Continuous Yet contentious: United Nations Agencies Roles and Mexico's Adoption of Women's Rights Protection Against Femicides (2018-2022)

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Abstract

In Mexico, violence against women remains a serious issue, especially femicide, which has occurred for decades. This paper aims to explore the UN's agencies' contribution to promoting the protection of human rights through collective action to address sexual and gender-based violence in Mexico. It mainly asks how the UN's agency attempted to sustain the international moral standard of women's rights in Mexico amidst the alarming femicide crisis in this country. This paper is designed as qualitative research by applying a descriptive approach and using data from academic literature, reports, official websites, and newspaper publications. The analysts seek to argue that international organizations, the UN – through its agencies, the OHCHR, and UN Women – have demonstrated their role as a forum to accommodate Mexican civil society organizations to address the challenges in their advocacies towards the victims of sexual and gender-based violence in Mexico.

Keywords: Gender-Based Violence, Femicide, Mexico, International Organization, Role, gender equality

Abstrak

Di Meksiko, kekerasan terhadap perempuan masih menjadi isu yang sangat serius terutama femisida yang telah terjadi selama beberapa dekade. Tulisan ini bertujuan untuk mengeksplorasi kontribusi badan-badan PBB dalam mendorong perlindungan hak asasi manusia melalui tindakan kolektif untuk mengatasi kekerasan seksual dan berbasis gender di Meksiko. Tulisan ini hendak menjawab bagaimana badan PBB tersebut berupaya mempertahankan standar moral internasional mengenai hakhak perempuan di Meksiko di tengah krisis femicide yang mengkhawatirkan. Dirancang sebagai penelitian kualitatif dengan menerapkan pendekatan deskriptif, analisis dilakukan dengan menggunakan data yang berasal dari literatur akademis, laporan, situs resmi, dan publikasi surat kabar. Tulisan ini berargumentasi bahwa organisasi internasional, PBB — melalui badan-badannya— telah menunjukkan perannya untuk mengatasi tantangan dalam advokasi mereka terhadap korban kekerasan seksual dan gender. kekerasan berbasis di Meksiko.

Kata Kunci: Kekerasan Berbasis Gender, Femisida, Mexico,Organisasi Internasional, peran, kesetaraan gender.

Introduction

Intergovernmental organizations can be functional to help the states manage to solve global and domestic challenges through a multilateral cooperation framework and collective actions scheme. The international organizations claim to ensure that all countries are "...living up to the terms of their commitments..." to work in joint measurement to keep the pattern of their relations and cooperation stable (Saleh, Danwanzam, and Stephen 2019, 114).

How can international organizations consolidate their collective actions to overcome gender-based violence in sovereign countries with left-wing political regimes remaining in power? This question inspired this study that focuses on the alarming issue of gender-based violence and femicides in Mexico for decades. Violence against women in Mexico is a pressing concern, with Mexico being one of the countries that ratified the convention at the Copenhagen Conference Centre for the Elimination of Discrimination Against Women (CEDAW) in 1980 (United Nations Treaty Collection, n.d.). The backdrop of Mexico is relevant to enrich the scholarly discussion on the relations between intergovernmental organizations and the state's commitment to respond to global challenges, including sexual and gender-based acts of violence.

Mexico is known for high levels of violence, particularly in crimes such as drug trafficking and violence between armed groups. In Mexico, the state of Guanajuato had the highest number of homicide cases in 2018, with 3,290 cases of murder investigations, more than triple the state's total in 2017. Gang warfare occurred in Guanajuato as they competed to control the stolen fuel market. In addition, the country has increasingly unfriendly also become journalists. In 2018, nine journalists were killed in Mexico, making it the third worst country in the world for press freedom, according to Reporters Without Borders (RSF), a press freedom monitoring organization (Time, 2019).

Drug cartel activities continued to hinder Mexico's efforts, leading to crimes such as theft, kidnapping, and murder along the US-Mexico border (Camacho, 2005). Women face risks such

as kidnapping, murder, and exposure to the illegal drug supply chain due to cargo theft and possible infiltration of delivery operations (Ceniceros, 2011).

