

MEXICO

CCPR

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Interpretative statements:

Article 9, paragraph 5

Under the Political Constitution of the United Mexican States and the relevant implementing legislation, every individual enjoys the guarantees relating to penal matters embodied therein, and consequently no person may be unlawfully arrested or detained. However, if by reason of false accusation or complaint any individual suffers an infringement of this basic right, he has, inter alia, under the provisions of the appropriate laws, an enforceable right to just compensation.

Article 18

Under the Political Constitution of the United Mexican States, every person is free to profess his preferred religious belief and to practice its ceremonies, rites and religious acts, with the limitation, with regard to public religious acts, that they must be performed in places of worship and, with regard to education, that studies carried out in establishments designed for the professional education of ministers of religion are not officially recognized. The Government of Mexico believes that these limitations are included among those established in paragraph 3 of this article.

Reservations:

Article 13

The Government of Mexico makes a reservation to this article, in view of the present text of article 33 of the Political Constitution of the United Mexican States.

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Note

On 15 March 2002, the Government of Mexico notified the Secretary-General of a partial withdrawal of its reservation to article 25 (b) made upon accession. The reservation made upon accession read as follows:

Article 25, subparagraph (b):

The Government of Mexico also makes a reservation to this provision, since article 130 of the

Political Constitution of the United Mexican States provides that ministers of religion shall have neither an active nor a passive vote, nor the right to form associations for political purposes.
(*Note 31, Chapter IV.4, Multilateral Treaties Deposited with the Secretary-General*)

OBJECTIONS MADE TO OTHER STATES PARTIES RESERVATIONS AND DECLARATIONS

Note

The reservation was lodged with the Secretary-General on 4 December 2006 by Bahrain, following its accession to the Covenant on 20 September 2006.

In keeping with the depositary practice followed in similar cases, the Secretary-General proposed to receive the reservation in question for deposit in the absence of any objection on the part of any of the Contracting States, either to the deposit itself or to the procedure envisaged, within a period of 12 months from the date of the present depositary notification. In the absence of any such objection, the above reservation would be accepted in deposit upon the expiration of the above-stipulated 12 month period, that is on 28 December 2007.

In view of the below objections, the Secretary-General did not accept the reservation made by Bahrain in deposit. The Secretary-General received the following objections on the dates indicated hereinafter:

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Mexico (13 December 2007)

The Permanent Mission of Mexico to the United Nations presents its compliments to the Treaty Section of the Office of Legal Affairs and has the honour to refer to the accession of the Kingdom of Bahrain to the 1966 International Covenant on Civil and Political Rights on 20 December 2006 and to the reservations that it made to various provisions, including articles 3, 18 and 23.

In that regard, the Permanent Mission of Mexico would like to state that the Government of Mexico has studied the content of Bahrain's reservation and is of the view that it should be considered invalid because it is incompatible with the object and purpose of the Covenant.

The reserve formulated, if applied, would have the unavoidable result of making implementation of the articles mentioned subject to the provisions of Islamic Shariah, which would constitute discrimination in the enjoyment and exercise of the rights enshrined in the Covenant; this is contrary to all the articles of this international instrument. The principles of the equality of men and women and non-discrimination are enshrined in the preamble and article 2, paragraph 1 of the Covenant and in the preamble and Article 1, paragraph 3 of the Charter of the United Nations.

The objection of the Government of Mexico to the reservation in question should not be interpreted as an impediment to the entry into force of the Covenant between Mexico and the Kingdom of

Bahrain.

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(Note 15, Chapter IV.4, Multilateral Treaties Deposited with the Secretary-General)