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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

CONSTITUTION OF MEXICO

Mexican Constitution¹

As of 2001

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First Title**Chapter I**

Of Individual Guarantees

Article 1

In the United Mexican States, every individual will enjoy the guarantees that this Constitution grants, which shall not be restricted or suspended except in the cases and with the conditions under which the same is established.

Slavery is prohibited in the United Mexican States. Foreign slaves who enter national territory by any means will obtain their liberty and the protection of the laws.

All discrimination motivated by ethnic or national origin, gender, age, differing abilities, social conditions, health conditions, religion, opinions, preferences, marital status, or anything else that may be against human dignity and have as its object to restrict or reduce the rights and liberties of persons, remains prohibited.

Article 2

The Mexican nation is unique and indivisible.

The nation has a multicultural composition, originating in its indigenous people, who are descended from people who lived in the current territory of the country, who live in it now, and who keep their own social, economic, cultural, and political institutions or parts of these. The awareness of their indigenous identity shall be the fundamental criterion to determine to whom applies the disposition on indigenous people.

Communities of indigenous people are those that form a social, economic, and cultural unit, situated in a territory, and recognize authorities in agreement with their traditions and customs.

The right of indigenous people to self-determination will be exercised in a constitutional way that assures national unity. The recognition of indigenous people and communities will be made in the constitutions and laws of federated entities, which will take them into account, besides the general principles established in the previous paragraphs of this article, ethnolinguistic criteria, and physical location.

A. This Constitution recognizes and guarantees the right of indigenous peoples and communities to self-determination, and, in consequence, autonomy to:

I. Decide their internal forms of living and social, economic, political, and cultural organization.

II. Apply their own standards in regulation and solution of their internal conflicts, subject to the general principles of this Constitution, respecting individual guarantees, human rights, and, in a relevant manner, the dignity and completeness of women. The law will establish the cases and procedures of validation by the appropriate judges or courts.

III. Elect, in accord with their traditional standards, procedures, and practices, authorities or representatives for the exercise of their own forms of internal government, guaranteeing the participation of women in conditions of equality to those of men, in a way that respects the Federal Pact and the sovereignty of the states.

IV. Preserve and enrich their languages, awareness of their heritage, and all the elements that constitute their culture and identity.

V. Conserve and improve their habitat, and preserve their lands in the terms established in this Constitution.

VI. Enjoy, with respect to the forms and means of property and land use established in this Constitution and the laws about these, as well as to the rights acquired by third parties or by members of the community, the preferential use of natural resources of the places that these communities occupy and live, except for those that correspond to strategic areas in terms of this Constitution. For these effects, communities may act in terms of the law.

VII. Elect, in municipalities with indigenous people, representatives to municipal governments. The constitutions and laws of federated entities will recognize and regulate these rights in municipalities, with the objective of strengthening indigenous participation and political representation, in conformity with the peoples' traditions and internal standards.

VIII. Accede fully to the jurisdiction of the State to guarantee those rights, in all trials and proceedings in which it takes part, individually or collectively. The State will take into account their customs and cultural specifics, respecting the precepts of this Constitution. Indigenous people have at all times the right to be assisted by interpreters and defenders who are acquainted with their language and culture.

The constitutions and laws of the federated entities will establish the characteristics of self-determination and autonomy that best express the situations and aspirations of the indigenous people in each entity, as well as the standards for recognition of their indigenous communities of public interest.

B. The Federation, states, and municipalities, to promote equal opportunity for indigenous people and eliminate any discriminatory practice, will establish the institutions and determine the necessary policies to guarantee the rights of indigenous peoples and the complete development of their people and communities. These will be designed and operated together with them.

To eliminate the scarcities and leftovers that affect indigenous people and communities, these authorities communities, these authorities have the obligation to:

I. Stimulate the regional development of indigenous zones, with the objective of strengthening their local economies and bettering the conditions of life of their peoples, by means of actions coordinated among the three levels of government, with the participation of the communities. Municipal authorities will fairly determine budget allocations that the communities will directly administer for specific ends.

II. Guarantee and increment the levels of education, favoring bilingual and bicultural education, literacy, completion of basic education, vocational training, and mid-superior and superior education. Establish a system of grants for indigenous students at all levels. Define and develop educational programs of regional level that recognize the cultural heritage of their peoples, in agreement with the laws about the matter and in consultation with indigenous communities. Stimulate the respect and knowledge of the diverse cultures that exist in the nation.

III. Assure effective access to health services by means of the expansion of the coverage of the coverage of the national system, also using traditional medicine, as well as support good nutrition for indigenous peoples by means of programs of food, especially for their children.

IV. Improve the conditions of indigenous communities and their spaces for common living and recreation, by means of actions that facilitate access to public and private financing for the construction and improvement of housing, as well as expand the coverage of basic social services.

V. Aid the incorporation of indigenous women into the development of the community, by means of support for productive projects, the protection of their health, the granting of stipends to aid their education, and the promotion of their participation in decisions relating to community life.

VI. Extend the network of communications that permits the integration of communities into the larger society, by means of construction and expansion of ways of communication and telecommunication. Establish conditions by which indigenous peoples and communities may acquire, operate, and administer means of communication, in the terms that the laws on the matter determine.

VII. Support productive activities and sustainable development of indigenous communities, by means of actions that permit them to be economically self-sufficient, the application of stimuli for public and private investments for the creation of jobs, the incorporation of technologies to increase their own productive capacity, as well as to assure equal access to the systems of supply and trade.

VIII. Establish social policies to protect migrants who are indigenous people, within national as well as foreign territory, by means of actions to guarantee the rights of laborers and day agricultural workers, improve health conditions of women, support families of migrants with children and youth with special programs of education and nutrition, watch for the respect of their human rights, and promote the knowledge of their cultures.

IX. Consult indigenous peoples in the making of the national plan of development and those of states and municipalities, and, in their case, incorporate the recommendations and proposals that result.

To guarantee the fulfillment of the obligations given in this part, the Chamber of Deputies of the Congress of the Union, the legislatures of the federated entities, and municipal councils, in the area of their respective jurisdictions, will establish the specific parts earmarked to the fulfillment of these obligations in the budgets of spending they approve, as well as the forms and procedures for communities to participate in the exercise and watching over of these, without endangering the rights established in favor of indigenous people and their communities, all people in their communities will have the same rights, as the law establishes.

Article 3

Every individual has the right to receive education. The State--Federation, States, and Municipalities--will provide preschool, primary, and secondary education. Primary and secondary education are compulsory.

The education that the State provides will try to harmoniously develop all the faculties of being human, and will instill in the student at the same time, love of country and awareness of international solidarity, in independence and justice.

I. As Article 24 guarantees freedom of beliefs, education will be independent of church beliefs and as such, it will be completely free of any religious doctrine.

II. This education will be based on the results of scientific progress and will aid the student in struggling against ignorance and its effects--slavery, fanaticism, and prejudice.

a) Furthermore: It shall be democratic, considering democracy not only a judicial structure and a political regimen, but also a system of life based on the constant economic, social, and cultural betterment of the people.

b) It will be national without hostile restrictions, ties, or exclusions. It will assist in the understanding of our problems, the use of our resources, the defense of our political independence, the securing of our economic independence, the continuing and growth of our culture and:

c) It will contribute to better human life, and at its end, will have instilled in the student appreciation for personal dignity and the integrity of the family, the conviction of general interest in society, and especially in sustaining the ideals of fraternity and equal rights of all people, without the privileges of races, creeds, groups, sexes, or individuals.

III. In full compliance with what is specified in the second paragraph and in section II, the Federal Executive will determine the plans and programs of primary, secondary, and post secondary education for all the Republic. To these ends, the Federal Executive will consider the opinions of the governments of federated entities and of the various social sectors involved in education, in the terms that the law specifies.

IV. All the education that the State provides will be free of charge.

V. Besides providing preschool, primary, and secondary education, the State will promote and assist in all types and means of education, including higher education necessary for the development of the Nation. Education will support scientific and technological research, and advance the strengthening and knowledge of our culture.

VI. Individual schools may provide education in all its types and means. In the terms that the law establishes, the State will grant and withdraw official recognition of studies conducted in particular facilities. In the case of primary, secondary, and post-secondary education, the criteria shall be:

a) Provide education according to the same ends and criteria that are in the second paragraph and section II, as well as comply with the plans and programs that section III refers to, and;

b) Obtain previously, in each case, express authorization of the public power, in the terms that the law establishes.

VII. Universities and other institutions of higher education to which the law grants autonomy, will have the power, ability, and responsibility to govern themselves, achieve their ends of education, research, and spreading culture in agreement with the principles of this article, respecting freedom of teaching and research and of free examination and discussion of ideas, will determine their plans and programs, fix the terms of salary, promotion, and tenure of their academic personnel, and administer their own property. Labor relations, of academic as well as administrative personnel, will be

conducted according to part A of Article 123 of this Constitution, in the terms and with the means that the Federal Labor Law establishes in conformance with the characteristics of special work, in a manner that agrees with autonomy, freedom of teaching, and research, and the ends of the institutions to which this section refers, and;

VIII. The Congress of the Union, with the purpose of unifying and coordinating education in all the Republic, will pass the laws needed to allocate the social function of education among the Federation, States, and Municipalities, to set the levels of spending for this public service and to specify sanctions applicable, to which officials who do not comply or cause to be complied with these laws, as well as to all those who break them.

Article 4

Men and women are equal before the law. The organization and the development of the family will be protected by law.

Every person has the right to decide, in a free, responsible, and informed manner, the number and spacing of his or her children.

Every person has the right to health protection. The law will define the ways and means for access to health services and will establish the concurrence of the Federation and the federated entities in matters of public health, in conformance to that which is specified by section XVI of Article 73 of this Constitution.

Every family has the right to a dignified and decent life. The law will establish the instruments and supports necessary to accomplish this objective.

Children have the right to satisfaction of their needs of food, health, education, and healthy play for their whole development.

Older family members, guardians, and others who have them in their custody, have the duty to preserve these rights. The State will provide what is necessary to support respect for the dignity of childhood, and the full exercise of the rights of children.

The State will support facilities that will contribute help in the fulfillment of the rights of childhood.

Article 5

No person shall be impeded from practicing a lawful profession, industry, commerce, or labor. The exercise of this liberty may only be stopped by judicial determination, when the rights of a third party are violated, or by government resolution, dictated in terms indicated by the law, when the norms of society are undermined. Nobody can be deprived of the fruits of his or her labor, except by judicial resolution.

Each state will determine in its laws which professions will need a license for their practice, the conditions which must be met to obtain this license, and the authorities that will regulate them.

Nobody will be obligated to give personal service, work without just compensation and without his or her full consent, save in prison work imposed by judicial authority which is specified in sections I and II of Article 123.

With regard to public services, only the following are obligatory in terms that are established by the laws that apply to them: military and jury duty, as well as the discharging of public duties. Electoral and census functions shall be obligatory and free in nature, but those performed professionally in the terms of this Constitution and its corresponding laws will be compensated. Professional services of a public nature will be obligatory, and may be paid for in the terms of the law and with the exceptions that it specifies.

The State may not permit to come into effect any contract, pact, or agreement which has as its object the reduction, loss, or irrevocable sacrifice of personal liberty for any reason.

Neither can agreements be recognized in which persons agree to their banishment or exile, or in which they renounce, temporarily or permanently, the exercise of a given profession, trade, or commerce. A labor contract shall only contain the obligation to give services agreed to for the time fixed by law, not to exceed one year at the option of the worker, and it cannot include, in any case, the giving up, loss, or reduction of any political or civil rights.

Breach of this contract, with regard to the worker, shall only obligate him or her to receive the appropriate civil liability. In no case may personal compulsion be enacted against him or her.

Article 6

The expression of ideas will not be the object of any judicial or administrative inquiry, except in the case in which it attacks moral order, the rights of a third party, provokes some crime, or disturbs the public order. Freedom of information will be guaranteed by the State.

Article 7

The freedom to write and publish on any matter is inviolable. No law or authority may establish prior censorship, or require bond from authors or printers, or abridge the freedom of printing, which has no limit but the respect of private life, of morals, and of public peace. In no case may the press be seized as an instrument of crime. Organic laws will specify what measures are necessary to assure that, under the pretext of denouncing crimes of the press, distributors, operators, and other employees from which the denounced writing has emanated, will not be jailed, unless there is prior proof of the employees' guilt.

Article 8

Public officials and employees shall respect the exercising of the right of petitioning, as long as it is formulated, by writing, in a calm and respectful manner. However, in political matters only citizens of the Republic shall have use of this right.

To each petition to whom it is directed, the authority has the obligation to respond to the petitioner. There should be a brief written reply by the authority.

