



2008 Human Rights Report: Mexico

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2008 Country Reports on Human Rights Practices

February 25, 2009

Mexico, with a population of 110 million, is a federal republic composed of 31 states and a federal district, with an elected president and bicameral legislature. President Felipe Calderon of the National Action Party (PAN) was elected in 2006 to a six-year term in generally free and fair multiparty elections. The country continued its fight against organized crime, which involved frequent clashes between security forces and drug traffickers. While civilian authorities generally maintained effective control of the security forces, there were instances in which elements of these forces, acted independently of government authority.

The government generally respected and promoted human rights at the national level by investigating, prosecuting, and sentencing public officials and members of the security forces. However, the following human rights problems were reported: unlawful killings by security forces; kidnappings; physical abuse; poor and overcrowded prison conditions; arbitrary arrests and detention; corruption, inefficiency, and lack of transparency in the judicial system; confessions coerced through torture; criminal intimidation of journalists leading to self-censorship; impunity and corruption at all levels of government; domestic violence against women, often perpetrated with impunity; violence, including killings, against women; trafficking in persons, sometimes allegedly with official involvement; social and economic discrimination against some members of the indigenous population; and child labor.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, there were reports that security forces, acting both within and outside the line of duty, killed several persons during the year. A significant number of these incidents occurred at checkpoints associated with the government's efforts to combat organized crime and often reflected poor training.

On July 11, the National Human Rights Commission (CNDH) issued eight recommendations concerning allegations of human rights violations committed by armed forces during counternarcotics operations. Three of the recommendations dealt with unlawful or arbitrary deprivation of life by armed forces members. The military accepted all eight of these recommendations and affirmed its commitment to collaborating with the CNDH on outstanding investigations. These recommendations related to the following cases:

- On January 11, soldiers from the 12th infantry battalion in Michoacan allegedly opened fire on a pick-up truck, killing a minor and injuring an adult passenger. According to the Human Rights Commission in Michoacan, the National Defense Secretariat (SEDENA) awarded civil damages to the family of the deceased victim; the criminal case against the soldier involved remained under investigation.

- On February 16, soldiers at the gate of a military installation in Reynosa, Tamaulipas, opened fire on a vehicle that failed to stop at a checkpoint, killing the driver and injuring a passenger. SEDENA assumed responsibility for investigating the case; no further information was available at year's end.
- On March 26, soldiers at a checkpoint in Badiraguato, Sinaloa, allegedly opened fire on a group of civilians, killing four and injuring another. On April 11, SEDENA announced the arrest of five army officials in connection with the case. No further information was available on this case at year's end.

Separately, the CNDH announced an investigation into an incident that occurred on June 8, when military officials in Chihuahua opened fire against a vehicle. Allegedly, the vehicle had failed to stop at a military checkpoint and ran over a soldier when its brakes failed. As a result of this incident, four persons died, including two occupants of the vehicle, one soldier, and another civilian who was near the area. SEDENA maintained that it had found weapons inside the vehicle and was investigating the case at year's end.

On July 22, soldiers in the state of Aguascalientes shot and killed 17-year-old Guillermo Soto Garcia as he was traveling in a vehicle with three other teenagers. The Aguascalientes Attorney General's Office was investigating the case at year's end.

The military had not completed an investigation of the June 2007 incident in which army soldiers allegedly shot and killed a civilian family of five at a checkpoint in Sinaloa. At year's end 19 soldiers remained in custody and were being held pending trial in a military court.

The state and federal investigations into allegations of official abuses or killings related to the 2006 political conflict in the state of Oaxaca, which directly or indirectly caused an estimated 26 civilian deaths, continued at year's end.

Four municipal police officers remained in custody on charges related to the 2006 death of Jose Gabriel Velazquez Perez in Chiapa de Corzo, Chiapas.

President Calderon remained committed to dismantling the country's narcotics trafficking cartels. The government mobilized more than 27,000 army troops and federal policemen in joint operations against drug traffickers in 10 states. According to the Attorney General's Office, rival drug cartels killed approximately 6,262 persons. SEDENA estimated that at least 522 civilian law enforcement and military personnel were killed in the context of fighting organized crime.

b. Disappearance

There were no confirmed reports of politically motivated disappearances. In several cases of reported disappearances, police had detained the missing persons incommunicado for several days. As in previous years, there were credible reports of police involvement in kidnappings for ransom, primarily at the state and local level. On April 1 the Inter-American Commission on Human Rights announced its decision to forward to the Inter-American Court of Human Rights for consideration the case of Rosendo Radilla Pacheco, a man who was a community leader of the Atoyac community in the state of Guerrero when he was allegedly detained by the military in 1974 and disappeared.

On April 24, members of the Popular Revolutionary Army (EPR) requested a dialogue with the government to discuss its investigation into the disappearance of two EPR members in 2007. Authorities created a commission consisting of academic and nongovernmental organization (NGO) representatives identified in the EPR communique. In August this commission urged the government to deepen its investigation into the disappearances.

Kidnapping remained a serious problem for persons of all socioeconomic levels. The Federal Attorney General's Office (PGR) registered 326 kidnappings committed throughout the country during the first five months of the year. Many cases continued, however, to go unreported, as families negotiated directly with kidnappers. The number of reported cases to authorities was believed to be far less than the actual number of kidnappings.

In June individuals kidnapped and killed Fernando Marti, the 14-year-old son of a prominent businessmen and his bodyguard when they were stopped by armed men dressed as federal police officers. On August 1, Fernando Marti's body was found in the trunk of a car. On September 8, authorities arrested three individuals in connection with the crime, two of whom were current or former members of federal police units.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and other cruel, inhuman, or degrading treatment and stipulates that confessions obtained through illicit means such as torture are not admissible as evidence in court; similarly inadmissible is any confession made directly to police. To be admissible a confession must be formally recorded before a prosecutor with the acknowledgement that it is being made voluntarily and after examination by a doctor confirming that the person has not been subjected to physical abuse. On June 17, President Calderon signed legislation containing a number of constitutional amendments to pave the way for far-reaching justice system reform. The reform legislation requires that confessions need to be made before a judge, thus providing for a substantially more transparent judicial process with a diminished reliance on confessions.

