

INSTITUTO DE INVESTIGACIONES JURÍDICAS

**THE POLITICAL CONSTITUTION OF THE
MEXICAN UNITED STATES**

**Traducción de
Carlos Pérez Vázquez**



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The Political Constitution of the Mexican United States

First Title

Chapter I

Individual prerogatives and immunities

Article 1

In the Mexican United States all individuals shall be entitled to the privileges and immunities granted by this Constitution. Such privileges and immunities shall not be restricted or suspended, but in the cases and under the conditions established by this Constitution itself.

Slavery shall be forbidden in Mexico. Every individual who is considered as a slave at a foreign country shall be freed and protected under the law by just entering national territory.

Discrimination based on ethnical or national origin as well as discrimination based on gender, age, disabilities of any kind, social status, health condition, religious opinions, preferences of any kind, civil status or on any other reason which attempts against human dignity and which is directed to either cancel or restrain the individuals' privileges and immunities, shall be prohibited.

Article 2

The Mexican Nation is an indivisible one.

The Nation has a multicultural integration based on its indigenous peoples which are those inhabiting the country since even before the conquest took place and who have lived according to their own social, economic, cultural and political institutions.

The self awareness about the indigenous identity shall be the most important criteria to determine whom indigenous law will be applied to.

The communities belonging to an indigenous group are those living in a territory and integrating a social, economic and cultural unit with both leaders appointed and governing practices applied by their own.

The right to self determination of indigenous people shall be granted within a general framework of autonomy according to the Constitution and in a

way which preserves the national unity. State Constitutions and State laws shall establish the guidelines according to which indigenous peoples will be recognized as such. In doing so, State legal systems shall take into account the general principles of the law as well as ethno- linguistic and territorial criteria.

A. This Constitution recognizes and enforces the right of indigenous peoples and communities to self determination and therefore their autonomy to:

- I. Decide over their social, economic, political and cultural organization.
- II. Apply their own regulations and solve their own conflicts according to their own rules, the general principles supporting this Constitution, the fundamental rights and, specially, the dignity and integrity of women. The law shall establish the ways in which judges and courts will validate the aforementioned regulations.
- III. Elect their own authorities or representatives according to their regulations, procedures and traditional practices in order to appoint their internal governments, in a way which enforces equality of indigenous women and men for political participation within a framework respectful of both this Constitution and the States' sovereignty.
- IV. Preserve and enrich their language, knowledge and every part of their culture and identity.
- V. Preserve and improve the habitat as well as preserve the integrity of their lands in accordance with this Constitution.
- VI. Be entitled to the estate and land property modalities established by this Constitution and its derived legislation, to all private property rights and communal property rights as well as to use and enjoy in a preferential way all the natural resources located at the places which the communities live in, except those identified as strategic areas according to this Constitution. The Communities shall be authorized to associate with each in order to achieve such goals.

- VII. Elect their representatives to the municipal offices located at the indigenous municipalities.

State Constitutions and State laws shall enforce and regulate such a right in order to strengthen the political participation and representation of indigenous peoples in accordance with their traditions and internal regulations.

- VIII. Submit all kind of legal lawsuits to the Mexican Courts. In order to enforce such a right in every judgement and procedure in which an indigenous group is a contesting party, indigenous practices and cultural traditions shall be taken into account under this Constitution. Indigenous individuals have a right to be advised by interpreters and lawyers acquainted with such individuals' native languages and cultures.

State constitutions and state laws shall establish the guidelines under which indigenous peoples' free determination and autonomy will be recognized taking into account such peoples' particularities and aspirations. The aforementioned constitutions and laws shall also establish the rules according to which indigenous communities will be defined as public interest's entities.

- B. The Federation, States and Municipalities—working along with indigenous peoples—shall provide for agencies and policies directed to promote not only equal opportunities for indigenous individuals but also to prevent discriminatory practices against them. Such agencies and policies shall enforce the indigenous' rights as well as an integral development for indigenous peoples and indigenous communities alike.

In order to fulfill the needs and suppress the challenges faced by indigenous peoples and indigenous communities, the aforementioned authorities shall be obligated to:

- I. Encourage the regional development of indigenous zones in order to strengthen such zones' local economies as well as to improve the

standards of living of the people located there by performing coordinated activities among them. Municipal authorities shall determine, in a fair way, which portions out of the budget shall be managed directly by the communities;

Enforce and increase the educational levels, favoring bilingual and intercultural education, the teaching of reading and writing, basic education's completion, productive training and both preparatory and higher education. They shall also be obligated to establish a system of scholarships for indigenous students and—according to the related laws and taking into account the indigenous communities' opinions—to define and develop educational programs which, from a regional perspective, stresses the cultural heritage of the indigenous peoples. The aforementioned authorities shall also be obligated to encourage, protect and promote cultural diversity across the nation;

- II. Enforce an effective access to health services by extending the national health services' coverage. Traditional medical practices shall be used in an adequate way. The aforementioned authorities shall also be obligated to help out in improving indigenous individuals' nutrition by applying nurturing programs directed, specially, to children;
- III. Improve the condition in which indigenous communities are living as well as the condition of the places used by them either to spend time together or for recreational purposes. Such an obligation shall be fulfilled by helping out indigenous communities in acceding to public and private credit schemes directed to construct and improve housing as well as to extend the coverage of basic social services;
- IV. Promote indigenous women incorporation to development, by supporting productive projects, protecting such women's health, delivering educational incentives to them and by encouraging their participation within the decision-making processes used at their communities;

- V. Enlarge the communication infrastructure by constructing and extending both communication and telecommunication assets in order to allow a full indigenous' integration with the nation. According to the law indigenous peoples and communities shall have power to acquire, run and manage media. The aforementioned authorities shall be also obligated to help them out in executing such a power.
- VI. Support the productive activities as well as the viable development of indigenous communities by promoting a sufficient economic income for such communities, by applying economic incentives for public and private investments directed to boost employments' generation, by helping out such communities in adopting technologies directed to increase their productive abilities and by enforcing the access of indigenous peoples to the supply and commercialization system in a fair way;
- VII. Apply social policies directed to protect indigenous migrants not only within national territory but also abroad by enforcing rural workers' rights, by improving health standards for women, by supporting children and youngsters of migrant families with special educational programs, by enforcing indigenous migrants' human rights and by promoting such individuals' cultures;
- VIII. Take into account indigenous peoples' opinions and recommendations in order to include those adequate ones in the National, state and municipal development plans.

In order to enforce the aforementioned obligations, the Chamber of Deputies of the Congress, the state legislatures and the municipal offices shall establish portions out of their budgets as well as rules and procedures empowering indigenous communities to participate in managing and controlling such funds.

According to the law, every community which can be considered as an indigenous one shall be entitled to the constitutional rights established by this article.

Article 3

Every individual has a right to be educated. The State—including the federation, the states, the Federal District and the Municipalities—shall provide for preschool, primary and secondary education. Preschool, primary and secondary levels shall integrate the mandatory basic educational scheme.

The educational services provided by the State shall be directed to develop all abilities of the human being in a harmonic way. At the same time and within a general framework of independence and fairness, it shall stimulate students to both love the nation and be conscious about international solidarity.

- I. According to the religious liberties established under article 24, educational services shall be secular and, therefore, free of any religious orientation.
- II. The educational services shall be based on scientific progress and shall fight against ignorance, ignorance's effects, servitudes, fanaticism and prejudice.

Furthermore, the educational services shall:

- a) Be democratic, considering democracy not only as a legal system and as a political regime but also as a way of life based on the permanent improvement of the people from an economic, social and cultural points of view;
- b) Be national, which means that—without hostility or exclusiveness—will be directed to help the students to understand our problems as well as to learn how to use our natural resources, defend our political independence, preserve our economic independence as well as continue and enrich our culture, and
- c) Contribute to a better human coexistence, not only from the point of view of the elements which can help out the students' improvement in caring for human dignity, family integrity and the society's general interest, but also from the point of view of the stress put on defending

the ideal of fraternity and the ideal of equality of rights for all human beings. In the same line of reasoning such a stress shall be put on discarding any privilege based on race, religious beliefs, grouping criteria, gender criteria or individual criteria;

- III. To fully enforce the provisions set down at paragraph II, subparagraph two of this article, the Executive Branch of Federal Government shall determine curricula and syllabuses for preschool, primary, secondary and normal education across the country. In doing so, the Executive Branch of Federal Government shall take into account the opinion of the state governments and of the Federal District's government alike. It shall also take into account, according to the law, the opinion of the different social educational sectors.
- IV. The educational services provided by the State shall be free of any charge whatsoever.
- V. The State shall promote and assist all sorts of educational models—including initial education and college education alike—which are deemed as necessary to develop the nation. The State shall also support scientific and technological research and motivate the strengthening and promotion of our culture.
- VI. Private schools shall be authorized to provide for all its types and modalities of educational services. According to the law, the State shall have powers to both issue and cancel the official certificates of studies done at private schools. In dealing with preschool, primary and secondary education as well as with professional instruction for school teachers, private schools shall:
 - a) Follow the educational criteria set down at paragraph II, subparagraph one of this article. They shall also follow the curricula and syllabuses that paragraph III refers to, and
 - b) Obtain always and under the law an explicit authorization from the public authorities to run their business;

- VII. Universities and all other higher education institutions which the law grants autonomy to, shall have power to govern themselves; they shall be accountable in executing such a power and shall achieve the goals of providing education and promoting research and cultural expressions by protecting always the freedom of teaching and researching as well as the free intercourse of ideas; they shall determine academic curricula and syllabuses by their own and shall establish conditions for the admission, permanence and promotion of their academic personnel; they shall have power to manage their resources. The labour relations between higher education institutions and their administrative employees shall be regulated under article 123, section A of this Constitution. According to federal labour law such employees shall be considered as special workers. Such a special treatment shall neither interfere with institutional autonomy nor with freedom of teaching and researching. The goals set down for the higher education institutions by this paragraph shall also be unaffected by recognizing any special labour regime, and
- VIII. In order to unify and coordinate educational services across the country, the Congress shall enact all laws deemed as necessary to distribute the social educative duties among the Federation, States and Municipalities. Such laws shall also establish not only the amount of the public funded contributions directed to pay for the educational public services but also the punishments for those public servants who violate or assist others in violating the rules related to educational services.

Article 4

Men and women are equal under the law. The law shall protect family organization and development.

Every person has a right to decide in a free, mature and informed way, the number and spacing of their children.

Every person has a right to receive medical treatment when deemed as necessary. The law shall not only define the guiding criteria regulating the access to health services but also establish concurrent activities to be carried out by the federation and the states in organizing public health services under article 73, paragraph XVI of this Constitution.

Every person has a right to live in an adequate environment for her development and welfare.

Every family has a right to a dignified and decent household. The law shall establish all regulations and incentives deemed to be necessary to achieve such a goal.

Children's needs to nourishment, health, education, recreation and integral development shall be fulfilled.

Ascendants, tutors and guardians shall be obligated to enforce the aforementioned rights. The State shall provide whatever deemed as necessary to uphold both children's dignity and the enforcement of children's rights.

The State shall help out private individuals in enforcing children's rights.

Article 5

No one shall be prevented from performing the profession, industrial work, or commercial work that suits her as long as such activity is a lawful one. The enforcing of such freedom can only be forbidden either by a judicial resolution, whenever the rights of a third party are attacked or by governmental resolution issued under the law, whenever the society's rights are offended. No one can be deprived of legal wages, except by judicial resolution.

The law shall determine in each state those professionals that will need a certificate to work. The law shall also establish the conditions that must be fulfilled to obtain such certificates and the authorities that will issue them.

No one can be compelled to do personal works without a fair wage and without full consent, except when compelled by a judicial authority under article 123, sections A) and B).

According to the law, the mandatory works related to public services shall be those performed at the armed forces, juries, municipal offices and those performed at public elected offices either directly or indirectly. Electoral works as well as those performed in building up censal databases shall be not only mandatory but also free of charge except those which, according to this Constitution and the law, are performed by professionals. Professional services of a social nature shall be mandatory and paid under the law.

The State shall not authorize any contract, pact or agreement that either has a harmful result or represent a regretful and irrevocable loss of liberty for anyone on any reason whatsoever.

Any contract by which a person agrees to be banished, exiled or to resign from a particular work shall not be authorized either.

Labour contracts shall only oblige workers to do the work agreed upon them for the time established by the law. In face of harmful consequences for the worker the respective labour contract shall not last for more than one year. Likewise, labour contracts shall not be extended when any loss, harm or even a renounce over an individual's political or civil rights can be derived from them.

A worker's breach of the respective labour contract shall only produce his obligation to compensate any damages suffered by the employer. However, in such a case, the worker shall never suffer any kind of coercion whatsoever.

Article 6

Free speech shall be restricted neither judicially nor administratively, but when it represents an attack to public morality or individual rights as well as when it produces a criminal offence or disturbs the public order; the right to information shall be enforced by the State.

Article 7

The freedom to write and publish writings on any subjects is inviolable. Neither laws, nor authorities shall execute any kind of previous

ensorship. They shall not demand a bail from authors and publishers. Neither laws, nor authorities shall restrict the freedom of speech executed through publishing printed materials. Such a freedom will have no more limits than those imposed upon it by private life, public morality and public peace. Printers shall never be seized as crimes' instruments.

Organizing laws shall establish as many rules as necessary to prevent publication sellers, paper providers, papers' workers and any other employee at the publishing industry to be imprisoned after a criminal offence related to press has been allegedly committed by them. In order to indict such workers under such allegations, their criminal accountability shall be established first at a court of law.

Article 8

Civil servants and public employees shall enforce the right of petition granted by this Constitution to individuals as long as the respective petition is a written request made in a peaceful and respectful way. Only citizens of the Republic shall be entitled to this right.

The addressed authority shall issue a written answer to all requests within a short period of time.

Article 9

Individuals shall be entitled to associate or gather with others in a peaceful way to achieve a lawful objective. This right shall not be restricted. However, only the citizens of the Republic shall be entitled to participate in the country's political affairs. Individuals participating at armed meetings shall not be entitled to engage in any deliberation whatsoever.

Any meeting or assembly organized either to make a petition or to protest shall not be dissolved and shall be considered a lawful one as long as neither injurious statements are made against public authorities nor violence of any kind is exerted to intimidate such authorities or to compel them to resolve a particular issue in a convenient way.

Article 10

The inhabitants of the Mexican United States have a right to keep arms at their houses—as long as such weapons are meant to be use for self protection and to legitimately defend the bearer against an aggression—except those prohibited under federal law and those reserved for the armed forces and the national guard. Federal law shall specify when and how the Republic’s inhabitants shall be entitled to bear arms.

Article 11

Every person has a right to enter and leave the Republic, travel across its territory and change her address without a security card, passport, safe-conduct and without fulfilling any other similar requisite. The enforcement of such a right shall be restraint by judicial resolutions on both civil and criminal trials or by administrative authorities managing under the law the immigration procedures and general public health services or dealing with harmful foreign individuals living in the country.

Article 12

In the Mexican United States all nobility titles, special prerogatives, and hereditary honours shall be forbidden. Furthermore, those granted by any other country shall have no effect whatsoever.

Article 13

No one shall be put on trial by using either underinclusive laws or special courts. None person or corporation shall either be exclusively protected by the law or entitled to unlawful wages for performing a public service. Underinclusive laws shall be applied however to military personnel who have committed criminal offences or have breached the military discipline. Martial courts’ jurisdiction shall never be extended to non-enrolled individuals. Civilians involved in crimes against the armed forces or who have breached the military order shall be put on trial before ordinary courts.

Article 14

Laws shall not be applied retroactively against any person.

No one shall be deprived of her life, freedom, estate, possessions or rights but by a judicial ruling issued by a court which is pre-existent to the respective trial and in which due process of law has been enforced.

Analogical reasoning and the majority of reason standard of review shall be both forbidden in resolving criminal trials. Punishments ruled with reference to criminal offences shall always be established by the law.

In those trials under civil jurisdiction, resolutions shall be made by either literal or legal interpretations of the law. Whenever such interpretations are impossible to be made, the resolutions shall be made by interpreting the general principles of the law.

Article 15

It shall be forbidden to enter into any treaty directed to extradite political prisoners or felons who are considered as slaves in the country in which they committed the alleged criminal offence. It shall also be forbidden to enter into those directed to modify the prerogatives and immunities granted to both individuals and citizens by this Constitution.

Article 16

Disturbances against any person's family, residence, documents or possessions as well as disturbances to any person herself shall be made by a warrant issued by an authorized official. The warrant shall clarify the statutory law which the decision was based on as well as shall explain the legal procedure to be undertaken.

Judicial authorities shall have power to rule on indictments; such indictments shall always be preceded by a formal accusation of misconduct considered as a criminal offence punishable with prison under the law. In order to begin a criminal trial, evidences supporting both the existence of criminal offences and a probable wrongdoing by the accused shall be deemed as necessary.

The executing authority of an arrest shall put the indicted individual under a judge's jurisdiction without delay. Such an authority shall be accountable

for any wrongdoing in undertaking the arrest. The violation of these rules shall be considered as a criminal offence itself.

In the face of a flagrant criminal offence, any person shall have power to arrest the perpetrator handing over him immediately to the closer authority. Such an authority shall on its turn and without further delay hand over the perpetrator to the closer public prosecutor.

Only in those considered as urgent cases, when according to the law a serious crime has been committed and in the face of a reasonable risk according to which the perpetrator may run away from justice or cannot be hand over to a judicial authority due to temporal or geographical reasons, the public prosecutors shall have power to order the arrest. In doing so they shall explain the clues which their resolutions are based on.

The judges who receive the arrested suspect of urgent or flagrant cases shall without delay either ratify the arrest or order the immediate release of the suspect after all applicable legal reservations have been taken into account.

No accused person shall be held by the public prosecutor more than forty eight hours in a row. Within such a deadline either the accused individual's freedom shall be ordered or the accused individual shall be handed over to the judicial authority. In those cases which are considered as involving organized crime activities according to the law, the holding deadline shall be extended up to ninety six hours. Any abuse committed in executing the aforementioned powers shall be prosecuted under criminal law.

Search warrants, which shall be issued in writing by judicial authorities exclusively, shall establish the place where the search will take place, the person or persons who will be arrested and the objects which will be looked for. The proceeding shall be constrained by such limitations and as soon as it is declared as finished a certificate shall be issued bearing the signature of a couple of witnesses who can be appointed by the searched address' occupant or, if such person rejects to do so by the authority who executed the search itself.

Private communications shall not be breached. Any attempt directed to infringe them will be considered as a criminal offence under the law. The Federal Judicial authorities shall have exclusive powers in authorizing private communications to be wiretapped once a formal request have been made to them either by a federal authority empowered by the law to do so or by the head of the office of the public prosecutor defending the interest of an affected State. The formal request shall be a written one and must explain both the reasons and the legal basis supporting it. It shall also determine the main features of the wiretapping that will be applied, the identity of the individuals that will be under surveillance and the time it will last. The Federal Judicial authorities shall not concede wiretapping requests when electoral, taxing, commercial, civil, employment, or administrative legal issues are involved. The same prohibition shall be applied whenever the request is directed to restrain a defendant's right to have a private communication with this lawyer.

The authorized wiretapping shall comply with all legal requisites imposed upon it as well as with the limitations established by the law. Any wiretapping which violates this command can not be used as evidence in a court of law.

Administrative authorities shall have powers—within the limits established under the law—to search private households in order to enforce sanitary and police regulations as well as to demand documentary evidence of the compliance of tax return's duties. Due process of law's formalities shall be enforced by administrative authorities in executing such powers.

The private correspondence between individuals shall circulate in a free way. Any violations to this command shall be punished under the law.

During peacetime the members of the Armed Forces shall neither be allowed to lodge in a private household against the landlords' will nor be authorized to ask for any benefit or assistance. During wartime military personnel shall have power to lodge and ask for baggage, food and the other benefits established by the martial law.

Article 17

Individuals shall be authorized neither to take the law in their hands nor to violently claim a right.

Every person shall be entitled to a fair trial in a court of law. Courts' rulings shall be issued within the legal timetables. Courts shall resolve legal controversies in an agile, thorough and impartial way. Judicial services will be free of charge and any price imposed on them shall be, therefore, forbidden.

Both Federal and State legislations shall enforce not only judicial autonomy, but also the full compliance of every person with judicial resolutions.

Imprisonment shall be forbidden as a way to pay civil debts.

Article 18

Preventive custody shall be reserved as a remedy for those crimes which deserves corporal punishment. Preventive prisons will be located in places different and completely separated from those in which convicted felons serve their time.

The prisons' management shall be organized by either Federal or State governments depending on which jurisdiction should be applied. Imprisonment shall be directed to achieve the full rehabilitation of every convicted felon. This shall be done by training inmates to perform a job, employing them indoors and providing for them an adequate training. Women shall serve their time in prisons different to those occupied by men.

State Governors, within the limits established by State Legislations, can enter into agreement with the Federal Government in order to authorize local convicted felons to serve their time in Prisons managed by the Federal Executive Branch of Government.

Both Federal and State Governments shall establish special prisons for under age felons.

Mexican inmates undergoing imprisonment abroad can be transferred back to the Republic in order to finish serving their time in accordance with the rehabilitation systems established by this article. Foreign inmates who perpetrated either federal crimes or just local crimes at the Federal District can be transferred to their native countries or to the countries in which they ordinarily live. This shall be done in accordance to the rules established by the international treaties signed by the country. State governors can ask—to the Federal Executive Branch of Government and in accordance to state legislation—the inclusion of the case of state inmates within the aforementioned treaties. The inmates' decision on whether they consent in being transferred or not shall be upheld.

According to the law, every convicted felon can be authorized to serve his time at the closest penitentiary to the place where his usual residence is located in order to promote his communal reintegration and social regeneration.

Article 19

All suspects shall be under judicial custody for no more than seventy two hours in a row counted not from the moment in which the respective committal is released but from the moment in which they are taken into such custody. Committals will state in a clear way the crime allegedly committed, when, where and under which circumstances it was committed as well as the data derived from the police investigation. All this will be directed to prove not only that the judged act fulfils a criminal offence's definition under the law, but also that the defendant's accountability is probable.

The seventy two hours deadline can be extended by the respective suspect's request. Any harmful judicial custody's extension against suspects will be punished under criminal law. The guards at confinement institutions who do not receive the committal's authorized copy within the seventy two hours will inform this fact to the judge at the end of such a

period of time. If within the next three hours they do not receive the aforementioned copy they shall have power to release the suspect.

All criminal proceedings shall be based on the criminal offences established at the committal. If during the trial's aftermath a new conduct punishable under criminal law comes along, a new investigation will be opened which can be eventually added to the previous one.

Any abuse or unlawful disturbance committed against either arrested suspects or inmates serving their time shall be prevented under the law and punished by the authorities. Any payment imposed within prison will be considered an abuse and shall be therefore punished under the law.

Article 20

In every criminal proceeding the defendant as well as the victim or the offended, shall have immunities and privileges as follows:

A. Privileges and immunities of the defendant:

I. As soon as the defendant requests so, the judge shall release him provisionally on bail. The law shall determine those cases in which such a benefit shall not be applied. However, even when the offence committed is not a serious one the public prosecutor can request the bail's rejection from the judge whenever the defendant was found guilty of a serious crime before. Bail requests can be also denied whenever the public prosecutor delivers convincing evidence supporting the claim that, either because of the defendant's previous conduct or because of the circumstances under which the offence was committed, his release represents a risk for the offended or for the society.

The bail shall be affordable for the defendant. The law shall establish the circumstances in which bails can be modified by the judges. In resolving a bail request, judges shall take into account the offence's main features as well as the circumstances under which it was committed. They shall also take into account the defendant's characteristics and whether it is reasonable to expect him to comply with his procedural duties or not. Likewise, judges shall consider the

damages caused on the victim and the monetary penalty to be imposed on the defendant.

The law shall establish the cases in which provisional releases from custody will be revoked;

- II. No one shall be compelled to make a statement. Any kind of intimidation, torture or solitary confinement shall be forbidden and punished under criminal law. Suspects' confessions will be only valid when made before either a public prosecutor or a judge. In both cases the suspect's lawyer shall be present. A confession made to any other authority shall not be used as evidence in a court of law;

No more than forty eight hours after the arrest has taken place, the defendant will be notified in a public hearing about the name of the plaintiff and about the reasons supporting the accusation. This will be done in order to allow the defendant to answer all the charges presented against him once the alleged offence attributed to him has been clarified. The defendant's answer shall be considered as a preliminary declaration;

- III. Whenever the defendant requests so—and unless section B, paragraph V of this article is applicable—he shall be brought face to face with those testifying against him. The judge shall attend such a proceeding;

- IV. The defendant's exhibits shall be always received. He shall be helped out in order to bring about and interrogate the witnesses he asks for to be present unless they are away from the court's location. The defendant's defence shall last as long as the law allows it to;

- V. Whenever the alleged offence is punished by the law with at least one year in prison, the trial shall be undertaken through public hearings. It shall be resolved by either a judge or a jury composed of literate citizens who will be neighbours of the place in which the crime took place. Crimes against public order or national security shall always be judged by a jury;

- VI. The defendant shall be authorized to use every single piece of information available at the trial's files which can support his case;
- VII. Criminal trials cannot last more than four months whenever the alleged crime is punished with two years of prison at most. If the applicable punishment is longer than two years then the trial will not last more than one year. The defendant can ask for such deadlines to be extended in order to strengthen his case;
- VIII. From the very beginning of the proceedings the defendant shall be informed about the constitutional privileges and immunities established by this Constitution so far. He shall have a right to an adequate defence which can be carried out by a lawyer, by himself or by whoever he trusts. If the defendant does not want or can not name a counsellor, the judge will appoint a public one in his behalf. The defender shall be entitled to participate in every single stage of the trial. Besides, the defender shall be obligated to participate in the trial whenever his is asked to do so by the defendant, and
- IX. It shall be forbidden to extend a defendant's imprisonment as a way to make him pay the defender's fees or any other monetary debt. This prohibition shall also be applied to allegations about the defendant's liability for damages or any other analogous claim.

