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Visit to Mexico

Report of the Working Group of Experts on People of African Descent* **

Summary

The present report contains the findings of the Working Group of Experts on People of African Descent following its visit to Mexico from 11 to 20 May 2026. The Working Group welcomes steps taken to recognize Afro-Mexican peoples and communities, including constitutional reform and improved statistical visibility. It remains concerned, however, about persistent structural racism, racial discrimination, racial profiling, historical erasure, disproportionate underdevelopment of regions predominantly occupied by Afro-Mexican communities, and intersecting forms of exclusion affecting people of African descent. The report calls for formal recognition to be translated into concrete, differentiated and adequately funded laws, policies and institutions, developed with the full and effective participation of Afro-Mexican peoples, and makes recommendations on equality, justice, participation, data, memory, truth and reparations.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

** The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission and Spanish only.

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Annex

Report of the Working Group of Experts on People of African Descent on its visit to Mexico

I. Introduction

1. At the invitation of the Government, the Working Group of Experts on People of African Descent carried out a country visit to Mexico from 11 to 20 May 2026. The delegation comprised Isabelle Mamadou (Chair of the Working Group) and Catherine S. Namakula.

2. During the visit, the Working Group assessed the human rights situation of people of African descent in Mexico and gathered information on racism, racial discrimination, xenophobia and related intolerance. The Working Group examined laws, policies and strategic plans designed to prevent racial discrimination and safeguard the rights of victims of racism, as well as the State's responses to structural, systemic, multiple and intersecting forms of discrimination.

3. The Working Group visited Mexico City, Cordoba and Yanga in Veracruz, Acapulco and Cuajinicuilapa in Guerrero, and El Azufre in Oaxaca. It met with the Undersecretary for Multilateral Affairs and Human Rights of the Secretariat of Foreign Affairs and representatives from federal secretariats for Foreign Affairs, Health, Agrarian, Territorial and Urban Development, Public Education, and Culture, as well as the National Institute for Indigenous Peoples, the National Council to Prevent Discrimination, the Protection Mechanism for Human Rights Defenders and Journalists, the Mexican Commission for Refugee Support, the National Institute for Migration, the National Guard; the National Electoral Institute, the National System for Family Development, the Mexican Institute for Social Security, the National System for the Protection of Children and Adolescents, the National Institute of Indigenous Languages, the National Institute of Anthropology and History, and the National Institute of Statistics and Geography. The Working Group also met with members of the Chamber of Deputies and the Senate, as well as with officials of the Supreme Court of Justice of the Nation, the Judicial Administration Body and Federal Prosecutor's Office, (including its specialized human rights and indigenous units). It further met with the National Commission for Human Rights and the National Federation of Human Rights Commissions. In addition, the Working Group held consultations with authorities of the Government of Mexico City, including the Coordination of Advisors and International Affairs, the Human Rights System, the Secretariat of Culture, the Council to Prevent and Eliminate Discrimination of Mexico City, the Coordination for Attention to Human Mobility, and the Secretariat for Indigenous Peoples. It also met with local authorities in Córdoba and Yanga. The Working Group visited the Museo Regional de Palmillas, in Yanga; the Petra Morga Afro-Mexican Museum, in Huehuetan; and the Las Agujas Immigration Station, in Mexico City.

4. The Working Group thanks the Government of Mexico and national and local officials for their cooperation. It also thanks the people of African descent, community representatives, academics and civil society organizations that shared testimonies and written information, including women, men, LGBTIQ+ persons, elders and young people in Yanga and Costa Chica. It further thanks the Office of the United Nations High Commissioner for Human Rights in Mexico and the International Institute on Race, Equality and Human Rights for their support.

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II. Historical and contemporary context

A. The presence of people of African descent in Mexico and the institution of slavery

5. The presence of people of African descent in Mexico is longstanding and central to the country's history. It is traceable to 1518, when the first ship carrying enslaved persons arrived in the Americas. It is estimated that, by 1810, between 300,000 and 500,000 Africans had been trafficked into Mexico, to meet colonial labour demands.[1] For more than three centuries, enslaved African men, women and children were forcibly brought to what became Mexico, and compelled to labour in mines, ranches, plantations, domestic service and trade. Many of those settled across major entry points, at what are now Guerrero, Oaxaca and Veracruz, working also on ports and military defence.[2] For instance, Gaspar Yanga, a freed enslaved person, established the modern-day Municipality of Yanga in Veracruz. The Spanish census of 1810 recorded 635,461 Afro-Mexicans, representing 10.2 per cent of the total population; however, studies have found that as much as 30 per cent of the population in 1810 may have had at least some African ancestry.[3] The history of slavery and the slave trade in Mexico is therefore indispensable to understanding the formation of the State and the roots of present-day racism and racial discrimination.

6. Despite the violence of enslavement, people of African descent contributed decisively to Mexico's economic, political, social and cultural development across agricultural, domestic, artisanal and commercial life.[4] Resistance and leadership also shaped national history through figures including Gaspar Yanga and Vicente Guerrero. However, and for example, despite Guerrero's central role in independence and the abolition of slavery, his African ancestry has received limited attention in Mexican historiography. [5]

7. Afro-Mexican peoples were rendered socially and institutionally invisible for much of modern history. Post-independence and post-revolutionary constructions of national identity privileged a mestizo[6] narrative, centred on Indigenous and Spanish heritage, while African participation and contributions were largely erased from public memory. Although more than nine out of ten Africans in Mexico were free by 1810, Blacks and mulattos remained subject to the legal discrimination and segregation of the colonial caste system, which continued to shape their social and political exclusion.[7] This historical invisibilization has had enduring consequences, contributing to the normalization of racism, the denial of the existence and significance of Afro-Mexican peoples, and the persistence of structural inequalities.

B. From erasure to recognition

8. The Working Group welcomed two significant recent developments. First, the inclusion of a self-identification question in the 2020 Population and Housing Census, through which 2,576,213 persons identified as Black, Afro-Mexican or Afro-descendant, representing approximately 2 per cent of the population. Secondly, the Working Group the constitutional recognition of Afro-Mexican peoples and communities in 2019, followed by the 2024 constitutional reform that strengthened that recognition and reinforced their status as an integral part of the Mexican nation. Constitutional recognition represented a late

[1] Vicente Theodore; *The Blacks who Freed Mexico*; The Journal of Negro History, Summer, 1994, Vol. 79, No. 3, pp. 257-276.

[2] Alexandra Haas Paciuc, The History of Afrodescendants in Mexico: Exposing a Common Past; Revista Mexicana de Política Exterior, núm. 116, mayo-agosto de 2019, pp. 57-75.

[3] Theodore, *The Blacks who Freed Mexico*.

[4] Haas Paciuc, The History of Afrodescendants in Mexico.

[5] Vicente Theodore, *The Contributions of Mexico's First Black Indian President, Vicente Guerrero*; The Journal of Negro History, Spring, 2001, Vol. 86, No. 2, pp. 148-159; Haas Paciuc, *The History of Afrodescendants in Mexico*.

[6] Theodore, The Blacks who Freed Mexico.