The government took steps to implement preventive measures against the practice of torture, including applying, at the federal level, the Istanbul Protocol, which contains guidance on investigating and documenting torture and other abuses. The National Mechanism to Prevent Torture, created in 2007, has authority to visit detention centers nationwide. From September 2007 to February 2008, representatives of this office visited more than 100 law enforcement facilities, including prisons and detention centers. Officials in 29 federal entities were trained by the PGR in the use of a medical and psychological certification process; as of 2007 SEDENA had provided training to 702 individuals through 20 courses on specialist medical examination of victims of torture and abuse.

Nonetheless, cruel treatment and physical abuse in particular continued to be a serious problem, particularly among state and local law enforcement elements. During the year the CNDH received 588 complaints of cruel and/or degrading treatment and 21 torture complaints, compared with 395 complaints of cruel and/or degrading treatment and four torture complaints in 2007. While law enforcement officials were punished for lesser offenses, human rights groups, who linked physical abuse to the pervasiveness of arbitrary detention, maintained that no official had ever been convicted of torture, giving rise to concern about impunity. Despite the law's provisions to the contrary, police and prosecutors often attempted to justify an arrest by forcibly securing a confession to a crime. The CNDH and NGOs also expressed concern about alleged human rights abuses committed by some military units deployed in counternarcotics operations and cited several incidents implicating military units in killings, illegal searches, rapes, and arbitrary detentions of individuals.

On March 31, army soldiers in Ciudad Juarez detained local police officers and took them to a local army base without providing any explanation. The police alleged that nine female officers were blindfolded and undressed in front of members of the military at the base. In July the Chihuahua state attorney general filed a complaint with SEDENA and the PGR on behalf of the alleged victims. No further information was available at year's end.

Five of the eight recommendations the CNDH issued on July 11 and a separate recommendation issued on November 28 involved six previously unreported 2007 allegations of arbitrary detention and physical abuse committed by soldiers in the states of Michoacan and Sinaloa.

The CNDH was also investigating allegations that three individuals detained by federal authorities in connection with the September 15 grenade attack in Morelia, which killed eight civilians, had been mistreated while in custody.

Although SEDENA accepted the CNDH's recommendation and agreed to investigate, there were no developments in a May 2007 case involving arbitrary detention and alleged torture of seven adults and one child by military officials at a military base in Michoacan.

There were no developments in the investigation by a National Supreme Court (SCJN) commission into the use of force by federal and state police forces during the 2006 confrontation in Oaxaca. According to one NGO, three individuals remained under detention dating back to the first series of Oaxacan disturbances between May 2006 and July 2007.

With respect to the 2006 San Salvador Atenco confrontation between local vendors and state and federal police agents in Mexico State during which two individuals were killed and upwards of 47 women were taken into custody with many allegedly raped by police officials, the Special Prosecutor for Crimes against Women initially reported the indictment of 21 policemen, of whom 15 were expelled from the police force and six remained under investigation. On September 23, a superior court called for the dismissal of a 16th policeman, Doroteo Blas Marcelo, and ordered him to pay damages to one of the victims. The other five policemen were charged with abuse of authority and faced criminal proceedings.

Prison and Detention Center Conditions

Prison conditions remained poor. During the year the CNDH and other NGOs reported that corruption, overcrowding, alcoholism, and drug addiction were prevalent in most facilities. Health and sanitary conditions were poor, and most prisons did not offer psychiatric care. Poorly trained, underpaid, and corrupt guards staffed most prisons. Authorities occasionally placed prisoners in solitary confinement for indefinite periods; prisoners often had to bribe guards to acquire food, medicine, and other necessities. Prison overcrowding continued to be a common problem. In August the Senate's Commission of Public Security estimated 218,000 prisoners occupied the country's 441 penal facilities, approximately 30 percent above capacity.

Inmates in many prisons exercised significant authority, displacing prison officials and creating general insecurity, leading to inmate deaths, often at the hands of other prisoners. During the year at least five killings and a suicide occurred nationwide among the federal prison population. In September two prison riots in Tijuana, the first provoked by reports that guards had allegedly beaten to death one of the detainees, resulted in the death of 20 prisoners. Three officials in charge of the penitentiary system in the state, including the head of the Tijuana Prison, were removed.

Pretrial detainees were routinely held together with convicted criminals. The CNDH noted that conditions for women prisoners were inferior to those for men, particularly for women who lived with their children in prison. There were anecdotal reports of sexual abuse of women while in detention, although there were no authoritative studies on the scope of the problem.

The government permitted independent monitoring of prison conditions by human rights organizations. The International Committee of the Red Cross (ICRC), the CNDH, and state human rights commissions visited detainees during the year. The CNDH reported making 240 prison visits during the year: 97 in response to complaints, 43 in response to requests from local human rights organizations, and 100 in conjunction with the National Mechanism to Prevent Torture. Separately, the CNDH opened 357 complaint cases based on concerns about human rights violations against prisoners, ultimately confirming 126 of the complaints.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention as well as sponsoring or covering up an illegal detention; however, security forces often ignored these provisions.

Role of the Police and Security Apparatus

The federal, state, and municipal police forces included approximately 500,000 agents. At the state and local level, police are generally divided into "preventive" and "judicial" police. Preventive police maintain order and public security and generally do not investigate crimes. Judicial police serve as the investigative force under the authority and direction of the public ministries (prosecutors' offices).

Similarly, at the federal level, uniformed officers, such as those who patrol the federal highways, have been under the command of the Secretary of Public Security (SSP), while investigating agents have been part of the PGR. The justice sector reform legislation passed in June called for a unified, centralized command structure of all federal police agencies under the SSP, but the legislation had not been implemented at year's end. The military is responsible for external security but also has significant domestic security responsibilities, particularly in combating drug trafficking and responding to natural disasters.

Corruption continued to be a problem, as many police, particularly at the state and local level, were involved in kidnapping, extortion, or providing protection for, or acting directly on behalf of, organized crime and drug traffickers. Impunity was pervasive and contributed to the continued reluctance of many victims to file complaints. Responsibility for investigating federal police abuse falls under the purview of the PGR and the Secretariat of Public Administration, depending on the type of offense.

