



# **MEXICO Quarterly Report on the Human Rights Situation 2021**

*September - December*



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# 1. Introduction

Mexico, officially known as the United Mexican States, is organised as a federation comprising 31 states and the autonomous entity of Mexico City — the capital and former Federal District.<sup>1</sup> The federal Constitution devolves several powers to the states and to Mexico City. At its most basic level, the local government is administered by municipalities.

1. Constitution of the State of Mexico of 1917, Chapter II, Article 41-48.

## 2. History

Pre-Columbian Mexico was inhabited by many advanced civilizations such as the Olmec, Maya, Toltec, Zapotec, and Mixtec peoples. In 1521, the Spanish Empire colonised the region, heavily exploiting the native populations.<sup>2</sup> Mexico was under Spanish rule for three centuries before achieving independence in 1821.<sup>3</sup> Its early history as a nation-state was marked by great political and socio-economic turmoil such as a war with the United States in the mid-19th century, where Mexico lost nearly half of its territory.

In the following period, new reforms were instituted and enshrined in the Constitution of 1857. This triggered a civil war, at the end of which a reform on land property was introduced, resulting in the creation of ejidos, areas of rural communal land in which community members had usufructuary rights.<sup>4</sup>

The following decades were marked by a dictatorship, ones which ended in 1910 after the outbreak of a civil revolution. This era saw Emiliano Zapata Salazar as a central figure, a peasant leader who took under his wing the fight of the landless Indians who had greatly suffered at the hands of paramilitary groups.<sup>5</sup> In 1917, a new Constitution was signed, marking the post-revolutionary era as a relatively peaceful period, despite the limited rights that indigenous peoples enjoyed.<sup>6</sup>

In 1988, overtly fraudulent elections were held, and new neoliberal reforms were introduced, curtailing the power of the Mexican State to regulate business enterprises.<sup>7</sup> In 1994, Mexico's economy was integrated with that of the United States of America and Canada in the North American Free Trade Agreement (NAFTA) which lowered trade barriers between the countries.<sup>8</sup> It was due to the signing of this Agreement that Mexico suffered significant negative environmental impacts at the hands of foreign corporations.

2. Minority Rights Group, "Indigenous peoples" (January 2021) <https://minorityrights.org/minorities/indigenous-peoples-4/> accessed 28 November 2021.

3. Ibid.

4. Rodríguez M.H, "Social change and land tenure regimes in Mexico: A critical review" (2012) Vol 77(5) *GeoJournal*, 633-649.

5. William H. Prescott and James Lockhart, "History of the Conquest of Mexico" (Modern Library Paperback Ed, Random House Inc, 2001).

6. Ibid.

7. Roitman M, "Treinta Años De Neoliberalismo En México: Los Orígenes de la narcopolítica" (*ElDiario.es*, 2021) [https://www.eldiario.es/contrapoder/neoliberalismo-mexico-narcopolitica\\_132\\_4503549.html#:~:text=Fue%20Miguel%20de%20la%20Madrid,revoluci%C3%B3n%20mexicana%20fue%20perdiendo%20identidad.](https://www.eldiario.es/contrapoder/neoliberalismo-mexico-narcopolitica_132_4503549.html#:~:text=Fue%20Miguel%20de%20la%20Madrid,revoluci%C3%B3n%20mexicana%20fue%20perdiendo%20identidad.) accessed 9 December 2021.

8. North American Free Trade Agreement (NAFTA), Article 102.

### 3. Society

Mexico is home to a vast array of cultures and peoples. Ongoing cross-cultural cultivation between Indigenous and European peoples has produced the largest ethnic group in Mexico's population – the mestizos – who account for approximately 62% of the total population. Mexico is host to 68 indigenous communities, and around 21.5% of the population identifies as indigenous.<sup>9</sup> Another substantial ethnic group is that of Afro-Mexicans, composed of descendants of enslaved peoples from the colonial era and recent immigrants.<sup>10</sup>

9. International Working Group for Indigenous Affairs, "The Indigenous World 2021: 35th edition" (April 2021) [https://iwgia.org/doclink/iwgia-book-the-indigenous-world-2021-eng/eyJ0eXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJzdWIiOiJpd2dpYS1ib29rLXRoZS1pbmRpd2Zvub3VzLXdvcmxkLTIwMjEtZW5nliwiaWF0IjoxNjI4ODM5NjM2LjJleHAiOiJlMjg5MjYwMzZ9.z1CuM7PcT5CPkV0evx8ve88y6v0vmwDu\\_51JQ\\_lwAkM](https://iwgia.org/doclink/iwgia-book-the-indigenous-world-2021-eng/eyJ0eXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJzdWIiOiJpd2dpYS1ib29rLXRoZS1pbmRpd2Zvub3VzLXdvcmxkLTIwMjEtZW5nliwiaWF0IjoxNjI4ODM5NjM2LjJleHAiOiJlMjg5MjYwMzZ9.z1CuM7PcT5CPkV0evx8ve88y6v0vmwDu_51JQ_lwAkM) accessed 28 November 2021.

