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Lessons From the Dissolution of Mexico's Information Commission

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ABSTRACT

A much-emulated information commission and a superstar within global transparency policy circles, Mexico's National Institute for Access to Information (the INAI) wielded practically unappealable decision-making power over public information across the entire Mexican federation. In November 2024, the populist Morena regime formally dissolved the INAI. Looking beyond the tired tale of populist backsliding, the INAI's demise offers key lessons about the vulnerability of transparency in the absence of adequate social and institutional embeddedness. While the INAI exceled at freeing information from the state, exposed abuses went unaccompanied by broader linked efforts at enforcement. Lesson: Integrate public transparency into broader policy agendas, especially those popularly associated with transparency's *raison d'être* (e.g., social, administrative, criminal justice). And while the INAI did make efforts to socialize the right to information, these lacked scale and arrived too late. Lesson: Engage citizens early, making transparency relevant to the problem-solving tasks of everyday civic life.

1 | Introduction

Over the past 2 decades, Mexico built and dismantled the world's most ambitious transparency and freedom of information (FOI) governance institution. For the international transparency and accountability policy communities, Mexico's National Institute for Transparency, Access to Information and Data Protection (INAI, or Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales) was a beacon of sorts, a global model for advanced and transitional democracies alike. Its binding and practically unappealable decisions applied to all branches and levels of government—even to state-owned enterprises, trusts, and political parties (Kwoka 2024)—and it set standards and levied fines for noncompliance. The INAI dazzled at guaranteeing the flow of (often explosive) government information, frequently in the face of overt governmental resistance. It was less effective, however, at ensuring its indispensability. At the behest of populist President Andrés Manuel López Obrador (AMLO, 2018–24), the Mexican Congress formally dissolved the INAI in November 2024.

The populist animus toward accountability and checks and balance institutions, combined with AMLO's overwhelming legislative supermajority, would seem to be an unimpeachable explanation for the INAI's demise. Populist leaders have neutralized and sidelined FOI regimes the world over, and several Latin American populists have perpetrated attacks, such as Argentina's Javier Milei (Tarricone 2024) and Brazil's Jair Bolsonaro (Michener 2023). In the case of Mexico, the INAI's

dissolution followed quickly on the heels of attacks against the National Electoral Institute and a September 2024 judicial reform that made all judges popularly elected. Backsliding accelerated with the July 2024 general elections, when questionable calculations handed AMLO's political party, Morena, a supermajority not seen since authoritarian times (Márquez Espinoza 2024).[1]

Yet, explanations centered on the anticipated *telenovela* of populist dismantling ignore the more instructive policy story of how the INAI found itself so vulnerable. The bottom line is that the INAI lacked institutional and social embeddedness. Institutionally, its success in liberating information on maladministration, corruption, and human rights abuses seemed gratuitous in the face of persistent corruption, nonenforcement, and impunity. In effect, Mexico has failed to complete the accountability equation, which involves coupling advances in transparency (answerability) with enforcement and sanctioning (Schedler 1999). The INAI was an agent of "voice" in the absence of "teeth" (Fox 2015), which made it dissonant, isolated, and vulnerable.

On the social front, the INAI faced a different challenge. Although the last few years witnessed a push by the Information Commission to socialize FOI as a tool to improve access to public services and benefits, and thus ameliorate the lives of ordinary Mexicans, these efforts were too little, too late. Had the INAI begun to socialize FOI earlier and at scale, it might have secured the social relevance and support it needed to avoid extinction. Instead, the INAI was most effective for an elite cadre of requesters, particularly accountability-focused NGOs and journalists. Hence, although AMLO's main criticism of the INAI—that it had "done little to reduce corruption"— was a red herring (after all, information commissioners are neither prosecutors nor criminal courts), his claim that the INAI was an overly expensive bastion of elitism, while not altogether true, nonetheless had a certain sting. It stung even more when AMLO's successor, President Claudia Sheinbaum (2024-), repeatedly echoed messages about the INAI's unjustified cost. Indeed, President Sheinbaum eventually oversaw the dismantling of INAI, labeling it unnecessary and redundant.