Article 9

The right to associate or peacefully assemble for any lawful purpose shall not be abridged; but only citizens of the Republic may do so in order to take part in the political affairs of the country. No armed gathering has the right to deliberate. No assembly or gathering that has as its object to make a petition or present a protest because of some act to an authority, shall be illegal or be dissolved, provided injuries are not suffered by the authority, nor use was made of violence or threats to intimidate it, or obligate it to respond in the manner desired.

Article 10

The inhabitants of the United Mexican States have the right to possess arms, in their residences, for their security and legitimate defense with the exception of those prohibited by federal law, and those reserved for the exclusive use of the Army, Navy, Air Force, and National Guard. Federal law will determine the cases, conditions, requisites, and places in which the bearing of arms by inhabitants will be authorized.

Article 11

Every person has the right to enter the Republic, leave it, travel through its territory, and change his or her residence without the necessity of an identification card, passport, safe conduct pass, or similar item. The exercise of this right will be subject to regulation by judicial authority in cases of civil and criminal responsibility, to regulation by administrative authority, with regard to the limitations that the laws impose on emigration, immigration, and general health of the Republic impose on foreigners granted a temporary stay in the country.

Article 12

Titles of nobility, or prerogatives and hereditary honors shall not be conferred in the United Mexican States, nor will any of these granted by any other country be recognized.

Article 13

Nobody may be judged by private laws, or by special tribunals. No person or corporation can have privileges or enjoy more prerequisites than those that are compensation for public services and are fixed by the law. The power of court martial for crimes and actions against military discipline exists, but in no case will military tribunals extend their jurisdiction to persons who do not belong to the armed forces. When a crime or action against military discipline has affected a civilian, the corresponding civil authority will be notified.

Article 14

No law shall have retroactive effect to the detriment of anyone. Nobody may be deprived of life, liberty, or of his land, possessions or rights, except by means of judicial proceedings before previously established courts that comply with essential formalities of procedure, and conforming to laws made previously before the case.

It will remain prohibited for criminal courts to impose by simple analogy and also by deduction, punishment on someone that is not decreed by a law exactly applicable to the crime for which the individual is tried.

In civil judgments the defined judgment shall conform with the letter of the judicial interpretation of the law, and the new interpretation (or the lack of it) shall be based on the general principles of what is right.

Article 15

Extradition treaties for political offenders are not authorized to be concluded. Also, they may not be concluded for those persons who were delinquent with the common order in the country where they committed the offense, or have suffered the condition of slavery. Also, contracts, or treaties by virtue of those (which alter the guarantees and rights established by this Constitution for the person and the citizen) shall not be authorized.

Article 16

Nobody can be disturbed in his or her person, family, residence, papers, or possessions, except by virtue of a written order by a competent authority, that is founded in and motivated by legal procedural cause.

No order of apprehension and detention can be issued except by the judicial authority, preceded by a denunciation, accusation, or complaint about a specific action determined by the law to be an offense for which the individual may be punished by loss of liberty; and there exist facts to support the punishment and the probable responsibility of the accused.

The authority that executes a judicial order of apprehension must put the accused at the disposition of a judge without delay and with the strictest responsibility. Failure to do so is subject to criminal law.

In cases where the person has been caught in the act, any person may detain the accused, and take him without delay to the immediate authority. The accused must be taken as soon as possible from there to the Public Ministry.

Only in urgent cases, which are classified as serious crimes by the law, and where there is well-founded risk that the accused may escape the actions of justice, and when the accused cannot be brought before judicial authority because of the hour, does the Public Ministry have the power under its responsibility to order his or her detention based on an explanation of the evidence that motivates its proceeding.

In cases of urgency, or when the crime has been stopped in the act, the judge who receives the detained person must immediately approve detention, or decree the person's liberty with the conditions of the law.

No accused person will be detained by the Public Ministry for more than 48 hours, within such time as the accused must be set free or put at the disposition of the judicial authority. This term may be doubled in those cases that the law classifies as organized delinquency. All abuses of the above are subject to punishment by criminal law.

In all search orders, which only the judicial authority has the power to execute, and which will be written, the place to be inspected will be stated, and also the person or persons to be apprehended and the objects to be looked for. Care shall be taken to limit the search to be conducted as a circumscribed act, in the presence of two witnesses designated by the occupant of the searched place; or in their absence or refusal, the searching authorities will practice care.

Private communications are inviolable: The law will sanction criminally any act committed against their liberty and privacy. Only the federal judicial authority, upon petition to the federal authority that enforces the law or to the head of the Public Ministry of the corresponding federated entity, may authorize the interception of any private communication. For this, the appropriate authority, by writing, must establish and justify the legal causes for the application. It must, besides, give the type of interception, its subjects, and its duration. The federal judicial authority may not grant these authorizations in electoral, fiscal, mercantile, labor, or administrative matters, or in the case of communications by an accused with his or her defender.

Authorized interceptions will conform to the requirements and limits given by the laws. The result of interceptions that do not comply with them, will lack all investigative value.

Administrative authority may visit residences only to ascertain that they comply with sanitary and police regulations, and to require the showing of those books and papers that are indispensable for verifying that the residents are paying attention to the financial arrangements subject in those cases to the respective laws and formalities prescribed for searches.

Correspondence that is covered by the mail shall be free from all examination, and its violation will be punished by the law.

In time of peace, no member of the army shall take quarters in a particular house without the consent of the owner, or impose any payments. In time of war, members of the armed forces may require housing, transportation, food, and other supplies of value, under the terms established by the corresponding martial law.

Article 17

No person has the power to use justice for himself or herself, or exert violence to reclaim his or her rights. All persons have the right to have justice by courts that will be able to give them justice in the time and terms that the laws set, and give them resolutions in a quick, complete, and impartial manner. The courts' service will be free; so in consequence, judicial costs are prohibited.

Federal and local laws shall establish the methods necessary to guarantee the independence of the courts and the full power of their resolutions. Nobody may be imprisoned for debts of a purely civil nature.

Article 18

There shall be detention only for crimes that merit punishment of the individual. The sites of detention shall be distinct from prisons for the serving of sentences, and they shall be completely separated from each other. The federal and state governments shall organize the penal system in their respective jurisdictions on the basis of work and ability to do the same, and shall share the responsibility equally for education for the social readaptation of the delinquent. Women shall complete their sentences in separate places from those designated for men, in any case.

The governors of the States, subject to their established state and local laws, shall have the power to enter into contracts of a general nature with the federal government in which offenders sentenced for crimes against the common order may serve their sentences in establishments under the Federal Executive.

Offenders of Mexican nationality who have received punishments in foreign countries may be moved to the Republic to complete their sentences on the basis of the systems of social readaptation previously specified in this article, and offenders of foreign nationality sentenced for federal crimes in all the Republic, or for common laws in the Federal District, may be sent to their country of origin or residence, subject to the international treaties that have been concluded to this effect. The governors of the states shall have the power to solicit from the Federal Executive, with support of their respective state laws, the inclusion of offenders of the common order in these treaties. The transfer of offenders shall only be done with their express consent.

Article 19

No detention under an authority may exceed the term of 72 hours, without a formal writ of imprisonment, which expresses: the crime of which the person is accused, the place time, and circumstances of its commission; as well as the results of previous investigation of the crime, which must be enough to confirm that the crime occurred and show the probable responsibility of the accused.

This period may be prolonged only at the petition of the accused, in the form that the law specifies. Prolonging the detention otherwise will be punishable by criminal law. The authority responsible for the establishment where the accused is detained, that does not receive an authorized copy of the formal writ of imprisonment or an application to prolong it within the specified time, must call it to the attention of the judge who has jurisdiction in the case, and if it does not receive a writ or application within the following three hours, it must free the accused.

It shall be necessary to follow all process in executing the formal writ of imprisonment according to the crime or crimes stated in it. If, as a process proceeds, it appears that the accused has committed a crime distinct from that stated on the writ, it must be an object of separate investigation outside the scope of the original crime (if it did not lead to the original crime).

All mistreatment in apprehension or in prison, all discomforts that are inflicted without legal motive, and all fees or contributions in jails are abuses that will be prohibited by law and curbed by the authorities.

Article 20

In all criminal processes, the accused, victim, or person offended against by a crime will have the following guarantees:

A. Of the accused:

I. Immediately when he or she petitions for it, the judge should always grant provisional release under bail, except for crimes which, because of their seriousness, the law expressly prohibits this benefit. In the case of non-serious crimes, upon the application of the Public Ministry, the judge may deny bail, when the accused has been found guilty of a crime classified serious by the law before. The judge may also deny bail when the Public Ministry presents elements that establish that the accused poses, by his or her previous conduct or by the circumstances and characteristics of the crime committed, a risk to the person the crime was committed against, or to society.

The amount and form of bail shall be obtainable by the accused. In circumstances that the law determines, the judicial authority may modify the amount of the bail. To take into account the form and the amount of bail, the judge must take into account the nature, means, and circumstances of the crime, the characteristics of the accused and the possibility of the accused's complying with his or her obligations resulting from the criminal process, the damages and injuries caused to the victim, as well as the financial sanction which may be imposed on the accused.

The law will determine the serious cases for which the judge may deny bail.

II. The accused does not have to confess. Prohibited and punishable by criminal law are: holding the accused incommunicado, intimidation, or torture. Confessions given to any authority other than the Public Ministry or judge, or before these without the attendance of his defender will lack all force whatsoever.

III. To have a public hearing within 48 hours of being consigned to the judicial authority with the name of his or her accuser, and the nature and cause of the accusation, at the end of which it is very apparent that the punishable act is being attributed to the accused, and the accused may answer the charge, stating in this act his opening declaration.

IV. Always when questioned before a judge, to be face to face with his or her accusers, except as given in section V of Part B of this article.

V. To have the witnesses that have things to say about him or her, allowing for the time that the law says is necessary, and to have help in obtaining the appearance in court of those persons whose testimony he or she wants, always having them meet in the place of the process.

VI. To be judged at a public hearing by a judge or jury of citizens who know how to read and write, people who reside in the place and area in which the crime was committed, for offenses punishable by more than a year in prison. In all cases, crimes committed by means of the press against the public order, or the foreign or domestic security of the nation, be judged by a jury.

VII. To be provided all the facts needed for defense, and that make up the case.

VIII. To be judged within four months for crimes for which the maximum penalty does not exceed two years in prison, and within a year if the penalty exceeds two years, unless he or she asks for more time for the defense.

IX. From the start of the process, to be informed of the rights that this Constitution gives in his or her favor, and he or she will have the right to an adequate defense by himself, by a lawyer, or by a person of his or her confidence. If he or she does not want to, or cannot name a defender after being required to do so, the judge will assign him or her an official defender. Also, the accused has the right to have his defender appear in all phases of the process, and the defender has the obligation to appear whenever he or she is required.

X. In no case may the accused's imprisonment or detention be prolonged for failure to pay lawyers' fees, or any other fees for cause of civil responsibility or any other similar reason.

The guarantees stated above in sections I, V, VII, and IX will always be observed during the initial investigation, in the terms and with the requisites and limits that the laws establish, and as stated in section II will not be subject to any condition.

B. Of the victim or person offended against by a crime:

I. Receive judicial advice, be informed of the rights which this Constitution gives in his or her favor, and, when he or she requests, to be informed about the status of the criminal process;

II. Cooperate with the Public Ministry to know about all facts or elements of proof about the crime that it has, in its previous steps of investigation as well as those in progress, as quickly as possible to relieve concerns;

When the Public Ministry considered that such speed is not necessary, it should state the bases for, and justify, its reasons.

III. Receive, beginning with the commission of the crime, urgent medical and psychological attention;

IV. Have damages repaired. In the cases for which it is the originator, the Public Ministry will be obligated to seek repair of the damages, and the judge may not absolve the sentenced of reparations if he or she has served the sentence;

V. When the victim or the person offended against by the crime is a minor, he or she is not obligated to be face to face with the accused, in cases of sexual crimes or kidnapping. These cases will have depositions under the conditions that the law establishes, and;

VI. Seek the means and judicial rulings that the law provides for his or her security and aid.

Article 21

The imposition of criminal penalties belongs solely and exclusively to the judicial authority. The policing of crimes is the responsibility of the Public Ministry and the Judicial Police, which shall be under the authority and the former's immediate command. Along with the judicial authority, the administrative authority may apply sanctions for infractions of police and government regulations that may only consist of a fine or an arrest for 36 hours. If the infractor does not pay the fine imposed on him, he may be arrested for a period (which shall in no case exceed 36 hours).

If the infractor is a journalist, a laborer, or worker, he or she cannot be sanctioned with a fine more than his or her pay, or salary for one day.

The fine for non-salaried workers must not exceed the equivalent of a day of their earnings.

The decisions of the Public Ministry about the non-exercise and ending of penal action, may be challenged by jurisdictional means in the terms that the law establishes.