The law shall set down different preventive custody deadlines for different offences. Preventive custody shall never be extended beyond such deadlines.

The period of time passed under preventive custody shall be considered as a portion of the total amount of time which the accused should serve after he has been convicted in a criminal trial.

The privileges and immunities set down at paragraphs I, V, VII and IX shall also be enforced during the preliminary investigation. In this case, however, limits, conditions and requirements established under the law will be taken into account. The privilege established at paragraph II shall be unconditionally enforced.

B. Privileges and immunities of either the victim or the offended:

I. They shall be both legally advised and informed about their Constitutional privileges and immunities. Whenever they request so, they shall be informed about the development of the criminal proceeding in which they are participating as well;

They can collaborate with the public prosecutor. Their exhibits shall be used as evidence in both the preliminary investigation and the trial. The victim and the offended shall be entitled to demand criminal proceedings to be thoroughly carried out.

The public prosecutor can deny in a reasonable way and according to the law the execution of a particular act of the proceeding;

II. They shall be entitled to receive urgently—from the moment in which the offence took place onwards—medical and psychological treatment;

III. They shall be entitled to compensation. The law will set down the cases in which public prosecutors will be authorized to request from the judge such a benefit. Convicted felons shall not be exempted from delivering an adequate compensation to the victims.

The law shall set down agile procedures in order to comply with compensation resolutions;

IV. If the alleged crimes are rape or kidnapping, underage victims shall not be compelled to be face to face with the defendant. In such cases, the law shall establish the conditions under which party statements will take place; and

V. They shall be entitled to ask for any lawful security measure which can protect them.

Article 21

Judicial authorities shall have power to punish criminal offences. Public prosecutors shall be in charge of investigating and prosecuting criminal activities. In carrying out their duties, public prosecutors shall also command the law enforcement agencies in charge of criminal investigations. The infringement of both governmental and police

regulations shall be punished by administrative authorities by either a fine or a detention which can not be extended for more than thirty six hours. Unpaid fines shall be turned into detentions of thirty six hours at most.

If the offender is a worker who receives a daily wage, he will not be punished with a fine which exceeds the amount of his daily payment.

In dealing with freelance workers, the fine shall not exceed the amount of money they make in one day of work.

The public prosecutor's resolutions waiving criminal lawsuits can be judicially challenged under the law.

The Federal government, Federal District's authorities, State governments and local governments alike will be in charge of public security in accordance to the distribution of jurisdictions established by this Constitution. Law enforcement agencies shall perform their activities in a legal, efficient, professional and honest way.

The Federal government, Federal District's government, State governments and local governments alike will work in a coordinate way and under the law in order to establish a national system for public security.

Article 22

Mutilation, infamous punishments, marking, lashing, beating, torments of any kind, excessive fines, excessive seizures and any other unusual and transcendental punishments shall be forbidden.

The use by judicial resolution of either all or a part of a person's wealth in order to pay a compensation derived from a criminal offence or to cover taxing debts or fines shall be considered as a confiscation. It shall not be considered as a confiscation either the seizure made by authorities on a person's assets in dealing with a case of illegal enrichment as defined by article 109. Likewise, it shall not be considered as a confiscation the seizure made on a felon's assets whenever he has been found guilty of committing organized crimes. Such an exemption shall be extended to those assets used by the convicted felon which are not his property.

It shall not be considered as a confiscation the State's appropriation of seized private property which, under the law, turns into abandoned wealth. At the end of either a criminal investigation or a criminal trial in which the suspect faces charges of organized crime judges shall resolve the controversies derived from the seizure of property. Judges shall have power to deliver all seized property to the Federal Government. Judicial rulings on seized property shall be issued after all due process of law's formalities—according to which the interested parties' arguments have been heard and the organized crime allegations has been proved—have been enforced. Besides, such judicial rulings shall only affect a convicted felon's property or those assets which he claims either possession or ownership on. The bona fides acquisition of a convicted felon's property by other persons shall be unaffected.

Death penalty for political crimes is forbidden. It can be imposed, however, to punish traitors to the Nation in a war against a foreign nation, parricides, premeditated murderers, arsonists, kidnappers, criminals who have committed piracy, robbers in the roads or highways, and to punish military personnel who have committed serious military offences.

Article 23

No criminal trial shall have more than three instances. No one shall be put on trial twice for the same crime. Besides, acquittal from trial shall be forbidden.

Article 24

Every man shall be free to choose and profess any religious belief as long as it is lawful and it can not be punished under criminal law.

The Congress shall not be authorized to enact laws either establishing or prohibiting a particular religion.

Religious ceremonies of public nature shall be ordinarily performed at the temples. Those performed outdoors shall be regulated under the law.

Article 25

The Federal State shall lead the national development which will be integral and sustainable. National development shall not only strengthen the national sovereignty and the democratic regime but also—by promoting economic growth, employment growth and a fairer distribution of income and wealth—allow a full enforcement of individual liberties and human dignity, as well as a full enforcement of the constitutional rights which groups and social classes are entitled to.

The Federal State shall plan, conduct, coordinate and guide the nation's economic activity and shall—within the constitutional framework—regulate and promote the activities demanded by the public interest.

The national economic development shall be carried out by a joint effort undertaken by the public sector, the private sector and the social sector working together. Such a joint effort shall not be also undertaken in a socially responsible way. Such a command shall exclude any other economic activity which can contribute to increase the national development.

The public sector shall have power to manage—in an exclusive way—the strategic areas established as such by article 28, paragraph four of this Constitution. The Federal government shall always keep the property and full control over the agencies created therein.

Likewise and under the law, the public sector shall act either alone or jointly with both the private and the social sectors in stimulating and organizing those development areas considered as national priority.

Taking into account social fairness and productivity as guidelines the public sector shall help out and promote enterprises at both the private and the social sector of economy. Such guidelines shall be regulated by both the public interest and the general benefits obtained by using productive resources whose preservation shall be also promoted. The use of productive resources shall be based on ecological policies as well.

The social sector's economic activity shall be expanded, organized and regulated by the law. The social sector of economy shall be formed by owners of communal lands, worker's unions, cooperative unions, communities, enterprises owned partially or totally by workers and any other kind of social organization aimed to produce, distribute and consume necessary commodities and services within the society.

The law shall stimulate and protect the economic activity performed by private individuals and shall provide adequate conditions for the private sector's economic performance which shall be understood as a fundamental contributor to the national economic development within the constitutional framework.

Article 26

The Federal State shall organize a democratic planning system for the national development. Such a system shall provide strength, energy, permanency and fairness to the economic growth in order to assure the Nation's independence as well as its political, social and cultural democratization.

The national project's goals established by this Constitution shall determine the planning's objectives. There shall be a national development plan which the Federal Government's programs shall be based on. The planning shall be made in a democratic way and shall incorporate—through the participation of different social sectors—the society's aspirations and demands into both the development plan and its derived programs.

According to the law, the Executive Branch of Federal Government shall have power to establish the public and popular participation procedures within the national system of democratic planning as well as the guidelines leading the design, undertaking, control and evaluation of the plan itself and the programs mentioned before. Likewise, it shall determine the agencies in charge of the planning process and the general principles under which the Executive Branch of Federal Government shall coordinate

all the actions directed to fulfil the plan's building up process and the plan's execution. Such coordinated actions shall be carried on with the contractual assistance of State governments and the consented involvement of private individuals.

Statutory law shall establish the way in which the Congress will participate within the democratic system of planning.

Article 27

The Nation has an original right of property over the lands and waters within the boundaries of the national territory. The Nation has and will have the right to transfer its property's domain to private individuals in order to create private property rights.

Expropriations of private property can only be made on public utility considerations and through compensation.

The Nation shall have at all times the right to impose on private property restrictions based on public interest considerations as well as to regulate, for the society's benefit, the full employment of available commodities. This shall be done in order to achieve a fairer distribution of wealth while preserving it, as well as to achieve a balanced national development and to improve the living standards of both rural and urban populations. Therefore, necessary laws shall be enacted not only to arrange human settlements but also to establish adequate provisions, uses, natural reserves and objectives for lands, water reserves, and forests alike in order not only to undertake public funded building works but also to plan and regulate the foundation, preservation, improvement and growth of urban centres. All necessary laws shall be enacted as well to preserve and to restore ecological equilibrium; to divide privately owned large rural states; to stimulate the legal organization and exploitation of common lands; to stimulate the development of small rural property; to promote agriculture, livestock farming, silviculture and any other kind of rural economic activity and to prevent both the destruction of natural resources

and any kind of damage caused on property which can have a harmful effect on society.

The Nation owns what follows: all natural resources at both the continental platform and the islands' seafloor; all mineral deposits which are different to the materials composing the lands in which they are located, for instance the minerals from which metals and metalloids—directed to an industrial use—can be obtained; all gems and gem-derived salt deposits and sea salt deposits; all the products derived from the breaking-down process of the rocks whenever its exploitation has to be carried underground; all mineral and organic deposits which can be used as fertilizers; all solid mineral combustibles; all the oil and all solid, liquid and gaseous hydrocarbons. The Nation also owns, according to International Law, the space above the national territory.

Water shall be considered as national property as follows: water belonging to territorial seas according to the extensions and terms imposed by International Law; interior marine waters; lagoons and estuaries' waters which flow either permanently or occasionally into the sea; those at the interior natural lakes directly linked to constant streams; rivers' waters and its direct and indirect tributary streams which will be considered as national when the former stream or its riverbed represents either totally or partially a natural border for the national territory or a natural border between two States, or when it crosses from one State to another or flows into a neighbour Nation; the waters of lakes, lagoons or estuaries whose zones or banks are crossed by the borders separating two or more States or even the Republic from a neighbour country; or when the riverbeds' edges works as a boundary between two States or even between the Republic and a neighbour country; spring waters welling out at the nation's shores, marine zones, riverbeds, lakes, lagoons and estuaries, as well as those extracted from mines; waters of banks and riverbeds of internal lakes and internal currents which will have an extension established by the law. Underground waters can be freely brought to the surface by

technological devices and, therefore, the owner of the land will be able to claim them; yet under public interest considerations or whenever some other uses of the water were affected, the Executive Branch of Federal Government will be empowered not only to regulate such waters' extraction and use but also to restrain the access to them as it can do with respect to the rest of national waters. Water not included in the previous enumeration, shall be considered as belonging to the owner of the land in which it flows or in which it is deposited, however, if such a water is located in more than one property, its existence shall be considered of public utility and its ownership will be transferred to the States jurisdiction. In those cases which the previous paragraphs refer to, the Nation's domain shall not be transferred to others and will be, therefore, permanent. The exploitation, use and consumption of the aforementioned resources by private individuals or legal corporations shall always need to be authorized by a permit issued by the Executive Branch of Federal Government which will comply with the regulations and conditions established by the law. Mineral exploitation laws which paragraph four refers to shall regulate mining as well as the ways in which such an activity can be proved to have been done within the dates established by the permit, whatever the starting date of the authorization might be. Any mining work performed beyond the date established at the permit, shall be cancelled. The federal government shall have power to both create and suppress national reserves. The respective resolutions shall be made by the Executive Branch of Federal Government according to the law. With respect to oil and solid, liquid, gaseous or radioactive hydrocarbons no new permit shall be issued and those already issued shall be cancelled in order to allow the Nation to carry out the exploitation of the materials mentioned above according to statutory law. The Nation shall be in charge of generating, conducting, transforming, distributing and providing electricity as a public service. No permit shall be issued to private individuals or corporations in order to provide such a public service. The

Nation will use all necessary commodities and natural resources available to achieve the goals set so far.

The Nation shall be also in charge of both using nuclear fuels in generating nuclear energy and regulating the application of such a kind of energy for any other purpose. The use of nuclear energy shall be reserved to achieve pacific goals.

Within an economic exclusive zone located both outside the territorial sea and besides it, the Nation shall have jurisdictional powers and sovereignty rights established by the law. The economic exclusive zone shall have an extension of two hundred maritime miles which will be measured from the starting line used to measure territorial sea. In those cases in which such an extension is superposed over some other nations' economic exclusive zones and whenever should be necessary, the boundaries dividing economic maritime zones shall be agreed upon with those other nations.

The empowerment to acquire legal domain over the nation's lands and waters, will be ruled by what follows:

- I. Only those persons recognized as Mexicans by birth or by naturalization as well as Mexican corporations shall have a right to acquire legal domain over lands, waters and their accessories. They shall also be entitled to acquire permits in order to exploit mines and waters. The State can grant the same right to foreigners as long as they agree with the Ministry of Foreign Affairs to be considered as Mexican nationals with respect to such resources and to decline, therefore, any right to be legally protected by their national governments in case of being involved in a controversy about the resources; such an agreement's breach shall be penalize by transferring the contested resources back to the Nation. Within an extension of one hundred kilometres from the national borders inland and of fifty kilometres from the seashore inland, foreigners shall never be allowed to acquire direct domain over lands and waters.

The State, according to internal public interests and reciprocity principles, can issue—through the Ministry of Foreign Affairs approval—permits allowing foreign Nations to acquire real state property at the Federal Powers' permanent location in order to help their Embassies and legations to have a place in which they can perform their duties;

- II. All religious associations organized according to article 130 and its derived legislation, shall be authorized to acquire, possess or manage just the necessary assets to achieve their objectives;
- III. Either private or public philanthropic institutions directed to help out people in need, to carry out scientific research, to promote teaching, to promote the mutual help between its members or to achieve any other legal objective, shall be authorized to acquire the estate property deemed as necessary to achieve their objectives;
- IV. Private corporations shall be authorized to own rural lands with the extension necessary to achieve their goals.

Private corporations shall not be allowed, however, to own lands dedicated to agriculture, livestock farming or silviculture activities which exceed more than twenty five times the extensions set at paragraph XV of this article. Statutory law shall establish the way in which capital shall be structured as well as the minimum number of stakeholders which such corporations will need in order to start doing business in order to prevent individual property from exceeding the limits that have been set down for small property. In this case, every single share of rural land property will be added to the total. Likewise, foreigners shall be authorized to share rural land property under the law.

Statutory law shall establish the register and control mechanisms necessary to ensure a full compliance with the content of this paragraph;

- V. Lawful Banks acting under the limits established by the laws regulating the banking system, shall be authorized to invest capital on either

urban or rural properties but not to own or manage real estate properties beyond what they truly need in order to achieve their direct goals;

- VI. The States and the Federal District as well as the Republic's municipalities shall have a right to acquire and possess all necessary real state property in order to carry out public services.

Federal and State legislation shall distinguish those cases in which the occupation of private property can be undertaken according to public utility's reasons. Administrative authorities shall declare the lawfulness of such an occupation under the law. The expropriation shall produce a compensation which will be calculated from the property's taxing value registered at the revenue tax offices by either the owner's declaration or the owner's implicit consent expressed by complying with the respective council tax according to such a base. The increase or decrease of the property's value derived from either improvements made on it or damages suffered by it after the property tax value has been calculated, will be recalculated by experts and declared by judicial resolution. The same procedure shall be applied in dealing with objects whose values are not registered at the revenue tax offices.

The Nation shall be entitled to claim the sovereignty rights established by this article in a court of law; in such a case, within a month after the respective lawsuit has been submitted, the respective court of law shall authorize administrative authorities to occupy, manage, auction or sell the affected lands or waters as well as its accessories; the authorities' actions can only be revoked by a definitive judicial resolution;

- VII. The population of both rural lands and communal lands shall be legally recognized and their property over the lands shall be protected not only as settings for human settlements but also as lands used to perform productive activities.

Statutory law shall preserve the integrity of indigenous peoples' lands.

The law, having a respectful approach towards communal ways of life within rural lands and communities' shall aim to strengthen such ways of life and shall protect the lands used for human settlement. The law shall also regulate any other use for the lands, forests and communal waters as well as the promotion of any action which is deemed to be necessary in order to raise the population's living standards.

The law, taking into account both owners of rural land's decision and communities' decision on how they will use their productive resources, shall regulate the way in which community members and owners of small pieces of land will be able to claim property rights over their parcels. Likewise it shall enforce all due process of law's formalities under which both owners of small rural lands and communities' members can join their efforts with each other, with the State or with others in using their lands; the law shall authorize owners of common rural lands to transfer their property rights to other members of the community; it shall also establish guidelines to followed in order to allow the Assembly of owners of common land in every single community to recognize an owner's domain over his parcel. The preferential rights to acquire a parcel established by the law shall be taken into account before a commercial transaction is completed.

Rural communities' individual members shall not be authorized to own more than 5% of the total extension of communal lands. Anyway, the individual ownership of parcels within communal lands shall obey the limits established at paragraph XV.

The general assembly—which will be organized and will have powers vested in it by the law—will be the directive organ of the rural or communal population. There will be a commissary of rural land or communal treasury who will be democratically elected under the law

and who will both represent the rural land's population and execute the assembly's resolutions.

The devolution of lands, forests and waters to rural populations shall be made under the law;

VIII. It shall be void:

- a) Any property transfer affecting lands, waters and estates belonging to towns, villages, congregations or communities authorized by political chiefs, State governors or any other local authority in violation of the Act of June 25th, 1856 and its related legislation;
- b) Every concession on, agreement over or sale of lands, waters and estates undertaken by the Ministry of Economy, the Treasury or any other federal agency from December 1st, 1876 up to this very day and which have been used to invade and illegally occupy rural lands, communal lands or any other kind of estate owned by villages, towns, congregations, communities and any other kind of populations;
- c) Any procedure followed to divide and separate estates as well as any transaction, sale or auction done by corporations, judges or any other State or Federal agency within the temporal framework established in the previous paragraph which had been used to either invade or illegally occupy rural lands, waters and estates belonging to the populations.

The ownership over a land acquired under the Act of June 25th, 1856 shall be valid as long as the owner proves not only a ten years old domain over such a land but also that its surface is not bigger than fifty hectares;

IX. The fraudulent division or transfer of parcels made among neighbours of a inhabited estate will be declared void when requested by either three quarters of the neighbours owning a quarter of the affected land or by a quarter of the neighbours owning three quarters of the affected land;

X. Repealed;

- XI. Repealed;
- XII. Repealed;
- XIII. Repealed;
- XIV. Repealed;
- XV. Large estates individually owned are forbidden in the Mexican United States.

The estates which individually neither exceed a hundred hectares of irrigation nor of first class humidity nor of any other kind of soil equivalent to the previous two shall be considered as small rural property.

Such equivalence shall be computed as follows: an irrigated hectare shall be as equal as two rain-irrigated hectares or four hectares of good quality parched land or eight hectares of forest, scrubland or parched arid land.

Likewise any piece of irrigated land growing cotton and smaller than fifty hectares shall be considered as small rural property; the same definition shall be applied to the irrigated land growing banana, sugar cane, coffee beans, henequen, rubber trees, palm trees, olive trees, vineyards, cinchona trees, vanilla beans, cacao, agave plants, cactus or fruiters.

The individual livestock farms which—taking into account the fodder's availability in the land—are big enough to handle either five hundred large animals at most or the amount of smaller breeds considered as equivalent by the law shall be considered as small stockbreeding property.

The small property shall continue to be considered as such under the law in spite of any irrigation, draining or constructing works carried out that have not only improved the land's quality but also enlarged the estate's extension beyond the limits established by this fraction.

If a small stockbreeding property is improved by constructing works and the resulting land is used for agricultural purposes, the resulting

extension of the land shall not exceed the limits established by paragraph second and paragraph third of this fraction. The land's quality before the improving works have been performed shall be taken into account in deciding about the land's classification.

XVI. Repealed.

XVII. Both the Congress and the State Congresses shall enact laws which will regulate the fractioning procedures as well as the commercial practices under which the sale of those extensions of land exceeding the limits set down at paragraphs IV and XV of this article will be undertaken.

Every excess beyond such limits shall be fractionated and sold by the owner within a year which will be counted from the day in which a proper notification to do so has taken place. Once the deadline has been met without the excess of land being sold, such extension will be auctioned. The preference right shall not be infringed.

State legislations shall regulate family wealth by determining—under the assumption that it will be out of commerce and will be protected from seizures and taxing procedures—the ways in which it will be integrated;

XVIII. All contracts and concessions performed by the administrations which were in office before 1876 and which have produced monopolies over lands, waters and the National natural resources shall be under scrutiny. The Executive Branch of federal Government shall have power to declare them void whenever such monopolies are harmful for the public interests;

XIX. The federal government shall constitutionally take all necessary steps to organize an efficient and honest system of rural justice which will enforce legal security for rural land owners, communal land owners and small property owners and which will provide legal counsel to peasants.

Any controversy about limits of rural and communal lands shall be under federal jurisdiction in spite of their origin, whether they are resolved or not and when involving two or more populations; ownership declarations on rural land and communal land shall be under federal jurisdiction as well. To achieve such objectives and to be in charge of rural justice management, the Congress shall provide for independent and fully empowered Courts which will be integrated by judges appointed by the Chamber of Senators—or by the congressional Permanent Commission during senatorial recesses—from the nominations made by the Executive Branch of Federal Government.

The Office of the Attorney General for rural affairs shall be established by the law, and

- XX. The Federation shall promote adequate conditions for an integral rural development to take place in order to generate jobs and to improve the peasant population's well-being as well as such a population's participating role and full incorporation into the national development. The Federation shall also promote that agricultural, stockbreeding and forestry activities are aimed to achieve an optimum use of land improved by infrastructure, consumables, loans, training schemes and technical assistance. Likewise the Federation shall enact all necessary legislation to regulate agricultural production, agricultural industrialization and agricultural commerce all of which will be considered as public interest activities.

Article 28

In the Mexican United States monopolies, monopolistic practices, interfering practices against commerce and tax exemptions shall be forbidden under the law. Any prohibition imposed for the sake of the industry's protection shall be forbidden as well.

Any concentration or hoarding of essential products directed to increase prices shall be therefore severely punished under the law and efficaciously prosecuted; the same treatment shall be applied to any agreement, procedure or joint acts performed by producers, industrials, businessmen or services entrepreneurs directed to help them out in avoiding free commerce or free competition among them, compelling consumers to pay exaggerated prices. The same treatment shall be applied to any other act or conduct which constitutes an exclusive and unfair advantage benefiting one or more particular persons and which harms either the public or a particular social class.

The legislation shall set down the foundations on which the pricing system for items, materials or products considered as necessary either for the national economy or for popular consumption will be established. On the same foundations the organizing modalities arranging the distribution of such items, materials or products shall be based in order to prevent unnecessary or excessive intermediaries to generate not only an insufficient distribution of goods but also prices' increase. Consumers shall be protected under the law and shall legally organize themselves to take a better care of their interests.

The State's activities performed within the strategic areas that follow will not be considered as monopolies: mail services, telegraphs and radiotelegraphy; oil and all the hydrocarbons; basic petrochemistry; radioactive minerals and nuclear energy production; electricity and other activities expressly pointed out by the Congress. According to article 25 of this Constitution, satellite communications and railways are both priority areas for the national development. Besides, acting as a rector over such areas, the State shall preserve National security and sovereignty and, by granting concessions and permits, it shall keep domain over the related communicating infrastructure.

The State, acting under the law, shall provide for agencies and corporations deemed to be necessary in order to achieve an efficacious

management of the strategic areas within its domain as well as of the priority activities, whether it works alone or joined by either social or private actors.

The State shall have a central bank which will be autonomous in handling both its affairs and its management. Its main objective shall be to procure stability for the national currency's acquisitive rate, strengthening therefore the State's role as the rector of the national development. No authority shall have power to issue financial orders to the bank.

The State's authority vested in the central bank's activities of coining and banknotes' issuing shall not be considered as a monopolistic one. In accordance with the law and without interfering within other authorities' jurisdiction, the central bank shall regulate trade rates as well as banking intermediation and financial services and in doing so shall have the necessary powers to issue adequate regulation and to take such regulatory role into practice. The bank shall be directed by officers appointed either by the Chamber of Senators or by the Permanent Commission out of a shortlist of presidential nominees; they shall hold their offices for periods of time which, due to a scheme of gradual renovation of the Board, strengthens their autonomy; the central bank officers—which will only be removed after committing a serious misconduct, shall not be authorized to have a different job, post or commission except those in which they represent the bank and those unpaid ones carried out within teaching, scientific, cultural or philanthropic organizations. The members of the central bank's board shall be accountable and can be impeached under article 110 of this Constitution.

