

MEXICO 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Mexico is a multiparty federal republic with an elected president and bicameral legislature. Andrés Manuel López Obrador of the MORENA party won the presidential election in generally free and fair multiparty elections in 2018. In the June 2021 midterm elections, citizens voted for all members of the Chamber of Deputies, 15 governors, state legislators, and mayors across the country. The elections were generally free and fair.

The National Guard and state and municipal police are responsible for enforcing the law and maintaining order. The National Guard, which began operations in 2019, is a largely military institution reporting to the Secretariat of National Defense. In 2019 the government disbanded the Federal Police, and in 2020 all remaining assets and personnel transferred to the National Guard. A 2022 constitutional amendment grants the president the authority to continue to use the armed forces for internal security through 2028. Personnel seconded from the military form the majority of the National Guard. The National Guard was formally transferred to the Secretariat of National Defense on September 16, effectively making it a branch of the military. The Secretariat of National Defense and Secretariat of the Navy also play a role in domestic security, particularly in combating criminal groups. The National Migration Institute, under the authority of the Interior Secretariat, is responsible for enforcing migration law. Although authorities generally maintained effective control over the security forces, there were instances in which security force elements acted independently of civilian control. There were reports that members of security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings by police, military, and other governmental officials; forced disappearance by government agents; torture or cruel, inhuman, degrading treatment or punishment by security forces; harsh and life-threatening prison conditions; arbitrary arrest or detention; restrictions on free expression and media, including violence against journalists; serious acts of government corruption; insufficient

investigation of and accountability for gender-based violence, including domestic or intimate partner violence; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and crimes involving violence or threats of violence targeting persons with disabilities.

Impunity and extremely low rates of prosecution remained a problem for all crimes, including human rights abuses and corruption. There were reports some government agents were complicit with international criminal gangs, and prosecution and conviction rates were low for these abuses.

Criminal elements, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of homicide, torture, kidnapping, extortion, human trafficking, bribery, intimidation, and other threats, resulting in high levels of violence and exploitation. The government investigated and prosecuted some of these crimes, but the majority remained uninvestigated and unprosecuted.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were several reports that government entities or their agents committed arbitrary or unlawful killings, often with impunity. The National Human Rights Commission (CNDH) is responsible for independently investigating security force abuses, including killings, and may issue nonbinding recommendations for prosecution. State human rights commissions investigate state and municipal police forces and may issue similar recommendations. State and federal prosecutors are independent of the executive branch and have the final authority to investigate and prosecute security force abuses.

In April National Guard members killed student Yael Ignacio Rangel and wounded Alejandra Carrillo Franco after opening fire on the students' vehicle in Irapuato, Guanajuato, when the driver failed to heed a traffic stop. Guanajuato Governor Diego Sinhué Rodríguez Vallejo characterized the killing as involving disproportionate force. One officer was charged, and another was in pretrial

detention.

On August 31, Secretariat of National Defense (SEDENA) officers killed Heidi Mariana Pérez, age four, and wounded her brother Kevin Pérez in Nuevo Laredo, Tamaulipas, when they fired at the vehicle in which the children were traveling. Their mother, Cristina Araceli Pérez, said SEDENA tried to persuade the family to accept financial compensation in exchange for dropping the charges against the officers.

CNDH reported assailants killed 11 human rights defenders from January to August. On January 27, unknown attackers assassinated human rights defender Ana Luisa Garduño, who was seeking justice for the killing of her daughter, Ana Karen Huicochea, in Temixco, Morelos (see also section 6, Indigenous Peoples). Criminal groups, especially drug cartels and gangs, were implicated in numerous killings, acting with impunity and at times in collusion with corrupt federal, state, local, and security officials. On June 20, members of a criminal group killed two Jesuit priests and a tour guide in Cerocahui, Chihuahua, after the priests tried to provide first aid to the tour guide, whom the cartel members had pursued into a church. The perpetrators removed the priests' and tour guide's bodies, which were discovered three days later. Criminals also made two other individuals disappear during the incident, presumably by killing them. Authorities arrested 17 persons linked to the killings but as of October 20 had not arrested the individuals who allegedly ordered the killings.

b. Disappearance

There were reports of numerous forced disappearances by criminal groups, sometimes with allegations of collusion with authorities. Investigations, prosecutions, and convictions of forced disappearance crimes were rare. Disappearances remained a persistent problem throughout the country, especially in areas with high levels of cartel- or gang-related violence.

Federal and state databases tracking disappearances were incomplete and had data-sharing problems; forensic systems were highly fragmented between the local, state, and federal levels, and the volume of unsolved cases was far greater than the forensic systems were capable of handling. In its data collection, the government

often merged statistics on forcibly disappeared persons with missing persons not suspected of being victims of forced disappearance, making it difficult to compile accurate statistics on the extent of the problem.

As of October 31, the Prosecutor General's Office reported 2,344 federal investigations underway into disappearances involving approximately 3,930 persons. Nongovernmental organizations (NGOs) and family members of disappeared persons alleged prosecutors undercounted the actual number of cases.

According to the National Search Commission (CNB), which coordinates state and federal search efforts, as of December 2, there were 108,521 missing or disappeared persons in the country. An estimated 90 percent of disappearances occurred after January 1, 2006, according to search collectives and advocacy groups familiar with the database. Civil society groups reported there were approximately 15,000 disappearances not linked to precise dates. The highest number of cases on record occurred during the year, with 9,684 reported missing or disappeared, up from 9,624 reported in 2021. As of December 30, the states of Mexico City (2,455), Nuevo Leon (2,441), and Veracruz, (1,557) reported the most disappearances.

The government made efforts to prevent, investigate, and punish acts of forced disappearance involving government agents. From January to August 17, CNDH received seven complaints accusing government agents of forced disappearances, including three against the army and three against the Attorney General's Office. In April 2021, authorities arrested 30 marines and charged them with forced disappearances in Nuevo Laredo, Tamaulipas, in 2018. As of July, 19 marines had been exonerated and 11 were awaiting trial. In July the head of the human rights unit of the Secretariat of the Navy apologized to families of the victims, marking the first time the armed forces apologized for committing forced disappearances. In January the Interior Secretariat's Undersecretary for Human rights, Alejandro Encinas, publicly apologized to the family of Ch'ol Indigenous group member Antonio González Méndez, who was forcibly disappeared in Chiapas in 1999.

On August 18, Undersecretary Encinas released a report confirming that the 2014 disappearances of 43 students from the Ayotzinapa Rural Teachers' College in Iguala, Guerrero, was a "state" crime. The report found various local, state, and

federal officials – by commission or omission – were involved in carrying out or covering up crimes in conjunction with the atrocities. On August 19, the Office of the Attorney General arrested former Attorney General Jesús Murillo Karam on charges of forced disappearances, negligence, and obstruction of justice and issued arrest warrants for 83 suspects. On January 15, authorities arrested suspect Mateo “N” for his alleged involvement in the disappearances of the 43 students as well as his participation in criminal group activities. On August 26, Encinas alleged that General José Rodríguez Pérez ordered the assassination of six students who were being kept in a warehouse, citing anonymous calls made during the incident to the state’s crime tip line. Victims’ relatives and civil society representatives said the commission’s August 18 report showed political will to advance the investigation and punish the perpetrators, but they expressed doubt whether there was sufficient evidence to secure convictions. As of June 2021, authorities had identified the remains of only three students.

In March the Interdisciplinary Group of Independent Experts (GIEI), appointed by the Inter-American Commission on Human Rights (IACHR), presented its third report on Ayotzinapa. The GIEI asserted the armed forces knew of the attack as it happened, failed to protect evidence at the alleged crime scene, and refused to provide crucial information during the investigations of the 43 students who disappeared. The GIEI found videos of navy officers manipulating the Cocula dump where the government claimed the 43 students’ bodies had been abandoned, six hours before the Attorney General’s Office secured it. The GIEI also documented the armed forces’ use of torture in the investigation and frequent surveillance of the students, families, human rights groups, and the GIEI.

As of October 2021, the Special Unit for the Investigation and Litigation of the Ayotzinapa case (UEILCA) had arrested more than 80 suspects, including army Captain José Martínez Crespo, Iguala municipal police Chief Felipe Flores Velázquez, and Iguala municipal police officer Francisco Salgado Valladares. The government continued to pursue the extradition of Tomás Zerón from Israel, although Mexico and Israel do not have an extradition agreement. Zerón led the investigation of the case through the former criminal investigation unit in the Attorney General’s Office when the students were disappeared and faced an outstanding warrant on charges including torturing alleged perpetrators to force

confessions, conducting forced disappearances, altering the crime scene, manipulating evidence, and failing to perform his duties. In addition to the Zerón warrant, UEILCA issued 12 warrants and made 10 arrests for investigative irregularities, such as torture and obstruction of justice. In August former special prosecutor and UEILCA lead attorney Omar Gómez Trejo resigned, citing differences with Attorney General Alejandro Gertz Manero over the credibility of the evidence linking former Attorney General Jesús Murillo Karam to the 43 Ayotzinapa students' disappearances and the arrest warrants UEILCA issued for members of the military.

Civil society and families of the disappeared said the government's actions to prevent and respond to disappearances were largely inadequate to address the scale of the problem. State search committees often lacked the capacity to fulfill their mandate, according to NGOs.

