

INTERNATIONAL TRADE UNION CONFEDERATION (ITUC)

**INTERNATIONALLY RECOGNISED CORE
LABOUR STANDARDS IN MEXICO**

**REPORT FOR THE WTO GENERAL COUNCIL REVIEW OF
THE TRADE POLICIES OF MEXICO**

(Geneva, 11 - 13 February 2008)

EXECUTIVE SUMMARY

Mexico has only ratified six of the eight core conventions of the International Labour Organisation. The principles enshrined in these international conventions are binding for all ILO member states, yet Mexico's violation of these principles is extremely serious.

Violations of trade union autonomy are constant and there are numerous obstacles to forming an independent union, given the complex procedures and formalities involved. There are excessive restrictions on the right to strike, which have caused the ILO's supervisory bodies to recommend that Mexico should amend its legislation. Many trade unionists experience assault and many are murdered with impunity when attempting to exercise their rights.

Legislation against discrimination is not enforced, and there is a substantial wage gap between men and women. Disabled and indigenous persons experience discrimination. Sexual harassment in the workplace is a common problem but is not adequately addressed by the government.

Over three million children work in Mexico, due to the poverty and inequalities in the country. Many children leave school before completing compulsory education and access to schooling in a language other than Spanish is not guaranteed, resulting in many children of indigenous origin being unable to successfully pursue their education.

Forced labour is found in Mexico and includes children. Mexico is a source, destination and transit country for persons trafficked for sexual exploitation.

INTERNATIONALLY RECOGNISED CORE LABOUR STANDARDS IN MEXICO

Introduction

This report on the respect of internationally recognised core labour standards in Mexico is one of a series the ITUC is producing in accordance with the Ministerial Declaration adopted at the first Ministerial Conference of the World Trade Organisation (WTO) (Singapore, 9-13 December 1996) in which Ministers stated: "We renew our commitment to the observance of internationally recognised core labour standards." The fourth Ministerial Conference (Doha, 9-14 November 2001) reaffirmed this commitment. These standards were further upheld in the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work adopted by the 174 member countries of the ILO at the International Labour Conference in June 1998.

Mexico became a member of the WTO in 1995. In September 2003, it hosted the fifth WTO Ministerial Conference, held in Cancun.

The International Trade Union Confederation has five affiliates in Mexico, the CTM - "*Confederación de trabajadores de México*", COR - "*Confederación obrera revolucionaria*", CROC - "*Confederación revolucionaria de obreros y campesinos*", CNT - "*Consejo nacional de los trabajadores*" and the UNT - "*Unión nacional de trabajadores*".

Mexico now has a free market economy based on a mixture of modern and traditional industry and agriculture, increasingly dominated by the private sector. Income distribution in the country is highly unequal. The gross domestic product (GDP) is estimated at approximately 750 million US dollars. Mexico's main agricultural products are corn, rice, beans, cotton, coffee, fruit, tomatoes, beef and poultry. Its main industries are food and drink processing, tobacco, chemical, iron and steel, petroleum, mining, textiles and clothing, automobile and tourism.

Mexico's chief imports are metal working machinery, agricultural machinery, electrical goods, spare parts for automobile assembly, and airplane parts. Its main import partners are the United States, China, Japan and South Korea. Mexico exports manufactured goods, oil and oil by-products, silver, fruit, vegetables, coffee and cotton, and its chief export partners are the United States, Canada and Spain.

Mexico's trade balance was negative in August 2007, with exports totalling 24,194.20 million US dollars and imports reaching 25,366.30 million.

Mexico has 12 free trade agreements with 43 countries. Ninety per cent of its trade comes under this heading. It has signed free trade agreements with Costa Rica, Bolivia, Nicaragua, Chile, Israel, the European Union, Uruguay and Japan, as well as with the European Free Trade Association (EFTA), which includes Iceland,

Switzerland, Norway and Liechtenstein. It has entered into negotiations to establish a free trade agreement with Brazil, Argentina and Paraguay, as well as with South Korea, Singapore and Peru. Mexico signed the North American Free Trade Agreement (NAFTA) with United States and Canada in 1994. NAFTA is the most significant agreement Mexico has signed in terms of the extent of reciprocal trade and its scope.

