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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Christian Solidarity Worldwide, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Violations affecting indigenous religious minority women in Mexico

Introduction

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB) for all. This submission seeks to bring the Council's attention to the situation of indigenous women from religious or belief minority communities in Mexico.
2. CSW has documented the experiences of 25 indigenous women and two mestizas¹ women from minority Protestant Christian communities in the Mexican states of Chiapas, Guerrero, Hidalgo, Jalisco and Oaxaca. CSW's research finds that each woman experienced violations of the right to FoRB, including some forms of discrimination which appear to disproportionately or exclusively affect women.²
3. The Law of Uses and Customs protects the right of indigenous communities in Mexico to govern themselves according to traditional laws and customs. The law is meant to be exercised in line with human rights guarantees in the Mexican constitution and international law, including the full right to FoRB. In practice, the government at the municipal, state and federal levels does little to enforce this. As a result, religious minority families in several states have been subjected to intense harassment and pressure. In these regions, the majority religious group often believes it is their right to enforce religious belief and practice.

Harassment

4. Most indigenous religious minority women in Mexico experience harassment by members of the religious majority community. CSW is troubled by accounts of verbal abuse in public, of stones being thrown at minority Protestant Christian churches and/or church members as they travel to attend religious services, and reports of members of religious majority communities positioning signs outside Protestant Christian churches to prevent members from entering, and putting up barriers to hinder their freedom of movement in and out of the community. Members of religious minorities communities are also frequently prevented from receiving visitors who belong to their religious group.

Denial of basic services

5. One of the most common violations associated with attacks on FoRB in Mexico is the blocking of access to basic services, including water, electricity and sewerage. 13 of the participants interviewed by CSW have had their water supply cut off because of their refusal and/or inability to comply with the demands of a religious majority. These demands include forced participation in majority religious festivals, forced renouncement of religious beliefs, and illegal fines of up to MXN 5,000.
6. Denied access to water services seems to disproportionately impact women, who tend to be responsible for domestic tasks that rely on water, such as cooking and cleaning. In one example, after their water supply was cut off on 3 May 2021, Josefina Cruz Ruiz and other Protestant women from Nueva las Tacitas, Ocosingo Municipality, Chiapas State were forced to make daily trips to a stream 20 minutes from their homes, to collect water for drinking and everyday tasks. These women also relied on the stream to wash their family's laundry, carrying between 10 and 15kg of clothes on their heads to and from the stream, several times a day, for up to five consecutive months.
7. CSW is disturbed that a lack of clean water can lead to serious health issues such as parasitosis, amoebiasis, malnutrition, diarrhoea and gastrointestinal disorders.

Denial of government benefit programmes

8. Many indigenous religious minority women have been prevented from receiving economic support through government benefit programmes they are entitled to.

9. There are two main ways in which local authorities have leveraged access to government programmes to pressure indigenous families to return to the majority religion. Firstly, they can refuse to approve their application which usually require applicants to present a birth certificate and a proof of address, or proof of residence, from the local authority. Secondly, the local authorities can threaten or refuse to pass on the financial support. If a community does not have a cashpoint where recipients can withdraw the money, which is often the case in rural indigenous communities, financial support is delivered in cash to the community commissariat who oversees its distribution, a system which is open to abuse.

10. Juana Custodio Bernabe, who lives in El Mesón Zapote, Ayutla de los Libres Municipality, Guerrero State, is entitled to financial support for her daughter through the Pension Programme for the Welfare of People with Disabilities. As of March 2021, Ms. Bernabe had not received payments for eight months because the local authorities refused to pass on the money when it arrived at the commissariat. In the summer of 2020, Isidoro Carpio, the village commissioner sent a Roman Catholic catechist to tell her family that he would sign and approve the document for Juana Custodio Bernabe's daughter's financial support if they returned to Roman Catholicism.

Forced displacement

11. In the most extreme cases, members of the religious minority are forcibly displaced from their indigenous community. 30% of participants interviewed by CSW reported that their families had experienced displacement. Their accounts indicate that victims are usually dispossessed of their land and often forced to take refuge in larger urban areas, where they have limited employment opportunities due to various factors including linguistic barriers and limited levels of education.

12. On 28 July 2019, Adelina³ was forcibly displaced from Cuamontax, Huazalingo Municipality, Hidalgo State to Atlaltipa Tecolotitla, Atlapexco Municipality, Hidalgo State with her husband, Uriel, and her parents-in-law a consequence of their refusal to sign an agreement that prohibits Protestant Christians from entering the village. In October 2019, the local authorities in Cuamontax gave Uriel a one-week ultimatum to collect their belongings, but before he managed to, their belongings were taken, and the doors and windows of their home were broken. In August 2020, the local authorities in Cuamontax harvested the crops from the lands belonging to her father-in-law without his permission. In January 2022, the local authorities threatened to convert the family's home into a community police station.

Barriers to justice

13. CSW is further concerned that indigenous religious minority families in Mexico are frequently unable to access justice following experiences of discrimination and/or violence. Local authorities are often the perpetrators of, complicit in or dismissive of these incidents.

14. Barriers to accessing justice affect entire families in indigenous communities. However, indigenous women appear to face additional barriers to reporting human rights violations, which corresponds with a gender imbalance within local governance. Local authorities often summon the men of a family, but not the women, to assembly meetings where the community decides the consequence of a refusal to comply with religious majority activities. Married women are often reliant on their husbands to seek justice for their family by visiting regional bodies like the State Human Rights Commission.

15. Despite several complaints, municipal, state and federal authorities have failed to provide any lasting solutions in the case of six Protestant Christian families and a single man from El Encanto, Las Margaritas Municipality, who are living without water, electricity or

sewerage services. In 2020, men from these families visited the municipal seat, Las Margaritas, to request support in their case. However, the municipal agent, Marín Gómez Jastañel, reportedly said: ‘We already know why they’re coming with their same problem, and we are not going to listen to them.’

Recommendations to the Human Rights Council

16. Urge Mexico to increase efforts to address intolerance and discrimination based on religion or belief and/or gender in indigenous Mexican communities, including through education campaigns on the right to FoRB in accordance with federal and international law, and by providing training for the judiciary and local authorities to ensure that indigenous women do not have their access to justice hampered by prejudice, discrimination or linguistic barriers.

17. Call on Mexico to ensure that the right to water and sanitation is upheld and promoted in indigenous communities, particularly for women from religious minority backgrounds, and ensure water and sanitation services are unconditionally restored in cases where such rights have been denied.

18. Urge Mexico to regularly inspect the operation of government benefit programmes, particularly in communities governed under the Law of Uses and Customs and in rural and remote locations, to ensure that recipients are able to access without impediment the financial support they are entitled to.

19. Call on Mexico to ensure safe return for victims of forced displacement and/or compensation, including provision for adequate and safe resettlement when there is no alternative or because the victims are too fearful to return to their homes.

20. Urge all relevant UN mechanisms, including the Special Procedures to consider the interrelatedness of women’s rights, indigenous rights and the right to FoRB, acknowledging the unique vulnerabilities faced by indigenous women from religious minority communities.

21. Monitor and support the implementation of recommendations accepted by Mexico during its third Universal Periodic Review, providing assistance where necessary.

1. Mestizo (fem. mestiza, fem. pl. mestizas) denotes a person of mixed European and indigenous ancestry.

2. Christian Solidarity Worldwide, ‘Let her be heard: The untold stories of indigenous religious minority women in Mexico’, March 2022, <https://www.csw.org.uk/mexicoreport2022.htm>

3. Adelina requested that her full name not be used.