The CNB reported between December 2018 and November 2021, they carried out 3,335 exhumations. The CNB reported authorities identified 1,336 bodies and returned 1,019 to their families. In June authorities reported they had recovered 165 bone fragments and 11 pieces of possible forensic evidence from Cuauhtemoc, Chihuahua.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

Federal law prohibits torture or cruel, inhuman, or degrading treatment or punishment, as well as the admission of confessions obtained through illicit means as evidence in court. Despite these prohibitions, there were reports of security forces torturing suspects.

Between January and August 17, CNDH registered 32 complaints of torture and 94 for arbitrary detention. Of these complaints, 43 were against members of the National Guard, 37 in the Prosecutor General's Office, 24 against SEDENA, and 17 against the Secretariat of the Navy (SEMAR). Between January and August, there were an additional 120 complaints of cruel, inhuman, or degrading treatment. The abuses were reportedly committed by personnel in the Secretariat of Security, National Guard, Attorney General's Office, SEDENA, and National Migration

Institute.

There were accusations of sexual abuse committed by authorities during arrest and detention. In June the Interior Secretariat published a report entitled *National Diagnostic of Sexual Torture Committed Against Incarcerated Women in Mexico*, which revealed 79 percent of the women interviewed had experienced some form of torture while imprisoned. Of these, 44 percent were subjected to acts of sexual torture. According to the report, police investigators and other police personnel committed the majority of these crimes.

On July 20, former Puebla Governor Mario Marín lost a motion requesting conditional release while awaiting trial for the torture of journalist Lydia Cacho, who exposed Marín and several business leaders' involvement in a child sex trafficking ring in 2005.

Impunity for torture was prevalent among the security forces. NGOs said authorities failed to investigate torture allegations adequately. As of October 31, the Prosecutor General's Office was investigating 3,040 torture-related inquiries under the previous inquisitorial legal system (initiated prior to the 2016 transition to an accusatorial system) and 818 investigations under the accusatorial system. According to the NGO Mexican Commission for the Defense and Promotion of Human Rights, from 2006 to 2020, federal authorities issued three sentences for torture and received 27 complaints.

There is no single independent oversight mechanism to review police actions, but many federal and state security and justice sector institutions have internal affairs units providing internal supervision and promoting best practices for transparency and accountability. The government's National Council of Norms and Labor Competencies certified law enforcement internal affairs investigators and created standard internal affairs training to promote transparency and accountability. Most internal affairs units, however, were insufficiently staffed and funded, according to observers. SEDENA and SEMAR have human rights units to create protocols, provide training, and investigate allegations of abuses. The armed forces operated a military justice system to hold human rights abusers accountable.

Prison and Detention Center Conditions

Conditions in prisons and detention centers were often harsh and life threatening.

Abusive Physical Conditions: According to the 2021 National Survey for Incarcerated Persons, there were 220,500 inmates, of which 94 percent were men, as of July 2021. The Federal Prison System reported 288 state and federal facilities with a designed capacity for 217,064. According to Legal Assistance for Human Rights (Asilegal), prisons were grossly overcrowded. On October 3, the Security Secretariat for the State of Mexico reported the state's penitentiary system was at 147 percent of capacity.

According to the CNDH 2021 *National Diagnostic of Penitentiary Supervision* study, 44 of 233 prisons had self-government structures in which inmates carried out staff functions. In March the CNDH National Prevention Mechanism for Torture (MNPT) visited 27 prisons and assessed self-government structures subjected inmates to extortion, attacks, and inhuman treatment. Criminal groups reportedly continued to oversee illicit activities from within penitentiary walls, and rival drug cartel members often fought in prison. An August clash between cartel groups in Ciudad Juárez resulted in killings of two prisoners and 20 injured. The confrontation spilled into the city, killing nine civilians.

According to civil society groups, migrants at some detention centers faced abuse when commingled with gang members and other criminals. In October the Institute of Migration reported the immediate closure of the Cupapé detention center in Chiapa de Corzo, Chiapas, due to unsanitary conditions, after CNDH visited the facility. In November 2021, NGOs said their legal defense activities and monitoring of detention conditions were systematically hindered due to threats and harassment. In some cases, NGO access to migratory detention centers was blocked as well. Civil society organizations said individuals in migratory detention reported cases of abuse (threats, degrading treatment, no access to information, human rights violations); negligence (spoiled food, bad conditions in general); and repeated incidents of torture (sensory deprivation, deprivation of vital needs, difficulty sleeping due to lights being on full time); and family separation. These conditions resulted in anxiety, depression, and posttraumatic stress disorder.

Administration: Authorities did not always conduct investigations into credible allegations of mistreatment.

Independent Monitoring: The government permitted independent monitoring of prison conditions by the International Committee of the Red Cross, CNDH, and state human rights commissions.

d. Arbitrary Arrest or Detention

Federal law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court; however, the government sometimes failed to observe these requirements.

Arrest Procedures and Treatment of Detainees

The constitution allows any person to arrest another if the crime is committed in his or her presence. A warrant for arrest is not required if an official has direct evidence regarding a person's involvement in a crime, such as having witnessed the commission of a crime. In a 2018 report, the domestic think tank Mexico Evalua determined that 90 percent of all arrests fell under this category. Bail is available for most crimes, except 22 crimes including violent offenses, and crimes involving criminal groups. In most cases, the law requires detainees to appear before a judge for a custody hearing within 48 hours of arrest, during which authorities must produce sufficient evidence to justify continued detention. This requirement was not followed in all cases, particularly in remote areas of the country. In cases involving criminal groups, the law allows authorities to hold suspects up to 96 hours before requiring them to seek judicial review.

The procedure known in Spanish as *arraigo* (a constitutionally permitted form of pretrial detention employed during the investigative phase of a criminal case before probable cause is fully established), allows, with a judge's approval, for certain suspects to be detained prior to filing formal charges. Following the introduction of the accusatorial justice system, however, there was a significant reduction in the number of persons detained in this manner, falling from more than 1,900 in 2011 to 25 in 2022. An additional February 2021 reform mandates pretrial detention for femicides (see section 6).

Some detainees complained of a lack of access to family members and to counsel after police held persons in isolation for several days and made arrests arbitrarily without a warrant. Police occasionally failed to provide impoverished detainees access to counsel during arrests and investigations as provided for by law, although the right to public defense during trial was generally respected. Authorities held some detainees under house arrest.

Arbitrary Arrest: Allegations of arbitrary detentions occurred throughout the year. The IACHR, the UN Working Group on Arbitrary Detention, and NGOs expressed concerns regarding arbitrary detention and the potential for it to lead to other human rights abuses. Between January and August 17, CNDH recorded 94 complaints of arbitrary detention.

On May 29, municipal police in Chiapas arbitrarily arrested human rights defender Manuel Sántiz Cruz without notifying him of the reason for his detention. On June 5, Aguascalientes municipal police detained deputy Isaac Montoya and other persons during state-level elections. On June 27, Oaxaca municipal police reportedly detained transgender Indigenous woman Lizeth Mendoza for alleged robbery. Police cut her hair and forced her to wear men's clothes. She was released on July 2 for lack of evidence.

Pretrial Detention: Lengthy pretrial detention was a problem, and authorities did not always promptly release those detained unlawfully. The law provides time limits and conditions on pretrial detention, but federal authorities sometimes failed to comply with them since caseloads far exceeded the capacity of the federal judicial system. Abuses of time limits on pretrial detention were endemic in state judicial systems. On November 24, the Supreme Court eliminated automatic pretrial detention for fraud and tax crimes. Activists claimed the decision did not go far enough to protect habeas corpus rights, but local legal experts noted the decision could hinder the government's ability to curb financial crimes. The UN Office of the High Commissioner for Human Rights (OHCHR) documented cases in the states of Mexico and Chiapas in which detainees remained in pretrial detention for more than 12 years. A 2019 constitutional reform increased the number of crimes for which pretrial detention is mandatory and bail is not available, including armed robbery, electoral crimes, fuel theft, and weapons possession. An additional February 2021 reform mandated pretrial detention for

femicides, sexual violence against minors, forced disappearances, and corruption. As a result, the number of pretrial detainees had increased 25 percent since 2018, and pretrial detainees comprised 42 percent of all prisoners, according to National Statistical Institute (INEGI) figures. INEGI reported pretrial detainees increased by 8 percent from 2020 to 2021.

On July 18, a Mexico State judge ruled Verónica Razo would remain in pretrial detention for kidnapping and participating in criminal group activities, after 11 years awaiting trial. The UN Working Group on Arbitrary Detention called for her release, and the Federal Defense Public Institute said police “sexually tortured” her and forced her to plead guilty. Brenda Quevedo Cruz remained in prison as of December 12, despite a 2020 announcement by authorities they would release her. Quevedo Cruz had been in prison for alleged organized crime and kidnapping of Hugo Alberto Wallace without trial since 2007.

e. Denial of Fair Public Trial

Although the constitution and law provide for an independent judiciary, court decisions were susceptible to improper influence by both private and public entities, particularly at the state and local level, as well as by transnational criminal organizations. Authorities sometimes failed to respect court orders, and arrest warrants were sometimes ignored, consistent with the lack of judicial independence and rule of law throughout the legal system. Across the criminal justice system, many actors lacked the necessary training and capacity to carry out their duties fairly and consistently in line with the principle of equal justice.

Trial Procedures

The law provides for the right to a fair and public trial, and the judiciary generally enforced the right.

