

WPS Working Paper Series

Vol. I, No. 2, 2016



ENGLISH



Inter-American Conference on Social Security

Conferencia Interamericana de Seguridad Social



**Centro Interamericano de
Estudios de Seguridad Social**

Este documento forma parte de la producción editorial de la Conferencia Interamericana de Seguridad Social (CISS)

Se permite su reproducción total o parcial, en copia digital o impresa; siempre y cuando se cite la fuente y se reconozca la autoría.

5	Presentation
7	Impact Assessment of Argentina's Universal Allocation per Child <i>Bernardo Kliksberg, Irene Novacovsky</i>
41	Maternity and Labor Markets: Impact of Legislation in Colombia <i>Natalia Ramírez Bustamante, Ana María Tribin Uribe, Carmiña O. Vargas</i>
79	Human Rights-focused Analysis of Older Adult Public Policy within Mexico <i>Adelina González Marín, Alfonso Ochoa Manzo, Brenda Montes Betancourt, Eréndira Aquino Ayala</i>
133	Risk-profiling of Potential Diabetics at IMSS A Logistic Regression Approach <i>Ari Bronsoler, Christian Norton, Óscar Sánchez, Carlos Tendilla</i>

Human Rights-focused Analysis of Older Adult Public Policy within Mexico

ADELINA GONZÁLEZ MARÍN
ALFONSO OCHOA MANZO
BRENDA MONTES BETANCOURT
ERÉNDIRA AQUINO AYALA

This publication is a summary of a much wider research project that analyzed the degree of effectiveness and human rights protection afforded by older-adult¹ public policy within Mexico. The investigation, entitled *A human rights-focused analysis on older adult public policy within Mexico*, was sponsored by the European Union and carried out by the team at the Human Rights and Democracy Institute of Mexico (IMDHD).

The planet is currently undergoing a demographic shift towards population aging as a result of decreases in mortality and birth rates. As part of this dynamic, the older adult population (OAP) is on track to lead all other age groups in terms of growth during the first half of the 21st century. In fact, it is currently on track to quadruple by year 2050. This publication addresses this highly relevant issue by focusing primarily upon the current spectrum of challenges in terms of designing and managing social policy designed to guarantee OAP rights.

Governments have developed a variety of responses to address the needs of older adults. According to the latest figures from Coneval, 21.2 million individuals within the OAP currently lack sufficient nutrition and employment. This, in turn, impedes access to other rights. Paradoxically, the National Older Adult Institute (Inapam) announced as far back as 2010 its intention to ensure the design and implementation of public policy via a human rights-focused approach. This scenario led the authors to analyze whether or not policies and programs undertaken by a variety of entities within the Government of Mexico have achieved this goal; and in practical terms, vis-à-vis international standards such as those outlined within Article 1 of the Mexican Constitution.² A set of human-rights indicators was developed during the course of this study which will provide a framework for tracking OAP-focused public policy within the context of the National Campaign against Hunger (CNCH).

¹ For the purposes of this publication, older adults are defined as individuals aged 60 and over.

² Article 1 of the Mexican Constitution serves as a benchmark throughout this entire publication.

OAP VULNERABILITY AND POVERTY LEVELS

It is universally accepted that, as they age and become less physically and economically active, the OAP confronts a wide spectrum of challenges in terms of segregation, abuse, discrimination, marginalization and outright rejection. As a result, the OAP is considered a vulnerable group within most societies. In 2010, the OAP in Mexico was over 10 million, 3.5 million of whom confronted multidimensional poverty; i.e., they lacked the resources necessary to ensure the basic goods and services and faced a litany of risks in terms of insufficient health care, education, social security, nutrition, basic services, as well as in terms of the quality and availability of adequate housing. The 2010 data also indicated the following: 2.7 million were considered to be moderately poor; 0.8 million lived in extreme multidimensional poverty; 2.4 million OAP were vulnerable due to social shortfalls; and 400,000 due to income. Only 1.3 million individuals within the OAP escaped being categorized as struggling with multidimensional poverty, or due to income or social shortfalls.

Current labor policy has failed to address the issue and has largely focused its efforts in ensuring the labor supply for young adults. This strategy has resulted in a complete underuse of the OAP within the labor market and has effectively worked to remove these individuals from same. This dynamic has resulted in the OAP lacking steady income and, in many cases, failure to comply with the contribution-period minimums which exist within modern social security systems. These conditions within society have only served to make the OAP dependent or to increase their dependence on relatives, friends and/or public entities. In 2014, the economic rate for the 60 and over population within Mexico only reached 33.7%.³

Older adult workers exuding the workforce, and the concomitant end to their employment-generated income, have become a major problem for the OAP. Although retirement with an adequate and sufficient pension (founded upon an acquired, legislated and guaranteed right⁴) is considered ideal, the data in Mexico indicates that access to social security is the social right to which the OAP has the least degree of access. As a result, this cohort's concomitant access to pension rights is just as jeopardized.

Given this context, and as delineated in the Sedesol study entitled *Analysis of the Vulnerability of the 70 and over Population*,⁵ older adults are currently in a highly vulnerable situation due to their income insufficiency and lack of social protection – factors which tend to deteriorate and reduce their assets due to unexpected

³ INEGI, statistics provided as part of 2014 International Day of Older Persons activities: 1. Available at: <http://www.inegi.org.mx/saladeprensa/aproposito/2014/adultos0.pdf>

⁴ Consejo Nacional de Población, *Diagnostico socio-demográfico del envejecimiento en México*: 65. Available at: http://www.unfpa.org.mx/publicaciones/Envejecimiento_F_14oct11.pdf

⁵ Sedesol, *Diagnóstico sobre la situación de vulnerabilidad a la población de 70 años y más*: 3. Available at: http://www.sedesol.gob.mx/work/models/Sedesol/Sedesol/sppe/dgap/diagnostico/Diagnostico_70%20y%20Mas_VERSION_FINAL.pdf

costs, accelerated physical deterioration, decreased quality of life levels, social exclusion and increased dependence on others. Data from the 2010 National Survey on Discrimination in Mexico (Enadis) indicates that nearly 62% of the OAP within said nation depend on a relative or third-party to meet their basic economic needs, with 57.9% of men and 75.6% of women reporting some degree of economic dependency.⁶

Women face higher degrees of vulnerability whereas they normally face higher degrees of inequality than their male counterparts during their time in the labor market. Women have a much more probability of spending the majority of their active life performing unpaid work; i.e., working as caregivers or performing work within the home. Additionally, whereas women live longer than men, they tend to see their income level diminish more sharply over time; a situation which can even lead to increased vulnerability to domestic violence. Because they do not possess their own income sources, their right to health care is also jeopardized. This is due primarily to the fact that, while they may receive some type of pension coverage, the amount is not sufficient to cover their basic health care and nutritional needs. As a result, the security and empowerment provided by retirement income is of vital importance to women. However, the transcendent importance of pensions for women does not exonerate states from the need to adopt other measures designed to ensure gender equality and to protect women against gender-based violence.

Given the foregoing, the Mexican government has initiated two noncontributory cash transfer programs: the *Pensión para Adultos Mayores*, for older adults, and the *Pensión Alimentaria para Adultos Mayores residentes en el Distrito Federal*, an initiative designed to meet the basic nutritional needs of the OAP in Mexico City. Both programs are primarily designed to provide economic support to the OAP, in addition to ensuring access to government services and entities, as well as an opportunity to participate in the labor market.

OAP RIGHTS PROTECTION IN MEXICO: CURRENT REGULATORY FRAMEWORK

Ever since the UN Declaration of Universal Human Rights in 1948, a variety of measures have been put forth which were designed to protect older adults. Initial efforts were exclusively focused on workforce in pension issues, but went on to encompass the entire spectrum of human rights.

The regulatory instruments which are listed below are divided into three categories and listed in chronological order. The first group includes binding international and national documents which contain an obligation of compliance or a guarantee of rights on the part of signatory States to their respective populations. The second category includes nonbinding instruments which contain studies or

⁶ Inapam and Conapred, Enadis 2010, Results on OAP, 9-10.

analyses on the OAP, but do not imply obligations for the signatories. The third group contains plans, programs and initiatives to arrive from binding or nonbinding instruments.

Binding instruments

ILO OLD-AGE INSURANCE CONVENTION, 1933 (No. 35): a pioneering document on the issue of social security provided to a specific group on the basis of age. Articles 15 through 20 stipulate that an old-age pension must be established by national governments and vis-à-vis set criteria so as to guarantee sufficient coverage of essential needs.

ILO SOCIAL SECURITY CONVENTION, 1952 (No. 102): Establishes minimum social security standards for OAP. Section 5 stipulates, inter alia, that signatories must comply with certain action lines in terms of providing benefits during old age, either based on number of years within workforce or on an individual's salary.

ILO INVALIDITY, OLD-AGE AND SURVIVORS' BENEFITS CONVENTION, 1969 (No. 128): Article 14 provides several parameters for old-age benefits. Parameters include setting retirement age at 65, although this may vary by country based on what nations consider appropriate given their economic, political, demographic and social conditions.

INDIGENOUS AND TRIBAL PEOPLES CONVENTION, 1989 (No. 169): Article 8 stipulates that signatories must respect, promote and protect the customs of said peoples. This is directly relevant to OAP whereas they are the keepers of tradition who passed on a given culture to the youngest in a community. As a result, indigenous OAPs must be protected within an international legal framework which promotes optimal quality-of-life levels. This implies that older adults must be recognized and respected for the contribution which they make to their respective communities.

SOCIAL-INTEGRATION ASSISTANCE LAW (MEXICO CITY), 2000: The law, entitled *Ley de Asistencia e Integración Social del Distrito Federal*, seeks to "Regulate and promote the social protection, assistance and integration of individuals, families or groups who lack the capacity to autonomously develop, or who lack the supports and conditions necessary to achieve said end."⁷ as a result, even those individuals within the OAP of independent means are considered to be included in the population groups within the purview of this Law, which was designed to

⁷ *Ley de Asistencia e Integración Social del Distrito Federal*, Article 1, Item 1.

provide assistance and support in terms of formal and non-formal education, as well as job-training, etc. The principal aim being to provide equal opportunity to all concerned.

OAP-RIGHTS LAW (LEY DE LOS DERECHOS DE LAS PERSONAS ADULTAS MAYORES) (2002): OAP-rights package which includes a series of obligations on the part of the State in terms of the OAP. Law contains six sections: principles and rights; obligations of the State; obligations of society and family; national OAP public policy; National Institute of Older Adults; responsibilities and sanctions. Stipulates that the federal government must guarantee compliance in terms of OAP rights, and that said aim shall be achieved through the creation of programs which foment compliance.

LAW ESTABLISHING RIGHT TO NUTRITIONAL PENSION FOR OLDER ADULTS AGED 68 AND OVER RESIDING IN FEDERAL DISTRICT (2003): The initiative, which aims to meet the basic nutritional necessities of Mexico City residents over the age of 68, stipulates that said individuals shall receive a nutritional pension sufficient to satisfy their innate right to nutrition.

OFFICIAL MEXICAN REGULATION NOM-031-SSA3-2012 (2012): The *Social Assistance: Provision of social assistance services to at-risk and vulnerable adults and older person* legislation is aimed at establishing criteria within social assistance sector. Requires all this State and privately-run entities providing social assistance services to adults and OAP to provide quality services to both populations.

Nonbinding instruments

RECOMMENDATION NO. 131 ON INVALIDITY, OLD-AGE AND SURVIVORS' BENEFITS (1967): Establishes criteria stipulate that benefits within all three categories must be provided in an extremely similar manner. In the case of old-age benefits, ILO Convention 102 criteria apply.

ILO OLDER WORKERS RECOMMENDATION, 1980 (No. 162): Recommends that older workers should, without discrimination on the grounds of their age, enjoy equality of opportunity and treatment in employment. Stipulates that jobs must be performed within a healthy workplace and may not accelerate the process of aging (forced work, inflexible schedules, lack of hygiene supervision, etc.).

UNITED NATIONS PRINCIPLES FOR OLDER PERSONS, 1991: Resolution 46/91 exhorts governments to implement principles proposed by the UN General Assembly within their respective national OAP legislation. Said principles, which are designed to ensure OAP live lives of dignity and quality, include:

- Participation: OAP has a right to family and community care, guaranteed access to social and legal services which ensure a timely, protection and care. Must also have access to institutional means that guarantee protection, rehabilitation, social and mental stimulation with in a humane and safe environment.
- Caring: Older persons should receive care and protection from their families, have access to adequate social and legal service to have autonomy, protection and care. They should also have access to institutional options that grant protection, rehabilitation, social, mental stimulation in a safe environment.
- Self-fulfilment: Older persons should have access to the educational, cultural, spiritual and recreational resources of society.
- Dignity: Older persons should be able to live in dignity and security, free of exploitation and abuse. Must be treated fairly regardless of age, gender, racial or ethnic background, disability or other status, and be valued independently of their economic contribution. These principles are directed to get a dignified and quality life for older people.

PROCLAMATION ON AGING (1992): Resolution 47/5 comprises a call to the international community to implement the International Plan of Action on Ageing vis-à-vis the relevant UN principles. Recommends improving the quality of information, research, training and technical cooperation with respect to aging issues. Exhorts the international community to strengthen the Trust Fund for Ageing established via the Vienna International Plan of Action on Ageing (1982) “as a means of supporting developing countries in adjusting to the aging of their populations”.

CESCR GENERAL COMMENT NO. 6: THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS OF OLDER PERSONS (1995): Re-addresses issues covered in 1982 Vienna Plan of Action, with particular emphasis on increases within OAP by year 2050. Recognizes the fact that Vienna Plan of Action failed to address specific OAP rights, whereas instrument refers to all individuals within society. As a result, requests that States-parties utilize necessary resources to ensure older adults have unfettered access to OAP rights.

MONTEVIDEO DECLARATION REGARDING INTEGRATED AGING-PROTECTION AND HEALTHY-AGING POLICY, 1997: This document, entitled *Declaración de Montevideo sobre Políticas de Protección Integral al Envejecimiento y la Vejez Saludable*, was prepared during a PAHO forum on issues of relevance to the OAP, as well as society at large. The issues covered, which remain important challenges in modern-day society, included the following:

- Social security and composition of the labor force
- Pension and retirement systems

- Organization and financing of medical care services
- Housing and community services
- Intergenerational transfers; social and family support network
- Creating public policy through the use of a multisectoral approach which promotes older-adult health and moves beyond disease prevention

The issues were addressed within a framework of arguments which took into account the ethical, economic, social and political aspects of same. These arguments are the path forward in terms of ensuring members of the OAP live dignified, full lives in which their human rights are respected.