As experts, stakeholders, and government employees, we witnessed the INAI's numerous triumphs and its vulnerabilities. Our analysis is informed by two authors with direct experience gained through serving on the INAI's Consultative Board and working as a transparency commissioner in Mexico City, respectively. We experienced the practical complexities of organizational politics and the challenges of aligning federal and local transparency frameworks. Two other authors from different cultures studied the Mexican FOI law and the INAI intensively as transparency scholars specialized in public administration and administrative law. Over many years, the INAI invited these authors to multiple events involving administrative staff and commissioners; and INAI commissioners participated in events held by the authors. In the following pages, we draw from these experiences and research to examine the INAI's successes, challenges, and what the trajectory of the INAI has to teach fledgling FOI regimes around the world. At the risk of this analysis being considered unduly critical, we submit our collective belief that the INAI was of seminal importance as an institution and as an experiment in democratic governance.

2 | Powering Transparency

If Mexico's electoral transition from authoritarian one-party rule to multiparty democracy is best symbolized by President Vicente Fox's victory in 2000, in policy terms, this transition is perhaps best epitomized by the enactment and continuous strengthening of the Federal Law on Transparency and Access to Public Information. Enacted in 2002 in response to an intensive media campaign and lobbying by the Grupo Oaxaca—a coalition of journalists, activists, and academics—the law's development and adoption became a textbook example of how to implement a robust transparency regime. From a legal standpoint, the engine was the information commission, which was enthusiastically supported by media outlets, experts, activists, and national and international policy advocates. The commission administered and enforced transparency laws, as well as hearing complaints about government non-compliance.

Under successive minority governments, it grew stronger. First, a constitutional reform to guarantee the right to public information was enacted in 2007, followed by a "General Law" in 2015 that forged the "National Transparency System," which was integrated by 33 commissions (one per state plus the INAI), and transformed the Federal Institute for Access to Information (the IFAI) into the INAI. The General Law expanded transparency obligations and introduced nationwide mechanisms for disclosure (López Ayllón and Ortiz 2019), including a national portal for requesting and receiving information. These incremental strengthening reforms, occurring between 2003 and 2016, owed much to the bureaucratic activism of the INAI. Supported by a retinue of journalists, NGO, international policy advocates, and academics, the INAI led efforts to strengthen its attributions.

Legislative successes were replicated on the operational front. The INAI leveraged its power to help expose a host of abuses. For example, from 2014 to 2018, the INAI ruled on cases involving President Peña Nieto's ties to a multi-million-dollar real estate conflict of interest (the "White House" scandal; Malkin 2014), the Odebrecht bribery cases (Ángel 2020), and the sprawling "Master Scam" (La Estafa Maestra), in which over US $340 million was laundered through fraudulent contracts with public universities (Corona 2017). Notably, the INAI continued to expose corruption even during AMLO's administration, contradicting his administration's narrative of being free from graft. For instance, a 2022 INAI decision mandated that the Presidency release contracts awarded to politically connected businessmen, contracts that had been concealed under dubious "national security" claims. INAI rulings also enabled journalists to uncover massive irregularities in SEGALMEX, the government's food distribution agency, where more than US$580 million in public funds had been embezzled (MCCI 2024).

Operational data on Mexico's FOI regime also demonstrate the INAI's success. Mexico's National Bureau of Statistics reported that over 95% of information requests were resolved within legal

deadlines and only 2% were denied due to restricted classifications. The system also proved largely effective in ensuring access following initial denials by agencies, with applicants receiving favorable rulings in approximately three out of four appeal cases. Positively, research finds that transparency reforms gradually shifted the internal culture of government agencies (Cejudo et al. 2012), changing how Mexican institutions handled, classified, and shared government data (Nieto-Morales and Cejudo 2025).

3 | The INAI's Challenges

3.1 | Operation

With a growing volume of requests —approximately 70% of which targeted state and local authorities (Figure 1)— the National Transparency System faced significant challenges in ensuring consistent implementation and compliance across the federation and, in turn, required quite substantial resources. By 2018, almost 8500 organizations and entities nationwide were legally required to publish and disclose information on a regular basis. Federal FOI officers and senior officials complained that complying with the law required enormous human and financial resources. "And for what?" one official asked, "Who is actually looking at this information?" (personal communication, 2016). Articles 68 to 73 of the General Law enumerated nearly 18 pages of information to be disclosed on different subjects by different authorities. The General Law went too far, some officials argued, the result of overzealous advocates and parties that pandered to the pro-transparency news media.