10. Ibid.

## 4. Review of the Human Rights Situation - September 2021

### 4.1 Reproductive Rights: The Mexican Supreme Court Depanelizes Abortion

On September 7, 2021, the Highest Court of Mexico delivered a landmark judgement by declaring the total criminalisation of abortion to be unconstitutional.<sup>11</sup> The Supreme Court overturned the statute in the state of Coahuila that punished women for up to three years of imprisonment for having an abortion. This was the case even when the abortion was performed as a result of rape — no mitigating circumstances were considered. To celebrate this historical victory, tens of thousands of women in Mexico have taken up green bandanas — a symbol of abortion-rights campaigners in Argentina — and marched the streets with slogans such as “Abortion is a Human Right”.

Remarkably, this was a historical moment where 8 of 11 votes were reached, creating a judicial precedent for future jurisprudence in the field of women's reproductive rights. After this judgement, all 32 Mexican states will be pushed to adjust their legislation by complying with this recent judgment of the Supreme Court. Consequently, they must depanelize abortion and ensure a safe and voluntary interruption of pregnancy.

"Today is a historic day for the rights of all Mexican women," said Supreme Court Chief Justice Arturo Zaldivar on Tuesday.<sup>12</sup>

The Supreme Court's judgement is in line with international Human Rights Law, especially with the Inter-American Convention on Human Rights, where a general consensus was reached stipulating that the women's right to life and physical integrity prevails over the right to life and development of the foetus in the early stages of pregnancy.<sup>13</sup> Argentina, followed by Mexico are two Latin American countries that legalised abortion, and by doing so ensured further protection and implementation of fundamental Human Rights of women and girls. Will other neighbouring countries follow suit?

11. Suprema Corte Justicia de la Nación. (2021, September 7). Comunicado de Prensa: Suprema Corte declara inconstitucional la criminalización total del aborto. Gobierno de Mexico. Retrieved November 3, 2021, from <https://www.internet2.scjn.gob.mx/red2/comunicados/noticia.asp?id=6579>.

12. Romo, V. (2021, September 7). Mexico's Supreme Court Has Voted To Decriminalize Abortion. NPR. Retrieved November 3, 2021, from <https://www.npr.org/2021/09/07/1034925270/mexico-abortion-decriminalized-supreme-court?t=1635937401170>.

13. IACHR Press release, October 23, 2017 <https://mailchi.mp/dist/iachr-urges-all-states-to-adopt-comprehensive-immediate-measures-to-respect-and-protect-womens-sexual-and-reproductive-rights?e=07a43d57e2>

## 4.2 Migration: Mexican Authorities Announce “Humanitarian Return Flight” for Haitian Asylum Seekers

Since mid-September, thousands of Haitian migrants and asylum seekers have been relocated from the USA to the Mexican state of Coahuila. Now, the Mexican government has announced the start of "humanitarian return flights" for Haitians who "voluntarily choose to return to their homeland."<sup>14</sup>

According to Human Rights Watch (HRW), there is reason to believe that these returns will not be voluntary or humanitarian.<sup>15</sup> There is evidence to suggest that Mexican immigration authorities frequently urge migrants and asylum seekers to sign papers allowing them to be "voluntarily" deported to their home countries, even though many are fleeing violence or persecution and require international protection. In fact, the leaders of Mexico's own asylum authority and the Mexico office of the United Nations High Commissioner for Refugees (UNHCR) have both stated that Haitians should not be returned to Haiti in line with the international Human Rights law which provides for the opportunity to seek asylum.

