



Conscience and Peace Tax International

Internacional de Conciencia e Impuestos para la Paz

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Conscientious objection to military service

MEXICO

(revised January 2010)

Paragraph 20 of the Committee's concluding observations on the Fourth Periodic report of Mexico¹ reads,

"The Committee notes that the law does not recognize the status of conscientious objectors to military service. **The State party should ensure that persons required to perform military service can invoke conscientious objection as grounds for exemption.**"

In Paragraph 715 of its Fifth Periodic Report, Mexico somewhat dismissively answers this by reference to the fact that military service is realised by the drawing of lots and is flexible in its application, especially for students, and by pointing out that to date no conscientious objector had come forward.

CPTI welcomes Mexico's assurance in its replies to the list of issues² that even in the absence of explicit legal recognition, it ought to be possible for a conscript to be permitted to perform a non military service in exercise of his freedom of conscience, should such a case occur. To create a legal instrument to safeguard this right would help clear the way towards Mexico's ratification of the Ibero-American Convention on Young People's Rights, Article 12 of which states: "Young people have the right to form a conscientious objection against compulsory military service." and which also includes a commitment to legislate on this issue, and to move progressively towards ending compulsory military service.

¹ CCPR/C/79/Add.109

² CCPR/C/MEX/Q.5/Add1, Para. 233

Indeed, as described by Guttman,³ obligatory military service in Mexico is less onerous today than in most countries which retain such a scheme. Young men must register at the age of 17, and their names go into a ballot, from which approximately a third of those eligible are drawn “although youths with greater financial resources and political connections often - and fairly easily - avoid military service”. Those who are selected are obliged to serve for one year, reporting for military training on Saturday mornings near where they reside; in fact, however, although they are uniformed and formally counted in the strength of the armed forces their military service “entails little military training per se” being mainly concerned with civil service duties such as health, construction of roads, and reforestation.”

To an outside observer, it would seem a simple matter to transform such a system into one which recognised a right of conscientious objection to military service, allowing any persons who declared a conscientious objection exemption from the minimal military training component of the service, and converting some of the intrinsically non-military aspects into a civilian alternative service. Thus Mexico could relatively painlessly eliminate its appearance to be lagging behind a growing number of countries in the region in its demonstrated commitment to the freedom of thought, conscience and religion.

³ Guttman, M. C., “Military conscription, conscientious objection and democratic citizenship in the Americas” in Cinar, O.H. and Usterici, C. (Eds), Conscientious Objection: Resisting Militarized Society, Zed Books, London, 2009, pps 131 - 144, especially the section on “Conscription in Mexico”, pp. 139 - 141.