



# Mexico Report

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## Sustainable Governance Indicators 2022

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## Executive Summary

Considering Mexico's experience with military and corporatist autocratic rule, the country has made significant progress over the last three decades with regard to electoral competition and its overall regulatory environment, including market-oriented reforms. Economic and political elites, as well as an increasing share of the middle-class, are technically well qualified, and have gained knowledge on how best to organize the country's political, economic and social frameworks. Mexican policymakers at both the national and regional levels are often well trained, internationally experienced and regularly equipped with high-level qualifications from high-quality universities. Mexico's tertiary-education system is increasingly competitive internationally as are several major firms, including an increasing number in the manufacturing sector.

At the same time, Mexico suffers from structural problems that are uncommon among most other OECD countries. These challenges mainly relate to the extremely unequal distribution of social benefits and services among the population, such as security and social opportunities. Moreover, the ongoing violent conflicts caused by organized crime has produced a tremendous death toll, and seriously constrains basic human rights. The resulting cleavages between geographic regions, especially north and south Mexico, rural and urban areas, and social classes are among the most pressing barriers to further socioeconomic progress. In addition, uneven state and administrative capacities, both geographically and across policy sectors, often undermines the effective and coherent implementation of policies.

In comparison to many other OECD countries, Mexico's GDP growth over the last decade was rather slow, the socioeconomic situation was marked by considerable inflation, the lowest tax-to-GDP ratio of any OECD country, and persistently high levels of poverty and inequality. There is a lack of competition in key domestic sectors, while the labor force remains low-skilled, and the economy is heavily export-oriented and tied completely to the U.S. economy. Severe socioeconomic problems have been aggravated by the COVID-19 pandemic. Poverty rates and inequality have been rising, and the coronavirus pandemic hit the country hard from a public health perspective, leading to hundreds of thousands of deaths. Unlike other countries, Mexico responded to the social and economic challenges of the pandemic with a

highly conservative spending policy. The primary focus on austerity – perhaps against the background of the severe macroeconomic crises in the 1970s, 1980s and 1990s – made the situation worse for many people, and resulted in the worst economic slowdown since the Great Depression.

Internationally, Mexico has been oriented toward multilateral arrangements, in economic and political terms, and is committed to the Sustainable Development Goals (SDGs) and the Paris Climate Agreement, and cooperation with international financial institutions. However, Mexico lacks the capacity and influence to promote its own global governance initiatives.

Upon taking office, President López Obrador promised a comprehensive renewal and reform of the country, which suffers from deep-seated structural problems in almost all policy areas. The president called this the “fourth transformation.” Compared to previous administrations, his policy approach can be described as “unorthodox” and populist, as he branded opponents from different camps, regardless of their political orientation, as “elitist” and “neoliberal,” which increased political polarization. Moreover, the government sought to weaken the autonomous and semi-autonomous institutions of the state and civil society.

In addition to the effort to bring forward three mega-infrastructure projects – the Tren Maya, the Dos Bocas refinery, and the construction of a new airport outside Mexico City – President López Obrador’s policies focused on a turn toward the lower classes, “putting the poor first.” However, it cannot be said that these people particularly benefited under his presidency.

Neither economically nor politically essential improvements have been in evidence. Instead, next to continuing socioeconomic problems, the security situation continued to deteriorate due to failures in the rule of law, including the persistence of systemic violence and corruption. In particular, the war on drugs has led to a situation of high levels of state fragility and even state failure in several Mexican regions. President López Obrador’s response was to rely on the military, which has further militarized Mexico. In the context of human and civil rights, President López Obrador personally pursued a line of social conservatism, reflected in his difficult relationship with the feminist movement and the abortion issue, while courts and regional governments helped improve the situation for minorities by liberalizing abortion. Furthermore, President López Obrador pursued an anti-progressive policy in the area of the energy transition, relying primarily on fossil fuels and hindering the expansion of renewable energies.

A central problem is the populist and anti-institutionalist approach taken by President López Obrador, which has undermined institutions of horizontal accountability. The Supreme Court, the SNA anti-corruption office and the Ombudsman's Office have been filled with MORENA affiliates allies, and the still-autonomous INE electoral institute is constantly under attack. Fears at the beginning of President Manuel Andrés López Obrador's term that there might be an erosion of democracy proved to be correct; President López Obrador is undermining democracy in a populist manner.

Citation:

Greene, K. (2018). Mexico's Party System Under Stress. *Journal of Democracy* 29, 4, October: 31-42.

Sánchez-Talanquer, M./Green, K. (2021). Is Mexico Falling into the Authoritarian Trap? *Journal of Democracy* 32, 4, October 2021: 56-71

## Key Challenges

The elections on 1 July 2018 led to considerable changes in the political landscape. The clear winner was Andrés Manuel López Obrador of MORENA with 53% of the popular vote. Cleavages in the country do not follow a left-right scheme, but rather one of populism versus non-populism, or López Obrador versus the "others." In the 2021 midterm elections, this political cleavage was further cemented with slight losses for MORENA.

The government's main challenges have not changed, but some have to be added. First, the security situation remains a central challenge. The presence of violent crime, human rights violations and rampant corruption have not been altered by President López Obrador. The rule of law continues to be weakened by an ineffective judicial system. Violence and crime, corruption, and impunity continue to undermine the rule of law. In corruption-related crimes, impunity reaches 98% and for homicides impunity reaches 97%. Corruption is widespread in Mexican politics, the judiciary and the police, and although the government has made anti-corruption efforts a central issue, little has changed. The disappearance of 43 students from the Ayotzinapa teacher-training college is indicative, and remains unresolved. Although President Andrés Manuel López Obrador has established a truth commission, the commission has made little progress.

Second, ongoing socioeconomic problems persist, and poverty and inequality rates are high. President López Obrador has this issue made the central issue of his government, but the COVID-19 pandemic increased socioeconomic problems. Mexico was seriously hit by the pandemic, with one of the world's

highest death rates, producing the worst economic crisis since the 1930s. In December 2021, 76% of Mexicans said they did not approve of the government's handling of the COVID-19 pandemic.

Additionally, the populist, anti-institutionalist approach by President López Obrador has undermined democracy. His efforts to concentrate power in the presidency have weakened checks and balances, horizontal accountability and autonomous state institutions. President López Obrador's authoritarian ambitions have been limited largely by the weakness of the state. The state is not able to fulfill core functions, and public bureaucracies are often underfunded, understaffed and unprofessional, hence effective governance is severely limited.

Despite all of these problems and the government's poor management of the COVID-19 pandemic, President López Obrador remains quite popular. With an approval rate of 65% in November 2021, he had little reason to fear the recall referendum scheduled for April 2022.

Opposition forces, the international community, autonomous bodies and civil society groups have to work together to guard against further democratic erosion. On a political level, opposition parties have already built alliances for the 2021 midterm elections to stop MORENA's success. Results have demonstrated the polarization in Mexico. While MORENA and its supporting coalition failed to gain a supermajority, the government still has a simple majority in Congress, and controls 17 out of 32 states along with a considerable number of municipalities.

The government of President López Obrador is facing several serious challenges simultaneously. Mexico, a country whose GDP is among the top 20 in the world, is still affected by issues that normally plague the globe's poorest war-torn countries, and concerns about further democratic erosion have to be taken very seriously.

## Party Polarization

At the time of this writing, Mexico has seven recognized political parties. Registration barriers for new parties are high. On the national level, three party blocs have dominated politics in recent years. The main political parties are the right-of-center National Action Party (PAN), the centrist Institutional Revolutionary Party, the left-wing party of the Democratic Revolution (PRD)

and National Regeneration Movement (MORENA). In addition, several smaller or regionally affiliated parties play a modest role, such as the Labor Party (PT) and Mexican Green Ecological Party (PVEM).

Although there are substantial ideological differences between the parties (especially on economic issues), cooperation, alliances and coalitions are not uncommon, especially after the Institutional Revolutionary Party (PRI) lost its hegemonic position following democratization.

Following the 2018 elections, President Andrés Manuel López Obrador held a majority in the Senate and the Chamber of Deputies, the first unified majority government since democratization in 2000. In the midterm elections in 2021, the governing coalition lost its supermajority, which is needed to change or amend the constitution, but was able to keep a simple majority.

The three dominant party blocs today are MORENA on the left, PAN on the right and PRI in the center. A centrist PRI could play a pivotal role as a coalition partner between the left and the right in future negotiations.

Polarization has increased during the term of President López Obrador, because MORENA regards itself as a game-change in Mexican politics. One example is the national electoral institute INE's refusal to register Mexico Libre, a new party created by former president Felipe Calderón and his wife, Margarita Zavala. Zavala claimed that the government pressured INE to make this decision in order to avoid competition. However, as long as the government has a majority, cross-party cooperation will be limited. Opposition parties have been insulting, ridiculing and condemning President López Obrador as corrupt for most of his first three years in office. Observers speak of a "politics of confrontation" in Mexico. (Score: 6)

Citation:

Greene, K. (2018). Mexico's Party System Under Stress. *Journal of Democracy* 29, 4, October: 31-42.

# Sustainable Policies

## I. Economic Policies

### Economy

Economic Policy  
Score: 5

In comparison with most other OECD countries, Mexico's GDP growth over the last decade has been rather slow. This situation was due to the fall in international oil prices and the increasing uncertainty over Mexico's future of economic relations with the United States. In particular, the renegotiation of the North American Free Trade Agreement (NAFTA) added major doubts to this difficult situation. These doubts were finally addressed when Mexico reached a trilateral agreement with the United States and Canada in the summer and fall of 2018. In June 2019, Mexico ratified the new United States, Mexico and Canada Agreement (USMCA), which came into force on 1 July 2020.

López Obrador (commonly known as AMLO), who is a proponent of economic nationalism, pledged to achieve an average growth rate of 4% in each year of his presidency until 2024. Halfway through his term, this goal can be seen as unrealistic and impossible to meet. The coronavirus crisis hit the country hard. While GDP fell massively by 8.31% in 2020, the Mexican economy was able to grow again by 6.25% in 2021. However, this is still short of the level seen before the coronavirus pandemic. However, AMLO has already made it clear that his government will not focus so much on economic growth, but on improving the quality of life of the people in general. He described his motto as a departure from "growing for the sake of growing, but rather growing with well-being."

Mexico has the OECD's lowest tax-to-GDP ratio. For decades, the country's low fiscal capacity was mitigated by oil revenues. The 2014 tax reform aimed to reduce the country's dependency on oil revenues by cutting expenditures and raising non-oil revenues. The public debt anticipated in the reform, however, assumed an ambitious GDP growth rate, which did not materialize.

Furthermore, the government assumed that an increase in oil prices would compensate for any revenues not collected. While this was a reasonable assumption at the time of the reform, it did not accomplish the goal of increasing fiscal autonomy from oil revenue. The debt-to-GDP ratio reached an all-time high of 57.6 %. However, this increase was mainly due to the additional expenditures resulting from the coronavirus pandemic. These expenditures were much lower in Mexico than in other countries. Under Lopez Obrador's government, an unexpectedly conservative course in spending policy was thus pursued.

Despite ongoing reforms geared toward boosting productivity, the microeconomic picture is less positive. There is a lack of competition in key domestic economic sectors. Mexico remains a low-skilled, export-oriented economy tied to the U.S. market. The uneven distribution of income is among the worst in the OECD. High levels of corruption and violence are also severe impediments to inclusive economic development. However, the travel and tourism sectors, which account for a significant share of GDP, are growing despite the high rate of violence in some parts of the country.

Citation:

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## Labor Markets

Labor Market  
Policy  
Score: 4

The crucial challenge for Mexico's labor economy is the division of the labor market into formal and informal sectors. The informal sector consists of companies and individuals that are not legally registered for taxation and national insurance, and that largely escape both the advantages and disadvantages of legal regulation. According to government estimations, this segment of the workforce accounts for more than 50% of the economically active population. By OECD standards, the size of the informal sector is very large. Moreover, Mexico is the only OECD country without a national system of unemployment insurance. Many small companies inhabit a twilight world in which they have both lawful and extra-legal features.

The coronavirus pandemic caused more than 10 million people, mostly employed in the informal sector, to lose their jobs temporarily. According to the national statistics institute, the unemployment rate in the second quarter of 2020 was 4.53%, up from 3.65% in 2019. Furthermore, average pay in Mexico is the lowest among the 35 OECD countries. During the coronavirus pandemic, the Mexican government was criticized for doing too little to protect jobs, due to its general focus on austerity.



A labor market reform has been initiated as a major project of the Mexican government. Its intentions are to strengthen workers' rights and democratize workers' organizations. The adoption of such a reform was a U.S. condition in the negotiations for the USMCA. However, the AMLO administration has focused primarily on the fight against labor outsourcing, which is not required by the USMCA. Outsourcing affects 23% of all jobs, and according to a study by the Colegio de Mexico, mainly has the effect of reducing the informal sector. After employer associations complained about the government's plans, they were able to reach an agreement with the government that reduces the scope of the reform to the worst examples of outsourcing.

