

juvenile matters; there was an educational programme aimed at informing the public of this fact; there was a referral system between social agencies; the government planned in the medium to long term to upgrade facilities for teenage girls; steps were being taken to expedite hearings and provide better learning facilities for those in the care of the state; and, there was a system whereby visiting committees, comprising Justices of the Peace, brought to the attention of relevant authorities any weaknesses in the system, with an emphasis on human rights.

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## MEXICO

**Date of admission to UN:** 7 November 1945.

### TREATIES AND REPORTS TO TREATY BODIES

**Land and People:** The core document prepared by the government for use by the treaty bodies (HRI/CORE/1/Add.12/Rev.1) provides statistical data as well as information on the general political structure in Mexico, the legal framework within which human rights are protected and the institutions and national machinery with responsibility for overseeing implementation of human rights.

The National Human Rights Commission (CNDH) is the main administrative body responsible for proposing and ensuring compliance with national policy for the promotion of human rights. The CNDH implements preventive, remedial and coordinating measures to safeguard the human rights of both Mexicans and foreigners in Mexico. In matters related to foreigners, the CNDH coordinates action with the Ministry of Foreign Affairs. Through a 1992 amendment to the Constitution, the National Human Rights Commission was granted constitutional rank with the result that: its character as "ombudsman" was reaffirmed; the principles of autonomy and independence were strengthened; the procedures for handling and settling complaints were refined; a non-judicial system for the protection of human rights was established at the federal level; and, its relationship with the 32 human rights commissions corresponding to the states and the Federal District was established.

The remedies available to persons claiming a violation of their human rights include reconsideration, complaint for refusal of leave of appeal, *amparo*, appeal, special appeal and judicial liability. Compensation for victims of torture is provided by federal act. When Mexico enters into international human rights treaties, they become a part of domestic law as soon as they are ratified by the Senate. State courts are expected to rule on the basis of the Constitution, law and treaties.

#### **Economic, Social and Cultural Rights**

Acceded: 23 March 1981.

Mexico's third periodic report (E/1994/104/Add.17) has been submitted and is scheduled for consideration by the Committee at its November/December 1999 session; the fourth periodic report is due 30 June 2002.

*Reservations and Declarations:* Article 8.

#### **Civil and Political Rights**

Acceded: 23 March 1981.

Mexico's fourth periodic report (CCPR/C/123/Add.1) has been submitted but is not yet scheduled for consideration by the Human Rights Committee; the fifth periodic report is due 22 June 2002.

*Reservations and Declarations:* Paragraph 5 of article 9; article 18; article 13; paragraph (b) of article 25.

#### **Racial Discrimination**

Signed: 1 November 1966; ratified: 20 February 1975.

Mexico's 12<sup>th</sup> periodic report is due 22 March 1998.

Mexico's 11<sup>th</sup> periodic report (CERD/C/296/Add.1) was considered at the Committee's May and August 1997 sessions. The report prepared by the government primarily related to the situation of indigenous peoples and focussed on five areas: human rights and administration of justice in the indigenous communities, particularly with regard to individuals held in detention centres; educational efforts to combat overt and covert displays of racism and to promote a proper understanding of the contribution of indigenous peoples to the shaping of the nation; the peace process in Chiapas, related to negotiations on indigenous rights and culture; migratory flows at the southern border and protection and defence of the human rights of Central American migrant workers entering Mexico; and, the protection of Mexicans abroad who face growing racism and xenophobia, particularly at the northern border.

The Committee's concluding observations and comments (CERD/C/304/Add.30) acknowledged factors hindering full implementation of the Convention, including: that there are numerous ethnic and indigenous groups with varied cultural and linguistic traditions; extreme poverty affecting indigenous groups, particularly in Chiapas; and, an armed liberation movement (EZLN).

The Committee welcomed: initiatives to benefit indigenous peoples in prison; the human rights education programme, including radio and television broadcasts; efforts made by the government to end the armed conflict in Chiapas; the investigations carried out by the National Human Rights Commission into complaints of violations with regard to the situation in Chiapas; and, the numerous programmes and measures undertaken to combat extreme poverty and promote the economic, social and cultural development of indigenous peoples.

The principal subjects of concern identified by the Committee were, *inter alia*: the government's interpretation of racial and ethnic discrimination that does not accord with the Convention; the persistence of discriminatory practices against indigenous peoples in which public authorities are sometimes implicated; lack of effective guarantees for indigenous peoples of equality before the law, particularly with regard to the use of indigenous languages before the courts; the insufficiency of measures for the protection of indigenous peoples and illegal immigrants, violations by security forces, para-military groups and landowners and the impunity accorded to them; the insufficiency of information provided on the political participation of indigenous peoples; the lack of information on the marginalization and non-integration of certain groups in the population; lack of respect for the land rights of indigenous peoples; the lack of information on the number of complaints, decisions and reparations related to