According to research (Puyana et al., 2017), the use of violence by drug cartels in Mexico can create sustained trauma for the victims, their families, and society and worsen gender inequality. Besides being victims, women in Mexico are also forced to use drugs and become drug mules through violence (Lopez, 2019). Drug cartels play a role in increasing the number of femicides in Mexico, particularly through acts of violence such as torture and mutilation against female victims (Mendez and Shirk, 2015). According to Giacomell (2020), incidents of violence against women in Mexico have increased in the years leading up to 2019. These incidents can be attributed to drug trafficking cartels, which have a significant influence on Mexico's social, economic, and political environment. Drug cartels frequently use sexual violence and human trafficking as part of their strategy to maintain control and expand their areas of dominance (UNODC, n.d.). Women are often forced into prostitution or other forms of sexual exploitation by these cartels, with many being kidnapped or forced to do so (UNODC, 2018).

The authors figured out that the present literature pays attention to gender-based violence and femicide in Mexico by addressing auestions regarding its sociopolitical implications (Gaspar, de Alba, and Guzman 2010; Cortes-Martinez 2019) and the roots of the problems from sociological and cultural lenses (Morena 2020; Lopez 2019). On the other hand, research publications that emphasized the role of international actors through a multilateral framework in cooperation with the legitimate government under the administration of President Andres Manuel Lopez Obrador or AMLO remain lacking. This study aims to narrow this gap.

Thus, this study asked whether international organizations worked with the Mexican government to accelerate the moral standard of women's rights in Mexico. The next question remains whether such long-standing efforts continue in the AMLO's administration.

Specifically, it seeks to describe in what ways the populist AMLO's leadership could adopt and sustain international moral standards of women's rights to eradicate gender-based violence and femicide in Mexico.

This study refers to the theory of morality in and Archer's explanation international organization theory. The analysts argued that the UN, through its technical bodies - the OHCHR and UN Women - has managed to accomplish its functionality in strengthening moral standards of women's rights protection in Mexico. The analysts also figured out that within the AMLO's administration, there might be urgent decisions to prioritize morality when dealing with the alarming rates of femicide and other forms of gender-based violence in Mexico. However, the rising popularity of the current Mexican president – affiliated with the left-wing party - is critical to our analysis. Then, the authors bring up a core question: how did the intergovernmental organization aim to be functional in conducting its policy intervention in Mexico during the leadership of the presidential administration of Andrés Manuel López Obrador (AMLO)? The rise of AMLO has formed a more critical frame for the understanding of gender-based acts of violence, given the contested power relations between the intergovernmental government and the organization (Cortes-Martinez 2019).

Theoretical Framework and Research Method

1. Morality

To begin with, the authors argued that understanding discursive practices of protecting women's rights and eliminating acts of violence against women should be framed within the context of international morality in international relations. Standards in morality refer to classical liberalism perceiving that states' foreign policy must be coherent with the doctrine of the harmony of interests and ethical factors of human life. Ethical consideration asks for formulating codes of conduct regulating the relations between the states and the nations based on morality.

The incorporation of morality in international relations is doubted by realism. This perspective believes that moralizing international politics is an old habit where the states experienced dilemmas over ethical consideration and coercive power to secure their nations. Eventually, setting moral standards of human life remains inferior due to the asymmetric power relations between states (Thakur, 2016; Wattanayakorn, 2021).

Despite this, international organizations came to rebut the realist point of view. Establishing international organizations annihilates the skeptical voices as more pressures endorse the need to institutionalize global moral and ethical standards. It becomes crucial to dive deeper into the current efforts of international organizations. International organizations' main challenge is ascertaining whether the member states can consolidate with the other internal political actors to establish their internal ethical structure. The domestic institutions should be coherent with the adopted international ethical practices (Frost, 2008).

2. International organizations

International organizations are formed based on law or human tradition, which can be exchanged in trade, diplomacy, and conferences (Archer, 2001, 2). In general, Archer's theory discusses how structures and agencies (actors) interact with each other in a society. This study limits the definition of international organization international organization an membership is "...closely associated with that of the sovereign state... which are interstate or intergovernmental...which are the subjects of international law... (Archer 2001, 34-37)". International organizations have three main roles, which will be discussed in the following sections.