Public security is a function at the charge of the Federation, the Federal District, the States, and the Municipalities, in their respective areas of jurisdiction that this Constitution specifies. The performance of police institutions will be governed by the principles of legality, efficiency, professionalism, and honor.

The Federation, the Federal District, the States, and the Municipalities will cooperate in the terms that the laws specify, to establish a national system of public security.

Article 22

Penalties of mutilation, dishonor, branding, whipping, blows with a stick, torture of any type, excessive fines, confiscation of possessions, or any other penalties in excess of what is necessary to punish the offense remain prohibited.

The total or partial confiscation of personal possessions shall be considered only by the judicial authority for the payment of the civil responsibility resulting from the commission of a crime, or for the payment of taxes or fines, except in the case of possessions acquired by illicit enrichment as defined by the terms of Article 109, or the confiscation of the goods that belong to the person sentenced, for crimes classified as organized delinquency, or for those goods which are handled as though the person sentenced is the owner, if the legitimate origin of these goods cannot be proven.

Confiscation of goods by the State will not be considered, if the goods have been abandoned in the terms of the applicable dispositions. Goods acquired through organized delinquency may be given to the State by the judicial authority, at the end of an investigation process which has not shown how the goods were acquired otherwise. The judicial resolution will always proceed after a hearing of the third parties involved, and the goods must have been acquired fully with the proceeds of the crime foreseen by the law as organized delinquency. The process of confiscation will proceed independently of whether the goods have been transferred to third parties, unless the third parties received the goods in good faith.

The death penalty remains prohibited for political crimes, and also for most others. It may only be imposed for treason to the Nation in a foreign war, for parricide, for homicide with treachery, premeditation or profit; for arson, kidnapping, highway robbery, piracy, or serious criminal offenses against military order.

Article 23

No criminal proceeding shall be conducted more than three times. Nobody can be judged twice for the same crime if he or she was found innocent or guilty in the first trial. The practice of pretrial pardoning remains prohibited.

Article 24

Any person is free to practice the religious beliefs that most agree with him or her, and to practice the ceremonies, devotions or acts of the respective sect, as long as they do not constitute a crime or a failure to do something that is punishable by law.

The congress may not make laws that establish or prohibit any religion.

Religious acts of a sect are ordinarily conducted in houses of worship. Those that are conducted extraordinarily outside of them will be subject to the regulation of law.

Article 25

The State has the responsibility for the direction of national development; to guarantee that it will be complete and sustainable, that it will fortify the sovereignty of the national and democratic regime, and that by means of the promotion of economic growth and growth of employment and a more just distribution of earnings and wealth, there will occur the full exercise of liberty and dignity of all individuals, groups, and social classes whose security is protected by this Constitution.

The State will plan, conduct, coordinate, and orient national economic activity, and will carry out the regulation and promotion of activities that the general interest demands, and of liberties that this Constitution demands.

The public sector, the social sector, and the private sector will concur, with social responsibility, in contributing to national economic development without damage to other forms of economic activity that contribute to the development of the nation.

The public sector will have exclusive responsibility for the strategic areas that are designated in Article 28, paragraph four of the Constitution. The Federal Government shall always maintain the property of, and control over, the organizations which are established for this purpose.

Also, the public sector has the power to participate by itself, or with the social and private sectors, and in accordance with the law, to stimulate and organize priority areas of development.

Under the criteria of social equality and productivity, the public sector will support and stimulate the economic enterprises of the social and private sectors, subject to the methods which the public interest dictates and the use (to general benefit) of productive resources, ensuring their conservation, and balancing their use with the needs of the environment.

The law will establish the mechanisms that facilitate the organization and expansion of the economic activity of the social sector of the communes, workers organizations, cooperatives, communities, enterprises that pertain mostly or exclusively to workers, and in general of all forms of social organization for the production, distribution, and consumption of socially necessary goods and services.

The law will encourage and protect economic activities that fulfill these particulars, and stipulate the conditions under which the private sector should not be involved, in the terms that this Constitution establishes.

Article 26

The State will organize a democratic system for the planning of national development that imprints solidity, permanence, and equity to the growth of the economy, for the independence and the political, social, and cultural democratization of the nation.

The purposes of national planning contained in this Constitution will determine the objectives of planning. Planning will be democratic and by means of the participation of the different social sectors; the aspirations and demands of society shall be gathered in order to incorporate them into the plan, and its programs for development. There will be a national plan of development to which the programs of the federal public administration will be subjected.

The law will assist the Executive in establishing the procedures for participation and popular consultation in the democratic system of national planning, and the criteria for the formulation, implementation, control and evaluation of the plan and programs for development. At the same time, the responsible organizations will determine the process of planning and its basis, so that the Federal Executive can coordinate by means of compacts with the governments of the federated entities, and initiate the programs' development and execution.

In the system of democratic planning, the Congress of the Union will have the power of intervention as determined by law.

Article 27

Lands and waters understood to be within the limits of the national territory belong originally to the Nation, which has had and has the right of transmitting their ownership to particular persons, thus constituting them as private property. Expropriations may only be for cause of public utility, and by means of indemnization.

The Nation will at all times have the right to impose on private property the ways of use that the public interest dictates. Its use will be regular, to social benefit, and for the appropriation of its natural elements, with the object of making an equitable distribution of public wealth, taking care to conserve these elements, and to achieve balanced development of the country and improvement of life for the rural and urban population. As a consequence, the Nation will dictate the means necessary to keep human settlements functioning, and establish adequate provisions, uses, reserves, and end uses of lands, waters, and forests to the effect of building public works and planning and regulating their construction, conservation, improvement, and growth of centers of population, to preserve or restore ecological balance, to divide large estates; to manage, in the terms of regulating law, the organization and collective functioning of communes and communities, for the development of rural property; for the promotion of agriculture, ranching, use of forest products, and of the various economic activities in the rural setting, and to avoid the destruction of natural elements, and the damages that property may suffer to the detriment of society.

The Nation has direct ownership of all natural resources of the continental shelf and underwater zones around islands, of minerals or substances that are in veins, layers, or masses; of beds of ore that constitute deposits naturally distinct from the components of the earth, such as minerals from which metals and alloys used in industry are derived; of beds of precious stones; of rock salt, and the salts formed directly in sea waters; the products derived from the decomposition of rocks when their exploitation requires underground work; of mineral beds, or beds of organic materials that are used as fertilizers; solid combustible materials; of petroleum and all solid, liquid or gaseous hydrocarbons, and of the space situated over the national territory, to the extent and terms fixed by international law.

The waters of the territories are the property of the Nation, to the extent and terms fixed by international law: interior navigational waters, lagoons and inlets that are permanently or intermittently linked with the sea, naturally-formed interior lakes that have water in them constantly, rivers and their direct or indirect tributaries from the point where their first permanent intermittent or torrential water starts until their flow into the sea; lakes, lagoons, or inlets that are national property, constant or intermittently-running creeks and washes and their direct or indirect tributaries when, in all or part of their length, they serve as a boundary of national territory, or between two federated entities, or when they pass from one federated entity to another, or cross the boundary line of the Republic; lakes, lagoons, and inlets which cross boundary lines of two or more entities or between the Republic and a neighboring country, or when the limit of the banks serves as a boundary between two federated entities, or between the Republic and a neighboring country; waters that have their origins in beaches, maritime zones, river beds, or banks of lakes, lagoons, or inlets that are national property, and those that are extracted from mines, and river beds or beds of interior lakes to the extent that the law sets. Ground water may be freely appropriated by means of artificial works and used by the owner of the land, but when the public interest requires it or it affects other users, the Federal Executive has the power to regulate its extraction and utilization, and also to establish zones where ground water use is prohibited, equal to those waters which are national property. Whatever waters were not included in the preceding, are considered the property of the lands under which they run or where their deposits are found, but if they are located under two or more properties, the use of these waters is considered of public utility, and will remain subject to the dispositions that the States dictate.

In cases referred to in the two paragraphs above, the ownership of the Nation is inalienable and essential, and the exploitation, use, or enjoyment of these resources by individuals or by associations governed by Mexican law cannot take place except by means of concessions granted by the Federal Executive according to the rules and conditions which the laws establish. Normal laws relating to works or labors of exploitation of minerals and substances referred to in the fourth paragraph of this article will regulate the execution and verification by which the exploitation is conducted, or the operations by which it should be effected, independent of the date of granting of the concession. Non-observance will result in the cancellation of the concession. The federal government has the right to establish national reserves, and to relinquish them. The corresponding declarations will be made by the Executive in the cases and conditions that the laws specify. No concessions or contracts will be granted for the extraction of petroleum or solid, liquid, or gaseous hydrocarbons, or for radioactive minerals. The Nation will carry out the exploitation of these products in the terms that the respective regulating law specifies. The Nation has the exclusive right to generate, conduct, transform, distribute, and supply electrical energy for use in public service. In this matter, concessions will not be granted to individuals, and the Nation will make use of the goods and national resources required to achieve these ends.

The Nation also enjoys the right to use nuclear combustibles for the generation of nuclear energy, and to regulate its application in other uses. The use of nuclear energy is permitted only for peaceful ends. The Nation will exercise control over an area situated outside the territorial seas and adjacent to them, under the rights of sovereignty and the jurisdiction that the laws of the Congress determine. The exclusive economic zone will extend to two hundred nautical miles from where the territorial seas start. In those cases in which this extension produces conflict with the exclusive economic zones of other countries, the boundaries of these zones will be determined by means of agreements with those countries.

The ability to acquire the domain of the lands and waters of the Nation will be regulated by the following prescriptions:

I. Only Mexicans by birth or naturalization and Mexican associations have the right to obtain ownership of lands, waters, and their accessories, or to obtain mining or ground water concessions. The State has the power to concede the same right to foreigners, as long as after verifying with the Secretariat of Relations that they will respect the lands and waters as nationals would, and will not invoke the protection of their governments. The penalty in case of violation of the contract is loss to the Nation of the benefits that were acquired from the concessions. In a zone of one hundred kilometers' distance from the borders, and fifty from the coast, no foreigners shall be permitted to acquire direct ownership of land or water for any reason.

The State, in agreement with internal public interest and the principles of reciprocity, may allow foreign states to acquire real private property necessary for the direct service of their embassies or legations in the permanent place of residence of the Federal Powers.

II. Religious associations, as defined in the terms of Article 130 and its regulating law, will have the capacity to acquire, possess, or administer exclusively the property that is essential for their object, with the requisites and limitations that the regulating law establishes.

III. Public or private institutions of benefit that have for their object aid to the needy, scientific research, the spread of education, the mutual aid of their members, or any other legal object may not acquire more real property than is necessary for the object immediately or directly destined to them, subject to what the regulating law establishes.

IV. Mercantile societies by means of stock may become owners of rural lands, but only in the extension that is necessary to complete their object.

In no case may societies of this type acquire lands dedicated to agriculture, ranching, or forestry activities in greater extension than the amount equivalent to twenty-five times the limits given in section XV of this article. The regulating law will regulate the capital structure and minimum number of members of these societies, to the effect that the lands owned by the society do not exceed what each member would own as small property. In this case, all property of individual investors corresponding to rural lands will be counted for the effects of computation. At the same time, the law will give the conditions for foreign participation in these societies.

The appropriate law will establish the means of registration and control necessary to implement this section.

V. Commercial banks that are authorized and that conform to the laws of credit institutions may hold capital obligations for rural and urban property in accordance with the prescriptions of the same laws, but they may not hold or administer more resources than those entirely necessary for their direct objects.

VI. The States and the Federal District, as well as the municipalities of all the Republic, will have the full capacity to acquire and possess all the real property necessary for public services. The laws of the Federation and the States, in their respective jurisdictions, will determine the cases in which public utility requires the occupation of private property. The procedures used by the administrative authority to acquire this property will be according to these laws. The price fixed for indemnification of the expropriated property will be based on its fiscal value as figured at the appraiser's or assessor's office. When its worth has been demonstrated by the owner, payment has been accepted by him or her tacitly. Any increase in value that the particular property has for improvements during or after the date of appraisal will be subject to expert judgment or judicial resolution only. The exercise of actions that belong to the Nation by virtue of the dispositions in the present article will have effect by judicial procedure, but within this procedure and by order of the corresponding tribunals that will dictate the maximum term of one month, the administrative authorities will proceed without delay with the occupation, administration, auction, or sale of the lands or waters taken and all their accessories, except that in no case may the same be revoked by the same authorities without a written order of execution.

VII. The judicial personality of concentrations of population in communes and communities is recognized, and their property on the land is protected as well as their human character and productive activities. The law will protect the integrity of the lands of indigenous groups.

The law, considering the respect and strengthening of the community life of communes and communities, will protect the land for human communities and regulate the use of common lands, forests, and waters, and the taking of actions of promotion necessary to elevate the level of life of their inhabitants.

