

# Human Rights Centre Clinic

## Recovering the Indigenous City

**Partners:** Universidad Iberoamericana, Adequate Housing Clinic & National Autonomous University of Mexico (UNAM), Clinic of Indigenous Peoples' Rights

### About

The Adequate Housing Clinic is the first housing rights Clinic in Mexico, set up by the Universidad Iberoamericana and the Latin American Office of the Habitat International Coalition. Our main goal is to encourage reflection and litigation on the right to adequate housing with the active participation of students. We seek to deepen knowledge and understanding of adequate housing and the problems that hinder its realisation through student training, innovative research, and legal aid for vulnerable people in Mexico City.

The Clinic of Indigenous Peoples' Rights is part of UNAM's Legal Research Institute, an academic centre that brings together the largest number of law researchers in Mexico. The Clinic, composed of an Indigenous Council and an Operational Team, is a space for the exchange of knowledge and dialogue between students, indigenous communities, defenders, and researchers, which allows students to be trained based on the needs of Indigenous peoples, and at the same time to contribute to the development of strategic litigation. In addition to training students, the Clinic is involved in developing research projects focused on the advancement of the role of law and rights in efforts undertaken by Indigenous peoples to protect their cultures and territories.

### Project overview

The project aims to empower Indigenous peoples in Mexico City to defend their lands, livelihoods, and culture. Both partner Clinics have been working with groups and communities in Mexico City that face rights violations, and have identified a lack of research on the rights of Indigenous communities to access housing and land. The aim of this project is to fill this gap in research and provide Indigenous communities

in Mexico City with a systemic analysis of the legal framework, potential obstacles, and legal opportunities to defend their rights. The project will provide:

1. Research and a review of academic literature on Indigenous peoples in cities;
2. An overview of the current situation faced by Indigenous peoples in Mexico City, including their location, population, general problems regarding housing and communal property, and their defence strategies;
3. An analysis of the national and international legal frameworks that protect their housing, culture, and lands, to identify the most effective legal provisions and mechanisms to defend their rights;
4. A comparative study of international experiences that could help to guide local movements and defence of Indigenous rights.

The research will contribute to advocacy and litigation by both the Housing and Indigenous Peoples' Rights Clinics aimed at recovering the Indigenous city.

## **Background**

Indigenous peoples, since time immemorial, have lived in large cities. In our racialised societies, the myth that Indigenous peoples are only capable of building small rural communities has become widespread. In line with this myth, it is believed that these communities dispose only of precarious housing and few services, and that as a result inhabitants must uproot themselves and leave in order to seek work and housing in the large cities to which they do not belong. This false narrative obscures the incredible complexity and diversity of Mexico City and many other cities, which not only have a rich Indigenous past but a vigorous and complex present.

Mexico City is home to Indigenous communities and neighbourhoods seeking to maintain their traditional forms of political organisation and culture. However, numerous obstacles have made it difficult for them to occupy and govern their territories, as well as maintain their organisational structures: the imposition of private property on their communal lands, the advance of real estate and megaprojects promoted by governments and developers, the lack of support for their traditional institutions, and political violence, among others. While the Constitution of Mexico City recognises their fundamental collective rights, overdevelopment has contributed to their displacement and occupation of their spaces.

Against this background, this project aims to provide tools and information for the defence and advocacy of the rights of the Indigenous peoples of Mexico City.

## **Project output**

A member of the Clinic of Indigenous Peoples' Rights will work with a team of students from the Adequate Housing Clinic and the Essex Human Rights Centre Clinic to produce a report (totalling approximately 10,000-12,000 words) which will cover the following issues:

- Analysis of legal provisions in international human rights law (IHRL) protecting Indigenous peoples' rights, with a specific focus on the rights to adequate housing and the right to land;
- The role of the the rights to adequate housing and the right to land under IHRL in protecting the Indigenous right to the city – consideration and analysis of other relevant IHRL provisions;
- Experiences of international advocacy and litigation to uphold the housing and land rights of Indigenous peoples in the context of the expansion of private property and real estate;
- Assessment of the effectiveness of IHRL provisions and bodies at protecting the rights of Indigenous peoples to collective property, housing, and lands in city contexts.

The report will provide Indigenous peoples with vital information about strategies and comparative experiences for defending their lands, life, and cultural heritage. The report will contribute to further advocacy and litigation by both the Housing and Indigenous Peoples' Rights Clinics.

The team will submit a 1,000-2,000 word blog in May 2026.

## **Timeline**

Phase 1: November – December 2025:

- First general meeting: introducing the project, methodology, and team;
- Understanding the scope of the project and developing a report outline based on preliminary research;
- Outline and bibliography to be submitted to the partner organisation for comments;
- Second general meeting: update of the progress on the project.

Phase 2: January – March 2026:

- Research and analysis of information;
- Student team meetings;
- Third general meeting: on research and data gathering;
- Submission of the first full draft to the partners.

Phase 3: April – June 2026:

- Revision and finalising the report;
- Presentation of project to the partner organisations;

- Fourth general meeting: group discussion, sharing experiences of the project and feedback;
- Blog for the partners, on their site or another platform, about the main findings of the project.

## Initial reading

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11. Velázquez, Z., Alejandro and Olivares, D., Martha, (2022). "Ciudad pluricultural: Límites y alcances del reconocimiento de derechos en los pueblos originarios de la Ciudad de México en la Constitución local, las leyes secundarias y los actos de gobierno." en Anuario de Espacios Urbanos, Historia, Cultura y Diseño, (29), 43–64. Available at: <https://espaciosurbanos.azc.uam.mx/index.php/path/article/view/368>
12. CESCR General Comment 26 on land <https://www.refworld.org/legal/general/cescr/2022/en/149235>
13. Wilson, S. (2020). "Chapter 10: The right to adequate housing". In Research Handbook on Economic, Social and Cultural Rights as Human Rights. Cheltenham, UK: Edward Elgar Publishing. <https://doi.org/10.4337/9781788974172.00018>

## Focal point

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