I Freedom of association and collective bargaining

Mexico ratified ILO Convention 87 (Freedom of Association and Protection of the Right to Organise Convention, 1948) on 1 April 1950. It has still not, however, ratified Convention 98 (Right to Organise and Collective Bargaining Convention, 1949).

The Federal Law grants workers the right to join and form the union of their choice. The law allows workers to form an independent union, subject to formal registration. Prior authorisation is not required. However, the registration procedures are complicated, and are systematically used by the government to reject applications from independent unions. Trade unions have to be registered in the Register of Associations, an office of the Labour and Social Protection Secretariat. The authorities may decline to “take note” of a request if they consider that the union has breached or does not meet the requirements established in the Federal Labour Law. An unregistered union cannot call a strike or participate in collective agreements, and is excluded from all tripartite committees.

Establishing an independent trade union, in other words a union that is not controlled by the employers, can resemble an obstacle course. The government exploits the difficulties associated with obtaining legal status, denying a union the right to register or giving preference to a particular union leader over another.

Employers themselves sometimes set up a union, although workers may not even be aware that there is a union in their factory. They have come to be known as “ghost” unions. The government has also been seen to interfere with trade union autonomy by intervening in the decision to appoint or dismiss trade union leaders.

The law imposes a trade union monopoly on State employees, prohibiting the coexistence of two or more unions in the same State body. State employees are also obliged to join unions affiliated to the public service union, the Federación de Sindicatos de Trabajadores al Servicio del Estado (FSTSE) and cannot subsequently leave the union they have joined. The law also imposes a trade union monopoly on bank workers, who may only belong to the National Federation of Banking Unions.

The Supreme Court of Justice ruled in 1999 that the imposition of a trade union monopoly in the public sector was a violation of the right to freedom of association as set out in the Constitution. The government has yet to bring the law into line with this ruling.

The right to organise and collective bargaining is protected by law. Approximately 7% of the workforce is covered by collective agreements.

Loopholes in the Federal Employment Law have been exploited in order to create false collective agreements called "protection contracts". These contracts consist of an agreement whereby the company pays a monthly sum to the union. In exchange, the union guarantees industrial peace. The exclusion clauses in these protection contracts give pro-management unions the right to demand the dismissal of certain workers. These clauses are often used to secure the illegal dismissal of workers favouring free trade unions. There are websites offering "model contracts" that employers only have to modify.

Many education, media, government agency and maquiladora workers, and the researchers at the Instituto Nacional de Antropología e Historia, are employed through "civil contracts for the provision of professional services" and are obliged, in some instances, to sign a declaration to acknowledge that these are not employment contracts. Under these terms, they are not legally permitted to organise or join a union, can only become members of civil associations, and do not have the right to take strike action or to negotiate collective agreements.

In the export processing zones (EPZs), companies and managers often utilise "protection contracts" to dissuade workers from forming independent unions. These contracts are false collective agreements, in that they are negotiated by the management and a 'labour organisation' with no worker recognition.

The EPZs or maquiladoras are characterised by unpaid overtime, sexual harassment, discrimination in employment, non-existent health and safety precautions, unfair dismissals and the denial of any organising rights. When EPZ companies leave Mexico, most do so without paying their employees the monies or benefits owed to them. Another problem is the dismissal of pregnant women. Most maquiladoras subcontract workers to avoid any responsibilities. Blacklists of trade unionists' names regularly circulate in the factories. The sector is currently in crisis, with hundreds of maquiladoras leaving Mexico to set up operations in China or Central America.

