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CENTER OF STUDIES ON IMPUNITY AND JUSTICE (CESIJ)

UNIVERSIDAD DE LAS AMÉRICAS PUEBLA

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INTRODUCTION

Mr. Luis Ernesto Derbez Bautista, PhD

PRESIDENT OF THE UNIVERSITY OF THE AMERICAS PUEBLA (UDLAP)

The construction of new statistical models to comprehend the gravest problems of humanity has never been an easy task. And that is why we praise the UDLAP's leading effort on the qualitative and quantitative analysis on impunity worldwide.

On April 20, 2015, the Center of Studies on Impunity and Justice (CESIJ) presented the 2015 Global Impunity Index (GII 2015), an analysis developed by researchers of the Department of International Affairs and the department of Political Science of the UDLAP with accompaniment of outstanding academics from top universities in Mexico and specialists, and also with the participation of the students from the Excellence Program and interns of our University. This has been an authentic governance effort that involved a dialogue process with specialists, United Nations international bodies, public institutions, media outlets and social leaders. I would like to particularly acknowledge the contribution of the Citizen Council of Security and Justice of the State of Puebla (Consejo Ciudadano de Seguridad y Justicia del Estado de Puebla) and salute its commitment with the development of this research project of international reach. The President of the Council, Mr. Andrea Ambrogi Domínguez, has actively promoted this project that contributed in an important fashion to the understanding of a crosscutting issue to security and justice: impunity.

The 2015 presentation of the GII revealed the need to apply the same methodology within Mexico, in order to understand the roots of impunity in the country, specially taking into consideration that Mexico ranks penultimate amongst the analyzed countries. Thus, the CESIJ undertook this project and after nine months of research, discussions with specialists, gathering of information, processing and analysis we can now present the Mexico Chapter of the Global Impunity Index.

The Mexico Impunity Index (IGI-MEX) is the result of a qualitative analysis of official data, as reported by security and justice institutions of the states of Mexico to INEGI. We would like to acknowledge the work of INEGI on these topics. We also underscore how fundamental it is that our country remains a worldwide leader in the creation of information that contributes to the understanding of social and political problems, as well as security and justice.

Impunity is a variable that is the source and consequence of other national problems such as insecurity, violence, corruption, economic development and even social inequality. For this reason, the comprehension of the causes that lead to impunity in all the states of the country becomes fundamental. The results of this research aim to contribute to the development of new approaches that allow a better understanding of the performance problems of our justice system and public security system, and also to promote the respect and protection of human rights. We also want to contribute to the construction of solutions —from the academy, supported on scientifically-based evidence and methodological rigor— that allow the gradual reduction of serious problems in the areas of security, justice, and human rights violations that Mexico confronts.

The fact that many national and international key academic institutions analyzed and commented the results of the 2015 GII was encouraging. Such analysis was discussed on specialized conventions and associations, social organization, agencies from the United Nations, Inter-American Development Bank, the Executive Commission for the Attention of Victims, Federal Congress and several local-level congresses. In 2016, we will further engage in dialogue and feedback of our work, based on your comments, observations and critiques.

For 75 years now, the UDLAP has kept its mission of contributing to the formation of excellence professionals and to the generation of scientific knowledge in benefit of Mexico and the world. The creation of the Global Impunity Index and the Mexico chapter is an example of our commitment with the academia and excellence research in benefit of Mexico. Thus, I can only congratulate the researchers and students of our University for their dedication and effort during the development of this project.

FOREWORD

Hon. Andrea Ambrogi Domínguez
PRESIDENT OF THE CITIZEN COUNCIL OF SECURITY AND JUSTICE OF THE STATE OF PUEBLA
HON. PRESIDENT OF THE COUNCIL OF THE CENTER FOR STUDIES ON IMPUNITY AND JUSTICE
THE UNIVERSITY OF THE AMERICAS PUEBLA

Society cannot bear sufficient the values and principles of its members in order to guarantee a harmonic and respectful coexistence. We require safeguards ensuring that the antisocial acts of individuals will be punished; we must also raise awareness of potential retribution in our communities.

The crises of insecurity, violence and corruption, as well as the human rights violations that persist in the country have a clear root: impunity. When criminals confirm time and again that they can break the law without punishment, they find an incentive to engage in illicit activities and maintain a status quo that allows them to survive.

Therefore, over the past two years, the Center of Studies on Impunity and Justice has focused on the development of studied and propositions that allow our country, as well as other countries to make of impunity the main point of attention of their public policies to counter crime and corruption.

Thus, in April 2015 we presented the Global Impunity Index, an analysis that for the first time makes an international assessment of the installed capacities and public policies of the States to sanction crimes. Based on this project, we developed a similar methodology for Mexico. Today, we present the results of such analysis.

The development of the Global Impunity Index-Chapter Mexico is the result of our interest in the analysis and measurement of the elements that encourage this phenomenon in the states of our country; and it aims to be a tool for the design of public policies that ultimately result on its eradication. Only by knowing the causes that permit that crimes go unpunished we can create the conditions to avoid impunity.

Once more, I thank the effort and dedication of PhD Luis Ernesto Derbez Bautista, as well as the professionalism of PhD Juan Antonio Le Clercq and Professor Gerardo Rodriguez Sánchez Lara; and the valuable work of the researchers of the Center, without all of your work this document had never been possible.

I am confident that the Global Impunity Index-Mexico will be a light that leads the creation of public policies that eradicate this problem and that such policies will allow our coexistence in a peaceful society for our families.

ACKNOWLEDGEMENTS

the work of all the academic and administrative areas of the UDLAP for their contributions that made this project possible.

Throughout year 2015, the Global Impunity Index was presented and subject of analysis in the most important national and international forums. However, the construction of a new econometric model must acknowledge modestly its scope and limitations. Thus, we would like to thank the feedback we received from the University of Texas in San Antonio, in the headquarters of the World Bank in Washington DC, during the permanent workshop on security of the Friedrich Ebert Foundation from Germany, in the seminary on Security, Citizenship and Violence in Latin America of the ITAM, and from Federal Congress, the Executive Commission for the Attention of Victims and the Congress of the State of Puebla.

Finally, we thank the priceless support from all the students and former students of the UDLAP that have participated throughout these two years in the construction of the Global Impunity Index and the Mexico chapter. We are enthusiastic and encouraged by the student debate and the active participation in the construction of new analysis tools that contribute to the understanding of the most important social problems worldwide and in Mexico.

JUAN ANTONIO LE CLERCQ ORTEGA, PhD

GERARDO RODRÍGUEZ SÁNCHEZ LARA, MPP

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EXECUTIVE SUMMARY

- The Mexico Impunity Index (IGI-MEX) was developed after the theory model on impunity and quantitative methodology of the 2015 Global Impunity Index (IGI).

- Impunity is multidimensional. This is, impunity is a phenomenon resulting from several dimensions of State tasks such as citizen security, prosecution and administration of justice, the optimal performance of penitentiary centers and the protection of human rights.

- Impunity is the result of several causes, and it begins with the prosecution of a crime, until such crime is punished and victims granted with reparations for the caused damage. There is a statistical correlation between corruption levels and social and economic inequality.

- Impunity surges from the malfunctioning of the security, justice, and human rights dimensions, both at national and state level.

- All branches of government (executive, congress, and the judiciary) from the three areas of government (federal, state level and municipal) must address the problem of impunity.

- Impunity is a governance problem. In other words, impunity has exceeded the capacity of all branches of governments that cannot address it as an isolated situation. The participation is non-state actors, such as civil society, the private sector, the academy, media outlets and international organizations becomes fundamental.

Why developing an Impunity Index for Mexico

- Mexico ranks 58th of the 59 countries with the highest levels of impunity measured in the IGI. Impunity is amongst the top ten problems Mexican society is facing, according to the national polls of INEGI (ENVIPE).

- Impunity in Mexico has structural and functional roots throughout the 32 states. Thus, the roots of impunity must be tracked at local level.

- Mexico counts with sufficient, necessary and quality information to design reliable statistical models and new tools of quantitative measurement. For this reason, our country was the first case study at international level that we choose to comprehend the roots of impunity at local level (subnational entities).

What is the Mexico Impunity Index?

- It is a compound and complex index. It is compound because it includes information on three different dimensions of the impunity Sequence: unreported crimes (dark figure of crime), as well as the functioning and capacity of the justice system and the security system.

- It is a complex index because it consists on an econometric model with 19 variables. We think that complexities of impunity must be explained; impunity must not be explained just as the result of crimes perpetrated divided by the number of convictions.

Is there Statistical Impunity in Mexico?

- Unlike the Global Impunity Index, the IGI-MEX does not include the human rights dimension. Due to the statistical measurement of the state level human rights commissions, such dimension was not measurable.

- Statistical impunity exists on some states, but not nationwide. The development of the IGI-MEX was possible due to the reliability of the statistical information from INEGI, based on information coming from the states of the country. However, there is an atypical situation in the State of Michoacán for year 2013.

- Michoacán is an atypical state in terms of impunity before and after 2013, the year under analysis in the IGI-MEX. This is shown in the qualitative analysis, and public observations from government actors, national human rights authorities and civil society organizations. Information on security and justice prior and after the year 2013, raises serious accuracy concerns.

Main Results

- Only 7 out of 100 crimes are reported to authorities in Mexico. As of 2013, the percentage of unreported crimes (*cifra negra*) was of at least 92.8% (ENVIPE).

- According to Mexicans, the two main reasons why they do not report crimes to authorities are: waste of time and lack of trust in authorities (ENVIPE).

- The underlying reasons to the lack of reporting of crimes are the structural and functional problems of justice, security and human rights instances.

- Impunity indexes in the states of Mexico reveal that, sadly, impunity is a generalized problem in the country. The impunity variance in 26 states of the country is of barely +/-5.73 points.

- For the overall number of perpetrated crimes the percentage of convictions is of 4.4%, leading to 95% of impunity in cases where authorities proved the perpetration of crimes.

- By comparing the number of perpetrated crimes with the number of underreported crimes (*cifra negra*), the "plain" percentage of impunity, namely, those crimes without punishment, is of 99%. This is to say that less than 1% of crimes in Mexico are punished.

- The national average of magistrates and judges at local level is of 3.5 per each 100 thousand inhabitants. The national average in countries included in the IGI is of 16. The failure of the judiciary in timely solving cases in Mexico is shocking and it is a reflection of the situation of judiciaries at local level.

- There are 20 penitentiary officers in local prisons (CERESOS) for each 100 inmates. The average in countries included in the IGI is of 47 for each 100. Overcrowding in local prisons in Mexico is of 30% compared with the installed capacity of its facilities. Average overcrowding worldwide is of 17%. Mexico doubles overcrowding compared with the average worldwide.

- 27.5% of reported homicides reach an instance of prosecutorial investigation in state level prosecutions or *fiscalías*.

- The percentage of inmates without conviction in first instance reaches a national average of 35.7%

- Results reveal the existence of four groups/levels of impunity. Most of the states of the country rank in the groups/levels of high impunity and very high impunity.

- National average of impunity is of 67.42%, which is very high and corresponds to the last third of the IGI-MEX. Only 10 states of the country have an impunity index below the national average.

- The distance between impunity levels within states is minimal; 24 states are 10 points away from the lowest rank.

- Nationwide, the justice system is the sub dimension with the worst performance, followed by the security system.

- The analysis of the impunity Sequence reveals institutional ineffectiveness and inefficiency throughout the prosecution and judicial procedure.

Who is to be Held Accountable for Impunity in Mexico?

- The Mexican State is responsible of the reported high levels of impunity. The concept "State" does not refer only to the Executive, which is in charge of the security system, the investigation of crimes, the administration of prisons and the protection of human rights.

- The Federal Congress has the responsibility to adapt the legal framework to impede legal loopholes that allow impunity; it also has the authority of budget appropriation for the security system and the justice system, and must audit for good expenditure practices and results of such systems.

- State level congresses bear responsibility in assigning sufficient resources for justice and security and to improve mechanisms for the assessment of results and supervision of proper expenditures in both areas.

- The judiciary must be independent from political power in delivering prompt and efficient justice. State level governments and local judiciaries are the focal point for justice, security and the protection of human rights in order to reduce impunity.

- Organized crime and impunity are related. The six states that requested the support of federal authorities to counter organized crime and that, as of 2007, have carried out joint security operations with federal and local authorities, impunity levels are high (Baja California, Guerrero, Michoacán, Nuevo León, Tamaulipas, and Durango). The other two states (Sinaloa and Chihuahua) have high and intermediate/medium impunity levels, respectively.

- Finally, a modern State has an active civil society that demands accountability from its authorities. In this sense, civil society organizations, entrepreneurial associations, universities, media outlets and autonomous constitutional institutions must contribute to the analysis and evaluation of public policies on security and justice.

CONCLUSIONS

The following conclusions are based on the qualitative and quantitative research of the CESIJ, and the dialogue with experts that participated in different academic meetings on impunity.

- Impunity fuels corruption, increases insecurity and creates more violence. Countries with high corruption levels are prone to human rights violations within their territories.

- States of the country should not carry out plain comparisons to solve their impunity problems, even when impunity in Mexico is generalized. Each situation must be analyzed in its own context, according to the best national and global practices.

- Low impunity levels lead to more economic welfare. States with lower impunity levels are more prone to receive investments from the private sector, to encourage the establishment of small and medium-size enterprises; increasing the creation of employments and improving levels of economic welfare of their population.

- Justice and penitentiary institutions must be subject to higher levels of evaluation by local congresses and from society in general.

- Penitentiary overcrowding as well as human, material and technological shortages in social readjustment centers encourage corruption and infringe security.

- State level judicial authorities must be completely autonomous from the executive. However, an increased autonomy does not automatically mean less opacity or lack of evaluation or public scrutiny. To the contrary, state level judicial authorities must advance their transparency and open government policies.

- Organized crime and impunity are related. The States of the country with important presence of organized crime have very high impunity levels (Baja California, Guerrero, Michoacán, Nuevo León, Sinaloa, Tamaulipas, and Durango). Chihuahua is below the average impunity levels of the country. In these States federal and state level government implemented joint operations due to the presence of important organized crime groups.

- Problems of statistical reliability of state level human rights commissions: the team in charge of the IGI-MEX considers that statistics on grave human rights violations from local human rights commissions are not reliable and therefore they were not included in the construction of the Index. Allegedly, most of the local human rights commissions have not adapted to the 2011 constitutional amendments. The CESIJ will carry out further research on the issue that could reveal a problem of lack of autonomy of local human rights commission, which would worsen statistical impunity in human rights issues. However, the special reports of the National Human Rights Commissions on grave human rights violations and impunity cases will be used for quantitative and qualitative analysis of the Center.

- International cooperation can reduce impunity levels. Countries that have accepted international cooperation as well as the assessment of their policies to improve their security system and justice system, and Eastern Europe countries recently accepted into the European Union have made major

progress in the reduction of impunity over the past years. The involvement of the United Nations in Guatemala to comprehend the problem of impunity is another successful case under analysis. Therefore, we strongly suggest that the Mexican State accepts the recommendations from international and regional organizations specialized in security, justice and human rights.

RECOMMENDATIONS

- To implement an authentic system of professionalization of security institutions at local level. The new criminal justice system may fail if the operative and administrative elements of local security systems are not duly trained and do not have a functional professionalization system that reduces space for corruption and impunity.

- To revise the autonomy, capacities and functioning of justice institutions at local level. Magistrates and judges at local level must ensure their independence from political powers of the State.

- To guarantee the political autonomy of the Autonomous General Prosecution (*Fiscalía*) and state level *Fiscalías* pursuant mandates set forth in the Constitution.

- To evaluate the capacity and functioning of the current penitentiary system in the light of changes to the new criminal justice system.

- To revise the autonomy of state level human rights commissions vis-à-vis political power. Assess their performance in the light of the 2011 constitutional amendments and harmonize the production of statistical information nationwide.

- Limit to the extent possible loopholes on the legal framework of public servants at federal, state, and municipal level. Likewise, firmly punish private agents that contribute to corruption and conflict of interests in the government.

- Accept and implement the recommendations on security, justice and human rights that the United Nations, the Inter American System and the National Human Rights Commission address to the Mexican State. To analyze and follow up the recommendations from different civil society organizations and the academy on these issues.

- Strengthen the Specialized Prosecutions for grave crimes. Crimes affecting society the most and are not punished foster the phenomenon of impunity.

- To promote and protect independent journalism.

- To impose law-based and exemplary sanctions in cases of conflict of interest of public servants concerning the use of public resources or legal capacities.

- To promote public policies of day-to-day justice. While this type of justice excludes criminal offences, it is important to promote justice in labor, family, civil, commercial, community and administrative issues. When persons do not have access to justice in these social areas, criminal justice can be obstructed.

- To promote open government initiatives. Free citizens promoting access to information platforms, with public and private data, can reduce corruption and impunity in both, authorities and private actors. Therefore, they promote social and economic welfare at individual and collective level.

- Improve the interagency cooperation and coordination mechanisms between authorities and levels of government. Local authorities are the main responsible for the security and justice of their population. Regrettably, the historical, national and geographical conditions have encouraged organized crime, insecurity and violence. State level and municipal governments cannot wield their vulnerable situation on external conditions. Authorities from the three levels of government must cooperate and coordinate their efforts and resources on security and justice issues.

- To strengthen and grant more autonomy to the evaluation areas on security, justice and human rights within the National System of Public Security, the Federal Council of the Judiciary and the National Human Rights Commission.

- To implement the recommendations on public security of the Federal Audit Authority (ASF) in the states and at federal level. To take before courts cases where the Federal Audit Authority has denounced probable illicit acts from public servants concerning the use of public budget and public security functions. It is fundamental to improve the audit of resources in security matters and to unify the criteria to evaluate the use of public expenditures.

- To implement effective evaluation mechanisms. It is fundamental to guarantee the assessment of the public security system and justice system, from the stages of planning and implementation to the management process. Likewise, an impact evaluation that determines whether or not implemented actions reach the wanted goals is required.

IMPUNITY IN MEXICO

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THE GENERALIZED SCOPE OF IMPUNITY IN MEXICO

The presence of deep and extended impunity is a recurrent subject in the public debate and specialized analysis in Mexico. This pathological phenomenon has extended to the point that it is assumed as something natural or unavoidable in the public space; we could even say that it has been internalized as part of the day-to-day reality in Mexico. In this logic, generalized impunity leads to perverse incentives in the system and, regularly, any type of crime or offence, whether big or small, goes unreported, uninvestigated or unpunished. To break laws is a socially accepted act, a game consisting on not respecting laws and avoiding being caught by authorities. If by any chance a crime perpetrator is identified, the most likely situation is that some of the involved parties (authorities or citizens) search for an alternative way out other than law. When a citizen is a victim of crime, access to justice implies a long a complex path to report the crime to authorities, opening an investigation and sanctioning perpetrators.

This is a behavior deeply entrenched in the security and justice systems in the country, and is not exceptional. National and international actors have acknowledged this situation. In his last visit to Mexico, the United Nations High Commissioner for Human Rights stated that, based on official data, most of crimes perpetrated in our country are not solved and actually are not properly investigated. Regrettably, this behavioral pattern is contrary to the democratic Rule of Law, it is repeated throughout the states of the country and reproduced in several legal definitions of crimes.[1]

This is a phenomenon that fosters and multiplies the negative effects of other equally complex problems such as insecurity, violence, and unequal access to justice and human rights violations. The high impunity rates that characterize Mexico have increasingly affected the institutional performance and the worrisome discredit of political actors. The disappearance of the students from the rural teacher's school Raúl Isidro Burgos of Ayotzinapa, the alleged extrajudicial killings of Tlatlaya, Apatzingán or Tanhuato, the jailbreak of Joaquín Guzmán Loera, the conflict of interest of the presidential staff, the daily exposure to corruption and influence peddling cases, as well as the collusion of public servants with criminal organizations, show the grave consequences of a phenomenon extended in the public sphere, across all the levels of government.

In this regard, the words of the Guatemalan Prosecutor during the presentation of the project on a system for the measurement of impunity of the International Commission against Impunity in Guatemala bear importance: impunity means that the State is failing in its obligation of granting access to justice to the population (…) it reproduces a culture of impunity as those violating people's rights do it with the conviction that the probabilities of being held accountable for their actions are minimal (…).[2] Therefore, as stated in the Global Impunity Index 2015 (IGI 2015), impunity is not an isolated situation, that can be assessed out of its own social and political context. Impunity cannot be explained only by measuring reported crimes vis-à-vis punished crimes, because there are clear obstacles that prevent the knowledge of the real numbers due to judicial backlog in reporting reliable information. It cannot be reduced to a comparison of intentional crimes and convictions for this crime, as grave as this crime can be. Impunity is not exclusively reflected in the

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[1] "Impunity in Mexico is nearly total, states the High Commissioner for Human Rights", *Sputnik*, October 8, 2015, accessed at: http://mundo.sputniknews.com/americalatina/20151008/1052266326/mexico-ddhh-onu-impunidad.html#ixzz3uGxm8Udz

[2] *System for the measurement of impunity*, accessed on December 12, 2015, at: http://www.perspectiva.com.gt/noticias/sistema-de-medicion-de-impunidad/

measurement of the so-called "dark figure of crime" (number of unreported crimes), which only sheds light on the percentage of calculated crimes that are not reported. As stated in the IGI 2015: impunity is a multidimensional phenomenon, rooted in many causes and consequences; all of which have an impact, directly or indirectly, in justice, corruption, security, the respect for human rights, the rule of law and authentic democracy.[3]

In this vein, and for purposes of this analysis, as in the case of the IGI 2015, we have used as reference the definition of the United Nations:

> *Impunity means the impossibility, de jure or de facto, of bringing the perpetrators of violations to account — whether in criminal, civil, administrative or disciplinary proceedings — since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty, sentenced to appropriate penalties, and to making reparations to their victims.*[4]

From this definition, and bearing in mind the multidimensional nature of impunity, as well as its many causes and consequences, this analysis considers that impunity must be assessed comprehensively, in its own context, as a chain of events from the moment a crime is perpetrated, a crime is investigated and tried, until the criminal receives a punishment in the form of conviction. Therefore, it becomes fundamental to identify the processes that allow or inhibit that crimes are effectively punished. Impunity implies, in this sense, all what happens (or not) in this chain, the acts or omissions that allow the perpetration of crime without punishment, either out of fear or discouragement to report a crime (dark figure of crime); the structural or functional burdens of the security system and the justice system that prevent the investigation and identification of alleged perpetrators; the inadequate enforcement of judicial procedures; the capacities of public officers in charge of the detention of alleged criminals; the procedures for the enforcement of sanctions and judgments. The model we present for the measurement of impunity in the IGI 2015 and that we applied for Mexico as a case study, is based on the principle that are precisely those omissions, loopholes, and deficiencies taking place throughout this chain, that allow or impede impunity.

MEXICO AND THE RESULTS OF THE IGI 2015

In April 2015, the Center of Studies on Impunity and Justice (CESIJ) of the UDLAP presented the 2015 Global Impunity Index (IGI 2015), an instrument designed for a comparative measurement of different levels of impunity amongst countries. Based on a methodology that allows the statistical measurement of fourteen variables within three dimensions (structural, functional and human rights) and two crosscutting axes,

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[3] The following sources identify a correlation between impunity and corruption: Juan C. Echeverry, y Partow, Zeinab. 1999. "Por qué la justicia no responde al crimen", *Corrupción, crimen y violencia*, Bogotá, Universidad de los Andes. Transparencia Mexicana (2005). *Índice nacional de corrupción y buen gobierno*. Disponible en: http//www.tm.org.mx/índice-nacional de corrupción-y-buen-gobierno-incbg. Jorgensen, Nick "Impunity and Oversight: When do Goverments Police Themselves?". *Journal of Human Rights*. Routledge: Taylor & Francis Group, 2009. Shirk, D.A. (2010). *Drug Violence and State Responses in México*. University of San Diego Department of Political Science. 1-20. *The World Justice Project* y el *Failed State Index* (Actually: *Fragile State Index*). Jochnick, Chris "Confronting the impunity of Non-State Actors: New Fields for the Promotion of Human Rights". *Human Rights Quarterly*, Vol. 21, No. 1. 1999. The following documents identify a correlation between human rights and impunity. Michael Humpher and Estela Valverde, "Human Rights, Victimhood and Impunity: An Anthropology of Democracy in Argentina. *Social Analysis*, Vol. 51, 2007. Nick Jorgensen, "Impunity and Oversight: When do Governments Police Themselves?". *Journal of Human Rights*. Routledge: Taylor & Francis Group, 2009. Groome, Dermot "The Right to Truth in the Fight Against Impunity". *Berkeley Journal of International Law*. Vol. 29. 2011. Naomi Roth-Arriza, "Combating Impunity: Some Thoughts on the Way Forward. *Law and Contemporary Problems*, Vol. 59, No 4, 1996. José Serralvo, "Privatized Military Firms' Impunity in Cases of Torture: A Crime of Humanity". *International Community Law Review*, Vol. 14, 2012.

[4] Set of principles for the protection and promotion of human rights through action to combat impunity at: http://ap.ohchr.org/documents/dpage_s.aspx?si=E/cn.4/2005/102/Add.1

representative of government performance (justice system and public security system), the IGI allowed the analysis of variances within the different levels of impunity in 59 countries worldwide. These cases correspond, per region, to Europe (33), Asia (9), North America (3), South America (4), Central America (5), and the Caribbean (5).

The 2015 IGI showed that Philippines is the country with the highest level of impunity with an index of 80.0; while Croatia had the lowest levels of impunity amongst the cases under study, with an Index of 27.5, followed by Slovenia (28.2), Czech Republic (34.8), Montenegro (34.9), and Bulgaria (37.5). It should be noted that all of the prior countries are from Eastern Europe. The following countries stand out as those with the highest impunity rates: Mexico (75.7), Colombia (75.6), Turkey (68.7), the Russian Federation 67.3), Nicaragua (69.5), Honduras (64.1), El Salvador (64.1) and the Republic of Korea (63.3). It is important to recall that the methodology of the 2015 IGI did not allow carrying out an analysis of the 134 that provide some information on their justice system, given that they do not report the required information for the construction of the fourteen variables of the Index. In fact, 95 countries do no report the required information for the construction of any of the aforementioned variables. We have defined this situation as "statistical impunity", given that it can be the result of lack of institutional capacity or of lack of political will to report information (see Map of Global Impunity Index 2015).

The average impunity in the 59 cases under study is of 49.1; as many as 27 countries rank in this percentage. The rank of each country depends on each of the sis sub-dimensions of the fourteen variables. The highest average of impunity comes from the functional dimension-security system (73.1), followed by the structural dimension-justice system (73.1), structural dimension-security system (58.0), human rights- security system (40.7), functional dimension-justice system (30.7) and, with the lowest average, human rights-justice system (14.0). It is important to highlight the following characteristic features in America: 1) there is a correlation between high levels of impunity and income inequality, 2) one of the elements under measure is, in almost all cases, above the 2015 IGI average, 3) each dimension, and each sub-dimension present impunity levels above the average.

Graph 1 Global Impunity Index and Dimensions

1 Singapur, Germany, Andorra, Netherlands, Finland, Denmark, Norway, Malta , Czech Rep., Slovenia and Croatia.

2 Argentina, Jamaica, Chile, United States, Guyana, Bahamas, Trinidad and Tobago, Panama , Mongolia, Paraguay, Barbados, Ireland, Japan, Costa Rica, Albania, Hungary, Romania, Singapore, France, Cyprus , Canada, Switzerland, Italy, Portugal, Estonia, Bosnia and Herzegovina, Andorra, Austria, Netherlands, Finland, Slovakia, Denmark, Norway, Serbia, Lithuania, Sweden, Montenegro, Czech Republic, Slovenia and Croatia.

Source: Global Impunity Index, Center of Studies on Impunity and Justice

Map 1 Global Impunity Index (IGI) 2016

GLOBAL IMPUNITY INDEX (IGI) **2015**

greatest | least | Countries not included in the index

Map labels: Bahamas, Barbados, Trinidad and Tobago, Malta, Singapore

Bar chart values (left to right):

Country	Value
Philippines	80
Mexico	75.7
Colombia	75.6
Turkey	68.7
Russia	67.3
Nicaragua	65.9
Honduras	64.1
El Salvador	64.1
South Korea	63.3
Georgia	60.3
Argentina	58.8
Jamaica	57.8
Armenia	57.7
Chile	57.4
United States	56.4
Guayana	53.9
Spain	53.6
Bahamas	52
Moldova	51.7
Trinidad and Tobago	51.5
Ukraine	51.4
Panama	51.3
Mongolia	50.5
Paraguay	50
Barbados	49.7
Ireland	49.3
Japan	49.3
Costa Rica	48.7
Albania	48.6
Latvia	47.6
Hungary	47.2
Romania	46.8
Singapore	46.4
France	44.6
Cyprus	43.7
Canada	43.4
Switzerland	43
Italy	43
Portugal	42.6
Estonia	42.2
Bosnia and Herzegovina	42.1
Germany	42.1
Andorra	40.8
Austria	40.7
Netherlands	40.3
Finland	40.3
Slovakia	39.4
Denmark	39.4
Norway	39.3
Serbia	39.3
Lithuania	39.1
Sweden	38.7
Poland	38.2
Malta	38
Bulgaria	37.5
Montenegro	34.9
Czech Republic	34.8
Slovenia	28.2
Croatia	27.5

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In the case of Mexico, the 2015 IGI drew the following conclusions:

1. Mexico has one of the worst results of the 2015 IGI, ranking 58th with an index of 75.7 in a position similar to Colombia (75.6) and just below Philippines, the country with the worst impunity rate (80).
2. The performance of Mexico is deficient in all the six sub-dimensions and is below the average in the 12 variables.
3. If we take into consideration the spectrum of variances between the worst ranked (Philippines) and the best ranked (Croatia), the gap is of 52.5 points (27.5 to 80). In all cases the distance between Mexico and other cases is important, with the exception of Philippines and Colombia. For instance, the difference with Turkey (56) is of 8 points; with the average IGI (49.1) the differences is of 26.6 points; with the average in Latin America is of 17.3 points; with Costa Rica, the best ranked amongst Latin American countries is of 27 points; and with Croatia (27.5) the difference is of 48.2 points.
4. Impunity levels in Latin American countries are divided in four clearly identifiable groups: 1) impunity levels below the average (49.1), with Canada (43.4) and Costa Rica (48.7); impunity levels slightly above the average, where most of the countries rank: Barbados (49.7), Paraguay (50), Panama (51.3), Trinidad and Tobago (51.5) and Bahamas (52); 3) high impunity levels, present in Guyana (53.9), the United States of America (56.4), Chile (57.4), Jamaica (57.8), El Salvador (64.1), Honduras (64.1) and Nicaragua (65.9); and very high impunity levels, present in Colombia (75.6) and Mexico (75.7).
5. Structural problems, as well as problems in the functioning of the security system and administration of justice explain impunity in Mexico; high levels of impunity further entrench insecurity, violence and corruption.
6. Impunity related with human rights amounts to 33% of the Impunity Index for Mexico, whereas in the rest of the world and in the region (Americas), this type of impunity ranks between 17% and 20%.

The 2015 IGI highlights similar impunity levels between Mexico and Colombia. It is worth to retake the analysis we carried out for these two cases.

The Global Impunity Index allows concluding that Mexico and Colombia present similar situations on impunity rates when it comes to infrastructure and functioning of the security system and the justice system. This could be linked with the increased corporative nature of organized crime linked with drug trafficking in both countries as of 1970. This affects the capacity of the state to provide security and justice, and it creates a constant environment of corruption of authorities that, sometimes, act in collusion with criminals.

On the matter of the security system, both Colombia and Mexico rank similarly regarding the number of police per 100 thousand inhabitants (355 and 347, respectively). On penitentiary systems, both countries do not report significant differences in terms of the penitentiary staff compared with penitentiary capacity, in penitentiary staff divided by inmates in prisons and the variable that explains the relation between inmates in prisons and penitentiary capacity. All of these indicators rank below the average, showing substantial shortcomings in the functioning of the security system, from the moment a person is held in detention until he or she awaits for trial in prison. Overcrowding in prisons, torture and lack of judicial proceedings for indicted persons characterize the penitentiary systems of both countries.

Mexico and Colombia also presented similar results in the functioning of the justice system, as they report similar numbers on persons with formal contact with courts. In the same vein, both countries presented similar numbers in the variable that measures the number of imprisoned persons divided by the number of convicted persons for a grave crime, despite the fact that Colombia has a significantly higher percentage of judges per 100 thousand inhabitants than Mexico (10 and 4, respectively). Significant differences between Mexico and Colombia can also be found in the number of persons detained without judgment (47 and 33, respectively) that, in both countries, exceeds the global percentage (23). This is explained by the fact that in both countries, Colombia and Mexico, the pretrial detention model prevails; that is to say, the imprisonment of indicted persons during trial. In the case of Mexico, as of 2008, a new criminal justice system limits pretrial detention for minor offences.

In sum, the Mexican case characterizes for very high impunity levels and a bad performance in each of the dimensions under study in the 2015 IGI. This leads to a generalized problem that further entrenches and reproduces social problems like violence, insecurity, and unequal access to justice, corruption and human rights violations.

Chart 1 Performance of Mexico in each Indicator vs. Global Average and Latin America Average

	Highest	Lowest	Mexico	Global Average	Latin America Average
Police officers per 100,000 inhabitants	725.6 Hungary	86.2 Bahamas	355.0	332.0	352.9
Judges per 100,000 inhabitants	57.2 Nicaragua	1.2 Bulgary	4.3	16.2	8.8
Persons brought before courts divided by persons in formal contact with the police	3.4 USA	0.0 Malta	0.1	0.8	0.6
Persons brought before courts divided by the number of judges	418 Malta	2.9 Trinidad y Tobago	24.6	67.0	58.8
Imprisoned persons divided by convicted persons	25.1 USA	0.0 Cyprus	2.2	1.6	4.6
Percentage of imprisoned persons without conviction	66.0 Panama	0.3 Austria	46.9	23.5	29.5
Penitentiary officers divided by the overall capacity of penitentiary centers	1.2 Georgia	0.1 Cyprus	0.3	0.5	0.3
Inmates divided by the overall capacity of penitentiary centers	3.4 El Salvador	0.3 Andorra	1.2	1.2	1.4
Penitentiary staff divided by the overall number of inmates	0.1 Andorra	1.6 Georgia	0.2	0.5	0.3
Persons imprisoned for homicide divided by the overall number of homicides	0.0 Armenia	17.2 Bahamas	0.0	5.9	3.6
Disappeared persons[1]	0 Colombia, México, Russia, Spain	2 53 Countries	0	1.8	1.7
Extrajudicial killings[2]	0 Colombia, Jamaica, Turkey, Russia, Philippines	2 35 Countries	1	1.5	1.1
Political imprisonment[3]	0 Colombia, Korea, Turkey, Russia, Philippines	2 41 Countries	1	1.6	1.6
Torture[2]	0 19 Countries	2 11 Countries	0	0.9	0.6

1 0=50 or more; 1= from 1 to 49; 2=0.
2 0=Frequently perpetrated; 1= Occasionally perpetrated; 2= Not perpetrated /Unreported.
3 0= Frequently perpetrated; 1= Occasionally perpetrated; 2= Not reported that year.

CONTEXT AND IMPACT OF IMPUNITY: THE PROBLEM OF STATE RESPONSIBILITIES

Impunity is a phenomenon that concerns all the areas of social life, institutional dynamics and even the economic development of the country. According to the global competitiveness index of the World Economic Forum, economic competitiveness is measured in 12 pillars, one of which refers to the performance and features of institutions. This pillar presents the lowest ranking amongst the different variables in the case of Mexico and significantly contributes to its ranking as 109th out of 140 countries in this measurement. The elements that affect the evaluation of Mexico in this particular pillar are: ethics and corruption (position 121 out of 140), the strengthen of governmental regulations (123 out of 140) and the performance of public

institutions, as well as undue influence (107 out of 140 in both cases).[5] Results from this index show that institutions and their performance – particularly corruption and the absence of laws that are actually enforced – are the main reason that reduces competitiveness in the country. The elements that the sub-dimensions of the Global Competitiveness Index take into consideration are marked by impunity: bribes, corruption practices, lack of judicial independence, and systematic inefficiency of the legal framework.

Taken together with the context of institutional weakness that affects all the economic development of the country, we are facing a situation where insecurity has turned into one of the major national problems. Crime – ordinary and organized – has increased notably and the violence that comes with it has increasingly alerted several states of the country over the past decade. Trends reported by INEGI show a clear increase of crime incidence: between 2010 and 2012, the rate of crime victims per 100 thousand inhabitants went from 23,993 to 28,224. This situation worsened taking into consideration that the dark figure of crime– crimes with no prosecutorial investigation opened – of the National Poll on Victimization and Perception of Insecurity (ENVIPE) went from 92% in 2010 to 93.8% in 2013.[6] An ample number of crimes (the majority of them, based on the reported numbers) go unpunished and they are not even reported to the justice system and the prosecution system; in other words, most of crimes are not reported.[7] This is closely linked with the lack of trust of citizens in authorities coming from the low levels of institutional performance and the lack of capacity of the judicial system to guarantee access to justice. The administration of justice is an exclusive function of the State from which institutions are absent; the main problem not only relies in the insignificant of crime reports that are actually registered in the justice system - compared with the overall universe of perpetrated crimes – but also in the fact that for those crimes that are actually reported, the number of cases effectively tried or judged is even lower. In a context characterized by the highest levels of impunity, authorities are inefficient, citizens live in a defenselessness situation and wrongdoers have the certainty that they will be hardly punished.

In the case of Mexico, the national framework makes a clear distinction between the cases that fall under federal jurisdiction from those that are an exclusive jurisdiction of state level authorities. State level, along with federal authorities is responsible of ensuring the enforcement of laws in all aspects. That said, it should be noted that approximately 80% of crimes fall under state level jurisdiction.

The results of the 2015 IGI allow the identification of specific impunity levels characterizing Mexico vis-à-vis the rest of the world. This information, while relevant for comparative purposes, shows results nationwide but does not allow the comprehension of specific features of the phenomenon of impunity is each State of the country, for this, a differentiated assessment is required on the performance of the justice system and the security system, and how they impact social and economic inequality, as well as poverty. From this perspective, the current analysis is based on the need to identify, within the country and at state level, the variables that allow or encourage impunity. And it proposes a level of analysis allowing the use of valuable elements for public debate and for the development of policies in order to strengthen the security system and the justice system so they actually realize the State's obligation of defending citizen's rights, guarantee their security and sanction infringements to law.

Additionally, the analysis of impunity at sub-national level has four advantages that are relevant. First, regularly the State is considered as a political block cohesively articulated, when in reality it is a group of organizations where cooperation and coordination are complex, and conflict is recurrent.[8] Second, the

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[5] *Global Competitiveness Index*, accessed on December 12, 2015 at: http://reports.weforum.org/global-competitiveness-report-2015-2016/economies/#indexId=GCI&economy=MEX

[6] *National Poll on Victimization and Perception of Insecurity* (ENVIPE) 2014, accessed on December 13, 2015 at: http://www.inegi.org.mx/est/contenidos/proyectos/encuestas/hogares/regulares/envipe/envipe2014/doc/envipe2014_nal.pdf

[7] Preliminary information shows that there were 19 thousand 669 homicides in 2014. National information and by State, INEGI, accessed on December 13, 2015 at: http://www.inegi.org.mx/saladeprensa/boletines/2015/especiales/especiales2015_07_4.pdf

[8] For this explanation see Douglass C. North, John Joseph Wallis and Barry R. Weingast, *Violence and Social Orders*, Cambridge 2009.

phenomenon of impunity and the problems it is usually linked with such as violence, insecurity, corruption, and human rights violations require the development of governance mechanisms at several levels that involve, therefore, institutional frameworks, different levels of government and the participation of several state and non-state actors.[9] Third, violence, insecurity or corruption in the states of the country is normally explained as part of a nationwide situation; however, all of them are also related with processes, balances and conflicts strictly local or regional that are hardly noticeable at national scale.[10] Finally, the analysis of sub-national cases allows relevant comparisons amongst different regions within the country that share similar problems and that can hardly be addressed from a nationwide point of view.

IMPUNITY MEASUREMENT AND DISCUSSION IN MEXICO

Impunity, as a multidimensional phenomenon, rooted in many causes and consequences, has been hard to measure. Circumstances such as judicial backlog impede an immediate assessment on crimes reported versus crimes punished, as well as the lack of information on the exact duration of each trial; therefore, it can be hardly considered as a measure that properly reflects different national or sub-national impunity levels.

In this regard, over the past years several relevant exercises have been carried out aiming to make an accurate measurement of impunity. We now present an account of some of them in order to show the state of art in the measurement of impunity in our country, regardless of the dark figure of crime calculated in the ENVIPE on an annual basis.

We have found several measurements on crimes perpetrated against journalists, as they have been a particularly vulnerable group in our country, along with human rights defenders; impunity describes the level of violence they have fallen victim of. However, these measurements are no included in this analysis because they are not based on the broader concept of impunity we are using. Also, they do not allow to include the rest of the population and, therefore, is possible to have a more accurate control over the cases that have been solved and the cases that have not been solved; this is so, because while cases are not less intense or violent, the scope is more reduced and more manageable than the universe of criminal offences perpetrated throughout the country.

The organization México Evalúa has developed several indicators that allow a systematic assessment and interpretation of the evolution of specific variables on public security and criminal justice. This valuable effort has been ongoing since 2010, and contributes to the development of specific indicators on the conditions of prisons and the creation of indicators on what has been called "visible and invisible victims" of homicide, a terminology that refers to those groups of the population affected by the situation of violence. The average impunity rate that México Evalúa reveals in its indicators[11] refers solely to the percentage of crimes that have an effective judgment. This index is defined from the number of crimes that, according to official records, are punished when compared with the overall number of crimes; however, this scheme aims to include an estimation of the overall number of crimes based on the dark figure of crime (*cifra negra* in spanish) coming

[9] On the importance of understanding decision-making processes and planning of public policies from a multilevel perspective see: Vincent Ostrom, Charles M. Tiebout and Robert Warren, "The Organization of Government in Metropolitan Areas: A Theoretical Inquiry", *American Political Science Review*, vol. 55:4, Dec. 1961, pp. 831-842; Lisbet Hooghe and Gary Marks, "Types of Multi-Level Governance", *European Integration online Papers* (EIoP) Vol. 5 (2001) N° 11, http://eiop.or.at/eiop/pdf/2001-011.pdf; http://eiop.or.at/eiop/texte/2001-011a.htm; Jouni Paavola, "Explaining Environmental Multi-Level Governance", SRI Papers 2008, at www.see.leeds.ac.uk/fileadmin/Documents/research/sri/workingpapers/
SRIPs-10_01.pdf; Mark Bevir (ed.), The Sage Handbook of Governance, New York 2013.
[10] On this regard we followed the reasoning developed by Stathis N. Kalyvas, *The logic of Civil War*, Cambridge 2006.
[11] *System of indicators and indexes on Public Security* (Sistema de Índices e Indicadores en Seguridad Pública), México Evalúa, accessed on December 13, 2015 at: http://www.mexicoevalua.org/wp-content/uploads/2013/03/SIIS-2010.pdf

from the victimization polls carried out by the Centre for Economic and Social Research (CIDE) and the Citizen Institute of Studies on Insecurity (ICESI). The organization that develops this index has acknowledged that given the nature of used sources, the index is not constant and should be calculated every two years.[12]

In the same document, Mexico Evalúa calculates an impunity index for grave crimes, by dividing the overall number of effective judgment for grave crimes by the overall numbers for grave crimes. Similarly to the general index, the dark figure of crime is incorporated into the overall numbers of grave crimes. It also includes an impunity index for organized crime offences, an impunity index for violent crimes and an impunity index for intentional homicides. This very important effort dates from 2010 and has not been updated.

Moreover, the Mexican Institute for Competitiveness (IMCO) has recently presented a document titled "Mexico: anatomy of corruption", according to which while the measurement of impunity is "practically impossible"[13] it suggests the development of indicators to allow some type of measurement. In the same document, the IMCO presents a compilation of efforts that have been made in Mexico to counter corruption and impunity. This account makes reference to the international obligations of Mexico on corruption, as well as the institutions set forth in the country for this purpose. While this document builds on the impunity definition of the 2015 IGI, the model for the measurement of impunity only considers the difference between perpetrated crimes, registered crimes and punished crimes. This document dates from the first semester of 2015.

The Institute for Economics and Peace has a project on a Peace Index for Mexico. This index includes an indicator of efficiency of the justice system, which is one of its most important elements. This index measures the relation between convictions for homicide and homicides perpetrated in a given year, in order to calculate impunity in the country.[14] This point of view is relevant and, as mentioned in this document, it is a highly relevant indicator, but can hardly explain the multidimensional nature of impunity, as well as its many causes and consequences.

It is important to mention in this account of efforts to define and measure impunity in Mexico, the book of Guillermo Zepeda Lecuona, Crime without punishment. Prosecution of crimes and prosecutors[15] makes reference to several variables identified as "the heart of impunity", some of which are included in the 2015 IGI and in this analysis, particularly those called the "impunity Sequence": the number of average prosecutorial investigations that a prosecutor receives and follows each year, the lack of capacity of the system to process reports and complaints, as well as the inadequate administration and assignment of resources – facilities, human and economic – that lead to what is called "saturation, inefficiency, impunity and arbitrariness."[16]

Also, a recent publication from John Bailey highlights the existence of a "security trap" in Mexico, a state of affairs where "criminality, violence, corruption and impunity strengthen each other along with civil society, the state and regime and overrule the efforts for the construction of a democratic and ethical governance". From this standpoint, impunity has two specific connotations: 1) a context where persons with wealth, power or influence place themselves above the law, 2) a justice system incapable of functioning properly. The most outstanding feature of this effort, that we share, consists on the effort of understanding the multidimensional nature of impunity, as well as it many causes and consequences and, finally, its damaging consequences for public democratic life.[17]

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[12] Ibidem.
[13] María Amparo Casar, *México: Anatomía de la Corrupción*, IMCO 2015, p. 9; http://imco.org.mx/wp-content/uploads/2015/05/2015_Libro_completo_Anatomia_corrupcion.pdf
[14] *Índice de Paz México 2015*, Institute for Economics and Peace 2015, p. 23; http://economicsandpeace.org/wp-content/uploads/2015/06/Mexico-Peace-Index-2015-Spanish-Report.pdf
[15] Guillermo Zepeda Lecuona, *Crimen sin Castigo. Procuración de Justicia Penal y Ministerio Público*, CIDAC 2004.
[16] *Íbidem*, pp. 212-221.
[17] John Bailey, *Crimen e Impunidad*, Debate, México 2014, p. 23-30.

Finally, it is important to acknowledge the increasing discussion on the phenomenon of impunity in printed and digital media outlets. These opinions tend to agree that impunity implies a deep institutional deterioration that further entrenches violence, insecurity and corruption. Some examples on the status of public discussion on the issue include:

Impunity, which in the case of Mexico cannot be separated from corruption, directly affects the government's credibility and the perception of investors that there is no legal certainty in the country. Riva Palacio, Raymundo, (2014), "Sabotajes palaciegos", *El Financiero*, Mexico, September 4, 2014.

In Mexico there is no punishment: our devotion to impunity is bulletproof. Sheridan, Guillermo (2014), "¿Me concede una entrevista?", *El Universal*, Mexico.

We dare to change the content of some public policies, but not the biggest problem consisting on the low quality of Mexican democracy: impunity. Ugalde, Luis Carlos,(2014), "¿Ya nos atrevemos a cambiar", *El Financiero*, Mexico.

The tragedy of Iguala can only be explained in a context of impunity and abandonment of the most fundamental activities of the State. Esquivel, Gerardo (2014), "Iguala, responsabilidad del Estado", *El Universal*, Mexico

Will the government, political parties and legislators understand that the underlying problem is the institutional weakness to counter generalized impunity and corruption? Le Clercq, Juan Antonio (2014) "¿Y despues del horror, que?", *La Silla Rota*, Mexico.

"(...)[Impunity], has turned into a chronic sickness that corrodes our institutional foundations and has become an authentic culture of impunity that feeds corruption and injustice,. Peschard, Jacqueline (2014), "Rendición de cuentas: antídoto para la impunidad", *El Universal*, Mexico.

(...) in Mexico the main tragedy is not corruption, but impunity. Because it is the lack of punishment that allows the repetition of a conduct, Campos, Mario (2015), "¿Quién detiene el saqueo", *El Universal*, Mexico.

(...) despite the denounces of media outlets and their opponents, they continue operating with rampant impunity, sometimes doing politics, sometimes doing business, sometimes both (...) Loret, Carlos (2015), "Gobernadores... de papi", *El Universal*, Mexico.

What is really worrisome about impunity is that ultimately the legal system stops complying with its role, in an important extent due to the lack of capacity of the agents that are supposed to keep it on track. To think profoundly about what creates impunity and how to avoid it in all levels, is one of the most important tasks of social construction. Regular coexistence depends on it. José Ramón Cossío Díaz, "La impunidad y sus males", *El País*, Spain.

...none of the structural reforms backed by president Peña Nieto, from the energy reform to the education and tax reform, will ever prosper and take Mexico out of underdevelopment if the country continues to be a kingdom of impunity. Guillermo Trejo, Cuando el Estado exonera al Estado, *El País*, Spain.

This account of examples that have attempted an approach to the measurement or debate over impunity from different angles, point to the fact that deep and entrenched impunity is at the core of national problems, which reveals the importance of advancing academic documents on impunity and its scope in the public life of the country. With this goal in mind, after having designed a methodology for the measurement of global impunity, we propose an approach to the phenomenon of impunity at state level.

