

Mexico

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Mexico received a downward trend arrow due to the forced disappearance of 43 students who were engaging in political activities that reportedly angered local authorities in the town of Iguala, Guerrero, an atrocity that highlighted the extent of corruption among local authorities and the environment of impunity in the country.

Despite incremental advances on some issues, including a decrease in homicide rates, several grave setbacks marred Mexico's attempts to improve its human rights record in 2014. Over the past two years, President Enrique Peña Nieto has sought to emphasize improvements in the economic and security environments. However, the government's narrative of progress was undermined when 43 college students disappeared in Iguala, Guerrero, in September 2014 after engaging in political protests. Reports alleging that local officials had turned the students over to a drug gang drew public attention back to the country's ongoing epidemic of violence, corruption, and impunity. As international scrutiny mounted and protests were held in Guerrero and Mexico City, the government announced in November that the students' charred remains had been found in a municipal dump. Protests demanding wider investigations intensified after DNA testing of the remains was able to confirm the identity of only one student.

Although murder rates declined for a third straight year, the incidence of other serious crimes, including kidnapping and extortion, remained high as increasingly fragmented crime syndicates diversified their operations beyond drug trafficking. In the state of Michoacán, the government moved to take control of armed self-defense groups that had formed in 2013 to combat frequent criminal violence and crippling levels of extortion. Authorities made progress in their attempts to thwart cartels throughout the year, capturing the country's most infamous gangster, Joaquín "El Chapo" Gúzman Loera, along with several other influential members of crime syndicates. Nevertheless, increasing episodes of violence led to the deployment of the National Gendarmerie, Mexico's new police-military hybrid, to the states of Tamaulipas and Guerrero.

Allegations of severe human rights violations continued to emerge in conjunction with the security operations conducted throughout the country by more than 45,000 soldiers. In June, a confrontation between criminals and an army unit in the state of Mexico left 22 people dead. After the media refuted the initial explanation that all the deaths occurred during a firefight, investigations were stepped up. Eight soldiers were eventually arrested and accused by the National Commission on Human Rights (CNDH) of massacring at least 15 people who had already surrendered. Seven of the soldiers were arraigned on murder charges in the civilian justice system, which marked the first instance of military personnel being charged in a civilian court since the April passage of long-awaited reforms to the military justice code.

Political Rights and Civil Liberties:

Political Rights: 28 / 40 [Key]

A. Electoral Process: 9 / 12

The president is elected to a six-year term and cannot be reelected. The bicameral Congress consists of the 128-member Senate and the 500-member Chamber of Deputies. Senators are elected for six-year terms through a mix of direct voting and proportional representation, with at least two parties represented in each state's delegation. In the Chamber of Deputies, 300 members are elected through direct representation and 200 through proportional representation, each for three-year terms. Under a December 2013 electoral reform, current members of Congress are no longer barred from reelection. As of 2018, elected senators will be eligible to serve up to two six-year terms; deputies will be permitted to serve up to four three-year terms. In Mexico's federal system, the elected governor and legislature in each of the 31 states have significant governing responsibility, including oversight of the majority of the country's beleaguered police force.

Peña Nieto of the Institutional Revolutionary Party (PRI) won the July 2012 presidential election with 38 percent of the vote, followed by veteran Party of the Democratic Revolution (PRD) leader Andrés Manuel López Obrador with 31 percent. Although López Obrador initially refused to accept the results, alleging infractions such as widespread vote buying, overspending, and media bias, the Federal Electoral Tribunal found insufficient evidence to invalidate the election. In concurrent congressional elections, the PRI and allied parties garnered a narrow majority of 251 seats in the lower chamber. The PRD and its allies won 135 seats, followed by the National Action Party (PAN) with 114. No coalition gained a majority in the Senate, where the PRI–Green Party alliance held 61 seats, the PAN took 38, and the PRD won 22.