The INAI's ambitious design meant continuous investment in technology, human resources, and institutional capacity. New demands—such as open data initiatives and unexpected crises —strained the INAI's ability to adapt and, as to be detailed, make do with shrinking budgets. The INAI also struggled to deal with uneven implementation of transparency policies at the subnational level. The mandate was to standardize FOI nationwide, but enforcement varied significantly.

On the one hand, some states created robust implementation and enforcement apparatuses akin to the INAI itself. For example, Mexico State, the country's most populous, hosted its own impressive transparency platform, which was interoperable with the national portal. Yet, especially in smaller states, many local governments lacked the technical expertise, financial resources, or political will to fully implement transparency mandates (Sandoval-Almazan 2019). As a result, local transparency commissions often operated pro forma transparency regimes, complying with bureaucratic obligations but not the regulatory principles.

Even in relatively open and progressive states, compliance was sometimes at the mercy of local power dynamics. For instance, following the 2021 Mexico City subway accident in which 26 people died and 103 were injured (Linthicum 2023), 1807 information requests were submitted seeking details on all issues related to the accident. Despite voluminous inquiries, public outcry, and the intervention of the local transparency commission, local authorities belonging to Morena effectively stonewalled access to critical information. Patronage politics also infiltrated some appointment processes. The authors witnessed local transparency commissions distributing appointments among ruling parties and political allies as part of broader power-sharing agreements.

3.2 | Elitism

Beyond administrative challenges, the advocacy network built around the INAI and the National Transparency System became increasingly insular over time. A cliquish community of transparency practitioners, called *transparentólogos* (transparencytologists), tended to focus on statutory and procedural

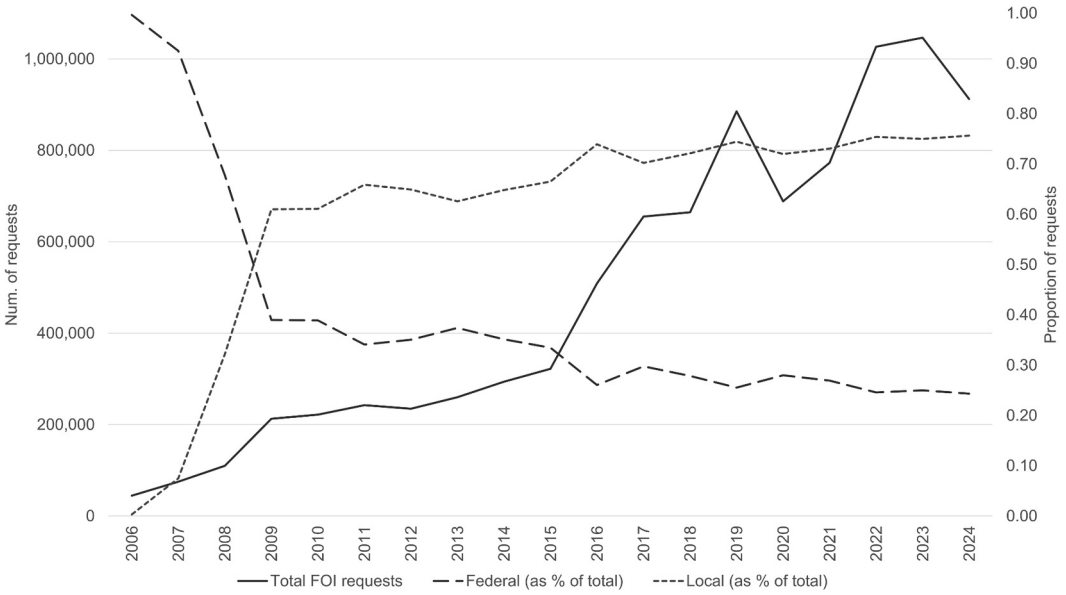

FIGURE 1 | Federal and local FOI requests over time.

issues rather than broader public engagement or policy relevance. Users were concentrated in a small, highly professionalized segment, primarily focused on questions of accountability and misgovernance (Bagozzi et al. 2021; Palmer-Rubin et al. 2025). Indeed, over time, even the INAI's rulings demonstrated a growing tendency to favor elite requesters (Palmer-Rubin et al. 2025).