THEORETICAL
MODEL AND
DIMENSIONS

THEORETICAL MODELS AND DIMENSIONS

The conceptualization of the model of the impunity index that we use for the analysis of the situation in the states of Mexico, is very similar to the one used for in the IGI 2015. It is based on the idea that impunity does not happen in abstract, but that is part of a system that inhibits or encourages it through the enforcement – or not – of basic control measures. These "basic measures" are the State's responsibility and must be implemented through the process that takes place between the perpetration of a crime and its sanction. Impunity means the lack of capacity of the States to enforce those basic measures that guarantee that breaches to law will be sanctioned. Strictly, the first obligation of the States is to define in law as a crime all those actions that infringe the rights of others as a mean to protect their integrity (physical, cultural or property). Second, the State has the obligation to guarantee that actions defined by law as crimes, are effectively prosecuted and sanctioned. For this, it must set a group of processes that include the prosecution of a crime, the registration of crime reports, the investigation, a decision to present or not charges against the alleged perpetrator, the evaluation of cases of potential crimes, and an effective sanction of those actions that have been proved that constitute crimes. While this is a very simple portrayal of the prosecution system and the justice system, this procedure is the starting point of the model we use in this analysis for the measurement of impunity.

Similarly to the 2015 IGI, the underlying goal of the Index if to create an statistical model capable of measuring three dimensions for at least two areas of government performance that are fundamental in order for the State to comply its duty to administrate justice. In the IGI we classified these dimensions in: structural, functional and human rights and they measured two areas of government performance: the system of public security and the administration of justice. Under this same approach, this analysis is based on the available information from the Census of Prosecution and Administration of Justice at State level from INEGI, which allowed us to use relevant information to compare the situation in the 32 states of the country. Nevertheless, the case is not the same for the human rights dimension. While we attempted to repeat the Cingranelli-Richards (CIRI) methodology we used for the 2015 IGI so the analysis did not include personal assessments on the human rights situation in the states, and only include the scope of human rights violations reports to public authorities, a statistically serious construction of this dimension was not possible. As mentioned below, the lack of information in an important number of states ultimately led to a sort of "punishment" for those who do have available information; as they report human rights violations, they outstand from those that do not go public on those type of cases. Despite the importance of the human rights dimension for the understanding of impunity of our country, and its specific importance in the overall design of the index, we took into consideration the consequences of the distortions that result from the lack of reliable information for the assessment of each case and therefore, we decided to not incorporate the human rights dimension in this first edition of the IGI-MEX.

The dimensions taken into consideration for the construction of this index are three, with small changes to those from 2015 IGI. Based on the structure of the model, these are feasible for the measurement of the phenomenon of impunity in Mexico: functional dimension, structural dimension and dark figure of crime.

These dimensions also take into consideration two government areas closely related: the security system and the justice system. The security system refers to all those government areas in charge of the prevention of crime and, when appropriate, the prevention of perpetrated crimes. This system is in charge of

bringing alleged perpetrators to the justice system and contributes to maintain order and respect to the Rule of Law. The term justice system refers to the government area in charge of receiving reports of braches to the law as well as alleged perpetrators, investigate and, when appropriate, issue a judgment and sanction or release the alleged perpetrators.

Structural Dimension	The structural dimension reports the installed capacities of states to punish, though procedures respectful of due process, those persons that infringe the Rule of Law
Functional Dimension	The functional dimension aims to measure the performance of government areas in charge of punishing those persons that infringe the Rule of Law, regardless of their legal framework, capacities and institutional infrastructure or capacities.
Dark Figure of crime	The dimension Dark Figure of crime allows to identify the percentage of crimes that are not reported within the prosecution system and the administration of justice system and therefore go unpunished. This dimension allows to incorporate an estimation using the information gathered by INEGI in the ENVIPE.

STRUCTURAL DIMENSION

Both government areas in this model are divided in two dimensions: structural and functional. The structural dimension is similar to what was included in the 2015 IGI, and takes into consideration the installed capacities of the states for the prosecution, investigation and punishment of crimes pursuant procedures that comply with due process. These capacities include both the human and material resources that the states have to carry out their obligations, as well as the infrastructure they count with. In this sense, for purposes of the IGI-MEX the structural dimension includes the following variables:

	Security System	Justice System
Structural Dimension	Public Officers in Prosecutions per 100,000 inhabitants	Magistrates and judges per 100,000 inhabitants
	Public Prosecution offices per 100,000 inhabitants	Overall staff in the Supreme Court of Justice per 100,000 inhabitants
	Percentage of Specialized Prosecutions for Grave Crimes	Court Clerks at the Supreme Court of Justice per 100,000 inhabitants
	Prosecutors per one thousand reported crimes	Penitentiary staff divided by installed capacity of prisons
	Investigative police per 100,000 inhabitants	Penitentiary staff divided by inmates
	Officers to carry out public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	

The variables included in this dimension are reported to INEGI and their definition is the following:

Public Officers in Prosecutions per 100,000 inhabitants. States must report to INEGI the overall number of personnel from administrative areas working at the General Prosecutor's Office or *Fiscalía* by the end of the year, under all the hiring mechanisms (trusted workers, permanent/unionized workers, temporary staff,

personnel hired on a fees scheme, or any other type). This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Public Prosecutor Offices per 100,000 inhabitants. Includes all the offices, units, or investigative offices ascribed to the Prosecution or General *Fiscalía*, as appropriate, that are in charge of the investigation of acts that may amount to crimes trough their agents or prosecutors and other specialized staff, ultimately aiming to indict alleged perpetrators when appropriate. Such offices, units or investigative offices are created, distributed and organized based on the crime incidence needs of each state of the country. This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Specialized Prosecutions for grave crimes. INEGI defines these offices as those specialized in the investigation on crimes against health, kidnapping, sexual crimes, crimes against women and family violence. This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Prosecutors per one thousand reported crimes. It is the social representative that is in charge of the investigation of crimes and the indictment of alleged perpetrators in a criminal proceeding. This information was harmonized per 1,000 crimes (action or omission defined and sanctioned by criminal laws) effectively reported by the Public Prosecutor.

Investigative police per 100,000 inhabitants. Direct assistant of the Public Prosecution in charge of the investigation of crimes, and that carries out all the required procedures during the prosecutorial investigation, including research, enforcement of subpoenas, delivering of summons, carrying out detentions and enforcement of appearance orders. This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Officers to carry out public security functions per 100,000 inhabitants. Individuals that are part of the institutions or administrative units that carry out police operations as ordered by their superiors, and is integrated by police members who, amongst others, carry out surveillance functions, surveillance tours, inspections, detentions, protection and orientation, and assist the population of the states. This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Justice System

Judges and magistrates per 100,000 inhabitants. In this variable we included two sets of information reported in the government census of INEGI: magistrates (judicial officer of second instance for civilian, criminal, family and juvenile matters), and judges (officer of the Judicial Branch from each state that administrates justice with the authority of making law prevail in a process) that are part of the Plenary of the Supreme Court of Justice at State level, including the President of the Supreme Court. This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Overall staff at the Supreme Court of Justice per 100,000 inhabitants. This variable includes all the staff that works in judicial organs and administrative offices and / or administrative units of the organic structure of the Supreme Court of Justice and the Council of the Judiciary of each state of the country, under all the hiring mechanisms (trusted workers, permanent/unionized workers, temporary staff, personnel hired on a fees scheme, or any other type). This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Court Clerks in the Supreme Court of Justice per 100,000 inhabitants. It refers to the public servants whose principal tasks consist on the issuance of records and the certification of the settlements of the parties in a

trial. This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Penitentiary staff divided by installed capacity of prisons. It refers to the overall staff in penitentiary centers (whether directive, administrative, functional, penitentiary officers and / or security staff, and support staff), divided by the installed capacity, this is to say, the capacity of the Penitentiary Centers regarding available space and useful beds, not the penitentiary population

Penitentiary staff divided by inmates. It takes into consideration the overall staff in penitentiary centers (whether directive, administrative, functional, penitentiary officers and / or security staff, and support staff), divided by the overall number of inmates.

FUNCTIONAL DIMENSION

The functional dimension attempts to register the way in which governmental areas in charge of enforcing sanctions function, regardless the installed capacity. This dimension takes into consideration the use of the installed capacities and how the institutional arrangements of each state of the country work in practice. Thus, the variables of this dimension refer to the functioning of the system, whether the justice one or the security one, based on the capacity they have.

	Security system	Justice system
Functional Dimension	Alleged crimes registered per 100,000 inhabitants	Criminal proceedings in first instance divided by the total of prosecutorial investigations
	Percentage of inmates for homicide divided by prosecutorial investigations on homicide	Convicted persons divided by penitentiary admissions
	Percentage of inmates for robbery divided by prosecutorial investigations on robbery	Percentage of inmates without judgment in first instance

Security System

Alleged crimes registered per 100,000. It refers to the actions or omissions that may amount to a sanction set forth in law, whose judgment is in charge of state level authorities and that has been effectively registered before the proper authority. The identification of these cases is based on the applicable codes and legal framework at both, federal and state level in the country. This information was harmonized according to the population estimations 1990-2030 of the National Population Council (CONAPO).

Percentage of inmates for homicide divided by prosecutorial investigations on homicide. This variable refers to the closest conventional measurement of impunity, as it divides the actual homicide cases compared with the number of individuals that are being sanctioned for this crime within the same year of analysis.

Percentage of inmates for robbery divided by prosecutorial investigations on robbery. This variable refers to the percentage of imprisoned individuals – but not judged – for alleged robbery crimes, versus the prosecutorial investigations for this crime on the same year of analysis.

Justice System

Criminal proceedings in first instance divided by the total of prosecutorial investigations. This variable refers to the amount of criminal proceedings, defined as the control that jurisdictional authorities have over criminal cases in first instance, the group of judicial actions or proceedings that take part in a criminal trial, divided by the overall number of prosecutorial investigations (this is to say, all those prosecutorial investigations opened by the Prosecutor's Office after receiving complaints or reports, whether orally or in written, on the alleged participation of an indicted persons in the perpetration of a crime, regardless of the status of the investigation).

Convicted persons divided by penitentiary admissions. It refers to the number of persons in trial in the same courts, by the time a first instance judgment is issued, whether it is a conviction or an acquittal. It also includes dismissed cases after the issuance of the Constitutional Judicial Decree, standardized by the number of persons that are admitted to a penitentiary center, whether they have received or not a judgment.

Percentage of inmates without judgment in first instance. It refers to the overall number of persons in penitentiary centers, whether awaiting for a judgment (indicted), or in process of complying with a prison penalty as consequence of a conviction (convicted), at the end of the proceeding through which a Judge takes the control of a case for the assessment of evidence and issuance of a final judgment (first instance).

DARK FIGURE OF CRIME

Finally, the dark figure of crime dimension allows the identification of criminal conducts that are not reported to the Public Prosecutor or that are no subject of a prosecutorial investigation and, therefore, do not take part of any statistic. This dimension is measured based on the National Poll on Victimization and Public Security Perception that INEGI carries out on a yearly basis. This dimension allows making an estimation of the magnitude of crimes that do not reach the system and that potentially should be solved by the State too. This information, while not verifiable as it is based on surveys to the population based on random polls, it does allow the identification crime parameters that are perpetrated and remain on complete impunity: they are completely obscured as they are not even acknowledged by authorities. Based on this, the parameter is valid as it allows the identification of differences between each of the states regarding a phenomenon that is measured pursuant acknowledged international standards, like the parameters of the United Nations Office on Drugs and Crime to carry out Victimization Polls.[18]

HUMAN RIGHTS DIMENSION

The respect to human rights is a basic element for the functioning of any government system, as it reflects the respect that the State has for its own citizens and for the social contract it has entered into with them. The phenomenon of impunity would not completely documented if it did not include cases of human rights violations of the population, when the perpetrators, this is, State agents, are fee. This practice only contributes to the detriment of the Rule of Law, to the lessening of trust in institutions and to break the principle of protection of the population that is an exclusive authority of the State. For this reason the incorporation of such dimension is fundamental for a comprehensive measurement of impunity. However, this dimension was not analyzed in the model. The lack of consistent information on the matter that could be disaggregated in each state of the country made the incorporation of this dimension as originally planned difficult, similarly to what happened in the Global Impunity Index.

The human rights dimension of the IGI model considers four variables that are directly related with the security system and the justice system: torture and extrajudicial killings in the security system, political imprisonment and enforced disappearances in the justice system. Similarly to the IGI case, we aimed to use Cingranelli-Richards methodology (CIRI, Human Rights Data Project) that is based on the gathering of

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[18] UN, 2004, *Manual for the Development of Criminal Justice Statistics*, 47p. Document available online, last update April 2nd, 2015, at: http://unstats.un.org/unsd/publication/SeriesF/SeriesF_89S.pdf

information on 15 human rights acknowledged in the international community, taken from government institutions and non-governmental organizations, and compared to obtain relevant indicators on the following categories: right to physical integrity, civil rights and liberties, worker's rights and women's rights.

Besides the Cingranelli-Richards methodology, we also considered that variables should be analyzed in different manners to ensure objectivity. According to Todd Landman, this can be achieved through three ways: on a normative fashion, in practice and through government results. Regarding the normative fashion, there is a 2011 a constitutional amendment on the *amparo* proceeding (constitutional challenge for the protection of human rights) and the widening of cases where it is possible to file such challenge against any law or regulation that violates human rights, based on international treaties that Mexico has ratified. In that same year was enacted a constitutional amendment on human rights, one of the most important in our constitutional history. While this is an important progress on the subject, it does not ensure that rights are respected on a day-to-day basis. For this reason, a decision was taken to not include this way for the measurement of the variables.

Likewise, the findings coming from governmental figures were ambiguous and not transparent enough, mainly in the case of state level prosecutions and *fiscalías*; for that reason we recurred to the information provided by the National Human Rights Commission and state level commissions. Finally, the practical measurement of human rights was considered the most important approach in the case of Mexico. These data would be gathered from investigations and documentation from high-level organizations (Mexican and international) specialized in human rights.

The official data was taken from the National Human Rights Commission and from state level commissions, after corroborating the lack of record of grave human rights violations at state level prosecutions and *fiscalías*. The criteria for the gathering of figures consisted on the account of the alleged victims for each type of violation in files of direct assessment, complaints and referrals. What we found is that a minimal number of grave human rights violations ended in a recommendation from the National Human Rights Commission and state level commissions; furthermore, the number of victims within the recommendations did not match in some cases with the insecurity situation of each state of the country. For instance, for the case of Tamaulipas, the state level human rights commission did not report disappearance cases for 2013, which is inconsistent with the National Registry of Information of Missing or Disappeared Persons (RNPED), according to which there are 5,583 disappearances in such state. Also, regarding information from civil society organizations in the country, we observed that their reports and communications are thematic, and they do not describe the situation for each state, but they focus on those states with more incidence for each one of the addressed themes, For this reason, it was not possible to obtain an homogeneous measurement that allowed the comparison on variables and entities.

As consequence of these findings, when performing the calculation of the structural and functional dimensions of the security system and the justice system, along with the human rights dimension, we observed that the results "punished" the most active human rights commissions, while some entities that did not provide figures on grave human rights violations were rewarded for the lack of action of its state level human rights commissions. While this edition of the Index does not include the human rights dimension, it still considers that this dimension is fundamental and will continue searching for alternatives for its incorporation in future editions of the Index. In this edition, we decided to not incorporate mixed information that does not reflect the reality of the human rights situation in each of the states of the country.[19]

The following table shows the number or recommendations issued by state level human rights commissions between 2010 and 2014. As this table shows, in this period there are only 794 recommendations from state level human rights commissions on enforced disappearances, extrajudicial killings, torture and political imprisonment. It should be noted that states like Guerrero, for instance, do not report any

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[19] We received information from CEAV that, nevertheless, did not allow to complete information from the state level human rights commissions.

recommendation in such a critical time framework under consideration and the state of Tamaulipas reports only 6 recommendations for that period. By contrast, states like the Federal District reports 256 recommendations between 2010 and 2014. This shows the difficulties for the standardization of recommendations of the state level commissions as a mean to incorporate the human rights dimension in the analysis of this edition of the IGI-MEX.

State of the country	Enforced Disappearance	Extrajudicial Killings	Political imprisonment	Torture	Overall total
Aguascalientes	0	0	0	7	7
Baja California	1	1	0	70	72
Baja California Sur	0	0	0	4	4
Campeche	0	4	0	14	18
Chiapas	0	0	0	0	
Chihuahua	0	1	0	17	18
Coahuila	1	0	0	17	18
Colima	0	0	0	6	6
Distrito Federal	0	0	0	256	256
Durango	0	0	0	1	1
Guanajuato	0	1	0	20	21
Guerrero	0	0	0	0	
Hidalgo	0	0	0	13	13
Jalisco	0	3	0	20	23
Mexico	0	1	0	6	7
Michoacán	0	2	0	0	2
Morelos	0	1	0	0	1
Nayarit	0	0	0	2	2
Nuevo León	0	2	0	102	104
Oaxaca	0	1	0	2	3
Puebla	0	0	0	6	6
Queretaro	0	0	0	0	
Quintana Roo	0	1	1	0	2
San Luis Potosí	0	3	0	17	20
Sinaloa	0	26	0	55	81
Sonora	0	0	0	13	13
Tabasco	0	1	0	24	25
Tamaulipas	0	0	0	6	6
Tlaxcala	0	0	0	2	2
Veracruz	3	0	0	19	22
Yucatan	0	6	0	31	37
Zacatecas	0	0	0	4	4
Total general	5	54	1	734	794

CONSTRUCTION OF THE IGI-MEX

CONSTRUCTION OF THE IGI-MEX

METHODOLOGY

The data

For the construction of the IGI-MEX the main sources were the National Government Censuses, which are one of the four National Sub Systems of Information – Government, Public Security and Justice System (SNIGSPIJ) – of the National System on Statistics and Geography (SNIEG) that has as central coordination unit the National Institute on Statistics and Geography,[20] and that is governed by the Law of the National System of Statistical and Geographical Information (Law of the System).

The National Government Censuses are instruments of statistical and geographical information based on administrative records from the three branches of government (Executive, Legislative and Judicial), at the thee levels of government: federal, state and municipal; as well as public autonomous institutions working on public security, prosecution and administration of justice and penitentiary system issues. Information is collected on a yearly basis, with the exception of the censuses addressed to municipal authorities and urban offices (*delegaciones*) that are biannual. The methodology of the questionnaire focuses on the management and performance of public institutions working on system of justice.

It is important to mention that the Law of the System sets forth in its article 6 that: The Information of National Interest, produced and made public by the State units that take part of the SNIEG shall be official and of compulsory use for the Federation, the states of the country, Federal District and municipalities. As of year 2012, after a Resolution of the Government Board of the National Institute on Statistics and Geography, the information from the National Census on Prosecution at State Level and the National Census on Administration of Justice is "Information of National Interest" and, therefore, it was deemed official and of compulsory use by the different branches of government.

Therefore, and backed on our methodological framework – which conveniently aligns with the methodology that supports the IGI-MEX – we choose to use the National Government Censuses as the main source of information for the variables on direct impunity, reflected in the structural dimension and the functional dimension; while for indirect impunity – obscured by not being incorporated in the statistics of the criminal justice system – we used the dark figure of crime (percentage of unreported crimes compared with the number of crimes reported each year) reported by INEGI, which is based on the   National Poll on Victimization and Perception of Insecurity (ENVIPE) carried out each year.[21]

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[20] Decree published on the Federal Official Gazette on April 16, 2008. The SNIGSPIJ was created on December 2008 through a Resolution of the Government Board and following the suggestion of the Advisory Council, as set forth in article 15, section II of the Law of the SNIEG.

[21] Available at: http://www.inegi.org.mx/est/contenidos/proyectos/encuestas/hogares/regulares/envipe/

For the selection of the variables we explored the following sources of the SNIGSPIJ[22]:

1. National Census on Prosecution at State Level, 2014
2. National Census on Administration of Justice at State Level, 2014
3. National Census on Government, Public Security and Penitentiary Systems at State level, 2014

It should be noted the information reported by these censuses date form 2013, while the dark figure of crime is based on information from 2014 (ENVIPE 2015); this is so, with the aim to capture the perverse incentive of the lack of trust in authorities as a behavior of adaptive expectations.

From the available information we constructed a group of 54 indicators that were considered key for the prior inspection of the variables that form the index. In this revision we found several loopholes and inconsistencies. In this first exercise we dismissed 19 variables and kept 35 that were identified as the most relevant for the analysis of impunity at state level in Mexico (see Chart 2).[23]

Chart 2: Preselection of the 35 Variables

Shortlist of 35 Variables	
Variable number for IGI-MEX	
Alleged crimes reported per 100,000 inhabitants	Yes
Public Officers in Prosecutions per 100,000 inhabitants	Yes
Actual expenditures applied by the General Attorney Office per capita	
Public Prosecution offices per 100,000 inhabitants	Yes
Percentage of Specialized Prosecutions for grave crimes	Yes
Staff in Prosecutor Offices per 100,000 inhabitants	
Number of Prosecutors per 100,000 inhabitants	
Number of Prosecutors per one thousand reported crimes	Yes
Prosecution's Forensic experts per 1,000 reported crimes	
Investigative police per 1,000 reported crimes	
Investigative police per 100,000 inhabitants	Yes
Percentage of certified public security officers	
Overall number of officers to carry out public security functions per 100,000 inhabitants	
Officers to carry out public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	Yes
Functional personnel to carry out public security functions per 100,000 inhabitants	
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	
Judges and magistrates per 100,000 inhabitants	Yes
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	Yes
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants	Yes
Number of Court Clerks per Judge	
Criminal proceedings in first instance divided by number of judges	
Criminal proceedings in first instance divided by the overall number of prosecutorial investigations	Yes
Number of indicted persons in first instance times the number of concluded prosecutorial investigations	
Convicted persons in first instance divided by indicted persons in first instance	
Percentage of convictions	
Percentage of convicted persons divided by the overall number of perpetrated crimes	
Penitentiary admissions divided by the number of convicted persons	

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[22] Available at: http://www.inegi.org.mx/est/contenidos/proyectos/censosgobierno/
[23] The value of the variables is reported in the section on the results for each state of the country.

Percentage of convicted persons divided by penitentiary admissions	Yes
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	Yes
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	Yes
Percentage of inmates without conviction in first instance	Yes
Appeal dockets in second instance divided by convicted persons in first instance	
Penitentiary staff divided by installed capacity of prisons	Yes
Inmates divided by installed capacity of prisons	
Penitentiary staff divided by inmates	Yes

Finally, after a process of revision and thorough the application of statistical and econometric analysis we selected 17 variables for each one of the 32 states of the country and the national total, which will conform the structural and functional dimensions, and their crosscutting axes: security system and justice system, plus the dark figure of crime as a dimension of indirect impunity (see Chart 3).

The selection criteria were: 1) variable as indicative of the creation and /or reproduction of impunity, 2) exclusion of variables that were conceptually and statistically correlated, 3) variables with lineal adjustments or polynomial superior to 15% (R2>=0.15) with crime incidence, 4) variables that are considered fundamental to follow up the justice system and the theoretical framework that support the IGI-MEX, even though they did not comply any of the aforementioned conditions.

Chart 3 Variables of the IGI-MEX per Dimension and per Crosscutting Axis

	Security System	Justice System
Structural Dimension	Public Officers in Prosecutions per 100,000 inhabitants	Magistrates and judges per 100,000 inhabitants
	Public Prosecution offices per 100,000 inhabitants	Overall staff in the Supreme Court of Justice per 100,000 inhabitants
	Percentage of Specialized Prosecutions for Grave Crimes	Court Clerks at the Supreme Court of Justice per 100,000 inhabitants
	Public Prosecutors per 100,000 inhabitants	Penitentiary staff divided by installed capacity of prisons
	Investigative police per 100,000 inhabitants	
	Officers to carry out public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	Penitentiary staff divided by inmates

	Security system	Justice system
Functional Dimension	Alleged crimes registered per 100,000 inhabitants	Criminal proceedings in first instance divided by the total of prosecutorial investigations
	Percentage of inmates for homicide divided by prosecutorial investigations on homicide	Convicted persons divided by penitentiary admissions
	Percentage of inmates for robbery divided by prosecutorial investigations on robbery	Percentage of inmates without judgment in first instance

Indirect Impunity Dimension	Dark Figure of crime

CONSTRUCTION OF THE IGI-MEX

In the analysis for the selection of variables, we detected non-lineal behavior patterns on one or several crime incidence indicators, this is, not in every case was a bit better. Therefore, in order to capture if the increase or decrease of a variable led to the decrease of crime rates, the analysis took into consideration several years for all the states of the country, according to the availability of information.[24] The identification of this behavior was fundamental for the construction of an index with the criteria of "the higher the value, the higher the level of impunity".

In this sense, it is important to recall that the phenomenon of impunity, as well as other problems in Mexico, are not reduced to the lack of human, material or monetary resources, but also due to the lack of qualified human resources, which in many cases is an obstacle for the optimal implementation of public policies, as well as human, social and economic development. A study carried out by the UN revealed that having a major number of police does not necessarily leads to a major number of solved cases; the study further concludes that the majority of countries with the lowest levels of productive police are in Latin America and Asia.[25]

Institutional design is another relevant factor, particularly the Criminal Justice System that in many cases favors corruption, inefficiency and inefficacy of the investigation process of crimes and, therefore, the increase of human and material resources does not necessarily turns into the decrease of criminality or impunity (Zepeda 2004).

Taking the above into consideration, a thorough analysis revealed four behavioral patterns in the group of 35 variables:

Lineal: the higher the value of the variable the better, or, the higher the value of the variable, the worse.

Inverted U form (parable with a<0): as the variable increases, crime incidence increases until it reaches a maximum point (dx/dy=0) in which an increase of the variable means a decrease in crime incidence.

U form (parable with a>0). As the variable increases, crime incidence decreases, until it reaches a maximum point (dx/dy=0) in which an increase in the variable means an increase in crime incidence.

Convergence to one or to one hundred. There are variables in which the expected value ranks between one and one hundred, and the more they move away from that level it means that there is some deficiency or an area of opportunity in such variable.

The inclusion of these criteria allowed a more accurate identification and representation of the reality of the country, as well as the definition of an index that could reflect the most vulnerable areas of the justice system in each state of the country.

Taking these behavioral patterns into consideration, we created new variables conceptualized under the criteria "the higher the better" or "the lower the better".

Then, the transformed variables were normalized in a range of 0 to 100 with the criteria Min-Max in order to make them comparable and be able to perform an additive function amongst them.

The next step was to complete the variables whose value criterion was "the higher the better"; thus, we covered all the conceptual conditions of the IGI-MEX.

Additionally, with the aim to punish statistical impunity, we made an adjustment to the states of the country that did not report information on the variables of the index, which consisted on assigning the highest value that the normalized variable could take (100).

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[24] Additionally, we made a prior exercise of estimation of the index based on the IGI variables (2015) and we detected theoretical inconsistencies and contradictions with the reality of states.
[25] United Nations, 2010.

Calculation of the Index

The index is constructed over the premise that the entire sub dimensions and dimensions have the same value. This is, each dimension is composed by the simple average of the variables that integrate it and the index is defined as the simple average of the three dimensions of it. Thus, the structural dimension of the security system is defined as:

$$ESS_i = pphi_i + ampe + amph_i + nampd_i + pjh_i + psph_i \qquad \forall \ i = \{1...33\}$$

Where: i is the state of the country and the number 33 corresponds to the national value; *ESS* is the structural dimension of the security system; *pph* is the staff in prosecutions for each 100 thousand inhabitants; *ampe* is the percentage of Specialized Prosecutions for grave crimes; *nampd* is the number of officers of the public prosecutor per each thousand registered crimes; *pjh* is the number of investigative police per each 100 thousand inhabitants; and *psph* is the number of officers in charge of public security functions of first level, intermediate level and functional level per 100 thousand inhabitants.

The functional dimension of the security system is defined as follows:

$$FSS_i = drh_i + ehhr_i + errr_i \qquad \forall \ i = \{1...33\}$$

Where: i is the state of the country and the number 33 corresponds to the national value; *FSS* is the functional dimension of the security system; *drh* is the alleged reported crimes per 100 thousand inhabitants; *ehhr* is the percentage of imprisoned persons for homicide divided by opened prosecutorial investigations on homicide; *errr* is the percentage of imprisoned persons for robbery divided by opened prosecutorial investigations on robbery.

The structural dimension of the justice system is defined as:

$$ESJ_i = mjh_i + ptsjh_i + stsjh_i + ppci_i + ppr_i \qquad \forall \ i = \{1...33\}$$

Where: i is the state of the country and the number 33 corresponds to the national value; *ESJ* is the functional dimension of the justice system; *mjh* corresponds to the magistrates and judges per one hundred thousand inhabitants; *ptsjh* is the overall staff in the Supreme Court of Justice of each state of the country per one hundred thousand inhabitants; *stsjh* represents the Court Clerks in the Supreme Court of Justice of each state of the country per one hundred thousand inhabitants; *ppci* is the penitentiary staff divided by the installed capacity; and *ppr* is the penitentiary staff divided by inmates.

The functional dimension of the justice system is defined as:

$$FSJ_i = cpci_i + sip_i + rss_i \qquad \forall \ i = \{1...33\}$$

Where: i is the state of the country and the number 33 corresponds to the national value; *FSJ* is the functional dimension of the security system; *cpci* are the criminal proceedings in first instance divided by the overall number of prosecutorial files; *sip* is the number of convicted persons divided by the number of penitentiary admissions and; *rss* is the percentage of inmates without a judgment in first instance.

Finally, the dimension of indirect impunity is simply defined as the dark figure of crime reported in ENVIPE in each of the states of the country:

$$II_i = cn_i \qquad\qquad \forall\ i = \{1\ldots33\}$$

Where: i is the state of the country and the number 33 corresponds to the national value; II is indirect impunity and; cn is the dark figure of crime.

Annex 1 Transformation of the Variables Included in the IGIMEX

Parable a $\boldsymbol{\alpha}$<0			
Variable	Value of x in dx/dy=0	Value criteria	Formula of the New Variable
Public Officers in Prosecutions per 100 thousand inhabitants	153.7	The higher the better	xn = x-[f(x | dx/dy)=0]
Prosecution Offices per 100 thousand inhabitants	9	The higher the better	xn = x-[f(x | dx/dy)=0]

Parable a $\boldsymbol{\alpha}$<0			
Variable	Value x in dx/dy=0	Value criteria	Formula of the New Variable
Percentage of Specialized Prosecutions for grave crimes		The higher the worse	xn = abs(x-f(x | dx/dy=0))
Investigative police per 100 thousand inhabitants		The higher the worse	xn = abs(x-f(x | dx/dy=0))
Officers in charge of public security functions per 100 thousand inhabitants (1st. level, intermediate level, functional level)		The higher the worse	xn = abs(x-f(x | dx/dy=0))

Convergence to one or to one hundred			
Variable	Expected value	Value criteria	Formula of the New Variable
Percentage of convicted persons divided by penitentiary admissions	100	The higher the worse	xn = abs(100-x)
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	100	The higher the worse	xn = abs(100-x)
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	1	The higher the worse	xn = abs(1-x)

Percentage of inmates for homicide divided by prosecutorial investigations on homicide	100	The higher the worse	$x_n = abs(100-x)$

Lineal Behavior

Variable	Expected value	Value criteria	Formula of the New Variable
Alleged crimes reported per 100,000 inhabitants	N/A	The higher the worse	N/A
Number of Prosecutors per 100,000 inhabitants	N/A	The higher the better	N/A
Overall number of officers to carry out public security functions per 100,000 inhabitants	N/A	The higher the better	N/A
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants	N/A	The higher the better	N/A
Penitentiary staff divided by installed capacity of prisons	N/A	The higher the better	N/A
Penitentiary staff divided by inmates	N/A	The higher the better	N/A
Number of judges and magistrates per 100,000 inhabitants	N/A	The higher the better	N/A
Percentage of inmates without conviction in first instance	N/A	The higher the worse	N/A

STATE LEVEL
IMPUNITY

STATE LEVEL IMPUNITY

The analysis of the prosecution system and the justice system is a complex endeavor. There are several studies from the past 15 years aiming to explore the existing numbers, and to develop indicators on the inefficiency of the system and the different levels of impunity, to research and to create more reliable information.[26] All these efforts have shed light over the subject, however, they have only been able to provide a general picture of the situation of the criminal justice system at state level and some specific issues that reveal the prevailing impunity.

The main obstacle for the development of stronger indicators has been the lack of reliable information. Currently, the sole information that is exhaustive and measureable are the administrative records of the authorities in charge of the prosecution and administration of justice, as well as authorities from the public security system and the penitentiary system, coming from the Government Censuses carried out by INEGI.

As mentioned throughout this document, we noticed that such official information has several flaws, particularly, loopholes of information and inconsistencies. However, through a thorough analysis of existing data we were able to reconstruct, with a high level of consistency and statistical reliability, the context prevailing in the justice system of the states of the country and characterize the impunity levels for each one of them based on an estimation suggested by the IGI-MEX and the diagnostic tools we use in the present document.

RESULTS OF THE IMPUNITY INDEX AT STATE LEVEL

This section shows the results of the findings resulting from the IGI-MEX estimation, prior to that, is important to mention some findings discovered during the calculation process and the final results:

Data does not reveal the existence of generalized impunity in the country, however, we cannot use the value of the index as absolute indicative of the level of impunity, this is so, mainly, because the normalization criteria was based on the maximum and minimum values of the states of the country for each variables, and not with respect to the international optimally or theoretically expected results. Therefore, there is a national context bias that is completely reflected in the obtained results.

Taking into consideration the above, the index shows an average of impunity at state level based on dimensions and crosscutting axes that form it; however, given the differences found in all the prosecution and justice systems, it is necessary to stop and analyze with more detail what is happening in each step, from the report of a crime to its punishment. For the same reason, the impunity index for each state demands an analysis of its particular impunity Sequence.

In the diverse context prevailing in the country, international standards must be taken with caution in order to understand the local context.

There are different levels of efficiency and efficacy in the systems of persecution and administration of justice within each state of the country, and in some cases one feeds the other, although in some cases they are opposite.

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[26] Zepeda 2005; CIDAC 2013, México Evalúa 2012 and Bailey, 2014.

Unlike to the IGI 2015, where the impunity levels of each country are clearly different, in the IGI-MEX, the variance levels are lower and the states of the country are not that far away from each other. Likewise, the impunity average revealed in the study is much higher than the IGI 2015 and is the last third of the scale that defines the index (67.42). This shows, again, general and similar impunity conditions.

For the aforementioned reasons, the values reported in the IGI-MEX do not reflect impunity attributable to the human rights violations. Therefore, it is important to bear in mind that in some cases impunity levels would result significantly higher by incorporating the human rights dimension.

Taking into consideration the above, and in order to reflect more precisely the impunity context that characterizes each state of the country, results are shown in impunity groups. The classification criteria of these groups was:

Group 1: States with the lowest impunity levels than the total of cases

Group 2: States whose index is far from the average and with a value below 60 points

Group 3: States with an index higher than 70 points and whose situation reflects critical impunity

Group 4: Atypical behavior

Thus, the states of the country are classified with one of the following impunity levels: low, intermediate, high, very high and atypical (see Chart 4). As the impunity index increases, the number of states within one group increases too. For instance, in the very high impunity group there are 13 states, followed by 11 states in the high impunity group; while the group with low impunity rates only has two states: Campeche and Nayarit, and five with intermediate levels of impunity: San Luis Potosí, Distrito Federal, Sonora, Chihuahua, Chiapas.

Michoacán is the sole state with atypical impunity levels; taking into consideration the situation of violence, organized crime and restructuring that it has faced over the past years, the obtained indicator does not reflect with sufficient reliability levels that correspond to the situation of the state, which is explained in part because the IGI-MEX does not include variables that capture the problems of public insecurity and corruption revealed lately (see CNDH 2015). Likewise, the situation of this state can significantly change when incorporating the human rights dimension.

The result obtained nationwide is of 67.42, a level close to the one obtained in the IGI 2015, where Mexico reached an index of 75.7. The main difference between these two measurements consists on the fact that the IGI-MEX does not incorporate the human rights dimension. While the methodology for both indicators is not the exact same one, the underlying conceptual framework is. Therefore, we can assume that there is consistency between both indicators.

The IGI-MEX per state of the country shows little variability, strengthening the argument of generalized impunity in the country; dispersion is even lower in the case of the dark figure of crime, where the distance between the highest value and the lowest value is of 9.30 points. However, the functional dimension, in its two crosscutting axes, shows a bigger gap between the highest value and the lowest value with 75.33 points in the security system axis, and 63.6 points in this justice system axis (see Graph 2); this distance dilutes in the aggregated index due to the little dispersion of the other sub dimensions.

Amongst the general findings of the IGI-MEX, we must underscore the general and similar impunity conditions amongst the cases under study. As mentioned before, unlike the results of the 2015 IGI, the variance levels in the states of the country can be marginal, and therefore, there is little distance from each other. In perspective, the distance in the IGI 2015 between the country with the lowest levels of impunity (Croatia with 27.5) and the worst result (Philippines with 80) results on a variance of 52.5 points. In the same sense, the distance of Philippines with the average (49.1) was of 30.9 points. This clearly shows important levels of

variance between the cases. In the IGI-MEX we found a very different situation. The distance between the lowest impunity level (Campeche with 47.22) and the lowest level (Quintana Roo of 76.61) is of 29.39. If we exclude the two cases of the group with the lowest impunity levels, then we find that 30 states are at a distance of 17.75 from one another and that 24 states are at a distance of 10 points from the State with the worst rank (Quintana Roo, with 76.61). Likewise, the distance of Quintana Roo when compared with the national average is of 9.19 (see Chart 5).

Chart 4. Group of States by Impunity Level

Low Impunity Level	Campeche	47.22
	Nayarit	50.42

Intermediate Impunity Level	San Luis Potosi	56.86
	Distrito Federal	56.97
	Sonora	58.41
	Chihuahua	59.94
	Chiapas	59.96

High Impunity Level	Guanajuato	65.15
	Zacatecas	66.00
	Colima	67.01
	Nacional	67.42
	Jalisco	67.45
	Tlaxcala	67.69
	Hidalgo	67.90
	Aguascalientes	68.37
	Tabasco	69.10
	Puebla	69.19
	Sinaloa	69.34
	Morelos	69.37

Very High Impunity level	Baja California Sur	70.74
	Oaxaca	71.63
	Nuevo Leon	71.63
	Queretaro	72.24
	Veracruz	72.38
	Yucatan	72.80
	Coahuila	72.93
	Guerrero	73.19
	Tamaulipas	73.38
	Durango	73.97
	Baja California	74.42
	México	76.48
	Quintana Roo	76.61

Atypical Impunity level	Michoacán	67.71

Map 2. Group of States by Impunity Level

Michoacán	Quintana Roo	México	Baja California	Durango	Tamaulipas	Guerrero	Coahuila	Yucatán	Veracruz	Querétaro	Nuevo León	Oaxaca	Baja California Sur	Morelos	Sinaloa	Puebla	Tabasco	Aguascalientes	Hidalgo	Tlaxcala	Jalisco	Nacional	Colima	Zacatecas	Guanajuato	Chiapas	Chihuahua	Sonora	Distrito Federal	San Luis Potosí	Nayarit	Campeche
67.71	76.61	76.48	74.42	73.97	73.38	73.19	72.93	72.8	72.38	72.24	71.63	71.63	70.74	69.37	69.34	69.19	69.1	68.17	67.9	67.69	67.45	67.42	67.01	66	65.15	59.96	59.94	58.41	56.97	56.86	50.42	47.22

Graph 2. IGI-MEX and Dimensions. Highest, Intermediate and Lowest Values

Chart 5. IGI-MEX Dispersion vs. IGI

An additional conclusion consists on the fact that we did not find a significant correlation between the IGI-MEX and poverty indicators, gross domestic product and inequality, which to some extent is expected given the generalized impunity that prevails in the country; that is to say, impunity exists regardless social and economic conditions.

However, when correlating the IGI-MEX with some budget indicators and appeal dockets of criminal cases in second instance, we found an interesting history (see Chart 6). There is a positive and significant correlation with the budget of the Prosecution per capita, this is, an increase in the budget in prosecution leads to a decrease in the impunity index and, at the same time, an increase in the percentage of convicted persons in first instance that filed an motion of appeal to a second instance Court, leads to an increase in the impunity index (model 1).

In a second model, we observed that increases in the budget of prosecutions per perpetrated crime registered in prosecutorial investigations and the budget of the Supreme Court of Justice per open criminal proceeding, led to a decrease in the value of the IGI-MEX, despite the fact that magnitude is higher for the case of budget assigned to prosecutions (see Chart 6).

Chart 6. Generalized Least Squares					
IIMEX Dependent Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Budget in Prosecutions per capita	-0.012 (3.11)**				
Appeal dockets in second instance divided by convicted persons in first instance	2.114 (2.73)*	1.419 (2.62)*		21.42 (4.67)**	
Budget in Prosecutions per perpetrated crimes registered in prosecutorial investigations (MXN)		-0-0003 (4.06)**	-0-0002 (5.36)**	0.0013 (5.90)**	0.0006 -1.8
Budget at the Supreme Court of justice per open criminal proceeding (MXN)			-6.44E-07 -0.14		0.0002 (2.69)*
Constant	67.783 (32.40)**	71.891 (39.88)**	72.218 (56.22)**	---	---
Observations	27	27	32	27	32
R-square	0.3	0.62	0.59	0.8	0.63

t statistic in parenthesis
* significant at 5%, **significant at 1%

This does not mean that by arbitrarily increasing budget impunity will decrease, as there are several other things that must be analyzed. However, with a high level of adjustment, we can state that those states of the country with a higher budget per capita, per crime and criminal proceeding have a lower impunity index. The underlying explanations are diverse, but this is an indication that the lack of economic, material and human resources could be causing shortcomings that replicate or preserve impunity in state institutions when administrating justice.

TIMELINE

As a consistency exercise and in order to obtain a time line, we attempted to calculate the IGI-MEX for years prior 2013. However, this was not possible due to the lack of information in some variables, particularly the reconstruction of the variables of the axis was not possible for years prior 2013. This leads us again to the lack of reliable information on justice, security and human rights. Yet, this exercise allows a consistency analysis of the IGI-MEX and, therefore, we show the results, classifying the states of the country according to the following criteria:

Group 1: values between 40 and 45, inclusive.
Group 2: values between 45 and 50, inclusive.
Group 3: values between 50 and 55, inclusive.
Group 4: values between 55 and 60, inclusive.
Group 5: values between 60 and 65, inclusive.
Group 6: values between 64 and 70, inclusive.
Group 7: values between 70 and 75, inclusive.
Group 8: values between 75 and 80, inclusive.
Group 9: values higher than 80.

Chart 7. Approximate Level of Impunity 2010-2012 (1-2)

Here, the 2013 IGI-MEX is calculated without the functional dimension of the justice system, in order to allow more comparability because for the prior years this information is not available.

As seen, there are states of the country with important variances for the period 2010-2013. This could be due to the following two reasons: 1) the information has inconsistencies or omissions. For this last case we applied statistical impunity, this is, the variables without information are codified with the highest normalized value (100); 2) if the information is correct, then the state has had some transformation, positive or negative, in the process of administration of justice. And even when these results are not comparable with those reported in the prior section, they do report those states of the country with abrupt changes and those that are more constant in the information they report and its quality.

Additionally, in this exercise, the increase of the impunity index for 2013 is mainly due to the inclusion of the variable "perpetrated" crimes, which are not registered in prior years. From 2010 to 2012, we only have the variable of "overall" registered crimes.

IMPUNITY SEQUENCE AND IMPUNITY PYRAMID

The impunity sequence is a fundamental and quantitative resource that allows the measurement and identification of the trajectory from the moment a prosecutorial investigation or investigation file is opened until the moment one or more persons are judged for the perpetration of the crime or the crimes related with the report of a crime. By identifying the key variables we can detect where the main obstacles are, whether for the prosecution of crimes or the administration of justice. In a situation of optimal functionality of the institutions, we could expect that the impunity sequence would be more close to the behavior of a descendent distribution slightly staggered. This would mean that for each opened investigation file, there is a crime, a

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perpetrator and a punishment. It is descendent because there are crimes that are not sanctioned with deprivation of liberty. However, when we observe high and unequal increases, we are talking about inefficiencies, information loopholes and inconsistencies in the information that state level prosecutors and Supreme Court of justices report.

For instance, in the overall total, for year 2013, there were 1 million 679 thousand 702 prosecutorial investigations in the states of the country, from those 1 million 254 thousand 854 were solved (amounting to 74%) and 850 thousand 185 persons were indicted. Due to the fact that there was not sufficient evidence to accuse the perpetrator, there was no crime to prosecute and perpetrators were not identified, only half of the solved prosecutorial investigations were taken to the Supreme Court of Justice as criminal trial in first instance.

From the indicted persons registered in the criminal proceedings of first instance, only a third part (32%) received a conviction judgment. This means that if the justice system works properly, approximately 4.4% of the registered crimes were grave and ended in a convicted perpetrator. According to the information of ENVIPE 2014, from the overall reported crimes, only in 62.7% had a prosecutorial investigation and from those 49.9% no progress was reported, which is consistent with the results of the impunity Sequence, according to which for half of the prosecutorial investigations there was not a responsible or sufficient evidence to prove the perpetration of a crime; additionally, the 23.3% of the cases were dismissed. Only 10.5% recovered their property, 3.5% was granted with pardon and in 6.2% of the prosecutorial investigations the alleged perpetrator was indicted (see Impunity Sequence Chart).

In the impunity sequence reveals a clear institutional inefficiency and inefficacy through all the stages of the prosecution and administration justice. If we take into consideration that the prosecutorial investigations for homicide reached 2.21% of the overall reported crimes, from which 53%[27] were classified as intentional, plus robbery to by passers that amounted to 4.4.%, plus robbery in vehicle with a percentage of 11.04% (both classified as grave crimes in many states of the country), plus other crimes classified as grave, this sum overcomes the percentage of convicted persons in the year (4.4%), which means that thousands of crimes remained unpunished.

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[27] Information obtained from the database of the Executive Secretariat of the National System of Public Security, available at: http://secretariadoejecutivo.gob.mx/incidencia-delictiva/incidencia-delictiva-datos-abiertos.php.

Chart 8. National Impunity Sequence

Value	Label
1,679,702	Opened prosecutorial investigations and investigative files
1,710,636	
1,254,854	Solved prosecutorial investigations and investigative files
850,185	
215,638	Criminal proceedings in first instance
249,675	
236,340	Indicted person registered in the criminal proceedings in first instance
100,938	
75,593	Convicted persons in the criminal proceedings in first instance

Alleged crimes and reported crimes at the prosecution offices or fiscalías, in prosecutorial investigations and/or investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes

Reported crimes in criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

The high rates of crime incidence and the low rates of punishment and identification of perpetrators are a sample of the deficiencies that prevail in the justice system of the states of the country.

Using the dimension and the crosscutting axes from the IGI-MEX, it is possible to identify where the most vulnerable areas of the system are (see Chart 8).

Chart 9. National Impunity Pyramid

Impunity pyramid **National**

Justice System   Security System

As seen in the chart, the higher and the more open the triangle, the higher the impunity. The height of the triangle is the dark figure of crime; the left-hand side is the structural dimension and the right side is the

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functional dimension. The continuous line shows the crosscutting axis of the justice system and the dotted line is the security system. Ideally, the vertices of the triangle collapse towards number zero. Thus, impunity is higher as the sum of the area of both triangles is higher. Also, if we compare both triangles, we can also identify if the inefficiencies are dragged from one dimension to the other. This is to say that if one of the crosscutting axes has a lower value in the structural dimension but a higher value in the functional dimension, this means that structural problems transfer to the functional part.

At a domestic level, the crosscutting axis of the justice system is the one with the highest backlog (due to the openness of the triangle) that is slightly compensated with a lower level in the functional dimension. And the opposite happens in the crosscutting axis of the security system that presents a better performance in the structural dimension, but deteriorates in the functional dimension.

The following indicators allow us to observe in more detail the need to increase the material and human resources of the security system and the justice system. On average, there are just 3.2 offices of the public prosecutor and 7.6 officers at the public prosecutor office per 100 thousand inhabitants. The number of police officers is of 160.5 per 100 thousand inhabitants, away from the average of 332 police officers per 100 thousand inhabitants registered in the 2015 IGI. The number of judges per 100 thousand inhabitants is just of 3.5 when the 2015 IGI points to an average of 16.

Chart 10. 35 Indicators. National	
Alleged crimes reported per 100 thousand inhabitants	1,444.9
Public Officers at Prosecutors' offices per 100 thousand inhabitants	75.7
Actual expenditures applied by the Prosecutor's Office per capita	241.0
Prosecution Offices per 100,000 inhabitants	3.2
Percentage of Specialized Prosecutions for grave crimes	14.8
Public Officers at Prosecutors' offices per 100 thousand inhabitants	33.9
Number of Prosecutors per 100,000 inhabitants	7.6
Prosecutors per 1000 reported crimes	5.31
Prosecutor's Office Forensic experts per 1,000 reported crimes	1.73
Investigative police per 1,000 reported crimes	7.72
Investigative police per 100,000 inhabitants	11.1
Percentage of certified public security officers	28.4
Overall number of officers to carry out public security functions per 100,000 inhabitants	181.0
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	160.5
Functional personnel to carry out public security functions per 100,000 inhabitants	152.0
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	206.5
Number of judges and magistrates per 100,000 inhabitants	3.5
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	34.3
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	11.9
Number of Court Clerks per Judge	3.4
Criminal proceedings in first instance divided by number of judges	51.7
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.13
Number of indicted persons in first instance per concluded prosecutorial investigations	1.2
Convicted persons in first instance divided by indicted persons in first instance	0.43
Percentage of convictions	74.89
Percentage of convicted persons divided by the overall number of perpetrated crimes	4.46
Penitentiary admissions divided by the number of convicted persons	2.29
Percentage of convicted persons divided by penitentiary admissions	58.41
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	10.3
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	27.5
Percentage of inmates without conviction in first instance	35.7
Appeal dockets in second instance divided by convicted persons in first instance	1.01

Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.3
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	92.8

The workload in the prosecution and the judiciary is elevated, as well as the lack of qualifications and training of the staff. Finally, institutional deficiencies and high levels of corruption lead to higher impunity, as there are no mechanisms to decrease and punish crimes. According to the information from ENVIPE 2014, from the overall crimes only 0.7% of victims recovered their property and in the 0.5% of the cases perpetrators were indicted. Taking into consideration that the 0.2% was granted pardon, we would estimate that less than 1.4% of crimes in Mexico are punished. All of this results in a condition of generalized impunity, as pointed out in this document.

