



World Justice
Project

Mexico States Rule of Law Index 2020-2021, Roundtable Briefing for Experts

July 2021

The World Justice Project (WJP) convened a private virtual briefing on July 22, 2021, to provide U.S.-based stakeholders from the business and investment community, government, and civil society with concise and reliable data and analysis of the rule of law environment at the local level in Mexico. Following Chatham House rules of non-attribution, this brief summarizes key issues discussed and highlights ways data can be used to analyze and improve rule of law situations on the ground.

The Mexico States Rule of Law Index 2020-2021

“The Mexico States Rule of Law Index is notable. It is the only sub-national Index produced by the WJP and is undoubtedly one of most comprehensive tools for measuring the rule of law in Mexico’s 32 states.”

– High-level Mexico Diplomat

The [Mexico States Rule of Law Index 2020-2021](#) is the third edition of the most comprehensive measure of citizens’ perceptions and experiences regarding the rule of law in their daily lives in all 32 states of Mexico. The 2020-2021 edition reflects the ongoing challenges to establishing rule of law in Mexico, especially during the COVID-19 pandemic, a crisis that has put pressure on governance around the world.



The *Mexico States Rule of Law Index* uses the same conceptual framework and methodology as WJP's global *Rule of Law Index* to measure adherence to the rule of law in each of Mexico's 32 states, with adaptations to strengthen measurement at the state level and reflect the national context.

Like WJP's global index, the *Mexico States Rule of Law Index* presents data organized into eight dimensions: 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. These factors summarize different components of the rule of law, provide information regarding the institutional strengths and weaknesses of each state, and serve as reference points to assess the performance of state authorities over time or in comparison to other states.

This Index 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. Specifically, it uses over 600 variables generated from answers to a General Population Poll (GPP) of 25,600 people, answers to Qualified Respondents' Questionnaires (QRQs) administered to over 2,300 attorneys and specialists in criminal law, civil law, labor law, and public health, and information produced by other institutions (third-party sources).

Thematic Insights from the *Mexico States Rule of Law Index*

"The Mexico States Rule of Law Index is truly the best tool available to understand the strengths and areas for growth in state-level justice systems in Mexico."

– High-level US Government Official

The results of the *Mexico States Rule of Law Index 2020-2021* show a stagnation in the country's progress towards a strong rule of law, with marginal changes in the overall rule of law scores of most states since the 2019-2020 edition of the Index. In addition, data reveal that all states face significant rule of law challenges, with even the highest score, Yucatán at 0.47 scoring low on a scale from 0 to 1, where 1 indicates the highest adherence to the rule of law. The other two states at the top of the ranking are Coahuila, with 0.45 and Campeche, with 0.44.

The briefing focused on four key rule of law topics: corruption, regulatory enforcement, labor rights, and the effectiveness of the civil and criminal justice systems.

