

Mexico - Human Rights Scorecard ¹

Mexico, officially the United Mexican States, is a country situated in the southern half of North America and bordered to the south and west by the Pacific Ocean. It is the sixth largest country in the Americas.²

Official language: Spanish

Ethnic groups: 62% Mestizo, 21% predominantly Amerindian, 7% Amerindian, 10% Other (mostly European)

Government: Federal presidential representative democratic republic

- President: Enrique Peña Nieto

Death penalty: Abolitionist

Population: 119 million

Life expectancy: 76.7 years

Under-5 mortality: 13 per 1000

Adult literacy: 94.4 percent



Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Largely disrespected³

There has been reporting that the government or its security forces arbitrarily killed citizens, often with impunity. These instances have not been sufficiently addressed by the government.

Freedom from disappearance



Largely disrespected⁴

There has been reporting of forced disappearances by security forces and by organized criminal groups in Mexico.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Largely disrespected⁵

Although Mexican law prohibits acts of torture, various reports have found that government officials have used such tactics in order to secure confessions.

Freedom from arbitrary arrest or detention



Largely disrespected⁶

The law prohibits arbitrary arrest or detention, but the government has failed to enforce these laws.

Freedom from denial of fair public trial



Partially respected⁷

The civilian legal system recently transitioned from an inquisitorial system to an adversarial system. Although the constitution and the law grant the right to an independent judiciary, there have been many instances of improper influence by the state and local entities.

Freedom from arbitrary interference with privacy, family, home or correspondence



Partially respected⁸

The law prohibits such practices and requires search warrants, but some individuals have complained about illegal searches or illegal destruction of private property.

Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)⁹



Score: 43.69, Rank: 148/ 179 – Highly controlled, limited or intimidated¹⁰

Mexico has proven to be highly dangerous for journalists, and the numerous murders of journalists often go unpunished. Freedom of speech and press is also greatly limited due to the fact that two media conglomerates own almost all of Mexico's TV stations.

Freedom from academic censorship



Respected¹¹

There have not been any reports of the government restricting academic freedom.

Freedom of peaceful assembly and association



Respected¹²

The law allows for the freedom of peaceful assembly and association, and the government has respected these rights, despite some reports of security forces using excessive force against protestors.

Freedom of religion



Partially respected¹³

The constitution guarantees freedom of religion and the separation of religion and state. However, the gov't has not always adequately protected protestant groups from pressure to convert. Religious leaders are also the target of threats and intimidation by organized criminal groups.

Protection of refugees and stateless persons



Largely disrespected¹⁴

Migrants and asylum-seekers passing through Mexico are often subject to abductions, extortion, and other abuses often committed by organized criminal groups. These instances are rarely investigated and the victims do not receive any reparations.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{15 16}



3 / 7 – Partially free¹⁷

Freedom of speech is protected under the constitution and the law, but journalists continue to be targets of murders and other abuses. While freedom of assembly and association is generally respected, the law is not applied consistently, as the justice system suffers from corruption.

Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

Overall protection of political rights (*FreedomHouse Political Rights Index*)¹⁸



3 / 7 – Partially free¹⁹

The president is elected for a six-year term and cannot be reelected. Organized crime and corruption remain large problems among officials. Officials participating in these activities rarely get prosecuted.

Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²⁰



Score: 35%, Rank: 95 / 168 – Highly corrupt²¹

In Mexico, anti-corruption measures are rarely enforced, according to Transparency International.

Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Respected²²

The Mexican government is cooperative with international and domestic human rights organizations. Their investigations are conducted with minimal interference from the government.

Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Rights of women (World Economic Forum Gender Gap Index)²³



Score: 69%, Rank: 80 / 142 – Very unequal rights²⁴

Women in Mexico face discrimination under Mexican law. There are a number of areas, such as economic participation and opportunity, which are in need of reform.

Rights of Children (KidsRights Index Overall Score)²⁵



Score: 85.6%, Rank: 37 / 165 – Protected²⁶

Children in Mexico are overall protected by the rights granted to them by the state.