UN MILLENNIUM DEVELOPMENT GOALS, 2002: To date, the MDGs do not yet include an OAP-focused goal. The goals are comprised of the following eight issues:

- To eradicate extreme poverty and hunger
- To achieve universal primary education
- To promote gender equality and empower women
- To reduce child mortality
- To improve maternal health
- To combat HIV/AIDS, malaria, and other diseases
- To ensure environmental sustainability
- To develop a global partnership for development

Even when there is not a special section for older persons, these objectives include this social group.

THE TORONTO DECLARATION ON THE GLOBAL PREVENTION OF ELDER ABUSE, 2003: The WHO declaration was generated in association with the University of Toronto, the University of Ryerson and the International Network for the Prevention of Elder Abuse. Instrument is focused on the legal frameworks designed to protect OAP from physical or mental abuse and mistreatment; special emphasis placed on the issue of gender issues with an eye to identifying specific categories of abuse and perpetrators.

DECLARATION OF BRASILIA, 2007: An instrument which was generated at the *Second Regional Intergovernmental Conference on Ageing in Latin America and the Caribbean: Towards a society for all ages and rights-based social protection*, which was held in Brasilia. The conference attempted to address the opportunities and challenges of population aging. It was also an effort to foment legal frameworks within the region with regard to the protection and promotion of basic social services for the OAP in terms of three priorities: OAP and development; OAP health and well-being; and, fomenting OAP-favorable societal contexts.

RIGHT TO THE CITY CHARTER, 2004: Seeks to change urban paradigm, whereas 65% of the human race will be living in cities by year 2050. Offers a critique of third-world accelerated urbanization that generates exclusion and significantly reduces quality-of-life levels. Charter includes a series of rights considered imperative for individuals living in cities and generally addresses the needs of the OAP. Addresses the role of urban inhabitants in the formulation of public policy, the full exercising of citizenship and special protection for vulnerable groups and individuals. Also indicates the role of equitable and sustainable development in combating social exclusion, as well as in ensuring that OAP is not displaced from housing due to aforementioned accelerated urbanization.

PORT OF SPAIN DECLARATION OF COMMITMENT, 2009: drafted as part of Fifth Summit of the Americas held in Port of Spain, Trinidad and Tobago in April 2009. Among other issues, designed to foment commitment among signatories to including OAP issues on their respective public policy agendas. Also addressed the need for Cepal to redouble its efforts on OAP issues and improve its databases with regard to social and economic impacts of aging, as well as efforts to generate OAP-focused policies and programs.

GUIDE TO WORKPLACE INCLUSION OF OAP, THE DISABLED AND INDIVIDUALS WITH HIV, 2012: Published as part of the Better Living⁸ program implemented during the administration of Pres. Calderon in Mexico. The guide offers strategies on a nationwide basis and was developed in light of national and international labor guidelines. In terms of the OAP, the guide declares that workplace inclusion is the responsibility of private as well as public entities, and suggests that this objective be achieved vis-à-vis five pillars:

- Labor Relations
- Healthcare and well-being
- Community links
- Care and preservation of environment
- Ethics and transparency

The guide suggests using inclusive language to avoid OAP discrimination and offensive language. Also expounds upon the concept of active aging, which it defines as continuous participation on the part of OAP in social, economic and workplace issues. Addresses the issue of optimizing healthcare systems, participation and security of older adults. Proposes an action plan designed to foment equitable conditions within the workplace:

⁸ For more information on the program entitled *Vivir Mejor*, please visit http://www.oic.sep.gob.mx/portal3/doc/vivir_mejor.pdf.

- Equal opportunity and treatment of individual workers
- Transparent recruiting and hiring practices
- Access to social services
- Promotion criteria
- Professional training and education
- Access to worksite and/or workstation, as well as communications
- Workplace rehabilitation and reinsertion
- Participation in trade unions

UN RESOLUTION 67/139 (2012): Towards a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons: Acknowledges and reaffirms all previous resolutions regarding OAP rights. Additionally, exhorts signatories to analyze proposals put forth in terms of generating an international legal instrument designed to protect OAP human rights. Said instrument would take into account entire spectrum of existing accords, documents, congresses, and international/regional seminars held by governmental and non-governmental organizations.

UN RESOLUTION 68/134 (2013): Follow-up to the Second World Assembly on Ageing: This General Assembly resolution was designed to encourage signatory states to put forth inclusive and transversal public policies based upon the principles put forth in the 2002 Madrid Assembly which have a real impact in the lives of the OAP.

Strategies, programs and action plans

INTERNATIONAL PLAN OF ACTION ON AGEING, 1982: Established UN recommendations and goals to achieve the defense of international OAP rights. Mentions the demographic shift which the world was undergoing at the time and emphasized the importance of taking into account future differences between male and female older adult populations. Also emphasized importance of taking into account differences between OAP in rural and urban settings. Recommendations included a push for the creation of OAP-centered public policy designed to address accelerated population aging occurring across the globe. Stressed the importance of carefully-designed, regularly-evaluated policy capable of being modified over time and vis-à-vis changes in societal contexts, thus ensuring continued effectiveness. Also put forth the notion of positive aging, a concept which was linked to the sense of social cohesiveness which all members of the OAP require for fully-developed lives. The following OAP issues were deemed priorities:

- Healthcare and nutrition
- OAP consumer advocacy

- Housing and environmental issues
- Family
- Social well-being
- Income and employment stability
- Education

INTERNATIONAL PLAN OF ACTION ON AGEING, 2002: Advocates initiatives designed to guarantee fuller lives to the population moving towards becoming part of the OAP on track to comprise the majority of the world's population by year 2050. Addresses the fact that women will comprise the majority of the OAP, a dynamic which must be taken into account when generating public policy and development strategies. Resolution recommends utilizing gender-focused public policy, whereas this type of strategy helps ensure a more just and equitable society for all concerned.

STATE OF THE WORLD'S OLDER PEOPLE, 2002: Study published by HelpAge International which stressed the importance of creating OAP-centered public policy and the need for developed nations to share their OAP solutions with the rest of the world. Calls for governments to address the needs of older women, whereas they have a longer life expectancy and are more vulnerable to poverty during old age. States that OAP public policy will provide the means for more participation within society on the part of older adults; i.e., foments an environment in which OAP skills and experience are available, in addition to allowing older adults to be more socially productive. This dynamic leads to older adults living dignified lives in which their rights are guaranteed and protected. The report focuses on several OAP public policy aims, including:

- Security in old age
- Eradication of old age poverty
- Presence and participation of older adults and society's political processes
- Removing age barriers with an eye to fomenting political participation
- Acknowledgement of gender issues
- Need for intergenerational responsibility in order to combat poverty and to foment social development
- Urgent need for healthcare access and resources needed to provide adequate medical care to older adults
- Need to gather data and perform research aimed at determining current state of affairs of OAP population

The report is divided by geographical regions and mentions that Latin America has a severe problem in terms of OAP human rights violations among women who experience set dynamic throughout their entire life. Also asserts that the pension system does not meet OAP needs, and therefore requires a complete rethinking in terms of the way in which society treats its older adults.

DISCRIMINATION AND VIOLENCE IN OLD AGE: INTERNATIONAL AND LEGAL MECHANISMS (2006): This instrument addresses OAP healthcare issues and their impact on human rights. Emphasizes the need to generate public policy, plans or legislation which protects OAP rights. Also presents guaranteeing human rights as a method of maximizing individual well-being during old age.

MEXICO CITY HUMAN RIGHTS DIAGNOSTIC (2008): Instrument analyzes a wide spectrum of barriers to human rights in Mexico City. Primarily focused on analyzing and optimizing specific public policy initiatives aimed at guaranteeing human rights.

VI INTERNATIONAL ADULT EDUCATION CONFERENCE (2009): Addresses issues such as adult education funding and teacher training; which is to say, public policy initiatives designed to achieve said aims.

OAP RIGHTS IN THE 21ST CENTURY: CURRENT STATE OF AFFAIRS, EXPERIENCES AND CHALLENGES (2012): Fomented the application of principles such as OAP equality and antidiscrimination measures, access to justice as a social imperative, improving quality of life levels in the necessity to guarantee older adults social protection and public participation. Particular emphasis on the status of older women in Latin America.

DRAFT OF INTER-AMERICAN CONVENTION ON PROTECTION OF THE HUMAN RIGHTS OF OLDER PERSONS (2012): Draft instrument on OAP human rights, slated to become convention in near future.⁹ Signatories resolved to address OAP vulnerability and create public policy which protects said population and promotes its development. Constitutes a call to nations within the Americas, in terms of the public as well as private sectors and families, to participate in protecting OAP rights, whereas all three have responsibilities to fulfill in terms of this goal. Also places emphasis on the rights of older adult women and indigenous older adults given the levels of vulnerability involved; aim being to create specific public policies focused on the two groups.

While advances have been made in terms of generating a legislative framework designed to protect OAP rights, it should be noted that an all-encompassing, binding OAP convention has yet to appear. As a result, the concomitant protection mechanisms by which human rights are traditionally guaranteed have also failed to materialize.

⁹ As of June 2016, draft had achieved consensus and was therefore available to be signed and ratified by signatory States.

PUBLIC POLICY DESIGNED TO GUARANTEE OAP RIGHTS

Public policy has been defined as “the actions of governments and other State-run entities which – in accordance with the respective constitution powers bestowed upon same and as per the demands of the citizenry, and whereas said actions constitute decision flows or specific decisions – are designed to resolve a problem deemed to be a public interest; said actions mobilize institutional resources and citizens, and comprise initiatives performed on behalf of society which drives or limits said actions”.¹⁰ Public policy must, at a minimum, take into account the four stages: formulation; implementation; execution and management; and, monitoring and evaluation. Currently, however, two additional concepts have been aggregated in terms of determining and monitoring whether public policy has been implemented vis-à-vis its ostensible objectives, plans and goals. An adequate degree of accountability and transparency is the fundamental to ensuring proper scrutiny and tracking. Public policy also implies permanent legislative and administrative changes in terms of modifying the way in which entities are structured and operate, whereas said entities often violate human rights. As a result, it is necessary to ensure measures are in place which foment cultural changes in terms of human rights. Human rights-focused public policy is a major component of the responsibilities of the State as per international as well as federal and local regulatory frameworks. As a result, it is imperative that said frameworks do not conflict with one another. The following comprises an analysis of OAP federal public policy and policy within Federal District.¹¹ The primary aim is to determine to what degree a given policy is human rights-focused, as well as the manner in which OAP-focused initiatives are executed.

FEDERAL OAP-FOCUSED PUBLIC POLICY IN MEXICO

NATIONAL DEVELOPMENT PLAN (2013-2018): The initiative entitled *Plan Nacional de Desarrollo* contains the nation’s development goals, strategies and priorities which are categorized in order to organize sector-specific action lines during each six-year period. Five primary goals are included: I. The instrument provides every plan and program carried out by the various ministries and entities which comprise the federal government. In the case of the present study, only national goals were analyzed, along with the sector-wide plans and programs which were specifically OAP-focused. To be clear, the first three issues on the agenda were analyzed by the authors: I. MEXICO AT PEACE, in terms of this objective’s aim to “ensure that theoretically held rights are held in practice”; II. TOWARDS AN INCLUSIVE MEXICO, whereas it “proposes to focus the action of the State on the guarantee to exercise

¹⁰ Cuervo Restrepo, *Ensayos sobre políticas públicas*, p. 82.

¹¹ Today *Ciudad de México*.

social rights and reduce the inequality gaps which divide our nation”; III. HIGH QUALITY EDUCATION IN MEXICO, which “proposes to implement federal policy which guarantees the right of all Mexican citizens to quality education”. Other elements from the following national initiatives were also included: National Human Rights Program (PNDH); Equal Opportunity and Antidiscrimination Program (Pronaind); National Population Program (PNP); Equal Rights for Women Program (Proigualdad); Sectorial Programs from Secretariat of the Interior (Segob), Public Education (SEP), Health (SALUD), Agriculture (Sagarpa), Social Development (Sedesol); and the National Anti-Hunger Program of Mexico (PNMSH).

NATIONAL HUMAN RIGHTS PROGRAM FOR 2014-2018 (PNDH): Launched in 2014, the initiative entitled *Programa Nacional de Derechos Humanos* includes a set of objectives, strategies in action lines designed to achieve the effective implementation of constitutional reform in terms of human rights (i.e., reform of Article 1 of the Mexican Constitution). Also aims to prevent human rights violations within the nation. Along the same lines as National Development Program (PND) Objective I. Mexico at Peace, as well as PND Objective 1.5 (regarding guarantees to honor and protect human rights, as well as the eradication of discrimination), the PNDH possesses the following objectives:

1. Effective implementation of human rights amendment to Mexican Constitution
2. Prevention of human rights violations
3. Exercising of human rights in the fullest sense
4. Strengthening human rights protection
5. Ensuring a smooth interaction between federal entities charged with human rights enforcement
6. Optimize nation of human rights data with an eye to strengthening public policy measures

The PNDH provides a human rights-focused action agenda for federal entities which takes into account interactions between said agencies. Also seeks to increase visibility of vulnerable individuals and to prevent human rights violations.