The Congress enacted legislation establishing a four-year deadline to vet all of the country's 2,500 police forces. By year's end the government's anticorruption effort, Operation Cleanup, resulted in the arrest of Rodolfo de la Guardia Garcia, a former top official from the Federal Investigative Agency (AFI); Ricardo Gutierrez Vargas, AFI's director for international police affairs and head of Interpol in the country; and Noe Ramirez Mandujano, the former head of the PGR's Organized Crime Office (SIEDO).

The constitution provides for military jurisdiction for crimes and offenses against military discipline. In cases in which a member of the military is arrested by civil authorities, the military may request the immediate transfer of the case to military jurisdiction. Many NGOs maintained that human rights abuse cases involving military personnel were not handled transparently by the military justice system, giving rise to concerns about impunity in these cases.

The CNDH also can receive complaints, but its recommendations are nonbinding and carry no legal weight unless a government entity formally accepts the recommendation, in which case it is legally bound to take appropriate action. A similar mechanism exists with respect to the state human rights commissions, which maintain autonomy from the CNDH.

The CNDH provided human rights training for security and military forces, and the government continued professional training of its law enforcement officials. In 2007 SEDENA held 15 courses to train 1,066 personnel on human rights and international humanitarian rights and engaged an additional 59,880 personnel in 284 conferences on the same topics. Additionally, SEDENA routinely included in its operations directives to promote respect for human rights during operations.

In the first six months of the year, SEDENA recruited 723 women--four times the number recruited during the same

period in 2007. In January SEDENA created the Directorate General for Human Rights to promote greater respect for human rights and address complaints by public entities and international organizations; its responsibilities include responding to requests from the CNDH regarding procedures and providing status reports on SEDENA's implementation of the CNDH recommendations. Human rights NGOs, however, complained about a lack of access to the new directorate and maintained it had done little to improve SEDENA's transparency on cases of human rights abuse.

During the year the SSP worked closely with the ICRC to train and certify federal officials on international standards of human rights. Additionally, SSP officials also conducted human rights training and workshops in conjunction with the International Organization for Migration, the CNDH, and experts from the International Criminal Court. In April the SSP began implementing Plataforma Mexico in coordination with the National Autonomous University of Mexico. Plataforma Mexico enhanced law enforcement information exchanges among police and provided distance learning training in the area of human rights to federal police officers throughout the country. PGR officials estimated 10,000 federal police officers had been trained through this initiative. The CNDH also provided human rights training to 6,757 military personnel.

On August 21, President Calderon met with the mayor of Mexico City, 31 state governors, senior legislators, judicial officials, and civil society leaders to reach agreement on a 75-point package of security measures to fight crime. In the following months, the government took steps to purge the security forces of senior-level corrupt officials, secure a significant increase in the security budget, and win approval of penal code reform legislation.

Arrest and Detention

Judicial reform legislation enacted on June 17 provides that defendants are innocent until proven guilty. In most cases persons must be presented to a judge, along with sufficient evidence to justify their continued detention, within 48 hours of their arrest. In organized crime cases (involving three or more persons who organize themselves for the purpose of committing certain crimes), suspects may be held for up to 96 hours before being presented to a judge. However, recognizing the complex nature of organized crime, the legislation stipulates that certain suspects may be held under house arrest for up to 80 days, with the approval of a judge, prior to the filing of formal charges. Human rights NGOs maintained that this form of pretrial detention violates due process, facilitates torture, and could potentially be applied to social movements.

The law provides time limits within which an accused person must be tried. However, due to caseloads which far exceeded the capacity of the current system, such time limits were often disregarded. In addition pretrial release on bond is only available in cases in which the charges are not considered a serious crime. As a result lengthy pretrial detention remained a problem, with the media reporting that accused persons were sometimes held several years without a trial.

While detainees were usually allowed prompt access to family members and to counsel, there were complaints that, in some cases, police held persons incommunicado for several days made arrests arbitrarily and without a warrant. The CNDH received 864 complaints of arbitrary detention during the year.

In December the Guerrero State Human Rights Commission traced the abductions of three union organizers to the Attorney General's Office in Acapulco.

Also in December Amnesty International issued an alert conveying concern about the safety of Javier Torres Cruz, a member of a grassroots environmental NGO in Guerrero, who had allegedly been abducted and released earlier in the month by military personnel.

e. Denial of Fair Public Trial

Although the judiciary is independent, weaknesses in the system make court decisions susceptible to improper influence by both private and public entities, particularly at the state and local level. Corruption, inefficiency, and lack of transparency continued to be major problems in the justice system. Criminal elements also attacked members of the judicial system. The federal court system consists of the Supreme Court, 91 circuit courts of appeal, 49 courts of appeal, and 185 district courts. State judicial systems consist of trial-level courts and appeals courts with jurisdiction over family, criminal, civil, and administrative matters.

The investigation into the 2006 slaying of federal Judge Rene Hilario Nieto Contreras in Toluca continued at year's end. Judge Nieto had handled cases involving the Gulf and Juarez cartels.

Trial Procedures

The legal system is a hybrid system. While it incorporates some aspects of common law and accusatory-style systems, it draws primarily from traditional European code-based, inquisitorial systems. A typical trial consists of a series of fact-gathering hearings during which the court receives documentary evidence or testimony. A judge in chambers reviews the case file and then issues a final, written ruling. The record of the proceeding is not available to the general public; only the parties involved have access to the official file, but only by special motion.

The law provides for the right of the accused to attend the hearings and challenge the evidence or testimony presented, and the government generally respected these rights in practice. In most cases court hearings were open to the public.

While the law provides defendants with the right to an attorney at all stages of criminal proceedings, in practice this only meant that authorities had to appoint a "person of confidence," who was not required to meet any particular legal qualifications, to represent a defendant. The public defender system was not adequate to meet demand, especially at the state level. Public defender services were placed either in the judicial or executive branch; there were no autonomous public defender services. According to Amnesty International, most criminal suspects did not receive representation until after they were placed under judicial authority, thus making individuals vulnerable to coercion to sign false statements before being presented to a judge.