Defendants have the right to an attorney of their choice at all stages of criminal proceedings. By law, attorneys are required to meet professional qualifications to represent a defendant. Not all public defenders were qualified, however, and often the state public defender system was understaffed. According to the Center for Economic Research and Teaching, most criminal suspects did not receive representation until after their first custody hearing, thus making individuals

vulnerable to coercion to sign false statements prior to appearing before a judge.

Defendants have the right to free assistance of an interpreter, if needed, although interpretation and translation services for Indigenous languages were not always available. According to the Indigenous Professional Center for Advice, Advocacy and Translation, Indigenous defendants who did not speak Spanish sometimes were unaware of the status of their cases and were convicted without fully understanding the documents they were instructed to sign.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Citizens have access to an independent judiciary in civil matters to seek civil remedies for human rights abuses. For a plaintiff to secure damages against a defendant, authorities first must find the defendant guilty in a criminal case, a significant barrier due to the relatively low number of criminal convictions.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits arbitrary or unlawful interference with privacy, family, home, or correspondence and requires search warrants. There were some complaints of illegal searches or illegal destruction of private property. By law the government may collect biometric data from migrants.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, and the government generally respected this right. Most newspapers, television stations, and radio stations were privately owned. The government had minimal presence in the ownership of news media but remained a

significant source of advertising revenue for many media organizations, which at times influenced coverage. Media monopolies, especially in small markets, at times constrained freedom of expression.

Freedom of Expression: Independent media were active and expressed a wide variety of views without restriction but often self-censored due to fear of reprisals from government officials and transnational criminal organizations. Journalists could criticize the government and discuss matters of general interest with no restrictions. Politicians, including President López Obrador, publicly discredited and criticized such journalists to present them as biased, partisan, and corrupt.

Official discrediting of press workers worsened beginning in June 2021, when authorities introduced the regular inclusion of a “Who’s Who in Lies” section to the president’s morning press conference to expose journalists who allegedly reported fake news. On February 1, the special rapporteur for freedom of expression for the IACHR said President López Obrador should suspend this segment of his morning conference given the escalation of violence against journalists.

Violence and Harassment: Journalists were killed or subjected to physical and cyberattacks, harassment, and intimidation (especially by state agents and transnational criminal organizations) in response to their reporting. This limited media’s ability to investigate and report, since many of the reporters who were killed covered crime, corruption, and local politics. High levels of impunity, including for killings or attacks on journalists, resulted in self-censorship and reduced freedom of expression and the press. The government’s National Protection Mechanism (NPM) aimed to provide a measure of protection for journalists and human rights defenders at risk, issue protection recommendations to corresponding authorities at state and municipal levels, and increase coordination among federal, state, and local authorities. The NPM provided panic buttons, bodyguards, and temporary relocation to journalists and human rights defenders.

In August the Committee to Protect Journalists reported 15 journalists had been killed since the beginning of the year, with 11 of the killings linked to the journalists’ work. According to civil society actors, at least 15 journalists were killed as of September 6: José Luis Gamboa Arenas, Sheila Johana García, and

Yessenia Mollinedo Falconi (Veracruz); Margarito Martínez Esquivel and Lourdes Maldonado (Baja California); Roberto Toledo and Armando Linares (Michoacán); Jorde Camero and Juan Arjón López (Sonora); Heber López (Oaxaca); Juan Carlos Muñiz (Zacatecas); Luis Enrique Ramírez Ramo (Sinaloa); Antonio de la Cruz (Tamaulipas); Ernesto Méndez (Guanajuato); and Fredid Román (Guerrero).

The NGO Article 19 registered 331 attacks against journalists from January to June; approximately half the cases were against journalists who covered corruption and politics.

In February President López Obrador promised to address impunity for journalist killings, and beginning in March, the undersecretary for citizen security started presenting a weekly “zero impunity report” during the daily press conferences. As of August 18, authorities had detained 29 suspects and charged 21 in connection with the killing of 12 journalists.

In Chiapas journalists Juan de Dios García and María de Jesús Peters were reportedly forced to flee the country due to death threats. García and Peters, who covered migration in their reporting for 30 years and collaborated with several international media outlets, allegedly received repeated threats from individuals claiming to be part of a cartel. During the year, the threats reportedly escalated to death threats against them and their daughter. In May they fled to the United States through the Reporters Without Borders Temporary Reception Program for Latin American Journalists and subsequently took refuge in Spain.

The Interior Secretariat registered 632 verbal and physical attacks against journalists between 2012 and 2021, 47 percent of which the secretariat attributed to public servants. The most common aggressions were intimidation and harassment, followed by threats and physical attacks, according to civil society groups. In December 2021, the civil society group Communication and Information on Women reported there were 642 attacks against women journalists between December 2018 and December 22, 2021. The most common attacks women suffered were intimidation, harassment, threats, and discreditation.

Between 2017 and June, the Office of the Special Prosecutor for Crimes against Journalists, a unit in the Prosecutor General’s Office, charged 185 persons with

crimes against journalists. For example, in February the office issued three arrest warrants in the case of the 2020 killing of Juan Nelcio Espinoza, an independent journalist in Piedras Negras, Coahuila, who died while in police custody.

Digital media journalists covering stories such as crime, corruption, and human rights violations experienced physical violence and online abuse. Online discrimination, harassment, and threats were problems particularly for women journalists and politicians, as well as any individual and organizations advocating for women's rights.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Human rights groups reported that some state and local governments censored media. Journalists reported altering their coverage due to a lack of government protection, attacks against members of media and newsrooms, and threats or retributions against their families, among other reasons. There were reports of journalists practicing self-censorship due to threats from criminal groups and government officials.

Freedom of expression advocacy groups reported the government, despite reductions in its advertising budgets, continued to have a strong financial impact and influence on the largest media companies. According to advocacy groups, no information was available concerning the criteria through which the government chooses media outlets for public advertising.

On April 11, the Yucatan State Prosecutor's Office threatened six media outlets with fines and arrests if they did not remove stories regarding corruption of local public officials.

Libel/Slander Laws: There are no federal criminal laws against defamation, libel, or slander; however, nine states have criminal laws regarding these three acts. In four states, the crimes of defamation and libel are prosecuted, with penalties ranging from three days to five years in prison and fines for committing defamation or slander, both considered "crimes against honor." Slander is punishable under the criminal laws of five states, with sentences ranging from three months to six years in prison and fines. Twenty-five states have laws protecting authorities from alleged insults. Five states have laws that restrict the

publishing of political caricatures or “memes” but seldom enforced them. In addition to criminal libel and defamation laws, civil law defines “moral damage” as similar to defamation concerning harm to a person’s “feelings, affections, beliefs, dignity, honor, reputation, and privacy,” according to the NGO Committee to Protect Journalists.

A 2016 Supreme Court ruling removed the cap on fines for moral damages, leaving journalists vulnerable to exorbitant fines. In 2019 a Mexico City court ordered academic Sergio Aguayo, a columnist of the daily newspaper *Reforma* and human rights defender under the NPM, to pay a fine of 10 million pesos (\$500,000) in moral damages to former Coahuila Governor Humberto Moreira. On February 17, Moreira sued Aguayo again for defamation. On March 16, the Supreme Court cancelled the fine. According to civil society representatives, libel and defamation proceedings averaged three cases per month. The Puebla state government sued the news outlet *E-Consulta* seven times due to its reporting.

Nongovernmental Impact: Criminal groups exercised grave influence over media outlets and reporters, threatening individuals who published critical views of criminal groups. Concerns persisted regarding criminal groups’ use of physical violence in retaliation for information posted online, which exposed journalists, bloggers, and social media users to the same level of violence faced by traditional journalists. For example, journalists in Nogales, Sonora, said they were aware of unspoken red lines in covering organized crime and that crossing lines, such as mentioning the name of an alleged assailant, could result in personal harm. A civil society organization documented at least 42 attacks by criminal organizations against journalists and assessed at least 15 of the 19 journalist killings in 2021 and the first six months in 2022 were possibly linked to criminal groups.

On February 10, gunmen killed Heber López Vásquez, founder of the news site *NoticiasWeb*, in Oaxaca. He worked primarily on highlighting government corruption, and on February 9, he published a report regarding Arminda Espinosa Cartas, a municipal officer from Salina Cruz, whom he accused of corruption and coercing votes. Richard N. Espinosa, Arminda’s brother, was arrested in connection with the killing.

In July CNDH issued a recommendation to Interior Secretariat and Oaxaca

authorities to provide comprehensive reparations and psychosocial attention for damages to the family of journalist Gustavo Sánchez Cabrera. CNDH stated that authorities had failed to protect Sánchez, who had been enrolled in the NPM following an attempt on his life in 2020 until his June 2021 killing by unidentified individuals. The threat against journalists by criminal groups was particularly high in the states of Guerrero, Sonora, Veracruz, and Michoacán. On February 21, the MNPT documented that journalist Héctor Valdez received death threats and beatings for reporting on inmates' prison conditions.

Internet Freedom

The government did not restrict or disrupt access to the internet or block or filter online content.

According to Freedom House, state and nonstate actors increasingly used legal threats and other methods to pressure social media platforms, web-hosting providers, and individual users to remove content. Article 19 recorded 29 removals of journalistic content in 2021; nearly 60 percent of the affected content addressed corruption or politics. In April a Yucatán judge ordered six online outlets to remove their reporting on alleged corruption by a former government official and the related revocation of her pension. The order gave the outlets 24 hours to comply and threatened fines and arrests of up to 36 hours for noncompliance.