Neither workers' unions organized to protect workers' interests nor cooperative associations organized to defend producers' or public interests shall be considered as monopolies. Such associations shall be considered as protecting productive or public interests by selling directly at international markets national or industrial products which are not classified as essential items but as the main source of income for their

respective regions. Such associations shall be neither under federal governmental surveillance nor under state governmental surveillance and shall need legislative permits to run their businesses. Both the Congress and the State Congresses shall have powers to derogate by their own or by a governmental request based on considerations of public necessities, any permit allowing a cooperative association to start doing business.

All temporal production privileges granted to authors and artists with respect to their creations shall not be considered as monopolies either. The same privilege shall be granted to the inventors or improvers of inventions who are using their creations in an exclusive way.

According to federal legislation, the State shall authorize other parties to manage public services as well as to full exploit, use and consume resources under Federal domain excluding the exceptions legally established. The law shall set down the modalities and conditions directed to generate an efficacious providing of public services as well as a social use of those resources, preventing therefore concentration events which can harm public interests.

The regulation on the providing of public services must be enacted in compliance with this Constitution and its derived legislation.

Subsidies shall be granted to those general activities considered as national priorities which are temporal and which do not affect the Nation's finances in a substantial way. The State shall put such grants under scrutiny and shall evaluate their results to do so.

Article 29

In face of invasions, serious disturbance of public peace or any other situation which puts society in a great danger or conflict, the President of the Mexican United States, shall have power with the consent of the Secretaries of State, the Directors of Administrative Departments and the Attorney General, to suspend in the whole country or in a specific location the rights and privileges which can slow down a quick and easy response to the situation. In doing so, the President must have been authorized by

either the Congress or its Permanent Commission. The suspension of rights and privileges shall be neither permanent nor individual and shall be issued through general rules. If such a suspension takes place within an ordinary period of sessions, the Congress shall authorize the President to face the situation; otherwise the Congress' members shall be immediately summoned in order to authorize the President.

Chapter II

The Mexicans

Article 30

The Mexican nationality shall be acquired either by birth or by naturalization.

A. The Mexicans by birth shall be:

- I. The individuals born within the Republic's territory whatever their parent's nationality might be;
- II. The individuals born abroad from Mexican parents who were born within national territory, from a Mexican father who was born within national territory or from a Mexican mother who was born within national territory;
- III. The individuals born abroad from naturalized Mexican parents, from a naturalized Mexican father or from a naturalized Mexican mother, and
- IV. The individuals born aboard Mexicans ships or airplanes whether military or commercial.

B. The Mexicans by naturalization shall be:

- I. The foreigners who have obtained a naturalization Declaration from the Foreign Affairs Secretary,
- II. The foreigners married to Mexicans who live within national territory and fulfil all legal requisites.

Article 31

Mexicans shall have duties as follows:

- I. Mexicans shall send their sons, daughters or pupils to either public or private schools in order to provide them not only with preschool

education but also with primary and secondary education and even military instruction according to the law.

- II. Mexicans shall attend civic and military instruction within the timetables established by the city in which they live in order to be prepared to claim their rights as well as to get acquainted with the use of weapons and with the military discipline;
- III. Mexicans shall enrol themselves and serve in the National Guard under the law in order to defend the Nation's independence, territory, honour, rights and interests as well as the interior peace and order, and
- IV. Mexicans shall contribute to finance the federal spending as well as to finance the spending of the state or municipality which they live at. Likewise, they shall contribute to finance the Federal District's public spending.

Article 32

The federal legislation shall regulate the way in which Mexicans having a second nationality will claim their rights and shall also prevent conflicts derived from double nationality issues.

The posts and employments reserved to Mexicans by birth under the Constitution shall not be occupied by individuals who have acquired a different nationality. The same criteria shall be applied to the cases pointed out by federal law.

During peacetime foreigners shall neither serve in the Army nor in a law enforcement corporation. During peacetime only Mexicans by birth shall serve in the Army, in the Navy or in the Air force as well shall perform any employment or commission within such corporations.

The same quality shall be fulfilled by captains, pilots, skippers, machine operators, mechanists and, in general, every crew member in a ship or an airplane carrying the Mexican flag. It shall also be fulfilled by port captains, steersmen and airport commanders.

In face of similar circumstances Mexicans shall be preferred to foreigners by granting to them all available privileges and providing them with every governmental employment, job or commission which does not require a citizen legal status.

Chapter III

The foreigners

Article 33

The individuals lacking the qualities determined by article 30 shall be considered as foreigners. They shall have the privileges and immunities conferred on every person by Chapter I, Title one of this Constitution; however, the Executive Branch of Federal Government shall have power to expel from national territory, without a trial and in an immediate way any foreigner whose presence is considered to be inconvenient.

The foreigners shall not participate in the country's political affairs.

Chapter IV

The Mexican citizens

Article 34

The citizens of the Republic shall be those individuals who are considered as Mexicans and fulfil conditions as follows:

- I. To be at least 18 years old, and
- II. To have an honest way of life.

Article 35

Every citizen shall be entitled to:

- I. Vote at popular elections;
- II. Be elected to any public office or appointed to any employment or commission which requires certain legal qualities to be fulfilled;
- III. Associate freely and individually with others in order to participate in the country's political affairs;
- IV. Enrol in the Army or the National Guard in order to defend the Republic and its institutions under the law, and
- V. Claim the right of petition in any kind of businesses.

Article 36

Every citizen of the Republic shall have a duty:

- I. To register himself at the respective council tax office, declaring his property as well as his industry, profession or work; he also shall register himself in the National Register of Citizens under the law.
The National Register of Citizens as well as the Mexican Citizen Identity Card's issuing procedures shall be considered as public interest services and the State shall be therefore in charge of them.
The citizens' participation shall be authorized under the law;
- II. To enrol in the National Guard;
- III. To vote in the popular elections under the law;
- IV. To perform the duties of officers elected by popular vote which shall never be unpaid ones, and
- V. To perform the municipal official duties, the electoral ones and those reserved to juries.

Article 37

- A) The Mexican nationality by birth shall never be revoked.
- B) The Mexican nationality by naturalization shall be revoked from those who:
 - I. Willingly acquire a foreign nationality, pretend to be foreign citizens when subscribing a public document, use a foreign passport or accept or use nobility titles which imply their submission to a foreign State, and
 - II. Live abroad for five years in a row.
- C) The Mexican citizenship shall be revoked from those who:
 - I. Either accept or use nobility titles issued by foreign governments;
 - II. Willingly perform official services to a foreign government without either congressional approval or the congressional Permanent Commission's approval;
 - III. Either accept or use foreign decorations without either the Congress' approval or the Congressional Permanent Commission's approval;

- IV. Accept titles or employments from any other country's government except literary, scientific or humanitarian ones which can be freely accepted;
- V. Help out a foreigner or a foreign government against the Nation in any diplomatic controversy or international court, and
- VI. Perform any other act that can be punished by citizenship revocation under the law.

Federal law shall set down the exception cases necessary to comply with fractions I to IV of this paragraph as well as the deadline within which requested permits and licenses will be issued.

Article 38

Citizenship rights and prerogatives shall be suspended for those who:

- I. Unjustifiably breach the duties imposed upon them by article 36. Citizenship suspension shall last for one year and shall be imposed along with any other punishment which can be applied under the law;
- II. Are on trial for a crime which deserves physical punishment. In such a case the trial's duration will be counted from the committal's issuing date onwards;
- III. Are serving time in a prison;
- IV. Have been legally declared as either vagrants or drunkards;
- V. Are fugitives from the moment in which a committal has been released against them to the one in which the prosecution has expired, and
- VI. Are sentenced to have their citizenship rights suspended.

The federal legislation shall set down the ways in which citizenship rights will be revoked, as well as the rehabilitation procedures which will be followed by the affected individuals.

Second Title

Chapter I

The national sovereignty and the form of government

Article 39

The national sovereignty is vested essentially and originally in the people. The public power is originated in the people and is institutionalized for the people's benefit. The people shall be entitled to change or modify its government's form.

Article 40

The Mexican people willingly constitutes itself as a representative, democratic and federal Republic integrated by States which are free and sovereign in order to organize their internal regimes, but which are also united as a Federation established under this Constitution's principles.

Article 41

According to the distribution of jurisdictions which shall be established by both this Federal Constitution and the State Constitutions, the People shall execute its sovereignty either through the Powers of the Union or through the States. The Federal Pact foundations shall never be challenged by the States' Constitutions.

Both the Legislative and the Executive Branches of Federal Government shall be renewed after free, authentic and periodical elections have taken place under principles as follows:

- I. The political parties shall be considered as public interest entities; federal legislation shall specify their participation in the electoral process. National Political Parties shall have a right to participate at state and municipal elections alike.

The political parties' main objectives shall be to promote the People's participation in the Nation's democratic way of life, to participate in the National Representation's building-up process and—as organizations for citizens—to allow, according to their programs, principles and ideas and through universal, free, secret and direct voting, such citizens to

access to the public power's. Free and individual affiliation to a political party will be a right reserved for citizens.

- II. Federal law shall provide for national political parties with all necessary elements to help them in carrying out their activities. Therefore, they shall have a right, under that same legislation's rules and procedures, to use the media in a permanent way. Federal legislation shall also regulate the political parties and the electoral campaigns' financing system in order to prevent private funding to prevail over public funding.

Public funding for those political parties which remain registered after an election has taken place shall be directed to cover the expenses generated by their ordinary permanent activities as well as by their electoral activities during electoral processes. Electoral public funded spending shall be regulated by federal law and by principles as follows:

- a) Public funding of permanent ordinary activities shall be established annually taking into account the minimal campaign costs calculated by the Federal Electoral Institute's Directive Board, the congressional seats at stake, the number of political parties represented at Congress and the duration of the electoral campaigns. Whereas 30% of the total amount obtained by such calculus shall be equally distributed among political parties, 70% shall be distributed according to the voting percentage they have obtained at the previous House of Representatives' election;
- b) The amount of public funding granted for those activities directed to obtain votes shall be equal to the amount of public funding considered to cover political parties' ordinary permanent activities in that particular year, and
- c) All expenditures made by political parties on education, training, socioeconomic and political research and publishing activities, shall be refunded to them.

Federal law shall set down the defining criteria by which electoral campaigns' spending by political parties shall be limited; it shall also establish limits for monetary contributions received from supporters as well as control and scrutiny measures over both the origin and the use of all political parties' resources and, likewise, shall establish measures to punish any illegal activity.

- III. The organization of federal elections is a public funded activity performed by a public autonomous agency named Federal Electoral Institute, which shall have legal powers and shall manage its own wealth and its own budget. Such agency shall be provided for by the Congress, by the national political parties and by the citizens under federal law. In performing such public funded activity, certainty, legality, independence, impartiality and objectivity shall be the guiding principles.

The Federal Electoral Institute shall have electoral jurisdiction, shall be independent in carrying out its duties as well as professional in its performance; in doing so, it shall distribute its powers among directive, executive, technical and controlling departments. The General Council, which shall be its directive board, shall be integrated by a councillor President along with eight electoral councillors. Congressional councillors, political parties' representatives and an Executive Secretary shall also participate at the General Council's deliberations without a right to vote; federal law shall regulate the ways in which the General Council and the administrative departments shall perform their duties as well as the hierarchy relations among them. The aforementioned executive and technical departments shall employ the qualified personnel deemed to be necessary to carry out the professional electoral service. Both Federal law and its derived regulations enacted by the General Council shall regulate the labour relations between the agency and its employees. The controlling

departments shall be integrated mainly by political parties' representatives. The electoral precincts shall be integrated by citizens. The councillor President and the electoral councillors of the General Council shall be appointed successively by a two thirds majority computed out of the members of the Chamber of Deputies attending the respective session, from the nominations submitted by the parliamentary groups. Under such a procedure eight electoral councillors shall be also appointed additionally as substitutes. If necessary, the substitutes will be picked up in a successive way to fill up the vacancies. Federal law shall establish further appointing rules.

The councillor President and the electoral councillors shall hold their offices during a term of seven years and shall not have any other employment, job or commission but those in which they represent the General Council as well as those performed for free in any teaching, scientific, cultural, researching or philanthropic associations. The wages of both the councillor President and the electoral councillors shall be equal to those granted to the Supreme Court justices.

The Executive Secretary shall be appointed by a two thirds majority out of the General Council's members from the councillor President's nomination.

Federal law shall establish the requisites that every individual must fulfil in order to be appointed as the councillor President, as an electoral councillor or as the Executive Secretary of the Federal Electoral Institute. Such public servants can be impeached according to the rules set down by Title four of this Constitution.

Congressional councillors shall be appointed by parliamentary groups affiliated to a political party within the Congress. Each parliamentary group shall have just one Councillor even though the respective political party is represented at both Chambers of Congress.

The Federal Electoral Institute shall have power to manage—in an integral and a direct way and besides any other activity determined by

federal law—those activities concerning training and civic education, the electoral geography, the rights and prerogatives of political associations and political parties, the electoral register, the printing of electoral materials, the organizing of the election day, the vote counting performed under the law, the validity declaration of the election and the issuing of certificates for winning Deputies and Senators, the vote counting of all electoral districts if a Presidential election has taken place, the regulation of the electoral observation as well as the regulation of the electoral polling and statistical prediction services related to federal elections. The deliberations performed within all collegial directive boards shall be public under federal law.

IV. A judicial system of appeals directed to protect the constitutionality and the legality principles—under which electoral decisions and resolutions must be made—shall be established by this Constitution and by federal law. According to article 99 of this Constitution, such system shall provide definitive resolutions to the electoral system's different stages in order to protect the political rights of citizens to vote, to be voted and to associate with each other.

Neither a constitutional nor a legal judicial appeal shall ever suspend an electoral resolution.

Chapter II

The Federation's members and the National Territory

Article 42

The national territory shall be integrated by:

- I. The Federation's integrant portions;
- II. The islands, including all reefs and cays within the adjacent seas;
- III. Both Guadalupe and Revillagigedo islands which are located at the Pacific Ocean;
- IV. The continental shelf and the seafloor of islands, cays and reefs;
- V. The territorial seas' waters according to the extension and conditions imposed by International Law as well as all inland maritime waters; and

VI. The space located above the national territory according to the extension and modalities imposed by International Law.

Article 43

The Federation's integrant portions are States as follows: Aguascalientes, Baja California, Baja California Sur, Campeche, Coahuila, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, México, Michoacán, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz, Yucatán, Zacatecas and the Federal District.

Article 44

Mexico City shall be considered as the Federal District, the residence of the Union's Powers and the Capital of the Mexican United States. It shall be integrated by its current territory and shall be turned into the State of Valle de México when the Federal powers are transferred to a different location. In such a case, the Congress shall set down the limits and territorial extension for the new State.

Article 45

The Federation's States will keep their current borders and extensions as long as there is not a controversy about it.

Article 46

The States can enter into agreements with each other in order to set down borders dividing them; however, in every case, such agreements must be approved by the Congress.

Article 47

Nayarit State shall have the territorial extension and the borders which nowadays are recognized as constituting the Territory of Tepic.

Article 48

The Federal Government shall be in charge of all the islands, cays and reefs within the adjacent seas belonging to national territory as well as of the island's seafloors, territorial seas, inland maritime waters and the

space located above the national territory. The jurisdiction of the Federal Government shall not be extended to the islands which are currently under State jurisdiction.

Third Title

Chapter I

The Division of Federal Power

Article 49

The Federal Supreme Power shall be divided into a Legislative Power, an Executive Power and a Judicial Power.

It is forbidden to vest two or more of such Powers in a single person or corporation. The Legislative Power shall only be vested in a single individual when special powers have been granted to the Executive Branch of Federal Government according to article 29 of this Constitution. Special legislative powers shall only be established by article 131, paragraph two of this Constitution.

Chapter II

The Legislative Power

Article 50

The Legislative Power shall be vested in the Congress which shall be integrated by a Chamber of Deputies and a Chamber of Senators.

Section I

Congressional Election and the Congress' Inauguration

Article 51

The Chamber of Deputies, which shall be integrated by the Representatives of the Nation, shall be renewed through popular elections which will take place every three years. For each Deputy a substitute shall be elected.

Article 52

The Chamber of Deputies shall be integrated by 300 Deputies who shall be elected by a majority of voters in an electoral district. Two hundred Deputies more shall be elected according to the proportional

representation principle by using a System of Regional Lists which shall be voted within a certain territorial circumscription.

Article 53

The borders separating the 300 electoral districts from each other shall be set down after dividing the country's population by that same number. The electoral districts' location shall be distributed among the States taking into account the most recent general population census. Each State shall have at least two Deputies elected under the majority principle.

In order to elect 200 Deputies under both the proportional representation principle and the System of Regional Lists, five electoral circumscriptions shall be established in the country. Federal law shall set down the ways in which such territorial division will be made.

Article 54

The election of 200 Deputies under both the proportional representation principle and the System of Regional Lists shall be carried out according to federal law and principles as follows:

- I. In order to register regional lists, every political party shall demonstrate its participation in at least two hundred electoral districts' elections;
- II. Whenever a political party reaches at least two percent of the whole voting received for regional lists in the country, its candidates shall be appointed to the Chamber of Deputies elected under the proportional representation system;
- III. The candidates of those political parties which fulfill the principles set down in the previous two paragraphs shall be appointed to the Chamber of Deputies according to the National Voting received by the respective party, whatever the number of winners' certificates obtained by them under the majority system might be. The deputies shall be appointed by taking into account the order in which the candidates' name appears within the list;
- IV. No political party shall have more than 300 Deputies no matter which principle they have been elected under.

- V. The Political parties shall never have a number of Deputies equal to a percentage of the Chamber which in its turn exceeds by eight points the percentage they have obtained out of the national voting. This restriction shall not be applied to the political party which based on its electoral victories at majority electoral districts, obtains a percentage of the Chamber's seats larger than its percentage of national voting plus eight percent, and
- VI. According to previous paragraphs III, IV and V and once the Deputies have been appointed under the rules set down in previous paragraphs IV and V, the proportional representation seats leftover shall be appointed out of the remaining political parties which have a right in each one of the regional circumscriptions and in a direct proportion to the national effective voting received by each one of them. Federal law shall regulate procedures and formulas to apply this article's principles.

Article 55

The members of the Chamber of Deputies shall be:

- I. Mexican citizens by birth who are fully entitled to the rights, immunities and privileges established by this Constitution;
- II. At least twenty-one years old on election day;
- III. Either native of the State in which the election is going to take place or effectively residing in it for at least six months before election-day takes place.

In order to be registered at the respective Regional List, the candidates must be either natives of one of the States integrating the electoral circumscription in which the election is going to take place or residents within it at least six months before election-day takes place.

Residence shall not be lost by undertaking a popularly elected public post;

- IV. Off duty for at least ninety days before election-day from the Army, law enforcement agencies and rural police forces with jurisdiction over the Electoral District in which the election is going to take place;

V. Definitely separated from their duties at least ninety days before election-day takes place in so far as they are Secretaries of State or Undersecretaries of State. Supreme Court justices running for a seat in the Chamber of Deputies shall be definitely separated from their judicial duties at least two years before election-day takes place.

The State Governors shall not be elected to represent the States over which they have jurisdiction even though they definitely separate themselves from their duties.

State Secretaries of the Interior as well as Federal or State justices and judges shall not be elected to represent the States over which they have jurisdiction unless they separate themselves from their duties at least ninety days before election-day takes place;

VI. Uncompromised from any religious bond, and

VII. Unaffected by at least one of the incapacities established under article 59.

Article 56

The Chamber of Senators shall be integrated by one hundred and twenty-eight senators. Each State and the Federal District shall elect two senators under the majority principle whereas one shall be appointed to the first minority. For this purpose, the political parties shall register a list composed by two formulas of candidates. First minority senators shall be appointed out of the candidates registered in the first formula of the political party's list which have ended in an electoral second place at the respective State.

Finally, thirty-two senators shall be elected under the proportional representation principle by applying a system of lists which shall be voted in a single national circumscription. Federal law shall set down rules and formulas to carry out such election.

The Chamber of Senators shall be completely renewed every six years.

Article 57

There shall be an elected substitute for each senator.

Article 58

The Senators shall fulfill the same requisites demanded by this Constitution from candidates to the Chamber of Deputies, except the age related one. All senators must be at least 25 years old on election-day.

Article 59

Neither the Senators nor the Deputies shall be reelected to an immediate term in office.

The substitute Senators and the substitute Deputies shall be elected respectively as Senators or Representatives to an immediate term as long as they have not been called to service; however, the Senators and Deputies shall not be elected as substitutes for the following term.

Article 60

According to federal law, the public agency constituted by article 41 of this Constitution shall declare the validity of the elections of both representatives and senators in each one of the federal electoral districts as well in each one of the States; it shall also issue the respective certificates to the registered candidates who have obtained the majority of cast votes and shall appoint first minority senators according to both article 56 of this Constitution and federal law. Likewise, it shall declare as valid the election of Deputies elected under the proportional representation principle, appointing the winners according to both article 54 of this Constitution and federal law.

The resolutions made on validity declarations, on issuing certificates and on appointing either deputies or senators can be appealed under federal law before the Regional Courts of the Federal Electoral Tribunal of the Federal Judicial Power.

The Regional Courts' rulings shall be reviewed by the Higher Court of the aforementioned Tribunal, through the appeals submitted by political parties only in those cases in which an election result can be modified. The Higher Court's rulings shall be definitive. Federal law shall establish the conditions, requisites and procedure to use such appeal system.

Article 61

The Deputies and Senators shall have immunity in expressing their opinions as Congressmen and shall never be reprimanded in doing so.

The Chairmen at both congressional Chambers shall protect not only the constitutional immunities of congressmen but also the inviolability of the congressional premises.

Article 62

During their terms in office and without a license granted by the respective congressional Chamber, neither deputies nor senators shall be allowed to perform any other paid commission or employment at either the Federation or the States; once a license has been granted congressmen's representative duties shall be suspended for as long as their new occupation lasts. Such same rule shall be applied to the substitute Deputies and Senators if they have been called to service. Removal from office shall be the punishment imposed on any violator of this article's rules.

Article 63

Neither the Chamber of Deputies nor the Chamber of Senators shall be allowed to open their sessions or perform their duties without the presence of a least half plus one of their respective members. However, the attending members shall meet on the day established by federal legislation, and shall compel the absent members to attend within the following thirty days, admonishing them that their failure in doing so will be understood as a rejection of their duties and substitutes shall be therefore called to service immediately. The same procedure shall be applied to substitutes. If in its turn substitutes fail to attend, the respective seat shall be declared as vacant. All vacancies shall be fulfilled: vacancies of congressmen elected under the majority principle by calling to extraordinary elections under article 77, paragraph IV of this Constitution; the Chamber of Deputies' vacancies of those seats elected under the proportional representative principle, by appointing the same political

party's candidates contained in the formula registered next in turn at the respective regional list, after such party's respective Deputies have been appointed; Senatorial vacancies of seats elected under the proportional representation principle, by appointing the same political party's candidates contained in the formula registered next in turn at the national list, after such party's respective Senators have been appointed; and senatorial vacancies of seats elected under the first minority principle by the same political party's candidates contained in the formula registered in the second place of the respective State list.

The respective congressional Chamber shall be informed about congressmen who have been absent from their duties for ten days in a row in an unjustified way or lacking an absentee leave granted by the respective chairman. Such congressmen shall not be allowed to take their seats back until the opening of the following period of sessions takes place. In such a case, substitutes shall be called to service.

Whenever a congressional Chamber lacks quorum either to open its sessions or to perform its duties, substitutes shall be called urgently to service. In such a case, the aforementioned thirty-day period shall be computed nonetheless.

The elected congressmen who—according to the respective congressional body—are unjustifiably absent from congressional sessions within the period of time established at this article's first paragraph, shall be accountable and punished under federal law. The national political parties which after supporting congressional candidates during elections, approve in any way the absence of those elected from the Congress' opening session, shall also be accountable and punished under federal law.

Article 64

The Representatives and Senators who unjustifiably and without an absentee leave granted by the respective Chairman are absent from one session, shall not be entitled to claim any wage for that particular day.

Article 65

The Congress shall be summoned on September 1st each year to undertake a first period of ordinary sessions and on February 1st each year to undertake a second period of ordinary sessions.

Within both periods of sessions the Congress shall study, discuss and vote the Bills sent to it as well as the resolutions' proposed to it on the affairs under its constitutional jurisdiction.

During each period of ordinary sessions the congressional activities shall be directed mainly to solve the affairs derived from its organizing law.

Article 66

Each period of ordinary sessions shall last as long as necessary to solve the affairs mentioned at the previous article. The first period could not be extended beyond December 15th of the respective year, except on those years when according to article 83, a new President of the Republic is going to be inaugurated. In such a case, sessions would be extended until December 31st. The second period shall not be extended beyond April 30th of the respective year.

If no agreement is reached by both Chambers on a closing-sessions date before the mentioned ones arrived, the President of the Republic shall resolve the dispute.

Article 67

At any time either the Congress or one of its Chambers—when exclusive jurisdiction issues are involved—can be summoned to extraordinary sessions by the Permanent Commission; extraordinary sessions shall be opened to solve the affairs selected by such Commission, which shall be also set down at the respective notification.

Article 68

Both congressional Chambers shall be located at the same place and shall not be transferred to a different one without a previous agreement between them has been reached setting down the transfer's duration, undertaking procedures as well as the place in which they will be reunited.

If no agreement is reached on the transfer's duration, undertaking procedures and reunification place, the Executive Branch of Federal Government shall resolve the issue by choosing one out of the alternatives. No Chamber shall adjourn for more than three days without the explicit consent from the other.