Although the law provides for translation services from Spanish to indigenous languages to be available at all stages of the criminal process, this generally was not done. Indigenous defendants who did not speak Spanish sometimes were unaware of the status of their cases, and some suspects were convicted without fully understanding the documents they were required to sign.

Despite enactment of judicial reform legislation on June 17, judges reportedly continued to allow statements coerced through torture to be used as evidence against the accused, a practice particularly subject to abuse because confessions were often the primary evidence in criminal convictions (see section 1.c.). NGOs asserted that judges often gave greater evidentiary value to the first declaration of a defendant, often given in the absence of legal representation. This provided prosecutors an incentive to obtain an incriminating first confession and made it difficult for defendants to disavow such declarations. For their part law enforcement officials complained that defendants frequently made baseless claims of coerced confessions as a way to win acquittal.

The justice reform that the president signed into law in June also facilitates transition to an oral trial system, establishes strict guidelines on the use of confessions, allows consensual monitoring of telephone calls, and gives police more responsibility for conducting investigations. The reform stipulates that all hearings and trials must be conducted by a judge and under the principles of public access, immediacy, confrontation, and cross-examination,

promoting greater transparency and allowing defendants to challenge their accusers. Constitutional reforms associated with the new justice system were ratified by the congresses of 24 states. All state and federal jurisdictions must conform to the new judicial system and implement oral trial procedures within eight years. Criminal procedural codes in the states of Chihuahua, Oaxaca, Zacatecas, Northern Baja California, and Morelos already permit oral trials for all crimes.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters, including access to a court to seek damages for a human rights violation.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Although the law prohibits such practices and requires search warrants, authorities occasionally disregarded these provisions. The CNDH received 952 complaints of illegal searches through December 15.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice. The majority of newspapers and television and radio stations were privately owned, and the government had minimal presence in the ownership of news media.

While federal legislation eliminated criminal defamation, libel, and slander, journalists remained vulnerable to threats of imprisonment at the state level because most states have criminal libel laws that are not superseded by federal law.

Despite federal government support for freedom of the press, many journalists worked in a dangerous environment. Reporters covering the various organized criminal organizations and associated corrupt public officials acknowledged practicing self-censorship, recognizing the danger investigative journalism posed to them and to their families.

According to local NGOs, only 30 percent of attacks against journalists were reported to authorities, of which only 13 percent resulted in a trial. The PGR's Office of the Special Prosecutor for Crimes Against Journalists (FEADP) accepted jurisdiction over 248 cases since its creation in 2006. FEADP estimated that of the complaints it received from journalist or media outlets, 63 percent involved threats from private citizens, 21 percent from organized crime elements, and 16 percent from public officials. During the year six journalists were killed and three disappeared. NGOs called on the government to strengthen FEADP and provide it greater resources.

Prominent cases involving journalists included the following:

- On April 7, Felicitas Martinez and Teresa Bautista, reporters and commentators on a community radio station in rural Oaxaca, were shot and killed. Residents of their community blamed members of the local political party Popular United Party for the killing. An investigation into the case by FEADP continued at year's end.

- On June 19, police officers in the Benito Juarez Municipality of Nuevo Leon allegedly attacked six print and broadcast reporters covering a demonstration against the local government. Two police officers and one civilian were detained in connection with this case. An investigation into the case continued at year's end.
- On September 15, Federal Preventive Police (PFP) opened fire on journalist Carlos Solis Reina and his companion, Luis Alberto Salas, as they were driving in Matamoros, Tamaulipas. The gunfire hit and killed a young girl in the vicinity. The two were arrested for the girl's death; they alleged that they were tortured on the way to SIEDO offices. Solis had recently published an article critical of the federal police.
- On November 13, Armando Rodriguez, a veteran police reporter with the newspaper El Diario, in the border city of Ciudad Juarez, was shot to death outside his home. One of the last stories Rodriguez covered was the prior week's discovery of a decapitated body hung from a bridge in Juarez.

An investigation continued at year's end into the April 2007 death of Amado Ramirez, an Acapulco-based correspondent for Televisa and Radorama. A suspect detained in 2007 remained imprisoned at year's end.

In September the CNDH issued a report criticizing the federal and Oaxacan state investigations into the 2006 killing of journalist Bradley Will, who was covering the Oaxaca disturbances when an unknown assailant shot and killed him. The CNDH's report implicated Oaxacan state police officials. Meanwhile, on October 16, the government arrested three individuals for Will's killing, charging Juan Manuel Martinez as the gunman and Octavio Perez and Hugo Jarid Colmenares Levya with helping to cover up the crime. Perez and Colmenares Leyva were released on bail on October 18. A judge ruled separately there was sufficient evidence to detain Martinez pending trial.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. The International Telecommunication Union reported that in 2007 there were 21 Internet users per 100 inhabitants.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice. Groups that wish to meet in public areas must inform local police authorities in advance. Organized, peaceful demonstrations occurred frequently throughout the country. Several times during the year demonstrators clashed violently with police, and subsequent arrests led to complaints of arbitrary detention, use of excessive force, physical abuse, rape, and sometimes killings.

An October 3 confrontation between protesters and federal and state police in the state of Chiapas allegedly resulted in the deaths of six individuals and injury to 17 others. Protesters had taken control of Lagos de Monte Bello National Park in Chiapas and held 36 police hostage. As a result of the investigation by the Chiapas Ministry of Justice, the police officials involved were charged with criminal offenses ranging from abuse of authority to aggravated homicide.

In June the government signed an agreement with the ICRC on training and certification of Interior Ministry

personnel in such areas as the legitimate use of force, the use of firearms, and arrest and detention.

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice. Although social, cultural, and economic disputes sometimes took on religious overtones, particularly in the south, there were no reports of religious-based conflicts within or among communities during the year. However, poor enforcement mechanisms, local land disputes, and family traditions contributed to discrimination against some religious groups, especially in the south.