— **Absence of Corruption**

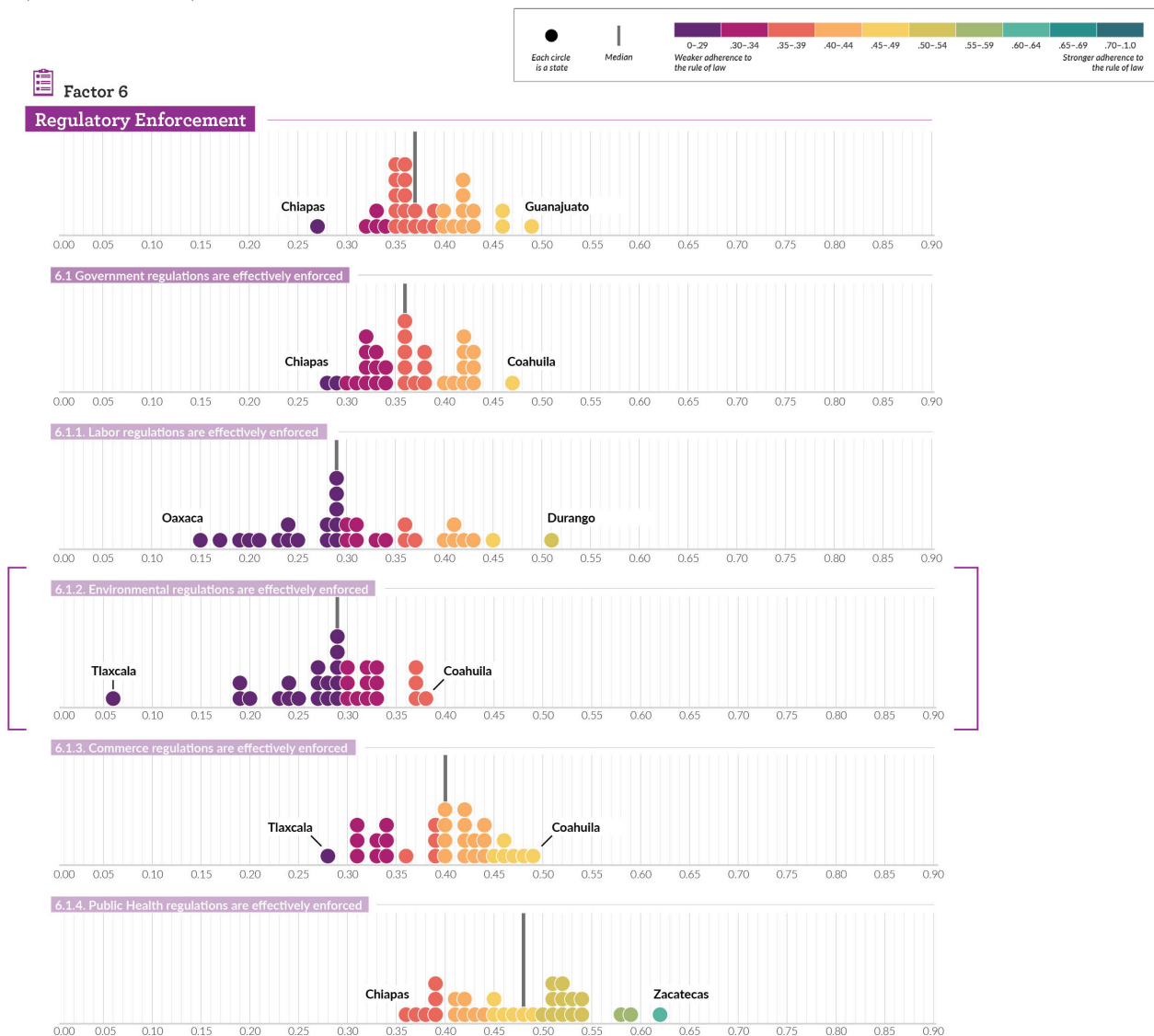
Factor 2: Absence of Corruption measures the use of public power for private gain, in the local executive, legislative, and judicial branches, and in the security and law enforcement system. The results show that large-scale corruption in executive branches at the state and municipal level (corruption in public procurement and purchases and embezzlement) remain the greatest challenges.

— Regulatory Enforcement

The Index also shows significant challenges in regulatory enforcement (Factor 6). This factor measures whether rules and regulations issued by state governmental authorities are applied effectively. Sub-factor 6.1 examines how regulations are applied in different sectors: commercial, labor, environmental and public health. For the third edition, the most significant challenges are in environmental regulation (see below chart). This is worrisome because harm to the environment has quantifiable economic costs and recognizable impacts on societies. On the other hand, effective enforcement of environmental regulations has benefits that go beyond the environment, such as fostering innovation, economic growth, and increases in investments and productivity.

Figure 1.

Environmental regulations face important challenges at the state level (indicator 6.1.2)



Note: The Index uses a scale from 0 to 1, where 1 indicates the highest adherence to the rule of law. The states with the highest and lowest scores for each indicator are shown. Scores are rounded to two decimal places.