NGOs alleged that provisions in laws threatened the privacy of internet users by forcing telecommunication companies to retain data for two years, providing real-time geolocation data to police, and allowing authorities to obtain metadata from private communications companies without a court order. While the Supreme Court upheld the provisions, it noted the need for authorities to obtain a judicial warrant to access user metadata.

Twitter users posted threats against journalists who asked difficult questions of government officials during press engagements and in some cases disseminated the journalists' identities and media outlets and made veiled threats.

Restrictions on Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events, but civil society reported that harassment and intimidation of academic institutions by the federal government increased.

b. Freedoms of Peaceful Assembly and Association

The law provides for the freedoms of peaceful assembly and association, and the government generally respected these rights, with some exceptions. Twelve states have laws restricting public demonstrations. There were reports of security forces using excessive force against demonstrators. Government failures to investigate and prosecute attacks on protesters and human rights defenders resulted in impunity for these crimes, consistent with high impunity rates for all crimes. Amnesty International and other NGOs reported that acts of excessive use of force and arbitrary detention occurred against women protesters, especially those protesting gender-based violence.

In May police reportedly beat lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) protesters demanding marriage equality in Toluca, state of Mexico. Journalists covering the protest were also injured. On June 10 in Querétaro, police allegedly and arbitrarily detained environmental supporters gathering in protest of water privatization.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

Federal law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

In-country Movement: In May the Supreme Court overturned a legal provision that allowed immigration agents to stop anyone and demand proof of their legal status. The court declared the existing immigration law violates the constitutional

rights to equality and nondiscrimination, since it had a disproportionate impact on Indigenous and Afro-Mexican persons. It also found the law violates the constitutional right to freedom of movement.

There were numerous instances of armed groups limiting the movements of migrants, including by threats and acts of kidnapping, extortion, and homicide. Criminal groups dominated migrant smuggling operations and often kidnapped, threatened, and extorted migrants to pay a fee for facilitating northbound travel.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), International Organization for Migration, and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, and other persons of concern.

Access to Asylum: Federal law provides for granting asylum, refugee status, or complementary protection to those fleeing persecution or facing possible threats to their life, security, or liberty in their country of origin; this right was generally respected. The government has an established procedure for determining refugee status and providing protections. The government worked with UNHCR to improve access to refugee status determinations, to improve shelter and reception conditions for vulnerable migrants and asylum applicants and support local integration programs (including access to school, work, and other social services) for those approved for refugee and complementary protection status.

Abuse of Migrants and Refugees: The press, international organizations, and NGOs reported targeting and victimization of migrants and asylum seekers by criminal groups and in some cases by police, immigration officers, and customs officials, including at land borders and airports. There were numerous instances of criminal armed groups extorting, threatening, or kidnapping asylum seekers and other migrants. In many parts of the country, human smuggling organizations wielded significant power, and media alleged frequent collusion among local authorities. There were credible reports of gender-based violence against migrants while migrating in and through the country. There were also credible reports of recognized asylum seekers being denied movement across the country and

detained by migration authorities. Civil society groups reported migration authorities did not provide information regarding access to request asylum and migratory regularization and, in some cases, dissuaded migrants from pursuing such alternatives. Rather, they encouraged migrants to accept voluntary return to their countries of origin.

The government did not detain migrating children and generally exempted accompanying adults from detention to preserve family unity. Between January and June, children constituted 15 percent of irregular migrant flows identified by authorities; 26 percent of the children were unaccompanied. Child protection authorities lacked sufficient capacity to shelter and process migrant children and families, and the government announced efforts to strengthen infrastructure for migrating children. Between September 2021 and June, the National System for Integral Family Development transferred 1.57 billion pesos (\$78.5 million) to 28 states to strengthen their capacity to respond to child migration.

The government increased efforts to target human smuggling organizations with limited results. In July the Prosecutor Attorney General's Office arrested five alleged smugglers in Nuevo León. Authorities accused the suspects of smuggling 81 migrants, of whom 19 were minors.

Obstacles to accessing international protection related most closely to capacity limitations and lack of coordination between the relevant agencies, as opposed to official government policy. The Interior Secretariat reaffirmed its commitment to protect refugee applicants even as the country experienced an unprecedented number of applicants.

The MNPT issued precautionary measures calling on the Institute of Migration and National Guard authorities to protect two migrants whom immigration agents tortured in migratory stations. In April MNPT representatives toured the migratory station in Guadalupe, Nuevo León, where they learned of a Honduran who was tortured by migratory authorities after trying to escape. In June the MNPT received a report from the NGO Asylum Access indicating a Honduran migrant was tortured by immigration and National Guard agents in a migratory station in Piedras Negras, Coahuila.

f. Status and Treatment of Internally Displaced Persons

The NGO Mexican Commission for the Defense and Promotion of Human Rights identified nine incidents between January and May of mass forced internal displacement (defined as the displacement of at least 10 families or 50 individuals) due to violence. Violence by criminal groups often prompted the incidents, which took place in 10 states and displaced 250,000 to 380,000 persons, according to NGOs and government data. Land conflicts, social and ethnic violence, or local political disputes also caused significant displacement. Forced internal displacement disproportionately affected Indigenous communities.

The government, in conjunction with international organizations, made efforts to promote the safe, voluntary return, resettlement, or local integration of internally displaced persons (IDPs). The COVID-19 pandemic generated additional risks and exacerbated IDP vulnerabilities, including overcrowding in shelters and difficulty accessing food, basic health care, and education. IDPs represented 40 percent of all migrant shelter residents in Ciudad Juárez. Most reported fleeing violence in their home states of Zacatecas, Michoacán, and Guerrero. The National Institute for Indigenous People (INPI) had a program to assist displaced Indigenous and Afro-Mexican women.

Three states have state-level IDP laws, but the country does not have a federal internal displacement law, which created problems in resource allocation and interagency governmental coordination. There were reports state, federal, and local authorities made little progress in assisting the local integration of IDPs waiting to cross into the United States. Civil society representatives assessed there were no known efforts to promote the voluntary return of IDPs to states with high levels of violence due to security concerns. On September 9, UN Special Rapporteur for the Human Rights of Internally Displaced Persons Cecilia Jimenez Damary recognized some advances at the federal and state level but called for action in approving the proposal for the General Law to Prevent, Assist, and Comprehensively Repair Internal Forced Displacement, stalled in the Senate since 2020, and for allocating resources to prevent displacement, assist victims, and create durable solutions.

In January approximately 3,000 residents in Tepalcatepec, Michoacán, were

displaced after alleged attacks the Cartel Jalisco Nueva Generación carried out using explosives against rival Cartel Unidos.

In March approximately 45 families (240 persons) returned to their homes in Zihuaquio, Guerrero, after being forcibly displaced in 2020 due to activities and violence of the Jalisco cartel.

Section 3. Freedom to Participate in the Political Process

Federal law provides citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: International observers considered the 2021 midterm elections (legislative, gubernatorial, and local) to be generally free and fair, with only minor reports of irregularities. Local commentators pointed to the electoral authorities' quick and transparent publishing of results as increasing citizen trust in the electoral and democratic system. The midterm elections, the largest in the country's history due to the record number of more than 20,000 offices up for election, had a 52 percent turnout, a record for a nonpresidential election. In June six states with a combined population of approximately 12 million held gubernatorial elections in a process observers considered to be generally free and fair, with the ruling coalition winning in four and the opposition in two.

On April 10, citizens participated in a presidential recall election, with voters deciding whether President López Obrador should remain in office or step down before the end of his six-year term. Turnout was low, with only 17 percent of registered voters participating, and therefore was not legally binding (40 percent turnout was required). Close to 92 percent of those who participated voted in favor of López Obrador remaining in office until the end of his term.

Political Parties and Political Participation: For the 2021 electoral process, the National Electoral Institute (INE) established the Three Out of Three Against Violence initiative, which required candidates to declare any history of domestic violence, sexual offenses, or failure to pay alimony. The INE requested

information from all states, reviewed a sample of 1,177 of the 6,962 federal deputy candidates, and canceled the registration of three candidates for filing false reports.

During the midterm electoral season (September 2020 to June 2021), assailants killed 36 candidates and 64 politicians. The rate of aggression against political figures during the election cycle was on par with the 2018 election, one of the most violent political periods in recent history. The states where the most political violence occurred were Veracruz, followed by Guerrero and Guanajuato. Municipal candidates and challengers seeking to oust incumbents were the most common victims of political violence, with victims spread across the political spectrum. Security experts said government candidate protection programs, which did not cover all those eligible, had a negligible impact on curbing political violence. The 2022 gubernatorial elections in six states, however, saw a drop in violence against political figures. Consulting firm Etellekt registered 85 aggressions against candidates in these six states but no killing of candidates – marking the first election period without candidate homicides since 2007.

Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups in the political process, and they did participate. The law provides for the right of Indigenous persons to elect representatives to local office according to “uses and customs” law (see section 6, Indigenous Peoples) rather than federal and state electoral law.

INE announced it received 219 complaints of gender-based political violence related to the electoral process between April 2020 and August 2022, a 367 percent increase from the 47 complaints it received during the 2017-18 electoral process. The INE sanctioned 184 persons for gender-based political violence. Penalties ranged from monetary fines to the cancellation of candidacies.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government took steps to increase its legal authority to pursue these crimes. There were numerous reports of government corruption.