The law, with respect for the will of commune and community residents to adopt the conditions most agreeable to them for the use of their productive resources, will regulate the exercise of the rights of community residents over the land, and of each commune resident over his or her own parcel of land. At the same time, it will establish the procedures by which commune and community residents have the power to associate with each other, with the State, or with third parties, and grant the use of their lands; and in conjunction with commune members, it will transmit their parcel rights among the individual members of the concentration of population, equally fixing the requisites and procedures by which the communes in assembly may grant individuals ownership of their parcels. In the case of transfer of parcels, in accordance with the right of preference that the law contains, within a given concentration of population, no commune member may become the owner of more than 5% of commune lands. In all cases the ownership of lands by one commune member must conform to the limits specified in section XV.

The general assembly is the supreme organ of a communal or community concentration of population with the organization and functions that the law specifies in section XV.

The general assembly is the supreme organ of a communal or community concentration of population with the organization and functions that the law specifies. The commune or community property commissioner, elected democratically in terms of the law, is the representative of the concentration of population, is the person responsible for the actions of the concentration, and is responsible for putting into effect the resolutions of the assembly.

The distribution of lands, forests, and waters to concentrations of population will take place in terms of the regulating law.

VIII. The following are declared null and void:

a) All transfers of lands, waters, and mountainous lands belonging to towns, settlements, congregations, or communities, made by the political heads, governors of the states, or by any other state or local authority in contravention to the disposal specified in the law of June 25, 1856, and other relevant laws and dispositions.

b) All concessions, settlements, or sales of lands, waters, and mountainous lands made by the secretariats of Promotion, Finance, or any other federal authority, from the first of December of 1876 to this date, when these lands and waters were invaded and illegally occupied, or of any other class of lands or waters pertaining to towns, settlements, congregations, or communities, and concentrations of population.

c) All acts of surveying or marking boundaries, transactions, transfers, or resolutions that took place during the time referred to in the previous subsection by companies, judges, or other authorities of the States or of the Federation, when these resulted in the illegal invasion or occupation of lands, waters, and mountainous lands of communes, commonly shared lands, or of any other cases belonging to concentrations of population.

Exceptions to the above will include only those lands transferred with regards to the law of June 25, 1856 and possessed with proper Title of more than ten years, when their area does not exceed fifty hectares.

IX. The division or distribution that took place among neighbors of a concentration of population with an appearance of legitimacy, and in which there was an error or bad intent shall be nullified when three fourths of the persons are in possession of one fourth of the lands in question, or one fourth of the same persons are in possession of three fourths of the lands.

X. (Repealed);

XI. (Repealed);

XII. (Repealed);

XIII. (Repealed);

XIV. (Repealed);

XV. Large estates remain prohibited in the United Mexican States.

Small agricultural property will be considered anything which does not exceed one hundred hectares of irrigated or non-irrigated prime land, or its equivalent in other classes of land.

For the purposes of equivalence, one hectare of irrigated land will be computed to be as two of secondary land, as four of grazing land of good quality, and as eight of woods, mountainous land, or grazing land in arid areas.

As small property, the land that an individual may have may not exceed one hundred fifty hectares when the lands are used to raise cotton, if they receive irrigation; and of three hundred if they are used for the cultivation of bananas, sugar cane, coffee, henequen, rubber, palm oil, wine grapes, olives, quinine, vanilla, cacao, or fruit trees.

Small ranching property will be considered anything which does not exceed the area necessary to maintain up to five hundred head of large livestock or its equivalent in small livestock, in the terms that the law fixes, in accord with the grazing capacities of the lands.

When, through works of irrigation, drainage, or any other works done by the owners or possessors of a small property, the quality of the land has been improved, the land will continue to be considered small property, even when, by virtue of the improvement obtained, it passes the maximum amounts specified by this section, as long as it remains as one piece of property according to the requisites that the law sets.

When, within one small ranching property, there are improvements in lands and these are dedicated to agricultural uses, the area utilized for these cannot exceed in any case the limits from the second and third paragraphs of this section that correspond to the quality that these lands had before the improvement.

XVI. (Repealed);

XVII. The Congress of the Union and the legislatures of the states in their respective jurisdictions will pass laws that establish the procedures for the dividing and transfer of property that exceeds the limits specified in sections IV and XV of this article.

The excess must be divided and transferred by the owner within the term of a year from the receipt of notification. If the excess has not been transferred by the time the term has elapsed, the sale must be by means of a public auction. When possible, the right of preference will be respected by the regulating law.

State and local laws will determine what the worth of the family is, and determine the goods that belong to it on the basis that it will be inalienable and will not be subject to being frozen or encumbered with liens.

XVIII. All the contracts and concessions made by the previous government since 1876, that have had as a consequence the collection of lands, waters, and natural resources of the Nation for a single person or association, are declared subject to review, and the Executive of the Union will be able to declare those that involve serious damage to the public interest null and void.

XIX. On the basis of this Constitution, the State will have at its disposal the means for the expedient and honest distribution of agrarian justice, with the object of guaranteeing legal recognition of the tenancy of collective and communal lands, and of small property, and it will support the legal rights of farmers.

All questions on the boundaries of communal and community lands, that have their origin in these, are under federal jurisdiction: pending or ongoing questions among two or more concentrations of population, as well as questions on the possession of the land of communes and communities. For these effects, and in general, for the administration of agrarian justice, the law will institute tribunals given autonomy and full justice with magistrates proposed by the Federal Executive and confirmed by the Chamber of Senators, or, in the Senate's recess, by the Permanent Commission.

The law will establish an organ for pursuit of agrarian justice.

XX. The State will promote conditions for integral rural development, with the object of generating employment and guaranteeing the farming population's well-being and its participation and incorporation in national development, and will promote agriculture and forest activity for the optimum use of land, with works of infrastructure, financial grants, credits, storage services, and technical assistance. At the same time, it will make regulating legislation to plan and organize agricultural production and its industrialization and commercialization, considering the public interest.

Article 28

In the United Mexican States, monopolies, monopolistic practices, monopolistic concessions, or exemptions from taxes in the terms and conditions that the laws fix remain prohibited. The same treatment will be applied to prohibiting Titles of protection for industry.

As a consequence, the law shall severely punish, and the authorities will attack with efficiency all concentration or gathering in one or a few hands of the market for necessary articles of consumption and that has as its object the increase of prices; any agreement, proceeding, or combination of producers, industries, trade companies, or service enterprises that in any manner results in avoiding the free concurrence or competition among them, and obligates consumers to pay exorbitant prices; and in general all that constitutes improper exclusive advantage to the favor of one or various particular persons, and with damage to the public in general or some social class.

The functions that the State exercises in exclusive manner will not constitute monopolies in the following strategic areas: postal delivery, telegraphs, and radio telegraphy, petroleum and the various hydrocarbons, basic petrochemicals, radioactive minerals and generation of nuclear energy, electricity, and the activities that the laws that the Congress of the Union makes expressly specify.

Satellite communications and railroads are priority areas for national development in terms of Article 25 of this Constitution; the State, to exercise its control over them, and to protect the security and sovereignty of the Nation, may grant concessions or permits to maintain or establish these ways of communications or transportation in agreement with the laws on them.

The State will work with the organizations and enterprises that require it for efficient handling of strategic areas in its charge; and in their activities of priority character, where in accordance with the law, it participates by itself or with the social and private sectors.

The State will have a central bank that will be autonomous in the exercise of its functions and in its administration. Its highest priority will be to secure the stability of the buying power of the national currency, strengthening with it the governing of the national development along with the State. No authority may order the bank to give financing.

The functions that the State exercises in exclusive manner, through the central bank in the strategic areas of coining money and distribution of bills, are not monopolies. The central bank, in terms that the laws establish, and with the intervention that the competent authorities have, will regulate exchange as well as intermediary and other financial services, relying on the amount of authority necessary to carry out their regulation and provide for their observance. The conducting of the affairs of the bank will be by persons named by the President of the Republic with the approval of the Chamber of Senators, or the Permanent Commission, in the Senate's recesses, with the discharge of their office for periods of duration, and staggered in order to promote the autonomous exercise of their functions. They may be removed only for serious cause, and they may not have any other employment, duty, or commission, with the exception of those who already represent the bank, and those who have non-salaried positions in artistic, scientific, cultural, or beneficiary societies. The persons in charge of conducting the central bank will be subject to political judgment conforming to the disposition in Article 110 of this Constitution.

Associations of workers formed to protect their own interests, and cooperative associations or societies of producers which (in defense of their interests or the general interest) sell national products in foreign markets, or industries that are the principal source of wealth of the region where the products are produced, or which are not articles of primary necessity, as long as such associations are under the watch or protection of the Federal Government or the states, and have previously obtained authorization from each of those respected legislative bodies, do not constitute monopolies. The legislatures by themselves, or by directing the Executive, may revoke (when public necessity demands it) the authorizations given for the formations of these groups.

Neither do the privileges that are given to authors and artists for the production of their works for a determinate time, nor those given to inventors and people who perfect a product, constitute monopolies.

The State (subject to the laws) may in cases of general interest concede the performing of public services, or the exploitation, use, and enjoyment of property of the Federation, except with the exceptions that the same laws prevent. The laws will set the means and conditions that assure the efficiency of performance of services and the social utilization of property, and avoid phenomena of concentration that are contrary to the public interest.

The subjection of public services to regulation will be placed at the disposal of the Constitution, and will be carried out only by means of law.

Subsidies may be granted to priority activities when they are generally of temporary nature, and do not substantially affect the finances of the Nation. The State will watch over their application, and evaluate their results.

Article 29

In cases of invasion, serious perturbation of the public peace, or anything else that puts society in serious danger or conflict, only the President of the United Mexican States (in agreement with the heads of the Secretariats of State, the administrative departments, and the Office of the Attorney General of the Republic, and with approval of the Congress of the Union, or, in its recess, the Permanent Commission) has the power to suspend in all the country (or in a determined place) the guarantees that are obstacles to dealing directly, rapidly, and easily with the situation. This, however,

must be for a limited time, by means of general prevention, and must not apply to a specified individual. If the suspension occurs when the Congress is in session, it must contain the authorizations deemed necessary for the Executive to deal directly with the situation, but if it takes place in the time of its recess, the Congress will be convened without delay for its agreement.

Chapter II

Of Mexicans

Article 30

Mexican nationality is acquired by birth or by naturalization.

a) Mexicans by birth are:

- I. Those born in the territory of the Republic, no matter what the nationality of their parents is;
- II. Those born in foreign territory, sons or daughters of Mexican parents born in national territory, a Mexican father born in national territory, or a Mexican mother born in national territory;
- III. Those born in foreign territory, sons or daughters of Mexican parents by naturalization, of a Mexican father by naturalization, or of a Mexican mother by naturalization;
- IV. Those born on board Mexican ships or aircraft, whether military or civil.

b) Mexicans by naturalization are:

- I. Foreigners who obtain a naturalization document from the Secretariat of Relations.
- II. The foreign woman or man who marries a Mexican man or woman, who has or establishes residence within national territory, and complies with the various requirements that the laws in effect specify.

Article 31

Obligations of Mexicans are:

- I. To make sure their children under their care obtain primary and secondary education, and receive military training, in terms that the law establishes.
- II. To be present in the days and hours assigned by the municipal government (in the place where they live) to receive civic and military instruction, to maintain competence in the exercise of the rights of a citizen, skill in the handling of arms, and acquaintance with military discipline.
- III. To enlist and serve in the National Guard, conforming to the respective organic law, to assure and defend the independence, territory, honor, rights and interests of the country, as well as tranquility and interior order.
- IV. To contribute to public spending, including that of the Federation, as well as the Federal District or the State or Municipality where they reside, in a manner that is proportional and equitable, as the laws specify.

Article 32

The law will regulate the exercise of rights that Mexican legislation grants to Mexicans who possess another nationality, and establish standards to avoid conflicts of double nationality.

The exercise of duties and functions for which, by disposition of the present Constitution, may be reserved to those who have the quality of Mexican nationality, and do not receive another nationality. This reservation also will be applicable to those cases which other laws of the Congress of the Union specify.

In time of peace, no foreigner may serve in the Army, or in police or public security forces. To belong actively to the Army in time of peace, or to the National Navy or the Air Force at any moment, and discharge any duty or commission in them, one is required to be Mexican by birth. The same quality is indispensable for captains, pilots, owners, machinists, mechanics, and in general for all personnel who staff any ship or aircraft that carries the Mexican flag or merchant insignia. Also, Mexican citizenship by birth is necessary to exercise the responsibilities of port captain, and all the services of director of an airport.

Mexicans will be preferred to foreigners in equality of circumstances, for all classes of concessions and all employment, duties, or commissions of government for which the quality of citizenship is not indispensable.