The law provides for the right to strike in the public and private sector. Article 123 of the Mexican Constitution states that "strikes shall be legal when their purpose is to establish equilibrium between the diverse factors of production, harmonising the rights of labour with those of capital. In the public services, workers shall be required to provide the conciliation and arbitration board (Junta de Conciliación y Arbitraje, JCA) with ten days' notice of the proposed date on which work is to be suspended. Strikes shall be regarded as illegal only where the majority of the strikers carry out violent attacks on persons or property, or, in the event of war, wherein the former belong to government bodies and departments".

In practice, employees in the public service may only call a strike in the event of a general and systematic violation of their rights set out in the Constitution. All strikes must have the support of two thirds of the workers in the public body concerned. The law enables the government to requisition workers in a national emergency, even when the cause is an industrial dispute.

Every year, thousands of strikes are called, of which only 0.3 per cent go ahead. The Labour Secretary claims that this is a sign of "industrial peace". In reality, the explanation lies in the complexity of the mechanisms for calling a strike and the workers' lack of confidence that the State will fulfil its obligation to defend the right to strike. In addition, employers often request that strikes be declared illegal, accusing the organisers of violating their own union statutes.

To prevent strikes from being declared illegal, trade unions constantly have to ensure that employers do not remove the machinery from the plants. The State or employers often deploy tactics to have a strike declared illegal, such as hiring strike breakers to provoke acts of violence and calling on the police to end the strike. Another ploy is to draw out the procedure for as long as five years by filing never-ending lawsuits to break the workers' resolve and make it impossible for them to meet their own and their families' needs. The government has also resorted to "requisitioning", which in practice means calling on government forces or strike breakers to take over the operations in workplaces. According to Article 123 of the Constitution, requisition is only permitted in times of war.

The last year of Vicente Fox's government was marked by an increase in the use of brutal force to suppress various forms of social protest. The disproportionate repression of a miners' strike in April 2006 was followed by brutal police violence in San Salvador de Atenco in early May and culminated in a wave of repression that engulfed Oaxaca throughout the second half of 2006. Many trade unionists were the victims of arrests, murders, and violence throughout the country. This climate of insecurity undermined trade union action, amidst activists' fears not only for their jobs but also for their lives.

At the start of 2006, Martín Barrios Hernández, the Chairman of the Human and Trade Union Rights Committee of Tehuacan was still being imprisoned in Puebla. He was released on 12 January, two weeks after being arrested by the state police on charges of blackmail, following accusations made by the owner of the maquiladora Calidad de Confecciones SA. Many labour activists around the world had signed a petition to the governor of Puebla to drop the charges against Barrios, who had helped the workers at the company organise themselves and defend their rights.

On 13 July 2006, members of the Protection and Highway Administration Secretariat arrested the lawyer and union leader William Santos Sáenz, who reported that he was then tortured and threatened with death by agents of the state police (PJE). That day had seen protests by 37 farmers from the Community of Caucel, in Mérida, against the state government, which was threatening to seize their communal lands and hand them over to business people. The arrested union leader had been defending these communal lands on behalf of the farmers.

On 9 August 2006, Professor Germán Mendoza Nube, a member of Local 22 of the CNTE, a founder of the Teachers Commission for Human Rights (COMADH) and a leader of the Popular Revolutionary Front (FPR), was arrested on his way home and brutally beaten despite being in a wheelchair. The arrest was carried out by more than 30 plainclothes officers of the Ministerial Police.