Until the international FOI policy agenda began to lose steam—around 2016 (Mendel 2025)—the INAI was the darling of the international policy community and enjoyed a robust budget. Direct comparisons between commission budgets are challenging due to the varying powers and scopes of their authority. Still, taking one data point, in 2015, the INAI's budget was US $61.4 million (approximately 892.3 million pesos), which was more than US$20 million higher than Canada's Information Commissioner, adjusted for per capita population (Legault 2015). Even though the INAI's budget represents a mere 0.06% of the federal budget, the INAI's cost became a focal point for AMLO and Sheinbaum's rhetorical criticisms. AMLO questioned the need for any sort of bureaucracy for the government to be transparent.

The INAI's resources undoubtedly contributed to its many successes. Indeed, the technology infrastructure, personnel to handle complaints, and programs to train government officials —all of which were so integral to INAI's work— required a substantial budgetary commitment. Yet, INAI also used its funds in ways that did not always seem judicious, particularly for a country with a sizable portion of its population living in poverty. To take one example, the INAI put on an annual "Transparency Week," for which it flew in international presenters (including the authors), all expenses paid, for lavish events. These events seemed orchestrated for news media coverage, attended almost exclusively by public servants and experts. These events can be important symbolically, but for an institution created to empower citizens, the INAI's insularity and elitism undoubtedly weakened public buy-in.

As a result, 2 decades of institutional investment by the INAI produced middling public engagement with transparency mechanisms, underscoring the persistent disconnect between legal advancements and corresponding citizen impacts. By the end of 2016, only half of Mexico's urban population was aware of at least one transparency-related authority. Even more concerning was a decline in citizens actively seeking government information. In 2016, nearly 6% of Mexicans had submitted an information request, but by 2019, this number had dropped to 3.6% (Nieto Morales 2024). For most citizens, transparency procedures remained unfamiliar, inaccessible, or irrelevant to their daily lives.

3.2.1 | Lesson: Socialize the Right

The INAI recognized this gap in its final years and launched a National Socialization Plan ("PlanDAI" or *Plan Nacional de Socialización del Derecho de Acceso a la Información*; INAI 2018), a participatory initiative designed to bring transparency closer to vulnerable and marginalized populations. The program was designed around engagement and tailored strategies to make FOI more relevant and actionable for these groups. By 2022, PlanDAI had conducted over 80 socialization workshops across 19 states, directly benefiting 2931 individuals. According to internal evaluations, more than 90% of participants found the methodology to be appropriate and saw significant potential in its approach. However, areas for improvement were also identified, including the need to better train ground personnel, clearer incentives for participation, and greater promotion of success stories and best practices (INAI 2023). Numerous testimonies highlight the initiative's transformative potential:

- In Jalisco, two incarcerated women successfully appealed their cases and received commuted sentences after learning how to access legal documents.
- In Zacatecas, citizens learned to access mining regulations and identify key authorities, leading to targeted demands to reduce environmental pollution.
- In Nuevo León, residents of the Topo Chico community used transparency requests to secure mosquito fumigations, significantly reducing dengue cases.
- In Mexico City's Iztapalapa borough, requests for sanitation services resulted in improved waste management in underserved neighborhoods.
- In Coacalco, Mexico State, a community secured more than 50 scholarships after submitting an information request initiated during a PlanDAI workshop.
- In Hidalgo, transparency requests led to the creation of a gender violence prevention program, providing new safety measures for women.

These examples illustrate the enormous potential of embedding transparency into everyday civic life, demonstrating that access to information can drive tangible improvements in public services, community well-being, and social justice. Encouraged by these results, INAI increased its efforts by the end of 2023, expanding PlanDAI's presence into 28 states (87.5% of the country). However, expansions were abruptly halted in 2024. PlanDAI's contained huge potential, yet we will never know whether it could have scaled or been meaningfully integrated into INAI strategy. What is plain, however, is that these efforts should have started much earlier. Any new institution that depends on social support for its survival must build its relevance from the very beginning—an important takeaway lesson that we return to in the conclusion.