Chapter III

Of Foreigners

Article 33

Foreigners are those who do not possess the qualities determined in Article 30. They have the right to the guarantees of Chapter I of the first Title of this Constitution, but the Executive of the Union has the exclusive right to expel from the national territory, immediately and without necessity of judicial proceedings, all foreigners whose stay it judges inconvenient. Foreigners may not, in any manner, involve themselves in the political affairs of the country.

Chapter IV

Of Mexican Citizens

Article 34

Citizens of the Republic are those men and women, who having the quality of Mexican nationality, have the following requisites besides:

- I. Have attained the age of eighteen years;
- II. Have an honest way of living.

Article 35

These are duties of the citizen:

- I. To vote in popular elections;
- II. To be available for all the responsibilities of popular election, and to be named to any other employment or commission, having the qualities that the law establishes;
- III. To take part individually and freely in the political affairs of the country;
- IV. To take arms in the Army or National Guard for the defense of the Republic, and its institutions, in the terms that the laws prescribe, and;
- V. To exercise the right of petition in all classes of affairs.

Article 36

These are obligations of the citizen of the Republic:

- I. To place his or her name on the municipal rolls, noting the property that he or she has, as well as his or her industry, profession, or trade; and to place his or her name on the National Register of Citizens, in the terms that the law determines.

The permanent organization and functioning of the National Register of Citizens and the making of the document that affirms Mexican citizenship are services of public interest, and as such, they are the responsibility of the State and the citizens in the terms that the law establishes.

- II. To enlist in the National Guard;
- III. To vote in popular elections in their electoral districts;
- IV. To discharge the duties of popular election of the Federation or of the States, which in no case will be unpaid, and;
- V. To discharge the civic responsibilities of the Municipality where he or she resides, electoral functions and jury service.

Article 37

- A) No Mexican by birth may be deprived of his or her nationality.
- B) Mexican nationality by naturalization is lost in the following cases:

- I. For voluntary acquisition of a foreign nationality; for using any public instrument as a foreigner, for using a foreign passport, and for accepting or using Titles of nobility that imply submission to a foreign State, and;

- II. For residing for five continuous years in foreign territory.

- C) Mexican citizenship is lost by:

- I. Accepting or using Titles of nobility of foreign governments;

- II. Voluntarily giving official services to a foreign government without permission of the Federal Congress or its Permanent Commission;

- III. Accepting or using foreign decorations and honors without permission of the Federal Congress or its Permanent Commission;

- IV. Accepting from the government of another country Titles or functions without previous permission from the Federal Congress or its Permanent Commission, excepting literary, scientific, or humanitarian honors, that one may accept freely;

- V. Aiding against the nation, a foreigner, or a foreign government, in any diplomatic dispute or before an international tribunal, or;

- VI. In the other cases that the laws set.

In the case of sections II to IV of this part, the Congress of the Union will establish in the respective regulating law, the cases of exception for which permits and licenses will be understood to be granted, and the time over which the receiver may use them. The application for such a permit or license is the sole responsibility of the applicant.

Article 38

The rights or duties of citizens are suspended:

- I. By lack of complying, without just cause, with any of the obligations that Article 36 specifies. This suspension will last one year, and will be imposed in addition to the other penalties that the law specifies at the same time;

- II. For being subject to a criminal process, or for a crime that merits corporal punishment, from the date of the formal writ of imprisonment,

- III. During the service of a corporal punishment;

- IV. For vagrancy, or habitual drunkenness, declared in the terms that the laws predispose;

- V. By being a fugitive from justice, from the time the order of apprehension is given to when penal action is prescribed, and;

- VI. By executive sentence that has suspension as a penalty.

The law will set the cases in which citizenship will be lost, and the others in which the rights of citizenship will be suspended, and the manner of making rehabilitation.

Second Title**Chapter I**

Of National Sovereignty and of the Form of Government

Article 39

National sovereignty resides essentially and originally in the people. All public power comes from the people, and it is instituted for their benefit. The people have, at all times, the inalienable right to alter or modify the form of their government.

Article 40

It is the will of the Mexican people to be constituted in a representative, democratic, federal republic, comprised of free States, sovereign in all things that concern their internal affairs, but united in a federation established according to the principles of this fundamental law.

Article 41

The people exercise their sovereignty by means of the Powers of the Union in the cases of the competency of these, and by those of the States in those things that concern their internal affairs, in the terms established by the present Federal Constitution and those of the States, which in no case may contravene the stipulations of the Federal Pact.

The change of the Legislative and Executive powers will take place by means of free, authentic, and periodic elections, conforming to the following bases:

I. Political parties are entities of public interest; the law will determine the specific forms of their participation in the electoral process. The national political parties will have the right to participate in state and municipal elections.

Political parties have as an end to promote the participation of people in democratic life, to contribute to the integration of national representation and, as organizations of citizens, to make possible the access of the exercise of public power to them, in accord with the programs, principles, and ideas that they advocate, and by means of universal, free, secret, and direct suffrage. Only citizens may affiliate freely and individually with political parties.

II. The law will guarantee that the national political parties will have, in a fair manner, the elements to conduct all their activities. As such, they will have the right of use of the popular means of communication in permanent form, in agreement with the forms and procedures which establish them. Besides, the law will specify the rules to which the financing of political parties will be subject, guaranteeing that public resources prevail over those of private origin.

Public financing for political parties that maintain their registry after each election, will consist of the amounts destined to sustain their permanent ordinary activities, and those used in the obtaining of the vote during electoral processes. It will be granted as follows, and according to law.

A) Public financing for the sustaining of their ordinary permanent activities will be set annually, by using the minimum campaign costs calculated by the superior organ of direction of the Federal Electoral Institute, the number of senators and deputies to elect, the number of parties in the chambers of the Congress of the Union, and the duration of the electoral campaigns. Thirty percent of the total resulting from what was given previously will be distributed among the political parties in equal form, and the remaining 70% will be distributed among them according to the percentage of votes that they obtained in the last election for deputies.

B) Public financing for the activities pertaining to the obtaining of the vote during electoral processes, will be equivalent to an amount that each political party receives for its activities in that year, and;

C) A portion of the annual financing distributed to political parties will be distributed for activities relative to education, training, socioeconomic and political research, as well as editorial work.

The law will set the criteria in order to determine the limits of financing of political parties in their electoral campaigns, establish the maximum amounts that their sympathizers may contribute financially, and the procedures for control and watching over the origin and use of all resources available to them. At the same time, it will specify the sanctions to be imposed upon them for noncompliance with these dispositions.

III. The organization of federal elections is a state function to be carried out by an autonomous public organism called the Federal Electoral Institute, granted juridical personality and its own budget. It will be formed through the participation of the Legislative Power, the political parties, and citizens in the terms that the law orders. In the exercise of this state function, certainty, legality, independence, impartiality, and objectivity will be principal guides.

The Federal Electoral Institute will be authoritative in its matters, independent in its decisions and functioning, and professional in the discharge of its duties. It will have a structure with direction, executive, technical, and vigilance organs. The General Council will be its superior organ of direction, and will have a council president and eight electoral council members. With a voice, but without a vote, it will include council members from the Legislative Power, representatives of the political parties, and an executive secretary. The law will determine the rules and functioning of its organs, as well as the chain of command among them. The executive and technical organs will have the personnel available to give professional electoral service. The dispositions of the electoral law and the statute based on it will be approved by the General Council, and regulate labor relations of the servants of the public organism. The organs of vigilance will be made up mostly by representatives of the national political parties. Direction of tables of polling places will be staffed by citizens.

The council president and members of the General Council will be selected at the same time, by a vote of two thirds of the members present of the Chamber of Deputies, or, in its recesses, by the Permanent Commission, from the proposal of the parliamentary groups. Conforming to the same procedure, eight alternate council members will be designated, in order of preference. The law will establish the rules and procedures for the selections.

The council president and members will remain in their duties for seven years, and they may not have any other employment, duties, or commissions, with the exception of those for which they represent the General Council, and those they discharge in educational, scientific, cultural, research, or charitable associations, for which they are not reimbursed. The pay that they receive will be equal to that specified for the ministers of the Supreme Court of Justice of the Nation.

The executive secretary will be named by two thirds of the General Council, upon the proposal of the president.

The law will establish the requirements for the designation of the president of the General Council, the council members, and the executive secretary of the Federal Electoral Institute, who will be subject to the regimen of responsibilities established in the Fourth Title of this Constitution.

The council members of the Legislative Power will be proposed by the parliamentary groups with party affiliation in one or both of the Chambers. There may be only one council member for each parliamentary group that is not recognized in both Chambers of the Congress of the Union.

The Federal Electoral Institute will have at its charge, in complete and direct form, besides what the law determines, activities relative to civic training and education, electoral boundaries, the rights and prerogatives of interest groups and political parties, the register and list of voters, printing of electoral materials, preparation of the electoral day, computation of results in the terms that the law specifies, declaration of validity and granting of certificates of election of deputies and senators, computing of the results of the election of the President of the United Mexican States in each single election district, as well as regulation of poll watching, and written or verbal opinion polls with electoral ends. The sessions of all collected organs of direction will be public, in the terms that the law specifies.

IV. To guarantee the principles of constitutionality and legality of electoral acts and resolutions, a system of means of challenge will be established, in the terms that this Constitution and the law specify. This system will make definite the distinct stages of electoral processes, and guarantee protection of the political rights of voting citizens. Challenges will be voted on in association, in the terms of Article 99 of this Constitution.

In electoral matters, the use of the constitutional or legal means of challenge will not produce effects that will suspend the challenged resolution or act.

Chapter II

Of the Parts that Comprise the Federation and of the National Territory

Article 42

The national territory includes:

- I. That of the parts that make up the Federation;
- II. That of the islands (including the reefs and islets in the adjacent seas);
- III. That of the Guadalupe and Revillagigedo islands, situated in the Pacific Ocean;

- IV. The continental shelf and underwater bases of the islands, islets, and reefs;
- V. The waters of the territorial seas in the extent and terms that international law sets, and the interior waterways;
- VI. The space situated over national territory, with the extension and means that appropriate international law establishes.

Article 43

The parts that make up the Federation are the states of Aguascalientes, Baja California, Baja California Sur, Campeche, Chiapas, Chihuahua, Coahuila, Colima, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, México, Michoacán, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, Quintana Róo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz, Yucatán, Zacatecas, and the Federal District.

Article 44

Mexico City is the Federal District, seat of the powers of the Union, and capital of the United Mexican States. It will contain the territory that it now has, and in the case that the Federal Powers move elsewhere, it will become the State of the Valley of Mexico with the boundaries and area given it by the General Congress.

Article 45

The States of the Federation will keep the area and boundaries that they have had up to now, as long as there has been no difficulty with these.

Article 46

The States may agree among themselves, by friendly compacts, on their respective boundaries, but these agreements cannot come into effect without the approval of the Congress of the Union.

Article 47

The State of Nayarit shall have the territorial area and boundary limits that comprised, as of the day this Constitution took effect, the territory of Tepic.

Article 48

The islands, islets, and reefs of the adjacent seas which belong to national territory, the continental shelf, the submarine bases of islands, islets, and reefs, the territorial seas, the interior waterways, and the space situated over national territory will be governed directly by the Government of the Federation (with the exception of those islands which to the day that this Constitution took effect have been governed by the States).

Third Title

Chapter I

Of the Division of Powers

Article 49

For purposes of its exercise, the Supreme Power of the Federation is divided into Legislative, Executive, and Judicial.

Two or more of these powers may not be concentrated in one individual person or corporation, except in case of extraordinary powers to the Executive of the Union (as specified in Article 29). In no other case (except as disposed in the second paragraph of Article 131) may extraordinary abilities to legislate be granted.

Chapter II

Of the Legislative Power

Article 50

The Legislative Power of the United Mexican States resides in a General Congress, which will be divided into two Chambers, one of Deputies, and the other of Senators.

Section I

Of the Installation and Election of the Congress

Article 51

The Chamber of Deputies will be composed of representatives of the Nation, elected in their entirety every three years. For each deputy, an alternate will be established.

Article 52

The Chamber of Deputies will be made up of 300 deputies elected according to the principle of plurality vote from individual electoral districts, and two hundred deputies, who will be elected according to the System of Regional Lists, voted from multiple electoral areas.

Article 53

The territorial demarcation of the three hundred individual electoral districts will be the result of dividing the total population of the country. The distribution of the individual electoral districts among the federated entities will be determined from the count of the last general census of population, except that in no case may a State have less than two deputies by plurality vote.

For the election of the two hundred deputies according to the principle of proportional representation and the System of Regional Lists, there will be five multiple electoral areas in the country. The law will determine the form of establishing the territory of the areas.

Article 54

The election of the two hundred deputies according to the principle of proportional representation, and the system of assignment by regional lists, is subject to the following bases, and what the law disposes:

I. A political party, to obtain registration of its regional lists, must run candidates for deputies by plurality in at least two hundred single districts.

