición de la Pobreza en los Municipios de México", December 2011, http://internet.coneval.gob.mx/informes/Pobreza/Pobreza_municipal/Presentacion/Pobreza_municipios.pdf pp. 17.

⁹ Crf. CONAPRED, op. cit, pág. 7 y 8; United Nations Human Rights Committee (UNHCR). Report by the Special Rapporteur on the human rights situation and the fundamental liberties of indigenous peoples, Sr. Rodolfo Stavenhagen (Special Rapporteur on Indigenous Rights), Visit to Mexico, E/CN.4/2004/80/Add.2, December 23, 2003, para. 14 Available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G03/172/98/PDF/G0317298.pdf?OpenElement>

¹⁰ CONAPRED, op. cit, p. 2.

¹¹ Taniguchi, Hanako, “Indígenas y Afrodescendientes los más discriminados en México”, in CNN Mexico available at <http://www.cnn.mx/nacional/2011/03/24/indigenas-y-afrodescendientes-los-mas-discriminados-en-mexico>

¹² CONAPRED, “Buscan dignificar a los pueblos afrodescendientes a través de la difusión cultural”, Press Release 055/2011, September 6, 2011, available at: http://www.conapred.org.mx/redes/index.php?contenido=boletin&id=375&id_opcion=103&op=213

¹³ Notimex, CNDH: Racial discrimination in Mexico persists, March 2010, available at: <http://www.sipse.com/noticias/37885-cndh-persiste-discriminacion-racial-mexico.html>

¹⁴ CONAPRED, “Quienes menos participan en la democracia son quienes más necesitan que sea efectiva”, Press Release 075/2011, Guadalajara, Jalisco., November 29, 2011

¹⁵ Official Journal of the Federation, Decree which amends the denomination of Chapter I of the First Title and reforms several articles of the Mexican Constitution. Available at http://dof.gob.mx/nota_detalle.php?codigo=5194486&fecha=10/06/2011

¹⁶ Reformed Article 1 of the Constitution states that:

TITLE I

CHAPTER I

Human Rights and Guarantees

Article 1. In the Mexican United States all persons shall enjoy the rights recognized by this Constitution and in the international treaties to which the Mexican state is party, as well as the guarantees for their protection, the exercise of which may not be restricted or suspended, except in the cases and under the conditions established by this Constitution.

The provisions on human rights shall be interpreted in accordance with this Constitution and with international treaties on the subject, at all times granting the person the more extensive protection (*pro homine* principle).

All authorities within the scope of their attributions have an obligation to promote, respect, protect and guarantee human rights in accordance with the principles of universality, interdependence, indivisibility and progressiveness. Consequently, the State must prevent, investigate, punish and remedy human rights violations in the terms established by law.

(...)

All discrimination motivated by ethnic or national origin, gender, age, disability, social status, health status, religion, opinions, sexual preferences, marital status or anything else that violates the dignity human and is intended to nullify or impair the rights and freedoms of individuals is prohibited.

¹⁷ Cfr. Political Constitution of the Mexican United States, Article 2, available at http://www.scjn.gob.mx/marconormativo/Documents/Constitucion_DOE_13OCT11.pdf

¹⁸ CERD, Final Observations. Examen de los informes presentados por los Estados partes de conformidad con el artículo 9 de la Convención (México), CERD/C&MEX/CO/15, del 4 de abril de 2006, párr.12.

¹⁹ HRC Special Rapporteur on Indigenous Peoples, op.cit, para. 64. See also. HRC, Indigenous issues. Human rights and indigenous issues. "Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen, submitted pursuant to resolution 2005/51 of the Commission. Addition; Progress report on the ongoing activities for the preparation of the study on best practices for implementing the recommendations contained in the annual reports of the Special Rapporteur ", E/CN.4/2006/78/Add.4, January 26, 2006, para. 53 Available at http://www.amdh.com.mx/ocpi/relator/docs/6.Inf_prog_relat_ind.pdf

²⁰ Federal Official Gazette (DOF), Decree through which the Federal Law to Prevent and Eliminate Discrimination (LFPED) is issued, June 11, 2003 available at <http://www2.scjn.gob.mx/Leyes/ArchivosLeyes/31735001.pdf>

²¹ Body established under the LFPED to "promote policies and measures to contribute to cultural and social development and to advance on the social inclusion and guarantee the right to equality" Cf http://www.conapred.org.mx/redes/index.php?contenido=pagina&id=38&id_opcion=15&op=15

²² UNHCHR, CERD, General Recommendation 23, op. cit, para. 4.(a).