On 17 February 2006, the General Secretary of the national miners' union SNTMMSRM, Napoleón Gómez Urrutia, was dismissed from his post on the orders of the Minister of Labour Francisco Javier Salazar, who proceeded to impose the appointment of Elías Morales Hernández. The government also froze the bank accounts of the union, without taking the correct legal measures in such cases. These events, which were clear examples of direct government interference in trade union affairs and thus a violation of trade union autonomy, provoked a wave of protests by miners across the country. The union leader who was replaced had been a leading critic of the government and the transnational company Grupo México for their role in the Carbón 8 mine disaster in Pasta de Conchos, in which 65 miners died. In addition, the leader imposed by the government is not recognised by the workers since he has no record of defending their interests. He had been expelled from the union five years earlier. Two miners died and 41 were injured, two seriously, following the brutal evacuation on 20 April 2006 of the mining company Lázaro Cárdenas Las Truchas (Sicartsa), where the workers had been on strike and holding a sit-in since 2 April, demanding the recognition of the trade union leader Napoleón Gómez Urrutia and the withdrawal of that recognition from the imposed leader. In a disproportionate attack, 800 federal and state police were sent to confront around 500 workers. One of the workers who died was Héctor Álvarez Gómez, a trade union representative on the joint committee at Mittal Steel.

Throughout the second half of 2006 a series of labour, human rights and international and national trade union organisations condemned the wave of repression against the organisations protesting in Oaxaca. Those organisations included the National Education Workers Union (SNTE), via their representatives in local branches, who led these actions together with the Popular Assembly of the Peoples of Oaxaca, in support of their demands for more state investment in public education. The government did not seek peaceful forms of negotiation or dialogue but instead made excessive use of the police forces to suppress all the demonstrations; dozens of arrests were reported and at least three deaths as a result of the unrestrained violence.

On 25 March 2006, the union at the Children's Hospital in Puebla complained about a wave of unfair dismissals, threats, harassment and the failure to apply the collective agreement. Two members of the union were dismissed. One of them was locked in an office for a number of hours and forced to sign a letter stating that she was leaving the union. She was also threatened with being accused of being responsible for the death of a patient.

The union at the Mexmode factory in Puebla (SITEMEX) reported in March 2006 that the Human Resources Director was trying to set up a union of "trusted employees".

The Workers' Study and Action Centre CEREAL had received 578 complaints from workers by September 2006 concerning violations of workers' rights in companies including HP, Dell, IBM, Intel, Nokia, Philips, Sony Ericsson, Motorola, IBM and Sony. The most common breaches included cutting back collective agreements and obstructing collective bargaining, together with cases of discrimination, exposure to toxic substances, sexual harassment and other forms of ill-treatment.

On 11 July 2007, the management at the Johnson Controls plant in the FINSA industrial park in Puebla dismissed six workers for trying to form a union.

On Monday 9 April 2007, 29-year-old union organiser Santiago Rafael Cruz, was beaten to death at the offices of Farm Labour Organising Committee (FLOC, AFL-CIO) in Monterrey, Nuevo León, Mexico. Santiago had previously been working as a FLOC organiser in Toledo, Ohio for four years. Six weeks before his murder, he moved to Mexico to work as a full-time officer. He had been sleeping in a room at the FLOC offices whilst looking for permanent accommodation. Witnesses who had discovered his body told FLOC that Santiago had visibly been tortured by more than one person. There were no signs of robbery or that the office had been broken into. Eduardo Rodriguez Cervantes, one of the co-suspects in the murder of Santiago Rafael Cruz was arrested by the Border Patrol when trying to cross the border in Arizona. He was sent back to Mexico and handed over to the authorities in the State of Sonora, only to be released a few hours later.

In January 2008, 25,000 workers supported the national strike called in protest at the police presence at the Cananea copper mine. A strike had also been held in July 2007. January 2008 also saw the publication of a report concerning health and safety at the Cananea copper mine, denouncing the numerous hazards within this giant mining facility. The report included 72 corrective measures needed at the company.

The subcontracting of workers is a widespread practice in Mexico's electronics industry. They cannot join trade unions and face constant job instability and disregard for their basic labour rights, such as the right to holidays, etc. They have to work extremely long days at frenetic rates of production for low wages.

The CEACR (Committee of Experts on the Application of Conventions and Recommendations) has long been criticising and commenting on numerous articles of the Federal Law concerning State Employees that fail to comply with the provisions of the Convention, such as the imposition of a single union for State employees, which violates the right of workers to join or form the union of their choice. The CEACR has requested that the government of Mexico take the measures required to amend these legislative provisions, in order to bring them into line with the Convention.