## 4.3 Indigenous Rights: Mexican President Offers a Public Apology for Crimes Committed Against Yaqui Indigenous Community

Mexican President Lopez Obrador apologised for past wrongdoings, including those done during dictator Porfirio Diaz's reign from 1884 to 1911. In his statement he declares that the Mexican Government is committed to a reparation plan that will restore as much as possible damage inflicted upon the Yaqui indigenous community. Amongst others, the President has promised to return land to the Yaquis, ensure water rights, and build a comprehensive welfare program.<sup>16</sup>

14. Secretaría de Relaciones Exteriores. (2021, September 29). Humanitarian return flights to Haiti resume. Gobierno de México. Retrieved November 3, 2021, from <https://www.gob.mx/sre/prensa/humanitarian-return-flights-to-haiti-resume?idiom=en>.

15. Vivanco, J. M. (2021, October 26). How “voluntary” are Mexico’s ‘humanitarian return flights’? Human Rights Watch. Retrieved November 3, 2021, from <https://www.hrw.org/news/2021/10/06/how-voluntary-are-mexicos-humanitarian-return-flights>.

16. NEWS WIRES. (2021, September 29). Mexican president Lopez Obrador offers apology to Yaqui indigenous people. France 24. Retrieved November 3, 2021, from <https://www.france24.com/en/americas/20210929-mexican-president-lopez-obrador-offers-apology-to-yaqui-indigenous-people>.

## 5. Review of the Human Rights situation - October 2021

### 5.1 Mexico's Response to the Migration Crisis in Haiti

Mexico has been providing 'humanitarian return flights' to Haitian migrants and asylum seekers who ask for protection in makeshift camps in Del Rio, Texas and Ciudad Acuña.<sup>17</sup> These return flights and their humanitarian and voluntary aspects are being questioned and it is being claimed that Mexican immigration agents pressured migrants to sign the return papers in order to make it seem as if they are voluntarily willing to go back to their home countries.

Haiti is going through a political, humanitarian and security crisis – the government is unable to fulfil the basic needs of its citizens, which is the reason why Mexico's asylum authorities, as well as the UNHCR, advise Mexico not to return Haitian refugees to Haiti.<sup>18</sup> Records show that since January 2021, more than 53,000 migrants were subjected to assisted returns by the Mexican government. This statistic continues to increase daily.<sup>19</sup>

### 5.2 Survivors of Acid Attacks Fight for Change in Mexico

Survivors of acid attacks gathered to address violence against women in Mexico and the staggering levels of impunity related to it. The survivors of such crimes are now fighting for acid attacks to be classified as attempted femicide, contributing to the creation of organisations such as the Carmen Sánchez Foundation whose aim is to provide support and legal reforms for survivors.

According to UN Women, the most common motive behind acid attacks is related to acts of revenge and jealousy from women's ex-partners for leaving harmful and unhealthy relationships.<sup>20</sup> Men tend to see partners as their property and so, after separating, they wish to make sure that ex-spouses do not commit to new romantic relationships. The number of acid attacks per year in Mexico amounts to approximately 1,500 cases. However, according to the Acid Survivors Trust International, the real number is most probably higher, since many attacks remain unreported.

The first half of 2021 has witnessed many crimes against women, including 1,879 murders, more than 33,000 injuries, 10,000 rapes and nearly 24,000 cases of domestic violence. Gender-based violence continues to be a major issue in Mexico, an issue for which organisations such as the Carmen Sánchez Foundation aim to contribute in a progressive way.<sup>21</sup>

17. How "voluntary" are Mexico's 'humanitarian return flights'?. (2021). Retrieved 5 November 2021, from <https://www.hrw.org/news/2021/10/06/how-voluntary-are-mexicos-humanitarian-return-flights>

18. Ibid.

19. Ibid.

20. News, A. (2021). Survivors of acid attacks in Mexico unite to push for change. Retrieved 9 November 2021, from <https://abcnews.go.com/International/wireStory/survivors-acid-attacks-mexico-unite-push-change-79427563>

21. Ibid.

### 5.3 Indian Influencer Shot in Tulum by a Group of Hitmen

Anjali Ryot's vacation in Tulum, one of the main tourist destinations in Mexico, ended in her untimely death. On October 20, 2021, the 25-year-old woman became a victim of murder along with another German tourist during dinner on the terrace of restaurant La Malquerida when four armed men suddenly opened fire on the premises. According to the authorities, the perpetrators were taking part in a confrontation between drug cartels which resulted in the shooting. After the occurrence, the German government advised its citizens staying in Tulum not to leave their hotels and to only take official taxis to reach the airport safely.<sup>22</sup>

