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# CIVIL SOCIETY ORGANIZATIONS: BRIDGING THE GAP BETWEEN RULE OF LAW AND SOCIAL DEVELOPMENT IN MEXICO

USAID / MEXICO'S CIVIL SOCIETY ACTIVITY

This document is part of a collection of strategic documents developed by the Civil Society Activity, implemented by Social Impact, Inc. and financed by the United States Agency for International Development (USAID). The texts that comprise the collection describe the systemic capacity development approach and methodology that the Civil Society Activity designed to accompany more than forty civil society organizations in institutional strengthening, grants management, and legal compliance. In particular, this document addresses the systemic contributions of the civil society sector in Latin America to rule of law and social development, based on the Activity's experience in Mexico. The full compendium is a useful resource for strengthening civil society organizations. You may reference the full collection at Social Impact's website, <https://socialimpact.com/>.

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## **ABOUT USAID MEXICO CIVIL SOCIETY ACTIVITY**

Mexico Civil Society Activity (CSA) was a 4-year program funded by the U.S. Agency for International Development (USAID). CSA aimed to improve the sustainability of Civil Society Organizations (CSOs) to effectively implement their agendas on violence prevention, human rights protection and justice reform in Mexico. To this end, CSA focused on improving CSOs capacity to communicate and work collaboratively, increasing their connections with key stakeholders, strengthening their capacity to develop strategies that respond to their changing environment and to their communities' needs and priorities, and improving CSOs access to knowledge and resources. The USAID Mexico Civil Society Activity was implemented by Social Impact (SI) Inc. in partnership with Fundación Appleseed.

## **ABOUT SOCIAL IMPACT**

Social Impact (SI) is a management consulting firm that provides monitoring, evaluation, strategic planning, performance management and capacity building services to advance development effectiveness. SI's work helps to reduce poverty, improve health and education, promote peace and democratic governance, foster economic growth, and protect the environment. To achieve this, SI delivers consulting, technical assistance, and training services to government agencies, nongovernmental organizations, and foundations.

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## ACRONYMS

CDCS	Country Development Cooperation Strategy
CD 2.0	Capacity Development 2.0
CIESC	Centro de Investigación y Estudios sobre Sociedad Civil
CIAS	Centro de Investigación y Acción Social
CLA	Collaborating, Learning and Adapting
CSA	Civil Society Activity
CSO	Civil Society Organization
COVID-19	Corona Virus Disease 2019
CONEVAL	Consejo Nacional de Evaluación de la Política Social
DO	Development Objective
EDUCIAC	Educación y Ciudadanía
FDUM	Fundación Dibujando un Mañana
FECHAC	Fundación del Empresariado Chihuahuense
GOM	Government of Mexico
HICD	Human and Institutional Capacity Development
INEGI	Instituto Nacional de Estadística y Geografía
ISO	Intermediate Support Organization
IR	Intermediate Result
J2SR	Journey to Self-Reliance
OAS	Organization of American States
OECD	Organization for Economic Cooperation and Development
ORT	Universidad ORT Mexico
SI	Social Impact
SNA	Social Network Analysis
UMACYF	Unidad de Mediación Apoyo Comunitario y Familiar
UMAMH	Unidad de Mediación Acuerdo Mutuo de Hermosillo
UMESS	Unidad de Mediación Solidaridad Sonora

UN United Nations

USAID United States Agency for International Development



## INTRODUCTION

Latin America has witnessed a resurgence of interest from academics and practitioners alike in the analysis of *inclusive development, seeking to understand how social development influences the rule of law and vice-versa*. The term “rule of law” is used frequently in reference to a wide variety of desired end states<sup>1</sup> and “[protects] fundamental political, social, and economic rights,”<sup>2</sup> according to the U.S. Department of State. The absence or failure of effective rule of law results in the breakdown of social development. Likewise, countries suffering from high levels of violence and conflict, where the rule of law has not taken root, report high poverty and delayed social development. This was evidenced during the 2017 UN General Assembly where world leaders discussed options for “taking a comprehensive approach to sustainable development and sustaining peace,” emphasizing the inextricable link between the two and articulating a global response that addresses the root causes of conflict and integrates peace, sustainable development and human rights in a holistic way.<sup>3</sup>

The status of rule of law in Mexico is subject to the nation’s general social context, which is characterized by the rise of organized crime and escalating levels of criminal violence.<sup>4</sup> These specific conditions contribute added complexity to the rule of law within the country, making the application of justice a challenge in terms of both process and outcome.

Mexico’s downward trend in social development goes hand in hand with growing insecurity and violence.<sup>5</sup> The World Economic Forum’s Global Competitiveness Report 2016 found that Mexico’s weakest link is its institutions, and corruption is the most problematic factor for doing business. Thus, according to the World Economic Forum, “this presents a significant barrier to social stability and growth.”<sup>6</sup> USAID is committed to supporting Mexico in achieving greater development outcomes and therefore, promotes Mexico’s Journey to Self-Reliance<sup>7</sup>. In USAID’s self-reliance country roadmap<sup>8</sup>, Mexico scores similarly on governance and inclusive development indicators, demonstrating similar progress in these areas. On a scale from 0 to 1, Mexico achieves a score of 0.57 in its “Liberal Democracy” indicator when measuring freedom of expression, freedom of association, suffrage, elections, rule of law, judicial constraints on the executive branch, and legislative constraints on the executive branch, all of which pertain to governance. Furthermore, the country scores 0.50 on “Social Group Equality,” which measures political equality with respect to civil liberties and protections across social groups as defined by ethnicity, religion, caste, race,

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<sup>1</sup> USAID. 2008. Guide to Rule of Law Country Analysis: The Rule of Law Strategic Framework. A Guide for USAID Democracy and Governance Officers. Retrieved 30 June 2020. [https://pdf.usaid.gov/pdf\\_docs/Pnadm700.pdf](https://pdf.usaid.gov/pdf_docs/Pnadm700.pdf)

<sup>2</sup> U.S. Department of State. Retrieved 30 June 2020. <http://usinfo.state.gov/products/pubs/principles/law.htm>

<sup>3</sup> United Nations General Assembly, 2007. General Assembly Plenary, Seventy-first session, High-level Dialogue, AM & PM Meetings Coverage, GA/11884. Retrieved 11 June 2020. [Speakers Urge Focus on Root Causes of Conflict as General Assembly Debates Strategies for Linking Sustainable Development, Lasting Peace | Meetings Coverage and Press Releases](#)

<sup>4</sup> Overseas Development Institute ODI, 2016. Rule of Law, Politics and Development. The Politics of Rule of Law Reform by Pilar Domingo, Page 10 Box 2. Retrieved 27 January 2020. [Rule of law, politics and development](#)

<sup>5</sup> Villanueva, Rebecka, 2019. Mexico’s Struggle with Development between Global Compromises and National Development Plans. Politics and Policy, Volume 47, Issue 1, Pages 50-78. Retrieved 23 January 2020. [Mexico’s Struggle with Development between Global Compromises and National Development Plans](#)

<sup>6</sup> World Economic Forum, 2019. The Global Competitiveness Report, Economy Profiles, Mexico. Retrieved 24 January 2020. [The Global Competitiveness Report 2019](#)

<sup>7</sup> USAID Mexico, 2020. Mexico Journey to Self-Reliance: FY 2020 Country Roadmap. Accessed at <https://selfreliance.usaid.gov/country/mexico> on 06.11.2020.