3.3 | The INAI's Institutional Dissonance

Another aspect of the INAI's vulnerability stemmed from a shortage of tangible outcomes. Although the INAI was established partly on the promise of curbing corruption, it ultimately did more to expose the scale of the problem than to change that reality. INAI rulings unveiled a state pregnant with the patterned venality of 71 years of one-party authoritarian rule. And it did so precisely at a time when social

media was ascendant and, together with the independent press, amplified negative news like never before. However, scandal was not met with corrective actions due to weak enforcement and prosecution. Among those countries involved in the Odebrecht bribery schemes, for example, experts singled out Mexican prosecution services as being "perhaps one of the most notorious Latin American exceptions to the trend toward greater prosecutorial autonomy" (Gonzalez-Ocantos et al. 2023, 155). Public opinion data from LAPOP shows that faith that "the judiciary will punish the guilty" went from 37.6% in 2004 to an all-time low of 29.8% in 2016, and stood at 35.6% in 2023, hardly budging after 20 years of multiparty democracy (LAPOP Lab 2024). In this context, the INAI and transparency seemed to be an end in themselves. INAI found itself in the uncomfortable position of outperforming the government institutions around it, cutting a strikingly dissonant figure. One official even likened the INAI to a "foreign body" (Piotrowski et al. 2022, 187).

3.3.1 | Lesson: Leadership and Motivation

Although it is easy to chide the INAI for not having used its political and symbolic capital to engender commitments at the highest levels of government to combat crime and corruption, it is a self-evident truth that much depends on the disposition of leaders themselves. But information commissions must seek stronger integration with anticorruption institutions and rally corresponding commitments. In this sense, choosing commissioners and staff should be both about expertise and capacities for inter-institutional leadership, namely, the ability to connect and persuade.

A notably unsuccessful attempt at integration was Mexico's National Anticorruption System (Sistema Nacional Anticorrupción, SNA), established during the height of the Open Government Partnership (OGP) and on whose governing committee the INAI sat. Involving constitutional amendments and new institutional arrangements to help combat corruption, the SNA was initially praised as a collaborative achievement between civic advocates and the administration of President Enrique Peña Nieto (2012–18) (Piotrowski et al. 2022). However, it soon faltered due to weak political will, a complex structure, and ineffective enforcement. OGP-government cooperation then collapsed after journalists uncovered the administration's use of Pegasus spyware against human rights advocates and reporters. Ultimately, the SNA has been marginalized, mirroring the fate of other initiatives from Mexico's pre-Morena era, with minimal impact on corruption control.

The lesson is perhaps not just about transparency being part of a larger discovery-enforcement-corrective positive feedback loop, and that good leadership and consistent program support is essential, but also perhaps transparency's ambivalent value in a context of unchecked corruption and impunity. Studies on transparency's impact compellingly show, for example, that citizens are more likely to respond to endemic corruption with "resignation" than "indignation" (Bauhr and Grimes 2013); and that people who become aware of corruption are socialized into behaving more corruptly (Corbacho et al. 2016).

4 | Dismantling the INAI

AMLO portrayed the INAI as useless, a mere front for combatting corruption. On morning televised conferences ("Mañaneras"), the President made 111 rhetorical attacks on the INAI between December 2018 and June 2024 (Aguiar Aguilar et al. 2025, 55), dismissing it as an ineffective, costly, and redundant institution born out of what he contemptuously called the "neoliberal period" (Arredondo Martínez 2022). Ultimately, AMLO maneuvered to weaken the transparency regime through budgetary, policy, legislative, and procedural tactics. As noted, however, the INAI had already made itself vulnerable.

Financial pressure was a first tactic. Between 2018 and 2024, the INAI experienced a real-term budget cut of more than 25%, with annual reductions averaging 4.5% (Nieto-Morales and Cejudo 2025). Second, AMLO pursued tactics to incapacitate the INAI institutionally. In refusing to appoint new commissioners to the INAI, the plenary could not meet the quorum to issue decisions. Even after a Supreme Court decision mandated that vacancies be filled and ordered the INAI back to work, the Senate continued to delay appointments (Kwoka 2024).

Over the objection of INAI rulings, the administration also pursued a policy of withholding information on flagship social programs and government projects. For example, in early 2023, President López Obrador designated all data concerning infrastructure megaprojects (more than US$36.8 billion in appropriations) as classified national security matters. After 2023, once legislation to dissolve the INAI had been introduced, federal agencies were instructed to delay or disregard requests (López Cruz 2023). Previously public information, including open datasets, was suddenly unavailable (MCCI 2023). Deliberate slow walking of transparency obligations undermined the INAI's authority. Figure 2 depicts aggregate FOI response rates composed of "partial" and "complete" responses to FOI requests during the Peña Nieto and AMLO administrations. The orange line depicts responsiveness on the part of the cabinet (the political nucleus of the bureaucracy), and the blue line depicts all other agencies (i.e., the bureaucracy). As illustrated, cabinet compliance began to drop during the pandemic and never recovered. Presidential instructions to effectively stonewall requests led compliance to fall off a cliff in early 2024.