Citation:

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## Taxes

Tax Policy  
Score: 4

Tax policy, tax reform and the insufficiency of tax collection have been on the political agenda in Mexico for at least the past 50 years. During this long period there has been little progress either in collecting more tax revenue or making the tax system more equitable. While some may argue that the low level of taxation has been helpful for Mexico's international competitiveness, increasing taxation is necessary for improving public good provision by the Mexican government.

Despite some reform measures, Mexican tax collection remains between six and eight percentage points of GDP short of where it should be given the country's current level of development. Tax evasion and tax avoidance in the formal sector is one cause, as is the large size of the informal sector, which is notoriously tax resistant.

It has been asserted that as an oil-exporting country, Mexico should earn a significant amount of public revenue by taxing oil income. However, Mexico's exportable oil surplus has declined due to falling production, a collapse in global oil prices and an increase in domestic oil consumption. Furthermore, López Obrador announced that the government would reduce the fiscal burden on Pemex, the state-owned oil company, which is highly in debt.

Overall, further efforts are needed to better coordinate income tax collection with social security, improve the use of property taxes and broaden the overall tax base.

During the coronavirus crisis, the Mexican government showed itself unwilling to help companies severely affected by the pandemic by providing tax relief. This set the government apart from most others in the world, and did not strengthen state legitimacy or trust in government during this period of severe crisis.

Citation:

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## Budgets

Budgetary Policy  
Score: 6

Given the country's history of severe macroeconomic imbalances until the 1990s, fiscal stability has been a very strong policy priority for the past several administrations, primarily in order to avoid a repetition of the 1982 debt crisis or the "Tequila Crisis" of 1994. Consensus among the major political actors is significant on this matter.

However, Mexico's fiscal stability continues to be under threat as a result of the collapse in global oil prices through 2014 and 2015. Although most oil production is consumed domestically, oil exports are a significant source of public revenue given the state-owned structure of Mexico's oil industry. The recent fall of oil prices have motivated tax changes and the reduction of energy subsidies. This has been partially relieved with financial instruments that guarantee a minimum price.

In September 2019, the new government announced its first self-drafted budget plan for 2020. Under the new plan, Finance Minister Arturo Herrera promised to "generate macroeconomic stability, financial certainty and to strictly adhere to fiscal discipline." This statement is representative of a general policy of austerity that continues to be maintained by the Mexican government. Although President AMLO belongs to the left-wing political camp, his government has pursued a course of fiscal conservatism, or what it calls "republican austerity."

When, during the coronavirus crisis, even governments with a responsible spending discipline abandoned their austerity course and invested huge sums to rescue their economies, often substantially increasing social spending, the Mexican government responded with only minor additional spending.

Autonomous institutions and local and regional administrations have been particularly affected by the austerity course, and have demanded a halt to the government's strict austerity course. For this reason, the AMLO administration has been accused of pursuing a course of recentralization with the goal of allocating more power to central government agencies.

Citation:

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### Research, Innovation and Infrastructure

R&I Policy  
Score: 3

Overall, national spending on research and development (R&D) continues to be very low in comparison with other OECD countries and is inadequate for an economy the size of Mexico. Over recent years, public spending remained stable but the more important private sector spending on R&D has been very low and is the lowest of any OECD country. The private spending is dominated by large companies in a small number of sectors. Mexico has by far the lowest number of researchers per 1,000 employees of any OECD country.

In 2020, Mexico was ranked 60th out of 190 countries on the World Bank's Ease of Doing Business index, featuring low performance in components such as paying taxes, registering property, getting credit and having access to electricity. These conditions play against the attractiveness to create and fund startups in the new economy.

In a non-binding referendum in October 2018, a majority voted against the continued construction of the already partially built Mexico City Texcoco Airport. Following the referendum, the project was canceled by AMLO, despite opposition from the business sector. These and other sometimes abrupt decisions by the AMLO administration have led to a significant deterioration in the country's investment climate.

In April 2019, the president presented plans for the construction of a new airport at the Santa Lucía air base, 50 kilometers from Mexico City. This project, the construction of the Dos Bocas refinery by the state-owned oil

company Pemex and the construction of the Tren Maya, a new 1,525-kilometer train line in the southeast of the country, are flagship projects of the Mexican government. The three projects are seen as exemplifying the “fourth transformation” announced by AMLO, and are to be carried out regardless of difficulties. According to AMLO, they are at the center of “public interest and national security.”

Citation:

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### Global Financial System

Stabilizing  
Global Financial  
System  
Score: 6

Given its experience with severe financial crises, Mexican governments over the last two decades have been keen to improve the regulation of the domestic financial sector. As a consequence, domestic financial regulation improved substantially, though it remains far from optimal. Mexican governments have also embraced an international effort to halt financial flows related to illegal drug production and trafficking. As part of its anti-drug smuggling policies, for example, money laundering has become more difficult. Yet as the prevalence of destabilizing domestic drug-related conflicts shows, the government is far from achieving its internal goals related to drug production and money laundering.

Despite government efforts, dealing with major financial inflows from illegal drug-related activities remains a major challenge in Mexico. On the positive side, the performance of Mexican banks (e.g., regarding the percentage of non-performing loans or banks’ risk-weighted assets) is currently in the midfield of the OECD average, according to IMF statistics. There may indeed be a danger of going too far the other way, since the lending policies of the country’s largest financial institutions have sometimes been criticized as being too conservative, constraining domestic economic growth.

The government has also more actively participated in international trade negotiations in an attempt to diversify the Mexican economy and reduce its dependence on the United States. While the government has had some success in this respect, the Mexican economy remains heavily dependent on its northern neighbor. Following doubts regarding the continued existence of the North American free trade area (which have subsequently been dispelled with the new announcement of a revised free trade agreement between Mexico, the United States and Canada), this situation will not change in the foreseeable future.

President López Obrador said in March 2019: “We formally declare the end of neoliberal policy, coupled with its economic policy of pillage, antipopular [action] and surrender. Both things are abolished.” While such a statement could be interpreted as meaning a substantial reversal in Mexico’s relationship with international markets, there has as yet been no sign of a turnaround in practice.

Citation:

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## II. Social Policies

### Education

Education Policy  
Score: 3

Mexico’s education system is relatively weak despite significant public investment in the sector. According to the 2021 OECD Overview of the Education System, education spending in Mexico in 2018 (last year with available data) was 4.6% of the country’s GDP (the OECD average is 4.9%). Mexico’s per student expenditure (,918 in 2018) was the lowest of all OECD countries. This can explain to a great extent why student performance is lower than in most other OECD countries. What is clear is that rising student numbers will require an increase in overall funding. Also, there are strong regional differences in education and some states are continuously failing to cope with national minimum standards in education at the primary and secondary levels.

López Obrador promised that he would replace his predecessors’ reform proposals with his own and increase public education spending. After lengthy negotiations, an education reform package was passed in May 2019. The reform eliminates the Instituto Nacional para la Evaluación de la Educación (INEE), a highly criticized evaluation facility for teacher performance; makes preschool education (from 0 to 3 years) mandatory; and states that the state must guarantee access to higher education.

The higher education sector faces several major challenges. Mexico’s student population increased from 2 million students in 2001 to 4.5 million in 2018. Universities need to adapt to this higher level of demand, and align their study programs with the needs of a developing and diversifying economy.

Nevertheless, the tertiary enrollment rate is still far below comparable figures in other major Latin American countries. As in most other countries in the region, private education in Mexico is generally of much higher quality than public education. At every level, privately educated students typically outperform students enrolled in public schools.

Like other areas of public life, the education system was hit hard by the coronavirus pandemic. Poorer pupils and students were particularly hard hit by university and school closures. This was in part due to the very uneven access to technology, which made it impossible for many pupils and students to attend classes. This was accompanied by further deterioration in and vandalization of school buildings. The Mexican education system will probably need years to recover from the consequences of the coronavirus pandemic.

Citation:

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## Social Inclusion

Social Inclusion  
Policy  
Score: 4

Mexico is a socially hierarchical society along a number of dimensions: educational, racial and financial. Mexican governments have not been capable or willing to bring substantial change. Moreover, the Mexican state is too weak to carry out major social reforms and there is strong resistance against wealth redistribution. Among OECD countries Mexico has one of the highest income concentration indexes, with a Gini coefficient of 0.45 in 2018 (according to the World Bank).

A government policy to address extreme poverty and the lack of adequate sources of food, the Cruzada Nacional Contra el Hambre and its Food Support Program, has been in place since 2012. The policy was intended to reach more than seven million people and has been praised for its effectiveness. It created a database of beneficiaries who were not receiving cash transfers through other government agencies. Since taking office, President López Obrador has also pursued a poverty-centered policy. He calls this “putting the poor first.”

But despite some measures like expanding scholarships for low-income students and transfer payments for people with disabilities, he has not yet been able to celebrate any great successes in this regard. The number of people living in poverty increased by 3.8 million between 2018 and 2020, making a

total of 55.7 million. This was an increase from 41.9% to 43.9% of the total population. The percentage of the population living in extreme poverty also increased from 7% to 8.5%. This was largely due to the social upheavals caused by the coronavirus crisis.

President Lopez Obrador does not seem to prioritize the inclusion of other disadvantaged populations. His relationship with the LGTBQ+ movement is complicated, and he is often accused of macho behavior and outdated views.

Citation:

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## Health

Health Policy  
Score: 4

Overall, public spending on healthcare is comparatively high but the quality of healthcare varies widely across Mexico, with different regions showing broad variation in the quality and variety of services available. Private, self-financed healthcare is largely limited to middle-class and upper-class Mexicans, who encompass roughly 15% of the total population, but receive about one-third of all hospital beds. Around one-third of the population (most of whom work in the formal sector) can access healthcare through state-run occupational and contributory insurance schemes such as the Mexican Social Security Institute (Instituto Mexicano del Seguro Social, IMSS) and the State Employees' Social Security and Social Services Institute (Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado, ISSSTE). These are based on automatic contributions for workers in the formal sector and, in practice, work reasonably well, although with some variation across different parts of the country. The system has been decentralized to the states. In 2016, a National Agreement Toward Health Service Universalization was signed, which aims to ensure portability across providers.

Public health issues are aggravated by the lack of access to quality health services. Though most Mexicans are affiliated with the different sources of healthcare providers, including public and private, there are still issues of quality that negatively affect public health. The government has been attempting to make healthcare more affordable and extend it to more people outside the formal sector. In order to expand the insurance principle, in 2003 the government set up the so-called Popular Insurance (Seguro Popular) program, which was open to contributors on a voluntary basis, with means-

tested contributions from citizens supplemented by substantial government subsidies in order to encourage membership. According to experts, the program was widely successful. By 2017, the percentage of uninsured people had decreased from 50% to 21.5%. However, there were still substantial problems in terms of funding, and serious transparency deficiencies.

In August 2019, President López Obrador announced a new program to improve the healthcare system. The Instituto de la Salud para el Bienestar (INSABI) was founded, replacing the previous decentralized Popular Insurance program. This new institution is supposed to improve healthcare provision for citizens that are unable to access existing social security systems. However, some experts have been critical, noting that the centrally organized INSABI will lead to further centralization and greater control of resources by the government.

With the world's third-highest number of deaths during the coronavirus pandemic, Mexico's healthcare system was hit hard. During the fight against the spread of the coronavirus, there were serious accusations from the opposition that the government was contributing to unnecessary deaths through negligent behavior, as well as through the politicization of the coronavirus vaccination campaign.

Citation:

[https://www.latinnews.com/component/k2/item/80361.html?archive=33&Itemid=6&cat\\_id=817617:mexico-rowing-back-on-healthcare-sector-austerity](https://www.latinnews.com/component/k2/item/80361.html?archive=33&Itemid=6&cat_id=817617:mexico-rowing-back-on-healthcare-sector-austerity)

<https://www.americasquarterly.org/content/amlos-false-sense-austerity>

[https://www.latinnews.com/component/k2/item/88004.html?archive=33&cat\\_id=825090:mexico-growing-evidence-of-pandemic-mismanagement](https://www.latinnews.com/component/k2/item/88004.html?archive=33&cat_id=825090:mexico-growing-evidence-of-pandemic-mismanagement)

## Families

Family Policy  
Score: 4

As in most other areas of Mexican social policy, social divisions are pronounced in the area of family policy. On the one hand, educated and urban Mexicans are broadly supportive of women's rights, as is the political class. Recent political reforms require registered political parties to have a quota of women included as a part of their election slates. In addition, educated women are increasingly participating in the labor market and quite a large number of professionals are women. However, women are strongly underrepresented in top business positions. Less than 10% of seats on boards are held by women, a low level compared to other OECD countries, providing a strong argument in favor of at least temporary gender quotas.