The CEACR has noted that the requirement that any strike must be supported by two thirds of the public workers concerned is excessive, recalling that the procedures and majorities required should not be such that they make exercising the right to strike very difficult or impossible in practice.

The CEACR continues to remind the Mexican government that the reference "imminent danger to the national economy" is too wide and that restricting the right to strike under circumstances in which the national economy is affected could contravene the principles of the Convention, and that the requisitioning of striking workers carries the risk of abuse when it is used as means of bringing an end to labour disputes.

Conclusions: *Mexico has not ratified Convention 98 (Right to Organise and Collective Bargaining Convention, 1949). Despite the fact that the legislation in force grants workers the right to join and form the unions of their choice, the government systematically uses the complex registration procedures to systematically reject applications made by independent unions. There are numerous examples of government interference in trade union affairs that constitute violations of trade union autonomy. Although the right to strike is recognised by law, there are many obstacles to the exercise of that right in practice. These obstacles have led the supervisory bodies of the ILO to notify the government of Mexico that the restrictions on the right to strike in the country are too wide. The labour situation is dire in export processing zones, which are characterised by persistent rights violations, exceedingly long working hours, sexual harassment, discrimination, the absence of health and safety measures, unfair dismissals and the inability to organise in unions. The government frequently resorts to violence as a means of bringing an end to social and political disputes.*

II Discrimination and equal remuneration

Mexico ratified ILO Convention 100 (Equal Remuneration Convention, 1951) on 23 August 1952 and Convention 111 (Discrimination (Employment and Occupation) Convention, 1958) on 11 September 1961.

The law prohibits discrimination based on race, gender, disability or religion, but there are many shortcomings as regards the enforcement of this legislation.

The law establishes that women should enjoy the same rights as men and that they should receive equal pay for work of the same nature, with the same number of working hours, performed under the same conditions and with equal efficiency. In practice, however, women are usually paid less than their male counterparts, and as much as 50% less in many sectors.

Legislation protects pregnant women. Many employers, however, force women to take pregnancy tests as part of the pre-employment medical checkups. They also carry out systematic and continuous checks on the reproductive status of the women workers. Such measures are common practice particularly among export processing zone companies.

The law prohibits sexual harassment and establishes fines of up to 40 days wages for such offences, but the victims must press charges. The burden of proof falls on the victim. Although numerous reports confirm that sexual harassment in the workplace is widespread, the victims are generally reticent to press charges and most cases are consequently difficult to identify and prove.

Despite the fact that the law prohibits discrimination against people with physical and mental disabilities in employment, education, access to health care or other services, the Mexican government does not ensure that the provisions of the law are respected.

The law establishes protection for indigenous peoples, living mainly in Mexico's central and southern regions and which represent 37 per cent of the population in the states of Oaxaca and Yucatan, for example. The measures established by law, however, do not meet the needs and expectations of most indigenous communities, owing to budgetary constraints. Indigenous peoples have long been discriminated against, repressed and marginalised.

The CEACR has, for many years, been urging the Mexican government to indicate whether it is considering giving legislative expression to the principle of equal pay for men and women for work of equal value. The CEACR has reminded the government that the Convention goes further than the reference made in Mexican legislation to equal pay for equal work, making reference to the concept of work of equal value as the point of comparison. It has pointed out that to bring Mexican legislation into line with the Convention, it must give legislative expression to the principle of equal pay for men and women for work of equal value.

The CEACR continues to request that the government of Mexico indicate whether it has considered introducing easily accessible mechanism and forms of recourse against sexual harassment, and whether it has considered forms of recourse against sexual harassment in the workplace that do not result in the dismissal of the person harassed, as although that person may receive compensation, dismissing the victim of harassment is more of a punishment for the person harassed than the harasser, and could discourage victims from filing a complaint. The CEACR continues to remind the Mexican government that effective protection against discrimination in employment relies on recognition of the principle of protection against dismissal.