II. All political parties that get at least two percent of the total of the vote cast for the regional lists of the multiple electoral areas will have the right to have deputies according to the principle of proportional representation.

III. To the political parties that meet the requirements of the above two bases, in addition to the plurality results that their candidates receive, seats will be assigned by the principle of proportional representation, in agreement with the parties' national vote, and the number of deputies on their regional lists that correspond to each multiple area. In the assignment, the order that they candidates had on the corresponding lists will be followed.

IV. In no case may a political party have more than three hundred deputies by both principles.

V. In no case may a political party have a number of deputies by both principles that exceeds its percentage of the national vote by eight percent. This base will not apply to the political party by which, through its victories in single election districts, obtains a total number of seats in the Chamber that exceeds the percentage of its national vote plus eight percent.

VI. In the terms established in sections III, IV, V, and VI above, deputies of proportional representation that were assigned according to what is disposed in sections V or VI who leave office, will be replaced by these political parties with one of their own from the multiple areas, in direct proportion to the national vote that the parties received, in the last election. The law will develop the rules and formulas necessary for these effects.

Article 55

The following are required to be a deputy:

- I. To be a Mexican citizen by birth in the exercise of his or her rights;
- II. To be twenty-one years of age on the day of the election;
- III. To have come from the state in which the election is held, or a neighbor of it, for more than six months of effective residence before the date of election.

To be able to be on the lists of the multiple electoral areas as a candidate for deputy, the candidate must come from one of the federated entities in the area where the election is being held, or a neighbor of the area with effective residence of six months previous to the date the election is held.

Residence is not lost by absence in the discharge of public responsibilities of popular election.

- IV. Not to be in active service in the Federal Army, or having command in the urban police or judicial police force in the district where the election is taking place, for at least ninety days before it;

- V. Not to be a secretary or subsecretary of state, or magistrate of the Supreme Court of Justice of the Nation, unless he or she has definitely left the position ninety days before the election, in the case of the secretaries and subsecretaries, or two years, in the case of the ministers.

The governors of the states may not be elected in their entities during the period of their office, unless they definitely leave their posts.

Secretaries of government of the states, and federal and state magistrates and judges may not be elected in their representative jurisdictions if they have not definitely left their posts ninety days before the election.

- VI. Not be a minister of a religious sect;
- VII. Not have any of the incapacities specified in Article 59.

Article 56

The Chamber of Senators will have one hundred twenty-eight senators. Of these, in each state and the Federal District, two will be elected by plurality vote, and one will be assigned to the primary minority. For these effects, political parties must register a list with two names of candidates. The seat of senator of the first minority will be assigned to the list of the political party that, at the same time, obtained second place in number of votes in the entity where the election was held.

The remaining thirty-two senators will be elected according to the principle of proportional representation, by means of the system of lists voted in one national multiple electoral area. The law will establish the rules and formulas for these effects.

The Chamber of Senators will change totally every six years.

Article 57

For each senator, there will be an alternate.

Article 58

To be a senator requires the same qualifications as to be a deputy, except for age, which will be 25 years at least on the day of election.

Article 59

Senators and deputies of the Congress of the Union may not be re-elected to the term following the one for which they were elected.

Alternate senators and deputies may be elected to the primary positions for the term immediately following the current term, always as long as they are not exercising the office; but primary senators and deputies may not be elected to the immediately following term as alternates.

Article 60

The public organism provided for in Article 41 of this Constitution, in agreement with what the law disposes, will declare the validity of elections of deputies and senators in each individual electoral district and each of the federated entities, certify the respective results of the lists of candidates who have obtained a plurality of votes, and will assign senators of primary minority, in conformance to what is given in Article 56 of this Constitution and the law. At the same time, it will make the declaration of validity and assignment of deputies according to the principle of proportional representation, in conformance with Article 54 of this Constitution and the law.

The determinations about declarations of validity, certification of results, and assigning of deputies or senators may be challenged before the regional committees of the Electoral Tribunal of the Judicial Power of the Federation, in the terms that the law specifies.

The resolutions of the committees to which the last paragraph refers, may be exclusively reviewed by the superior committee of the same tribunal, and political parties may participate only if the results of the election would have been different if it had not been for the challenged acts. The rulings of the Committee will be definitive and unimpeachable. The law will establish the foundations, requirements of origin, and steps for this method of challenge.

Article 61

Deputies and senators are inviolable for the opinions that they express in the discharge of their duties, and never may be called to account for them.

Article 62

Primary deputies and senators, during the period of their office, may not discharge any other commission, or have any gainful employment from the Federation or the States, without previous permission from their Chamber; but when they are no longer performing their representative functions, they may perform their new occupations. The same rule will apply to alternate deputies and senators when they are exercising representative duties.

Violation of this rule will be punished by loss of the position of deputy or senator.

Article 63

The Chambers may not open their sessions or exercise their duties without the consent of more than half of the total number of their respective members, but the members present from one and the other may assemble on the day specified by law and compel the absent members to join them within the following thirty days, with the warning that if they do not do so, it will be understood that they have not accepted their office, that their alternates will be called for the same term; and if they do not appear either, that their posts will be declared vacant, and new elections will be called.

It is also understood that deputies or senators who are absent for ten consecutive days, without just cause or previous permission from the president of the respective Chamber to which they belong, have vacated their offices for the immediate period, and their alternates will be called as soon as possible.

If there was not a quorum to install a Chamber, or to exercise its functions at any time, the Chamber will meet immediately with the alternates who present themselves at the shortest notice to discharge its responsibilities, during the period of thirty days discussed before.

Those who have been elected deputies or senators, who, without just cause, as judged by their respective Chamber, do not present themselves to discharge their responsibilities within the term specified in the first paragraph of this article, will incur the responsibilities and be subject to the sanctions that the law specifies. Also, a national political party that has run candidates in an election for deputies or senators will receive sanctions from the same law, if it concurs with the members who are elected that they will not present themselves to discharge their functions.

Article 64

Deputies and senators who, without just cause, or without permission from their respective Chamber, do not meet for a session, do not have the right to receive any salary from the day that they were absent.

Article 65

The Congress will meet beginning on the 1st of September of each year, to conduct a first period of ordinary sessions, and beginning on the 15th of March of each year to conduct a second period of ordinary sessions.

In both Periods of Sessions, the Congress will occupy itself with study, discussion, and voting on the initiatives of law presented to it, and with the resolution of all affairs that are presented to it conforming to this Constitution.

In each Period of Ordinary Sessions, the Congress will occupy itself in a manner specified by its Organic Law.

Article 66

Each period of ordinary sessions will last for the time necessary to deal with all the affairs mentioned in the previous article. The first period may not last beyond the 15th of December of the same year, except when the President of the Republic comes into office on the date given by Article 83 in a given year, in which case the sessions may be extended until the 31st of December of the same year. The second period may not last beyond the 30th of April of the same year.

If the two Chambers do not agree before the dates indicated when to end their sessions, the President of the Republic will resolve the matter.

Article 67

The Congress, or either one of its Chambers (when it deals with affairs exclusive to it), may assemble, each time that it is called together for that purpose by the Permanent Commission, but it will occupy itself with the affair or affairs that the Commission has summoned it to attend to, which affairs it will discuss in the respective meetings.

Article 68

The two Chambers will reside in one place, and may not move to another without having first agreed to the move and the time and mode of confirming it, designating the same place for the meeting of both. However, if the two disagree in the particulars (such as time, mode, and place) the Executive will resolve the difference, selecting one of the two alternatives in question. Neither chamber may suspend its sessions for more than three days without the consent of the other.

Article 69

At the opening of the Ordinary Sessions of the First Period of the Congress, the President of the Republic will attend, and present a written report which shows the general state in which the public administration finds the country. At the opening of extraordinary sessions of the Congress of the Union or of only one of its Chambers, the President of the Permanent Commission will inform it about the motives or reasons for the meeting.

Article 70

Every resolution of the Congress will be in the form of a law or a decree. Laws or decrees will be communicated to the Executive (signed by the presidents of both chambers, and a secretary of each one) and they will be stated in this form: "The Congress of the United Mexican States decrees: (text of law or decree)."

The law will determine the format and procedures for grouping of deputies, according to their party affiliation, with the effect of guaranteeing the free expression of the ideological currents represented in the Chamber of Deputies.

This law may not be vetoed, and it does not require the Federal Executive to put it into force.

Section II

Of the Initiation and Formation of Laws

Article 71

The right to initiate laws or decrees lies in:

- I. The President of the Republic.
- II. The deputies and senators of the Congress of the Union.
- III. The legislatures of the States.

The initiatives presented by the President of the Republic, or by the legislatures of the states (or by their representatives) will go immediately to committee. Those that deputies or senators present will be subject to the terms that the rules of debate designate.

Article 72

All bills of law or decree (the resolution of which does not belong exclusively to one of the chambers) will be discussed successively in both, observing the rules of debate about the form, intervals, and mode of proceeding in discussions and voting.

a) After a bill is approved in the chamber of its origin, it will go to the other for discussion. If it is approved there, it will be sent to the Executive, who (if it does not have observations to make) will publish it immediately.

b) All bills will be considered approved by the Executive Power if observations about them have not been returned to the Chamber of their origin, within ten working days; unless, its terms having expired, the Congress has adjourned or suspended its sessions, in which case the return will be made on the first working day in which the Congress has reassembled.

c) A bill of law or decree rejected in full or in part by the Executive will be returned with its observations to the Chamber of its origin. It will be discussed again, and if it is confirmed by two thirds of the total number of votes, it will pass to the other Chamber for its review. If it is approved there by the same vote of two thirds, the bill will become law or decree, and will return to the Executive for its promulgation.

Votes of law or decree will be by roll call.

d) If a bill of law or decree is rejected totally by the Chamber of review, it will be returned to that of its origin with the observations made about it. If, upon new examination, it is approved by the majority of the members present, it will be returned to the Chamber that disapproved it to come into consideration another time, and if it was approved by the majority, it will be sent to the Executive by the means of base a), but if it is not approved, it may not be presented again in the same period of sessions.

e) If a bill of law or decree was disapproved in part, or modified, or added to by the Chamber of review, the new discussion of the Chamber of its origin will deal only with what was rejected, or about the changes or additions, without altering the approved articles in any manner.

If the additions or changes made by the Chamber of review were disapproved by the majority of votes in the Chamber of its origin, they will be returned there with the reasons for their rejection; and if by the majority of votes present, the Chamber of origin rejects these additions or changes, the parts of the bill that have been approved by both Chambers, it will pass to the Executive by means of base a).

If the Chamber of review insists, by the majority of votes present, on these additions or changes, the whole bill will not return to be presented until the following periods of sessions, unless both Chambers agree, by the majority of their members present, to dispatch the law or decree only with articles approved, and to reserve additions and changes for examination and voting in the following sessions.

f) In the interpretation, change, or repeal of laws or decrees, the same procedures established as for their formation will be observed.

g) All bills of law or decree that are rejected in the Chambers of their origin, may not be presented again in the sessions of the year.

h) The formation of laws or decrees may begin in either of the two Chambers, with the exception of bills that pertain to borrowing or taxes, or to the recruiting of troops, all of which will be discussed first in the Chamber of Deputies.

i) The initiatives of law or decree shall be discussed preferentially in the Chamber in which they are presented, at least within one month from when they are passed to the appropriate committee for its opinion. If the Chamber has not given an opinion on the law or decree, it may be presented and discussed in the other Chamber.

j) The Executive of the Union cannot make observations about the resolutions of the Congress or one of its Chambers when they are exercising functions as an electoral body or jury, or when the Chamber of Deputies declares that it should accuse one of the high officials of the Federation of official crimes. However, it may present decrees at extraordinary sessions that the Permanent Commission calls.

Section III

Of the Powers of the Congress

Article 73

The Congress has the power:

I. To admit new States to the Federal Union;

II. (Repealed);

III. To form new States within the limits of those existing, given the following:

1st. That the fraction or fractions that seek to be established as States have a population of at least one hundred twenty thousand inhabitants;

2nd. That it is proven before the Congress that they have enough elements to sustain their political existence;

3rd. That the Congress has heard the legislatures of the States of the territory in question about the convenience or inconvenience of the establishment of the new State, they being obligated to give their opinion within six months, counted from the day when they receive the communication about the issue;

4th. That the Congress has equally heard the Executive of the Federation, which will give its opinion within seven days, counted from the date when it was sought;

5th. That the establishment of the new State has been voted for by two thirds of the deputies and senators present in their respective Chambers;

6th. That the resolution of the Congress was ratified by the majority of the legislatures of the States, having previously examined the copy of the resolution, as long as the legislatures of the States of its territory have given their consent.

7th. If the legislatures of the States of the territory in question have not given their consent, the ratification that the previous paragraph discusses will require two thirds of the total of the legislatures of all the States concerned.