Source: Mexico States Rule of Law Index 2020-2021

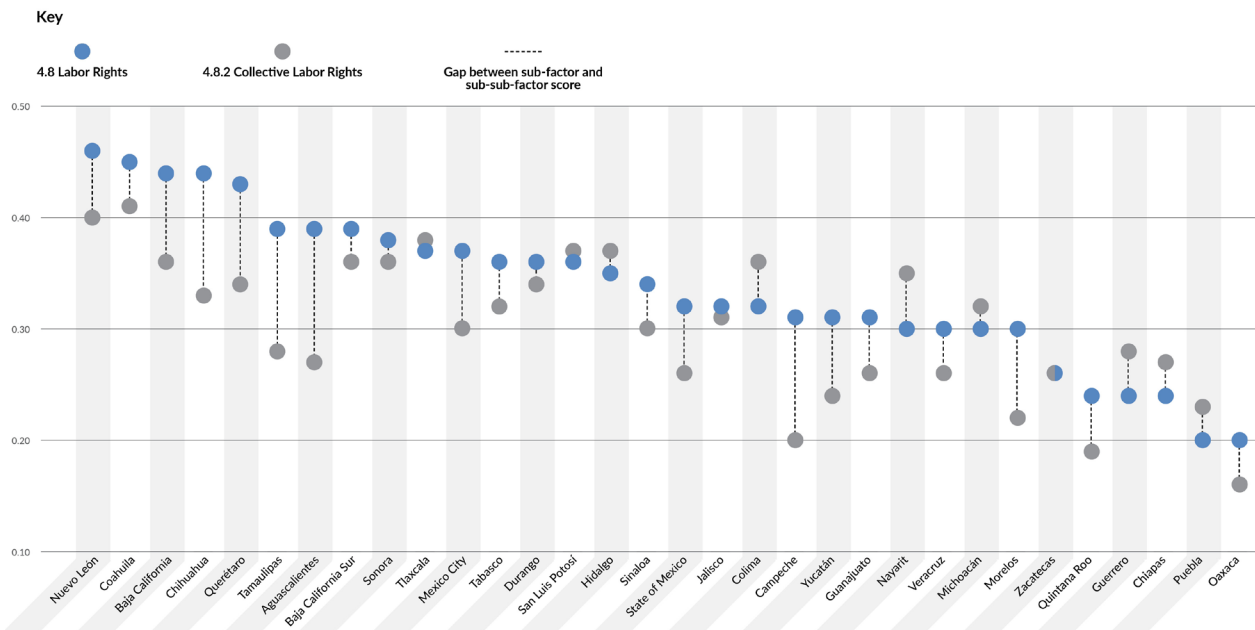
— Labor Rights

Another challenge for the country is guaranteeing respect for labor rights (sub-factor 4.8). In almost all states, this sub-factor scores the lowest among other Fundamental Rights (Factor 4) sub-factors. The chart below emphasizes the challenges states face in promoting and protecting collective labor rights, and the Covid-19 pandemic only weakened institutional foundations to support such efforts.

Figure 2.

Collective labor rights present the lowest scores in most states

(indicator 4.8.2)