As an instrument, their members consider the first role of international organizations to be an opportunity to achieve their respective goals under their foreign policy. The attainment of a collective decision depends on the agreement of all members. The internal process remains dynamic as the member states are involved in heated debates to persuade, encounter, or lead on the initiatives of particular political goals and

specific collective behaviors. Thus, the presence international organizations instrumentalist. It is, however, subject to the dominant view and the powerful interest within its organizational structure. Those with more powerful sources to endorse its political agency may also determine the internal structure and bureaucratic procedure. The efforts international organizations remain fluctuated as it is sometimes akin to "...the superpower rivalry that threatened to kill or maim them... (Katzenstein, Keohane, and Krasner 1998, 650)".

The second role of international organizations is to provide its members an arena or forum facilitating discursive and information exchanges toward consensus and agreements (Archer, 2001). The scope of discussion in its regular forums covers global issues and domestic problems. It urgently expects the participation of international communities to assist the respective countries. In this arena, the other members are also allowed to express their disagreement and dissatisfaction in ways that dismantle the other states' internal policies that they consider irrelevant to the foundations and universal principles applied organization (Archer international 2001). International organizations could be selective about their under-specific issues. For instance, in the aftermath of WW II, the United Nations resembled the League of Nations for promoting peace to the weaker sovereign states. In this forum, the members attempt to initiate institutional arrangements and exchange strategic information. The powerful states demonstrate their impactful behaviors to "...alter strategic options in ways that skew payoffs in some cases by unilaterally changing their policies" (Katzenstein, Keohane, and Krasner 1998, 673).

As its third main role, international organizations can also become independent political actors. The international organization could display its political agency and maneuvers when crises emerge. In this vein, it is likely for the international organization to perform its institutional strength by making "...their own decisions" and being able to "...act contrary to the wishes of some members..." and affect the

international system collectively and individually in ways of proactively contributing to the improvement of "...the weaker sovereign states..." and persuading some members whose different political stances(Archer 2001, 79–80).

Regarding the abovementioned description, it remains crucial to ask what role international organizations play and how they become functional. Can intergovernmental organization become an independent actor that aims to lead the political agenda of one state's domestic affairs? These questions became the main departing point of our analysis about the presence of gender-based violence and femicide in Mexico that has lasted for decades. This analysis explores how international organizations remain functional to perform their main roles as strategic agencies.

3. Defining gender-based violence and femicide

Gender-based violence encompasses various types of violence stemming from gender disparities where women are more vulnerable to experiencing it than men (UN Women, 2022). of gender-based violence include physical, sexual, psychological, economic, and gender discrimination in policies and social practices. It constitutes a grave breach of human rights and harms individual families' communities, and the nation. Gender-based violence encompasses femicide, which denotes the killing of women resulting from genderrelated factors, thereby highlighting gender inequity within a society where women are vulnerable to experiencing violence and discrimination that can lead to murder.

Femicide is an act of killing motivated by various factors such as sexism, disrespect, self-pleasure, or the need to conform to social norms (Radford, 1994). Men against women often perpetrate this type of violence, and it reflects the deeply ingrained gender inequalities and systemic discrimination that still exist in many societies around the world. Femicide is not the same as homicide in general. It is influenced by various factors such as social conditions, women's identities, and economic, social, and cultural backgrounds (Messerschmidt, 2017).

4. Method

Designed as qualitative research, collecting data began by accessing secondary sources such as journal articles, e-books, and unpublished theses from search engines such as Google Scholar. The next step of data collection continued to confirm the originality of this study by analyzing the working papers, press releases, and annual reports particularly provided on the OHCHR website. The narration of this study is descriptive and merely centered on exploring the UN's institutions, such as the OHCHR, in conducting collective actions in Mexico under AMLO's presidential leadership.

The selection of the time frame is based on the increased rate of violence targeting Mexican women. The Mexican government has launched large-scale military and police operations, such as Operation Jalisco from 2005 to 2021, Operation Zócalo in 2018, and Operation Michoacán in 2021 (Infobae, 2020-2021). The objectives of these operations are to eliminate drug cartels and prioritize the protection of women's rights and the empowerment of local communities in combating violence and cartel influence. However, human rights violations, including sexual violence against women, often occur during these operations. In 2019, they found 95 killings a day, worsening to 34.582 homicides registered in Mexico (BBC News, 2020). The number of femicides kept increasing until 2020 when it remained one of the highest records of femicide during AMLO's leadership.