QUADRANTS PER IMPUNITY LEVEL AND DEVELOPMENT IN THE STATES OF THE COUNTRY

As previously mentioned, our analysis revealed generalized impunity in all the states of the country. This is significantly more serious when we found states that have high impunity levels with low levels in welfare indicators. This is the case of states like Guerrero, Puebla and Oaxaca that have higher levels in the national average of impunity and multidimensional poverty.[28] To the contrary, the Federal District, Sonora and Chihuahua are states placed below the national average in both indicators (see Chart 11).

Chart 11. Impunity and Poverty

The phenomenon of inequality has implications over the welfare level of persons and their consequences are inherited generation after generation (PNUD 2010; Barham et al. 1995; Bénabou 1994); therefore, states like

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[28] The variable of multidimensional poverty is published by the Coneval, available at: www.coneval.gob.mx.

Guerrero, Tabasco and Oaxaca, where impunity incidence is fostered with inequality, require special attention for the development and implementation of public policies (see Chart 12).

Chart 12 Impunity and GINI Index

States above the national impunity average and below the national GINI Index

States above the national impunity average and above the national GINI Index

States below the national impunity average and below the national GINI Index

States below the national impunity average and above the national GINI Index

Similarly to the indicators mentioned previously, Guerrero and Oaxaca characterize for low levels of education and human development, as well as their high impunity levels. States like the Federal District and Sonora show more favorable conditions in both indicators (see Chart 13 and Chart 14).

If we take into consideration the national corruption index and the good government index (INCBG) 2010, again, the states of Guerrero and Oaxaca are in the quadrant of impunity levels higher than the national average and with an INCBG higher to the national average. The State of Mexico, Tabasco and Hidalgo are in the same situation. It should be noted that the Federal District is the sole state with impunity levels below the national average, but its INCBG is above the national level (see Chart 15).

The combination of elements that contribute to the decrease of human welfare demands the design of comprehensive policies for an institutional transformation, as well as evaluation and monitoring of public budgets. In the transition towards a public policy based on results and scientific evidence, the creation of indicators that respond to local reality is fundamental, and that they are conceptualized in such a way that allow a proper measurement of the impact of expenditures on the wanted goals in national and state level development plans. It is clear that this goal does not depend solely from a budgetary increase, but from an institutional transformation that increases productivity, efficiency and efficacy from the criminal justice system, as the ultimate goal pursuant which the State is the one that must guarantee security to its population and, as set forth in the Constitution, the full enforcement of human rights.

Chart 13 Impunity and Average Years of Schooling

States above the national impunity average
and below the average years of schooling

States above the national impunity average
and above the average years of schooling

MEX ■
QROO ■
BC ■
DGO ■
GRO ■
VER ■
YUC ■
TAM ■
COAH ■
OAX ■
QRO ■
NL ■
BCS ■
PUE ■
TAB ■
SIN ■
MOR ■
TLAX ■
AGS ■
MICH ■
HGO ■
JAL ■
COL ■
ZAC ■
GTO ■
CHIS ■
CHIH ■
SON ■
SLP ■
DF ■
NAY ■
CAM ■

States below the national impunity average
and below the average years of schooling

States below the national impunity average
and above the average years of schooling

Chart 14 Impunity and Human Development Index (HDI)

States above the national impunity average
and below the national HDI

States below the national impunity average
and below the national HDI

MEX ■
QROO ■
TAM ■
DGO ■
BC ■
GRO ■
YUC ■
QRO ■
COAH ■
OAX ■
VER ■
BCS ■
NL ■
MOR ■
PUE ■
TAB ■
SIN ■
HGO ■
AGS ■
MICH ■
TLAX ■
JAL ■
COL ■
ZAC ■
GTO ■
CHIS ■
CHIH ■
SON ■
SLP ■
DF ■
NAY ■
CAM ■

States below the national impunity average
and below the national HDI

States below the national impunity average
and above the national HDI

Chart 15 Impunity and INCBG 2010

States above the national impunity average and below the INCBG

States above the national impunity average and above the INCBG

■ QROO

■ MEX

■ BC

■ DGO

■ TAM

■ YUC

VER ■ QRO

■ COAH

■ NL

■ BCS

■ MOR

■ PUE

SIN ■

■ TAB

■ AGS

■ MICH   TLAX ■ JAL

■ HGO

■ COL

ZAC ■

■ GTO

CHIH ■   ■ CHIS

■ SON

■ SLP

■ DF

■ NAY

■ CAM

■ OAX

■ GRO

States below the national impunity average and below the INCBG
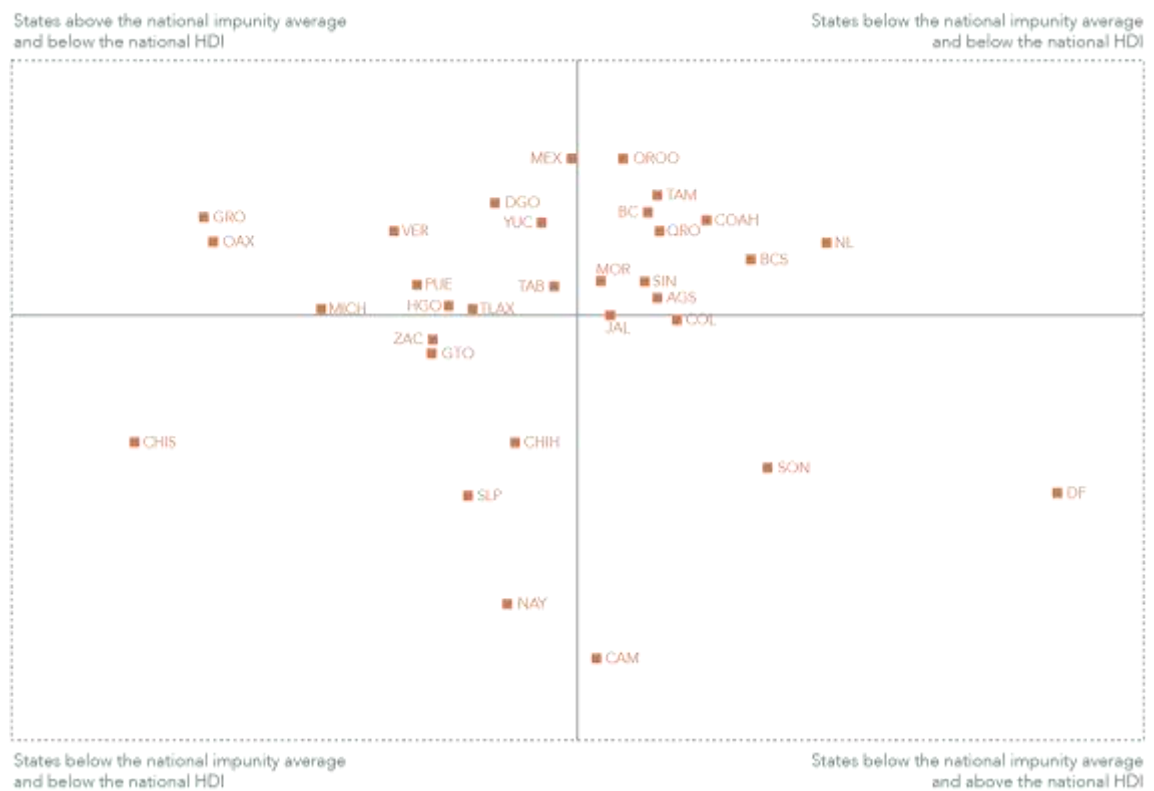
States below the national impunity average and above the INCBG

Source: Prepared by the authors based on information from Mexican Transparency (Transparencia Mexicana - 2010).

STATE LEVEL RESULTS OF THE IMPUNITY INDEX IGI-MEX

STATE LEVEL RESULTS OF THE IMPUNITY INDEX IGI-MEX 2016

AGUASCALIENTES

The state of Aguascalientes, according to the results of IGI-MEX, is in Group 3 which corresponds to a high level of impunity. Such group is characterized by deficiencies in the functioning of their security system and the justice system.

i. Context of the Prosecution System, Administration of Justice System and the Human Rights System

In Aguascalientes, the adversarial system entered into effect in 2014; however it is still in development with a progress of 86%.

According to figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in this state are:

1. Injuries
2. Home robbery
3. Other robberies
4. Business robbery
5. Property damage

It is important to highlight that that the percentage of unreported crime in the state is of 92.9%, similarly to the national average, which is of 92.8%. These figures are worrisome because they show that only about 7% of crimes are reported.

ii. Impunity Sequence

As reported by the state prosecution agencies, in 2013 the number of opened prosecutorial investigations was of 17,443, corresponding to 17,402 charged crimes. Of these, only 6,170 could be ascertained/solved. It stands out as an abnormal situation that said year there were 22,930 indicted persons reported and only 3,106 persons in criminal trials in first instance. (See Impunity Sequence Chart).

Ruling out the possibility that this information is not accurate, the impunity Sequence tells a story where the prosecution has serious deficiencies and an institutional inability to perform its duties. The high number of indicted people, which contrasts with the much fewer recorded crimes raises questions about how such information is being reported, the crime investigation process and the prosecution of alleged suspects. In addition, low productivity on the determination of prosecutorial investigations is observed, with a rate of 35% (See Impunity Sequence Chart).

Moreover, the phases regarding the delivery of justice also have important shortcomings. This is so, because there were only 882 judgments for the 3,106 persons in criminal trials in first instance, which amounts to merely 28%.

iii. Main Results in the 35 Indicators

According to the results of IGI-MEX in this state, the number of staff members in relation to the security system is inadequate. That is, both staff in the Prosecutions Office and staff intended for public security functions are insufficient with respect to the numbers of opened prosecutorial investigations. For example, in Aguascalientes there are 33.8 officers in charge of public security duties, while the national average is 160.5. In the only aspect where it is above the national average is on the number of investigative police officers per every 100,000 inhabitants. These indicators allow us to observe that the functional dimension of the security system has major problems (See Impunity Pyramid chart), as there is not a sufficient number of staff, in the prosecutor's office, its agencies and public officers for public security, which may lead to difficulties for the investigation and gathering of the necessary evidence to identify the accused or offenders. In this vein, the cases with sufficient evidence to be turned over to courts are very few. As mentioned above, various types of robbery are the most committed crimes in the state. Nonetheless, in prosecutorial investigations the percentage of inmates incarcerated for robbery is just 5.9%, while the national average is 10.3%.
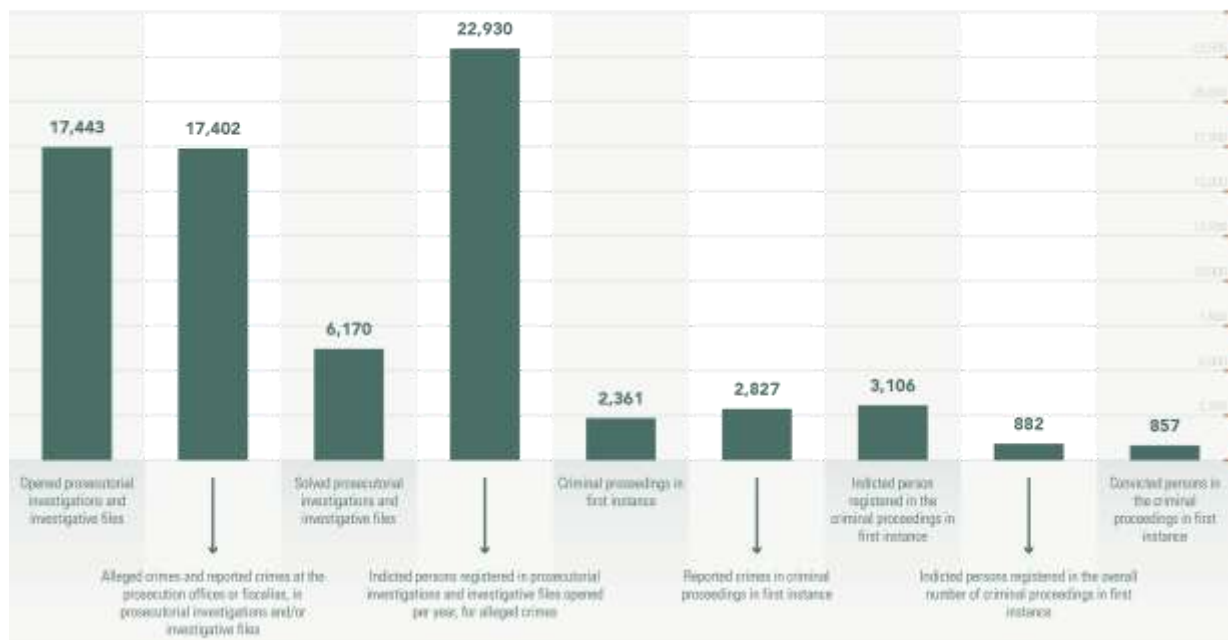
With regard to the justice system, it is observed that most of the indicators are above the national average. That is to say, the state has a greater relative strength in the number of penitentiary staff or officers in prison. In contrast, it is worth noting the weakness in the number of magistrates and judges per every 100,000 inhabitants, since they only have 3, while the national average is 3.5, which is itself very low.

As for the functional dimension of the justice system, there are also indicators above the national average. For instance, criminal proceedings in first instance reach a total of 0.14 cases, while the average is 0.13. Likewise, the percentage of convicted persons divided by penitentiary admissions is of 79.3%, higher than the national figure of 58.41%.

Finally, the percentage of inmates without conviction in first instance is very high, almost twice the national average (63.6%), which means that there are many inmates awaiting to be sentenced. This, contrasted with the percentage of prison admissions, which is also very high, reflects a lag in the justice delivering system.

It is determined that the state has limited staff in the Prosecutor's Office, as well as regarding the personnel required for public security. This suggests that the operating capacity is quite precarious, since a large number of prosecutorial investigations are opened, but the number of convictions is very low.

Impunity sequence Aguascalientes
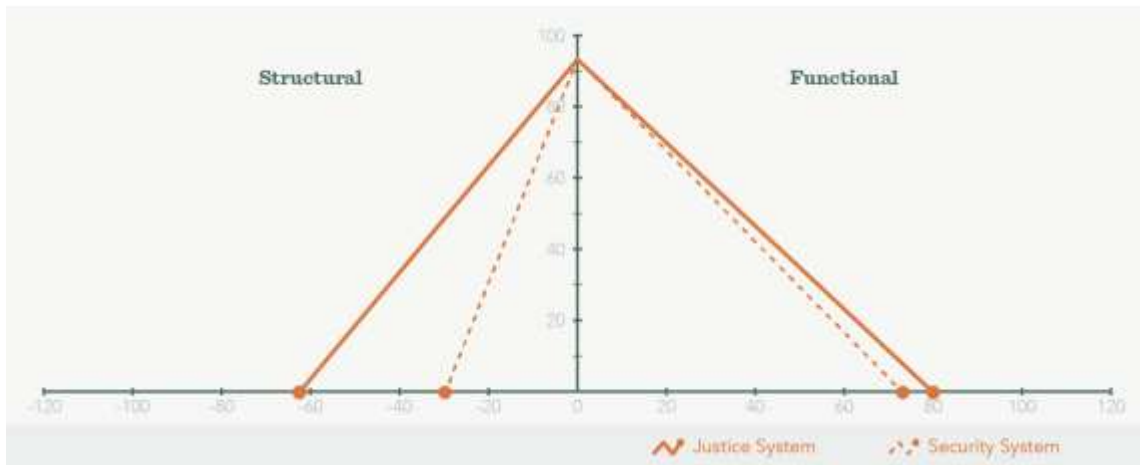
Impunity pyramid Aguascalientes

Chart Aguascalientes. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,392.9
Public Officers at Prosecutors' offices per 100 thousand inhabitants	56.1
Actual expenditures applied by the Prosecutor's Office per capita	220.8
Prosecution Offices per 100,000 inhabitants	2.0
Percentage of Specialized Prosecutions for grave crimes	12.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	47.9
Number of Prosecutors per 100,000 inhabitants	6.6
Prosecutors per 1000 reported crimes	4.77
Prosecutor's Office Forensic experts per 1,000 reported crimes	5.46
Investigative police per 1,000 reported crimes	13.16
Investigative police per 100,000 inhabitants	18.3
Percentage of certified public security officers	69.3
Overall number of officers to carry out public security functions per 100,000 inhabitants	33.8
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	33.8
Functional personnel to carry out public security functions per 100,000 inhabitants	10.3
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	191.7
Number of judges and magistrates per 100,000 inhabitants	3.0
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	33.6
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	18.4
Number of Court Clerks per Judge	6.1
Criminal proceedings in first instance divided by number of judges	62.1
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.14
Number of indicted persons in first instance per concluded prosecutorial investigations	2.2
Convicted persons in first instance divided by indicted persons in first instance	0.3
Percentage of convictions	97.2
Percentage of convicted persons divided by the overall number of perpetrated crimes	4.92
Penitentiary admissions divided by the number of convicted persons	1.3
Percentage of convicted persons divided by penitentiary admissions	79.3
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	5.9
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	32.2
Percentage of inmates without conviction in first instance	63.6
Appeal dockets in second instance divided by convicted persons in first instance	1.5
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	0.9
Penitentiary staff divided by inmates	0.3
Percentage of non-reported crimes	92.9

BAJA CALIFORNIA

The state of Baja California, according to the results of IGI-MEX, is located in Group 4, with a very high level of impunity. It has widespread deficiencies identifiable throughout its entire criminal justice system.

i. Context of the Prosecution System and the Administration of Justice System

In 2010, Baja California transitioned towards the new adversarial system, and although reports it 100% of legal harmonization, the new system only operates in a partial manner.

According to figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes in Baja California are:

1. Vehicle robbery
2. Other robberies
3. Home robbery
4. Injuries
5. Business robbery

Additionally, in 2014 345 crimes involving firearms and explosives were reported. The state presented an unreported crime figure of 90.3%, slightly lower than the national average (92.8%).

ii. Impunity Sequence

The impunity Sequence of the state shows a regular scaling behavior, which suggests that the information reported is reliable. That is to say, no atypical or counterintuitive behavior is observed (See Impunity Sequence Chart).

There is a drastic decline between the items of prosecutorial investigations and resolved/ascertained prosecutorial investigations, a difference of 53%, with the national average, that reaches 26%. This shows low productivity of the investigative process.

This state ranks second in the country with the highest number of alleged recorded crimes per 100,000 inhabitants (3,076.8). Most likely, the heavy workload and lack of material and human resources in the prosecutor's office results on low numbers of resolved/ascertained prosecutorial investigations.

Of the 43,930 indicted persons in prosecutorial investigations, only 16,358 are prosecuted in criminal cases in first instance and 943 are sentenced, most of them convicted. This makes clear the institutional incapability for the delivery of justice—clearly shown by the level of impunity reached by the state in IGI-MEX, which is one of the highest in the country.

iii. Main Results in the 35 Indicators

According to IGI-MEX, Baja California presents a strong deficiency in the structural-justice and functional-justice dimensions; while its relative strengths can be found in the structural -security and functional-security dimensions (See Impunity Prims Chart).

The indicators of the structural dimension of the justice system, in general, show that the number of staff dedicated to prosecution is slightly below than the national average. This tells us that in Baja California a number of personnel similar or slightly lower than the national average must work in processing a number of crimes that doubles the national average, taking into consideration that there are 3,077 alleged crimes per 100,000 inhabitants recorded in the state, when the nationwide figure is 1,445.

Another indicator that tells us about the deficiency of the justice system is the percentage of convicted persons divided by penitentiary admissions, which is 5.2% in the State, when the national average is of 58%. This means that nationwide about 40% of the persons imprisoned are awaiting a judgment, while in Baja California about 95% of the penitentiary admissions are linked with a criminal proceeding. In turn,

this data is consistent with the percentage of inmates without conviction in first instance of 40%, slightly above the national average of 36%.
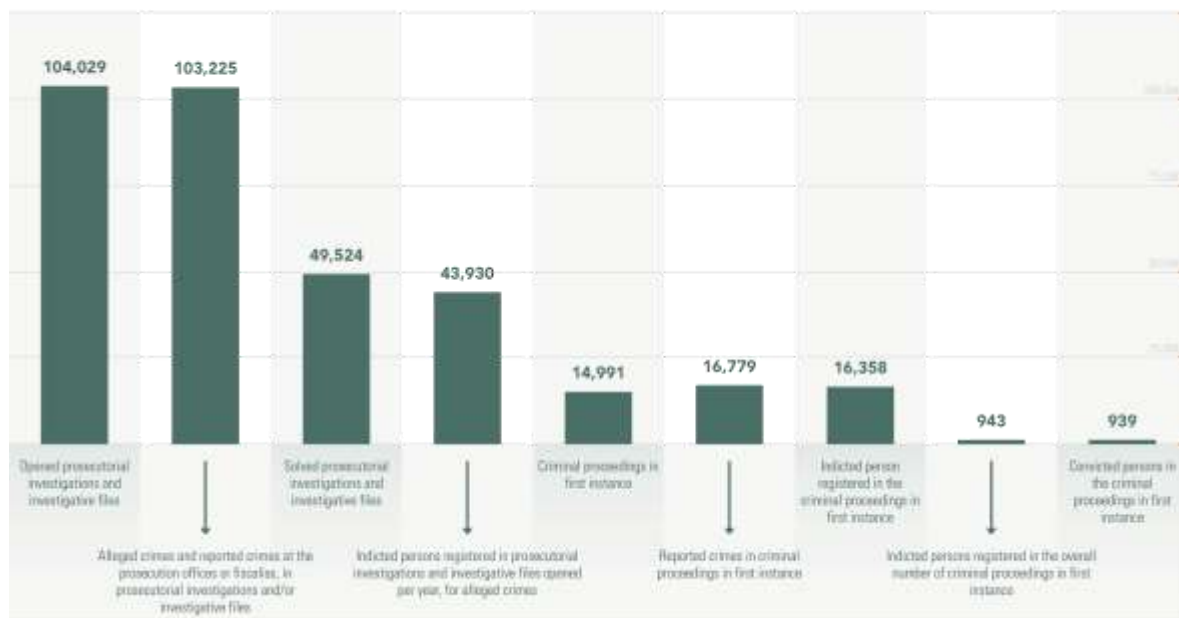
In the structural dimension of the security system, indicators show that the state of Baja California has fewer Prosecutors' offices and fewer agents than the national average. There are barely 1.6 Prosecutors' offices for every 100,000 inhabitants, nearly half the national average of 3.2. In these offices, for every 1,000 reported crimes there are about 2 prosecutors working, well below the national average of 5 prosecutors. This explains the low productivity identified in the impunity Sequence of this state.

This data is consistent with the argument developed above, regarding the heavy workload at public prosecutors offices. With basically the same number of staff members, this institution deals with twice the number of crimes observed in the national average.

Another fact confirming the above is related to the officers to carry out public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level). Baja California has 18 when the nationwide average is 160.

Finally, another figure that is indicative of the heavy workload is the percentage of inmates for homicide divided by prosecutorial investigations on homicide, which reaches 119%. If this information is reliable, this speaks about a backlog in the delivery of justice, though an error in reporting the information is not dismissed.

Impunity sequence Baja California
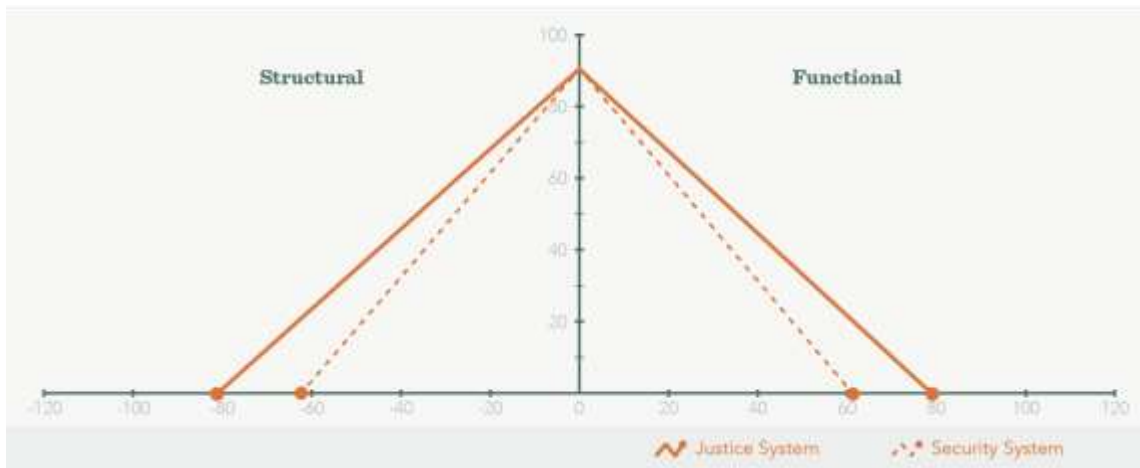
Impunity pyramid **Baja California**

Chart Baja California.35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	3,076.8
Public Officers at Prosecutors' offices per 100 thousand inhabitants	83.4
Actual expenditures applied by the Prosecutor's Office per capita	348.8
Prosecution Offices per 100,000 inhabitants	1.6
Percentage of Specialized Prosecutions for grave crimes	35.8
Public Officers at Prosecutors' offices per 100 thousand inhabitants	30.0
Number of Prosecutors per 100,000 inhabitants	5.1
Prosecutors per 1000 reported crimes	1.67
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.12
Investigative police per 1,000 reported crimes	3.14
Investigative police per 100,000 inhabitants	9.6
Percentage of certified public security officers	97.6
Overall number of officers to carry out public security functions per 100,000 inhabitants	19.3
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	18.3
Functional personnel to carry out public security functions per 100,000 inhabitants	17.2
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	242.2
Number of judges and magistrates per 100,000 inhabitants	2.8
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	40.0
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	12.8
Number of Court Clerks per Judge	4.5
Criminal proceedings in first instance divided by number of judges	156.2
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.14
Number of indicted persons in first instance per concluded prosecutorial investigations	0.8
Convicted persons in first instance divided by indicted persons in first instance	0.1
Percentage of convictions	99.6
Percentage of convicted persons divided by the overall number of perpetrated crimes	0.91
Penitentiary admissions divided by the number of convicted persons	19.1
Percentage of convicted persons divided by penitentiary admissions	5.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	11.8
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	119.2
Percentage of inmates without conviction in first instance	40.1
Appeal dockets in second instance divided by convicted persons in first instance	4.3
Penitentiary staff divided by installed capacity of prisons	0.1
Inmates divided by installed capacity of prisons	1.1
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	90.3

BAJA CALIFORNIA SUR

According to the results of IGI-MEX, Baja California Sur is located in a very high level of impunity, in group 4. It is characterized by contrasts in the different dimensions and sub-dimensions that comprise this indicator.

i. Context of the Prosecution System and the Administration of Justice System

Baja California Sur is one of the states without an active transition process towards the adversarial system. Currently it shows a 14% progress on its legal harmonization.

According to figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Baja California Sur are:

1. Home robbery
2. Injuries
3. Property damage
4. Domestic violence
5. Other robberies

According to the annual report of the Commission on Human Rights of the state, 153 complaints were filed against security officers (investigative police, state police and municipal police). Also, the most frequent violations of human rights from the complaints were: violation of the right to be treated with dignity, improper use of public office, abuse of authority, arbitrary detention and violation of the right to personal integrity and security.[29]

The state has a percentage of 88.4% unreported crimes, which shows a context of mistrust and insecurity in the population of Baja California Sur. However, it is lower than the national average rate.

ii. Impunity Sequence

Baja California Sur's impunity sequence has many information gaps; therefore, it cannot be completely explained. In the first three links it is revealed that about 90% of the prosecutorial investigations initiated and investigative files opened are resolved within the year. Although the percentage of registered indicted persons reaches only 36% of the alleged crimes registered. Of these, only 1,156 (14%) have sufficient evidence for a criminal case. Due to lack of information, the process flow at the stage of justice delivery is unknown. Nevertheless, is alarming that having recorded 22,932 crimes in prosecutorial investigations, there are only 885 judgments. (See Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

The state of Baja California Sur has significant deficiencies in the functional dimensions of the axes of the security system and the justice system (see Impunity Prims Chart).

Regarding the functional dimension of the security system, the state has a higher number of alleged recorded crimes per every100, 000 inhabitants (3,208 against 1,444), and less inmates for robbery than the national average (7.3% versus 10.3%, respectively). It should be emphasized that the percentage of inmates for homicide in prosecutorial investigations, reaches 170%, against 27.5% nationally. This is indicative of a backlog in the justice delivery and prosecution processes.

Meanwhile, the crosscutting axis of the justice system functional dimension also shows important variations when compared with the national average. For example, only 0.05% of the opened prosecutorial investigations result in criminal cases in first instance. In addition, at least half of the convicted persons are admitted into penitentiary centers (57.3% against 58.4% of the national average). And there is a significant

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[29] Comisión Estatal de Derechos Humanos de Baja California Sur, 2014.

gap in the percentage of inmates without conviction in first instance compared to the national average, 50.1% versus 35.7%, respectively.

Reviewing the structural variables is important to note that the state has higher figures than the national average. For example, regarding the staff in Prosecution offices per every 100,000 inhabitants, Baja California Sur has 131 versus 75.7 nationwide. There are 7.4 Prosecutors' offices per every 100,000 versus 3.2 nationally; and 46.5 investigative police officers per every 100,000 versus 11 nationally. The above figures make clear that the functional failures in the state are not due to a lack of the human resources needed to solve its problems, but due to possible shortcomings and inefficiency of the public officers in charge of prosecutions.

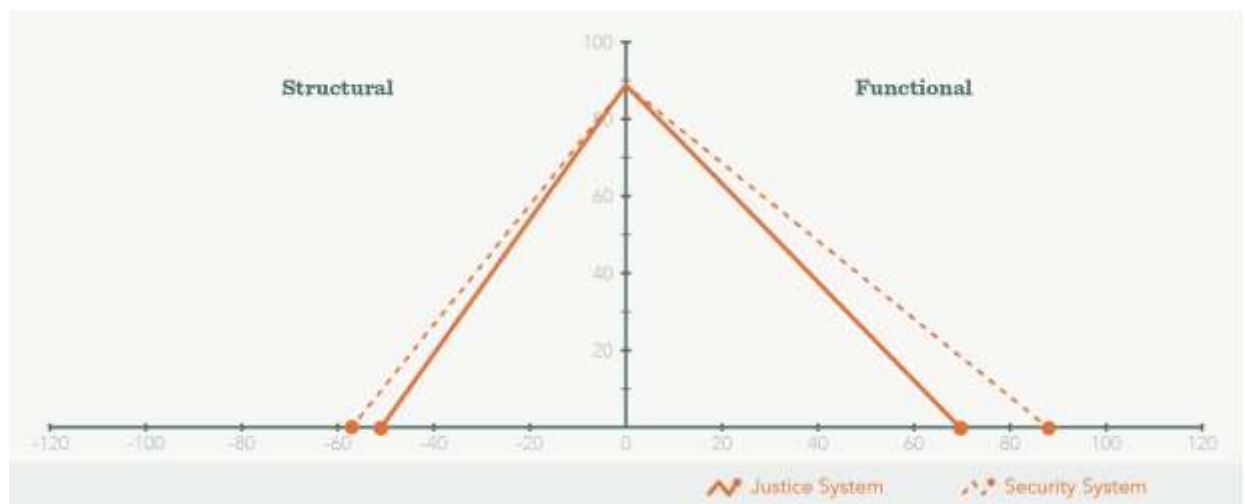**Impunity sequence Baja California Sur**

Impunity pyramid Baja California Sur

Chart Baja California Sur. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	3,208.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	131.0
Actual expenditures applied by the Prosecutor's Office per capita	254.0
Prosecution Offices per 100,000 inhabitants	7.4
Percentage of Specialized Prosecutions for grave crimes	26.4
Public Officers at Prosecutors' offices per 100 thousand inhabitants	114.6
Number of Prosecutors per 100,000 inhabitants	15.3
Prosecutors per 1000 reported crimes	4.80
Prosecutor's Office Forensic experts per 1,000 reported crimes	3.01
Investigative police per 1,000 reported crimes	14.56
Investigative police per 100,000 inhabitants	46.5
Percentage of certified public security officers	3.7
Overall number of officers to carry out public security functions per 100,000 inhabitants	70.9
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	33.7
Functional personnel to carry out public security functions per 100,000 inhabitants	30.9
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	236.5
Number of judges and magistrates per 100,000 inhabitants	5.3
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	58.9
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	10.7
Number of Court Clerks per Judge	2.0
Criminal proceedings in first instance divided by number of judges	30.4
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.05
Number of indicted persons in first instance per concluded prosecutorial investigations	-
Convicted persons in first instance divided by indicted persons in first instance	-
Percentage of convictions	-
Percentage of convicted persons divided by the overall number of perpetrated crimes	-
Penitentiary admissions divided by the number of convicted persons	-
Percentage of convicted persons divided by penitentiary admissions	57.3
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	7.3
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	170.1
Percentage of inmates without conviction in first instance	50.1
Appeal dockets in second instance divided by convicted persons in first instance	0.8
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	1.2
Penitentiary staff divided by inmates	0.3
Percentage of non-reported crimes	88.4

CAMPECHE

According to IGI-MEX, the state is part of group 1, with low levels of impunity. It ranks as fourth in the country and has the lowest figure of unreported crime (89%), while the national average is 93%.

i. Context of the Prosecution System and the Administration of Justice System

In 2014, Campeche began the transition to the new adversarial system. Currently the state reports partial operation of such system and 57% of legal harmonization.

According to figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction are:

1. Home robbery
2. Other robberies
3. Passerby robbery
4. Property damage
5. Homicide

ii. Impunity Sequence

Campeche's impunity Sequence reveals important information gaps and inconsistencies in the reported data. If the impunity Sequence allows us to have a picture of the justice delivery process and the prosecution process, then the image for Campeche is quite blurred. Since there is no information reported in five of the nine items that comprise the Sequence, it is not possible to give a detailed account of the judicial and criminal proceedings in the state (see Impunity Sequence Chart).

Also, there are inconsistencies in the information contained in the data itself, since there were more criminal cases reported than prosecutorial investigations, 2,411 and 1,775, respectively. Additionally, approximately two crimes are reported for each criminal case.

Another fact that arouses suspicions is the amount of opened prosecutorial investigations, which reaches 1,775, the lowest figure across the country. There are three possible explanations for this: few crimes occur, there is little culture of reporting, or there is an error in the way the data is reported.

iii. Main Results in the 35 Indicators

IGI-MEX information indicates that the biggest weakness of the state is in the axis of the justice system, in both dimensions: the structural and the functional one. The strengths of the report are in the axis of the justice system, also in both dimensions.

There are 7 prosecution offices per every 100,000 inhabitants in the State, a figure that doubles the national average of 3. In the prosecutors' offices there are 50 prosecutors per each thousand recorded crimes, ten times more than the national average of 5.

The state has a remarkable relative strength in its structural dimension, since it has 10 magistrates or judges that is 2.5 times the national average of 4. It also has 56% of the total staff of the Superior Court of Justice for every 100,000 inhabitants, against 34% of the national average. And it has 27 clerks of the Superior Court of Justice for every 100,000 inhabitants, against 12 nationally.

The amount of recorded crimes per 100,000 inhabitants is of 201, being the lowest figure throughout country and representing about one seventh of the national average—that is of 1,445. The state has one of the lowest statewide unreported crime figures: 89%, against the national average of 93%.

The functional dimension on the justice system axis shows a good performance. There are 49% of inmates for homicide compared with the opened prosecutorial investigations, almost twice the national average (28%), which means that half of the cases of homicide are punished, and taking into consideration that half of them are manslaughter, the criminal justice system seems to be quite efficient. As for robbery, it shows that the

percentage of inmates for robbery compared with opened prosecutorial investigations is of 71%, this is seven times above the national average of 10%. This indicates that seven out of ten cases of robbery end in a conviction. Although, it is important to emphasize that the percentage of inmates without conviction in first instance is 47%, a value above the national average of 36%.

The low rate of crime incidence in the state and sufficiency of human resources results in the lowest IGI-MEX country. Nevertheless, information gaps, particularly in the impunity Sequence, challenge the reliability of the reported data.

Impunity sequence Campeche

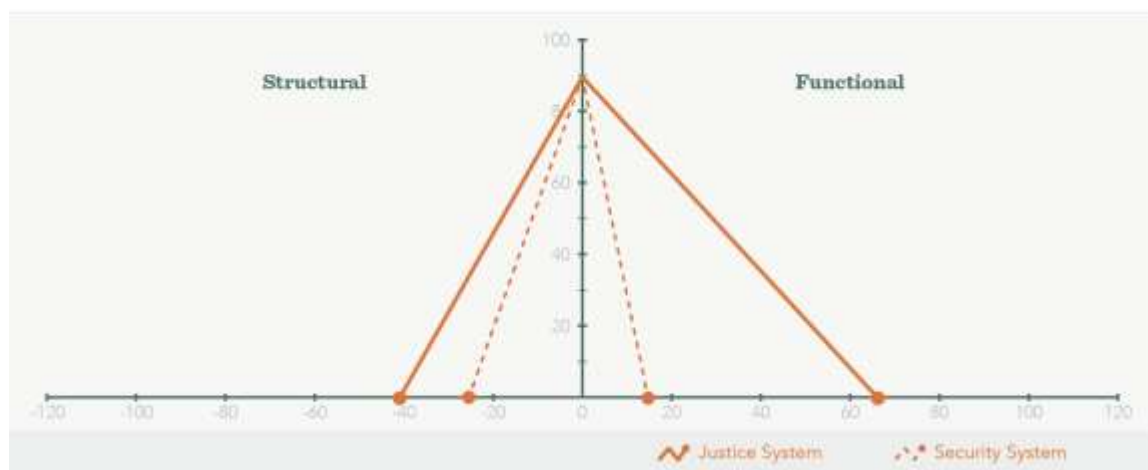## Impunity pyramid **Campeche**

Chart Campeche. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	201.6
Public Officers at Prosecutors' offices per 100 thousand inhabitants	79.3
Actual expenditures applied by the Prosecutor's Office per capita	276.9
Prosecution Offices per 100,000 inhabitants	7.3
Percentage of Specialized Prosecutions for grave crimes	14.1
Public Officers at Prosecutors' offices per 100 thousand inhabitants	45.4
Number of Prosecutors per 100,000 inhabitants	9.8
Prosecutors per 1000 reported crimes	49.71
Prosecutor's Office Forensic experts per 1,000 reported crimes	34.10
Investigative police per 1,000 reported crimes	90.17
Investigative police per 100,000 inhabitants	17.7
Percentage of certified public security officers	-
Overall number of officers to carry out public security functions per 100,000 inhabitants	138.9
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	124.2
Functional personnel to carry out public security functions per 100,000 inhabitants	122.5
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	264.8
Number of judges and magistrates per 100,000 inhabitants	10.2
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	56.2
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	26.8
Number of Court Clerks per Judge	2.6
Criminal proceedings in first instance divided by number of judges	26.8
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	1.36
Number of indicted persons in first instance per concluded prosecutorial investigations	-
Convicted persons in first instance divided by indicted persons in first instance	-
Percentage of convictions	-
Percentage of convicted persons divided by the overall number of perpetrated crimes	-
Penitentiary admissions divided by the number of convicted persons	-
Percentage of convicted persons divided by penitentiary admissions	-
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	71.3
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	49.0
Percentage of inmates without conviction in first instance	47.3
Appeal dockets in second instance divided by convicted persons in first instance	-
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	0.9
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	89.2

CHIAPAS

The state of Chiapas is located in group 2, with a medium level of impunity, along with San Luis Potosi, Mexico City, Sonora and Chihuahua. It registers an unreported crime figure of 93.1%, slightly above the national average percentage of 92.8%.

i. Context of the Prosecution System and the Administration of Justice System

The adversarial system came into effect in 2012, although currently it only operates partially. According to estimates of CIDAC, as of October 2014, the state presented an 86% progress in legal harmonization. This placed the state it in the 12th place of the nationwide implementation.[30]

Based on the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Chiapas are:

1. Injuries
2. Vehicle robbery
3. Home robbery
4. Homicide
5. Failure to comply with alimony

There is also evidence of significant levels of offenses related with deprivation of liberty (1.34% of the crimes of the state) as well as a simple rape (3.77% of crimes).[31]

ii. Impunity Sequence

In Chiapas, there is record of 21,851 preliminary and investigative dockets opened during 2013. These account for 23,703 alleged crimes. Of these, 52% (11,466) were resolved and 48% were dismissed. It should be highlighted that the average number of indicted people registered in prosecutorial investigations and investigative dockets initiated is 3. This reveals excess of indictments and inefficiency in the investigation and evidence validation process (see Impunity Sequence Chart).

In the justice delivery phase there were 6,162 criminal cases recorded. This represents a 28% of the total investigations initially opened, and 58% of the resolved ones, well above the national average of 13%. The number of persons tried in criminal cases was of 7,748, of which 40% (3,102) were sentenced, and 78% of them (2,426) were convicted. This indicates a backlog in the Sequence, not only in the investigating instances, but also in the phase of sentencing by judges.

Although, Chiapas is one of the states where there is a smaller gap between the number of prosecutorial investigations opened and those corresponding to a criminal case, there is still an important difference that requires attention.

As seen in the impunity Sequence, the delivery of justice system has good performance when compared with the national figures. In the state there are an estimated number of 30.8 criminal cases per judge, which being lower than the national average figure of 51.7, indicating a lighter workload.

iii. Main Results in the 35 Indicators

The impunity Pyramid shows that the justice system axis in both its structural and functional dimensions requires the most attention. Regarding the transversal axis of the security system it can be observed that the apparent strength that exists in the structural dimension is diluted the functional dimension.

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[30] *Proyecto Justicia. (2014). Chiapas. Perfil de seguridad y justicia.* October, 2015, by CIDAC, aided by USAID, web: http://proyectojusticia.org/datos/public/7-Chiapas.html
[31] *Censo Nacional de Procuración de Justicia Estatal 2014*, INEGI, 2014.
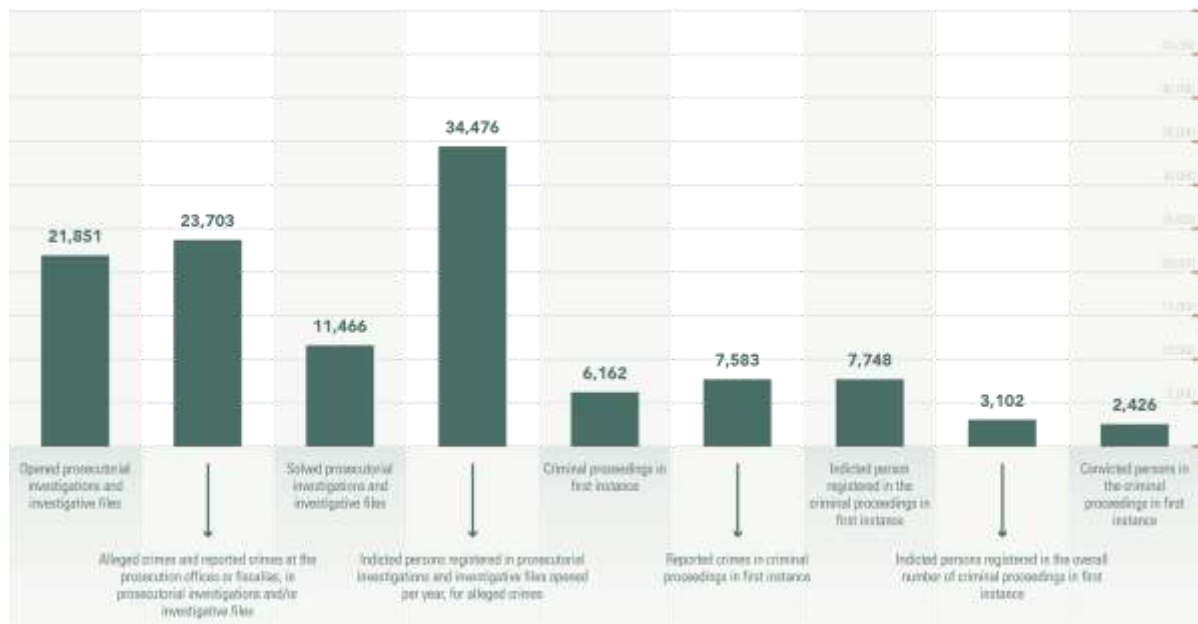
In the state 62.2% of penitentiary admissions were of judged persons, this being a slightly higher percentage than the national average of 58.4%, even though, inmates without conviction reached a 51.2%, well above the national average of 35.7%. This suggests that there is a backlog in the delivery of justice trailing from previous years. It also suggests that, although there was more efficient judging in 2013, this was not enough to reduce the proportion of inmates without conviction in the state. Hence the impunity Pyramid shows this weakness in the functional dimension of the justice system's axis.

In the Prosecution Office or Fiscalía, in the Supreme Court of Justice and the Council of the judiciary the state has less expenditure actually spent per every 100,000 inhabitants than the national average. This indicates a more efficient management of resources by having more open investigations with a smaller budget. There are an estimated 29.15 investigative police per every 100,000 inhabitants, three times the national average, and an estimated of 2.9 court clerks per judge.

In Chiapas there are 473 alleged crimes per 100,000 inhabitants, much lower than the national average of 1,444. The percentage of inmates for homicide divided by prosecutorial investigations on homicide is of 27.4%, while for robbery, one of the most common crimes in the state only 15.3% resulted in a punishment of deprivation of liberty.

The structural dimension of the security system axis shows better strengths. This is shown by the fact that the state had 7.8 prosecution offices per every 100,000 inhabitants, which contrasts with the national average of 3.2. In addition, it had 29.15 investigative police officers and 11.98 forensic experts per every 1,000 recorded crimes in prosecutorial investigations, revealing that it is staffed well above the national average of 7.72 and 1.73, respectively.

Impunity sequence Chiapas
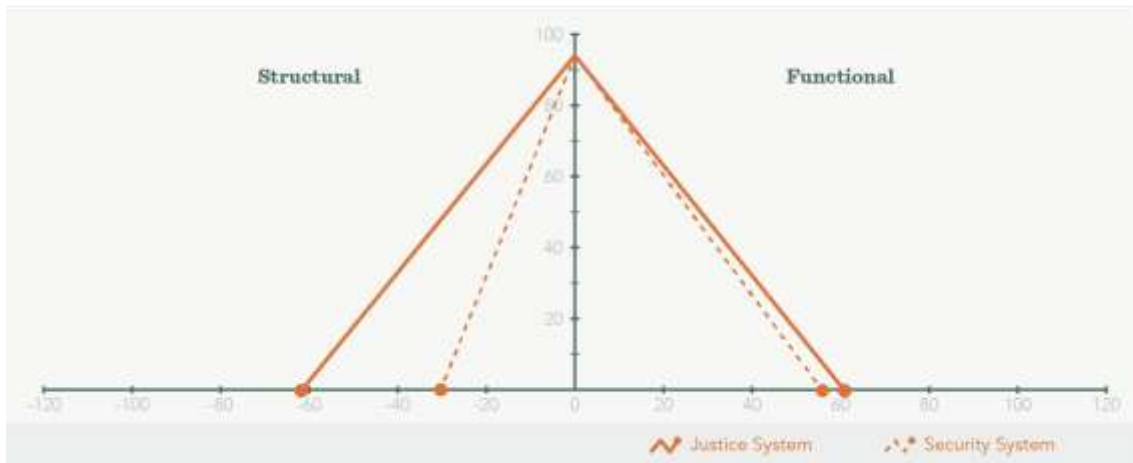
Impunity pyramid **Chiapas**

Chart Chiapas. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	473.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	69.0
Actual expenditures applied by the Prosecutor's Office per capita	209.0
Prosecution Offices per 100,000 inhabitants	7.8
Percentage of Specialized Prosecutions for grave crimes	13.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	43.2
Number of Prosecutors per 100,000 inhabitants	14.3
Prosecutors per 1000 reported crimes	30.80
Prosecutor's Office Forensic experts per 1,000 reported crimes	11.98
Investigative police per 1,000 reported crimes	29.15
Investigative police per 100,000 inhabitants	13.5
Percentage of certified public security officers	41.7
Overall number of officers to carry out public security functions per 100,000 inhabitants	158.5
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	124.4
Functional personnel to carry out public security functions per 100,000 inhabitants	112.1
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	150.4
Number of judges and magistrates per 100,000 inhabitants	3.9
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	29.5
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	11.3
Number of Court Clerks per Judge	2.9
Criminal proceedings in first instance divided by number of judges	30.8
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.28
Number of indicted persons in first instance per concluded prosecutorial investigations	2.5
Convicted persons in first instance divided by indicted persons in first instance	0.4
Percentage of convictions	78.2
Percentage of convicted persons divided by the overall number of perpetrated crimes	10.23
Penitentiary admissions divided by the number of convicted persons	2.1
Percentage of convicted persons divided by penitentiary admissions	62.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	15.3
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	27.4
Percentage of inmates without conviction in first instance	51.2
Appeal dockets in second instance divided by convicted persons in first instance	0.8
Penitentiary staff divided by installed capacity of prisons	0.4
Inmates divided by installed capacity of prisons	1.4
Penitentiary staff divided by inmates	0.3
Percentage of non-reported crimes	93.1

CHIHUAHUA

According to the results of IGI-MEX, Chihuahua is located in group 2, with an average level of impunity. It is characterized by contrasts in the different dimensions and sub-dimensions that comprise this indicator.

i. Context of the Prosecution System and the Administration of Justice System

Chihuahua is one of the states with 100% progress in the legal harmonization to the Adversarial System, which takes an important number of cases occurring within the context of insecurity that prevails in the state.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction are:

1. Domestic violence
2. Vehicle robbery
3. Property damage
4. Injuries
5. Other robberies

In addition to these crimes, the number of homicides recorded in 2014 (56.8 per every 100,000 inhabitants) ranks Chihuahua in 6th place nationwide for the perpetration of this crime, despite the decline in the homicide rate recorded since 2010.[32]

Human rights violations, feminicide, internal displacement and torturer remain as red flag for the state. There are still an important number of feminicide cases. According to the Colegio de la Frontera Norte, from 2008 to 2013, feminicide in Ciudad Juarez increased by 560%.[33] Regarding forced internal displacement, the Mexican Commission for the Defense and Promotion of Human Rights stated that the phenomenon reached its peak between 2010 and 2011. According to records from the Internal Displacement Monitoring Center, at least 230,000 people were displaced from Ciudad Juarez between year 2007 and year 2012. The main causes for displacement were: the atmosphere of violence and insecurity, extortion, robbery, murder of a family member and threats.[34]

Coupled with the scenario above, in Chihuahua for 2013 there was unreported crime figure of 91%, this allows us to size the climate of insecurity that is endured every day in this state.

ii. Impunity Sequence

The state of Chihuahua presents a behavior in the impunity Sequence similar to the national average. As shown in Chart 1 there is a gradual decline in the number of cases in the first links of the Sequence, which cover from prosecutorial investigations to the identification of alleged perpetrators. Nonetheless, the continuity of the chain shows a significant decrease in the number of indicted persons (13,052), which means that about 72% of all cases are dismissed at the stage of prosecutorial investigation and only 28% reach a stage of criminal proceedings. A possible explanation for this can be that Chihuahua has benefited from the entry into force of the Adversarial System and therefore since, by 2013, around 35% of the cases were solved through mediation and conciliation between parties. According to INEGI, for the same year, there were 16,026 dockets on crime and anti-social behavior (injuries, fraud, plunder, burglary, threats, etc.) in Alternative Justice Centers.[35]

In the last links of the Sequence Chihuahua presents a situation that is also a major nationwide problem because as of 2013 from the total of the indicted persons in the legal cases, only 26% received a conviction judgment, while the rest continued with an ongoing process or may have been acquitted (see Impunity Sequence Chart).