With regard to the poorer segments of the population, gender equality is progressing even slower. Poorer Mexicans tend to have larger families and



face fewer opportunities for women in the labor market. Also, old-fashioned “macho” and conservative Catholic attitudes from the past make it harder for lower-class women to progress. Moreover, lower-class women are more active in family businesses and in the informal economy, where incomes tend to be lower, and where it is hard for them to access state benefits. The main problems facing working class women have to do with dysfunctions in public services including health, education and transportation. There is a huge demand for expanding early childcare and preschool coverage and extending the length of paternity and maternity leaves. Moreover, paternity leave policies are more an exception than a rule in Mexico and still regarded as unnecessary by most businesses and organizations. This reinforces a gender bias in child rearing and discrimination of women in the workplace.

In the early 2000s, SEDESOL created a program aimed at early childhood development that provide childcare for children of men and women in poverty five days a week. Though the program is not universal, there is some evidence that it provides advantages to enrolled children, even if the extent of childcare in comparison to OECD countries is quite low.

According to official records, more than 60% of women have experienced some type of violence in their lifetime. On average, seven women were killed in Mexico every day. It must be assumed that the number of unreported cases is much higher. The exceptionally high number of disappeared women in the northern state of Chihuahua and the central state of Estado de Mexico, many of whom are presumed to have been murdered, has led to the international use of the term “femicide” to describe this form of disappearance. Many of these disappeared women were likely the victims of sex crimes, but many more have been victims of family honor killings.

President López Obrador proposed a referendum in January 2021 to vote on legalizing abortion. He himself has not taken a concrete position on this issue. However, before the referendum could take place, a ruling by the Supreme Court ensured nationwide legalization.

Citation:

[http://www.inegi.org.mx/saladeprensa/aproposito/2016/violencia2016\\_0.pdf](http://www.inegi.org.mx/saladeprensa/aproposito/2016/violencia2016_0.pdf)

<http://www.animalpolitico.com/2014/03/permiso-de-paternidad-en-mexico-unas-mini-vacaciones-pagadas-de-5-dias/>

[https://ac.els-cdn.com/S1665114616301617/1-s2.0-S1665114616301617-main.pdf?\\_tid=be22bb40-e2cf-11e7-ae06-0000aab0f27&acdnat=1513476933\\_1b3cb11d76a482e57d9c4f638c2232f8](https://ac.els-cdn.com/S1665114616301617/1-s2.0-S1665114616301617-main.pdf?_tid=be22bb40-e2cf-11e7-ae06-0000aab0f27&acdnat=1513476933_1b3cb11d76a482e57d9c4f638c2232f8)

<https://justiceinmexico.org/femicidesinmexico/>

[https://elpais.com/sociedad/2019/11/21/actualidad/1574372158\\_615125.html](https://elpais.com/sociedad/2019/11/21/actualidad/1574372158_615125.html)

<https://amerika21.de/2021/09/253894/schwangerschaftsabbruch-mexiko-legal>

## Pensions

Pension Policy  
Score: 6

Mexico is slowly shifting from a pensions system based on contributions and corporate identity to one that is more universalistic in character, operated by government-approved financial agencies called AFORE (Administradoras de Fondos para el Retiro). Some Mexican states have in recent years introduced noncontributory old-age pensions based on universal eligibility. Mexico is in a relatively advantageous position to introduce reform in that its birth rate peaked in the 1970s, which has led to a reduction in children's demands on the public sector. At the other end of the demographic balance, Mexico still has a relatively low proportion of old people. As this comparatively privileged position will eventually change for the worse, there has been substantial pressure to reform the pension system. In 2020–2021, the Mexican government fundamentally reformed the pension system for the first time since 1997. The reform provides for pensions that up to 40% higher for the average worker, and was supported by large sections of employee and employer groups. At the same time, it calls for substantial increases in pension contributions, by employees as well as by employers and the government.

One of the key problems with the old pension system in Mexico was its low coverage: In 2016, only 27% of the working age population had a pension account. It remains to be seen how the new pension system will perform in this regard, but the incentive structure in the new system should work in the right direction regarding the expansion of coverage.

Citation:

<https://www.latinnews.com/component/k2/item/85184-mexico-makes-progress-amid-rare-respite-from-polarisation.html>

<https://globalnews.lockton.com/mexico-to-reform-social-security-pension-system/>

## Integration

Integration Policy  
Score: 3

Mexican integration policy remains weak to nonexistent. The dominant cultural narrative in Mexico tends to assume that migration means emigration. Mexico was and remains a major source of emigration, but has not effectively addressed problems related to immigration that have been steadily increasing during the last 15 to 20 years. There are serious problems related to migrants entering Mexico from Central America, but also from Haiti, and many Asian and African countries, with most seeking entry to the United States and a minority wanting to stay in Mexico. Few are able to acquire formal documentation. In their desperation, such people are often preyed upon by criminals or even recruited into local drug gangs. Homicide rates are also high

among this group. The Mexican authorities mostly do not welcome this kind of immigration and do their best to discourage it. However, there is no effective integration, transit or migration policy to deal with these issues. Mexican authorities also downplay the incidence of criminal attacks on Central American immigrants, although the international media has cast a spotlight on this population's predicament.

The number of asylum applications rose sharply in 2021 in particular. At 108,195, almost three times as many people applied for asylum as in the previous year. However, applications are being processed very slowly, which further exacerbates the situation of asylum-seekers. The number of undocumented migrants has also increased dramatically. The "Remain in Mexico" program was set up in cooperation with the Trump administration in the United States, and continued under the Biden administration. Under this program, people who apply for asylum in the U.S. from Mexico will remain in Mexico until they receive an appointment with U.S. migration authorities.

Contrary to what emerges from the media, more Mexicans have been leaving the United States since 2008 than have emigrated to the United States. A particular problem is that of "returnees" (i.e., young Mexican nationals or children of Mexican nationals who come to Mexico after living in the United States, either voluntarily or through deportation). This issue becomes particularly relevant as the Trump administration decided to terminate DACA. Many of these students are not fluent in Spanish and have problems integrating into Mexican schools since they have studied under a different school system utilizing different teaching and evaluation methodologies. The Mexican education system is not ready to provide sufficient resources to improve these students' language skills and their sense of belonging.

Citation:

<https://apnews.com/4b37a351ad294a52b3834ba0c4a23e27>

<https://www.migrationpolicy.org/article/extracontinental-migrants-latin-america>

<https://www.migrationpolicy.org/article/protection-and-reintegration-mexico-reforms-migration-agenda>

[https://www.latinnews.com/component/k2/item/91002.html?archive=33&Itemid=6&cat\\_id=827029:mexico-new-agreement-prolongs-remain-in-mexico](https://www.latinnews.com/component/k2/item/91002.html?archive=33&Itemid=6&cat_id=827029:mexico-new-agreement-prolongs-remain-in-mexico)

### Safe Living

Internal Security  
Policy  
Score: 2

Mexico has been among the most dangerous countries in the world and there has been no substantial improvement in recent years. If anything, the situation is worsening. The main reason for the high homicide rate is that Mexico has become a major center for the transit of illegal drugs to the United States. In brutal competition with one another, Mexico's criminal gangs or cartels, have carried out horrific acts and killed thousands. Moreover, violence has become

increasingly intertwined with local, regional and national politics. From a regional perspective, Mexico has only a slightly lower homicide rate than Honduras and Venezuela, and the worst homicide rate of any OECD country.

Mexico has improved the bureaucratic efficiency of some of its crime-fighting operations, but there are still huge problems. These problems include a lack of bureaucratic cooperation, rampant corruption within the security apparatus, the immense scale of criminal activity in Mexico and the infiltration of law enforcement agencies by organized crime. The National Security Commission has argued that the low wages paid to the security forces is one reason for this situation. Thus, one can say that internal security policy does not effectively protect citizens. This explains the proliferation of self-defense groups throughout the country and a lack of trust in the authorities, which are – especially at the local level – frequently infiltrated by organized crime.

More worrying still, the judicial system is not designed to convict powerful and wealthy criminals. It is too difficult to convict criminal suspects in Mexico who can afford expensive lawyers. Additionally, Mexico has suffered several public scandals which have further damaged public confidence in the authorities. These scandals include prison escapes by high-profile criminals and unexplained massacres in rural areas. In at least part of its territory, Mexico is a failed state.

One of the most important promises made by President López Obrador was to reduce the militarization of the fight against the drug cartels. Nevertheless, in November 2018, López Obrador announced a plan to create a national guard, which was to number 150,000 armed men at the end of his term in 2023. It is supposed to act as an “interinstitutional coordination body” between the military and police. However, it seems that despite the reform, the security situation under López Obrador has not improved, and may get even more out of control in the near future.

Citation:

[http://secretariadoejecutivo.gob.mx/docs/pdfs/cifras%20de%20homicidio%20doloso%20secuestro%20etc/HDSECEXTRV\\_062017.pdf](http://secretariadoejecutivo.gob.mx/docs/pdfs/cifras%20de%20homicidio%20doloso%20secuestro%20etc/HDSECEXTRV_062017.pdf)

[https://elpais.com/internacional/2019/06/30/mexico/1561915360\\_336017.html](https://elpais.com/internacional/2019/06/30/mexico/1561915360_336017.html)

<https://www.bbc.com/mundo/noticias-america-latina-50100518>

### Global Inequalities

Global Social  
Policy  
Score: 6

Regarding free trade, Mexico is supportive of open trade agreements and actively seeks good relations with any country that might counterbalance its heavy economic dependence on the United States. Mexico has also been active in financing international development, providing modest levels of foreign aid

and investing in triangular cooperation. Moreover, foreign policy continues to embrace the topic of south-south-cooperation and supports regional development projects. The Mexican government has also been a supporter of the U.N. Global Goals (Sustainable Development Goals) and Agenda 2030, launched in 2015.

However, Mexico could do more to promote and advance social inclusion beyond its borders. The treatment of Central American immigrants needs to be greatly improved. Diplomatic relations between Mexico and its southern neighbors are very good, but there is room for improvement in trade treaties in the region and Mexico could lead efforts to increase the economic integration and global competitiveness of Latin America. An excessive dependence on trade with the United States has prevented Mexico from looking south.

However, apart from free trade and good relations with the southern neighbors, international relations and Mexico's actions in multilateral organizations do not play a major role in Mexican politics. For that the internal problems of the country are too urgent.

Citation:

<https://www.proceso.com.mx/518235/mexico-ante-la-situacion-internacional-de-2018>

### III. Environmental Policies

#### Environment

Environmental  
Policy  
Score: 4

Mexico faces a number of very serious environmental challenges. The provision of clean water to Mexico City, air pollution in the capital and other major cities, deforestation and erosion in rural Mexico are some of the most pressing problems. While environmental policy has become more sophisticated, particularly in Mexico City and other major cities, the enforcement of environmental standards and regulations is often lacking. It is worth noting the substantial variation between government levels and across issues; the federal government is much more capable, with better and more efficient regulations and monitoring. This is not the case at the local level, where funds, human capital, and administrative resources are often scarce. In terms of environmental issues, Mexico has very strong air quality regulations and made significant progress over the last two decades. In contrast, norms regulating water consumption and pollution are far less advanced.

From a comparative perspective, the government's recent economic reforms were more diluted and slower to pass than its environment legislation, but implementation of policies and regulations remains a major challenge. Many companies do not comply with existing regulations and the high degree of informality in the economy is further aggravating the challenge of non-compliance. Despite an increasing awareness of environmental challenges among the broader population, particularly among the young, public pressure and support for environmental NGOs remains weak when compared to many other OECD countries. Business interest groups are much more powerful than their environmental counterparts; environmental interests are still weakly nested in the major political parties.

Despite a 2013 energy reform aimed at incentivizing the use of renewable energy and reducing greenhouse gas emissions by requiring the largest consumers to purchase a portion of their electricity from clean energy sources, the renewable energy sector has been the subject of intense criticism from the López Obrador administration. The president sees the expansion of renewable energy as a departure from state sovereignty in the energy sector, as renewables would be promoted primarily by foreign private investors, who would also provide overpriced and poor services to Mexican consumers. Furthermore, López Obrador has been heavily criticized by environmentalists. In particular, criticisms have focused on his three major projects: the construction of a new Santa Lucia airport, the troubled Tren Maya railway project and the construction of the Dos Bocas oil refinery.

Furthermore, the current Mexican government is pursuing a nationalistic energy policy that prioritizes the use of environmentally harmful and soon-to-be obsolete power generation technologies and hinders the expansion of renewable energy. According to AMLO, the latter is not reliable enough. AMLO is also aiming for extensive nationalization of the energy sector, which was partially privatized under the previous government. He wants in this way to make a contribution to the country's "energy sovereignty," but is at the same time failing to accord enough importance to innovation and technological change.

