



Mexico Report

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Sustainable Governance in the
Context of the COVID-19 Crisis

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Executive Summary

Mexico is one of the countries that has been hardest hit by the coronavirus crisis. According to Reuters, at least 1.7 million people in the country had already died from or with the virus by December 2020, and nearly 79 million had been infected. These figures differ significantly from the official figures of the Mexican government – as of 5 May 2021, the official numbers were 2,349,900 confirmed infections and 217,345 deaths, though a government report on excess mortality, issued by the health ministry, estimated nearly 120,000 uncounted victims of COVID-19. Whatever the underlying truth, it is clear that the healthcare system was poorly prepared for the coronavirus. Signs of poor preparedness were evident from the beginning of the pandemic. Although the Mexican government quickly declared a health emergency and announced that it would significantly increase spending on the health sector, three weeks after the first official coronavirus case, Mexican Social Security Institute (IMSS) personnel blocked a Mexico City street to demonstrate for better protective equipment and medical supplies. Numerous other protests followed over the next few months. Moreover, the statistics tended to support the protesters' concerns. According to the Pan American Health Organization, 97,632 Mexican medical workers were infected with coronavirus between February 28 and August 23. According to a 3 September 2020 Amnesty International report, more medical workers have died in Mexico due to the effects of COVID-19 than in any other country. This is commonly attributed to the poor and precarious working conditions. Especially problematic is the situation in education. Universities and schools have been closed, and distance schooling was supposed to take place. But many poor and people in remote areas have no electricity, much less access to the internet.

However, in December 2020, the OECD reported strong efforts by Mexico's central government to respond to the health system challenges exposed by the coronavirus crisis. For example, 50,000 new workers were to be hired in the health sector, and vaccines have been preordered for approximately 90% of the population. As of April 2021, more than 12 million doses of vaccines had been administered, according to WHO. In addition, various measures have been implemented to reduce bureaucratic hurdles in the importation of medical equipment.

Furthermore, Mexico was one of the first three Latin American countries, along with Chile and Costa Rica, to begin vaccination against COVID-19. However, there is criticism that the vaccine issue is being instrumentalized by the government. For example, the campaign is being coordinated by regional delegates of MORENA, the ruling party, rather than by the Ministry of Health. Critical observers have identified the following flaws in the government's strategy:

- It underestimated the severity of the pandemic.
- There has been insufficient public information; a lack of consistent, credible and clear communication; and a lack of reliable and adequate data and information on the pandemic's progress, due to a lack of testing.
- Government actions have been too restrained, marked by delayed responses, and contradictory and disarticulated curfew measures.
 - There has been a lack of coordination both at the national level and across different levels of government.
 - There is a lack of capacities both at the national and subnational level.
 - State measures have been fragmented, with a lack of coherent legal and juridical regulation.
- Measures have been implemented without reference to international experience and scientific expertise.

Mexico's reaction to the coronavirus pandemic has been characterized by institutional weakness in general and in specific instances. Over the last decade, the country has reduced funds for epidemiological vigilance by 71%. To some extent, the problems can be attributed to structural problems such as the chronic underfunding of the health system, but the lack of modern and evidence-based leadership has also been an issue. President López Obrador's populist governing style and autocratic tendencies have prevented a comprehensive, expert-led reaction and undermined checks and balances.

Citation:

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

Key Challenges

President López Obrador began an ambitious government program to lead the country during his six-year in the so-called Fourth Transformation, a reference to previous development steps. Though the government has not specified the specific components of this fourth transformation, the main focus is on

combating corruption and organized crime, reducing social inequality and poverty, and implementing general reforms of the state apparatus. However, the Andrés Manuel López Obrador (AMLO) administration is facing several inordinate challenges simultaneously, of which criminal violence and corruption are primary. Mexico, a country whose GDP is among the top 20 in the world, is plagued by issues normally found in the world's poorest, war-torn countries.

In this situation, the coronavirus pandemic has aggravated several existing problems and introduced new ones. Mexico has been one of the countries hardest hit by the coronavirus crisis. The total number of casualties is unclear, but the figure is estimated to be one of the highest such worldwide. Almost half of the population was already living in poverty before the pandemic, and 46% of the population completely or at least partially lost their income during the crisis. Hence, addressing social grievances will be a key challenge after the pandemic. School closures in particular will rob the younger generations of opportunity.

Some positive aspects of the government's crisis management can be noted. The OECD reported strong efforts by Mexico's central government to respond to the health system challenges heightened by the coronavirus crisis. For example, 50,000 new workers were to be hired in the health sector, and vaccines were preordered for approximately 90% of the population. In addition, various measures have been implemented to reduce bureaucratic hurdles in the importation of medical equipment. Furthermore, Mexico, along with Chile and Costa Rica, was one of the first three Latin American countries to begin a COVID-19 vaccination program.

However, the government is facing numerous challenges, including that of:

- Collecting sufficient information and adequate data on the pandemic.
- Improving communication, national capacities and national coordination.
- Reacting in a coherent and articulated way, with consistent, credible and clear communication.
- Improving international coordination.

One critical challenge is the lack of a modern leadership at the central level that is able to respond to the country's complex challenges in a more differentiated way, for instance by drawing on technocratic and scientific expertise, modernizing state institutions instead of overruling them, and modernizing the relationship between different levels of government. President López Obrador's populist governing style and autocratic tendencies would have to change in order to allow a comprehensive, expert-led reaction and in order to improve checks and balances. Henceforth, one should not

anticipate any major modifications to the handling of the pandemic for the foreseeable future. The federal government has remained unshakable in its handling of this crisis. Most observers find it hard to imagine it changing its priorities for any reason at this stage. However, the midterm elections scheduled for the summer of 2021 will elect all 500 members of the lower chamber of the Federal Congress. These elections at least have the potential to shake up the political landscape, potentially increasing parliamentary oversight and proving incentive for budgetary changes.

Citation:

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021.

Velasco-Ibarra, Eugenio: COVID-19 in Mexico: A Year in Review, VerfBlog, 2021/2/25, <https://verfassungsblog.de/covid-19-in-mexico-a-year-in-review/>, DOI: 10.17176/20210225-153833-0.

Resilience of Policies

I. Economic Preparedness

Economic Preparedness

Economic Policy
Preparedness
Score: 3

Over the last decade, Mexico has achieved substantial economic and financial stability in comparison with previous decades. However, in comparison with most other OECD countries, Mexico's GDP growth in recent decades has also been rather slow. The annual growth in GDP per capita hasn't been much over 1% since 1990. This has been due to macroeconomic uncertainties, such as questions as to the future of the North American Free Trade Agreement (NAFTA) with the United States and Canada, along with the fact that Mexico remains a low-skilled, export-oriented economy tied to the U.S. market. Indeed, Mexico's export orientation has increased significantly. While the trade-to-GDP ratio was 26% in 1985, it was 78% in 2017. According to the Brookings Institution, the country is "among the most cost-effective places to locate manufacturing operations in the world." If this dependence on exports is an advantage in calm times, it makes the country all the more vulnerable in times of crisis.

The completion of the United States-Mexico-Canada Agreement (USMCA) in December of 2019, enhanced the country's security to plan for the medium-term future. But with its highly informal economic structure, the country was ill-prepared for a catastrophe of the century such as the coronavirus crisis.

Even before the coronavirus outbreak, the country was on the verge of a recession. The economy had contracted by 0.1% in 2019, mainly due to weak investment. President López Obrador has been accused of anti-investment policies and rhetoric, for example with regard to the cancellation of the new Mexico City airport and his consistent attacks on the "rich" and on private investors. In addition, studies note that Mexico has insufficient incentive for eco-innovative development within the domestic economy, whether at the private or public level; rather, barriers exist.

Mexico, the second largest Latin American economy, has been hit hard by the COVID-19 pandemic. But President López Obrador has vowed that Mexico would not issue public debt to help manage the crisis; rather, he has said, it would reallocate resources and take austerity measures. According to various estimates, economic crisis packages in Latin American countries such as Brazil, Argentina, Chile and Peru have ranged between 5% and 10% of GDP. In Mexico, assistance packages have been estimated to be lower, at about 3% of GDP (Bloomberg, IMF, Statista). This includes the \$7.7 billion (0.7% of GDP) Emergency Prevention and Assistance Fund announced in March 2020, through which the federal government directed additional resources to respond to the COVID-19 crisis. In 2021, the government announced that another MXN 1.5 billion would be spent, this time destined for small businesses. Other COVID-19 related responses within Mexico include the announcement by the Mexican Business Council, in collaboration with IDB Invest – the private sector arm of the Inter-American Development Bank – that \$12 billion in loans would be granted annually to SMEs.

Citation:

<https://fr.reuters.com/article/us-health-coronavirus-mexico-economy/coronavirus-pitches-mexican-economy-into-battle-against-recession-idUSKBN2103GU>

<https://www.americasquarterly.org/article/blame-politics-for-mexicos-recession-not-just-pandemic/>

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Labor Market Preparedness

Labor Market
Policy
Preparedness
Score: 3

Mexico’s labor market is divided into clear formal and informal sectors. The very large informal sector (six of 10 workers are employed informally in Mexico) consists of companies and individuals that are not legally registered for purposes of taxation and national insurance. Thus, they cannot take advantage of the benefits of legal regulation, while also escaping from its disadvantages.

Moreover, Mexico is the only OECD country without a national system of unemployment insurance. According to the OECD, the unemployment rate in 2020 was 3.65%, which represents a small increase compared to the previous year. However, due to the significant size of the informal sector mentioned above, such figures have little informative value.

The Better Jobs Index published by the Inter-American Development Bank positions Mexico below the Latin American average in terms of the quantity

and quality of jobs. Mexico ranked 13th among 17 participating countries. The country scores particularly poorly due to the aforementioned informality and poor wages.

