



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
3 July 2019
English
Original: Spanish
English, French and Spanish only

Committee on the Elimination of Racial Discrimination

Ninety-ninth session

5–29 August 2019

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined eighteenth to twenty-first periodic reports of Mexico

Note by the Country Rapporteur*

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see *A/65/18*, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

Statistics

2. Comprehensive and up-to-date disaggregated statistical data on the socioeconomic situation of all ethnic groups, in particular indigenous peoples and people of African descent. Information on the use of the criterion of self-identification in the collection of statistical data and how it was incorporated into the 2015 intercensal survey.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 2, 4, 6 and 7)

3. Definition of racial discrimination and criminalization of the actions set out in article 4 of the Convention (CERD/C/MEX/CO/16-17, para. 11).

4. Specific cases in which the provisions of the Convention have been invoked before federal and state courts or directly applied by them.

5. Operation and activities of the National Council for the Prevention of Discrimination and the National Institute of Indigenous Peoples. The resources allocated, the representation of indigenous peoples and people of African descent in such institutions and how they coordinate among the different federal and state entities.

6. Progress made in the constitutional recognition of Afrodescendent communities and specific programmes adopted to promote their rights (CERD/C/MEX/18-21, para. 179).

* This document was submitted late due to an oversight in the submission process.



7. Measures to ensure access to justice for indigenous peoples and people of African descent, in particular to eliminate racist attitudes and racial discrimination in the judicial system. Measures to ensure respect for due process in criminal proceedings initiated against indigenous persons and persons of African descent. Information on the percentage of members of indigenous peoples and persons of African descent deprived of their liberty and on their situation.

8. Information on the number of complaints and cases of racial discrimination received by the National Council for the Prevention of Discrimination and that have been investigated and brought to trial and the perpetrators duly punished.

9. The impact of measures, including awareness-raising and education campaigns, taken to prevent the spread of messages that encourage the dissemination of racial stereotypes and prejudices, particularly against indigenous peoples and people of African descent.

Situation of indigenous peoples and people of African descent (arts. 2, 4, 5 and 6)

10. Measures, including special measures to combat the historical and structural discrimination that affects indigenous peoples and people of African descent, the resources allocated for their implementation, and the results achieved.

11. Implementation and results of public policies and programmes aimed at ensuring that indigenous peoples and people of African descent enjoy all their rights on an equal basis with others. The extent to which indigenous peoples and people of African descent, in particular women, have been involved in the design and implementation of such public policies and programmes, including the National Development Plan.

12. Measures to ensure respect for the right of indigenous peoples to be consulted with a view to obtaining their free, prior and informed consent on all measures that may affect their rights. Specific examples of how such consultation processes are conducted, in particular those relating to authorization for investment projects. Implementation of public consultations with indigenous peoples.

13. The situation of indigenous peoples affected by economic projects or the exploitation of natural resources. Measures to prevent and mitigate the impact of such projects, and compensation measures granted in respect of damage and losses. Impact of the constitutional energy reform, the Special Economic Zone Act and the Mining Act on the rights of indigenous peoples.

14. Recognition of the collective rights of indigenous peoples, as well as measures for the preservation and protection of the lands, territories and natural resources of indigenous peoples. Mechanisms for the recognition and restitution of the territories they have traditionally used. The impact of internal displacement on the exercise of the rights of indigenous peoples, and measures taken to prevent and mitigate this impact.

15. Access to work and to just and favourable conditions of work for indigenous peoples and people of African descent, as well as for migrants, including indigenous migrants from Central American countries. Cases of labour exploitation of members of indigenous peoples, including indigenous migrants, and people of African descent that have been investigated and brought to trial and the perpetrators duly punished.

16. Indigenous peoples' access to adequate health care with a multicultural and human rights-based approach. Participation of indigenous peoples in the design and implementation of such measures.

17. The impact and effectiveness of measures taken to ensure that indigenous and Afro-Mexican children and adolescents have access to education, especially the Indigenous Education Support Programme (CERD/C/MEX/18-21, para. 123). Measures to reduce the illiteracy rate among indigenous peoples and people of African descent.

18. The impact of measures to enhance the political participation of indigenous peoples and the role of the Electoral Public Defender Service for Indigenous Peoples and Communities under the Electoral Court of the Federal Judiciary.

19. Measures to promote the dissemination of, and respect for, the traditions, culture and use of languages of indigenous peoples, as well as the traditions and culture of people of African descent.

Situation of human rights defenders (arts. 2, 5 and 6)

20. The effectiveness of measures to ensure the protection of human rights defenders, especially defenders of the rights of indigenous peoples, in particular of the Human Rights Defenders and Journalists Protection Act and the mechanism set up for their protection (CERD/C/MEX/18-21, paras. 16 and 19). Information on complaints and cases investigated involving acts committed against human rights defenders and protective measures granted.

Situation of migrants, refugees and asylum seekers (arts. 2, 4, 5 and 6)

21. Prevention of, and protection of migrants against, racial discrimination, including hate speech. Access to effective judicial remedies for migrants in cases of racial discrimination. Impact of the guide on public action for the prevention of racial profiling and the leaflet on myths and realities in combating racial profiling in migration management and operations.

Multiple forms of discrimination (arts. 2 and 5)

22. Measures taken to combat the multiple, intersectional forms of discrimination faced by indigenous and Afro-Mexican women, in particular those which impede their participation in decision-making and their access to a decent standard of living, education, work and health-care services, including sexual and reproductive health services. Concrete measures to eliminate discriminatory practices against indigenous women by medical personnel in federal and local public health institutions and number of cases that have been investigated.
