



# Comisión Nacional de los Derechos Humanos

## México

### **Recommendation 53/2011**

*The following is a synopsis of the recommendation emitted by the CNDH . The complete version may be consulted on this institution's web page.*

**Mexico City, September 30th, 2011**

**SUBJECT: ABOUT THE CASE OF RELIGIOUS INTOLERANCE AT THE LÁZARO CÁRDENAS CHILIL COMMUNAL LAND INHUIXTÁN, CHIAPAS**

**AUTHORITY RESPONSIBLE: CONSTITUTIONAL GOVERNOR OF THE STATE OF CHIAPAS, PRESIDENT OF THE BOARD OF DIRECTORS OF THE CONGRESS OF THE STATE OF CHIAPAS, MEMBERS OF THE CONSTITUTIONAL TOWN HALL OF HUIXTÁN, CHIAPAS**

On November 22nd 2009, the National Commission received the complaint presented by Q, pastor of the Mexican Church of the Biblical Communion of Believers (IglesiaBíblicaComuni3n de Creyentes de México, A.C.) at the House of Worship Mission in San Crist3bal de las Casas, Chiapas. In it, he stated that during a meeting held on that day at the Lázaro Cárdenas Chilil communal land in the Municipality of Huixtán, Chiapas, the authorities of such place decided to expel V1, V2 and V3, as well as an additional seventeen inhabitants due to their religious beliefs. AR1 and T1 were in attendance at the meeting and they forced the offended to "renounce their faith", some of whom were in San Crist3bal de las Casas, Chiapas, whilst others were at the communal land and their physical integrity was feared to be at risk.

From the logical juridical analysis performed on the evidence contained within complaint file CNDH/5/2009/5696/Q, it was determined that the human rights to legality and legal certainty, to non-discrimination due to religious reasons and to freedom of belief were infringed upon to the detriment of the offended.

In light of these events, the Mexican National Human Rights Commission considers it necessary to issue the following **Recommendations**:

**To you, the Constitutional Governor of the state of Chiapas:**

**First.** Take the necessary steps to guarantee the return of those expelled to the Lázaro Cárdenas Chilil communal land in the Municipality of Huixtán, Chiapas, as well as peaceful coexistence, respect for their estate and the freedom to practice the religion of their choosing. In order to do this, the Specific Guidelines of the Project for Assisting Displaced Migrants must be considered. The National Commission must be informed about the result.

**Second.** Provide humanitarian aid for the offended that are still lodged at the *La*

*Albarrada* Community Development Center, run by the State of Chiapas's Secretariat of Indigenous People, located in SanCristóbal de las Casas, within that federative entity. Proof of compliance must be sent to the National Commission.

**Third.** Issue instructions to whomever it may concern in order to carry out actions in conjunction with the municipal authorities to solve the religious conflict within the Lázaro Cárdenas Chilil communal land in the Municipality of Huixtán, Chiapas. The National Commission must be informed of the result.

**Fourth.** Issue instructions to whomever it may concern so that the necessary steps are taken to offer training programs for the civil servants of the government of Chiapas regarding the duties assigned to them by current laws on the subject of safekeeping the right to freedom of belief. Once this has been done, the National Commission must be briefed.

**Fifth.** Instruct whomever is responsible so that a program to educate people on current laws, the modus operandi of the legal system and the bodies which constitute it, as well as the harmonization of such bodies with the traditions and ways of indigenous people is implemented in accordance with what is established within article 28 of the Indigenous People's Rights and Culture Law of the State of Chiapas. Once this has been done, the National Commission must be informed.

**To you, Mr. president of the board of directors of the Congress of the state of Chiapas:**

**First.** Implement the necessary measures to initiate the procedure determined by the Political Constitution of the State of Chiapas against AR1, AR3, AR4 and AR6 in order to determine the possible responsibility in which they may have incurred as a result of the events which have been revealed in the current document. Proof of compliance must be sent to the National Commission.

**Second.** Urge the government of the state of Chiapas to set up a round table in order to work together and coordinate actions aimed at solving the issue of religious intolerance present within the Lázaro Cárdenas Chilil communal land in the Municipality of Huixtán of the aforementioned federative entity.

**Third.** Act as necessary in order for a campaign which disseminates and divulges individual rights and human rights to be developed in conjunction with government bodies which defend human rights. It should target the staff of the Congress of the state of Chiapas, with the goal of raising its awareness of the importance of enforcing and respecting these fundamental rights. Once this has been done, the National Commission must be briefed.

**To you, the members of the Constitutional Town Hall of Huixtán, Chiapas:**

**First.** Implement urgent measures in order for the conflict of religious intolerance present within the Lázaro Cárdenas Chilil communal land in the Municipality of Huixtán, Chiapas to be resolved in conjunction with the state government, guaranteeing the peaceful coexistence of its inhabitants and respect for freedom of belief. Proof of compliance must be sent to the National Commission.

**Second.** Proceed to issue instructions in order for the civil servants of that Town Hall to refrain from getting involved in illegal acts, such as those stated in the case at hand, whose aim is to restrict the freedom of belief of the inhabitants of the aforementioned land. Proof of compliance must be sent to the National Commission.

**Third.** Collaborate amply with the Mexican National Human Rights Commission in the filing and processing of the complaint it presents before the Municipal Internal Affairs Office of Huixtán, Chiapas against AR2 and AR5. This action's goal is to determine the responsibility in which they may have incurred as a result of the events set forth within the document at hand. Proof of compliance must be sent to the National Commission.

**Fourth.** Instruct whomever it may concern so that the necessary steps are taken to offer training programs for the civil servants of the previously mentioned Municipality regarding the duties assigned to them by current laws on the subject of safekeeping the right to freedom of belief. Once this has been done, the National Commission must be briefed