

Mexico shows a stagnation in the rule of law: WJP

- ***Mexico's 32 states still face significant challenges regarding their adherence to the rule of law, according to the Mexico States Rule of Law Index 2020-2021.***
- ***Criminal justice systems were affected by the lack of timely and appropriate Open and Digital Justice measures, to enable access to citizens by remote and collaborative means.***
- ***Data show a weakening of the checks and balances system, the scores for freedom of the press and civic space decreased in 16 states.***
- ***In a scale from 0 to 1, the states with highest scores are Yucatán (0.47), Coahuila (0.45) and Campeche (0.44). On the other hand, the states with the lowest scores are Quintana Roo (0.34), Puebla (0.35) and Morelos (0.36).***

Mexico City, April 28, 2021. For the third time, the World Justice Project (WJP) released a report with the results of Mexico's 32 states regarding the rule of law.

The *Mexico States Rule of Law 2020-2021* was presented by Alejandro González, Director of Rule of Law Projects for the WJP, and Leslie Solís, Senior Researcher for the WJP. The online event was attended by Lorenzo Córdova, INE President, Blanca Lilia Ibarra, INAI President, Jesús Moya, Senior Auditor of the ISAF of Sonora, Elizabeth Andersen, Executive Director of the WJP; as well as the governors of Guanajuato, Sonora, and Yucatán; and the Secretary for Human Rights, Population and Migration of SEGOB.

According to Alejandro González, "the *Mexico States Rule of Law Index 2020-2021* provides comprehensive data and actionable findings to inform diagnoses and strategies for strengthening the rule of law by using local government plans and programs of the 32 states."

In its third edition, which ranks Mexico's 32 states, the Index shows aggregated data into 42 sub-factors, which are organized into eight factors, which reflect the perspectives and experiences of more than 25,000 citizens from all over the country and more than 2,300 specialists in civil justice, criminal justice, labor justice, and public health (which were polled between July and October of 2020), as well as the results of a variety of surveys and databases on topics related to the rule of law (third-party sources). The Index presents data organized into eight factors of the rule of law: 1) Constraints on Government Powers, 2) Absence of Corruption, 3) Open Government, 4) Fundamental Rights, 5) Order and Security, 6) Regulatory Enforcement, 7) Civil Justice, and 8) Criminal Justice.

For Leslie Solís, “the results of this edition of the *Mexico States Rule of Law Index* show a stagnation in the country’s progress towards a robust rule of law, with marginal changes in the scores of most states since the previous edition.” She added that “the gap between the scores of the 32 states and the ideal score remains substantial. All the states still have important challenges to achieve a robust rule of law.”

The states with the highest scores in the *Mexico States Rule of Law Index 2020–2021* are Yucatán (0.47), Coahuila (0.45), and Campeche (0.44). Yucatán has been at the top of the ranking in the three editions of the Index. The states with the lowest scores are Quintana Roo (0.34), Puebla (0.35), and Morelos (0.36).

Since the last edition of the *Mexico States Rule of Law Index* (2019-2020), the scores modestly increased in 17 states, decreased in 5 and remained unchanged in 10. Moreover, four states stand out for showing significant progress in general scores of the Mexico States Rule of Law Index, in the three editions since 2018: Baja California Sur (from 0.35 in 2018 to 0.43 in 2020-2021), Guerrero (from 0.29 to 0.36), Sonora (from 0.36 to 0.40), and Nayarit (from 0.37 to 0.42).

Criminal Justice, the most impacted by the pandemic

The score for Factor 8: Criminal Justice, decreased in 16 states since the previous edition of the Index. The aspects affected the most were if the criminal adjudication system is timely and effective (sub-factor 8.2) and if the due process of the law for the accused is effectively guaranteed (sub-factor 8.4).

The data suggest that criminal justice systems were affected by the lack of timely and appropriate Open and Digital Justice measures, to enable access to citizens by remote and collaborative means, which were necessary during the confinement derived from the health emergency. Most of the country’s jurisdictional bodies were forced to suspend their operation over a long period of time, despite that all federal and local judicial activity was categorized as essential by health authorities. In this context, the states with justice systems with fewer online services during the pandemic had the highest decreases in Factor 8.

The country still faces challenges in criminal investigation. In the three editions of the Index, most states have their lowest scores in sub-factor 8.1, which measures whether the police and the Prosecutor’s Office (Ministerio Público) investigate crimes efficiently. This is largely due to the ‘dark figure’, or the number of crimes that are not reported or recorded by the police. INEGI estimates this figure at 92.4% nationally, according to the National Survey on Victimization and Perception of Public Security (ENVIPE) 2020.

The most effective checks on government weakened

The data also show a continuous weakening of the freedom of the press and a shrinking civic space, reflected in the decreases of sub-factor 1.5 scores in 16 states. Despite this decline, civil society and the press are the most effective check and balances of state governments for the third time, well above the legislative branch, the judiciary, oversight and control agencies, and human rights commissions.

Lorenzo Córdova highlighted the importance of checks and balances by stating that “in a democracy, in which it is aspired to have a valid and vigorous rule of law, checks and balances are essential. For this reason, the autonomous constitutional bodies are also regulators of power and citizen oversight of institutions contributes to them.”

Blanca Lilia Ibarra added that “the autonomous institutions respond to a citizen demand to have technical, specialized and independent bodies as factors of balance of power.”

Jesús Ramón Moya highlighted the importance of availability of data for decision-making: “We all know the phrase that: what is not measured, cannot be evaluated. In this sense, with the current regulatory provisions, there is a large amount of information that is available for society. And that information is what allows us to enhance accountability.”

Security continues to be a challenge

Security continues to be one of the greatest challenges in Mexico, highlighted by the homicide rates (sub-factor 5.1), the perceptions of insecurity (sub-factor 5.3), and the decrease in scores in absence of corruption in the safety and law enforcement systems (sub-factor 2.3) in 20 states, according to the experiences of specialists polled during 2020.

However, there were improvements in crime incidence and prevalence indicators in most states. Scores of sub-factor 5.2, which measures absence of crime, improved in 26 states, due to decreases in crime incidence and prevalence rates of ENVIPE 2020, which measures crimes that occurred in 2019.

Data use, key factor for advancing the rule of law

The governors of Guanajuato, Sonora, and Yucatán, and the Secretary for Human Rights, Population and Migration of SEGOB, agreed on the importance that rule of law for sustaining the development of the country, as well as the need to have robust data and evidence to design public policies for strengthening it.

About the *Mexico States Rule of Law Index*

The *Mexico States Rule of Law Index* is unique in its kind. It uses information obtained first-hand from citizens to capture the voices of thousands of people in urban and rural areas in the 32 states of the country. This is the third edition of the Index, which allows to identify developments and persistent challenges on topics related to the rule of law.

Its potential as a decision-making tool is highlighted by the citations of the *Mexico States Rule of Law Index* in planning documents of eleven state governments and the national government. WJP's intention is that this tool is used to identify strengths and weaknesses in each state and promote public policies that strengthen the rule of law in Mexico.

About World Justice Project

The World Justice Project (WJP) is an independent, multidisciplinary organization working to create knowledge, build awareness, and stimulate action to advance the rule of law worldwide. Effective rule of law reduces corruption, combats poverty and disease, and protects people from injustices large and small. It is the foundation for communities of justice, opportunity, and peace—underpinning development, accountable government, and respect for fundamental rights.

The World Justice Project defines the rule of law as a durable system of laws, institutions, norms, and community commitment that delivers: accountability, just laws, open government, and accessible justice. Learn more about these four universal principles and our work at: www.worldjusticeproject.org

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