Article 69

The President of the Republic shall attend the opening of the first period of ordinary sessions submitting a written report on the state of the country's Public Administration. At the opening of every extraordinary session whether congressional or reserved to one of the Chambers, the Permanent Commission's Chairman shall notify the Assembly about the reasons supporting the summoning.

Article 70

Every resolution of the Congress shall be called either as a law or as a decree. Laws and decrees shall be communicated to the Executive Branch of Federal Government by a document signed by each Chamber's Chairman and by a Secretary from each one of such Chambers. Laws and decrees shall be enacted as follows: "The Congress of the Mexican United States decrees: (text of the respective law or decree)".

The Congress shall regulate through a special law its own structure and internal functioning.

Federal law shall specify the ways and procedures allowing associations of Deputies to be formed according to their affiliation to political parties and in order to protect the freedom of speech of all ideological streams of thought represented at the Chamber of Deputies.

Such a law shall neither be vetoed nor require to be published by the Executive Branch of Federal Government in order to enter into force.

Section II

Law enactment

Article 71

The power to send Bills to the Congress in order to be enacted as either a law or a decree shall be reserved to:

- I. The President of the Republic;
- II. The Deputies and Senators members of the Congress, and
- III. The State Congresses.

The Bills submitted by the President of the Republic, by the State Congresses or by the State Deputies shall be transferred immediately to the respective commission within the Congress. The Bills sent by the Deputies and Senators shall be processed according to the Congressional Deliberating Regulations.

Article 72

Every single Bill involving affairs which are not under the exclusive jurisdiction of one congressional Chamber shall be discussed successively at both congressional Chambers under methods, periods of time and debating and voting procedures established by the Congressional Deliberating Regulations;

- a) After being approved by the original Chamber, every Bill shall be submitted to the other one in order to be discussed there. If such a second Chamber approves it, the Bill shall be submitted to the Executive Branch of Federal Government which, after deciding that no further corrections should be made, shall publish it without delay;
- b) Every unreturned Bill shall be deemed as approved by the Executive Branch of Federal Government after ten working days have gone by within which no correction has been received at the original Chamber; this clause shall not be applied when the Congress closure has made impossible the corrections' devolution. In such a case, the Bill shall be returned to the Congress at the beginning of the next ordinary period of sessions;

c) Any Bill rejected either partially or totally by the President of the Republic shall be returned with the respective corrections to its original Chamber. The Bill shall be discussed in such Chamber and if confirmed by a two-thirds majority of votes, it shall be submitted again to the reviewing congressional Chamber. If a two-thirds majority of votes supports the Bill at the reviewing Chamber, it shall be considered as an enacted federal law or decree and shall be sent to the Executive Branch of Federal Government in order to be published.

Congressional enacting voting procedures shall be nominal;

d) In face of a total rejection of a Bill by the reviewing Chamber, it shall be returned to the original one with the respective corrections. If after being examined again such a Bill is approved by an absolute majority of the attending congressmen, it shall be submitted again to the rejecting Chamber which shall review it again. If the Bill is approved by an absolute majority of the attending members, it shall be submitted to the Executive Branch of Federal Government under paragraph a); but if the Bill is rejected once more, it shall not be discussed again during the same period of sessions;

e) Any Bill partially rejected, modified or enlarged by the reviewing Chamber shall be discussed at the original Chamber again. The new discussion shall be focused on the rejected, reformed or added articles leaving the already approved articles unchanged. If the additions or reforms made by the reviewing Chamber are rejected by an absolute majority of the members attending the original Chamber's session, the Bill shall be returned to the reviewing Chamber which shall take into account the other Chamber's reasons. If those reforms are rejected again after a second review has taken place, the Bill shall be sent to the Executive Branch of Federal Government under paragraph a) as approved by both Chambers. If the absolute majority of the attending members at the reviewing Chamber insists on enacting the additions and reforms, the whole Bill shall not be sent to the Congress again until

a new congressional period of sessions takes place, unless the absolute majority of attending congressmen at both Chambers agrees on enacting only the approved articles reserving the discussion and voting on the contested ones for further sessions;

- f) On interpreting, reforming or derogating laws or decrees, the procedure set down in the previous paragraph shall be applied;
- g) Every Bill rejected by its original Chamber shall not be sent to Congress again for the rest of the respective year's sessions;
- h) All enacting procedures can begin in each congressional Chamber, except those dealing with borrowing money in the name of the public treasury, collecting taxes and internal revenue or enrolling at the armed forces all of which shall be originated at the Chamber of Deputies;
- i) Bills shall be discussed preferably at the Chamber which they were initially sent to, unless the respective reporting commission does not elaborate a report within a month. In such a case, the Bill can be sent to the other Chamber in order to be discussed;
- j) The Executive Branch of Federal Government shall not have power to correct any congressional resolution, not even those issued by one of its Chambers, as long as such resolutions have been made by the Congress acting as an electoral organ or as a jury. Likewise the Chamber of Deputies' declarations authorizing the prosecution of senior federal officers shall be protected.

The same restriction shall protect the notification of an extraordinary period of sessions issued by the Permanent Commission.

Section III

Congressional Powers

Article 73

The Congress shall have power:

- I. To admit new States in the Federal Union;
- II. Repealed;

III. To create new States out of the already existent. In order to do so it shall be necessary that:

1st. The territories demanding to become new States have at least one hundred and twenty thousand inhabitants.

2nd. The territories demanding to become new States prove their capacity to support their political existence.

3rd. The State Legislature of the affected territory argues either pro or against the new State's creation through a report which shall be submitted within a period of six months counted from the respective notification's issuing date.

4th. The Executive Branch of Federal Government argues either pro or against the new State's creation through a report which shall be submitted within a period of six months counted from the date in which such a report was requested.

5th. The creation of the new State has been voted by a two thirds majority out of the attending congressmen at each Chamber.

6th. The resolution of the Congress is ratified, after the respective report has been carefully evaluated by a State Congresses' majority, as long as the State Congresses with jurisdiction over the affected territories consented on the procedure to take place.

7th. The ratification mentioned in the previous paragraph has been made by a two-thirds majority out of the whole remaining State Congresses whenever the State Congresses with jurisdiction over the affected territories have not consented on the procedure to take place;

IV. To set down the States' boundaries in a definite way, in order to bring to an end all territorial differences among them, except in those cases in which a legal controversy has already begun;

V. To change the residence of the Federation's Supreme Powers;

VI. Repealed;

VII. To lay and collect all taxes necessary to finance the national budget;

- VIII. To set down the guidelines on which the Executive Branch of Federal Government not only will contract credits on behalf of the Nation but also will approve, recognize and pay the National Debt. Only credits producing an increase in public revenue shall be contracted, except those acquired because of monetary regulation purposes, those directed to carry on conversion operations and those acquired during an emergency declared by the President of the Republic under article 29. Likewise, to authorize each year an amount of borrowing for the Federal District's Government as well as for such a government's public agencies, according to the related laws. The Executive Branch of Federal Government shall submit an annual report to the Congress about the authorized debt's spending. The Executive shall in its turn receive a similar report from the Mayor of the Federal District. The Mayor of the Federal District shall also submit a report to the Assembly of Representatives of the Federal District which shall be added to the annual public expenditure report.
- IX. To prevent any kind of restriction affecting commerce between States;
- X. To legislate for hydrocarbons, mining industry, film industry, commerce, lottery and betting games, banking services, electric and nuclear energy as well as to legislate for labour relations under article 123;
- XI. To create and suppress federal public posts as well as to increase or diminish the wages awarded to such works;
- XII. To declare war based on the reports submitted by the Executive Branch of Federal Government;
- XIII. To legislate for the guidelines used to evaluate both the quality of inland dams and the quality of maritime dams, as well as to enact the maritime legislation that shall be applied at both peacetime and wartime.

- XIV. To provide for and maintain the Union's armed forces which shall be integrated by the National Army, the National Navy and the National Air Force as well as to regulate their organization and services;
- XV. To enact the legislation which shall be applied in organizing, arming and disciplining the National Guard. The power to appoint commanders and officers to the National Guard shall be reserved for those citizens composing it. The States shall have power to train the National Guard according to the disciplinary procedures established by the aforementioned regulation.
- XVI. To legislate for nationality recognition procedures, foreigners legal status, citizenship, naturalization, colonization, emigration, and the general public health.
- 1st. The General Council for Public Health shall be directly under the President of the Republic's command; therefore, no Secretary of State shall be authorized to intervene in such affairs. The Council's general resolutions shall be mandatory across the country.
- 2nd. In face of a dangerous epidemic or of a threat derived from an exotic disease's invasion, the Health Department shall take all necessary preventive decisions which shall be ratified by the President of the Republic later on.
- 3rd. The performance of the public health authorities shall be executive and their resolutions shall be mandatory for all the administrative authorities across the country.
- 4th. The Council's resolutions on both alcoholism and commerce of poisoning or degenerating substances as well as those made in order to prevent and fight against environmental pollution shall be reviewed by the Congress later on, as long as such resolutions are under congressional jurisdiction;
- XVII. To legislate for general communications, the opening of post offices and mailing services as well as to legislate for the use and exploitation of waters under federal jurisdiction;

- XVIII. To provide for currency issuing offices' organization as well as to regulate both the guidelines according to which foreign currency will be measured and the application of a general system of weights and measures;
- XIX. To regulate the occupation of vacant estates as well as their value;
- XX. To legislate for the organization of both the Mexican Diplomatic body and the Mexican Consular Services;
- XXI. To determine which activities shall be considered as federal crimes as well as the respective punishments.

The federal authorities shall have power to prosecute also local crimes, whenever such crimes are connected to federal ones;

- XXII. To grant amnesty for those crimes under federal courts' jurisdiction;
- XXIII. To legislate for the guidelines according to which the coordinated efforts undertaken by the Federation, the Federal District, States and Municipalities on public security issues shall be performed; as well as for the organization, performance, enrolment, selection, promotion and rewarding mechanisms of the members of federal law enforcement agencies;
- XXIV. To legislate for the Federal Auditing Office's organization as well as for the performance, control and evaluation procedures to be applied to the Powers of the Union and the federal agencies alike;
- XXV. To provide for and maintain in the Republic rural, elementary, secondary and professional schools; higher education institutions, scientific and fine arts schools and technical institutions; practice-oriented agricultural and mining schools, artistic schools, museums, libraries, observatories, and any other institution related to the general culture of the inhabitants of the Republic as well as to legislate for such institutions' development; to legislate for fossils or vestiges' preservation and treatment as well as for archeological sites and artistic or historical premises whose preservation can be considered to be in the Nation's interest; to legislate for an

adequate distribution not only of the educational duties but also of the economic contributions needed to finance such duties among the Federation, States and Municipalities aiming to unify and coordinate educational services in the Republic. The degrees obtained from the institutions mentioned in this paragraph shall have national validity.

XXVI. To authorize the President of the Republic's separation from duty as well as to turn itself into Electoral College in order to appoint the citizen who will be appointed President of the Republic as substitute, interim or provisional under articles 84 and 85 of this Constitution;

XXVII. To accept the resignation of the President of the Republic;

XXVIII. Repealed;

XXIX-A. To lay taxes:

1st. On commerce with other Nations.

2nd. On the use and exploitation of natural resources mentioned at article 27, paragraphs 4 and 5.

3rd. On credit services and insurance companies.

4th. On public services either delivered under permit by private companies or directly provided by the Federation, and

5th. On special affairs such as:

a) Electric energy.

b) Tobacco industrialization and commerce.

c) Gasoline and other oil-derived products.

d) Matches.

e) The alcoholic beverages derived from agave plants and its fermented products.

f) Woodland exploitation, and

g) Beer brewing and commerce.

The States shall receive, under federal legislation a percentage of the revenue generated by the special taxes. State Congresses shall set down

a percentage of the revenue generated by electric energy tax which will be delivered to their respective Municipalities.

XXIX-B. To legislate for the distinguishing features of the National Flag, the National Anthem and the National Coat of Arms;

XXIX-C. To legislate for the public activities related to human settlements affairs which shall be managed by the Federal, State and Municipal Governments in a concurrent way and according to the distribution of jurisdictions established by article 27, paragraph three of this Constitution;

XXIX-D. To legislate for the economic and social development of the nation;

XXIX-E. To legislate for the programming, promotion, coordination and undertaking of economic activities, particularly those related to food provisioning and others aimed to generate a sufficient and permanent production of commodities and services which are considered as basic from both a social and a national points of view;

XXIX-F. To legislate for the Mexican investment's promotion, the foreign investing regulation, the technological transfers as well as for the production, promotion and application of the scientific and technological knowledge required by the national development;

XXIX-G. To legislate for the activities on environmental protection and on environmental preservation and restoration directed by the Federal, States and Municipal Governments in a concurrent way and according to their respective jurisdictions;

XXIX-H. To legislate for the creation of completely autonomous administrative courts empowered to resolve the legal controversies between the federal public administration and individuals. The law shall regulate the courts' organization, functioning, working procedures and the system of appeals that can be used by individuals against the courts' rulings;

- XXIX-I. To legislate for the guidelines according to which the Federation, the Federal District and Municipalities shall work in a coordinated way in dealing with civil protection affairs;
- XXIX-J. To legislate for the concurrent empowerment of the Federation, States, the Federal District and the Municipalities to manage both sport and athletics affairs; the law shall establish which public and social sectors of economy will participate in such affairs;
- XXIX-K. To legislate for the concurrent empowerment of the Federation, the States, the Federal District and the Municipalities to manage the affairs related to tourism; the law shall establish which public and social sectors of economy will participate in such affairs;
- XXIX-L. To legislate for the concurrent empowerment of the Federation, States, and the Municipalities to manage the affairs related to fishing and aquaculture; the law shall establish which public and social sectors of economy will participate in such affairs, and
- XXIX-M. To legislate for national security affairs as well as to establish limitations and requisites to be fulfilled in order to carry out investigations related to such affairs.
- XXX. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested in the Union's Powers by this Constitution.

Article 74

The Chamber of Deputies shall have power:

- I. To issue the Solemn Edict by which the declaration of Elected President made by the Electoral Tribunal of the Federal Judicial Power, will be notified to the Republic;
- II. To coordinate and evaluate under the law the Federal Auditing Office's performance without harming such Office's technical and managerial autonomy;
- III. Repealed;

IV. To approve annually the Federal Budget, once an evaluation, a discussion and eventually a modification have been previously made on the original Bill submitted by the Executive Branch of Federal Government. Before doing so, the Chamber shall not only approve the taxes that from its point of view are necessary to finance the Budget, but also review Public Expenditure Report of the previous year.

The Executive Branch of Federal Government shall submit to the Chamber of Deputies the Bill containing both the Revenue Legislation and the Federal Budget on September, 8th at the latest. The Secretary of State with jurisdiction over such affairs shall submit to the Chamber a report on the Bill in a public hearing. The Chamber of Deputies shall approve the Federal Budget on November, 15th at the latest.

According to article 83, on the President's inaugural year, the Executive Branch of Federal Government shall submit to the Chamber the aforementioned Bill on December, 15th at the latest.

The evaluation of the results of the Public Expenditure Report shall be directed to disclose the financial performance's results, to verify that the established expending criteria set down at the Federal Budget has been followed and to verify that the objectives pursued by the expenditure programs have been reached.

The Chamber of Deputies shall be helped out by the Federal Auditing Office in reviewing the Public Expenditure Report. If from such review some inconsistencies between income or spending and entries or items are derived or inaccurate income or unjustified expenditures are detected, those responsible for the wrongdoing shall be prosecuted under the law.

The deadline for the Public Expenditure Report to be submitted to the Chamber of Deputies shall be on June, 10th.

The deadlines established to submit the Bill containing the Revenue legislation and the Federal Budget as well as the Public Expenditure Report shall be extended when the Executive Branch of Federal

Government has made a justified request to either the Chamber of Deputies or the Permanent Commission. If the extension is granted, the Secretary of State with jurisdiction over the affair shall be called to explain the reasons supporting the request;

- V. To declare whether those public officials who has perpetrated an offence and who are protected by article 111 can be prosecuted or not. The Chamber shall also have power to judge those public officials whom article 110 of this Constitution refers to, as well as to act as a prosecutor in the impeachment trials set against them;
- VI. Repealed;
- VII. Repealed;
- VIII. To execute the other Powers vested in it by this Constitution.

Article 75

The Chamber of Deputies shall establish at the Federal Budget the wages awarded to all public employments created under the law; if by any chance the Chamber fails in doing so, such wages shall be those established for all public employments either by the previous year's Federal Budget or by the laws which provided for the employments.

Article 76

The Senate shall have power:

- I. To analyze the foreign policy directed by the Executive Branch of Federal Government from the information gathered at the annual reports submitted to the Congress by the President of the Republic and the respective Secretary of State; besides, the Senate shall have power to ratify all international treaties and diplomatic conventions signed by the Union's Executive Power;
- II. To ratify under the law the Presidential nominations of the Attorney General, Supreme Court justices, diplomatic agents, general consuls, senior officials at the Treasury, colonels and all senior commanders of the National Army, the National Navy and the National Air force;

- III. To authorize the President's orders under which troops are sent beyond the national borders, foreign troops are allowed to travel across the country as well as those allowing foreign nation's naval forces to anchor at Mexican waters for more than a month;
- IV. To consent with the President's disposition of the National Guard outside their respective States, establishing the number of elements that will be deployed;
- V. To elect a provisional Governor when a State's constitutional powers has been suppressed. The substitute Governor will call to new elections under the State's Constitutional Law. The Governor shall be selected—by a two-thirds majority of either the attending Senators or the attending members of the Permanent Commission—out of a shortlist of three candidates nominated by the President of the Republic. The elected Governor shall not run for Constitutional Governor in the popular elections called up by him. Such prohibition shall rule even though the Constitution of the affected State does not establish a similar one;
- VI. To solve political disputes between a State's Powers derived from a request submitted by one of them asking for the Senate's intervention or derived from disputes which have already interrupted the State's constitutional order through an armed conflict. In such a case, the Senate shall resolve the controversy under both the Republic's General Constitution and the State's one.

The law shall regulate the execution of the aforementioned powers as well as the execution of the power established at the previous paragraph;
- VII. To turn itself into Resolving Jury in all impeachment trials performed under article 110 of this Constitution against the wrongdoings or omissions perpetrated by public officials which harm not only fundamental public interests but also the efforts directed to take good care of them;

- VIII. To appoint the Supreme Court justices out of a shortlist of three candidates nominated by the President of the Republic, as well as to either authorize or reject the absentee leaves and resignations submitted by the Supreme Court justices;
- IX. To appoint and remove the Federal District's Mayor according to this Constitution;
- X. To execute the other Powers vested in by this Constitution.

Article 77

Without the other's Chamber intervention, each congressional Chamber shall have power to:

- I. Resolve any managerial issue related to its own internal affairs;
- II. Maintain communication through its Commissions, with both the other Chamber and the Union's Executive Power;
- III. Appoint its secretariat's officials as well as regulate their powers and duties, and
- IV. Enact the respective notification for extraordinary elections which will take place when a vacancy of one of its seats occurs under article 63 of this Constitution and as long as the vacant seat is reserved for a Deputy or a Senator elected under the majority system. Such a power shall be executed also as long as the vacancy does not occur at the respective congressmen term's final year. The notification's deadline shall be set down 30 days after the vacancy occurs at the latest. The aforementioned elections shall take place within 90 days after the notification's issuing date.

Section IV

The Permanent Commission

Article 78

During the Congress' recesses there shall be a Permanent Commission integrated by 37 members out of which 19 will be Deputies and 18 will be Senators; such congressmen shall be appointed by their respective Chamber out of each Chamber's members one day before the ordinary

period of sessions is officially closed. A substitute shall be appointed for each elected representative following the same procedure. Besides the other powers vested in it by this Constitution, the Permanent Commission shall have power:

- I. To consent on the National Guard's disposition under article 76, paragraph IV;
- II. To receive the oath taken by President of the Republic on his inauguration day;
- III. To resolve the affairs under its jurisdiction; to receive all the Bills and proposals directed to the congressional Chambers as well as to submit them to the Chambers' internal commissions in order to have them ready to be voted in the next period of sessions;
- IV. To approve either on its own or on a Executive Branch of Federal Government's proposal and by a two-thirds majority obtained out of the Permanent Commission's attending members, to summon either Congress or just one of its Chambers to extraordinary sessions; the respective notification will establish the extraordinary sessions objectives;
- V. To either approve or reject the nomination of the Attorney General made by the President;
- VI. To grant absentee leaves for the President of the Republic for no more than thirty days as well as to appoint the interim President who shall substitute the absent one;
- VII. To ratify the individuals nominated by the President according to the law as Supreme Court justices, diplomatic agents, general consuls, senior officials of the Treasury, colonels and other senior officers at the National Army, the National Navy and the National Air Force, and
- VIII. To resolve on the absentee leaves requested by the congressmen.

Section V
The Federal Auditing Office

Article 79

The Federal Auditing Office of the Chamber of Deputies shall have technical and managerial autonomy in executing the powers vested in it as well as in deciding on its internal organization and working procedures and in resolving the issues under its jurisdiction.

The Federal Auditing Office shall have power:

- I. To audit the income and the expenditures; to audit the management, the custody and the application of the financial resources assigned not only to the Union's Powers but also to the federal agencies; to audit the legal reports informing about the achievement of objectives set down for the federal programs.

It shall also audit the federal resources used by the States, the Municipalities and the individuals.

The Federal Auditing Office shall also have power to, exceptionally and under the law, require the auditable entities and individuals to review and report the issues which the Office considers to be pertinent. If such requirements are ignored, the liable individuals can be prosecuted.

- II. To submit the Federal Expenditure Report to the Chamber of Deputies on March, 31st of the year following the one reported at the latest. Such a Report shall be integrated by the report on the reviewing procedures undertaken as well as by the public report on the auditing procedures already undertaken and on the review made on the programs' results which will necessarily contain the audited entities comments and observations.

The Federal Auditing Office shall keep the audits and observations as confidential until submitting the aforementioned reports; the law shall therefore establish adequate punishments for any breach of confidentiality.

III. To investigate every act or omission representing either a wrongdoing or an illegal act in handling the income, in expending, in managing, in looking after and in applying federal resources. The Federal Auditing Office shall undertake searches to review the accounts, documents and files deemed as necessary in order to undertake its investigations. In doing so, due process of law's formalities shall be followed, and

IV. To specify the harm inflicted on the National Treasury or on the public agencies' wealth and to impose therefore compensations and fines directly to those accountable as well as to accuse such individuals before the authorities which have jurisdiction to prosecute administrative or political offences or with jurisdiction on civil compensations; at the same time, the Federal Auditing Office shall have power to accuse criminal offences and participate under the law in any criminal trial related to the affairs under its jurisdiction.

The Chamber of Deputies shall appoint the Head of the Federal Auditing Office by a two thirds majority out of its attending members. The law shall establish the appointment's procedure. Such an official shall hold his office during a term of eight years and can be reelected once. He shall be removed because of either serious wrongdoings or under Title Four of this Constitution. The removal shall be voted by a majority equal to the one required for the official's appointment.

The Head of the Federal Auditing Office shall fulfill not only the requirements established by article 95, paragraphs I, II, IV, V and VI of this Constitution but also others established by the law. During his term in office he shall not be allowed to be a political party's member, or to have any other employment, job or commission except those unpaid performed at scientific, teaching, artistic and philanthropic associations. Whenever required to do so, the Union's Powers and the auditable entities and individuals will help out the Federal Auditing Office in executing its powers.

The Executive Branch of Federal Government shall apply the administrative executive procedure to collect the compensations and fines which paragraph IV of this article refers to.

Chapter III

The Executive Power

Article 80

The Supreme Executive Power of the Union shall be vested in a single individual known as "President of the Mexican United States".

Article 81

According to the Electoral Law, the President's election shall be a direct one.

Article 82

The President shall:

- I. Be a Mexican citizen by birth fully entitled to his rights, born from either a Mexican father or a Mexican mother and who has been living in the country for twenty years at least.
- II. Be 35 years old on election-day;
- III. Be living in the country during election-day's previous year. An absence shorter than thirty days from the country shall not interrupt the candidate's residence.
- IV. Not be a member or priest of any religious cult;
- V. Not be in the military active service for six months before the election-day takes place.
- VI. Not be secretary or undersecretary of State, chief or general secretary of an Administrative Department, Attorney General or State Governor unless he separates himself from his duties six months before election-day takes place, and
- VII. Not be affected by one or more disqualifying conditions established by article 83.

Article 83

The President shall be inaugurated on December, 1st and shall hold his office during a term of six years. Reelection shall be absolutely forbidden for any citizen who has been already elected as President by the popular vote. The same prohibition shall be applied to those individuals who have been appointed by the Congress as interim, provisional or substitute Presidents.

Article 84

In face of a definitive presidential absence occurred within the first two years of the respective term, the Congress, as long as it is on sessions, shall turn into Electoral College and shall appoint an interim President by an absolute majority of the confidential votes cast by at least two thirds majority out of the Congress' total amount of members. Within ten days following such an election the Congress shall enact a notification according to which a new President will be elected to conclude the unfinished term. In such a case, the election-day will take place between the fourteenth and the eighteenth month following the notification's enactment.

