

New Version

7<sup>th</sup> Forum on Minority Issues

Intervention of Mexico in the Session on Essential Measures for Resolution, Protection, and Security  
after the Emergence of Violence

Geneva, Switzerland, November 26, 2014

Mr. President,

The actions of the State must include protection measures before, during, and after the emergence of violence. Just as it was signaled by the report of the Secretary General on the first pillar of the responsibility to protect, the amplitude of prevention necessarily requires the obligation to work in different fronts, that range from the combat against discrimination and poverty and as far as strengthening the Rule of Law, and in particular, human rights.

The fifth risk factor identified refers to the weak legislative protection in matters concerning human rights (Paragraph 24). The actions that the State can put forward after the emergence of violence depend on large measure on the strength and respect of human rights conferred in its respective national juridical system and on the soundness of the institutions in charge of their application.

For Mexico, ensuring that the international and regional standards related to the protection of minorities against the atrocities is reflected in legislation, national policies and practices, not only implies the international observance of international instruments related to minorities, but the strengthening of the Rule of Law through the creation of national legal frameworks that guarantee their rights. We wish that this element be incorporated in the recommendations resulting from this exercise.

Mr. President,

In June 2011, Mexico undertook a transcendental reform to the Constitution, which bestowed a constitutional rank to the human rights protection contained in the international treaties to which my country is a Party. Thus, the importance bestowed to human rights is reiterated and the international regulations related to the matter of human rights is incorporated into the legal system.

This is directly bound with the first element of the construction of a system that adapts itself to the necessities of prevention, suggested in the report of the Secretary General as the establishment of constitutional protections (Paragraph 35). In this sense, and within the framework of the International Decade for People of African Descent, Mexico works for the constitutional recognition of minority groups with African heritage. Simultaneously, and for the first time, the inclusion of a self-identification

question will be directed to this group and promoted in the next national census. This will be done in compliance with a recommendation by CERD.

Mr. President,

The consolidation of the Rule of Law must be accompanied by the strengthening of institutions, legislative harmonization, and the creation of complementary public policies.

A better normative integration, accompanied by democratic openings, brings greater transparency, greater participation of civil society in the decision-making process, and greater accountability.

Finally, another way to resolve the occurrences of violence against minorities is through the commitment of States to privilege the peaceful resolution of controversies. The acceptance of the jurisdiction of international courts, especially those in matters concerning human rights and the International Criminal Court, will function to dissuade the perpetration of atrocities.