

Intervention of the Delegation of Mexico in the Session on the Legal Framework and Key Concepts

Geneva, 24 November 2015

Thank you Mr. President,

We thank the experts for their presentations.

My delegation considers that it is a primordial task of the States to ensure that the international principles and standards in human rights matters, including those relevant for the protection and promotion of the rights of minorities in the justice system, are reflected in internal legislation. From this foundation, Mexico has undertaken various actions, the most significant of which is the Constitutional reform of 2011, in which the recognition and protection of human rights are the guiding principles of action for the State.

Mr. President, the reform of 2011 recognizes that all people will enjoy the human rights recognized in all international treaties in which the State of Mexico is a Party, at the same time the *pro personae* principle is recognized, as well as universality, progressiveness, interdependability, and indivisibility. From this premise, all Mexican judges when they interpret the law and resolves cases, including cases that involve individuals belonging to minorities, do it conforming to the norm most favorable to the person, whether from a national or international source.

Additionally, such reform widened the abilities of the national Ombudsman, whose functions are crucial for the promotion, defence, and protection of human rights, including the rights of individuals belonging to minorities. In the local realm, it strengthened the autonomy of the commissions for the protection of human rights.

A third aspect is the fundamental change that represents the renovation of the **juicio de amparo** (injunction or a remedy for the protection of constitutional rights), habeas corpus, as an effective mechanism for the protection of human rights. With the aforementioned reform, the protection of the **juicio de amparo** is amplified in terms in which the citizens can interpose the resources of **amparo** when they consider that their human rights have been violated, not only in what is found in the Political Constitution of the United Mexican States, but also taking into consideration the rights guaranteed in the international treaties that our country belongs to.

Additionally, the protection of the **juicios de amparo** benefits all of society, because now when we have a general norm that is flagged as unconstitutional, it will stop being applied with general effect; at the same time, it will be allowed for moral groups and persons to make use of the **amparo** thanks to the

legitimate interest that allows moral persons and other organizations of society to interpose **amparos** in a collective manner before the authorities.

In the interest of enriching the recommendations prepared by the Rapporteur during the session about challenges in the systems of justice, we will share our experience on capacitating the actors involved in the imposition and administration of justice in human rights, derived from this constitutional reform without precedent.

Thank you very much.