During congressional recesses, the Permanent Commission shall both appoint immediately a provisional President and summon the Congress which shall, in its turn, appoint the interim President and shall also notify the organization of a new presidential election according to the previous paragraph.

In face of a presidential definitive absence occurred during the last four years of the respective term, the Congress shall, as long as it is on sessions, appoint a substitute President who shall conclude the unfinished term; during congressional recesses the Permanent Commission shall both appoint a provisional President and summon the Congress that shall turn itself into Electoral College in order to elect a substitute President.

Article 85

Either in face of the absence of the elected President at the respective inauguration or in face of a situation in which neither an election has taken place nor a clear winner has been declared on December, 1st the President shall anyway leave his presidential duties. According to the previous article, the Executive Power shall be therefore vested in the interim or the provisional President elected either by the Congress or by the Permanent Commission.

In face of a temporary presidential absence, the Congress or the Permanent Commission—during congressional recesses—shall elect an interim President who shall execute the presidential powers during the President's absence.

In face of a presidential absence lasting more than thirty days and during the Congress' recesses, the Permanent Commission shall summon the Congress to extraordinary sessions in order to resolve both on the absentee leave's approval and on the election of the interim President.

If such a temporary absence turns into a definitive one, the previous article shall be applied .

Article 86

The President of the Republic shall be authorized to resign from office due to a serious wrongdoing qualified as such by the Congress which, in its turn, shall have power to receive the resignation.

Article 87

On his inauguration day, the President shall appear in front of the Congress or in front of the Permanent Commission during congressional recesses to take the following Oath: "I do swear to honor and make others to honor the Political Constitution of the Mexican United States, as well as the laws derived from it and execute in a faithful and patriotic way the Office of the President of the Republic conferred to me by the people, looking after for the Union's well-being and prosperity; the Nation shall have a right to complain about any breach of this oath".

Article 88

The President of the Republic shall not leave the national territory without an authorization approved by either the Congress or the Permanent Commission;

Article 89

The President shall have power:

- I. To promulgate and execute the laws enacted by the Congress, providing within the administrative jurisdiction such laws' exact compliance;
- II. To freely appoint and remove the secretaries of state; to remove from their duties the diplomatic agents and the senior officials of the Treasury as well as to freely appoint and remove from their duties the other Union's employees whose appointment or removal is not established by any other constitutional or legal procedure;
- III. To nominate the Supreme Court justices, diplomatic agents and general consuls who shall be ratified by the Senate;
- IV. To decide on the appointments of the colonels and other senior officers at the National Army, Navy and Air Force, as well as of the Treasury's senior officials, who shall be ratified by the Senate;
- V. To appoint all other armed forces officers under the law;
- VI. To command the permanent armed forces' disposition directed to preserve both the internal security and the exterior defense of the Federation;
- VII. To command the National Guard's disposition in order to achieve the aforementioned military objectives according to article 76, paragraph IV;
- VIII. To declare, according to the law, War in the name of the Mexican United States;
- IX. To nominate the Attorney General who shall be ratified by the Senate;

- X. To direct the nation's international policy as well as to enter into international treaties that shall be ratified by the Senate. In directing the nation's international policy the President shall be guided by principles as follows: the nations' right to self-determination, the non-intrusiveness with regard to other countries internal affairs; the prohibition of the use force within international relations; the legal equality of all States; the international cooperation for development; the fight for both peace and international security;
- XI. To summon the Congress to extraordinary sessions according to the agreement reached by the members of the Permanent Commission;
- XII. To help out the Judicial Power in executing its powers;
- XIII. To provide all kinds of seaports, to establish customs as well as to decide on such customs' location;
- XIV. To grant amnesty to federal convicted felons as well as to those convicted at the Federal District;
- XV. To grant exclusive privileges under the law to the discoverers, the inventors and the improvers of all industries;
- XVI. To appoint, with the consent of the Permanent Commission, the officials mentioned at paragraphs III, IV and IX during the Chamber of Senators' recesses.
- XVII. Repealed;
- XVIII. To submit to the Senate the shortlist of three candidates out of which a new Supreme Court justice shall be appointed as well as to submit such justice's absentee leaves' requests and resignations to the Senate's approval;
- XIX. Repealed;
- XX. To execute the other powers vested in him by this Constitution;

Article 90

The Federal Public Administration shall be centralized and semi-controlled by the State according to the law. Such a law shall distribute the federal administrative duties and powers among the Secretaries of State and the

Administrative Departments and shall define the guidelines for both the creation and activities of agencies which will be semi-controlled by the State.

Federal law shall specify the nature of the relations between the State's semi-controlled agencies and between such agencies and the Secretaries of State and the Administrative Departments.

Article 91

The Secretaries of State shall be Mexican citizens by birth. In order to be appointed, they shall also be both fully entitled to their rights and thirty years old at least.

Article 92

All regulations, decrees, agreements and executive orders issued by the President shall also be signed by the respective Secretary of State or the respective Chief of the Administrative Department with jurisdiction over the issue. Any presidential lacking such a signature shall be void.

Article 93

The Secretaries of State and Chiefs of Administrative Departments shall report to the Congress on the business under their jurisdiction. Such report shall be made in public hearings during congressional sessions.

When a Bill is discussed or a particular affair is studied by the Congress, any Chamber can call the secretaries of state, the Attorney General, chiefs of administrative departments and directors and managers of the federal agencies semi-controlled by the State in order to report on the affairs under their respective jurisdictions.

The Chamber of Deputies, based on the request made by a fourth part of its members as well as the Chamber of Senators, based on the request made by a half of its members, shall have power to create all commissions necessary to investigate the performance of those federal agencies semi-controlled by the State. The results derived from such investigations shall be submitted to the President.

Chapter IV

The Judicial Power

Article 94

The Federal Judicial Power shall be vested in a Supreme Court of Justice, an Electoral Tribunal, Collegiate and Unitary Tribunals and District Courts.

The Federal Judiciary Council shall have power to manage, control and apply disciplinary measures in the Federal Judicial Power. The Council shall not have jurisdiction over the Supreme Court of Justice.

The Supreme Court of Justice shall be integrated by eleven justices working either together in a collegiate way or separated in different Departments.

The Supreme Court's sessions shall be public under the law, except those in which public interests or public morality demand a confidential discussion to take place.

The Supreme Court's jurisdiction, the justices' collegiate or separated work, the Circuit Tribunals' jurisdiction, the District Courts' jurisdiction, the Electoral Tribunal's jurisdiction and the accountabilities of the Federal Judicial Power's employees shall be regulated by laws derived from the principles established by this Constitution.

The Federal Judiciary Council shall determine the number of Circuit Tribunals--whether Collegiate or Unitary—and of District Courts that will be opened for business as well as such Tribunals and Courts' territorial jurisdiction.

The Supreme Court of Justice, working in a collegiate way, shall have power to issue General Orders directed to achieve an adequate distribution of the affairs under its jurisdiction among its Departments as well as to deliver the controversies that either have to be resolved by following mandatory precedents or have been selected by the Supreme Court itself, to the Circuit Collegiate Tribunals in order to promote an agile resolution for each one of them. Such General Orders shall be valid once they have been published.

The law shall establish the conditions under which the precedents interpreting constitutional, legal and regulatory affairs—at both federal and local levels—issued by the Federal Judicial Power's tribunals, will be mandatory. The law shall likewise establish such conditions for the precedents interpreting legal issues derived from the international treaties which the Mexican United States agrees with. The law shall also establish the ways in which mandatory precedents will be suspended and modified. The wages paid to the Supreme Court justices, Circuit Magistrates, District Judges, Federal Judiciary Councilors and Electoral Magistrates, shall not be diminished during their terms in office.

The Supreme Court justices shall hold their offices during a term of fifteen years and shall only be removed under Title Four of this Constitution. After completing their term in office they shall receive a retirement compensation for their services.

No one appointed as Supreme Court justice shall be reappointed to a second term unless his first appointment was either interim or provisional.

Article 95

The Supreme Court justices shall:

- I. Be Mexican citizens by birth, fully entitled to the civil and political rights established by this Constitution;
- II. Be at least thirty five years old on their appointment-day;
- III. Have a lawyer's degree issued by an authority or an institution legally empowered to do so. Such a degree must be at least ten years old on appointment-day;
- IV. Have a good reputation and have not been convicted for a crime punished with more than one year in prison. Anyway, if the committed crime is robbery, fraud, forgery, breach of other's trust or any other conduct which is harmful for any reputation, the candidate shall be disqualified, whatever the resolved punishment might have been;
- V. Be living in the country for two years before the appointment-day takes place;

VI. Not been secretary of state, chief of Administrative Department, Attorney General, Attorney General of the Federal District, senator, federal deputy, State Governor or Mayor of the Federal District during appointment-day's previous year.

The persons appointed as Supreme Court justices shall be mainly those who have served in a efficient, talented and honest way as judicial officials or those distinguished by their honorability, competence and background as legal professionals.

Article 96

The nomination of Supreme Court justices shall be made by the President of the Republic who shall submit a shortlist of three candidates to the Senate which after hearing all candidates shall in its turn select one out of them. The selection shall be made by a two-thirds majority of the attending senators within a deadline of thirty days. If such a majority is not reached before the deadline arrives, the President of the Republic shall directly appoint the new justice out of the short-listed candidates.

In face of a senatorial rejection of the short-listed candidates, the President of the Republic shall submit a new proposal according to the previous paragraph. If such a proposal is also rejected, then the President of the Republic shall directly appoint the new justice.

Article 97

The Federal Judiciary Council shall appoint both the Circuit Magistrates and the District Judges. The Council shall also decide on such officials' location. In doing so, the Council shall decide according to the requisites and procedures established by the law. Magistrates and Judges shall hold their Office during a term of six years, at the end of which they can be ratified or promoted to a higher post. In such a case, they can only be removed according to the law.

The Nation's Supreme Court of Justice can appoint one or more of its members, a District Judge, a Circuit Magistrate or one or more special delegates in order to investigate a serious violation of a constitutional

immunity or privilege. Such investigation will be started whenever the Supreme Court itself considers it to be necessary or whenever the Federal Executive Power, any congressional Chamber or a State Governor asks the Supreme Court to do so. The Supreme Court can also ask the Federal Judiciary Council to investigate the performance of either a judge or a federal magistrate.

The Supreme Court of Justice shall have power to investigate any violation against public voting, but it shall use such power only when from its point of view the legality of the whole election of at least one Power of the Union's is at stake. The results of such investigation shall be delivered to the agencies empowered to prosecute those irregularities.

The Supreme Court of Justice shall appoint and remove all its employees, including the Supreme Court's secretary. According to the legal regulations on judicial civil service, the Magistrates and the Judges shall appoint and remove the officials and employees working at both the Circuit Tribunals and the District Courts.

The Supreme Court of Justice, working in a collegiate way, shall appoint its President every four years. The President of the Supreme Court of Justice shall not be reelected to the following term.

In taking up his Office, each new Supreme Court justice shall appear in front of the Senate to take an oath as follows:

President: "Do you swear to execute both faithfully and in a patriotic way the Office of a Supreme Court justice to which you have been appointed as well as to honor and make others honor the Political Constitution of the Mexican United States and its derived laws, looking after the Union's welfare and the Union's prosperity in doing so?"

Justice: "I do."

President: "The Nation shall complain to you on any breach of this Oath."

The Circuit Magistrates and the District Courts shall respectively appear in front of the Supreme Court of Justice and the Federal Judiciary Council to take an Oath.

Article 98

In face of a justice's absence longer than a month, the President of the Republic with the Senate's approval shall appoint an interim justice under article 96 of this Constitution.

In face of a justice's definitive absence, the President shall submit a new shortlist of candidates to the Senate according to article 96 of this Constitution.

The resignation of a Supreme Court justice will be valid only when derived from a serious wrongdoing. Such a resignation shall be submitted to the President and once he has accepted them, he shall submit it to the Senate's approval.

The absentee leave permits for Supreme Court's justices shall be granted by the Supreme Court itself as long as the absence does not last for more than one month; those exceeding one month can be granted by the President of the Republic with the Senate's approval. No absentee leave shall be granted for more than two years.

Article 99

The Electoral Tribunal, which shall be an specialized institution of the Federal Judicial Power, shall be the higher judicial authority in solving all electoral controversies, except those under article 105, paragraph II.

In executing its powers, the Electoral Tribunal shall be divided into a Higher Court and some Regional Courts; its resolving sessions shall be public under the law. The Electoral Tribunal shall be provided with both the legal staff and the administrative staff necessary to undertake its duties.

The Higher Court shall be integrated by seven Electoral Magistrates. The Tribunal's President, who shall be appointed by the Higher Court by its own out of its own members, shall hold his Office during a term of four years.

The Electoral Tribunal shall have power to resolve in a definitive way and according both to this Constitution and to the law:

I. The appeals against the federal elections of both deputies and senators;

II. The appeals against the election of the President of the Mexican United States which shall be under the Higher Court's exclusive jurisdiction.

The Higher Court shall undertake the final counting of the election of the President of the Mexican United States and shall, after resolving the appeals presented against such an election, declare both the election as a valid one and the winner candidate as the elected President;

III. The appeals against the orders and resolutions of the federal electoral officers, which are not considered at the previous paragraph and which violate constitutional or legal provisions;

IV. The appeals against definitive orders and resolutions issued by the electoral authorities organizing and qualifying the state elections as well as against those resolving the legal controversies derived from state elections as long as such appeals can affect the respective electoral process' development or the final counting of votes. The appeal shall be valid as long as the respective remedy is a feasible one from both a legal and a material point of view and as long as such a remedy is granted before the date in which the elected individuals are scheduled to legally take up their Offices;

V. The appeals against orders and resolutions which violate the citizens' political rights to vote, to be elected and to freely associate among them in order to participate in the country's political affairs, which are all granted by this Constitution and the laws;

VI. The labour controversies between the Tribunal itself and its employees;

VII. The labour controversies between the Federal Electoral Institute and its employees;

VIII. The specification of the punishments derived from electoral wrongdoings;

IX. The others under its jurisdiction according to the law.

Whenever a Court of the Electoral Tribunal upholds an interpretation about the unconstitutionality of either an order or a resolution or about a constitutional article in a way opposed to an interpretation upheld by the Supreme Court of Justice, any Supreme Court justice, Supreme Court's department or the contesting parties at the respective trial, can notify the alleged contradiction under the law in order to allow the Supreme Court working in a collegiate way to choose one interpretation above the other in a definitive way. The rulings on contradictory interpretations shall not affect the controversies already resolved.

This Constitution and its derived laws shall establish the Electoral Tribunal internal organization and its Courts' jurisdiction, the legal procedures to be applied in resolving the electoral controversies as well as the methods to be followed in order to establish mandatory precedents.

The Electoral Tribunal's management, control and the application of disciplinary measures within it shall be under the jurisdiction of a Commission of the Federal Judiciary Council that shall be integrated by a President who shall be the President of the Electoral Tribunal, an electoral Magistrate member of the Higher Court, who shall be selected by drawing lots and, finally, by three members of the Federal Judiciary Council. The Electoral Tribunal shall propose to the President of the Supreme Court of Justice to include the Tribunal's budget in the Federal Judicial Power's budgetary project. Likewise, the Electoral Tribunal shall issue internal regulations and all adequate orders to execute its powers.

The Electoral Magistrates of both the Higher Court and the Regional Courts shall be elected by a two-thirds majority out of the attending members of the Chamber of Senators or by the Permanent Commission during congressional recesses from the nominations submitted by the

Supreme Court of Justice. Further appointing rules and procedures shall be applied according to the law.

The Electoral Magistrates of the Higher Court shall hold their Offices during a term of ten years. Besides, they shall not be appointed to a second term and shall fulfill the requirements established by the law which shall never be softer than those conditioning the appointment of a Supreme Court justice. The resignations, absences and absentee leave' requests of the Electoral Magistrates shall be resolved by the Higher Court under article 98 of this Constitution.

The Electoral Magistrates at the Regional Courts shall hold their offices during a term of eight years. They shall not be reelected unless promoted to a higher post. They shall fulfill the requirements established by the law which shall never be softer than those conditioning the appointment of a Collegiate Tribunal Magistrate.

The labor relations between the Electoral Tribunal and its employees shall be regulated by the Federal Judicial Power regulations as well as by the special and exceptional ones established by the law.

Article 100

The Federal Judiciary Council shall be under the Federal Judicial Power's command and shall have technical and managerial autonomy. It shall also be autonomous in ruling on the affairs under its jurisdiction.

The Council shall be integrated by seven members including the Council's President who shall be the Supreme Court of Justice's President as well; three Councilors shall be appointed by at least eight votes out of the Supreme Court justices working in a collegiate way from the Circuit Magistrates and the District Judges serving at the Federal Judicial Power; two councilors shall be appointed by the Senate and one more by the President of the Republic.

All the Councilors shall be individuals who not only fulfill the requirements established by article 95 of this Constitution, but also are distinguished by their professional and administrative talents, by their honesty and

honorability along their professional life. Besides, those appointed by the Supreme Court shall have an outstanding reputation within the Judiciary.

The Councilors shall execute their powers in a collegiate way or working in separated commissions. The Council working in a collegiate way shall resolve on the issues involving the appointment, ratification and removal of both magistrates and judges as well as on the other affairs under its legal jurisdiction.

With the exception of the President of the Council, the others Councilors shall hold their Offices for a single term of five years and shall not be all substituted at the same time.

The Councilors shall be independent and impartial and therefore shall not represent their appointing Power. They shall be removed under Title Four of this Constitution.

The law shall establish the organizing criteria leading both the training and the educational policies directed to improve the judicial officials' skills as well as those guiding the judicial civil service's development which shall be founded on principles such as high quality service, objectivity, impartiality, professionalism and independence.

According to the law, the Council shall be authorized to issue all orders necessary to execute its powers. The Supreme Court of Justice can ask the Council to issue all the orders that in the Court's opinion are necessary to keep adequate standards of quality for the performance of the Federal Judiciary. The Supreme Court of Justice working in collegiate shall have power to review and even to revoke the Council's orders by a majority of at least eight votes. The law shall establish further conditions and procedures authorizing a full execution of powers for the Council.

The Council's resolutions shall be definitive and unchallengeable and, therefore, no appeal shall proceed against them, except those related to the appointment, destination, ratification and removal of magistrates and judges which can be reviewed by the Supreme Court of Justice in order to

verify their legal validity according to the organizing law of the Federal Judicial Power.

According to article 99, paragraph seven of this Constitution, the Supreme Court of Justice shall design its own budgetary project and the Council shall do so for the rest of the Federal Judicial Power. Such proposals shall be attached to the Federal Budget Bill by the President of the Supreme Court of Justice. The President of the Supreme Court of Justice shall be in charge of the Supreme Court's management.

Article 101

The Supreme Court justices, Circuit Magistrates, District Judges and the respective secretaries as well as the Federal Judiciary Councilors and the Higher Court Magistrates at the Electoral Tribunal shall neither accept nor perform any employment offered to them at the Federal Government, at a State government, at the Federal District's government or by any individual, except those performed for free at scientific, literary, teaching or philanthropic associations.

The Supreme Court justices, Circuit Magistrates, District Judges, Federal Judiciary Councilors and Higher Court Magistrates at the Electoral Tribunal shall not be allowed to work as attorneys, lawyers or legal representatives in any federal trial for a period of two years after finishing their respective terms.

During such a period of time former Supreme Court justices can be appointed to the posts regulated by article 95, paragraph VI of this Constitution, as long as they have hold such offices in an interim or provisional way.

The disqualifications established by this article shall be applied to those judicial officials on absentee leaves.

The violation to the previous paragraphs shall be punished with the removal of the offender from the Federal Judicial Power, as well as with the cancellation of any benefits and compensations which the offender is entitled to, in spite of any other punishment established under the law.

Article 102

A. The Federal Prosecution Office, whose officers shall be appointed and removed by the Executive Branch of Federal Government, shall be organized under the law. The Federal Prosecution Office shall be directed by the Attorney General appointed by the President of the Republic and confirmed by the Senate or by the Permanent Commission during congressional recesses. The Attorney General shall: be a Mexican citizen by birth; be at least thirty years old on appointment-day; have a lawyer's degree which is at least ten years old; have a good reputation, and have not been found guilty of a non-accidental criminal offence. The Attorney General shall be freely removed by the President.

The Federal Prosecution Office shall have power to prosecute in court every criminal offence committed under federal jurisdiction; to request the authorizations to apprehend suspects; to gather and present the exhibits proving the suspect's accountability; to verify that all trials are undertaken in an agile and in an efficient way in order to serve justice; to request the full application of punishments and to intervene in any other affair under its jurisdiction according to the law.

The Attorney General shall participate in the controversies and legal actions established by article 105 of this Constitution.

The Attorney General shall participate either by himself or through representatives in all trials in which the Federation is a contesting party, in the legal affairs involving diplomats and general consuls and in the legal affairs under the jurisdiction of the Federal Prosecution Office.

The Attorney General and his representatives shall be accountable for any failure, omission or violation committed against the law in performing their duties.

The Government legal counsel shall be in charge of an agency both subordinated to the President and established by the law.

B. The Congress and the State Legislatures shall provide, under their respective jurisdictions, agencies directed to protect the human rights which are recognized by the Mexican legal system. Such agencies shall receive all the complaints against administrative actions or omissions committed against human rights by any public employee except by those working for the Federal Judicial Power.

Such agencies shall also elaborate public and non-binding recommendations and shall submit all kind of accusations or complaints to the adequate authorities.

The human rights agencies shall not be authorized to intervene on any electoral, labor-related or judicial affair.

The agency established by the Congress shall be called "National Commission for Human Rights"; it shall have managerial autonomy, legal existence and a wealth on its own.

The National Commission for Human Rights shall have a Consulting Council integrated by ten councilors elected by a two-thirds majority of the attending Senators at the appointing session or by an equal majority of the attending members of the Permanent Commission at the appointing session during congressional recesses. Further procedures shall be specified by the law in order to nominate candidates to be appointed as councilors. Every year the couple of councilors holding the oldest appointments shall be substituted, except those nominated and ratified to a second term.

The President of the National Commission for Human Rights shall also be the President of the Consulting Council and shall be elected following the procedure previously established. He shall hold his office during a term of five years, can be reelected once and shall be removed under Title Four of this Constitution.

The President of the National Commission for Human Rights shall submit to the Powers of the Union a report of his activities each year. In doing so he shall attend congressional hearings under the law.

The National Commission for Human Rights shall have power to resolve on the complaints against recommendations, orders or omissions issued by the States human rights agencies, as well as to resolve on such agencies' omissions.

Article 103

The Federal Tribunals and the Federal Courts shall resolve any controversy derived from:

- I. Either a law or an authority's actions which violate individual privileges and immunities;
- II. Either a law or a federal authority's actions which violate or diminish the States' sovereignty or the Federal District's jurisdiction, and
- III. Either a law or a State's authority actions which invade the federal authorities' jurisdiction. Likewise the violating actions against the federal authorities' jurisdiction committed by the Federal District's authorities shall be resolved by the federal courts.

Article 104

The Federal Tribunals and the Federal Courts shall resolve:

- I. All civil or criminal controversies derived from the use of either federal laws or international treaties ratified by the Mexican State. If such controversies affect only private interests, the plaintiff shall have a right to choose a local judge or a local tribunal to resolve the case. Such resolutions by the lower courts can be appealed at the higher ones;
- I-B. The reviewing appeals directed against the definitive resolutions issued by the administrative-contentious tribunals provided for by articles 73, paragraph XXIX-H and 122, paragraph IV-e) of this Constitution. Such appeals shall be resolved by the Circuit Collegiate Tribunals under the legal procedures established by the legislation derived from articles 103 and 107 of this Constitution which regulates the special protective trial of individual prerogatives and immunities.
- II. All legal controversies derived from maritime law;
- III. All controversies in which the Federation is a contesting party;

- IV. All controversies and actions mentioned at article 105, which shall be resolved by the Supreme Court of Justice;
- V. All controversies between a State and one or more inhabitants of another State, and
- VI. All controversies involving members of the Diplomatic and Consular Services.

Article 105

The Supreme Court of Justice shall resolve, under the related legislation, legal affairs as follows:

- I. The constitutional controversies—except those involving an electoral dispute—between:
 - a) The Federation and a State or the Federal District;
 - b) The Federation and a municipality;
 - c) The Executive Branch of Federal Government and the Congress; the Executive Branch of Federal Government and at least one congressional Chamber or the Executive Branch of Federal Government and the Permanent Commission acting as representatives of either the federation or the Federal District;
 - d) A couple of States;
 - e) A State and the Federal District;
 - f) The Federal District and a Municipality;
 - g) Two municipalities located at different States;
 - h) A couple of Powers within a single State disagreeing about the constitutionality of their actions or executive orders;
 - i) A State and one municipality located within it disagreeing about the constitutionality of their actions or executive orders;
 - j) A State and a municipality located within a different State disagreeing about the constitutionality of their actions or executive orders; and
 - k) A couple of governmental agencies of the Federal District disagreeing about the constitutionality of their actions or executive orders.

The resolutions taken by a majority of eight votes of justices of the Supreme Court shall declare the general invalidation of an executive order as long as the respective controversy has been generated by State or municipal executive orders appealed by the Federation, by municipal executive orders appealed by the States or by the application of paragraphs c), h) and k) of this article.