Source: Mexico States Rule of Law Index 2020-2021

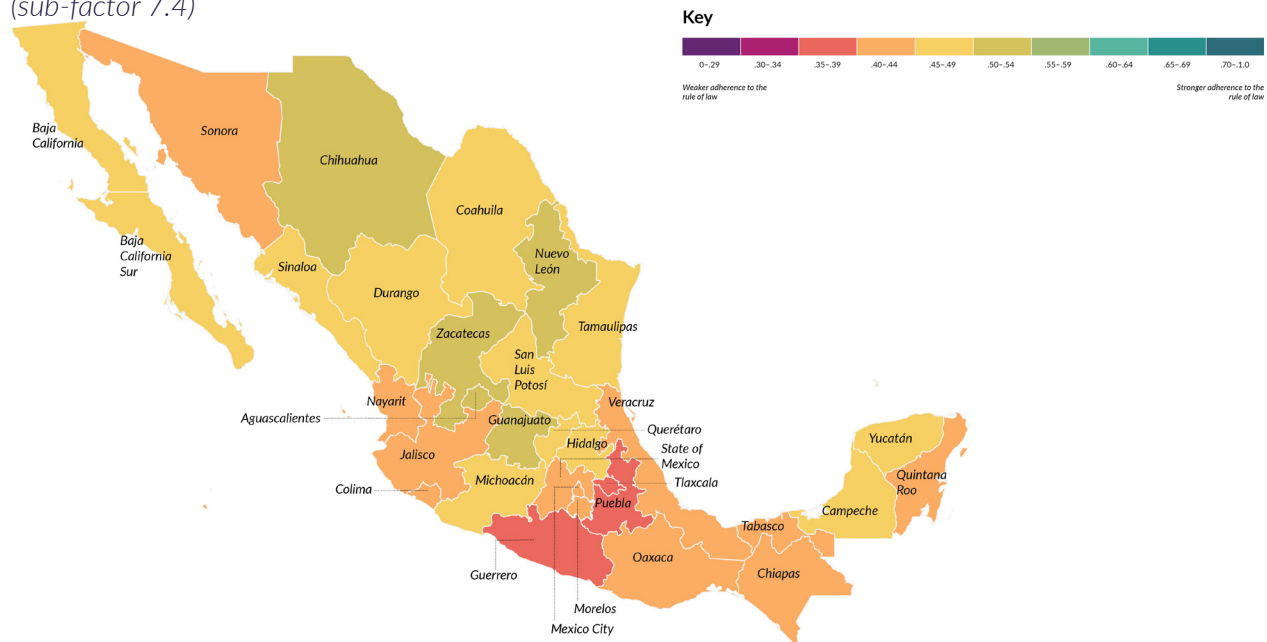
— Civil and Criminal Justice Systems

During the briefing, new data analysis was presented on the impartiality, independence, and absence of corruption in the civil justice system (sub-factor 7.4). While the results show that all states face important challenges, Guanajuato (0.53), Nuevo León (0.51) and Zacatecas (0.51) are at the top of the ranking.

Figure 3.

Differences in the impartiality of the civil justice system

(sub-factor 7.4)



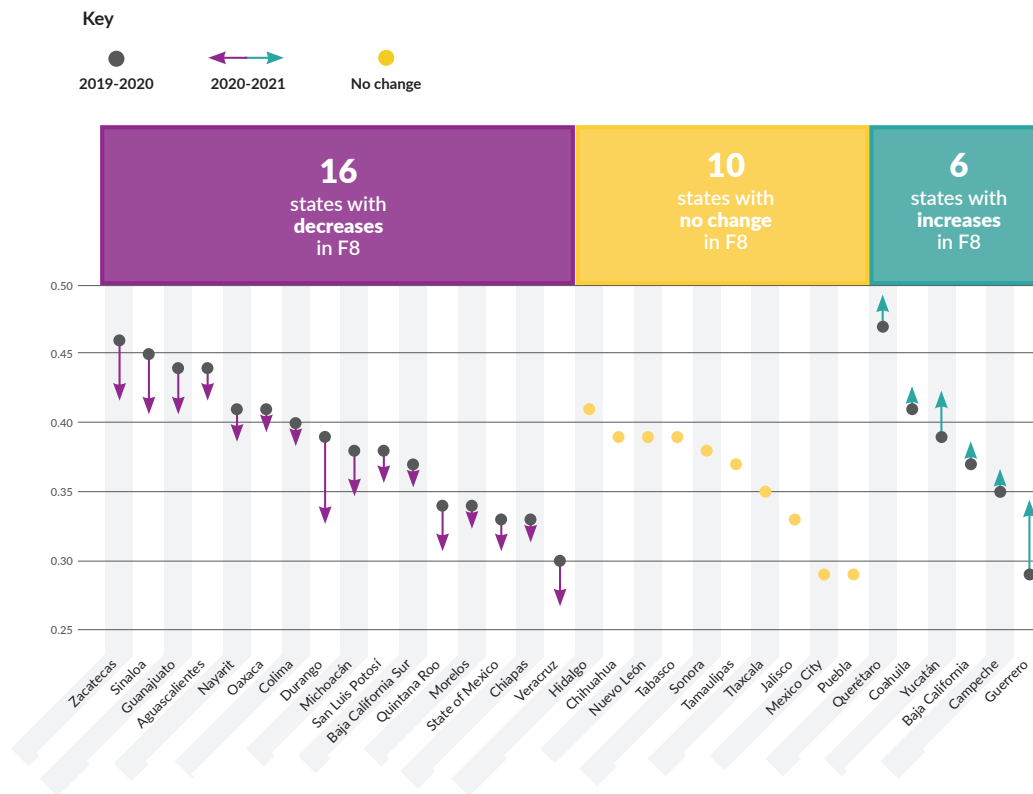
Source: Mexico States Rule of Law Index 2020-2021