Corruption: In June the Federal Commission for the Protection against Sanitary Risks (COFEPRIS) authorities reported President López Obrador ordered the navy to investigate allegations against COFEPRIS officials for corrupt operations awarding pharmaceutical bids alleged to have occurred in September 2021. Following a months-long corruption investigation into the commission’s practices, authorities detained and charged 32 officials.

In June the United States extradited former Chihuahua Governor César Duarte. Duarte was arrested in Florida in 2020 pursuant to a Mexican extradition request on charges he diverted millions of dollars in public funds. On June 6, a judge ordered his pretrial detention for one year while investigations continued.

In June after media reports and civil society investigations, the Secretariat of Public Administration announced the Attorney General’s Office had opened 22 investigations into alleged fraud on the part of the Mexican Food Security Agency under the Secretariat for Agriculture and Rural Development from 2019 to 2021, consisting of illegal contracts, “phantom” payrolls, simulated purchases of agricultural products, sale of products to private companies below the minimum purchase value, and the illegal purchase of stocks with government funds. According to media reports, the alleged fraud could reach \$500 million.

Former Nuevo León Governor Jaime “El Bronco” Rodríguez Calderón was placed under house arrest in June for alleged participation in a scheme to divert public funds and force public servants to collect signatures for his failed 2018 presidential run.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were mostly cooperative and responsive, with the president and cabinet officials meeting with human rights organizations, such as OHCHR, IACHR, and CNDH. Some NGOs alleged individuals who organized campaigns to discredit human rights defenders at times

acted with tacit support from government officials.

Retribution against Human Rights Defenders: President López Obrador chastised civil society groups at the morning press conferences he hosted daily. Civil society groups took legal actions against the construction of the Mayan Train, citing a lack of environmental and cultural assessments. In response on July 19, López Obrador called them “corrupt and pseudo environmental defenders.”

Government Human Rights Bodies: CNDH is a semiautonomous federal agency funded by the legislature to monitor and act on human rights abuses. CNDH may call on government authorities to impose administrative sanctions or pursue criminal charges against officials, but it is not authorized to impose penalties or legal sanctions. Civil society groups questioned CNDH’s independence, citing CNDH president Rosario Piedra’s close ties to President López Obrador. They noted CNDH failed to speak out regarding pressing concerns such as the role of the military in public security activities.

All states have their own human rights commissions. The state commissions are funded by state legislatures and are semiautonomous. Some civil society groups, however, asserted that state commissions were subservient to the state executive branch. State commissions do not have uniform reporting requirements, making it difficult to compare state data and therefore compile nationwide statistics. CNDH may take on cases from state-level commissions if it receives a complaint that the state commission did not adequately investigate the case.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Federal law criminalizes the rape of men and women, including spousal rape, and conviction carries penalties of up to 20 years’ imprisonment. Spousal rape is criminalized in 26 of the 32 states. There were high rates of impunity for these crimes, consistent with high impunity rates for all crimes. According to the Interior Ministry’s most recent data (2019), only 2 percent of women who were victims of violence received help. Of all cases of domestic violence, only 5 percent were prosecuted and only 1 percent resulted in

convictions.

Federal law prohibits domestic violence and stipulates penalties for conviction of between six months' and four years' imprisonment. The law includes media and digital violence as a form of violence against women. Of the 32 states, 29 stipulate similar penalties, although sentences were often more lenient. Federal law criminalizes spousal abuse. State and municipal laws addressing domestic violence largely failed to meet the required federal standards and often were unenforced.

According to an INEGI 2021 survey, 40 percent of women age 15 and older reported having experienced physical violence at the hands of their current or most recent partner, and 23 percent reported having experienced sexual violence in the last 12 months. The increase in domestic violence cases that began during the start of the COVID-19 pandemic continued during the year, according to the watchdog group Nosotros Tenemos Otros Datos (We Have Other Data).

Femicide is a federal offense punishable by 40 to 70 years in prison. It is also a criminal offense in all states. The Executive Secretariat of the National Public Security System reported more than 1,900 killings of women, including 858 femicides from January to November.

On April 21, authorities found the body of Debanhi Escobar in an uncovered motel cistern in Monterrey, Nuevo León, nine days after she went missing. The Nuevo León Prosecutor General's Office fired two prosecutors working on the case for "omissions and errors" in their work, raising additional questions regarding the actual cause of death. A long series of femicides and the discovery of Escobar's body triggered protests throughout the country on April 24 as hundreds of persons gathered in different locations nationwide to demand justice for victims of femicide and disappearances.

On May 21, gender-based violence activist and lawyer Cecilia Monzón was killed in Cholula, Puebla. In April Monzón filed for alimony at the state attorney general's office against former Puebla Secretary of the Interior Javier López Zavala, with whom she had a son. The day before her death, she publicly criticized the state attorney general's office for not processing the motion.

Authorities arrested Zavala and three other alleged coconspirators for femicide. As of December 31, the four were awaiting trial.

The 911 hotline received 230,488 calls reporting incidents of violence against women from January to August, an increase of 20 percent over the same months in 2021. The National Shelter Network reported it assisted more than 19,700 women and children between January and July, a 15 percent increase from 2021. Between January to July, the National Database for Information on Cases of Violence Against Women reported 77,778 cases of violence against women.

The National Commission to Prevent and Eradicate Violence against Women is responsible for leading government programs to combat domestic violence. In addition to shelters, women's external assistance centers provided services including legal, psychological, and protective; however, the number of cases far surpassed institutional capacity. Legal experts explained the country lacked sufficient psychological and anthropological experts to issue the appropriate expert reports that judges require in femicide and domestic violence cases. According to multiple NGOs, due to COVID-19's impact on the economy, funding sources for women's shelters, including for Indigenous women, were insufficient. Federal funding assisted the operation of more than 69 shelters, external attention centers, emergency houses, and transition houses. NGOs operated 85 percent of the facilities, and government organizations operated the remaining 15 percent.

Sexual Harassment: Federal law prohibits sexual harassment and provides for fines from 250 to 5,000 times the minimum daily wage, but the law was not effectively enforced. Of the 32 states, 24 criminalize sexual harassment, and all states have provisions for punishment when the perpetrator is in a position of power. According to the National Women's Institute, the federal institution charged with directing national policy on equal opportunity for men and women, sexual harassment in the workplace was a significant problem.

Reproductive Rights: There were no confirmed reports of coerced abortion or involuntary sterilization on the part of government authorities.

CNDH observed recurrent cases of obstetric violence during childbirth in the forms of neglect and physical abuse, sometimes with serious consequences on women's

sexual and reproductive health. In 2021 CNDH issued nine recommendations to improve or address the denial of health services, including physical and psychological abuse, performance of risky procedures, and inadequate neonatal evaluation, diagnosis, and treatment for diseases.

Federal authorities supported access to contraceptive methods, including for the purpose of family planning, but states' efforts varied widely. Barriers to accessing contraceptives stemmed from lack of knowledge, poverty, lack of access to health services, and sexual violence from family members, strangers, or friends. A 2017 Institute for Health Metrics and Evaluation study on the use of contraceptives in Chiapas (the poorest state) found that older women were less likely to use family planning methods (13 percent of women age 35 and older, versus 18 percent of women age 20 to 34), while 23 percent of Indigenous women opposed birth control for religious, cultural, or social reasons. A CNDH diagnostic conducted of incarcerated women during the year found women in prison had little access to gynecological attention and contraceptives. CNDH reported that health providers had little accessible information on reproduction for women with disabilities.

The National Population Council (CONAPO) said that in 2021 there were 373,661 pregnancies in women younger than age 19 (30 percent above 2020), of which 8,874 were in girls age 14 or younger. CONAPO reported 68 per 1,000 adolescent birth rates between the ages of 15 and 19. Authorities attributed high adolescent birth rates to low economic status, social inequities, school dropout, low usage of contraceptives, sexual abuse, and teenage marriages. Sometimes family members arranged marriages for girls younger than 18.

Government health service providers in 21 states noted they were obligated by law to offer sexual and reproductive emergency health services for survivors of sexual violence within 120 hours of the sexual assault. According to CNDH, the states that did not require government health service providers to offer emergency contraception services were Aguascalientes, Baja California Sur, Chiapas, Chihuahua, Durango, Guerrero, Michoacán, Sonora, Tlaxcala, Yucatán, and Zacatecas. Emergency contraception and postexposure prophylaxis for the HIV virus were available, including for survivors of sexual assault. Nevertheless, women nationwide faced obstacles to accessing emergency services due to health providers' personal objections to emergency contraception or misunderstanding of

their legal obligations to provide services.

Factors associated with maternal deaths included parents with lower levels of education, poor hospital infrastructure and human capacity, and lack of access to maternity care, especially for pregnant women living in rural areas. Southern states reported the lowest access to skilled health care during pregnancy due to geographic, financial, and cultural barriers. In rural areas in 2019, the cause of most maternal deaths was obstetric hemorrhage. On October 12, the first National Survey for Menstrual Management presented its findings on 3,000 menstruating persons ages 12 to 70 in Aguascalientes, Michoacán, Oaxaca, Puebla, and Tamaulipas. The report pointed out the main barriers to menstrual health were stigma, lack of sanitation, and access to information. It found 69 percent of menstruating persons had little or no information when they got their first period and 15 percent lacked access to menstrual products.