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acceptance of a tangible reality, after centuries in which Mexico had ignored a part of its population.[8] The process towards this historic recognition was shaped by the combined efforts of Afro-descendant communities and academic research.[9]

9. At the same time, information received suggests that the true size of the Afro-descendant population may still be underestimated, including because some persons may avoid self-identification owing to stigma or because they do not perceive positive effects from doing so. Self-identification is not always easy, since openly affirming that identity requires prior appropriation and valuation of it, in a context where discrimination remains normalized. In addition, some persons are still identified by others through racialization based on phenotype or are treated as foreigners because of their appearance, including through discriminatory practices such as racial profiling.[10]

C. The persistent invisibility

10. The Working Group heard that the invisibility of Afro-descendants in public policy is reinforced by persistent gaps in disaggregated data, including in areas such as migration and asylum, education, access to justice and enforced disappearances. It also received testimonies regarding racial stereotypes that portray Afro-Mexicans as foreigners on the basis of phenotype or skin colour. These contemporary manifestations of racism are closely linked to the historical failure to fully acknowledge the place of people of African descent in Mexico's past and present. The invisibility of Afro-Mexicans has involved denial, rejection and exclusion of their rights on ethnic grounds. Afro-Mexican peoples have had no adequate representation beyond the local level, and the constitutional gesture has not guaranteed any significant presence in any branch of public power.[11]

11. Constitutional recognition, improved statistical visibility and sustained Afro-Mexican advocacy, have created an opportunity to break with a past that denied Afro-descendants equal enjoyment of human rights in principle. This momentum will only yield results if recognition is translated into concrete legal, institutional, budgetary and policy measures.

III. Legal, institutional and policy frameworks

A. Legal framework

12. Mexico is a federal State, composed of 32 federative entities and a decentralized territorial system comprising more than 2,400 municipalities.[12] It is a country of continental scale, with a land area of approximately 1,972,550 square kilometres and a population of 126 million people by 2020.[13] This geographic scale, demographic diversity and decentralization system pose significant challenges for the uniform implementation of laws and public policies taken at the federal level, as well as international human rights obligations across the country, particularly in regions marked by structural inequalities and limited institutional capacity.

13. Notwithstanding, Mexico has established a strong normative framework for the protection of human rights and demonstrates sustained engagement at the international level. It has ratified all core international and regional human rights treaties, including those relating

[8] Elia Avendaño Villafuerte; *Analysis about the Constitutional Inclusion of Afromexican Peoples*; Revista Mexicana de Derecho Constitucional Núm. 49, Julio-Diciembre 2023.

[9] Maria Elisa Veláquez y Gabriela Iturralde; *Afromexicanos: reflexiones sobre las dinámicas del reconocimiento*; Anales de Antropología, Volumen 50-II, Julio 2016; UANAM, Instituto de Investigaciones Antropológicas.

[10] Elia Avendaño Villafuerte*; Analysis about the Constitutional Inclusion of Afromexican Peoples*; Revista Mexicana de Derecho Constitucional Núm. 49, Julio-Diciembre 2023.

[11] Molina Guerrero, Norberto; *Los afromexicanos como minoría étnica y la cuestión de los derechos humanos*; Tlamati, 11(1), 27-30.

[12] https://www.inegi.org.mx/app/areasgeograficas/

[13] https://www.inegi.org.mx/temas/estructura/

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to racial discrimination, civil and political rights, economic, social and cultural rights, women's rights, children's rights, persons with disabilities, torture, migrant workers and enforced disappearances;[14] and consistently engages with human rights mechanisms, including the Human Rights Council, treaty bodies and special procedures.

14. Article 1 of the Constitution (1917, rev. 2011) guarantees that all persons enjoy the human rights, as recognized in the Constitution and in international treaties, and obliges the State to promote, respect, protect and guarantee those rights. The Constitution further prohibits discrimination and enshrines rights related to equality, education, health, housing, due process and fundamental freedoms; which together constitute a comprehensive legal framework for addressing racism, racial discrimination and related forms of intolerance.

15. The Working Group further notes the significance of article 2 of the Constitution, particularly following the reform that entered into force in October 2024, which recognizes Afro-Mexican communities as part of the pluricultural composition of the nation, acknowledges them as subjects of public law with legal personality and their own patrimony, and affirms their collective rights, including self-determination and participation in decision-making. Article 2 also acknowledges rights of Afro-Mexican women and requires the Federation, states and municipalities to adopt the necessary measures to give effect to the rights recognized in the Constitution with the purpose of eliminating discrimination, racism, exclusion and invisibility to which Afro-Mexican peoples and communities are subjected. While this represents an important step forward, the Working Group regrets that only 22 federative entities have incorporated the provisions of article 2 in their local constitutions.

16. Mexico's main anti-discrimination legislative framework is the Federal Law to Prevent and Eliminate Discrimination (Ley Federal para Prevenir y Eliminar la Discriminación) (11 June 2003).[15] Article 1 defines discrimination broadly as any distinction, exclusion, restriction or preference that impairs the enjoyment of human rights on a wide range of grounds, including ethnic or national origin, skin colour, social condition and other analogous factors. Articles 2 and 3 establish the obligation to prevent and eliminate discrimination and to promote equality of opportunity and treatment. Article 4 prohibits discrimination while article 9 provides a wide-open list of examples of discrimination. Chapter IV, from article 15 *Bis* to 15 *Novenus*, provide for the adoption of positive measures aimed at eliminating structural inequalities. Articles 16 to 88 create and regulate the National Council to Prevent Discrimination (CONAPRED) and its complaint procedure. In this connection, the Working Group notes with concern that, although all 32 federative entities have anti-discrimination laws, information received indicates that only seven expressly recognize race as a protected category. This omission may limit the normative recognition of the prohibition of racism and racial discrimination and hinder the adoption and implementation of specific measures to prevent, document, investigate and sanction such discrimination when it occurs. In this context, the Working Group invites Mexico to incorporate the grounds of race and descent in this Law and covers acts of direct and indirect discrimination in all spheres of public life, to ensure its full compliance with the Convention on the Elimination of All Forms of Racial Discrimination.[16]

17. In addition, the anti-discrimination framework includes among others the Federal Labour Law (Ley Federal del Trabajo) and the Mexican Standard on Labour Equality and Non-Discrimination (Norma Mexicana en Igualdad Laboral y No Discriminación) as well as anti-discrimination provisions contained in legislation at the federal and state levels.

B. Institutional and policy framework

18. Mexico has established several specific institutions to implement its anti-discrimination legislative and policy frameworks while expanding the mandates of existing institutions towards the anti-discrimination agenda. In this connection, the National Council

[14] https://treaties.un.org/

[15] https://www.gob.mx/indesol/documentos/ley-federal-para-prevenir-y-eliminar-la-discriminacion-58120

[16] CERD/C/MEX/CO/18-21 and CERD/C/MEX/CO/22-24, par. 8.

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to Prevent Discrimination (CONAPRED) is mandated to prevent and eliminate discrimination in Mexico by promoting policies and measures that advance equality and social inclusion, while also receiving and resolving complaints about alleged discriminatory acts. The National Institute of Indigenous Peoples (INPI) holds a mandate that extends to both Indigenous and Afro-Mexican peoples and communities, including in the design, evaluation and implementation of public policies. However, this institutional arrangement neither ensures the agency of people of African descent nor sufficiently reflects their distinct historical, legal and contemporary experiences. In addition, Mexico has adopted policy instruments including the National Programme for Equality and Non-Discrimination (2026-2030) and the Special Programme for Indigenous and Afro-Mexican Peoples. These mechanisms are important, but their effectiveness depends on adequate resourcing, coordination, enforcement and differentiated attention to Afro-Mexican peoples.

19. Moreover, Mexico has established other institutions for the promotion and protection of human rights, including the autonomous National Human Rights Commission (CNDH), whose essential purpose is the protection, observance, promotion, study and dissemination of the human rights recognized in the Mexican legal order. At the state level, public human rights bodies also operate in the federative entities and are competent to receive and address complaints. While these institutions form an important part of Mexico's human rights protection architecture, they do not yet ensure sufficiently visible, specialized and differentiated institutional attention to the specific situation of people of African descent. For instance, at the time of the visit, the CNDH had not handled any case of discrimination against people of African descent.

20. Afro-Mexican peoples expressed concern that they are often subsumed within institutional frameworks designed primarily for Indigenous Peoples, resulting in limited visibility and insufficient prioritization of their specific needs. The conflation of Afro-Mexican Peoples with Indigenous Peoples replicates relegation of Afro-Mexicans and does not reflect their distinct historical experiences, identities and forms of discrimination, limiting the effectiveness of policies.

