

MEXICO

Without a human rights and sustainability approach the 2030 Agenda is not feasible in Mexico

DECA Equipo Pueblo, A.C. - Social Watch Mexico*

Space for civil society coordination to the follow-up of the 2030 Agenda in Mexico**

with special contributions of: Balance Promoción para el Desarrollo y Juventud, Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, Corporativa de Fundaciones, Elige Red de jóvenes por los derechos sexuales y reproductivos, Freshwater Action Network México, Hábitat para la Humanidad México, Programa Universitario de Derechos Humanos de la UNAM, Save the Children, The Hunger Project México, and endorsement of other organizations***

This report analyses some challenges for achieving the 2030 Agenda at the national, state and municipal levels where a constant is the lack of a human rights and sustainability approach to planning, legislation and policies on the issues addressed by the Sustainable Development Goals (SDGs). There is an urgent need to review reform and redirect some of these frameworks, if there is a serious intention to generate enabling conditions for implementing the 2030 Agenda and virtuous cycles between the SDGs and their goals. It also includes general recommendations of civil society to the Mexican Government about the importance of citizen participation in the design of the national implementation plan, the instruments and mechanisms for measuring, monitoring and review and the facilitation of a wide dissemination and social appropriation of the 2030 Agenda.

The organizations of the *Space for civil society coordination to the follow-up of the 2030 Agenda in Mexico* agree with the Executive Summary of the Report of the National Review of Compliance with the 2030 Agenda before the High-level Political Forum (HLPF)⁴ that ensuring adequate public budget allocations to the SDGs, the participation of civil society, and involving sub-national governments are key challenges in Mexico. But we also identify other challenges and structural obstacles for which we make recommendations for adjustments with a human rights and sustainability approach to generate conditions of viability for the implementation of the 2030 Agenda and the Sustainable Development Goals (SDGs) and their targets.

The policy on food and agriculture in Mexico presents challenges that hinder the implementation of SDG 2 on food security and sustainable agriculture (Targets 2.1, 2.2, 2.3 and 2.4), in a national context in which 27.4 million Mexicans live under conditions of

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4 <https://sustainabledevelopment.un.org/hlpf/2016/mexico>

moderate or severe food insecurity,⁵ while the National Crusade against Hunger serves only 7.01 million people in extreme poverty and has been ineffective due to deficiencies in design and implementation. On the other hand, although 80 percent of producers are small scale producers, most of the budget of the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food benefits medium and large farmers and industrial agriculture, while promoting the use of agrochemicals and genetically modified organisms. It is important therefore that the Government take several steps, including:

- design a comprehensive national policy to promote the right to food and assign it an item in the national budget;
- develop an implementation strategy that minimally links SDGs 1, 2, 5, 6, 8, 12 and 13 and other international commitments related to nutrition;
- design an integrated and intersectoral policy to increase agricultural productivity, and raise the incomes of small farmers and their access to fair-price markets;
- ensure transparency and a human rights and sustainability approach in partnerships with the private sector; and
- promote an institutional and legal framework to ensure a transition to sustainable agriculture.⁶

The Mexican **legal framework on energy** amended in 2013 and 2014 presents obstacles to the exercise of human rights as well as to achieving the SDGs, as it prioritizes the activities of exploration and exploitation of hydrocarbons "over any other involving the use of the surface and subsurface of the lands concerned".⁷ The framework establishes several legal provisions such as

the determination of legal easements for hydrocarbons to public, private, national and transnational energy projects (some of which employ harmful techniques such as hydraulic fracturing or fracking), which constitutes a regression in terms of human rights and the environment,⁸ while seriously compromising the achievement of SDG 2 (Targets 2.3 and 2.4); SDG 6 on water and sanitation (Targets 6.3, 6.4, 6.6); SDG 11 on cities (Target 11.a); SDG 12 on sustainable consumption and production (Target 12.4); SDG 13 on climate change; SDG 14 on marine resources (Target 14.2); and SDG 15 on biodiversity (Targets 15.1 and 15.5). We therefore urge the Government to observe Article 1 of the Constitution which mandates the application of the highest standards of human rights and the fulfillment of the obligation to respect them, protect them, promote them and secure them to prevent, investigate and punish their violations.⁹

Due to inadequacies in the scope and application of the **national housing policy**, there are several obstacles to the exercise of the right to adequate housing and implementation of SDG 1 on poverty (Target 1.4) and SDG 11 on cities (Targets 11.1, 11.3, 11.a). The land in cities has lost its social function and its commodification has been extreme, so Government action is needed to stop land speculation and provide the poorest families with land, infrastructure and equipment. It should also provide clear instruments to implement the urban housing and development policy that can carry out prevention and care actions to informal settlements, regularization of ownership and subsequent provision of services. Housing policy should revolve around quality and not quantity; lines of action to generate culturally adequate housing for indigenous communities should be established; the line of action of the sectoral programme on separating social property for the development of the country's