Mexico's National Electoral Institute (INE, known until early 2014 as the Federal Electoral Institute), which supervises elections and enforces political party laws, has come to be viewed as a model for other countries. Electoral law strictly regulates campaign financing and the content of political advertising, although control is weaker in practice. The 2012 elections were generally considered free and fair, but complaints persisted. The primary accusations—which concerned alleged instances of vote buying and collusion between the PRI and dominant broadcaster Televisa—were instrumental in sparking a significant anti-PRI student movement. At the state level, allegations of misuse of public resources to favor specific gubernatorial candidates have increased in recent years. While the 2013 political reform broadened the INE's power to include oversight of state elections, analysts have expressed concern that several of the new provisions threaten to overwhelm the INE's capacity and may also institutionalize electoral conflict.

B. Political Pluralism and Participation: 12 / 16

Mexico's multiparty system features few official restrictions on political organization and activity. Power has changed hands twice at the national level since 2000, and opposition

parties are also competitive in many states. However, in states with lower levels of multiparty contestation, locally dominant political actors often govern in a highly opaque manner that limits political activity and citizen participation and opens the door to corruption and organized crime.

The PRI returned to national government in 2012 after losing two consecutive presidential races to the right-leaning PAN. The PRI ruled Mexico without interruption from 1929 to 2000, and many Mexicans question its commitment to full democracy, although the party has not silenced its detractors.

Politicians and municipal governments have been subject to growing pressure from criminal groups in recent years, with more than 300 attempted or successful assassinations of local officials registered between 2008 and 2013. PRI federal deputy Gabriel Gómez Michel was murdered in Jalisco in September 2014; the same month, Braulio Zaragoza, a leader of the PAN, was killed in Guerrero.

While the 2013 political reform included a provision for citizen consultations, in October 2014 the Supreme Court ruled that the first three referendums proposed—including a leftist-sponsored attempt to undo energy reforms—were unconstitutional.

Indigenous Mexicans are not blocked from participating in the political process, and federal and state laws prescribe procedures for the integration of traditional community customs, but indigenous groups remain underrepresented in formal political institutions.

C. Functioning of Government: 7 / 12

Organized crime and related violence have limited the effective governing authority of elected officials in some areas of the country. In the most violent regions, the provision of public services has become more difficult as public-sector employees such as teachers increasingly face extortion. Members of organized crime have persisted in their attempts to infiltrate local governments in order to ensure their own impunity. The success of such efforts was illustrated by a series of videos leaked in 2014 that showed ties between officials in Michoacán and leaders of the Knights Templar crime syndicate.

The mass student disappearance that occurred in Iguala in September has been linked to a deeply flawed local government working in conjunction with a drug gang. In November, former Iguala mayor José Luis Abarca and his wife, María de los Ángeles Pineda Villa, were arrested for their role in the disappearance and murder of the 43 students. As of late 2014, they were still awaiting trial.

Official corruption remains a serious problem. Billions of dollars in illegal drug money enter the country each year from the United States, and such funds affect politics, particularly at the state and local levels. Attempts to prosecute officials for alleged involvement in corrupt or criminal activity have often failed due to the weakness of the cases brought by the state. Punitive measures have generally focused on low- and mid-level officials, hundreds of whom have been dismissed or charged with links to drug traffickers. An anticorruption prosecutor

position was established in March 2014, though the post remained empty at year's end. Debate over various proposals to reform the anticorruption system intensified during 2014 after it was revealed that the president's wife and the finance minister had purchased houses from an active government contractor in a conflict-of-interest scandal. Mexico was ranked 103 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

The February 2014 discovery of a fraudulent \$500 million loan from the Mexican affiliate of Citigroup to Oceanografía, an oil services firm with strong political ties, illustrated the scale of corruption inside large enterprises.

Despite some limitations, a 2002 freedom of information law has successfully strengthened transparency at the federal level, though implementation has slowed and many states lag far behind.

