



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### Eightieth session

13 February–9 March 2012

## Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

### List of themes to be taken up in connection with the consideration of the combined sixteenth and seventeenth periodic reports of Mexico (CERD/C/MEX/16-17)\*

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the combined sixteenth and seventeenth periodic reports of Mexico. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1. **Mexico's integration policy and its impact on compliance with the Convention (arts. 1, 2 and 5)**
  - (a) The country's ethnic make-up;
  - (b) Constitutional reform of 2001 and shortcomings in the constitutional protection of the human rights of indigenous peoples. The fundamental rights of indigenous peoples in legislation, in accordance with international standards;
  - (c) Consideration given to economic, cultural, social and geographical factors specific to indigenous peoples in the framework of federal and state legislation, as well as in the design and implementation of policy in such areas as health care, education and housing.
2. **Effective participation of ethnic groups in Mexican political and public life (arts. 2 and 5)**
  - (a) Work and representativeness of the National Commission for the Development of Indigenous Peoples;

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\* Late submission.

(b) Mechanisms enabling the effective participation of indigenous peoples and communities and of people of African descent at all levels of government:

(i) Planned legislation to regulate consultations with indigenous peoples and its compatibility with ratified international instruments;

(ii) Potential obstacles to participation, such as threats, lack of information and the like. The situation of human rights defenders;

(iii) Individual points of conflict such as the case concerning the Lerma-Tres Mariás highway, in which an application for interim measures has been filed with the Inter-American Commission on Human Rights;

(c) Ways and means of facilitating political representation at all levels, taking into account the systems of social and community organization of indigenous peoples and recognition of their self-determination and autonomy. Opportunities for indigenous women to participate and take decisions;

(d) Election of spokespersons for the indigenous peoples. Mechanisms needed to ensure that indigenous peoples are represented in both houses of Congress, at the governor's level and so on.

**3. The justice system and racial discrimination (arts. 5 and 6)**

(a) Access of vulnerable groups to effective justice under the Convention;

(b) Full recognition of indigenous regulatory systems and jurisdiction; conflict resolution mechanisms;

(c) Use of ethnic profiling by the security forces;

(d) Documentation and processing of complaints and reports of acts of racism against indigenous persons and communities and against people of African descent.

**4. Cultural diversity in Mexico (arts. 1, 2 and 7)**

(a) Living standards and integration of Afro-Mexicans. Constitutional recognition and historical re-evaluation of Afro-Mexicans and their contribution to a multicultural country;

(b) Migrants and racial discrimination. Protection of the rights of all migrants, including the right to life;

(c) Measures to combat prejudice and racial discrimination in Mexican society;

(d) The variable representing indigenous people and people of African descent in statistics, including the census.

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