Conclusions: Mexico has ratified the two ILO Conventions aimed at combating discrimination in employment and promoting equal pay. Despite the fact that the national legislation prohibits discrimination on various fronts, the government does not ensure that these principles are respected. Women are often openly discriminated against in the workplace and receive lower pay than men – up to 50% lower in certain sectors. Pregnant women face discriminatory practices. Women face sexual harassment in the workplace but few cases are reported. People with disabilities and indigenous peoples are also openly discriminated against, and the government does not do enough to guarantee compliance in practice with the provisions of the legislation in force.

III Child labour

Mexico ratified Convention 182 (Worst Forms of Child Labour Convention, 1999) on 30 June 2000. It has not yet ratified Convention 138 (Minimum Age Convention, 1973).

The law protects children from exploitation at work and prohibits forced labour. According to the legislation in force, children under 14 are not allowed to

work and those aged between 14 and 16 can only work a limited number of hours, subject to parental consent, and must never engage in hazardous activities or night work. Mexico has not, however, enforced the content of this legislation. The National Institute for Statistics, Geography, and Information (INEGI) estimates that over three million children aged between 6 and 14 were working in Mexico in 2002. According to recent statistics, 16 percent of children aged between 5 and 14 are involved in some form of work.

Schooling is compulsory for 9 years and parents are legally responsible for ensuring that their children attend school. Although 91 per cent of children aged between 6 and 14 attend school, only 68 per cent complete the nine years of mandatory schooling. The law stipulates that schooling be conducted in the official language of Mexico, Spanish, without prejudice to the protection and promotion of indigenous languages. Many indigenous children, however, only speak their native language and the government does not provide sufficient numbers of teachers who are bilingual or who speak the indigenous language concerned.

The Labour Ministry and the Social Affairs Ministry are implementing programmes to prevent the exploitation of child labour and to promote the labour rights of children. They are also taking measures to combat the sexual exploitation of children. However, UNICEF points out that in spite of the progress made by the government in reducing child labour over the last ten years, it continues to be a serious and substantial problem in Mexico.

The CEACR (ILO Committee of Experts on the Application of Conventions and Recommendations) stipulates that the expression “worst forms of child labour” includes all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labour. The CEACR has brought to the Mexican government’s attention that by virtue of Article 1 of the Convention, any member state ratifying the Convention must take immediate and effective measures to ensure the prohibition and elimination of the worst forms of child labour for minors aged under 18. Accordingly, the CEACR has urged the government to step up its efforts to guarantee the protection of children under 18 against sale and trafficking for the purposes of sexual exploitation in general and prostitution in particular.

The CEACR has reminded the Mexican government that any form of work that, owing to its nature or the conditions under which it is done, is likely to affect the health, safety or morality of children, constitutes one of the worst forms of child labour and applies to all children aged under 18. It has also reminded the government that children aged 16 and over may only be authorised to work subject to strict conditions regarding their protection and the provision of prior information, in addition to prior consultation with the employers’ and workers’ organisations. Consequently, the CEACR has asked the Mexican government to provide information on the measures taken to ensure that minors aged between 16 and 18 are only authorised to perform hazardous work subject to the aforementioned prerequisites.

The CEACR is urging the Mexican government to provide statistics and information on the nature and scope of the worst forms of child labour, the progress made in eradicating it, the number of children protected by the measures taken, the

number and nature of the violations committed, the surveys carried out and the procedures used, as well as the convictions made and penalties applied.

Conclusions: *Mexico has only ratified one of the ILO Conventions concerning the fight against child labour. According to official statistics, over three million children work in Mexico. A large percentage of children do not finish compulsory education. The government does not, in many cases, guarantee education in languages other than the country's official language – Spanish. As a result, many indigenous children with their own language cannot successfully pursue their education.*

IV Forced labour

Mexico ratified ILO Convention 29 (Forced Labour Convention, 1930) on 12 May 1934 and Convention 105 (Abolition of Forced Labour Convention, 1957) on 1 June 1959.