The 2012 labor market reform introduced substantial flexibility into the market, allowing employers to hire and fire workers, outsource jobs, sidestep the provision of workers with health benefits, and hire part-time workers for a fraction of the pay they would otherwise receive. The labor market reform thus tended to make the situation of the workforce even more precarious. The López Obrador government was expected to try to improve the position of the labor force. In December 2019, the government announced a 20% increase in the minimum wage. In addition to previous increases, this means that the minimum wage has increased by 60% since President López Obrador took office. This measure was strongly criticized by employers. However, the country's low minimum wage has been repeatedly criticized by experts in the past, so the increase could well represent progress. That said, such efforts to improve the wage situation would have an even greater impact in labor markets with less informal activity than Mexico. The prevalence of informal work is why many people were largely unprotected regarding the income lost due to the coronavirus situation.

Another major problem is the lack of workers' rights. Mexico ranks last in terms of workers' rights in the World Economic Forum's 2018 Global Competitiveness Report.

Labor demand in Mexico has been affected during the pandemic. As in the United States, the number of job vacancies in Mexico declined sharply during the first lockdown (38%). In April 2020, there was a change in the composition of labor demand, and wages dropped across the board. By May 2020, however, the wage distribution and the distribution of job ads by occupation had returned to their pre-pandemic levels.

Citation:

<https://www.reuters.com/article/mexico-economy-wages/update-2-mexico-to-raise-workers-daily-minimum-wage-by-15-in-2021-idINL1N2IX053>

<https://publications.iadb.org/publications/english/document/Better-Jobs-Index—Mexico.pdf>

<https://docs.house.gov/meetings/WM/WM04/20190625/109703/HHRG-116-WM04-Wstate-SadkaJ-20190625.pdf>

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Fiscal Policy
Preparedness
Score: 4

Fiscal Preparedness

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 in 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 the provision of public goods by the Mexican government.

Mexico's tax-to-GDP ratio is below the OECD average. For decades, the Mexican state depended on revenues from the oil business to generate income, most of which were generated by the state-owned oil company PEMEX. The state has undertaken numerous efforts to reduce this dependence.

One important such measure was the tax reform in 2014, which aimed to generate greater revenues from other sources. However, this goal was only partly achieved. According to the OECD, Mexico collects just over 13% of its GDP in taxes, still well short of where it should be given the country's current level of development. Tax evasion and tax avoidance in the formal sector contribute to this, as does the large size of the informal sector, which is notoriously tax-resistant. Most Mexicans distrust their government, and do not believe that money paid in taxation will be spent wisely.

President López Obrador and his administration have made no substantive effort to implement tax reform since taking office in December 2018. The current Mexican government takes the line that strict austerity (with regard to the state bureaucracy) and the fight against high levels of corruption should free up sufficient funds to accelerate Mexico's development. This policy is criticized mainly by the left side of the political spectrum. It is suggested that wealthy Mexicans should be denied the ability to deduct a large portion of their living expenses from their taxes. However, there is currently no indication that the Mexican government will act in this direction.

Citation:

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Research and
Innovation Policy
Preparedness
Score: 3

Research and Innovation

Overall, national spending on research and development (R&D) in Mexico continues to be very low in comparison with other OECD countries, and is inadequate for an economy of this size. Over recent years, public spending has remained stable, but the more important private sector spending on R&D has been very low, and indeed is the lowest such level of any OECD country. What private spending exists is dominated by large companies in a small number of sectors. A very large number of “micro” firms have little or no institutionalized access to state R&D spending, while large and efficient firms undertake their own R&D spending. There is growing awareness of this problem within Mexico itself, but it still ranks below most OECD member countries on indices relating to R&D. The OECD has stated that R&D spending in Mexico is quantitatively and qualitatively inadequate. According to official data, 1.2 million Mexicans with university and postgraduate degrees lived abroad in 2015. It is to be expected that this number has since increased even further. 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 aspects such as paying taxes, registering property, getting credit and having access to electricity. These conditions make it less attractive to create and fund new startups.

For years, experts have criticized the massive difference in infrastructure development between northern and southern Mexico. For this reason, the government is today focusing on improving infrastructure in the south of the country. The construction of the Maya train line is just one of several projects in this area, as is the construction of the Interoceanic Corridor of the Tehuantepec Isthmus. This latter venture is intended to connect the Gulf of Mexico coast with the Pacific coast, and thus contribute to a substantial increase in freight traffic. An investment of \$2 billion is planned in the project between 2020 and 2024.

According to a report by the Inter-American Development Bank (IDB), Mexico has implemented a number of digitalization measures such as subsidies for adopting digitalization solutions, support for e-commerce or digital invoicing platforms for MSMEs, and the promotion of digital toolkits and digital skills training to address the impacts of COVID-19 on businesses. However, the level of adoption of these measures has been rated at no better than low to medium (see IDB 2020).

Citation:

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Inter-American Development Bank (IDB) 2020: Responding to COVID-19 with Science, Innovation, and Productive Development, <http://dx.doi.org/10.18235/0002347>

II. Welfare State Preparedness

Education System Preparedness

Education Policy
Preparedness
Score: 3

Although significant problems remain, the education system has made great progress in the last decade. According to the OECD report “Education at a Glance: OECD Indicators,” this progress is particularly to be found in the increase in educational attainment. This progress can be seen above all in the early childhood phase. In 2017, for example, 84% of three- to five-year-olds attended an educational institution, compared with 64% in 2005. This figure is now close to the OECD average of 87%. A similar trend is underway for all educationally relevant age groups. The share of higher educational qualifications in the total number of people attending an educational institution has also increased significantly.

President López Obrador entered office with big promises for the education sector. Among other things, his government promised to build 100 new universities and to allow all Mexicans to attend one. Even if the construction of 100 universities sounds very ambitious, this promise is not misplaced. Enrollment in tertiary education has grown from 1.7 million in 2000 to 4.4 million in 2017. However, it remains uncertain whether the government will be able to reach its goal, not least because of the effects of the coronavirus crisis.

As in other areas of Mexican society, enormous differences in development between northern and southern Mexico can be observed in the education sector. One example shows this difference very clearly: In the southern states of Chiapas and Oaxaca, literacy rates are more than 10 times lower than in the northern state of Nueva León. These divisions in the Mexican education system led to a situation in which the majority of pupils and students in public schools have been ill-equipped, while some elite-oriented private schools are doing much better. A recent report by UNICEF’s Latin American regional office that includes Mexico estimated that 97% of the region’s primary and

secondary students missed out on their education because of prolonged school closures. In Mexico alone, 30 million students were forced to learn remotely. Mexico began to implement distance-education programs such as Aprender en Casa (Learn at Home), which allows primary and secondary students to access educational content on television and the internet. As only 56% of Mexican households have access to the internet (according to government statistics), the Mexican government decided that the best way to provide remote education – especially for girls – was over the airwaves, as 93% of Mexican households have access to a television set (see CNN 2020). A number of TV channels agreed to broadcast educational content 24 hours per day, seven days a week, with content for different grade levels coming at different hours. Radio programs have also been used to reach kids in remote indigenous communities with no TV or internet. According to some experts, the trend toward distance learning is likely to continue after the pandemic for students in remote areas.

Citation:

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CNN 2020: “Mexico’s solution to the Covid-19 educational crisis: Put school on television, (by Matt Rivers and Natalie Gallon), August 27, <https://edition.cnn.com/2020/08/22/americas/Mexico-covid-19-classes-on-tv-intl/index.html>

United Nations Children’s Fund (UNICEF) 2020: Education on Hold: A Generation of Children in Latin America and the Caribbean are missing out on schooling because of Covid-19, Panama.

Social Welfare Preparedness

Social Welfare
Policy
Preparedness
Score: 3

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

In the 1990s, Mexico was one of the first countries in Latin America to create conditional cash transfers for families in poverty. A government policy addressing extreme poverty and the lack of adequate sources of food, called the Cruzada Nacional Contra el Hambre (with 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. Nonetheless, poverty is highly concentrated among

indigenous and rural populations, constituting another layer of inequality in Mexico. For this reason, there are generally strong regional inequalities in terms of the extent of poverty.

Under President López Obrador, several programs were merged to form *Becas para el Bienestar Benito Juárez*. This program is primarily intended to reduce the level of school dropout by providing educational scholarships to children, youth and adults who are enrolled in public schools and in a situation of vulnerability. In fall 2019, 7.5 million students were able to benefit from the program, representing about 17% of the total student population. However, these figures indicate that the program does not reach all the students it is intended to reach, because the percentage of the student population in a situation of vulnerability is much higher.

Mexico's pension system remains underdeveloped despite various reform efforts in recent decades. One of the key problems with the current pension system in Mexico is its low level of coverage. This is not surprising, given the high rate of informality in the labor sector. In March 2021, the government announced an increase in the monthly universal pension from MXN 1,350 to MXN 6,000, to be completed by 2024, and a decrease in the age of pension eligibility from 68 to 65.

Citation:

https://repositorio.cepal.org/bitstream/handle/11362/46016/4/S2000593_en.pdf
<https://tradingeconomics.com/mexico/gini-index-wb-data.html>

Healthcare System Preparedness

Health Policy
Preparedness
Score: 3

In theory, with excellent medical schools, well-trained epidemiologists, a basic public health system for the poor, and many hospitals and pharmacies, Mexico seemed to be in a relatively favorable position at the outbreak of the Corona pandemic. But much of the population is dispersed in mountainous peripheral regions, where hospitals are small and ill-equipped. Due to decades of underfunding of the public healthcare system, Mexico has the lowest rate of hospital beds per 1,000 habitants in the OECD. With just 1.5 hospital beds per 1,000 residents, this is also below the global average of 2.7 per 1,000. There are also major inequalities in the healthcare sector. Private, self-financed healthcare is largely limited to middle-class and upper-class Mexicans, who make up 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) is able to access healthcare through state-run occupational and contributory insurance schemes such as the Mexican Social Security Institute (Instituto Mexicano del Seguro Social, IMSS) or 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 state-level control.

Public health issues are aggravated by the lack of access to high-quality health services. Though most Mexicans have access to some healthcare provider, whether public to private, there are still issues of quality that negatively affect public health. The government has been attempting to make healthcare more affordable, and to extend it to more people outside the formal sector. These efforts have been quite successful overall. By 2017, the percentage of uninsured people had decreased from 50% to 21.5%. However, there are still substantial problems in terms of funding, and serious transparency deficiencies persist.

