

## INNOVATION AND HOPE: THE RIGHT TO THE CITY IN MEXICO CITY'S NEW GOVERNMENT (2018–2024)

---

**Jaime Morales**

*Undersecretary for Human Rights, Secretariat for Inclusion and Social Welfare, Government of Mexico City*

While in Europe the right to the city grew out of deep intellectual debates, in Latin America, and especially Mexico, its roots lie in historical student struggles, in the poverty of working-class neighbourhoods and in anti-establishment slogans demanding more social participation and democracy.

Many of the elements that formed the Mexico City we know today – as a space of solidarity and resilience – were consolidated following the painful events of 1968, which remain in our collective memory. The 1968 movement was more than a student movement. A frustration was released that had built up over many years in the working class, in the teachers' and railway workers' movement, and in many families and groups of people who demanded an end to police repression and freedom for the political prisoners of the regime in power at the time. 1968 was the year Mexican society demanded the right to protest and to occupy public space as a means of resisting the oppression and despotic power of an authoritarian government.

That year was also the culmination of a turbulent decade in various parts of the world, the product of protests by a generation that refused to perpetuate inherited and imposed patterns. It was also the year Henri Lefebvre published the first volume of *Le droit à la ville*, a milestone in the history of human rights. In that book, the French philosopher and sociologist reflected on the unease that incessantly plagued the minds of the era and which emanated from the exhausting conditions the prevailing economic system imposed on cities. Fifty years on from that historic year, the meaning of the right to Mexico City has been symbolically updated, evolving simultaneously in two directions at once. The first was the consolidation of the right at international level and its consequent incorporation into local regulations around the world. The second occurred when local initiatives claimed this right, leading to its incorporation into the Political Constitution of Mexico City (CPCM in its Spanish initials) and the government plan of Dr Claudia Sheinbaum Pardo, the current mayor.

In Mexico, the right to the city is rooted in historical student struggles and in the poverty of working-class neighbourhoods.

## I. The first steps towards claiming the right to the city in Mexico City

Fifty years on from the 1968 movement, the meaning of the right to the city in Mexico City has been symbolically updated.

The Mexican capital took its first decisive step towards the right to the city in 2007, when several organisations from the urban popular movement agreed with the authorities to draft the Mexico City Charter for the Right to the City.

The path to building democracy in Mexico City has been long and full of ups and downs. Its peaks have been iconic moments such as the people's organised response to the emergency that followed the 1985 earthquake, which represents the rise of Mexican civil society (Monsiváis, 2010: 51). Following representative victories, such as the first democratically elected head of city government in 1997, and rights being recognised that were not in the rest of the country, the Mexican capital took its first decisive step towards the right to the city in 2007, when several organisations from the urban popular movement agreed with the authorities to draft the Mexico City Charter for the Right to the City.

This document, whose foundations are in solidarity, non-discrimination, gender equity and cooperation between peoples, was a "social response, counter to the city-as-merchandise, and as expression of the collective interest" (Comité Promotor, 2010: 4). For the first time in our country, the charter proposed a definition, agreed between the government and civil society, of the right to the city. It understands it to be:

... the equitable usufruct of cities within the principles of sustainability, democracy, equity, and social justice. It is a collective right of the inhabitants of cities that gives them legitimacy of action and organisation, based on respect for their differences, expressions and cultural practices, with the aim of achieving the full exercise of the right to self-determination and at an adequate level of life (Comité Promotor, 2010: 7).

The charter recognises all people who inhabit or travel through Mexico City as rightsholders for whom all the authorities, servants and public servants of what was then called the Federal District are responsible. The document brings together the main human rights demands of the capital's civil society, outlining the steps towards achieving a city that is:

1. Inclusive
2. Democratic
3. Sustainable
4. Productive
5. Educational
6. Livable

(Comité Promotor, 2010: 13).

This joint effort envisioned the political reform that materialised in 2017, aimed at guaranteeing citizenship rights and reinforcing "the Delegations as autonomous entities co-responsible for guaranteeing the development and fulfillment of rights in the city" (Comité Promotor, 2010: 8).

It should be noted that many of the principles outlined in this first document served as a reference for the drafting and promulgation of the new CPCM, and were also taken up again in the principles and propositions presented by the new mayor. We will examine this issue in more detail later on.