Although the law prohibits forced labour, including forced child labour, this practice exists and can be found in rural and industrial sectors. Children and immigrants are the most vulnerable to this practice.

The law prohibits trafficking in persons but people are trafficked into, from and within the country. According to reliable reports, police, immigration and customs officers are involved in this practice.

Mexico is a destination, origin and transit country for persons trafficked for sexual exploitation. Most of the non-Mexican victims come from Central America and, to a lesser extent, from Brazil, Cuba, Ecuador, China, Taiwan, India and the countries of Eastern Europe. The victims are sent to the United States or to other destinations within Mexico. The government estimates that 20,000 children are sexually exploited every year. Sex tourism and the sexual exploitation of minors are significant problems in Mexico, especially on the northern border region and in tourist and recreational zones. Poor people and immigrants from Central America are the most prone to falling into the hands of people trafficking rings.

There are many reports of poor and uneducated people being lured by traffickers with the promise of a decent job, but once isolated and separated from their families, they are forced to work as prostitutes or in factories.

Many illegal immigrants fall into the hands of people traffickers near the border with Guatemala, where increasing numbers of gangs such as “Mara Salvatrucha” or “Barrio 18” have made this area particularly dangerous for immigrant women and children travelling north alone.

Conclusions: *Mexico has ratified both of the ILO Core Conventions concerning the prohibition of forced labour. The situation in the country, however, leaves much to be desired and forced labour is prevalent, including with regard to children. The trafficking of people is widespread and Mexico is a destination, origin and transit country for people trafficked for sexual exploitation.*

Conclusions and recommendations

1. Mexico, as a member of the ILO, must meet all the requests made by the organisation's supervisory bodies.
2. Mexico must urgently ratify Conventions 98 (Right to Organise and Collective Bargaining Convention, 1949) and 138 (Minimum Age Convention, 1973).
3. The procedures for registering independent trade unions in Mexico should be made less complex, so as not to restrict the effective exercise of a union's right to organise.
4. The excessive restrictions on the right to strike must be removed. To this effect, the government must comply with the requirements laid down by the supervisory bodies of the ILO, which have stated that the existing limitations on the right to strike are too wide.
5. The government of Mexico must ensure compliance with labour legislation in its export processing zones.
6. New measures are required to ensure compliance with the principles of the national legislation concerning the prevention of discrimination. The Mexican government must, therefore, implement the recommendations of the ILO supervisory bodies and ensure observance of the principle of equal pay for men and women.
7. Measures must be stepped up to promote the "protection against dismissal" principle in cases where sexual harassment in the workplace is reported, in order to enable victims to follow through with their complaints and to be able to prove the various cases.
8. Mexico must step up measures to fight the discrimination suffered by people with disabilities and indigenous communities.
9. The Mexican government should give all children the opportunity to receive compulsory education under equal terms and equip the education system with more teachers able to speak indigenous languages.
10. Cooperation between countries in the region must be stepped up to ensure that Mexico does not continue to be a transit and destination country for trafficking in persons for sexual exploitation.
11. Measures must be stepped up to combat the organised gangs abducting migrants for trafficking purposes, especially women and children, at transit points in various parts of the country.
12. In line with the commitments accepted by Mexico at the Singapore and Doha WTO Ministerial Conferences and its obligations as a member of the ILO, the Government should provide regular reports to the WTO and the ILO on its

legislative changes and the implementation of programmes related to core labour standards.

13. The WTO should draw the Mexican authorities' attention to the commitments they undertook to observe core labour standards at the Singapore and Doha Ministerial Conferences. The WTO should request that the ILO intensify its work with the government of Mexico in these areas and provide a report to the WTO General Council on the occasion of the next trade policy review.

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