IV. Good practices and general observations

21. The Working Group notes positive measures to promote and protect the human rights of people of African descent in Mexico and several developments undertaken by the State aimed at addressing the historical invisibilization of people of African descent and advancing their recognition and rights.

22. The Working Group notes ongoing legislative efforts, including the draft bill on Indigenous and Afro-Mexican Peoples (Propuesta de Ley General de Derechos de los Pueblos Indígenas y Afromexicanos),[17] which aims at strengthening the legal framework for the protection of their rights. While this legal initiative represents significant progress and may constitute one of the most far-reaching efforts worldwide to recognize Indigenous and Afro-Mexican peoples' rights in domestic law, Afro-Mexican representatives stressed that a differentiated approach remains necessary, including a separate framework that reflects the distinct situation of Afro-Mexican peoples.

23. The Working Group welcomed the development of a National Catalogue of Afro-Mexican Communities, which aims at identifying, enhancing the visibility, facilitating targeted policies and supporting the recognition of Afro-Mexican Peoples at the local level.[18]

24. The Working Group acknowledges the financial and policy initiatives aimed at addressing structural inequalities affecting Afro-Mexican communities, including programmes such as the Fondo de Aportaciones para la Infraestructura Social para Pueblos Indígenas y Afromexicanos (FAISPIAM).[19] Such mechanisms have the potential to support

[17] https://www.gob.mx/inpi/es/articulos/con-las-voces-de-los-pueblos-del-mexico-profundo-avanza-propuesta-de-iniciativa-de-ley-general

[18] https://catalogo.inpi.gob.mx/

[19] https://www.gob.mx/bienestar/prensa/en-mexico-los-pueblos-indigenas-y-afromexicanos-eligen-democraticamente-las-obras-que-requieren-sus-comunidades-a-traves-del-faispiam?idiom=es

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infrastructure development, reduce poverty and improve living conditions in historically marginalized communities. While these initiatives constitute important steps, there is a need to ensure their adequate coverage, transparency and responsiveness to the specific needs of Afro-Mexican Peoples.

V. Manifestations of racial discrimination

A. Identity, data and recognition

25. Afro-descendant populations are present throughout Mexico, although concentrated in Veracruz, Oaxaca and Guerrero. Their nationwide presence should be reflected in public policy and institutional outreach.

26. According to the 2020 Census, approximately 2.6 million persons, around two per cent of the national population, self-identify as Afro-Mexican or of African descent.[20] This figure reflects a marked historical decline compared to the colonial period, when persons of African descent constituted a significantly larger share of the population and, at times, outnumbered the Spanish.

27. Afro-Mexican peoples have distinct histories, forms of community organization, knowledge systems, worldviews, festivities, and cultural expressions that require specific responses. Yet, as mentioned, their concerns are often addressed through frameworks designed for Indigenous Peoples, including within the National Institute of Indigenous Peoples. This conflation reduces Afro-Mexican visibility, marginalizes anti-Black racism, and hinders policies grounded in Afro-Mexican realities and priorities.[21]

28. The 2015 Intercensal Survey was the first statistical operation conducted by the National Institute of Statistics and Geography to identify persons of African descent,[22] and the design of the self-identification question used in the 2020 Census was preceded by pilot tests, consultations and meetings with Afro-descendant organizations.[23] At the same time, the Working Group heard concerns that stigma, limited awareness, inconsistent administration of the question and unfamiliarity with terminology may have affected self-identification, highlighting the need to strengthen trust, awareness and methodology.

29. Furthermore, there is still a gap of comprehensive and reliable disaggregated data on Afro-descendant populations in many key sectors, including political representation and public participation, migration and asylum systems, education, health, access to justice, disappearances and deprivation of liberty.[24] Human rights institutions continue to receive complaints and identify patterns involving racial discrimination, racial profiling, criminalization, educational barriers, institutional violence and lack of access to information. These gaps in data collection and recording contribute to the invisibilization of racial discrimination and frailty of structural interventions.

30. According to data from the 2022 National Survey on Discrimination, 35.6 per cent of the Afro-descendant population aged 12 and over perceived themselves as having been discriminated against for at least one reason in 2022, and 48.9 per cent of Afro-descendant persons who sought information on a government procedure, service or programme reported barriers in accessing that information. The same source indicates that 25.9 per cent identified lack of respect for traditions, uses and customs as the main problem affecting their peoples and communities, while 20.9 per cent pointed to lack of recognition of their autonomy as a people.[25]

31. Afro-Mexican communities reported obstacles to their registration in the National Catalogue of Indigenous and Afro-Mexican Peoples and Communities, which is necessary for accessing to certain programmes and resources. Forms, criteria and administrative procedures seem to be designed primarily for Indigenous Peoples and do not always reflect

[20] https://www.inegi.org.mx/app/indicadores/
[21] CERD/C/MEX/CO/22-24, pars. 28-29.
[22] https://www.inegi.org.mx/programas/intercensal/2015/
[23] https://www.inegi.org.mx/app/biblioteca/ficha.html?upc=702825197520
[24] CERD/C/MEX/CO/22-24
[25] https://www.inegi.org.mx/programas/enadis/2022/

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the social organization and histories of Afro-Mexicans. These barriers affect access to public programmes and community-level support mechanisms. Such shortcomings illustrate that formal recognition, without adapted institutions and procedures, may reproduce exclusion rather than remedy it.

32. Information received indicates that many right holders are not fully aware of their own history and cultural heritage, while stereotypes continue to portray Afro-Mexicans as foreigners or outsiders. The Working Group received information describing concerns about demographic undercounting, misclassification and the long-term effects of national narratives that have absorbed or obscured African descent within mestizo identity. This reflects profound concerns regarding the consequences of under-recognition, assimilation and statistical invisibility.

B. Civil and political rights

Violence, security and disappearances

33. The Working Group received information indicating that Afro-Mexican peoples and communities face violence and insecurity in contexts characterized by structural racism, territorial marginalization, organized crime, weak institutional protection and persistent impunity. Situations often translate into ill-treatment, disappearances and killings, while Afro-descendant victims are often not recognized as such in official statistics. The absence of disaggregated data on all forms of violence affecting Afro-descendant persons contributes to the invisibilization of violations and undermines protection, investigation and reparation.

34. Human rights defenders in Mexico operate in a dangerous environment marked by violence, entrenched impunity and abuses by State and non-State actors.[26] This broader national context also affects Afro-descendant communities. The Working Group is particularly concerned by accounts of persistent impunity and alleged complicity of some authorities in cases of enforced disappearance, killings and other forms of violence, including against defenders, community leaders, journalists, women, girls and migrants. Leaders and communities defending land, territory and natural resources reportedly face targeted killings, arbitrary detention, intimidation, displacement and manipulation of legal systems.

35. Afro-descendant adolescents may be at particular risk of recruitment, exploitation or targeting by criminal groups in contexts of poverty, limited opportunities and weak State presence. Violence, insecurity and organized crime affect the continuity of education, community life and youth development in Afro-descendant communities. These concerns are particularly serious where racial discrimination intersects with age, poverty, rurality and exclusion from public services, leaving Afro-descendant children and youth without adequate protection or access to remedies.

36. The impact of violence on Afro-descendant communities cannot be assessed only through general crime data. It requires recognition of the racialized dimensions of insecurity, including racial profiling, criminalization, lack of institutional trust, the absence of Afro-descendant variables in police, prosecutorial, judicial and search records.

Access to justice and the criminal system

37. The Working Group received consistent information that Afro-Mexican peoples and persons of African descent face serious obstacles in accessing justice. These obstacles include the complexity of justice mechanisms, their limited geographical reach, lack of information, low levels of trust in their effectiveness, under-resourcing, institutional neglect and racial discrimination. The quest for justice among Afro-Mexican people is shaped by historical legacies and patterns of institutional violence and discrimination, including State neglect and limited access to essential services.