Result and Explanation

The analysis will be divided into two sections. In the first section, the authors identified the roles the UN and its agencies demonstrated in strengthening the moral standards of women's rights in Mexico. The second section will elucidate how the present populist president, AMLO, continuously adheres to the multilateral frameworks and the protection of women's rights relevant to his foreign policies.

1. Tracking international moral standards of women's right protection in Mexico (2018-2022)

In 1975, in supporting the United Nations's first appearance to take the issues of women's rights into account seriously, Mexico was the host country that facilitated an international conference "explicitly devoted to the second sex...[that] opened a new chapter in the history of development..." in the UN (Bessis, 2003: 633). The international communities applauded Mexico's initiative to represent the global South to proactively participate in the global initiative to set up international human rights standards.

The OHCHR-Mexico is one of the UN's technical units working to accelerate the promotion and protection of human rights in Mexico. This research found that OHCHR in Mexico has been going on for over twenty years. According to the narratives outlined in its official website, the locus of its institutional function proves mainly in ways of "...monitoring..." recent circumstances of human rights protection in Mexico, providing assistance in technical support and expert advisory based on the request of the Mexican state; collaboration with the grassroots including civil society organizations and the victims' advocacy movement; and outreach disseminate public knowledge and general information current human rights on development (Office of the High Commissioner of Human Rights, 2020).

Starting in 2002, the OHCHR has attempted to initiate the function of the United Nations to generate assistance to the host country. It claims to strengthen the Mexican institutions of moral standards through consultancy and capacity-building programs that have taken place for decades.

Despite this, analysts have explored that the present efforts remain inadequate since the elected president AMLO came into power in 2018. Many suggested that more effort should have been spent on coordination and consultancy sessions between Mexico's national government and the United Nations agencies.

One OHCHR's advisory meeting in 2018 has provided consultancy mechanisms to address gender-based violence in Mexico and other Latin American countries. The interstate consultations aimed to formulate litigation strategies. Based on a workshop report by the OHCHR published

in 2019, this agency has clarified its functionality in its operationalization to help the victims of sexual and gender-based violence in Mexico.s It has been noted that: "...strategic SGBV litigation is an important tool to address the structural obstacles that survivors face...(Office of the United Nations High Commissioner for Human Rights, 2019: 1)"

The litigation centered on formulating tactical shape coordination strategies to collaboration, strategies of communication and and financial sources. advocacy. The coordination and advocacy framework within this forum was victims-centered in nature. The participants consisted of representatives from civil society organizations, which were the main partners of the UN agencies to communicate with the survivors. While the forum was being held, the UN officers admitted that the participants had simultaneously emphasized the moral standards in protecting women's rights. Ethical consideration was paramount to this coordination meeting, which catapulted the consent from the participants (feminist activists and the survivors). The UN committees also put on the table its guarantees that the consultation and coordination session would be based on granted autonomy, self-empowerment, and "... the recognition, promotion, and protection of their rights (Office of the United Nations High Commissioner for Human Rights, 2019: 2)".

Consulting the advocacy and strategic litigation, the participants unveiled that civil society organizations have persuaded the Mexican government. As a result, it has reached partial modification of the Code of Military Justice in 2014. Within this modification, the government, along with civil society organizations at large, can strengthen the structural commitment to impose regulations applied for those military personnel committed to human rights violations against civilians. Later, the report documented that: "As a result of this decision and the sustained perseverance of Ms Rosendo Cantú and civil society's advocacy and strategic SGBV litigation, in 2014, Mexico partially modified the Code of Military Justice, establishing that human rights violations committed by the military against civilians should be investigated in civil/ ordinary courts,

and four years later sentenced the perpetrators, as explained above (Office of the United Nations High Commissioner for Human Rights, 2019: 6)".

