

PARTNERING TO MAKE BUDGETS WORK FOR THE PEOPLE

Sonora Ciudadana – Mexico

Founded in 2005 and based in the Mexican state of Sonora, Sonora Ciudadana is a civil society organization that promotes human rights, transparency, and accountability at the local level. Over the last five years, Sonora Ciudadana has focused on democratizing state institutions by advocating for greater citizen participation in policy processes. Despite being a young organization, Sonora Ciudadana's technical and advocacy skills have made it an important resource organization for civil society work on access to information, transparency, and accountability at the local level. The organization has quickly developed its advocacy capacity to influence local institutions, including the State Congress of Sonora and government departments. In addition, Sonora Ciudadana has consolidated alliances with national organizations like Fundar-Center for Analysis and Research, with whom they share a common agenda of promoting good governance, human rights, and democratization.

Sonora Ciudadana Challenges Official Discrimination by State Employees' Health Insurance Program

The Mexican public health system is divided into a number of agencies and insurance systems that provide services to different sectors of the population. In the case of formally employed people, the Mexican Social Security Institute (IMSS) provides health services that are funded by a combination of state, employer, and employee contributions. A similar institution, ISSSTE, regulates health services for public employees. The actual operation of the systems varies by state, and in the case of Sonora, the State Employees' Health and Social Security Institute of Sonora (ISSSTESON) was established as the administrative unit.

In 2006 Sonora Ciudadana began to engage with access to health care issues using a rights-based approach. Their initial work focused on the analysis of health services delivered by ISSSTESON. During this time, the organization was approached by a long-time state employee, Mr. Abel Montenegro, who shared with them his experience as

a state employee trying to access health care through ISSSTESON. Because Mr. Montenegro suffers from a pre-existing medical condition, he and his entire family were denied access to ISSSTESON for a number of years. Mr. Montenegro's case indicated that ISSSTESON was

MEXICO
Open Budget Index 2010
Overall Score: 52
Government provides some information to the public on how it manages public resources.

Availability of budget documents critical for effective public input:	
Pre-Budget Statement	Yes
Executive's Budget Proposal	Yes
Citizens Budget	No
Enacted Budget	Yes
In-Year Reports	Yes
Mid-Year Review	No
Year-End Report	Yes
Audit Report	Yes
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discriminating against public employees who were not in perfect health at the time of affiliation.

The Government of Sonora paid 400,000 dollars...
For a dancer???



Yet they claim not having enough money to guarantee our right to health?

STOP DISCRIMINATION IN THE ISSSTESON NOW!

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Photo: Joaquin Cortés (Hired to dance in a local festival 2010)

Despite the fact that the Mexican Constitution and international conventions to which Mexico is a signatory clearly establish that all citizens have the right to health, Sonora Ciudadana was able to document the extent to which the ISSSTESON's discriminatory practices were denying health care to hundreds of public employees. These employees included police officers, teachers, and other low-wage workers who, given their limited income, need to access the public health care system. Sonora Ciudadana discovered that internal ISSSTESON regulations established a list of certain health conditions that can serve as a basis for denying health coverage. In addition, by using recent transparency and access to information laws, Sonora Ciudadana found out that over the previous seven years, more than 400 public employees and their families had been refused coverage by ISSSTESON due to such pre-existing health problems as hypertension or diabetes.

The internal regulations permitting discrimination in these cases, including that of Mr. Montenegro, were clearly unconstitutional. Therefore, Sonora Ciudadana joined forces with Fundar-Center for Analysis and Research to explore whether or not they could file a case to challenge these violations of public employees' right to health. Through a combination of access to information requests, budget inquiries, advocacy, and ultimately strategic litigation, Sonora Ciudadana eventually took Mr. Montenegro's case to Mexico's Supreme Court. After two years, the Supreme Court ruled that ISSSTESON's discriminatory practices were indeed unconstitutional. The court ordered ISSSTESON to immediately provide health insurance to Mr. Montenegro and his family, setting a precedent for future legal challenges to ISSSTESON and other social security institutes' discriminatory practices.

Winning Mr. Montenegro's case in the Supreme Court was an important first step toward changing how the social security institutes in Mexico determine whether or not to provide coverage to public employees. Despite the judgment and settlement, ISSSTESON's discriminatory clause continues to affect many employees in Sonora and in other states. It is still an uphill battle, especially now that ISSSTESON claims that they do not have enough funds to cover all of the public employees previously excluded from the system. As a next step, Sonora Ciudadana will seek to challenge this financial argument, documenting that current spending practices are inefficient and that providing health insurance to previously excluded workers is actually affordable.

Sonora Ciudadana's Participation in the Partnership Initiative

With Partnership Initiative support, Sonora Ciudadana will continue its right to health advocacy work by deepening its campaign to push ISSSTESON to eliminate the discriminatory clause that requires government employees to be in good health to qualify for coverage. In addition, Sonora Ciudadana will expand its health budget advocacy work to three other states where health care is provided to public employees by the Mexican Social Security Institute (IMSS), which also has a regulation that discriminates against people with pre-existing health conditions. To achieve this, Sonora Ciudadana proposes working jointly with local counterparts in these states and with Fundar at the national level to obtain information, conduct budget analysis and monitoring, and take individual cases to court. Sonora Ciudadana also will support the formation of citizens committees in each state, made up of public employees who have been discriminated against by government health care institutions. Sonora Ciudadana will guide and assist them in accessing relevant information, analyzing the budget, and conducting advocacy with relevant actors.

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The IBP's Partnership Initiative is a collaborative effort that seeks to enhance the impact of civil society budget work in selected countries of Africa, Asia, and Latin America. The initiative strives to contribute to the development of sustainable institutions; to increase public access to timely, reliable, and useful information; to enhance the effective participation of civil society in policy and budget processes; and to establish a platform of good practices on which future generations of civil society can build.