38. Civil society organizations reported entrenched racism throughout the criminal justice system, including racial profiling, arbitrary detentions, torture, discrimination during criminal investigations, and discriminatory treatment in detention. Despite the existence of

[26] A/HRC/37/51/Add.2.

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a multicultural judicial protocol,[27] discrimination seemingly affects the entire criminal process, from arrest to trial, to sentencing and prison conditions. The conditions of Afro-descendant women deprived of liberty, including children born in prison, is also of deep concern.

39. Civil society organisations and testimonies described arbitrary detention as one of the main problems affecting Afro-Mexicans, with some reporting that, in certain regions, at least one in ten Afro-descendant persons had been stopped or questioned by police without reasonable justification. Racial profiling by law enforcement and migration authorities also raises serious concerns. Afro-descendant persons are reportedly sometimes required to sing the national anthem to prove their affiliation to Mexico, reflecting recurring assumptions that associate Blackness with foreignness. Such profiling and harassment, particularly in highly policed urban settings, may discourage Afro-descendant persons from travelling to, visiting or residing in large cities.

40. The Working Group takes note of information provided by INEGI indicating that, in 2025,[28] state human rights commissions received six complaint requests regarding alleged human rights violations against the Afro-Mexican and Afro-descendant population, while the total number of complaints received by state human rights bodies in 2024 was 83,884. It also notes that, between 2020 and 2024, complaints concerning alleged human rights violations against the Afro-descendant population fluctuated between 2 and 14 per year. These figures may suggest underreporting, limited access to complaint filing mechanisms, lack of trust, insufficient identification of Afro-descendant victims, or inadequate recording of racial and ethnic variables.

41. Between 2020 and 2026, CONAPRED reportedly addressed 54 petitions related to alleged acts of discrimination against Afro-descendant persons, and between 2019 and February 2026, 11 complaint files were initiated. The complaints' grounds included skin colour, racism, national origin, ethnic origin, migration status and xenophobic expressions, while the sectors included employment, education, public services, transport, neighbourhood settings and cultural or recreational spaces. These data show the cross-sectoral nature of racial discrimination, while they also suggest the need for stronger outreach, trust-building, legal aid, accessibility and institutional coordination to ensure that Afro-descendant persons can effectively use available remedies.

42. The Working Group welcomes the Supreme Court's publication of rules for requesting and publishing decisions concerning justice systems and norms of Indigenous and Afro-Mexican peoples and communities in the Federal Judicial Weekly. It also welcomes the first publication of a decision issued by Afro-Mexican authorities: a community assembly act from Tierra Colorada, Costa Chica of Guerrero, validating the project "Production and Reforestation in Mangrove Ecosystems", with the participation of communities. This development may strengthen recognition of Afro-Mexican normative systems, self-determination and the relationship between community justice and State justice.

Political participation and representation

43. The Working Group witnessed the lack of participation and representation of Afro-Mexican peoples in public institutions. Civil society organisations emphasized that Afro-Mexican communities remain under-recognized in law, policy, statistics and public discourse, this invisibility contributes directly to exclusion from decision-making; they also underlined the lack of Afro-descendant representation, particularly in comparison with progress made for women and Indigenous Peoples. The Working Group is concerned about the absence of reliable and disaggregated data on this matter.

44. The Working Group notes information from INEGI's National Survey of Civic Culture[29] indicating that, in 2020, 89.6 per cent of the Afro-descendant population over 18 years of age were a valid voter ID card and 84.5 per cent was of those over 15 very or somewhat interested in or concerned about the country's affairs, and 82.7 per cent of the Afro-descendant voting population reported having voted in the 2018 elections. These

[27] https://www.scjn.gob.mx/derechos-humanos/protocolos-de-actuacion/para-juzgar-casos-de-personas-pueblos-y-comunidades-afrodescendientes-y-afromexicanas
[28] https://www.inegi.org.mx/programas/cndhe/2025/
[29] https://www.inegi.org.mx/programas/encuci/2020/

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figures indicate strong civic engagement among Afro-descendant persons. However, they seem to have not translated into proportional representation or influence over policies affecting Afro-Mexicans.

45. The Working Group is concerned that consultation processes affecting Afro-Mexican peoples and communities are often described by testimonies as unclear, inconsistent, controlled by State authorities, or used to validate decisions already made rather than to shape laws, policies and projects. Civil society representatives questioned how State authorities determine who represents Afro-descendant communities in consultation processes. Public events and policy spaces often refer to "our Afro peoples" or "our Afro communities" without the presence of those who genuinely represent such peoples and communities.

46. The Working Group notes that affirmative action measures may have opened limited opportunities for Afro-Mexicans to access elected or public positions. However, such measures require clear, participatory and culturally appropriate safeguards to ensure that they benefit the communities concerned, respect self-identification, and are not undermined by unsupported claims of Afro-descendant identity or by the selection of representatives without adequate community recognition.

47. The Working Group received information that the National Council of Indigenous Peoples operates as a consultative and participatory body, connecting Afro-Mexican people and the federal public administration. Regional assemblies of Afro-Mexican people have been held in connection with the first Justice and Development Plan for the Afro-Mexican Peoples of the Costa Chica of Guerrero and Oaxaca. These are relevant participation mechanisms; however, participation must be effective, representative, transparent, adequately resourced, culturally appropriate and grounded in self-determination.

48. The Working Group received information that communities in the Gulf of Mexico have been omitted from justice and regional development plans. Reportedly, public policy processes have selected representatives without community endorsement, while access to public programmes may depend on registration requirements and validation processes that are seen as inappropriate or discriminatory. The Working Group considers that this raises important concerns regarding representativeness, self-determination, equitable territorial coverage and the design of public policy for Afro-Mexican peoples beyond Costa Chica.

49. The Working Group further notes that Mexico's recent judicial reforms, under which judges are elected by popular vote, may create new barriers for Afro-Mexicans to access judge positions, if no specific measures are adopted to address structural exclusion, unequal access to financing, limited visibility, racism and territorial marginalization.

Stereotypes and hate speech in media and digital environments

50. According to ENADIS 2022, 51.4 per cent of the Afro-descendant population aged 12 and over agreed that most people in Mexico consider Afro-descendant persons to be foreigners, and 34.5 per cent reported that most people consider Afro-descendant persons to be good only for physical labour. These findings are consistent with testimonies received from Afro-Mexicans that they were frequently treated as foreigners because of phenotype or skin colour.

51. The Working Group received testimonies that racial stereotypes are reproduced in institutional interactions and in media and digital environments. Stereotypes portraying Afro-Mexicans as foreigners are fed by the lack of Afro-descendants participation, ignorance of their contributions to society, and widespread negative and degrading expressions in the media. The Working Group recorded testimony that Afro-Mexican persons receive insults on social media suggesting that, as enslaved persons, they were lucky to have been allowed to live in Mexico.

52. Stereotyping is not merely a matter of individual prejudice. The recurring association of Blackness with foreignness, criminality, manual labour, servitude or irregular migration status has concrete consequences for the enjoyment of rights. It contributes to racial profiling, discriminatory migration checks, denial or delay of services even in emergencies, social exclusion, criminalization and obstacles to access to justice. The Working Group received information of cases in which Afro-descendant persons were denied the purchase of a bus ticket because they did not have migration documentation, resulting in a discriminatory act grounded in racial prejudice and stereotypes associated with skin colour and origin.

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53. The Working Group welcomes information that CONAPRED promotes a public communication strategy based on justice, respect and diversity, including social media, bulletins and interviews, and that it develops digital campaigns with audiovisual and informational materials to combat stereotypes, prejudices and discriminatory practices, particularly in health, work and education.