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[32] *National Census of Government, Public Security and State Prison System*, 2014
[33] CIMAC, 2013.
[34] Internal Displacement Monitoring Centre, 2012.
[35] INEGI.
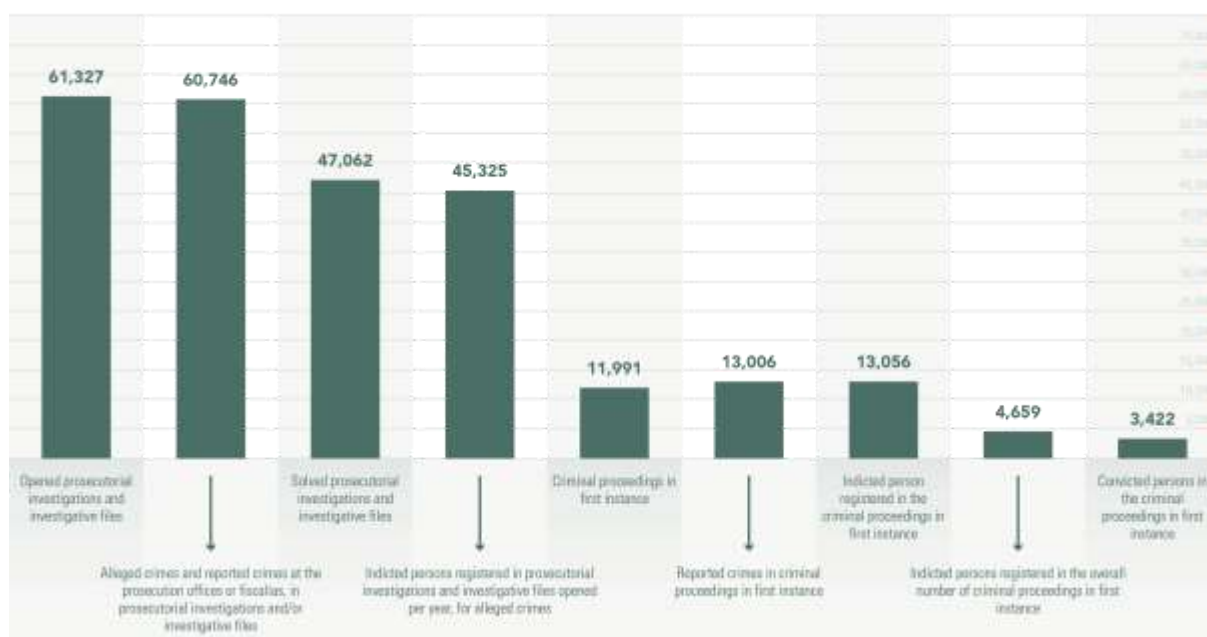
According to the IGI-MEX of Chihuahua, both the variables that compose the justice system of the structural dimension and the security system of the functional dimension are below the national average. This, in interaction with the security system of the structural dimension, which is slightly higher than the national average, shows the problems in legal processing that lead to conditions of impunity in the state.

The justice system of the structural dimension has better conditions in relation to the national average because it has a higher number of judges (5.7 per 100,000 inhabitants); of total staff in the Supreme Court of Justice (42.4 per 100,000 inhabitants) and of Court Clerks in the Supreme Court of Justice (12.7 per 100,000 inhabitants). Nonetheless, the problem lies in the high number of cases to process, which is reflected in the variables of the security system of the functional dimension. This is so because the alleged reported crimes (1,687 per 100,000 inhabitants) exceed the national average. Taking into consideration the insecurity context in Chihuahua, as well as the types of crimes that occur, data indicates that most of the efforts are focused on imprisonment for homicide (67%) compared to the national average (28%). This is followed by imprisonment for robbery (9%), which is slightly below the national average (10%).

In addition to the high demand for investigations, indictments and judgments that the State must comply, it does not have an adequate capacity in the security system of the structural dimension, as these variables reveal that there is a shortage of officers to carry out public security functions of first level, intermediate level, functional level (39 per 100,000 inhabitants), ranking well below the national average of 160 per every 100,000 inhabitants (see Impunity Pyramid Chart).

Impunity sequence Chihuahua
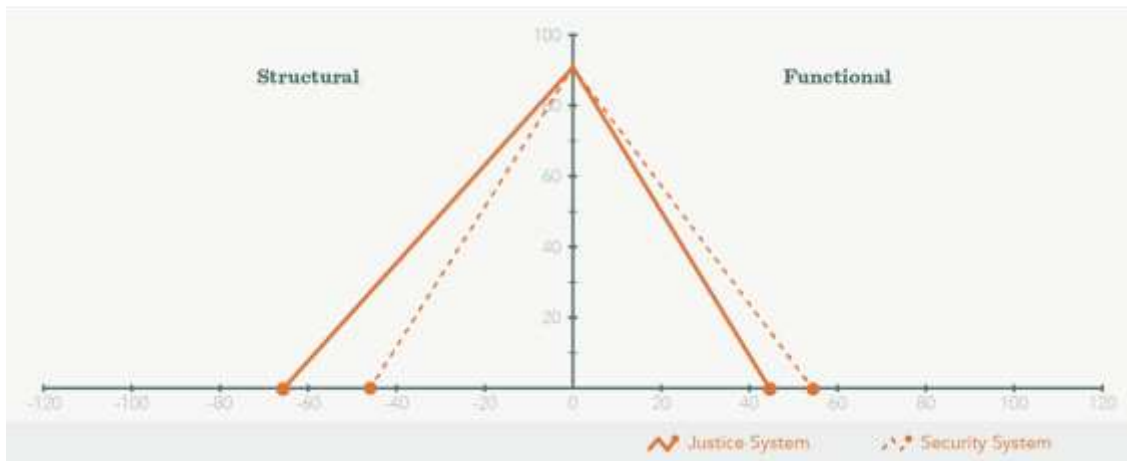
Impunity pyramid **Chihuahua**

Chart Chihuahua. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,686.7
Public Officers at Prosecutors' offices per 100 thousand inhabitants	159.4
Actual expenditures applied by the Prosecutor's Office per capita	965.8
Prosecution Offices per 100,000 inhabitants	3.2
Percentage of Specialized Prosecutions for grave crimes	30.4
Public Officers at Prosecutors' offices per 100 thousand inhabitants	28.4
Number of Prosecutors per 100,000 inhabitants	18.8
Prosecutors per 1000 reported crimes	11.23
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.07
Investigative police per 1,000 reported crimes	-
Investigative police per 100,000 inhabitants	0.0
Percentage of certified public security officers	63.1
Overall number of officers to carry out public security functions per 100,000 inhabitants	47.4
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	39.4
Functional personnel to carry out public security functions per 100,000 inhabitants	38.7
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	253.7
Number of judges and magistrates per 100,000 inhabitants	5.7
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	42.4
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	12.7
Number of Court Clerks per Judge	2.2
Criminal proceedings in first instance divided by number of judges	57.9
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.20
Number of indicted persons in first instance per concluded prosecutorial investigations	1.2
Convicted persons in first instance divided by indicted persons in first instance	0.4
Percentage of convictions	73.4
Percentage of convicted persons divided by the overall number of perpetrated crimes	5.63
Penitentiary admissions divided by the number of convicted persons	1.9
Percentage of convicted persons divided by penitentiary admissions	71.8
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	8.7
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	66.6
Percentage of inmates without conviction in first instance	27.2
Appeal dockets in second instance divided by convicted persons in first instance	0.2
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.0
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	90.6

COAHUILA

According to the results of IGI-MEX, Coahuila de Zaragoza is located in Group 4, with a high level of impunity. It is characterized by sharp contrasts in the different dimensions and sub-dimension included in this indicator.

i. Context of the Prosecution System and the Administration of Justice System

Coahuila is in the midst of a partial operation of the transition to the Adversarial System. It currently shows a 71% progress in legal harmonization.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Coahuila are:

1. Injuries
2. Passerby robbery
3. Home robbery
4. Property damage
5. Vehicle robbery

ii. Impunity Sequence

When compared to the national average, Coahuila shows a similar behavior in the first two links of the impunity Sequence. That is, it shows that the state does open prosecutorial investigations and registers crimes; however, the number of opened investigations seems very low when contrasted to previous processes. On the number of indicted persons registered in opened prosecutorial investigations and opened investigative files reveal a clear institutional backlog in the number of cases handled per year (30.486 indicted people versus 20,810 investigations), i.e. the demand for these exceeds the capacity of the institution. Finally, there are grave problems in the last links of the Sequence, particularly in the number of reported crimes, indictments and judgments; beyond the lack of information on these areas there is a clear decrease of cases of imprisoned persons compared with cases of indicted persons (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

The state of Coahuila, presents weaknesses in the structural dimension of the justice system and in the functional dimension of the security system. Structural failures can be observed in the number of magistrates and judges per 100,000 inhabitants compared to the national average (2.8 versus 3.5); as well as in the case of the total number of staff in the Superior Court of Justice for every 100,000 inhabitants (30.5 and 34.3 nationally), number of Court Clerks in the Superior Court of Justice for every 100,000 inhabitants (9.9 and 11.9 nationwide), the number of prison staff divide by installed capacity (0.1 versus 0.2) and the number of prison staff divided by the number of inmates (0.1 versus 0.2).

Whereas, the functional deficiencies are clear in the number of alleged crimes registered per 100,000 inhabitants (1663.4 versus 1444.9), and in the decrease of the percentage of inmates for homicide (15.4% versus 27.5) and for robbery (6.6% versus 10.3%). Together, these indicators show that the shortcomings detected in the last links of the impunity Sequence are consequence of the absence of sufficient staff within the structure of justice and therefore in the arrest and judging processes (see Impunity Pyramid Chart).

Finally, virtually in all items regarding human resources for the public security areas, the state ranks well below the national averages. For example, the total personnel for public security duties for every 100,000 nationally averages 181 while in Coahuila is only 44. Nevertheless, Coahuila has 66% of approved public security personnel, this being much higher than the national average of 28%.

Impunity sequence Coahuila

47,719	48,037	20,810	30,486	3,324	3,324	44	1,190	

Opened prosecutorial investigations and investigative files

Alleged crimes and reported crimes at the prosecution offices or fiscalías, in prosecutorial investigations and/or investigative files

Solved prosecutorial investigations and investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes

Criminal proceedings in first instance

Reported crimes in criminal proceedings in first instance

Indicted person registered in the criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

Convicted persons in the criminal proceedings in first instance

Impunity pyramid **Coahuila**

Structural · Functional

Justice System · Security System

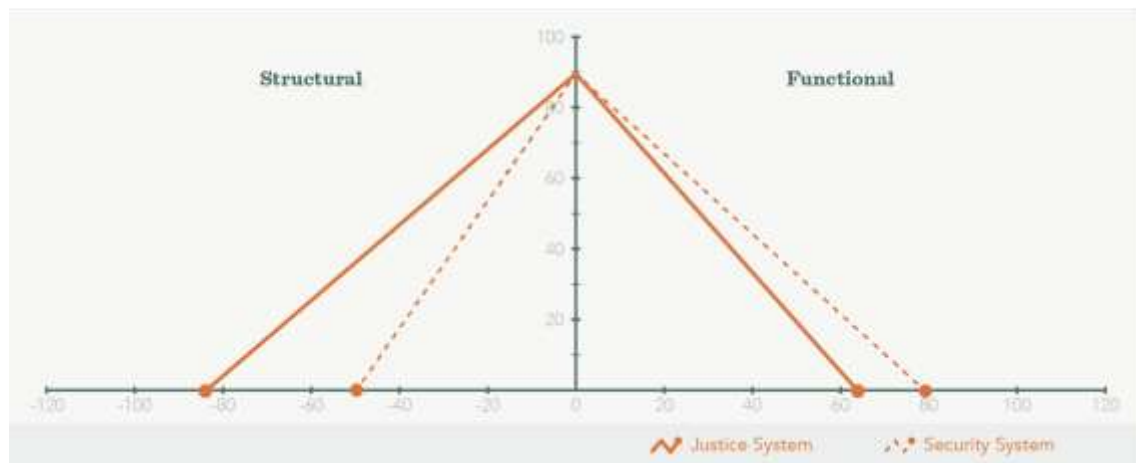| Chart Coahuila. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,663.4
Public Officers at Prosecutors' offices per 100 thousand inhabitants	69.8
Actual expenditures applied by the Prosecutor's Office per capita	283.3
Prosecution Offices per 100,000 inhabitants	4.6
Percentage of Specialized Prosecutions for grave crimes	16.7
Public Officers at Prosecutors' offices per 100 thousand inhabitants	45.9
Number of Prosecutors per 100,000 inhabitants	9.0
Prosecutors per 1000 reported crimes	5.39
Prosecutor's Office Forensic experts per 1,000 reported crimes	2.66
Investigative police per 1,000 reported crimes	9.93
Investigative police per 100,000 inhabitants	16.5
Percentage of certified public security officers	66.2
Overall number of officers to carry out public security functions per 100,000 inhabitants	44.4
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	30.4
Functional personnel to carry out public security functions per 100,000 inhabitants	28.5
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	143.7
Number of judges and magistrates per 100,000 inhabitants	2.8
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	30.5
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	9.9
Number of Court Clerks per Judge	3.5
Criminal proceedings in first instance divided by number of judges	40.5
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.07
Number of indicted persons in first instance per concluded prosecutorial investigations	0.0
Convicted persons in first instance divided by indicted persons in first instance	27.0
Percentage of convictions	0.1
Percentage of convicted persons divided by the overall number of perpetrated crimes	0.002
Penitentiary admissions divided by the number of convicted persons	-
Percentage of convicted persons divided by penitentiary admissions	41.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	6.6
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	15.4
Percentage of inmates without conviction in first instance	33.4
Appeal dockets in second instance divided by convicted persons in first instance	0.5
Penitentiary staff divided by installed capacity of prisons	0.1
Inmates divided by installed capacity of prisons	0.9
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	89.7

COLIMA

According to the results of IGI-MEX, Colima is located in group 3, with a high level of impunity. Colima characterizes by contrasts in the different dimensions and sub-dimensions of the indicator.

i. Context of the Prosecution System and the Administration of Justice System

The state of Colima is partially transitioning to the Adversarial System. Currently it shows a 57% progress in legal harmonization

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the four most frequent crimes of local jurisdiction in Colima are:

1. Home robbery
2. Vehicle robbery
3. Other robberies
4. Drug dealing and injuries

Also, the state ranks ninth in homicides nationwide, with 44.58 per 100,000 inhabitants.[29] Of the 32 states, the state of Colima has one of the highest percentages of unreported crime (90.3%). This confirms that there is a climate of insecurity and distrust of government agencies.

ii. Impunity Sequence

Compared to the national average, Colima presents a similar behavior in the first three links of the Sequence, since the number of prosecutorial investigations and alleged crimes recorded are consistent with each other. However there are important gaps of information regarding the figures on the number of indicted persons and convicted persons. While the state reports number of crimes and processed cases, when confronted to the rest of the data, such information may not be an accurate (see Impunity Sequence Chart).

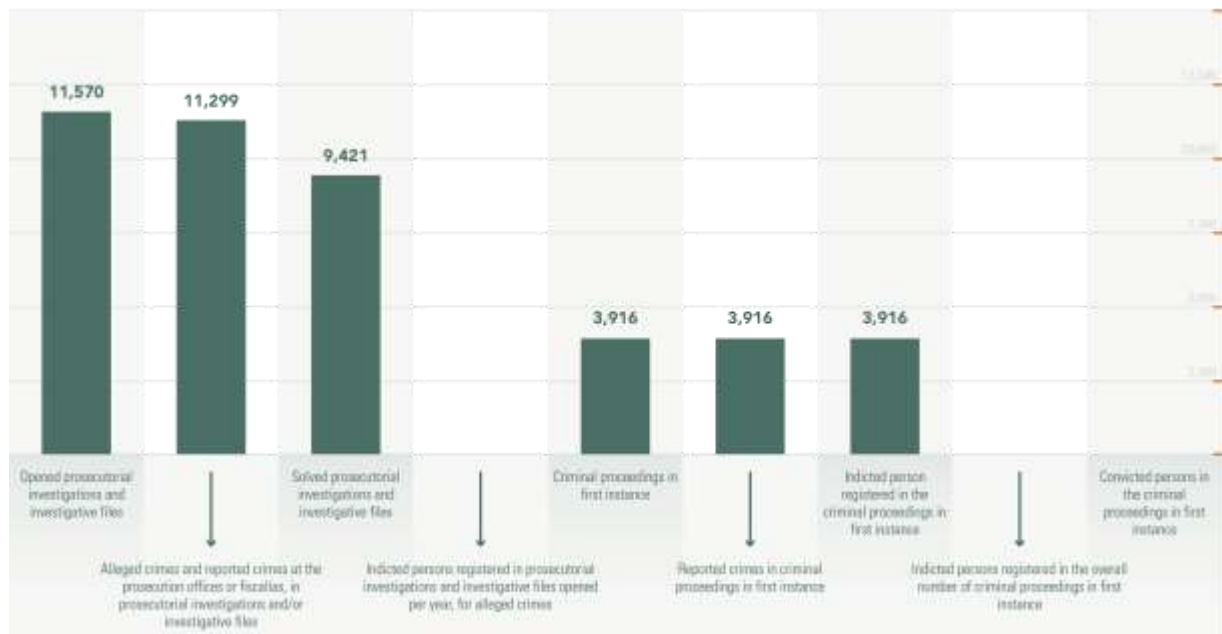### iii. Main Results in the 35 Indicators

The state of Colima has weaknesses in the functional dimensions of the justice system and the security system (See Impunity Pyramid Chart). Specifically, in the functional dimension of security, it is noted that compared to the national average, the state registers much more crimes (1656.9 versus 1444.9), however the percentage of inmates for homicide is lower (21.6%) than the average (27.5 %). That is to say, that there are gaps and loopholes in the processing of crimes, or that the resolution of minor crimes gets much more attention. Unlike homicides, the percentage of inmates for robbery is much higher than the national average (22.1% versus 10.3%).

Regarding the failures in the functional dimension of the justice system, there is little transparency and inefficient processes. For example, there are more criminal cases in first instance than the national average (0.34 versus 0.13); also, the percentage of inmates without judgment is higher than the national average (60.6% versus 35.7%).

As we can see, from the 32 states of the country, Colima presents some of the greater inconsistencies and information gaps. This is reflected in the construction of the impunity Sequence and in the analysis of the dimensions and indicators.

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[29] Prepared with data from the 2014 National Census of Government, Public Security and State Prison System.

Impunity sequence Colima

Opened prosecutorial investigations and investigative files		Solved prosecutorial investigations and investigative files		Criminal proceedings in first instance		Indicted person registered in the criminal proceedings in first instance		Convicted persons in the criminal proceedings in first instance
11,570		9,421		3,916		3,916		3,916

Alleged crimes and reported crimes at the prosecution offices or fiscalías, in prosecutorial investigations and/or investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes

Reported crimes in criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

Impunity pyramid **Colima**

Structural   Functional

Justice System   Security System

Chart Colima. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,656.9
Public Officers at Prosecutors' offices per 100 thousand inhabitants	164.3
Actual expenditures applied by the Prosecutor's Office per capita	270.1
Prosecution Offices per 100,000 inhabitants	5.9
Percentage of Specialized Prosecutions for grave crimes	19.5
Public Officers at Prosecutors' offices per 100 thousand inhabitants	55.0
Number of Prosecutors per 100,000 inhabitants	6.2
Prosecutors per 1000 reported crimes	3.81
Prosecutor's Office Forensic experts per 1,000 reported crimes	-
Investigative police per 1,000 reported crimes	-
Investigative police per 100,000 inhabitants	0.0
Percentage of certified public security officers	11.1
Overall number of officers to carry out public security functions per 100,000 inhabitants	107.4
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	89.1
Functional personnel to carry out public security functions per 100,000 inhabitants	86.2
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	225.1
Number of judges and magistrates per 100,000 inhabitants	5.6
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	41.2
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	9.5
Number of Court Clerks per Judge	1.7
Criminal proceedings in first instance divided by number of judges	100.4
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.34
Number of indicted persons in first instance per concluded prosecutorial investigations	2.2
Convicted persons in first instance divided by indicted persons in first instance	-
Percentage of convictions	-
Percentage of convicted persons divided by the overall number of perpetrated crimes	-
Penitentiary admissions divided by the number of convicted persons	-
Percentage of convicted persons divided by penitentiary admissions	-
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	22.1
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	21.6
Percentage of inmates without conviction in first instance	60.6
Appeal dockets in second instance divided by convicted persons in first instance	-
Penitentiary staff divided by installed capacity of prisons	0.5
Inmates divided by installed capacity of prisons	4.1
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	90.3

MEXICO CITY (Former DISTRITO FEDERAL)

The capital of the country is included in group 2 with intermediate levels of impunity according to IGI-MEX and with a score of 56.96. The dark figure of crime (unreported crime) for Mexico City is estimated at 91.6%, slightly lower than the national average.

i. Context of the Prosecution System and the Administration of Justice System

The Federal District initiated the transition to the new Adversarial System in 2015, reporting 14% of legal harmonization.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Distrito Federal are:

1. Vehicle robbery
2. Business robbery
3. Other robberies
4. Injuries
5. Threats

ii. Impunity Sequence

The impunity Sequence values corresponding to the Federal District show a matching behavior with the national trend (see Impunity Sequence Chart).

This matching with the national phenomenon can be appreciated in the general movement of columns representing the phases of the Sequence, but it can also be read in depth in the particular relationship between each phase of the Sequence, as its intervals show a similar proportion with the national trend. These intervals tell us about a coherent flow between prosecutorial investigations and recorded judgments. It is very likely that this coherence is due to improved data collection and reporting practices in comparison with those observed in other states.

The only data that differs from the national average is in the interval between the last two links, on total judgments and convictions. Here, the similarity is not consistent with the national average where the decrease between one another is about 25% while in DF it remained almost unchanged. This could mean there is an alert of accelerated practices for convicted persons.

iii. Main Results in the 35 Indicators

According to the variables of the IGI-MEX, the Distrito Federal has its best scores in the structural-justice and functional-justice dimension, with close to 30 points. The biggest differences can be found in the functional-security dimension (see Impunity Pyramid Chart).

Structural Dimensions

When we revised the data on the structural-security dimension, we found similarities with national data on the number of prosecutors per every 1,000 crimes, as well as specialized prosecutions for crimes. However, the strength in human resources corresponding to this dimension is remarkable as it reports the double of staff for prosecution (156.7 per 100,000 inhabitants against a national 75.7) and almost doubles the number of investigative police officers (20.8 against 11.1). However, despite having a number of prosecutors similar to the national average (6.24 against 5.31), the immense human apparatus of the Capital is not reflected in strategically positioned roles as crucial as that of prosecutors.

In this dimension, the data that most differs from the national trend is on public officers to carry out public security functions, with an impressive 904.7 per every 100,000 inhabitants, in contrast with the national average of 160.5. However, judging from the figures obtained in the functional-security dimension, the effectiveness of this strategy of putting more police officers in the streets is quite questionable.
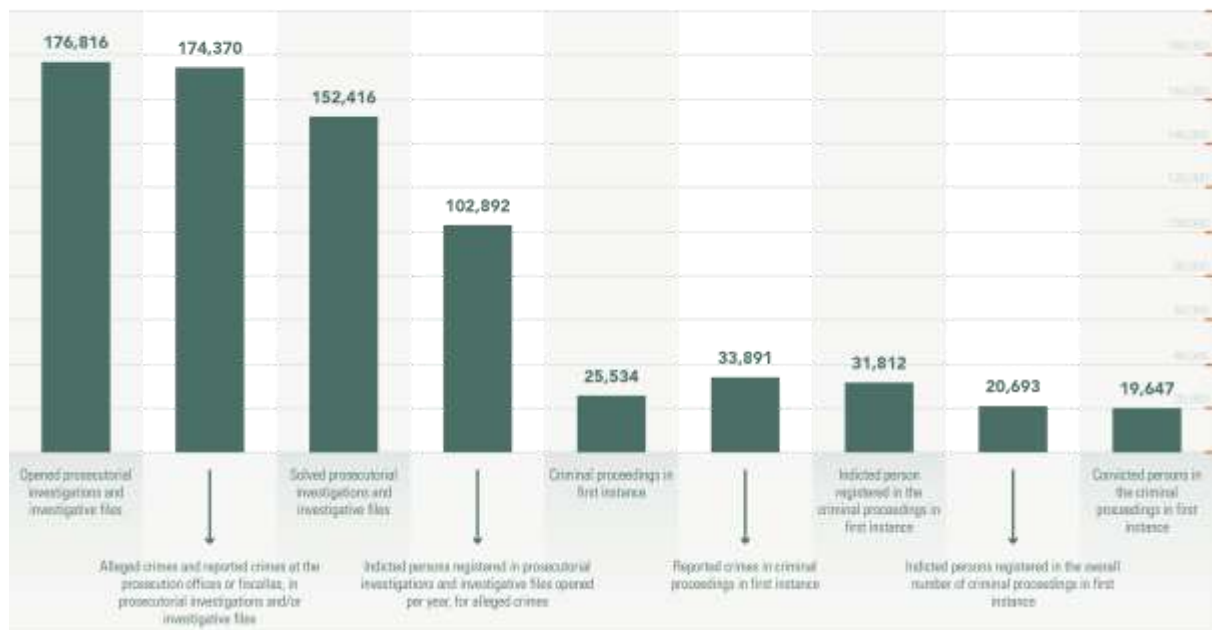
When revising the figures of the structural-justice dimension we found a large human apparatus also, although in this case better targeted than in the security dimension. It has double the staff in the Superior Court of Justice (75 against 34.5 national), which is also reflected in the number of Clerks of this institution (28 per 100,000 inhabitants against 11.9 for the rest of the country).

Functional Dimension

The functional-security dimension shows a number of presumed crimes registered above the national average (1,988 against 1,444.9). It has better indicators on the number of inmates for robbery and homicide divided by opened prosecutorial investigations (16.8% against 10.3% and 43.4% of robbery homicide against 27.5).

The functional-justice dimension shows a paradox in the justice apparatus of the Federal District: while 92.8% of penitentiary admissions were from convicted inmates (during the year under revision), only 15.7% of the penitentiary population has a judgment in first instance (against 35.7% nationally). That is to say, on the one hand there is a significant backlog in cases from older cycles, and on the other hand it is a warning on the high number of admissions with judgments that could point to the high efficiency of the structure of the justice system, but it also could point to fast track practices against indicted persons.

Impunity sequence Mexico City
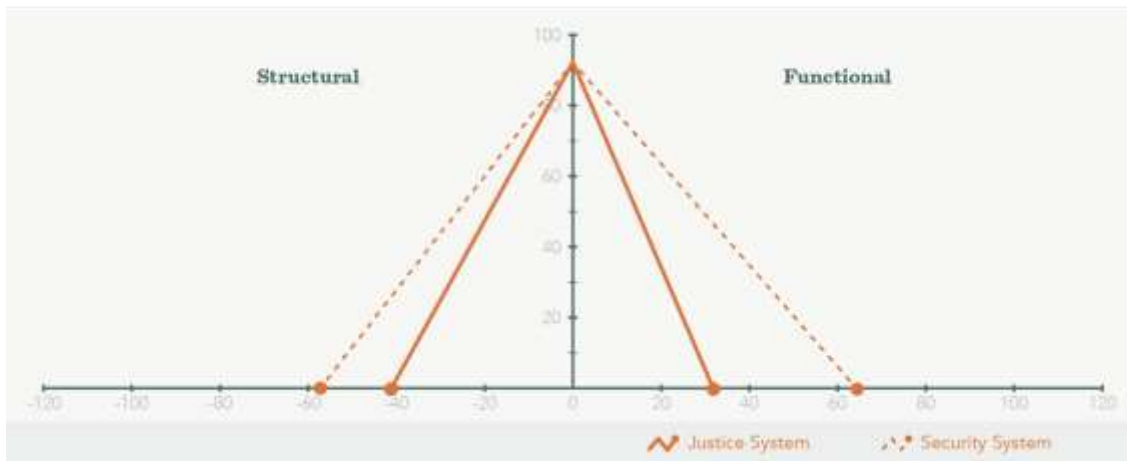
Impunity pyramid **Mexico City**

Chart Distrito Federal. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,988.1
Public Officers at Prosecutors' offices per 100 thousand inhabitants	156.7
Actual expenditures applied by the Prosecutor's Office per capita	573.1
Prosecution Offices per 100,000 inhabitants	2.0
Percentage of Specialized Prosecutions for grave crimes	14.4
Public Officers at Prosecutors' offices per 100 thousand inhabitants	61.6
Number of Prosecutors per 100,000 inhabitants	12.2
Prosecutors per 1000 reported crimes	6.24
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.98
Investigative police per 1,000 reported crimes	10.62
Investigative police per 100,000 inhabitants	20.8
Percentage of certified public security officers	8.9
Overall number of officers to carry out public security functions per 100,000 inhabitants	996.5
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	904.7
Functional personnel to carry out public security functions per 100,000 inhabitants	886.9
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	533.4
Number of judges and magistrates per 100,000 inhabitants	4.1
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	75.1
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	28.7
Number of Court Clerks per Judge	7.0
Criminal proceedings in first instance divided by number of judges	69.6
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.14
Number of indicted persons in first instance per concluded prosecutorial investigations	1.5
Convicted persons in first instance divided by indicted persons in first instance	0.7
Percentage of convictions	94.9
Percentage of convicted persons divided by the overall number of perpetrated crimes	11.27
Penitentiary admissions divided by the number of convicted persons	1.1
Percentage of convicted persons divided by penitentiary admissions	92.8
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	16.8
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	43.4
Percentage of inmates without conviction in first instance	15.7
Appeal dockets in second instance divided by convicted persons in first instance	0.9
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	1.8
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	91.6

DURANGO

According to the results of IGI-MEX, Durango is located in Group 4, with a high level of impunity. It is characterized by a significant lag in the functional dimension of the justice system.

i. Context of the Prosecution System and the Administration of Justice System

Durango is one of the states in transition to the Adversarial System, which entered into effect in 2009. Currently it operates only partially within the state territory.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Durango are:

1. Vehicle robbery
2. Home robbery
3. Other robberies
4. Domestic violence
5. Fraud

It is worth noting that Durango has an unreported crime figure (dark figure of crime) of 94%, which represents another great amount of crimes not officially registered.

ii. Impunity Sequence

The state of Durango shows a different trend in the impunity Sequence regarding the percentage of prosecutorial investigations and investigative files resolved. In this case, the state seems to give greater swiftness to the status of opened prosecutorial investigations and investigation dockets taking into consideration that, as shown in Chart 1, 100% of them have been resolved by the Prosecutor's office either to proceed with the criminal case, to stop it, or to send it to temporary reserve for lack of evidence to justify any of the two actions above.

Furthermore, from all indicted persons recorded in opened prosecutorial investigations and investigation dockets (10,736), only 32% continues on a legal proceeding in first instance. Also, only 4% of indicted people persons a judgment (conviction or acquittal), and only 3% receive a conviction (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

According to the IGI-MEX for this state the structural dimension of the security system follows a similar pattern to the national average, while, the justice system in this same dimension is 5 points above the national average (see Chart 2). This indicates that the state has a higher rate than the national standard for staff dedicated to the delivery of justice.

This favorable index may explain the swiftness of the prosecution to close investigations. However, there is quite a contrast with the low percentage of cases that reach the later stages of the judicial process (see Impunity Pyramid).
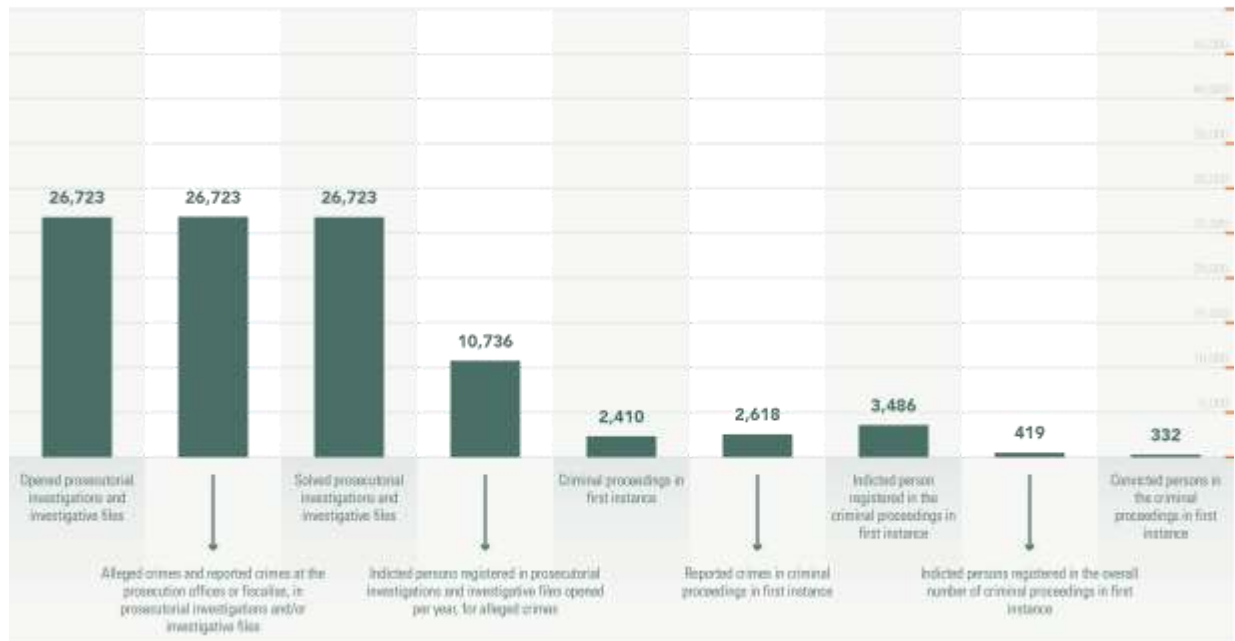
Moreover, the functional dimension of the justice system is far from the national average, recording a difference of about 38 points. This means that the state has a serious backlog in processing complaints (26.723), only 9% are in a criminal proceedings in first instance.

With regard to the situation in prisons in the state, it is notable that from all prison admission in 2013, only 10% had received a judgment. Furthermore, taking into account the total prison population under state jurisdiction, 67% are is still in criminal proceedings in first instance. This means that they do not have a final decision regarding their legal status.

This issue should be improved with the full implementation of the Adversarial System, as one of its most important goals is to make the judicial process and its stages more efficient and also to give grave cases

priority and try to resolve less serious offenses through the implementation of alternative justice. In this regard, it is important to mention that Durango only has one Centre for Alternative Justice, which does not have public officers specialized in conciliation or orientation.
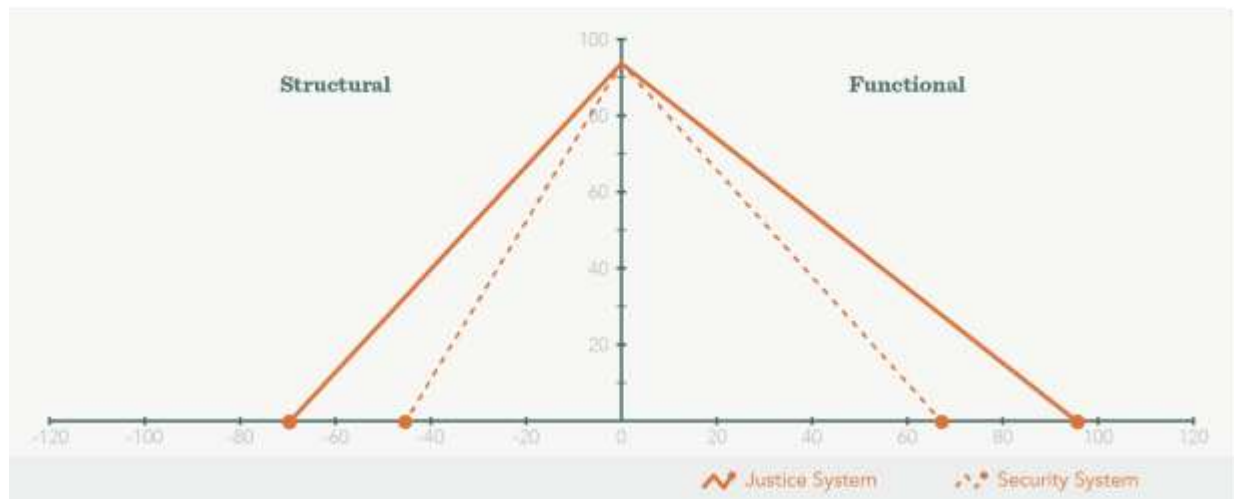
Impunity sequence Durango

Impunity pyramid **Durango**

Chart Durango. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,546.1
Public Officers at Prosecutors' offices per 100 thousand inhabitants	78.2
Actual expenditures applied by the Prosecutor's Office per capita	21.77
Prosecution Offices per 100,000 inhabitants	12.1
Percentage of Specialized Prosecutions for grave crimes	17.2
Public Officers at Prosecutors' offices per 100 thousand inhabitants	56.9
Number of Prosecutors per 100,000 inhabitants	12.1
Prosecutors per 1000 reported crimes	7.86
Prosecutor's Office Forensic experts per 1,000 reported crimes	3.85
Investigative police per 1,000 reported crimes	23.61
Investigative police per 100,000 inhabitants	36.5
Percentage of certified public security officers	-
Overall number of officers to carry out public security functions per 100,000 inhabitants	38.2
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	37.2
Functional personnel to carry out public security functions per 100,000 inhabitants	35.6
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	99.6
Number of judges and magistrates per 100,000 inhabitants	4.3
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	29.3
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	19.8
Number of Court Clerks per Judge	4.6
Criminal proceedings in first instance divided by number of judges	32.6
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.09
Number of indicted persons in first instance per concluded prosecutorial investigations	3.6
Convicted persons in first instance divided by indicted persons in first instance	0.1
Percentage of convictions	79.2
Percentage of convicted persons divided by the overall number of perpetrated crimes	1.24
Penitentiary admissions divided by the number of convicted persons	9.6
Percentage of convicted persons divided by penitentiary admissions	13.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	13.1
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	30.6
Percentage of inmates without conviction in first instance	67.1
Appeal dockets in second instance divided by convicted persons in first instance	1.9
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.4
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	94.0

GUANAJUATO

According to the results obtained in the IGI-MEX, Guanajuato is located in group 3 with high impunity levels. It especially shows problems in its security system.

i. Context of the Prosecution System and the Administration of Justice System

In 2011 the Adversarial penal system came into effect in Guanajuato and currently it complies with total legal harmonization. Nevertheless, it still operates only partially, which hinders the correct operation of the security system of the state.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Guanajuato are:

1. Home robbery
2. Vehicle robbery
3. Other robberies
4. Property damage
5. Injuries

Other crimes committed regularly in the state are related to gender violence. According to the General Attorney Office State, from 2013 to July 2015, there is record of 189 murders of women for gender reasons, with the municipality of León reporting the most cases.

An important data to bear in mind is the percentage of unreported crime (dark figure of crime) in Guanajuato, which is 93.4%, slightly above the national average (92.8). This means that in this state there are fewer reported crimes than in most of the country.

ii. Impunity Sequence

The state of Guanajuato's Sequence in its beginning seems to follow the national trend, as we can see in Chart 1, however, there is also a very big difference between the opened prosecutorial investigations (79.612) and reported criminal cases (1,530). Of those charged with criminal cases, only 140 cases receive a judgment of conviction. This could mean that a large number of cases were resolved through the Adversarial System, but to knowing that this system does not fully operating in the state it is impossible that it solves so many cases. Therefore, there is an important chance that most of them will not reach prosecution since there is no follow up.

Moreover, the crimes recorded in criminal cases far exceed the number of opened criminal cases, 9,453 to 1,530. This is very unusual and suggests that there are inconsistencies in the information. For 9,453 registered crimes there are only 661 indicted persons, this is a very low number considering the total number of known crimes. That is, the last part of the impunity Sequence shows these inconsistencies, as for the number of registered prosecutorial investigations and subsequent criminal offenses and cases, the number of indictments and sentences seems minimal; this could be rendered as clear evidence of impunity in the state (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

According to the results obtained from IGI-MEX, the security system in both its structural and functional dimensions presents some problems.

According to the variables corresponding to the structural dimension of Guanajuato's security system, there are enough prosecutors' offices to handle all cases. Per every 100,000 inhabitants there are 5.1 agencies, while the national average is only 3.2 (see Impunity Pyramid Chart).

But while there are more crimes than in most states, the staff working in them and in other instances of public security is not sufficient. For example, with respect to staff working in the prosecution offices, there are 64.3 per 100,000 inhabitants; while in terms of staff assigned to public security duties there was record of only 21
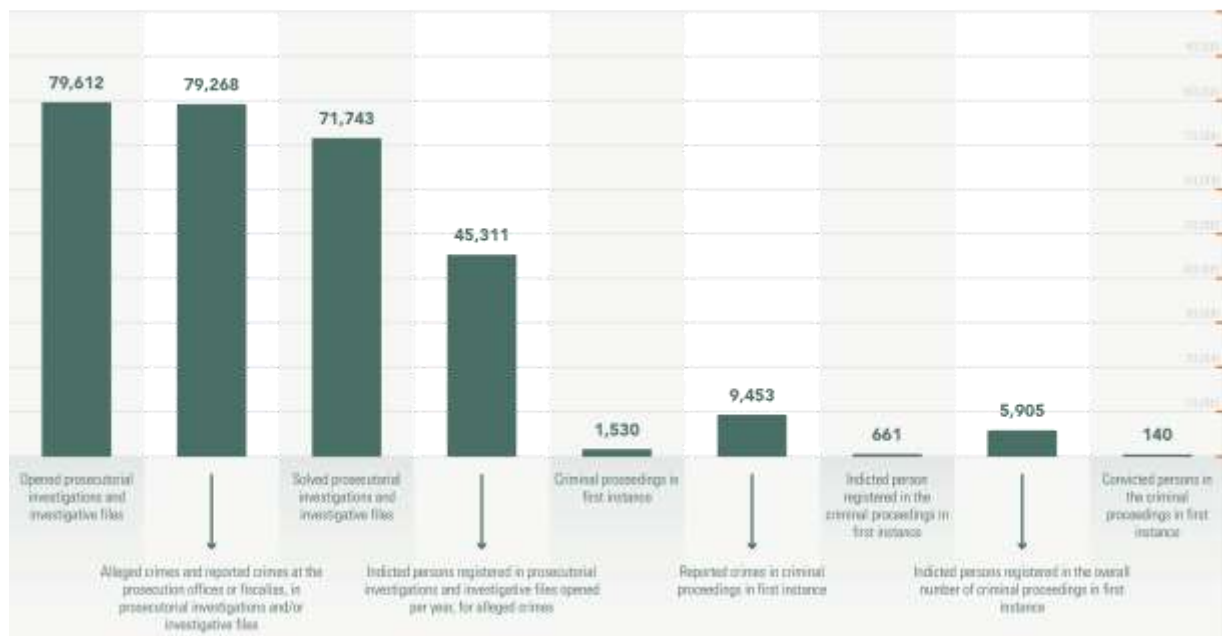
against the national average of 160.5. This number that suggests there is a huge backlog in terms of human resources meeting the needs of the security system. There are **not enough people in the prosecutors' and** prosecution offices to settle and direct cases towards the courts for judges to issue judgments. This could be an indicator of the major gap between the number of prosecutorial investigations and criminal cases.

As for the functional dimension of the security system it can be seen that the percentage of inmates for robbery and homicide in relation to prosecutorial inquiries initiated is 8.6 and 18.2 respectively. These numbers are also below the national average, a situation that occurs even though the number of recorded crimes per 100,000 inhabitants is similar to the national average.

Furthermore, the justice system seems to perform correctly according to the numbers. That is, the figures for magistrates and judges are above the national average, as well as court clerks and general staff.

This suggests that the processing of registered crimes is not carried out correctly and therefore very few sentences are handed out. This could also indicate efficiency of the process and inefficiency in particular of the actors, because, although there is sufficient staff, information inconsistencies are noticeable, as there is a low number of judgments compared with the number of prosecutorial investigations.

Impunity sequence Guanajuato
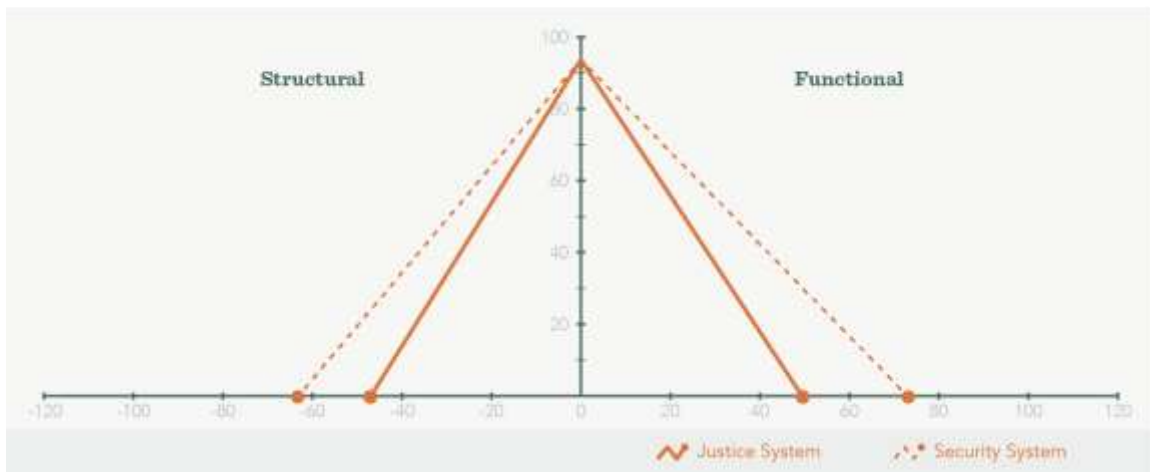
Impunity pyramid **Guanajuato**

Chart Guanajuato. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,440.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	64.3
Actual expenditures applied by the Prosecutor's Office per capita	270.0
Prosecution Offices per 100,000 inhabitants	5.1
Percentage of Specialized Prosecutions for grave crimes	16.4
Public Officers at Prosecutors' offices per 100 thousand inhabitants	18.5
Number of Prosecutors per 100,000 inhabitants	5.9
Prosecutors per 1000 reported crimes	4.25
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.10
Investigative police per 1,000 reported crimes	-
Investigative police per 100,000 inhabitants	-
Percentage of certified public security officers	30.3
Overall number of officers to carry out public security functions per 100,000 inhabitants	21.0
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	21.0
Functional personnel to carry out public security functions per 100,000 inhabitants	13.3
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	186.9
Number of judges and magistrates per 100,000 inhabitants	4.5
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	31.7
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	4.4
Number of Court Clerks per Judge	3.2
Criminal proceedings in first instance divided by number of judges	5.9
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.02
Number of indicted persons in first instance per concluded prosecutorial investigations	0.1
Convicted persons in first instance divided by indicted persons in first instance	8.9
Percentage of convictions	2.4
Percentage of convicted persons divided by the overall number of perpetrated crimes	0.18
Penitentiary admissions divided by the number of convicted persons	39.1
Percentage of convicted persons divided by penitentiary admissions	107.8
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	8.6
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	18.2
Percentage of inmates without conviction in first instance	37.0
Appeal dockets in second instance divided by convicted persons in first instance	0.6
Penitentiary staff divided by installed capacity of prisons	0.4
Inmates divided by installed capacity of prisons	0.7
Penitentiary staff divided by inmates	0.5
Percentage of non-reported crimes	93.4

GUERRERO

According to the results of IGI-MEX, Guerrero is located in group 4 with a very high level of impunity. Also, it has an unreported crime figure of 95.8, higher than the national of 92.8. This indicates that in Guerrero there is a low culture of reporting and a very high level of distrust of the security and justice institutions.

i. Context of the Prosecution System and the Administration of Justice System

In Guerrero the Adversarial System came into effect in 2014 and reports a 43% of progress in legal harmonization.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Guerrero are:

1. Vehicle robbery
2. Other robberies
3. Injuries
4. Homicide
5. Property damage

The state has the highest homicide rate of the country, with 156.85 homicides per every 100,000 inhabitants.

ii. Impunity Sequence

Guerrero state shows behavior similar to that of the national average. However, as shown in the following chart, the number of closed prosecutorial investigations is exactly the same as the number of prosecutorial investigations, 28,905. This indicates two possible explanations: that all preliminary investigations merited a completion or, most likely, that the same data was reported for both items. This, in turn, could indicate an irregularity in terms of the reporting of crimes. Since, according to information from other states the figure corresponding to these two items varies regularly, and it is very difficult to imagine that the total of prosecutorial investigations granted a completion.

