



## RULE OF LAW



### DATA AT A GLANCE

Sixteen of thirty-two states in Mexico have implemented criminal justice reform at some level.

Non-reform states acquit 12.7% of cases, while reform states average between 2.1% - 4.5%.

10.7% of Mexicans report knowing about the criminal justice reform, and 27.2% have heard of the concept of oral trials.

Approximately 93% of crimes in Mexico are tried in state jurisdictions.

On average, reform states resolve a case in less than half the time of non-reform states.

### OVERVIEW

In 2008, the Government of Mexico (GOM) approved a constitutional reform mandating the nation-wide adoption of a new adversarial criminal justice system in the country. The reform requires all state and federal jurisdictions to be in compliance with the new criminal justice system by June 2016, seeking to improve the transparency, effectiveness, and efficiency of criminal justice proceedings while protecting due process, promoting assistance to crime victims, and strengthening human rights. U.S. Government support for the reform falls under the bilateral Merida Initiative.

### OBJECTIVE

Under USAID/Mexico's Country Development Cooperation Strategy 2014-2018, USAID supports the GOM in making the constitutional criminal justice reforms of 2008 operational. GOM ownership and participation are critical to all USAID programming, as well as the long-term sustainability of the results achieved. The GOM Technical Secretariat for Justice Sector Reform (SETEC) is the primary counterpart and has the constitutional mandate to coordinate justice sector reforms nationwide. Falling under the broader bilateral Merida Initiative, USAID's current rule of law portfolio totals approximately USD\$94 million and is focused on supporting the GOM, civil society, and other legal institutions to transition to the new oral, adversarial criminal justice system at both the federal and state levels by 2016. USAID anticipates that cooperation with the GOM will continue beyond 2016 to consolidate gains and build capacity under the new system.

### KEY ACHIEVEMENTS

- To date, USAID programs have reached over 30,000 justice sector operators in the new criminal justice system, both through direct training programs and institutional support to training units.
- USAID has built and strengthened the development of protocols and internal procedures of criminal justice institutions, and strengthened the development of key institutions such as alternative and restorative justice centers and victims assistance units in target states. These units provide additional justice services while also helping to decongest courts and reduce pre-trial detention rates.
- USAID support has facilitated change in legal education curricula and methodology and provided law students with oral litigation skills and other skills required to practice in the adversarial criminal justice system.

- Civil society has been a key advocate for reform, and USAID programs support civil society's efforts to monitor the implementation of the criminal justice reforms at both the federal and state levels.

## USAID RULE OF LAW INITIATIVES

### Colectivo Justicia Program

**Implementer: Centro de Investigación para el Desarrollo A.C. (CIDAC)**

This initiative seeks to create social support for a better implementation of the new criminal justice system. It focuses in three main objectives: 1) to promote an independent measurement of the implementation of the new criminal justice system, 2) to develop an outreach campaign to raise awareness and understanding of civil society organizations about the implementation of the new criminal justice system, and 3) to promote the informed participation of civil society organizations in the new criminal justice system.

### Consolidating Political Parties, Civil Society, and Consensus Building Processes in Mexico

**Implementers: The International Republican Institute (IRI) and the National Democratic Institute (NDI)**

This initiative aims to improve government responsiveness to citizen needs regarding criminal justice, crime prevention, and human rights by strengthening consensus building and increasing citizen involvement in political processes. In order to achieve this goal, the initiative focuses on three main components: 1) to build civil society's capacity to influence public policy and advance criminal justice, crime prevention, and human rights reform, 2) to strengthen the capacity of elected officials to engage and collaborate effectively with civil society to design and implement public policy, and 3) to enhance communication among federal government, political entities and civil society to support effective governance regarding justice reform, crime prevention and human rights. The initiative conducts activities in USG and GOM priority states Baja California, Chihuahua and Nuevo Leon and focuses on the priority themes of citizen security, justice reform, and human rights.

### Justice and Security Program

**Implementer: Management Systems International (MSI)**

This initiative supports Mexican federal and state efforts to reform the criminal justice system in line with the 2008 Constitutional reform with an emphasis on three main goals: 1) to promote the adoption of a sound, consistent legislative framework to reform the criminal justice system, 2) to strengthen the capacity of Mexican criminal justice institutions to implement criminal justice reform, and 3) to help Mexican civil society understand and support the reform. The initiative has a geographic focus in seven priority states: Baja California, Chihuahua, Hidalgo, Morelos, Nuevo Leon, Oaxaca, and Puebla.

**PROJUST** – Because the above-mentioned Justice and Security Program will end in 2014, USAID/Mexico will launch a new, five-year follow-on initiative, Promoting Justice (PROJUST), to provide technical assistance to Mexican federal and state authorities in support of an effective transition to the new criminal justice system in order to meet the constitutional deadline of 2016. As a follow-on activity, PROJUST will build on advances made in the current program, with a more focused and targeted approach that will enable broader geographic coverage. Jointly with SETEC, USAID expects to support the transition to the new criminal justice system directly in 20 states.

### Support for Bar Associations in Mexico Program

**Implementer: American Bar Association Rule of Law Initiative (ABA/ROLI)**

This initiative aims to strengthen the legal profession in Mexico through supporting bar associations and law schools focusing specifically on their capacity to aid in the implementation of the accusatorial criminal justice system. The initiative has the following objectives: 1) to develop the legislative framework in order to regulate the legal profession in Mexico, 2) to strengthen bar associations to enhance the quality of the legal profession in accordance with the accusatorial system, and 3) to enable law schools to develop and carry out legal clinics to enhance the skills of the next generation of criminal justice sector operators. Activities are being conducted in Baja California, Chihuahua, the Distrito Federal, Estado de Mexico, Hidalgo, Morelos, Nuevo Leon, Oaxaca, and Puebla.

### Support Law Schools under the New Criminal Justice System Program

**Implementer: Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho (CEEAD)**

This initiative supports law schools across Mexico to prepare their students to practice law under the new criminal justice system. CEEAD provides training, technical assistance and course material to no fewer than 200 public and private law schools located in 18 Mexican states, with a special emphasis on schools located in underserved communities. Through close consultation and coordination with SETEC, the project will be implemented in the following states: Aguascalientes, Baja California Sur, Coahuila, Colima, the Distrito Federal, Estado de Mexico, Guanajuato, Guerrero, Jalisco, Michoacan, Nayarit, Puebla, Queretaro, San Luis Potosi, Sinaloa, Tamaulipas, Tlaxcala, and Veracruz.