Discrimination: The law provides women the same legal status and rights as men and “equal pay for equal work performed in equal jobs, hours of work, and conditions of efficiency.” The law establishes penalties for discrimination based on gender, race, ethnicity, color, religion, language, pregnancy, political belief, or any other nature that violates human dignity. The government did not enforce the law effectively. Women tended to earn substantially less than men did for the same work. Women were more likely to experience discrimination in wages, working hours, and benefits. Afro-Mexican and Indigenous women reported structural inequality in their daily lives.

According to the 2017 National Survey on Discrimination, 30 percent of women said they experienced discrimination because of their gender. Approximately 54 percent of women reported they were denied access to social programs, and 55 percent were reportedly denied medical attention or medication. The 2021 CNDH Household Survey reported 65 percent of men and 72 percent of women participants experienced discrimination due to their gender. Unmarried same-sex partners were not allowed to register partners to receive social benefits from the Mexican Social Security Institute.

Systemic Racial or Ethnic Violence and Discrimination

The constitution prohibits discrimination based on ethnicity, and a federal law prohibits all forms of discrimination. Nonetheless, discrimination was common against racial and ethnic minorities, including Black, Afro-Mexican, and Indigenous groups. All states have additional laws against discrimination. A 2019 constitutional reform recognizes Afro-Mexicans as an ethnic group. The government did not enforce the law effectively.

According to a 2021 report by the National Council to Prevent Discrimination (CONAPRED), in Mexico City dark-skinned individuals experienced the most discrimination, followed by Indigenous peoples.

INEGI reported that 2 percent of the population (2.5 million) self-identified as Afro-Mexican. CONAPRED's 2017 national survey on discrimination found 58 percent of Afro-Mexicans and 65 percent of Indigenous persons considered their rights were respected "little or not at all." The survey also reported 22 percent of persons said they would not share a household with an Afro-Mexican. The survey reported that persons with darker skin completed 6.5 years of schooling, while those with white skin completed 10 years. A report from the Black Alliance for Just Immigration found black migrants faced widespread racial discrimination from individuals and authorities, particularly in accessing employment and services. Black migrants reported migration authorities detained Black migrants for longer periods than other migrants.

Indigenous Peoples

The constitution provides Indigenous persons the right to self-determination, autonomy, and education. Most Indigenous persons lived in marginalized communities, and the COVID-19 pandemic disproportionately affected these communities, according to the OHCHR. Conflicts arose from the interpretation of Indigenous communities' self-governing "normative systems." Uses and customs laws apply traditional practices to resolve disputes, choose local officials, and collect taxes, with limited federal or state government involvement. Communities and NGOs representing Indigenous groups criticized the government for failing to consult Indigenous communities adequately when making decisions regarding

extractive industry and natural resource development projects on Indigenous lands. CNDH and INPI maintained a human rights program to inform and assist members of Indigenous communities. INPI implemented justice plans for Indigenous communities to exercise self-determination and establish norms to counter historic marginalization. In June INPI hosted a regional assembly in Chihuahua with 50 Indigenous communities to discuss agrarian and environmental issues.

CNDH reported Indigenous women were among the most vulnerable groups in society. They often experienced racism and discrimination and were frequently victims of violence. Due at least in part to their lack of Spanish language proficiency, Indigenous persons generally had limited access to health care, education services, and legal means to seek justice. In April the NGO Christian Solidarity Worldwide published a report that documented various freedom of religion or belief abuses faced by Indigenous women, in particular, including forced participation in religious majority activities, barriers to pursuing justice, and denial of access to government benefit programs and basic services.

During the COVID-19 pandemic, Indigenous persons faced additional hardships in accessing educational services. Due to low internet penetration and television ownership in Indigenous communities, distance learning was often inaccessible. Additionally, some Indigenous students did not receive the breakfasts and lunches normally included in the full-time school meal program, according to a UNESCO study.

In mid-July the government resumed construction of the Mayan Train, a dual cargo-passenger railroad to cross the Yucatán Peninsula through Indigenous lands, citing a November 2021 decree deeming all public infrastructure to be a matter of national security, which limited the ability of civil society and Indigenous groups to use legal avenues to halt the project. Several Indigenous communities had brought legal actions to oppose the construction, many of which were dismissed or denied.

On February 5 and March 10, a state judge sentenced Indigenous human rights defender Kenia Hernández Montalbán to 10 years in prison for robbery in 2021 and to 11 years in prison for damaging a tollbooth during a protest in 2020, respectively. Civil society groups said the allegations were false. Hernández, an

Indigenous people and women's rights defender, was reportedly detained in 2020 without a warrant on false charges of aggravated robbery; in April 2021, it was reported that her health deteriorated due to conditions in the maximum-security prison where she was held. Hernández, an Indigenous lawyer of the Amuzga people, worked with the Zapata Vive Libertarian Collective on land rights, specifically protesting extraction contracts and working for those affected by extraction companies' activities.

On May 8, authorities found Lorena Chantzin Paxacuasingo and Marcos Campos Ahuejote, members of the Indigenous and Popular Council of Guerrero-Emiliano Zapata (Cipog-EZ), dead in Chilapa, Guerrero. Cipog-EZ members said the criminal group Los Ardillos was responsible for the deaths.

There were no developments in the case of the July 2021 killing of Simon Pedro Pérez López, a human rights activist and member of the Las Abejas de Acteal civil society organization, in Chiapas.

Children

Birth Registration: Children derive citizenship both by birth within the country's territory and from their parents. Citizens generally registered the births of newborns with local authorities. Birth registration was provided on a nondiscriminatory basis. Failure to register births could result in the denial of public services such as education or health care.

Child Abuse: The law provides for protection against child abuse. There were numerous reports of child abuse. The National Program for the Integral Protection of Children and Adolescents, mandated by law, is responsible for coordinating the protection of children's rights at all levels of government.

Child, Early, and Forced Marriage: The legal minimum marriage age is 18. Enforcement, however, was inconsistent across the states. With a judge's consent, children may marry at younger ages.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children, and authorities generally enforced the law. Nonetheless, NGOs and media reported occurrences of sexual exploitation of minors, including

child sex tourism in resort towns and northern border areas. Authorities estimated 21,000 children were kidnapped annually for sexual exploitation. A 2021 penal code reform eliminated the statute of limitations for sexual crimes against minors, including child pornography distribution, child sex tourism, corruption of minors, pederasty, sexual abuse, and rape.

Institutionalized Children: Civil society groups expressed concern regarding abuse of children with mental and physical disabilities in orphanages, migrant centers, and care facilities. During the year, the MNPT visited children's institutions and found they lacked protocols for reporting mistreatment and mechanisms for supervision.

Antisemitism

The 58,876 person Jewish community (according to the 2020 INEGI survey) experienced low levels of antisemitism. On January 18, during an online university class, a teacher joked about the death of Jews in the Holocaust, comparing them to a pizza in an oven. The university dismissed the teacher and publicly apologized.

Jewish community representatives reported good cooperation with the government and other religious and civil society organizations in addressing rare instances of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No laws criminalize same-sex sexual conduct.

Violence against LGBTQI+ Persons: There were reports the government did not always investigate and punish those complicit in abuses against LGBTQI+ persons,

especially outside Mexico City. Civil society groups claimed police routinely subjected LGBTQI+ persons to mistreatment while in custody.

There were eight hate-crime homicides and six forced disappearances committed against the LGBTQI+ community in the first eight months, according to the National Observatory of Crimes Against LGBTQI+ persons.

On August 4, the court sentenced soldiers to 23 years in prison for the 2020 killing of Naomi Nicole, a transgender woman. The civil society group Letter S noted that in the LGBTQI+ community, transgender women were most likely to be victims of a hate crime. In 2021 Letter S documented the killing of 55 transgender women, 12 more cases than in 2020.

According to CONAPRED, the most frequent forms of aggression LGBTQI+ persons experienced were verbal violence, denial of entry, services and rights, and killings.

Discrimination: Federal law prohibits discrimination against LGBTQI+ individuals. A Mexico City municipal law provides increased penalties for hate crimes based on sexual orientation and gender identity. On October 25, same-sex marriage became legal nationwide when Tamaulipas, Guerrero, and Tabasco joined other states in approving marriage equality.

A 2019 CNDH poll found six of every 10 members of the LGBTQI+ community reported experiencing discrimination in the past 12 months, and more than half were targeted with hate speech and physical aggression. From January to July 30, CONAPRED registered 27 reports of discrimination against LGBTQI+ persons, of which seven were against public servants.

Availability of Legal Gender Recognition: Twenty states permit adult individuals to update names and gender markers via a simple administrative process. In January, for the first time, the Secretariat of Foreign Affairs issued transgender birth certificates for citizens living abroad. In February Guanajuato issued the first nonbinary birth certificate nationwide. In August 2021, the Mexico City congress approved a reform allowing LGBTQI+ children 12 years and older to legally change their gender on their birth certificate.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: Eleven states ban so-called conversion therapy practices.

According to INEGI, 14 percent of transgender persons and 10 percent of lesbian, gay, and bisexual persons were subjected to so-called conversion therapy practices. Civil society organizations reported that, as part of the treatment process, LGBTQI+ persons undergoing so-called conversion therapy practices were often isolated, beaten, given electroshocks, and made to undergo hormone or steroid therapies, among other actions.