Despite this achievement, the OHCHR, through this forum, indicated that participants were somewhat disappointed with the half-hearted realization of this code of conduct. The elected president AMLO has widened the presence of structural challenges in the advocacy towards the survivors of sexual and gender-based violence in Mexico. In response to the dramatic increase of women being killed in 2019, a series of demonstrations were held by feminist movements and Mexican women's organizations, which remain unaffiliated with global feminist networks (Amnesty International, 2021). Unfortunately, the demonstration turned out to be a violent clash between Mexican police officers and civil society organizations (Philipps, 2020). As a result, the feminist political activists and their political protests were viewed as violent. The police officers were also likely to perform discriminatory and gender-biased in ways of violently responding to the protesters(Amnesty International, 2021).

United Nations and its sub-agencies working in Mexico have initiated some efforts to ascertain the moral standards that should be important to protecting women's rights. According to a recent study, inadequacy to protect women's rights and prevent further increase of victimizing women should be solved as "...prescribed by international and regional organizations and their conventions, to which Mexico commits..." (Zhukova et al., 2022: 211).

With the interagency programs, the OHCHR, in tandem with other UN agencies such as UN Women and UNDP, has partially implemented its roles to facilitate Mexican civil society organizations through advisory forums to shape their advocacies towards the victims of gender-based violence and femicide.

In a broader scope, another UN agency – UN Women – prescribes the path of recovering gender equality realization worldwide. This agency highly concentrates on violence against women in the political arena. It produces wellmanaged guidance to direct the

operationalization of a multilateral cooperation framework, which highlights collaboration by intergovernmental organizations with other non-state actors. In the so-called "Guidance Note Preventing Violence against Women in Politics," UN Women establishes normative frameworks as a corridor to encapsulate the present femicides in the wider context of sexual violence against women.

Thus, one of the pillars picturing what sexual violence against women in politics should entail. This agency considers that physical violence assassinations, "...including kidnappings, beatings..." are potentially inclined to "...the intention to force women to resign or withdraw from political life...(UN Women, 2021: 4)". This guideline also mandates the prevention of sexual and gender-based violence against women must be listed in and prioritized as states' interest. national Among its policy recommendations, UN Women highlights legislative reforms that include adapting "...national law criminalizing violence against women" as a legal basis to guarantee the safety of the advocacy by women's organizations, ensuring the existing laws consistent with international and regional human rights standards; and last but not least, demanding the proposed legislative reforms must also contain "...adding penalties or sanctions for violence in elections, establishing security mandates..., and specifically stipulating codes of conduct..." on violence against women (UN Women, 2021: 11).

2. Continuity of international moral standards adoption to Mexican women's rights protection

Speaking of international moral standards of protecting women's rights, for instance, Mexico has realized "...the 1996 electoral reform..." to strongly apply gender quota law since 2002 (Piscopo, 2014: 90–91). Such a gender quota policy is expected to push down gender bias by male legislators in the Mexican parliament, especially when discussing women's interest proposals. Previous research found that in Mexican parliaments, female legislators have participated in providing bill passages. Their voices strengthened the women's interest bills to protect women's rights. However, the male

legislators' response was discriminative by discrediting their ideas. In an interview with a former leader of PRI, Piscopo highlighted the interviewee's unpleasant experiences. Piscopo further justified: "For example, a former PRI leader, recalling her work on an anti-sexual harassment bill, remembered how male legislators dismissed the idea: "I said to the men, do not be obnoxious, don't laugh at the women, take them seriously(Piscopo, 2014: 93)."

Supposedly, in theory, the present intergovernmental organizations could assist the national government in addressing various challenges (Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, 2012). Despite the present interagency forums held by the UN agency and the increased numbers of female legislators, the sexual and gender-based violence crisis remains rampant.

Representing women in the Mexican parliament should be critical to protect women's rights. However, Mexican female legislators must maintain their close relationship with party leaders. The legislators' policy preferences are dependent on the party's leadership as they may "...also sanction legislators for authoring women's interest bills...(Piscopo, 2014: 92)". This precondition seems to justify the urgency to explore internal political dynamics in eradicating sexual and gender-based violence waiving the international moral standards of women's rights protection.