In early 2020, the government launched an initiative ultimately aimed at making health services free of charge to those with an inability to pay. For this purpose, the Instituto de Salud para el Bienestar (Insabi) was founded, which started the first year of its existence with a budget of \$5.9 billion. However, the initiative has also been heavily criticized, because it has also entailed a decentralization of the healthcare system, which critics say has proven inefficient in the past.

The government's austerity course has also been evident in the healthcare system. For example, there have been complaints about a shortage of medicines and staff in public hospitals. According to official data, in mid-2020, Mexico had a total of 6,175 ventilators and 4,291 ICU beds. The private sector claimed to have an additional 3,000 beds available. Mexico's health sector has been underfunded for decades, and the government has implemented further reductions as part of its fiscal austerity measures and the creation of Insabi. Therefore, the coronavirus pandemic hit a country with a weak, heavily underfunded health system.

Citation:

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Family Policy
Preparedness
Score: 3

Families

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 have been participating in the formal labor market in increasing numbers, and quite a large number of professionals are women. Within the poorer segments of the population, gender equality is progressing much more slowly. Poorer Mexicans tend to have larger families, and women in this population group have fewer labor market opportunities. In addition, old-fashioned "macho" and conservative Catholic attitudes make it harder for lower-class women to be emancipated in this sense. Moreover, lower-class women are often 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 the expansion of early childcare and preschool coverage, and for extensions in the length of paternity and maternity leaves. Little progress has been made in this direction in recent years. A law was passed in 2014 that gives fathers permission to take paternity leave lasting five days. However, this is a far cry from the 60 days that paternity leave lasts in most other countries. In many companies, paternity leave is generally considered unnecessary. Nevertheless, there are efforts, especially at the regional state level, to expand paternity leave significantly. The State of Mexico could become the first state to introduce a statutory paternity leave of 45 days.

In the early 2000s, the governmental agency Secretaria de Desarrollo Social (SEDESOL) created an early childhood development program that provides childcare for poor parents five days a week. Though the program is not universal, there is some evidence that it provides advantages to the children enrolled, even if the extent of childcare in comparison to OECD countries is quite low. This has become the closest thing to a childcare policy for families without formal jobs or formal enrollment in one of the different social protection systems in Mexico that provide childcare services. Overall, the government needs to improve the enforcement of constitutional provisions against gender discrimination.

Citation:

[https://www.unrisd.org/80256B3C005BCCF9%2F\(httpAuxPages\)%2F5F0320F46ECBA3BFC1257744004BB4E8%2Ffile%2FStaabGerhard.pdf](https://www.unrisd.org/80256B3C005BCCF9%2F(httpAuxPages)%2F5F0320F46ECBA3BFC1257744004BB4E8%2Ffile%2FStaabGerhard.pdf)

<https://www.eluniversal.com.mx/english/paid-paternity-leave-mexico>

III. Economic Crisis Response

Economic Response

Economic
Recovery
Package
Score: 3

Mexico has a very open market due to its high dependence on exports (to the United States). This makes the Mexican economy very sensitive to international market volatility. The negative impact of the coronavirus crisis on the Mexican economy has thus been enormous.

Many political observers believe that Mexico has responded poorly to the challenges of the coronavirus because of President López Obrador, to whom the political system is currently strongly aligned. They noted that López Obrador had fixed ideas and had difficulty adapting to rapidly changing scenarios, as the coronavirus crisis has required. Despite the coronavirus, López Obrador has been trying to continue the pursuit of austerity policies, and has been dismissive of greater government aid to the economy. He has accused larger companies in particular of having profited from the neoliberal policies of previous governments and of evading taxes.

On the other hand, the OECD has stated that government economic measures such as loans and VAT refunds, although much smaller in scale than pursued in other OECD countries, have gone in the right direction.

To mitigate the impact of the coronavirus pandemic on the investment climate, the central bank has cut the country's benchmark policy rate several times since March 2020. To keep the financial system running, liquidity has been provided to the market. These measures have amounted to approximately 3.5% of 2019 GDP.

Dissatisfied with the government's response to the coronavirus crisis, private sector organizations themselves borrowed from the Inter-American Development Bank to support the small businesses that have been particularly affected by the crisis.

Nevertheless, at a meeting with business leaders in late November 2020, the Mexican government reached agreement on an investment plan totaling MXN 526 billion, equivalent to 2.3% of GDP. Ultimately, however, this does not

change the fact that the country's chronically low investment rate has continued to decline even during the coronavirus crisis. According to a December 2020 OECD report, capital expenditures are down another 17% in 2020 compared to 2019. The dramatic nature of the situation becomes particularly clear when one considers a survey conducted by the Bank of Mexico. Ninety-two percent of the companies surveyed see it as a bad time to make investments.

The Mexican government primarily provides concessionary loans to family-run micro and small businesses in the formal and informal sectors. The loan amount per enterprise is limited to the equivalent of \$1,100, with a disbursement period of 33 months and an annual interest rate of 6.5%. Between May and the end of September 2020, the central government granted around 2 million such loans.

Even during the coronavirus crisis, the Mexican government has pinned great hopes on the "Tren Maya" mega-infrastructure project. This railway is intended to strengthen the economy of southeastern Mexico. Particular hope lies in the impetus for the labor market that the Tren Maya, focused primarily on tourists, is expected to provide.

Citation:

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<https://www.americasquarterly.org/article/the-economic-opportunity-mexico-cant-afford-to-miss/>

Sustainability of Economic Response

Recovery
Package
Sustainability
Score: 2

In the wake of the coronavirus crisis, little effort was made by the Mexican state to use the crisis to reorient its economic policy in any substantial way. This has translated into continuity in economic and infrastructure policy. Since 2013, investment in public infrastructure, which would also be important for boosting the economy, has fallen by 40%.

Financial resources, which were particularly scarce during the coronavirus crisis, were put into rescuing and reforming the state-owned oil company PEMEX. In addition, the government is pursuing the construction of three

mega-projects – the Tren Maya, the Santa Lucía airport and the Dos Bocas oil refinery – which have been strongly criticized by many experts in part because of their environmental impact and high level of expenditures. Thus, while the global economy is increasingly relying on green energy, Mexico continues to rely on “dirty energy.” The government has even been accused of driving up the price of renewable energy by charging too much for state-owned power lines.

Although it is not yet possible to make a final judgment in this regard, it is to be feared that the coronavirus crisis will be an additional brake on the sustainable transformation of the economy in Mexico, and will not help to accelerate development.

Citation:

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Labor Market Response

Labor Market
Policy Response
Score: 4

The Mexican labor market was hit hard by the coronavirus crisis. At the end of May 2020, the central bank estimated that between 800,000 and 1.4 million jobs would be lost. In response, the influential Confederación Patronal de la República Mexicana (Coparmex) called for a solidarity wage to save jobs, paid through a fund filled jointly by the government and companies. At the same time, the Mexican labor market has experienced the same changes observed worldwide, particularly an increase in online commerce, resulting in demand for labor for the delivery services offered by the commerce platforms. These jobs are often very precarious, and require workers to work long hours for poor wages, and with weak labor protection.

Because Mexico’s economy is largely dominated by informal jobs, it has been very difficult to enforce any lockdowns designed to protect the population from COVID-19. Since many people depend on their daily income earned “on the street,” a complete lockdown would have been a disaster for them.

To ease the burden on employers, the state social security fund IMSS (Instituto Mexicano del Seguro Social) granted a deferral of 80% of employer payments. This deferral can be extended for up to 48 months. In addition, a renewed increase of 15% in the minimum wage was agreed in December 2020. The minimum wage had already been boosted by 16% and 20% in 2018 and 2019, respectively. However, this was done under strong protest from business

associations Consejo Coordinador Empresarial (CCE) and the Confederación Patronal de la República Mexicana (Coparmex). They fear that due to the severe economic impact of the coronavirus crisis, the increase would drive small businesses into bankruptcy.

To better adapt to the changes in the labor market due to the coronavirus pandemic the Ministry of Labor and Social Welfare (STPS) launched the initiative “Juntos por el trabajo.” The initiative offers workers, employers and the general public a set of tools, guides, public-education materials, training courses and practical advice. However, it remains to be seen how successful this initiative will be in a market with the challenging structural problems described above

Citation:

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Fiscal Response

Fiscal Policy
Response
Score: 3

Due to its heavy dependence on oil revenues, Mexico’s national budget has suffered greatly from the drop in global oil prices. According to central bank estimates in mid-December 2020, the debt-to-GDP ratio will reach 57% in 2020. This is 11% more than the Mexican Congress had envisaged for 2020. This is particularly dramatic if one takes into account the austerity policy strictly pursued by the government. This austerity policy is contrary to the policies pursued by most other countries.

This austerity course has included a 25% pay cut for senior public sector officials, the elimination of 10 ministries (though without laying off their employees) and the closure of government offices to save on rent.

Since Mexico is a federal state, there is permanent tension between the individual regional states and the central government over the distribution of tax revenues. The governors are demanding a renewal of the federal pact that regulates this flow of money. Alongside the limited fiscal stimulus provided by the federal government, most of the states offered tax incentives and credits to small and medium-sized businesses. As reported by the OECD, 26 of 32

states have implemented fiscal measures to support businesses and vulnerable populations.

The decision of the Mexican government not to make any major adjustments to government spending during the pandemic crisis has not been the result of some political impasse or economic impossibility. On the contrary, the president's party and allies hold comfortable majorities in both chambers of the Mexican Congress. Even economists at the IMF, who are not generally proponents of neo-Keynesian policies, fear that the decision to spend comparatively little on cushioning the impact of the crisis could make the recession much worse. Among the few measures undertaken by Mexican policymakers in the context of fiscal policy were the advance payment of retirement and disability pensions, and the provision of VAT refunds and loans to small and medium-sized enterprises with the aim of preserving their liquidity and preventing them from laying off workers. The state has also provided three-month unemployment insurance subsidies to people paying off home loans. It is not yet clear whether this very moderate spending policy will be abandoned in the course of 2021, and whether more money will ultimately be spent to cushion the macroeconomic impact of the crisis.