EQUAL OPPORTUNITY AND ANTIDISCRIMINATION PROGRAM FOR 2014-2018 (PRONAIND): This action plan was published in 2014 by the National Council for the Prevention of Discrimination (Conapred). Articulates the federal anti-discriminatory policy by assigning specific action lines to relevant federal agencies which then review, incorporate, adjust and strengthen their respective regulations in order to eliminate measures which engender or tolerate discriminatory practices. Said federal entities are also charged with taking the necessary steps to foment a bias-free culture within their respective organizations. Operates along the same lines as PND Objective I. Mexico at Peace (Objective 1.5); PND Objective II. To-

wards an inclusive Mexico which is to say, Objective 2.1 regarding “Guarantees for all Mexican nationals regarding effective exercising of social rights”; Objective 3.2 on “Guaranteeing inclusion and equity within the educational system”. In doing so, Pronaind adheres to the following objectives which are designed for implementation throughout the entire federal government:

1. Strengthening equal opportunity and nondiscriminatory practices within the federal government
2. Promoting policies and initiatives designed to ensure federal entities act to reduce discriminatory practices within society
3. Ensuring progress is made with regard to current levels of discrimination within the nation, and in order to reduce same
4. Strengthening public awareness of current discrimination levels within society in order to effect change
5. Redoubling efforts to create a culture of equality, diversity, inclusion and nondiscriminatory practices within civil society in order to foment participation of the citizenry in same
6. Promoting harmonization of current federal regulatory framework in order to ensure highest standards of equality and nondiscriminatory practices are in place

It is important to note that as part of its remarks on the current state of affairs in Mexico, Pronaind asserts that:

The National Institute of Statistics and Geography (INEGI) has made progress in terms of gathering sociodemographic, economic, geographic, environmental, governmental, crime and justice system data. Said data is useful in terms of making determinations regarding the dynamics associated with discriminatory practice (within Mexican society). However, the existing data set fails to provide an opportunity to analyze and understand discriminatory practices within the various sectors of society from which it was gathered. This is a major shortfall whereas these steps are necessary to establish a firm foundation for the design and implementation of public policy in terms of equal opportunity and nondiscriminatory practices throughout the entire federal government.” Pronaind also points out that the current data set “currently lacks a conceptual framework which provides an opportunity to treat existing data – and especially non-existing data – from an anti-discriminatory perspective vis-à-vis Article 1 of the Mexican Constitution.

Pronaind asserts that although the Mexican government does have objectives and strategies in place which are designed to foment equality and combat discrimination, the aforementioned lack of data has severely impeded its efforts to protect individuals and groups from discriminatory practice.

NATIONAL POPULATION PROGRAM FOR 2014-2018 (PNP): Describes current litany of Mexican population-aging challenges within the field of population policy. Urges a multi-entity approach to population policy whereas all aspects of Mexican society are impacted either directly or indirectly by the current demographic shift including economic, social, political, cultural, geographic and demographic aspects.

Tracks along the same lines as PNP Objective II. Towards an inclusive Mexico; specifically, Objective 2.1. PNP puts forth the following objectives:

1. Capitalizing upon potential social development and economic opportunities of current demographic shift
2. Expanding upon the capacity and opportunity of healthcare in the exercising of sexual rights and reproductive rights for both sexes
3. Incentivizing a more even distribution of the population throughout the nation through an inclusive and sustainable strategy which foment improved networking between communities
4. Addressing the sociodemographic challenges caused by international migration in all its forms
5. Engendering the development of a demographic culture based on prevention, social participation, tolerance and human rights values
6. Strengthening entities, policies and programs at each level of government within the Republic: municipal, state and federal

The goals are put forth as reasonable starting points which are designed to ensure entities, policies and initiatives avoid unnecessary contradictions in the current environment.

A brief analysis of program objectives and strategies is included for each of the sectorial programs listed below. Programs are analyzed on the basis of the links which they have to specific PND objectives in terms of OAP policy and initiatives.

SECRETARIAT OF THE INTERIOR SECTORIAL PROGRAM (PSG) FOR 2013-2018: Published by Segob in 2013, the six-year *Programa Sectorial de Gobernación* (PSG) was developed vis-à-vis the broader PND objectives. The PSG agenda provides direction to Segob entities, as well as State-run enterprises within the Segob purview, along the following lines:

1. Fomenting and strengthening democratic government within Mexico
2. Improving public safety and justice system indicators

3. Guaranteeing respect for and protection of human rights, reducing discriminatory practice and violence against women
4. Generating integrated population and migration policies which foment inclusion, prosperity and the exercising of rights
5. Coordinate the National Public Safety System in order to safeguard the population, their assets and the environs during events which provoke instability.

The PSG includes objectives and strategies which directly benefit older adults, such as Transversal Strategy III (Gender Equality):

Transversal program	Objective	Strategy	Action line
Equal Rights for Women Antidiscrimination Program (Proigualdad)	1. Achieve substantive gender equality and engender a culture of respect with regard to women's rights.	1.2 Promote affirmative actions designed to guarantee the ability for women to exercise their rights and avoid gender-based discriminatory practices.	1.2.2 Bolster the rights of those considered vulnerable: indigenous peoples, the disabled, migrants, adolescents, the poor, older adults and recluses. 1.2.3 Undertake affirmative issues designed to eradicate discrimination against indigenous, disabled, migrant, adolescent, cooler, older adult and reclusive women. 1.2.8 Foment affirmative actions designed to provide civil identity to girls, adolescent females, older women, indigenous and non-indigenous females, disabled women and migrant women.
	2. Prevent, address, sanctioned and eradicate violence against women and girls. Guarantee aforementioned individuals' access to effective justice.	2.4 Guarantee violence free environment to women, girls, indigenous women, disabled women, internal immigrants, transnational immigrants and day workers.	2.4.5 Promote training of indigenous personnel to provide services to women, girls, and older women who are victims of violence.
	4. Fortify skill sets in women in order to promote increased participation in social development and achieve well-being.	4.7 Foment affirmative actions focused on older women.	4.7.2 Design support schemes pegged to caregiver work performed by older women.

	5. Foment safe and friendly environments for family and social interaction, leisure and safe transit for women and girls.	5.4 Promote the construction of safe public venues which guarantee the security of women, family gatherings and recreational activities.	5.4.3 Bolster the coordination in cooperation among municipal, state and federal entities with civil society in order to ensure safe transit. Link public safety to the right of individuals to save transit through the publication of a guide on “rights ownership” in terms of public safety. To include aspects of health care, accident prevention and the promotion of safe transit especially vis-à-vis vulnerable groups within society.
--	---	--	--

HEALTH SECTORIAL PROGRAM FOR 2013-2018: The six-year agenda entitled *Programa Sectorial de Salud* includes objectives, strategies and action lines for the healthcare sector.

Objective	Strategy	Action line
1. Consolidate initiatives aimed at protection, promotion of health care and disease prevention.	1.7 Promote healthy, active aging with dignity and quality of life improvements for OAP.	<p>1.7.1 Initiate actions for care and timely medical care for OAP in coordination with other social programs.</p> <p>1.7.2 Close gender gaps within communities in order to guarantee healthy aging.</p> <p>1.7.3 Bolster prevention, detection and timely diagnosis of disease with emphasis on fragility, geriatric conditions, osteoporosis and falls.</p> <p>1.7.4 Expand efforts to provide mental health prevention, detection, diagnosis and timely treatment.</p> <p>1.7.5 Bolster health promotion initiatives designed to achieve self-care within OAP.</p> <p>1.7.6 Strengthen institutional and organized social initiatives in terms of community medical care for OAP.</p> <p>1.7.7 Increase mechanisms designed to ensure older adults receive Universal Pension and in compliance with health care co-responsibility.</p>
Transversal strategies		
Transversal strategy		Action line
Gender perspective		<p>- Promote sporting and physical well-being initiatives vis-à-vis specific OAP requirements.</p> <p>- Shrink and development of skill sets among older women, Young women, adolescents and girls within vulnerable households with female heads of households.</p> <p>- Disseminate vulnerable women's rights: indigenous, disabled, migrants, adolescents, poor, older women and recluses.</p>

This program mentions, as part of the proposals which were generated at forums held to finalize PND, fomenting a culture of aging based on respect for OAP. Said effort was founded on efforts to ensure: dignified lives; penalties for psychological and physical abuse; creation of integrated OAP medical care facilities; and training for relatives providing care for older adults.

AGRICULTURE, LIVESTOCK, RURAL DEVELOPMENT, FISHERIES AND FOOD SECTORIAL PROGRAM FOR 2013-2018: Establishes the principles which guide policy within the sectors comprising this Secretariat's purview. The following comprises principle points in terms of public policy, programs and government actions directed at serving OAP:

Objective	Strategy	Action line
1. Drive productivity within the agro-food sector through investment in physical, human and technological capital in order to guarantee food security.	1.2 Develop productive skill sets with an entrepreneurial perspective among small-scale producers (of both sexes).	1.2.8 Promote initiatives focused on vulnerable groups with an eye to fomenting sustainable development.
Transversal strategy Gender perspective	Strategy	Action line
Equal Rights for Women Antidiscrimination Program (Proigualdad)	4.1 Strengthen development of skill sets within households led by female heads of household in order to improve health, housing and income conditions.	4.1.3 Strengthen development of skill sets among older women, Young women, adolescents and girls in vulnerable households with female heads of household.

SOCIAL DEVELOPMENT SECTORIAL PROGRAM FOR 2013-2018 (PSDS): Sedesol agenda containing objectives, strategies and national initiatives designed to generate conditions which allow for progressive guarantee of social rights, reduce inequality levels within society, significantly reduce poverty and guarantee the individual's right to exercise social rights. In terms of OAP-focused public policy, programs and government initiatives, the *Programa Sectorial de Desarrollo Social* contains the following:

Objective	Strategy	Action line
3. Provide Social Security schemes which protect socio-economic well-being of the population in conditions of vulnerability or poverty.	3.4 Insure a minimum income for individuals aged 65 and over who do not possess pension or retirement income, in order to increase their levels of economic and social well-being.	<p>3.4.1 Provide economic supports to older adults aged 65 and over who do not receive retirement income or pension.</p> <p>3.4.2 Facilitate and promote access to healthcare services and social protection benefits within OAP via institutional and social networks.</p> <p>3.4.3 Generate social support networks which foment physical and mental health of OAP.</p> <p>3.4.4 Provide supports for the refurbishing and bringing into compliance of elder care facilities, as well as training for OAP caregivers, through institutional and social networks.</p> <p>3.4.5 Foment the financial inclusion of OAP utilizing cash benefit programs which are paid out via electronic transfer.</p>
4. Build an egalitarian society which unconditionally supports the social well-being of its citizenry through actions designed to ensure the individual's ability to exercise rights.	4.2 Achieve integrated human development of OAP.	<p>4.2.1 Ensure effective coordination of initiatives designed to promote rights, as well as physical, mental and social well-being of OAP.</p> <p>4.2.2 Expedite delivery of OAP credentials required to receive discounts on health care services, food, transportation, clothing, housing, recreation and cultural activities.</p> <p>4.2.3 Generate an obligatory roll listing all public and private entities providing rest home, senior housing and other such elder-care services to OAP.</p> <p>4.2.4 Produce public awareness campaigns designed to engender and bolster a sense of intergenerational responsibility, the familial responsibility and fair treatment to OAP within society.</p>

The following section is an analysis of the Inapam is a federal entity charged with providing services and care to the OAP within Mexico, as well as with managing the Older Adult Pension scheme within said nation. Sedesol utilizes these two channels in order to coordinate and achieve OAP-centered objectives and strategies vis-à-vis the PND and its own Sectorial Program.

National Older Adult Institute (*Inapam*): Inapam is funded and managed by the Social Development Secretariat, which is commonly referred to as Sedesol.

This public entity is charged with directing national policy directed towards older adults. Its overall objective is to coordinate, promote, support, foment, oversee and evaluate public actions, strategies and programs generated by said policy in conformance with the tentacles, objectives and dispositions within the Older-Adults' Rights Act.¹²

Inapam provides an identification card that permits older adults to take advantage of discounts on food, healthcare, clothing, recreational and cultural activities and transportation, among other goods and services. Said ID card also allows older adults to utilize Inapam senior centers offering sporting and recreational activities to OAP.

OAP-FOCUSED FEDERAL PROGRAMS IN MEXICO

OLDER ADULT PENSION PROGRAM: Mexican citizens aged 65 and over are eligible to receive benefits from the nation's *Programa Pensión para Adultos Mayores*. Recipients must forgo the OAP benefits contained in the *Programa Oportunidades* initiative and may not receive more than \$1,092 Mexican pesos of retirement income per month received from resources provided under the auspices of Mexico's Social Security Act. The pension scheme utilizes a variety of amounts and benefit, respecting rights and delineating obligations as per the following table:

The types and amount of benefit	Beneficiary rights	Beneficiary obligations
Economic support of 580 Mexican pesos per month, paid in 1,160 pesos amounts every two months to beneficiaries in conformance with <i>Padrón Activo</i> (current profile).	Access to necessary information in a clear and timely manner in order to participate in program.	Provide personal data as requested (penalty for supplying knowingly false information).
One-time payment of 1,160 pesos upon death of beneficiary to duly authorized representative named in <i>Padrón Activo</i> file.	Dignified, respectful, timely, quality, fair and nondiscriminatory treatment.	Appear before program personnel in order to update personal data and as per notices provided in a timely manner to appear at the following locations: Delegación (borough), Municipality or Social Network.
Support to foment incorporation of beneficiaries into financial exclusion scheme.	Receive services and support at no cost.	Appear at program offices once every six months in order to prove beneficiary is alive (only in cases where benefits are paid via electronic transfer).

¹² Inapam, *What is the Inapam?* Available at: http://Inapam.gob.mx/en/Inapam/English_Version

Activities designed to promote program such as growth groups, public awareness campaigns, training sessions and public seminars for beneficiaries on improving one's physical and mental health, with support of social network.	Security and privacy of personal data. Delivery of cash benefit by program representative in cases where beneficiary is unable to personally access saying due to disability, sickness or other physical impairments.	Beneficiary may not use identification which establishes beneficiary participate in program for unlawful purposes (i.e. through the sale, loan or in order to establish political-party affiliation or use in an election).
Services and supports designed to combat risks related to losses in income or health setbacks, such as: promoting application for Inapam identification card, access to healthcare services (<i>Seguro Popular</i>) or access to medical care.	Right to receive in-home visit to determine whether or not beneficiary is alive and/or update relevant data if said individual lacks a duly authorized representative and, due to physical limitations, is unable to appear at program offices, if and when said accommodation is requested via telephone at least 30 days in advance of administrative deadline.	