Citation:

[https://www.wilsoncenter.org/sites/default/files/mexico\\_renewable\\_energy\\_future\\_0.pdf](https://www.wilsoncenter.org/sites/default/files/mexico_renewable_energy_future_0.pdf)

<https://ecoosfera.com/2018/04/ley-de-biodiversidad-peligro-medio-ambiente-mexico-2018/>

[https://elpais.com/internacional/2019/07/25/mexico/1564070598\\_951499.html](https://elpais.com/internacional/2019/07/25/mexico/1564070598_951499.html)

<https://www.forbes.com/sites/nathanielparishflannery/2021/04/22/political-risk-analysis-is-mexico-declaring-war-against-clean-energy/>

<https://www.dw.com/de/mexiko-schwimmt-gegen-den-strom/a-59478792>

Global  
Environmental  
Policy  
Score: 5

## Global Environmental Protection

Mexico is a leading international actor on environmental policy within the region, even if its domestic policies are inconsistent: Mexico is still the second-biggest emitter of greenhouse gases in Latin America. Firewood remains the primary fuel used by poor Mexican families. Moreover, the importance of the oil industry for the Mexican economy creates substantial barriers to credible domestic action even as it seeks to position itself as a pioneer in international environmental protection.

Mexican authorities and the public are at least much more aware of environmental issues and their resulting problems than they were a generation ago. The country's climate-change law went into effect in October 2012, drawing international praise. There is an underfunded Climate Change Fund, created to finance adaptation and greenhouse gas emissions-reduction initiatives. Its operating rules have apparently been completed, but have not yet been published. Additional challenges associated with implementing the law relate to the creation of a national climate-change information system, the effective reduction of greenhouse gases, and producing assessments of adaptation and mitigation measures. Mexico is also one of the main recipients of clean development mechanisms in Latin America. It has advocated for the continuation of this development and environmental cooperation mechanism in several environmental policy forums.

Overall, Mexico was one of the first countries in the world to pass a specific law on climate change. The law set an obligatory target of reducing national greenhouse gas emissions by 30% by 2020. The country also has a National Climate Change Strategy, which is intended to guide policymaking over the next 40 years. Furthermore, Mexico has been very active in the preparation of the U.N. Global Goals (SDGs) agenda, reflecting the country's traditional multilateral approach to foreign policymaking. Mexico has been an active participant in climate-change talks involving international organizations.

However, President López Obrador has yet to emerge as an internationally networked environmentalist. He did not travel to COP26 in Glasgow in 2021, and is considered an opponent of renewable energy. Unlike large parts of the global community, he continues to promote fossil fuels such as gas and oil. All in all, the global stance of Mexico in this crucial area is far from sufficient, and the president is failing to recognize the urgency of this topic for Mexico.

<https://climateactiontracker.org/countries/mexico/>

<https://www.dw.com/de/mexiko-schwimmt-gegen-den-strom/a-59478792>

# Robust Democracy

## Electoral Processes

Candidacy  
Procedures  
Score: 7

The electoral process is supervised by an autonomous agency, the Instituto Nacional Electoral (INE), following a constitutional reform in 2014 and the creation in 1990 of the Instituto Federal Electoral. INE is responsible for the registration of parties, candidates and voters, and for administering elections.

While in principle the process for registering political parties is open and transparent, high registration requirements as well as a bureaucratic and lengthy registration process create a strong status quo bias. To meet the requirements for registering a new national political party, organizations must demonstrate a minimum of 3,000 members, representation in at least 20 of the 32 states, and a minimum of 300 members in at least 200 electoral districts. Historically, the high barriers for party formation have served to discourage new and small political groups from challenging the established parties.

In September 2020, an attempt to register Mexico Libre, a new party created by former President Felipe Calderón and his wife, Margarita Zavala, was rejected by the INE national electoral institute. Zavala claimed that the government put pressure on INE to make this decision so as to avoid competition.

Since 2015, independent candidates have been allowed to run for office in national elections but the requirements for participating are high. To appear on the ballot, independent presidential candidates must collect more than 850,000 signatures nationally and obtain the support of at least 1% of registered voters in 17 states. In the 2018 elections, 48 independent candidates announced their candidacy for the presidency, but only two, Margarita Zavala and Jaime Rodríguez Calderón, managed to fulfill the requirements. After Zavala withdrew in May 2018, Rodríguez Calderón was the only independent candidate left, receiving 5.23% of votes in the presidential elections. María de Jesús Patricio Martínez – an independent candidate who was supported by indigenous groups and the Zapatista movement, but who failed to fulfill the criteria – criticized the process for being unfairly biased against the poor.



Close linkages between some candidates and organized crime, especially at the subnational level, as well as violence and corruption continue to undermine the integrity of the political system and the electoral process. The midterm elections in 2021 are considered to have been some of the most violent polls in recent Mexican history. Dozens of candidates of all political parties were killed during the campaign. Estimated numbers range from 34 to 140, with the killings usually linked to organized crime. Under the current government, this structural challenge is unlikely to change.

Citation:

Harbers, Imke and Matthew C. Ingram “On the engineerability of political parties: evidence from Mexico.” In: I. van Biezen, and H. M. ten Napel. *Regulating political parties: European democracies in comparative perspective* (2014): 253-277.

Media Access  
Score: 6

The electoral process in Mexico is subject to a comparatively high degree of regulation. During the transition to democracy during the 1990s, electoral laws were revised to ensure more equitable conditions for the main political parties.

Currently, all registered political parties are eligible for public financing, the volume of which corresponds to their electoral strength. There are restrictions on the amount of money parties are allowed to raise and spend. Media access during the official campaign period is regulated to ensure a measure of equality. Nevertheless, outside the tightly regulated political campaigns, news coverage is often heavily biased in favor of incumbents. Presidents as well as governors spend exorbitant sums on advertising and pro-government propaganda. Since news outlets rely on this income for their financial survival, they can often scarcely afford to criticize sitting administrations. The Peña Nieto administration has taken this long-standing practice to new levels. According to a report compiled by the think tank Fundar based on government data, his administration spent nearly \$2 on advertising in the past five years, substantially more than any previous administrations.

Broadcasting networks and newspapers depend on that money, the big television networks Televisa and Azteca receive around 10% of their advertisement revenue from the federal government.

President Andrés Manuel López Obrador, who was often challenged by the mainstream media before becoming president, relies strongly on the use of social media and a daily press conference that is broadcast live on YouTube. This approach enables the president to circumvent the traditional media, avoid immediate press criticism and promote his agenda. The oligopolized traditional media market has declined in political influence.

New York Times (25 Dec 2017) “Using Billions in Government Cash, Mexico Controls News Media.”

Voting and  
Registration  
Rights  
Score: 7

Political liberties are guaranteed by law, and public debate and electoral competition are meaningful. If political rights are violated, citizens have access to electoral courts which are generally professional and effective. The National Electoral Institute (INE) is an independent body responsible for the administration of elections.

Mexico has had universal suffrage since 1953 and male suffrage since 1917. Legally, Mexico by and large conforms to the standards of electoral democracies, especially on the national level. The organization and administration of elections is managed professionally by the National Electoral Institute (INE). In recent years, INE oversight over state-level electoral institutions has increased. There is also a system of electoral courts (TEPJF), which are generally more professional and independent than the criminal courts. Citizens and party members can appeal to these courts if their political or electoral rights are violated. President López Obrador frequently criticizes INE, charging that the INE and its predecessor were unfair to him in the 2006 and 2012 presidential elections, and asserts that both INE and the electoral court (TEPJF) have become too large and powerful. Opposition parties accuse the government of animosity due to the fact that INE has fined MORENA several times for various violations of electoral rules. The government wants to replace INE and TEPJF, but lacks a sufficiently large majority in Congress to be able to effect such a change.

Voters have to register through INE to receive a voter identification card. The same electoral register is used for federal and state or local elections. This may serve to discourage marginalized and less educated citizens from voting.

A total of 89,978,701 people, approximately 72.7% of the Mexican population, applied for the required ID in 2018.

Mexicans living abroad (about 10% of the population) are allowed to vote for the president, but turnout is extremely low, in part due to the difficult registration process. More than 11 million Mexicans live abroad, but only 100,000 participated in the 2018 elections.

In general, Mexican elections are considered mostly free and fair. Complaints concern vote-buying and some minor problems, such as the theft of ballot boxes by armed groups. A major problem is violence. During the midterm elections in 2021, dozens of candidates were killed. Most of the candidates are presumed to have been murdered by organized criminal gangs.

Miranda, Fernando (28 de junio de 2018). «Acaban campañas con récord en el nivel de violencia». El Universal.

Party Financing  
Score: 5

Mexico's elections are highly regulated by the state. This reflects a history of electoral fraud and rigged elections which resulted in distrust between parties and a desire to formalize rules. The National Electoral Institute (INE) is in charge of monitoring party compliance with electoral rules and regulations. It is also responsible for administering and auditing the public funding of parties.

By international comparison, public funding of political parties in Mexico is extremely generous. Political parties are mostly financed by the state and there are restrictions on the amount of fundraising permitted. INE also coordinates campaign advertisements for parties. Electoral expenditures have been similarly controlled. INE can and does impose significant sanctions on political parties if they fail to comply with funding rules. However, oversight is incomplete and INE audits have revealed illegal undisclosed funding to parties.

While INE's bureaucracy is by and large efficient and impartial, the weak rule of law and ineffective criminal courts undermine the integrity of elections. According to media reports concerning illegal campaign financing, for every peso spent legally, an estimated MXN 15 was spent illegally. Funds are often misused for vote-buying. Although Mexico has made progress in the area of money laundering, illicit money by organized crime is a serious problem, in the field of campaign financing as elsewhere. As previous examples of party financing scandals have shown (e.g., PRI MONEXGATE 2000, PAN AMIGOS DE FOX 2000 and PEMEXGATE 2012), instances of illegal campaign financing have been proven and sanctioned years later, but without any major effects. This reveals the increasing weakness of this core state function regarding electoral procedures and campaign financing, a vital task in a democratic polity.

Citation:  
<https://www.bbc.co.uk/news/world-latin-america-44884993>

Popular Decision-  
Making  
Score: 5

There are no provisions for legally binding referendums or popular initiatives at the federal level in Mexico so far. Though, in October 2019, the Mexican Senate approved a constitutional change giving citizens the possibility to vote in a recall referendum. This could result in a president and provincial governors being recalled after half a term. The House of Deputies, in which MORENA holds a clear majority, still has to approve the new regulation. In general, Mexican citizens are more likely to influence public policy through demonstrations or legal action than through popular decision-making.

President López Obrador's government has introduced measures of direct participation, advocating participatory democracy. In August 2021, the first official national referendum took place. Mexicans were asked to decide whether previous presidents should be investigated for suspected corruption, but voter turnout was very low, with only 7.11% of voters participating. The opposition criticized the referendum as an attempt by the president to distract the public from the shortcomings of his own government. Another referendum, a recall referendum for the president, was scheduled for March 2022. Although the measures so far are of disputable importance, the invention of participatory democracy in Mexico has enhanced citizens' role making binding decisions.

### Access to Information

Media Freedom  
Score: 4

Officially, freedom of expression is protected and the media is independent from the government.

While media freedom is not severely restricted by the government, substantial restrictions exist on what news outlets can cover without fear of reprisal. Topics such as corruption or collusion between organized crime and public officials are particularly dangerous territory. According to data from the Committee to Protect Journalists, Mexico has become the world's most deadly country for journalists. According to The Guardian, nine journalists were killed in 2021, and eight in 2020. Other sources mention 14 journalists killed in 2020. Since 2000, at least 138 journalists have been killed, and 24 have disappeared. These dangers particularly affect journalists working for subnational news outlets as well as those who report critically on corruption and linkages between politicians and organized crime. The federal government fails to act decisively to protect journalists. When journalists are murdered, there is broad impunity for their killers. Thus, even though press freedom is codified in national laws, in practice there are substantial restrictions on press freedom. Mexico was ranked at 143rd place out of 180 countries in the Press Freedom Index 2021.

Citation:

Reporter ohne Grenzen: <https://www.reporter-ohne-grenzen.de/mexiko/>

THE GUARDIAN: Two more Mexican journalists killed as reporters condemn worsening violence, 1.11.2021

Artículo 19: <https://articulo19.org/periodistasasesinados/>

Media Pluralism  
Score: 6

The Mexican media is much more diversified and politically pluralist than it was a generation ago, but ownership is still highly concentrated. Despite Peña Nieto's telecommunication reform, broadcasting continues to be characterized by oligopolistic ownership. Two corporations, Televisa and TV Azteca,

Access to  
Government  
Information  
Score: 6

dominate more than 90% of the TV market. Regulators, like the Federal Telecommunications Institute (IFT), are essentially toothless.

Mexico's freedom of information act became law in 2002. The law was the first in Latin America to impose obligations on the state to publicly share information and increase the level of political transparency. INAI (Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales) is an autonomous body, which aims to promote government transparency, monitor developments in open government and access to information, and settle disputes between citizens and government bodies over freedom of information requests. Mexico's freedom of information act has proved to be a considerable success in increasing publicly available information. Scholars, journalists and bureaucrats have all made use of its provisions and a lot of new information has come to light.

Despite the progressive spirit of the law, however, the extent to which it is obeyed and enforced varies considerably. Powerful public and private actors can delay and obscure access to information, despite formal transparency laws. As is often the case in Mexico, there is a gap between theory and practice. In general, the situation did not change substantially during the observation period in 2020 and 2021.

