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Mexico

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom 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), and evangelical and Roman 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 111 million. According to the 2000 census, approximately 88 percent of the population identified themselves as Catholic. There are an estimated 11,000 Catholic churches, 14,000 Catholic priests and nuns, and 90,000 laypersons working in the Catholic Church. There are 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, report 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, unlike previously, allowed for write-in designations of one's religion.

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 Shi'ite 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

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

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 (GDAR) promotes religious tolerance and investigates cases of religious intolerance. The GDAR translated the Religious Associations and Public Worship Law into 11 indigenous languages. If parties presented a religious dispute to the GDAR, it attempted to mediate a solution. If mediation failed, the parties could submit the issue to the GDAR for binding arbitration. If the parties did 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 observes the following religious holiday as a national holiday: Christmas Day; 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 required 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.

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

GDAR as a religious association. The registration process was routine. During the reporting period, the GDAR registered 205 associations, bringing the total to 7,281, of which most were evangelical Protestant. In addition, at the end of the reporting period, 440 applications either awaited further supporting documentation or were otherwise not in compliance with registration criteria.

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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 homeschooling for religious reasons is not explicitly prohibited or supported by the law; however, to enter a secondary school, one must have attended an accredited 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.

Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. Most 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 was 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.

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 participating in 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, the case remained pending at the end of the reporting period.

Abuses of Religious Freedom

The government generally respected religious freedom in practice; however, poor enforcement mechanisms allowed local authorities in Chiapas, Guerrero, Oaxaca, Puebla, Hidalgo, and several other 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 GDAR worked actively with state and local officials; however, criminal investigations generally tended to be sluggish.

According to media reports and complaints registered with the CNDH, in April 2010 seven evangelical families in Hidalgo agreed to pay a \$900 (10,000 peso) fine and a \$9 (100 peso) fee to avoid exile from the community. The mayor of San Felipe Orizatlán, Hidalgo, imposed the \$900 fine and threatened to burn down one man's home after the families refused to pay a \$9 fee for celebrations associated with Catholic holy days. The undersecretary of the Hidalgo State Secretariat of Government called these actions excessive but did not arrange for reimbursement of the fine and fee.

In March 2010 according to media reports, five evangelicals were arrested in Ixtlán de Juárez, Oaxaca, for failing to contribute to a local Catholic festival. After their release, local authorities forced them to leave the community. The CNDH registered a complaint against local authorities in the same municipality who in August 2009 allegedly burned down an evangelical church and threatened to lynch approximately 70 evangelical Christians, including 25 children. Local authorities also prevented evangelical families from participating in the federal assistance program "Oportunidades." The Oaxaca Human Rights Commission denounced these actions and issued a recommendation to local authorities to uphold religious freedom and train local officials in religious tolerance, but tensions reportedly continued.

The CNDH registered a complaint that in December 2009 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.

In May 2009 in San Juan Chamula, Chiapas, local authorities detained 18 Jehovah's Witnesses and allegedly obliged them to clean sewage canals due to their refusal to contribute toward the community's Catholic celebration.

In January 2009, also in San Juan Chamula, Chiapas, according to news reports, local residents allegedly destroyed the foundation of an evangelical church under construction, and local authorities jailed the church's pastor. Reportedly at least 30 evangelicals were expelled from the community.

In 2009 in Cualac, Guerrero, community leaders threatened four Pentecostals and required them to attend Mass and contribute toward community celebrations centered around Catholic holy days, or be jailed, expelled from the community, or hanged. According to a complaint filed with the CNDH, two victims were jailed for not contributing to the celebrations and an evangelical preacher received death threats.

In November 2008 local authorities reportedly detained three evangelical leaders--Roberto Martínez Santiago, Cristóbal Pedro Martínez Jeronimo, and Benito Jeronimo Jeronimo--in Santiago Teotlaxco, Oaxaca, for two days for refusing to contribute to or participate in local festivals typically occurring on Catholic holy days.

Forced Religious Conversion

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for 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 state of Chiapas. Religious differences frequently were cited as the cause of such incidents; however, the disputes often concerned other factors, including ethnic differences, land disputes, and struggles over local political and economic power.

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 reportedly sometimes acquiesced in or ordered the harassment or expulsion of individuals belonging chiefly to Protestant evangelical groups.

Local human rights organizations noted that conflicts were increasing due to lack of intervention by state governments. Evangelicals often resisted making financial donations demanded by community norms that served partly to fund local festivals typically occurring on Catholic holy days. As in previous reporting periods, village leaders often imposed sanctions on evangelicals for resisting participation in community festivals or refusing to work on Sundays. Evangelicals complained of water cut-offs, expulsion from their villages, loss of community rights and personal possessions, beatings, death threats, the burning of churches and homes, and denial of government benefits due to religious affiliation. This was particularly common in Chiapas, where many residents follow a unique and centuries-old syncretistic mix of Catholicism and native custom. Endemic poverty, land tenure disputes, and a lack of educational opportunities also contributed to tensions, which at times resulted in violence. After closing its offices in Chiapas in 2009 due to security concerns, the National Bar of Christian Lawyers reported that it reopened a small office in early 2010.

On May 7, 2010, a group of 200 local residents in Huixtán, Chiapas, attempted to cut off water supplies to three evangelical families after they refused to contribute to a local Catholic festival. Three evangelical families were expelled from the same community the previous year for refusing to contribute to Catholic celebrations.

In January 2010 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. 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 burned one of their vehicles, stole livestock, prevented them from collecting firewood and planting corn, and destroyed 13 homes. The state procurator general for indigenous justice opened investigations into these incidents. At the end of the reporting period, there were no results from the investigation.

On November 29, 2009, a group of residents in Nachig, Chiapas, beat and stoned three evangelical men. The aggressors then stole the wallet from one of the victims, shaved his head, and forced him to sign a document promising to contribute to local religious festivities. According to a complaint registered with the CNDH, one of the victims was jailed and falsely accused of burning an evangelical church. Other evangelical members in the community reported that their utilities were disconnected. According to media reports, tensions were reduced after a January 2010 meeting when evangelical leaders agreed to donate to community projects but not to festivals.

In July 2009 local citizens beat several evangelicals in Chilón, Chiapas, and ordered them to leave the community. According to the CNDH, the evangelicals filed a complaint. The investigation was pending at the end of the reporting period.

At the end of the reporting period, there were no updates in the 2008 killings of Catholic priests Gerardo Manuel Miranda Avalos in Los Reyes, Michoacán and Julio César Mendoza Acuma in Mexico City.

The GDAR stated it received one report of religious intolerance in the country during the reporting period and that this conflict was resolved. 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. 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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