<sup>8</sup> Idem.

language, and region. This reveals that Mexico's performance in rule of law may be correlated to that in social development or at least, they progress at a similar pace. Meanwhile, the country's civil society sector is well equipped to hold the government accountable, as evidenced by an astounding score of 0.90 on the "Civil Society and Media Effectiveness" indicator.

Addressing these inter-related challenges will require the mobilization and targeted efforts of different actors, in order to develop successful and sustainable solutions. One of these relevant actors includes organized civil society, or civil society organizations (CSOs).

The CSO sector is particularly adept at bridging the gap between rule of law and social development in Mexico due to their efforts to highlight grassroots and local perspectives through participatory processes, their interest in complex social causes and their increasing capacity to connect and engage as a sector within their local systems. Therefore, the CSO sector can further social development through their activities while articulating and organizing demand for the rule of law.

## **THE RULE OF LAW AND SOCIAL DEVELOPMENT CONTEXT IN MEXICO**

As a founding member of the Organization of American States (OAS) and the first Latin American member of the Organization for Economic Cooperation and Development (OECD), it is clear that Mexico has the potential to serve a leadership role in the international community. The country has demonstrated commitment to making progress on enduring challenges, particularly in the areas of good governance, corruption, human rights, and poverty.<sup>9</sup>

With regard to poverty, the latest official statistics in CONEVAL's 2018 report<sup>10</sup> reveal that 48.8% of Mexicans (61.1 million people) live in monetary poverty; this is less than a single percentage point decrease from 2008 poverty levels, when 49% of Mexicans lived in monetary poverty. Although it is worth celebrating that extreme poverty has diminished by 3.6%, to the benefit of an estimated 3 million people since 2008, there are still 9.3 million Mexicans living in this condition. While no official poverty data is available from the current Mexican administration, the government is interested in bringing about a profound transformation in the country's social conditions through social policy reform in the health and education systems. Initial efforts have focused on reducing public spending in many institutions while replacing and launching new social programs.

Of course, it is clear that the COVID-19 pandemic crisis that erupted in 2020 has presented significant challenges for countries around the world and may stifle Mexico's and other nation's potential for improving social policy. Now, more than ever, civil society in Latin America and globally can play a central role in attending to social development needs that transcend poverty, education and health systems, as well as linking the protection of human rights with improvements in the rule of law.

Through July 2020, the pandemic has directly affected the recognition and exercise of human rights. In Mexico, for example, a side effect derived from domestic confinement to prevent the spread of

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<sup>9</sup> USAID Mexico, 2014. Country Development Cooperation Strategy 2014-2018. Accessed at [USAID/Mexico Country Development Cooperation Strategy 2014-2018](#) on 06.11.2020.

<sup>10</sup> Consejo Nacional de Evaluación de la Política de Desarrollo Social CONEVAL, 2018. Accessed at <https://www.coneval.org.mx/Medicion/Paginas/Pobrezalnicio.aspx> on 01.25.2020.



the pandemic, is that of the increase in domestic violence. Particularly, violence against women has worsened in the country, increasing the inequality gap and marginalization of this population group, and putting it at risk by not having effective mitigation measures in place for this context. According to information from the Attorney General of Mexico City, during phases I and II of the contingency, there was a 7.2% increase in complaints of family violence, initiating around 1,608 investigation folders for this crime.<sup>11</sup> Likewise, the right of access to justice has been affected as a result of the decision of the Federal Judicial Branch to suspend jurisdictional activities during the pandemic, declaring a number of unworkable days, which has created backlogs on cases and actions.<sup>12</sup>

The pandemic has also highlighted the vulnerability of a large part of the population, prompting CONEVAL to state that “this crisis threatens Mexico’s advances in social development and will disproportionately affect the most vulnerable groups”<sup>13</sup>; i.e., the institution forecasts an increase in income poverty by 7.2 - 7.9%. Also, current conditions illustrate the complexity of the issues CSOs work to address. Given these adverse conditions, countries will face significant challenges in adapting COVID-19 response strategies while continuing to promote both the rule of law and social development. Initiating joint efforts that involve government, private sector and civil society actors, and fortifying and expanding cross-sectoral efforts where they exist, will be critical to advancing social development and rule of law in the context of the pandemic.

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<sup>11</sup> ECIJA, 2020. México: Human Rights impact of the declaration of sanitary “emergency” due to COVID-19. Accessed at <https://ecija.com/en/sala-de-prensa/mexico-human-rights-impact-of-the-declaration-of-sanitary-emergency-due-to-covid-19/> on 07.30.2020.

<sup>12</sup> General Decree number 3/2020, of the seventeenth of March of two thousand and twenty, of the Plenary of the Supreme Court of Justice of the Nation, by which jurisdictional activities are suspended and, therefore, the days that comprise from the eighteenth of March to April 19, two thousand and twenty, are declared non-workable, and the days that are necessary to provide for the admission and suspension of urgent constitutional controversies are enabled. Accessed at: [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5589708&fecha=18/03/2020](http://www.dof.gob.mx/nota_detalle.php?codigo=5589708&fecha=18/03/2020) on 07.30.20

<sup>13</sup> CONEVAL, 2020. Política Social | COVID-19. >Informes de Evaluación de la Política Social. Evaluación de Programas Sociales. Accessed at [https://www.coneval.org.mx/Evaluacion/IEPSM/Paginas/Politica\\_Social\\_COVID-19.aspx](https://www.coneval.org.mx/Evaluacion/IEPSM/Paginas/Politica_Social_COVID-19.aspx) on 07.30.2020.

## WHAT ARE THE KEY DIMENSIONS OF RULE OF LAW COMPLIANCE AND NON-COMPLIANCE IN MEXICO?

The presence of structural organized crime in Mexico is symptomatic of a system of rule of law that is noncompliant. The government's efforts against organized crime is characterized by high levels of impunity regarding the enforcement and implementation of public policies that do not respond to the causes of organized crime such as poverty and the lack of opportunities for the middle class.<sup>14</sup>

In Mexico, various gaps in social development limit the country's ability to comply with rule of law standards in a comprehensive manner. Likewise, the lack of rule of law compliance affects social development efforts and inhibits significant progress in this area. For instance, some examples of how the lack of rule of law has inhibited social development involve cases of disappeared college students, causing many students to not attend school because they or their parents fear that they will become the victims of violence. In general, about 12 percent of Mexicans who had contact with authorities were victims of corruption.<sup>15</sup> Furthermore, it is particularly worrisome that judicial institutions are challenged to provide order and security, thus, affecting the capacity of the state to implement rules and sanctions.<sup>16</sup> For instance, three out of four victims do not report crimes to authorities, half of them because they do not trust the qualifications of justice institutions<sup>17</sup>.