Citation:

AMLO creates super-commission to investigate missing 43 of Ayotzinapa, December 4, 2018, <https://mexiconewsdaily.com/news/commission-to-investigate-ayotzinapa/>

### Civil Rights and Political Liberties

Civil Rights  
Score: 2

In principle, Mexico guarantees most civil rights via its legal and constitutional systems. Nevertheless, access to the court system and protection against violations are both highly unequal. Overall, the rule of law is weak, and there is widespread impunity the rule, which undermines the effectiveness of formally guaranteed rights.

The tension between formal rights and effective guarantees plays out especially forcefully in the field of security. Since 2006, more than 250,000 men and women have been killed in the "war on drugs." In 2019, the homicide rate reached an average of 94 murders per day. The government has lost control of many parts of Mexico.

The Mexican military and other security forces are notorious for violating human rights, and the courts do not provide adequate protection to citizens victimized by the military or police. Since the beginning of the drug war in 2006, Mexico's Human Rights Commission has received more than 10,000

complaints of abuse by the military. Federal prosecutors have opened more than 9,000 investigations, without a single conviction. By mid-2019, around 40,000 people are reported to have disappeared.

The security situation has deteriorated persistently over the course of President López Obrador's term, with the number of homicides increasing to its highest level since the state began keeping systematic records on crime and violence. Against the background of escalating violence, it has generally been impossible to effectively hold the security forces to account for abuses. Human Rights Watch has spoken of a "human rights catastrophe" inherited by President López Obrador when he started his term. Despite the promise to solve the violence problem, the government is continuing to lose the battle against the cartels.

Citation:

<https://www.hrw.org/americas/mexico>

<https://www.hrw.org/news/2018/10/29/mexico-torture-and-historical-truth>

[https://www.elconfidencial.com/mundo/2019-06-25/mexico-desaparecidos\\_2087378/](https://www.elconfidencial.com/mundo/2019-06-25/mexico-desaparecidos_2087378/)

Political Liberties  
Score: 4

In many parts of the country, high levels of criminal violence undermine democracy. Public officials, especially at the local level, are frequently kidnapped, harassed and even murdered, while the murderers, usually linked to organized crime, enjoy impunity. While the lack of credible and capable legal investigations in such cases makes it impossible to know the true extent of the problem, there is considerable evidence that authorities are not merely inept. Rather, they are sometimes complicit in violating citizens' political liberties. The justice system has proven to be particularly ineffective in prosecuting powerful rights violators. For years, impunity for corruption-related crimes has been around 97-98%, and high-level politicians are rarely sentenced or impeached.

Schedler, A. (2014). The criminal subversion of Mexican democracy. *Journal of Democracy*, 25(1), 5-18.

<http://www.latinobarometro.org/lat.jsp>

Non-discrimination  
Score: 5

While there is a societal norm against overt racial discrimination, there is a significant correlation between race and class. Light-skinned Mexicans are over-represented among the wealthy and powerful. Data from the Latin American Public Opinion Project shows that they have significantly higher educational attainment and more material wealth. Social discrimination varies by region and setting. In urban centers, there is growing awareness around issues of gender and sexuality. The local constitution adopted by the Mexico City constituent assembly includes a number of liberal and progressive provisions. Nevertheless, more traditional gender roles and the political and social marginalization of women continue to be the norm, particularly in rural and less affluent areas.

Worth mentioning are the gender quotas for parties and elections that were included in the 2014 constitutional reform. Women now hold 50% of seats in Congress. In this respect, Mexico is a leading country in the OECD and the world. Claudia Sheinbaum (MORENA) is the first woman to govern the city of Mexico. Sheinbaum has also declared her intention to run for president as the successor of President López Obrador.

A crucial problem in gender discrimination are femicides. Between 2015 and June 2019, more than 3,000 women were murdered in Mexico. An average of 10.5 women are killed every day, with a total of 1,932 such victims in 2019. In the last four years, femicides have risen by 111%. The courts are increasingly assertive in taking up cases of gender equality and LGBTQ+ and transgender rights. In the 2021 midterm elections, the first transgender person was elected to Congress. Additionally, in several states, abortion rights have been liberalized after court rulings.

However, while there is increasing awareness of gender and LGBTQ+ rights, the attention paid to indigenous rights and other forms of social stigmatization is more limited, although there is a history of autonomy for indigenous communities. As is often the case in Mexico, there is a considerable gap between formal rights and their effective guarantee and enforcement.

Citation:

Human Rights Watch (2018). "Mexico Ruling Backs Same-Sex Couple." <https://www.hrw.org/news/2018/11/01/mexico-ruling-backs-same-sex-couple>

Human Rights Watch (2018). "Mexico Transgender Ruling a Beacon for Change." <https://www.hrw.org/news/2018/10/29/mexico-transgender-ruling-beacon-change>

Zizumbo-Colunga, D. and Iván Flores Martínez (2017). "Is Mexico a Post-Racial Country? Inequality and Skin Tone across the Americas." AmericasBarometer: Topical Brief #31, (<https://www.vanderbilt.edu/lapop/insights/ITB031en.pdf>).

<https://www.dw.com/de/gegen-den-strom-frauenmorde-in-mexiko-werden-mehr-und-brutaler/a-50084080>

### Rule of Law

Legal Certainty  
Score: 5

Legal certainty is formally guaranteed by the Mexican constitution. With the government of López Obrador holding a majority in Congress, legal procedures are formally well-respected. De facto, rule of law continues to be characterized by an ineffective judicial system. Violence and crime, corruption and impunity undermine the rule of law.

In corruption-related crimes impunity reaches 98% and in homicides 97%. Beyond the problem of corruption, the rule of law in Mexico has been seriously hampered by the increasing violence associated with the war on drugs. Criminal courts lack transparency, which further undermines trust and confidence in the judicial system. Overall, the system is particularly

ineffective when it comes to prosecuting powerful individuals, such as former public officials. In this context, and also due to the security crisis, existing legal regulations often do not effectively constrain government and administration.

Judicial reforms have been a key focus for the López Obrador government. Several have been undertaken so far, and more have been announced. An important reform in December 2020 gave the Consejo de la Judicatura Federal (CJF) more power.

In other areas of the law, for instance in the realm of business and the broader economy, the situation regarding legal certainty is much less dire.

Judicial Review  
Score: 5

The Supreme Court, having for years acted as a servant of the executive, has become substantially more independent since the transition to democracy in the 1990s. Court decisions are less independent at the lower level, particularly at the state and local level. At the local level, corruption and lack of training for court officials are other shortcomings. These problems are of particular concern because the vast majority of crimes fall under the purview of local authorities. There is widespread impunity and effective prosecution is the exception, rather than the rule.

Mexico is in the process of reforming the justice system from a paper-based inquisitorial system to a U.S.-style adversarial system with oral trials. Implementation of the new system will most likely take a generation since it involves the retraining of law enforcement and officers of the court. So far, law enforcement has often relied on forced confessions, rather than physical evidence, to ensure the conviction of suspects. To make the new system work, the investigative and evidence-gathering capacity of the police will have to be significantly strengthened.

The government of López Obrador has initiated a judicial sector reform, with more than 50 new laws. This includes the creation of a unit in the Secretaría de Gobernación to promote the reform of criminal law.

Overall, the courts do a poor job of enforcing compliance with the law, especially when confronted with powerful or wealthy individuals. Concern is growing that the government will undermine judicial independence. In general, mistrust in the judicial system is widespread, 68% of Mexicans think judges are corrupt and 45% do not trust them.

Judicial reform is a key element of President López Obrador's agenda. However, the opposition usually criticizes all efforts as a strategy to undermine judicial independence. Critics from the opposition claim that



judicial independence has been undermined, since the power of the chief justice, Arturo Zaldívar, has been increased considerably, and Zaldívar is seen as an ally of President López Obrador.

Citation:

EFE México (2018). Sistema penal acusatorio en México, avance histórico frenado por corrupción. <https://www.efe.com/efe/usa/mexico/sistema-penal-acusatorio-en-mexico-avance-historico-frenado-por-corrupcion/50000100-3498116>

Mexico Evalua 2019: Diagnostico inaugural, <https://www.mexicoevalua.org/diagnostico-inaugural/>

Appointment of  
Justices  
Score: 8

Mexican Supreme Court justices are nominated by the executive and approved by a two-thirds majority in the Senate. However, if no candidate achieves a majority, the president can appoint a justice without Senate approval. The system of federal electoral courts is generally respected and more independent and professional than the criminal courts. The situation is worse in lower courts, as judges are implicated in corruption or clientelist networks.

With the support of a majority in Congress, President López Obrador has to date been able to appoint four justices out of 11 justices in total. The opposition has criticized all the appointments, arguing that the candidates were loyal allies of the president, and that this would undermine judicial independence. The four justices appointed by President López Obrador indeed hold veto power, since repealing laws and resolving matters of constitutionality require a supermajority of eight justices.

Citation:

DW 2018. México: “El sistema anticorrupción está entrampado.” <https://www.dw.com/es/méxico-el-sistema-anticorrupción-está-entrampado/a-42567912>

Mexico Evalua 2019: Diagnostico inaugural, <https://www.mexicoevalua.org/diagnostico-inaugural/>

Latin News 2019: Weekly Report – 10 October 2019 (WR-19-40), MEXICO: Judicial autonomy under threat?

Corruption  
Prevention  
Score: 4

Corruption is widespread in Mexican politics, the judiciary and the police. Anti-corruption efforts so far have failed. During his presidential campaign, AMLO promised to prioritize the fight against corruption. So far, it is unclear how that could happen. According to Transparency Mexico, the president is widely considered to be honest by the public, while a majority of 61% of Mexicans believe he is doing a good job in fighting corruption.

Corruption was a key topic in the 2018 elections following widespread corruption scandals that are shaken the political arena. At the same time, efforts to implement the National Anti-Corruption System (SNA), which had been signed into law by President Nieto in 2016, floundered. At the subnational level, not even half of Mexico’s states have approved the required secondary legislation to implement the SNA.

According to a May 2017 study by Corpamex, the Mexican confederation of business owners, corruption costs Mexico around 10% of its GDP.

The AMLO administration has intensified the fight against corruption. Nonetheless, the SPA, which is filled with MORENA allies, features only one position that has been subject to a proper nomination process: the head of the Special Prosecutor's Office for Combating Corruption. The SNA is currently developing an inclusive consultative process involving citizens, institutions, businesses, academia and subnational governments to improve national anti-corruption policies. A national SNA digital platform will provide information and improve coordination. In addition, the government has further integrated corruption into the criminal law system, increasing punishments and detention while awaiting trial. The Unidad de Inteligencia Financiera (UIF), a government agency focused on detecting and preventing financial crimes, has been the central actor in fighting corruption to date. High-ranking politicians, like the former Pemex CEO Lozoya or the head of Pemex's workers' union, are the target of corruption charges related to the Odebrecht corruption scandal in Latin America.

The end of impunity for presidents, a law passed by Congress in December 2020, represents a step forward in the fight against corruption.

Citation:

Latin American Regional Report: Mexico & NAFTA (August 2017) "Anti-corruption reform fails to convince."

Transparencia Mexicana 2019: Barómetro Global de la Corrupción, <https://www.tm.org.mx/barometro-al-2019/>

# Good Governance

## I. Executive Capacity

### Strategic Capacity

Strategic Planning  
Score: 6

The Mexican president is required by law to produce a strategic plan in his first year in office. At a lower level, there are quite a few planning units within the Mexican government, though they do not all have decisive input in the policymaking process. Longer-term, Mexico has committed itself to the SDGs and created a specialized technical committee involving 25 federal agencies, which will collect the statistical information required to monitor progress.

President López Obrador has an extraordinarily high level of legitimacy. Elected with the support of more than 53% of the Mexican voting population, with a majority in Congress and high approval rates (65% in November 2021), he has initiated a wide-ranging transformation of Mexico, the so-called fourth transformation. First, he repealed several reforms of the former government, such as the education reform. Second, he stopped infrastructure projects, like the new Mexico City Texcoco Airport. In addition, President López Obrador has created new social programs and plans to revive the Mexican oil industry. He has also pledged to demilitarize the war on drugs, a strategy which has so far failed. Another element of the so-called fourth transformation are state and electoral reforms. Mexico has numerous autonomous bodies and agencies; however, the government plans to limit their autonomy and centralize power, indicating that one goal is to cut government spending, among other arguments. Overall, strategic planning involved in these transformations has been concentrated in the presidency, less in strategic planning units and bodies.

Expert Advice  
Score: 6

In the Mexican political system, barriers between the government and scholars are comparatively low. It is quite common for a cabinet to include recruits from academia, and there are also substantial informal contacts between academics and high-level public officials. By the same token, former government officials often teach at universities.

After assuming office, President López Obrador announced he would strengthen relationships with experts and activists from civil society, rather than with economists and international professionals. In contrast to former governments, consultations with civil society actors and citizens enjoy high priority. However, these announcements have proven to be merely rhetorical. In reality, governmental decision-making is concentrated in the presidency, mainly in the figure of President López Obrador himself in a populist manner. Experts and members of the public are included in pro forma consultations.

### Interministerial Coordination

GO Expertise  
Score: 8

The presidential office offers positions of high prestige in Mexico. It is involved with the legislative process to a decisive degree. Due to the absence of a high-level career civil service, both the cabinet and the presidential office are staffed with presidential appointments, which generally have the capacity to assess proposals from line ministries. Nevertheless, the independence of figures within the executive is thus questionable since everyone of influence in the presidential office is a political appointee.

Holding a majority in Congress and benefiting from a high degree of public legitimacy, the initiatives of the president and MORENA are highly likely to be implemented. Decision-making is centralized in the presidency. In this regard, however, the midterm elections of 2021 did not strengthen the traditionally weaker position of the president in the second part of the term.

Line Ministries  
Score: 7

Given Mexico's presidential system, cabinet ministers are respectful of and even deferential to the presidential office. Moreover, cabinet ministers dismissed by the president after disagreements rarely find a way back into high-level politics, which tends to promote loyalty to the president and presidential staff. Accordingly, senior figures in the presidential office are very powerful, because they determine access to the president and can influence ministerial careers. At present, President López Obrador dominates Mexican politics in a personalistic, populist manner. Nevertheless, the partially weakened position of the ruling coalition in Congress could weaken the cohesion of government in the second half of the president's term.

Cabinet  
Committees  
Score: 5

Mexico is unusual, because the constitution does not recognize the cabinet as a collective body. Instead, Mexico has four sub cabinets, respectively dealing with economic, social, political and security matters. As a result, Mexico in practice has a system of cabinet committees each of them normally chaired by the president. The full cabinet never or hardly ever meets. Mexico's cabinet, as a collective, matters less than in most countries. The cabinet is not a supreme executive body as it is in, say, Britain. For one thing, there are a number of heads of executive agencies, with cabinet rank, who are not directly subject to

a minister. President López Obrador is trying to reduce the importance and number of independent and autonomous bodies and agencies, as a means of increasing his power. By the end of the review period, many bodies had been staffed with loyal followers of the president. The central political figure has been and is the president.

Ministerial  
Bureaucracy  
Score: 6

Traditionally, there has been little real distinction in Mexico between high-ranking civil servants and politicians, though the relationship between them has varied quite a bit over time. The upper levels of the administration consist overwhelmingly of presidential appointments, with only a limited number of career bureaucrats. Two prominent exceptions are the Ministry of Finance and the Ministry of Foreign Affairs, where bureaucratic expertise has always played a major role. The politicization of the cabinet, which has increased under the three recent administrations, is constraining its ability to coordinate policy proposals due to the centrifugal tendencies. On the other hand, the previously mentioned independent agencies are often characterized by higher levels of bureaucratic professionalism. President López Obrador's cabinet is filled with politicians who are close to the president, and decision-making is centralized in the presidency. Because of this personalization and centralization, policy proposals are effectively controlled by the presidency and ministries.

Informal  
Coordination  
Score: 6

A number of informal mechanisms for coordinating policy exist, and given the lack of "formal" coordination capabilities within the Mexican administration, informal coordination often functions as a substitute. This is normal in a presidential system where only a few cabinet secretaries have independent political bases. Ministers retain their positions, for the most part, at the will of the president. It is important to note, however, that some cabinet secretaries are more equal than others. Since his election, President López Obrador has dominated Mexican politics, and has exercised decision-making in a personalistic and populist manner. Policy coordination thus rests in the hands of the presidency.

Digitalization for  
Interministerial  
Coordination  
Score: 6

The Mexican government has adopted a National Digital Strategy and established a Change Management Plan in order to guide agencies in the development of projects. Furthermore, the Executive Council Interministerial Commission for e-Government Development (Comison Intersecretarial para el Desarrollo del Gobierno Electronico, CIDGE) has ensured the technical and operational coordination necessary to implement the strategy.

However, as for many projects in Mexico, the implementation of digitalization is falling behind schedule, especially on the subnational level and between different regions and/or cities with different financial and personal capacities. This is a reflection of the heterogeneity of digitalization in particular, and of modernization overall within the broader Mexican society.

Citation:

SDG 2018. Mexico's SDG Portal Brings Functionality to Reporting. <http://sdg.iisd.org/news/mexicos-sdg-portal-brings-functionality-to-reporting/>

OECD Digital Government Studies Digital Government in Mexico Sustainable and Inclusive Transformation: Sustainable and Inclusive Transformation, OECD 2020.

### Evidence-based Instruments

RIA Application  
Score: 8

Regulatory impact assessment (RIA) was introduced in Mexico in 1997. In 2000, RIA was implemented broadly through reform of the Federal Administrative Procedure Law. Thus, RIA in Mexico is established by law, and not by presidential or prime ministerial degree as in some other OECD countries.

In May 2018, the new General Law of Better Regulation was issued. A government agency, the Federal Commission for Regulatory Improvement (Comisión Federal de Mejora Regulatoria, COFEMER), is responsible for performing impact assessments on new proposals if they generate compliance costs. With the new law, COFEMER's mandate was broadened and the agency renamed the Comisión Nacional de Mejora Regulatoria (CONAMER). CONAMER assesses existing regulations. The law requires Mexico's 32 states to adopt RIAs for subnational regulatory projects and there are efforts to expand this further. Overall, RIA could be strengthened by involving stakeholders early on in the process.

Beyond RIA, evidence-based evaluations of several Mexican public policies in the social sector have gained international recognition and have had significant spillover effects to the international evaluation community. This is especially true for social policies, where rigorous impact assessments based on experimental and quasi-experimental analyses of education, health, and nutrition programs (Programa de Educación, Salud y Alimentación, PROGRESA) can be perceived as an international showcase on how to evaluate large-scale social programs. In this area, the National Council for the Evaluation of Social Development Policy (CONEVAL) is responsible for carrying out rigorous impact evaluations in large social-sector programs. CONEVAL is an autonomous agency created by the 2007 General Law on Social Development (Ley General de Desarrollo Social).

Citation:

Reyes, R et al (2015). Regulatory Impact Assessment in Mexico: A Story of Interest Groups Pressure. *Law and Development Review* 8, 1: 99-122.

Quality of RIA  
Process  
Score: 7

RIA was introduced in Mexico in 1997 and its usage has spread from the federal government to some state governments. It has established itself as a legitimate part of the policymaking process. The relevant government agency, CONAMER (and its predecessor, COFEMER), is responsible to an interdepartmental committee that ultimately reports to the Ministry of Economy. CONAMER does not have a veto on new proposals, but it must be consulted and can express an opinion. Its position vis-à-vis the ministries was strengthened by the new law on regulation in 2018. It can prevent new regulations from coming into force until the consultation process is complete. CONAMER has also been active in negotiating the streamlining of procedures with individual Mexican states. This is significant, as much regulation is generated at subnational levels. After a quiet start, COFEMER/CONAMER has played a significant role in Mexico’s pro-competitive policy. Its annual reports are publicly available and provide critical assessments on regulatory projects. While input and output are clearly visible, the outcome of the RIA process cannot be assessed so far.

Sustainability  
Check  
Score: 6

So far, RIAs have often highlighted international benchmarking to reinforce their investigations. As one example, in a recent development, the Mexican government signaled its intention to become a world leader in sustainable tourism. Here, sustainability relates to energy efficiency, improved environmental performance and the protection of cultural heritage. The government partnered with the private firm EC3 Global to support the adoption of their trademark EarthCheck science and solutions for tourism operators and companies committed to sustainable practices and to align their performance with global benchmarks, endorsed by the World Tourism Organization. EarthCheck is an internationally recognized environmental management and certification program with more than 1,300 members in 70 countries. The program improves the operational performance of member organizations and reduces costs. However, like in most other OECD countries, RIAs in Mexico have up to now not fully embraced a multidimensional sustainability perspective as is foreseen by the Agenda 2030 for Sustainable Development. This is a particular challenge against the backdrop of the United Nation’s Global Goals (Sustainable Development Goals), which were supported by Mexico and require a multidimensional perspective – including social, economic and ecological dimensions – in public policymaking. However, Mexican government elites at the national level often still appear more likely to be aware of the SDGs than government elites in other OECD countries, which might lead to an improvement in the coming years.

Quality of Ex  
Post Evaluation  
Score: 6

Overall, Mexican policies are supposed to subjected to ex post evaluation and, at least at the national level, a comparatively strong culture of ex post evaluation has grown over the last two decades. This phenomenon is rooted in two different ideological streams. On the one hand, the traditional planning euphoria from a left-leaning, corporatist system has embraced the idea of ex

post evaluation as an integral part of a well-mastered policy cycle. On the other hand, market liberal reforms and the influence of international finance organizations have introduced forms of new public management, with rigorous ex post evaluation seen as a crucial way to guarantee the efficiency and effectiveness of public policies.

Since 2012, mandatory guidelines require the use of ex post evaluations. As a consequence, Mexico has established one of the most developed evaluation policies in the field of social policy, which is executed by a constitutionally anchored evaluation agency, CONEVAL. Created in 2014, CONEVAL is established as an autonomous constitutional organization with a very high level of technical and management autonomy. Its task is to coordinate and manage the ex post evaluation of national social policies, and it does so with a very high level of sophistication. It consists of the head of the Ministry of Social Development, six well-known academics chosen by the National Social Development Commission and an executive secretary who is in charge of the council. In the international realm, CONEVAL has been an institutional innovation in poverty measurement and the evaluation of social public policies. So far, the independent provision of scientifically based evaluations has had a substantial impact on technically improving social policy programs in Mexico.

While CONEVAL represented a substantial move forward in the evaluation of social policies, a major setback occurred in mid-2019 when the head of CONEVAL was replaced after having criticized cuts to the agency's budget. Given his prior critiques on the governments' austerity policies, the replacement was perceived as a serious blow to the agency's independence. It remains to be seen whether CONEVAL will continue to act as a critical but constructive evaluation agency in an environment where the central government, at least, has decreased its interest in evidence-based policymaking.

Beyond the field of social policy, however, other policy fields are subjected to less scientific ex post evaluations and, at the subnational level, much more remains to be done. However, the ongoing presence of many organizations of international development cooperation in Mexico as well as promising dynamics at the subnational level is favorable to the development of an evaluation-friendly environment. In this regard, there have been some initiatives focusing on improving evaluations of climate change adaptation, for instance.



**Societal Consultation**

Public  
Consultation  
Score: 6

With a high degree of legitimacy following the presidential election, President López Obrador announced more possibilities for public consultation. Popular consultation was undertaken for the planned new airport as well as for infrastructure projects in the south. In addition, the president’s daily press conference is intended to “consult” the public. The government is trying to integrate civil society actors and activists, although traditional business and trade union lobby groups remain outside. This is a clear break with the Institutional Revolutionary Party’s tradition of corporatism and clientelism, where participation has flowed mainly through corporatist and clientelist party channels rather than through independent civil society organizations.

Some participatory involvement occurs at the local and state levels, in the form of experiments with participatory budgeting, roundtables with stakeholder consultation and so on. While these types of consultation processes are not as strong as in other Latin American countries, they have become more common in Mexico.

One new element has been the introduction of elements of participatory democracy, such as referendums. In December 2020, the first national referendum took place, on the issue of impunity granted to presidents. A recall referendum on the current president was scheduled for 2022. Although participation in direct democratic mechanisms is to date very limited, and the elements in place have been used by President López Obrador in a top-down populist manner to legitimize himself and his policies, it remains to be seen whether this shift will ultimately produce a significant change in policymaking style in the future.

**Policy Communication**

Coherent  
Communication  
Score: 7

The communication performance of the current administration is based on the communication skills of the new president. As a populist, AMLO relies heavily on public communication. The daily press conferences at 7 a.m. are not addressed to the press, but are rather a means of directly communicating with the public. So far, no other politician or ministry has engaged in strategic communication, and major contradictions in government communications have not occurred. In some senses, this personalistic style has led to a highly coherent government communication style. At the same time, this seems to be an unsustainable strategy in a complex policy environment where communication ultimately needs to respond to complex issues in ways that go beyond populist rhetoric.

**Implementation**

Government Effectiveness  
Score: 4

President López Obrador has announced a highly ambitious reform agenda – the so-called fourth transformation – that is aimed at transforming Mexico socially, economically and politically. New social programs are being implemented and projects targeting the poor south have been announced, including infrastructure projects. President López Obrador has a unified government, with a majority in Congress supporting him. This has enabled him to concentrate power in the presidency. Additionally, he has very high levels of popular support. Hence, structural factors for implementing the agenda are very good. Nevertheless, he has failed to achieve key elements of his agenda, such as tackling corruption and ending the war on drugs. Additionally, the COVID-19 pandemic has severely hit Mexico, producing serious economic challenges and one of the highest death tolls in the world. The government’s reform agenda was and remains too ambitious, and yet has not measured up to the even more demanding challenges of the last several years.