### 5.4 "A Great New World Discovered!" - The 12th of October is no Longer Columbus Day

On October 12, 1492, Christopher Columbus "discovered" the New World by arriving on the island of Guanahani (known today as Watling Island). In Mexico, this date is a national holiday and is commonly known as Columbus Day or Dia de la Raza. October 2021 marks a symbolic historical moment for Mexico due to the fact that from 2022 onwards, the 12th of October will be officially renamed as the Day of the Pluricultural Nation to recognize "the multicultural, multiethnic, and multilingual wealth that characterises Mexico."<sup>23</sup>

This official announcement is accompanied by the removal of the statue of Columbus from Mexico City's most iconic boulevard Reforma and replaced with a statue of an Indigenous woman called 'The Young Woman of Amajac'.<sup>24</sup> The new monument portrays a pre-Hispanic female figure which was discovered along Mexico's Gulf Coast last January. This replacement is without a doubt the consequence of a strong movement in the Americas in favour of decolonisation, and in particular, the fight towards indigenous rights.

22. Beatriz Guillén, (2021, October 22). Balas, 'influencers' e Instagram: la muerte de Anjali Ryot en un tiroteo en Tulum, Retrieved 5 November 2021 <https://elpais.com/mexico/2021-10-22/balas-influencers-e-instagram-la-muerte-de-anjali-ryot-en-un-tiroteo-en-tulum.html>

23. Shaw, T. (2020, January 1). Day of the Pluricultural Nation in Mexico in 2022. Office Holidays. Retrieved November 9, 2021, from <https://www.officeholidays.com/holidays/mexico/mexico-day-of-the-races>

24. Dasgupta, S. (2021, October 13). Mexico City says statue of Indigenous woman to replace Columbus. The Independent. Retrieved November 9, 2021, from <https://www.independent.co.uk/news/world/americas/mexico-indigenous-woman-columbus-statue-b1937383.html>

## 5.5 Global Renewable Energy Transition: Mexico Signs a Trilateral North America Initiative

During the latest United Nations Climate Change Conference (COP26 2021) in Glasgow, Canada, Mexico and the United States signed a trilateral initiative, under the Environmental Cooperation Agreement, with the aim to “support isolated, remote and Indigenous communities' transition to clean, renewable and reliable sources of energy”.<sup>25</sup> For the first time ever, these countries are working together, through the Commission for Environmental Cooperation (CEC), to support indigenous communities in their transition to renewable energy. This transition plan will be part of the Global Initiative to support renewable energy and will require an initial investment of \$500, 000 in funding from Mexico, Canada and the US.

25. Commission for Environmental Cooperation. (2021, November 4). Canada, Mexico & US Kickstart Global Renewable Energy Transition for Remote & Indigenous Communities. Cision. Retrieved November 9, 2021, from <https://www.prnewswire.com/news-releases/canada-mexico--us-kickstart-global-renewable-energy-transition-for-remote--indigenous-communities-301416920.html>

## 6. Review of the Human Rights situation - November 2021

### 6.1 North American Leaders Meet at a Summit to Discuss Economic Integration and Migration

On November 18, 2021, US President Joe Biden hosted the so-called 'Three Amigos Summit' at the White House in Washington D.C. for the first time in five years, a summit involving Mexican President Lopez Obrador and Canadian Prime Minister Justin Trudeau.<sup>26</sup> The main issues on the agenda were economic integration and migration. With regards to the latter, the White House claimed that it is aiming to create a 'regional vision for migration' as a response to the high levels of migrations arriving at the US border from Mexico. Although the US expressed that the plan aims to provide citizenship to over 11 million undocumented migrants living on US territory, Title 42 of its Public Health, and Welfare Code states that the US is still relying on Mexico to take back asylum seekers.<sup>27</sup> Throughout the summit, President Biden declined to answer any questions related to the US' policies on asylum seekers which according to human rights and immigration advocacy organisations is described as 'cruel, ineffective and unlawful'.<sup>28</sup>

### 6.2 Mexico Participates in the Conference of the State Parties to the OPCW

From November 29, 2021 until December 03, 2021, Mexico participated in the 26th Session of the Conference of the States Parties to the Chemical Weapons Convention (CSP-26) attended by members of the Organisation for the Prohibition on the Use of Chemical Weapons (OPCW).<sup>29</sup> H.E Ambassador José Antonio Zabalgoitia Trejo of Mexico to The Netherlands participated as the outgoing Chairperson to the organisation and as representative of Mexico as a member state of the OPCW. During the conference, the delegates provided and discussed recommendations that aim to enhance the organisation's work in areas such as international cooperation, assistance, protection and outreach. The organisation's programme and budget for the upcoming two years will also be discussed. Through its participation, Mexico contributes to the OPCW's aim of working together for a world free of chemical weapons.<sup>30</sup>

26. 'US, Canada, Mexico Leaders To Meet In First Summit Since 2016' (Aljazeera.com, 2021) <<https://www.aljazeera.com/economy/2021/11/18/us-canada-mexico-leaders-to-meet-in-first-summit-since-2016>> accessed 1 December 2021.