Of the 28,905 prosecutorial investigations opened, 6,762 carried on to the criminal case process (23%). Of these, 1,768 (6% of all investigations) made it to convictions (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

According to IGI-MEX this state shows its greatest weaknesses in the functional-security and structural-justice dimensions. This means it received poor scores in security operability and it has deficient staffing and infrastructure in its delivery of justice process (see Impunity Pyramid Chart).

The State of Guerrero has 68 staff members in the prosecution office per every 100,000 inhabitants, slightly below the national average of 76.

In the state there are 2.2 prosecutors' offices per every 100,000 inhabitants, a little less than the national average of 3.2. In the prosecutors' offices there are 11 prosecutors per 1,000 crimes recorded, which is little more than twice the national average of 5. This means that in Guerrero, within fewer offices than the national average, there are twice as many prosecutors in charge of processing a slightly lower number of alleged crimes (1,126) than those recorded in the national average (1,445).

Moreover, the number of investigative police in Guerrero per 100,000 inhabitants is double the national average, 22 and 11 respectively.

The personnel for public security duties per every 100,000 inhabitants also exceed the national average with 187, versus 160. The above data shows that in the state there is sufficient staff to meet the needs of the structural-security dimension, which is one of the relative strengths of Guerrero. However for this year, it only had 16% of its approved security personnel; a smaller figure than the national results of 28% for 2013.

In the case of structural-justice dimension it showed similar total numbers of staff in the Superior Court of Justice (33.5) than the national average (34.3). However, it has more magistrates and judges, 4.8 versus 3.5; and fewer court clerks, 8.3 versus 11.9. These data tell us that there is more staff dedicated to actual judging and less dedicated to office or bureaucratic operations.

Prison staff compared with installed capacity shows the same figures as the national average 0.2. Prison staff and the number of inmates are 0.1 versus 0.2 national. This means that it possess a penitentiary capacity equal to that of the national average, but with half the staffing dedicated to guarding inmates.
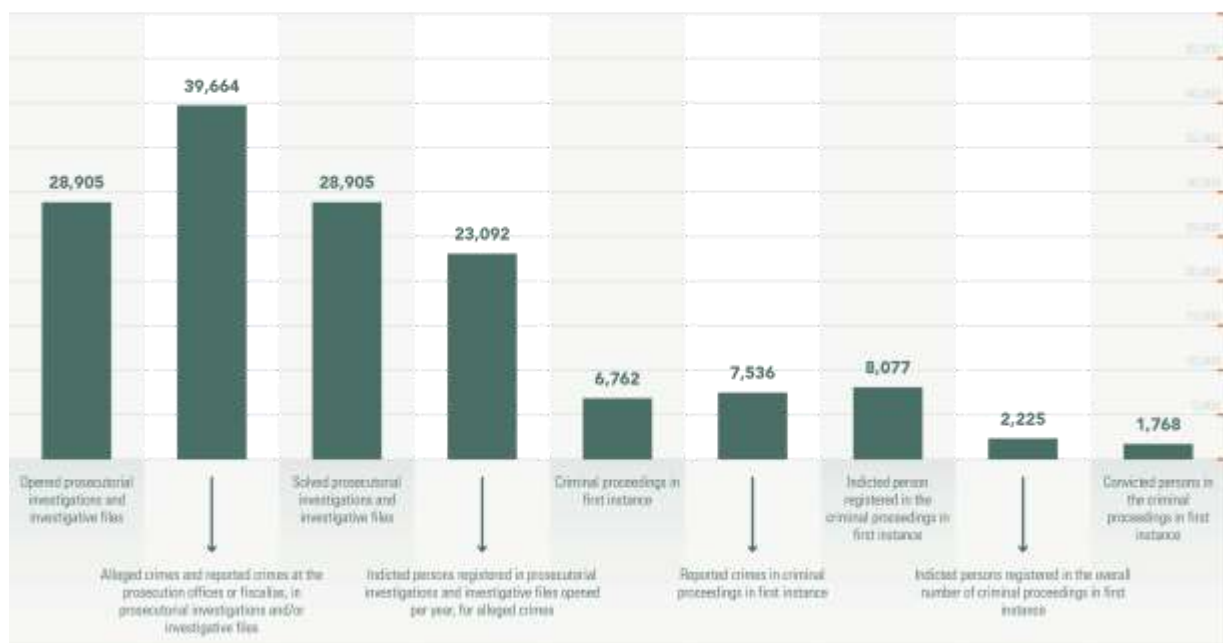
Regarding functional-security dimension is noticeable that the figures speak of a significant reduction compared to the national average. As mentioned above, in the state alleged crimes are reported less than the national average, 1,126 against 1,445. Among those crimes, the percentage of inmates both for robbery and homicide is less than half the national average In case of robbery 4% v 10% nationally; and the murder 12% versus 28% nationally.

With these data we can see that the state has enough staff to provide security. However, there are some flaws in the prosecution process, which allows for several criminals to not be punished.

Meanwhile, the data from the functional-justice dimension confirms the low functionality of the staff dedicated to the delivery of justice. As for the percentage of judgments between penitentiary admissions in the state figure is of 48%, while the national is of 58%. This means that there are 10% more persons without judgment than the national average. And in the category of percentage of inmates without judgment in first instance, the state has a figure of 52%, and the national is of 36%. This indicates that just over half the inmates are awaiting resolution in their trials.

To conclude, we could say that the state has a lot of staff dedicated to the judicial structure and security; however, in the end the system is stifled by its lack of operability, which results in the fact that most of the indicted persons are not taken to trial and those that are taken, do to not get a judgment.

Impunity sequence Guerrero
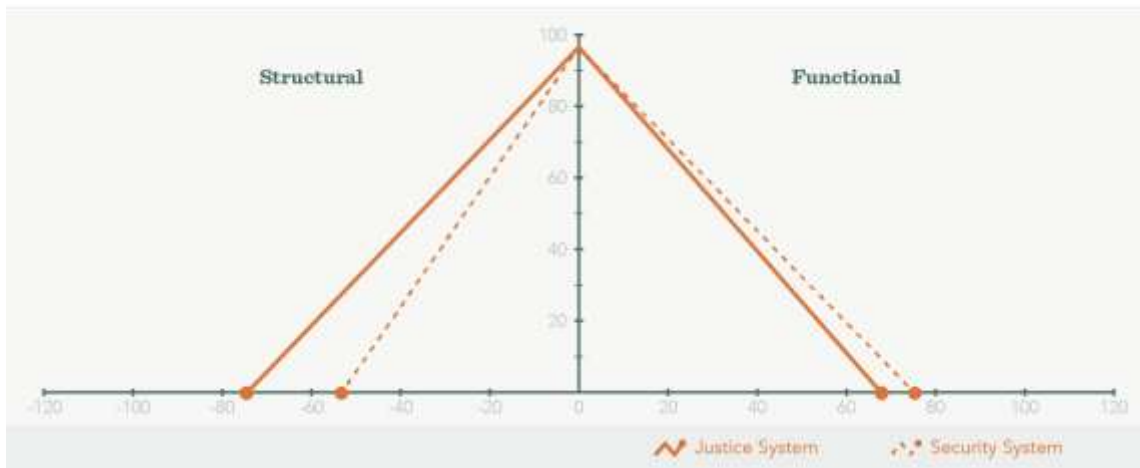
Impunity pyramid **Guerrero**

Chart Guerrero. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,125.6
Public Officers at Prosecutors' offices per 100 thousand inhabitants	67.5
Actual expenditures applied by the Prosecutor's Office per capita	29.6
Prosecution Offices per 100,000 inhabitants	2.2
Percentage of Specialized Prosecutions for grave crimes	18.4
Public Officers at Prosecutors' offices per 100 thousand inhabitants	53.2
Number of Prosecutors per 100,000 inhabitants	12.1
Prosecutors per 1000 reported crimes	10.77
Prosecutor's Office Forensic experts per 1,000 reported crimes	5.19
Investigative police per 1,000 reported crimes	19.54
Investigative police per 100,000 inhabitants	22.0
Percentage of certified public security officers	16.0
Overall number of officers to carry out public security functions per 100,000 inhabitants	188.9
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	187.4
Functional personnel to carry out public security functions per 100,000 inhabitants	165.5
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	166.9
Number of judges and magistrates per 100,000 inhabitants	4.8
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	33.5
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	8.3
Number of Court Clerks per Judge	1.7
Criminal proceedings in first instance divided by number of judges	39.8
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.23
Number of indicted persons in first instance per concluded prosecutorial investigations	2.1
Convicted persons in first instance divided by indicted persons in first instance	0.3
Percentage of convictions	79.5
Percentage of convicted persons divided by the overall number of perpetrated crimes	4.46
Penitentiary admissions divided by the number of convicted persons	2.6
Percentage of convicted persons divided by penitentiary admissions	47.9
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	4.3
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	11.5
Percentage of inmates without conviction in first instance	52.3
Appeal dockets in second instance divided by convicted persons in first instance	1.6
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.5
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	95.8

HIDALGO

The level of impunity in Hidalgo is 3, this corresponds to a high level of impunity. Throughout all the indicators, Hidalgo has characteristics that differ little from the national average's behavior and shortcomings. The state has a system of justice delivery and security that performs very similarly to the average nationwide.

i. Context of the Prosecution System and the Administration of Justice System

Hidalgo is one of the states of the country where the Adversarial Justice System is in only partially in operation. In terms of legal harmonization, it reached a progress of 100% even though its implementation only began in 2014.

Revising the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Hidalgo are:

1. Injuries
2. Home robbery
3. Vehicle robbery
4. Other robberies
5. Threats

In Hidalgo, the percentage of unreported crimes (dark figure of crime) in the state is 87.2%. This figure indicates that only 12.8% of crimes are reported to the authorities.

ii. Impunity Sequence

Hidalgo's impunity Sequence follows a trend very similar to the national average. In this state, there is a noticeable decreasing trend from the number of cases that are opened to those that reach a conclusion. In Hidalgo, the critical moment for the loss of cases is in the third process, i.e. in the number of prosecutorial investigations and investigative dockets opened that are resolved. Of the 33,667 prosecutorial investigations or investigative dockets opened in the state, only 15,984 are resolved, this amounts to 47% of the initial figure. The second moment where most cases are lost in this impunity Sequence is in the number of indicted persons registered in prosecutorial investigations and investigative dockets opened. For each prosecutorial investigation or investigative dockets opened, there are only 0.2 indicted persons. Even if this figure is analyzed only regarding the number of prosecutorial investigations, the number of indictments is of only 0.4. In this case, it seems clear that the ability to investigate and find those suspected of crimes is a task with unfruitful results in this state.

The differences between the number of indicted persons, the number of processed persons, and the number of convicted persons are not so large. That is to say that once a person has been indicted in a prosecutorial investigation or investigative docket, the likelihood of receiving a judgment is of 60%. Moreover, from the 15,984 prosecutorial investigations and investigative dockets that are resolved there are only 4,270 criminal cases in first instance. Therefore this is also a critical point in the impunity Sequence in the state (see Impunity Sequence Chart).
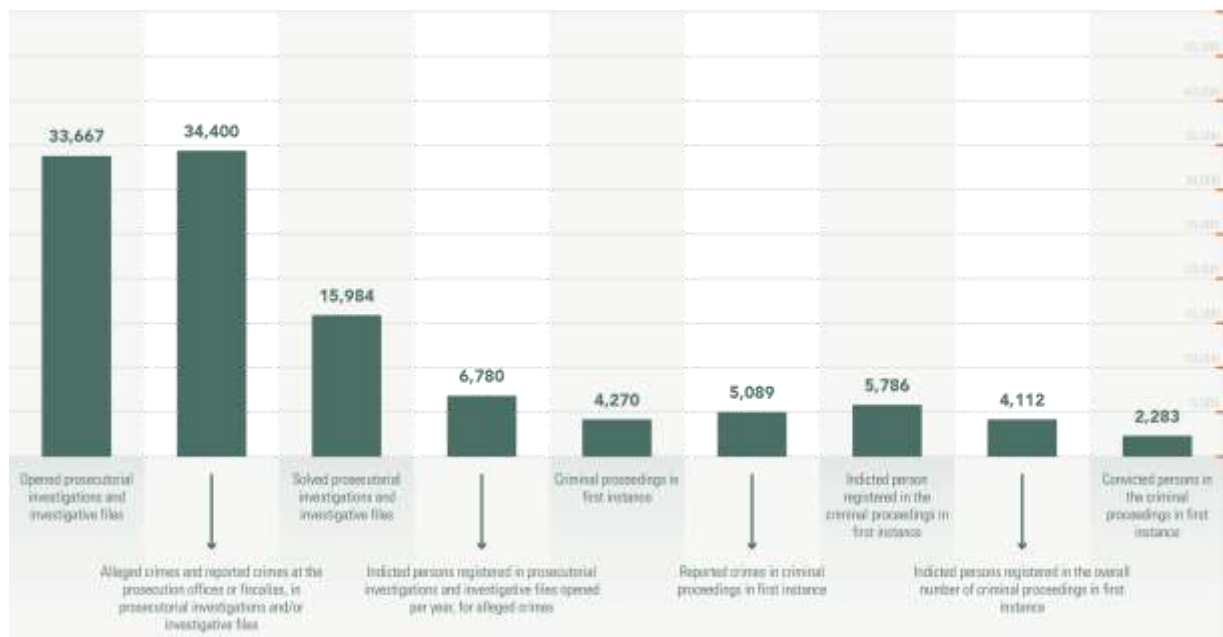
iii. Main Results in the 35 Indicators

By comparing the justice system with the security system in Hidalgo, we can see that the lagged dimension in one system has a better indicator in the other dimension and vice versa. In other words, the justice system has a lower indicator in the structural dimension than in the functional one; while the security system has a better indicator in the structural dimension than in the functional one. The difference between the two systems is more evident in the structural dimension than in the functional one. The characteristics of both systems are completely coincident with the national average in both, the functional dimension and the structural dimension (see Impunity Pyramid Chart).

The security and delivery of justice systems in Hidalgo share many indicators with the national average, which explains why they are both at the same impunity level. At the same time, Hidalgo moves away

from the average in indicators such as staff in the prosecution offices per 100,000 inhabitants. Here, Hidalgo has less than half (35.7) the national average (75.7). In the same way, the percentage of specialized prosecutions in grave crimes in the state is of 5.9, while the national average is 14.8. Additionally, the percentage of inmates for robbery compared with opened prosecutorial investigations for robbery is lower than the national average (5.9 and 10.3 respectively). In the remaining indicators there are only minor differences between Hidalgo and the national average. There are variables on which Hidalgo has values above the average, for instance, in the number of prosecutors per 100,000 inhabitants, or in the percentage of convicted persons divided by penitentiary admissions. However, those in which moves the state of Hidalgo differs more from the national average and that could explain the level of impunity of the state are: the budget wielded by the Supreme Court of Justice and the Judicial Council for every 100,000 inhabitants and the budget of the Prosecution office per capita. In both cases the state indicator differs by more than double from the national average.
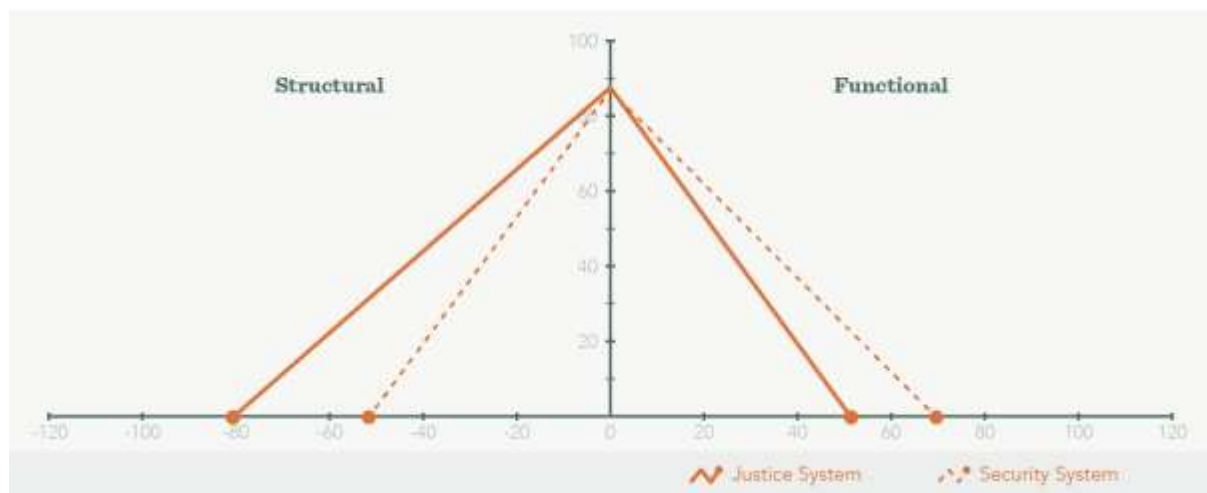
Impunity sequence Hidalgo

Impunity pyramid Hidalgo

Chart Hidalgo. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,227.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	35.7
Actual expenditures applied by the Prosecutor's Office per capita	9.3
Prosecution Offices per 100,000 inhabitants	1.2
Percentage of Specialized Prosecutions for grave crimes	5.9
Public Officers at Prosecutors' offices per 100 thousand inhabitants	23.3
Number of Prosecutors per 100,000 inhabitants	8.2
Prosecutors per 1000 reported crimes	6.72
Prosecutor's Office Forensic experts per 1,000 reported crimes	4.22
Investigative police per 1,000 reported crimes	-
Investigative police per 100,000 inhabitants	0.0
Percentage of certified public security officers	29.3
Overall number of officers to carry out public security functions per 100,000 inhabitants	150.2
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	134.3
Functional personnel to carry out public security functions per 100,000 inhabitants	127.1
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	93.6
Number of judges and magistrates per 100,000 inhabitants	2.3
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	31.3
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	10.1
Number of Court Clerks per Judge	4.4
Criminal proceedings in first instance divided by number of judges	65.7
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.13
Number of indicted persons in first instance per concluded prosecutorial investigations	2.0
Convicted persons in first instance divided by indicted persons in first instance	0.7
Percentage of convictions	55.5
Percentage of convicted persons divided by the overall number of perpetrated crimes	6.64
Penitentiary admissions divided by the number of convicted persons	1.5
Percentage of convicted persons divided by penitentiary admissions	117.9
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	5.9
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	25.2
Percentage of inmates without conviction in first instance	39.6
Appeal dockets in second instance divided by convicted persons in first instance	0.5
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.8
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	87.2

JALISCO

According to the results of IGI-MEX, Jalisco is located in group 3, with a high level of impunity.

i. Context of the Prosecution System and the Administration of Justice System

Jalisco is one of the states that are beginning the transition to the Adversarial System. It is estimated to have a 14% advance of its legal harmonization to such system. This is a situation that is not significantly affecting the resolution of cases and conflicts that the traditional criminal justice system is in charge of.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction are:

1. Injuries
2. Vehicle robbery
3. Passerby robbery
4. Home robbery
5. Other robberies

Coupled with the above scenario, in 2013 Jalisco presented an unreported crime figure (dark figure of crime) of 94.8%. It represents one of the highest percentages nationally, allowing to measure the environment of insecurity endured daily in this state.

ii. Impunity Sequence

The state of Jalisco presents lack of data for the impunity Sequence, which either shows the poor transparency of its criminal institutions, or a major weakness in their record keeping procedures. As shown in the Impunity Sequence Chart, there is an information vacuum among the first links ranging from the prosecutorial investigation to the identification of a potential indicted person. This impedes having the elements to measure the percentage of cases that are dismissed at the stage of prosecutorial investigation. The impunity Sequence features an abrupt leap in the number of people who are subject to a criminal proceeding (11% compared to the prosecutorial investigations not solved). Taking into consideration that as of 2013 in this state the transition to the Adversarial Justice System did not present significant progress, it cannot be used as an explanation for the drastic drop.

In the last links of the chain, as of 2013 the State of Jalisco reports a high percentage (over 60%) of convictions with respect to the total of indictments in criminal cases, which has more to do with a weak investigation of cases, will be discussed next (see Impunity Sequence Chart).
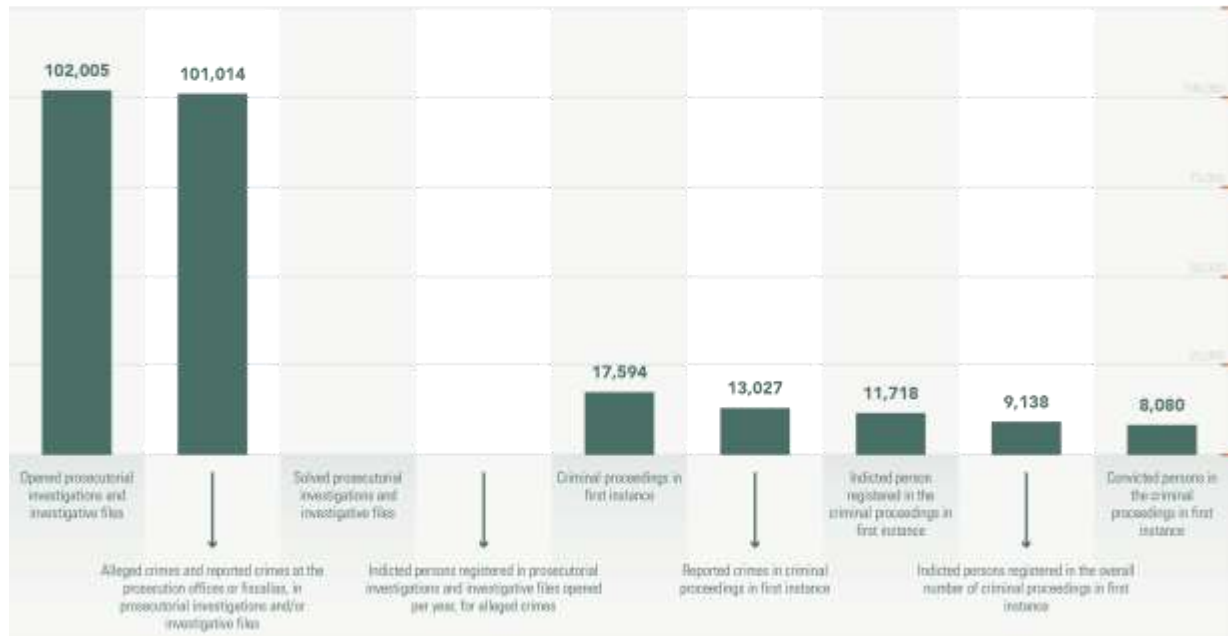
iii. Main Results in the 35 Indicators

According to the IGI-MEX of Jalisco, the structural dimension in its two sub-dimensions (Security system and justice System) is well above the national average, while the functional dimension in its two sub-dimensions is below the national average. This means that both, the infrastructure and personnel in security and justice are much lower compared to the national average. However, the state seems in better shape when it comes to carrying out of their duties, when compared to the national average.

Within the State these dimensions behave differently, as the justice system of the structural dimension and the security system of the functional dimension are the ones where we can find the problems that lead to impunity in the state (see Impunity Pyramid Chart).

The justice system of the structural dimension shows the insufficiency in staffing compared with the national average: 3 magistrates and judges per 100,000 inhabitants, when the average is 4; 25 total staff in the Supreme Court of Justice per 100,000 inhabitants, when the average is 34; 10 court clerks in the Supreme Court of Justice per 100,000 inhabitants, while the average is 12; as well as 0.1 prison staff compared with the number of inmates (versus 0.2 nationally).

Given this situation, as well as the absence of records discussed above, it is possible to unveil the problems behind a seemingly favorable scenario of the security system in the functional dimension. The variables in this system show fewer alleged crimes registered (1,317 per 100,000 inhabitants) compared to the national average. However, if we take into account the criminal institutions inefficiency in record keeping, we cannot consider this figure indicative of fewer criminal incidents. As for the high percentage of inmates for homicide (40%) and robbery (15%) compared to the national average, in contrast with the aforementioned weak structural dimension, is possible that there is not any comprehensive review of criminal proceedings.
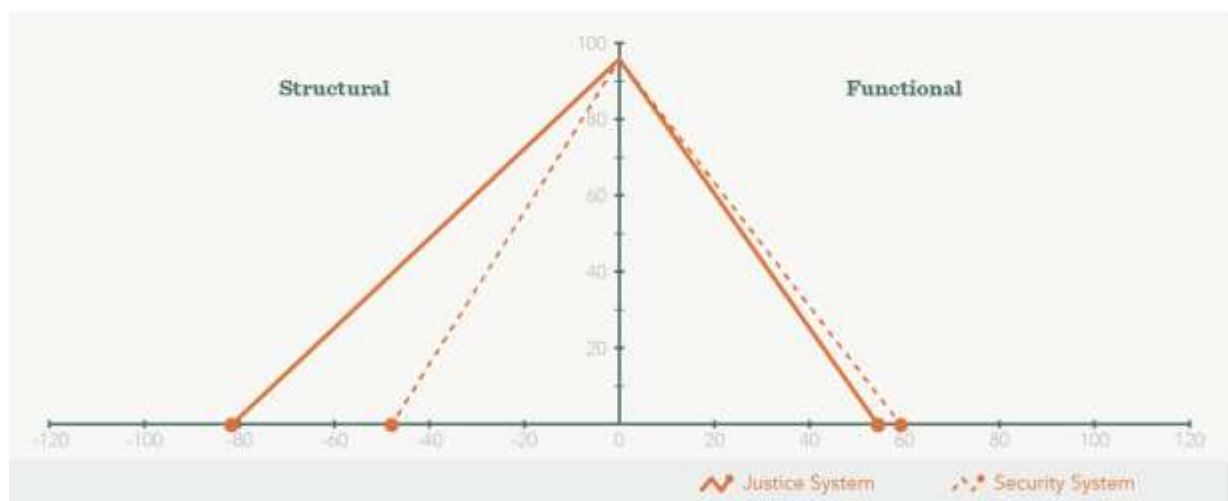
Impunity sequence Jalisco

Impunity pyramid Jalisco

Chart Jalisco. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,317.5
Public Officers at Prosecutors' offices per 100 thousand inhabitants	146.3
Actual expenditures applied by the Prosecutor's Office per capita	277.4
Prosecution Offices per 100,000 inhabitants	2.5
Percentage of Specialized Prosecutions for grave crimes	30.6
Public Officers at Prosecutors' offices per 100 thousand inhabitants	31.3
Number of Prosecutors per 100,000 inhabitants	4.2
Prosecutors per 1000 reported crimes	3.26
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.05
Investigative police per 1,000 reported crimes	9.49
Investigative police per 100,000 inhabitants	12.4
Percentage of certified public security officers	-
Overall number of officers to carry out public security functions per 100,000 inhabitants	146.3
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	114.2
Functional personnel to carry out public security functions per 100,000 inhabitants	112.0
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	128.4
Number of judges and magistrates per 100,000 inhabitants	2.9
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	24.8
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	9.5
Number of Court Clerks per Judge	3.2
Criminal proceedings in first instance divided by number of judges	77.2
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.17
Number of indicted persons in first instance per concluded prosecutorial investigations	0.7
Convicted persons in first instance divided by indicted persons in first instance	0.8
Percentage of convictions	88.4
Percentage of convicted persons divided by the overall number of perpetrated crimes	8.00
Penitentiary admissions divided by the number of convicted persons	1.5
Percentage of convicted persons divided by penitentiary admissions	74.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	15.0
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	39.9
Percentage of inmates without conviction in first instance	43.0
Appeal dockets in second instance divided by convicted persons in first instance	1.0
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.7
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	94.8

ESTADO DE MÉXICO

The State of Mexico is within group 4, reporting high levels of impunity according to IGI-MEX, with a score of 76.48. The unreported crime figure (dark figure of crime) is estimated at a 93.6%. This is slightly above the national average (92.8%).

i. Context of the Prosecution System and the Administration of Justice System

Although the Adversarial penal system took effect in 2009 the state reported a progress only of 14% on legal harmonization.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction are:

1. Injuries
2. Vehicle robbery
3. Passerby robbery
4. Home robbery
5. Other robberies

ii. Impunity Sequence

The impunity Sequence of Estado de Mexico shows some irregularities in the presentation of data. First, there was no data on the number of indictments registered in prosecutorial investigations initiated and investigative dockets opened. Additionally, the same figure is reported for the first two links of the chain, which would imply that for each crime there is one prosecutorial investigation and one investigative docket. This gravely differs from the national trend, and the evident fact that many cases involve two or more crimes during the same event (see Impunity Sequence Chart).

A second difference with the national impunity Sequence can be found in the significant difference between the number of prosecutorial investigations or investigative dockets opened and the high number of those who were resolved (272,996 and 361,099). This range, which opposes to the national trend, could be explained by a backlog in the procedures from years prior to the analysis.

Of the 272,996 prosecutorial investigations initially opened, only 14,638 criminal cases were considered suitable for turning them into criminal cases, and of these in turn, only 6,162 reached a conviction.

iii. Main Results in the 35 Indicators

According to the variables that compose the IGI-MEX, the State of Mexico has significant shortcomings in the structural-justice and functional-security dimensions (see Impunity Prims Chart).

Structural Dimensions

The structural-security dimension shows an important difference between the national data and the resources in the State of Mexico. The State of Mexico has less than half the staff in prosecution offices compared with the national average (just 32.4 against 75.7); 3.12 prosecutors per 1,000 registered crimes, against a national average of 5.31; and only 105.3 officers for public security duties per every 100,000 inhabitants , against the national average of 160.5.

Then again, the deficiencies are not only found in staff numbers, but also in organizational structure, as the state has only 1.1 Prosecutors' Offices per every 100,000 inhabitants, against the national average of 3.2, and only 3.2% of specialized prosecutions for grave crimes, when the national average reaches 14.8% nationwide.

In the structural-justice dimension there is no information on penitentiary officers and prison occupation against installed capacity and, therefore, it is not possible to quantify prison overcrowding or the ability to take care of inmates.
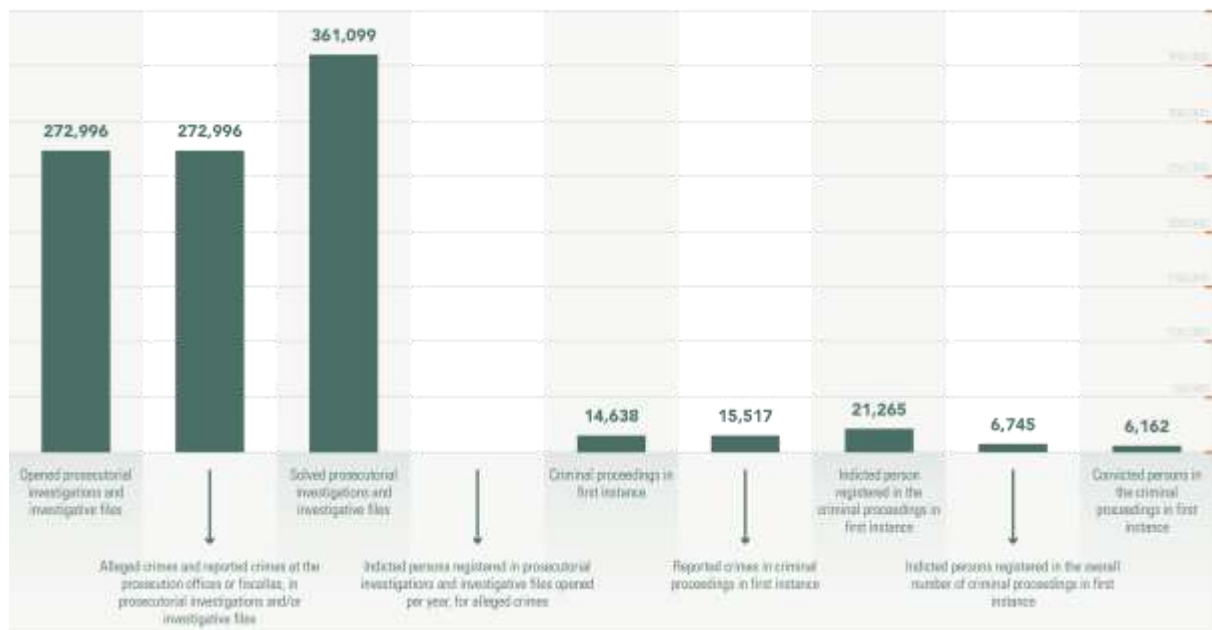
Regarding the staff in the justice system, we found a significant shortage of staff throughout the system. There are 21.2 employees reported in the Supreme Court of Justice per 100,000 inhabitants (nationally it is 34.3); 2.3 magistrates and judges against the national average of 3.5 per every 100,000 inhabitants; and just 5.5 court clerks in contrast with the national average of 11.9 per 100,000 inhabitants, which likely delays criminal proceedings.

Functional dimensions

The score of Estado de Mexico in terms of the functional-security dimension indicates the presence of deficiencies on these areas because despite the fact that this State does nor report crimes far above the national average (1668.3 against 1444.9 nationally), it does present a backlog in incarceration for robbery and homicide when compared with prosecutorial investigations: 6.0% against 10.3% nationally in case of robberies, and just 19.9% against 27.5% nationally in the case of homicides.

Meanwhile, the functional-justice dimension also shows performance below the national trend. Only 47.8% of prison admissions during the observed period had a judgment (in contrast to 58.41% nationally). Similarly, only 33.7% of the inmates have a judgment in the first instance, i.e., there is a significant backlog in the proceedings initiated in previous years.

Impunity sequence Estado de México
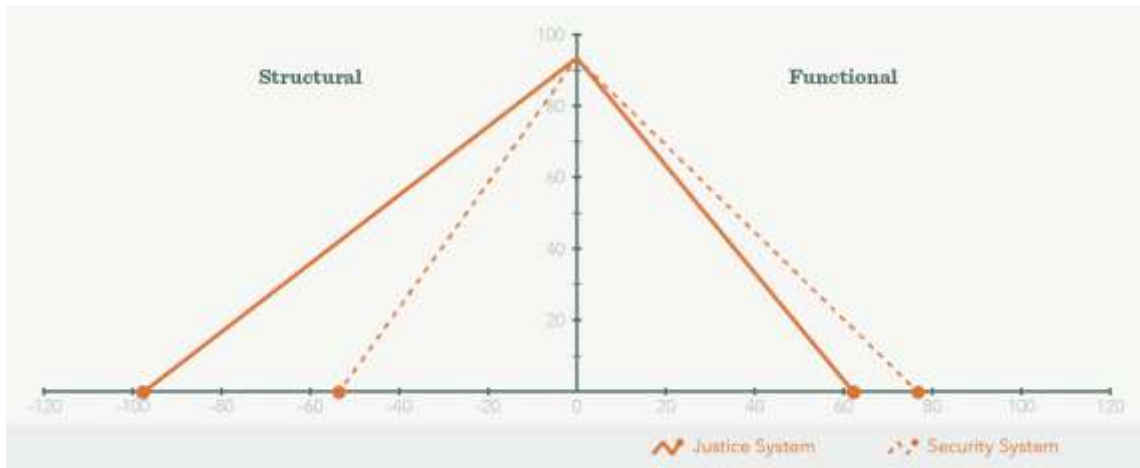
Impunity pyramid **Estado de México**

Chart Estado de México. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,668.3
Public Officers at Prosecutors' offices per 100 thousand inhabitants	32.4
Actual expenditures applied by the Prosecutor's Office per capita	133.8
Prosecution Offices per 100,000 inhabitants	1.1
Percentage of Specialized Prosecutions for grave crimes	3.2
Public Officers at Prosecutors' offices per 100 thousand inhabitants	26.4
Number of Prosecutors per 100,000 inhabitants	5.2
Prosecutors per 1000 reported crimes	3.12
Prosecutor's Office Forensic experts per 1,000 reported crimes	1.99
Investigative police per 1,000 reported crimes	6.38
Investigative police per 100,000 inhabitants	10.7
Percentage of certified public security officers	100.0
Overall number of officers to carry out public security functions per 100,000 inhabitants	120.9
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	160.5
Functional personnel to carry out public security functions per 100,000 inhabitants	105.3
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	103.9
Number of judges and magistrates per 100,000 inhabitants	170.8
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	2.3
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	21.2
Number of Court Clerks per Judge	5.5
Criminal proceedings in first instance divided by number of judges	2.4
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	38.3
Number of indicted persons in first instance per concluded prosecutorial investigations	0.05
Convicted persons in first instance divided by indicted persons in first instance	2.4
Percentage of convictions	0.3
Percentage of convicted persons divided by the overall number of perpetrated crimes	91.4
Penitentiary admissions divided by the number of convicted persons	2.26
Percentage of convicted persons divided by penitentiary admissions	2.3
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	47.8
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	6.0
Percentage of inmates without conviction in first instance	19.9
Appeal dockets in second instance divided by convicted persons in first instance	0.6
Penitentiary staff divided by installed capacity of prisons	-
Inmates divided by installed capacity of prisons	1.9
Penitentiary staff divided by inmates	-
Percentage of non-reported crimes	93.6

MICHOACAN

According to the results of IGI-MEX, Michoacán is within the national average, ranking in the level 3 of high impunity. However, we classify Michoacán as a case of atypical behavior, since the situation the state faced in those years does not guarantee any certainty in the data. The operability of the security system is the most problematic aspect. Below we describe the most important results.

i. Context of the Prosecution System and the Administration of Justice System

Michoacán continues its transition to the Adversarial System, which entered into effect this year and currently operates partially with a 43% progress of legal harmonization.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Michoacán are:

1. Vehicle robbery
2. Home robbery
3. Other robberies
4. Injuries
5. Homicides

It is worth mentioning that the state ranks fourth nationally for homicides, with 70.17 per 100,000 habitantes.[37]According to research from the Mexican Commission for the Defense and Promotion of Human Rights, in 2011 organized crime groups *La Familia Michoacana* and *Caballeros Templarios*, killed dozens of people, and displaced several families to neighboring towns.[38]

Additionally, it is estimated that the figure for unreported crimes is 93.6%.

ii. Impunity Sequence

Of all crime reports ex parte of ex officio taken before the Prosecutors' office (35,095) only 57% (20.128) are resolved. Of these, only 33% continues to a criminal proceeding before a court, given that the prosecutors' office has proven the elements of crime and the probable liability of the accused. This reflects a probable ineffectiveness in the administration of the security system by showing a wide gap between the number of criminal cases and the number of prosecutorial investigations initiated. Further figures make this even clearer: from the total number of reported homicides, only 8% reached imprisonment, furthermore, from all the homicide investigations, only 8.9% end in imprisonment. The latter figure is the lowest nationwide, which might suggest that a percentage of the alleged perpetrators remain on the streets and that the justice system lacks the capacity to do its job.

Furthermore, Michoacán does not report the number of indictments; therefore it is not possible to measure the effectiveness of the administration of justice. However, the results do show that 66% of penitentiary admissions are of convicted inmates, figure that is above the national average.

Generally speaking, it is possible to recognize the state issues a conviction to 8% of indicted people in criminal investigations. This could be a result of the number of magistrates and judges are 3.2 per 100,000 inhabitants, below the national average. Although this document is a comparative exercise at national level, it would be interesting to add that the global average is 16 judges per 100,000 inhabitants. While not all countries with a smaller number of judges are classified as countries of high impunity, when cross-referencing these figures with the total number of complaints that reach the prosecutors' offices (35,095) is expected that it would have enough staff to meet local needs (see Impunity Sequence Chart).

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[37] Made with data from the *2014 National Census of Government, Public Security and State Prison System.*
[38] CMDPDH, 2014.

The Impunity Pyramid Chart serves as a comparative reference regarding the national average.

The sub dimensions of the dark figure of crime (unreported crime), systems of structural security and systems of justice, structural and functional are above the national average, suggesting that the state may contribute negatively to the national impunity index. In contrast, the sub-dimension security system functional contributes positively to the national index by giving a figure below the average.

Impunity sequence Michoacán

Impunity pyramid Michoacán

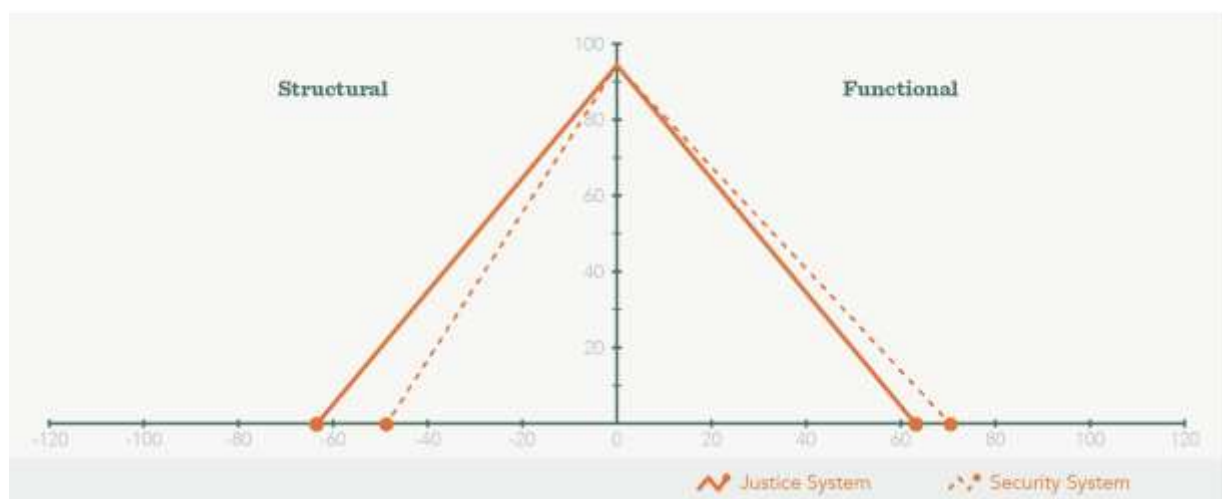| Chart Michoacán. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	774.7
Public Officers at Prosecutors' offices per 100 thousand inhabitants	47.0
Actual expenditures applied by the Prosecutor's Office per capita	142.6
Prosecution Offices per 100,000 inhabitants	4.7
Percentage of Specialized Prosecutions for grave crimes	2.8
Public Officers at Prosecutors' offices per 100 thousand inhabitants	29.1
Number of Prosecutors per 100,000 inhabitants	4.3
Prosecutors per 1000 reported crimes	5.62
Prosecutor's Office Forensic experts per 1,000 reported crimes	5.50
Investigative police per 1,000 reported crimes	20.51
Investigative police per 100,000 inhabitants	15.6
Percentage of certified public security officers	41.8
Overall number of officers to carry out public security functions per 100,000 inhabitants	47.1
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	47.1
Functional personnel to carry out public security functions per 100,000 inhabitants	36.1
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	244.5
Number of judges and magistrates per 100,000 inhabitants	3.2
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	34.0
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	8.6
Number of Court Clerks per Judge	2.7
Criminal proceedings in first instance divided by number of judges	46.1
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.19
Number of indicted persons in first instance per concluded prosecutorial investigations	-
Convicted persons in first instance divided by indicted persons in first instance	-
Percentage of convictions	94.4
Percentage of convicted persons divided by the overall number of perpetrated crimes	6.29
Penitentiary admissions divided by the number of convicted persons	1.6
Percentage of convicted persons divided by penitentiary admissions	66.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	8.0
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	8.9
Percentage of inmates without conviction in first instance	51.6
Appeal dockets in second instance divided by convicted persons in first instance	1.9
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	0.6
Penitentiary staff divided by inmates	0.4
Percentage of non-reported crimes	93.6

MORELOS

According to the results of IGI-MEX, Morelos is located in group 3 with high impunity, and is characterized by contrasts in the different dimensions and sub-dimensions that comprise this indicator.

i. Context of the Prosecution System and the Administration of Justice System

Morelos is one of the states of Mexico that has completed the transition, initiated in 2008, to the Adversarial System, in a context of constant insecurity.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Morelos are:

1. Injuries
2. Vehicle robbery
3. Home robbery
4. Other robberies
5. Property damage

Furthermore, the number of homicides registered in 2014 (66 per 100,000 inhabitants) places Morelos in the fifth place nationally in the occurrence of this crime.[39] According to the coordinator of citizen movement of Morelos, since 2012 there have been more than 450 kidnappings and over 900 homicides.[40]

On grave human rights violations, according to records of the organization of Families of Victims and Affected of Morelos, there have been 633 feminicides between 2010 to day, and 92 cases of enforced disappearance.[41]

It is worth mentioning than Morelos has an unreported crime figure (dark figure of crime) of 92.7%, which represents a very high level of unrecorded crimes.

ii. Impunity Sequence

The state of Morelos presents a behavior in the impunity Sequence is similar to the national average. As shown in Chart 1, there is a significant gap between the opened prosecutorial investigations (45.052) and criminal cases reported (1,545). This means that 97% of them are dismissed at the stage of prosecutorial investigation and only 3% continue to a criminal proceeding. One possible explanation is that by 2013 Morelos was already operating under the adversarial criminal system, so many of the cases could have been settled through mediation and conciliation between the parties. However, data shows that the same year there were only 5,687 open cases on crimes and anti-social actions (injuries, robbery, fraud, plunder, burglary, threats) registered at the Centers of Alternative Justice. Additionally, it is worth noting that 44% from the crimes recorded in opened prosecutorial investigations and investigative dockets correspond to the crime of robbery and 2% to homicide cases (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

According to the state's IGI-MEX, the security system and the justice system in the structural dimension have similar or higher average scores than the national average. This is an indicator of a relatively better structural condition in prosecutors' offices, public prosecutors and prisons (investigative police, judges, prison staff): however, there is a significant problem in the functional dimension, as it makes a greater contribution in the values that the impunity index takes into consideration (see Impunity Pyramid graphic).

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[39] From the *2014 National Census of Government, Public Security and State Prison System*.
[40] *Sin Embargo*, 2015.
[41] *La Jornada Morelos*, 2015.

Additionally, the impunity index for this state reveals that the security system in both dimensions, participates greatly in the reproduction and preservation of the state's impunity average.

According to the variables that measure the security system of the functional dimension, Morelos is the third state with the highest number of reported crimes (2,649) per every 100,000 inhabitants. However, from all crimes, less than 1% results in a conviction. Taking into consideration that the state ranks fifth nationally in homicides per 100,000 inhabitants and that from the total of prosecutorial investigations for homicide only 16% are incarcerated, the efficiency of the security system and justice system are called into question, even when the new Adversarial System is in force, which is aimed to reduce the workload prior to the criminal proceedings. Moreover, taking into consideration the functional dimension of the justice system the problem seems to increase, since only 34% of the prisons admissions per year received a judgment. This situation is clearly not due to a shortage of penitentiary staff, as Morelos has 5 judges per 100,000 inhabitants; a figure above the national average. The problem lies in their performance, as each judge receives on average 17 cases per year, while the national average is 52 cases each year.