5 CONEVAL. Evaluation Report on Social Development Policy in Mexico 2014. Mexico, 2015 p. 19

6 Contribution of The Hunger Project México (THP) www.thp.org.mx; contact: Ana Lucia Márquez Escobedo <analucia.marquez@thp.org>

7 Article 8 transitory of the decree of constitutional reform in the energy sector (December 2013) and Article 96 of the Hydrocarbons Law (August 2014)

8 See: Social and environmental impact of fracking. Senate of the Republic and Mexican Alliance against fracking, Mexico, 2014. In: <http://www.nofrackingmexico.org/libro.pdf>

9 Contribution by DECA Equipo Pueblo, A.C. www.equipopueblo.org.mx and Alianza mexicana contra el fracking <http://nofrackingmexico.org/>; contact: Areli Sandoval Terán <pueblodip@equipopueblo.org.mx>

infrastructure for its direct implications on the right to land should be reviewed; and operating rules and procedures manuals of housing programmes should be adapted to the national and international regulatory framework.¹⁰

Mexico's **obesity prevention programmes and school drinking fountain installation** should be implemented more quickly and accountability demanded on the budget for 2015 and 2016,¹¹ since Mexico is the largest consumer of soft drinks and bottled water in the world and faces serious public health problems in terms of overweight, obesity and diabetes, challenging the fulfillment of the Target 6.1 (universal and equitable access to safe drinking water), Target 3.4 (reduction of premature mortality from non-communicable diseases through prevention) and Target 3.d (strengthen the capacity of early warning, risk reduction and management for national and global health risks). Also, the new General Water Law must guarantee human rights to water and sanitation and be in line with SDG 6, in particular by promoting community participation in water management (Target 6.b), ensuring water quality (Target 6.3) and its sustainability (Target 6.6).¹²

Federal strategies to reduce social deprivation and prevent adolescent pregnancy require substantial changes if they are to contribute to the fulfillment of the SDGs: including SDG 4 on education (Target 4.1), SDG 10 on inequalities (Target 10.3), SDG 3 on health (Target 3.7), and SDG 5 on gender equality and the empowerment of women and girls (Target 5.6). The merger of the Food Aid Programme with the Social Inclusion Programme *PROSPERA* created a disparity among beneficiary populations that will increase the inequality gap between them. It is then recommended to make the necessary changes that first benefit marginalized populations ensuring the reduction of these gaps, with adequate operating rules and allocation

of sufficient budget. The National Strategy to Prevent Adolescent Pregnancy, in spite of having some positive aspects, lacks precise rules for the operational level, it does not have an approach to review the socio-economic causes of teen pregnancy, it lacks clarity in terms of provision of funding, it does not clearly define a mechanism of accountability and focuses on sexual health in men and reproductive health in women. Therefore, it is strongly advised to ensure three guarantees for adolescents: ensuring fair financing, removing barriers of discrimination and accountability.¹³

Measures aimed at young people, particularly young women and their human rights, including sexual and reproductive rights are required, that help overcome the additional barriers they face and that represent obstacles to achieving SDG 3 on health and well-being, including reducing adolescent pregnancy (Target 3.7). Obstacles include: insufficient access to health services and sexual and reproductive health, lack of training of medical personnel, poor accessibility and availability of modern contraceptive methods. It is also necessary to eliminate all forms of violence, including those that, through policies and legal frameworks perpetuate and reproduce them, as the 17 federative entities whose constitutions frame conditions for the criminalization of termination of pregnancy, exposing women to clandestine and insecure abortions; or the lack of classification of many forms of violence which makes it impossible to address them (Target 5.2). In addition it is necessary to guarantee equal pay for work of equal value (Target 8.5) and access to full employment, and reduce the proportion of youth not in employment (Target 8.6). It is essential to reverse the legal frameworks that threaten stability in employment; implementing and monitoring the 2030 Agenda from human rights, multiculturalism, youth and gender perspectives.¹⁴

10 Contribution of Hábitat para la Humanidad México
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11 For more information, visit: <http://alianzasalud.org.mx/>

12 Contribution of Freshwater Action Network México (FANMex)
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13 Contribution of Save the Children <https://www.savethechildren.mx/>;
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14 Contribution of Elige Red de jóvenes por los derechos sexuales y reproductivos <http://www.eligered.org/>; Contact: Claudio Frausto Lara

With regard to SDG 3 on health and well-being, including **sexual and reproductive health**, it is vital to strengthen access to health care with special emphasis on reaching poor women and adolescents near where they live; to target appropriate and non-discriminatory services to young women; to address the underlying factors that put them at risk of maternal death, paying special attention to gender violence, lack of education and information, and nutrition and health; ensure women's access to emergency services due to complications from abortion without risk of a criminal penalty. Linked to SDG 4 on education, work should be done to provide comprehensive sex education in public and private schools. And to promote SDG 5 on gender equality, it is important to build a fair environment, where girls and young people grow up with equal opportunities, free from violence, coercion and discrimination.¹⁵