²³ Human Rights Council (HRC), *Promotion and Protection Of All Human Rights, Civil, Political, Economic, Social And Cultural Rights, Including The Right To Development*, Rodolfo Stavenhagen, A/HRC/6/15, November 15, 2007, para 17

²⁴ Laura Toribio, “Los indígenas *hñähñus* ganan respeto a su identidad”, Excelsior, August 9, 2011, available at http://www.excelsior.com.mx/index.php?m=nota&id_notas=759503

²⁵ *Ibidem*.

²⁶ Narváez, Jesús, “Discriminan a huicholes en Nayarit”, [12 de junio de 2008](http://www.jornada.unam.mx/2008/06/12/index.php?section=estados&article=039n2est), La Jornada online: <http://www.jornada.unam.mx/2008/06/12/index.php?section=estados&article=039n2est>

²⁷ *Ibidem*.

²⁸ Human Rights Council, Promotion and protection of all human civil, political, economic, social and cultural rights, including the right to development, "Report of the Special Rapporteur on the right to education, Mr. Vernor Muñoz." Addition. Mission to Mexico (8 to 18 february 2010). A/HRC/14/25/Add.4, June 2, 2010 available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/139/12/PDF/G1013912.pdf?OpenElement>

²⁹ *Ibid*, para. 66, Cfr, para. 36.

³⁰ *Ibid*, para. 59.

³¹ *Ibid*, para. 78.

³² *Ibidem*.

³³ *Ibid*, para. 72.

³⁴ *Ibid*, para. 68 y 72.

³⁵ Human Rights Center “Fray Francisco de Vitoria”, Report on the situation of DESC rights in Mexico, 2011, p. 78.

³⁶ *Ibidem*, para. 100, Special Rapporteur on the Right to Education ends his official visit to Mexico, February 18th 2010 [<http://www.hchr.org.mx/Documentos/comunicados/2010/02/CDP190210Educacion.pdf>].

³⁷ *Ibid*, recomendación n) pág. 23

³⁸ Human Rights Center “Fray Francisco de vitoria O.P.” A.C., Annual Report on the Situation of Ecconomic, Social, Cultural and Environmental Rights in Mexico, 2002-2003. Mexico. Indesol-CDHFFV.

³⁹ Public Education Ministry. General Directorate of Planning, Programming and Budget, quoted in CEPAL: *Las metas del Milenio y la Igualdad de Género. El caso de México*.

⁴⁰ *Ibidem*.

⁴¹ Civic Observatory for Education, "The Right to Education in Mexico. Situation and Prospects", Journal This country, August p. 30.

⁴² CONAPRED, op. cit, pág. 9, Cfr. National Commission for the Development of Indigenous Peoples, (CDI), Sociodemographic indicators for the indigenous population, 2000-2005, September 2006, pp. 22 to 24 on http://www.cdi.gob.mx/cedulas/sintesis_resultados_2005.pdf

⁴³ Human Rights Center Fray Francisco de Vitoria O. P., A., C. Mexico's City Human Rights Commission. Report on the Situation of Ecconomic, Social, Cultural and Environmental Rights in Mexico, Mexico, CDHFFV, from 2008 to 2010.

⁴⁴ UNHCHR, “El derecho a una vida libre de violencia: mujeres indígenas de Chiapas, Guerrero y Oaxaca”, p. 30

⁴⁵ ESCR Committee, General Observation No. 14 (PIDESC), Right to the enjoyment of the highest posible health level, 22^o session period, U.N. Doc. E/C.12/2000/4, 2000, para. 12, 18 and 19.