54. The Working Group also notes the Supreme Court's decision granting an amparo concerning the alleged failure of Congress and the Executive Branch to comply with article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination regarding the criminalization of racial hate speech, propaganda and racist organizations.[30] The Court found the Federal Law to Prevent and Eliminate Discrimination and article 149 ter of the Federal Criminal Code insufficient to comply with ICERD obligations, and held that legislation should be issued in conformity with the Convention and CERD's observations.

55. However, the Working Group is concerned that the persistence of racist stereotypes and expressions in media and digital environments may normalize discrimination and create conditions for exclusion, harassment and violence. It also notes that digital inequalities in Afro-descendant communities may limit the ability of Afro-Mexican peoples to access information, participate in online public debate, report online hate speech, produce counter-narratives and exercise their rights in digital spaces.

56. The Working Group considers that combating stereotypes and hate speech requires coordinated legal, educational, media and digital measures. Mexico should align federal and state legislation with article 4 of ICERD; address racist hate speech online and offline; promote Afro-Mexican participation and representation in media, cultural institutions and digital policymaking; and strengthen anti-racism training for media professionals. These measures should be developed with Afro-Mexican communities, while safeguarding freedom of expression and addressing incitement to racial discrimination, hostility and violence.

Freedom of religion

57. The Working Group notes that article 24 of the Constitution of Mexico recognizes the right to freedom of ethical convictions, conscience and religion. Nevertheless, it received information indicating that religious and spiritual expressions of African origin continue to be stigmatized, invisibilized and socially rejected. In Córdoba (Veracruz), one organization informed the Working Group that Afro-diasporic spiritualities are frequently associated with fraudulent or superstitious practices and that practitioners are subjected to insults, stereotypes and acts of discrimination.

58. The Working Group also received information regarding the so-called "Afro Masses" promoted by the Afro-Mexican Pastoral within the Catholic Church, liturgical celebrations incorporating African and Afro-diasporic cultural elements, including music, dance and other cultural expressions. However, some organizations indicated that there are currently restrictions or limitations affecting their celebration in certain religious spaces.

59. In this context, the Working Group underscores the importance of ensuring that freedom of religion and the right to participate in cultural life are fully guaranteed for people of African descent, including through the recognition and respect of spiritual and religious practices of African origin, free from discrimination, stigmatization and intolerance.

Digital inclusion

60. The Working Group received information indicating that Afro-descendant communities, particularly in rural and historically marginalized areas, continue to face significant barriers in accessing internet and digital services due to limited infrastructure, unstable connectivity, frequent power outages and the cost of services. These challenges affect access to information, education, public services, online justice mechanisms and participation in digital spaces. While the Working Group takes note of initiatives aimed at facilitating digital access to public services and the judicial system, concerns remain regarding persistent digital inequalities and the lack of disaggregated data to assess the accessibility and effective use of such services by Afro-Mexican communities, which may reinforce exclusion.

[30] Amparo en Revisión 805/2018.

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C. Economic, social and cultural rights

Education

61. The Working Group received information indicating that structural racism continues to affect the right to education of Afro-Mexicans. Education is central to the implementation of Mexico's recognition of Afro-Mexican peoples, including education of Afro-Mexicans about their rights, education about Afro-Mexican history and contributions, and education for society to combat racial discrimination. These three dimensions are mutually reinforcing and essential to transforming recognition into substantive equality. The Working Group is concerned that Afro-Mexican communities lack access to an education system that adequately reflects their history, identity and culture. Civil society representatives stressed that Afro-descendant histories continue to be erased from public understanding and that culturally relevant education remains insufficient.

62. According to information received, approximately 32 per cent of Afro-descendant persons aged 6 to 24 do not attend school,[31] compared with 29.7 per cent of the general population, reflecting early and cumulative disadvantages in the enjoyment of the right to education. Structural racism significantly contributes to limiting the right to education of the Afro-Mexican population. Reported factors include racist bullying by peers and, in some cases, teachers and academic staff; inadequate infrastructure; insufficient supplies; limited financial capacity of families to meet education-related costs; discrimination based on language and physical appearance, including hair; and the impact of insecurity and organized crime on school attendance and retention.

63. The Working Group is particularly concerned that racism affecting Afro-descendant children and adolescents may be treated as ordinary bullying or interpersonal conflict rather than as racial discrimination. It received information about mockery and discriminatory treatment linked to skin colour, phenotype, hair and ways of speaking, including cases in which Afro-descendant students were reportedly required to cut their hair to access educational institutions. Such practices undermine dignity, identity, equality and the right to education, and may have lasting consequences for children's self-recognition, mental health and educational trajectory.

64. The Working Group notes information regarding the Programme to Support Indigenous Education, which seeks to guarantee access, permanence and completion of schooling for children, adolescents and young people belonging to Indigenous and Afro-Mexican peoples and communities enrolled in public and community schools, including through food, lodging, support and complementary activities. It also notes that 132 Afro-Mexican persons benefited from these projects, including 67 women and 65 men.

65. The Working Group also received information that digital exclusion affects the right to education. Limited connectivity, unstable electricity, frequent power outages and the cost of internet services affect access to information, public services and learning tools, particularly in rural and mountainous communities. The Working Group is concerned that unequal access to internet and digital infrastructure may deepen educational inequalities, especially where schools, students and families depend increasingly on digital resources.

Health

66. The Working Group received information regarding the right to health, including lack permanent medical personnel, local health centres may operate only during limited daytime hours, and poor road infrastructure can prevent timely access to hospitals, including in urgent cases. Access to second-level hospitals is limited, and many communities rely on health facilities with deteriorated infrastructure, insufficient and overburdened staff, limited competencies and a lack of specialized services.

67. The Working Group also received information concerning the mental health of Afro-descendant communities. It was informed that mental health needs are neglected and are affected by racial stress, anxiety, transgenerational trauma, frequent experiences or expectations of race-based violence, and the emotional impact of natural disasters. Mental

[31] https://www.inegi.org.mx/contenidos/saladeprensa/aproposito/2025/EAP_perAFRO25.pdf

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health services, particularly in rural and marginalized communities, remain insufficient, while mental health policies may not adequately reflect racial, cultural, territorial and historical experiences of Afro-Mexican peoples.

68. The Working Group considers that Mexico should ensure equitable, adequately resourced health care in Afro-Mexican regions, with sufficient trained personnel. It should provide culturally appropriate sexual and reproductive health services, address adolescent pregnancy and obstetric violence, and integrate anti-racist and intercultural approaches into health training, protocols and accountability mechanisms.

Housing

69. The Working Group received information and testimonies that housing conditions and tenure security are closely linked to the historical and territorial marginalization of Afro-Mexican communities. Civil society representatives described serious concerns related to land insecurity, lack of formal land ownership, dispossession, water access, displacement and vulnerability. Interlocutors stated that, in Chiapas, many Afro-descendant families do not hold legal title to lands where they have lived for generations, leaving them in a situation of profound legal insecurity. Housing and living conditions in Afro-descendant communities are affected by inadequate infrastructure, limited access to water and sanitation, unstable electricity supply, poor roads, exposure to natural disasters and insufficient emergency preparedness.

70. The Working Group notes that INEGI identified the National Survey of Demographic Dynamics and the National Survey of Household Income and Expenditure as statistical programmes that include the Afro-descendant self-identification question and can generate information on population dynamics, households, income, expenditure and housing conditions. These tools could help assess housing inequalities affecting Afro-descendant persons.

71. The Working Group also received information concerning alleged harassment, institutional persecution and risks of eviction affecting Afro-descendant families linked to the historical and cultural community space known as El Patio de la Estrella in Córdoba, Veracruz. This situation reportedly occurs in the context of tourism-driven urban development and gentrification processes. The Working Group is concerned that such situations may undermine peaceful tenure, cultural continuity, community life and the right to adequate housing.

