



Rule of Law

Data at a Glance

- Since 2008, the Government of Mexico (GOM) has invested more than \$625 million to implement an adversarial criminal justice system and associated reforms.
- The new system is fully operational in six states and at least partially, in 24 states and Mexico City. The last state began implementation at the end of 2015.
- Over 450 laws (including 224 State laws), 93% of those required, have been passed or modified to harmonize with the Reforms.



Overview

For many years, the Mexican criminal justice system has been criticized for being slow, inefficient, and plagued with deficiencies such as prolonged pre-trial confinement, low case disposition rates, a lack of transparency, and questionable attention to due process. In 2008, the Government of Mexico (GOM), under increasing pressure from justice sector stakeholders and civil society networks, approved constitutional reforms, mandating the nation-wide adoption of a new adversarial criminal justice system in the country. The Reforms require all state and federal jurisdictions to be in compliance with the new criminal justice system by June 2016, and aims to improve the transparency, effectiveness, and efficiency of criminal justice proceedings, while protecting due process, promoting assistance to crime victims, and strengthening human rights. U.S. Government support for the reforms are supported through the Merida Initiative.

Objective: Constitutional Criminal Justice Reforms of 2008 are Operational in Mexican States

Under USAID/Mexico's Country Development Cooperation Strategy, for fiscal years 2014-2018, USAID supports the GOM in making the constitutional criminal justice reforms of 2008 operational and durable. The new criminal justice reforms represent a paradigmatic shift that will likely take a generation to complete, a fact the Mexican government recognizes. GOM ownership and full participation are critical to all USAID programming, as well as to the long-term sustainability of the results achieved. The GOM's Technical Secretariat for Justice Sector Reforms is USAID's primary counterpart in the area of rule of law and carries the constitutional mandate to coordinate justice sector reforms, nationwide. USAID's current rule of law portfolio totals approximately USD \$94 million and is focused on supporting the GOM, civil society, and other legal institutions to transition to the new adversarial criminal justice system, at the state level.

Key Achievements

- In the states where USAID has the longest history of providing support, pre-trial detention rates have decreased substantially, in some states by more than 25 percent.
- Over 30,000 justice sector operators, within the new criminal justice system, have benefitted from USAID activities, both through direct training programs and institutional support to training units.
- The use of alternative mechanisms for non-violent or unintentional misdemeanors in those states operating under the reforms, which USAID has supported, has resulted in more than double the attention and resources available for violent crimes, while reducing the administrative burden and incarceration rates for non-violent crime.
- In a recent study of the implementation of justice sector reform in states long-supported by USAID, 100 percent of observed hearings were attended by judges, prosecutors, and defense attorneys, while under the old system the judge was not present at the initial hearings 70 percent of the time.
- USAID supports change in legal education curricula and methodology and continues to support a growing consensus to regulate the legal profession, including unprecedented assistance to the Mexican Senate for three days of public hearings promoting certification and regulation of the legal profession.

USAID Rule of Law Activities

Promoting Justice (PROJUST), Implementer: Management Systems International (MSI)

PROJUST, USAID's leading justice activity, provides comprehensive technical assistance to Mexican state and federal authorities in support of an effective transition to the new criminal justice system. Activities focus on: the legal framework; strengthening prosecutor and judicial capacity; promoting outreach; building analytical capacity in justice sector institutions (to better track progress); and, supporting victims' assistance and access to justice, particularly for women.

Support for Law Schools under the New Criminal Justice System Program, Implementer: Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho (CEEAD)

This activity provides technical assistance to law schools to better prepare students to practice law in the new criminal justice system, and to help sustain Mexico's groundbreaking reform of the criminal justice sector.

Colectivo Justicia Program, Implementer: Centro de Investigación para el Desarrollo (CIDAC)

This activity seeks to increase public support for better implementation of the new criminal justice system and focuses on monitoring and evaluation of the Reforms' progress, build civil society understanding of the Reforms, and promote participation of civil society in the Reform's implementation.

Consolidating Political Parties, Civil Society, and Consensus Building Processes in Mexico, Implementer: International Republican Institute (IRI) and National Democratic Institute (NDI)

This long-term activity aims to improve government responsiveness to citizen needs regarding criminal justice, crime prevention, and human rights by strengthening consensus building and increasing citizen involvement in political processes.