Ministerial Compliance  
Score: 8

Whatever problems there may be with the Mexican system, it does deal effectively with the so-called agency problem, cabinet secretaries mostly have a strong incentive to avoid incurring presidential displeasure. The presidency is the center of the Mexican government and defines whole-of-government strategic priorities. Especially under President López Obrador, the degree to which power is centralized has increased, and the government is tracking progress on the implementation of policy priorities. At the same time, the second part of the presidential term usually increases the agency problem for the president. Given the results of the midterm elections, one can expect that this will also happen to AMLO’s presidency.

Monitoring Ministries  
Score: 7

The presidential office can choose who it monitors and how. There are two caveats to this statement, however. First, Mexico is a federal system, and there are thus strong limits to the central government’s power as many competencies fall, at least partially, to the states or even the local level. Second, independent agencies headed by individuals of cabinet rank have taken on an expanding role during the last two decades. Yet where the central authority has power, it uses it. Under President López Obrador, the government has sought to concentrate power in the presidency and limit the autonomy of independent agencies. Hence, the presidency does monitor the rest of the government and the administration. However, in many instances, inadequate implementation is due to structural deficiencies in the systemic capacity of monitoring systems, particular in the areas of health and internal security. In core problem areas such as security and health, the central government’s capacity is rather poor.

Monitoring  
Agencies,  
Bureaucracies  
Score: 5

The process of monitoring tends to work better at the national level than at the subnational level, where the general process of accountability is more heterogeneously developed. Monitoring is considerable at particular times and places, but limited otherwise. Moreover, monitoring is selective due to uneven state capacity, which hampers greater coverage. Essentially, the commitment to monitoring depends on political constellations. Ministries can scrutinize bureaucratic agencies if they want to, but there are good reasons why they do not always do so. Decentralized agencies often try to exercise autonomy. President López Obrador has tried to limit the autonomy of independent bodies in order to increase the power of the president. Many such bodies are today headed by loyal allies, and independent bodies such as INE, the national electoral institute, have been attacked by the president. Additionally, political polarization has increased, which has led federal-state governors belonging to opposition parties to oppose the presidency instead of working together. The federal character of Mexico limits the ministries' ability to engage in effective monitoring.

Task Funding  
Score: 4

Mexico has three levels of government – central, state and municipal. In Mexican federalism, state governments are politically and economically more powerful than municipalities. The state governors' association is a powerful lobby group that bargains effectively with the central government. In general terms, Mexico's intergovernmental transfer system must reduce vertical imbalances and discretionary federal transfers. The latter are distributed from the center across states with political, rather than policy goals in mind and constitute a substantial share of government spending. Moreover, Mexican states need to increase their own revenues in order to become less dependent on central government transfers.

Due to government austerity, which has been a central theme for President López Obrador, underfunded mandates and insufficient resources have made successful completion of many government tasks challenging, and have undermined the realization of the principle of subsidiarity in Mexico's fiscal federalism. In the wake of the COVID-19 pandemic, President López Obrador announced a 75% budget cut, which seriously threatens many state activities.

Constitutional  
Discretion  
Score: 6

The Mexican constitution gives subnational entities, in particular states, considerable opportunity to influence policy. However, fiscal federalism in Mexico still relies heavily on transfers and thus gives the central government considerable leverage over states. The economic heterogeneity of states is so substantial that there is a need for a solidarity-oriented transfer system. In other words, fiscal federalism in Mexico cannot rely on the principle of market-based federalism with its focus on competition among subnational entities. Additionally, considerable administrative capacity deficits persist at the subnational level. Under President López Obrador, the concentration of power in the presidency has further undermined this fragile equilibrium.

On 7 September 2021, the Mexican Supreme Court unanimously ruled that penalizing abortion was unconstitutional, setting an important precedent across the whole country.

Citation:  
Diaz-Cayeros, Alberto, Fiscal Federalism and Redistribution in Mexico (December 16, 2016). Available at SSRN: <https://ssrn.com/abstract=2886703>

National Standards  
Score: 3

Insufficient funding, corruption and inefficiency inhibit the effective implementation of nationwide public policy standards in many sectors. While the government has launched several efforts to improve social policies, President López Obrador’s populist policy approach generally undermines public policy standards. Particularly with regard to pandemic-management efforts, it was clear that there are severe limits in the degree to which national standards can be reliably implemented at the regional and local level.

Citation:  
Latin American Regional Report: Mexico & NAFTA (November 2017) “Solving higher education conundrum key to 2018 election success?.”

Effective Regulatory Enforcement  
Score: 4

Insufficient funding, corruption and inefficiency inhibit effective regulation in many sectors. Additionally, fragmented responsibilities due to deficiencies in the federal Mexican system are prevalent. Vested interests often manage to block reforms or policy implementation. President López Obrador has attacked vested elite interests with his populist approach. The government has said it intended to establish stronger relations with NGOs, but instead of creating new formal standards, it has relied on informal discussions.

**Adaptability**

Domestic Adaptability  
Score: 7

The Mexican governing elite have traditionally been very interested in adopting international standards and had a high degree of contact with international organizations and policy institutes. The major motivation for this is that multilateralism has always provided a strategic avenue for counterbalancing the country’s dependence on its northern neighbor. Moreover, many members of the policy elite have studied and/or worked abroad, mostly in English-speaking countries and sometimes in those international organizations that promote international norms. Mexico’s presidential system, with its directing authority at the center of the administration, also allows the country to make swift changes. However, while adaptability of the Mexican government is comparatively high in formal terms, implementation of new approaches and policies is much weaker, particularly when it involves subnational entities, heavily unionized sectors or counters economic interests in society. In this regard, one of the most challenging tasks

for the Mexican government is currently to transfer the ambitious U.N. Global Goals (Sustainable Development Goals) agenda into domestic policies, adapting them to national priorities. Progress, thus far, seems to be slow. While formulating action plans and monitoring strategies at the national level faces little or no capacity barriers, the implementation and mainstreaming of policies at the local and regional level will be the major challenge. In addition, while Mexico has signaled commitment to human rights in international arenas, within the country the protection of human rights and respect for the rule of law remain low. The current government, despite a tradition of paying attention to international initiatives, has been rather inward looking due to increasing domestic challenges. However, in the wake of the COVID-19 pandemic, Mexico has become more active diplomatically, seeking to revitalize South-South cooperation, especially the Community of Latin American and Caribbean States (CELAC).

International  
Coordination  
Score: 5

The Mexican government has almost completely lost its international reputation. In his first year in office, AMLO has not left Mexico. He refused to participate in G-20 meetings or U.N. assemblies. In an attempt to demonstrate to the Mexican population his commitment to domestic issues, this has undermined Mexico's position in the world.

Mexico has traditionally been supportive of international initiatives, and played an active role in the United Nations, OECD and other intergovernmental organizations. It also was an enthusiastic participant in multilateral organizations, including international financial organizations such as the World Bank, the Organization of American States (OAS) and the Inter-American Development Bank. Numerous policy and organizational recommendations made by international bodies have been adopted in the Mexican policymaking process. Thus, it had a supportive role in many international attempts oriented toward the provision of global public goods. Whether this engagement will be revived again has to be seen.

President López Obrador and Foreign Minister Marcelo Ebrard have revitalized CELAC in the wake of COVID-19 pandemic, using the pro tempore CELAC presidency to lead the demand for equitable access to COVID-19 vaccines and medical supplies. Additionally, Mexico has started domestic vaccine production and has distributed the results across Latin America. The weak standing of the United States and the absence of Brazil as a regional actor has opened space for a Mexican diplomatic comeback.

### Organizational Reform

Self-monitoring  
Score: 6

Historically, Mexico has often found ways of dealing with the so-called agency problem in policy implementation, which explains why institutional arrangements need constant monitoring. Traditionally this agency problem

was dealt with by a high degree of corporatist authoritarianism, which came at a high cost for controlling agents. In today's Mexico, democracy – even if sometimes insufficiently implemented – requires new models of overcoming this agency problem in an increasingly diversified and complex state structure. Particularly policymakers at the central level and in the more advanced states are becoming aware that effectively governing complexity requires different principles, including monitoring institutional governance arrangements. In July 2018, Mexico launched an online platform to track progress toward achieving the 2030 Agenda for Sustainable Development.

Yet, especially at the subnational level, pockets of authoritarianism, weak state capacity and widespread corruption result in uneven capacity for monitoring institutional arrangements and regulatory reforms. At the top of the political pyramid, the quality of self-monitoring still depends much on the personal engagement of the president. Mexican policymakers have tended to engage quite frequently in administrative reorganization, possibly to excess. President Peña Nieto was an ambitious, and perhaps excessive, but largely unsuccessful reformer. President López Obrador is even more ambitious, and is attempting to radically transform Mexico with his so-called fourth transformation agenda. López Obrador's new social programs and plans to revive the Mexican oil industry are intended to transform Mexico's socioeconomic structure. However, this socioeconomic transformation has been hindered and interrupted by numerous problems associated with the COVID-19 pandemic. Another element of President López Obrador's reform agenda, the demilitarization of the war on drugs, has failed completely. After the passage of half of López Obrador's term, his approval ratings remain very high, despite several failures.

Institutional governing arrangements are centralized in the presidency. President López Obrador makes his own decisions on policies, and also determines whether and when governance is to be monitored, which is done sporadically when such activities conform with the president's plans.

Citation:

SDG 2018. Mexico's SDG Portal Brings Functionality to Reporting. <http://sdg.iisd.org/news/mexicos-sdg-portal-brings-functionality-to-reporting/>

Institutional  
Reform  
Score: 5

While Mexican policy elites are often receptive to new ideas and open to administrative reform, many of these reforms remain unimplemented and are abandoned before they can take root. This is especially true with regard to domestic security and law enforcement. Too often, the re-drawing of organizational diagrams has taken precedence over the implementation of desperately needed, but difficult structural reforms to strengthen the rule of law. Moreover, the most important challenge currently consists of improving the effectiveness of existing institutions.

The current Mexican president has an extraordinarily high level of legitimacy. Elected by more than 53% of Mexicans, with a majority in Congress and a high approval rating (65% in November 2021), he has initiated a transformation of Mexico in various policy fields, which he calls the “fourth transformation.” A central element of this shift has been the concentration of power within the presidency. The first half of President López Obrador’s term was characterized not by sustainable institutionalization, but rather by personalization and populist, anti-institutionalist approaches, with the judiciary, media and autonomous bodies coming under particular pressure.

Citation:  
agree

## II. Executive Accountability

### Citizens’ Participatory Competence

Political  
Knowledge  
Score: 5

Socioeconomically, Mexico is a very internally divided country, which translates into uneven policy knowledge across the population. Due in part to its poverty levels, Mexico has the lowest performing students in the OECD and up to a third of the population has little more than primary education. However, at the other end of the scale, literally millions of Mexicans attend universities, and hundreds of thousands of Mexicans have attended foreign universities. There is, therefore, a marked split between a highly educated Mexico, which is concerned with the finer details of politics and policy, and a less politically and intellectually sophisticated Mexico composed of people who are mostly trying to get by. While better educated Mexicans are well-informed, poor and less educated citizens lack knowledge and interest in politics. The coronavirus pandemic clearly exposed this information gap in Mexican politics, as many Mexicans proved to be ill-informed about the policy measures needed to contain the pandemic.

In the latest survey by the National Bureau of Statistics (INEGI), 44.5% of respondents said that they were content with the quality of government services in 2017. In the latest National Survey on Political Culture (2012), 65% of respondents stated that they had little to no interest in politics, and 77% thought that government was an instrument of manipulation that benefits only politicians and wealthy people. More recent data is offered by the AmericasBarometer (2021): In Mexico, support for democracy fell from

70.2% in 2004 to 49.4% in 2017, and rose to 63% in 2021. But only 50% of Mexicans are satisfied with democracy as practiced in Mexico. President Peña Nieto and his government left office with historically low approval ratings. President López Obrador started with an extraordinary high level of popular support, reaching 71% in November 2018. After half of his term, he still enjoys the support of 65% of Mexicans (November 2021). However, according to the Latinobarometro Report 2021, important political institutions do not enjoy a high level of trust in Mexico. Only 24% of the population trusts the judiciary, 22% the police, 22% the Congress, and only 13% the political parties.

Citation:

INEGI (2018). ENCUESTA NACIONAL DE CALIDAD E IMPACTO GUBERNAMENTAL (ENCIG) 2017. [http://www.beta.inegi.org.mx/contenidos/saladeprensa/boletines/2018/EstSegPub/encig2018\\_03.pdf](http://www.beta.inegi.org.mx/contenidos/saladeprensa/boletines/2018/EstSegPub/encig2018_03.pdf)  
 ENCUP (2012). National Survey on Political Culture. <http://www.encup.gob.mx/>  
 AmericasBarometer (2018). THE POLITICAL CULTURE OF DEMOCRACY IN MEXICO AND IN THE AMERICAS, 2016/17. [https://www.vanderbilt.edu/lapop/mexico/AB2016-17\\_Mexico\\_Country\\_Report\\_English\\_V1\\_05.15.18\\_W\\_10.25.18.pdf](https://www.vanderbilt.edu/lapop/mexico/AB2016-17_Mexico_Country_Report_English_V1_05.15.18_W_10.25.18.pdf)  
 INFORME LATINOBARÓMETRO 2018, <http://www.latinobarometro.org/lat.jsp>

Open  
Government  
Score: 5

Mexico's access to information law from 2003 guarantees the public's right to request and receive information from the federal government. With the law, Mexico created the innovative Federal Institute for Access to Information (Instituto Federal de Acceso a la Información Pública – IFAI), which helps citizens to collect data and information. The government of President López Obrador is pursuing a more transparent policy toward citizens. The president's daily press conferences symbolize this new openness. But on the other hand, the press conference is also used to avoid critical questions and circumvent independent media, expressing the top-down character of López Obrador's information policy. Additionally, government communication policies at the national and subnational levels, especially regarding the war on drugs, cannot be considered very transparent. Another example can be seen in the data provided on the COVID-19 pandemic, which was rather (mis-)used by government to legitimize government policies rather than being a source of neutral and reliable information.

