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Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

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Report of the Secretary-General

Addendum*

Summary

Subsequent to the submission of the main report, one Member State transmitted to the Secretary-General information requested in paragraph 11 of General Assembly resolution 57/14. Relevant information from that Member State is presented in this addendum.

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* This addendum is being issued to reflect the information received by the Secretary-General after the issuance of the main report.

II. Information received from Member States

Mexico

[Original: Spanish]

[30 August 2004]

Incorporation of international law into the national legal system

As in the case of any treaty to which Mexico is a party, the incorporation of the obligations derived from international humanitarian law treaties is carried out pursuant to article 133 of the Constitution, which stipulates that the treaties which have been and will be concluded in accordance with the Constitution by the President of the Republic, with the approval of the Senate, shall be the supreme law of the whole Union. In this respect, under Mexico's legal system, treaties have effect directly and do not require a law for their incorporation; they come into force in the country when they have been ratified by the Senate and published in the *Diario Oficial* of the Federation.

Development of domestic legislation to implement international humanitarian law

The legislative measures for implementing international humanitarian law are to be found principally in military legislation, including in its codes, laws, regulations, decrees and manuals. Hence, in the Code of Military Justice, we find several norms that ensure the application of humanitarian law, punishing conduct that is contrary to the obligations imposed by such law.

In relation to the training of senior officers, the National Human Rights Commission has prepared for the Mexican Army a document entitled Elementary Rules on Law in Armed Conflicts, which is an adaptation of a book by Frédéric de Mulinen, *Handbook on the Law of War for Armed Forces*, an International Committee of the Red Cross (ICRC) publication.

Dissemination of international humanitarian law in Mexico

1. In the armed forces

The journal of the Mexican Army and Air Force, which is published monthly, regularly includes articles on human rights and international humanitarian law.

In the 2001-2006 National Development Plan, the constitutional President of the United Mexican States provided for the modernization of the educational, logistic and administrative procedures and structures of the Army and Air Force, in terms of quality, effectiveness, opportuneness, fairness, transparency and respect for human rights, and the improvement of the juridical structure of the Armed Forces, with particular attention to the administrative structures and the fundamental rights of those working in them.

The programme includes activities relating to international humanitarian law. At the national level, five courses to train international humanitarian law instructors were held at the Army and Air Force Study Centre, in order to enable officers and officials to work as international humanitarian law teachers and advisers in their

units, sections and facilities.¹ Also, during the two-year period 2003-2004, ICRC offered eight courses on international humanitarian law.²

Courses on international humanitarian law offered in Mexico in 2004:³

(a) ICRC gave a seminar on international humanitarian law to the personnel of the First Region (Colonia Aviación Civil, Federal District) and trained 80 generals, officers and officials;

(b) ICRC gave a seminar on international humanitarian law to personnel under the jurisdiction of the Second Military Region (Second Military Zone, Tijuana, Baja California, Mexico) and trained 82 generals, officers and officials;

(c) The organization gave a seminar on international humanitarian law to 1,614 members of the military academies of the Valle de Mexico; they included management, teaching and administrative personnel, as well as cadets and students.

2. Courses offered in other national institutions

The Juridical Research Institute of the National Autonomous University of Mexico devoted a round table to international humanitarian law during the International Congress on Cultures and Comparative Juridical Systems, held from 9 to 14 February 2004.

National authority responsible for ensuring compliance with the international obligations of Mexico under international humanitarian law

In Mexico, an inter-ministerial committee, chaired by the Ministry of Foreign Affairs, reviews different aspects of international humanitarian law. It is responsible for ensuring compliance with Mexico's international obligations in this area and for monitoring the activities of ICRC at the national level.

Notes

¹ Nine officers and 61 officials of the Mexican Army and Air Force have been trained.

² A total of 304 officers and officials were trained in these courses.

³ To date, a total of 2,218 persons have been trained.