NATIONAL ANTI-HUNGER PROGRAM OF MEXICO (PNMSH) FOR 2014-2018:

Instrument by which the National Crusade Against Hunger (CNCH) was initiated. Establishes national strategy for the fight against extreme nutritional poverty. Establishes action lines such as Universal Pension for Older Adults System, supports to children, pregnant women and nursing mothers, as well as OAP through the use of micronutrients. The only action expressly directed at the OAP is the Older Adult Pension. The PNMSH is comprised of six primary objectives:

1. Zero poverty based on adequate food and nutrition among individuals living in multidimensional extreme poverty and those who lack access to basic nutrition
2. Reduction of extreme, chronic childhood malnutrition, and improvement of childhood height and weight indicators
3. Increase the production of food and income of farm workers and small-scale farm operators
4. Minimize post-harvest losses and food during storage, transport, distribution and commercialization
5. Promote economic development and employment in regions with highest concentration of extreme nutritional poverty
6. Enlist community support in the battle to eradicate hunger

PNMSH objectives, strategies and action lines aimed at older adults include the following:

Objective	Strategy	Action line
1. Zero poverty based on adequate food and nutrition among individuals living in multidimensional extreme poverty and those who lack access to basic nutrition.	1.4 Incorporate formal social security schemes within the population living in extreme nutritional poverty.	1. Foment participation in the Universal Pension for Older Adults among individuals lacking minimum income required to ensure basic economic well-being.
2. Reduction of extreme, chronic childhood malnutrition and improving childhood height and weight indicators.	2.2 Prevent malnutrition.	3. Supplement diets of children, pregnant women and nursing mothers, as well as older adults through the use of micronutrients (zinc, vitamin A, iron).

NATIONAL CRUSADE AGAINST HUNGER (CNCH)

Background

In Mexico, the CNCH is not the first attempt to combat poverty and nutritional poverty. The first president to attempt to eliminate hunger was José López Portillo. President Portillo introduced the Mexican nutritional system known as the Sistema Alimentario Mexicano which attempted to achieve nutritional self-sufficiency throughout the nation, expand the internal market,¹³ and increase the income and productivity of the rural poor.¹⁴ A second initiative was entitled Coplamar. It was designed to address the needs of economically-depressed zones and marginalized groups within the population. The initiative marked the first attempt within Mexico to launch an expressly anti-marginalization campaign. President Portillo stated that Coplamar “is simply an attempt to optimize established and known resources vis-à-vis their specific aim: to serve marginalized individuals who have turned to all the entities (which comprise the federal government), nearly all of whom are attempting to address this issue in one form or another.”¹⁵ This is to say, that the problem of poverty was related to the functioning of the entire economic system. Regrettably, identifying the social demands within the poorest sectors a society which remained outside the purview of public policy in effect at the time was deemed more important than solving said issues and avoiding the concomitant increases in social instability.¹⁶

In spite of the presidential support of the initiative, actual results were less than heartening. A 1980 analysis of progress made indicated that no advances had been made during the prior three years. Additionally, Coplamar initiatives and

¹³ An objective not included in current anti-hunger initiatives.

¹⁴ Barajas, G. *Las Políticas de Administración de la Pobreza en México: ayer y hoy*, January-March 2002. Available at: http://codex.colmex.mx:8991/exlibris/aleph/a18_1/apache_media/LBG-J5NUYTYQQ1JC9T6A9EKXUELQ93T.pdf. Last accessed: May 3, 2014.

¹⁵ Coordinación General del Plan Nacional de Zonas Deprimidas y Grupos Marginados, 99.

¹⁶ Barajas, Op. Cit.

projects were never formally evaluated. Lomelí and Riveles, however, indicate that “a fair degree of redundancy was seen in terms of functions and outlay”.¹⁷

The National Solidarity Program (Pronasol) was launched on 2 December 1988 by President Carlos Salinas de Gortari. The initiative was designed to address the issue of low living standards within urban and rural areas throughout Mexico. The Comisión Nacional del Programa de Solidaridad was created to provide forums in which the involved communities might participate in the definition of policy and execution of initiatives undertaken by the federal government. The commission was charged with coordinating efforts included in the National Democratic Planning System which included the responsibility for generating *Convenios Únicos de Desarrollo* (Specific Development Agreements) with federal agencies which were designed to undertake joint projects involving productive investment. All efforts occurred within the framework of the 1989-1994 PND.¹⁸ the results of focused-care programs implemented under Pronasol were short-term in nature, whereas although certain headway was made in terms of social shortfalls, the program did not survive in 1995 crisis. The economic setback demonstrated that in the absence of sustained and vigorous growth, integrating into reductive chains, creating well-paid employment, and above all generating wealth, it is possible to have a permanent impact upon the problem of poverty and marginalization.¹⁹ Unfortunately, this lesson was not taken into account when planning the CNCH.

Lastly, the most recent example is introduced during the administration of Vicente Fox. The program was designed to address the needs of individuals living in the most outlying, smallest and poorest communities in Mexico. The initiative was later modified in order to bring it into alignment with the *Progres-a-Oportunidades* social policy which had demonstrated effectiveness up to that time.

The *Paquete Alcance* initiative was modified and now exists under the moniker *Programa de Apoyo Alimentario* (PAL), which involves nutritional supports. PAL provides benefits to the rural population not covered by the *Oportunidades* program by providing nutritional transfers conditioned on the reception of health-care services.

What is the National Crusade against Hunger?

The National Crusade against Hunger is a social policy which “attempts to provide a permanent solution to a problem which exists in Mexico: hunger”.²⁰ The Crusade defines hunger as a situation occurring among individuals in extreme poverty who lack basic nutrition. This definition takes into account two factors: income below the minimum well-being line, which is defined as the cost of the basic food

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ De la Cruz, *La Cruzada Nacional Contra el Hambre*, p. 4

²⁰ <http://www.gob.mx/sedesol/acciones-y-programas/cruzada-nacional-contra-el-hambre-18938>

products considered necessary to achieving adequate nutrition; and, the lack of access to food which comprises the basis for the concept of nutritional insecurity. In Mexico, the multi-dimensional measurement of poverty is similar to the concept of food security included in the *Escala Mexicana de Seguridad Alimentaria* (EMSA). The EMSA, or Mexican Nutritional Security Scale, defines lack of access to nutrition as those individuals in a condition of moderate or severe nutritional insecurity. The target population of the Crusade is comprised precisely of individuals who suffer from hunger; i.e., individuals who are battling against extreme nutritional poverty. As a result, the CNCH is aimed at individuals who report lacking the necessary income and access to food.²¹ The prioritization of hunger makes sense, whereas individuals battling against hunger find it difficult to overcome other shortfalls in their lives.

National Crusade against Hunger components

In order to achieve the aims outlined in the National Crusade against Hunger presidential decree, a link has been established between the state and municipal governments with the target population through a mechanism entitled the National Crusade against Hunger System, or SinHambre, comprised of the following five objectives:

1. Zero poverty based on adequate food and nutrition among individuals living in multidimensional extreme poverty who lack access to basic nutrition
2. Reduction of extreme, chronic childhood malnutrition; improvement of childhood height and weight indicators
3. Increases in food production; increases in income of farm workers and small-scale farm operators
4. Minimization of post-harvest losses and food during storage, transport, distribution and commercialization
5. Enlisting community participation in order to eradicate hunger

Inter-sectorial Commission for the Implementation of National Crusade against Hunger

This commission was established²² in order to coordinate, articulate and complement initiatives, programs and resources necessary for the achievement of Crusade objectives, such as:

²¹ CNCH, target population.

²² Presidency of the Republic website, National Crusade against Hunger FAQs.

- Changes in design of programs
- Changes in the focus or coverage of programs
- Implementation of effective coordination activities

The commission meets on a periodic basis and is comprised of representatives from the following federal entities: Secretariat of Social Development; Secretariat of the Interior; Secretariat of Foreign Relations; Secretariat of National Defense; Secretariat of the Navy; Secretariat of the Treasury and Public Credit; Secretariat of Agriculture, Cattle, Rural Development, Fishing and Food; Secretariat of Communications and Transportation; Secretariat of Public Education; Secretariat of Health; Secretariat of Labor and Social Well-Being; Secretariat of Agrarian, Territorial and Urban Development; Secretary of Tourism; National Commission for the Development of Indigenous Nations; National Institute of Women; and the National System for the Integrated Development of Families (DIF).

National Crusade against Hunger Council

The council is a forum for dialogue between the public, private and social sectors designed to generate agreements which strengthen, complement and, when need be, improve action lines, as well as comply with increased efficiency with the objectives of the Crusade against Hunger. The Council is comprised of the following: Secretary of Social Development, who serves as chairman; representatives from organizations within the social and private sector; representatives from academia; and representatives of international organisms and entities. The governors of Mexican states, as well as the head of the Federal District government, possess permanent invitations to Council proceedings.²³ In its sessions, needs to take into account the following issues:

- Generating income for population living in poverty;
- Provide food, nutrition and an efficient and timely supply and commercialization of same to individuals living in poverty;
- Access to medical care and education for individuals living in poverty;
- Housing and delivery of basic social infrastructure;
- Driving agricultural production within Mexico's rural sectors;
- Fomenting community and societal participation in National Crusade Against Hunger (CNCH);
- Monitoring and evaluation mechanism for National Crusade Against Hunger (CNCH).

²³ Ibid.

Community committees comprised of beneficiaries of social programs

In order to articulate societal participation in the CNCH and the programs which it comprises, beneficiaries of social programs are encouraged to participate in the Crusade's community committees. Members of the committees participate in the implementation and oversight of program objectives, in addition to the monitoring the transparency of the initiatives undertaken.²⁴

CNCH Council of Experts

This body was created in order to provide nonbinding proposals and recommendations aimed at ensuring adequate food and nutrition to individuals in the extreme multidimensional poverty who lack access to basic nutrition. The council is comprised of the Technical Executive Secretary, who is appointed by the secretary of social development, and is charged with chairing the Council. A minimum of 10 experts from academia are appointed on the basis of their professional career in prestige in terms of the issues delineated within the the CNCH System. Experts are required to serve on an internationally and nationally recognized faculty and have published on poverty, indigenous nations, food, nutrition, production and issues related to same.

As can be noted, the CNCH directed its efforts towards generating a regulatory framework for the development of the Crusade. However, it took two years after CNCH launch, to finally include the PNMSH in the Congressional Record (*Diario Oficial de la Federación*):

The México sin Hambre program is the formalization, within the National Democratic Planning System, of the National Crusade against Hunger, and expands program coverage to include the entire nation within the strategy (...). The Program comprises a work the agenda coordinated by the federal government and designed to address, from any multi-dimensional perspective and primarily focused on nutritional shortfalls, the extreme nutritional poverty of over 7 million inhabitants (of Mexico). The Program is designed to ensure access to quality, adequate nutrition for the target population, and seeks to foment food production in marginalized zones, even as it seeks to underpin the target population's access to social rights.²⁵

²⁴ Ibid.

²⁵ Further details available at: http://www.dof.gob.mx/nota_detalle.php?codigo=5343098&fecha=30/04/2014

OAP PUBLIC-POLICY WITHIN THE FEDERAL DISTRICT²⁶

This section includes a review of the two principal public policy planning instruments which exist in the Federal District in terms of human rights and are applicable – or should be considered applicable – to the entire purview of the local government; i.e., Federal District General Development Program and the Federal District Human Rights Program. It should be noted that the Federal District Nutritional Pension for Older Adults Program will not be analyzed in great detail whereas it has already been the subject of a wide variety of analyses, reviews and research, including a study on its primary public policy points which was performed by *Evalúa DF*. Additionally, the main purpose of the present publication is to identify and analyze the framework upon which the aforementioned programs have been built in order to provide perspective on the public policymaking state of affairs within the human rights sector. However, it is included whereas it comprises the cornerstone of OAP public-policy within the nation's capital.

FEDERAL DISTRICT GENERAL DEVELOPMENT PROGRAM FOR 2013-2018 (PGDDF)²⁷ Launched on 12 September 2013, this agenda is based on the *Ley de Planeación del Desarrollo del Distrito Federal* legislation which mandates that planning must occur efficiently and permanently in order to foment integrated development within the Federal District and comply with the political, social, cultural and economic gains and objectives contained within the Constitution of Mexico.

The Program's purview addresses social development, economic development, sustainable development, public safety, human rights and gender issues, in addition to policies on Metropolitan development during the next 20 years. It is comprised of five primary pillars and eight transversal focus points:

²⁶ Following the publication of this study, the official name of Mexico City has replaced the area formerly known as the federal district. The change occurred as part of the political reform process which included the preparation of a local constitution.

²⁷ Information on the PGDDF was gathered from the entity itself from an entry in the *Gaceta Oficial del Distrito Federal* dated September 11, 2013.

2013-2018 PGDDF pillars	Transversal focuses
1. Social equity and inclusion for human development	- Human rights
2. Governance, security and public safety	- Gender parity
3. Sustainable economic development	- Citizen participation
4. Habitability and services, public spaces and infrastructure	- Transparency
5. Effectiveness, accountability and the fight against corruption	- Innovation
	- Science and technology
	- Sustainability
	- Metropolitan development

It should be noted that the 2013-2018 PGDDF was developed with the active participation of Mexico City inhabitants through the use of a plebiscite. As a result, it is oriented to meet the needs of individuals who live and work in Mexico City, and is rights-focused and seeks to guarantee the full exercising of all rights by every member of society. Older adults are addressed explicitly in the first, second and fourth pillars' objectives, goals and/or action lines which are detailed below in terms of OAP-relevant issues.

Pillar 1. Social equity and inclusion for human development "(comprises) a rights-focused approach in order to reduce exclusion and discrimination, even as it improves the quality of life of Mexico City inhabitants. The objectives, goals and action lines delineated in this pillar seek to transform Mexico City into a social capital through the collective and co-responsible promotion of human rights".²⁸ This pillar is based on the *Diagnóstico de Derechos Humanos* (DDH) human rights analysis performed in Mexico City during 2008 which identified principal shortfalls, as well as commonly discriminated groups, with the aim of generating specific action lines within the Federal District Human Rights Program (PDHDF). The OAP was identified as being a group which merited specific attention in terms of strategy design whereas it was subject to widespread discrimination. The pillars are comprised of the following areas of opportunity:

²⁸ Ibid., 6.