27. Title 42, Chapter 6A The public health and welfare, United States Code, 2011 Edition

28. 'At Summit, U.S., Canada And Mexico Avoid Thorny Questions' (Nytimes.com, 2021) <<https://www.nytimes.com/2021/11/18/us/politics/us-canada-mexico-summit.html>> accessed 1 December 2021.

29. 'OPCW'S Conference Of The States Parties Opens In The Hague' (OPCW, 2021) <<https://www.opcw.org/media-centre/news/2021/11/opcws-conference-states-parties-opens-hague>> accessed 1 December 2021.

30. Ibid.

### 6.3 The National Human Rights Commission's Concern For Journalists' Activities in Jalisco

The National Human Rights Commission (CNDH)<sup>31</sup> expressed its concern regarding the recent announcements of Enrique Alfaro, Governor of Jalisco, stating that the Mexican media should not publish news regarding the high-impact crimes that take place in Puerto Vallarta in order to prevent the creation of negative associations with the place considering its positions as a tourist destination. The CNDH stated that Mexico needs to respect journalists and their rights, and requested that the federal, state and municipal authorities take measures that will ensure that the gathered information will not affect, directly or indirectly, the fundamental rights of journalists.<sup>32</sup>

### 6.4 Mexican Senate is Holding the First Ever Hearing for People with Disabilities

The month of October marked a historical moment for people with disabilities in Mexico. The Senate held the first ever hearing with the objective of encouraging and improving the rights of people with disabilities to participate in politics, public and private institutions, and develop the country's legislative framework on the further implementation of their rights.<sup>33</sup> According to the HRW “Mexico has an obligation under the Convention on the Rights of Persons with Disabilities to ensure people with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, and encourage their participation.”<sup>34</sup> There are more than 1,175,000 people with intellectual disabilities living in Mexico, which puts an obligation on the country to include and consider their political will to be included in the public policy discourse.

### 6.5 14-year-old Imprisoned for Fleeing an Arranged Marriage

A 14-year-old minor was imprisoned after fleeing her own wedding which was arranged by her neighbour.<sup>35</sup> Anayeli "N," as she was known in the local newspaper, was to marry her neighbour in Joyal Real hamlet, Guerrero state, Mexico.<sup>36</sup> According to the press release, “Anayeli's mother had received 200,000 pesos (£7,120) for giving her daughter's hand in marriage.”<sup>37</sup> Child marriage constitutes a violation of fundamental human rights of women and girls, and is further prohibited under Mexican national law. Despite this, child weddings are frequent in rural areas of Mexico.

31. Comisión Nacional de los Derechos Humanos.

32. 'CNDH Pide A Gobernador De Jalisco Respetar La Actividad Periodística' (El Universal, 2021) <<https://www.eluniversal.com.mx/estados/cndh-pide-gobernador-de-jalisco-respetar-la-actividad-periodistica>> accessed 1 December 2021.

33. 'People with Disabilities in Mexico Underrepresented in Politics' (Human Rights Watch, 2021) Human Rights Watch <https://www.hrw.org/news/2021/12/03/people-disabilities-mexico-underrepresented-politics> accessed 8 December 2021.

34. Ibid.

35. '14-year-old Mexican jailed for fleeing arranged marriage' The Independent. (2021) <https://www.independent.co.uk/news/world/americas/mexican-teen-jailed-arranged-marriage-b1970363.html> accessed 8 December 2021

36. Ibid.

37. Ibid.

## 7. Review of the Human Rights situation – December 2021

### 7.1 Animal Rights: Demonstrations Against Bullfighting in Mexico City

The animal rights organisation “First Sit-In for the Abolition of Bullfighting in Mexico” protested on the steps of the Mexico City Congress, threatening to hold a sit-in demonstration until lawmakers bring up a measure prohibiting bullfighting.<sup>38</sup> The organisation is already famous in Mexico for keeping up their promises as they had previously occupied the Federal District's Legislative Assembly for 44 days in 2017.<sup>39</sup> According to the demonstrators (a small group of 10 people), their goal is to hold several protests to encourage local officials to examine the bullfighting prohibition and to implement the appropriate legislative measures.