Citation:

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Research and Innovation Response

Research and
Innovation Policy
Response
Score: 5

As already noted, Mexico faces major structural problems in the area of research and development. Nevertheless, the country does perform cutting-edge research, which has also been demonstrated in connection with the coronavirus crisis. Research in Mexico has not focused on seeking a vaccine against COVID-19, but has been active primarily in measures to detect COVID-19 infection and in improving ventilators. In general, the country has great expertise in biomedical device manufacturing, as evidenced by exports worth approximately \$15 billion to the United States and Central and South America. In the race to develop a vaccine for the coronavirus, the Mexican government has cooperated with several vaccine manufacturers. For example, the manufacturers CanSino from China and Johnson & Johnson from the United States have conducted vaccine test phases in Mexico. The British

manufacturer AstraZeneca also plans to set up a logistical distribution center for its vaccine in the country.

A significant contribution was also made by a Mexican company in the supply of an anti-COVID-19 vaccine. Together with the Argentinian company mAbxience, the Mexican company Liomont is responsible for the mass production of the AstraZeneca vaccine. Universities have also played an important role in researching medical treatments for the coronavirus. The Universidad Nacional Autónoma de México (UNAM) has established a Support Program to Research and Technological Innovation Projects to fund five research projects in this regard. The Universidad de Guadalajara has also initiated a support program.

Federal states have used innovative methods to inform their populations about anti-coronavirus measures and the evolution of the pandemic. The states of Chihuahua, Nuevo León and Querétaro have developed apps through which people can inform themselves and register their own contacts and symptoms. In Mexico City, the “SMS COVID-19” system was created, through which people who have coronavirus symptoms answer questions about their individual conditions, contributing to a better response to the disease. In May 2020, the Mexican government introduced an epidemiologic traffic-light guidance system, in which the colors green, yellow, orange and red are used to signal which individual and economic activities are allowed in a given area.

Citation:

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IV. Welfare State Response

Education System Response

Education
Response
Score: 2

About 30 million children are in school in Mexico. With the outbreak of the coronavirus in March, face-to-face classes in schools were suspended. The Ministry of Education, together with the state television service, developed various programs such as Aprende en Casa (Learn at Home) for students that were broadcast on television and the radio.

There are several indications that the already existing inequalities in Mexico's education system are being exacerbated by the pandemic. Rural areas in particular do not have the appropriate infrastructure to provide online teaching for students. Estimates in 2018 suggested that 34% of all Mexican households lack internet access (26.9% in urban areas, 59.4% in rural areas). Public-private partnerships like México Conectado have sought to improve this situation. UNICEF fears that in Mexico, as in other Latin American countries, many children will lose a full year of schooling as a result of the coronavirus crisis. This is especially true for those who attend public school.

In recent years, there have been several initiatives to improve general education conditions, especially among the poorer segments of the population. Some of these initiatives have failed, such as the distribution of over one million tablet computers in 2015 – 2016, which collapsed after many tablets proved unusable and many disappeared altogether.

There are also fears that the educational situation will continue to deteriorate for girls in rural areas. Studies have shown that many girls may not return to classrooms after the coronavirus crisis, thus increasing the gender gap in education. Girls face particular difficulties in school in part due to the widespread problem with domestic violence in Mexico, the high rates of adolescent pregnancy and the frequency of early marriage. Overall, the educational system is in a rather deplorable situation with regard to facing the challenges of the coronavirus pandemic and government's response have been very unsatisfactory so far. Policymakers have not seriously considered a potential modernization of the education system that would extend to testing and teaching.

Citation:

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Social Welfare Response

Social Welfare
Policy Response
Score: 3

As in other Latin American countries, the coronavirus pandemic has had a dramatic impact on many people's social situations. The National Council for the Evaluation of Social Development Policy estimates that six out of 10 people in Mexico are at risk of falling into extreme poverty or have already done so. Experts suggest creating a Universal Basic Income (UBI) that would be equivalent to the general minimum wage. It would be financed by eliminating numerous other programs that have proven ineffective. Funding through higher taxation of wealthy individuals has also been suggested. However, the Mexican government has as yet made no efforts to move in this direction.

Since the Mexican state was late in responding to the social consequences of the coronavirus crisis, drug cartels responded in some states, especially in northern Mexico, by distributing free food parcels to the population. Unlike almost all other economies in the world, Mexico has invested hardly any state funds in seeking to mitigate the social consequences of the coronavirus crisis for the population. According to estimates, only 0.7% of GDP was spent on this task (compared with 13% spent by Germany, for example). In the face of central government inaction, regional governments created or extended programs for unemployment assistance, food supplies and more.

However, some progress in social policy can also be reported. In the midst of the coronavirus crisis, a reform of the pension system Administradoras de Fondos para el Retiro (Afore) was approved for the first time since 1997. The reform provides for a 40% increase in pensions for the average worker. The reform also means that the portion to be paid by employers will increase by 168%, from 5.15% to 13.87%. Overall, however, the policies undertaken thus far are not sufficient to halt a significant increase in social inequality and exclusion as a consequence of the pandemic.

Citation:

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Healthcare System Response

Health Policy
Response
Score: 3

Mexico has been one of the countries hit hardest by the coronavirus crisis. According to the Reuters news agency, at least 1.7 million people had already died from or with the virus by December 2020, and nearly 79 million people had become infected. These figures differ significantly from the official figures of the Mexican government, which as of 26 January 2021, had officially reported 1,771,740 coronavirus infections and 150,273 deaths. But whatever the truth, it is clear that the healthcare system was poorly prepared for the coronavirus. Signs of poor preparedness were evident from the beginning of the pandemic. Although the Mexican government quickly declared a health emergency and announced that it would significantly increase spending on the health sector, three weeks after the first official coronavirus case, Mexican Social Security Institute (IMSS) personnel blocked a Mexico City street to demonstrate for better protective equipment and medical supplies. Numerous other protests followed over the next few months. The statistics bear out the protesters' arguments. According to the Pan American Health Organization, 97,632 Mexican medical workers were infected with COVID-19 between February 28 and August 23. According to a 3 September 2020 Amnesty International report, more medical workers had died in Mexico than in any other country. This is commonly attributed to the poor and precarious working conditions.

However, in December 2020, the OECD reported strong efforts by Mexico's central government to respond to health system challenges exacerbated by the coronavirus crisis. For example, 50,000 new workers had been hired in the health sector, and vaccines had been preordered for approximately 90% of the population. In addition, various measures have been implemented to reduce bureaucratic hurdles in the importation of medical equipment.

Furthermore, Mexico, along with Chile and Costa Rica, was one of the first three Latin American countries to begin vaccination against COVID-19. However, there is criticism that the vaccine issue is being instrumentalized by the government. For example, the campaign is being coordinated by the regional delegates of MORENA, the ruling party, rather than by the Ministry of Health. Overall, the response by the health system to the pandemic reflects its overall weaknesses and limited capacities, which in turn mirrors the overall weak state capacity in providing services to a large part of Mexico's population.

Citation:

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Family Policy Response

Family Support
Policies
Score: 2

The coronavirus pandemic had a significant negative impact on families in vulnerable situations, due both to the loss of income and the precarious domestic conditions in which many families live.

For many women in Mexico, lockdown has meant more than just a loss of income. At home, in a country characterized by chronic machismo and widespread toxic masculinity, an atmosphere of fear awaits many women from their violent husbands or partners. According to the United Nations Development Program, 43.9% of Mexican women over the age of 15 have suffered violence at the hands of their former or current partner within the past 10 years. This also affects children who cannot go to school due to the lockdown. With the children at home, many women are unable to do the work they would otherwise have done. According to some estimates, 23.5% of Mexico's GDP is generated by women engaged in unpaid home-based work. Policies have done little to counter the gender-specific effects resulting from the pandemic, and the increased burdens associated with combining work and family care have mostly been borne by women.

Many families depend on remittances from family members who live and work in the United States. Though the labor market for Mexican immigrants in the United States was also hit hard by the coronavirus crisis, remittances in fact showed an increasing tendency in 2020. These revenues are all the more important considering the inadequately developed welfare state.

In July 2020, UNICEF found that just three out of 10 households with children or adolescents receive support from a government welfare program. The organization warned that the economic instability was having collateral consequences in terms of nutrition, education and violence. To help families with children in particular, the Mexican government operates the Sistema Nacional para el Desarrollo Integral de la Familia (SNDIF). The SNDIF has developed an action plan to support vulnerable families during the pandemic. However, as of the time of writing, it was too early to report on the outcome of the measures envisioned in the plan.

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International
Cooperation
Score: 4

International Solidarity

To the surprise of many observers, and in contrast to its foreign policy tradition, Mexico has not shown a strong preference for multilateral solutions and international solidarity during the pandemic. At the macro level, Mexico's foreign policy has not been aimed at diplomatically strengthening multilateral initiatives, and has not encompassed strong elements of international solidarity, as one would have expected. Additionally, due to own poor economic and social situation, the country has been constrained in participating in international solidarity measures to the same extent as other developed countries.

At the more specific level of international health activities, Mexico has been active in the research and production of anti-coronavirus vaccines. Although no Mexican company has been directly involved in the invention of a vaccine, important testing phases have been conducted in Mexico. In addition, officials have been in close contact with international experts in efforts to counter the spread of the coronavirus and improve medical treatment for patients. In August, a delegation from Berlin's Charité University Hospital traveled to Mexico to advise the Mexican government in its fight against the coronavirus.

The forced displacement crisis in which Mexico and Central America have been mired for years has been further exacerbated by the coronavirus pandemic. To address this crisis, and also to improve the conditions faced by the immigrants often migrating through Mexico to reach the United States, Mexico has joined forces with Belize, Costa Rica, El Salvador, Guatemala, Honduras and Panama in the Comprehensive Regional Protection and Solutions Framework (MIRPS).