In any other case, the effects of the Supreme Court of Justice's resolutions shall affect only the contesting parties.

II. The unconstitutionality lawsuits directed to resolve a probable contradiction between a general norm and this Constitution;

The unconstitutionality lawsuits shall be submitted to the Supreme Court of Justice during a period of time of thirty days which shall be computed from the contested general norm's publishing date onwards.

Those entitled to submit such legal actions shall be:

- a) A thirty three percent out of the total number of members of the Chamber of Deputies appealing a law enacted by the Congress including the Federal District's legislation;
- b) A thirty three percent out of the total number of members of the Chamber of Senators appealing a law enacted by the Congress, including the Federal District's legislation or appealing any international treaty ratified by the Mexican State;
- c) The Attorney General appealing a federal or state legislation, including the Federal District's legislation, or the international treaties ratified by the Mexican State;
- d) A thirty three percent out of the total number of members of a State Legislature appealing a law enacted by such State Legislature;
- e) A thirty three percent out of the total number of members of the Federal District's Assembly of Representatives appealing a law enacted by such an Assembly; and
- f) The national chairmen of the political parties registered at the Federal Electoral Institute appealing federal and local electoral laws; the state

chairmen of the political parties registered at the state electoral authorities shall also be authorized to appeal electoral laws enacted by the respective State Legislature.

Such shall be the only procedure available to appeal the unconstitutionality of electoral laws.

Both federal and local electoral legislations shall be published and promulgated at least ninety days before the starting date of their respective electoral process. During electoral processes, electoral laws shall not be modified.

The Supreme Court of Justice's resolutions taken by a majority of eight justices shall declare invalid the challenged norms.

- III. The appeals submitted either by a Unitary Circuit Tribunal or the Attorney General against the District Judges' rulings resolving the trials in which the Federation is a contesting party and which are particularly interesting and important. The same procedure shall be applied to those appeals selected by the Supreme Court itself.

The invalidity declarations which paragraphs I and II of this article refer to, shall not have a retroactive effect except those related to the resolution of criminal offences which shall be regulated by general principles and criminal law.

Any defiance to the resolutions mentioned at paragraphs I and II of this article shall be punished under article 107, paragraph XVI, subparagraphs 1 and 2 of this Constitution.

Article 106

The Federal Judicial Power shall resolve under the law the controversies on jurisdictional limits between different Federal Courts, between Federal Courts and State Courts, between Federal Courts and the Federal District's Courts, between different State Courts or between State Courts and the Federal District's Courts.

Article 107

All controversies resolved under article 103 shall follow the legal procedures and requirements established by the law, under principles as follows:

- I. All special trials directed to protect privileges and immunities shall start by an affected individual's lawsuit;
- II. The resolution of such trials shall always produce individual effects in order to protect and prevent a single person's privileges and immunities from being violated without making a general declaration with respect to either the law or the actions which caused the submission of the original lawsuit.

In the special trials directed to protect individual privileges and immunities every deficient lawsuit shall be admitted and corrected by the court according to the statutory law derived from articles 103 and 107 of this Constitution.

In any trial against actions directed to prevent either small rural property owners or communal settlements to claim their property rights, possession over the lands or even the use of such lands, of waters or of grazing lands and scrublands, the Court shall order to gather every single piece of evidence which can benefit such entities or individuals as well as to undertake all necessary steps in order to precise their rural rights and the nature and effects of the allegedly harmful acts.

In the trials which the previous paragraph refers to a dismissal which can harm small property owners or communal rural owners shall not be declared, unless such dismissal can be beneficial for them. A trial's dismissal shall be not declared either when the harmful actions affect the collective rights of a community, except when the General Assembly of the affected community agrees with such a dismissal to take place;

- III. The special trials directed to protect privileges and immunities shall be used to appeal all violating actions committed by judicial, administrative or labour courts in cases as follows:
- a) The special trial shall be used against definitive resolutions which put the trial to an end as long as against such resolutions no ordinary modifying appeal can be made. The special protective trial shall be used to appeal violations which affect individual defenses, produce effects beyond the contested trial's result and which are committed either when the final resolution is made or during the contested trial's development, taking into account that in such latter case and whenever the appealed trial is a civil one, the violation has to be contested by either making the ordinary legal appeal or by arguing that such an ordinary legal appeal is a violation in itself. Such further requirements can be not fulfilled either in those controversies involving an individual's civil status or in those in which either public order or a family's stability is at stake.
 - b) The special trial shall be used against violations which, after have been legally appealed, are committed during a trial, once it has been resolved or even within the trial's context and are impossible to correct, and
 - c) The special trial shall be used against actions affecting individuals who are not parties in the trial;
- IV. From and administrative point of view, the special trials directed to protect privileges and immunities shall be used to appeal every harmful resolution which can not be corrected by any other legal defense. The complaining individual shall opt between the protective trial and any other legal defense whenever the applicable legislation regulating such other legal defense and according to which such a harmful action can be suspended, is more complex than the one established by the legislation regulating the special protective trial;

- V. The special trials directed to protect privileges and immunities used to appeal violating judicial resolutions which bring a trial to an end shall be submitted to the respective Circuit Collegiate Tribunal according to both the jurisdictional arrangements established by the organizing law of the Federal Judicial Power and what follows:
- a) The special protective trials shall be used to appeal resolutions taken by federal, local or military tribunals on criminal trials.
 - b) The special protective trials shall be used to appeal definitive resolutions which bring an administrative trial to an end and which can not be amended by any other legal defense.
 - c) The special protective trials shall be used to appeal the definitive resolutions of civil or commercial controversies issued by either federal or local authorities.

The resolutions of federal controversies of civil nature can be appealed by each party or even by the Federation defending the National Treasury, and

- d) The special protective trials shall be used to appeal rulings on labour controversies issued by the Local Labour Courts, by the Federal Labour Court or by the Federal Government's Labour Court.

The Supreme Court of Justice shall resolve all the special trials directed to protect privileges and immunities that in the Court's opinion are particularly interesting or important. The Supreme Court shall also execute such power when asked to do so by the respective Circuit Collegiate Tribunal or by the Attorney General;

- VI. The deadlines within which both the Circuit Collegiate Tribunals and the Supreme Court of Justice will resolve the special protective trials which paragraph V refers to, shall be established by the statutory law derived from articles 103 and 107 of this Constitution;
- VII. The special trials directed to protect privileges and immunities violated during a trial's proceedings, violated in a trial's context, violated once a trial is over or to protect affected individuals who are

not participating in the controversy as well as those directed to protect privileges and immunities violated by legislations or by governmental executive orders shall be resolved by the District Judge under whose territorial jurisdiction the harmful actions have been committed or have been tried to be committed. The judge shall demand a report from the accused authority notifying such an authority about the performance of a public hearing in which exhibits and statements will be received. The judge shall resolve the controversy within such a public hearing;

VIII. The District Judges' resolutions shall be reviewed by the Circuit Unitary Tribunals. The Supreme Court of Justice shall intervene within the reviewing process in face of:

- a) A constitutionality issue which remains unresolved after the special protective trial has been already used to appeal harmful actions or regulations such as federal legislation, state legislation, international treaties, presidential executive orders, presidential regulations issued under article 89, paragraph I of this Constitution, local regulations issued by the State governors or local regulations issued by the Federal District's Mayor, all of which can be considered as violating this Constitution in a direct way.
- b) The cases mentioned at article 103, paragraphs II and III of this Constitution.

The Supreme Court of Justice shall have power to resolve—at will or in response to a legal request made either by the respective Circuit Collegiate Tribunal or by the Attorney General—the reviews made on protective trials which are particularly interesting and important.

Any unforeseen case shall be resolved by the Circuit Collegiate Tribunals in an unchallengeable way;

IX. The resolutions on the special protective trials submitted to amend direct constitutional violations shall be unchallengeable unless such resolutions take a stand about a law's constitutionality or directly

interpret a constitutional provision from which, in the Supreme Court's opinion, a particularly interesting and important precedent can be derived. In such a case, the Supreme Court of Justice shall only resolve the constitutional issues derived from the aforementioned review;

- X. According to the conditions and the preventive measures ordered by the law, harmful actions can be suspended by judicial resolution. The suspension shall be resolved by taking into account the alleged violation's nature, the compensation's feasibility, and the harmful effects which can be generated against others or against the public interest by granting the suspension;

Such a suspension shall be ruled on resolutions of criminal trials once the special protective trial's lawsuit has been submitted and on resolutions of civil trials once a plaintiff's security deposit has been made in order to repair any eventual harmful effect derived from the suspension. Such a deposit shall be released only by an equivalent one made by the contesting party and which is intended to repair all harmful effects once the protective trial is resolved in the plaintiff's favor;

- XI. In dealing with direct special protective trials submitted to Circuit Collegiate Tribunals, the suspension shall be requested to the authority itself whose harmful actions are contested and that same authority shall resolve about it. Anyway, the plaintiff shall submit the appeal to such authority attaching to the document a copy of the lawsuit for all the parties taking part in the trial, including one for the Public Prosecutor and one for the trial's file. In any other case, the District Judges and the Circuit Collegiate Tribunals shall receive and resolve suspensions' requests;

- XII. The appeals against violations of the privileges and immunities within a criminal trial, established at articles 16, 19 and 20, shall be submitted either to the perpetrator court's superior or to the District

Judge or Circuit Unitary Tribunal with jurisdiction over the affair. The rulings issued by such courts and tribunals can be appealed under paragraph VIII of this article.

Whenever the accountable authority's address is located in a different place than the one in which a District Judge or a Circuit Unitary Tribunal can be found, statutory law shall establish the judge or tribunal which the lawsuit shall be submitted to and which shall be authorized to provisionally suspend the harmful actions according to such a law's conditions and procedures;

XIII. The contradictory precedents used by the Circuit Collegiate Tribunals in dealing with special protective trials under their jurisdiction, shall be notified to the Supreme Court of Justice by the Supreme Court justices, the Attorney General, the aforementioned tribunals or the contesting parties who intervened at the trials in which the contradictory precedents were used. Either the Supreme Court working in a collegiate way or its departments shall decide which precedent will prevail.

The contradictory precedents used by the Supreme Court's departments in dealing with special protective trials under their jurisdiction, shall be notified to the Supreme Court by each one of such departments, the Attorney General or the contesting parties who intervened at the trials in which the contradictory precedents were used. The Supreme Court of Justice working in a collegiate way shall decide which precedent will prevail.

The effect of the Supreme Court's resolutions as well as the effect of those made by its departments under the previous two paragraphs shall only resolve the alleged contradictions, leaving unchanged the legal results of the definitive resolutions made at the trials in which the contradictions were produced;

XIV. With the exception of the provision established at the closing sentence of this article's paragraph II, the plaintiff's abandonment of

the procedure shall produce under the law the dismissal of the special protective trial directed against administrative or civil actions. The trial's dismissal shall leave the appealed resolution unmodified;

XV. Either the Attorney General or a Federal Public Prosecutor appointed by him shall be both authorized to participate within every special protective trial unless from their point of view, the trial lacks any public interest at all;

XVI. Once the special protection has been granted, any repetition of the harmful action by the accused authority or any attempt by such authority directed to elude the resolution issued by the federal courts, shall be punished by immediately removing such an authority as well as with such authority's prosecution and trial before a District Judge's jurisdiction as long as the Supreme Court considers the authority's disobedience as a unjustified one. The Supreme Court of Justice shall grant any authority who has defied a federal resolution in a justified way a reasonable period of time in order to comply with such resolution. In such a case, if the authority fails again in complying with such a resolution, the Supreme Court shall proceed against him as previously established.

The Supreme Court of Justice can order compensations to be paid in order to comply with those federal resolutions which can be detrimental for the society in a serious way or which can affect individuals outside the controversy in such an economic way which outweighs the economic benefits granted to the plaintiff by a favorable resolution. Likewise, the protected plaintiff shall have power to request the compensation from the authorized agency as long as the contested action's nature allows such a request to be done ;

The plaintiff's abandonment of the procedures directed to compel authorities to comply with federal resolutions issued at the special protective trials, shall produce such resolutions' expiration under the law.

XVII. The judicial authority who does not grant a rightful suspension of the harmful act and who, in doing so, admits a fake or insufficient deposit shall be prosecuted and shall be considered as sharing civil accountability with the person who offered and make such a fake deposit, and

XVIII. Repealed.

Fourth Title

Public servants' Accountabilities and the State's Patrimonial Accountability

Article 108

The public servants' accountable under this Title shall be the popularly elected representatives, members of the Federal Judicial Power, members of the Federal District's Judicial Power, employees of the Federal Administration, employees of the Federal District's Public Administration and employees of the Federal Electoral Institute. All such workers shall be accountable for both the actions and the omissions committed by them during their public performance.

During his term in Office, the President of the Republic shall only be accountable for committing either treason to the Nation or serious criminal offences.

The State Governors, members of State Legislatures, State Supreme Court justices and members of any State Judiciary Council shall be accountable for any violation committed by them against either this Constitution or the federal legislation as well as for committing any illegal management of federal funds and resources.

The State Constitutions shall specify under this article's first paragraph, public servants' accountabilities at both State and Municipal levels.

Article 109

Under their respective jurisdiction, both the Congress and the State Legislatures shall legislate for the public servants' accountabilities and their eventual impeachment taking into account principles as follows:

- I. The punishments established at article 110 shall be imposed through a political trial of the public servants mentioned therein, who have committed actions or omissions against either fundamental public interests or such interests' adequate defense.
Any political trial directed against free speech shall be forbidden;
- II. Any criminal offence committed by a public servant shall be prosecuted and punished under criminal law; and
- III. The public servant who has committed harmful actions or omissions against the principles of legality, honesty, loyalty, impartiality and efficiency guiding public services shall be punished in an administrative way.

The application of such punishments shall be follow autonomous procedures. The double jeopardy principle shall rule the punishment of the actions and omissions mentioned at the previous paragraphs.

Federal law shall establish in which cases and under which circumstances any extraordinary increase of a public servant's wealth or properties which can not be legally justified will be considered as an illegal enrichment and therefore prosecuted under criminal law. Criminal law shall set down adequate punishments such as the undertaking of seizures over the aforementioned wealth and properties.

Any citizen shall have power to accuse before the Chamber of Deputies any wrongdoing mentioned at this article. Such accusations must be supported by convincing evidence. In doing so, citizens shall be accountable.

Article 110

The political trial shall be used to impeach the Congressional Senators and Deputies, Supreme Court justices, Councilors of the Federal Judiciary Council, Secretaries of State, Chiefs of Administrative Departments, Deputies of the Federal District's Assembly, the Federal District's Major, the Attorney General, the Federal District's Attorney General, Circuit Magistrates and District Judges, local Magistrates and Judges at the

Federal District, Councilors of the Federal District's Judiciary Council, the Councilor President, the Electoral Councilors and the Executive Secretary of the Federal Electoral Institute, the Electoral Tribunal Magistrates and the Chief Executive Officers of governmental agencies such as those partially publicly-owned corporations, societies, associations and public funded trusts.

The State governors, State Congressmen, State Supreme Court judges and Councilors of the State Judiciary Councils, shall be put on political trial under this article for any violation committed by themselves against this Constitution and the federal legislation derived from it. They shall also be put on political trial for any illegal management of federal funds. The resolutions on such financial wrongdoings shall have only a declarative nature in order to allow the State Legislatures to proceed under their own legislation.

The punishment for the aforementioned public servants shall be their removal from office and the prohibition to perform any other work in the public service.

In order to apply such punishments, the Chamber of Deputies shall submit an accusation to the Chamber of Senators. However, such submission shall be done not only once the majority of attending Deputies at the respective session approves to do so, but also once the suspect's defense and allegations have been heard.

The Chamber of Senators shall turn into a resolution jury in order to punish public employees. Such a resolution shall be taken according to due process of law's formalities by a two-thirds majority out of the attending senators at the respective session and in so far as the accused has been heard.

All congressional declarations and resolutions mentioned in this article shall be unchallengeable.

Article 111

The absolute majority of the attending members of the Chamber of Deputies at the respective session, shall declare whether congressional Deputies and Senators, Magistrates at the Higher Court of the Electoral Tribunal, Councilors of the Federal Judiciary Council, Secretaries of State, Chiefs of Administrative Departments, Deputies to the Federal District's Assembly, the Federal District's Major, the Attorney General, the Federal District's Attorney General, as well as both the Councilor President and the Electoral Councilors of the Federal Electoral Institute can be indicted or not.

A negative declaration by the House of Representatives shall suspend any further procedure. However such a suspension shall not resolve the indictment in a definitive way and once the suspect's term is over, he can be put on criminal trial if the alleged charges remain.

Otherwise, the House of Representatives shall hand over the suspect to those authorities empowered to prosecute and resolve criminal affairs under the law.

The President of the Republic shall be only indicted under article 110. The Chamber of Senators shall both receive the indictment and resolve it under criminal law.

The aforementioned procedure shall be used to indict State Governors, State Congressmen, State Supreme Court judges, and the members of the State Judiciary Councils. However, in such cases, the respective congressional declaration shall only be made to communicate to State Legislatures the affair in order to allow them to execute their legal powers. Congressional declarations and resolutions issued under this article shall be unchallengeable.

As a result of a positive congressional declaration, the indicted public servant shall be removed from office for as long as the criminal trial is resolved. If such a trial finds the accused servant not guilty, he shall resume his duties. Otherwise, and as long as the crime has been

committed during the public servant's term in office, he shall be convicted and no amnesty shall benefit him at all.

The lawsuits against public servants made under a civil jurisdiction shall not need a congressional declaration to put them on trial.

Criminal offences shall be punished under criminal law. In dealing with crimes from which either an economic benefit for the public servant is produced or a patrimonial damage is derived, the punishment shall balance the illegal benefit thus obtained with the compensation derived from the criminal offences committed.

The fines shall never exceed as much as three times either the obtained benefits or the produced damages.

Article 112

The Chamber of Deputies' declaration which the previous article refers to, shall not be necessary to indict those public servants who, included in such article's first paragraph, have committed a criminal offence during an absentee leave.

The public servant who has either resumed his duties or been appointed to another post out of those included at article 111, shall be indicted under such an article.

Article 113

The administrative accountabilities of the public servants shall be established under statutory law in order to specify such workers' legal obligation to perform their functions, employments or jobs in a legal, honest, loyal, impartial and efficient way. Such a law shall also establish the punishments derived from any wrongdoing as well as the procedures and the authorities under whose jurisdiction punishment procedures will be undertaken. Such legal punishments shall be the suspension from duty, the removal from office, the prohibition to work at the public service again as well as monetary fines which shall be established taking into account, not only the economic benefits obtained by the accused, but also the damages caused to the National Treasury which article 109 paragraph III

refers to. The aforementioned monetary fines shall never exceed as much as three times the total amount of either benefits or damages produced. Any harmful action against a private individual's wealth or rights, derived from the State's illegal administrative performance shall be challenged in an objective and direct way in court. The affected private individuals shall be entitled to compensation under the law.

Article 114

The political trial shall be started off either during the accused public servant's term or during the following year after his term in office has finished. The punishments derived from such a trial shall be applied within a period of time no longer than a year counted from the procedure's starting date onwards.

All public servants accountable for a criminal offence shall be indicted according to criminal law within a three years deadline after their criminal action have taken place. Such a deadline shall be extended for as long as the accused public servant holds an Office out of those included at article 111.

The law shall take into account both the nature of and the consequences derived from the actions and omissions which article 109, paragraph III refers to in establishing deadlines to prosecute administrative wrongdoings. However, whenever such wrongdoings are considered to be serious enough, the aforementioned deadlines shall be no shorter than three years long.

Fifth Title

The Federal States and the Federal District

Article 115

The States shall be organized under a republican, representative and popular regime based on the Free Municipality as the keystone of both their territorial disposition and their political and administrative structure according to principles as follows:

- I. Each Municipality shall be governed by a popularly elected Office integrated by a Major and as many rulers and elected officers as provided by the law. The Municipality's constitutional jurisdiction shall be an exclusive one. Besides, the relations between the Municipalities and the State Governments shall be direct ones.

The municipal majors, rulers and elected officers alike shall not be reelected to a second immediate term. Such prohibition shall affect any other person who has occupied and performed the aforementioned posts through either an indirect election or an appointment. All the incumbent officers mentioned in this paragraph shall not be elected as substitutes to the following term, but the substitute ones can run for the Office.

Once a serious wrongdoing—established as such by the respective state legislation—has been committed, a two-thirds majority out of the members of the respective State legislature shall have power to suspend or suppress any municipal government within such State, as well as either to suspend or remove from duty any municipal officer. In executing such powers the State legislatures shall follow the due process of law's formalities by receiving all exhibits and statements submitted by the accused party.

Substitutes shall be appointed to the vacant posts under the law.

The respective state legislature shall appoint a Municipal Council which will be integrated by municipal neighbors whenever an existent Municipal Office is suppressed, its majority of members resign or, according to the law, the eventual vacancies can be fulfilled neither by appointing substitutes nor by organizing new elections. Such Municipal Councils shall be integrated by many members as provided by the law. Such members shall also fulfill the conditions required from the individuals running to be elected as municipal rulers;

- II. The Municipalities' legal existence shall be recognized and they shall also be allowed to manage their treasuries by their own according to the law.

According to the law, the Municipal Offices shall have power to issue all regulations and executive orders necessary to provide for law enforcement agencies, governmental affairs, the municipal public administration's procedures and functions as well as for the performance of public services. Such powers shall also be executed to provide for the activities promoting civic and individual participation within the municipal affairs.

The State legislation mentioned before shall be directed to establish:

- a) Guidelines which both the Municipal Public Administration and the administrative procedures to appeal such Administration's decisions will be based on. Such guidelines shall include the authorities empowered to resolve the appeals made by private individuals under due process' principles such as equality, publicity, full defense and legality;
- b) The resolutions which shall be approved by a two-thirds majority out of the Municipal Office's members affecting the municipal estate property or binding the Municipality to comply with legal contracts beyond the agreeing administration's term;
- c) The regulations to be followed in order to sign the contracts which paragraphs III and IV of this article as well as article 116 paragraph VII of this Constitution refers to.
- d) The legal procedure to be followed and the conditions to be fulfilled in order to authorize the State Government to take over a particular municipal public service which from the State Legislature's point of view can not be performed by the Municipal Administration. In such a case and as long as no contract has been signed on the respective public service's performance, a two-thirds majority out of the members

of the affected Municipal Office shall submit a request in order to start off the substitutive performance, and

- e) Adequate regulations for those Municipalities lacking them.

State Legislatures shall legislate for the legal procedures under which the controversies either between municipalities and State governments or between different Municipalities under paragraphs c) and d) of this article, will be resolved.

III. The Municipalities shall be in charge of providing public services as follows:

- a) Potable water, sewage systems, treatment and disposal of residual waters;
- b) Street lighting;
- c) Waste management;
- d) Markets and supply centers;
- e) Cemeteries;
- f) Slaughterhouses;
- g) Streets, parks, heaths and urban services located within them;
- h) Law enforcement under article 21 of this Constitution, and
- i) The other public services which shall be considered as such by the respective State Legislature. In doing so, State legislatures shall take into account the Municipalities' administrative and financial conditions.

In undertaking their duties and according to their constitutional jurisdiction, the Municipalities shall act under both federal and state legislation.

The Municipal Offices can agree to enter into agreement with each other in order to provide for the public services under their jurisdiction in a cooperative or more efficient way as well as to improve their performance. Any agreement between Municipal Offices located at different States, shall be approved by the respective State Legislatures. Likewise, the Municipal Offices shall have power to enter into agreement with the respective State in order to allow such State to

perform some public services in a temporary way. Public services can be performed by both a Municipality and a State in a joint way;

The indigenous peoples living within the Municipality can coordinate and associate to each other under the law.

IV. All Municipalities shall manage their own treasury which will be integrated by the revenues generated by their property as well as by the tax revenue collected and by any other source of income legislated for their benefit under state law. A municipality's treasury shall also be integrated by:

- a) The collected State taxes—including any produced interest rate—on real estate property's division, consolidation, transfer and improvement as well as those collected due to such property's change in value; Contracts can be signed between a Municipality and the respective State in order to allow the latter to participate in the tax collecting management.
- b) Federal funds delivered to the Municipalities under the annual financial program approved by the State legislatures;
- c) The revenue obtained by charging public services under municipal jurisdiction.

Federal law shall neither constrain the States' powers to lay the taxes mentioned at paragraphs a) and c) of this article nor grant exemptions in collecting such taxes. State law shall not grant either tax exemptions or subsidies to benefit neither a private individual nor an institution. Tax exemptions shall be only granted to Federal, State and Municipal estate property under public domain, unless such property is used by legally entitled public agencies or private individuals who are going to undertake administrative tasks or any other private objective.

The municipalities shall be authorized to propose to the State Legislatures all rates which taxes, contributions and license fees will be based on. Likewise they shall be authorized to propose the real estate property's taxing rates.

The State legislatures shall approve municipal revenue laws as well as review municipal financial reports. Municipal budgets shall be passed by the Municipal Offices taking into account their programmed income. Municipal treasuries shall be managed directly by the Municipal Offices or by whoever they authorized to do so under the law;

V. According to both federal and state laws, the Municipalities shall be authorized:

- a) To design, approve and manage all municipal territorial divisions and urban planning;
- b) To participate in creating and managing territorial reserves;
- c) To participate in the design of regional development plans which always will be done according to the planning guidelines for regional development. The municipalities' participation shall be taken into account in every federal and state regional development plan;
- d) To authorize, control and review the ways in which the land under their jurisdiction is going to be used;
- e) To intervene in regulating the legal possession of urban property;
- f) To issue constructing permits and licenses;
- g) To participate in creating and managing ecological reserves as well as in designing and applying regulatory programs for such reserves;
- h) To intervene in creating and applying the public transport programs across the municipal territory, and
- i) To contract with others both the management and the custody of federal estate property.

According to article 27 of this Constitution, the Municipalities shall issue all regulations and executive orders which are deemed to be necessary;

VI. The Federal, State and Municipal governments shall both plan and regulate under federal law and in a coordinate way the development of any common demographic area produced by the enlargement of

neighboring municipal urban zones located in at least two different States;

- VII. The Majors shall be in charge, under the applicable regulations, of the municipal law enforcement agencies. However, the State Governors can command such agencies in face of a serious situation or in dealing with a major alteration of public peace.

The Executive Branch of Federal Government shall be in charge of the law enforcement agencies with jurisdiction over the places in which such a Branch of Government's address is located whether permanently or temporary;

- VIII. The state legislations shall introduce the proportional representation principle in electing all the Municipal Offices' members.

The State legislations, under both article 123 of this Constitution and federal law, shall also regulate the labor relations between the Municipalities and their employees;

- IX. Repealed;

- X. Repealed.

Article 116

The States' public power shall be divided into three separated branches as follows: Executive, Legislative and Judicial. Such branches of power shall be vested neither in a single individual, nor in a single corporation.

The States' powers shall be organized under both their respective Constitution and regulations as follows:

- I. State governors shall hold their offices during a term of six years.

Both State Governors and State Legislatures shall be elected in a direct way regulated by the respective electoral legislation.

State governors popularly elected whether through an ordinary election or an extraordinary one shall never hold again the Governor's Office during a second term, not even as interim, provisional, substitute or temporal governors.

The prohibition to be reelected to an immediate term shall be applied to:

- a) Any substitute constitutional governor, or whoever has been appointed with any other title to fill a governor's vacancy after a definitive governor's absence has taken place;
- b) Any interim or provisional governor as well as any individual who has, under any title whatsoever, substituted a State governor during at least one temporary absentee leave which takes place within the last two years of the governor's term.

The State governorships shall be reserved to Mexican Citizens by birth, native of the respective State or who has been living within it for at least five years before election-day takes place;

- II. The number of State Congressmen integrating each Legislature shall be proportional to the number of inhabitants living in each particular State; yet, there shall be at least seven in those States with less than 400 thousand inhabitants; at least nine in those with more than 400 thousand inhabitants but less than 800 thousand, and at least 11 in those with more than 800 thousand inhabitants.

The State congressmen shall not be reelected to an immediate term. Substitutes can be elected as Congressmen to the immediate term as long as they have never been called to fulfill a congressional vacancy. State congressmen shall not be elected as substitutes to the immediate term.

According to state legislation, State Legislatures shall be integrated by both deputies elected under the majority principle and Deputies elected under the proportional representation principle;

- III. State Judicial Powers shall be vested in the Courts established by the State Constitutions.

The independence of both magistrates and judges shall be granted by both state constitutions and state legislations which also shall establish

the hiring, training and evaluation criteria to be applied to the State Judicial Powers' employees.

The magistrates of the State Judicial Powers shall fulfill the conditions established by article 95, paragraphs I to V of this Constitution. In order to be appointed as State magistrates, all State Secretaries, State Attorney Generals or State congressmen, shall leave such offices one year before such an appointment is made.

In appointing magistrates and judges of the State Judicial Powers, the legal professionals who have either worked in the judiciary in an efficient and honorable way or deserve to be distinguished because of their integrity, talent or remarkable background in the legal profession, shall be privileged.

State magistrates shall hold their offices during a term established under the respective local Constitution, can be reelected to a second term and shall be only removed under both the State Constitutions and the state Accountability Laws regulating the performance of the states' public servants.

Both state magistrates and state judges shall receive adequate and permanent wages which they can not reject at all;

IV. Both State Constitutions and State Electoral Laws shall provide for:

- a) The election of the State governors, State congressmen and Municipal officials through universal, secret and direct voting systems;
- b) The undertaking of state elections by electoral authorities guided by principles such as legality, impartiality, objectivity, certainty and independence;
- c) The autonomy and independence of State electoral authorities in performing their duties;
- d) The state systems of legal appeals under which all electoral executive orders and resolutions can be appealed according to due process of law's formalities;

- e) The resolution of all electoral appeals both within reasonable deadlines and taking into account the definitiveness principle guiding every electoral trial;
 - f) The public financing of political parties directed to maintain them and help them out in running electoral campaigns. According to the respective State budget such financing will be delivered in a fair way among the contesting political parties;
 - g) The political parties fair access to the media;
 - h) The electoral campaigns' spending limits, as well as for the limits of private contributions, the control procedures over the origin and management of the political parties' resources and the punishments derived from any financial wrongdoing;
 - i) Both the electoral criminal offences and the electoral unlawful actions as well as for the punishments derived from them;
- V. Both the State Constitutions and the State legislations shall provide and maintain for autonomous administrative courts under whose jurisdiction the controversies between State Public Administrations and private individuals will be resolved. Such constitutional and legal provisions shall regulate the administrative courts' management as well as the applicable legal procedures and the system of appeals against the courts' resolutions;
- VI. The labour relations between the States and their employees shall be regulated under article 123 of this Constitution, federal labor legislation and State labor laws, alike, and
- VII. According to the law the Federation shall have power to enter into agreement with the States in order to allow the latter to execute federal powers, construct public funded property and buildings and perform public services which are considered as necessary for economic and social development's reasons .

The States shall have power to enter into agreement with the Municipalities in order to perform the aforementioned duties and services.

Article 117

No State shall:

- I. Enter into any Treaty, Alliance, or Confederation either with other State or with foreign nations;
- II. Repealed;
- III. Coin money and emit Bills of Credit, post stamps or sealed documents;
- IV. Lay any duties or imposts on the individuals travelling across its territory;
- V. Lay duties on imports and exports as well as prohibit any commodity or merchandise to either enter or exit its territory;
- VI. Lay taxes on the commerce and consumption of both national and foreign merchandise as well as perform any search, register or demand any documentation on such merchandise;
- VII. Pass any Bill or uphold any tax law according to which national and foreign merchandises are discriminated from each other taking into account an alleged similar way under which such merchandises were produced;
- VIII. To borrow money in either a direct or an indirect way from any foreign nation, foreign corporations or individuals or to borrow money that has to be paid either in foreign currency or abroad.

Neither the States nor the Municipalities shall sign contracts or borrow money unless the products of such legal actions are directed to public productive investments. Besides, such restraints shall be applied to any public agency under the respective State legislation. State Budgets' shall annually establish the contracting and indebteding ceilings to be applied to the States' public agencies. The States' Executive Branches of Government shall submit a report of the aforementioned activities within their Annual Financial Reports;

IX. Lay any duty or impost on tobacco's production, gathering or commerce different or more expensive than those approved by the Congress.

Both the Congress and the State legislatures shall pass Bills directed to prevent alcoholism.

Article 118

No State shall, without the Congress' approval:

- I. Lay any duty or impost on tonnage, seaports' activities, imports or exports;
- II. Keep troops or ships of war at any time; and
- III. Engage in War against any foreign Nation unless actually invaded, or in such imminent Danger as will not admit of delay. In such cases, the affected State shall notify the situation immediately to the President of the Republic;

Article 119

The Union's Powers shall protect the States against any invasion or foreign violence. The States shall be likewise protected against any internal armed revolt, as long as the Union's Powers are called into action by the respective State legislature or, during congressional recesses, by the respective State governor.

Both the States and the Federal District shall answer to other State's respective requests not only by delivering without delay all indicted or tried individuals as well as all convicted felons but also by performing all tasks directed to secure and deliver objects or tools used to commit criminal offences and such offences products. The States shall enter into agreement with each other in order to empower their Attorney Generals to undertake the aforementioned activities. In order to achieve such objectives, both the States and the Federal District can enter into agreement with the Federal Government who will act through the Attorney General.

The Executive Branch of Federal Government, taking into account both the constitutional jurisdiction of the courts and federal law's provisions, shall not only deal with any foreign nation's extradition requests but also enter into extradition international treaties. In dealing with extradition cases, the judicial committal shall be enough to put the extraditable individual under custody for up to sixty days.

Article 120

The State governors shall both publish and enforce federal laws.

Article 121

Each State shall honour the public registers and judicial proceedings undertaken by the others. The Congress shall legislate for the ways in which such registers and proceedings shall be proven under principles as follows:

- I. Every State's law shall only have jurisdiction over its own territory;
- II. Property rights shall be regulated by the applicable law from a territorial point of view;
- III. Every judicial resolution on property rights' controversies taken by any State's courts shall be upheld by a different State whenever the latter's legislation approves such backing to take place.

The judicial resolutions on civil rights taken by any State's court shall be upheld by a different State's court as long as the sentenced individual whom the respective lawsuit was addressed to, has been already tried under such resolving courts' jurisdiction either willingly or due to his address' location;

- IV. The civil legal actions performed within any State shall be upheld by the others.
- V. The professional degrees legally issued by any State's authorities, shall be recognized by the others.

Article 122

Taking into account the legal definition provided by article 44 of this Constitution, the Federal District's government shall be vested in both the Federal Powers and the Local Powers according to this article's norms.

The Legislative Assembly, the Major of the City and the Higher Court of Justice shall be the Federal District's authorities.

The Federal District's Legislative Assembly shall be integrated by as many Deputies as determined not only by this Constitution but also by the Governmental Statute. Such Deputies shall be elected under both the majority principle and the proportional representation principle. The latter shall be organized under a system of voting lists distributed within a single electoral circumscription.

The Executive Branch of Government shall be vested in a Major of the Federal District, elected by a universal, free, direct and secret system of voting, who shall be in charge of the Federal District's public administration.

The Judicial Power of the Federal District shall be vested in the Higher Court of Justice, the Judiciary Council and in any other agency authorized to execute such a power by the Government Statute.

The jurisdiction of both the Union's Powers and the Federal District's authorities shall be regulated by principles as follows:

- A. The Congress shall:
 - I. Legislate for all the affairs related to the Federal District except those reserved for the Legislative Assembly;
 - II. Pass the Bill containing the Governmental Statute for the Federal District;
 - III. Legislate for the ways in which the Federal District will be authorized to borrow money;
 - IV. Provide all rules necessary to help out the Union's Powers in performing their duties on time and in an adequate and efficacious way, and

- V. Execute any other powers vested in it by this Constitution.
- B. The President of the Mexican United States shall:
 - I. Send Bills related to the Federal District to the Congress;
 - II. Nominate, with the Senate's consent, a substitute to fill the vacancy derived from the removal from office of the Major of the Federal District;
 - III. Submit to the Congress annually the Bill containing the borrowing ceilings necessary to finance the Federal District's budget. In order to elaborate such Bill, the Major of the Federal District shall submit a proposal under the law to the President of the Republic's approval.
 - IV. Provide for an exact compliance of the federal legislation directed to regulate the Federal District, and
 - V. Execute the other powers vested in him by this Constitution, the Governmental Statute and federal law.
- C. The Governmental Statute regulating the Federal District, shall be guided by principles as follows:

FIRST: The Legislative Assembly:

 - I. The Deputies of the Legislative Assembly shall be elected every three years by a universal, free, direct and secret system of voting under an electoral law which, in regulating the organization of the elections, the issuing of the respective certificates and the establishment of a system of electoral appeals, will be based on articles 41, 60 and 99 of this Constitution;
 - II. In order to be elected as a Deputy to the Legislative Assembly, all candidates shall fulfil requisites which will never be softer than those requested to be elected as a federal deputy. Articles 51, 59, 61, 62, 64 and 77, paragraph IV of this Constitution shall be applied to the Legislative Assembly's members;
 - III. The political party which obtains by itself both the majority of the winners' certificates and at least thirty percent out of the total amount of votes cast at the Federal District election, shall receive as many

Deputies elected under the proportional representation principle as necessary in order to reach the Assembly's majority;

- IV. The Legislative Assembly shall determine the dates within which two different periods of legislative sessions will be opened for business each year. The Assembly shall also establish the integration procedures and powers of an internal government Office which shall be opened for business during the Assembly's recesses. The Assembly shall be summoned to extraordinary periods by either the majority of its members or the Major of the Federal District;
- V. According to the Governmental Statute, the Legislative Assembly shall:
- a) Pass the Bill containing its organizing law which shall be published by the Major of the Federal District;
 - b) Annually review, discuss and approve the Federal District's budget and the Federal District's Income Law. The Assembly shall approve first all taxes necessary to finance the budget.

The Federal District's Income Law shall not include borrowing ceilings higher than those previously authorized by the Congress in order to finance the Federal District's budget.

The Major of the Federal District shall have power to submit the Bill containing both the budget and the Income Law. Such a Bill shall be submitted on November 30th at most. However, such a deadline shall be extended to December 20th in the years in which the election of the Major of the Federal District takes place.

The Legislative Assembly shall annually both determine its own budget and shall submit it to the Major of the Federal District who shall include it within the aforementioned Bill.

The Federal District's Treasury shall be regulated under article 115, paragraph IV-c) of this Constitution as long as such constitutional rules do not transgress the Federal District's legal nature and governmental organization;

- c) Review the Annual Financial Report submitted by the Legislative Assembly's Auditing Office, under the applicable procedures set down at article 74, paragraph IV of this Constitution.

The Annual Financial Report on the previous year's performance shall be submitted to the Legislative Assembly at June 10th at most. Such a deadline as well as the one within which the Bill containing both the Budget and the Income Law shall be submitted, shall only be extended when a reasonable request to do so made by the Major of the Federal District has been approved by the Assembly;

- d) Appoint a substitute to fill the vacancy produced by the Mayor of the Federal District's definitive absence;
- e) Legislate for the Federal District's Treasury and Auditing Office as well as for the Federal District's budget, accounting procedures and public expenditure's regulations;
- f) Legislate for the Federal District's elections according to the principles established at the Governmental Statute which, in its turn, shall be based on article 116 paragraph IV-b) to i) of this Constitution. Only national political parties shall be authorized to compete at the Federal District's elections;
- g) Legislate for both the internal management and the administrative procedures of the Federal District's Public Administration;
- h) Legislate for both civil affairs and criminal offences as well as regulate the agencies in charge of human rights protection, public defence counsel, notary activities and the public register of private property and commerce;
- i) Regulate the public safety measures, the inferior courts which will resolve on misdemeanours, the private security services, the prevention of crime, the social rehabilitation of convicted felons, the health services, the social welfare and the workers' welfare;
- j) Legislate for the development planning, for the urban planning—particularly for those issues related to the way in which the private

property is going to be used—, for ecological preservation, for housing, constructing and building in general, for transport and parking of private vehicles, for contracting private individuals or corporations with public funds, for public funded constructing as well as for exploiting and using the Federal District's property.

- k) Regulate the performance of public funded services by either public agencies or private individuals and corporations; legislate for urban public transport, waste management, tourist attractions and accommodation, markets, supply centres, slaughterhouses, and cemeteries;
- l) Legislate for both the economic promotion and the employments' protection; for the agricultural development; for commercial establishments; for the fauna's preservation; for public entertainment; for cultural, civic and athletic promotion; and for the educational social function according to article 3, paragraph VIII of this Constitution;
- m) Enact the Organizing Statute for the Federal District's Judicial Power which will regulate both the powers of the Federal District's courts and the accountabilities of the Judicial Power's employees;
- n) Enact the Organizing Statute for the Federal District's Administrative Tribunal;
- ñ) Submit all Bills related to the Federal District to the Congress, and
- o) Execute any other power vested in it by this Constitution.

SECOND: The Major of the Federal District shall:

- I. Hold his Office during a term of six years which will start off on December 5th of the year in which the respective election takes place. The major's election shall be organized under electoral law.
The Major of the Federal District shall fulfil the requisites established under the Governmental Statute among which there must be some as follows: to be a Mexican Citizen by birth, fully entitled to his rights under the law, who has been residing in the Federal District for either three years before election-day takes place—if he is a Federal

District's native—or five years—if he was born in a different State; to be at least thirty years old on election day, and have not held the Office of the Major of the Federal District before. The aforementioned residing periods shall not be interrupted by performing a federal employment in a different State.

The Senate shall have power to approve the presidential nomination of a substitute to fulfil the vacancy derived from the Major of the Federal District's removal from office. In face of a temporary absence the Governmental Statute shall determine a substitute official. In face of a definitive absence, a resignation or any other cause generating the vacancy, the Legislative Assembly shall appoint the substitute who will finish the Major's term. The Major of the Federal District's resignation shall only be accepted when supported by strong reasons. The absentee leaves shall be regulated by the Governmental Statute.

- II. The Major of the Federal District shall:
 - a) Comply with and execute the Federal District's legislation enacted by the Congress;
 - b) Promulgate, publish and execute the legislation enacted by the Legislative Assembly, providing such legislation's exact administrative application by issuing all necessary regulations and executive orders. Likewise, he shall have power to object the Bills passed by the Legislative Assembly submitted to him in order to be promulgated as laws. In such a case, the major can object the Bill within ten days following the one in which he received such a Bill. If the objected Bill is supported nonetheless by a two-thirds majority out of the attending Deputies, it must be promulgated by the Major of the Federal District as a law;
 - c) Submit Bills to the Legislative Assembly's consideration;
 - d) Freely appoint and remove all public servants employed by the Federal District's Executive Branch of Government, except those whose

appointment or removal from Office is reserved for a different authority under both this Constitution and the law;

- e) Direct, under the Governmental Statute, all law enforcement agencies, and
- f) Execute all other powers vested in him by this Constitution, the Governmental Statute and the laws.

THIRD: The Public Administration of the Federal District shall:

- I. Regulate the powers of its agencies.
- II. Establish those offices which will have both administrative and political jurisdictions over each one of the Federal District's territorial demarcations.

Likewise, it shall provide not only for the territorial criteria under which the Federal District will be divided but also for the way in which the aforementioned Offices will be integrated and for the relations between such Offices and the Major of the Federal District.

The Heads of the Offices with jurisdiction over the territorial demarcations shall be elected in a universal, free, secret and direct way under the law.

FOURTH: The Higher Tribunal of Justice of the Federal District and the other Federal District's Courts:

- I. The Higher Tribunal magistrates shall fulfil the same requisites than those fulfilled by the Supreme Court justices; the aforementioned magistrates shall be distinguished legal professionals or judicial officials working preferably at the Federal District. The Higher Tribunal of Justice of the Federal District shall be integrated by as many magistrates as established by such Tribunal's Organizing Law.

In order to fulfil the vacancies of the Higher Tribunal's magistrates, the Major of the Federal District shall submit a nomination proposal to the Legislative Assembly. The magistrates shall hold their offices during a term of six years and can be ratified by the Assembly; once their

ratification has taken place they can only be removed under Title four of this Constitution;

- II. The management, control and disciplinary measures to be applied at the Higher Tribunal of the Federal District shall be under the jurisdiction of the Judiciary Council of the Federal District. Such a Council shall be integrated by seven members including the President of the Higher Tribunal who shall also be the Council's President. The other members shall be: a magistrate of the Higher Tribunal, two inferior judges of the Federal District randomly elected, a councillor appointed by the Major of the Federal District and two councillors appointed by the Legislative Assembly. All judiciary councillors shall fulfil the same requisites demanded for the appointment of magistrates and shall hold their offices during a term of five years; they shall not be substituted all at the same time but in a successive way, and, furthermore, they shall not be appointed to a second term.

The Council shall appoint the inferior judges of the Federal District according to the regulation on judicial civil service;

- III. The Judiciary Council of the Federal District's powers shall be established under article 100 of this Constitution;
- IV. The guidelines for both the regulations on judicial officials' training and the judicial civil service's development shall be established according to legal standards;
- V. Both the wrongdoings committed by the Judiciary Council's members and the limits restraining such individuals' performance shall be regulated under article 101 of this Constitution, and
- VI. The Judiciary Council of the Federal District shall design the Federal District's judicial power's budgetary project and shall submit it to the Major who will include it in the Bill containing the Federal District's Budget which will be, in its turn, approved by the Legislative Assembly.

FIFTH. The Administrative Tribunal shall resolve all controversies between private individuals and the Federal District's Public Administration. Such a Tribunal shall be an autonomous one.

The Administrative Tribunal's powers and integration procedures shall be regulated under an Organizing Law.

- D. An Attorney General, appointed under the Governmental Statute, shall be in charge of the Office of the Public Prosecutor at the Federal District. Such Office's powers, internal organization and jurisdiction shall be regulated under both the Governmental Statute and an Organizing law.
- E. The President of the Republic shall execute in the Federal District the powers vested in him by article 115, paragraph VII of this Constitution. The Governmental Statute shall regulate the appointment and removal procedures which will be applied to the public servant directly in charge of the Federal District's law enforcement agency.
- F. The Chamber of Senators or the Permanent Commission, during such Chamber's recesses, shall have power to punish the Major of the Federal District by removing him from Office for any serious wrongdoing affecting either the relations between the Union's Powers or the Federal District's public peace.
The request to do so shall be submitted to the deciding congressional body by either a half of the Senators or a half of the Permanent Commission's members, respectively.
- G. According to article 115, paragraph VI of this Constitution, the Federal, State and Municipal governments as well as the Federal District's one shall enter into agreement with each other in order to provide for and maintain metropolitan commissions directed to plan and execute governmental actions related to human settlements within the Federal District's area in a coordinated way. Such agreements shall also be reached in order to resolve affairs related

to the protection, preservation and restoration of the environment; they shall also be reached in order to resolve affairs related to transport, potable water supply systems, sewage services, waste management as well as those related to law enforcement.

As it has been already clarified, such commissions shall be created by an agreement reached by consenting parties. Their final composition, structure and functions shall be set down at their founding documents.

The aforementioned commissions shall establish:

- a) The guidelines which the actions agreed by their members in order to define both the territorial jurisdictions and the distribution of functions among them either in performing public services or in executing the powers mentioned in the previous paragraph, will be based on;
 - b) The founding criteria which not only the distribution of functions among their members but also the coordinated financial contributions to fund the respective projects will be based on;
 - c) All other regulation necessary to provide for both a joint and coordinated development of the neighbouring metropolitan areas and the performance of the public services and actions agreed by their members.
- H. The prohibitions and restraints established against the States' powers by this Constitution, shall also be applied to the Federal District's authorities.

Sixth Title

Labour and Social Security

Article 123

Every person has a right to work in a dignified and socially useful way; in order to enforce such a right both employment creation and labour organization shall be promoted under the law.

According to this article's rules, the Congress shall enact labour laws which will regulate:

- A. Contracts of work—including those in which workers, employees, domestic workers or craftsmen are parties to the contract—prescribing that:
- I. The hours of work shall not exceed eight hours;
 - II. The hours of night work shall not exceed seven hours. Dangerous and unhealthy works shall be forbidden as well as any industrial night work performed by individuals under sixteen years old. The same prohibition shall be applied to night work performed by such individuals after ten o'clock;
 - III. The work of individuals under fourteen years old shall be forbidden. The work of individuals in between fourteen and sixteen years old shall never exceed six hours;
 - IV. The workers shall be entitled to a weekly rest period comprising not less than twenty four hours in the course of each period of seven days;
 - V. Pregnant women shall not perform a work which demands a considerable effort from them and which represents a danger for the pregnancy's development itself; pregnant women shall be entitled to a mandatory rest period of six months before and six months after the delivery date takes place. During such rest period, they shall receive their complete wages and both their posts and labour rights shall be preserved. During breastfeeding they shall be daily entitled to a couple of rest periods of half an hour each one;
 - VI. The minimum wage shall be either general or professional. The first one shall be paid to those workers within certain geographical areas; the latter shall be paid to those working at specific economic activities, professions or special jobs.

Minimum wages' amounts shall be enough to fulfil normal family needs from a material, social and cultural points of view as well as to provide for the compulsory education of children. Furthermore, minimum wages for professionals shall be established by taking into account the specific conditions affecting each economic activity.