Additionally, low life expectancy is directly linked to violence. Mexico's context of rising violence, results from the failure of social protections and policies aimed at decreasing homicide and crime rates and increasing vulnerability at the national level. Since 2005, given the upsurge of violence, Mexico has not been able to reduce the amount of homicide cases to its pre-2005 level. As a result, since 2005, life expectancy and inequality related to lifespan has either stagnated or reduced across Mexico for young men at the national level. In some states, males live shorter lives than they did in 2005 on average and experience more uncertainty in terms of their lifespan under violent conditions.<sup>18</sup>

According to the United Nations, crime is both cause and consequence of poverty, particularly in relation to drug-trafficking. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime (UNODC) and Director-General of the United Nations Office in Vienna, stated that poverty renders people vulnerable to crime, and that poverty and crime must be addressed, not separately, but together and at the same time.<sup>19</sup>

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<sup>14</sup> Montero J.C., 2012. The Strategy against Organized Crime in Mexico: a Public Policy Analysis. *Perfiles Latinoamericanos*. vol.20 no.39 México ene./jun. 2012. Accessed at [http://www.scielo.org.mx/scielo.php?script=sci\\_arttext&pid=S0188-76532012000100001](http://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S0188-76532012000100001) on 07.30.2020.

<sup>15</sup> ENCIG, 2015. Encuesta Nacional de Calidad e Impacto Gubernamental 2015. Instituto Nacional de Geografía y Estadística. Accessed at <http://www.beta.inegi.org.mx/proyectos/enchogares/regulares/encig/2015/> on 07.30.2020.

<sup>16</sup> Ríos, V., 2018. The Missing Reform: Strengthening The Rule Of Law In Mexico. Harvard. Accessed at [https://scholar.harvard.edu/files/vrios/files/themissingreform\\_intro.pdf](https://scholar.harvard.edu/files/vrios/files/themissingreform_intro.pdf) on 07.30.2020.

<sup>17</sup> LAPOP, 2015. Cultura Política de la Democracia en México y en las Américas 2014. Vanderbilt University, Latin America Public Opinion Project. Accessed at [http://www.vanderbilt.edu/lapop/mexico/AB2014\\_Mexico\\_Country\\_Report\\_V3\\_W\\_082115.pdf](http://www.vanderbilt.edu/lapop/mexico/AB2014_Mexico_Country_Report_V3_W_082115.pdf) on 07.30.2020.

<sup>18</sup> Aburto and Beltrán-Sánchez, 2019: Upsurge of Homicides and Its Impact on Life Expectancy and Life Span Inequality in Mexico, 2005-2015. *American Journal of Public Health* 109, 483-489. Accessed at <https://doi.org/10.2105/AJPH.2018.304878> on 07.30.2020.

<sup>19</sup> United Nations General Assembly, 2005. Crime is both Cause, Consequence of Poverty, Third Committee told as it begins discussion of crime prevention, international drug control. Third Committee. Press Release GA/SHC/3817.

Several statistics have highlighted important dimensions of rule of law compliance. Some of the positive dimensions include: limits on government power; absence of corruption; order and security; fundamental rights; open government; regulatory enforcement; civil justice; and criminal justice, among others.<sup>20</sup> With regard to rule of law indicators, Mexico tops the list of countries in the Americas with the highest rate of impunity<sup>21</sup> and ranked 99 out of 126 in the World Justice Project Rule of Law Index 2019.<sup>22</sup>

## **WHAT ROLE HAS ORGANIZED CIVIL SOCIETY PLAYED IN THIS CHALLENGING CONTEXT?**

There are examples of civil society advocating for human rights and social development during the early 21<sup>st</sup> Century, although the sector has faced many challenges. At the turn of the century, an alternative leadership role began to emerge in civil society in which the sector influenced political elites to put forward solutions to the country's systemic social problems.<sup>23</sup> For instance, in 2008, thanks to increasing efforts by justice sector stakeholders and civil society networks, the Government of Mexico (GoM), approved constitutional reforms mandating the nationwide adoption of an adversarial criminal justice system.<sup>24</sup> In 2016, Mexico approved an anti-corruption reform to change fourteen constitutional articles, draft two new general laws, and reform five. This was a joint effort in which experts, academics, activists and CSOs working in areas of transparency successfully advocated for reform of the Mexican government. In this way, CSOs have played a leading role in reforms, albeit facing many hurdles during the approval process and currently facing stalled implementation.

## **LEGAL CONDITIONS IN MEXICO FOR CIVIL SOCIETY DEVELOPMENT**

The John Hopkins Civil Society Index indicates that Mexico has an underdeveloped CSO sector, ranking the country 32nd out of 34 countries in terms of the capacity, sustainability and impact of civil society.<sup>25</sup>

A key obstacle to the development of the CSO sector in Mexico is the legal framework and the lack of an integrated national policy that regulates the sector. According to an analysis of the legal environment for Civil Society Organizations in Mexico, this legal framework lacks unification and coherence in the treatment of organized civil society across the different states in Mexico, and further discriminates based on the focus of their work. Additionally, the federal legal framework lacks a connection in practice to local legislation and, in general, local laws have established additional

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<sup>20</sup> World Justice Project, 2019. "WJP Rule of Law Index 2019". Retrieved 27 January 2020 at [WJP Rule of Law Index® 2018-2019](#)

<sup>21</sup> Idem.

<sup>22</sup> World Justice Project, 2019. "WJP Rule of Law Index 2018-2019". Retrieved 27 January 2020 at [WJP Rule of Law Index® 2018-2019](#)

<sup>23</sup> World Economic Forum, 2016. This is How Mexico is Fighting Corruption. Retrieved February 3, 2020.

<sup>24</sup> USAID Mexico, 2019. Rule of Law Fact Sheet. Retrieved 24 January 2020 at [Mexico Rule of Law](#)

<sup>25</sup> USAID Mexico. Huerta, Ablanedo, Vásquez del Mercado. (2018). The Legal Environment for Civil Society Organizations in Mexico. Analysis and recommendations. Page 30, 34. Retrieved Jan 22, 2020. [Rapid Assessment](#)

mechanisms to control CSOs (e.g., through registration requirements) rather than for CSO promotion or development.<sup>26</sup>

In summary, the Mexican context lacks the legal conditions to enable civil society organizations to flourish. As a result, the sector's development lags behind what one would expect given Mexico's geopolitical importance.

## **HOW THE 'CIVIL SOCIETY ACTIVITY' CONTRIBUTED TO THE INFLUENCE OF CSOS IN RULE OF LAW AND SOCIAL DEVELOPMENT**

The U.S. Agency for International Development's bilateral Mission in Mexico (USAID/Mexico) developed the Civil Society Activity (CSA) partly in response to Mexico's complex legal context. The Activity was designed to increase the sustainability of CSOs to effectively implement their agendas in crime and violence prevention, protection of human rights, and the promotion of reform of the justice system.