Rights of persons with disabilities



Largely disrespected²⁷

Although there are laws protecting the rights of persons with disabilities, the government has failed to adequately enforce them.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Largely respected²⁸

There were no reports of racial discrimination of any sort in Mexico.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Largely disrespected^{29 30}

Although the law prohibits discrimination against LGBTI persons, police routinely mistreated LGBTI individuals while in custody. Reports also suggest that the government rarely reports or punishes those complicit in such abuses.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Partially respected³¹

Although the law in Mexico allows workers to join unions and to strike, these rights are stymied in practice due to contradictory laws and regulations.

Freedom from forced or compulsory labour



Largely disrespected³²

While Mexico has laws against forced labour, it consistently fails to enforce these laws. Women and migrants are the most vulnerable to forced labour.

Freedom from forced labour for children, and a minimum age of employment



Largely disrespected³³

The constitution sets the minimum age of employment at 15; however, small companies and the agricultural and construction sectors continue to employ children. As recently as late 2016, child labourers as young as eight are still found labouring in agriculture.

Right to acceptable conditions of work



Partially respected³⁴

The National Council of Minimum Wages set a single general minimum wage of 70.10 pesos (\$4.24) a day. Labour rights NGOs report that employers from all sectors regularly resort to illegal strategies to avoid paying their employees for overtime.

Right to employment



5% - Reasonable unemployment³⁵

The unemployment rate in Mexico is expected to drop in the upcoming years.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death Sentences and Executions 2015." Amnesty International. October 5, 2016. Accessed October 5, 2016.

<https://www.amnesty.org/en/what-we-do/death-penalty/>.

³ "Country Reports on Human Rights Practices for 2015 Mexico." U.S Department of State. January 1, 2016. Accessed October 5, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

⁴ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁵ Ibid. U.S Department of State.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ Ibid. U.S Department of State.

⁹ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

¹⁰ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2016. Accessed October 5, 2016.

<https://rsf.org/en/mexico>.

¹¹ "Country Reports on Human Rights Practices for 2015 Mexico." U.S Department of State. January 1, 2016. Accessed October 5, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dld=253027#wrapper>.

¹² Ibid. U.S Department of State.

¹³ "Mexico." International Religious Freedom Report for 2015 Mexico. January 1, 2016. Accessed October 5, 2016.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

¹⁴ "Mexico." World Report 2014: Mexico. January 1, 2015. Accessed October 6, 2016. <http://www.hrw.org/world-report/2016/country-chapters/mexico>.

¹⁵ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁶ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Oct. 5, 2016

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

¹⁷ "Mexico." Freedom in the World 2016: Mexico. January 1, 2016. Accessed October 5, 2016. <https://freedomhouse.org/report/freedom-world/2016/mexico>.

¹⁸ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed October 5, 2016 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

¹⁹ "Mexico." Freedom in the World 2016: Mexico. January 1, 2016. Accessed October 5, 2016. <https://freedomhouse.org/report/freedom-world/2014/mexico-0#.VIIHLzGG9e8>.

²⁰ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²¹ "Mexico." Corruption by Country. January 1, 2015. Accessed October 6, 2016. <http://www.transparency.org/country#MEX>.

²² "Country Reports on Human Rights Practices for 2013 Mexico." U.S Department of State. January 1, 2015. Accessed October 6, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²³ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²⁴ "Mexico." World Economic Forum. January 1, 2014. Accessed October 6, 2016. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=MEX>.

²⁵ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

²⁶ "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed November 25, 2014. <http://www.kidsrightsindex.org/>

²⁷ "Country Reports on Human Rights Practices for 2015 Mexico." U.S Department of State. January 1, 2013. Accessed November 23, 2014. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²⁸ Ibid. U.S Department of State.

²⁹ "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2015. Accessed November 25, 2014. <http://ilga.org/>. See also Ibid. U.S Department of State.

³⁰ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³¹ "Country Reports on Human Rights Practices for 2015 Mexico." U.S Department of State. January 1, 2016. Accessed October 6, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

³² Ibid. U.S Department of State.

³³ Ibid. U.S Department of State.

³⁴ Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country

³⁵ "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed October 6, 2016. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.