Impunity sequence Morelos

Impunity pyramid **Morelos**

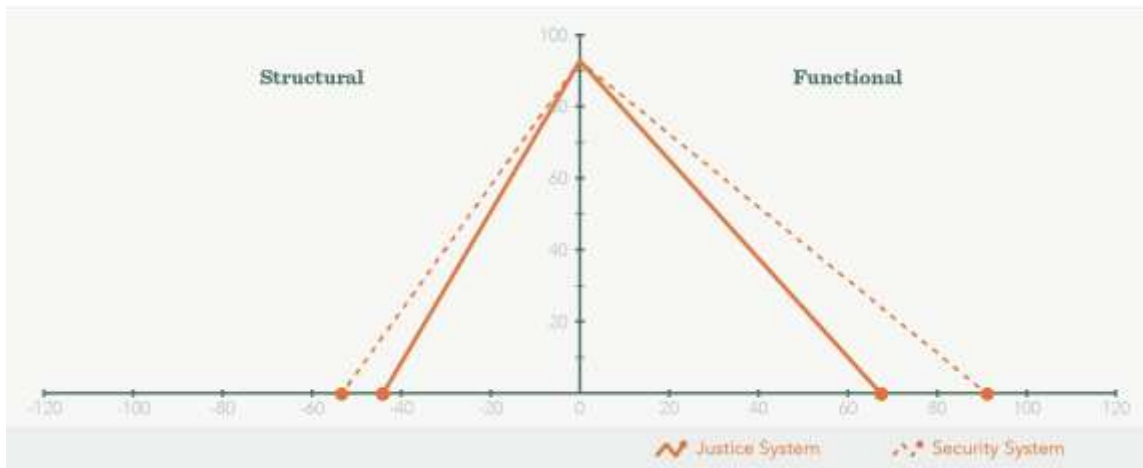| Chart Morelos.35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	2,649.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	84.7
Actual expenditures applied by the Prosecutor's Office per capita	175.8
Prosecution Offices per 100,000 inhabitants	3.4
Percentage of Specialized Prosecutions for grave crimes	22.2
Public Officers at Prosecutors' offices per 100 thousand inhabitants	42.7
Number of Prosecutors per 100,000 inhabitants	12.8
Prosecutors per 1000 reported crimes	4.89
Prosecutor's Office Forensic experts per 1,000 reported crimes	-
Investigative police per 1,000 reported crimes	7.78
Investigative police per 100,000 inhabitants	20.4
Percentage of certified public security officers	1.1
Overall number of officers to carry out public security functions per 100,000 inhabitants	109.4
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	101.2
Functional personnel to carry out public security functions per 100,000 inhabitants	94.4
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	284.2
Number of judges and magistrates per 100,000 inhabitants	4.7
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	57.1
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	18.8
Number of Court Clerks per Judge	4.0
Criminal proceedings in first instance divided by number of judges	17.4
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.03
Number of indicted persons in first instance per concluded prosecutorial investigations	1.9
Convicted persons in first instance divided by indicted persons in first instance	0.3
Percentage of convictions	73.4
Percentage of convicted persons divided by the overall number of perpetrated crimes	0.85
Penitentiary admissions divided by the number of convicted persons	4.1
Percentage of convicted persons divided by penitentiary admissions	33.6
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	2.9
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	16.4
Percentage of inmates without conviction in first instance	32.6
Appeal dockets in second instance divided by convicted persons in first instance	-
Penitentiary staff divided by installed capacity of prisons	0.4
Inmates divided by installed capacity of prisons	1.2
Penitentiary staff divided by inmates	0.3
Percentage of non-reported crimes	92.7

NAYARIT

According to the results of IGI-MEX, Nayarit is located in group 1 with low levels of impunity.

i. Context of the Prosecution System and the Administration of Justice System

Nayarit is one of the states that are beginning their transition towards the Adversarial System, with an estimated 29% of advancing in its legal harmonization, a situation that does not seem to affect the resolution of cases and conflicts usually processed under the traditional criminal justice system.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction are:

1. Breach of alimony obligations
2. Fraud
3. Vehicle robbery
4. Other robberies
5. Injuries

Together with the above scenario, Nayarit's unreported crime reached 93% in 2014, which allows sizing the climate of daily insecurity that prevails in this state.
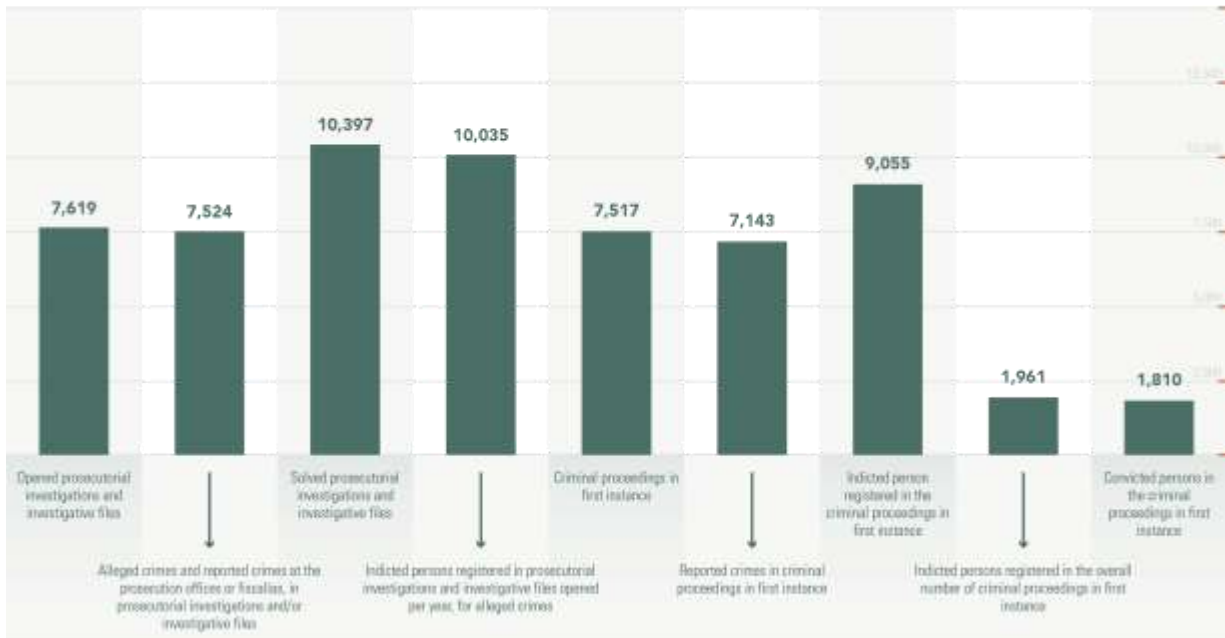
ii. Impunity Sequence

Nayarit differs from the national trend in an important manner. As shown in the following chart, in the first links on the impunity Sequence there is an increase from the amount of opened prosecutorial investigations and investigative files, to the indictment of cases resolved by any criminal instance; a behavior that may be explained by a possible backlog of unresolved cases. From these, there is a slight decrease (about 10%) in the number of prosecuted persons for criminal cases. This situation can be considered as a red flag because a significant portion of this may be the result of arbitrariness in the investigation process, due primarily to insufficient staff in charge of the cases.

In the last links of the impunity Sequence is noticeable that only 20% of persons under criminal trial received a judgment, while the rest may be acquitted or continue with an open case, which can be explained by the lack of staff devoted to these duties, as will be discussed below (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

According to the IGI-MEX of Nayarit, both the structural dimension and the functional dimension are below the national average. This means that the state has conditions of infrastructure and staff and a way to operate relatively better than the national average. However, within the state, it is the justice system of the structural dimension where the main problems can be identified (see Impunity Pyramid Chart). The state, in contrast with the national average, has more magistrates and judges (5 per 100,000 inhabitants); more total staff in the Supreme Court of Justice (48 per 100,000 inhabitants); more court clerks in the Supreme Court of Justice (19 per 100,000 inhabitants); and more penitentiary staff (0.3). The problem is that this staff cannot process the high demand of cases requiring attention. This is so because the number of criminal cases in the first instance compared with the number of judges seems very high (132) when compared with the national average of 52. There is a high percentage of convicted persons divide by penitentiary admissions (70%), compared to the national figure of 58%. And also, there are a high percentage of inmates for robbery (37%) against the nationwide percentage that is of 10%.

Impunity sequence Nayarit

7,619	7,524	10,397	10,035	7,517	7,143	9,055	1,961	1,810

Opened prosecutorial investigations and investigative files

Alleged crimes and reported crimes at the prosecution offices or fiscalías, in prosecutorial investigations and/or investigative files

Solved prosecutorial investigations and investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes

Criminal proceedings in first instance

Reported crimes in criminal proceedings in first instance

Indicted person registered in the criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

Convicted persons in the criminal proceedings in first instance

Impunity pyramid **Nayarit**

Structural   Functional

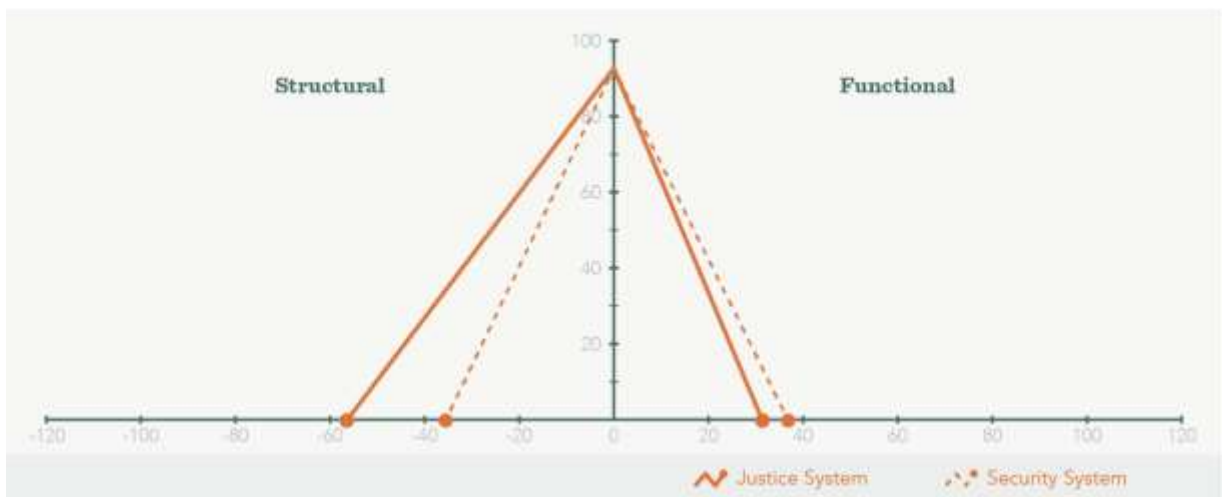∿ Justice System   ⋰ Security System

Chart Nayarit. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	646.6
Public Officers at Prosecutors' offices per 100 thousand inhabitants	100.5
Actual expenditures applied by the Prosecutor's Office per capita	259.1
Prosecution Offices per 100,000 inhabitants	6.4
6.4Percentage of Specialized Prosecutions for grave crimes	12.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	57.7
Number of Prosecutors per 100,000 inhabitants	10.3
Prosecutors per 1000 reported crimes	16.08
Prosecutor's Office Forensic experts per 1,000 reported crimes	7.71
Investigative police per 1,000 reported crimes	27.51
Investigative police per 100,000 inhabitants	17.6
Percentage of certified public security officers	100.0
Overall number of officers to carry out public security functions per 100,000 inhabitants	1119.7
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	98.5
Functional personnel to carry out public security functions per 100,000 inhabitants	81.2
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	256.6
Number of judges and magistrates per 100,000 inhabitants	4.8
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	47.9
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	18.5
Number of Court Clerks per Judge	3.8
Criminal proceedings in first instance divided by number of judges	131.9
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.99
Number of indicted persons in first instance per concluded prosecutorial investigations	1.7
Convicted persons in first instance divided by indicted persons in first instance	0.2
Percentage of convictions	92.3
Percentage of convicted persons divided by the overall number of perpetrated crimes	24.06
Penitentiary admissions divided by the number of convicted persons	1.6
Percentage of convicted persons divided by penitentiary admissions	69.1
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	36.7
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	49.5
Percentage of inmates without conviction in first instance	47.3
Appeal dockets in second instance divided by convicted persons in first instance	0.9
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	2.5
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	93.0

NUEVO LEON

With a very high level of impunity, even above the national average, Nuevo Leon is located in Group 4, reflecting the grave problems prevailing in the state regarding the security system and the justice system, according to the results of IGI-MEX. ER3

i. Context of the Prosecution System and the Administration of Justice System

The Adversarial System came into effect in 2012, and although currently there is a complete legal harmonization with the new criminal system, it is not functional in the entire territory.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in this state are:

1. Injuries
2. Home robbery
3. Domestic violence
4. Property damage
5. Passerby robbery

It is worth noting that the unreported crime figure (dark figure of crime) is 92.9%, and even though this represents a large amount of crimes not officially recorded, is on par with the national average of 92.8%.

ii. Impunity Sequence

The state of Nuevo Leon shows certain irregularities in its Impunity Sequence. In one hand, there are a great number of registered prosecutorial investigations and alleged crimes (69.372), as well as resolved prosecutorial investigations. In this process, about 13,000 opened prosecutorial investigations are not resolved.

A very important piece of information consists on the fact that there is a significant difference between the number of registered prosecutorial investigations and the number of criminal cases, as the number of prosecutorial investigations is about 10% of the initial prosecutorial investigations. This suggests that it is in this process where the problems, fundamentally structural, can be found. This means that, in the absence of sufficient staff, no comprehensive case study is performed, and therefore criminal cases and prosecuted crimes decrease abruptly (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

According to IGI-MEX, the state of Nuevo Leon has severe problems in its security system and its justice system, exceeding the national average. The justice system has difficulties in the structural dimension, which means there are shortcomings in terms of the number of staff in the Supreme Court of Justice and in prisons. For example there are 2.5 magistrates and judges per 100,000 inhabitants, while the national average is 3.5. This represents a deficiency and results in a higher level of impunity.

This clearly indicates the difference between the initial prosecutorial investigations recorded and reported criminal cases. As already noted above, due to the fact that there is not enough staff to review cases in depth, the number of prosecuted crimes decreases.

Furthermore, the security system shows deficiencies in the functional dimension. According to the variables that measure the efficiency of this system, the alleged crimes recorded per 100,000 inhabitants are 1,404, a number that is slightly below the national average, which is of 1,444. This means there are a little less crimes reported than in most states of the Mexican Republic (See Impunity Pyramid Chart).

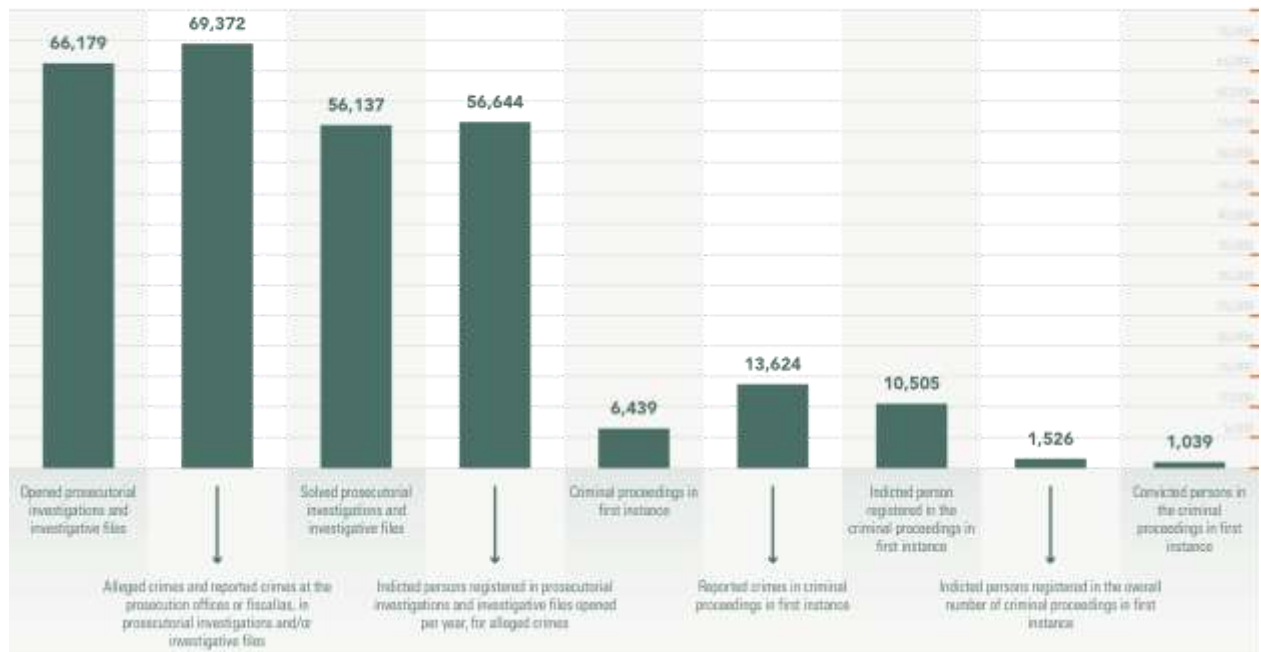Also, the percentage of inmates for homicide divided by the number of prosecutorial investigations for homicide is 18.9%, compared to 27.5% from national average. This is a much lower number than the percentage of other states. Thus, the operability of the security system of Nuevo Leon appears inefficient. This may be due to the fact that the Adversarial System is not completely operating throughout the state, causing a

situation where judges are not able to process the number of prosecutorial investigations they receive, and ultimately leading to many cases not being followed up.

Moreover, the percentage of inmates for robbery divided by robberies in opened prosecutorial investigations is very low; this is, from the total of robberies in opened prosecutorial investigations only 8.8% reach a conviction. This is a very low figure, but not far from the national average, which is 10.3%.

One issue of great importance and that allows a high level of impunity in the state of Nuevo Leon is the insufficient staff in its courts and prisons. This negatively affects the security system and the justice system in the state, even before the inefficiency or poor performance of judges and magistrates.

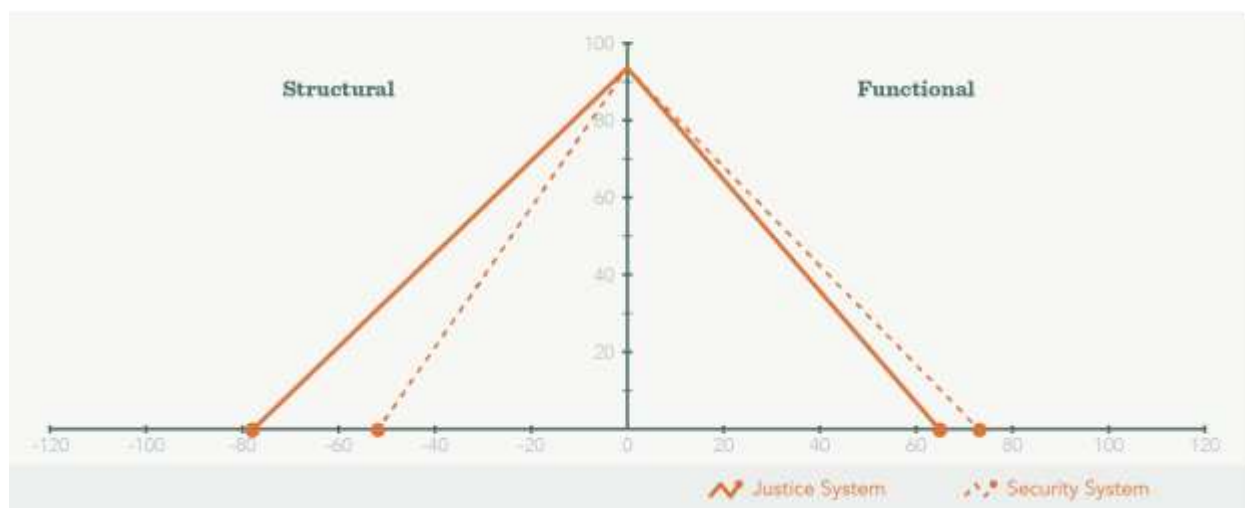## Impunity sequence Nuevo León

Impunity pyramid **Nuevo León**

Chart Nuevo León. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,404.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	78.6
Actual expenditures applied by the Prosecutor's Office per capita	363.6
Prosecution Offices per 100,000 inhabitants	2.4
Percentage of Specialized Prosecutions for grave crimes	18.8
Public Officers at Prosecutors' offices per 100 thousand inhabitants	27.5
Number of Prosecutors per 100,000 inhabitants	2.8
Prosecutors per 1000 reported crimes	2.02
Prosecutor's Office Forensic experts per 1,000 reported crimes	-
Investigative police per 1,000 reported crimes	8.74
Investigative police per 100,000 inhabitants	12.3
Percentage of certified public security officers	100.0
Overall number of officers to carry out public security functions per 100,000 inhabitants	90.7
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	89.5
Functional personnel to carry out public security functions per 100,000 inhabitants	68.6
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	254.0
Number of judges and magistrates per 100,000 inhabitants	2.5
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	28.1
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	16.1
Number of Court Clerks per Judge	6.4
Criminal proceedings in first instance divided by number of judges	51.5
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.10
Number of indicted persons in first instance per concluded prosecutorial investigations	1.4
Convicted persons in first instance divided by indicted persons in first instance	0.1
Percentage of convictions	68.1
Percentage of convicted persons divided by the overall number of perpetrated crimes	1.50
Penitentiary admissions divided by the number of convicted persons	4.3
Percentage of convicted persons divided by penitentiary admissions	34.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	8.8
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	18.9
Percentage of inmates without conviction in first instance	32.1
Appeal dockets in second instance divided by convicted persons in first instance	2.4
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.3
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	92.9

OAXACA

According to IGI-MEX, Oaxaca belongs to group 4, with high impunity and a score of 71.62. Its unreported crime figure (dark figure of crime) reaches 93.3% (against 92.8% nationally).

i. Context of the Prosecution System and the Administration of Justice System

In Oaxaca the new Adversarial System is partially operating since 2007, with a reported 86% progress in legal harmonization. The five most frequent crimes of local jurisdiction are:

1. Injuries
2. Passerby robbery
3. Other robberies
4. Property damage
5. Fraud

ii. Impunity Sequence

The preliminary or prosecutorial investigation stage has behavior equivalent to the national average. Nonetheless, it also shows a fairly significant decrease between criminal cases and judging indicators. While national figures on the number of criminal cases that lead to judgments often decrease by almost half (215.638 criminal cases to 100, 938 judgments), in Oaxaca this correlation is considerably reduced, since only 15% of criminal cases reach judgments and 10% get a conviction, in contrast with 47% and 35% nationwide, respectively (see Impunity Sequence Chart.)

iii. Main Results in the 35 Indicators

IGI data-MEX reveals that Oaxaca presents weaknesses in the functional-justice dimension, the structural-justice dimension and the functional-security dimension. Its relative strength can be found in the structural-security dimension (see Impunity Pyramid Chart).

On the structural-security dimension, data tell us that, in general terms, the state is slightly below the national average, i.e. the number of staff in this dimension is quite similar to the national average.

Moreover, the variable that stands out is that of prosecutors per 1,000 registered crimes as in the state 10 officers work in over a thousand crimes in one year, well above the national average of 5.

When revising the figures we can say that in Oaxaca with a similar number of officers twice as many cases than the national average are seen in one year. This way is possible to explain the relatively positive number in the structural-security dimension.

In the structural-justice dimension we found a similar behavior in most items, where the numbers are slightly above the national average. This means that, in general, there is more staff in charge of processing less alleged crimes than in the national average. In Oaxaca there were 1,190 alleged reported crimes per 100,000 inhabitants, below the national average of 1,445.

The number of personnel is slightly higher than the national average. This trend is repeated in all items of this dimension, except in the case of installed capacity and penitentiary staff divided by inmates. Both registered a 0.1, half the national average, which means that there is widespread prison overcrowding in the state's prison facilities.

In the functional-security dimensions becomes clear the low functionality recorded by IGI-MEX as the percentage of inmates for robbery is much lower that the percentage for homicide. The percentage of inmates for homicide divided by opened prosecutorial investigations for homicide is 26%, a figure very similar to the national average of 28%. In contrast, the percentage of inmates for robbery divided by opened prosecutorial investigations for robberies is 5%, well below the average of 10%.

The main conclusion according to the data, not only for Oaxaca but for several states, is that there is plenty staff in the structure dedicated to security and prosecution; but this yields little results as the number of inmates with sentences is very low.

Finally, data from the functional-justice dimension shows the greatest problems of the state and supports the above statements. The percentage of judged persons divided by penitentiary admissions is of 19%, which is third of the national average of 59%. This means that in the country there are about 40% of inmates awaiting judgment, while in Oaxaca's case nearly 80% of all inmates also are awaiting for the resolution of their trial.

Impunity sequence Oaxaca
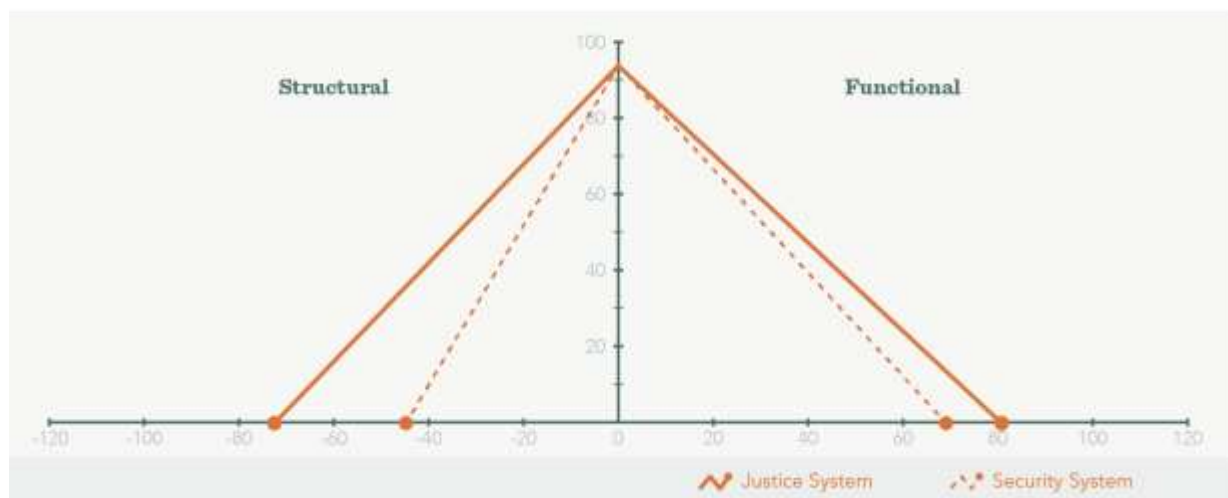

Impunity pyramid Oaxaca

Chart Oaxaca. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,190.7
Public Officers at Prosecutors' offices per 100 thousand inhabitants	67.5
Actual expenditures applied by the Prosecutor's Office per capita	174.6
Prosecution Offices per 100,000 inhabitants	2.8
Percentage of Specialized Prosecutions for grave crimes	11.8
Public Officers at Prosecutors' offices per 100 thousand inhabitants	33.3
Number of Prosecutors per 100,000 inhabitants	11.4
Prosecutors per 1000 reported crimes	9.99
Prosecutor's Office Forensic experts per 1,000 reported crimes	2.36
Investigative police per 1,000 reported crimes	10.48
Investigative police per 100,000 inhabitants	12.0
Percentage of certified public security officers	58.0
Overall number of officers to carry out public security functions per 100,000 inhabitants	203.8
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	203.0
Functional personnel to carry out public security functions per 100,000 inhabitants	174.9
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	183.7
Number of judges and magistrates per 100,000 inhabitants	4.3
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	35.5
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	17.2
Number of Court Clerks per Judge	4.0
Criminal proceedings in first instance divided by number of judges	23.7
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.10
Number of indicted persons in first instance per concluded prosecutorial investigations	2.8
Convicted persons in first instance divided by indicted persons in first instance	0.1
Percentage of convictions	69.1
Percentage of convicted persons divided by the overall number of perpetrated crimes	0.94
Penitentiary admissions divided by the number of convicted persons	7.7
Percentage of convicted persons divided by penitentiary admissions	18.7
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	4.7
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	25.5
Percentage of inmates without conviction in first instance	47.9
Appeal dockets in second instance divided by convicted persons in first instance	5.0
Penitentiary staff divided by installed capacity of prisons	0.1
Inmates divided by installed capacity of prisons	1.0
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	93.3

PUEBLA

According to the results of IGI-MEX, Puebla is located in group 3 with high levels of impunity, similar to the national average. The dimensions and sub-dimensions from the index show a trend similar to that of the national average.

i. Context of the Prosecution System and the Administration of Justice System

Puebla initiated its transition to the Adversarial System in 2013. Such system currently operates only partially within the state's territory. According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction are:

1. Injuries
2. Threats
3. Passerby robbery
4. Property damage
5. Domestic Violence

It is worth noting that Puebla registers an unrecorded crime figure (dark figure of crime) of 93.2%. This figure is slightly higher than the national average.

ii. Impunity Sequence

Puebla has a different conduct than the national average in the local impunity Sequence. As shown in the chart below, the number of opened prosecutorial investigations and investigative files resolved by the local public prosecutor's offices exceeded the number of opened investigations. This may mean that there is a backlog of investigations pending for the indictment (or not) of criminal cases by the Prosecutors' office. It is important to note that after the investigations were resolved there is a large amount of cases that do not continue to the judicial process.

Furthermore, is evident that only 16% of the prosecutorial investigations and investigative files opened have an indicted person on record. The trend is similar in the cases of people who have already entered a judicial process (15% of all investigations). Also, the end of the chain shows that the number of judged persons with respect to the total number of indicted people is 29%. Those who received a conviction constitute 23% (see Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

According to the dimensions used to determine the impunity rate of Puebla, it can be ascertained that the variables behave similarly to the national trend. With respect to the operability of the justice system, Puebla is above the national index. This means that criminal proceedings such as the resolution of prosecutorial investigations, indictments and judgments are done more swiftly than in most states.

In the functional dimension of the security system, is noted that Puebla has a greater crime rate than the national average. Specifically, of all homicides recorded in prosecutors' offices and public prosecutor's offices in 2013, only 11% of these cases resulted in penitentiary admissions, while for the crime of robbery this percentage, within the same year, was of 4% (see Impunity Pyramid Chart).

Moreover, with regard to the structure of the security system, the index revealed that Puebla had a staff in prosecution offices of 39.3 people per every 100,000 inhabitants, well below the national average of 75.5. Also, it shows a deficiency in terms of prosecution infrastructure and staff. Specifically in the case of Public Prosecutions' offices, as of 2013 the institution had 1.7 offices per 100,000 inhabitants, compared to the national average of 3.4. While, for every 1,000 reported crimes in prosecution offices there are only 3 prosecutors processing and resolving prosecutorial investigations and investigative dockets.

In terms of human resources in the system of delivery of justice, Puebla has serious deficiencies in magistrates and judges per 100,000 inhabitants. The state has only 1.5 while the national average is 3.5. This

same situation can be seen in the number of court clerks in the Supreme Court of Justice. In the state there are only 6.4 per 100,000 inhabitants, while the national average is 11.9.

The state also lags behind the country in terms of imprisonment for robbery and homicide. The national average for robbery is of 10.3 and in Puebla is of 3.7. In the case of homicide divided by opened prosecutorial investigations the national figure is 27.5, while Puebla's is only 11.4. This situation may be related to the serious structural judicial problems in the state.

Impunity sequence Puebla
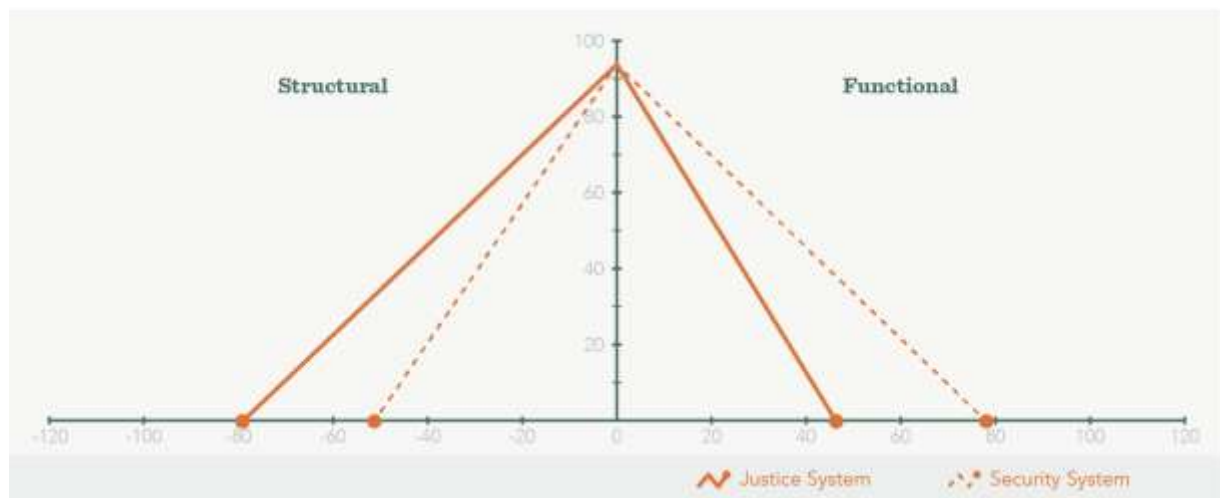

Impunity pyramid Puebla

Chart Puebla. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,329.5
Public Officers at Prosecutors' offices per 100 thousand inhabitants	39.3
Actual expenditures applied by the Prosecutor's Office per capita	109.1
Prosecution Offices per 100,000 inhabitants	1.6
Percentage of Specialized Prosecutions for grave crimes	7.1
Public Officers at Prosecutors' offices per 100 thousand inhabitants	11.9
Number of Prosecutors per 100,000 inhabitants	3.6
Prosecutors per 1000 reported crimes	2.71
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.06
Investigative police per 1,000 reported crimes	0.75
Investigative police per 100,000 inhabitants	1.0
Percentage of certified public security officers	45.6
Overall number of officers to carry out public security functions per 100,000 inhabitants	110.1
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	100.7
Functional personnel to carry out public security functions per 100,000 inhabitants	97.5
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	80.5
Number of judges and magistrates per 100,000 inhabitants	1.5
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	22.9
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	6.4
Number of Court Clerks per Judge	4.2
Criminal proceedings in first instance divided by number of judges	125.0
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.14
Number of indicted persons in first instance per concluded prosecutorial investigations	3.4
Convicted persons in first instance divided by indicted persons in first instance	0.3
Percentage of convictions	80.2
Percentage of convicted persons divided by the overall number of perpetrated crimes	3.63
Penitentiary admissions divided by the number of convicted persons	1.2
Percentage of convicted persons divided by penitentiary admissions	100.9
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	3.7
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	11.4
Percentage of inmates without conviction in first instance	41.1
Appeal dockets in second instance divided by convicted persons in first instance	1.2
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	1.3
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	93.2

QUERÉTARO

The state is placed in-group 4, with very high levels of impunity in the IGI-MEX results. There is no data to evaluate impunity in the functional sub-dimension of the justice system, amounting to secrecy and inefficiency of the local judiciary. This has a strong effect in the state's results for this index.

i. Context of the Prosecution System and the Administration of Justice System

The Adversarial System came into effect in the state in 2014, and operates partially therein, with a reported 29% progress in legal harmonization.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Queretaro are:

1. Injuries
2. Vehicle robbery
3. Home robbery
4. Other robberies
5. Property damage

During 2014, the Human Rights Commission of Queretaro reported 126 complaints for violations to the right to personal integrity and personal security, and 256 for violation to the principle of legality and legal certainty. Also, this year there is record of 84 complaints for injuries, and 49 complaints for arbitrary detention.[42] The dark figure of crime is 90.1%, this is almost 2 points below the national average.

ii. Impunity Sequence

In this state, the work of the Prosecutors' Office stands out, as it responds to 88% of all incoming crime report (ex parte or ex officio). However, it further stands out that from all resolutions issued by the Prosecutors' Office, it only indicts cases – when the elements of crime and the probable liability of the accused are proven – in 16% of the resolved investigations. This means that for 84% of the remaining investigations: 1) the elements of crime or alleged perpetrator are not proved and 2) there are not sufficient elements to prove the elements of crime and the probable liability of the accused. This results in probable inefficiencies in the structure and functionality of the security system. From the total of opened prosecutorial investigations for robbery, only 12% end in imprisonment. In the case of homicide, only 32.1% end in imprisonment. What happened to the remaining percentage? Is it possible that 87.8% of all robbery complaints do not have enough evidence to determine whether or not that crime was perpetrated? Or is it that the Prosecutors' Offices do not have enough trained personnel to adequately carry out a prosecutorial investigation? Many questions remain unanswered.

The Public Prosecutors' offices operate with approximately 3 prosecutors per 1,000 reported crimes. This means that each officer is in charge of the investigation of 333 crimes each year, little over a crime a day, when a prosecutorial investigation process lasts approximately 72 hours.

Furthermore, the state does not information on the overall numbers of judgments, whether acquittals or convictions, making it harder to measure the effectiveness of the justice delivery system. What does is described in Chart 1 is that, from the total of indicted persons in opened prosecutorial investigations (40,390), only 16% are processed (6,702). (See Impunity Sequence Chart).

iii. Main Results in the 35 Indicators

In the impunity Pyramid, shown in the following figure, it stands out the justice-operability system because it greatly surpasses the national average. The state has 41.6% of its inmates without judgment in first instance; almost half the prison population is without a judgment. Additionally, there are 0.14 criminal cases in first

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[42] Defensoría de los Derechos Humanos de Querétaro, 2014.

instance for each opened investigative file, that is to say, one fifth of the prosecutorial investigations reaches the stage of a criminal case.

The fact that the variables within the structural-justice system are above the national average, contributes greatly to position the state in the highest level of impunity. As shown by IGI 2015, the average of judges worldwide is of16 for every 100,000 inhabitants, in Queretaro there are only 3.5, almost five times less than the global average. Moreover, the average of prison staff per inmate is only half (0.2) than the worldwide average (0.45). (See Impunity Pyramid Chart).

Impunity sequence Querétaro

Impunity pyramid Querétaro

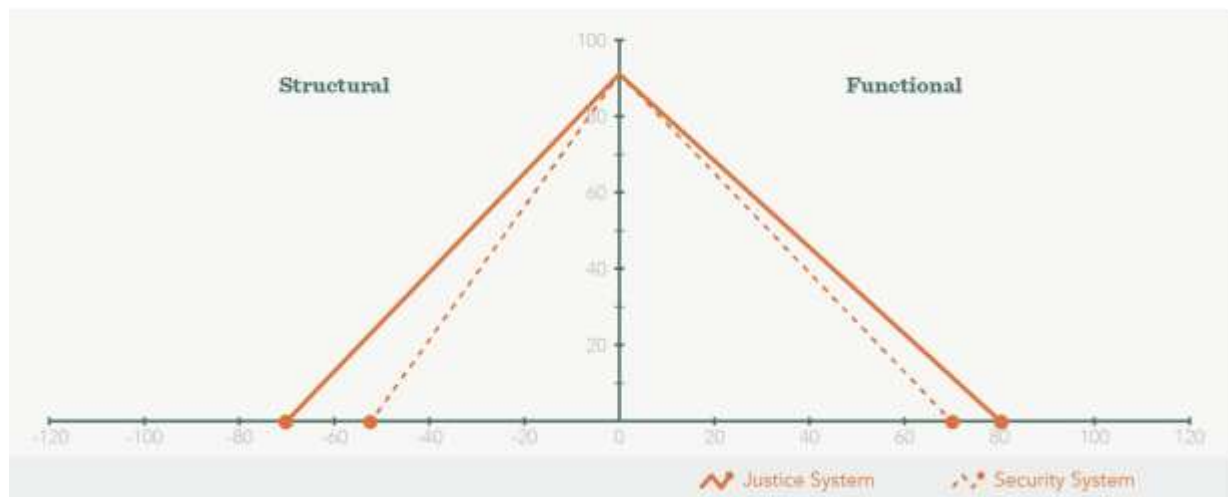| Chart Querétaro .35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,777.9
Public Officers at Prosecutors' offices per 100 thousand inhabitants	74.4
Actual expenditures applied by the Prosecutor's Office per capita	269.3
Prosecution Offices per 100,000 inhabitants	2.8
Percentage of Specialized Prosecutions for grave crimes	20.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	41.4
Number of Prosecutors per 100,000 inhabitants	5.4
Prosecutors per 1000 reported crimes	3.04
Prosecutor's Office Forensic experts per 1,000 reported crimes	2.98
Investigative police per 1,000 reported crimes	7.22
Investigative police per 100,000 inhabitants	12.7
Percentage of certified public security officers	28.7
Overall number of officers to carry out public security functions per 100,000 inhabitants	42.6
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	42.6
Functional personnel to carry out public security functions per 100,000 inhabitants	42.1
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	257.8
Number of judges and magistrates per 100,000 inhabitants	3.5
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	40.4
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	12.6
Number of Court Clerks per Judge	3.6
Criminal proceedings in first instance divided by number of judges	71.1
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.14
Number of indicted persons in first instance per concluded prosecutorial investigations	-
Convicted persons in first instance divided by indicted persons in first instance	-
Percentage of convictions	-
Percentage of convicted persons divided by the overall number of perpetrated crimes	-
Penitentiary admissions divided by the number of convicted persons	-
Percentage of convicted persons divided by penitentiary admissions	-
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	12.2
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	32.1
Percentage of inmates without conviction in first instance	41.6
Appeal dockets in second instance divided by convicted persons in first instance	-
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.1
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	90.1

QUINTANA ROO

Quintana Roo is one of the thirteen states located in group 4 of the impunity Sequence. This means it is among the states with the highest levels of impunity. One of the outstanding features is the high number of alleged reported crimes per 100,000 inhabitants. This state reports 2,375.2, crimes in contrast to the national average of 1,445 alleged crimes per 100,000 inhabitants.

i. Context of the Prosecution System and the Administration of Justice System

The Adversarial System came into effect in 2014 in Quintana Roo. Currently it shows partial operability during its transition to the new system. According to CIDAC's estimates, as of October 2014, the state showed 71% progress in legal harmonization, ranking at 23 in implementation progress among the 32 states. [43]

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Quintana Roo are:

1. Injuries
2. Home robbery
3. Business robbery
4. Other robberies
5. Domestic violence

Specifically, domestic violence in the state reached 7.22% of reported crimes and property damage a percentage of 11.63%.[44] Both crimes are often covered in local media. In the case of homicides, the state ranks tenth nationwide, with 42.55 homicides per every 100,000 inhabitants.

In the issue of arbitrary detention, the 2015 report "Defending human rights in Mexico: political repression, a generalized practice (*Defender los derechos humanos en México: la represión política, una práctica generalizada*)" from Comité Cerezo, Quintana Roo ranks fourth nationwide in these type of detention from June 2014 to May 31, 2015.

The CNDH has issued recommendations for the violation of freedom of expression, legal security and personal integrity for journalist, like the recommendation 13/2015.

The unreported crime figure (dark figure of crime) in Quintana Roo is 91.1%, according to INEGI. This percentage is below the national average for 2014 of 92.8%.

ii. Impunity Sequence

Through the impunity Sequence is possible to track the number of cases that keep advancing in the process that begins with the prosecutorial investigation and ends with the record of a conviction judgment. In the case of Quintana Roo, there were 35,271 opened prosecutorial investigations and investigative files during 2013. From these, 59% of the cases were resolved and 41% were dismissed. As we can see in the following chart, the total of resolved investigations was 20,891. (See Impunity Sequence Chart).

Up to this point, the decreasing trend is similar to the national average. However, it must be noted the great number of indicted persons registered in investigations, with 32,288. This means that for each resolved investigation there were in average 1.5 indicted people per crime.

In the following steps of the impunity Sequence process is noticeable a significant drop in the number of criminal cases. With an account of 4,252 cases that reached criminal proceedings, i.e. 12% of initially opened prosecutorial investigations and 20% of the resolved ones. During the period under study the transition to

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[43] Source: *Proyecto Justicia. (2014). Quintana Roo. Perfil de seguridad y justicia.* CIDAC, aided by USAID, web: http://proyectojusticia.org/datos/public/23-Quintana-Roo.html

[44] Source: *Censo Nacional de Procuración de Justicia Estatal 2014*, INEGI, 2014.

the Adversarial System was not operating yet, and therefore, a higher number of cases were in courts because there had not been a selection of cases from the prior system. There is an estimation 73.3 criminal cases per judge in the state, well above the national average of 51.7.

Nonetheless, there is great difference between the number of opened prosecutorial investigations and criminal cases. There may have several explanations for this, from cases reported as crimes that do not comply with elements to be classified as such to the fact that the prosecutor is not able to gather sufficient evidence to resolve opened investigations and make criminal cases. Finally, 15% of all open investigations that reached criminal cases get a judgment. This indicates that there is a backlog in the chain, not just on the part of the investigative instances, but also from judicial authorities.

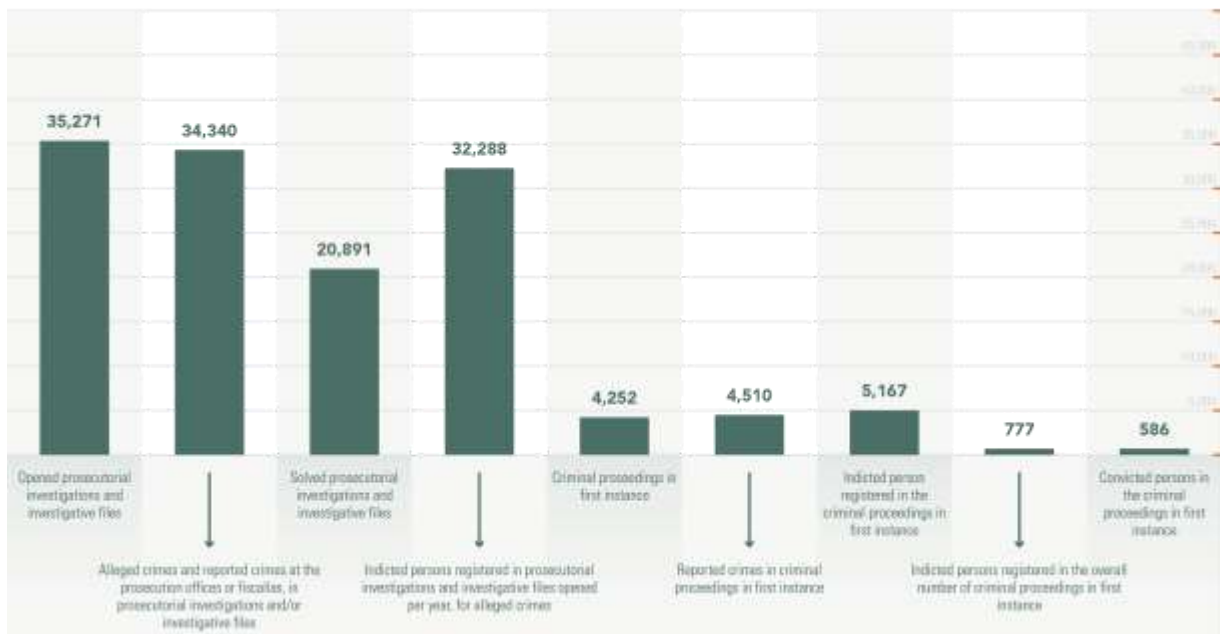### iii. Main Results in the 35 Indicators

The index makes it clear that both dimensions, the structural one and the functional one, have negative values when compared to the national average. However, it is noteworthy that this last dimension shows greater deficiencies, especially in the justice system sub-dimension. In the state, from the total penitentiary admissions, 28.5% have a judgment, this being a low score compared to the national average of 58.4%. Furthermore, 63.4% of the inmates do not have a judgment in first instance, against a national average of 35.7%. Moreover, as aforementioned, 12% of the opened investigative dockets reach criminal cases in the first judicial instance. In contrast, there is a bigger budget wielded by the Superior Court of Justice and Public Prosecutors' Office. Also, there is more staff in the judicial system. It is estimated that there are 33.8 investigative police officers per 100.000 inhabitants, three times more that the national average; and also 3.7 court clerks per judge.

These negative indicators also show in the security sub dimension. In Quintana Roo there are 2,375.2 alleged crimes per 100,000 inhabitants, much more than the national average of 1,444.9. In the case of inmates per crime, it is estimated that only 33.3% of opened investigations for homicide reach incarceration. And one of the most common crimes in the state, robbery, registers a rate of barely 8.5% incarceration.

There is more expenditure and more personnel in the judiciary and in the prosecution. The percentage of officers in instance is of 14.9 per every 100,000 inhabitants, more than twice the national average. Especially in the case of officers in charge of investigations, for every 1,000 reported crimes there are 3.03 forensic experts and 6.44 prosecutors. (See Impunity Pyramid Chart).

Regardless, that the number of officers and budget for the justice and security dimensions are higher than the national average, this does not produce a greater number of judgments, as seen in the state's impunity Sequence. It is important to acknowledge that this proportion does not exist between the numbers of offices in charge of carrying out public security duties. In the case of first level, medium and functional personnel there are 82.5 persons per every 100,000 inhabitants, half the national average. Particularly, regarding functional personnel, there are 74.1 per every 100,000 inhabitants, against 152 nationally.