CSA implemented a systemic approach to support institutional strengthening of Mexican CSOs and Intermediary Support Organizations (ISOs) through three primary components: Grants, Legal Strengthening and Institutional Strengthening. The latter component utilized an integrated methodology that incorporates the Human and Institutional Capacity Development (HICD)<sup>27</sup> model, USAID's Local Systems framework<sup>28</sup> and Capacity 2.0<sup>29</sup>, as well as the Journey to self-reliance (J2SR)<sup>30</sup> and Collaborating, Learning and Adapting (CLA)<sup>31</sup>.

The four-year Activity supported Mexican Intermediate Support Organizations (ISOs) and CSOs, with special attention to those organizations that operate in Mexico's northern states. Furthermore, through CSA's implementation, a connection has become evident between the macro topics of rule of law and social development and the development objectives it directly contributes to attaining. Thus, the Activity inherently contributes to bridging the gap between rule of law and social development and provides a platform for civil society organizations to improve these conditions through a capacity development process.

To support more effective programming related to the rule of law, CSA developed interventions to improve CSO legal literacy and engagement, and particularly to build CSO understanding of the challenges the legal framework imposes on the development of the civil society sector itself. Based on a study of the legal environment in Mexico, CSA learned that, in order to improve CSO awareness, compliance, and effectiveness, these organizations must emulate advocacy approaches

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<sup>26</sup> Ibid., Page 43.

<sup>27</sup> USAID. (2011). Human and Institutional Capacity Development Handbook: A USAID model for sustainable performance improvement. Accessed from <https://usaidlearninglab.org/sites/default/files/resource/files/HICD%20Handbook%202011%20-%2008.pdf>, on 05.29.20.

<sup>28</sup> USAID. (2014). Local Systems: A Framework for Supporting Sustained Development. Accessed from <https://www.usaid.gov/policy/local-systems-framework> on 05.29.20.

<sup>29</sup> USAID. (2017). Capacity 2.0. Accessed on July 27, 2020. <https://usaidlearninglab.org/library/capacity-20>

<sup>30</sup> USAID. The Journey to Self-Reliance. Accessed from <https://www.usaid.gov/selfreliance> on 06.11.2020

<sup>31</sup> USAID, Learning Lab, Collaboration Learning and Adaptation CLA Framework and Key Concepts, Accessed from [https://usaidlearninglab.org/sites/default/files/resource/files/keyconcepts\\_twopager\\_8.5x11\\_v7\\_20160907.pdf](https://usaidlearninglab.org/sites/default/files/resource/files/keyconcepts_twopager_8.5x11_v7_20160907.pdf) on 06.11.2020.

that have been successful in Mexico. These approaches involve more and different types of actors, utilize diverse tools and strategies, and seize the opportunities that open up due to shifts in the political context and public opinion.<sup>32</sup> In other words, a cooperative, innovative and strengthened CSO sector that works in collaboration with public and private actors will be more able to tackle the legal complexities of a regulatory and other systemic issues and in turn promote a more enabling local system that supports rule of law and social development.

Accordingly, CSA's theory of change states that:

*“If CSA works to build the internal and external capacity of local CSOs and the connections between CSOs and key stakeholders, then CSA will contribute to the sustainability of the civil society sector and effective local programming to address crime and violence prevention, human rights protection, and justice reform.”<sup>33</sup>*

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<sup>32</sup> USAID Mexico. Huerta, Ablanado, Vásquez del Mercado. 2018. The Legal Environment for Civil Society Organizations in Mexico. Analysis and recommendations. Page 43. Accessed from [Rapid Assessment](#) on Retrieved Jan 22, 2020.

<sup>33</sup> CSA Monitoring, Evaluation and Learning Plan, 4.



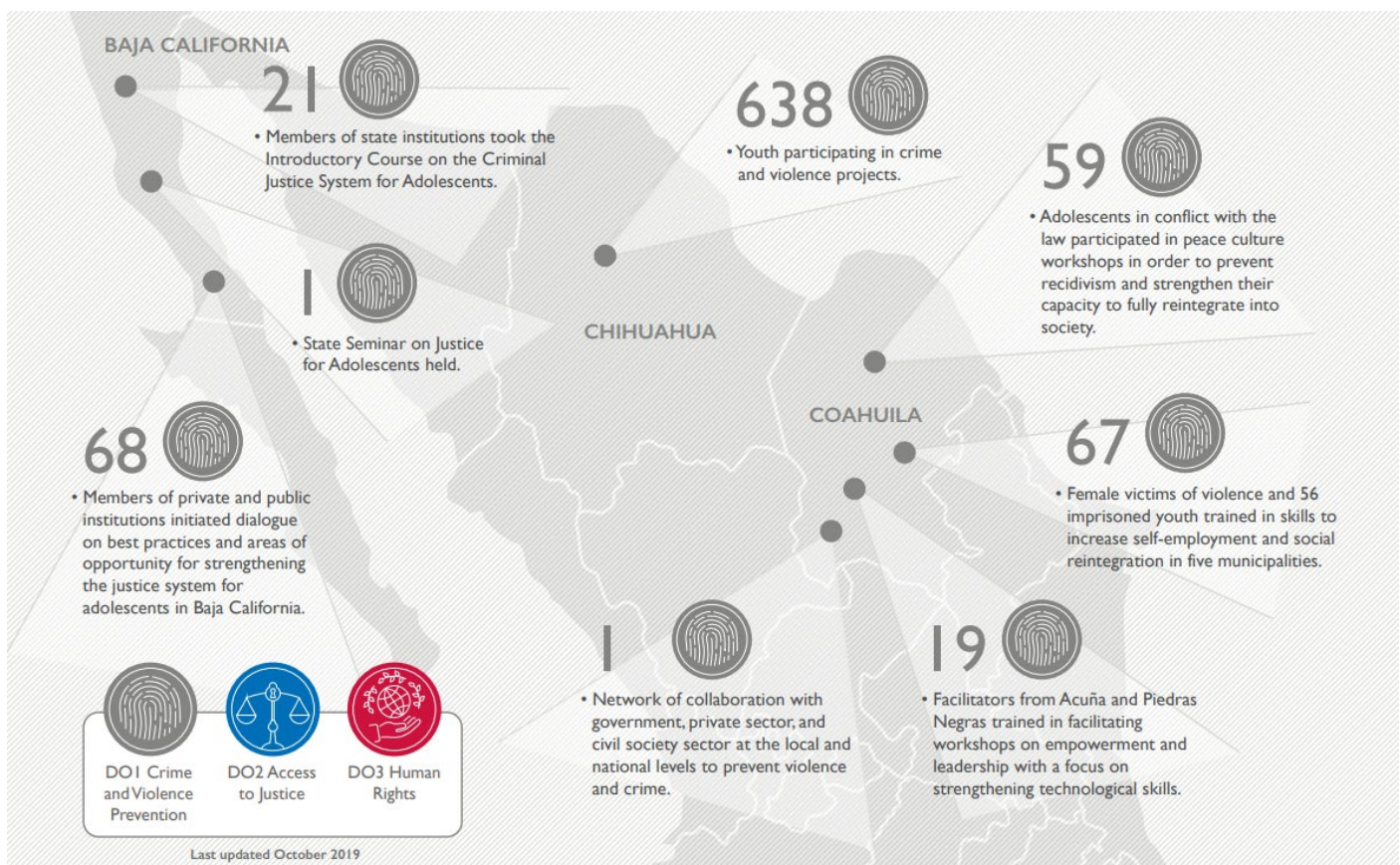
## CSA'S PURPOSE, OBJECTIVES AND RESULTS