Mexico is also an active member country of the Regional Agenda for Inclusive Social Development (RAISD), which was established in 2019. This organization was initiated by the Economic Commission for Latin America and the Caribbean (ECLAC), and consists of the ECLAC member states and associated states. RAISD's current main objective is to come up with strategies to overcome the effects of the pandemic.

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Resilience of Democracy

Media Freedom

Media Freedom
Score: 4

Officially, the 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 represent particularly dangerous territory. According to data from the Committee to Protect Journalists, Mexico is one of the deadliest countries for journalists, surpassed only by Iraq and Syria. Since 2000, 138 journalists have been killed, and 24 others have disappeared. 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 what can be reported. Mexico ranked 143rd out of 180 countries in the Reporters without Borders' Press Freedom Index 2020.

During the coronavirus pandemic, the Mexican government has not tried to control or influence the media. President López Obrador continues to provide direct information through his daily morning press conference, the *mañanera*, which is broadcast live on public television and streamed on a dedicated YouTube channel as well as directly on the president's official website. The daily event takes place at Mexico City's National Palace and is attended by a few dozen reporters. In January 2021, López Obrador was diagnosed with COVID-19 and missed the *mañanera* for the first time since his inauguration. It was held instead by Interior Minister Olga Sanchez Cordero. Media analysis indicates that the daily press conference, seen by many millions of Mexicans, sets the nation's agenda for the day. The president's announcements and claims reverberate on social media and dominate the news. Since the outbreak of the coronavirus, the presidential press conference has been complemented by a daily press conference held by the health ministry. Observers have criticized the unreliability of the information, with dates and facts chosen according to political criteria. In Mexico, the problem is not that the media is dependent on or independent of the government, but rather that government itself acts as a media entity – one that provides unreliable information in times

of crisis. Therefore, while official data are not reliable, and the situation is precarious for many journalists due to the influence and threat of organized crime, the government itself has made no systematic attempt to constrain the media during the pandemic.

Citation:

Laura Martinez: The Mexican President's COVID Diagnosis Has Paused His Exhausting Daily Press Conferences, *Slate* 28.1.2021, <https://slate.com/technology/2021/01/amlo-andres-manuel-lopez-obrador-mananera-press-conferences-media.html>

KAS: Länderbericht Mexiko, Januar 2021.

Civil Rights and Political Liberties

Civil Rights and
Political Liberties
Score: 4

Human Rights Watch has spoken of the “human rights catastrophe” that President López Obrador inherited when he took office, and recent news coverage has asserted that Mexico is continuing to lose the battle against the cartels.

In the wake of the coronavirus pandemic, the security situation has worsened further. While homicide rates have dropped in many Latin American countries, numbers have been rising in Mexico. By the end of 2020, Mexico was facing its most violent year on record, with more than 40,000 murders and a projected homicide rate of more than 27 per 100,000 inhabitants, after Honduras the second-highest such figure in Latin America. Criminal organizations use the absence of a strong state to act as quasi-state organs, providing governance in areas abandoned by state institutions. Drug cartels present themselves as good Samaritans, openly distributing food and daily necessities in communities they control as a way to gain public legitimacy. Activities of this nature have been documented for the Sinaloa cartel in Sinaloa, La Familia Michoacana, in the State of Mexico, Los Zetas in Veracruz, the Cartel Jalisco Nueva Generación in San Luis Potosí, and the Cartel del Golfo in Matamoros. In various communities, cartel representatives are imposing curfews and social distancing on residents and local shops, while also handing out sanitation items and medical supplies. All these activities contribute to the delegitimization of an already weak state.

The government has done little to limit civil rights. After initial hesitation, Mexico imposed a very limited lockdown in March 2020. Restaurants and shops remained open, travel was not restricted and international tourism was allowed. As a preventive measure, meetings of more than 100 people including political rallies were suspended. Additionally, cell-phone tracking has been used to monitor movement and contact between people. These very limited restrictions were to be withdrawn “upon further notice,” without a

transparent and clear timetable based on a set of criteria outlining how long the emergency regulations would apply.

All in all, the overall civil rights situation was very bad before COVID-19, but the government's response to the pandemic did little to worsen the situation. "Contrary to the situation in other countries, where the main concern regarding emergency powers is their potential for abuse, for the time being at least, the more immediate fear in Mexico is that a reluctance to respond decisively to the pandemic will only exacerbate the decay of the social fabric. Fortunately, any further restrictions to civil liberties seem to be off the table" (Velasco-Ibarra, Eugenio, 2020).

That said, the treatment experienced by vulnerable groups such as migrants and prisoners remains a concern. Although Congress issued an Amnesty Law with a view to preventing the spread of the pandemic due to prison overcrowding, no individuals had yet benefited from this statute as of the time of writing, because of the executive's delay in setting up the commission charged with reviewing the individual petitions.

Citation:

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Judicial Review

Judicial Review
Score: 4

Before the start of the pandemic, the López Obrador government initiated a judicial sector reform that entailed the passage of more than 50 new laws. This included the creation of a unit in the Secretaría de Gobernación to promote the reform of criminal law. Overall, Mexican courts have done a poor job of enforcing compliance with the law, especially when confronted by powerful or wealthy individuals. Concern is growing that the government will undermine judicial independence. In general, mistrust in the judicial system is widespread, with 68% of Mexicans saying they think judges are corrupt, and 45% saying they do not trust judges. However, this overall situation of great concern has not worsened substantially. during the pandemic.

The federal judiciary temporarily suspended all but its most urgent responsibilities during the first months of the pandemic, but subsequently resumed its functions remotely. At the state level, the ability of court systems to continue operating has varied. The adjudication of cases challenging some

aspects of the governmental responses to the pandemic has thus far been handled by the lower federal courts. According to legal observers, the large number of first-instance and appellate courts across the country makes it difficult to offer a comprehensive account of the judgments that have been rendered thus far. Some of the more notable cases reported deal with claims presented by medical professionals regarding their labor conditions (see Velasco-Ibarra 2021).

The sweeping emergency measures imposed by the Mexican government are of course subject to review by the federal judiciary, with the courts' examination of the restrictions on fundamental rights falling squarely within the paradigm of proportionality analysis, a function that has gradually become a common feature of Mexican jurisprudence. Disputes arising from the distribution of competences would fall within the remit of the Supreme Court under a process known as a "constitutional controversy" (*controversia constitucional*) (see Velasco-Ibarra 2020).

Citation:

Velasco-Ibarra, Eugenio: Mexico: Emergency Powers and COVID-19, *VerfBlog*, 2020/4/16, <https://verfassungsblog.de/mexico-emergency-powers-and-covid-19/>, DOI: 10.17176/20200416-092144-0.

Velasco-Ibarra, Eugenio: COVID-19 in Mexico: A Year in Review, *VerfBlog*, 2021/2/25, <https://verfassungsblog.de/covid-19-in-mexico-a-year-in-review/>, DOI: 10.17176/20210225-153833-0.

Informal Democratic Rules

Informal
Democratic Rules
Score: 3

At the time of writing, Mexico had 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 (PRI), the left-wing party of the Democratic Revolution (PRD) and the 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. For the 2018 elections, PAN and PRD formed a coalition party, "Por Mexico Al Frente."

President Andrés Manuel López Obrador has held a majority in the Senate and the Chamber of Deputies since the 2018 elections, the first such unified majority government since democratization in 2000. This majority remains several votes shy of the supermajority needed to pass constitutional reforms.

The three dominant party blocs currently are MORENA on the left, PAN on the right and PRI in the center.

The coronavirus pandemic has deepened political polarization. The opposition has constantly criticized the government's activities (or inactivity). President López Obrador himself has been a particular target of criticism. While the health ministry has recommended mask-wearing and social distancing, the president has often walked through crowds in public rallies, refusing to wear a mask, kissing children and hugging people. When asked how he protected himself, he showed off a religious amulet. He did halt his public appearances for some weeks, but in June 2020 restarted a presidential tour to the southern state of Quintana Roo, inaugurating the first stretch of the Tren Maya, one of the government's most important infrastructural projects. The opposition heavily criticized the president for going on tour in the middle the pandemic, thus sending mixed signals to the public. Going further, opposition critics have asserted that López Obrador holds joint guilt for the high level of COVID-19 casualties in Mexico. In July 2020, a group of nine governors from the states of Tamaulipas, Nuevo León, Jalisco, Michoacán, Coahuila, Aguascalientes, Colima, Durango and Guanajuato, coming from different opposition parties, formed the Alianza federalista, criticizing the national state's crisis management. However, due to Mexico's system of fiscal federalism, which allocates few sources of income to the subnational entities, the states have little room for independent maneuver.

In general, AMLO has been criticized severely for failing to recognize the human costs of the pandemic, and for underestimating and downplaying the severity of the associated economic crisis. President López Obrador's state of the union address in September 2020 was widely criticized by opposition parties and the media as an exercise in political propaganda at a time of serious national crisis. In October 2020, at a hearing attended by Vice-Minister of Health Hugo López-Gatell, the opposition accused the government of "omissions, negligence and mismanagement."

Cross-party cooperation in policymaking and implementation is very limited. Neither the government nor the opposition parties seek to build consensus or cross-party cooperation in times of crisis. Instead, political actors are preparing for the election year 2021, when 500 national deputies, 15 governors, more than 1,000 local deputies and 2,000 local administrations are to be elected. Therefore, the electoral year of 2021 already had a negative impact on consensus building in 2020.