Pillar 1. Social equity and inclusion for human development*		
Opportunity Area 1 Discrimination and Human Rights		
Objective	Goals	Action lines
<p>1. Perform actions which permit the full exercise of individual rights, regardless of ethnic origin, legal, social or economic state, migratory status, health care status, disability, gender, sexual orientation or preference, marital status, nationality, physical appearance, way of thinking or street status, inter alia, in order to avoid exclusion, abuse and discrimination through a co-responsibility-focused approach.</p> <p>4. Facilitate full and unfettered access to Federal District Government programs and services. In strict accordance with social program guidelines, ensure that no discrimination occurs on the basis of, inter alia, ethnic origin, legal, social or economic state, migratory status, health care status, disability, gender, sexual orientation or preference, marital status, nationality, physical appearance, way of thinking or street status.</p>	<p>Eliminate discriminatory practices which result in the exclusion and abuse.</p> <p>Strengthen the design, legislation and implementation of social policies, programs and services in order to eradicate exclusion, mistreatment and/or discrimination against individuals. Achieve said aim through the use of a social co-responsibility approach.</p> <p>Achieve “Friendly City” certification for the Federal District.</p> <p>Design and implement and obligatory training program on human rights and gender issues for all public servants who provide services to the public, with the aim of ensuring dignified and respectful treatment during service delivery.</p> <p>Provide identification papers to vulnerable individuals that facilitate access to social programs and services offered by the Federal District Government. Additionally, help said population perform the concomitant paperwork needed to receive same.</p>	<p>As OAP is part of the aggregate of vulnerable groups, many action lines are applicable:</p> <ul style="list-style-type: none"> - Perform in-depth analysis on exclusion and discrimination within Mexico City. - Disseminate and foment complaint mechanisms and demands for rights, including the right to inclusion, equality and a discrimination-free atmosphere. Ensure program transparency in order to facilitate modifications to public policies. Generate regular reports on state of affairs. - Provide constant training for public servants. Sessions should include an emphasis on fomenting nondiscriminatory practices and social equity. - Work in tandem with civil society on putting forth public policy initiatives based on research, a rights-based approach and which favor vulnerable groups within society. - Foment an environment in which nondiscriminatory practices are actively discouraged. Combat prejudice, stereotypes and stigmas which foment exclusion and abuse. - Harmonize legislation in order to guarantee permanency and universality of programs focused on vulnerable groups. Ensure that positive measures are in place which incentivize affirmative action measures. - Strengthen and undertake social programs targeting excluded, mistreated or discriminated individuals, including ageism. - Promote a culture of social co-responsibility among individuals participating in social programs.

Opportunity Area 2 Healthcare		
Objective	Goals	Action lines
<p>1. Reduce chronic degenerative disease incidence rates</p> <p>2. Achieve full and universal access to health care rights</p>	<p>Improve quality of healthcare services in terms of addressing chronic degenerative diseases.</p>	<ul style="list-style-type: none"> - Ensure entire population possesses equal access to health care in terms of treatment available for a given chronic degenerative disease. - Reinforce infrastructure required to provide in-home care, in order to improve care for adults and older adults, ethnic groups and women in terms of chronic degenerative disease prevention. - Promote preventative medical care for children, adolescents, adult women and older women within the indigenous communities located within the Federal District. Said services shall be provided via traditional medicine.
Opportunity Area 3 Education		
Objective	Goals	Action lines
<p>2. Increase equity in terms of access to formal education, consolidating education-related rights and institutional-support programs through the use of quality standards. Combat dropout rates with a particular focus on underprivileged and vulnerable sectors of society.</p>	<p>Generate mechanisms which ensure that older adults have access to continuing education throughout their entire lifecycle. Ensure that individuals who are considered vulnerable due to ethnic origin, legal, social or economic state, migratory status, health care status, age, gender, physical appearance, sexual orientation or preference, way of thinking or street status have access to quality education; primarily focus on primary and lower-level secondary educational outcomes.</p>	<ul style="list-style-type: none"> - Establish and institutionalize other education-focused programs for vulnerable populations or individuals with special needs, to include the OAP. - Identify coordination schemes, synergies and collaboration opportunities between Federal District and federal government, as well as other national and international entities, in order to optimize access to quality education on the part of disadvantaged and/or vulnerable sectors of society.

Opportunity Area 4 Cultural Activities		
Objective	Goals	Action lines
<p>1. Consolidate Mexico City into a welcoming, multicultural venue which possesses egalitarian, inclusive, creative and diverse environs in which participants if cultural policies are implemented to serve the citizenry, and foment sustainable development, improvements in the quality of life and well-being levels of the city's inhabitants.</p> <p>2. Produce initiatives which guarantee full access to cultural rights, as well as the acknowledgment of cultural activities as a means to strengthen the entire basis of society, in addition to providing citizens with the means to exercise their creative and critical skill sets.</p> <p>3. Foment, conserve and disseminate natural and cultural patrimony in order to strengthen identity links, the appropriation of cultural heritage and the modern culture of Mexico City's inhabitants.</p>	<p>Increase access and participation of Mexico City population in cultural and natural services and assets. Promote well-being on the basis of cultural patrimony and the diversity of the city's inhabitants.</p> <p>Expand coverage of the use of Mexico City's cultural venues based on cultural interventions which involve and reflect upon the community.</p> <p>Improve and expand upon cultural programs in order to increase visibility, valuation, use and enjoyment of the natural and cultural patrimony of Mexico City.</p>	<p>There are no action lines which are specifically directed at the OAP. All initiatives are focused on the Mexico City population, whereas one can deduce that the OAP is considered in several:</p> <ul style="list-style-type: none"> - Promote cultural activities on offer. - Foment reading. - Implement initiatives which promote community cultural development as a tool for strengthening the fabric of society. - Promote and expand the natural and cultural patrimony of the city in order to strengthen the right to memory, a feeling of belonging, peaceful coexistence and the acknowledgement of differences.
Opportunity Area 5 Violence		
Objective	Goals	Action lines
<p>2. Explicitly and diligently address the victims of all and all type of violence with quality and warmth.</p>	<p>Strengthen integral models utilized in order to specifically serve women, older adults, children, indigenous persons, young people, street people and the LGBTTTI community who are victims of violence.</p> <p>Establish a data collection, processing, analysis and dissemination system for all information gathered on violence by the public entities of the Federal District Government.</p>	<ul style="list-style-type: none"> - Establish integrated protocols to serve victims of violence at all entities who serve same. - Strengthen inter-institutional coordination efforts in order to optimize service delivery to victims of violence. - Generate disaggregated data on victims of violence in terms of ethnicity, age, sex, sexual preference or orientation, and street status which allows anti-violence strategies to be optimized. - Disseminate data and results obtained from database system on violence statistics. Utilized aforementioned data in the generation and evaluation of social programs and public policy.

Opportunity Area 6 Nutrition		
Objective	Goals	Action lines
1. Contribute to food security and reduction in malnutrition among inhabitants, especially with regard to ethnic origin, legal, social or economic state, migratory status, health care status, disability, gender, sexual orientation or preference, marital status, nationality, physical appearance, way of thinking or street status.	<p>Increase access to nutritious, a well-balanced and high-quality food among population within Mexico City.</p> <p>Reduce indices of malnutrition, obesity and unbalanced diets among population within Mexico City.</p>	<p>- Guarantee that older adults aged 68 and over have access to the basic economic security necessary to acquire food which they need.</p> <p>- Establish or strengthen strategies which address anemia within the OAP.</p>
Opportunity Area 7 Equitable Employment		
Objective	Goals	Action lines
1. Increase access to decent employment, with social protection, full access to labor rights and a nondiscriminatory climate in terms of, but not limited to, ethnic origin, legal, social or economic state, migratory status, health care status, disability, gender, sexual orientation or preference, marital status, nationality, physical appearance, way of thinking or street status.	<p>Promote the creation of decent employment within Mexico City, especially among social groups who confront the greatest degree of difficulty in obtaining same.</p> <p>Strengthen institutional programs and initiatives aimed at increasing the employability of vulnerable populations.</p>	<p>- Increase the number of employment opportunities for OAP, individuals with HIV and disabled workers.</p> <p>- Distribute government tax credits available to employers you generate employment for vulnerable populations based on ethnic origin, legal, social or economic state, migratory status, health care status, disability, gender, sexual orientation, identity or preference, marital status, nationality, physical appearance, way of thinking or street status.</p> <p>- Expand and diversify employment training programs with an eye to achieving work-skills certifications, and via a particular focus populations who are vulnerable due to ethnic origin, legal, social or economic state, migratory status, health care status, disability, gender, sexual orientation, identity or preference, marital status, nationality, physical appearance, way of thinking or street status.</p>

* The table summarizes the 2013-2018 PGDDF components as a group. This method was necessary because the program was not outlined utilizing a logical framework. The only numbers which correspond are those which refer to objectives. This strategy was employed to assist the reader in consulting the original document. Ibid, 14-47.

Pillar 2. Governance, security and public safety “(involves) driving a political reform process which is aimed at delivering a local constitution to Mexico City, strengthening coordination and synchronization of ties between the *Delegaciones* and the central government, as well as improving the policies which address crime prevention, public safety, the justice system and risk management, in order to strengthen the social fabric, peace and tranquility.”²⁹

²⁹ Ibid., 6.

Pillar 2. Governance, Security and Public Safety*		
Opportunity Area 3 Security in Public Spaces		
Objective	Goals	Action line
1. Guarantee, in coordination with the boroughs (<i>Delegaciones</i>), that access to and use of public spaces is ensured through a minimum negative impact on third parties, in terms of the business sector as well as large crowd settings such as religious events, cultural and sporting events, and in such a manner that freedom of expression in political and social terms is ensured.	Strengthen and expand joint coordination capacity at the inter-institutional and <i>Delegaciones</i> levels in order to better handle large crowd scenarios (cultural, religious, sporting, political and social events) in terms of risk prevention and public safety.	- Increase security and accessibility within public venues in order to guarantee that all members of society are able to take advantage of same. Special focus should be placed on ensuring conditions are acceptable for women, children, older adults and disabled individuals.

* The table summarizes the 2013-2018 PGDDF components as a group. This method was necessary because the program was not outlined utilizing a logical framework. The only numbers which correspond are those which refer to objectives. This strategy was employed to assist the reader in consulting the original document. Ibid., 47-63.

Pillar 4. Habitability and services, public spaces and infrastructure “(is designed to) achieve a dynamic, compact, polycentric and equitable city which foment productive proceeds and investment, and which utilizes sustainable urban and territorial planning.”

Pillar 4. Habitability and Services, Public Spaces and Infrastructure		
Opportunity Area 6 Housing		
Objective	Goals	Action line
1. Address the housing needs of low income population within Mexico City, providing economic and social opportunities necessary for the acquisition of housing. Ensure emphasis on the right to adequate and decent housing.	Expand, under a gender-focused perspective, coverage of housing-improvement programs, preferentially targeted to at-risk, low income population living in conditions of vulnerability.	- Design home loans and financial advising required for housing improvement among at-risk families living in conditions of vulnerability, the OAP and women.

FEDERAL DISTRICT HUMAN RIGHTS PROGRAM (PDHDF). The PDHDF is comprised of objectives, strategies and action lines vis-à-vis 15 rights and 10 population groups included in 34 chapters which were analyzed within the human rights-focused instrument entitled *Diagnóstico de Derechos Humanos* (DDH) performed in Mexico City during 2008. The PDHDF contains 2412 action lines on public policy, interinstitutional coordination, legislative proposals and budgetary initiatives which were slated for implementation into three categories: short-term (2010); middle-term (2012); and long-term (prior to 2020). The program also delineates which public entities are responsible and/or co-responsible for the execution of each action line.

The human rights agenda is backed by a legal framework which makes it obligatory in all entities as of 2009. Additionally, the Mexico City Legislative Assembly (ALDF) monitors progress. In 2010, the agenda was implemented and included in governmental budgets. It contains a tracking and evaluation component which is

based on public forums attended by representatives from government, academic and civil society who monitor each agenda item, in terms of human rights or vulnerable populations. The program also has a Technical Secretariat in charge of daily operations.³⁰ The entire PDHDF agenda was enacted in 2011 via a legislative package entitled Law Enacting the Federal District Human Rights Program. Chapter 27 of the PDHDF addresses the older adult population and contains nine sections. The first addresses legislative aspects, while the ensuing seven address human rights which the DDH diagnostic indicated were priorities, and the last section addresses indicators. The following table presents a point by point breakdown of the human rights and issues involved vis-à-vis the DDH diagnostic performed in 2008:

Rights/issues	2008 Human Rights Diagnostic (HDH)
OAP-focused legislation and public policy	<p>The Federal District possesses an Older-Adult Rights Act which failed to enact active mechanisms for guaranteeing OAP rights. No harmonization between this law in other legislations and/or regulations designed to provide services or rights protections to OAP.</p> <p>The Institute for Older Adult Services (IAAM)* has undertaken initiatives which primarily fall within the purview of the nutritional pension program, in addition to 10 other service programs. Less effort made regarding coordination with competent federal and local entities, as well as on the G7 nation, acknowledgment and exercising of OAP rights.</p> <p>No diagnostic has been performed on the degree to which OAP rights are being exercised; i.e., an analysis which takes into account the highest standards of rights use and enforcement, or the efficacy or inefficacy of OAP-focused public policies.</p>
OAP education rights	<p>Although the Federal District possesses one of the lowest OAP illiteracy rates in the nation, the majority of over-60 adults possess limited levels of education. This issue is a relevant indicator in terms of measuring poverty levels, whereas limited education translates into less probability for achieving self-sufficiency.</p>
OAP right to work and workplace human rights	<p>It is necessary to take into account the characteristics of the OAP, whereas it is not always possible for individuals within said group to perform any type of work. This is due to the fact that older adults sometimes deal with physical limitations which prevent them from performing certain types of tasks in the workplace.</p> <p>Additionally, employers and business owners who hire older adults within the public and private sector, do not guarantee their access to Social Security, payment of contributions, and in many cases, failed to take into account their gender, age or previous work and/or professional experience. This dynamic leads to discriminatory track this is either due to denying the right to work, or due to failure to hire older adults under the same conditions as the rest of the workforce.</p> <p>The poverty within the OAP is on the increase, whereas their numbers are growing. This dynamic hits females much harder than their male counterparts whereas women have earned less money during their careers, have had less ability to save and tend to live longer lives than their spouses.</p>

³⁰ More information regarding historical context and other data on the PDHDF is available at: http://www.vigilatusderechosdf.org.mx/home/?page_id=5.