Medically unnecessary surgeries and treatment continued to be done on infants and children born with sex characteristics that did not align with either a typical male or female body. A recent study by the National Council to Prevent Discrimination and the organization Brujula Intersexual found that four of 10 persons who had undergone such surgery reported it was done without their consent.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no reports of restrictions on freedom of expression, association, or peaceful assembly related to LGBTQI+ issues.

Persons with Disabilities

Public buildings and facilities often did not comply with the law requiring access for persons with disabilities. Federal law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The government did not effectively enforce the law.

The education system provided education for students with disabilities nationwide. Nevertheless, only 2 percent of schoolteachers in the country were trained to teach children with disabilities, according to the civil society organization Yo También. Children with disabilities attended school at a lower rate than those without disabilities.

The law requires the Secretariat of Health to promote the creation of long-term institutions for persons with disabilities in distress, and the Secretariat of Social Development must establish specialized institutions to care for, protect, and house

poor, neglected, or marginalized persons with disabilities. NGOs reported authorities had not implemented programs for community integration.

Abuses occurred in institutions and care facilities housing persons with mental disabilities, including those for children. Abuses included the use of physical and chemical restraints; physical and sexual abuse; human trafficking, including forced labor; disappearance; and the illegal adoption of institutionalized children. Persons with disabilities were vulnerable to abuse from staff members, other patients, or guests at facilities where there was inadequate supervision. Documentation supporting the identity and origin of those staying in the facilities was lacking, and access to justice was limited, according to NGOs. NGOs reported no changes in the mental health system to create community services or any efforts by authorities to have independent experts monitor human rights abuses in psychiatric institutions.

Institutionalized persons with disabilities often lacked adequate medical care and rehabilitation services, privacy, and clothing. They often ate, slept, and bathed in unhygienic conditions.

Voting centers for federal elections were generally accessible for persons with disabilities, and ballots were available with a braille overlay for federal elections in Mexico City, but these services were inconsistently available for local elections elsewhere in the country.

In July human rights defender Luz Raquel Padilla was allegedly sprayed with alcohol and set on fire in Zapopan, Jalisco, after reporting threats from her neighbors due to her autistic son's loudness. Padilla died from severe burns a few days following the incident.

Other Societal Violence or Discrimination

The Catholic Multimedia Center reported that criminal groups harassed priests and other religious leaders in some parts of the country and subjected them to extortion, death threats, and intimidation. In June a gunman shot and killed tour guide Pedro Palma and Jesuit priests Javier Campos Morales and Joaquín César Mora Salazar inside a church in Cerocahui, Chihuahua, after the priests allegedly provided safe haven to a man fleeing gunmen. Government officials stated that the

harassment of Catholic priests and evangelical Protestant pastors reflected high levels of generalized violence throughout the country and not targeted attacks based on religious faith.

According to Christian Solidarity Worldwide, Catholic-majority communities sometimes discriminated, harassed, threatened, displaced, denied basic services, and destroyed the property of individuals who left Catholicism or belonged to other faith communities. In January in San Pedro Chimaltepec, Oaxaca, local authorities freed 15 evangelicals previously jailed in December for refusing to financially contribute to and participate in Catholic religious celebrations. Authorities forced each individual to pay a fine of 5,000 pesos (\$250) and expelled five of the evangelicals from the community. On July 27, media reported two evangelical families were expelled from San Andrés Larriánzar municipality for refusing to pay for a Catholic festivity and were fined 200,000 pesos (\$10,000).

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The government continued efforts to provide for the right of workers to form and join independent unions, collectively bargain, and conduct legal strikes. The government continued to strengthen freedom of association protections, promote union democracy, and improve the ability of workers to bargain collectively.

Government efforts focused on implementation of the 2019 labor law reform that transformed the labor justice system. The reforms provide workers with the right to freely elect union representatives and approve or reject collective bargaining agreements through a secret ballot process before the agreements are registered. The reforms prevent the registration of collective bargaining agreements that nonrepresentative unions often negotiated and signed without the knowledge of workers and undermined genuine collective bargaining. The reforms call for the creation of independent labor courts to replace the Conciliation and Arbitration Boards (CABs) that favored corporatist nonrepresentative unions in the resolution of disputes and facilitated the registration of protection contracts. The reforms also establish an expedited and more transparent judicial process for unions to obtain collective bargaining rights.

In addition to a more impartial and streamlined judicial process for labor disputes, the reforms transfer the registration of unions and collective bargaining agreements from the CABs to a new independent Federal Center for Conciliation and Labor Registration (Federal Center). The Federal Center also carries out mandatory pre-judicial conciliations at the federal level, with local conciliation centers performing the same function at the state level.

The government was implementing the reforms to effectively enforce the law in three phases, opening new federal and local labor courts, the Federal Center, and local conciliation centers in each state over the course of three years starting in 2020. As of October 3, new institutions were operating in all 32 states.

The reforms also require unions to amend their bylaws to ensure union democracy and gender equity in their leadership. As of March, 96 percent of the 2,057 active unions under federal jurisdiction had amended their bylaws, but only 48 percent of 14,370 active unions under local jurisdiction had amended their bylaws. In November 2021 the Federal Center continued to oversee a verification process, called the “legitimization process,” which requires unions to organize a secret ballot vote for workers to approve or reject existing collective bargaining agreements by May 1, 2023. The legitimization process is governed by a Federal Center protocol published in April 2021.

As of September, 7,077 collective bargaining agreements had undergone the legitimization process, which represented less than 1 percent of the total number of agreements. In July the Secretariat for Labor and Social Welfare hired 54 new labor inspectors to support the Federal Center’s verification of legitimization votes, but concerns remained the government may not have the capacity to respond to a potential surge in legitimization requests prior to the May 1, 2023, deadline. The Federal Center, however, estimated only 10 to 15 percent of total collective bargaining agreements required legitimization because worksites had closed, work had concluded, or the collective bargaining agreement was a protection contract held by a nonrepresentative union that would not request a legitimization vote.

In August the Federal Center published new union democracy guidelines to help guide the work of the center in overseeing union democracy votes, in addition to legitimization votes, and set out the role and responsibilities of unions and

employers during such votes. For example, the guidelines clarify that the Federal Center may order corrective action to prevent or remediate violations such as intimidation, coercion, or misinformation that may impede a free and fair election, including providing the necessary information to workers and ordering the suspension of the vote. The guidelines also discuss the role of external observers in union democracy votes.

Federal labor law requires a minimum of 20 workers to form a union. To receive government recognition, unions and their leaders must file for registration with the Federal Center.

The Federal Center and the new federal labor courts are designed to handle all matters related to labor disputes. CABs ceased receiving new cases upon the start of phase three of labor reform implementation on October 3 but continued efforts to resolve their backlogs of cases, which the secretary of labor reported numbered 1.5 million as of October.

By law a union may call for a strike or bargain collectively in accordance with its own statutes. Under the labor reform, to negotiate a collective bargaining agreement, the union must first obtain a certificate of representativeness from the Federal Center demonstrating it has support from at least 30 percent of workers to be covered by the agreement, or 50 percent plus one if there is a competing union. Before a strike may take place, a union must file a “notice to strike” with the appropriate labor court. Workers, the employer, or an interested third party may request the court rule on the legality of the strike, which may find the strike illegal. In June 2021 the Supreme Court issued a unanimous decision confirming that a legal challenge to union representation cannot proceed while a legal strike is in effect. This decision prevented a mining company mine in Sombrerete, Zacatecas from breaking a Mineros Union strike by promoting a protectionist union through a court challenge.

Between November 2020 and June, workers presented 59,428 individual conciliation requests, of which 36,051 cases resulted in conciliation agreement. Of those, 14,830 were agreements facilitated by the Federal Center, and 21,221 were agreements ratified by the center after the parties came to an agreement directly. The Federal Center also received 1,049 conciliation requests related to collective

labor disputes and reached 502 agreements.

Federal labor law prohibits antiunion discrimination and prohibits employers from intervening in union affairs or interfering with union activities, including through implicit or explicit reprisals against workers. The law allows for the reinstatement of workers if the court finds the employer fired the worker without just cause and the worker requests reinstatement; however, the law also exempts broad categories of employees from this protection, including so-called trusted employees and workers in the job for less than one year.

The government's failure to enforce labor laws left workers with little recourse for violations of freedom of association, poor working conditions, and other labor provisions in states that had not yet implemented the new labor justice model. Penalties for these violations were commensurate with similar violations of civil rights. Penalties were rarely applied against violators.

According to several NGOs and unions, many workers faced violence and intimidation perpetrated by protection union leaders and employers supporting them, as well as other workers, union leaders, and vigilantes hired by a company to suppress opposition to an existing union in bargaining-rights elections. Some employers attempted to influence these elections through the illegal hiring of temporary or fake employees immediately prior to the election to vote for the company-controlled union.

In February the Federal Center oversaw a workers' vote at the General Motors plant in Silao, Guanajuato, to decide which of four unions would represent workers in collective bargaining negotiations. The National Independent Union of Workers in the Automotive Industry (SINTTIA) won in a free and secret vote, and in May workers at the plant voted overwhelmingly to approve a new collective bargaining agreement SINTTIA negotiated. The new collective bargaining agreement included a significant wage raise and increased worker voice in determining production activities. Since July 2020, labor officials had reviewed cases of alleged denial of freedom of association and collective bargaining rights at five facilities as part of the United States-Mexico-Canada Agreement's Rapid Response Mechanism, including three cases raised in 2022, which were resolved and resulted in the reinstatement of workers with backpay, recognition of an independent union

as the legitimate representative of workers, or both.

b. Prohibition of Forced or Compulsory Labor

The constitution and law prohibit and criminalizes all forms of forced or compulsory labor, but the government did not effectively enforce the law. While penalties for conviction of forced labor were commensurate with those for similar crimes, very few cases were successfully prosecuted.