The UN mandate written in the guidelines of UN Women demands reforming national legislation and applying sanctions on violence against women. Back then, in 2007, it remained the first time Mexico's Congress decided to adopt the Law on Women's Access to a Life Free of Violence. The law codifies the federal and state to coordinate their institutions to prevent and diminish sexual and gender-based violence against women (Acevedo, 2023).

The Mexican legal reform – as suggested by the UN agencies – leads to the improved participation of female politicians in parliament. Previous studies admitted that female legislators of the left-wing parties show more adaptability and consciousness to accommodate women's interests. However, it does not always lead to the policy implementation by the executive body.

Structural constraints are evident in national parliament, where male legislators and party leaders are subject to gender bias in favor of the female legislators' political preferences.

In addition, the UN has consistently given policy guidelines to Mexico's federal and state governments. In 2018, the UN clearly articulated various structural and institutional approaches through UNDP's program Spotlight Initiative of Mexico's section. In its report, the UNDP, however, has stated that there would be significant changes in "...the Executive and Legislative Powers at the Federal level...as a result of the elections of July 1, 2018..." that likely led to the reshuffle of the party in charge in Mexico's presidency (United Nations, 2021: 36).

This study suggests two main points: whether the international moral standards of women's rights as a multilateral framework will likely preserve political commitment in the newly elected Mexican president. Firstly, AMLO's political commitment to protecting women's rights remains indecisive. Secondly, the performance of AMLO's presidency justifies the lack of a structural approach to continue the empowerment of civil society organizations' advocacies against sexual and gender-based violence against women.

President AMLO seems to perform a selective advocacy program that favors his populist political stand. Several months after the 2018 elections, it was reported that the newly elected president proclaimed a controversial statement, saying his leadership could mark the end of neo-liberalism (Bertelsmann Stiftung, 2022). On the contrary, AMLO has cut funding to the national electoral body, which could trigger a lack of electoral transparency and create political polarization. Electoral transparency remains one of the critical parts stated in the strategic litigation approach by the UN's agencies to ensure justice and security guarantee for female politicians from violence against women in politics. Regarding national security, unlike the previous regimes, AMLO also glorified the absence of military forces to counter illegal drug activities and homicides. On the contrary, it turned another way around, which allows military personnel and coercive

approaches to be present, as stated in a recent report: "AMLO vowed to reduce the army's involvement in the fight against drugs and illegal activities, but he has done the opposite and the army has been strengthened, representing a future threat to democracy (Bertelsmann Stiftung, 2022: 6)".

One may note it could trigger security implications as "there were 24,807 homicides in Mexico in 2020, 3.9% more than in 2019 (ibid.)". Besides, from 2018 to 2020, this study figures out that feminist movements hugely demanded and pressured AMLO's political commitment to declare femicide emergencies, especially with the COVID-19 pandemic. Instead of recalling and formulating specific policies, with adherence to the international standards of women's rights, responding to this circumstance, AMLO seems to be ignorant of the advocacy networks and managed to blame the feminist movement for becoming manipulative (Bertelsmann Stiftung, 2022).

Nevertheless, regarding gender equality discourse, the authors endorsed that AMLO's administration prioritizes shaping the Executive body. AMLO's feminist foreign incorporating more female diplomats international diplomatic forums marks Mexico as the first country of Latin America and the Global South that aims for more women in the foreign policy arena. This administration manages to follow up the advance of Mexico's feminist foreign policy in international narrative and multilateral forums by manufacturing national policy frameworks to support the realization of women, peace, and security agenda (Wajner and Wehner, 2023).

Conclusion

To sum up, the analysts conclude that there are several critical points to shape the understanding of the national adoption of international moral standards of Mexican women's rights protection held by international organizations. The first point indicates that the UN and its agencies will likely perform interagency programs to strengthen civil society organizations' advocacy approaches institutionally. The second point is that the UN has demonstrated its multilateral framework by

continuously displaying its main roles as an arena, an instrument, and an actor. The third point endorses that in the realization of this functionality, the presidential administration and the internal political dynamic can strategically undermine and terminate the advanced realization of international moral standards of women's rights protection against sexual and gender-based violence. As shown in AMLO's administration, the implication of shifted political interests domestically leads to the lack of international policy intervention through multilateral frameworks.

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