OAP right to healthcare	The OAP right to health care is often curtailed by the fact that they are denied medical care. At public-sector entities, for instance, they also receive low-quality care and are mistreated when attempting to address the situation. Additionally, the medical care, advising and support which they receive are not received from professionals who specialize in geriatrics.
OAP right to violence-free lives	Older adults are frequently stripped of their property ownership by their own relatives, who then care for them at home or in elder care facilities. These contexts do not favor in older adult's ability to make decisions, to be acknowledged and ensure that their physical, psychological and moral integrity and autonomy is respected. This entire dynamic severely limits a person's ability to participate in society and live a dignified existence. The different types of violence which the OAP suffers (physical, psychological, economic, ownership, sexual) often go unreported due to a lack of active mechanisms and resources. These factors converge to make the OAP particularly susceptible to crime.
OAP right to participate in civil society	Older adults have the right to participate in decisions which affect their life, including applying for income from a given public or private entity providing services to the OAP. The Federal District's Older-Adult Rights Act creates an Advisory Council for the Integration, Assistance, Promotion and Defense of OAP Rights within the Federal District. The Council is comprised of individuals who volunteer their services to consult, advise upon and evaluate initiatives designed to ensure that the necessary collaboration, coordination, planning and promotion occurs in order to fully achieve OAP integration and development. However, international standards on the issue have not been incorporated into the processes utilized to generate government initiatives and those within civil society.
OAP right to equality and nondiscriminatory practices	The OAP are often associated with negative attributes such as disease, reduced productivity levels, inefficiency, infantilization and overall decadence. Such stereotypes contribute to discriminatory practices, maltreatment and exclusion within the private as well as public sector.
OAP right to social security	The majority of economically active members of the OAP do not have access to the workplace benefits established by law because they are self-employed. In 2003, legislation was passed in acting the Right to Nutritional Pension for Over-70 Inhabitants within the Federal District. Article 1 said law stipulates that the aforementioned pension may not be less than 50% of the current minimum wage within the Federal District.
OAP-rights indicators	Although OAP possesses human rights which are acknowledged within national and international legislation, public policy does not yet provide specific measures designed to guarantee OAP rights. "(Public policy) is primarily centered on assistance initiatives such as the nutritional pension and fails to take into account other factors such as workforce development, healthcare and nutrition, economic security or access to housing and education." (DDH, 2008:774). Integrated OAP public-policy needs to be put forth, especially for women. This effort will require improved coordination between government entities, particularly with regard to the Secretariat for Social Development, DIF, Secretariat of Health, Secretariat of Labor and Workforce Development, the Delegaciones, civil society, private sector initiatives and social well-being programs.

* The DDH indicates that the IAAM purview is fairly ample. In addition to tracking progress on applications for nutritional pension on behalf of OAP, the entity is charged with the dissemination, acknowledgment and exercising of OAP rights. Purview also includes generating collaboration instruments with Federal District government entities designed to provide integrated services to OAP. Additionally, IAAM performs research and diagnostics on the social and familial contexts of the OAP, promotes healthcare initiatives and programs, sensitivity and other types of training to public servants throughout the entire spectrum of competent entities, as well as the formation and strengthening of social support networks for the OAP. (Source: Diagnóstico de Derechos Humanos del Distrito Federal, 768-769).

Within the aforementioned seven sections, the chapter on OAP rights includes 68 action lines which are numbered 2071 to 2139, which were formulated vis-à-vis 13 strategies which are summarized³¹ in the following table:

Issue/right	Lines and responsible entities	Objective and strategy
27.1 Integrated OAP legislation and policy	2071-2089	Utilize a human rights-focused approach to the design, implementation and evaluation of OAP-centered laws, public policy and budgets for older adults which permanently or temporarily reside within Mexico City. Said processes shall occur on the basis of consultative processes and a high degree of participation with organizations from civil society and members of the OAP. - Implement an integrated service plan focused on OAP rights. - Promote a culture of complaint-filing in order to guarantee the psychological and physical integrity of the OAP, as well as to prevent and address elder abuse, violence and the exploitation of said population.
27.2 OAP education rights	2090-2095	Respect, protect, promote, and guarantee under the principle of equality and nondiscrimination, the OAP right to education of older adults who permanently or temporarily reside within the Federal District. - Undertake a OAP literacy program. - Foment OAP access and permanency within various levels of educational system.
27.3 OAP right to work and workplace human rights	2096-2100	Respect, protect, promote and guarantee, under the principle of equality and nondiscrimination, the OAP right to work and workplace rights held by older adults who permanently or temporarily reside within the Federal District. ^a - Promote the right to work of OAP in conditions of dignity and taking into account individual characteristics such as age, gender and sex.
27.4 OAP right to healthcare	2101-2115	Respect, protect, promote and guarantee, under the principle of equality and nondiscrimination, the OAP right to the fullest degree of physical and mental well-being possible of older adults who permanently or temporarily reside within the Federal District. ^b - Strengthen coordination between federal and local entities (to include <i>Delegaciones</i> within Federal District) in order to improve medical care provided to older adults who permanently or temporarily reside within Federal District. - Increase universal and equitable OAP access to medical services, as well as physical and mental healthcare services. - Prevent and reduce the premature onset of degenerative disease within the population.

³¹ The table emphasizes issues which are central to the present publication. Footnotes provide references to the provisions from international instruments included within the PDHDF.

27.5 OAP right to violence-free lives	2116-2123	Respect, protect, promote and guarantee, under the principle of equality and nondiscrimination, the oap right to live violence free lives possessed by all older adults who permanently or temporarily reside within the Federal District. ^c - Eradicate acts and levels of family, social and institutional violence suffered by OAP. - Promote legal structures and mechanisms to protect OAP, victims of abuse and violence, particularly older women.
27.6 OAP right to participate in civil society	2124-2126	Respect, protect, promote and guarantee, under the principle of equality and nondiscrimination, the OAP right to participate in civil society possessed by all older adults who permanently or temporarily reside within the Federal District. ^d - Promote mechanisms of real and effective OAP participation in terms of the design, monitoring and evaluation of OAP-focused programs or OAP-related programs.
27.7 OAP right to equality and nondiscriminatory practices	2127-2132	Respect, protect, promote and guarantee, under the principle of equality and nondiscrimination, the OAP right to equality and nondiscriminatory practices possessed by all older adults who permanently or temporarily reside within the Federal District. ^e - Eradicate discrimination against OAP which constitutes a clear restriction of full access to, and exercise of, their human rights.
27.8 OAP right to social security	2133-2139	Respect, protect, promote and guarantee, under the principle of equality and nondiscrimination, the OAP right to social security possessed by all older adults who permanently or temporarily reside within the Federal District. ^f - Coordinate with federal assistance and social security entities in the execution of OAP service and support in order to create an integrated social protection system within the Federal District.

^a UN, International Covenant on Economic, Social and Cultural Rights, Articles 6, 7 and 8; OAS, Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights (Protocol of San Salvador), Articles 6, 7, 8 and 17.

^b UN, International Covenant on Economic, Social and Cultural Rights, Articles 9, 11 and 12; OAS, Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights (Protocol of San Salvador), Articles 9, 10 and 17.

^c UN, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Articles 1 and 2; OAS, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem Do Para), Article 1.

^d UN, International Covenant on Civil and Political Rights, Articles 18, 19 and 22; OAS, Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights (Protocol of San Salvador), Article 17.

^e UN, Human Rights Committee, General Comment 18; OAS, Inter-American Convention on Human Rights (Pact of San José), Article 1.

^f UN, International Covenant on Civil and Political Rights, Article 9; OAS, Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights (Protocol of San Salvador), Article 9.

Older Adult Participation Forum (EP-PAM)

Although many aspects of the PDHDF could be expanded upon within the present study, we will limit remarks to the fact that the Older Adult Participation Forum, in compliance with Chapter 27 of the OAP Rights, has been operating for 12 months and tracks 13 of the 68 action lines which comprise said chapter which prioritized its agenda items among the various civil and governmental entities within its pur-

view.³² These 13 action lines³³ comprise the action agenda where is a provide an opportunity to identify areas of opportunity and conditions necessary to initiating inter-institutional between competent entities, organizations within civil society and the PDHDF Executive Secretariat. During the second half of 2014, Older Adult Participation Forums of the RDHDF Program Tracking and Evaluation Mechanism published reports on progress made and prepared to update the DDH Human rights diagnostic, in addition to defining corresponding action lines. It should be noted that this study does not constitute an attempt to rescind any of the instruments contained herein. Instead, the idea is to update them and increase the efficiency with which the PDHDF operates through the use of lessons learned.

OAP PUBLIC POLICY: ANALYSIS AND INDICATORS ON IMPLEMENTATION

Entire spectrum of human rights indicators exist. In an attempt has been made within this study to present them within a structured and coherent conceptual and methodological framework; in this instance, vis-à-vis older adults within the Mexican context. This has all been accomplished vis-à-vis the efforts made by officials charged with respecting, promoting and guaranteeing human rights in accordance with Article 1 of the Mexican Constitution. As noted above, said Article provides the general framework which, in turn, is in complete alignment with international human rights law. As a result, this approach presumes the interdependency, indivisibility and progressivity of human rights.

The indicators proposed herein were designed as tools to analyze, as well as determine ascertain the manner and degree to which, public policy agendas serve to introduce the human rights focus which is a necessary part of a State complying with said obligations. Two types of indicators are proposed:

- a) *Structural indicators*: help to identify the acceptance, intent and commitment of the State to apply measures in order to comply with its obligations to respect, protect, guarantee and promote human rights
- b) *Process indicators*: help to quantify a State's efforts (planning and execution of action agendas and public policy) to make tangible headway on human rights issues. This implies utilizing relevant criteria in order to ensure accessed to a given right: availability, accessibility and affordability, quality, adaptability and acceptability.

³² The Participation Forums, which comprise part of the Program Tracking and Evaluation Mechanism, operate utilizing a common methodology which was created by the Monitoring Committee of the aforementioned Mechanism. More information is available on the Participation Forums, including their functions, action lines, methods and resolutions, at: <http://www.derechoshumanosdf.org.mx/>.

³³ These action agendas are concluding with a full review of results achieved during the summer of 2014 through the use of the reports filed by the respective competent governmental entities.

Although these indicators³⁴ are largely qualitative in nature, their analysis yielded statistical and numeric data from two types of sources. The first type is comprised of the development, sectorial and human-rights programs, reports and plans available online. Information requests were also filed with officials at the federal and local agencies charged with managing the various programs and plans. A third source was comprised of the studies performed by professionals. It is important to note that a fourth important source of information also existed: attendance at one of the aforementioned Participation Forums which track the progress of the PDHDF agenda proved to be especially relevant.

The indicators which were formulated included transversal human-rights principles such as nondiscrimination and equality, accountability, participation, empowerment and optimization of available resources.

From this conceptual basis, we methodologically revisited what has been come to be known as “rights in action” or “the unpacking of rights.”³⁵ This perspective involves deconstructing rights into their constituent components or attributes; a process in which, in turn, provides an opportunity to truly analyze the content of said right, as well as its essence in terms of the normative legal standards in question vis-à-vis the obligations of the State.

This general framework was initiated using the United Nations³⁶ as a benchmark whereas it has developed an entire series of indicators based upon the Universal Declaration of Human Rights. The perspective of the Organization of American States³⁷ was also taken into account. Its efforts to delineate action lines for the formulation of progress indicators on economic, social and cultural rights based on the Protocol of San Salvador proved valuable.

The table below provides an analysis of the indicators which were created.

³⁴ Indicators are not designed to measure results or impacts. Although this is desirable a necessary, it is problematic due to the absence of official data disaggregated by sex, gender and age. Additionally, Mexico's public policy planning efforts in the field of human rights are still in a fairly nascent stage, even in the Federal District where it the PDHDF has been in effect for some time.

³⁵ Serrano y Vázquez, *Los derechos en acción*, 5-6.

³⁶ United Nations, *Human Rights Indicators: A Guide to Measurement and Implementation*. 98 and 101.

³⁷ OAS, *Guidelines for Preparation of Progress Indicators in the Area of Economic, Social and Cultural Rights*.

Indicator type	Indicators
a) Structural	<p>Institutionalization of human rights focus within public policy</p> <p>Public policy or program takes into account and is based on international human rights standards which are incorporated into Constitution.</p> <p>Public policy or program includes government initiatives which are perceived as an integral part of improving the living conditions of individuals within an egalitarian and nondiscriminatory society (i.e., interrelation between social and economic policies).^a</p> <p>Initiatives undertaken as part of public policy or program include the principles of universality, interdependency, indivisibility and progressivity.</p> <p>Public policy or program incorporates criteria for: availability; accessibility; affordability; quality; adaptability; and acceptability.^b</p> <p>Public policy or program includes actions which increase an individual's ability to exercise citizenship^c in terms of: their knowledge and exercising of rights; their sense of belonging to a social and/or political community (not necessarily a political party); they use and appropriation of participation spaces and mechanisms, in everyday life as well as public affairs.^d</p>
b) Process	<p>Progress in terms of implementing human rights guarantees</p> <p>Methodologies traditionally utilized in public policymaking (planning, budgetary aspects, implementation, monitoring and evaluation) are in place and complied with, in like manner, throughout entire spectrum of governmental entities charged with carrying out social policy.</p> <p>Design of public policy or program is based on up-to-date diagnostics: profile of target population which is as disaggregated as possible, including the technical and methodological alternatives necessary to perform data cross-referencing.</p> <p>Public policy or program initiatives take into account human rights vis-à-vis international standards.</p> <p>Implementation of public policy or program includes instances, the mechanisms and procedures which foment citizen participation at some point during the program or policy's process cycle (diagnostics, planning, implementation, monitoring and evaluation).</p> <p>Enforcement mechanisms exist which ensure that the initiatives are properly disseminated and which ensure that civil society and the intended rights holders actively participate.</p>

^a This implies optimally use of resources and progressivity in terms of budgetary processes, and applies to all three branches of government: executive, legislative and judicial.

^b These are the basic elements which the United Nations has put forth in terms of compliance with the obligation to guarantee rights. For example, in this case the fact that a pension is available to OAP in no way guarantees that progress has been made in terms of their rights to interesting, healthcare, appropriate standard of living, etc. This assumes the administrative, technical and political skill sets on the part of the entities involved. Source: Serrano and Vázquez, *Los derechos en acción*, 83-98.

^c This is critical whereas a human rights focus implies acknowledging an individual as the subject of rights, a dynamic which also translates into increased economy vis-à-vis public power within democratic States.