The Civil Society Activity's provided most of its capacity development support through technical assistance and grant-making, employing a variety of capacity development strategies to help achieve USAID/ Mexico's Development Objectives (DO's) and intermediate results. As illustrated in Figures 1, 2 and 3 below, CSA's integrated work with Mexican CSOs and ISOs contributed significantly to advancing USAID's objectives and associated results.<sup>34</sup>

### I. Development Objective I - Crime and Violence in Targeted Communities Decreased Sustainably.

**Intermediate Result 1.1** - At risk youth's likelihood to participate in crime and violence reduced.

**FIGURE I. CRIME AND VIOLENCE PREVENTION DO AND INTERMEDIATE RESULTS PER GEOGRAPHIC AREA**



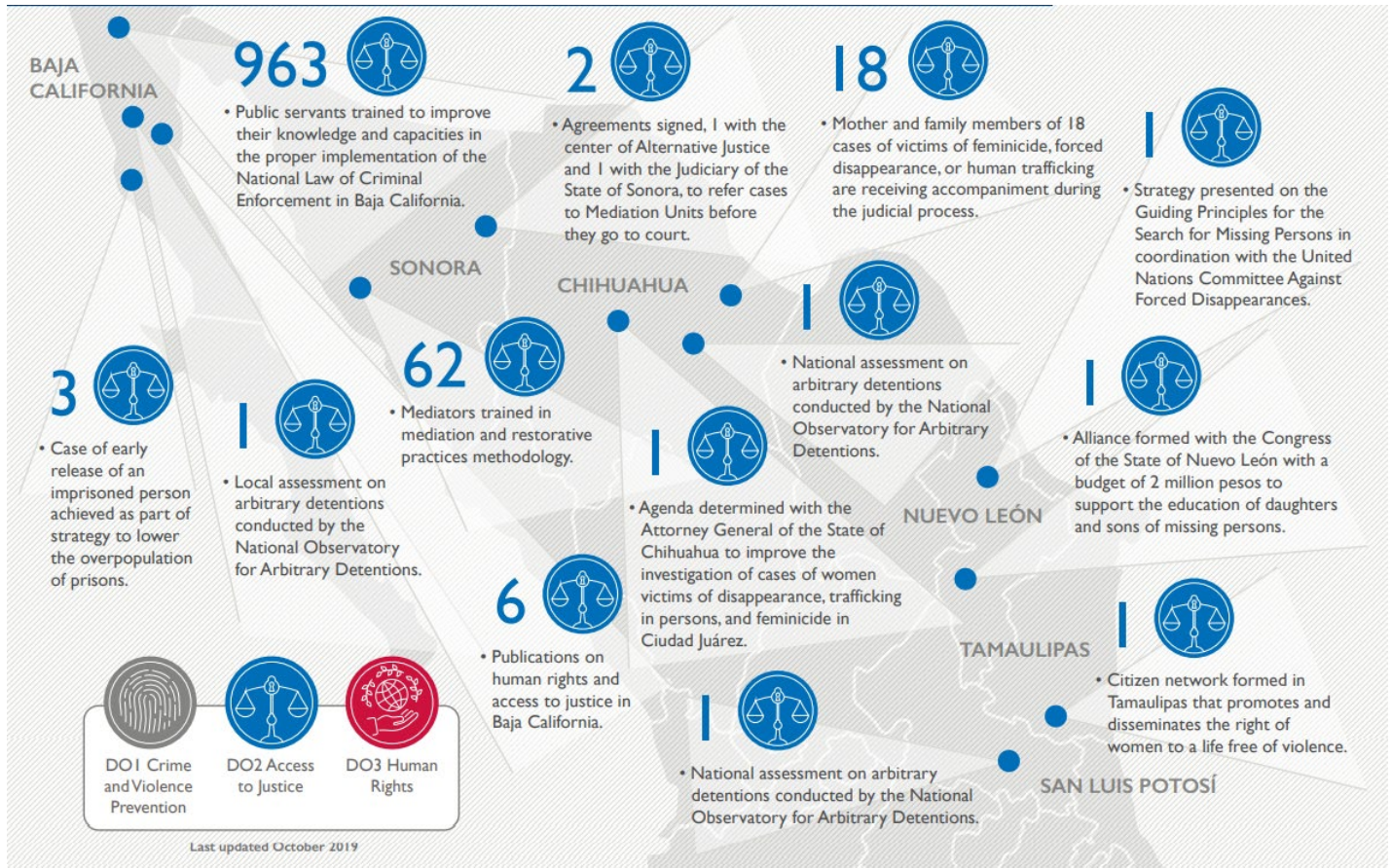
<sup>34</sup> For more information on CSA's capacity development model, please consult the document *The Civil Society Activity's Systemic Approach to Capacity Development*, which is also a part of CSA's Legacy Compendium.