Citation:

Latin News: MEXICO: López Obrador's Informe fuels criticism, Weekly Report – 03 September 2020 (WR-20-35),

https://www.latinnews.com/component/k2/item/85598.html?archive=33&Itemid=6&cat_id=823504:mexico-lopez-obrador-s-informe-fuels-criticism

Latin News: MEXICO: López-Gatell grilled over Covid-19, LatinNews Daily – 13 October 2020, https://www.latinnews.com/component/k2/item/86043.html?period=%20&archive=3&search=hugo%20gatell%20mexico&Itemid=6&cat_id=823794:mexico-lopez-gatell-grilled-over-covid-19

Latin News: MEXICO: Divisions grow between López Obrador and governors, Weekly Report – 05 November 2020 (WR-20-44),

https://www.latinnews.com/component/k2/item/86341.html?period=%20&archive=33&search=lopez%20obrador&Itemid=6&cat_id=823993:mexico-divisions-grow-between-lopez-obrador-and-governors

Resilience of Governance

I. Executive Preparedness

Crisis Management System

Crisis Management System
Score: 3

The current Mexican president has an extraordinarily high level of legitimacy.

Elected by more than 53% of Mexicans, with a majority in Congress and high approval rates (67% in November 2019), he has initiated a wide-ranging transformation of Mexico, and has been reluctant to change his policies due to the coronavirus pandemic. This is one important reason why the prospects for an effective government response to the unprecedented demands of the pandemic were mixed at best.

On the one hand, the Mexican state apparatus has been in a state of almost continuous crisis, given the still-weak social policies, the challenges posed by corruption and inefficiency, and the failure to counter violent organized crime. On the other hand, Mexico has also excellent medical schools, well-trained epidemiologists, a basic public health system for the poor, and a functioning basic infrastructure consisting of hospitals and pharmacies. Moreover, experiences gained in the so-called swine flu pandemic in 2009, when Mexico was severely hit, could have improved the country’s preparedness when faced with the outbreak of the coronavirus pandemic. However, ongoing infrastructural problems and the government policies have left the country in a less than favorable position.

Observers argued that President López Obrador had fixed ideas and had difficulty adapting to rapidly changing scenarios, as the coronavirus crisis required. The president has sought to continue a policy of austerity despite the pandemic, and has been dismissive of the prospect of greater government aid to the economy. López Obrador responded to the outbreak of the coronavirus pandemic in much the same way that he has governed: that is, with populist platitudes and by denying and ignoring inconvenient evidence. “In the days

prior to 27 March 2020 when AMLO belatedly heeded the advice of Mexican health and scientific organizations and members of his government, and so finally recommended people stay home, he showcased a religious amulet when asked how he protects himself against the virus; he also shared videos on social media showing his continued hugging and kissing of supporters” (GIGA Focus Lateinamerika 2020). At the outset of the crisis, the Mexican presidency failed to provide any clarity with regard to measures aimed at lessening the economic impact of the pandemic – with the exception of the announcement that more medical staff would be hired.

In general, crisis management has been far from adequate, and has not made use of the country’s experiences. This judgment stands even if one takes into account the state’s limited capacities and structural challenges before the outbreak, with institutions having limited independence, expertise and capacity, and with austerity measures constraining resources. However, as of the time of writing, the incoherent response had not yet created a serious political backlash among governors and the Mexican public at large.

Citation:

GIGA Focus Lateinamerika 2020: Assessing the Political and Social Impact of the COVID-19 Crisis in Latin America, Number: 3 | 04/2020, <https://www.giga-hamburg.de/en/publications/18749084-assessing-political-social-impact-covid-19-crisis-latin-america/>

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

II. Executive Response

Effective Policy Formulation

Effective Policy
Formulation
Score: 2

President Andrés Manuel López Obrador has initiated what he calls Mexico’s “Fourth Transformation,” an ambitious government program designed to change the country over the course of his six-year term. Though the specific components of this fourth transformation have not been explicitly identified, it can be assumed that the main focus will be on combating corruption and organized crime, reducing social inequality and poverty, and making general reforms to the state apparatus.

López Obrador has initiated social programs and raised the minimum wage, and introduced efforts to improve the social situation of the poor.

Austerity measures have kept budgetary expenditures and inflation under control. The most controversial measures in this realm include the cancellation of the construction of the international Mexico City Texcoco Airport and the simultaneous initiation of prestigious large-scale infrastructure projects in the poor south of Mexico, such as the Tren Maya rail project that aims to promote tourism in the region. Politically, the president has dismantled checks and balances, weakened autonomous institutions, and seized discretionary control of the budget.

Critics claim that President López Obrador has underestimated and downplayed the severity of the coronavirus pandemic, as well as the associated economic crisis, in order to carry on with his fourth transformation. Other critics see a lack of adaptability in the presidency, even a lack of decisive leadership. This has led to a contradictory strategy, while sending mixed signals to the public. While the health ministry, leading epidemiologists and Vice-Minister Hugo Lopez-Gatell have urged for stricter measures, the president disagreed. An example can be seen in the debate about masks. The government's chief epidemiologists initially described them as unnecessary, but later strongly recommended their use. President López Obrador himself refused to wear masks and continued with to hold public rallies and meetings. At the end of the review period, President López Obrador tested positive with COVID-19 on 25 January 2021.

The first recorded infection in Mexico was documented on 28 February 2020. The government reacted very reluctantly. In March, with rising infection numbers and no national countermeasures yet in place, President López Obrador stated that life should go on as usual. While concerts and soccer games were allowed to go on, and no further restrictions were planned, the Ministry of Education announced that Easter break, originally planned to run from April 6 to 17, would be extended from March 20 to April 20 as a preventive measure. Due to the lack of a national response, several states started to act on their own. For instance, bars, nightclubs, movie theaters and museums were closed in Mexico City, which was governed by MORENA mayor Claudia Sheinbaum. On March 30, Minister of Foreign Affairs Marcelo Ebrard declared a national health emergency.

All sectors in the country were urged to stop most of their activities, but there was no decisive, coherent national lockdown. Restaurants and shops remained open, tourism, a vitally important source of income, was not limited, and millions of U.S. tourists visited Mexico without any restrictions throughout 2020. In June, the government introduced a traffic-light system. For each region, a weekly risk analysis indicated which activities were allowed in the economic, education and societal spheres.

In general, the government's COVID-19 response policies were inconsistent, lacked viability and ignored experts' advice. On 28 January 2021, the Lowy Institute, an independent think tank in Australia, described Mexico's response to the pandemic as the second-worst in the world out of 98 states analyzed, exceeded in this regard only by Brazil.

Citation:

CORONAVIRUS: México, el segundo peor país en ranking de 98 naciones en manejo de la pandemia, Proceso, 28 de enero de 2021, <https://www.proceso.com.mx/nacional/2021/1/28/mexico-el-segundo-peor-pais-en-ranking-de-98-naciones-en-manejo-de-la-pandemia-257172.html>

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

Policy Feedback and Adaptation

Policy Feedback
and Adaptation
Score: 3

Overall, Mexican policies are supposed to undergo ex post evaluation, and at least at the national level, a comparatively strong culture of ex post evaluation has grown up over the last two decades. This phenomenon is rooted in two different ideological streams. On the one hand, the traditional reliance on planning within a left-leaning corporatist system has expanded to embrace the idea of ex post evaluation as an integral part of a well-mastered policy cycle. On the other hand, liberal market 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.

During the first year of the pandemic, the Mexican government rhetorically gave increasing importance to the role of scientific advice and expertise. However, a number of anti-scientific statements by governors and high-ranking members of the national government – for instance that personal integrity would diminish the probability of getting infected, or that poor people were not threatened by the virus – revealed an irritating disrespect for scientific facts. Moreover, it has not been clear how scientific evidence on the spread of the virus and its social impacts have influenced government decision-making. While there is much reference to the role of science and expertise, the government has not developed mechanisms allowing it to draw on scientific expertise swiftly in order to develop quick responses to the challenges of the pandemic. In this regard, the capacity of national and regional governments to absorb independent expertise is very limited, making it extremely difficult to make use of existing evidence to assess policy responses and develop policy improvements. This has been true not only with regard to virus containment strategies, but also in dealing with the broader economic and social consequences of the pandemic.

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Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

Public Consultation

Public
Consultation
Score: 2

With a high degree of legitimacy following the presidential election, President López Obrador that he would open more opportunities 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 as a means of "consulting" with the public. The government has sought to integrate civil society actors and activists, although traditional business and trade union lobby groups remain largely outside this sphere of engagement. This is a clear break with the Institutional Revolutionary Party's tradition of corporatism and clientelism, where participation flowed mainly through corporatist and clientelist party channels rather than through independent civil society organizations. Some participatory involvement occurs at the local and state level, 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. It remains to be seen whether this will result in a significant change in policymaking style.

During the coronavirus pandemic, the government and especially President López Obrador have continued to concentrate power in the hands of the president. There has been little societal consultation at the national level, while heterogeneity has been greater at the subnational level, with some regional governors trying to establish specific coronavirus-related consulting mechanisms. Overall, independent civil society groups have increasingly criticized the government for its weak policy performance and its failure to consult with social groups in an independent way. This deficiency can be partly explained by the government's lack of preparation for a challenge of this nature, and partly by its populist, top-down approach. Moreover, the late recognition of the challenges induced by the pandemic, paired with scientifically unsupported rhetoric downplaying the seriousness of the pandemic, also led influential parts of civil society to distance themselves from the government.

Citation:

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

Crisis
Communication
Score: 3

Crisis Communication

The communication performance of the current administration is based on the communication skills of the resident. As a populist, President López Obrador relies heavily on public communication.

During the coronavirus pandemic, the government has not tried to control or influence the media. Instead, the president has directly provided information through his daily morning press conference, the *mañanera*, which is broadcast live on public television and streamed on a dedicated YouTube channel as well as directly on the president's official website. The daily event takes place at Mexico City's National Palace, and is attended by a few dozen reporters. In January 2021, President López Obrador was diagnosed with COVID-19 and missed the *mañanera* for the first time since his inauguration. In his absence, it was held by Interior Minister Olga Sanchez Cordero.

A media analysis indicates that the daily press conference, seen by many millions of Mexicans, sets the nation's agenda for the day. The president's announcements and claims reverberate on social media and dominate the news.

Since the outbreak of the pandemic, the presidential press conference has been complemented by a daily press conference held by the health ministry.