^d These factors are of paramount importance in terms of generating societal cohesion.

Once the relevant indicators were defined, two rights were analyzed: on the one hand, the right to adequate nutrition which constitutes a priority within the federal as well as local public policy; the right to social security is also analyzed, whereas it is included in the local policy on nutritional pensions, and because it the cornerstone of policy at the federal as well as the local level.

ANALYSIS OF FEDERAL OAP PUBLIC POLICY UTILIZING AN INDICATOR ON THE INSTITUTIONALIZATION OF HUMAN-RIGHTS FOCUS WITHIN SAID POLICY

a) Public policy or program takes into account and is based on international human rights standards which are incorporated into Constitution.

The 2013-2018 PND does not explicitly reference a specific international human rights instrument as the basis of its agenda. However, it does repeatedly mention the concept of human rights and fully acknowledges commitments made via relevant international accords.

The 2014-2018 PNDH does reference a wide spectrum of international and national standards, including the 2011 human rights constitutional amendment.

The National Equality and Nondiscrimination Program for 2014-2018 proposes six objectives, and concomitant strategies, to eradicate discrimination in Mexico in accordance with the antidiscrimination clause contained in Article 1, Paragraph 5 of the Mexican Constitution.

The National Anti-Hunger Program of Mexico (PNMSH) for 2014-2018 is founded upon international human rights instruments, although a specific reference to Article 1 of the Constitution is absent. However, the Federal sectorial programs which were analyzed make no reference to the 2011 constitutional amendment on human rights; even though they make mention of the concept of human rights, clarity is lacking in terms of their explicitly declaring that their agendas include a human rights focus. The Secretariat of Social Development (Sedesol), for example, continues defining its respective target population as beneficiaries in need of being lifted out of poverty, as opposed to rights holders capable undertaking their own development.

The analysis performed on the various agendas and strategies identified a major degree of variance in terms of their respective legal bases: some reference international standards, while others reference the human rights amendment; and, some reference both, while others reference neither.

b) Public policy or program includes government initiatives which are perceived as an integral part of improving the living conditions of individuals within an egalitarian and nondiscriminatory society.

Objective 5, Strategy 5.7 of the National Equality and Nondiscrimination Program endeavors to undertake action against ageism via 10 separate action lines:³⁸

5.7.1 Foment projects and initiatives which promote intergenerational societal cohesion within communities.

³⁸ National Equality and Nondiscrimination Program (Pronaind), 67.

- 5.7.3 Increase the number of educational and cultural alternatives which are suitable for OAP.
- 5.7.4 Generate initiatives designed to reinsert respect and equal treatment of OAP into the community and families.
- 5.7.9 Incentivize and publicly acknowledge firms which incorporate young-adult and OAP measures designed to include said populations into formal and decent employment.
- 5.7.10 Disseminate good practice in terms of labor market inclusion, non-discriminatory practices in public services on the part of firms.

The Secretariat of the Interior Program (PSG), which is directed by the ministry charged with public safety within the nation, makes numerous references to the issue of human rights. The OAP-focused action lines contained in Transversal Strategy III (Gender Perspective) are summarized below:

1. In order to avoid gender-based discrimination: disseminate vulnerable women's rights, undertake affirmative action designed to eradicate discrimination, and promote affirmative actions designed to reaffirm civil identity of older women among other vulnerable groups.³⁹
2. In order to eradicate gender-based violence: promote training of indigenous professionals who would provide medical care, inter alia, to older women.⁴⁰
3. In order to drive affirmative action designed to strengthen the capacity of women to take ownership of their own social development: design employment-support schemes for OAP caregivers.⁴¹

It is interesting to note that the Sedesol Sectorial Program (PSDS) fails to propose measures which would result in better living conditions for the OAP or the rest of the population which is at risk of or living in poverty. Instead, it endeavors to protect these individuals' socioeconomic well-being by providing social security schemes.⁴²

The Secretariat of Health Program (PSS) explicitly promotes active aging measures designed to provide healthy, dignified lives for older adults and tangible improvement in quality of life levels within the OAP.

The National Anti-Hunger Program of Mexico (PNMSH) has implemented a regulatory, theoretical, technical and operational framework, even though this occurred over 12 months after the National Campaign against Hunger did so.⁴³

³⁹ Programa Sectorial de Gobernación, 70.

⁴⁰ Ibid., 74.

⁴¹ Ibid., 75.

⁴² Programa Sectorial de Desarrollo Social, 49.

⁴³ The Campaign against Hunger was launched by the administration of President Peña Nieto as "the strategy" to address extreme poverty within the nation. From its inception, the program has been severely criticized due to, inter alia, its lack of a clear definition of the concept of hunger.

Unfortunately, of the two strategies which explicitly addressed the OAP in Mexico, the Sedesol and the Secretariat of Health both propose to: “1. Promote the Universal Older-Adult Pension System among individuals within the OAP who lack the minimum income needed to protect their economic well-being”; and “3. Supplement the population of children, pregnant women and nursing mothers, as well as older adults, through the use of micronutrients (zinc, vitamin A, iron)”. As a result, the interesting aspects of the human rights-focused potential of the PNMSH anti-hunger initiative to serve the OAP (in terms of community participation, increases in food production, and the promotion of economic development and employment within zones combating extreme nutritional poverty) is completely sidestepped.

Along the same lines, the Sagarpa Sectorial Program failed to include integrated and coordinated government initiatives aimed at improving the living conditions of individuals within a society based on equality and nondiscrimination; this is to say, it fails to explicitly address the issue.

It is important to mention that an effort was made to contact the above mentioned entities in order to ascertain exactly what initiatives they had undertaken in order to comply with these action lines. Unfortunately, the replies which were received do not include any evidence of tangible initiatives undertaken to serve the OAP; this is to say, other than the nutritional pension and a limited amount of funding available to fund eldercare for older women. This serves to underline the absence of concrete action taken on the part of officials in terms of public policy planning, on the one hand; and on the other, it points to an inferior degree of monitoring and tracking of the programs within their purview, whereas they lack disaggregated data on the respective target populations which they serve.

None of the federal policy documents analyzed above distinguish between action lines, strategies or objectives focused on a particular initiative or process undertaken by other federal entities.

The analysis identified an interesting dynamic between Secretariat planning and the human-rights agenda items on the documents that were reviewed: the greater the degree of agenda specificity a given Secretariat generated, the more diluted said agenda's human rights elements became. For example, in terms of equality and nondiscriminatory practice, the majority of the sector-wide agendas which were analyzed delineate action lines designed to support women. However, they failed to generate specific initiatives aimed at serving other vulnerable groups. When the agendas do mention the issue of other groups, the terminology is not expressly human rights-focused. They opt to express the notion with verbs such as to help, to give or to benefit.⁴⁴

Although efforts have been made by entities to collaborate with other agencies when undertaking public policy making designed to deliver better living conditions to individuals within society, in the case of the older adult population, the only

⁴⁴ The sole exception is the Secretariat of the Interior's agenda (PSG).

concrete action provided is the pension for older adults who lack any other type of social security coverage.

c) Initiatives undertaken as part of public policy or program include the principles of universality, interdependency, indivisibility and progressivity.

The Sedesol sector-wide agenda mentions the elements which it considers to be of relevance to the 2011 Human Rights Amendment in the PSDs introduction. However it achieves this without explicitly referencing said constitutional amendment:

The latest generation of human rights-focused social policy assumes the obligation of the State to promote, respect, protect and guarantee social rights and the principles of universality, interdependency, indivisibility and progressivity contained within the Constitution of Mexico. As such, social policy must be constructed and implemented by a variety of agencies and entities within the Federal Government. As a result, state and municipal governments must be involved, together with the directorates in charge of their respective development agendas, programs and budgets. The latest generation of social policy is comprised of social-rights policy. It is of paramount importance to ensure headway is made in terms of ensuring that individuals have legal recourse in terms of their rights. A major restructuring of the economic and social structures (which comprise society) must be undertaken if we are to achieve the principles of universality, interdependency, indivisibility and progressivity which the Constitution of Mexico bestows upon all Mexicans.⁴⁵

Unfortunately, the action lines and strategies undertaken failed to address the aforementioned issues vis-à-vis OAP rights.

The other sectorial programs also fail to substantively address these principles; only the Secretariat of the Interior Sectorial Program (PSG) managed to include community awareness programs that addressed discrimination between men and women.

d) Public policy or program incorporates criteria for: availability; accessibility; affordability; quality; adaptability; and acceptability

All the federal policymaking documents analyzed contained diagnostics designed to gather official statistical data, and even reports and recommendations, vis-à-vis international human rights standards. However, almost none of the documents take into account criteria such as availability, accessibility and affordability, quality, adaptability and acceptability.

A notable exception is the Secretariat of Health Program, which even go so far as to acknowledge that inefficiencies exist in terms of resource use. However, this

⁴⁵ Sedesol, *Plan Sectorial de Desarrollo Social*, 23.

problem has only worsened as less medication is prescribed, fewer patients are seen and no significant data has been gathered in terms of achieving improved health care indicators within the population. Another is the PNMSH antihunger agenda, which implies access to food and which makes a distinction between rural and urban populations.

e) *Public policy or program includes actions which increase an individual's ability to exercise citizenship in terms of: their knowledge and exercising of rights; their sense of belonging to a social and/or political community (not necessarily a political party); they use and appropriation of participation spaces and mechanisms, in everyday life as well as public affairs.*

The Secretariat of the Interior agenda (PSG) acknowledges that participation rates within Mexican political life are extremely low.⁴⁶ Despite some advances having been achieved in terms of legislation, only one PSG agenda item in favor of gender equality was included as an action line. Although a few lines were included to generate participation mechanisms and increased levels of cooperation between citizen and State, nothing has been included in terms of stating what is to be done, how it is to be done and to what end. The PSG only refers to the totality of the citizenry and limits its use of the concept in terms of exercising rights by stating in Strategy 1.4 “Foment the construction of the citizenship of women and the full exercising of political rights”.⁴⁷ This same strategy is employed by the Sagarpa agenda for the agricultural sector, but it too fails to delineate any concrete action lines.

As a result, societal cohesion ends up comprising something that is merely yearned for, or which would be a great idea, or simply *au courant*; i.e., a nebulous goal unaccompanied by action. If efforts are made to at least state an intention to act on these issues, then a probability exists that progress can be made, over time, and even eventually achieved. However, the current strategy of not implementing concrete objectives is necessarily doomed to failure from the onset.

In light of the foregoing, one might say that although a concerted effort has been made to fully coordinate planning agendas throughout the entire federal government, in real terms the only thing which has been achieved thus far is a federal policy framework in which human rights-focused initiatives are fairly nebulous, whereas the *human rights focus has been diluted* as aims are delineated on said action agendas. This has occurred in place of concrete, actionable and specific items being placed on federal agendas. Additionally, federal policy is *highly segmented and fragmented* as it runs its course through the debate process, regulatory framework, budgetary processes and practical application by federal agencies. Lastly, federal policy is *largely unknown*, in terms of Federal employees being completely abreast of its specific aims and contents. Although efforts have been made to ensure that a

⁴⁶ Secretariat of the Interior, *Plan Sectorial de Gobernación*, 11.

⁴⁷ *Ibid.*, 71.

dialogue has begun in terms of intent during an inclusive and respectful discourse on human rights and gender-based issues, no specific actions have been delineated which guarantee that this conversation will be internalized by the entities charged with governance with a human rights perspective. This lack of definition has also contributed to diluted measures on the part of the government in terms of putting forth the disparate elements in public initiatives, services and functions. This translates into an inefficient, inferior public policy framework which ends up spending more financial, human and institutional resources for less than sufficient results in terms of tangible improvements in OAP quality-of-life levels.

The obligations of the State to promote, respect, protect and guarantee human rights will only begin to be met in light of the current action agendas at the secretariat level. Additionally, the current agendas will fall far short of guaranteeing an individual's right to exercise their human rights; particularly where the OAP is concerned.

ANALYSIS OF FEDERAL DISTRICT OAP PUBLIC POLICY UTILIZING AN INDICATOR ON THE INSTITUTIONALIZATION OF HUMAN-RIGHTS FOCUS WITHIN SAID POLICY

a) Public policy or program takes into account and is based on international human rights standards which are incorporated into Constitution

Neither the PGDDF nor the PDHDF are founded upon international human rights standards. However, both do make reference to set standards and include a human rights focus which pervades their entire content and methodology, and both are founded upon the precepts of international human rights law.

While the PGDDF and PDHDF cite Article 1 of the Mexican Constitution, both predate the 2011 constitutional reform.

b) Public policy or program includes government initiatives which are perceived as an integral part of improving the living conditions of individuals within an egalitarian and nondiscriminatory society

The PGDDF and PDHDF were conceived as efforts to achieve inter-ministerial planning aimed at improving quality of life levels for individuals residing within Mexico City. Only the PDHDF delineates which governmental agencies are charged with carrying out the OAP-focused action lines.

Unfortunately, in terms of public outlay, there are no indications that the action lines laid out in both instruments possess the funds necessary to achieve said objectives. The sole exception to this dynamic is the Older Adult Nutritional Pension.

c) Initiatives undertaken as part of public policy or program include the principles of universality, interdependency, indivisibility and progressivity

Both instruments address human rights. The PDHDF utilizes an in-depth theoretical and methodological approach, while the PGDDF is decidedly less exhaustive in terms of its references to the above principles.

d) Public policy or program incorporates criteria for: availability; accessibility; affordability; quality; adaptability; and acceptability

Both instruments utilize some of these criteria, but neither does so in a methodical manner (or at least via the use of accessible data with which one might said conclude that criteria is in place).

e) Public policy or program includes actions which increase an individual's ability to exercise citizenship in terms of: their knowledge and exercising of rights; their sense of belonging to a social and/or political community (not necessarily a political party); they use and appropriation of participation spaces and mechanisms, in everyday life as well as public affairs

Both agendas contained a specific intent and focus. However, the challenge of specifically delineating actionable items aimed at achieving increased levels of active participation among the citizenry is not addressed. As a result, the aim of increasing societal cohesion remains, to date, an aspiration.