IV. To definitively set the boundaries of the States, resolving the differences among them that they have about the demarcation of their respective territories, except when their differences have a contentious character;

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

VI. (Repealed);

VII. To impose the taxes and fees necessary to cover the budget;

VIII. To give bases by which the executive may take loans on the credit of the nation, to approve those same loans, and to recognize and direct the payment of the national debt. No loan may be made except for the execution of works that directly produce and increase public income, except for those that are made with purposes of monetary regulation, operations of conversion, and those contracted during some emergency declared by the President of the Republic in the terms of Article 29. At the same time, the Congress will annually approve the amount of debt payment that must be included in the law of income, in which case the Government of the Federal District and the entities of its public sector require, conforming to the bases of the corresponding law. The Federal Executive will annually inform the Congress of the Union about the exercise of the debt, to which effect the Head of the Federal District will have the report about how the borrowed money was spent. The Head of the Federal District will equally report to the Assembly of Representatives of the Federal District, to give public account.

IX. To regulate interstate commerce by establishing restrictions on it;

- X. To legislate about hydrocarbons, mining, the cinematographic industry, commerce, games of chance and drawings, consumer and other financial services, electrical and nuclear energy, and to make labor laws as regulated by Article 123;
- XI. To create and eliminate positions of public employment by the Federation, and specify, increase, or decrease the pay for them;
- XII. To declare war, in view of the facts that the Executive presents to it;
- XIII. To make laws according to which persons captured on sea or on land are declared friendly or hostile, and to make laws relative to maritime rights of peace and war;
- XIV. To raise and sustain the armed institutions of the Union, namely: National Army, Navy, and Air Force, and regulate their organization and service;
- XV. To give regulations with the object of organizing, arming, and disciplining the National Guard, reserving to the citizens who form it, the naming of heads and officials, and to the states the power of drilling it according to the discipline described by these regulations;
- XVI. To make laws about nationality, legal condition of foreigners, citizenship, naturalization, colonization, emigration and immigration, and general health of the Republic;
- 1st. The Council of General Health will answer directly to the President of the Republic, without the intervention of any Secretary of State, and its general rulings are obligatory in the country.
- 2nd. In case of an epidemic of serious nature or the danger of invasion of exotic diseases into the country, the Department of Health will have the obligation to begin indispensable preventive means immediately. The President of the Republic reserves the right to sanction these means afterwards.
- 3rd. The sanitary authority will be executive, and its regulations will be obeyed by the administrative authorities of the country.
- 4th. The means by which the council puts into force the campaign against alcoholism and the sale of substances that poison the individual or degenerate the human species, as well as means adopted to prevent and combat environmental pollution, will afterwards be revised by the Congress in the cases in which they conflict with it.
- XVII. To make laws about general means of communication and about postal and mail matters; and to make laws about the use and enjoyment of waters of federal jurisdiction;
- XVIII. To establish houses of money, set the conditions under which they operate, determine the value of foreign money, and adopt a general system of weights and measures;
- XIX. To make regulations to which the occupation and transfer of uncultivated lands is subject, and to set their price;
- XX. To make laws about the organization of the Mexican diplomatic and consular corps;
- XXI. To establish the crimes and offenses against the Federation and set the penalties for violation of these;
- XXII. To give amnesty for crimes, the jurisdiction of which belongs to the courts of the Federation;
- XXIII. To make laws that establish the bases of coordination among the Federation, the Federal District, the states, and the municipalities, in matters of public security; as well as for their organization and functioning, and the recruiting, selection, promotion, and recognition of the members of the public security institutions of federal control;
- XXIV. To make the Law that regulates the organization of the superior budgeting entity of the Federation and the others that standardize the management, control, and evaluation of the Powers of the Union and federal public entities;
- XXV. To establish, organize, and sustain in all the Republic rural, elementary, superior, secondary, and professional schools of scientific research, of fine arts and technical training; practical schools of agriculture and of mining; of arts and crafts; museums, libraries, observatories, and other institutes concerning the general culture of the inhabitants of the Nation, and to legislate on all that pertains to these institutions; to legislate about fossil relics or remains, and about archaeological, artistic, and historical monuments (the conservation of which is in the national interest) as well as make the laws which will enable the functioning of education conveniently among the Federation, states, and municipalities, and provide the economic resources corresponding to this public service, seeking to unify and coordinate education in all the Republic. The Titles made for the establishment of these things will take effect in all the Republic.

XXVI. To give leave of absence to the President of the Republic, and to constitute itself as an Electoral College and designate the citizen to substitute as President of the Republic, in the character of substitute, interim, or provisional president, in the terms of articles 84 and 85 of this Constitution;

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

XXVIII. (Repealed);

XXIX. To establish fees:

1st. For foreign commerce;

2nd. For use of the natural resources mentioned in paragraphs 4 and 5 of Article 27;

3rd. For credit institutions and insurance companies;

4th. For public services conceded by or made directly by the Federation, and;

5th. Especially for:

a) Electrical energy;

b) Production and consumption of cigars, cigarettes, and other processed tobacco;

c) Gasoline and other products derived from petroleum;

d) Lighters and matches;

e) The maguey plant, and products of its fermentation;

f) Use of forest products;

g) Production and consumption of beer.

Federated entities will participate in the sharing of these special fees, in the proportion that secondary federal law determines. State legislatures will set the percentage of these fees which the municipalities receive, taking into account the tax for electrical energy, and;

XXIX-B. To legislate about the characteristics and use of the national flag, seal, and anthems;

XXIX-C. To make laws by which the Federal Government, states, and municipalities agree, in the limits of their respective jurisdictions, on matters of human settlement, with the object of complying with the ends given in the third paragraph of Article 27 of this Constitution;

XXIX-D. To make laws about national planning of social and economic development;

XXIX-E. To make laws on the planning, promotion, coordination, and execution of actions of economic order, especially those referring to supply and others that have as an end sufficient and optimum production of socially and nationally necessary goods and services;

XXIX-F. To make laws intended to promote Mexican investment, regulate foreign investment, transfer technology, and generate, disseminate, and apply scientific and technical knowledge that national development requires;

XXIX-G. To make laws that establish agreement of the Federal Government and of the governments of the states and municipalities, in the areas of their respective jurisdictions, in matters of protection of the environment and preservation and restoration of ecological balance;

XXIX-H. To make laws that establish courts to handle contentious administrative questions, given full power to make their rulings, and having as their responsibility to settle the controversies which arise between the Federal Public Administration and a state or local administration; establishing the standards for their organization, procedures, and for recourses against their resolutions;

XXIX-I. To make laws that establish the bases upon which the Federation, states, the Federal District, and municipalities will coordinate their actions in matters of civil protection;

XXIX-J. To legislate in sporting matters; establishing the general bases of coordination of the powers that the Federation, states, the Federal District, and municipalities concurrently have; as well as the participation the public and private sectors have at the same time, and;

XXX. To make all the laws necessary to put into effect the previous powers and all the others given by this Constitution to the powers of the Union.

Article 74

These are powers exclusive to the Chamber of Deputies:

I. Make the official proclamation to make the declaration of President-elect known in all the Republic, that the Electoral Tribunal of the Judicial Power of the Federation has made;

II. Coordinate and evaluate, without infringement on its autonomy and management, the discharge of the functions of the superior budgeting entity of the Federation, in the terms that the law gives;

III. Name the heads and other employees of that office;

IV. Examine, discuss, and approve annually the Budget of Spending of the Federation, discussing first the taxes and fees that, in its judgment, should be imposed to cover it, as well as review the Public Account of the past year.

The Federal Executive will bring to the Chamber the initiative of the Law of Income and the Budget Projection of Spending of the Federation on the 15th of December in years when a presidential term begins as given by Article 83, when the corresponding Secretary of dispatch must share the budget with the Chamber.

There may not be any hidden items, outside of those considered necessary, in this budget, except for those that the secretaries will have by written agreement with the President of the Republic.

The review of the Public Budget will have as its objects understanding the results of financial operations, checking if spending has been for those items stated in the proposal, and seeing if the objectives contained in the programs have been completed.

For the review of the Public Budget, the Chamber of Deputies will be supported by the superior budgeting entity of the Federation. If discrepancies appear between the quantities spent and the respective items of the proposal, or accuracy or justification in the spending made does not exist, responsibilities will be determined in agreement with the law.

The Public Spending of the previous year must be presented to the Permanent Commission of the Congress within the first ten days of the month of June.

The time of presentation of the initiative of the Law of Income and the Projection of the Budget of Expenses, as well as of Public Spending, may be extended only when the Executive has given sufficient reason in the judgment of the Chamber or the Permanent Commission, in which case the corresponding Secretary of Dispatch must inform it about the reasons for requesting the extension;

V. Declare if there are or are not grounds to proceed criminally against public servants who have been in offense of the terms of Article 111 of this Constitution.

Become acquainted with the charges made against public servants to which Article 110 of this Constitution refers, and to act as an organ of accusation in the political proceedings established against them.

VI. (Repealed);

VII. (Repealed);

VIII. The others that this Constitution expressly confers to it.

Article 75

The Chamber of Deputies, upon its approval of the Proposal of Spending, may not fail to specify the salary established by law that corresponds to an employee, and in the event that, for any reason, the setting of this remuneration was omitted, it will have been understood to have been fixed in the previous budget or in the law that established the employment.

Article 76

These are powers exclusive to the Senate:

I. Analyze the world political situation and developments provided by the Federal Executive as a basis for the annual reports that the President of the Republic and the appropriate Secretary of Dispatch give to the Congress, and approve international treaties and diplomatic conventions that the Executive of the Union concludes;

II. Ratify the nominations that the same Secretary makes of ministers, diplomatic agents, consuls general, supervisory employees of finance, colonels and other superior officers of the national Army, Navy, and Air Force, in the terms that the law gives;

III. Authorize national troops to leave the limits of the country, the passing of foreign troops through national territory, and the stationing of task forces of other powers (for more than a month) in Mexican waters;

IV. Give its consent for the President of the Republic to use the National Guard outside of its respective states, setting the force necessary;

V. Declare, when all the constitutional powers of a state have disappeared, that it is necessary to name a provisional governor, who will call elections according to the constitutional laws of that state. The nomination of the governor will be made by the Senate from a list made by the President of the Republic with the approval of two thirds of the members present, and in its recesses, by the Permanent Commission, according to the same rules. The official named may not be elected constitutional governor in the elections that he or she conducts. This disposition will always be in effect if the constitutions of the states do not give it.

The law will regulate the exercise of this power, and the one of the section before.

VI. Resolve the political questions that arise among the powers of a state, when one of these has been brought before the Senate with the object of resolving it, or when, because of these questions, constitutional order has been interrupted by a conflict of arms. In this case, the Senate will give its resolution subject to the General Constitution of the Republic and that of the state.

VII. Sit as a panel of judgment to learn about the mistakes or omissions that public servants commit, and if they have taken advantages for themselves to the detriment of the fundamental public interest and to their good functioning in office, in the terms of Article 110 of this Constitution;

VIII. Designate the ministers of the Supreme Court of Justice of the Nation, from the short list that the President of the Republic submits to it for its consideration, as well as grant or deny its approval to requests for their leave or resignation that the same official submits to it;

IX. Name and remove the head of the Federal District in terms given by this Constitution;

X. Others that this Constitution attributes to it.

Article 77

Each one of the Chambers may without the intervention of the other:

I. Make economic resolutions relevant to its internal operations;

II. Communicate with the other Chamber and with the Executive of the Union by means of commissions of its choosing;

III. Name its secretarial employees, and make internal regulations pertaining to them;

IV. Meet for extraordinary elections for the purpose of filling the vacancies of its respective members. In the case of the Chamber of Deputies where the vacancies are of members elected by the principle of proportional representation, they must be filled from those candidates of the same party, following the order in the respective regional list, after the parties have been assigned deputies from the list in the previous election.

Section IV

Of the Permanent Commission

Article 78

During the recesses of the Congress of the Union, there will be a Permanent Commission composed of 37 members, of which 19 will be Deputies and 18 Senators, nominated by their respective Chambers at the time of closing of the ordinary periods of sessions. For each primary member that the Chambers name, there will be a substitute.

The Permanent Commission, besides the attributes which this Constitution expressly confers upon it, will have the following:

I. Give its consent for the use of the National Guard in the cases that Article 76, section IV discusses;

II. Receive, when it is in place, the oath of office of the President of the Republic;

III. Resolve the affairs of its jurisdiction; receive during the recess of the Congress of the Union initiatives of law and proposals directed to the Chambers, and turn them over to the commissions of the Chamber to which they are directed to be ruled upon with the object of handling them in the immediate period of sessions;

IV. By itself or by request of the Executive call the Congress, or one Chamber only, to extraordinary sessions, needing a two-thirds vote of the members present. The call will specify the object or objects of the extraordinary sessions.