⁴⁶ The World Health Organization (WHO) has defined mortality as “The death of a woman while pregnant or within 42 days of termination of pregnancy, irrespective of the duration and site of the pregnancy, from any cause related to or aggravated by the pregnancy or its management but not from accidental or incidental causes.” Cfr. World Health Organization, UNICEF, UNFPA and The World Bank, “Trends in maternal mortality: 1990 to 2008. Estimates developed by WHO, UNICEF, UNFPA and The World Bank”, pág. 4, http://whqlibdoc.who.int/publications/2010/9789241500265_eng.pdf

⁴⁷ HRC, UNDP-Mexico and the Federal Government, “Indigenous Mortality and its Prevention”, Mexico, April 2010, p. 2, available at http://www.cdi.gob.mx/embarazo/mortalidad_materna_indigena_prevenicion_cdi_pnud.pdf.

⁴⁸ *Ibid*, pág. 3

⁴⁹ National Health Information System (SINAIS), [Razón de mortalidad materna y defunciones por año de registro y entidad de residencia habitual, 2002-2008](http://sinais.salud.gob.mx/muertesmaternas/index.html) available at <http://sinais.salud.gob.mx/muertesmaternas/index.html>

⁵⁰ Cfr. ODM en <http://www.un.org/spanish/millenniumgoals/maternal.shtml>

⁵¹ Cfr. Beijing Declaration para. 97 at <http://www.un.org/womenwatch/daw/beijing/pdf/Beijing%20full%20report%20S.pdf>

⁵² The Guttmacher Institute in its 2000 Report on Barriers for Maternity in Mexico pointed out that “Language difficulties and other sociocultural factors, such as the difficulties that women have to make decisions about their health and to access health institutions, play an important role in increasing their risk of morbidity and mortality” (citing Latin American and Caribbean Women's Health Network (LACWHN), Maternal mortality prevention in Chiapas, Mexico: the impact of decentralization, change in ruling political parties and gender, *Women's Health Journal*, 2007 (3–4):45–55. y a Freyermuth G, *Las Mujeres de Humo. Morir en Cbenaló. Género, Etnia, Factores Constitutivos del Riesgo Durante la Maternidad*, México, D.F.: Editorial Porrúa, 2003.) Cfr. Juárez, Fátima, et al. “Barreras de la Maternidad Segura en México”, Guttmacher Institute, June 2010, p. 18 available at <http://www.guttmacher.org/pubs/Maternidad-Segura-Mexico.pdf>

⁵³ Cfr. HRC, UNDP-Mexico and Federal Government, op. cit. p. 4 y 5. According to the Beijing Declaration:

“Most of these deaths, health problems and injuries are preventable through improved access to adequate health-care services, including safe and effective family planning methods and emergency obstetric care, recognizing the right of women and men to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the

law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant.” *Ibidem*.

⁵⁴ National Health Information System (SINAIS), [Defunciones maternas por causas según entidad de residencia habitual, 2002-2008](http://sinais.salud.gob.mx/muertesmaternas/index.html) available at <http://sinais.salud.gob.mx/muertesmaternas/index.html>

⁵⁵ *Ibidem*.

⁵⁶ SINAIS. Main causes of mortality in Mexico, 2005-2007. [ref. el 27 de diciembre de 2010]. Available information at http://www.sinais.salud.gob.mx/descargas/xls/Princip_CausasMM_2005-2007.xls

⁵⁷ Article 13. Convention on the Elimination of all forms of Discrimination against Women/1981

⁵⁸ Karina Avilés- “Leyes antiaborto, evidencia de la debilidad del Estado, alerta la AMC”. Justice and Society, La Jornada- January 6, 2010 p. 30

⁵⁹ UN-General Assembly, Promotion and protection of human rights: human rights issues, including others. Means of improving the effective enjoyment of human rights and fundamental freedoms, Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health A/66/254, August 3, 2011, para. 14, 21 y 65 (h) available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/443/61/PDF/N1144361.pdf?OpenElement>

“Criminal laws penalizing and restricting induced abortion are the paradigmatic examples of impermissible barriers to the realization of women’s right to health and must be eliminated. These laws infringe women’s dignity and autonomy by severely restricting decision-making by women in respect of their sexual and reproductive health. Moreover, such laws consistently generate poor physical health outcomes, resulting in deaths that could have been prevented, morbidity and ill-health, as well as negative mental health outcomes, not least because affected women risk being thrust into the criminal justice system. Creation or maintenance of criminal laws with respect to abortion may amount to violations of the obligations of States to respect, protect and fulfill the right to health.” para. 21.