Forced labor persisted in the domestic service, child-care, manufacturing, mining, food-processing, construction, tourism, begging, street-vending, leather-goods production, and agriculture sectors, especially in the production of chili peppers and tomatoes. Criminal groups forced Mexican and foreign adults and children to engage in illicit activities, including as assassins, lookouts, and in the production, transportation, and sale of drugs. Women and children were subjected to domestic servitude. Unaccompanied children, Indigenous persons, persons with disabilities, LGBTQI+ persons, asylum seekers and migrants, IDPs, informal-sector workers, and children in gang-controlled territories were the most vulnerable to forced labor. Many workers were compelled into forced labor through debt bondage, fraudulent recruitment, threats of violence, or nonpayment of wages by recruiters and employers.

Day laborers and their children were the primary victims of forced and child labor in the agricultural sector, particularly in the production of chili peppers and tomatoes. In 2019, the most recent data available, INEGI reported that of the persons employed in agriculture, only 57 percent received payment for their work, and of the persons receiving payment, 83 percent were day laborers earning on average approximately one minimum wage per day. Indigenous persons in isolated regions reported incidents of forced labor in which cartel members forced them to perform illicit activities or face death. Minors were recruited or forced by cartels to smuggle persons, drugs, or other goods into the United States. Migrants were also recruited by criminal organizations to conduct illicit activities.

Criminal groups became increasingly involved in the illegal timber trade in Chihuahua, which accounted for 70 percent of the wood consumed in the country. Drug traffickers involved in illegal logging recruited and kidnapped Indigenous

persons and children in isolated or displaced communities, withheld their wages, forced them to conduct illicit activities, and often threatened death if they tried to leave.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

The constitution and law prohibit discrimination with respect to employment or occupation. Federal law specifically proscribes discrimination based on ethnicity, nationality, gender, age, disability, social status, health, religion, immigration status, political opinion, sexual preference, marital status, or pregnancy. The government did not effectively enforce the law or regulations. The law mandates that all discrimination cases, including sexual harassment, bypass formerly mandatory conciliation, and proceed directly to the labor courts.

Penalties for violations of the law were commensurate with those for other similar laws. Penalties were sometimes applied against violators.

Discrimination in employment or occupation occurred against women, Indigenous groups, persons with disabilities, LGBTQI+ individuals, and migrant workers. According to a 2017 INEGI survey, the most recent information available, 12 percent of women were illegally asked to take a pregnancy test as a prerequisite to being hired. In 2021, according to the Organization for Economic Cooperation and Development, the median salary for full-time female employees was 12.5 percent less than that of full-time male employees. Only 7.5 percent of the members of the executive boards of publicly traded domestic companies were women, and men held 64 percent of managerial positions throughout the country. Job announcements specifying desired gender, age, marital status, and parental status were common. INEGI reported in 2017 that 23 percent of working women experienced violence in the workplace within the past 12 months and that 6 percent

experienced sexual violence. The government approved the *National Work and Employment Program for People with Disabilities 2021-2024*, aimed at strengthening labor inclusion of persons with disabilities and supporting the employment of persons with disabilities in decent work.

e. Acceptable Conditions of Work

Wage and Hour Laws: The tripartite National Minimum Wage Commission is responsible for establishing minimum salaries. The minimum wage was above the estimated monthly poverty line's monetary level. Most formal-sector workers (70 percent) received between one and three times the minimum wage.

Federal law sets six eight-hour days and 48 hours per week as the legal workweek. Any work of more than eight hours in a day is considered overtime, for which a worker is to receive double pay. After accumulating nine hours of overtime in a week, a worker earns triple the hourly wage. The law prohibits compulsory overtime. The law provides for eight paid public holidays and one week of paid annual leave after completing one year of work.

According to labor rights NGOs, employers in all sectors sometimes used the illegal "hours bank" approach – requiring long hours when the workload is heavy and cutting down hours when it is light – to avoid compensating workers for overtime. This was a common practice in the maquiladora sector, in which employers forced workers to take leave at low moments in the production cycle and obliged them to work in peak seasons, including the Christmas holiday period, without the corresponding triple pay mandated by law for voluntary overtime on national holidays.

News reports indicated poor working conditions in some factories. These included low wages, contentious labor management, long work hours, unjustified dismissals, a lack of social security benefits, unsafe workplaces, and no freedom of association. Many women working in the industry reported suffering some form of abuse.

Many companies evaded taxes and social security payments by employing workers through subcontracting regimes or by submitting falsified payroll records to the Mexican Social Security Institute. An April 2021 reform to the labor law bans

subcontracting of personnel for core or main economic activities in the public and private sectors. Subcontracting is allowed if it is used to perform specialized services unrelated to the main economic activity of businesses or public institutions. According to the Mexican Social Security Institute, because of the law, 2.7 million workers of the 4.6 million subcontractors moved from formal subcontracting status to a formal direct employment status. Approximately 23 percent of informal workers (6.8 million persons) were employed by formal businesses or organizations but paid in cash off the books to evade taxes and social security payments.

Observers from grassroots labor rights groups, international NGOs, and multinational apparel brands reported that employers in export-oriented supply chains increasingly used hiring methods that lessened job security. For example, manufacturers commonly hired workers on one- to three-month contracts and then waited a period of days before rehiring them on new short-term contracts to avoid paying severance and to prevent workers from accruing seniority. This practice violated federal law and restricted workers' rights to freedom of association and collective bargaining. Observers noted that it also increased the likelihood of work-related illness and injury. Outsourcing practices made it difficult for workers to identify their legally registered employer, thus limiting their ability to seek redress of labor grievances.

Citizens hoping to obtain temporary, legal employment in the United States and other countries frequently paid recruiters hundreds or thousands of dollars in prohibitive fees to secure jobs, and many prospective workers were promised jobs that did not exist. The government rarely investigated cases of alleged abusive and fraudulent recruitment practices. Although the law requires entities recruiting for overseas employment to register with the Secretariat of Labor and Social Welfare, only a handful of recruiters complied.

The situation of agricultural workers remained particularly precarious, with similar patterns of exploitation throughout the sector. Labor recruiters enticed families to work during harvests with verbal promises of decent wages and a good standard of living. Rather than receiving daily wages once a week, as mandated by law, day laborers had to meet certain harvest quotas to receive the promised wage. Wages were illegally withheld until the end of the harvest to ensure workers did not leave.

Civil society organizations alleged that workers were prohibited from leaving by threats of violence or by nonpayment of wages. Workers had to buy food and other items at the company store at high markups, at times leaving them with no money at the end of the harvest after settling debts. Civil society groups reported families living in inhuman conditions, with inadequate and cramped housing, no access to clean water or bathrooms, insufficient food, and without medical care. With no access to schools or childcare, many workers took their children to work in the fields.

Occupational Safety and Health: The law requires employers to observe occupational safety and health (OSH) regulations appropriate for the main industries, issued jointly by the Labor Secretariat and Institute for Social Security. Legally mandated joint management and labor committees set standards and are responsible for overseeing workplace standards in plants and offices. Individual employees or unions may complain directly to inspectors or safety and health officials. By law, workers may remove themselves from situations that endanger health or safety without jeopardy to their employment. According to data from the Mexican Social Security Institute, in 2021 there were 305,646 workplace accidents, resulting in 613 deaths.

Wage, Hour, and OSH Enforcement: In 2021 the Labor Secretariat reported conducting labor inspections in 35,098 work centers nationwide. On June 13, the secretariat published the Inspection Program to carry out a roadmap to inspect the most vulnerable sectors. Civil society organizations, however, reported the number of labor inspections was not sufficient to secure compliance. There were 471 labor inspectors to cover the entire country, significantly less than what the International Labor Organization considers sufficient for the workforce. Criminal cases related to such violations were rarely carried out. Penalties for violations regarding hours and minimum wage were commensurate with those for other similar laws but were rarely enforced.

In 2021 the Labor Secretariat implemented a new voluntary reporting system that allows formally registered businesses to enroll and self-identify as compliant with the program's requirements related to working conditions. Registered businesses deemed to be complying according to documentation submitted are exempt from routine labor inspections for one year, although this does not prevent the Labor

Secretariat from conducting compliant-based labor inspections in these businesses.

The Labor Secretariat has the authority to order labor inspections at any time in the event of labor law violations, imminent risk to employees, or workplace accidents. Penalties for law violations regarding occupational safety and health regulations were commensurate with those for other similar laws but were rarely enforced. The federal labor inspectorate conducted an estimated 35,000 labor inspections in formally registered businesses in 2021 but did not conduct inspections in the informal sector.

Informal Sector: According to INEGI, informal workers represented 56 percent of total workers in the country. There were no labor inspections in the informal sector, leaving informal workers with no labor law protection. Informal workers were in every sector of the economy, with agriculture as the sector with the greatest number of informal workers (87 percent). In some areas, such as near the northern border, informal employment could pay more than formal employment in the manufacturing sector. Informal workers lacked access to social protection mechanisms such as health care and retirement benefits.