Impunity sequence Quintana Roo

35,271	34,340	20,891	32,288	4,252	4,510	5,167	777	586

Opened prosecutorial investigations and investigative files

Alleged crimes and reported crimes at the prosecution offices or fiscalías, is prosecutorial investigations and/or investigative files

Solved prosecutorial investigations and investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes

Criminal proceedings in first instance

Reported crimes in criminal proceedings in first instance

Indicted person registered in the criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

Convicted persons in the criminal proceedings in first instance

Impunity pyramid **Quintana Roo**

Structural   Functional

Justice System   Security System

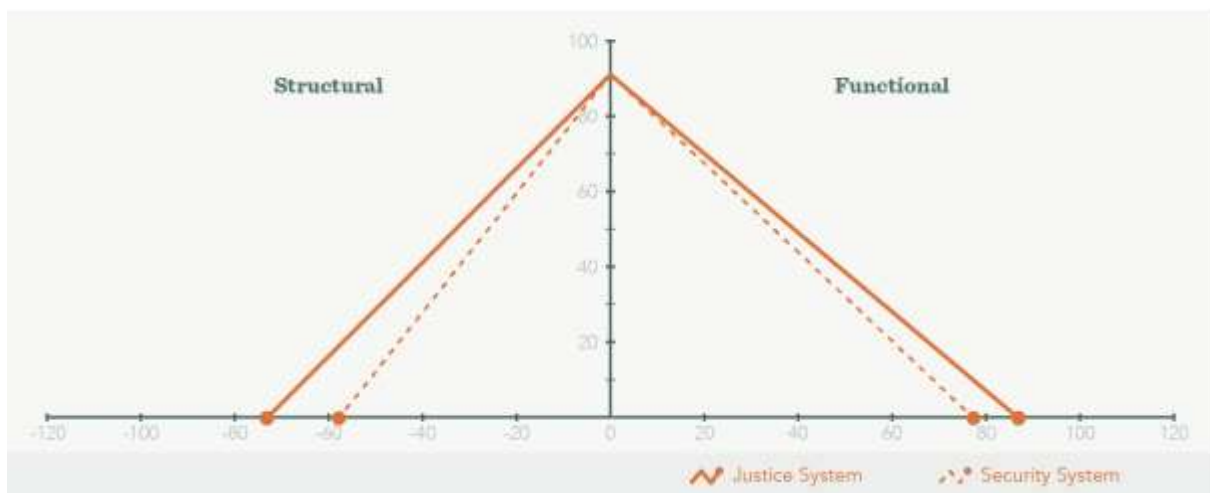| Chart Quintana Roo. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	2,375.2
Public Officers at Prosecutors' offices per 100 thousand inhabitants	92.5
Actual expenditures applied by the Prosecutor's Office per capita	299.5
Prosecution Offices per 100,000 inhabitants	2.8
Percentage of Specialized Prosecutions for grave crimes	19.5
Public Officers at Prosecutors' offices per 100 thousand inhabitants	75.8
Number of Prosecutors per 100,000 inhabitants	14.9
Prosecutors per 1000 reported crimes	6.44
Prosecutor's Office Forensic experts per 1,000 reported crimes	3.03
Investigative police per 1,000 reported crimes	14.62
Investigative police per 100,000 inhabitants	33.8
Percentage of certified public security officers	-
Overall number of officers to carry out public security functions per 100,000 inhabitants	119.9
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	82.5
Functional personnel to carry out public security functions per 100,000 inhabitants	74.1
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	289.5
Number of judges and magistrates per 100,000 inhabitants	3.9
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	58.7
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	14.3
Number of Court Clerks per Judge	3.7
Criminal proceedings in first instance divided by number of judges	73.3
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.12
Number of indicted persons in first instance per concluded prosecutorial investigations	2.7
Convicted persons in first instance divided by indicted persons in first instance	0.2
Percentage of convictions	75.4
Percentage of convicted persons divided by the overall number of perpetrated crimes	1.71
Penitentiary admissions divided by the number of convicted persons	4.7
Percentage of convicted persons divided by penitentiary admissions	28.5
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	8.5
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	33.3
Percentage of inmates without conviction in first instance	63.4
Appeal dockets in second instance divided by convicted persons in first instance	1.4
Penitentiary staff divided by installed capacity of prisons	0.1
Inmates divided by installed capacity of prisons	1.4
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	91.1

SAN LUIS POTOSÍ

San Luis Potosí is amongst the 5 states that ranked in level 2 of the impunity, a moderate level of impunity. The characteristic that stands out the most is the low number of alleged crimes reported per every 100,000 inhabitants, around half the national average. This state has 732.6 crimes, against the national average of 1,445 for every 100,000 inhabitants.

i. Context of the Prosecution System and the Administration of Justice System

The Adversarial System came into effect in 2014 in San Luis Potosí. Currently it partially functions in the state. According to estimations from CIDAC on October 2014, the state presented a progress of 86% in legal harmonization, and ranked 13 on this process nationwide. [45] Based on the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in San Luis Potosí are:

1. Domestic Violence
2. Injuries
3. Property damage
4. Threats
5. Fraud

Crimes related to domestic violence reached 16.07% of all crimes, injuries 15.23%, and to a lesser extent sexual abuse 1.24%. [46]

In the last three years, the CNDH has issued recommendations on cases of enforced disappearance and inadequate prosecution (31/2015); torture and illegal detention (21/2013); violation of the collective human right to consultation, Wirikuta identity, enjoyment and use of indigenous people' land (56/2012); arbitrary detention, cruel treatment and false reporting (30/2012).

The unreported crime figure (dark figure of crime) in San Luis Potosí is 96.5% according to INEGI. This figure is higher than the national average of 92.8%. This indicates that a large number of crimes are never reported.

ii. Impunity Sequence

With the impunity Sequence is possible to track the number of cases that keep advancing in the process that begins with the prosecutorial investigation and ends with a judgment. In the case of San Luis Potosí, there were 19,797 prosecutorial investigations and investigative files opened during 2013. Of these, 60% reached resolution and 40% were dismissed. As can be seen in the following chart, a total of 12,069 reached a resolution. (See Impunity Sequence Chart).

The downward trend is a constant at the national level, this is to say, with each process there are a number of cases, many of which could be ruled out naturally due to not finding sufficient evidence. Nonetheless, the number of cases that reach the judicial authorities once the criminal case is resolved is quite small. In the case of San Luis Potosí it is less than half, 48% cases.

It is worth noting that the number of indicted or charged persons in investigations is of 18,255 (from 12,069 opened prosecutorial investigations). This means that in average there were 1.5 indicted people per crime in each resolved investigation.

In the state there were 5,817 criminal cases, amounting to 29% of the overall total prosecutorial investigations and 48% of the resolved ones. It is estimated that there are 77.6 criminal cases per judge in this state, a higher figure than the national average of 51.7.

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[45] *Proyecto Justicia. (2014). San Luis Potosí. Perfil de seguridad y justicia.* October, 2015, by CIDAC, aided by USAID web: http://proyectojusticia.org/datos/public/24-San-Luis-Potosi.html.

There is no public information on the number of crimes or indicted people in the criminal cases. Nonetheless, in San Luis Potosí there is not a wide difference between opened criminal cases and judgments. Thus, if we assume that for each criminal case there is an average of 1.5 indicted persons (same proportion for opened investigation- indicted person in a prosecutorial investigation) and each ones implies a there is a high record of resolved cases. Of the 5,817 criminal cases, 2,978 received a judgment. With this estimation we can see that 68% of processed persons in a criminal case received a judgment.

iii. Main Results in the 35 Indicators

The impunity Pyramid is presented to explain how each dimension and sub-dimension interacts. In the case of San Luis Potosí is possible to see that both dimensions, the structural one and the functional one, have significantly negative figures in the sub-dimension of the justice system, in contrast with the security system.
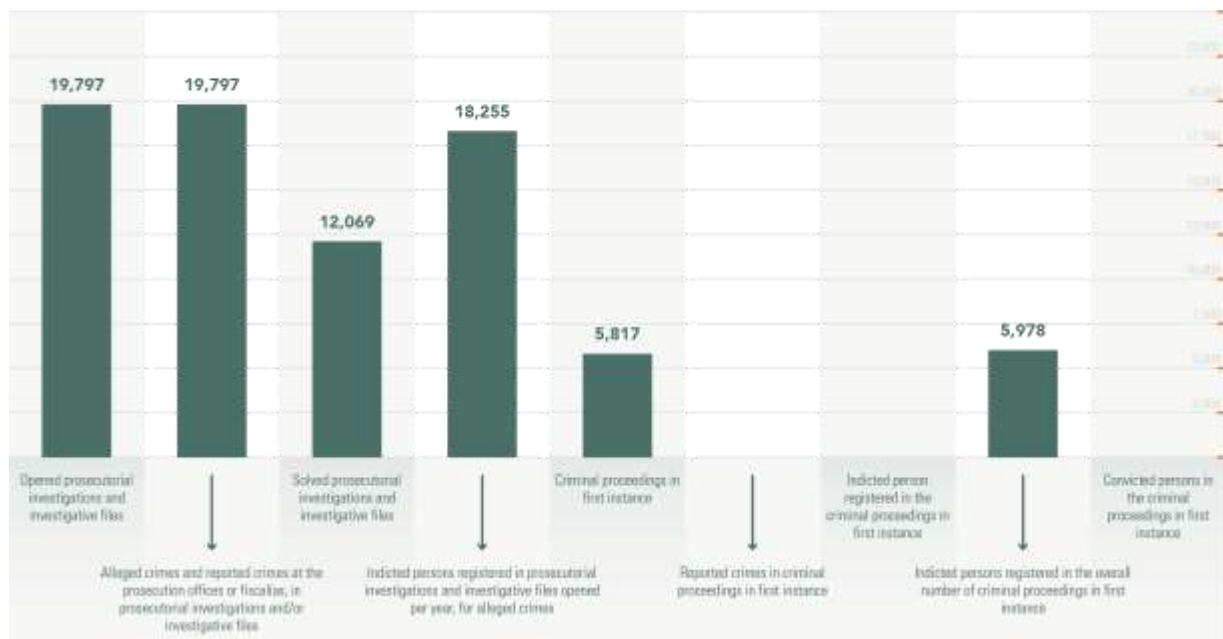
In the state 43.6% of all inmates do not have a judgment in first instance, which is high compared to the national average of 35.7%. Also, as mentioned above, 29% of all opened investigative dockets become criminal cases in the first judicial instance. Furthermore, the Supreme Court of Justice and Council of Judiciary wielded a bigger budget per each 100,000 inhabitants than the national average and the same situation is present in the case of the Public Prosecutors' Office. Also, there is a greater amount of staff in the judicial system. There are 22.88 investigative police officers per every 100,000 inhabitants, three times the national average, and there are 3.3 court clerks per judge.

These positive indicators are also present on the security system sub-dimension. In San Luis Potosí there are 732.6 alleged crimes per every 100,000 inhabitants, a figure lower than the national average of 1,445. In the case of the percentage of inmates per crime, it is estimated that 81% of all opened prosecutorial investigations for homicide end in imprisonment, while the national average is 27.5%. The state's average of convictions for robbery is three times the national average, 34.5 against 10.3, respectively.

The index revealed a negative trend in terms of staff in the Prosecutors' Office. There are 22.4 persons per 100,000 inhabitants. Especially, in the case of personnel for investigation, for every 1,000 crimes there are 0.12 forensic experts and 2.43 prosecutors. (See Impunity Pyramid Chart).

The number of staff, and the budget in the security and justice dimensions, are lower than the national average. Nonetheless, is important to see that especially in the justice system dimension, there are indicators that show the need to improve the case reviewing process so that they can reach a judgment.

Impunity sequence San Luis Potosí

19,797	19,797	12,069	18,255	5,817		5,978	

Opened prosecutorial investigations and investigative files

Alleged crimes and reported crimes at the prosecution offices or fiscalías, in prosecutorial investigations and/or investigative files

Solved prosecutorial investigations and investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes

Criminal proceedings in first instance

Reported crimes in criminal proceedings in first instance

Indicted person registered in the criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

Convicted persons in the criminal proceedings in first instance

Impunity pyramid **San Luis Potosí**

Structural   Functional

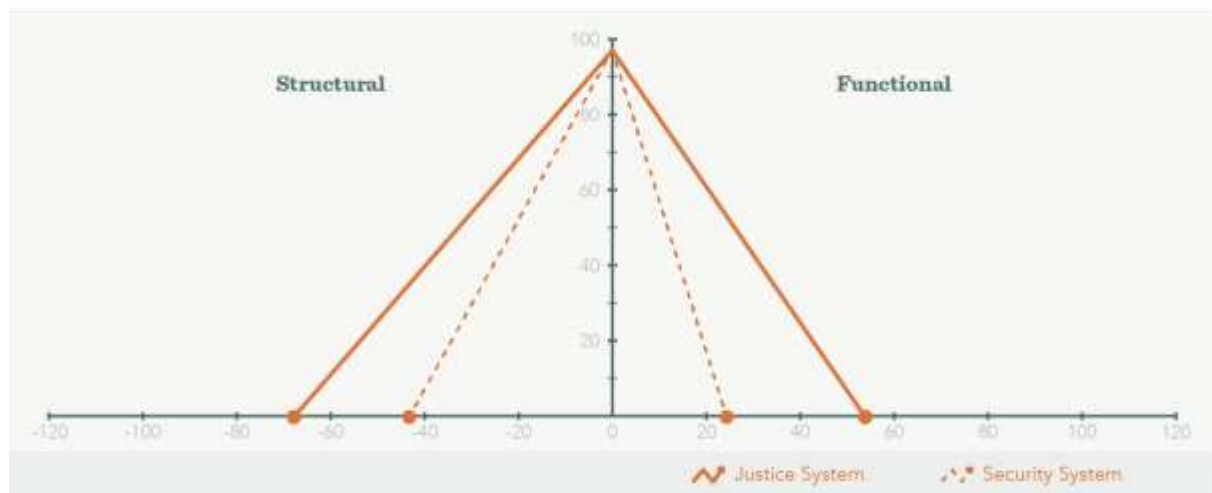Justice System   Security System

Chart San Luis Potosí. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	732.6
Public Officers at Prosecutors' offices per 100 thousand inhabitants	61.9
Actual expenditures applied by the Prosecutor's Office per capita	272.2
Prosecution Offices per 100,000 inhabitants	8.2
Percentage of Specialized Prosecutions for grave crimes	19.8
Public Officers at Prosecutors' offices per 100 thousand inhabitants	43.4
Number of Prosecutors per 100,000 inhabitants	8.4
Prosecutors per 1000 reported crimes	11.47
Prosecutor's Office Forensic experts per 1,000 reported crimes	3.49
Investigative police per 1,000 reported crimes	22.88
Investigative police per 100,000 inhabitants	16.8
Percentage of certified public security officers	-
Overall number of officers to carry out public security functions per 100,000 inhabitants	124.9
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	110.3
Functional personnel to carry out public security functions per 100,000 inhabitants	104.7
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	281.7
Number of judges and magistrates per 100,000 inhabitants	2.8
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	39.0
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	9.3
Number of Court Clerks per Judge	3.3
Criminal proceedings in first instance divided by number of judges	77.6
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.29
Number of indicted persons in first instance per concluded prosecutorial investigations	-
Convicted persons in first instance divided by indicted persons in first instance	-
Percentage of convictions	-
Percentage of convicted persons divided by the overall number of perpetrated crimes	-
Penitentiary admissions divided by the number of convicted persons	-
Percentage of convicted persons divided by penitentiary admissions	133.8
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	34.5
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	81.0
Percentage of inmates without conviction in first instance	43.6
Appeal dockets in second instance divided by convicted persons in first instance	0.8
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	0.9
Penitentiary staff divided by inmates	0.3
Percentage of non-reported crimes	96.5

SINALOA

According to the results of IGI-MEX, Sinaloa has a high level of impunity, located in group 3. This state is facing a high incidence of grave crimes that coexists with a significantly low figure in terms of budget and staff to carry out security tasks.

i. Context of the Prosecution System and the Administration of Justice System

Sinaloa is one of 26 states where the transition to the new Adversarial System is still incomplete. This situation seems consistent with its recent implementation, since it only came into effect in 2014. Nonetheless, it currently shows 86% progress in legal harmonization.

The 2014 National Census of Government, Public Security and State Prison System states that the five most frequent crimes of local jurisdiction in Sinaloa are:

1. Vehicle robbery
2. Business robbery
3. Other robberies
4. Injuries
5. Homicide

From these five crimes, it is worth mentioning that Sinaloa is the third state nationwide with the highest homicide rate. In this state there are 70.63 recorded homicides per 100,000 inhabitants.[47] Of the total number of homicides in the country, about 5% are committed in this state.

This level of homicides can be explained by analyzing the most common offenses reported by the media: drug trafficking, executions related to organized crime and disappearances.[48]

The unreported crime figure (dark figure of crime) in Sinaloa is 92.3%. This means that most the crimes are never reported the authorities. This figure is within the range of the national average.

ii. Impunity Sequence

The behavior of the impunity Sequence in Sinaloa follows a similar pattern to the national impunity Sequence. For each prosecutorial investigation and investigative file opened there are 0.12 indicted persons.

The following chart shows the state's impunity Sequence. Initially, it seems that there is an important difference between opened prosecutorial investigations (33,226) and the opened criminal cases in first instance (8,566). This indicates that from the overall total investigations, only 25% reach a stage of criminal cases. That is, 75% are dismissed in initial stages. These results date from the period before the implementation of the Adversarial System.

The first critical aspect of the chain consists on the fact that from the total of opened prosecutorial investigations only 56% have been resolved. The second one is found when comparing the indicted and/or charged persons registered in prosecutorial investigations and opened investigation dockets (21,610) with the number of indictments in criminal cases in first instance. This number corresponds to 49% of indicted persons registered in prosecutorial investigations. Finally, the third critical issue comes up when comparing the number of indicted and/or charged persons registered in criminal cases in first instance (10,628) with the number of convicted persons registered in criminal cases in first instance (4,482). This last figure amounts to 42% of the first one. These three issues of the chain explain how 33,226 investigations resulted in 4,482 judgments.

These results can be due to the budget wielded by the state's prosecution this year, since the figure is 12.3 in contrast with the national figure of 24.1. At the same time, this is directly related to the low number of

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[47] Data from the *2014 National Census of Government, Public Security and State Prison System.*
[48] *El Debate* , 2015.

staff in the Prosecutors' Offices per 100,000 inhabitants, which is 18.2, in contrast with 33.9 nationally. In turn, the investigative police for every 1,000 registered crimes are the lowest in the country (0.39). This is highly relevant for Sinaloa considering the seriousness of the crimes committed in the state. (See impunity Sequence Chart).

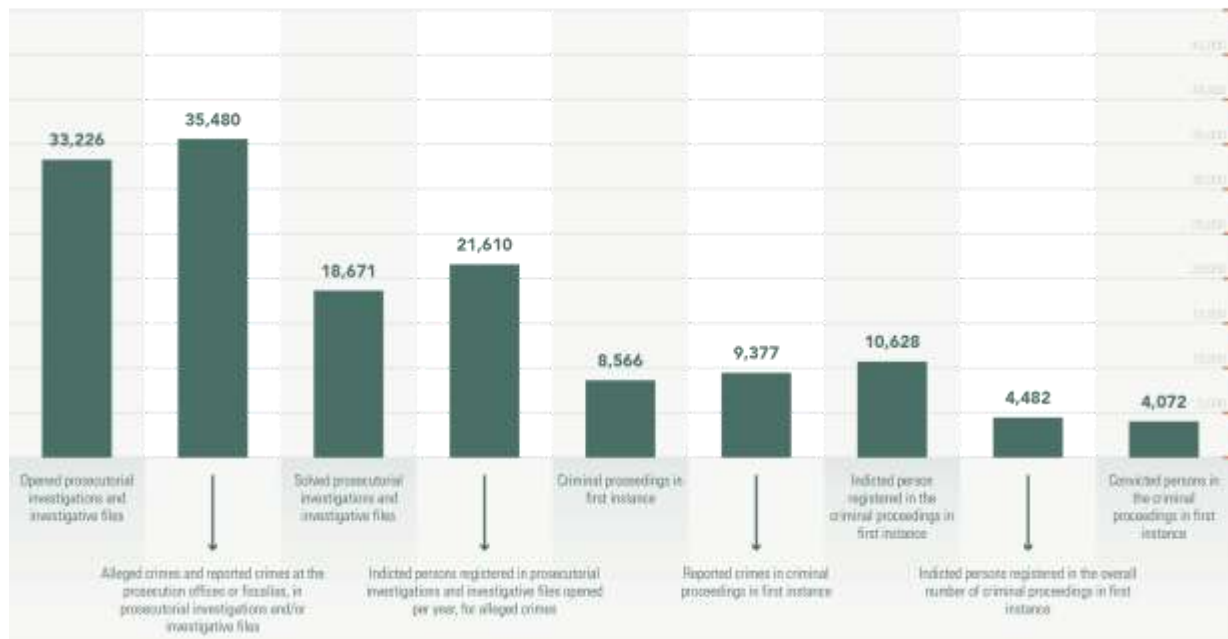### iii. Main Results in the 35 Indicators

When comparing the justice system in the state with the security system, it can be seen that the dimension with the worst scores in one system has the better index in the other, and vice versa. In other words, the justice system has a better index in the structural dimension than in the functional one; while, the security system has a better indicator in the structural dimension than in the functional one.

In comparison with the national average, the functional dimensions of both the security system and the justice system have a better index than the national average. Moreover, compared to the national average both systems in Sinaloa have a worse index in the structural dimension. This advantage of the national average over Sinaloa in the structural dimension may be due to aforementioned variables, such as justice system staff and wielded budget.

Looking at the data in a more detailed level the index reveals that in the structural dimension of the justice system, and in particular in the number of staff in the Supreme Court of Justice per each 100,000 inhabitants, both present a similar level: Sinaloa has 35.7 and nationally there are 34.3. Likewise, penitentiary staff divided by installed capacity is similar in both (Sinaloa 0.2 and nationally 0.2). This figure is the same for penitentiary staff divided by inmates. This shows that the other two variables included in this dimension have greater weight in defining the indicator, or that the difference in these is very marked. In the first variable, Sinaloa has more magistrates and judges per 100,000 inhabitants (6.3) compared to the national average (3.5). However, when comparing the court clerks in the Supreme Court of Justice for every 100,000 inhabitants, the national average (11.9) is much greater than that of Sinaloa (6.8). This variable is the underlying explanation in the difference between Sinaloa and the national average in this dimension. The structural dimension of the security system shows that in four of the six variables that define this dimension, the national average is higher than the data for Sinaloa. The most significant difference is in total officers to carry out public security duties per 100,000 inhabitants (181.0) in contrast with 23.4 in Sinaloa. And in terms of investigative police per 1,000 registered crimes, nationally there are 7.72, while in Sinaloa 0.39. (See Impunity Pyramid Chart).

When analyzing the figures provided by the 35 indicators, it can be said that the main deficiency in Sinaloa's justice system is the shortage of all types of staff in all its dimensions. National numbers for staff, in many of these variables, are not only higher than in Sinaloa, but they actually have the personnel, whether in terms of law enforcement or security functions. These data reveal that the staff to investigate and resolve complex crimes in a state with crime incidence above the national average is insufficient.

Impunity sequence Sinaloa

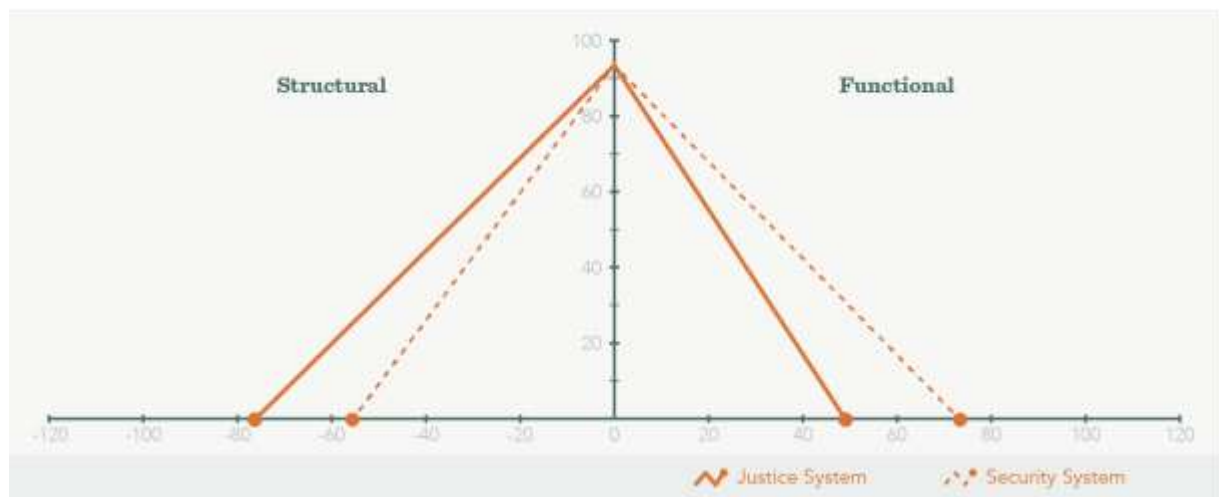| Opened prosecutorial investigations and investigative files	Solved prosecutorial investigations and investigative files	Criminal proceedings in first instance	Indicted person registered in the criminal proceedings in first instance	Convicted persons in the criminal proceedings in first instance
33,226	18,671	8,566	10,628	4,072
35,480	21,610	9,377	4,482	

Alleged crimes and reported crimes at the prosecution offices or fiscalías, in prosecutorial investigation and/or investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes

Reported crimes in criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

Impunity pyramid **Sinaloa**

Chart Sinaloa. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,216.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	73.9
Actual expenditures applied by the Prosecutor's Office per capita	12.3
Prosecution Offices per 100,000 inhabitants	2.7
Percentage of Specialized Prosecutions for grave crimes	25.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	18.2
Number of Prosecutors per 100,000 inhabitants	8.2
Prosecutors per 1000 reported crimes	6.74
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.31
Investigative police per 1,000 reported crimes	0.39
Investigative police per 100,000 inhabitants	0.5
Percentage of certified public security officers	-
Overall number of officers to carry out public security functions per 100,000 inhabitants	23.4
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	22.8
Functional personnel to carry out public security functions per 100,000 inhabitants	21.3
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	157.0
Number of judges and magistrates per 100,000 inhabitants	6.3
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	35.7
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	6.8
Number of Court Clerks per Judge	1.1
Criminal proceedings in first instance divided by number of judges	46.3
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.26
Number of indicted persons in first instance per concluded prosecutorial investigations	1.3
Convicted persons in first instance divided by indicted persons in first instance	0.4
Percentage of convictions	90.9
Percentage of convicted persons divided by the overall number of perpetrated crimes	11.48
Penitentiary admissions divided by the number of convicted persons	1.4
Percentage of convicted persons divided by penitentiary admissions	78.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	10.8
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	11.1
Percentage of inmates without conviction in first instance	40.5
Appeal dockets in second instance divided by convicted persons in first instance	0.5
Penitentiary staff divided by installed capacity of prisons	0.1
Inmates divided by installed capacity of prisons	1.1
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	92.3

SONORA

The state of Sonora ranks in level 2 in the impunity scale, along with other 5 states with medium impunity. The state reports 1,209.6 alleged crimes per every 100,000 inhabitants. This is close to the national average of 1,444.9 alleged crimes per every 100,000 inhabitants.

i. Context of the Prosecution System and the Administration of Justice System

The Adversarial System is not in effect in Sonora, and therefore there is no ongoing operative process. Implementation is scheduled to begin in 2016. Nonetheless, according to October 2014 estimations by CIDAC, the state had a progress of 71% in legal harmonization, ranking 26 among the 32 states.[49]

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Sonora are:

1. Vehicle robbery
2. Other robberies
3. Breach of alimony
4. Injuries
5. Property damage

It is also possible to know through the media the presence of crimes such as drug dealing and executions.[50] Also, there is record of high crime rates related to domestic violence (6.49% of all crimes in the state), and property damage (8.47%).[51] Another crime that stands out is homicide (3.62% of the state's crimes). Sonora takes the seventh place nationwide with 46.84 homicides per 100,000 inhabitants.

The unreported crime figure (dark figure of crime) in Sonora is 87.9%, according to INEGI. Said figure is lower than the national average during 2014, which was 92.8%. This indicates there are fewer crimes that go unreported to the authorities than in other states.

ii. Impunity Sequence

Through the impunity Sequence is possible to track the number of cases that keep advancing in the process that begins with the prosecutorial investigation and ends with the record of a conviction judgment. In the case of Sonora, there were 31,051 opened prosecutorial investigations and investigative files during 2013. From these, 71% reached a resolution, this is to say, that 29% were dismissed. As it can be seen in the chart, a total of 22,227 investigations were resolved. (See Impunity Sequence Chart).

The difference between opened investigative files opened and those finally resolved follows a decreasing trend, although with a lesser decrease than the national average. It is noteworthy that the number of indicted persons recorded in prosecutorial investigations with a number of 30,757. This means that for every resolved investigation, in average there were 1.38 indicted persons per crime.

According to this trend, in the following steps of the impunity Sequence process, there is a significant drop in the total number of criminal cases. There were 13,385 cases with criminal charges; this is, 43% of the total opened prosecutorial investigations, and 60% of which had reached a resolution.

In Sonora the work performed to turn investigation into cases shows consistency and processing of cases. However, the number notably drops at the judicial stage of criminal cases. This may be due to a heavy workload of judges, as for every judge there is 157.5 criminal cases, which is three times the national average of 51.7.

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[49] Proyecto Justicia. (2014). Sonora. Perfil de seguridad y justicia. October, 2015, by CIDAC, with aid from USAID web: http://proyectojusticia.org/datos/public/24-Sonora.html

[50] *Diario Sonora*, 2015

[51] *Censo Nacional de Procuración de Justicia Estatal 2014*. INEGI. 2014.

Finally, 58% of indicted persons in criminal cases get a judgment. Also, there are a high proportion of judgments resolved against the indicted persons (convictions). From 9,463 judgments, there were 8,796 convictions—amounting to 93%.

iii. Main Results in the 35 Indicators

Sonora has significantly negative figures in the structural dimension in comparison to the functional dimension. Although it stands out that both dimensions show greater deficiency in the justice system sub-dimension. As previously mentioned we can see a better level of response to cases during the phase of the process that involves the security system.
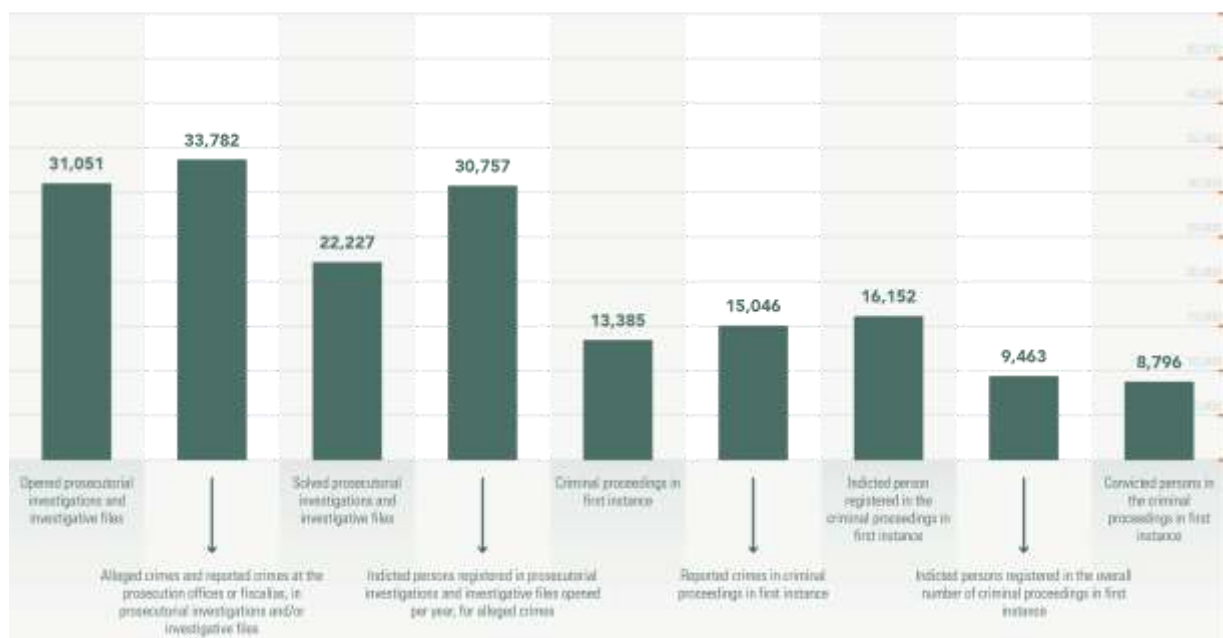
In the state, of the total of penitentiary admissions 71.5% have a judgment, a high percentage in comparison to the national average of 58.4%. Nonetheless, 35.3% of all inmates do not have a judgment in first instance, this is considered within the national average. Furthermore, 43% of the opened investigative files turn into a criminal case in first judicial instance. A better performance can be seen in the justice dimension is matched with bigger budget wielded by the Supreme Court of Justice and the Council of the Judiciary per every 100,000 inhabitants, and the one from the Public Prosecutors' Office. Also, there is more staff in the judicial system. Each judge has the support of 4.1 court clerks in average.

In Sonora there are 1,209.6 alleged crimes per 100,000 inhabitants, a lower figure than the national figure of 1,445. In the case of the percentage of inmates per crime, we can estimate than 45.6% of all opened prosecutorial investigations for homicide reach imprisonment. While, for robbery there are 48.2% that also reach a similar stage, a higher percentage than the national average.

While there is a positive performance in the judicial stage, there is a negative trend in security. In the case of the Public Prosecutors' Office, it shows a lower level than the average of 2.9 officers per every 100,000 inhabitants. Particularly in terms of officers in charge of investigations, for every 1,000 registered crimes there are 0.12 forensic experts and 2.44 prosecutors (See Impunity Pyramid Chart).

In terms of personnel for public security, there are 32.3 per every 100,000 inhabitants, one fifth of the national average. On functional staff, there are 15 officers per every 100,000 inhabitants, which is the tenth part of the numbers nationwide, that is od 152.
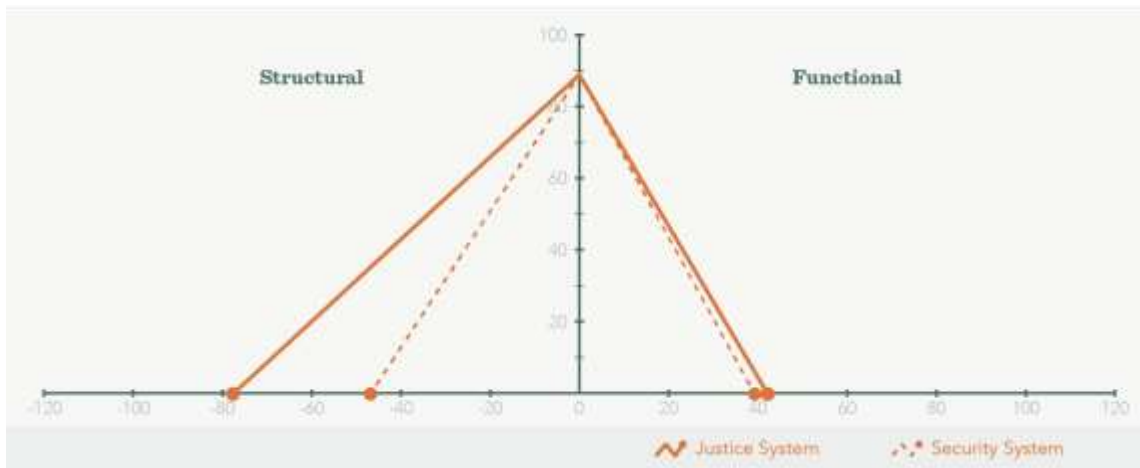
Impunity sequence Sonora

Impunity pyramid **Sonora**

Chart Sonora .35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,209.6
Public Officers at Prosecutors' offices per 100 thousand inhabitants	72.9
Actual expenditures applied by the Prosecutor's Office per capita	324.1
Prosecution Offices per 100,000 inhabitants	3.4
Percentage of Specialized Prosecutions for grave crimes	8.3
Public Officers at Prosecutors' offices per 100 thousand inhabitants	22.4
Number of Prosecutors per 100,000 inhabitants	7.9
Prosecutors per 1000 reported crimes	2.43
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.12
Investigative police per 1,000 reported crimes	-
Investigative police per 100,000 inhabitants	0.0
Percentage of certified public security officers	7.9
Overall number of officers to carry out public security functions per 100,000 inhabitants	32.3
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	32.3
Functional personnel to carry out public security functions per 100,000 inhabitants	15.0
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	218.6
Number of judges and magistrates per 100,000 inhabitants	3.0
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	36.8
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	12.3
Number of Court Clerks per Judge	4.1
Criminal proceedings in first instance divided by number of judges	157.5
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.43
Number of indicted persons in first instance per concluded prosecutorial investigations	1.1
Convicted persons in first instance divided by indicted persons in first instance	0.6
Percentage of convictions	93.0
Percentage of convicted persons divided by the overall number of perpetrated crimes	26.04
Penitentiary admissions divided by the number of convicted persons	1.5
Percentage of convicted persons divided by penitentiary admissions	71.5
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	48.2
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	45.6
Percentage of inmates without conviction in first instance	35.3
Appeal dockets in second instance divided by convicted persons in first instance	0.7
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.6
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	87.9

TABASCO

According to the results from IGI-MEX, Tabasco is part of group 3, with a high level of impunity, characterized by contrasts in the functional dimension of the security system and of justice system when compared to the national average.

i. Context of the Prosecution System and the Administration of Justice System

Tabasco is currently on the transition to the Adversarial System, which initiated in 2012. Currently, the system partially functions in the state. According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Tabasco are:

1. Injuries
2. Passerby robbery
3. Property damage
4. Breach of alimony agreement
5. Home robbery

Taken together with the above, in the last few years, the state has seen a high crime incidence in robbery and illegal extraction of fossil fuels.

Regarding the human rights situation in the state, Human Rights Watch has analyzed torture cases all over the country and found a significant pattern in 5 states, including Tabasco. When a person is caught red-handed committing the crime, their communication is cutoff and they are taken to military or police detention center, where they are tortured for a confession of higher profile crimes, which can be classified as organized crime.

Is worth noting than in Tabasco there is an unreported crime figure (dark figure of crime) of 90.6%, revealing a large amount of crime not officially recorded.

ii. Impunity Sequence

Tabasco displays a conduct in the impunity Sequence quite different to the national average. As shown in Chart 1, in 2013 only 12% of opened prosecutorial investigations and investigative files get to be resolved by the Prosecutors' Office to reach the next judicial stage, for the indictment or not indictment of a criminal case, or the temporary reserve of a case for lack of elements to continue the investigation. This information contrasts with the national trend, as 74% of all opened investigations nationwide are resolved.

Regarding the number of persons in a criminal process, data points out that only 3,940 from 37,060 total indicted persons registered in an investigation are subjected to a judicial criminal procedure. Furthermore, data reveals that from this number of indicted persons, only 6% receives a judgment (acquittal or conviction), and only 5% get a conviction judgment. (See Impunity Sequence Chart).
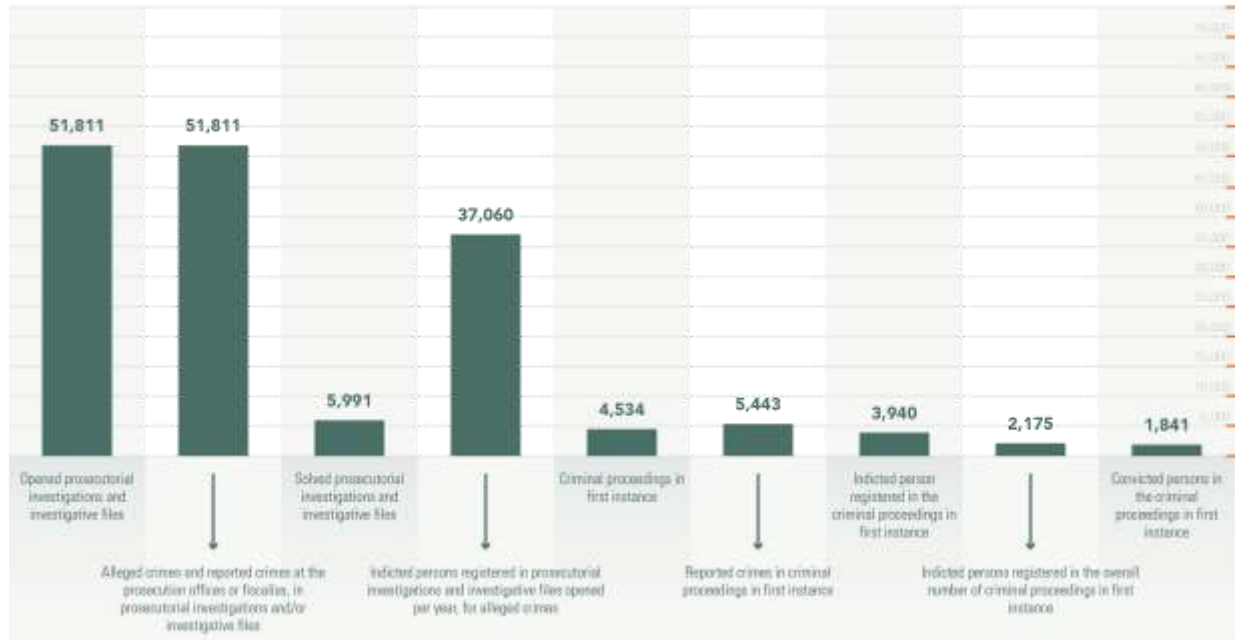
iii. Main Results in the 35 Indicators

According to the state's impunity index, the behavior of the variables shows that the structural dimension of the security system is similar to the national trend; while in the structure of the justice system it is 6 points above the average. This means that according to the national standard, Tabasco has enough staff for the proper delivery of justice (judges, staff in superior courts, court clerks and prison staff). (See impunity Pyramid Chart).

Moreover, the functional dimension of the justice system and of the security system is below the national average. According to the variables taken into consideration to calculate the operability of the security system, the state had 2,314 alleged crimes registered per every 100,000 inhabitants in 2013, a number well above the national average of 1,523. Also, from the 14,685 cases of robbery recorded in prosecution offices, there were only 1,393 (9%) penitentiary admissions for the crime of robbery.

On the functionality of the justice system, only 9% of opened investigations are reach a judicial stage in first instance. Moreover, there is a problem with the definition of the judicial status of inmates admitted

into prisons, as only half are judged (acquittal or conviction); while from the overall total of inmates, 55% are still in the process of receiving a judgment in first instance.

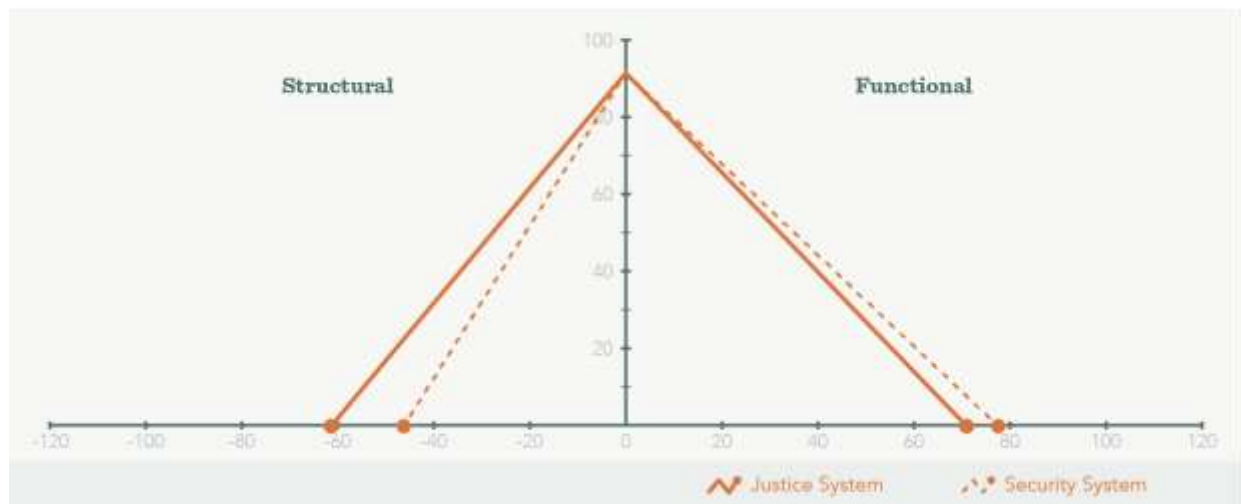**Impunity sequence Tabasco**

Impunity pyramid Tabasco

Chart Tabasco. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	2,219.4
Public Officers at Prosecutors' offices per 100 thousand inhabitants	93.7
Actual expenditures applied by the Prosecutor's Office per capita	273.5
Prosecution Offices per 100,000 inhabitants	2.5
Percentage of Specialized Prosecutions for grave crimes	5.2
Public Officers at Prosecutors' offices per 100 thousand inhabitants	48.6
Number of Prosecutors per 100,000 inhabitants	6.0
Prosecutors per 1000 reported crimes	2.68
Prosecutor's Office Forensic experts per 1,000 reported crimes	3.38
Investigative police per 1,000 reported crimes	7.33
Investigative police per 100,000 inhabitants	16.3
Percentage of certified public security officers	40.3
Overall number of officers to carry out public security functions per 100,000 inhabitants	303.8
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	239.0
Functional personnel to carry out public security functions per 100,000 inhabitants	230.2
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	191.9
Number of judges and magistrates per 100,000 inhabitants	4.5
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	48.5
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	13.4
Number of Court Clerks per Judge	3.0
Criminal proceedings in first instance divided by number of judges	43.2
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.09
Number of indicted persons in first instance per concluded prosecutorial investigations	0.9
Convicted persons in first instance divided by indicted persons in first instance	0.6
Percentage of convictions	84.6
Percentage of convicted persons divided by the overall number of perpetrated crimes	3.55
Penitentiary admissions divided by the number of convicted persons	2.0
Percentage of convicted persons divided by penitentiary admissions	58.0
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	9.5
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	28.5
Percentage of inmates without conviction in first instance	55.3
Appeal dockets in second instance divided by convicted persons in first instance	0.9
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	1.0
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	90.6

TAMAULIPAS

According to the IGI-MEX results, Tamaulipas is located in impunity level 4, the highest level and above the national average. This state has many widespread deficiencies, both is its security system and its prosecution system. At the same time, Tamaulipas faces the perpetration of grave crimes.

i. Context of the Prosecution System and the Administration of Justice System

Tamaulipas, just as other 25 states, reports a partial operation of the Adversarial System. Currently it has 86% of progress in legal harmonization, since its implementation in 2013.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Tamaulipas are:

1. Vehicle robbery
2. Home robbery
3. Business robbery
4. Other robberies
5. Injuries

In Tamaulipas, there have been cases of grave abuses of immigrants. One of the cases that exemplifies this situation was when in 2010 72 migrants were killed by members of the Cártel de Los Zetas, because they refused to work for the criminal organization.[52] In this sense, the CNDH issued recommendation 80/2013 addressed to the General Prosecutor's Office of the Republic and the government of Tamaulipas' state, for irregularities in the examining of the bodies, the course of the investigation and the treatment of bodies and remains. Tamaulipas also presents cases of forced displacement due to organized crime threats.[53]

In the last five years, the CNDH has issued recommendations to local authorities regarding the violation of the following human rights: improper delivery of justice in the case of involuntary disappearance (21/2014); improper administration of justice in a case of human trafficking (63/2013) and torture at the Center Sanctions Execution in the municipality of Mante (91/2012).[54]

The unreported crime figure in Tamaulipas (dark figure of crime) is 91.9%. Meaning, most crimes in the state are not reported to the authorities.

ii. Impunity Sequence

The impunity Sequence in Tamaulipas has a different trend to that of the national average. In this state, the first four procedures in the chain sustain a regular number of cases; while, the trend in the national impunity Sequence is decreasing throughout its nine procedures, between the fourth and the fifth, the number of cases decreases abruptly and stays low for the rest of the procedures. Is worth mentioning that the number of opened prosecutorial investigations and investigative files is equal to the number of opened prosecutorial investigations and investigative files resolved and to the number of alleged crimes and crimes registered in the prosecution in prosecutorial investigations and investigative files. This means that the initial process of the chain is not backlogged. Given that in Tamaulipas there is a high impunity level, this number shows that the problem is entrenched in the last stage of the prosecution process.

The following chart shows the impunity Sequence of Tamaulipas. And it confirms the hypothesis prior mentioned: the most important factor for the high level of impunity in this state is after the prosecutorial investigation process. From 36,867 opened prosecutorial investigations resolved, there only are 3,895 opened criminal cases in first instance. From the 43,026 indicted or charged persons registered in prosecutorial investigations and investigative files, there are only 4,902 indicted or charged persons, and only 2,042 judged

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[52] *Periodistas de a Pie*, 2010.
[53] Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, 2014.

persons in criminal cases in first instance. In the state, for each opened prosecutorial investigation and investigative file, 0.05 persons are detained and judged.

These numbers may be indicative of the fact that the problem in Tamaulipas is focused on the following up to crimes perpetrated in the state or on that there is a problem in the resolution of prosecutorial investigations as the focus is on processing all the crimes but not in gathering sufficient evidence for opening criminal cases.
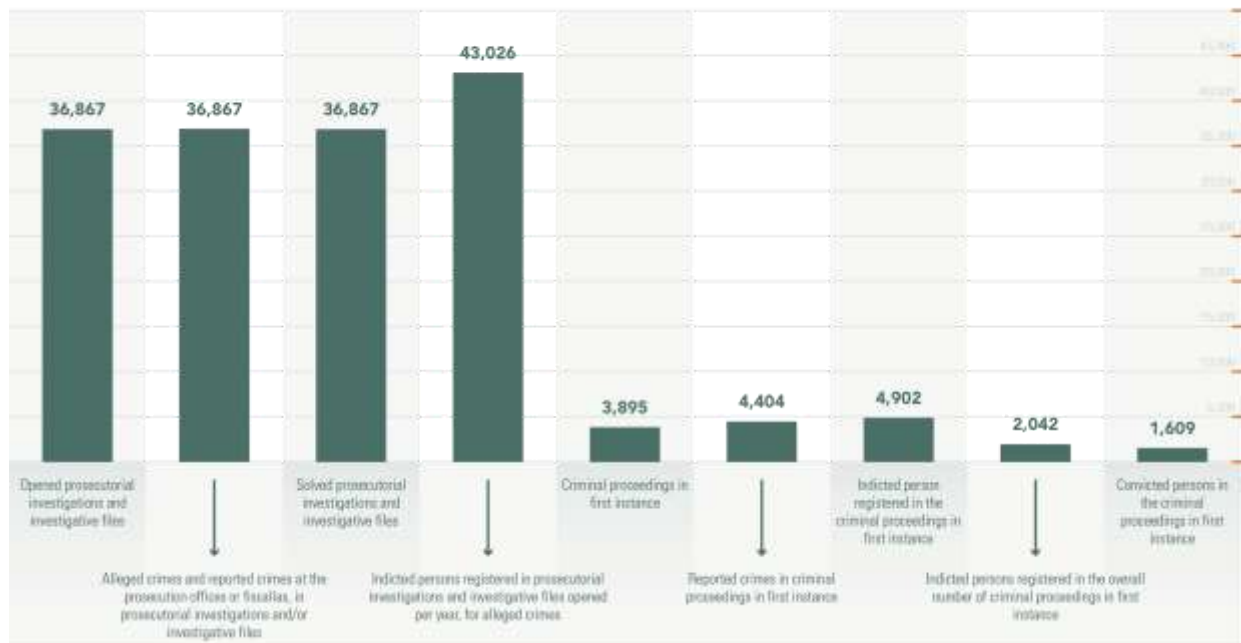
A possible explanation for this behavior in the impunity Sequence is the number of investigative police per every 100,000 inhabitants (0), compared to the national average of 11.1. Also, the total staff at the Supreme Court of Justice per every 100,000 is lower in Tamaulipas (22.1) compared to the national average (34.3). This trend regarding the staff in Tamaulipas is repeated in the case of the Prosecutors' Office, prosecution offices y judiciary staff. In the same vein, the percentage of Prosecutors' offices specialized in grave crimes is clearly lower (1.3%) than the national average (14.8%).

iii. Main Results in the 35 Indicators

When comparing the judicial system in the state with the security system, it is noticeable that both are in a similar level in the functional dimension. Moreover, in the structural dimension, the justice system has a significantly negative index compared with the security one. Namely, when taking into consideration both dimensions, the security system has more impunity that the justice system. If the value of these indexes is compared to the national average, the structural dimension of both systems has negative scores. In terms of the structural dimension, generally speaking, the security system both in Tamaulipas and nationally has a better index than the justice one. In this system, the difference between the national index and the state index is not important because both show similar figures. (See Impunity Pyramid Chart).