The main rule of law challenge Mexico states faced over the last year was in relation to the criminal justice system. The score for Factor 8: Criminal Justice decreased in 16 states since the previous edition of the *Mexico States Rule of Law Index*. The data suggest that criminal justice systems were strongly affected by the COVID-19 pandemic, particularly the lack of timely and appropriate open and digital justice measures.

Figure 4.

Decline in criminal justice scores

(Factor 8)



Source: Mexico States Rule of Law Index 2020-2021

COVID-19 and Regional Integration

"Having sub-national data, at the state-level, does great service to companies that are broadly invested across Mexico."

– Executive at a U.S. Business Association

The pandemic highlighted the importance of strengthening the rule of law in Mexico. It also served as a reminder that countries in the North American region are interconnected and should continue to work together to increase economic opportunities and respond to the pandemic in effective ways and in accordance with the rule of law.

The magnitude of the pandemic was reflected in the difficulties of bringing products to market, the uneven health responses in a state-by-state basis, and the uneven uncertainties for companies depending on the rules of the places where they operate.

The Mexico States Rule of Law Index as a Decision-making Tool

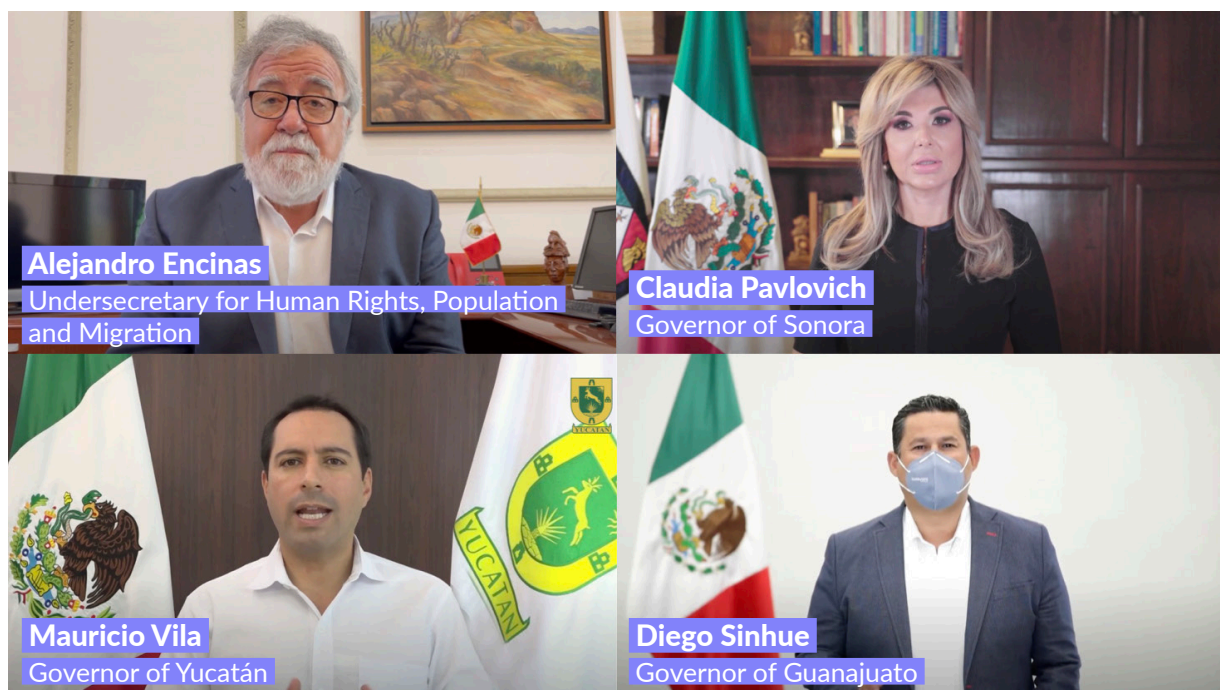
“The detailed Index focused on Mexico at the state-level is extremely helpful in providing nuance on an extremely complex landscape, nuance which can be lost with a focus solely at the federal level.”