Civil Liberties: 36 / 60 (-1)

D. Freedom of Expression and Belief: 12 / 16 (-1)

Legal and constitutional guarantees of free speech have been improving gradually, but the security environment for journalists remains highly problematic. While some major media outlets have reduced or eliminated their dependence on the government for advertising and subsidies, investigative reporting is scarce and the distribution of government advertising still affects coverage, particularly at the local level. Broadcast media are dominated by a corporate duopoly composed of Televisa and TV Azteca, which together control approximately 95 percent of the market. Televisa has faced accusations of supporting specific politicians over the years, usually from the PRI. Secondary legislation pertaining to a 2013 telecommunications law was approved in July 2014. It facilitates the establishment of a new telecommunications regulator, strengthens the Federal Economic Competition Commission, and resulted in the creation of two new free-to-air channels. However, civil society groups have criticized the limited scope of the reforms.

Reporters probing police issues, drug trafficking, and official corruption have faced an increasingly high risk of physical harm since 2006, when violence spiked. At least three journalists were killed during 2014. Self-censorship has increased, with many newspapers in violent areas avoiding publication of stories concerning organized crime. Press watchdog groups hailed the 2012 federalization of crimes against journalists, but they have decried the slow pace of the federal government's special prosecutor for crimes against freedom of expression since the office gained authority in May 2013.

Mexico has been at the forefront of citizen-led efforts to ensure internet access. The government amended Article 6 of the constitution in 2013 to make access to the internet a civil right. However, gangs have targeted bloggers and online journalists who report on organized crime, issuing threats and periodically murdering online writers. In October 2014, María del Rosario Fuentes Rubio, an activist in Tamaulipas who used Twitter to report on

criminal activity, was kidnapped and murdered; images of her corpse later appeared on her Twitter account.

Religious freedom is protected by the constitution and is generally respected in practice. The government does not restrict academic freedom, though university students are sometimes threatened for their political activism. In the Iguala case, the kidnapped students were targeted in retaliation for a protest action.

E. Associational and Organizational Rights: 8 / 12

Constitutional guarantees regarding free assembly and association are largely upheld, but political and civic expression are restricted in some regions. During 2014, the largest and most publicized protests involved university students in Mexico City, as well as various groups in cities throughout Guerrero protesting the student disappearances. These demonstrations became violent on several occasions, with police using excessive force and making arbitrary arrests. In May, the state of Puebla passed a bill known as the “Bullet Law” that allowed police to use force to break up protests. In July, following the death of a protester at the hands of police, the governor announced that the law would be rescinded.

Although highly active, nongovernmental organizations sometimes face violent resistance, including threats and murders. Dario Ramirez, director of the regional chapter of press freedom watchdog Article 19, received threats throughout 2013 and suffered a break-in at his home in March 2014.

Trade unions, long a pillar of the PRI, have diminished significantly, but independent unions still face interference from the government. Informal, nontransparent negotiations between employers and politically connected union leaders often result in “protection contracts” that govern employee rights but are never seen by workers. Several large unions are considered opaque and antagonistic to necessary policy reforms. Longtime teachers’ union leader Elba Esther Gordillo—widely perceived as extremely corrupt—was arrested in February 2013 and charged with embezzling more than \$150 million.

F. Rule of Law: 6 / 16

Mexico’s justice system is plagued by delays and unpredictability. A 2008 constitutional reform replaced the civil-inquisitorial trial system with an oral-adversarial one. Although it was expected to strengthen due process while increasing efficiency and impartiality, human rights groups have raised concerns about the reform’s vague definition of organized crime and the weak protections it affords to suspects. Implementation of the new system was expected to take eight years; in 2014, civil society groups noted progress in some states but significant delays in many others. Abuses during criminal investigations are rife; in May, a UN special rapporteur characterized torture as “generalized” within Mexican police forces.

Coordination among law enforcement entities has long been problematic, and communication and cooperation between different branches of the federal government, as well as between federal authorities and the state and local police, have been difficult. Accordingly, the Peña Nieto administration has pursued streamlined chains of command. In zones plagued by crime, federal troops have temporarily replaced local police forces. While critics contend that federal intervention decreases incentives for governors to undertake systemic reforms, in practice implementation of such reforms at the local level has been largely unsuccessful. Despite a 2009 law ordering all members of the police to be vetted, thousands of police who failed to meet requirements have remained on the job.