⁶⁰Cfr. Transcript of the plenary sessions of the Supreme Court of Justice’s Office of 26, 27, 28 and 29 September 2011 concerning the unconstitutionality of Baja California 11/2009 and San Luis Potosi 62 / 2009 on the constitutional reforms in those states that protect life from conception and give legal status to the embryo in http://www.scjn.gob.mx/PLENO/ver_taquigraficas/pl20110926v4.pdf; http://www.scjn.gob.mx/PLENO/ver_taquigraficas/pl20110927v3.pdf; http://www.scjn.gob.mx/PLENO/ver_taquigraficas/pl20110928v2.pdf; http://www.scjn.gob.mx/PLENO/ver_taquigraficas/pl20110929v2.pdf.

⁶¹ Juárez, Fátima, et. al, op. cit, pág. 7

⁶² IACHR, *Informe sobre Acceso a Servicios de Salud Materna desde una perspectiva de derechos humanos*, OEA/Ser.L/V/II. Doc. 69, June 7 2010, para .87 available at <http://cidh.org/women/SaludMaterna10Sp/SaludMaternaINDICE.htm>

⁶³ UNHCHR, “El derecho a una vida libre de violencia: mujeres indígenas de Chiapas, Guerrero y Oaxaca”, p.40

⁶⁴ Human Rights Commission of Mexico City, Special Report on the rights of indigenous communities residing in Mexico (2006-2007), Mexico 2007, p. 79, available at http://directorio.cdhd.org.mx/informes/informe_indigenas.pdf

⁶⁵ *Ibid*, para. 401.

⁶⁶ *Ibid*, para. 402.

⁶⁷ CERD Committee, op.cit. para. 15

⁶⁸ Walter Leitner International Human Rights Clinic at Fordham Law School, “They have destroyed the life of this place”: Human Rights violations, environmental damage and megaprojects in México,” Executive Summary, February 2011, p. 1. <http://es.scribd.com/doc/61654134/Informe-de-la-Universidad-Fordham-sobre-violaciones-a-derechos-humanos-en-mega-proyectos-en-Mexico>

⁶⁹ Cfr. Matías, Pedro, “Pide ONU a gobiernos dar voz a pueblos indígenas en megaproyectos”, in Revista Proceso. June 2011, available at http://www.hchr.org.mx/files/ONUMedios/2011/06/oaxaca_apro.pdf y <http://www.proceso.com.mx/?p=273439>

⁷⁰ Human Rights Center “Fray Francisco de Vitoria”, Report on the situation of ESCR in Mexico, 2011, p. 121.

⁷¹ “Mined land. The rights of communities and the environment in Mexico”, Mexico Project Newsletter No. 2, 2011. p. 2.

⁷² Velasco, Elizabeth, “La IP participará en la puesta en marcha de unas 11 hidroeléctricas”, in La Jornada, June 13, 2011 available at <http://www.jornada.unam.mx/2011/06/13/politica/015n2pol>

⁷³ Fray Francisco de Vitoria Center, ESCR Report 2011, op. cit. pág. 122.

⁷⁴ Cfr. PBI, op. cit.; Walter Leitner International Human Rights Clinic, op.cit.

⁷⁵ Cfr. Human Rights Center “Fray Francisco de Vitoria”, ESCR Report 2011, op. cit., p. 124.

⁷⁶ Cfr. PBI, op. cit.; Walter Leitner International Human Rights Clinic, op.cit. and Human Rights Center “Fray Francisco de Vitoria”, ESCR Report 2011, op. cit., pág. 124.

⁷⁷ Walter Leitner International Human Rights Clinic, op.cit.pág. 3 y 4.

