

# Restorative Justice in Mexico: An Interconnected Approach for International Policy Alignment & Labor Redevelopment

## Foundation: Restorative Justice

### Trifecta Dynamic

- Restorative justice (RJ) is an alternative dispute resolution mechanism (ADR) that moves away from punitive measures and focuses on a trifecta of justice for victim support, offender reparations, and community healing.<sup>1</sup>
- RJ is associated with positive victim outcomes, lower rates of recidivism, increases in organizational transparency, and increased trust.<sup>2</sup>



### Globally-Differing Approaches

- Growing through the 1970s criminal justice system, RJ has only flourished in pockets of practices (education, activist communities, and multiple indigenous communities).<sup>3</sup>
- RJ is gaining popularity due, in part, to its alignment with bottom line benefitting international business practices including cosmopolitanism, humanistic care, change leadership, and global mindset development.<sup>4,5,6</sup>

## Alignment: International Policy Adoption

### Conventionality Control: Analyzing National Actions Against International Standards<sup>7</sup>

- As part of the larger reform movements starting in 2000, Mexico has moved towards RJ and ADR incorporation, and has connected this process into an 8-year long justice reformation that consolidated in 2016.<sup>8</sup>
- To accomplish these tasks, Mexico is adapting legislation to meet international standards such as aligning the Mexican National Human Rights Commission to meet the UN's Nelson Mandela Rules in 2015, and the issuing of the General Law on Alternative Dispute Resolution Mechanisms in 2024.<sup>9</sup> The law standardizes how ADR is processed through the country and is aimed at producing RJ results.
- Stated goals are to humanize the justice process, to align with international policies, and to increase leadership transparency.<sup>10</sup>

## Context & Connection: Labor Redevelopment

### Foundations for Worker Justice, Labor Reformation, & Land Identity

- The 1910 Mexican Revolution gave way for the simultaneous development of land reform and labor organization due to the interconnectedness of the pre-NAFTA major exports of agriculture products and oil – creating interconnected causes.<sup>11</sup>
- In 1936 unions began consolidation under the Confederation of Mexican Workers (CTM) which was closely tied to the Institutional Revolutionary Party (PRI) – both have suffered from corruption scandals decreasing the perception of trust.<sup>12</sup>

## Interconnected Elements



### Need for Change, Leadership Transparency, and Anti-Corruption Efforts

- CTM, with its large broad power, has been accused of silencing local groups and taking the side of companies and government officials instead representing union members. Some included unions operate on paper only, and function as *ghosts* that side to the benefit of NAFTA and the automotive industry, now Mexico's largest export field.<sup>13</sup>
- In 2019, the labor unit of the USMCA trade agreement was enacted, activating its Labor Rapid Response Mechanism to enhance organizational accountability through RJ and ADR, while promoting independent, democratic unions with reduced corruption and improved adherence to international policies.<sup>14</sup>

## Progress: Moving Forward

### Cultural Identity Fit & Room for Growth

- The UN has recognized that Mexico could use RJ practices coming from indigenous populations, including the Zapotec community, to intersect cultural practices with international policy alignment and increases in human/worker rights.<sup>15</sup>

- RJ anchors success in relationship building and community development, which aligns well with a collectivist culture that builds trust through relationship-based development.
- Cultural barriers to overcome include transitioning from nuanced, high-context communication to more transparent styles, as well as shifting hierarchical workplace dynamics toward egalitarian leadership and consensus-based decision-making.<sup>16</sup>
- Overall, a labor force with a history of cause intersectionality and an understanding of collectivist organizational development is well-suited to align local practices with international policies. Additionally, this workforce recognizes the need for increased transparency and decreased corruption, making it a prime candidate for the incorporation of RJ practices at a national level.

Barriers for Growth  
Closed Communication  
Hierarchical Leadership

Strengths for Growth  
Collectivist, Intersectional,  
Community Driven, Push for  
International Alignment,  
Labor Change Oriented