ANALYSIS OF FEDERAL AND FEDERAL DISTRICT OAP PUBLIC POLICY UTILIZING AN INDICATOR ON PROGRESS MADE ON IMPLEMENTATION OF HUMAN-RIGHTS GUARANTEES

a) Methodologies traditionally utilized in public policymaking (planning, budgetary aspects, implementation, monitoring and evaluation) are in place and complied with, in like manner, throughout entire spectrum of governmental entities charged with carrying out social policy

- *Federal government:* Unfortunately, all of the sector-wide agendas, as well as the National Anti-Hunger Program of Mexico (PNMSH), failed to utilize the integrated approach used in the PNDH national human rights agenda. Although the methodology and attempts to follow same are similar, the results have been quite different in terms of promoting the implementation, monitoring and evaluation of federally-funded OAP initiatives.
- *Mexico City government:* At the local level, OAP-focus policy is the express purview of the IAAM. Although said policy is not consistent throughout all municipal agencies, mechanisms do exist which has gradually facilitated

adherence to the PDHDF on the part of same. No further publicly-available data is available with which to perform a more in depth analysis of this process indicator. No access was gained to the sector-specific agendas which should have been produced vis-à-vis the PGDDF.

b) Design of public policy or program is based on up-to-date diagnostics: profile of target population which is as disaggregated as possible, including the technical and methodological alternatives necessary to perform data cross-referencing

- *Federal government:* All the programs utilize a diagnostic tool to address the issues within their respective purviews and via the latest national data available. However, the majority of agendas, as acknowledged in the Pronaind and PNP, failed to delineate diagnostic criteria which were clear enough to adequately orient action lines to specific population groups.
- *Mexico City government:* Both programs have diagnostic information. However, they lack the elements required to determine what information sharing exists between local public agencies.

c) Public policy or program initiatives take into account human rights vis-à-vis international standards

- *Federal government:* Each of the programs studied included a section entitled Regulatory Framework, in which the judicial orders, and in some cases only national decrees, upon which their respective objectives, strategies and action lines were based.
- *Mexico City government:* Although each of the programs analyzed possesses a human rights perspective and focus, they do not consistently comply with the obligation of guaranteeing the right to nutrition, social security and participation.

d) Implementation of public policy or program includes instances, the mechanisms and procedures which foment citizen participation at some point during the program or policy's process cycle (diagnostics, planning, implementation, monitoring and evaluation)

- *Federal government:* Based on the PND (which was generated utilizing proposals from the citizenry received via web, at town halls, sector-wide meetings and interactive surveys), these programs were executed vis-à-vis the preoccupations and proposals put forth by individuals who demonstrated interest in participating in their preparation. In terms of implementation, monitoring and evaluation, instrument state that organizations from within civil society will participate in the implementation, monitoring and eval-

uation of same, in addition to possessing the ability to put forth new proposals which contribute to the achievement of the action lines, as well as providing an opportunity for community participation. However, all fail to delineate the manner in which both types of participation are to be achieved.

- *Mexico City government:* Although participation mechanisms are in place and functioning, there is much room for improvement in this area.

e) *Enforcement mechanisms exist which ensure that the initiatives are properly disseminated and which ensure that civil society and the intended rights holders actively participate*

- *Federal government:* Enforcement mechanisms appeared to be fairly limited by two factors. The first involves the fact that the programs do not possess clear operating guidelines which provide an opportunity to authoritatively emit an opinion on the implementation and impact of the initiatives involved. The second factor involves the lack of transparency which, at times, impedes or completely obstructs attempts to achieve accountability on the part of the government; a factor which, in turn, impacts directly upon a citizen's ability to demand their rights at a given agency or within the courts.
- *Mexico City government:* Neither of the two instruments analyzed possessed clear operating guidelines which provide an opportunity to authoritatively emit an opinion on the implementation and impact of the initiatives involved. The second factor involves the lack of transparency which, at times, impedes or completely obstructs attempts to achieve accountability on the part of the government; a factor which, in turn, impacts directly upon a citizen's ability to demand their rights at a given agency or within the courts.

CONCLUSIONS AND RECOMMENDATIONS

This analysis on federal public policy was achieved through the use of an especially effective filter: OAP-focused social policy. Several problems were identified during the policymaking phase, which is then resulted in practices which were inefficient or unable to achieve the goals set forth in the 6-year action agendas; particularly with regard to progress made on the issue of OAP human rights. The clearest example of this dynamic is that all of the programs, including the all-important PND, failed to establish the manner in which action lines would be achieved. This is to say, they failed indicate what resources would be used to fund initiatives and what action would be taken to achieve a given action line. Additionally, all attempts to gather information at the ministerial level within the Mexican government, yielded

replies which failed to fully answer the questions put forth; some officials also replied that they were unaware of how to even answer the issues addressed within the information request.

Another problem is that although the instruments analyzed due to obtain a section on indicators to be used to measure and evaluate the initiatives put forth on the respective agendas, they proved insufficient or simply unsuited to the task at hand; i.e., unable to yield the size and well-defined data. This dynamic is also the result of a lack of clarity regarding the implementation of the strategies and action lines put forth within said instruments. Predictably, this all served to impede the process of evaluating the true level of impact initiatives had within their respective target populations.

We wish to emphasize the fact that the PND, Secretariat-level agendas and the National Anti-Hunger Program of Mexico (PNMSH) all include a clear intent on the part of the federal government to undertake actions which are to be saved to the full exercising of human rights and, as the case may be, address human rights violations and prevent said violations from recurring. Unfortunately, no actionable items were included in these instruments to achieve said aims. Although Article 1 of the Mexican Constitution, which declares the obligation of the State to promote, respect, protect and guarantee human rights, comprises the basis of their regulatory framework, the aforementioned instruments failed to explicitly cite same. Additionally, the action agendas do not utilize Article 1 as a starting point during the planning or implementation phase of their human-rights agenda items. Additionally, many of the strategies included within the instruments are directed at what they term “vulnerable groups”. When delineating action lines, however, many vulnerable groups are left outside of the discernible purview of the instruments. This dynamic would seem to reinforce the opinion⁴⁸ that they lack a conceptual framework capable of producing focused action lines which have tangible and positive outcomes within a targeted group.

The National Crusade against Hunger (CNCH) presents a variety of shortfalls in terms of structuring and implementation as a result of two major factors. Firstly, its strategies and action lines were developed during the period after the program was launched.⁴⁹ Additionally, it should be noted that while the CNCH identifies its target population as the 7.4 million individuals living in poverty and extreme poverty, its scope is limited to 400 municipalities throughout the nation. This means that the population living in other cities and townships within Mexico are not covered by the program.⁵⁰

⁴⁸ See section on Pronaind under “Federal Public Policy” heading.

⁴⁹ The public launch of CNCH occurred on 21 January 2013 in Las Margaritas, Chiapas. The initiative’s action agenda, entitled *Plan Nacional México Sin Hambre*, was not included in the Congressional record (*Diario Oficial de la Federación*) until April 30, 2014.

⁵⁰ No data is available on the number of inhabitants within these 400 municipalities covered by CNCH. As a result, no information is available on the size of the population which is not covered by the anti-hunger initiative.

The Coneval published in evaluation of the CNCH entitled *Diagnóstico del Diseño de la Cruzada Nacional Contra el Hambre*.⁵¹ In its analysis, Coneval asserted that “the (Crusade) fails to clearly specify the exact nature of the problem.”⁵² Although the theoretical framework the initiative states that a primary objective is to overcome the poverty and extreme poverty faced by 7.4 million inhabitants, the inclusion of other objectives within the decree which created the Crusade (*Decreto de Creación de la Cruzada*) may have confused the design of the strategy.⁵³ However, Sedesol has apparently generated a great deal of data on the Crusade. For example, in its rebuttal it states “even though the amount of data appears limited, in reality it is larger than it appears whereas a significant number of documents have not been made public.”⁵⁴ Coneval also states that, inter alia, “the mechanism and criteria as utilized for the establishment of midterm goals (i.e., goals to be achieved by 2015) and six-year goals appear to be fairly (unclear).”⁵⁵ These findings allow one to assert that – even when taking into account the fact that the initiative was generated on the fly – the initiative’s action agenda is incomplete and nebulous. This is an especially serious issue when one takes into account the fact that critiques of the Crusade have been met with the apply that problematic areas will be addressed via modifications to future versions of the initiative. Additionally, the Crusade was never intended to be a long term solution. It states as much in its Logical Framework Matrix, in which it mentions that it was only designed to address the period 2015-2018.⁵⁶

The only program which is specifically OAP-focused is the Older Adults Pension. Unfortunately, there are no means to ascertain exactly what degree of impact the initiative has had upon the target population in question. As stated previously, the Older Adults Pension operates upon the premise that older adults possess other income sources. As a result, the pension provides a monthly benefit which falls well below what an individual needs to cover even the most basic necessities of nutrition; i.e., fails to cover the products contained within the so-called *canasta alimentaria*. This “basket of basic foodstuffs” costs MXN \$853.60 in rural contexts and MXN \$1,225.16 in urban areas. In other words, the pension does not even cover the *Línea de Bienestar* (indicator comprised of basic nutritional and non-nutritional well-being factors) which is MXN \$1,596.39 in rural zones and MXN \$2,518.65 in urban centers. A benefit of MXN \$1,600.00 which is paid out every two months barely covers this minimum well-being floor. It is completely insufficient in the case of older adults living in urban settings. The problem becomes even more serious

⁵¹ Sedesol, *Diagnóstico del Diseño de la Cruzada Nacional Contra el Hambre*. October 2013. Available at: http://www.coneval.gob.mx/Informes/Evaluacion/Cruzada%20contra%20el%20Hambre/DIAGNOSTICO_DISE%C3%91O_CNCH_OCTUBRE_2013.pdf

⁵² Ibid., 87.

⁵³ Ibid., 89.

⁵⁴ Ibid., 94.

⁵⁵ Ibid., 107.

⁵⁶ Further details are available at: http://www.Sedesol.gob.mx/work/models/Sedesol/Cruzada/6_MATRIZ_DE_MARCO_LOGICO_DE_LA_CNCH.pdf

when one takes into account that the program is included within the list of objectives and strategies designed to ensure the social security of older adults who lack guarantees in terms of this basic human right.

In light of the foregoing, the OAP is clearly perceived as a group of individuals to whom society owes an additional benefit and not as a group of rightholders who are owed access to certain basic tools and resources needed to ensure that they are able to escape the poverty which besets them. Therefore, despite a great deal of planning in an effort to incorporate international standards into its legal framework, the Crusade continues to utilize a benefits-based, rather than rights-based, approach. As stated, it is also woefully inefficient.

Similar to many other programs around the globe which are (or once were) primarily extreme poverty or poverty-eradication initiatives, the Crusade lacks the necessary action lines required to achieve its objectives. This problem becomes even more serious when this dynamic impacts ministerial agendas or initiatives' logical frameworks which are ostensibly aimed at addressing the issue of human rights. Furthermore, though founded upon international instruments, the standards chosen were not the highest available.

The solution to the problem of poverty and extreme poverty requires strategies which truly impact the lives of individuals through the following: fomenting participation in food production, providing enough income to cover basic nutrition requirements, and/or by generating access within their local area to their rights; or by generating, through participative decision-making processes, a wide spectrum of options to increase income, fomenting the creation of jobs which pay decent and sufficient wages, etc.

Human rights-focused efforts cannot be reduced to initiatives such as those included in the social development strategy undertaken within Mexico under the leadership of the Secretariat for Social Development (Sedesol). They should also never been reduced to a litany of promises which lack the political will to ever be achieved, and/or which fail to produce tangible data on program results.⁵⁷

With regard to the analysis performed on the body of OAP-focused public policy within Mexico City, the policies contained within the Human Rights Program (PDHDF) chapter on OAP human rights and the PGDDF in no way constitute an actionable guarantee which will serve to further the ends of all APEC human rights. This is despite the fact that efforts have been made to include a human rights perspective and focus within these two public policy agendas. Public servants working to achieve the goals set forth on their respective action agendas lack access to

⁵⁷ In contrast, according to preliminary results presented at the IX Latin American Association of Rural Sociology (ALASRU) a number of recent studies are underway by social researchers which indicate that the current body of public policy put forth by States has only served to generate inequality within small communities. This has occurred, even as policy has provided lipservice to the international discourse on human rights and citizenship, thus only perpetuating oppression and subordination. In fact, this dynamic has only served to make these two factors simply appear to be part of the natural state of things within society.

training in terms of determining what human rights are and in terms of what said agendas seek to prioritize and achieve in a given public servant's purview.

The problems with the implementation of the PDHDF and PGDDF are not limited to personnel training issues, however. A major setback has been the manner in which the PDH Evaluation and Tracking Mechanism has operated. Due to the high volume of action lines, the PDHDF's effort to prioritize each and every agenda item has resulted in almost no headway being made on any.

For its part, the PGDDF lacks the necessary mechanisms to guarantee that the ministerial action agendas throughout the municipal government incorporate a human rights focus. As a result, the foundations of a true human rights platform remain at the theoretical level. At other times, they end up as senior recreational activities or items on a Secretariat action agenda; although both play well for the incumbent party during election season.⁵⁸

The authors are not unaware of the levels of public outlay involved in the Universal Nutritional Pension,⁵⁹ as well as progress made in terms of improved medical care for OAP beneficiaries through the use of house calls. However, these efforts only serve to underline the lack of progress made to date in terms of guaranteeing OAP human rights. This is especially so, when one takes into account the number of years that the Universal Nutritional Pension and PDHDF have been operational, the existence of the tracking mechanism and the inclusion of the pension on the PGDDF, which constitutes the primary social development agenda in the nation's capital.

However, a tangible desire exists among public servants in attendance at the Tracking Mechanism's participation forums to truly understand what human rights focus is made up of and what it means for society. This dynamic was also observed among professionals working at the IAAM, and comprises more than just good intentions. Unfortunately, there is no indication that the necessary institutional steps will be taken in all of the entities involved to effectively address this shortfall in the near-term.

⁵⁸ This study does not constitute an in-depth analysis of the entire spectrum of initiatives within the IAAM purview. Several IAAM initiatives have launched truly innovative strategies which have increased OAP participation in terms of defining recreational activities. Furthermore, the study was not designed to ascertain what level of impact the initiatives have had on municipal or national election results; particularly in terms of the nutritional pension.

⁵⁹ Studies exist which have been evaluated the internal workings of the competent entities charged with executing the Nutritional Pension initiative within Mexico City. Other studies have evaluated the more theoretical aspects of the initiative.