Dubious administrative and ethical practices within the INAI made AMLO's noncompliance and dismantling that much easier to justify. The INAI's Consultative Board repeatedly warned of the institution's excessive complexity and redundant positions. It consistently recommended adopting meritocratic recruitment practices, as opposed to letting transparency commissioners use positions as political currency (Sánchez et al. 2025). These internal dysfunctions undermined effectiveness and fueled negative public perceptions. By 2023 and 2024, vulnerabilities escalated as high-ranking INAI officials became embroiled in corruption and mismanagement scandals (Aristegui Noticias 2025). The President and his coalition skillfully capitalized on these weaknesses.

Finally, the INAI became increasingly vulnerable because it would not capitulate to the administration. Unlike agencies

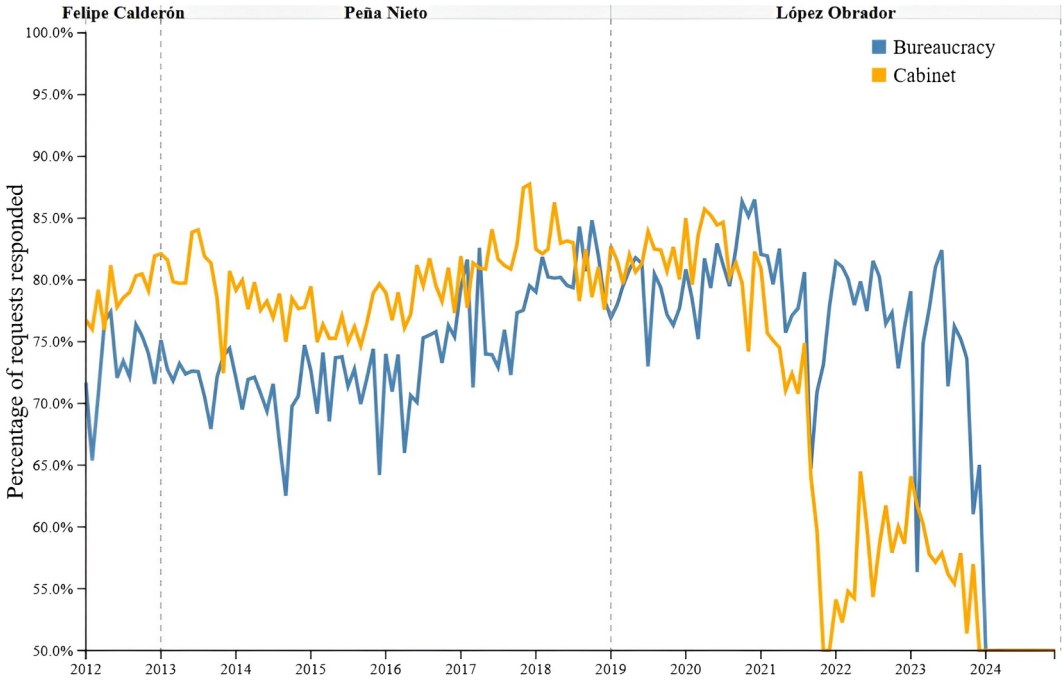

FIGURE 2 | Responses to FOI requests: the bureaucracy versus cabinets 2014–24.

gradually taken over by the López Obrador administration (e.g., National Electoral Institute) or co-opted (e.g., National Human Rights Commission), the INAI remained an independent actor that continued to clash with the executive. Ultimately, its role as a counterweight to executive power made its survival untenable.

5 | After the INAI

Although the new General Law approved by the Senate in March 2025 effectively replicates the procedural framework mandated by previous legislation, including the extensive catalog of mandatory disclosures, it introduces substantial changes to the governance of the FOI system. Presented under the banner of "simplification" intended to eliminate "onerous expenses, duplications, and privileged bureaucracies," the new law represents a significant restructuring.