Observers criticize the unreliable information in these events, with dates and facts chosen according to political criteria. For example, according to some observers, the deputy minister of health has "repeatedly equivocated regarding the advisability of wearing facemasks, presumably because of the president's reluctance to do so. More recently, when pressed for information regarding the updating of the color-coded public alert system, he evaded the question by stating that it was 'to some degree inconsequential'" (see Velasco-Ibarra: 2021). Therefore, the Mexican government's communication strategy during the pandemic can be seen as another shortfall in the government's overall response. Mexico definitely lacks good crisis communication. Anecdotes on very irritating, fact-free communication by governors or even the president are common across the country.

Citation:

Laura Martinez: The Mexican President's COVID Diagnosis Has Paused His Exhausting Daily Press Conferences, Slate 28.1.2021, <https://slate.com/technology/2021/01/amlo-andres-manuel-lopez-obrador-mananera-p-ress-conferences-media.html>

Velasco-Ibarra, Eugenio: COVID-19 in Mexico: A Year in Review, VerfBlog, 2021/2/25, <https://verfassungsblog.de/covid-19-in-mexico-a-year-in-review/>, DOI: 10.17176/20210225-153833-0.

Implementation of Response Measures

Implementation
of Response
Measures
Score: 2

President López Obrador has announced a highly ambitious reform agenda, the so-called Fourth Transformation, aimed at transforming Mexico socially, economically and politically. New social programs are being implemented and projects targeting the poor south have been announced. Meanwhile, infrastructure projects like Mexico City's Texcoco Airport have stalled. Tackling corruption and demilitarizing the war on drugs were key objectives for the government. The government's reform agenda was extremely ambitious, and the government's first social and anti-corruption policy steps were promising, although the aim of demilitarizing the war on drugs has failed completely.

Within this context, the coronavirus pandemic has been seen by President López Obrador as a disturbance of his policy agenda. Critics claim that President López Obrador has underestimated and downplayed the severity of the coronavirus pandemic and the associated economic crisis in order to carry on with his fourth transformation. Other critics see a lack of adaptability in the presidency, even a lack of decisive leadership. This led to a contradictory strategy.

The first recorded infection in Mexico was documented on 28 February 2020. The government reacted very reluctantly at first. In March, with rising numbers of infection and no national measures in place, President López Obrador stated that life should go on as usual. No further restrictions were planned, although the Easter break, originally planned to last from 6 – 17 April 2020, was extended from 20 March to 20 April 2020 as a preventive measure. Due to the lack of a national response, several states started to act on their own. On 30 March 2020, a national health emergency was declared with a limited set of restrictions.

All sectors in the country were urged to stop most of their activities, but there was no decisive, coherent national lockdown. Restaurants and shops remained open. Tourism, an vitally important source of income, was not limited, and millions of U.S. tourists continued to visit Mexico. In July 2020, many restrictions were lifted, although widespread criticism of the government strategy existed. A crucial problem was the lack of testing, which led to a lack of crucial data. Even the WHO, not known for publicly criticizing member states, criticized these steps as a “blind reopening not associated with a careful stepwise process based on data, based on open communication.”

In the following months, containment of the virus' spread was not at the top of the government's agenda. In order to avoid widespread economic and social problems, a rather soft approach toward COVID-19 was chosen. As of 26 January 2021, the government's official figures spoke of a total of 1,771,740 coronavirus infections and 150,273 deaths. However, independent sources estimate a very high level of "dark" numbers. According to unofficial estimates, at least 1.7 million people in total had already died from or with the virus at the beginning of 2021, and almost 79 million people had been infected. As many of 79% of the casualties did not receive intensive care. Structural problems such as chronic underfunding of the health system combined with mismanagement led to a crisis management disaster. Even according to the official data, Mexico has the third-highest death toll worldwide in terms of absolute numbers, to say nothing of the dark numbers. The ratio of casualties to infections, at 8.5%, is the highest in the world.

As mentioned earlier, the government's COVID-19 response policies were inconsistent, lacked viability and ignored experts' advice. Hence, Mexico scored at the very bottom (that is, the worst-rated country) in the Bloomberg Resilience Index of 53 countries.

Citation:

Bloomberg Resilience Index <https://www.bloomberg.com/graphics/covid-resilience-ranking/>

Latin News: MEXICO: Becoming the focus of international concern, Weekly Report – 16 July 2020 (WR-20-28),

https://www.latinnews.com/component/k2/item/85011.html?archive=33&Itemid=6&cat_id=823102:mexico-becoming-the-focus-of-international-concern

Laura Martinez: The Mexican President's COVID Diagnosis Has Paused His Exhausting Daily Press Conferences, Slate 28.1.2021, <https://slate.com/technology/2021/01/amlo-andres-manuel-lopez-obrador-mananera-p-ress-conferences-media.html>

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

National Coordination

National
Coordination
Score: 2

Mexico has three levels of government – central, state and municipal. In Mexico's federalist system, 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 expand their own revenue sources in order to become less dependent on central government transfers. Due to government austerity,

which has been a central issue of the López Obrador administration, underfunded mandates and insufficient resources have made it difficult to successfully carry out many government tasks, thus undermining the realization of the principle of subsidiarity in Mexico's fiscal federalism.

During the coronavirus pandemic, due to the national government's inconsistent and reluctant reaction, subnational states started to act on their own, no matter which parties were in power. For example, bars, nightclubs, movie theaters and museums were closed in Mexico City, which was governed by MORENA mayor Claudia Sheinbaum. Yucatán implemented an unemployment program for self-employed workers, while Hidalgo offered emergency assistance for informal workers, Guanajuato created a temporary employment program, and Aguascalientes released special funds and food assistance for poor. Chihuahua and Puebla began food distribution programs; San Luis Potosí increased funds for school breakfasts; Tamaulipas and Mexico City distributed food vouchers; and Hidalgo, Yucatán, Campeche and Quintana Roo helped poor households cover basic utility costs. But resources were limited; for example, Mexico City created an unemployment program that ran out of funds after just one month. In July 2020, a group of nine governors from the states of Tamaulipas, Nuevo León, Jalisco, Michoacán, Coahuila, Aguascalientes, Colima, Durango and Guanajuato, with origins in different opposition parties, formed the Alianza federalista and criticized the national state's crisis management.

The Mexican constitution gives subnational entities, and particularly 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. The federal government formally has substantial leverage over states, and the federal government has generally refrained from reining in the illiberal practices of local elites. Considerable administrative-capacity deficits therefore persist at the subnational level.

To sum up, the federal government did not cooperate with regional and local governments in seeking to cope with the crisis.

Citation:

Latin News: MEXICO: Divisions grow between López Obrador and governors, Weekly Report – 05 November 2020 (WR-20-44), https://www.latinnews.com/component/k2/item/86341.html?period=%20&archive=33&search=lopez%20obrador&Itemid=6&cat_id=823993:mexico-divisions-grow-between-lopez-obrador-and-governors

International
Coordination
Score: 2

International Coordination

Mexico has a long tradition of supporting international multilateralism and engaging in international cooperation. Thus, one would have expected that the government would strongly engage multilateral and regional approaches toward the crisis. However, the Mexican government has lost a great degree of its international reputation due to its neglect of international affairs, aside from some rhetorical support. In his first year in office, the president did not leave Mexico, and refused to participate in G-20 meetings or U.N. assemblies.

While this was an attempt to demonstrate to the Mexican population that he was committed to domestic issues, this has undermined Mexico's position in the world. This behavior strongly contrasts with Mexico's tradition of being supportive of international initiatives, and playing an active role in the United Nations, in the OECD and other intergovernmental organizations. The country has also previously been 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 previously played a supportive role in many international efforts oriented toward the provision of global public goods. While the weakness of the U.S. government also played a role in constraining the Mexican government's ability to search for regional responses to the pandemic, the López Obrador government continued with this inward orientation. The presidency has largely ignored international experiences, and has shown little to no interest in international collective efforts to mitigate the consequences of the pandemic. Hence, the lack of international focus has not been due to any lack of capacities or international expertise in the well-established diplomatic corps, but rather to a lack of interest among the top government policymakers.

On the other hand, international organizations have been active in Mexico to aid vulnerable groups within the Mexican population in coping with the pandemic. For instance, the UNESCO Office in Mexico collaborated with the Center for Indigenous Arts (CAI) of the Totonaca region to help understand indigenous people's perceptions on the pandemic. The groups also contacted indigenous peoples of the Mixtec region to share insights on how they have traditionally battled various diseases over the years, through traditional and scientific medicine (see UNESCO 2020).

Citation:

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

UNESCO 2020: Indigenous Peoples and the COVID-19 pandemic – the view from Mexico, August 2020, <https://en.unesco.org/news/indigenous-peoples-and-covid-19-view-mexico>

Learning and Adaptation

Learning and
Adaptation
Score: 2

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 through a high degree of corporatist authoritarianism, which came at a substantial cost both in terms of controlling agents and with regard to policy efficiency. In today's Mexico, policymakers have to some extent become aware that governing complexity effectively requires different principles, including technically advanced and more independent ways of monitoring governance arrangements and policy outcomes. For instance, efforts to create independent processes for evaluating Mexican social policies have progressed significantly over the last decade, particularly with the creation of the autonomous Consejo Nacional de Evaluación (CONEVAL) in 2014. Another interesting attempt has been the 2018 launch of an online platform to track progress toward achieving the 2030 Agenda for Sustainable Development. At the same time, capacity constraints within these and other new institutions and programs; pockets of lingering authoritarianism at the local and regional level; political violence and corruption; and the partially traditional, patrimonial political culture within the political elite have been serious barriers to modernization of the “learning culture” of Mexico's state apparatus. Moreover, attempts to promote a stronger learning culture by means of an independent monitoring and evaluation mechanism have been countered by the current presidency, as the current president has frequently argued against such mechanisms and institutional arrangements.

Despite the modernization achievements of the last decade, the pandemic therefore emerged under an administration that was not well-equipped to effectively evaluate its own responses to the crisis, or to draw quick conclusions that could be translated into policy actions. In fact, the government has not been evaluating its policy responses and capacities with technocratic expertise, and there has been little willingness to foster a productive learning culture. A lack of intra-government coordination and absorption capacity; intergovernmental learning barriers between different levels of government; high levels of polarization; and a traditional, rather populist presidency have seriously constrained learning efforts and the chance to increase future resilience to similar external shocks.