2. **Development Objective 2 - More Transparent and Responsive Justice System.**

**Intermediate Result 2.1 - Accountability of Justice Sector Institutions Strengthened.**

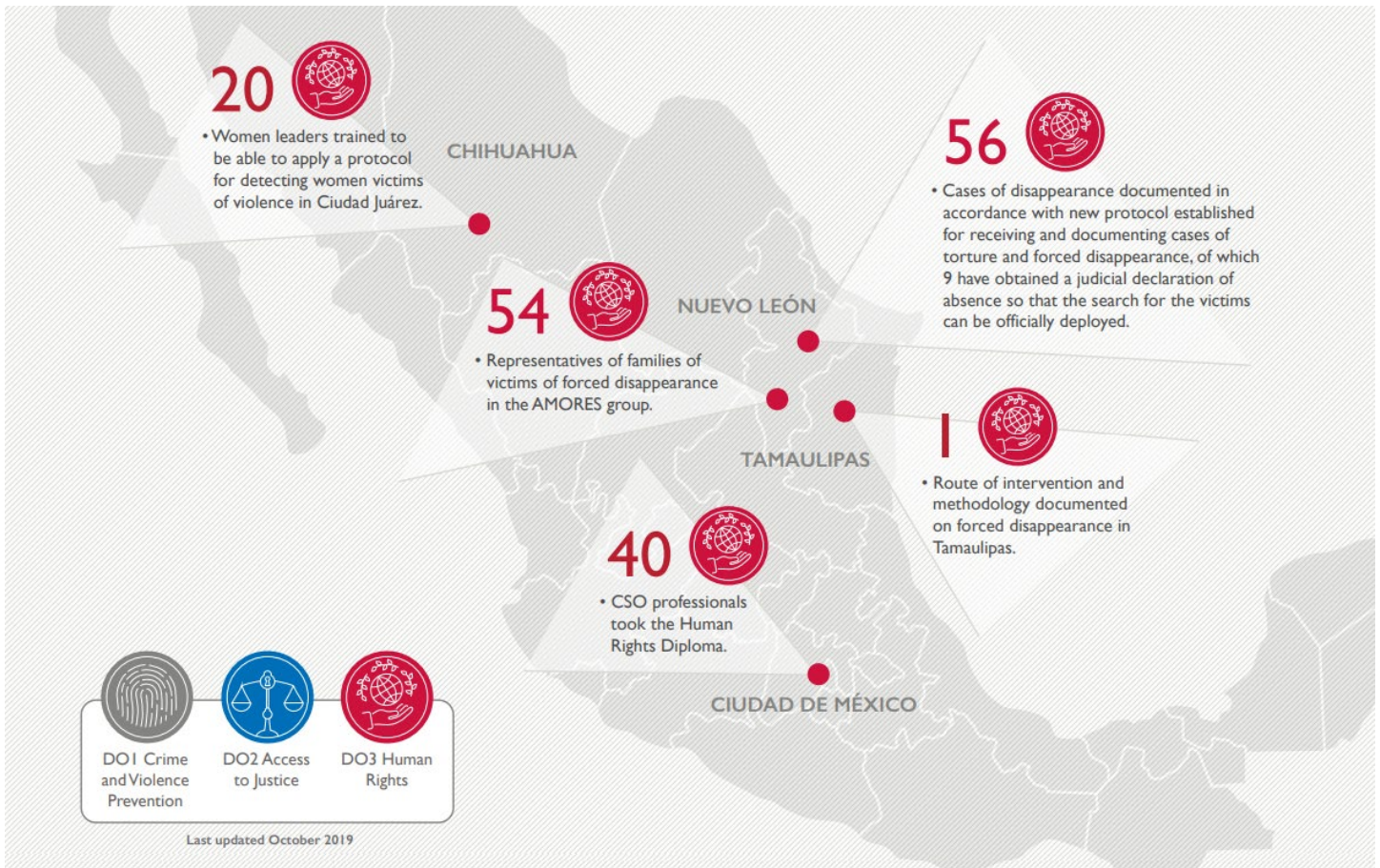
**FIGURE 2. ACCESS TO JUSTICE DO AND INTERMEDIATE RESULTS PER GEOGRAPHIC AREA**



3. **Development Objective 3-** Increased Respect for Human Rights.

**Intermediate Result 3.1** - Strengthened systems to prevent human rights abuse.

**FIGURE 3. HUMAN RIGHTS DO AND INTERMEDIATE RESULTS PER GEOGRAPHIC AREA**





## CSOS AND ISOS AS KEY PLAYERS

CSA has worked with close to fifty Mexican CSOs, Intermediate Support Organizations (ISOs), and civil society influencers and service providers across several states to mobilize and sustain their central role in promoting the rule of law and social development.

Although the organizational capacity of Mexican CSOs varies significantly, many of these organizations and movements have been formed by their own constituencies and beneficiaries. These CSOs generally have close relationships with the people and communities they serve, focus on meeting specific constituent and beneficiary needs, and are more likely to use techniques such as participatory program design.<sup>35</sup> Thus, many Mexican CSOs are able to propose and promote causes that are representative of community needs due to the grassroots-oriented nature of the sector. In fact, the 2014 INEGI economic census found that in 2013, 69% of CSOs served their local communities, 18% catered to needs at the state level, and 13% claimed to carry out activities that were national in scope.<sup>36</sup> This data suggests that Mexican CSOs are generally well positioned to serve their communities and communicate their beneficiaries' needs, which in turn positions them as key players in social development.

In addition to being well positioned to serve their communities and communicate community needs, the civil society sector has attained a new leadership role, together making the sector more robust. For example, organized civil society was a key player in developing an articulated approach to human rights within the country, which in turn supports a rights-based approach to social development. The civil society sector also contributed to drafting Mexico's first National Human Rights Program in collaboration with the United Nations High Commissioner on Human Rights and won pioneering legal cases on human rights violations at the Mexican Supreme Court and the InterAmerican Human Rights Court, further showcasing the sector's ability to play a pivotal role within the Mexican political landscape.

Mexican civil society organizations are diverse in their technical focus, interactions, and constituencies. A forthcoming study by CIESC identified more than 150 CSOs performing as Intermediate Support Organizations; these ISOs are "strengthening organizations" that provide different types of capacity building support ranging from academic training and technical cooperation to grant-making.

CSA envisioned ISOs could play a particularly relevant role in developing the Mexican civil society sector, as well as connecting the sector more effectively with the broader system in which CSOs operate. Making this system more hospitable to CSOs working to reduce violence, corruption, and human rights abuses which, in turn, will help generate greater support for rule of law and social development in Mexico. Towards this end, the Activity partnered with four ISOs (in addition to individual CSOs), to provide them with capacity development technical assistance and grants, as well as support them in replicating the process with subgrantee CSOs based on their own experience. The four ISOs are: ORT University Mexico; Fundación del Empresariado Chihuahuense (FECHAC); Educación y Ciudadanía (EDUCIAC); and Fundación Dibujando un Mañana FDUM. Through their partnership with CSA, the latter three organizations have replicated a grant making activity with sub-grantee CSOs as an important part of scaling-up CSA's capacity development model and

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<sup>35</sup> Fhi360, International Center for Not-For-Profit Law, USAID. 2019. 2018 Civil Society Organization Sustainability Index, Page 4 - For Mexico, Accessed from <http://ciesc.org.mx/documentos/csosi/CSOSI18.pdf> on 01.22.20

<sup>36</sup> Ibid., Page 7 - For Mexico, Accessed from <http://ciesc.org.mx/documentos/csosi/CSOSI18.pdf>, on 11.28.2019

meeting a clear need: The demand for support from local grant-making organizations remains high, with CSOs in some states having no access whatsoever to local private funding.<sup>37</sup>

In its work to advance USAID/Mexico's Development Objectives, CSA implemented an integrated suite of interventions that included: a Grants Program, which developed CSO capacities to design and implement results-oriented projects; Learning Communities that unified language, ideas, efforts and capacities within civil society and then disseminated new lessons learned across and beyond the participating organizations; and a Study Tour that enabled private-public sector learning, coalition building, and programmatic collaboration. The following section provides case study examples to demonstrate how these capacity development mechanisms contributed to USAID's DOs.

## **CSA'S MECHANISMS AND IMPLEMENTATION CASE STUDY EXAMPLES**

CSA implemented grants, learning communities, study tours, and other capacity development interventions that contribute to USAID's DOs linked to rule of law and social development. The case study examples below illustrate the three primary mechanisms employed by CSA, showcasing significant CSO and ISO contributions to improving the social and legal conditions of Mexicans, as well as Mexico's overall performance in rule of law and social development.

### **CSA MECHANISM I: GRANTS**

Mexican CSOs face significant legal constraints and negative public perceptions as a sector. Given these systemic challenges, it is crucial that they be able to effectively report what they do, how they do it, the source of their income, how they manage their resources, and what outcomes and results they achieve, in order to legitimize their work and role as change agents that complement the state's role. CSA's grants mechanism provided the means for CSOs to validate their thematic models and theories of change through the design, implementation, and evaluation of results-based projects. CSA grants were aimed at increasing CSO and ISO sustainability and improving their institutional capacity to promote human rights, violence prevention and reform of the criminal justice system.