Employment

72. Afro-Mexican peoples continue to face structural barriers to employment, livelihoods and economic autonomy. The ENADIS 2022 found that 34.5 per cent of the Afro-descendant population aged 12 and over reported that most people consider Afro-descendant persons to be good only at physical labour. The Working Group is concerned that such stereotypes reinforce occupational segregation, social exclusion and discrimination in employment and public life.

73. Among the complaint files at CONAPRED, concerning discrimination against Afro-descendant persons, identified areas included employment. The grounds included skin colour, racism, national origin, ethnic origin, migration status and xenophobic expressions. These suggest that discrimination against Afro-descendant persons occurs across multiple areas, including labour, although the available information does not allow a full assessment of the scale of discrimination in employment.

74. In Afro-Mexican communities, poverty, rurality, inadequate infrastructure and racial discrimination intersect to limit access to decent work, livelihoods and social mobility.

75. The Working Group received information that Afro-descendant women face barriers to economic autonomy. Civil society organisations highlighted the need for labour policies directed at Afro-Mexican women, including programmes for economic autonomy, access to financing, strengthening community economies and recognizing informal and care work. Afro-descendant women and girls face intersecting racial, gender, territorial and socio-economic discrimination, which may affect their access to employment, income, health, education, protection and decision-making.

76. The Working Group considers that employment discrimination cannot be separated from other issues. Limited access to quality education, internet, roads, health services and

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childcare can create cumulative barriers to labour-market participation. In rural communities, livelihoods may also be affected by environmental degradation, climate-related disasters, water insecurity and projects implemented without adequate consultation.

77. The Working Group welcomes initiatives aimed at strengthening capacities and community development, while emphasizing that economic measures for Afro-Mexican peoples should be differentiated, adequately funded, transparent and accessible. Such measures should support decent work, community economies, cooperatives, access to credit and markets, recognition of care and informal work, and protection against labour discrimination and exploitation.

D. Environment, land, territory and natural resources

78. The Working Group received information regarding disproportionate environmental, climate-related and socio-economic impacts affecting Afro-descendant communities in different regions. Environmental justice is a matter of survival for communities of Afro-Mexican peoples and territorial injustice reflects longer-standing patterns of marginalization.

79. In Veracruz, civil society organizations reported pollution affecting several rivers in the region, including allegations that contaminated water is used for agricultural irrigation and may be linked to illnesses and deaths in nearby communities. Local authorities and community representatives indicated that, in some Afro-descendant communities, potable water distribution infrastructure is severely deteriorated and insufficient.

80. In Guerrero, the Working Group received information regarding the impact of extreme weather events on Afro-Mexican territories whose main source of livelihood is agriculture. In San Nicolás, the seasonal rise in river levels during the rainy season may limit access to agricultural areas, resulting in crop losses affecting food security and livelihoods.

81. In Oaxaca, the Working Group received information regarding serious infrastructure deficiencies and vulnerabilities related to climate change and natural disasters, particularly in communities linked to Tututepec and Chacahua Island. Representatives highlighted problems related to the blockage of lagoons that affects the breeding of fish, inadequate waste collection systems, unstable electricity supply, limited access to healthcare services and the absence of adequate emergency response mechanisms. The Working Group also received information regarding the absence of adequate shelters and emergency plans to respond to hurricanes and other climate-related disasters, significantly increasing risks for affected communities.

82. In Oaxaca, schools are being used as temporary shelters despite lacking adequate conditions for this purpose. Following Hurricane Eric, communities suffered significant destruction of homes and schools, while State reconstruction assistance was reportedly insufficient. Some communities also remain isolated during periods of heavy rainfall due to poor road conditions and limited transport infrastructure. The Working Group further received information regarding inadequate sanitation systems, including concerns related to the flooding of community spaces and basic infrastructure.

83. According to information received, there are approximately 180 agrarian hubs with Afro-descendant populations at the national level. While authorities referred to free, prior and informed consultation mechanisms for projects affecting these territories, civil society organizations expressed concerns regarding the limited access of Afro-descendant communities in these processes. The information received suggests that projects affecting Afro-descendant territories may proceed without adequate consultation and without effective participation by the communities concerned.

84. Civil society organizations expressed concern regarding the persistence of impunity in cases involving enforced disappearances and violence against territorial land defenders.[32] In this context, reference was made to the case of a community defender and opponent of the La Parota hydroelectric project in Guerrero, who disappeared in August 2021.

85. Afro-descendant communities appear to be disproportionately exposed to environmental degradation, climate-related risks and territorial insecurity, while also facing

[32] A/HRC/37/51/Add.2, par. 64-65.

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serious obstacles in securing effective participation in decisions affecting their lands, territories and natural resources. Protecting these rights requires improved infrastructure, disaster preparedness, effective consultation, access to information and recognition of the specific realities of Afro-Mexican peoples.

VI. Multiple and intersecting forms of discrimination

A. Women of African descent

86. Mexico has taken steps to recognize the contributions and rights of Afro-descendant women, including through the creation of the National Prize for the Promotion of the Rights of Afro-Mexican Women, promoted by the Ministry of Women and the National Institute of Indigenous Peoples, and the commemoration of 4 November as the National Day of Afro-Mexican Women. The Working Group welcomes these initiatives as measures of visibility and recognition.

87. Nevertheless, the Working Group received information that women and girls of African descent continue to be subjected to hypersexualization, racial stereotypes and sexual and physical violence. Civil society organizations highlighted the persistence of historical and colonial narratives portraying Afro-descendant women as sexually available, which contributes to specific forms of violence, stigmatization and discriminatory treatment.[33] These stereotypes are not merely individual prejudices, but form part of broader patterns of racialized and gendered discrimination that affect Afro-descendant women's dignity, bodily autonomy, access to justice and full enjoyment of human rights.[34]

88. Obstetric violence and discriminatory practices affecting Afro-descendant women within healthcare services is concerning. According to information received, some Afro-descendant women reported stereotypes suggesting that "Black women can endure more pain", resulting in delays in medical attention and differentiated treatment during pregnancy and childbirth. Such practices reflect the intersection of racism, sexism and unequal access to quality healthcare, and may seriously undermine the rights of women of African descent to non-discrimination and to be free from cruel, inhuman or degrading treatment.

89. The Working Group notes information regarding the Houses for Indigenous and Afro-Mexican Women and the Casa para el Desarrollo de las Mujeres Afromexicanas in Santa María Cortijo, Oaxaca, which address issues such as gender-based violence, health, traditional medicine, sexual and reproductive rights, access to land and natural resources, and political participation. While welcoming these initiatives, the Working Group emphasizes the need to ensure that Afro-Mexican women and girls have access to culturally appropriate, available, accessible and quality health services, including sexual and reproductive, maternal and mental health care, as well as effective mechanisms to prevent, investigate and remedy discriminatory treatment.

90. The Working Group further received information regarding high rates of adolescent pregnancy in Afro-Mexican communities and the urgent need to strengthen culturally appropriate sexual and reproductive health education policies. The lack of comprehensive, disaggregated and reliable data limits the ability of authorities to assess the scale of early pregnancy among Afro-descendant girls and adolescents and to design targeted responses. A diagnosis presented to the Working Group indicated that four out of ten young Afro-Mexican women considered that youth-oriented sexual and reproductive health services did not exist in their municipality or were unaware of their existence.

91. In addition, Afro-descendant women are reportedly subjected disproportionately to body searches and invasive controls, including violent inspections of their hair, during controls at airports and borders in the context of anti-drug and migration-control policies marred by racial profiling. Such practices reproduce racial stereotypes and forms of criminalization linked to physical appearance and may violate the rights to personal integrity, equality, dignity, privacy, freedom of movement and non-discrimination.