## II. The right to the city in the Political Constitution of Mexico City

Mexico City has a long democratic history, characterised by numerous social movements that play a crucial role when seeking testimony on truth, justice and memory. The capital of the republic has been a stronghold of the human rights struggle in the country, and historic demands first made here have gone on to be promoted in other states. Major achievements such as the recognition of the universal right to family life (including LGBT parenting), and women's right to decide over their own body using legal pregnancy termination were made in Mexico City first, setting a defence and enforceability precedent for the future. But despite these advances, the relationship binding the city to the federal government significantly diminished its autonomy. In contrast to the country's other states, many of its decisions – on budgets, security and other areas – were subordinated to the federal executive and legislative powers.

The process of transforming Mexico City began on January 29<sup>th</sup> 2016 when a decree containing reforms to the Political Constitution of the United Mexican States (CPEUM, in its Spanish initials) was published, which renamed what was previously the Federal District and allowed the city to administer its own security and justice systems, which were previously directly linked to the federal executive branch.

Mexico City's political reform peaked on February 5<sup>th</sup> 2017, with the issuing of its own constitution, even while priority issues remained pending on the different regulatory tasks of the local and federal legislative powers. The enactment of the city's Magna Carta represents an important paradigm shift, as it was the first in the country to recognise sexual and reproductive rights, rights to science and technological innovation, to care, to a dignified life and to sustainable development. And, among many others, it recognised the right to the city. The most recent step our city has taken towards democratic consolidation is, undoubtedly, the election of Claudia Sheinbaum as mayor for the 2018–2024 term. A precedent has been set in which the citizens of the capital participate in elections with a constitution of their own, and for the first time democratically elected a woman. It should be noted that it was also the first time a candidate from the newly created National Regeneration Movement (Morena) had been elected, displacing the party that had ruled the body since the first elections were held in 1997.

The new government entered office undertaking to comply with the principles of the first Political Constitution of Mexico City. That text recognises that certain groups require priority attention because they face discrimination, exclusion, mistreatment, abuse, violence and major obstacles to the full exercise of their fundamental rights and freedoms due to structural inequality. Those groups are women; girls, boys and adolescents; the elderly; the LGBTTTI community (lesbian, gay, bisexual, transsexual, transgender, transvestite and intersex people); migrants; people of indigenous identity; people living on the street; and people with disabilities, among others.

Our Magna Carta thereby claims the right to difference in the urban sphere and respect for the dignity every person deserves from the state

The political reform of 2017 aimed at guaranteeing citizenship rights and reinforcing the Delegations as autonomous entities.

Mexico City has a long democratic history, characterised by numerous social movements.

The enactment of the city's Magna Carta represents an important paradigm shift.

Our Magna Carta claims the right to difference in the urban sphere.

and society, regardless of context, characteristics, creed or ideals. In this regard, the new mayor has been given the task of substantially modifying the city's state architecture, creating new secretariats and agencies whose main objective is to generate public policies that guarantee the rights already recognised by our legal framework.

In addition to the above, the CPCM took another fundamental step to support those who inhabit and travel through Mexico City, recognising the right to the city, which the capital's society had been promoting since 2007. According to the CPCM, this right:

(...) consists of the full and equitable use and usufruct of the city, founded on principles of social justice, democracy, participation, equality, sustainability, respect for cultural diversity, nature and the environment.

The right to the city is a collective right that guarantees the full exercise of human rights, the social function of the city, its democratic management and ensures territorial justice, social inclusion and the equitable distribution of public goods with the participation of citizens (Mexico City, 2017: 46).

Thus, progress was also made towards the ideals of the United Nations' New Urban Agenda, which advocates the construction of inclusive cities, all of whose inhabitants, "of present and future generations, without discrimination of any kind, are able to inhabit and produce just, safe, healthy, accessible, affordable, resilient and sustainable cities and human settlements to foster prosperity and quality of life for all" (UN-HABITAT, 2016: 5). In addition, the CPCM's articles are ordered according to the ideal of building a city of guarantees, freedom and rights that is democratic, educational and knowledge-based, supportive, productive, inclusive, habitable, safe and that recognises the intercultural, multiethnic, multilingual and multicultural nature of its people.

### III. The right to the city in Claudia Sheinbaum Pardo's government plan

Although Mexico City's legal framework on human rights issues is highly advanced, serious violations and obstacles systematically continue to occur. The country's political, economic, social and cultural centre is still a place where a woman's right to a life free of violence is constantly violated, where discrimination against the LGBTTTI population is manifested through hate crimes and the denial of services, where the inequalities that harm people living on the street are far from being eradicated, where people with disabilities are still waiting to see their right to mobility 100% respected and where the ambition to end discrimination against indigenous people once and for all remains.