Under the reformed system, Mexico no longer has dedicated information commissions. Instead, responsibility for FOI within the federal government has been transferred to the Secretary for Anticorruption and Good Government (Secretaría de Anticorrupción y Buen Gobierno) through a newly created agency named, "Transparency for the People." This agency will manage the National Transparency Platform and oversee FOI within the federal executive branch. Parallel structures have been established for other government branches: the newly constituted Disciplinary Court (a product of the judicial reform of 2024) assumes FOI oversight within the Federal Judicial Branch, while the Congressional Comptroller takes on this role within the Legislative Branch. Autonomous constitutional bodies retain self-regulatory authority, and the National Electoral Institute is specifically tasked with overseeing national political parties. A similar arrangement is to be replicated in each state of the federation. Notably, the new framework grants several security institutions such as the Army and the National Guard considerable autonomy, exempting them from centralized FOI oversight. This autonomy allows them to manage transparency obligations as they see fit.

These changes carry profound implications. Foremost is the increased likelihood of politicization. Without independent information commissions acting as neutral arbiters, FOI could become subject to partisan and institutional rivalries. The final decision-makers on issues of FOI classification or release will likely be the very institutions whose self-interest is to keep information secret. To the extent that an independent remedy is sought, there is likely to be increased reliance on judicial channels for resolving transparency-related conflicts, amplifying the role of specialized legal intermediaries and creating additional barriers for ordinary citizens and independent requesters. Moreover, the dispersion of oversight responsibilities at the federal and local levels will almost certainly create even greater variability in transparency standards and practices.

6 | Conclusion and Recommendations

This essay draws on research and our own experience with Mexico's National Institute for Transparency and Access to Information (INAI) to convey lessons learned from this remarkable institution's operation and dissolution (2003–24). Occam's razor dictates that the INAI's dissolution was largely the result of populus animus weaponized by a legislative supermajority. Yet, as we have argued, more edifying policy lessons originate in questions surrounding the INAI's institutional and social embeddedness.

First, the INAI successfully enabled "voice"—issuing rulings that helped citizens reveal wide-ranging state-based abuses. However, revelations were not accompanied by governmental

"teeth" to sanction and deter wrongdoing. In this respect, transparency often seemed an end unto itself, one hand clapping. And the INAI came off as dissonant, isolated and, combined with its relative social irrelevance, difficult to justify financially. Second, the INAI's insularity and focus on elite requesters meant it did not adequately socialize FOI as a tool for citizens from the very beginning. As the experience of Plan DAI suggests, when communities understand how access to information can improve their daily lives, they are more likely to engage with and benefit from transparency mechanisms.

Given these general conclusions, we offer several recommendations for the governance of FOI regimes:

1. *Actively Integrate*: Transparency institutions must integrate themselves into diverse governmental policy frameworks, including those to advance social and administrative governance and criminal justice.
2. *Tool-centered messaging*: Transparency stakeholders must shift the narrative from "democracy" and "rights" to more tool-based messaging focused on community empowerment and identifiable problems.
3. *Socialize the right*: Transparency stakeholders must develop scalable engagement strategies focused on socializing the right. They must tap community leaders, social movements, and use street-level bureaucrats to connect citizens with access to information mechanisms.
4. *Focus on high-impact policy areas*: Prioritize policy areas where access to information can drive high-impact, tangible improvements in public service delivery. Examples include public health and penal justice.
5. *Boots on the ground*: The INAI was top-heavy, and there is a need to deploy street-level bureaucrats to liaise, teach, teach teachers, and promote the mission, uses, and opportunities of FOI and transparency systems in a more grassroots fashion.
6. *Participatory governance*: Future transparency bodies must adopt credible participatory mechanisms, partnerships with citizens, oversight boards, localized transparency hubs, and mechanisms for community feedback. Ensuring that transparency institutions are responsive to citizens and not just experts or expert requesters can foster greater legitimacy and resilience.

Conflicts of Interest

The authors declare no conflicts of interest.

Data Availability Statement

Data available on request from the authors: the data that support the findings of this study are available from the corresponding author upon reasonable request.

Endnotes

[1] Morena won 73% of seats in the Lower Chamber with only 55% of the vote, which exceeds the constitutional provision that allocated seats can be no more than 8% above total votes for that party.

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