92. The Working Group further received information regarding gender-based violence and obstacles in access to protection mechanisms for Afro-descendant women victims of

[33] CEDAW/C/MEX/CO/10.

[34] CERD/C/MEX/CO/22-24, pars. 32-33.

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violence. In some communities, women are referred to assistance mechanisms located in other cities due to the absence of local shelters and protection systems. The scarcity of shelters and localized protection services, particularly in rural and marginalized Afro-descendant communities, may leave women and girls exposed to further violence and prevent them from accessing timely assistance, legal aid, psychosocial support and effective remedies.

93. The Working Group is also concerned by gaps in the collection of disaggregated data on gender-based violence affecting Afro-Mexican women and girls,[35] limiting the visibility of the specific forms of violence experienced by Afro-descendant women. The absence of data must not be understood as the absence of violence, but rather as a factor that contributes to invisibility and impunity.

94. The Working Group takes note of some increasing participation of Afro-descendant women in certain institutional and political spaces, including the Senate, the Chamber of Deputies, health institutions and the judiciary. Nevertheless, civil society organizations expressed concern regarding the persistent underrepresentation of Afro-descendant women in certain decision-making spaces, including the absence of judges and prosecutors. The Working Group considers that participation of Afro-descendant women in public and political life remains essential to ensuring that laws, policies and institutional responses address their specific experiences of racism, sexism and structural exclusion.[36]

B. Children and youth of African descent

95. The Working Group received information indicating that Afro-descendant children and youth face multiple and intersecting forms of discrimination linked to race, age, poverty, territorial origin, migration status and, in some cases, gender and language.[37] Civil society organizations expressed concern regarding cases of racial discrimination and bullying affecting Afro-descendant children and adolescents, including migrants. Incidents included mockery related to skin colour, hair, phenotype and ways of speaking Spanish.

96. The Working Group is concerned that racial discrimination, including bullying and discriminatory treatment may affect their dignity, mental health, school attendance, retention and educational trajectories. These harms are particularly serious when combined with poverty, weak institutional presence, insecurity, organized crime, inadequate infrastructure and climate-related disasters, which may negatively impact access to education, recreation, health care, protection and community life, and increase vulnerability to violence, recruitment, exploitation and exclusion.

97. The Working Group emphasizes that the situation of Afro-descendant children and youth should not be addressed only through general child protection, education, security or migration policies. Measures adopted by the State should recognize the specific impact of anti-Black racism on children and youth. Such measures should ensure safe and discrimination-free schools, culturally appropriate mental health and psychosocial support, protection from violence and recruitment, access to recreation and youth development opportunities, and effective remedies for racist treatment, institutional neglect or failures of protection.

98. The Working Group takes note with concern of the information regarding the death of two Haitian girls in a situation of human mobility while under the custody of a State social assistance institution in Oaxaca. The girls reportedly fell into a water cistern inside a transit centre administered by the National System for Integral Family Development, in circumstances suggesting deficiencies in protection, supervision and safety measures.

C. LGBTIQ+ persons of African descent

99. Afro-Mexican LGBTIQ+ persons face intersecting forms of discrimination linked to racism, homophobia and transphobia, affecting their daily lives, employment, community participation and enjoyment of human rights. The intersection of anti-Black racism with discrimination based on sexual orientation, gender identity and gender expression heightens the risks of violence, exclusion and institutional neglect.

[35] CEDAW/C/MEX/CO/10, paras. 47-48.
[36] CEDAW/C/MEX/CO/10, paras. 33-34.
[37] CRC/C/MEX/CO/6-7, p. 16-17.

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100. The Working Group received testimonies regarding barriers to healthcare for Afro-descendant LGBTIQ+ persons living with HIV, particularly in rural areas. The lack of hospitals and deficiencies in healthcare centres restrict access to treatment, specialized care and adequate health services. These barriers are compounded by stigma, poverty, geographic isolation and racial discrimination, undermining the rights to health, equality and non-discrimination.

101. Trans migrants in an irregular situation face additional obstacles in obtaining legal recognition of their gender identity, including changes of name and sex in official documents. The Working Group is concerned that the intersection of migration status, gender identity and racialization places Afro-descendant trans migrants at heightened risk, limiting access to services, protection, documentation, employment and justice.

102. Civil society organizations also reported increasing violence against LGBTIQ+ persons in Mexico, particularly transgender women, as well as killings of LGBTIQ+ human rights defenders. Concerns were raised about persistent impunity and limited investigations into crimes motivated by prejudice based on sexual orientation and gender identity. The Working Group is further concerned by the lack of data on the racial and ethnic dimensions of such violence.

D. Migrants, refugees and asylum seekers of African descent

103. The Working Group received information regarding multiple and intersectional forms of discrimination, institutional racism and violence affecting Afro-descendant migrants, refugees and asylum seekers, particularly in their interactions with migration and security authorities. These do not constitute isolated incidents, but rather patterns emerging after the tightening of migration and security policies.[38]

104. Racial profiling in migration not only affects foreign nationals, refugees and asylum seekers, it reinforces broader stereotypes portraying Afro-Mexicans as foreigners, allowing deportation from their own country.[39] The identification of Blackness with foreignness, irregular migration or criminality, reflects a structural form of anti-Black racist.

105. According to information received, Afro-descendant migrants, Haitian persons[40] and persons originating from African countries, are disproportionately subjected to racial profiling, selective identity checks, arbitrary detention and excessive use of force in public spaces, roads, airports and migration operations.[41] These are based on racial prejudice and stereotypical associations between Blackness, criminality and irregular migration status. Such practices amount to violations the rights to equality and non-discrimination, liberty and security of person, freedom of movement, dignity and access to justice.

106. In this context, the Working Group notes that the Supreme Court of Justice of the Nation has concluded that migration authorities may verify migration status, while they may not do so on the basis of criteria such as skin colour, physical features, ethnic origin or language, as this constitutes racial profiling.[42] The Working Group welcomes this jurisprudential development, while noting concerns that racial profiling reportedly persists in practice at highways, airports and migration checkpoints.

107. The Working Group further notes that the National Migration Institute has prepared a "Guide for the prevention of racial profiling practices" and that migration authorities have undertaken training initiatives, including on minimum standards for identifying and managing cases of persons with specific protection needs. These measures are commendable; however, their effectiveness cannot be assessed without disaggregated data on implementation, complaints, sanctions, remedies and outcomes for Afro-descendant persons. Training and guidance, without binding protocols, independent oversight, accessible complaint mechanisms and accountability, may be insufficient to prevent racial profiling and discrimination.

[38] JAL MEX 10/2023.
[39] CERD/C/MEX/CO/22-24, paras. 52-53.
[40] CERD/C/MEX/CO/22-24, paras. 46-47.
[41] CERD/C/MEX/CO/18-21, p. 34.
[42] Amparo en Revisión 388/2022.

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108. The Working Group notes that, while the Mexican Commission for Refugee Support registers applications based on ethnic-racial persecution, it does not have specific information on the number of African or Afro-descendant asylum seekers, and racial self-identification in the system remains voluntary. In addition, concerns were raised regarding difficulties in accessing justice in cases of alleged racial profiling by migration and security officers. The Working Group received information about cases involving Afro-descendant migrants and travellers in which complaints of racial discrimination were declared inadmissible, raising concerns about the effectiveness of mechanisms to address racial discrimination in migration.

109. Regarding legal safeguards in migration detention centres, information received showed persistent obstacles in the migration administrative process, including incomplete information about their right to access asylum procedures, excessive delays, lack of interpreters, as well as administrative barriers disproportionately affecting Afro-descendant persons seeking international protection, in addition to allegations of inadequate medical care and ill-treatment. Disaggregated data on unaccompanied Afro-descendant migrant adolescents is unavailable.