General minimum wage shall be established by a national commission integrated by workers' representatives, employers' representatives and the government. Such a national commission shall be authorized to create as many auxiliary commissions as necessary in order to improve its performance;

VII. The principle of equal remuneration for men and women workers for work of equal value without discrimination based neither on sex nor on nationalism, shall be enforced;

VIII. The minimum wage shall be exempted of any seizure, compensation or discount whatsoever;

IX. Workers shall be entitled to claim a portion out of their enterprises' annual revenue according to rules as follows:

a) The National Commission, which will be integrated by representatives of the workers, representatives of the shareholders and representatives of the government, will establish the percentage out of the final revenue which corresponds to the workers;

b) The National Commission shall undertake all necessary and appropriate investigations and studies in order to understand the national economy's general conditions. It shall also take into account the industrial development's needs at the country, the reasonable interest in making profits defended by the employers and the necessary capital reinvestment as well;

c) Whenever new studies and investigations justify the establishment of a new percentage, the aforementioned Commission can review the established one;

d) According to the law and as long as their respective nature and particular conditions justify a different treatment, new corporations can be exempted, during a determined and limited period of years, from delivering a percentage out of their annual revenue to their workers. Such new corporations may also be exempted from performing any exploration tasks;

- e) Each corporation's revenue amount shall be based on the taxable revenue established under Revenue Law. Following legal procedures, workers can appear in front of the Treasury in order to challenge the percentage awarded to them;
 - f) The workers' right to receive a percentage out of their corporations' annual revenue does imply an authorization neither to intervene within such enterprises' management nor to direct them.
- X. Wages shall be paid in currency. Any attempt to pay rightful wages with merchandises, vouchers, chips or any other counter intended to represent money, shall be forbidden;
- XI. In so far as the hours of work have been increased in order to meet some extraordinary circumstances, the wages established to pay during ordinary times shall be increased in a hundred percent. Extraordinary working hours shall neither exceed more than three hours per day nor be performed for more than three days in a row. Individuals under sixteen years old shall not be admitted to perform extraordinary working hours at all;
- XII. According to federal law, every corporation shall be obligated to provide its workers with comfortable and healthy accommodation. Such an obligation shall be accomplished by applying the financial contributions made by the corporations to a national housing fund within which not only accounts shall be opened for the workers but also a financing system shall be established in order to grant cheap and sufficient credit to those who wish to buy a house.
- The enactment of a law establishing a public agency integrated by representatives of the workers, the employers and the government and directed to manage the national housing fund shall be considered as a measure of social utility. Such a law shall regulate the ways and procedures according to which the property of the aforementioned housing will be transferred to the workers.

The corporations mentioned at the beginning of paragraph XII which are located outside an inhabited area, shall be obligated to establish schools, infirmaries and any other community services.

Furthermore, whenever such working places' population exceeds two hundred inhabitants, a piece of land of at least five thousand square meters shall be reserved to construct public markets, buildings directed to run municipal services and entertaining areas.

Both selling points of alcoholic beverages and games of chance shall be forbidden within any sort of working place;

XIII. The corporations shall be obligated to provide their workers with training to improve their working skills. Federal law shall determine the systems, methods and procedures under which the corporations will comply with such an obligation;

XIV. Shareholders shall be accountable for any accident suffered by their employees during working hours as well as for any illness acquired by their workers in performing their duties; in both cases and according to the law, the employers shall pay the respective compensations taking into account whether the affected worker died or ended with a temporary or definitive disability. Such an accountability shall not be cancelled for those employers hiring workers through and intermediary contractor;

XV. The employers shall obey the legal obligations established for the workers' security and health and in doing so they shall take into account the specific features of the respective working place. They shall also adopt all measures deemed as necessary in order to protect industrial accidents and will organize the working routines in order to guarantee the workers' health and life as well as the life of the babies carried in the womb of working pregnant women. The law shall punish any breach of the aforementioned obligations;

- XVI. Both workers and shareholders shall have a right to associate among them in order to defend their interests against each other by creating unions, professional associations, and so on;
- XVII. The laws shall recognize both workers and shareholders as entitled to either go to strike or to declare a lockout respectively;
- XVIII. Strikes shall be considered to be legal as long as they are directed to equilibrate the different productive factors in order to obtain a balanced relation between the workers' rights and the entrepreneurs' rights. Strikes affecting the performance of public services shall be notified ten days in advance to the Labour Court. Strikes shall be only declared as illegal in two cases. First, whenever the strikers act violently against individuals or private property. On the other hand, strikes organized by governmental workers shall be illegal on war times;
- XIX. Lockouts shall be legal when, once the Labour Court approves them, a suspension of the work is deemed to be necessary to diminish an excessive production in order to keep prices below a viable financing limit;
- XX. The controversies between the corporations and the workers shall be resolved by a Labour Court which will be integrated by as many workers' representatives as employers' representatives plus a representative of the government;
- XXI. A rejection of the Labour Court's jurisdiction by an employer shall finish the working contract. In such case, the employer shall be obligated to compensate the worker not only with the total amount of money equivalent to the wages earned during three months of work but also with the damages generated by the controversy itself. Such rule shall not be applied to the cases established at the following paragraph. A rejection of the Labour Court's jurisdiction by a worker shall also finish the working contract;

- XXII. Any employer who fires a worker in an unjustified way, because of such worker's affiliation to a union or because of such worker's participation in a lawful strike, shall either fulfil the respective labour contract or compensate the affected worker with no less than the amount of money equivalent to the wages earned during three months of work. The worker shall be entitled to choose between those alternatives. The law shall establish the cases in which the employer can be exempted from fulfilling the contract by compensating the affected worker. The worker will also be entitled to receive a compensation equivalent to the wages earned during three months of work when his separation from work is derived from either the employer's dishonesty or the abuses committed by the employer against him or against the worker's husband, wife, parents, daughters, sons, sisters or brothers. The employer shall never be exempted when such abuses have been committed with his consent by either his family or other employees;
- XXIII. In face of a company's bankruptcy all the debts generated by either the workers' wages or by the compensations owed to them, shall be paid before any other credit;
- XXIV. The payments of a worker's debt to his employer or to his employer's associates, family or employees, shall be demanded from the indebted worker himself. Such payments shall neither be demanded from the worker's family nor in an amount which exceeds the one equivalent to the wages earned during a month of work;
- XXV. The employment service for workers offered by municipal offices, career development agencies or any other public or private agency, shall be free of charge.
- In providing job opportunities the employment demand shall be taken into account. Those who represent the only source of family

income shall be preferred over those who do not in allocating job opportunities;

XXVI. Every working contract between a Mexican and a foreign entrepreneur shall be legalized by the municipal authority empowered to do so as well as authorized by the Consul of the country in which the employment is going to take place. Such contracts shall include not only all ordinary stipulations but also one specifying that the repatriation costs will be paid by the contracting entrepreneur;

XXVII. A labour contract's stipulations shall be void when such stipulations :

- a) Can be considered as inhumane by establishing excessive hours of work once the nature of the particular job has been taken into account.
- b) Establish, according to the rulings issued by the Labour Courts, insufficient wages.
- c) Establish a period of time longer than a week for daily wages to be paid.
- d) Establish as payment place an entertainment establishment, bar, café, pub, or shopping centre for workers who are not employed at such places.
- e) Oblige workers to buy products at specific shops or places.
- f) Allow employers who argue to be entitled to collect a fine from a worker, to keep such worker's wages.
- g) Imply a worker's renouncement to any rightful compensation derived from accidents, professional sicknesses and damages derived either from a breach of the labour contract or by being dismissed from work.
- h) Imply a worker's renouncement to any right which he is legally entitled to;

XXVIII. The laws shall determine which family assets will be both taken out of commerce and protected from any kind of taxation or legal

seizures whatsoever. Such possessions shall be inherited in a simplified way or, in other words, the worker's family shall be exempted from all legal formalities in claiming them;

XXIX. The Social Security law shall be considered as contributing to public utility. Such law shall benefit workers by regulating all insurances covering disabilities, workers' ageing, non-consent retirement from work situations, sickness and accidents, nursery services, as well as any other kind of insurance directed to protect the workers' welfare, rural workers working without a contract and other social workers and their families;

XXX. Likewise, the cooperative associations directed to construct affordable and healthy houses to be bought by workers in different instalments shall be considered as contributing to public utility, and

XXXI. Federal labour law shall regulate:

a) Industrial branches of economic activity and services as follows:

1. The textile industry;
2. The electric industry;
3. The film industry;
4. The rubber industry;
5. The sugar cane industry;
6. The mining industry;
7. The metallurgical, iron and steel industry, which shall include the basic minerals' exploitation, use and melting as well as the creation of metallic iron and steel in every available form;
8. The hydrocarbons industry;
9. The petrochemical industry;
10. The concrete industry;
11. The quicklime industry;
12. The car industry, including all electric and mechanic components used in it;

13. The chemical industry, including the pharmaceutical one;
 14. The cellulose and paper production industries;
 15. The vegetal oil production industry;
 16. The food processing industry, including the production of packed, canned or contained food or the food produced to be sold in such ways;
 17. The beverage industries including the production of either bottled or canned beverages and those beverages produced to be sold in such ways;
 18. The railway industry;
 19. The timber and wood industry, including sawmills and the production of laminated and conglomerated wood;
 20. The glass industry exclusively related to the production of laminated glass, flat glass, carved glass or glass containers;
 21. The tobacco industry including both tobacco growing and industrialization; and
 22. The banking services.
- b) Employments performed as corporations as follows:
1. Those managed directly or indirectly by the Federal Government;
 2. Those created by federal contracts as well as those performed at the industries derived from such contracts, and
 3. Those performed at both territories and waters under federal jurisdiction or at the Mexican exclusive economic zone.

Federal authorities shall also apply labour law to resolve all controversies between two different States as well as those involving any collective bargain which is mandatory within two or more States. Such a power shall be extended to resolve any controversy on the employers' training obligations as well as those on safety and health measures to be applied at working places. According to federal law, in executing such a power, state

authorities shall help out the federal ones whenever state jurisdiction is involved.

- B. The labour contracts between workers and the Union's Powers and between workers and the Federal District's government according to rules as follows:
 - I. The hours of work shall not exceed eight hours during day time and seven hours at night. Those exceeding such limits shall be considered as extraordinary and workers shall be entitled to a compensation which will be twice as much as the amount integrating the respective ordinary wages. Extraordinary hours of work shall be neither performed more than three times in a day nor more than three days in a row;
 - II. The workers shall be entitled to a weekly rest period comprising not less than twenty four hours in the course of each period of seven days. Workers shall receive full wages during their resting day;
 - III. The workers shall be entitled to holidays, which shall never be integrated by less than twenty days per year;
 - IV. Working wages shall be established by the Budget. Their amounts shall not be diminished during such Budget's validity. For the aforementioned kind of workers, salaries shall never be less than the minimum wage applied at both the Federal District and the States;
 - V. The principle of equal remuneration for men and women workers for work of equal value without discrimination based on sex, shall be enforced;
 - VI. Retentions, discounts, deductions or seizures affecting wages shall be decided under the law;
 - VII. Appointments shall be based on the candidates' academic background and skills. The State shall provide for public administration schools;

- VIII. Workers shall be entitled to be promoted. Promotions shall be granted taking into account the background, skills and seniority of the candidate. Those who represent the only source of family income shall be preferred above the others;
- IX. According to the law, workers shall only be suspended or dismissed from work in a justified way.
Any kind of unjustified dismissal from work shall entitle the affected worker to sue the employer under the law in order to get himself either compensated or reinstated. In face of a post's suppression, the affected worker shall be entitled to either be appointed to an equivalent one or be compensated under the law;
- X. Workers shall be entitled to associate with each other in order to defend their common interests. Besides, in face of a general and systematic violation of the rights granted to them by this article, workers shall also be entitled to go to strike under the law;
- XI. Social security shall be established on principles as follows:
- a) It shall cover workers from work accidents, sickness, maternity leaves, retirement, disabilities, ageing and death.
 - b) In face of either an accident or an illness contracted because of his work, the worker shall be entitled to his post for as long as it is so determined by the law.
 - c) Pregnant women shall perform neither jobs which can jeopardize their pregnancies nor those which demand an extreme effort in order to be carried out. They shall also be entitled to a resting period of one month before delivery and to a resting period of two months after it has taken place. They shall not only receive their complete salaries but also keep their posts and labour rights. Breastfeeding mothers shall be entitled to a couple of extraordinary resting periods of half an hour each one every day in order to feed their babies. Besides, they shall be entitled to medical and obstetric assistance, medicines, financial help during

the breastfeeding period and to claim full coverage of nursery services.

- d) Workers' families shall be entitled to both medical assistance and medicines under the law.
- e) Holiday resorts, recovery centres and non-expensive stores shall be established to benefit both workers and their families.
- f) According to the approved housing plans, workers shall be provided with non-expensive accommodation which can be either rented or bought by them. Furthermore, the State shall establish a national housing fund. Such fund shall be integrated by the public funded deposits made by the State to the workers in order to establish a financial scheme according to which workers can be provided with affordable and sufficient credits which will be used to buy, construct, restore or improve comfortable and healthy homes. The aforementioned credits can also be used to pay any debts generated by the previously listed activities.

Federal law shall establish a social security agency empowered to keep the public deposits made to the national fund. The law shall establish the procedures under which not only such fund will be managed but also the aforementioned credits will be granted;

- XII. A Federal Labour Court, which will be integrated under federal law, shall resolve all labour controversies including those between working unions.

The controversies between the Federal Judicial Power and its employees shall be resolved by the Federal Judiciary Council; those between the Supreme Court of Justice and its employees shall be resolved by the Supreme Court itself;

- XIII. The labour relations of the military personnel, diplomats, agents of the public prosecutor offices and law enforcement agents, shall be regulated by their respective legislations.

The State shall provide to the military personnel with the benefits established by paragraph XI, subparagraph f) above. In order to do so, the State shall establish a social security system for the armed forces similar to the one mentioned at such a constitutional provision.

The members of the federal, municipal and state law enforcement agencies as well as those at the Federal District unfulfilling a single legal requisite demanded from such officers in order to keep their works can be dismissed. In such a case, dismissed officers shall not be reinstated. However, they shall be entitled to compensation. The dismissal of the other workers which this paragraph refers to shall be done according to the laws.

XIII bis. The Central Bank and the Federal Public Administration's agencies integrating the Mexican Banking System shall regulate their labour relations according to this sub-article, and

XIV. The employments requiring an extreme level of confidence shall be specified by the law. The workers appointed to fulfill such employments shall be entitled to all salary protection measures granted by this Constitution and to social security benefits as well.

Seventh Title

General provisions

Article 124

The powers not explicitly vested in the federal officers by this Constitution, shall be implicitly vested in the States.

Article 125

No one shall be elected to hold two different federal offices at the same time. It shall also be forbidden to be elected to hold a federal office and a state office at the same time; however, in the latter case, the elected individual can choose one out of those two offices.

Article 126

All publicly funded expenditures shall be contained either within the budget or within a posterior law.

Article 127

The President of the Republic, Supreme Court justices, congressional deputies and senators, representatives of the Federal District's Assembly and any other public servant shall receive adequate wages in performing their functions, posts or employments. Such wages shall be both annual and fairly established within the Federal Budget, the Federal District's Budget and the public funded agencies' budgets as well. No public servant shall be allowed to renounce to his lawful wages.

Article 128

Before taking up their posts, all public officials shall take an oath according to which they will protect not only the Constitution but also its derived legislation.

Article 129

During peace time no military authority shall execute more powers than those directly related to military discipline. Military headquarters shall be located at either the castles, forts, and warehouses belonging to the Union's government or at the camps, headquarters and military deposits located outside populated areas and disposed to host quartered troops;

Article 130

The rules established at this article are guided by the historical principle according to which the State and the churches are separated entities from each other. Churches and religious congregations shall be organized under the law.

The Congress shall legislate for religious beliefs, churches and religious congregations. Statutory law, which will have public order's rank, shall develop and specify provisions as follows:

- a) Both churches and religious congregations shall have legal existence as religious associations as long as they are registered as such.

Religious associations shall be regulated under a law which will also determine the conditions and requisites to be fulfilled by them in order to obtain a constitutive registration;

- b) Public authorities shall not intervene at the religious associations' internal affairs;
- c) The Mexicans shall be allowed to become religious ministers. Both Mexicans and foreign citizens shall fulfil all legal requisites in order to perform any religious' ministry;
- d) Religious ministers shall not perform any governmental employment. However, as Mexican citizens, they shall be entitled to vote and those who have finished their religious activities according to the law, shall be entitled to be elected to public posts as well;
- e) Religious ministers shall neither enter into political associations among them, nor promote or attack any candidate, political party or political association whatsoever. They shall abstain themselves from attacking either the country's laws or the country's institutions in any public gathering, religious activity or through any religious publicity. They shall also abstain from attacking the national symbols.

The naming of a political association using any religious reference shall be forbidden. Political gatherings shall never take place at temples of any sort.

The aforementioned obligations shall be accepted just by promising their compliance in a verbal way. Any breach of such obligations shall be punished under the law.

Religious ministers, their families as well as the religious associations which the latter are affiliated to, shall not inherit from the individuals spiritually helped by the firsts, unless such individuals are part of the ministers' family up to the fourth degree.

According to statutory law, the private legal affairs of individuals shall be under the exclusive jurisdiction of governmental authorities. Such affairs legal validity shall be established by statutory law as well.

In dealing with religious affairs, the Federal, state and municipal authorities shall execute any other powers vested in them by statutory law.

Article 131

The Federation shall have power to lay and collect taxes on imports or exports as well on merchandise transported across the nation. The Federation shall also have Power to both regulate and prohibit—due to public security or law enforcement reasons—the circulation of merchandises across the Republic whatever such merchandises' origin might be. The aforementioned federal powers shall not affect the Federal District and therefore they be extended neither to regulate nor to establish the taxes and the laws referred to at article 117, paragraphs VI and VII.

The Congress shall have power to authorize the Executive Branch of Federal Government to raise, diminish or suppress the taxing fees on exports and imports issued by the Congress itself, as well as to create any other. Such an authorization can also be granted in order to restrain and forbid imports and exports as well as the transport of merchandises in order to regulate commerce with other nations, to regulate the national economy, to stabilize the national production or to achieve any other beneficial objective for the country. Annually, within the Bill containing the Federal Budget, the Executive Branch of Federal Government shall request the Congress to approve the use of the powers executed during the previous year according to this article's provisions.

Article 132

According to a law that will be enacted by the Congress, forts, barracks, warehouses, and any other real state properties used by the Union's Government either to carry out a public service or directed to communal use, shall be under the Federal Powers' jurisdiction. However, from now on, the acquisition of property by the Federal Power's within a State's territory must be consented by the respective State legislature.

Article 133

This Constitution, and the Laws enacted by the Congress which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, by the President of the Republic with the Senate's consent shall be the supreme Law of the Union. The Judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the contrary notwithstanding.

Article 134

The economic resources available to the Federal Government and to the Federal District's government, as well as those available to the public administrations ascribed to them, shall be managed efficiently, efficaciously and with complete honesty in order to achieve the objectives for which they are going to be used.

Heavy-funded tenders shall be offered by private contractors for acquiring, renting and selling any kind of property as well as for the performance of any public service and for undertaking public construction. Such tenders shall be submitted in a close envelope after a public notification has been issued. The contesting tenders shall be made public and the one ensuring to the State the best price, quality, financing scheme, opportunity and any other pertinent circumstance shall be preferred above the others.

When the aforementioned procedures do not render ideal conditions for public expenditure to take place, the laws shall establish the guidelines, procedures, regulations, requisites, and any other element necessary directed to promote principles such as economic benefit, efficacy, efficiency, impartiality and honesty which the best conditions available for the State's expenditure shall be based on.

The management of federal resources shall be carried out under this article's provisions.

Under title four of this Constitution, public servants shall be accountable for any violation committed against this article's commands.

Eighth Title

Constitutional reforms

Article 135

This Constitution can be amended or reformed by two thirds out of the attending members of the Congress at the respective session. Such amendments and reforms shall be valid when ratified by the majority out of the State Legislatures. Either the Congress or the Permanent Commission during congressional recesses shall compute the State Legislatures votes and declare the approval of the respective amendments and reforms.

Ninth Title

Constitutional inviolability

Article 136

This Constitution shall not be repealed even if suspended by an armed rebellion. If by any public revolt a government opposed to this Constitution's principles gets the power, this Constitution and all the laws derived from it shall be resumed as soon as the people's liberties are recovered. In such a case, this Constitution shall be applied to trial every individual who have participated or who have cooperated with the armed rebellion's government

Transitory articles

First

This Constitution shall be published immediately and solemn oaths shall be taken by public officers to protect it and make others protect it across the Republic. The constitutional preventions regulating the election of both the Supreme Federal Powers and the State Powers shall be applied immediately. The rest of this Constitution's preventions shall be valid from May 1st, 1917 onwards. In that day not only the Constitutional Congress shall be installed solemnly, but also the citizen elected as President of the Republic shall take the constitutional oath.

Article 82, paragraph V shall not be applied to the elections which shall be organized under the next article. Likewise, military personnel shall not be

prevented from being elected as either deputy or senator as long as the candidate has no military command at the respective electoral district. Both secretaries and undersecretaries of State shall also not be prevented from being elected to the Congress as long as they are separated from their duties on the day in which the electoral notification is issued at most.

Second

In order to comply with the commands set down at the previous article and immediately after this Constitution's publication takes place, the Chief of the Nation's Executive Branch of Government shall notify the organization of the elections of the Federal Powers, favouring an electoral process which gives the constituted Congress enough time to count the votes cast at the presidential elections as well as to declare the winner candidate as President of the Republic.

Third

The first constitutional term for deputies and senators started on September 1st. The Presidential term started on December 1st, 1916.

Fourth

Senators identified with an even number at the next elections, shall hold their offices just for two years in order to allow the Chamber of Senators to be renewed by a half. Such a renewal shall take place every two years.

Fifth

The Congress shall appoint the Supreme Court justices on next May in order to solemnly install such high tribunal on June, 1st.

The power vested in the State legislatures to nominate candidates shall not be executed this time. However, the appointed justices shall hold their Offices during a first term of two years established by article 94.

Sixth

The Congress shall have an extraordinary period of sessions starting on April 15th, 1917 in order to turn itself into Electoral College, compute the votes cast, qualify the presidential elections and declare the winner candidate as President of the Republic. Within such extraordinary period

the Congress shall also enact the Organizing Law for District and Circuit Tribunals, the Organizing Law for the Federal District's Tribunals and for the Territories' Tribunals in order to allow the Supreme Court of Justice to appoint the Circuit Magistrates and the District Judges as well as to allow the Congress to appoint the magistrates and inferior judges of the Federal District. The Congress shall also enact all the laws which will be used by the Nation's Executive Branch of Government. The Circuit Magistrates, District judges as well as the magistrates and inferior judges at both the Federal District and the territories shall take up their Offices on July 1st, 1917. Those appointed by the actual chief of the Nation's Executive Branch of Government shall be, therefore, removed.

Seventh

This time, the counting of the votes cast in electing senators shall be carried out by the computing collegiate authority at the first electoral district of each State and the Federal District. Such authorities shall be those which were originally integrated to carry out the counting of the votes cast in the deputies' elections. Such authorities shall also issue the respective certifications for the elected senators.

Eight

Under the current legislation, the Supreme Court of Justice shall resolve all the special trials to protect individual privileges and immunities unresolved so far.

Ninth

The citizen named as "Commander in chief of the Constitutionalist Army" who is currently in charge of the Union's Executive Branch of Government, shall have power to enact the Electoral Law according to which the election of the Union's Powers will take place.

Tenth

Those who either participated in or collaborated with the government derived from the unlawful rebellion against the lawful government of the Republic or those who either fought against the Constitutionalist

Government or allied themselves with the Constitutionalist Government's enemies shall be tried under the current legislation as long as they have not been amnestied.

Eleventh

While the Congress and the States enact the applicable laws, all labour and rural affairs shall be dealt with by applying the principles established by this Constitution which shall be obeyed across the Republic.

Twelfth

The Mexicans formerly enrolled in the Constitutionalist Army, such soldiers sons' and widows as well as any other individual who worked either for the Revolution or teaching, shall have preference over the others not only in acquiring the pieces of land which article 27 refers to but also in benefiting for all discounts established by the law.

Thirteenth

All debts contracted by the workers with the employers or with the employers' family or intermediaries before this Constitution's enactment, shall be cancelled thereafter.

Fourteenth

The Secretary of Justice shall be considered as a suppressed one from now on.

Fifteenth

The Head of the Executive Branch of Federal Government shall have power to enact the civil damages' law which will be applied to any individual considered as an accessory to the crimes committed against both the Constitutionalist Government and the constitutional regime on February 13th.

Sixteenth

During the ordinary period of sessions which will start on next September 1st, the Constitutional Congress shall enact all Organizing laws which have not been enacted during the extraordinary period of sessions which article sixth refers to. In doing so the laws regulating individual privileges and

immunities as well as those related to articles 30, 32, 33, 35, 36, 38, 107 and the last part of article 111 of this Constitution shall be enacted before the others.

Seventeenth

All religious temples and other assets which according to article 27, paragraph II of the former Political Constitution of the Mexican United States are considered as national property shall be likewise considered from now on.

This Constitution is enacted in the Hall of Sessions of the Constitutional Congress located in Querétaro on January 31st, 1917.

Transitory articles of the Decree of June 30th, 2004, published at the Federation's Official Diary on August, 2nd 2004 and according to which article 65, paragraph first of the Political Constitution of the Mexican United States is reformed.

First

This Decree shall enter into force on the day following the one of its publication in the Federation's Official Diary.

Second

Following this Decree's coming into force all necessary reforms and additions made on the Organizing Law of the General Congress of the Mexican United States and on any other applicable legislation shall be enacted.

Mexico D.F., June 30th, 2004.- Sen. Enrique Jackson Ramírez, President.- Dep. Enrique Uscanga Escobar, Secretary. Signatures.

By the powers vested in me by article 89, paragraph I of the Political Constitution of the Mexican United States, I do publish this Decree at the Federal Executive Power's residence located in Mexico City, Federal District, on July 28th 2004. Vicente Fox Quesada.- Signature.- The Secretary of the Interior, Santiago Creel Miranda.- Signature.