– Senior Counselor at a Global Business Consulting Firm

The Mexico States Rule of Law Index's potential as a decision-making tool is highlighted by its inclusion in multiple planning documents of state governments and the national government, including states' development plans and sector plans, such as the [National Human Rights Program](#). In addition, WJP works with authorities and local civil society organizations to co-create and implement state-level open and digital justice policies.

Figure 5.

Undersecretary for Human Rights Alejandro Encinas, Governor Claudia Pavlovich of Sonora, Governor Mauricio Vila of Yucatán and Governor Diego Sinhue of Guanajuato in the launch of the Mexico States Rule of Law Index 2020-2021



Note: Videos are available at [WJP's YouTube channel](#).

Agencies from the U.S. government also use the Index in several ways. The Index helps identify and prioritize Mexican states for security cooperation and assistance. It also helps programming decisions, such as promoting digital tools to make justice systems more efficient and address citizen security concerns. It also works as a monitoring and evaluation indicator, to measure the impact of investments in specific states based on how they performed on the Index. The Index can help identify rule of law areas that need improvement, and its disaggregated data helps develop more precise solutions.

The Mexico States Rule of Law Index and the Business Sector

“Having the sort of data and the state-by-state specificity that this Rule of Law Index provides is something that is just unbelievably valuable, not just to us as lawyers, but to our clients directly.”

– Partner at a large U.S. Law Firm

The rule of law is fundamental in guaranteeing prosperity, security, justice, human rights, effective democracy, and sustainable development. Strengthening the rule of law in Mexico requires the participation and commitment of all areas and branches of government, the private sector, civil society organizations, and other stakeholders.

The *Mexico States Rule of Law Index* is not only valuable to government officials but is widely used for decision-making processes by multi-national and regional corporations and businesses. Participants at the briefing stated that there are a large number of U.S. companies doing business in Mexico, with direct commercial relationships not only in the border states but throughout Mexico as well. They emphasized that adherence to the rule of law is a competitive advantage that generates opportunities for growth.

With millions of U.S. jobs tied to the relationship between the U.S. and Mexico, data disaggregated at the subnational/state level is extremely valuable to determine investment and economic opportunities. This data also helps businesses understand key rule of law aspects such as regulatory compliance and corruption risks.

About the 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 WJP 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.

To explore the full results of the *Mexico States Rule of Law Index 2020-2021*, please visit: www.worldjusticeproject.org/our-work/research-and-data/special-reports/rule-law-mexico (English) and www.worldjusticeproject.mx/indice-de-estado-de-derecho-en-mexico-2020-2021/ (Spanish).