⁷⁸ Bautista, Genaro, Mercado, Rogelio-AIPIN-AYI, “Llamado del foro de la ONU de pueblos indígenas”, May 28, 2011, available at <http://liwenmapu.wordpress.com/2011/06/01/unpfi-llamado-del-foro-de-la-onu-de-pueblos-indigenas/>

⁷⁹ For example the Law on Indigenous Rights and Culture, does not contemplate adequately, according to ILO standards, the right to consultation or to respect their lands and culture. Cfr. Fundar, <http://www.fundar.org.mx/mexico/pdf/mineria.pdf>

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- ⁸⁰ FUNDAR, <http://www.fundar.org.mx/mexico/pdf/mineria.pdf>
- ⁸¹ *Ibidem*.
- ⁸² Walter Leitner International Human Rights Clinic, op.cit. p. 15.
- ⁸³ Human Rights Center "Fray Francisco de Vitoria O.P." A.C.; *Informe Anual sobre la situación de los Derechos Económicos, Sociales, Culturales y Ambientales en México 2007- 2008*. Human Rights Center "Fray Francisco de Vitoria O.P." A.C., México, 2009; Centro de Derechos Humanos "Fray Francisco de Vitoria O.P." A.C.; *Informe Anual sobre la situación de los Derechos Económicos, Sociales, Culturales y Ambientales en México 2009*. Human Rights Center "Fray Francisco de Vitoria O.P." A.C., México, 2010;
- ⁸⁴ *Ibid*, pág. 13.
- ⁸⁵ Human Rights Center Fray Francisco de Vitoria, ESCR Report 2011, op. cit, p. 127.
- ⁸⁶ Walter Leitner International Human Rights Clinic, op.cit. p. 15 y 16.
- ⁸⁷ *Ibid*, pág. 17, Cfr. PBI, op. cit.
- ⁸⁸ *Ibidem*.
- ⁸⁹ Walter Leitner International Human Rights Clinic, op.cit. p. 27.
- ⁹⁰ Fundar, op.cit. pág. 12;
- ⁹¹ *Ibid*, pág. 3.
- ⁹² Subversiones, Autonomous Communication Agency, "Wirikuta: El corazón de la vida bajo acecho trasnacional." Part 1 in <http://www.agenciasubversiones.org/?p=1832>
- ⁹³ *Ibidem*.
- ⁹⁴ *Ibidem*.
- ⁹⁵ Among them, the Constitution of the United Mexican States in its article 2, Agreement 169 of the International Labour Organization (ILO) signed by the Mexican government, the State Decree (SLP 2001), which establishes Wirikuta for its protection and respect as a protected Natural Reserve, the Management Plan of the Protected Natural Area as Sacred Site Wirikuta Natural and Cultural Historic Route of the Huichol People (2008), Indigenous Consultation Act of the State of San Luis Potosi, and the Haux Covenant Manak (Durango, 2008), signed by the governments of the states of San Luis Potosi, Nayarit, Jalisco, Zacatecas and Durango, and President Felipe Calderon Hinojosa.
- ⁹⁶ Subversiones, Autonomous Communication Agency, op. cit.
- ⁹⁷ *Ibidem*. Cfr. Subversiones, Autonomous Communication Agency, "Wirikuta: El corazón de la vida bajo acecho trasnacional." Part 3- The pilgrimage of the wixárika people in their struggle for life in <http://www.agenciasubversiones.org/?p=2062>
- ⁹⁸ ESCR Committee, Final Observations to Mexico, E/C.12/MEX/CO/4, June 9, 2006, para. 28.
- ⁹⁹ INEGI, Results of XII Population and Housing Census. <http://www.inegi.gob.mx>
- ¹⁰⁰ Women and Land Ownership in Chiapas. Diagnostic Center for Women's Rights in Chiapas, 2004. Center for Women's Rights in Chiapas, Mexico, 2004
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- ¹⁰² Salazar Luzula, Katya, "El acceso a la justicia de los pueblos indígenas en Oaxaca: Retos y posibilidades", Organization of American States (OAS), Washington, 2006, p. 5.
- ¹⁰³ *Ibidem*.
- ¹⁰⁴ DOF, Decree which amends several provisions of the Mexican Constitution, June 18 2008 in <http://es.scribd.com/doc/3830851/REFORMA-AL-SISTEMA-DE-JUSTICIA-PENAL-EN-MEXICO>. Cfr. Presumption of Innocence Project, Reform to the Criminal Justice System, at http://www.presunciondeinocencia.org.mx/index.php?option=com_content&view=article&id=76:reforma-penal&catid=41:reforma-penal-&Itemid=89
- ¹⁰⁵ National Council to Prevent Discrimination (CONAPRED). National Survey on Discrimination in Mexico, ENADIS 2010; p. 36
- ¹⁰⁶ UNHCHR Mexico, "Assessment Report on Access to justice for indigenous people in Mexico. Case study on Oaxaca" (Diagnostic on Access to justice). Project implementation of the recommendations from the Diagnosis of the Situation of Human Rights in Mexico, p. 162 Available at <http://www.hchr.org.mx/files/informes/oaxaca/InformeDiagn%C3%B3sticoJusticia.pdf>
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- ¹⁰⁸ National Institute of Indigenous Languages (INALI), "Signing of Collaboration", INALY Summary Information in the media, December 5, 2011, at <http://site.inali.gob.mx/intranet/yportal.php?t=nota&e=132309276449013000&ccve=Si111205>
- ¹⁰⁹ Salazar Luzula, Katya, op. cit. 10.
- ¹¹⁰ UNHCHR Mexico. "El derecho a una vida libre de discriminación y violencia: mujeres indígenas de Chiapas, Guerrero y Oaxaca" (*Mujeres indígenas*); México 2006-2007, p. 135.
- ¹¹¹ UNHCHR Mexico, Diagnostic on Access to justice, op. cit. p. 101.
- ¹¹² *Ibid*, p. 104.
- ¹¹³ Salazar Luzula, Katya, op. cit. p. 8 y 9.
- ¹¹⁴ UNHCHR Mexico. Indigenous Women, op.cit.
- ¹¹⁵ Salazar Luzula, Katya, op. cit. pág. 5.

¹¹⁶ Federal Public Security Ministry. Statistics: Indigenous prison population by jurisdiction, legal status, sex and state. July 2011

¹¹⁷ Salazar Luzula, Katya, op. cit. pág. 14.

¹¹⁸ UNHCHR Mexico, Diagnostic on Access to justice, op. cit. pág. 129.

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¹²⁰ UNHCHR Mexico, Diagnostic on Access to justice, op. cit. pág. 90 y 91.

¹²¹ Zapateando, "Magdalena García Durán: fui presa un año, seis meses y cinco días, pero no me pudieron callar", available at <http://zapateando.wordpress.com/2009/01/18/magdalena-garcia-duran-fui-presa-un-ano-seis-meses-y-cinco-dias-pero-no-me-pudieron-callar/>

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¹²³ Indignación A.C., "Don Ricardo está en libertad" December 31, 2009, at <http://indignacion.org.mx/2009/12/31/mes-y-medio-despues-de-la-audiencia-en-la-cidh-esta-en-libertad/>

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¹²⁵ UNHCHR, Informe del Relator Especial sobre la situación de los derechos humanos y las libertades fundamentales de los indígenas, Rodolfo Stavenhagen, referente a México. E/CN.4/2004/80/Add.2 (23 diciembre de 2003), párrafo 93.

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List of organizations that are part of The National Network of Civil Organizations "All Rights for All" A.C. (Red Nacional de Organismos Civiles "Todos los Derechos para Todas y Todos" A.C.): Agenda LGBT (Distrito Federal, Asistencia Legal por los Derechos Humanos, A.C. (Distrito Federal); Asociación Jalisciense de Apoyo a los Grupos Indígenas, A.C. (Guadalajara, Jal.); Asociación para la Defensa de los Derechos Ciudadanos "Miguel Hidalgo", A.C. (Jacala, Hgo.); Casa del Migrante Saltillo (Coahuila), Católicas por el Derecho a Decidir, A.C. (Distrito Federal); Centro "Fray Julián Garcés" Derechos Humanos y Desarrollo Local, A. C. (Tlaxcala, Tlax.); Centro de Apoyo al Trabajador, A.C. (Puebla, Pue.); Centro de Derechos Humanos "Fray Bartolomé de Las Casas", A. C. (San Cristóbal de Las Casas, Chis) ; Centro de Derechos Humanos "Fray Francisco de Vitoria O.P.", A. C. (Distrito Federal); Centro de Derechos Humanos "Miguel Agustín Pro Juárez", A. C. (Distrito Federal); Centro de Derechos Humanos "Don Sergio" (Jiutepec, Mor.); Centro de Derechos Humanos "Fray Matías de Córdoba". A.C. (Tapachula, Chis); Centro de Derechos Humanos de la Montaña, Tlachinollan, A. C. (Tlapa, Gro.); Centro de Derechos Humanos de las Mujeres (Chihuahua), Centro de Derechos Humanos, "Juan Gerardí", A. C. (Torreón, Coah.); Centro de Derechos Humanos Ñu'u Ji Kandí, A. C. (Tlaxiaco, Oax.); Centro de Derechos Humanos Paso del Norte (Cd. Juárez), Centro de Derechos Humanos Solidaridad Popular, A.C. (Monterrey, N.L.); Centro de Derechos Humanos Tepeyac del Istmo de Tehuantepec, A. C. (Tehuantepec, Oax); Centro de Derechos Humanos Victoria Diez, A.C. (León, Gto.); Centro de Derechos Indígenas "Flor y Canto", A. C. (Oaxaca, Oax.); Centro de Derechos Humanos Toaltepeyolo (Tlilapan, Veracruz); Centro de Derechos Indígenas A. C. (Bachajón, Chis.); Centro de los Derechos del Migrante (Zac. Zacatecas); Centro de Estudios Fronterizos y Promoción de los Derechos Humanos, A. C. (Reynosa, Tamps.); Centro de Justicia para la Paz y el Desarrollo, A. C. (CEPAD) (Guadalajara, Jal.); Centro de Reflexión y Acción Laboral (CEREAL-DF) (Distrito Federal); Centro de Reflexión y Acción Laboral (CEREAL-Guadalajara) (Guadalajara, Jal.); Centro Diocesano para los Derechos Humanos "Fray Juan de Larios", A.C. (Saltillo, Coah.); Centro Juvenil Generando Dignidad (Comalcalco, Tabasco); Centro Hermanas Mirabal de Derechos Humanos (León, Gto.), Centro Mexicano de Derecho Ambiental (Distrito Federal), Centro Mujeres (La Paz, BC.), Centro Regional de Defensa de DDHH José María Morelos y Pavón, A. C. (Chilapa, Gro.); Centro Regional de Derechos Humanos "Bartolomé Carrasco", A. C. (Oaxaca, Oax.); Ciencia Social Alternativa, A.C. - KOOKAY (Mérida, Yuc.); Ciudadanía Lagunera por los Derechos Humanos, A. C. (CILADHAC) (Torreón, Coah.); Ciudadanos en Apoyo a los Derechos Humanos, A. C. (Monterrey, NL); Colectivo Educación para la Paz y los Derechos Humanos, A.C. (San Cristóbal de Las Casas, Chis.); Colectivo contra la Tortura y la Impunidad (Distrito Federal); Comité Cerezo (Distrito Federal); Comisión de Derechos Humanos "La Voz de los sin voz" (Coyuca de Benítez, Gro.); Comisión de Derechos Humanos y Laborales del Valle de Tehuacan, A.C. (Tehuacan, Pue.); Comisión de Solidaridad y Defensa de los Derechos Humanos, A. C. (Chihuahua, Chih.); Comisión Independiente de Derechos Humanos de Morelos, A. C. (CIDHMOR) (Cuernavaca, Mor.); Comisión Intercongregacional "Justicia, Paz y Vida" (Distrito Federal); Comisión Parroquial de Derechos Humanos "Martín de Tours", A.C. (Texmelucan, Pue.); Comisión Regional de Derechos Humanos "Mahatma Gandhi", A. C. (Tuxtpec, Oax.); Comité de Defensa de las Libertades Indígenas (Palenque, Chis.); Comité de Derechos Humanos Ajusco (Distrito Federal); Comité de Derechos Humanos "Fr. Pedro Lorenzo de la Nada", A. C. (Ocosingo, Chis.); Comité de Derechos Humanos "Sembrador de la Esperanza". A. C. (Acapulco, Gro.); Comité de Derechos Humanos "Sierra Norte de Veracruz", AC. (Huayacocotla, Ver.); Comité de Derechos Humanos de Colima, No gubernamental, A. C. (Colima, Col.); Comité de Derechos Humanos de Comalcalco, A. C. (Comalcalco, Tab); Comité de Derechos Humanos de Tabasco, A. C. (Villahermosa, Tab); Comité de Derechos Humanos y Orientación Miguel Hidalgo, A. C.

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