### 7.2 Restarting the “Remain in Mexico” Program

On December 6, 2021, the US and Mexican governments announced that they will begin the enrolment of asylum applicants, including non-Spanish speakers like Haitians, Brazilians, and Indigenous peoples, in the “Remain in Mexico” program.<sup>40</sup> The objective is to transport the asylum seekers to seven Mexican cities located close to the US-Mexican border, where they will await the outcome of their applications. The “Remain in Mexico” program raises several concerns regarding its alignment with international human rights provisions. This is especially due to the fact that many individuals deported to Mexico are often targeted for violence by criminal gangs in Mexican border cities, as well as Mexican police and immigration authorities. According to the HRW this decision will “put asylum seekers at risk of kidnapping, extortion, rape, and other abuses.”<sup>41</sup>

38. “Animal rights activists pressure Mexico City congress to ban bullfights” (La Prensa Latina Media, January 4 2022) <https://www.laprensalatina.com/animal-rights-activists-pressure-mexico-city-congress-to-ban-bullfights/> accessed January 6 2022.

39. Ibid.

40. “Restarting ‘Remain in Mexico’ a Travesty” (Human Rights Watch, December 9 2021) <https://www.hrw.org/news/2021/12/09/restarting-remain-mexico-travesty> accessed January 6 2022.

41. Ibid.

### 7.3 The UN Committee Against Torture Declares Mexico Responsible for Ill-Treatment and Illegal Detention

On December 14, 2021, the UN anti-torture body declared that Damián Gallardo Martínez, a teacher and fighter for education and indigenous peoples' rights, was tortured in Mexico in violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>42</sup> In 2017, he was arrested without a warrant and held incommunicado in a secret detention facility, where he was severely beaten by the Mexican police.<sup>43</sup> After hearing the case, the UN Committee Against Torture has urged the government to stop criminalising activists who fight for human rights, and reminded the obligations under international human rights treaties to which Mexico has agreed to adhere.

### 7.4 Mexican President Proposes to Eliminate the National Climate Change Institute

On December 15, 2021, the Mexican President, Andrés Manuel López Obrador (AMLO), proposed to eliminate the national environment and climate change institute in line with ongoing measures to eliminate independent regulators in the energy sector.<sup>44</sup> According to AMLO, independent government bodies generate extra costs for the state or duplicate functions already held by other authorities. “<sup>45</sup>It's not that we don't care about the environment, quite the contrary. What we don't want is ... [for people] to take advantage of these causes,” stated the President in the recent press conference with Mexico News Daily as justification for such a proposal.<sup>46</sup>

42. UN Committee against Torture, “Decisión adoptada por el Comité en virtud del artículo 22 de la Convención, respecto de la comunicación núm. 992/2020” (December 8, 2021) CAT/C/72/D/992/2020.

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f72%2fd%2f992%2f2020&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f72%2fd%2f992%2f2020&Lang=en)

43. OHCHR, “Mexico: Detention and torture of human rights defender highlights criminalization of legitimate protest, UN Committee finds” (YubaNet, December 14 2021)

<https://yubanet.com/world/mexico-detention-and-torture-of-human-rights-defender-highlights-criminalization-of-legitimate-protest-un-committee-finds/> accessed January 6 2022.

44. “Mexico prepares proposal to eliminate climate change agency” (Bnamericas, December 15 2021) <https://www.bnamericas.com/en/news/mexico-prepares-proposal-to-eliminate-climate-change-agency> accessed January 6 2022.

45. Ibid.

46. “AMLO dismantles climate change agency, legacy of neoliberals” (Mexico News Daily, December 17 2021)

<https://mexiconewsdaily.com/news/amlo-climate-change-agency-neoliberals/> accessed January 6 2022.

## Conclusion

In conclusion, this report aims at summarising the main Human Rights related concerns for Mexico in the last quarter of the year 2021 (from September to December). Overall, the aim of this report is to underline the concerns of human rights violations in Mexico in order to urge the international community to take immediate action to improve the general applicability of human rights legal provisions to which Mexico has officially agreed to adhere to.