As our government plan says:

Mexico City faces increasing challenges today in providing its services, extending the human and social rights of its inhabitants and preserving its natural resources and the environment (Sheinbaum Pardo, 2018: 2).

In this regard, alongside her collaborators, Claudia Sheinbaum Pardo has set out a city project whose guiding principles are open government, sustainability, innovation, honesty and equality. This project has twelve pillars:

1. Open government
2. Security
3. Water
4. Risk management
5. Sustainable economic development
6. Public space
7. Mobility
8. Culture
9. Human rights and equity
10. Equality and inclusion
11. Education and sport
12. Ethnic diversity.

Based on the ideal embodied in the Mexico City Charter for the Right to the City, below we present measures proposed and achieved by Dr Claudia Sheinbaum and her team of women and men who strive every day to build spaces that are respectful and guarantee human rights for all people. In line with the tone of the international seminar “The right to the city, the right to difference: Methods and strategies for local implementation”, we emphasise the construction of a city free from discrimination, where those who inhabit it and travel through it, with their multiple opinions, beliefs and identities can find “the conditions necessary for the exercise of their political, economic, social, cultural, and environmental rights, assuming the duty of solidarity” (Comité Promotor, 2010: 11).

#### IV. Towards an inclusive city

According to the National Survey on Discrimination 2017 (INEGI, 2017),<sup>1</sup> 23.7% of the inhabitants of Mexico City have suffered discrimination, mainly because of their appearance, age or religion. The data from the Second Survey on Discrimination in Mexico City (COPRED, 2017)<sup>2</sup> reports that the most discriminated against people are: members of indigenous groups and communities, gay men, people with brown skin, people with lower socioeconomic levels and people who speak a language other than Spanish (mainly indigenous languages).

This demographic exercise reveals that discrimination is associated with the following ideas: “there is no respect”, inequality, abuse, humiliation and racism. The most frequently cited causes of discrimination are skin colour, sexual orientation, educational level, dress, economic status and advanced age.

Women in our city face serious day-to-day inequality problems: from obstacles to their sexual and reproductive rights to violations of their right to a life free of violence. LGBTTTI people also continue to face persistent issues. Although important demands have been achieved, numerous hate crimes continue to occur in the country and the city, as well as the transgender population facing various obstacles to the recognition of

The Constitution took another fundamental step to support those who inhabit and travel through Mexico City, recognising the right to the city.

Although Mexico City’s legal framework on human rights issues is highly advanced, serious violations and obstacles systematically continue to occur.

1. *Encuesta Nacional sobre Discriminación 2017* (INEGI, 2017).

2. *Encuesta sobre Discriminación en la Ciudad de México 2017* (COPRED, 2017a).

To promote diversity is one of the objectives of Claudia Sheinbaum's government.

23.7% of the inhabitants of Mexico City have suffered discrimination.

their identity. People with disabilities remain a long way from seeing their city become accessible, while indigenous people are marginalised day after day. People living on the street, meanwhile, continue to suffer from being denied their rights to employment and health.

In order to strengthen gender equality, inclusion and equity, the mayor has proposed a series of actions, many of which have already begun to be implemented (Sheinbaum, 2018). Recently, along with her team, Dr Sheinbaum recognised these in her progress report, the *Primer Informe de Gobierno: Diciembre 2018–Septiembre 2019* (Sheinbaum, 2019). Below, I highlight some that relate to the spirit of the Mexico City Charter for the Right to the City, with emphasis on groups that should be given priority attention.

Nine months since our government took office, we have implemented various participatory democracy and accountability mechanisms, such as the digital participation platform Plaza Pública, on which the 2019–2020 government programme was discussed and through which citizens participated in the Reconstruction Commission that emerged from the earthquake that shook the city on September 19th 2017. With respect to indigenous peoples, we are starting out on the path towards ensuring that they are heard in the public decisions that concern them. Hence, for the first time in our history, an indigenous people, in this case the population of San Miguel Topilejo in Tlalpan, were consulted on whether or not to proceed with the construction of a general hospital.