Citation:

Salomón Chertivoriski et al.: La gestión de la pandemia en México. Análisis preliminar y recomendaciones urgentes, Consejo Consultivo Ciudadano, Pensando en México, Mexico City, 2020

Laurie Ximénez-Fyvie: Un daño irreparable. La gestión de la pandemia en México, Planeta, Mexico City 2021

III. Resilience of Executive Accountability

Open Government

Open
Government
Score: 3

Socioeconomically, Mexico is a very internally divided country, which translates into uneven policy knowledge across the population. Due in part to its high poverty levels, Mexico has the lowest performing students in the OECD, and up to a third of the population has little more than a primary-level 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.

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 benefited only politicians and wealthy people. More recent data is offered by the AmericasBarometer (2016/17): In Mexico, support for democracy fell from 70.2% in 2004 to 49.4% in 2017, while only 26.2% of Mexicans trusted the elections, and only 13.8% of Mexicans trusted political parties. President Peña Nieto and his government left office with historically low approval ratings.

President López Obrador, by contrast, enjoys a high level of popular support. In November 2019, 67% of Mexicans approved of him. His approval ratings have exceeded 59% throughout his term. However, approval of democracy is low, consistently polling at just 38% (Latinobarometro). Mexico's access to

information law, passed in 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 López Obrador government is pursuing a more transparent policy toward citizens, with the president's daily press conferences symbolizing this new openness. On the other hand, government communication policies at the national and subnational levels regarding the war on drugs cannot be considered very transparent.

Since the outbreak of the coronavirus, the presidential press conference has been complemented by a daily press conference held by the health ministry. Observers criticize the unreliability of the information provided, with dates and facts chosen according to political criteria. In Mexico, the problem is not that the media is dependent on or independent of the government, but that the government itself acts as a media entity that provides unreliable information in times of crisis.

Hence, public trust is limited. As of 26 January 2021, the government's official figures cited 1,771,740 COVID-19 infections and 150,273 deaths. However, according to the Reuters news agency, at least 1.7 million people had already died from or with the virus by December 2020, and almost 79 million had been infected.

A central problem is the lack of testing. To avoid expensive testing, Mexico has relied on mathematical simulations to study the infection process. Hence, no reliable data exist. All experts assume a very high number of uncounted infections and a much higher death toll.

Mexico has been one of the countries hardest hit by the coronavirus crisis. While President López Obrador and his government proactively and frequently communicate their assessments of the situation in daily news conferences, and sometimes explain the rationale behind specific measures, they more often communicate why measures are not being taken, while disseminating unreliable information, dates and facts chosen on the basis of political criteria.

The daily press briefings provided by the deputy minister of health have been of questionable value. Some reports state that the official figures have been purposely misleading in order to avoid changing the color of the public alert system, which would lead to the suspension of non-essential economic activities. Although the deputy health minister advised people to stay at home during the end-of-year celebrations, he was spotted taking a holiday.

Citation:

Laura Martinez: The Mexican President's COVID Diagnosis Has Paused His Exhausting Daily Press Conferences, Slate 28.1.2021, <https://slate.com/technology/2021/01/amlo-andres-manuel-lopez-obrador-mananera-p-ress-conferences-media.html>

Velasco-Ibarra, Eugenio: COVID-19 in Mexico: A Year in Review, VerfBlog, 2021/2/25, <https://verfassungsblog.de/covid-19-in-mexico-a-year-in-review/>, DOI: 10.17176/20210225-153833-0.

Legislative Oversight

Legislative
Oversight
Score: 4

The Mexican presidential system's emphasis on presidential government, along with the electoral system itself, has weakened parliament and its members. Formally, Congress is well staffed and sufficiently financed to fulfill its duties. The constitution invests Congress with significant powers. But for political rather than legal reasons, congressional committees vote largely along party lines, and legislative scrutiny is generally perfunctory. The legislative is entitled to summon ministers, which happens quite frequently 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 at which they summon ministers as well as other public officials. These invitees have an obligation to attend. Hearings are often held right after the delivery of annual presidential reports (similar to the state of the union address in the United States) to go over evidence and documents supporting the president's claims. While these resources are relevant and useful for monitoring, they very rarely have meaningful consequences for public officials (positive or negative). There are two aspects limiting legislative oversight and monitoring in general. First, in general, President López Obrador's efforts to consolidate his power and dismantle Mexico's multifaceted structure of autonomous government institutions have undermined any monitoring efforts. The president has condemned the country's 100-odd autonomous government institutions as being costly, ineffective, prone to corruption and vestiges of the "neoliberal period," and is legitimizing his strategy with austerity policies. Second, deputies mostly vote along party lines. López Obrador has held a majority in the Senate and the Chamber of Deputies since the 2018 elections, the first unified majority government since democratization in 2000. Though this majority remains several votes shy of the supermajority needed to pass constitutional reforms, the MORENA bloc has remained unified and has loyally supported the government and President López Obrador.

After López Obrador's delivery of the annual presidential report in September 2020, opposition parties and the media criticized it as an exercise in political

propaganda at a time of serious national crisis. In October 2020, in a hearing attended by Vice-Minister of Health Hugo López-Gatell, opposition legislators accused the government of “omissions, negligence and mismanagement” during the coronavirus pandemic. However, this critique had no consequences due to the MORENA bloc’s majority.

For all these reasons, the federal Congress has played a relatively minor role during the pandemic. “Deputy Minister of Health Hugo López-Gatell (the federal government’s spokesperson throughout this sanitary emergency), has only appeared before Senate select committees on two occasions. In its legislative capacity, the federal Congress has enacted two relevant pieces of legislation. In April 2020, it issued an Amnesty Law intended to benefit first-time offenders accused or convicted of minor drug offenses and abortion, among other crimes, as well as indigenous individuals alleging due process violations (with a couple of state legislatures also adopting similar statutes). More recently, in January 2021, it amended the Federal Labor Law to incorporate several rights of employees working from home” (see Velasco-Ibarra 2021).

However, some possibilities for legislative oversight do remain. With at least seven other OECD countries, Mexico has set aside reserves in good times to help counteract the business cycle in bad times – so-called “rainy day” funds. The government can tap these funds to address crisis-related issues either on a discretionary basis or under a rules-based framework, but generally must seek parliamentary approval to do so. In addition, Mexico formed a cross-party working group to monitor the government’s response (See OECD 2020).

Citation:

Latin News: MEXICO: López Obrador’s Informe fuels criticism, Weekly Report – 03 September 2020 (WR-20-35), https://www.latinnews.com/component/k2/item/85598.html?archive=33&Itemid=6&cat_id=823504:mexico-lopez-obrador-s-informe-fuels-criticism

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OECD 2020: Legislative budget oversight of emergency responses: Experiences during the coronavirus (COVID-19) pandemic, 25 September 2020, <https://www.oecd.org/coronavirus/policy-responses/legislative-budget-oversight-of-emergency-responses-experiences-during-the-coronavirus-covid-19-pandemic-ba4f2ab5/#endnotea0z10>

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Independent Supervisory Bodies

Auditing
Score: 4

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 has technical and managerial autonomy. In practice, the audit office shows a high

degree of independence, but little power to levy sanctions. The audit office is exclusively accountable to parliament. 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.

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 de facto limited 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 the unprecedented spread of violence in recent years.

The coronavirus pandemic, paired with the current president's efforts to concentrate power, has further weakened the de facto functionality of these autonomous bodies. The government has made no substantial efforts to strengthen the accountability function of such institutions. The head of the ombudsman office is loyal to the president, and the head of the autonomous national evaluation institute was also replaced in 2019. During the pandemic, the president condemned the country's 100-odd autonomous government institutions as being costly, ineffective, prone to corruption and vestiges of the "neoliberal period."

We will provide one recent example of the strained relationship between the current president and the Federal Audit Office . In early 2021, the ASF estimated that cancelling the partly-built airport on Mexico City's eastern flank cost nearly MXN 332 billion (billion), or MXN 232 billion pesos more than the transport ministry had stated in April 2019. President Lopez Obrador attacked this official ASF report, publicly questioning these figures at a news conference, calling the report "wrong" and an "exaggeration," and suggesting that the ASF was helping his adversaries (see Reuters/YahooNews 2021). Together with the logistical constraints imposed by the crisis, there has been a decline in independent supervision, although the legal framework is still intact. Given the latter point, there could be a "revival" of critical activities by these institutions after the elections in 2021.

Citation:

Latin News: MEXICO: López Obrador guns for institutions to amass power, Weekly Report – 25 June 2020 (WR-20-25),

https://www.latinnews.com/component/k2/item/84760.html?archive=33&Itemid=6&cat_id=822947:mexico-lopez-obrador-guns-for-institutions-to-amass-power

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Data Protection
Score: 4

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 mechanisms 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 2017, a major scandal emerged when it was revealed that the parts of the government had tried to implant spyware on cell phones to surveil prominent actors from the opposition.

During the crisis, the INAI has tried to highlight the challenges of data protection and increase the awareness of the issue particularly with regard to personal data related to coronavirus infections. The organization has also several times pointed to the weaknesses of data protection in the Mexican health system, and expressed its concerns about the unauthorized spread of protected individual data. In this regard, cell-phone monitoring has been used to enable the Digital Agency for Public Innovation (ADIP) to monitor movement and contacts between people. At first, the political debate around data protection was not intense as it has been in other OECD countries. In late 2020, however, protests in the Mexico City federal district increased when the local government tried to impose a mandatory tracking system on cell phones in the capital. After protests, the mayor of Mexico City had to declare publicly that supporting contact tracing was advisable, but that the use of a QR code would not be compulsory for individuals or businesses. Overall, data protection has faced challenges during the crisis; but on the other hand, civil society actors are particularly aware of this challenge, given the potential implications of cell-phone tracking and data use in the war on drugs, especially with regard to the danger of human rights violations.

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