## Bibliography

“AMLO dismantles climate change agency, legacy of neoliberals” (Mexico News Daily, December 17 2021)

“Animal rights activists pressure Mexico City congress to ban bullfights” (La Prensa Latina Media, January 4 2022) <https://www.laprensa-latina.com/animal-rights-activists-pressure-mexico-city-congress-to-ban-bullfights/> accessed January 6 2022

“Mexico prepares proposal to eliminate climate change agency” (Bnamericas, December 15 2021) <https://www.bnamericas.com/en/news/mexico-prepares-proposal-to-eliminate-climate-change-agency> accessed January 6 2022

“Restarting ‘Remain in Mexico’ a Travesty” (Human Rights Watch, December 9 2021)

‘14-year-old Mexican jailed for fleeing arranged marriage’ The Independent. (2021) <https://www.independent.co.uk/news/world/americas/mexican-teen-jailed-arranged-marriage-b1970363.html> accessed 8 December 2021

Anjali Ryot en un tiroteo en Tulum, Retrieved 5 November 2021 <https://elpais.com/mexico/2021-10-22/balas-influencers-e-instagram-la-muerte-de-anjali-ryot-en-un-tiroteo-en-tulum.html>

‘At Summit, U.S., Canada And Mexico Avoid Thorny Questions’ (Nytimes.com, 2021) <<https://www.nytimes.com/2021/11/18/us/politics/us-canada-mexico-summit.html>> accessed 1 December 2021

Beatriz Guillén, (2021, October 22). Balas, ‘influencers’ e Instagram: la muerte de

CNDH Pide A Gobernador De Jalisco Respetar La Actividad Periodística’ (El Universal, 2021) <<https://www.eluniversal.com.mx/estados/cndh-pide-gobernador-de-jalisco-respetar-la-actividad-periodistica>> accessed 1 December 2021

Comisión Nacional de los Derechos Humanos

Commission for Environmental Cooperation. (2021, November 4). Canada, Mexico & US Kickstart Global Renewable Energy Transition for Remote & Indigenous Communities. Cision. Retrieved November 9, 2021, from <https://www.prnewswire.com/news-releases/canada-mexico--us-kickstart-global-renewable-energy-transition-for-remote--indigenous-communities-301416920.html>

Constitution of the State of Mexico of 1917, Chapter II

Dasgupta, S. (2021, October 13). Mexico City says statue of Indigenous woman to replace Columbus. *The Independent*. Retrieved November 9, 2021, from <https://www.independent.co.uk/news/world/americas/mexico-indigenous-woman-columbus-statue-b1937383.html>

How "voluntary" are Mexico's 'humanitarian return flights'?. (2021). Retrieved 5 November 2021, from <https://www.hrw.org/news/2021/10/06/how-voluntary-are-mexicos-humanitarian-return-flights>  
<https://mexiconewsdaily.com/news/amlo-climate-change-agency-neoliberals/> accessed January 6 2022

IACHR Press release, October 23, 2017 <https://mailchi.mp/dist/iachr-urges-all-states-to-adopt-comprehensive-immediate-measures-to-respect-and-protect-womens-sexual-and-reproductive-rights?e=07a43d57e2>

International Working Group for Indigenous Affairs, "The Indigenous World 2021: 35th edition" (April 2021) [https://iwgia.org/doclink/iwgia-book-the-indigenous-world-2021-eng/eyJ0eXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJzdWIiOiJpd2dpYS1ib29rLXRoZS1pbmRpZ2Vub3VzLXdvcmxkLTlwMjEtZW5nliwiaWF0IjoxNjI4ODM5NjM2LCJleHAiOiJlMjMjg5MjYwMzZ9.z1CuM7PcT5CPkV0evx8ve88y6v0vmwDu\\_51JQ\\_lwAkM](https://iwgia.org/doclink/iwgia-book-the-indigenous-world-2021-eng/eyJ0eXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJzdWIiOiJpd2dpYS1ib29rLXRoZS1pbmRpZ2Vub3VzLXdvcmxkLTlwMjEtZW5nliwiaWF0IjoxNjI4ODM5NjM2LCJleHAiOiJlMjMjg5MjYwMzZ9.z1CuM7PcT5CPkV0evx8ve88y6v0vmwDu_51JQ_lwAkM) accessed 28 November 2021