The drug policy in force in Mexico, arising from the system of control and supervision agreed by the international community, has had a devastating impact on Mexico with high rates of violence, insecurity and corruption, impeding the implementation of SDG 16 on peace, security and justice. Especially since 2006, these problems have been identified by the Inter-American Commission on Human rights (IACHR)¹⁶, the Special Rapporteurs on extrajudicial executions and situation of torture and the UN High Commissioner for Human Rights who visited Mexico in October 2015 and emphasized that the huge amount of money mobilized by organized crime "is co-opting and corrupting key institutions".¹⁷ The policy has focused on the detention of organized crime figures, but no real effort has been made to dismantle the network of corruption that links them to state agents. To substantially reduce all forms of violence and mortality rates, and end abuse and torture, there should be a

review of the security policy aimed at combating the production, distribution and consumption of drugs, and adopt policies respectful of human rights, with health and gender dimensions. To make progress on SDG 16, Target 16.4 that includes combating all forms of organized crime should be pursued always in line with Target 16.1 on reducing all forms of violence and related death rates.¹⁸

Conclusions and general recommendations

Since the adoption of the 2030 Agenda at the United Nations, governmental action in Mexico has focused on how its implementation will be measured rather than on actually implementing it, making it urgent to begin to develop a national implementation plan through a participatory mechanism in line with the mandate of democratic planning of national development provided in Article 26 of the Constitution in order to ensure national ownership of the implementation strategies and policies the 2030 Agenda targets.¹⁹

Moreover, civil society organizations request the Specialized Technical Committee of the SDGs, led by the Office of the Presidency of the Republic, the National Institute of Statistics, Geography and Informatics and the National Population Council²⁰ ensure our incorporation into the design process of national indicators, a commitment included in Mexico voluntary report to HLPF. Additionally, we advance recommendations²¹ for human rights principles and standards to guide the construction of indicators at the national level, considering participatory processes, mechanisms for collecting information with the necessary disaggregation to ensure the principle of

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15 Contribution of Balance Promoción para el Desarrollo y Juventud <http://www.redbalance.org/>; contact: Mariana Mancilla <jovenes@redbalance.org>

16 Inter-American Commission on Human Rights (IACHR) Situation of Human Rights in Mexico. OAS/Ser.L/V/II.Doc.44/15, 31 December, 2015, p. 31.

17 Declaration of the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein, p. 3.

18 Contribution of Comisión Mexicana de Defensa y Promoción de los Derechos Humanos (CMDPDH) <http://cmdpdh.org/>; contact: Olga Guzmán <incidencia@cmdpdh.org>

19 United Nations. General Assembly. Transforming our world: the 2030 Agenda for Sustainable Development. Resolution A / RES / 70/1 adopted by the General Assembly on 25 September 2015 (General Distr. 21 October 2015), section on Means of Implementation, paragraph 63.

20 See pilot platform at: <http://agenda2030.datos.gob.mx/>

21 Positions and proposals at: <http://agenda2030equipopueblo.org.mx/>

equality and non-discrimination.²² Recalling that all the SDGs not only SDG 16 invoke the hope of realization of human rights for present and future generations, we recommend the application of the conceptual and methodological framework of the OHCHR on indicators and the methodology of the Working Group for analysis of national reports under the Protocol of San Salvador on economic, social, cultural and environmental rights based on the IACHR Standards and Guidelines.²³

The Government must also be able to develop a broad, diverse, friendly and close-to-the-people plan to make known the 2030 Agenda and the role of all parties to achieve it successfully, while promoting strategic coordination and training and technical exercise for public officials both at state and municipal levels, which cover the executive, legislative and judicial branches.²⁴

We also recommend the participatory design of a nationwide campaign of information and awareness on the 2030 Agenda and its dissemination in the mass media, public spaces, schools, workplaces and transportation.²⁵

Finally, we recommend the formalization of a mechanism for dialogue and deliberation between the Government and civil society around the national implementation of the 2030 Agenda, that encourages participation and advocacy from the initial design phases of the national strategy, the monitoring, measurement and evaluation system, and throughout the national, regional and global implementation and accountability processes.²⁶

22 Contribution of Programa Universitario de Derechos Humanos de la UNAM (PUDH-UNAM) <http://www.pudh.unam.mx/>; contact Laura Elisa Pérez <lauraelisaperez@yahoo.com.mx>

23 Areli Sandoval Terán. Panel: "Lessons learned from the MDGs and new challenges to generate disaggregated data on the measurement of SDGs" in the "National Day: Implementing the 2030 Agenda with a perspective of social and economic inclusion" held at the Mexican Foreign Ministry (23/May/2016)

24 Institutional positioning of Corporativa de Fundaciones, A.C. <http://www.cf.org.mx/>; contact: Karol Arámbula <karol@vivirparacompartir.org>

25 Paper of recommendations of the Space for civil society coordination to the follow-up of the 2030 Agenda in Mexico before the Mexico Report to FPAN, delivered to the Office of the Presidency of the Republic and the Ministry of Foreign Affairs on 22 June, 2016.

26 Ibid.