The constitution bars members of the clergy from holding public office, advocating partisan political views, supporting political candidates, or opposing the laws or institutions of the state.

Religious associations must register with the government to apply for official building permits, receive tax exemptions, and hold religious meetings outside their places of worship. Although the government may reject applications because of incomplete documentation, the registration process was routine.

Societal Abuses and Discrimination

In the central and southern regions, some leaders of predominantly Catholic indigenous communities regarded evangelical groups as unwelcome outside influences and as economic and political threats. These leaders sometimes ordered or acquiesced in the harassment or expulsion of individuals belonging chiefly to Protestant evangelical groups. Whether a group was displaced forcibly or left voluntarily to avoid harassment, it often found itself living on the outskirts of another local community in circumstances even worse than the extremely poor conditions common to the region.

If parties present a religious dispute to the General Directorate of Religious Associations (GDAR) in the Secretariat of the Interior, the GDAR attempts to mediate a solution. If mediation fails, the parties may submit the issue to the GDAR for binding arbitration. During the year the GDAR translated the Religious Association Law into 16 indigenous languages.

The Jewish community numbered approximately 50,000 persons. Although the GDAR received no reports of anti-Semitic incidents during the year, there were several unconfirmed incidents reported through local press sources

For a more detailed discussion, see the 2008 International Religious Freedom Report at www.state.gov/g/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees and asylum seekers.

The law does not permit forced exile, and it was not practiced.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing

protection to refugees.

In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. The government received no request for asylum or refugee status during the year.

Although in many instances the National Migration Institute (INM) eventually released Cuban migrants, in some cases they were involuntarily returned to Cuba. In October the country signed a migration agreement with Cuba to facilitate the repatriation of illegal Cubans being detained, and in December, consistent with the agreement, the country repatriated approximately 41 Cubans.

The government provided temporary protection to individuals who may not have qualified as refugees under the 1951 Convention and its 1967 protocol.

On August 12, two Salvadoran nationals were granted humanitarian visas after being assaulted by members of the AFI in Tapachula.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

The closely contested presidential and congressional elections of July 2006 were determined to be generally free and fair by the majority of neutral observers, including European Union representatives and local and international civil society organizations.

The September 2007 electoral reform bill prohibits all public and private funding of political advertisements on television or radio outside of time slots established by a respective state, requires placement of all political campaign advertisements through the Federal Elections Institute (IFE), and stipulates allocation of airtime among registered political parties based on their share of the vote in the most recent election. The law also prohibits negative campaign messages and establishes public spending limits for presidential elections. Recognition as a national political party by IFE is based on having won at least 2 percent of the vote in the last national election.

There were 24 women in the 128-seat Senate and 116 women in the 500-seat lower house. For the second session of Congress, a woman held the presidency of the Chamber of Deputies. Two female justices sat on the 11-member Supreme Court. There were seven women in the 21-member cabinet, compared with one in the previous administration. Many state electoral codes provide that no more than 70 to 80 percent of candidates can be of the same gender. All political parties continued their efforts to increase the number of women running for elected office. Some utilized quotas requiring that a certain percentage of candidates on a party list be female.

There were no established quotas for increased participation of indigenous groups in the legislative body. There were no statistics available regarding minority participation in government. The law provides for the right of indigenous people to elect representatives to local office according to "usages and customs" law, rather than federal and state electoral law. Traditional customs varied by village. In some villages women did not have the right to vote or hold office; in others they could vote but not hold office. In November 2007 the outgoing president of a municipal assembly in Oaxaca invoked "cultural customs" to throw out Eufrosina Cruz Mendoza's election as a woman to the municipal assembly. In the face of alleged death threats, Cruz took her case to the Federal Electoral

Tribunal and Congress, where it remained under review at year's end.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the World Bank's Worldwide Governance Indicators and other indices reflected that corruption remained a problem at all levels of government, as some public officials continued to perpetrate bureaucratic abuses and some criminal acts with impunity. Corruption at the most basic level involved paying bribes for routine services or in lieu of fines to administrative officials and security forces, but more sophisticated and less apparent forms of corruption included overpaying for goods and services to provide payment to elected officials and political parties.

The INM reported that 196 migration officials had been involved in corruption networks and extortion of migrants since 2007. During the year seven INM officials were indicted on charges stemming from extortion of Cuban nationals in the state of Quintana Roo. On July 28, the CNDH issued a recommendation against INM officials in Nogales, Sonora, for allegedly extorting \$4,000 from two undocumented Honduran nationals.

Two officials from the Secretariat of Agricultural Reform were also forced to resign from their positions after an organization created by their spouses received monetary resources from the office that were budgeted for youth training programs and the creation of rural businesses.

Despite significant institutional and regulatory changes increasing government transparency, access to information continued to be difficult in some states. The Federal Institute of Access to Public Information (IFAI) has received over 356,591 requests for information since its creation in 2003. All states have passed laws to comply with the July 2007 constitutional reforms regarding access to information. However, only eight of the 31 states have signed a formal agreement with IFAI to make the information system on government operations, Infomex, available for petitions for state government information.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. The government made periodic attempts to engage civil society, particularly on security issues but also on human rights issues, by creating and reinvigorating a variety of mechanisms that encourage civil society's participation in policy debates and allow individuals to register complaints. Nevertheless, some NGOs complained that the government did not take their concerns sufficiently into account and that they were unable to engage in constructive human rights discussions with military officials. They also maintained that some state and municipal authorities harassed human rights defenders during the year.

UN agencies and other international bodies freely operated in the country and publicly criticized the government without restriction or sanction. The Office of the UN High Commission on Human Rights has an office in the country and in February signed an agreement with the government to extend the office's mandate until 2012.

The semiautonomous CNDH, which received full and generous funding from the federal government, has the authority to investigate allegations of human rights violations and did so in practice. The CNDH operated without government or party interference. During the year the CNDH issued 67 recommendations in connection with human rights violations. The CNDH's recommendations are nonbinding and without legal weight unless formally accepted by a government entity. While some recommendations were accepted and implemented, others were rejected. Some NGOs praised the CNDH for bringing to light noteworthy human rights abuses but criticized it for not

pressuring the government sufficiently to comply with its recommendations.