Minority Rights Group, "Indigenous peoples" ( January 2021) <https://minorityrights.org/minorities/indigenous-peoples-4/> accessed 28 November 2021

NEWS WIRES. (2021, September 29). Mexican president Lopez Obrador offers apology to Yaqui indigenous people. *France 24*. Retrieved November 3, 2021, from <https://www.france24.com/en/americas/20210929-mexican-president-lopez-obrador-offers-apology-to-yaqui-indigenous-people>

News, A. (2021). Survivors of acid attacks in Mexico unite to push for change. Retrieved 9 November 2021, from <https://abcnews.go.com/International/wireStory/survivors-acid-attacks-mexico-unite-push-change-79427563>

North American Free Trade Agreement (NAFTA)

OHCHR, "Mexico: Detention and torture of human rights defender highlights criminalization of legitimate protest, UN Committee finds" (YubaNet, December 14 2021) <https://yubanet.com/world/mexico-detention-and-torture-of-human-rights-defender-highlights-criminalization-of-legitimate-protest-un-committee-finds/> accessed January 6 2022

'OPCW'S Conference Of The States Parties Opens In The Hague' (OPCW, 2021) <<https://www.opcw.org/media-centre/news/2021/11/opcws-conference-states-parties-opens-hague>> accessed 1 December 2021

'People with Disabilities in Mexico Underrepresented in Politics' (Human Rights Watch, 2021) Human Rights Watch <https://www.hrw.org/news/2021/12/03/people-disabilities-mexico-underrepresented-politics> accessed 8 December 2021

Rodriguez M.H, "Social change and land tenure regimes in Mexico: A critical review" (2012) Vol 77(5) GeoJournal, 633-649

Roitman M, "Treinta Años De Neoliberalismo En México: Los Orígenes de la narcopolítica" (ElDiario.es, 2021) [https://www.eldiario.es/contrapoder/neoliberalismo-mexico-narcopolitica\\_132\\_4503549.html#:~:text=Fue%20Miguel%20de%20la%20Madrid,revoluci%C3%B3n%20mexicana%20fue%20perdiendo%20identidad.](https://www.eldiario.es/contrapoder/neoliberalismo-mexico-narcopolitica_132_4503549.html#:~:text=Fue%20Miguel%20de%20la%20Madrid,revoluci%C3%B3n%20mexicana%20fue%20perdiendo%20identidad.) accessed 9 December 2021

Romo, V. (2021, September 7). Mexico's Supreme Court Has Voted To Decriminalize Abortion. NPR. Retrieved November 3, 2021, from <https://www.npr.org/2021/09/07/1034925270/mexico-abortion-decriminalized-supreme-court?t=1635937401170>

Secretaría de Relaciones Exteriores. (2021, September 29). Humanitarian return flights to Haiti resume. Gobierno de México. Retrieved November 3, 2021, from <https://www.gob.mx/sre/prensa/humanitarian-return-flights-to-haiti-resume?idiom=en>

Shaw, T. (2020, January 1). Day of the Pluricultural Nation in Mexico in 2022. Office Holidays. Retrieved November 9, 2021, from <https://www.officeholidays.com/holidays/mexico/mexico-day-of-the-races>

Suprema Corte Justicia de la Nación. (2021, September 7). Comunicado de Prensa: Suprema Corte declara inconstitucional la criminalización total del aborto. Gobierno de Mexico. Retrieved November 3, 2021, from <https://www.internet2.scjn.gob.mx/red2/comunicados/noticia.asp?id=6579>

Title 42, Chapter 6A The public health and welfare, United States Code, 2011 Edition

UN Committee against Torture, "Decisión adoptada por el Comité en virtud del artículo 22 de la Convención, respecto de la comunicación núm. 992/2020" (December 8, 2021) CAT/C/72/D/992/2020

'US, Canada, Mexico Leaders To Meet In First Summit Since 2016' (Aljazeera.com, 2021) <<https://www.aljazeera.com/economy/2021/11/18/us-canada-mexico-leaders-to-meet-in-first-summit-since-2016>> accessed 1 December 2021 Vivanco, J. M. (2021, October 26). How "voluntary" are

Mexico's 'humanitarian return flights'? Human Rights Watch. Retrieved November 3, 2021, from <https://www.hrw.org/news/2021/10/06/how-voluntary-are-mexicos-humanitarian-return-flights>

William H. Prescott and James Lockhart, "History of the Conquest of Mexico" (Modern Library Paperback Ed, Random House Inc, 2001)

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