### Legislative Actors' Resources

Parliamentary  
Resources  
Score: 5

The Mexican presidential system, with its emphasis on the presidential government, and the electoral system have systematically weakened parliament and members of parliament. Formally, Congress is well staffed and sufficiently financed to fulfill its duties. Members of Congress were until recently prohibited from running for re-election. This system was intended to bring legislators closer to civil society, but it had weakened the legislative role and increased the power of party bosses. The most senior members largely



control Congress. They tend to control the careers of more junior congressional members because the effect of Mexico's strong no re-election rule prevents members of Congress from using their constituency as a political base. In turn, members tended to lack resources and legislative scrutiny was often perfunctory. Similarly, members have had little incentive to take a deep interest in lawmaking, because their term as incumbents was so short. Moreover, good legislative performance often went unrewarded in local or national politics.

Since 2018, local representatives, city council members and mayors have been able to run for reelection. Senators and federal representatives in Congress will have to wait until 2024 before they are able to run for two consecutive terms in a row; thus, the midterm elections of 2021 were still functioning under the traditional no-reelection condition.

Obtaining  
Documents  
Score: 7

The constitution invests Congress with significant powers. However, until recently, the independence of Congress was undermined by legislation that blocked congressional members from being immediately re-elected. This ban made congressional members dependent on a few powerful leaders who controlled access to resources and increased traditional personalistic and clientelist party structures. For this political, rather than legal, reason congressional committees voted largely along party lines and legislative scrutiny was generally perfunctory. For example, congressional members are legally entitled to request and scrutinize government documentation under the Freedom of Information Act. While the ban on being immediately re-elected has been abolished, it is too early to assess the effect of this change on legislative scrutiny.

Summoning  
Ministers  
Score: 9

Under Article 93 of the constitution, parliamentary committees have the right to summon ministers, which happens quite a lot in practice.

Regarding the resources of legislators to monitor the government, it is worth noting that – through legislative committees – they can (and frequently do) conduct hearings where they summon ministers as well as other public officials, who have an obligation to attend. It is often the case that hearings are held right after Annual Presidential Reports to go over evidence and documents supporting the president's claims on their respective offices (similar to the State of the Union Address in the United States). While these resources are relevant and useful for monitoring, they very rarely have meaningful consequences for public officials (positive or negative).

In reality, the majority of MORENA and its allies in Congress support President López Obrador. This has led to a unified government with power

concentrated in the executive, which has in turn undermined the legislature’s oversight function. In the midterm elections of 2021, the governing coalition lost the supermajority needed to change the constitution, but retained a simple majority in Congress.

Summoning Experts  
Score: 9

Congressional committees frequently summon experts, including international ones, and often take their input seriously. Indeed, there is evidence that experts play a considerable role in the legislative process. This aspect of governance mostly works well, because it provides a source of independent scrutiny.

Task Area Congruence  
Score: 5

There are far more committees than members of the cabinet. This is negative from the point of view of effective monitoring. Yet there are more significant obstacles to the effectiveness of congressional committees than their official scope. The most notable limitation has been the one-term limit for legislators, which has now been changed. However, it is too early to assess the effect of this change.

**Media**

Media Reporting  
Score: 5

The quality of the media is mixed. The quality of some Mexico City newspapers and magazines is high, but the majority of the press, and particularly radio and TV focus mainly on entertainment. This is particularly troublesome as there is a high degree of media concentration, with only two national TV companies (Televisa and TV Azteca) controlling 94% of commercial TV frequencies. These companies have similar programming and political inclinations, and account for 76% of the political news content consumed by Mexicans. The Mexican NGO Centro Nacional de Comunicación Social claims that the concentration of media ownership in only a few hands undermines media pluralism. On the supply side, producing high-quality journalism remains a challenge. Particularly on security-related issues, the increasing levels of violence against individuals and organizations producing critical and investigative journalism often results in self-censorship.

At the same time, media diversity has strongly increased in the last decade, largely thanks to online media, and Mexicans do have access to high-quality offerings if they are interested. Moreover, information on Mexican politics is easily accessible from U.S.-based and Latin American media outlets. However, this diversity in content and quality has little impact for the majority of the population, as only a very small minority of Mexicans use the internet and newspapers as their main sources of political information.

President López Obrador’s government is critical of the media, with the president personally criticizing the mainstream media for condoning fraud in previous elections and allegedly treating him unfairly. Social media plays a more important role for the new government. With his daily press conference,

broadcast on YouTube, López Obrador avoids critical questions and circumvents traditional media, while also establishing a direct link to the people in a typically populist manner.

Citation:

MOM (2018). Media Ownership Monitor Mexico: Who owns the media?. <http://mexico.mom-rsf.org/>

### Parties and Interest Associations

Intra-party  
Decision-Making  
Score: 7

In terms of candidate selection, it is normal for the presidential candidate of each of the major parties to participate in some kind of primary election. The selection of candidates in all parties for the 2018 elections was unusual. The Institutional Revolutionary Party (PRI) selected José Antonio Meade, a former finance minister, who was not a party member. The Party of the Democratic Revolution (PRD) and the National Action Party (PAN) agreed to present a common candidate, Ricardo Anaya, following bitter internal debates because of the strange left-right-coalition. MORENA, a rather personalistic movement, selected former PRD-politician Andrés Manuel López Obrador.

Candidate nomination for other mandates vary from state to state and from municipality to municipality because of the federal system. PRI, the governing party, tends to be rather secretive, clientelist and hierarchical. Meanwhile, MORENA tends to be heavily reliant on the personality of its leader, AMLO. PAN is much more of a members' party, with a degree of internal democracy, but an exclusionary attitude toward non-party members. The question of which party is in government is also crucial. Incumbent parties tend to be more internally authoritarian because of their greater patronage resources. In general, the PRI is probably the most controlled and authoritarian of the major parties.

In terms of candidates to both chambers of Congress, all parties are dominated by a leadership elite which makes all relevant decisions. They can operate in this exclusionary way because they are in control of the delegates' votes. When the candidate lists are chosen, delegates will vote as their respective leaders indicate.

The current governing party, MORENA, promised during the election campaign to change the country's political culture and adopt a more open process in its politics. To date, the results have been ambivalent. On the one hand, MORENA is highly hierarchical, and decisions are made by the undisputed leader, President López Obrador, in a traditional caudillo-like style. On the other hand, several elements of participatory democracy have been introduced, such as the introduction of the recall referendum that was

scheduled for 2022. This constitutional change enables voters to remove the president and governors after the middle of their term. Although participation in direct democratic mechanisms has to date been very limited, future use could change the country’s political culture.

Citation:  
Greene, K./Sánchez-Talanquer, M (2018). Mexico’s Party System Under Stress. *Journal of Democracy*, 29, 4, October 2018: 31-42.

Association  
Competence  
(Employers &  
Unions)  
Score: 6

With regard to economic interest organizations, there is clear asymmetry. Trade unions are not sophisticated organizations in Mexico, while employers and business associations mostly are. However, these organizations tend to be dominated by a small group of empowered agents who guide most of their policy positions and decision-making processes. The collective interest of those supposedly represented by the association is seldom the one that prevails. A good example of this is the Employers Confederation of the Mexican (COPARMEX): it would be in their best interest to push for a tax consolidation (combined reporting) reform. However, because it is not in the interest of the most influential members of the organization (frequently owners of the largest companies in the country), this issue is almost completely out of the organization’s agenda.

Due to the anti-corruption efforts of the new government, several union leaders are facing corruption charges, including the leader of Pemex’s workers’ union. In addition, the former CEO of Pemex is also facing corruption charges.

In contrast to its predecessors, the new government is cooperating more with NGOs, and social movements and activists, which has at least partly counterbalanced the traditional weight of established interest associations.

Association  
Competence  
(Others)  
Score: 6

Against the background of corporatist authoritarianism in 20th century Mexico, economic interest groups in democratic Mexico could draw on many associational experiences. Moreover, since the early 2000s, there has been a considerable increase in the quantity and the sophistication of noneconomic interest groups in Mexican civil society. Many talented graduates have found positions in domestic and international NGOs, and work to influence policy in Mexico via advocacy-oriented strategies. Several tertiary-education institutes (e.g., ITAM, Colmex, CIDE) both teach and conduct public policy research, and some are highly influential in the political sphere as think tanks and/or advocacy institutions, often through the personal linkages to the government and its administration. Furthermore, there has been an increase in the number of national and international advocacy NGOs that, depending on the sector and the government in place, are also relevant in the agenda-setting process. Moreover, many grassroots organizations founded in the last 10 years aim to

influence local and regional policymaking. Finally, the degree of movement of personnel between NGOs, think tanks and government is high compared to other OECD countries. While the capacity of most of these organizations to propose policy reforms in complex policy settings is rather restricted, it has been growing steadily and their role influencing public opinion is more relevant every year. Examples of these associations include IMCO, Mexico Evalua and Mexicanos Primero, which have been able to affect the policy agenda of the government in the last years on issues related to transparency, accountability and development effectiveness.

The record of the new government of President López Obrador and his party MORENA toward social movements and NGOs has been mixed so far. On the one hand, MORENA is associated with social movements and is trying to establish a new style in Mexican politics, away from traditional vested interests. On the other hand, the government's austerity measures have cut state subsidies for NGOs, for which NGOs have heavily criticized the government. Moreover, the populist legacy of the current government also indicates tensions between "popular consultation" on the one hand and top-down, populist decision-making on the other. Mexico nonetheless has a very lively civil society.

Citation:

El Universal (2018). Mexican NGOs to keep working on the development of civil society. <http://www.eluniversal.com.mx/english/mexican-ngos-keep-working-development-civil-society>

### Independent Supervisory Bodies

Audit Office  
Score: 6

The federal Superior Audit Office (ASF) was set up in 2001 to help the Chamber of Deputies, the lower house of the National Congress, and it has technical and managerial autonomy. In practice, the audit office shows a high degree of independence, but little sanctioning power. The audit office is accountable to parliament exclusively. Over the last decade, the audit office has become stronger in technical terms, but remains incapable of fully covering all relevant topics. A central problem remains impunity, a challenge which has become more and more severe over the last decade, and undermines the authority of the institution.

In general, President López Obrador intends to reform the constitution to limit the number and competences of independent and autonomous bodies, with the goal of concentrating competences in the executive. The debates over the issue and the stated intention to bring about the change have already limited the oversight function exerted by independent bodies.

Citation:

OECD 2017: Mexico's National Auditing System. Strengthening Accountable Governance, <https://doi.org/10.1787/9789264264748-en>

Ombuds Office  
Score: 6

During its process of political liberalization, Mexico established an Ombudsman's Office in 1992. The office is generally respected, and the ombudsman can, and sometimes does, criticize government policy. In 2007, the ombudsman publicly advised President Calderón not to use the army in counter-narcotics activities. Calderón nevertheless sent troops in, which provoked an ongoing discussion on the army's domestic tasks. More recently, the limited de facto power of the institution has become visible particularly in the field of domestic security (e.g., drug crime, human rights abuses). In short, while Mexico has an independent and respected Ombudsman's Office, it is not necessarily powerful, particularly against the backdrop of an unprecedented spread of violence in recent years.

Under the new government of López Obrador, the ombudsman is a loyal MORENA supporter, which has led to criticism of the office's lack of independence. In general, President López Obrador intends to reform the constitution so as to limit the number and competences of independent and autonomous bodies, with the goal of concentrating competences in the executive. However, there have as yet been no signs that the Ombudsman's Office is to be included in this revision.

Data Protection  
Authority  
Score: 5

Legislation on data protection in Mexico has been ineffective since 2010. The National Institute for Transparency, Access to Information and Personal Data Protection (INAI) is an autonomous constitutional body that oversees data protection. Implementation of data protection is limited, especially in remote areas, for poor and uneducated people, and where security issues are involved. Thus, while there is an adequate institutional framework and organizational setup, the reality of data protection, particularly at the lower levels of government, is sobering. In general, President López Obrador intends to reform the constitution to limit the number and competences of independent and autonomous bodies, with the goal of concentrating competences in the executive. The debates over the issue and the stated intention to bring about the change have already limited the oversight function exerted by independent bodies.

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