The Organization of Indigenous Me'phaa People (OPIM), an NGO in the state of Guerrero, represents the interests of indigenous communities in the region. In March an OPIM member and four policemen were killed during a robbery. In April local authorities filed arrest warrants against 15 OPIM members and ultimately detained five on charges of premeditated homicide in connection with the killings. After its own inquiry, Amnesty International concluded the evidence against the five was fabricated and adopted them as prisoners of conscience.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status. While the government continued to make progress enforcing these provisions, significant problems, particularly violence against women, persisted.

Women

The law criminalizes rape, including spousal rape, imposing penalties of up to 20 years' imprisonment. However, rape victims rarely filed complaints with police, in part because of ineffective and unsupportive responses by the authorities toward victims, fear of publicity, and a perception that cases were unlikely to be prosecuted. Domestic violence was pervasive and mostly unexposed.

A 2006 National Survey on Household Relationships suggested that 67 percent of women over age 15 had suffered some abusive treatment. According to the NGO National Citizen Femicide Observatory, more than 1,014 girls, teenagers, and women were killed in the 19 months ending July 31; 43 percent were between the ages of 21 and 40.

A total of 432 killings and disappearances of women were recorded in Ciudad Juarez, Chihuahua, between 1993 and May 2008; an estimated 45 percent of them were resolved by courts, 17 percent were pending trial, and 33 percent remained under investigation. Gender-based violence continued in Ciudad Juarez, but at lower levels. There were at least 30 killings of women during the year; 14 of the cases remained under investigation, four suspects were awaiting trial, and four additional suspects were in prison awaiting indictments at year's end.

The law prohibits domestic violence, including spousal abuse, and stipulates fines equal to 30 to 180 days' pay and detention for up to 36 hours; however, actual sentences were normally lenient. A law (known as the General Law on Women's Access for Life Free of Violence) enacted in 2007 that obligates federal and local authorities to prevent, punish, and eradicate violence against women has been implemented in 23 of the country's 31 states.

During the year the Office of the Special Prosecutor for Violence Against Women broadened its mandate to include cases related to trafficking in persons, changing the name of the institution to the Office of the Special Prosecutor for Violence Against Women and Trafficking in Persons (FEVIMTRA). FEVIMTRA was staffed by 19 legal, administrative, and technical support professionals. No information was available regarding the number of domestic violence cases prosecuted during the year.

On the state level, laws sanctioning domestic violence, if in existence, are weak. Seven states do not criminalize domestic violence, and 15 states punish family violence only when it is a repeated offense. Victims generally did not report abuses for a variety of reasons, including fear of reprisal by their spouses, fear of becoming economically destitute if their spouses are imprisoned, and the general disinterest of authorities in prosecuting such offenses.

The government's cabinet-level National Institute of Women (INMUJERES) reported that its national hot line

established under the National Plan for a Life without Violence received more than 22,000 calls during the year. Although there were some government-funded shelters, civil society organizations and women rights groups maintained the vast majority of available shelters.

Prostitution is legal for adults and continued to be practiced widely. While pimping and prostitution of minors under age 18 are illegal, these offenses also were practiced widely, often with the collaboration or knowledge of police. The country was a destination for sex tourists and pedophiles, particularly from the United States. There are no specific laws against sex tourism, although federal law criminalizes corruption of minors, which is punishable by five to 10 years' imprisonment. Trafficking in women and minors for prostitution remained a problem.

Federal law prohibits sexual harassment and provides for fines of up to 40 days' minimum salary, but victims must press charges. Sexual harassment is criminalized in 26 of the country's 31 states and the Federal District, but in only 22 of these is a punishment contemplated when the perpetrator has a position of power. Reports of sexual harassment in the workplace were widespread, but victims were reluctant to come forward, and cases were difficult to prove.

The law provides that women shall have the same rights and obligations as men and that "equal pay shall be given for equal work performed in equal jobs, hours of work, and conditions of efficiency." According to INMUJERES, women earned 8.8 percent less than men, compared with 12.6 percent less in 2004; however, in some occupations the disparity reached 30 percent.

The law provides labor protection for pregnant women, which some employers reportedly sought to avoid by requiring pregnancy tests in preemployment physicals and by continuing to make inquiries into a woman's reproductive status.

Children

The government was committed to children's rights and maintained programs to support maternal and infant health, provide stipends for educating poor children, subsidize food, and provide social workers. Nevertheless, problems in children's health and education remained pervasive.

Child marriage remained a problem. Although there were no precise statistics, 12 percent of men and 27 percent of women married between the ages of 15 and 19, according to a 2003 report of the National Institute of Statistics and Geography.

The government estimated that more than 22,000 children were sexually exploited each year. Sex tourism and sexual exploitation of minors were significant problems in the northern border area and in resort areas. While a 2007 criminal code amendment increases the penalty for commercial sexual exploitation of children, the UN Special Rapporteur on the Sale of Children and Young People indicated that the country did not have an effective system to protect and provide assistance to children and young people who were victims of sexual exploitation or any form of trafficking.

Trafficking in Persons

While the law prohibits aspects of trafficking in persons, the country was a point of origin, transit, and destination for persons trafficked for sexual exploitation and labor.

The vast majority of non-Mexican trafficking victims came from Central America; lesser numbers came from Brazil, Cuba, Ecuador, China, Taiwan, South Korea, India, Argentina, and Eastern European countries. Victims were

trafficked to the United States as well as to various destinations in the country. Women and children (both boys and girls), undocumented migrants from Central America, the poor, and indigenous groups were most at risk for trafficking.

Often poor and uneducated, trafficking victims were promised employment, but once isolated from family and home, they were forced into prostitution or to work in a factory or the agriculture sector. Other young female migrants recounted being robbed, beaten, and raped by members of criminal gangs and then forced to work in table dance bars or as prostitutes under threat of further harm to them or their families. Many illegal immigrants became victims of traffickers along the Guatemalan border, where the growing presence of gangs such as Mara Salvatrucha and Barrio 18 made the area especially dangerous for undocumented and unaccompanied women and children migrating north.

A 2007 law makes trafficking in persons a federal crime punishable by up to 12 years' imprisonment; the executive branch and Congress continued to discuss implementation procedures for the law.

There is no law related to interstate crimes of trafficking in persons, and the federal government does not automatically assume jurisdiction in cases of interstate trafficking. Twenty-one of 31 states criminalize certain aspects of trafficking. In addition to the provisions in the new federal antitrafficking legislation, the law criminalizes corruption of minors, exploitation of children for commercial sex, and child pornography; anyone convicted of a crime related to a minor under the age of 18 can be sentenced to five to 10 years' imprisonment. If the illicit activity involves a minor under age 16, the sentence is increased by one-third; if it involves a minor under 12 years of age, the sentence is increased by half. Persons who direct or facilitate such illicit activity for purposes of financial gain may be imprisoned for six to 10 years. When physical or psychological violence is used for sexual abuse or to profit from exploitation of a minor, the penalties are increased by up to one-half. The law also forbids forced or compulsory labor.

Securing convictions remained a challenge for the government. During the year the government pursued 14 trafficking cases, which involved a total of six minors. Although the Jalisco state attorney general dropped charges against Thomas White related to corruption of minors, he remained in state custody at year's end pending Mexican federal charges and a U.S. extradition request.

FEVIMTRA and the PFP are the lead operational and coordinating agencies for antitrafficking efforts. The INM, the PGR, the Center for Research on National Security, the CNDH, the Foreign Ministry, and the Integral Development of the Family (DIF) also played key roles in combating trafficking, protecting victims, and prosecuting traffickers.

There were credible reports that individual local, state, and federal police, immigration, and customs officials were involved in facilitating trafficking. There were no developments in the 2007 case of two INM officials who were arrested and accused by the PGR of leading an organized criminal group that trafficked persons, including undocumented workers.

While a partial framework existed to protect and provide social services to the victims of trafficking, undocumented migrants usually were deported before they could be identified and removed from the detention system. The government increased cooperation with NGOs and international organizations, such as the International Organization for Migration, to build a network of trafficking victims' services and to identify potential trafficking victims. Although not specifically related to trafficking in persons, the SSP permitted trafficking victims to make anonymous reports through two newly created hot lines. Victims could also make anonymous reports through an SSP-sponsored e-mail address. The government supported general trafficking prevention campaigns for children and women and administered special assistance programs for children repatriated to the country. The CNDH initiated an antitrafficking campaign through print media and radio.

The State Department's annual Trafficking in Persons Report can be found at www.state.gov/g/tip.

Persons with Disabilities

Although the law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other services, the government did not effectively enforce all these stipulations. Most public buildings and facilities in Mexico City did not comply with the law requiring access for persons with disabilities. The federal government stated that entrances, exits, and hallways in all of its offices had been made accessible to persons with disabilities. The education system fell short of providing special education for children with disabilities, serving approximately 400,000 students of an estimated two million with disabilities in 2004; only 42 percent of municipalities in the country provided special education. Although the government made progress in treating persons with mental health illnesses, government resources devoted to the problem remained inadequate.

The secretary of health collaborated with the secretaries of social development, labor, and public education, as well as with DIF and the Office for the Promotion and Social Integration of the Disabled, to protect the rights of persons with disabilities. The government established offices and programs for the social integration of persons with disabilities, including a program to enhance job opportunities and launch an online portal to disseminate information and assistance.

Indigenous People

The indigenous population has long been marginalized and subject to discrimination, particularly in the central and southern regions where indigenous people sometimes represent more than one-third of the total state populations. Indigenous communities remained largely outside the political and economic mainstream, due to longstanding patterns of social and economic marginalization. In many cases their ability to participate in decisions affecting their lands, cultural traditions, and allocation of natural resources was negligible. More than 130 NGOs were dedicated to the promotion and protection of indigenous rights.

Indigenous people did not live on autonomous reservations, although some indigenous communities exercised considerable local control over economic, political, and social matters. In the state of Oaxaca, for example, 70 percent of the 570 municipalities were governed according to the indigenous regime of "usages and customs" law, which did not follow democratic norms such as the secret ballot, universal suffrage, and political affiliation. These communities applied traditional practices to resolve disputes and choose local officials. While such practices allowed communities to elect officials according to their traditions, "usages and customs" laws tended to exclude women from the political process and often infringed on other rights of women.

The government generally showed respect for the desire of indigenous people to retain elements of their traditional culture. The law provides protections for indigenous people, and the government provided support for indigenous communities through social and economic assistance programs, legal provisions, and social welfare programs. Budget constraints, however, prevented these measures from meeting the needs of most indigenous communities, as severe shortages in basic infrastructure as well as health and education services persisted.

The law provides that educational instruction shall be conducted in the national language, Spanish, without prejudice to the protection and promotion of indigenous languages. However, many indigenous children spoke only their native languages, and the government did not provide a sufficient number of native language or bilingual teachers.

Some groups claimed that the security forces used the war on drugs as a pretext to occasionally harass indigenous

groups. During the year the CNDH received 161 complaints about human rights violations of the indigenous population. By year's end it had concluded an investigation into 119 of these complaints; 42 remained under investigation.

Other Societal Abuses and Discrimination

The law prohibits several types of discrimination, including bias based on sexuality, and requires federal agencies to promote tolerance.

While homosexuals experienced a growing social acceptance, the National Center to Prevent and Control HIV/AIDS stated that discrimination persisted. Homophobic beliefs and practices were common, reflected principally in entertainment media programs and everyday attitudes. Reports of attacks against homosexuals and transsexuals were frequent.

On September 11 and September 23, the CNDH issued recommendations against the navy, the Secretariat of the Navy (SEMAR), and SEDENA for discrimination against military members with HIV; SEMAR and SEDENA accepted the recommendations.

There were credible reports that police, immigration, and customs officials frequently violated the rights of undocumented migrants, including committing rape. Undocumented migrants rarely filed charges in such cases because the authorities generally deported such persons who came to their attention. The INM has 48 detention centers with a total capacity of 3,958 specifically for undocumented migrants. The CNDH has an office in each of these facilities to ensure that human rights abuses are not committed against detainees. The CNDH received 227 complaints of violations of rights of migrants. Following his visit during the year, the Special Rapporteur on Migrants noted reports of corruption, violence against women, and trafficking in children.

There were no updates available in the January 2007 case of Jose Alejandro Solalinde, a priest, and 18 Central American migrants who were beaten and detained for seven hours by eight police officers in Ixtepec, Oaxaca.

Section 6 Worker Rights

a. The Right of Association

Federal law provides workers the right to form and join trade unions of their choice, and workers exercised this right in practice. According to National Census Institute, during the year there were 43.9 million workers in the workforce, with 15.7 million in the formal sector--those paying taxes to the Mexican Institute for Social Security (IMSS).

Approximately 25 percent of the formal sector was unionized. By law 20 workers can form an independent union with a formal registration. However, administrative procedures for registration are complex and burdensome, and government labor boards frequently rejected independent unions' registration applications on technicalities. A new union also must challenge the government-sanctioned union, if one exists, for control of the collective bargaining contract. Credible reports continued to note the use of officially sanctioned protection contracts, which consist of an informal agreement whereby the company pays a monthly sum to the union--which often exists only on paper--in exchange for industrial peace. Workers never democratically chose such unions, and exclusion clauses in these protection contracts gave promanagement unions the right to demand the dismissal of a worker expelled from the union.

Representation elections are traditionally open; management and officials from the existing union are present with

the presiding labor board official when workers openly and individually declare their votes. However, on September 10, SCJN ruled that secret ballots are required when two or more unions compete for recognition as the legal bargaining representative.

The law provides for the right to strike in both the public and private sector, and workers exercised this right. However, only officially recognized unions can call for a strike; before a strike can be considered legal, a union must receive approval of a strike notice from the appropriate labor authorities. These lengthy procedural requirements resulted in a large backlog of strike notice requests at the state level. Although few formal strikes actually occurred, informal stoppages of work by both union and nonunionized groups were fairly common.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively, and the government protected this right in practice. Collective bargaining contracts covered approximately 7 percent of workers. There are no special laws or exemptions from labor laws in export processing zones. Management in the maquila (in bond export) sector and elsewhere sometimes used protection contracts to discourage workers from forming authentic unions at a company, in contravention of freedom of association principles. Such contracts were collective bargaining agreements negotiated by management and a representative of a so-called labor organization without the knowledge of the workforce, sometimes even prior to hiring a single worker in a new factory. Human Rights Watch attributed the problem to the lack of legally recognized independent unions that could negotiate strong and fair collective bargaining agreements.

One of the two remaining suspects at large in the April 2007 killing of migrant farm worker organizer Rafael Santiago Cruz of the Labor Organizing Committee office in Nuevo Leon was detained briefly by Mexican authorities in May after attempting to enter the United States but was later released.

c. Prohibition of Forced or Compulsory Labor

Although the law prohibits forced or compulsory labor, including by children, such practices commonly persisted in both the rural and industrial sectors. Migrants and children were the most vulnerable. There were numerous anecdotal reports of mistreatment and exploitation of Guatemalan and other migrant workers.

d. Prohibition of Child Labor and Minimum Age for Employment

The law protects children from exploitation in the workplace, including a prohibition of forced or compulsory labor; however, the government did not effectively enforce such prohibitions. The law prohibits children under the age of 14 from working, and those between the ages of 14 and 16 may work only limited hours with parental permission, with no night or hazardous work. According to the UN Children's Fund's most recent statistics, 16 percent of children between the ages of five and 14 were involved in child labor activities. Child labor was most prominent in the areas of sexual exploitation and agriculture.

The Secretariat of Labor (STPS), which is charged with protecting worker rights, stated that its mandate does not extend to the area of child labor. The Secretariat for Social Development, the Attorney General's Office, and the Family Development Institute each have responsibility for enforcement of child labor laws or intervening in cases where such laws are violated. Government enforcement was reasonably effective at large and medium-sized companies, especially in the maquila sector and other industries under federal jurisdiction. Enforcement was inadequate at many small companies and in the agriculture and construction sectors, and it was nearly absent in the informal sector in which most children worked.

During the year the Secretariat for Social Development and DIF carried out programs to prevent child labor abuses and promote child labor rights, including specific efforts to combat the commercial sexual exploitation of children. Nevertheless, it was not uncommon to find girls under the age of 15 working in prostitution. Trafficking in children for sexual exploitation was also a problem.

e. Acceptable Conditions of Work

The law provides for a daily minimum wage, which is set each December for the coming year. For the year the minimum daily wages, determined by zone, were: 52.3 pesos (approximately \$5.15) in Zone A (Baja California, Federal District, State of Mexico, and large cities); 50.96 pesos (approximately \$5) in Zone B (Sonora, Nuevo Leon, Tamaulipas, Veracruz, and Jalisco); and 49.50 pesos (approximately \$4.80) in Zone C (all other states). The minimum wage did not provide a decent standard of living for a worker and family, and only a small fraction of the workers in the formal workforce received the minimum wage. The STPS is charged with protecting worker rights, including minimum wage provisions in the law.

The law sets six eight-hour days and 48 hours per week as the legal workweek. Any work over eight hours in a day is considered overtime, for which a worker receives double the hourly wage. After accumulating nine hours of overtime, a worker earns triple the hourly wage, and the law prohibits compulsory overtime. However, there were labor rights disputes filed with labor boards and international labor organizations during the year with complaints that workers did not receive overtime pay they were owed.

The law requires employers to observe occupational safety and health regulations, issued jointly by the STPS and the IMSS. Legally mandated joint management and labor committees set standards and were responsible for overseeing workplace standards in plants and offices. Individual employees or unions may complain directly to inspectors or safety and health officials. Workers may remove themselves from hazardous situations without jeopardizing their employment. Plaintiffs may bring complaints before the federal labor board at no cost to themselves.

While STPS and IMSS officials reported that compliance was reasonably good at most large companies, there were not enough federal inspectors to enforce health and safety standards at smaller firms.