Policy dialogue is fundamental to improving the rule of law. The process requires actively engaging in discussion with diverse actors and developing partnerships between civil society and government during the negotiation, drafting, approval and implementation of policy.<sup>38</sup> Reforms and policies to strengthen the rule of law also involve the design of institutional practices, processes and strengthening objectives in cooperation with government institutions to better manage the implementation of new policies and foster collaboration so that both sectors can strategically integrate their efforts to advance policy change and implementation.

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<sup>37</sup> Ibid., Page 8.

<sup>38</sup> USAID, Office of Democracy and Governance 2005. Handbook on Qualitative Indicators. Page 25, Technical publication series. Accessed from [https://pdf.usaid.gov/pdf\\_docs/PNAEB361.pdf](https://pdf.usaid.gov/pdf_docs/PNAEB361.pdf) on 04.17.20

## ***The Case of Red Mesa de Mujeres***

*Red Mesa de Mujeres* is a network of 10 CSOs committed to women's issues and caring for women in vulnerable situations. *Red Mesa de Mujeres* implements community intervention models that incorporate a gender perspective for social development, the prevention and eradication of violence, and the promotion and defense of human rights. The organization is based in Ciudad Juarez, Chihuahua and has worked in these thematic areas for the past 20 years. Based on its track record and potential, CSA awarded *Red Mesa* a two-year, \$11,118,454 peso grant.

During its collaboration with CSA, the organization developed a project aimed at promoting access to justice for female victims of gender-based violence (mainly forced disappearance, trafficking and femicide). The project advocated for strategic litigation and the institutionalization of mechanisms to not only obtain the permanent verification of cases but also analyze and propose improvements to the accusatorial criminal justice system that oversees gender-based crimes in Ciudad Juarez. The project contributes directly to DO 2 (a more transparent and responsive justice system) and DO 3 (increased respect for human rights).

Among the most notable outcomes of the project was the establishment of a collaborative working agenda with the Prosecutor's Office (Fiscalía) for the state of Chihuahua. This entailed strengthening the Grupo Valle de Juarez, a research group that is made up of six agents from the Femicide Investigation Unit and two agents from the Women's Disappearance Investigation Unit of the Specialized Prosecutor's Office for Women in the state of Chihuahua. The objective of this initiative was to strengthen the investigation of cases involving female victims of disappearance, trafficking and femicide in Juarez City. Additionally, *Red Mesa de Mujeres* developed a collaborative agreement with the Prosecutor's Office for the state of Chihuahua and the High Court of Justice to work towards guaranteeing the protection of the personal data of women who are victims of gender crimes.

Another significant outcome of the CSA grant-funded project was the development of six working groups in three cities of Chihuahua to provide input for the Citizen Justice Observatory specializing in gender-sensitive monitoring of the way in which the Accusatorial Criminal Justice System (SJPA, per its acronym in Spanish) is operationalized. These working groups involve the participation of twenty CSOs, seven government departments and an academic institution.

*Red Mesa's* activities exemplify private/public collaboration to better attend to the target population by: designing a joint strategy to respond to local needs; improving the quality of service delivery to vulnerable women and their families; and strengthening both the local government bodies that enforce rule of law and citizens' organizations with vested interest in the social development process. Thus, this CSA grant-funded project contributed to the responsiveness of local government by developing "procedures and practices that facilitate input and enforce transparency"<sup>39</sup> to support rule of law and social development in Mexico. This was made possible through increased cooperation and collaboration between local government and civil society organizations.

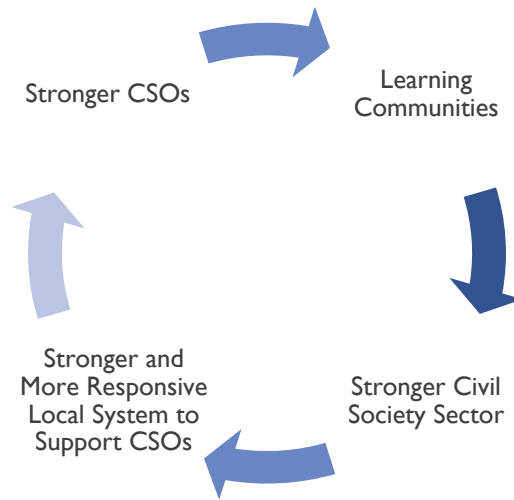
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<sup>39</sup> Ibid., Page 41.

## CSA MECHANISM 2: LEARNING COMMUNITIES THAT FOSTER AN ENABLING ENVIRONMENT FOR CSOS

Over four years of partnering with diverse Mexican organizations, CSA learned how Learning Communities that are well designed and facilitated have the power to strengthen member CSOs, support alliances within and beyond the CSO sector, and improve the system in which CSOs operate, as illustrated in Figure 4 below.<sup>40</sup>

**FIGURE 4. LEARNING COMMUNITIES  
IN CSA'S CAPACITY DEVELOPMENT CYCLE**



CSA's Learning Community strategy provided the space for partner organizations to collaborate, learn and adapt both in terms of capacity development and in strengthening their thematic agendas.<sup>41</sup> This enabled participants to identify synergies in terms of a common language, as well as shared ideas, lessons learned, and capacities. As they evolved, the learning communities provided platforms for CSOs to exchange information and encouraged coalition building around common challenges and interests that have a direct impact on social development. Initially, CSA served as convener, facilitating the events and methodology. Though, as the learning community activity progressed, CSA took a hands-off approach in order for CSOs to organize, convene and facilitate sessions on their own around topics of common interest, while providing continuous funding and organizational support during the life of the Activity.

The Local Systems approach to capacity development is rooted in the reality that achieving and sustaining any development outcome depends on the contributions of multiple, interconnected actors. CSA operated on the premise that building the capacity of a single actor or strengthening a single relationship is insufficient. Rather, the focus must be on the system as a whole: The actors, their interrelationships, the incentives that guide them and the obstacles in the system that inhibit their results. A systems approach responds to the fact that improved development outcomes emanate from increasing the performance of multiple actors and the effectiveness of their

<sup>40</sup> For more information on CSA's Learning Communities model, please consult the document *Building Sustainable Learning Communities to Strengthen the Local System*, which is included in CSA's Legacy Compendium.

<sup>41</sup> CSA, USAID, 2020. *The Civil Society Activity's Systemic Approach to Capacity Development*, p 27.



interactions<sup>42</sup> to improve their operating environment. Therefore, strengthening interactions within the local system is a prerequisite to pursuing the development outcomes that individual CSOs pursue. However, the design should enable learning communities to provide platforms for relationships to flourish in a natural way, by building upon the individual incentives of actors to participate.

Furthermore, to sustain the shared development outcomes that actors have identified, the local system must be adaptable, allowing the actors and interrelationships to re-group and respond to their changing contexts. Learning communities that promote collaboration and adaptation are able to sustain CSO freedom of association and further their efforts. In turn, this contributes to promoting the individual efforts of the civil society actors. Consequently, by exchanging lessons learned and good practices for the protection of human rights for victims of violence, or models of youth violence prevention that allow them to re-enter their social ecosystem, CSOs and learning community platforms directly support social development in Mexico.