When analyzing the data in detail, the structural dimension of the justice system, and the staff in prosecution for every 100,000 inhabitant (59.1) are lower than the national average (75.5). Also, the overall number of officers in charge of carrying out public security functions for every 100,000 inhabitants is considerably less in the state (66.7) than nationwide (181.0). However, in the structural dimension of the justice system the number of magistrates and judges per 100,000 inhabitants, the court clerks in the Supreme Court of Justice for every 100,000 inhabitants, penitentiary officers divided by the installed capacity and penitentiary officers divided by inmates have similar values to the national average. The only variable in this dimension that shows an important difference from the average is the total staff in the Supreme Court of Justice for every 100,000 inhabitants, which is 22.1 in the state and 34.3 nationally. Moreover, the functional dimension of the security system shows that from the percentage of imprisoned persons for robbery (11.9) and for homicide (5.6) divided by opened prosecutorial investigations is lower than the national average (10.3 and 27.5, respectively). In the functional dimension of the justice system, the only noticeable difference is the percentage of judged persons divided by penitentiary admissions. In this case, the percentage of Tamaulipas (70.5) is higher than the national average (58.41).

Impunity sequence Tamaulipas

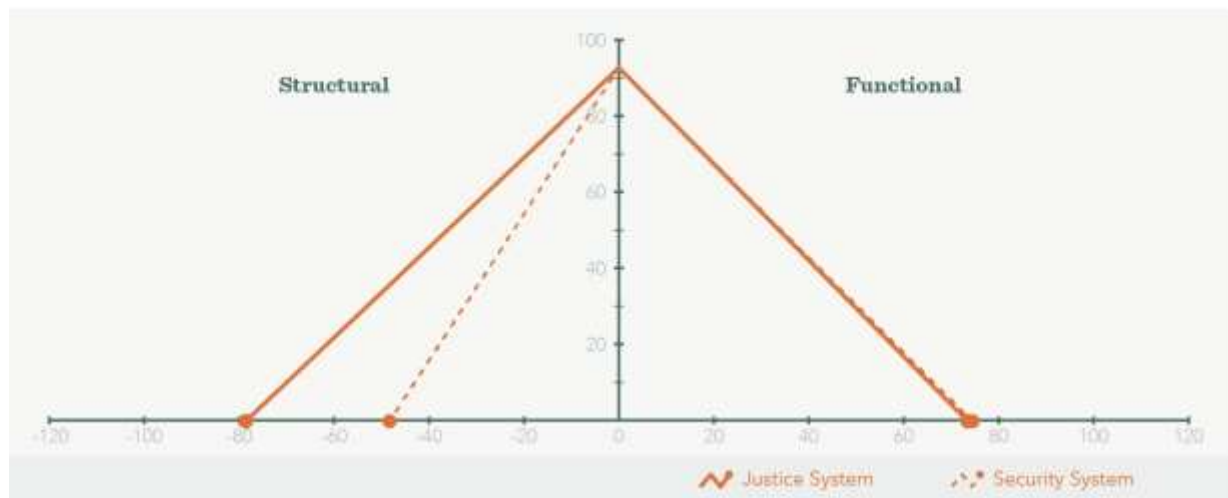|								
36,867	36,867	36,867	43,026	3,895	4,404	4,902	2,042	1,609

Opened prosecutorial investigations and investigative files

Solved prosecutorial investigations and investigative files

Criminal proceedings in first instance

Indicted person registered in the criminal proceedings in first instance

Convicted persons in the criminal proceedings in first instance

Alleged crimes and reported crimes at the prosecution offices or fiscalías, in prosecutorial investigations and/or investigative files

Indicted persons registered in prosecutorial investigations and investigative files opened per year, for alleged crimes.

Reported crimes in criminal proceedings in first instance

Indicted persons registered in the overall number of criminal proceedings in first instance

Impunity pyramid **Tamaulipas**

Structural   Functional

~~∿~~ Justice System   ⋰⋅ Security System

Chart Tamaulipas. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	1,065.1
Public Officers at Prosecutors' offices per 100 thousand inhabitants	59.1
Actual expenditures applied by the Prosecutor's Office per capita	133.0
Prosecution Offices per 100,000 inhabitants	4.6
Percentage of Specialized Prosecutions for grave crimes	1.3
Public Officers at Prosecutors' offices per 100 thousand inhabitants	23.3
Number of Prosecutors per 100,000 inhabitants	4.6
Prosecutors per 1000 reported crimes	4.34
Prosecutor's Office Forensic experts per 1,000 reported crimes	-
Investigative police per 1,000 reported crimes	-
Investigative police per 100,000 inhabitants	0.0
Percentage of certified public security officers	42.9
Overall number of officers to carry out public security functions per 100,000 inhabitants	66.7
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	54.4
Functional personnel to carry out public security functions per 100,000 inhabitants	53.7
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	125.8
Number of judges and magistrates per 100,000 inhabitants	3.1
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	22.1
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	13.3
Number of Court Clerks per Judge	4.2
Criminal proceedings in first instance divided by number of judges	35.7
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.11
Number of indicted persons in first instance per concluded prosecutorial investigations	1.3
Convicted persons in first instance divided by indicted persons in first instance	0.4
Percentage of convictions	78.8
Percentage of convicted persons divided by the overall number of perpetrated crimes	4.36
Penitentiary admissions divided by the number of convicted persons	1.8
Percentage of convicted persons divided by penitentiary admissions	70.5
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	5.6
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	11.9
Percentage of inmates without conviction in first instance	-
Appeal dockets in second instance divided by convicted persons in first instance	2.2
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	0.9
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	91.9

TLAXCALA

The state is located in the national average of the impunity index, ranking in the group 3 that corresponds to high impunity according to IGI-MEX. Both, the functional and the structural dimension show deficiencies, mainly in the Functional Justice System and Structural Security System. Below are the main findings.

i. Context of the Prosecution System and the Administration of Justice System

Tlaxcala continues its transition to the Adversarial System, which entered into force in 2014 and currently operates partially, with a 71% progress in legal harmonization.

According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Tlaxcala are:

1. Injuries
2. Vehicle robbery
3. Home robbery
4. Business robbery
5. Other robberies

In addition, according to information from PGR prosecutorial investigations for human trafficking have increased 600% between 2008 and 2014, and Tlaxcala is among the five states nationwide with the highest number of complaints for this crime.[55]

Tlaxcala has an unrecorded crime figure (dark figure of crime) of 92%, which reveals victim's lack of trust to report crimes, along with a shortage of officers in the streets dedicated to public security. There are only 93 persons in charge of these functions for every 100,000 inhabitants.

ii. Impunity Sequence

Reviewing the impunity Sequence it becomes clear that there is a backlog in two particular situations. The first one, from the total of crime reports (ex parte or ex officio) to the Prosecutors' Offices (7,840) only 37% (2,906) are answered and the remaining 63% is rolled over to the following year. This delay or lag suggests that the structural sub-dimension of the security system is inefficient. Tlaxcala is the second state nationwide with the lowest number public prosecutors' offices; it only has 1.2 per 100,000 inhabitants. In this sense, it only has 6 prosecutors for every 1,000 crimes recorded, thus, each prosecutor is in charge of 167 crimes each year, giving each case an estimated 1.4 working days.

The second problem is the lag between the number of indicted people and number of judged persons during 2013. From the overall number of indicted persons, only 14% have a judgment; what happens with the other 86%? They are probably accumulating for the following year, creating a snowball effect. Some relevant number could explain this: Tlaxcala has 2.5 magistrates and judges per 100,000 inhabitants, which could be causing that 49.8% of inmates do not have a judgment in first instance and that from the overall number of penitentiary admissions, the 57.8% do not have a judgment.

Moreover, the chain also describes other deficiencies; in a year there are 26% more persons under judicial process that indicted persons for the same year, showing that cases from prior years are still under trial. Although this could seem like an advantage, the problem carries on to the next stage of the process. That is, in the number of persons tried annually, as 86% of them have not received a judgment. (See Impunity Sequence Chart).
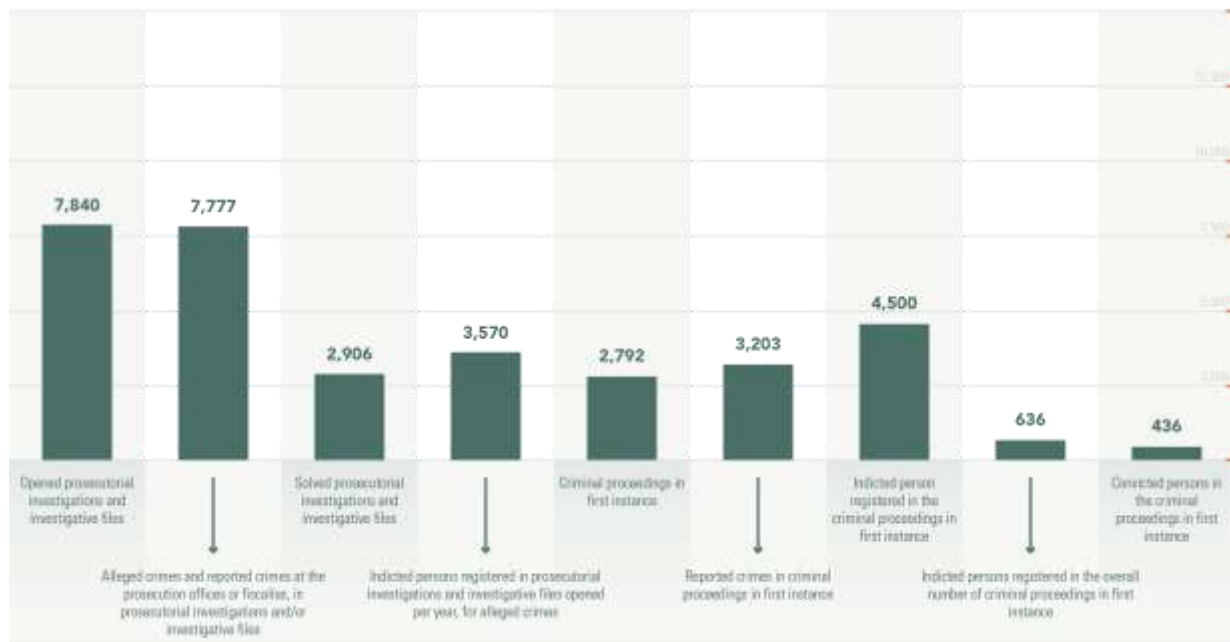
iii. Main Results in the 35 Indicators

The impunity Pyramid reveals that, in general, the level of impunity in Tlaxcala with regard to national averages. In the sub-dimension Justice System, both Functional and Structural, Tlaxcala benefits the national trend.

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[55] *Animal Político*, 2015.

Nonetheless, is necessary to point out that this does not imply the state has no problem on these items, as explained before both sub-dimension trigger bottlenecks in the impunity Sequence. In the opposite sense, the sub-dimension Structural Security System has a negative impact in the national impunity level. The figures indicate that the state is placed fifth nationwide with the least number of staff in prosecution offices, 43.6 per every 100,000 inhabitants. On the same line, the state has 93 officers in charge of carrying out public security functions per every 100,000 inhabitants; this is lower than the national average (see Impunity Pyramid Chart).

Impunity sequence Tlaxcala

Impunity pyramid Tlaxcala

Chart Tlaxcala. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	630.9
Public Officers at Prosecutors' offices per 100 thousand inhabitants	43.6
Actual expenditures applied by the Prosecutor's Office per capita	105.5
Prosecution Offices per 100,000 inhabitants	1.2
Percentage of Specialized Prosecutions for grave crimes	13.3
Public Officers at Prosecutors' offices per 100 thousand inhabitants	31.3
Number of Prosecutors per 100,000 inhabitants	3.8
Prosecutors per 1000 reported crimes	6.04
Prosecutor's Office Forensic experts per 1,000 reported crimes	6.04
Investigative police per 1,000 reported crimes	22.37
Investigative police per 100,000 inhabitants	14.0
Percentage of certified public security officers	53.8
Overall number of officers to carry out public security functions per 100,000 inhabitants	106.1
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	93.0
Functional personnel to carry out public security functions per 100,000 inhabitants	90.4
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	144.9
Number of judges and magistrates per 100,000 inhabitants	2.5
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	32.4
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	8.2
Number of Court Clerks per Judge	3.3
Criminal proceedings in first instance divided by number of judges	90.1
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.36
Number of indicted persons in first instance per concluded prosecutorial investigations	4.0
Convicted persons in first instance divided by indicted persons in first instance	0.1
Percentage of convictions	68.6
Percentage of convicted persons divided by the overall number of perpetrated crimes	5.61
Penitentiary admissions divided by the number of convicted persons	3.5
Percentage of convicted persons divided by penitentiary admissions	42.2
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	10.6
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	18.2
Percentage of inmates without conviction in first instance	49.8
Appeal dockets in second instance divided by convicted persons in first instance	1.1
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	0.8
Penitentiary staff divided by inmates	0.4
Percentage of non-reported crimes	92.0

VERACRUZ

Veracruz has a level of impunity 4, this is, the highest of the four levels of the index and a level above the national average, according to the results of IGI-MEX. This state has contrasting characteristics in its justice system and security system. On the one hand, it shows higher values than the national average in some variables of interest; on the other, there are variables that are alarmingly and clearly lower than the national trend.

i. Context of the Prosecution System and the Administration of Justice System

Veracruz is part of the 81% states of the country where the New Adversarial System is in partial operation. In terms of legal harmonization, Veracruz reports a progress of 43% since its implementation in 2013. When revising the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Veracruz are:

1. Injuries
2. Property damage
3. Vehicle robbery
4. Home robbery
5. Other robberies

In recent years, abuse and murders of journalists in Veracruz have been increasing. According to a right to information request addressed to the Attorney General's Office in March 2014, between 2010 and 2014 there were four disappearances and nine killings of journalists. [56]

The unreported crime figure (dark figure of crime) in the state is 91.6%. Like in the case of the national value, the dark figure of crime in Veracruz shows that most crimes committed in the state are never reported to the authorities.

ii. Impunity Sequence

The impunity Sequence in Veracruz is similar to the national average trend. In this state there is a decreasing trend in the number of cases that go from the first to the last process. Nonetheless, in contrast with the national average, the loss of cases occurs in the third process, that is, in the number of prosecutorial investigations and investigative files opened that are concluded. If these are compared with the number of opened prosecutorial investigations and investigative files, we can observe that the percentage of resolved cases is of only 34% of the total. This may indicate that the investigative capacity and the arrangements processes are running into obstacles within the justice system and the security system. Another process within the chain in which the number of cases reaching judgments decreases, is in opened criminal cases in first instance. These are only 23% of opened prosecutorial investigations and investigative files, and 8% of prosecutorial investigations and investigative files. This reinforces the hypothesis that the process of investigation of crimes faces great deficiencies in this state.

In turn, it is observed that the total indicted and/or charged persons in registered criminal cases are 9,036; while the total of indicted and/or charged persons in prosecutorial investigations is 52,464. This figure drops to 3,228 judged persons, namely, 35% of the number of prosecuted persons in first instance, and 6% of all indicted persons in prosecutorial investigations. These figures indicate that the justice system in this state tends to accuse more than to punish, because for every indicted person there is 0.06 judged persons. This may be because the incrimination of people in alleged crimes may be perceived more as action and as less impunity by the security system. However, if this number does not translate into prosecutions and judgments, then it is more a red flag than a positive practice.

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[56] Procuraduría General de la República, 2014.

Differences in the last five processes are not as alarming as those previously presented. In the latter we can see that for every criminal case in first instance there are 0.47 persons judged. From the overall number of judged persons (3,228) most of them (2,890) receive a conviction (See Impunity Sequence Chart).
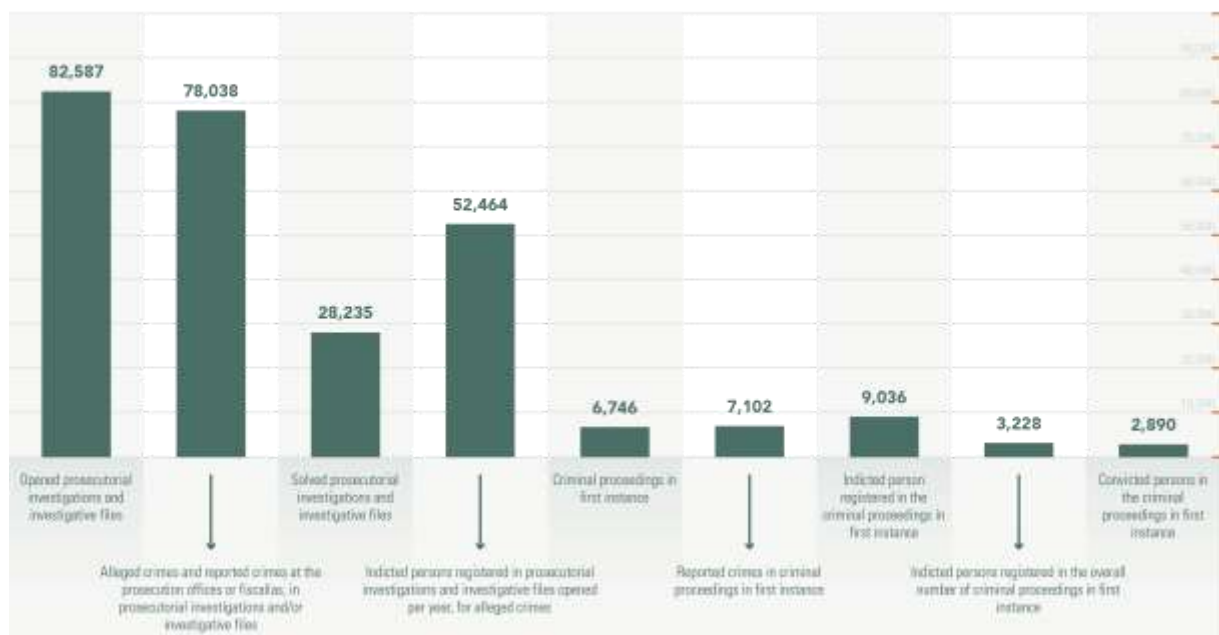
A variable that can provide an explanation regarding the situation of Veracruz is the budget wielded by the Attorney General per capita, a figure that has a value of 241 nationally, while the state has 130.7. A lower use of the budget in prosecution certainly has had an impact on other variables such as staff assigned to each process of the criminal chain.

iii. Main Results in the 35 Indicators

Indicators of impunity, both in the justice system and the security system, point to negative values significantly higher than the national average. That is, in both systems Veracruz shows deficiencies and significant flaws. On the one hand, it can be observed that in the structural dimension, the justice system has an indicator with worse values than the security system. On the other, in the functional dimension this security system received a better score. Nonetheless, the difference between those systems in this dimension is not as pronounced as shown in the structural dimension. In general terms, this indicates the justice system has more conditions that favor impunity than the security system.

An indicator that is relevant to the state is the amount of alleged crimes reported per 100,000 inhabitants. Despite being remarkably lower than the national average, the level of impunity in the state is significantly higher than the average. These data may draw attention to the structure of the justice system and the security system of Veracruz; the fact that with a lower level of crime it is less able to respond to them could be explained by deficiencies in the justice system and the security system. Some of the indicators with a greater lag in Veracruz in regard to the national average are the staff of prosecution offices per 100,000 inhabitants; the number of prosecutors per 100 000 inhabitants; and the percentage of inmates for robbery and homicide divided by the record of these crimes in prosecutorial investigations. However, there are some indicators in terms of officers in charge of carrying out public security functions where Veracruz significantly exceeds the national average.

Impunity sequence Veracruz
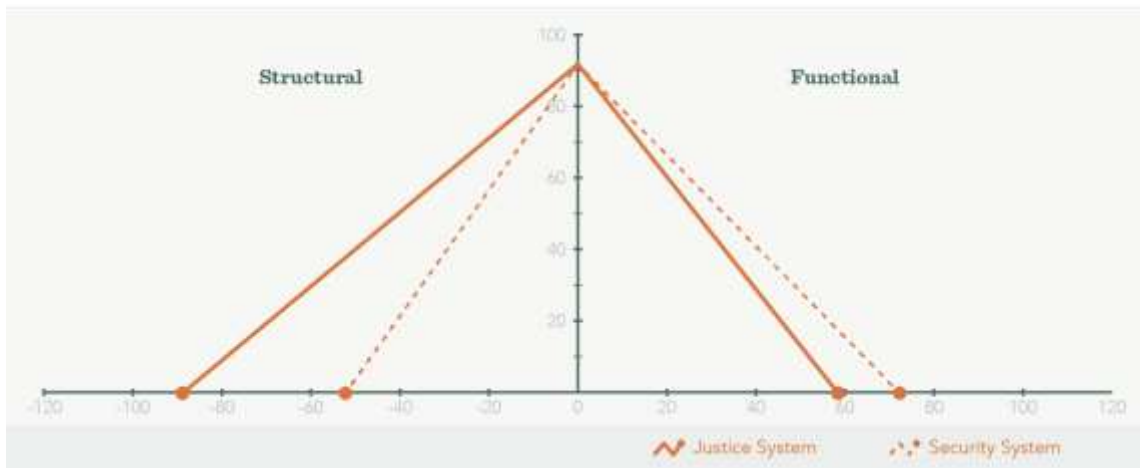
Impunity pyramid **Veracruz**

Chart Veracruz. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	994.5
Public Officers at Prosecutors' offices per 100 thousand inhabitants	38.0
Actual expenditures applied by the Prosecutor's Office per capita	130.7
Prosecution Offices per 100,000 inhabitants	2.9
Percentage of Specialized Prosecutions for grave crimes	11.5
Public Officers at Prosecutors' offices per 100 thousand inhabitants	11.2
Number of Prosecutors per 100,000 inhabitants	3.6
Prosecutors per 1000 reported crimes	3.64
Prosecutor's Office Forensic experts per 1,000 reported crimes	0.68
Investigative police per 1,000 reported crimes	-
Investigative police per 100,000 inhabitants	0.0
Percentage of certified public security officers	19.4
Overall number of officers to carry out public security functions per 100,000 inhabitants	238.3
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	213.1
Functional personnel to carry out public security functions per 100,000 inhabitants	205.2
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	148.0
Number of judges and magistrates per 100,000 inhabitants	3.9
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	20.9
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	4.7
Number of Court Clerks per Judge	1.2
Criminal proceedings in first instance divided by number of judges	21.7
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.08
Number of indicted persons in first instance per concluded prosecutorial investigations	1.5
Convicted persons in first instance divided by indicted persons in first instance	0.4
Percentage of convictions	89.5
Percentage of convicted persons divided by the overall number of perpetrated crimes	3.70
Penitentiary admissions divided by the number of convicted persons	1.6
Percentage of convicted persons divided by penitentiary admissions	67.8
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	4.8
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	14.5
Percentage of inmates without conviction in first instance	40.1
Appeal dockets in second instance divided by convicted persons in first instance	1.9
Penitentiary staff divided by installed capacity of prisons	0.1
Inmates divided by installed capacity of prisons	1.0
Penitentiary staff divided by inmates	0.1
Percentage of non-reported crimes	91.6

YUCATÁN

According to the results of IGI-MEX, Yucatán is located in group 4 of states whose level of impunity is very high. It is characterized by contrasts when compared to the national average, especially in the functional dimension of the justice system.

i. Context of the Prosecution System and the Administration of Justice System

Yucatan is one of the states that have now completed its transition to the Adversarial System, started in 2011. The authority responsible for its implementation was the Executive Secretary of the Commission for the Implementation of the Reform on Security and Justice in the State of Yucatan. According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Yucatan are:

1. Injuries
2. Property damage
3. Threats
4. Home robbery
5. Fraud

Moreover, according to records of the Human Rights Commission of Yucatan, there have been 40 recommendations issued for violation of the right to personal integrity and security, mainly addressed to the Ministry of State Security over the past year.

It is important to mention that the unreported crime figure (dark figure of crime) in Yucatán is 94.6%, which represents a great amount of crimes not officially registered.

ii. Impunity Sequence

The state of Yucatan has a different behavior than the national average in its impunity Sequence. As shown in the chart, only 31% of opened prosecutorial investigations and opened investigative dockets are resolved by the Prosecutors' Office for the indictment or not indictment of a criminal case, or the temporary reserve of a case for lack of elements to continue the investigation.

Furthermore, it can be noted that from the total of indicted and/or charged persons in opened prosecutorial investigation or investigative files, only 16% ended in a judicial procedure in first instance. In this sense, from the overall number of indicted persons (29,516) only 3% received a judgment (acquittal or conviction), and only 2% received a conviction. (See impunity Sequence Chart).

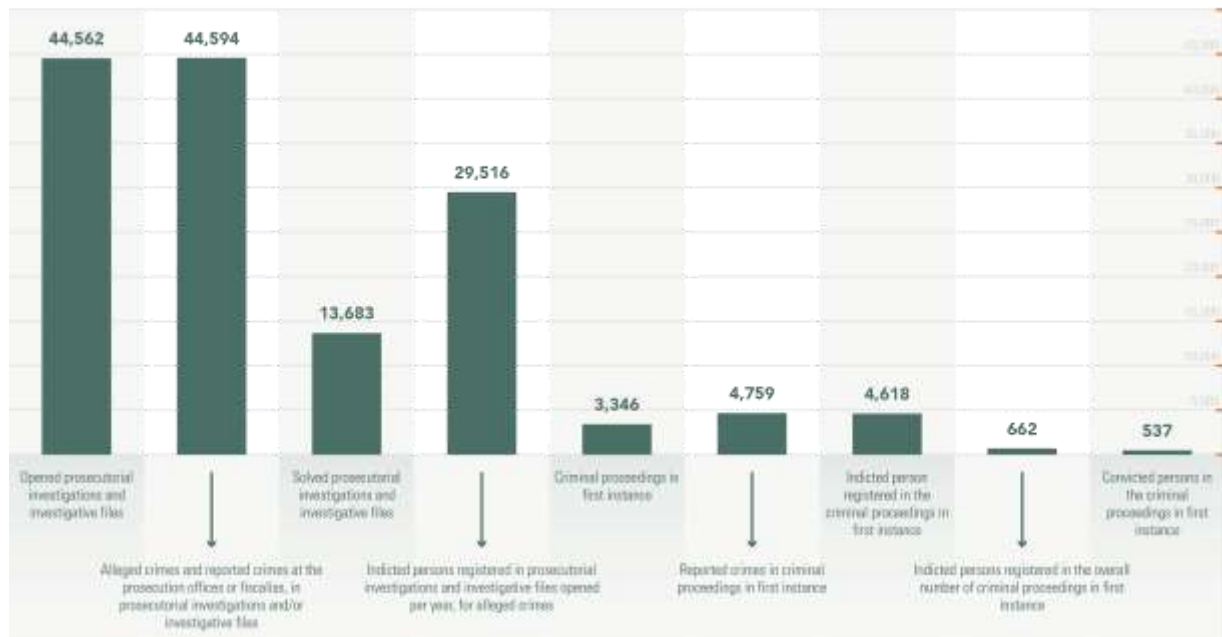### iii. Main Results in the 35 Indicators

According to the IGI-MEX of the state, the structural dimension of the justice system is found to be close to the national average, while the operability of the security system is situated above the average. This means that Yucatan has a lower reported crimes rate per 100,000 inhabitants than the national average, and a better prosecution of cases of homicide and robbery (see Impunity Pyramid Chart).

In addition, it is observed that the structural dimension of the security system is 7 points below the national average. This suggests problems both in staff and infrastructure of the prosecution. According to the variables considered for the calculation of this index, the state has 71.2 officers working in local prosecution offices per 100,000 inhabitants, slightly lower than the national average of 79.8. Also, there are only 1.7 Prosecutors' Offices per 100,000 inhabitants, a number below the national average (3.4). Regarding specialized Prosecutors' Offices, Yucatán is behind as it does not have agencies dedicated exclusively to the investigation of homicide, robbery, extortion, or crimes against women. In addition, the rate of investigative police per 100,000 inhabitants is higher than the national average. This does not necessarily mean a better justice system. As mentioned above, the states' Prosecutors' Office received 40 recommendations from the local Human Rights Commission, due to violations of integrity and personal security. It is also likely that these prosecutors have not had, or have not approved the necessary training to properly perform their duties.

Regarding the functional dimension of the justice system, the state is located far from the national average, with about 23 points of difference. The variables indicate that, of all prosecutorial investigations and investigation files opened, only 8% of them are in a criminal proceeding in first instance, below the national average of 12%. We also found that the percentage of penitentiary admissions in 2013 that have a judgment was of only 16%, which contrasts sharply with the national average of 51%. Now, taking into account the total prison population under state jurisdiction of the state, it is observed that 46% have not been judged.

These figures call into question the operation of the Adversarial System, as one of its goals is to expedite the stages of judicial proceedings and to clarify the legal status of prisoners who do not yet have a resolution, neither acquittal nor conviction.

Impunity sequence Yucatán
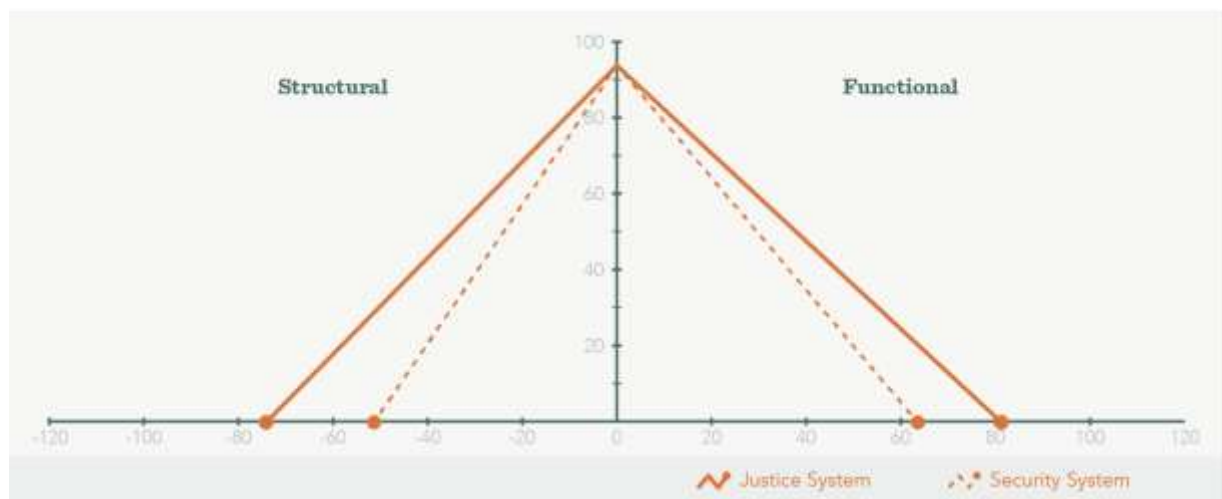

Impunity pyramid Yucatán

Chart Yucatán. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	2,171.9
Public Officers at Prosecutors' offices per 100 thousand inhabitants	67.5
Actual expenditures applied by the Prosecutor's Office per capita	6.8
Prosecution Offices per 100,000 inhabitants	1.6
Percentage of Specialized Prosecutions for grave crimes	12.1
Public Officers at Prosecutors' offices per 100 thousand inhabitants	46.9
Number of Prosecutors per 100,000 inhabitants	16.0
Prosecutors per 1000 reported crimes	7.40
Prosecutor's Office Forensic experts per 1,000 reported crimes	2.71
Investigative police per 1,000 reported crimes	10.23
Investigative police per 100,000 inhabitants	22.1
Percentage of certified public security officers	20.0
Overall number of officers to carry out public security functions per 100,000 inhabitants	189.6
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	128.3
Functional personnel to carry out public security functions per 100,000 inhabitants	99.0
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	201.2
Number of judges and magistrates per 100,000 inhabitants	2.9
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	29.2
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	17.3
Number of Court Clerks per Judge	6.1
Criminal proceedings in first instance divided by number of judges	56.7
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.08
Number of indicted persons in first instance per concluded prosecutorial investigations	1.9
Convicted persons in first instance divided by indicted persons in first instance	0.1
Percentage of convictions	81.1
Percentage of convicted persons divided by the overall number of perpetrated crimes	1.20
Penitentiary admissions divided by the number of convicted persons	7.4
Percentage of convicted persons divided by penitentiary admissions	16.6
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	25.6
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	40.5
Percentage of inmates without conviction in first instance	46.4
Appeal dockets in second instance divided by convicted persons in first instance	3.1
Penitentiary staff divided by installed capacity of prisons	0.2
Inmates divided by installed capacity of prisons	0.8
Penitentiary staff divided by inmates	0.2
Percentage of non-reported crimes	94.6

ZACATECAS

The state is at the national average in the Impunity Index, ranking in group 3 of the IGI-MEX results with a high level of impunity. Based on the results, the dimensions that provide the highest level of impunity are the Functional Justice System and the Unreported Crime figure (dark figure of crime), the latter is located two percentage points above the national average. In the opposite sense, the Structural Security System is located well below the national average. The Main results are described below.

i. Context of the Prosecution System and the Administration of Justice System

In 2009 the Adversarial System came into effect, which operates partially with a 71% progress in legal harmonization. According to the figures from the 2014 National Census of Government, Public Security and State Prison System, the five most frequent crimes of local jurisdiction in Zacatecas are:

1. Injuries
2. Vehicle robbery
3. Home robbery
4. Other robberies
5. Property damage

According to records of the State Commission of Human Rights, from January to September 2015, 650 complaints have been documented; the most common reasons are: improper exercise of public functions, arbitrary detention and injuries.[57]

Over the past five years, the CNDH has issued recommendations to national and local authorities for the following human rights violations: arbitrary detention and illegal detention (22/2012), addressed to the State Government.

The unreported crime figure (dark figure of crime) is 94.8%, amounting to a dark figure of crime of 2 percentage points above of the national average.

ii. Impunity Sequence

Of all crime reports ex officio or ex parte received by Prosecutors' Office (14,700), only to 55% of them (8,169) are responded. At this stage it is possible to identify a lag in the functionality of the security system, as it is unable to respond to all complaints. Of the total of prosecutorial investigations for robbery, only 4.7% reach incarceration. The remaining percentage does not have sufficient evidence to prove the possible perpetration of the crime. At this point, it should be noted that as soon as the public prosecutor decides to indict a person for a criminal action – when the elements of the crime and the probable responsibility of the accused person have been proved – only 9% of resolutions are assigned to courts of criminal matters in first instance. Therefore, it could be assumed that 91% remaining cases do not continue with a criminal proceeding.

Although the operability of the security system is poor, the functional justice system works more efficiently. This is demonstrated by the rising figures with respect to the activity of the justice system. Is possible they process more crimes than the ones they receive each year and therefore their numbers of persons subject to a criminal trial are also increasing. However, there are still questions regarding the causes of the gap in the number of judged persons. It remains unknown whether the upward trend continues, indicating more workload of magistrates, judges and public officers in local courts. (See Impunity Sequence Chart)
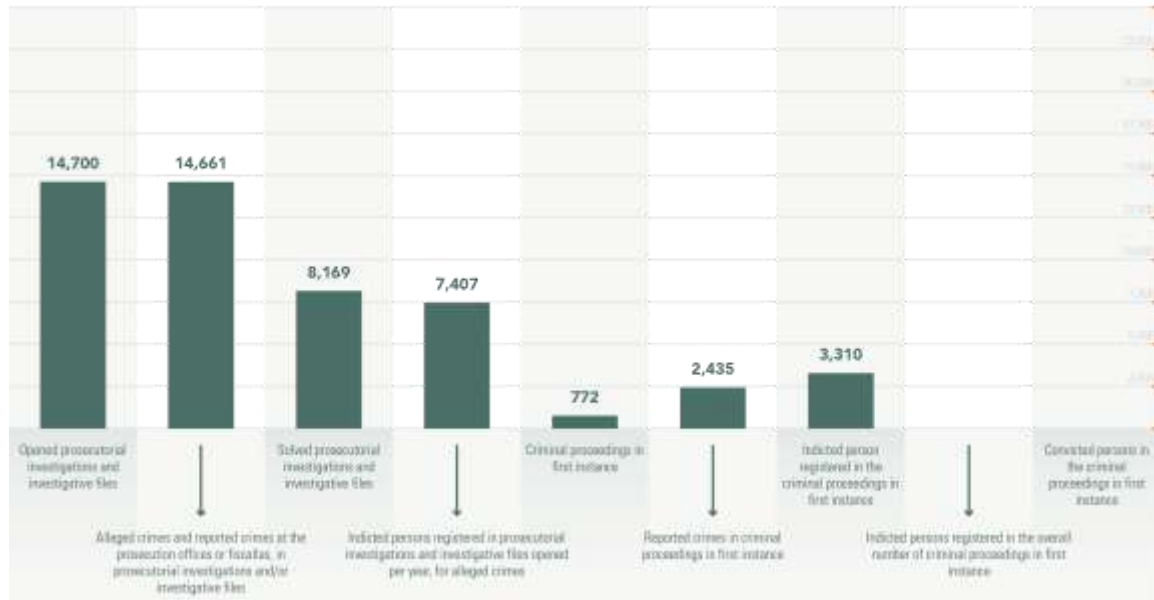
iii. Main Results in the 35 Indicators

The impunity Pyramid reflects that the state lacks an efficient Functional Justice System, as 36.6% of all inmates have no judgment in first instance. (See Impunity Prims Chart).

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[57] Comisión de Derechos Humanos del Estado de Zacatecas, 2015.

Moreover, the Structural Security System is more solid than the national average. Zacatecas is among the states of the country with more staff in Prosecutors' offices, with 80.6 per 100,000 inhabitants. It stands out even further by ranking amongst the first places with the highest number of Prosecutors' Offices, 6.5 per every 100,000 inhabitants, and in the number of prosecutors per 1,000 recorded crimes, 11.3.

Impunity sequence Zacatecas
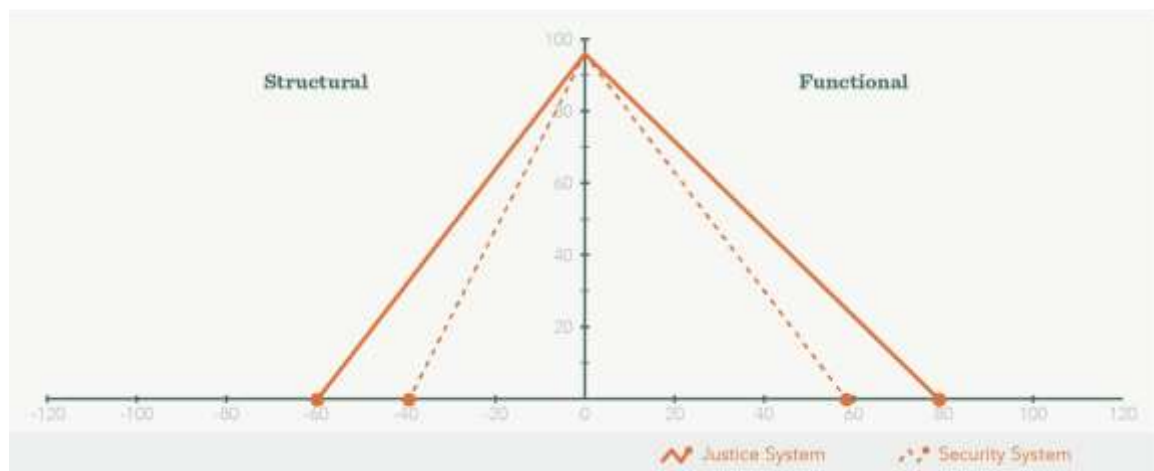

Impunity pyramid Zacatecas

Chart Zacatecas. 35 Indicators	
Alleged crimes reported per 100 thousand inhabitants	948.3
Public Officers at Prosecutors' offices per 100 thousand inhabitants	80.6
Actual expenditures applied by the Prosecutor's Office per capita	217.8
Prosecution Offices per 100,000 inhabitants	6.5
Percentage of Specialized Prosecutions for grave crimes	11.0
Public Officers at Prosecutors' offices per 100 thousand inhabitants	50.9
Number of Prosecutors per 100,000 inhabitants	10.8
Prosecutors per 1000 reported crimes	11.39
Prosecutor's Office Forensic experts per 1,000 reported crimes	3.89
Investigative police per 1,000 reported crimes	16.98
Investigative police per 100,000 inhabitants	16.1
Percentage of certified public security officers	21.4
Overall number of officers to carry out public security functions per 100,000 inhabitants	76.2
Officers in charge of public security functions per 100,000 inhabitants (1st. level, intermediate level, functional level)	67.1
Functional personnel to carry out public security functions per 100,000 inhabitants	62.8
Actual expenditures applied by of the Supreme Court of justice and the Council of the Judiciary per 100,000 inhabitants	166.4
Number of judges and magistrates per 100,000 inhabitants	4.6
Overall staff at the Supreme Court of Justice per 100,000 inhabitants	35.7
Court Clerks in the Supreme Court of Justice per 100,000 inhabitants.	8.2
Number of Court Clerks per Judge	1.8
Criminal proceedings in first instance divided by number of judges	10.7
Criminal proceedings in first instance divided by the overall total of prosecutorial investigations	0.05
Number of indicted persons in first instance per concluded prosecutorial investigations	1.3
Convicted persons in first instance divided by indicted persons in first instance	-
Percentage of convictions	-
Percentage of convicted persons divided by the overall number of perpetrated crimes	-
Penitentiary admissions divided by the number of convicted persons	-
Percentage of convicted persons divided by penitentiary admissions	-
Percentage of inmates for robbery divided by prosecutorial investigations on robbery	4.7
Percentage of inmates for homicide divided by prosecutorial investigations on homicide	43.4
Percentage of inmates without conviction in first instance	36.6
Appeal dockets in second instance divided by convicted persons in first instance	-
Penitentiary staff divided by installed capacity of prisons	0.3
Inmates divided by installed capacity of prisons	1.0
Penitentiary staff divided by inmates	0.3
Percentage of non-reported crimes	94.8

ACRONYMS

■ QROO   ■ MEX

■ BC

■ COAH   ■ TAM   ■ DGO   ■ GRO

■ QRO   ■ YUC   ■ VER

■ BCS   ■ OAX

■ SIN ■   ■ MOR   ■ TAB   ■ PUE

■ AGS   HGO ■ MICH TLAX

■ COL   ■ JAL   ■ ■

GTO ■ ■   ■ ZAC

■ CHIH   ■ CHIS

■ SON

■ DF   ■ SLP

ACRONYMS

CCSJP	Citizen Council for Security and Justice of Puebla
CEAV	Executive Commission for Victims Attendance
ECLAC	Economic Commission for Latin America and the Caribbean
CESIJ	Center of Studies on Impunity and Justice
IACHR	Inter-American Court of Human Rights
IGI	Índice Global de Impunidad
IGI-MEX	Global Impunity Index México
GII	Global Impunity Index
OECD	Organization for Economic Cooperation and Development
OAS	Organization of American States
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
UNDP	United Nations Development Program
UDLAP	Universidad de las Américas Puebla

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IMPUNITY QUOTES

"Impunity must be the main problem to counter and part of any serious action against crime. The situation is clear: as long as no sanction is enforced, crime and corruption will continue increasing. That is its habitat, fertile ground for its repetition and subsistence. However, our country has not realized that impunity is our biggest enemy"

ANDREA AMBROGI DOMÍNGUEZ (2015).

"Violence, corruption and impunity create a toxic country...poisoning is a way of functioning of the political system; it is a distortion that reproduces   on a veil of impunity."

ALBERTO AZIZ NASSIF (2014).

"They have endorsed impunity by minimizing the responsibility of authorities that recur to torture practices"

MAITE AZUELA (2015).

"The discussion over the most effective ways to end with the impunity kingdom that prevails to day cannot be postponed and must be a priority in the legislative agenda of the Congress"

JAIME BARRERA RODRIGUEZ (2014).

"The main tragedy in Mexico is not corruption; it is impunity. Because the lack of punishment allows the repetition of an action"

MARIO CAMPOS (2015).

"We have always believed that most of the problems of our country are corruption, violence and inequality, when actually impunity is the main cause of so much national pain; the major challenge for the strengthening of our democracy"

JOSÉ CÁRDENAS (2015).

"And it is a simple problem of incentives. It is a problem that consists on the fact that when somebody violates the law and sanctions must be applied, it is not a matter of negotiation. It is not a matter of revenge, is a matter or discouraging other similar actions. I know that sometimes criminal actions cannot be completely eradicated, but it can be substantially reduced. And the enforcement of law includes imprisoning corrupt politicians and also sanctioning a person that throws garbage in the street."

JORGE CHABAT (2015).

"The tragedy of Iguala can only be explained in a context of impunity and abandonment of the most fundamental activities of the State."

GERARDO ESQUIVEL (2014).

"Is it a matter of cynicism? Is it a matter of impunity? Public officers think that the probabilities to be sanctioned for their abuse, actions, excesses and alleged crimes are minimal"

LEONARDO KOURCHENKO (2014).

"And from the many and many Mexicans whose deaths have been protected by that everlasting agent and engine of violence that is impunity"

JOAQUÍN LÓPEZ-DÓRIGA (2014).

"To look at the world does not imply to disregard or not pay attention to the situation nationwide. Those of us that work in media outlets must denounce, show and criticize the impunity, corruption, poverty and violence that prevail in Mexico, but without isolating from the world and news and movements that define the faith of humanity, of which our country takes part of ".

CARLOS LORET DE MOLA (2015).

"¿Will the government, political parties and legislators understand that the underlying problem is the institutional weakness in the face of generalized impunity and corruption?

JUAN ANTONIO LE CLERQ ORTEGA (2015).

"However, in Mexico nothing happens. Not with enterprises or with politicians. Here, impunity is absolute"

JULIO MADRAZO (2015).

"It is common that corruption reports are quickly forgotten or buried in a terrifying void: nobody investigates, nobody has the authority to do so, laws are never violated, nobody cares and those who care cannot do anything"

DENISE MAERKER (2015).

"The phrase and the two cases I refer to -while they could be many, many more cases - summarize perfectly year 2015, a year where impunity of political actors remained intact. There is no sanction to their inefficiency. There is not, from them, any interest in being held accountable."

DANIEL MORENO (2015).

"(...)[Impunity], has turned into a chronic disease sickness that corrodes our institutional foundations and has become an authentic culture of impunity that feeds corruption and injustice."

JACQUELINE PESCHARD (2014).

"It is not possible aiming to be a modern country in the middle of corruption and impunity."

JOSE LUIS REYNA (2014).

"Impunity that in the case of Mexico cannot be separated from corruption directly affects the government's credibility and the perception of investors that there is no legal certainty in the country."

RAYMUNDO RIVA PALACIO (2015).

"That in a country of unpunished people they gave us a number, is crucial to realize the need to deeply transform the society. An anticorruption legal framework will not suffice. What we need is to assume our citizen role of reporting and accountability for abuses, injustices and larcenies, while aware that the most important is the personal and intimate scopes. Even while I do not accept that corruption is on the genes of the Mexicans, I do understand that the problem is of such an extent due to our refusal to change. That, is the real problem."

EDUARDO RUIZ-HEALY (2015).

"Impunity is the fundamental trigger of criminality. The essential discussion must be focused on how to better manage on a comprehensive fashion the justice system to face organized crime..."

LIÉBANO SÁENZ (2014).

"In any other country, extraordinary pressure and international finger pointing on the killing of journalists would force governments to take extraordinary steps. But in the case of Mexico, simply and plainly the government cannot or does not want to resolve the killings of journalists in the country."

ANA MARÍA SALAZAR (2015).

"But, it is impunity what explains the generalized corruption, it is not 'cultural'"

JORGE SUÁREZ-VÉLEZ (2014).

"In Mexico there is no punishment: out devotion for impunity is bullet-proofed"

GUILLERMO SHERIDAN (2014).

"(...) Impunity and rhetoric as permanent norms of the original two-fold speech: one thing is said, another is done."

FERNANDO SOLANA (2014).

"Impunity is the consequence of the intentional omission of institutions that are in charge of punishing it, this is, impunity is exclusively the responsibility of governmental authorities."

GABRIEL TORRES ESPINOZA (2014).

"A year after the enforced disappearance of the 43 students from Ayotzinapa, the parents of the students have asked the President Enrique Peña Nieto to ask for the collaboration of the United Nations (UN) and the creation of an International Commission against Impunity in Mexico (CICIM), following the example of Guatemala's CICIG. According to the parents, an international commission would be fundamental to overcome the gravest impunity crisis, corruption and human rights that the country is facing."

GUILLERMO TREJO (2015).

"We dare to change the content of some public policies, but not the major problem of low quality of Mexican democracy: impunity"

LUIS CARLOS UGALDE (2014).

"In a country of impunities, half-punishment also means impunity"

ALFONSO ZÁRATE (2015).

"And while it is true, as the report mentions, that this is not a problem that surged with the current government, it is time to correct this serious problem because impunity is, without a doubt, the main cause of criminality and corruption seriously affecting our country"

LEO ZUCKERMANN (2015).

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