This administration has recognised that urban development aimed at generating private profits has bequeathed us a city with great social and territorial inequalities (Sheinbaum Pardo, 2019: 127). In this regard, we are fighting the practices and corruption that allowed real estate developments to break land use rules to produce housing accessible only to high-income populations while displacing the original inhabitants, in the process known as gentrification. On the other hand, the Urban Regeneration and Inclusive Housing Programme was launched,<sup>3</sup> which promotes the construction of decent, well-located housing, increasing the supply available for middle and low-income groups while respecting standards that do not harm the environment. Alongside these private developments, the government is making public investment in infrastructure, public space and mobility to guarantee a decent way of life for the inhabitants of these newly developed spaces.

To reverse the damage to the environment, the Environmental and Climate Change Programme was presented<sup>4</sup>. Its goals are to rehabilitate and expand green areas, rescue rivers and bodies of water, promote sustainable water management, make better use of solid waste, move towards an integrated and sustainable mobility system, improve air quality, and promote alternative sources of clean energy (Sheinbaum Pardo, 2019).

A range of measures have been implemented in the fields of non-discrimination and priority care groups, and only a few can be mentioned here. To combat gender-based violence and inequality, we launched an Immediate Action Plan for Attention to Violence against Women,<sup>5</sup> as well as measures designed for medium and long-term impact, such as

3. Programa de Regeneración Urbana y Vivienda Incluyente.

4. Programa Ambiental y de Cambio Climático.

5. Plan de Acción Inmediata de Atención a la Violencia contra las Mujeres.

women's civic networks to help the enforcement and exercise of their human rights. Examples include the Indigenous Women's Mutual Support Network<sup>6</sup>, which receives training in family and community security, and the Women's Lawyers Network<sup>7</sup>, which provides legal advice to women who have been victims of gender-based violence. Action to combat this type of violence must focus above all on those who perpetrate it, so we have generated campaigns and spaces such as the Youth Network for Peace and Non-Violence<sup>8</sup>, where young men can take action and engage to support gender equality. Of course this is accompanied by a series of measures that work more deeply to combat impunity and ensure access to justice.

Other anti-discrimination measures worth highlighting are:

- The creation of the first Mexican Sign Language Academy.<sup>9</sup>
- The creation of the Comprehensive Protection System for Girls, Children and Adolescents.<sup>10</sup>
- The implementation of the Action Plan against Racism, Discrimination and Xenophobia.<sup>11</sup>
- The creation of the Human Rights and Sexual Diversity Council in the 16 municipalities.<sup>12</sup>
- The launch of a telephone line for sexual diversity through the Locatel system, to provide support with a focus on human rights, non-discrimination and the recognition of diversity.
- Daily, free medical care and food are provided to 2,100 homeless people at Social Integration and Assistance Centres.<sup>13</sup>
- Our city has also adopted measures that focus on migrants, based on the principles of hospitality, solidarity, interculturality and inclusion, ensuring access to water, providing shelters, food assistance and medical care.

## V. Mexico City in the days to come

Over the next few years, Mexico City will face great challenges that cannot be postponed. We must achieve adequate water management, protect conservation areas and improve air quality; the rights of indigenous peoples and communities must be defended, while working towards gender equity, eradicating discrimination and recovering public spaces. In summary, we must strive to build a space that is supportive, democratic, sustainable, productive and liveable. This administration will have to face these tasks and it will do so with enthusiasm and in the spirit of full respect for human dignity.

The right to the city is not merely a guide for us, it is a commitment. Our responsibility lies with Mexico City's present and future inhabitants, and with the full exercise of their human rights. The social function of the city and its democratic management are two aspects that must be maintained during this administration. The right to the city, recognised in so many local instruments, is a beacon that constantly reminds us that we are working for a city where inclusion, territorial justice, equitable distribution of public goods, collective participation and solidarity form part of and are the consequence of the daily social struggle. Rights are therefore primary sources that record facts and give life to our environment: through them a living city is synthesised.

Women in our city face serious day-to-day inequality problems.

The right to the city is a beacon that constantly reminds us that we are working for an inclusive, just, equitable and democratic city.

6. Red de Apoyo Mutuo de Mujeres Indígenas.
7. Red de Abogadas de las Mujeres.
8. Red de Jóvenes por la Paz y la No Violencia.
9. Academia de Lengua de Señas Mexicana.
10. Sistema de Protección Integral de Niñas, Niños y Adolescentes.
11. Plan de Acción contra el Racismo, la Discriminación y la Xenofobia.
12. Consejo de Derechos Humanos y Diversidad Sexual.
13. Centros de Asistencia e Integración Social.

## References

COMITÉ PROMOTOR DE LA CARTA DE LA CIUDAD DE MÉXICO POR EL DERECHO A LA CIUDAD. *Mexico City Charter for the Right to the City*. Mexico, July 13th 2010 (online) [Accessed 09 October 2019] [http://www.hic-gs.org/content/Mexico\\_Charter\\_R2C\\_2010.pdf](http://www.hic-gs.org/content/Mexico_Charter_R2C_2010.pdf).

CONSEJO PARA PREVENIR Y ELIMINAR LA DISCRIMINACIÓN DE LA CIUDAD DE MÉXICO (COPRED). *Encuesta sobre Discriminación en la Ciudad de México 2017*. Mexico City, 2017a (online) [Accessed on 09 October 2019] <https://copred.cdmx.gob.mx/publicaciones/edis-2017>.

CONSEJO PARA PREVENIR Y ELIMINAR LA DISCRIMINACIÓN DE LA CIUDAD DE MÉXICO (COPRED). *Monografía sobre Personas en Situación de Calle*. Mexico City, 2017b (online) [Accessed 09 October 2019] <https://copred.cdmx.gob.mx/storage/app/uploads/public/5a1/ef8/35a/5a1ef835a79ba819774826.pdf>.

CONSEJO PARA PREVENIR Y ELIMINAR LA DISCRIMINACIÓN DE LA CIUDAD DE MÉXICO (COPRED). *Monografía sobre Personas Indígenas*. Mexico City, 2017c (online) [Accessed on 09 October 2019] <https://copred.cdmx.gob.mx/storage/app/uploads/public/5a1/efe/2d9/5a1efe2d9536d568189415.pdf>.

Instituto de Asistencia e Integración Social (IASIS). *Censo de Poblaciones Callejeras 2017*. Mexico City, 2017 (online) [Accessed 09 October 2019] [http://189.240.34.179/Transparencia\\_sedeso/wp-content/uploads/2017/Preliminares.pdf](http://189.240.34.179/Transparencia_sedeso/wp-content/uploads/2017/Preliminares.pdf).

INSTITUTO NACIONAL DE ESTADÍSTICA Y GEOGRAFÍA (INEGI). *Encuesta Nacional sobre Discriminación*. Mexico, 2017 (online) [Accessed 09 October 2019] <https://www.conapred.org.mx/index.php?contenido=pagina&id=604f>.

Mexico City. *Political Constitution of Mexico City*, 2017 (online) [Accessed 09 October 2019] [http://www.infodf.org.mx/documentospdf/constitucion\\_cdmx/Constitucion\\_%20Politica\\_CDMX.pdf](http://www.infodf.org.mx/documentospdf/constitucion_cdmx/Constitucion_%20Politica_CDMX.pdf).

Monsiváis, C. *No sin nosotros. Los días del terremoto 1985–2005*. Mexico City: Ediciones Era, 2010.

PROGRAMA DE DERECHOS HUMANOS DE LA CIUDAD DE MÉXICO. Official website (online) [Accessed 09 October 2019] <https://pdh.cdmx.gob.mx/>.

Secretaría de Gobernación. *Decreto por el que se declaran reformadas y derogadas diversas disposiciones de la Constitución Política de los Estados Unidos Mexicanos, en materia de la reforma política de la Ciudad de México*. Diario Oficial de la Federación. Mexico City, 29<sup>th</sup> January 2016 (online) [Accessed 09 October 2019] [https://www.dof.gob.mx/nota\\_detalle.php?codigo=5424043&fecha=29/01/2016](https://www.dof.gob.mx/nota_detalle.php?codigo=5424043&fecha=29/01/2016).

Sheinbaum Pardo, C. *Ciudad de México: Ciudad de la Innovación y la Esperanza*. Página Oficial de la Jefa de Gobierno Electa. Mexico City, 2018. (online) [Accessed 09 October 2019] [http://www.claudiasheinbaum.com/files/programa\\_gobierno.pdf](http://www.claudiasheinbaum.com/files/programa_gobierno.pdf).



Sheinbaum Pardo, C. *Primer Informe de Gobierno: Diciembre 2018-Septiembre 2019*, 2019 (online) [Accessed 09 October 2019] <https://primerinforme.cdmx.gob.mx/>.

UN-HABITAT, *New Urban Agenda*, United Nations Conference on Housing and Sustainable Urban Development (Habitat III), Quito, Ecuador. 20TH October 2016 (online) [Accessed 08 October 2019] <http://habitat3.org/wp-content/uploads/NUA-English.pdf>.