VII. Memory, truth and reparations

110. The Working Group considers that questions of memory, truth and reparations are central to addressing the historical and contemporary situation of people of African descent in Mexico. The history of enslavement, forced labour, resistance and decisive Afro-descendant contributions to the formation of the Mexican State has been insufficiently recognised in public memory, institutional narratives and public policy. As noted, post-independence constructions of national identity largely erased African participation and contributions, this invisibilization continues to shape present-day racism, exclusion and the denial of rights.

111. Afro-Mexican peoples view reparations as encompassing recognition, community development, self-governance, land, credit and market access, and meaningful consultations. Reparations require a differentiated approach and stronger education about Afro-Mexican history and contributions. Reference was also made to proposals for a National Afro-Mexican Peoples' Museum and Afro-Mexican archives.

112. The Working Group also received information concerning the Creole language of the Mascogo community. Languages are not only instruments of communication, but also vehicles for collective memory and identity. Reparatory measures should therefore include actions to preserve, document and revitalize Afro-descendant languages that still exist, as well as to recognize the memory of those lost through enslavement, forced assimilation and historical erasure.

113. The Working Group takes note that, in July 2025, the Ministry of Culture created the Unit for Living Cultures, Intangible Heritage and Interculturality, aimed at safeguarding intangible cultural heritage and strengthening the participation of Afro-Mexican peoples.

114. The struggle for truth and memory is closely linked to the struggle against contemporary racism. Academic interlocutors highlighted the importance of including Afro-Mexican history in school materials and public education. Concerns were raised regarding the lack of information on the history of the slave trade in Mexico, the need to strengthen academic research on the specific roots and manifestations of anti-Black racism, and the importance of deepening public knowledge of Afro-Mexican history and contributions. These concerns reinforce the need for memory initiatives that are not commemorative only, but that also contribute to truth-telling, education and institutional transformation.[43]

115. The Working Group heard reference to the first Justice Plan and Development for Afro-Mexican peoples in the Costa Chica of Guerrero and Oaxaca, as well as to direct budgetary allocations to Afro-Mexican communities. These developments were presented as important advances by some interlocutors. At the same time, it also heard that significant challenges remain, including the absence of a programme of action for the Second International Decade for People of African Descent and the institutional arrangements that subsume Afro-Mexicans within frameworks designed for Indigenous Peoples.

[43] CERD/C/MEX/CO/22-24, paras. 54-55.

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116. Questions of memory, truth and reparations are inseparable from access to justice, participation and guarantees of effective remedies. Addressing the historical and contemporary effects of slavery, erasure and anti-Black racism in Mexico requires a reparation-based, anti-racism and anti-discrimination approach to public administration, one that links recognition with material measures, strengthens public education about Afro-Mexican history, preserves and consolidates archives and memory sites, and ensures full participation in the design and implementation of reparatory measures.

VIII. Conclusions and recommendations

117. **The Working Group welcomes progress in the recognition of Afro-Mexican peoples, while remaining concerned that structural racism, racial profiling, underrepresentation, data gaps and historical invisibility continue to impede the enjoyment of rights. Formal recognition must therefore be translated into adequately funded, differentiated and participatory laws, policies and institutions, together with measures on memory, truth and reparations.**

118. **The following recommendations are intended to assist the State in its efforts to combat racism, racial discrimination, xenophobia and related intolerance. In light of the above, the Working Group recommends that the State:**

(a) **Adopts, in consultation with Afro-Mexican Peoples, communities and other people of African descent, a comprehensive national plan of action for the protection of people of African descent with clear objectives, indicators, timelines, budgets and accountability mechanisms;**

(b) **Ensures the full implementation of the constitutional reform recognizing Afro-Mexican peoples and communities, including through legal harmonization at federal, state and municipal levels, adequate resources, institutional coordination and effective participation mechanisms;**

(c) **Harmonizes federal and state anti-discrimination legislation to expressly include race, descent, colour, ethnic origin and national origin, and to prohibit direct, indirect, structural and intersectional discrimination in all spheres of public and private life;**

(d) **Establishes or strengthens dedicated institutional mechanisms for people of African descent, with sufficient authority, resources and participation, in order to address anti-Black racism and ensure a differentiated approach to Afro-Mexican rights, histories and needs;**

(e) **Strengthens the collection, analysis and publication of disaggregated data concerning people of African descent, based on self-identification, confidentiality and human rights safeguards, including in relation to education, health, housing, employment, political participation, access to justice, migration, asylum, disappearances, deprivation of liberty, gender-based violence and environmental harm;**

(f) **Combats racist stereotypes, hate speech and discriminatory representations of people of African descent in public discourse, media, digital environments and institutional practice, while ensuring that legislation complies with article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and international standards on freedom of expression;**

(g) **Prohibits, prevents, monitors and sanctions racial profiling by police, migration, security, transport and border officials, including through binding protocols, independent oversight, accessible and effective complaints mechanisms, disaggregated data, training and effective remedies;**

(h) **Adopts special measures to ensure the effective representation and participation of Afro-Mexican peoples and other people of African descent in elected bodies, public administration, justice institutions, consultative bodies and policy mechanisms concerning land, territory, culture, education, health, security, migration and development;**

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(i) **Ensures that all consultation processes affecting Afro-Mexican peoples are transparent, representative, adequately resourced, culturally appropriate and grounded in self-determination, and that they take place from the earliest stages of decision-making;**

(j) **Ensures that investigations into violence, disappearances, arbitrary detention, discrimination and attacks against Afro-descendant persons, communities and defenders are prompt, impartial, effective, culturally appropriate and informed by an anti-racist perspective;**

(k) **Strengthens access to justice for Afro-Mexican peoples and other people of African descent, including through geographically accessible institutions, culturally appropriate legal assistance, including free legal aid where required, anti-racist training for justice operators and increased participation of Afro-descendant persons within the justice system;**

(l) **Facilitates and streamline the registration of Afro-Mexican communities in the National Catalogue of Indigenous and Afro-Mexican Peoples and Communities, including through culturally appropriate and accessible procedures, and ensure equitable access to public programmes, resources and budgets;**

(m) **Ensures equal and effective access for Afro-descendant communities, particularly those in rural, coastal, mountainous and historically marginalized areas, to quality education, health care, sexual and reproductive health services, mental health care, adequate housing, water, sanitation, electricity, roads, internet, decent work, and social protection; adopt measures to prevent and remedy racial discrimination in those sectors, including racist bullying in schools, obstetric violence and discriminatory treatment in health services, as well as structural barriers to employment and livelihoods.**

(n) **Establishes participatory mechanisms to monitor implementation of the present recommendations, including periodic public reporting, measurable indicators and the full involvement of Afro-Mexican peoples, civil society, academia, national human rights institutions and United Nations mechanisms.**

(o) **Protects the land, territorial, environmental and climate-related rights of Afro-descendant communities, including through effective participation in decisions affecting their lands, territories, livelihoods, water sources and cultural spaces; environmental monitoring; disaster preparedness and reconstruction assistance; climate adaptation; protection from forced eviction, displacement and gentrification; and effective remedies for environmental harm, pollution, loss of livelihoods and violations linked to development, tourism or infrastructure projects.**

(p) **Adopts targeted measures to address the rights of Afro-descendant women, children, youth, LGBTIQ+ persons and persons in situations of human mobility, taking into account intersecting forms of discrimination, violence, exclusion and lack of access to services and remedies;**

(q) **Ensures that Afro-descendant migrants, refugees and asylum seekers have equal access to asylum procedures, interpretation, legal information, health care, education, housing, documentation, alternatives to detention and effective remedies, and that migration policies do not reproduce racial discrimination or racial profiling;**

(r) **Adopts a national strategy on memory, truth and reparations for people of African descent, including public acknowledgement of the legacies of enslavement and anti-Black racism, support for archives, memory sites, research, cultural centres, Afro-Mexican languages and the proposed National Afro-Mexican Peoples' Museum.**

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