Lower courts—and law enforcement in general—are undermined by widespread bribery and suffer from limited capacity. According to a government survey released in September 2014, nearly 94 percent of crimes committed in 2013 went unreported because the underpaid police are viewed as either inept or in league with criminals. Even when investigations are conducted, only a handful of crimes end in convictions. Prisons are violent and overcrowded, and it is not uncommon for prisoners to continue criminal activity while incarcerated. In 2013, officials estimated that 90 percent of telephone extortion attempts—in which victims receive a phone call demanding ransom for relatives who have not actually been kidnapped—originated inside prisons. The frequently maligned CNDH was the subject of criticism in 2014 due to its perceived passivity in the face of rampant rights abuses; the head of the organization was replaced in November.

Presidential authority over the armed forces is extensive, but the military has historically operated beyond public scrutiny. Human rights advocates have long complained about a lack of accountability for rights abuses including torture, forced disappearances, and extrajudicial executions. Military personnel are generally tried in military courts, but in a series of cases starting in August 2012, the Supreme Court ruled that human rights violations against civilians must be tried in civilian courts. The change was formalized through a bill passed in April 2014.

The number of deaths attributed to organized crime declined for a third straight year in 2014, after rising sharply each year between 2007 and 2011. Violence remained acute in many areas, however, including Acapulco and parts of the states of Mexico, Jalisco, and Michoacán. The murders often featured extreme brutality designed to maximize the psychological impact on civilians, authorities, and rival groups. In order to combat the growing perception of insecurity, certain government agencies have agreed to suppress news of violent activity throughout the country; nonetheless, the public appears fully aware of the nation's high rate of violent crime.

In recent years, the government has taken a number of steps to curb violence and ease popular frustration. These include engaging in consultations with civic leaders, the continued deployment of troops, the reformation of the federal police and development of the National Gendarmerie, and the decriminalization of possession of small quantities of drugs. The Peña Nieto administration has been less vocal on matters of public safety than its predecessor, but it has maintained many of the former administration's strategies, such as use of the military.

Mexican law bans discrimination based on ethnic origin, gender, age, religion, and sexual orientation. Nevertheless, the large indigenous population has been subject to social and economic discrimination, with many groups relegated to extreme poverty in rural villages that lack essential services. Southern states with high concentrations of indigenous residents suffer from particularly deficient services and limited political voice. Indigenous groups have been harmed by criminal violence in recent years; in 2013 a series of communities in Guerrero formed self-defense groups, several of which were legalized by the state government. In addition, disputes over land issues within indigenous groups have occasionally become violent, particularly in the states of Chiapas and Oaxaca.

G. Personal Autonomy and Individual Rights: 10 / 16

Criminals have impeded freedom of movement by blocking major roads in several states in recent years, and ordinary citizens avoid roads in many rural areas after dark. Rights groups frequently detail the persecution and criminal predation faced by migrants from Central America, many of whom move through Mexico to reach the United States. Mass graves containing hundreds of bodies found in Tamaulipas in 2011 included many migrants, and a wide range of abuses against migrants was reported in 2014 despite government initiatives to improve protections.

Property rights in Mexico are protected by a modern legal framework, but the weakness of the judicial system, frequent solicitation of bribes by bureaucrats and officials, and the high incidence of criminal extortion harm security of property for many individuals and businesses.

Sexual abuse and domestic violence against women are common. According to a 2012 study, 46 percent of women have suffered some form of violence, and perpetrators are rarely punished. Implementation of a 2007 law designed to protect women from such crimes remains halted, particularly at the state level, and impunity is the norm for the killers of hundreds of women each year. Mexico is a major source, transit, and destination country for trafficking in persons, including women and children, many of whom are subject to forced labor and sexual exploitation.

Abortion has been a contentious issue in recent years, with many states reacting to Mexico City's 2007 liberalization of abortion laws by strengthening their own criminal bans on the procedure. Female representatives have held more than one-third of congressional seats since the 2012 elections.

In September 2014, Coahuila became the first state in Mexico to legalize same-sex marriage explicitly. Mexico City has also made same-sex marriage legal, and a variety of provisions for partnerships exist in other areas of the country.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology