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Mexico

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The government generally respected religious freedom in law and in practice; however, there were some restrictions at the local level. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice, usually in small rural communities in the south. Most incidents occurred in the state of Chiapas. Government officials, nongovernmental organizations (NGOs), evangelical Christians, and Catholic representatives agreed that these conflicts were often attributable to political, ethnic, or land disputes related to the traditional practices and customs of indigenous communities.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 1,220,663 square miles and a population of 112 million. In the 2000 census, approximately 88 percent of the population identified themselves as Catholic. There were an estimated 11,000 Catholic churches, 14,000 Catholic priests and nuns, and 90,000 laypersons working for the Catholic Church. There were evangelicals (Pentecostals, neo-Pentecostals, and Pentecostal Roots), "historical" Protestants (defined by the government as Presbyterians, Baptists, Methodists, Nazarenes, Mennonites, and others), Seventh-day Adventists, Jehovah's Witnesses, members of The Church

of Jesus Christ of Latter-day Saints (Mormons), Muslims, and Jews. More than two million persons, or 3 percent of the population, reported that they do not practice any religion.

The exact number of evangelical and other Protestant churches and pastors is unknown, and statistics on membership remain scant. Official figures sometimes differ from membership claims of religious groups. For example, the Seventh-day Adventist Church claims a nationwide membership of 600,000 to 700,000 persons; however, in the 2000 census only 488,945 persons identified themselves as such. Also in the 2000 census, 205,229 persons identified themselves as Mormons; however, Mormons claim membership of approximately 1.2 million. Protestants are concentrated primarily in the south. In the state of Chiapas, 21.9 percent of respondents in the 2000 census identified themselves as Protestant; however, some Protestant evangelical groups claim a much higher percentage. The National Bar of Christian Lawyers requested that the Secretariat of Government include the category of evangelical Christian in the census. The 2010 form, for the first time, allowed for write-in designations of one's religion. Results of the 2010 census will become available in mid-2011.

The Jewish community claims 40,000 to 50,000 members, approximately 37,500 of whom live in Mexico City; there are also congregations in Guadalajara, Monterrey, Tijuana, Cancún, and San Miguel. There is a small Shiite Muslim population in the city of Torreón, Coahuila and an estimated 500 Muslims in the San Cristóbal de las Casas area in Chiapas. Some indigenous persons in the states of Chiapas, Oaxaca, and Yucatán practice a syncretic religion that mixes Catholic and pre-Hispanic Mayan religious beliefs.

In some communities, particularly in the south, there was a correlation between politics and religious affiliation. A small number of local leaders reportedly manipulated religious tensions in their communities for their own political or economic benefit, particularly in Chiapas.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The government is secular. Article 24 of the constitution states that all persons are free to profess their chosen religious belief and to practice its ceremonies and acts of worship. Congress may not enact laws that establish or prohibit any religion. The constitution also provides for the separation of church and state. The Religious Associations and Public Worship Law defines the administrative remedies that protect the right to religious freedom. The constitution prohibits any form of discrimination, including on the basis of religion.

The federal government coordinates religious affairs through the Secretariat of Government. The General Directorate for Religious Associations (DGAR) promotes religious tolerance and investigates cases of religious intolerance. The DGAR translated the Religious Associations and Public Worship Law into 11 indigenous languages. If parties present a religious dispute to the DGAR, it attempts to mediate a solution. If mediation fails, the parties may submit the issue to the DGAR for binding arbitration. If the parties do not agree to this procedure, one or the other may elect to seek judicial redress. Most states have specific offices dedicated to religious affairs; Chiapas, Guerrero, and Nuevo León have undersecretaries for religious affairs. Municipal and state officials generally were responsive in mediating disputes among communities; however, when a solution was not found, officials were not always aggressive in pursuing legal remedies against offending local leaders.

The government requires religious groups to apply for a permit to construct new buildings or convert existing buildings into houses of worship. Any religious building constructed since 1992 is the property of the religious association that built it. All religious buildings erected before 1992 are classified as part of the national patrimony, owned by the state, and exempt from taxes.

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The law permits religious groups to operate informally without registering with the government; however, for a religious group to obtain legal status, which is necessary to negotiate contracts and purchase or rent land, it must register with the DGAR as a religious association. The registration process does not normally present an obstacle to religious groups. During the reporting period, the DGAR registered 277 associations, bringing the total to 7,554, most of which were evangelical Protestant. In addition, at the end of the reporting period, 205 applications either awaited further supporting documentation or were otherwise not in compliance with registration criteria.

To register as a religious association, a group must articulate its fundamental doctrines and religious beliefs, not be organized primarily for profit, and not promote acts that are physically harmful or dangerous to its members. Religious groups must be registered to apply for official building permits, receive tax exemptions, and hold religious meetings outside their customary places of worship.

Religious associations must notify the government of their intention to hold a religious meeting outside of a licensed place of worship. Thousands of notifications are typically submitted every year, and the government routinely approves such requests. Religious associations may not hold any sort of political meeting.

The constitution states that public education must be secular, but religious groups are free to maintain private schools. Primary level primary school. Homeschooling is allowed at the secondary level after schooling at an accredited primary school has been completed.

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. The law neither explicitly supports nor prohibits the work of religious clergy in public institutions such as jails or hospitals.

The government observes Christmas Day as a national holiday; however, most employers also grant Holy Thursday, Good Friday, All Souls' Day, the Feast of Our Lady of Guadalupe, and Christmas Eve to employees as paid holidays.

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. Most alleged discrimination occurred at the state and local levels. State and municipal governments generally protected religious freedom; however, some local community leaders and authorities, particularly in the south, allegedly used religious affiliation as a pretext for conflicts related to political, ethnic, or land disputes.

The federal government limits the number of visas for foreign religious workers for each religious group; however, the application process is routine and uncomplicated.

Religious groups may not own or administer broadcast radio or television stations. Government permission is required for commercial broadcast radio or television to transmit religious programming. In practice this permission has been difficult to obtain for some non-Catholic faith groups. According to the Mexican NGO Asociación a Favor de la Libertad Religiosa, this has resulted in the proliferation of over 400 pirate radio stations throughout the country, at least 100 of which broadcast evangelical protestant programs. In 2009 GDAR and members of the Federal Communications Commission and the Directorate of Radio, Television, and Cinematography negotiated with approximately 30 such stations and agreed to facilitate licenses. According to Asociación a Favor de la Libertad Religiosa, despite having submitted the required

documentation, licenses have not been forthcoming, rendering these stations vulnerable to closure and arrests. According to one pastor in July 2010, individuals identifying themselves as federal police shut down Tabasco-based station 100.3 FM Radio, which transmitted his program "Señal de Vida," confiscating radio equipment and rough handling personnel.

According to a complaint registered with the National Commission on Human Rights (CNDH), in July 2009 local authorities in the municipality of Zinacantán, Chiapas, cut off the water and electricity of a man belonging to an evangelical group for not contributing to a Catholic religious festival. When they threatened to imprison him, he filed a complaint with the Special Prosecutor for Indigenous Justice in the state of Chiapas. According to the CNDH, authorities subsequently restored his utilities, but later expelled a group of evangelicals from the same town for failing to contribute to community expenses, including funds used for religious festivals and the provision of utilities. While the families were allowed to return at the end of 2009, in February 2010 the town requested the intervention of the State Undersecretary of Government on Religious Affairs. The state government is currently facilitating a dialogue in the community to resolve the situation.

Abuses of Religious Freedom

The government generally respected religious freedom in practice; however, poor enforcement mechanisms allowed local authorities in several states to discriminate against persons based on their religious beliefs. Federal and local government officials often failed to punish those responsible for acts of religious intolerance. The DGAR worked actively with state and local officials; however, criminal investigations generally tended to be lengthy, as is the case for most criminal investigations in Mexico.

The CNDH registered a complaint that in December 2009 local officials in San Sebastián Tlacotepec de Porfirio Díaz, Puebla, pressured evangelical Andrés Carrillo Roma to act as an attorney for the local Catholic church or be exiled from the community and have his place of worship burned down. When he refused, he was jailed for 15 hours. No action had been taken on the complaint at the end of the reporting period.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice, usually in small rural communities in the south. Most incidents occurred in the southern state of Chiapas. Religious differences frequently were cited as the cause of such incidents; however, the disputes often involved other factors, including ethnic differences, land disputes, and struggles over local political and economic power.

In the central and southern regions, evangelical groups were reportedly viewed by some local communities as unwelcome outside influences and economic and political threats. Community leaders reportedly sometimes acquiesced to, or ordered the harassment or expulsion of, individuals belonging chiefly to Protestant evangelical groups.

The protection of indigenous traditions is guaranteed by Article 2 of the constitution, which allows indigenous communities a certain degree of autonomy from the state. Members of these communities do not pay taxes or receive public services in the same way as other citizens. Instead they are expected to pay fees to community leaders, who arrange directly with the state for the provision of services, such as electricity and water, on behalf of the entire community. Because the traditional practice of collecting donations for community works and projects often includes contributing to Catholic festivals, many evangelicals refuse to pay and are ostracized from their communities. As in previous reporting periods, there were instances of village leaders imposing sanctions on evangelicals for resisting participation in community festivals or refusing to work on Sundays. Evangelicals complained specifically of water cut-offs, expulsion from their villages, loss of community rights and personal possessions, beatings, death threats, the burning of their churches and homes, and denial of government benefits due to religious affiliation. This was particularly an issue in Chiapas, where many residents follow a unique and centuries-old syncretistic mix derived from Catholic practices and native custom. Endemic poverty, land tenure

disputes, and lack of educational opportunities also contributed to tensions, which at times resulted in violence. Representatives from the State Council of Evangelical Churches note that incidents of intolerance have become more frequent due to a lack of intervention by state governments.

In January members of an evangelical congregation left their community in San Cristóbal de las Casas, Chiapas, after a series of violent incidents. In April 2009 the CNDH received complaints that while 65 persons were celebrating the first anniversary of the construction of an evangelical church, approximately 30 local citizens entered and beat the pastor and members of the congregation. According to police records, a month later local citizens destroyed the church. After the evangelical victims' requests for help from local authorities went unheeded, they appealed to state government authorities. A group of Catholics demanded that the evangelicals leave the community or face eviction. When they did not depart, local citizens allegedly burned one of their vehicles, stole their livestock, prevented them from collecting firewood and planting corn, and destroyed 13 homes. CNDH issued recommendation 71/2010, which instructs the governor of Chiapas and the municipality of San Cristóbal de las Casas to provide humanitarian assistance to victims, facilitate their return, and implement training on respect for human rights and religious tolerance. The state and municipal governments accepted the recommendation.

The DGAR stated it received two new reports of religious intolerance in the country during the reporting period and that these conflicts were being resolved with state and municipal authorities. The National Bar of Christian Lawyers reported that there were at least 60 unresolved cases in the country at the end of the reporting period. Since July 1, DGAR facilitated dialogue and training in 15 cases of religious intolerance. With the goal of promoting social harmony, government officials, the president of the CNDH, and interfaith groups continued discussions about incidents of intolerance. The Mexico City interfaith council included representatives from a broad spectrum of religious groups. There were also interfaith councils in Chiapas, Nuevo León, and Yucatán.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy representatives met with government officials for religious and indigenous affairs and human rights at federal and state levels. Embassy officers also met with members of religious groups and NGOs.

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