### ***The Case of Sentit Nobis***



Sentit Nobis, A.C. of Hermosillo, Sonora implements a conflict mediation and social change model that involves training future family and community mediators in the use of conflict mediation tools, situation control and emotion detection. The purpose of Sentit Nobis' model is to effectively intervene with social conflict resolution at the community-level in Sonora to promote a culture of

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<sup>42</sup> USAID. (2014). Local Systems: A Framework for Supporting Sustained Development. Retrieved on 23 January 2020. <https://www.usaid.gov/policy/local-systems-framework>

peace through the collaboration of networked organizations and institutions. When cases are addressed through mediation, they are prone to be resolved in a more organic fashion, rather than risk remaining stalled in the formal judicial process. As part of its CSA grant-funded project, Sentit Nobis emphasized the use of mediation and restorative practices to enhance citizen participation in violence and crime prevention throughout Sonora. Specifically, the CSO entered a strategic alliance with the Judicial Power in the state of Sonora to channel non-judicial cases to the CSO's Mediation Units in Hermosillo (UMAMH, UMESS and UMACYF) so that they may be managed through a mediation process. This strategic alliance is particularly significant because it demonstrates a commitment to collaborate between state entities and organized civil society, which can catalyze a social impact that is felt throughout the country.

Sentit Nobis showcased its leadership in convening CSA's fourth Learning Community session. During this event, Sentit designed and facilitated joint reflections and mediation for organizational change with CSOs and ISOs from different Mexican states. Sentit Nobis' innovative model introduced a new approach to addressing relationship-based organizational challenges associated with initiatives that bring change. Their methodology generated great interest and engagement from peer organizations wishing to test this methodology and enhance their own collaborative intervention models. As a concrete outcome of this Learning Community exchange, CSA partners Sentit Nobis (a CSO) and FECHAC (an ISO) formed a new alliance where Sentit Nobis trained FECHAC's beneficiary organizations on mediation skills in Ciudad Juárez, Chihuahua.

CSA's sustainable Learning Community model supported the dissemination of best practices in mediation and restorative practices to decrease crime and violence and made it possible for CSOs to incorporate these practices. Generating increased use of mediation mechanisms, particularly with underprivileged groups such as youth and women, contributes to their well-being, promotes a greater culture of peace within their communities, and increases their ability to access better opportunities for social advancement.

### **CSA MECHANISM 3: STUDY TOUR**

In October 2019, CSA led a study tour to Colombia.<sup>43</sup> The CSA Study Tour provided leaders from Mexico and Colombia with an opportunity to join efforts with actors from different sectors to improve local and regional conditions affecting human rights, transparency and culture of peace. The study tour enabled Mexican leaders to meet key social actors who have contributed to the successful re-establishment of peace in Colombia. Peacebuilding is directly related to violence prevention and the enforcement of rule of law in Mexico, particularly in the country's north, where narco-trafficking is widespread.

The participants' profiles involved leadership in the thematic areas noted above; a track record of experience within the public, private or civil society sectors; and past participation in collaborative networks. Additionally, all participants had contributed to the design and/or implementation of public policy, social innovation and intervention models. The study tour participants included

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<sup>43</sup> For more information on CSA's Study Tour, please consult the document *CSA's Study Tour Model*, which is also a part of CSA's Legacy Compendium.

representatives of the judicial system, the Secretary of Government, academia, and CSOs from Coahuila, Mexico.

The purpose of the study tour was to expose participants to best practices in peace building efforts in Colombia and stemming from this experience, to strengthen their collaboration in the Mexican system and implement joint social strategies in Mexico to promote rule of law and social development. The study tour also helped establish South-South relationships within Latin America's civil society sector.

### ***The Case of “Peacebuilding Alliance for Coahuila”***

The study tour results far exceeded CSA's expectations given that participants formed a multi-sector alliance following the study tour. This multi-sector agreement involved the following organizations: The Secretary of Government for Coahuila de Zaragoza, the Judicial Power for Coahuila de Zaragoza, Casa del Migrante Saltillo, Fundación DIM Parrense and CIAS.

This alliance was established to contribute to the prevention, punishment and eradication of gender-based violence against women, at different levels of prevention and administration of justice, providing focused and comprehensive care to women in the State of Coahuila de Zaragoza. The alliance strategies focus on human rights and prevention of gender violence, access to justice with a gender perspective, comprehensive diagnosis and psychosocial support to victims, and the generation of statistics.

As voiced by study tour participants themselves, the main takeaway was the importance of joint efforts and forging cross-sectoral, strategic alliances to tackle complex social problems and build a culture of peace. Because the rule of law and social development are intertwined in the emergent peace-building alliance for Coahuila, just as they were in Colombia's peace-building effort, study tour participants were able to benefit from Colombian lessons learned while establishing a new alliance that leverages the contributions of the public sector, the academy and CSOs. Colombia's study tour provided a unique opportunity to use a comparative perspective to highlight the role of civil society organizations within peace building efforts.

## **CSA AS A CATALYST FOR CSO CONTRIBUTIONS**

As this paper has argued, strengthening the capacity of individual CSOs and the CSO sector is essential to improve the rule of law and enhance social development in Mexico. CSOs have demonstrated their potential to provide perspectives at the grassroots-level, promote cross-sectoral collaboration to tackle complex social problems, and build a just society. The Civil Society Activity became a trusted facilitator of strengthening opportunities for Mexican CSOs and ISOs to further their impact in advancing the rule of law through their specific social agendas.

The work of civil society extends beyond the four-year lifespan of CSA. However, the mechanisms the Activity designed and implemented became catalysts for the sustainability and interconnectedness of CSO efforts. In particular, grants, learning communities and study tours became useful platforms for the sector to develop internal and external capacities and generate significant results in human rights, violence prevention and reform of the criminal justice system.

The Activity found that these interconnected objectives are required to strengthen the rule of law and social development in Mexico.

CSA's experience highlights that organized civil society is a fundamental actor that contributes to social development and rule of law, and also that such contribution by civil society is galvanized through systemic connections with other actors. On one hand, CSA's partner CSOs and their allies in the system are attending to the challenges of social development from an integrated perspective. This was evident in the rigor and scale of CSOs' projects, that respond to local needs while also pursuing strategic collaboration with public and private stakeholders to collectively improve rule of law within the country. On the other hand, by improving their understanding and compliance with the legal framework, civil society organizations continued to influence and strengthen citizens' agency to improve the legal context and demand the rule of law.

Furthermore, CSA's experience in Mexico represents a valuable case study for Latin America and capacity development interventions in the developing world. Civil society's contribution in a complex and challenging environment can be even more significant when working alongside public and private actors to catalyze meaningful social change. Thus, CSOs may bridge the gap between two multidimensional arenas, rule of law and social development, by becoming a connector between stakeholders and encouraging the use of multifaceted strategies and mechanisms to address these issues from a holistic perspective.

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