V. Grant or deny its approval of the designation of the Attorney General of the Republic, that the head of the Federal Executive submits to it;

VI. Give leaves of absence for up to 30 days to the President of the Republic and name the interim to fill the vacancy;

VII. Ratify the nominations that the President of the Republic makes for ministers, diplomatic agents, consuls general, supervisory finance employees, colonels, and other superior officers of the national Army, Navy, and Air Force, in the terms that the law gives, and;

VIII. Evaluate and resolve requests for leave presented to it by legislators;

Section V

Of the Superior Budgeting Entity of the Federation

Article 79

The superior budgeting entity of the Federation, of the Chamber of Deputies, will have technical and management authority in the exercise of its functions and to decide on its own internal organization, functioning, and resolutions, in the terms that the law gives.

This superior budgeting entity of the Federation will have as its responsibilities:

I. Oversee the accounting for revenues and expenses already received and spent; the handling, custody, and application of funds and resources of the Powers of the Union and federal public entities, as well as how the funds and resources were used in compliance with the objectives contained in the federal programs, by means of reports which will be made in the terms that the law gives.

Also, it will oversee the accounting for federal resources that federated entities, municipalities, and private parties use.

Without impact to the reports to which the first paragraph of this section refers, in exceptional situations that the law determines, budget items may be subject to review of those concepts in them that are considered relevant, and a report on them required. If these requirements are not complied with in the terms and forms specified by law, financing for the items may be limited to what has already been specified for them.

II. Deliver the report of the results of the review of the Public Budget to the Chamber of Deputies no later than March 31 of the year following its presentation. Within this report will be guidelines for its review, and a corresponding part for listing and verification of the completing of the programs. This part will contain comments and observations about the items, and will be of public record.

The superior budgeting entity of the Federation shall keep a record of its proceedings and observations about how it makes the reports to which this article refers. The law will establish the sanctions applicable to those who do not follow this disposition.

III. Investigate the acts or omissions that imply some irregularity or illicit conduct in the income, spending, handling, custody, and application of federal resources and funds, and make home visits, only to demand the showing of books, papers, or archives necessary for the conducting of their investigations, subject to the laws and formalities established for searches, and;

IV. Determine the damages and harm that affect the Federal Public Treasury or the property of federal public entities, and directly assess the indemnizations and corresponding monetary sanctions to those responsible, and begin the probes of responsibility to which the Fourth Title of this Constitution refers, and present the criminal accusations and complaints, with procedures that the law specifies.

The Chamber of Deputies will name the head of the budgeting entity by the vote of two thirds of its members present. The law will determine the procedure for the designation. The head will remain in the duties for eight years, and may be named one more time to the post. He or she may be removed, exclusively for the serious causes that the law specifies, or for the causes and conforming to the procedures foreseen in the Fourth Title of this Constitution.

To be head of the superior budgeting entity of the Federation requires, besides those requisites established in sections I, II, IV, V, and VI of Article 95 of this Constitution, those specified by the law. During the exercise of the duties of the post, he or she cannot be in any political party, or discharge any other employment, duty, or commission, except those unpaid in scientific, educational, artistic, or charitable associations.

The Powers of the Union, and those persons subject to budget review, will provide the assistance that the superior budgeting entity requires for the exercise of its functions.

The Federal Executive Power will apply the administrative sanctions to which section IV of this article refers.

Chapter III

Of the Executive Power

Article 80

The exercise of the Supreme Executive Power of the Union lies in one individual who will be Titled President of the United Mexican States.

Article 81

The election of the President will be direct, and in the terms that the Electoral Law gives.

Article 82

To be President requires:

- I. To be a Mexican citizen by birth, in full exercise of his or her rights, and the son or daughter of Mexicans by birth;
- II. To be 35 years of age as of the time of the election.
- III. To have resided in the country during all the year before election day. Absence from the country for up to 30 days does not interrupt residency.
- IV. Not to be in an ecclesiastic state, or be minister of any religious sect;
- V. Not to be in active service in the sense of serving in the Army six months before election day;
- VI. Not to be Secretary or Subsecretary of State, Head or Secretary General of an Administrative Department, Attorney General of the Republic, or Governor of any State unless he or she leaves the post six months before election day;
- VII. Not to have any of the causes of incapacity established in Article 83.

Article 83

The President will enter and exercise the office on the first of December, and will remain in it for six years. The citizen who has been discharging the duties of President of the Republic, elected popularly, or with the character of interim, provisional, or substitute, in no case and for no reason may return to fill this post.

Article 84

In case of permanent vacancy of the office of President of the Republic, if it occurs in the first two years of the term; if the Congress is in session, it will constitute itself immediately as an Electoral College, and with the consent of at least two-thirds of the total number of its members, it will name by secret ballot and by majority vote an interim President. The Congress will then, within ten days following the designation of interim President, call for an election of a President to conclude the immediate period; there being, between the date of the call and that specified for the verification of the elections, a time no less than 14 months or more than 18.

If the Congress is not in session, the Permanent Commission will immediately name a provisional President, and call the Congress to extraordinary sessions, at which, at that time, it will designate the interim President and call presidential elections in the terms of the last paragraph.

When the vacancy of the office of President occurs in the last four years of the period, if the Congress of the Union is in session, it will designate the substitute President to conclude the period. If the Congress is not assembled, the Permanent Commission will name a provisional President and call the Congress of the Union to extraordinary session to set itself up as an Electoral College and select a substitute President.

Article 85

If, in the beginning of a constitutional period, there is not a President elected, or the election has not taken place and been certified by December 1, the President whose term has concluded will still leave office, and the Executive Power will immediately pass to an interim President, who is designated by the Congress of the Union, or in its vacancy, to a provisional President, who is designated by the Permanent Commission, proceeding according to what is given in the previous paragraph.

When the vacancy of the office of President is temporary, the Congress of the Union, if it is assembled, or in its absence, the Permanent Commission, will designate an interim President to function during the time of the vacancy.

When the vacancy of the office of President is for more than 30 days and the Congress of the Union is not assembled, the Permanent Commission will call the Congress to extraordinary session to be informed about the vacancy, and to name in its place the interim President.

If the temporary vacancy becomes permanent, proceedings will be as the previous article gives.

Article 86

The office of the President of the Republic may be resigned from only for serious cause, which the Congress of the Union (before which the resignation will be presented) will certify.

Article 87

The President, upon taking possession of the office, will go before the Congress of the Union, or before the Permanent Commission (in the recesses of the Congress) and take the following oath: "I swear to protect and uphold the Political Constitution of the United Mexican States, and the laws that arise from it, and discharge loyally and patriotically the office of President of the Republic that the people have conferred on me, doing all that I do for the good and prosperity of the Union; and if I have not done so, the Nation will demand that I do!"

Article 88

The President of the Republic may not leave national territory without permission from the Congress of the Union, or the Permanent Commission in the case of the Congress's recess.

Article 89

The powers and obligations of the President are the following:

I. Enforce and expedite the laws that the Congress of the Union passes, providing for their exact observation in the administrative sphere;

II. Name and remove freely the Secretaries of Dispatch, remove the diplomatic agents, and supervisory employees of Finance, and name and remove freely the other employees of the Union, whose naming or dismissal is not determined in another way in the Constitution, or in the laws;

III. Name the ministers, diplomatic agents, and consuls general with approval of the Senate;

IV. Name, with approval of the Senate, colonels and other superior officers of the national Army, Navy and the Air Force, and the supervisory employees of Finance;

V. Name other officers of the Army, Navy, and Air Force, in agreement with the laws;

VI. Use all of the permanent Armed Forces, the Army on land, the Navy, and the Air Force, for the internal security and external defense of the Federation;

VII. Use the National Guard for the same objects in the terms that section IV of Article 76 gives;

VIII. Declare war in the name of the United Mexican States, given the law of the Congress of the Union;

IX. Designate, with the ratification of the Senate, the Attorney General of the Republic;

X. Direct foreign policy and conclude international treaties, and submit them to the approval of the Senate: In the conducting of this policy, the head of the Executive Power will observe the following standard principles: self-determination of peoples, non-intervention, peaceful resolution of disputes, juridical equality of states, international cooperation for development, and the struggle for international peace and security.

- XI. Call the Congress to extraordinary sessions when the Permanent Commission agrees;
- XII. Give the Judicial Power the help that it needs for the prompt exercise of its functions;
- XIII. Authorize all classes of ports, establish coast and border customs stations, and set their location;
- XIV. Give, conforming to the laws, pardons to persons sentenced for crimes under the jurisdiction of the Federal courts, and for persons sentenced for crimes against the common order in the Federal District;
- XV. Give exclusive privileges for a limited time, with agreement of the respective law, to discoverers, inventors, or perfecters of processes of industry;
- XVI. When the Chamber of Senators is not in session, the President of the Republic may make the nominations that sections III and IV discuss, with the approval of the Permanent Commission;
- XVII. (Repealed);
- XVIII. Present, to the consideration of the Senate, a short list for designation of ministers of the Supreme Court of Justice and submit their requests for leave and resignation to the approval of the Senate;
- XIX. (Repealed);
- XX. Others that this Constitution expressly confers on him or her.

Article 90

The Federal Public Administration will be centralized and public, conforming to the Organic Law that the Congress makes, which will distribute the business of the administrative order of the Federation among the Secretariats of State and Administrative Departments, and define the general bases of creation of state entities, and the intervention of the Federal Executive in their operation.

The laws will determine the relations between state entities and the Federal Executive, or between them and the Secretariats of State and Administrative Departments.

Article 91

To be a Secretary of Dispatch requires: to be a Mexican citizen by birth, be in exercise of his or her rights, and be at least 30 years of age.

Article 92

All Regulations, Decrees, Agreements, and Orders of State of the President must be signed by the Secretary or Head of the Administrative Department to which the affair corresponds; and without this requisite, they cannot be obeyed.

Article 93

The Secretaries of Dispatch and the Heads of Administrative Departments, as soon as the period of ordinary sessions has opened, will give an account to the Congress about the state in which they find their respective branches.

Either of the Chambers may summon the Secretaries of State and the Heads of Administrative Departments, as well as the directors and administrators of the Federal decentralized organized organisms, or the Enterprises of State Participation, to inform it when it discusses a law, or studies a business transaction concerning their respective branches or activities.

The Chambers, on the petition of one fourth of the members in the cases of the Deputies, or one half, in the case of the Senators, have the power to form commissions to investigate the functioning of these decentralized organisms and Enterprises of State Participation. The result of the investigations will be brought to the attention of the Federal Executive.

Chapter IV

Of the Judicial Power

Article 94

The exercise of the Judicial Power of the Federation lies in its exercise in one Supreme Court of Justice, in one Electoral Tribunal, in collected and unitary circuit tribunals, and in district courts.

The administration, vigilance, and discipline of the Judicial Power of the Federation, with the exception of the Supreme Court of Justice of the Nation, will be the responsibility of the Council of the Federal Judiciary, in the terms that, conforming to the bases that this Constitution specifies, the laws establish.

The Supreme Court of Justice of the Nation will consist of eleven ministers, and function as a Whole or in Committees.

In the terms that the law gives, the sessions of the whole and of the committees will be public, with the exception of cases where there exists moral or public interest in keeping them secret.

The jurisdiction of the Supreme Court, its functioning as a Whole and in Committees, the jurisdiction of circuit tribunals, of district courts, and the Electoral Tribunal, as well as the responsibilities maintained by public servants of the Judicial Power of the Federation, will be regulated by what the laws give, in conformance with the bases that this Constitution establishes.

The Council of the Federal Judiciary will determine the number, division into circuits, territorial jurisdiction, and, in its case, specialization by matters of collected and unitary circuit tribunals, and district courts.

The Whole of the Supreme Court of Justice will have the power to issue general decisions, with the end of achieving by means of an adequate distribution among the Committees of the affairs that come to its attention. It will remit to the collected circuit tribunals those affairs in which full jurisprudence has already been established, for the greatest speed in the dispatch of the affairs. These decisions will take effect after they are published.

The law will fix the terms by which it is obligatory for the courts to use, in establishing the jurisprudence over interpretation of the Constitution, federal or state laws and regulations, and international treaties concluded by the Mexican State, as well as the requisites for their interruption and modification.

The remuneration that the ministers of the Supreme Court receive for their services, as well as that for circuit magistrates, district judges, and the members of the Council of the Federal Judiciary, may not be reduced during their time in office.

The ministers of the Supreme Court of Justice will remain in their posts for fifteen years, may only be removed from them in terms of the Fourth Title of the Constitution, and, upon completion of this period, have the full rights of retirement.

No person who has been minister may be nominated for a new period, unless he or she has been exercising the office with the character of provisional or interim minister.

Article 95

To be selected minister of the Supreme Court of Justice of the Nation, it is necessary:

I. To be a Mexican citizen by birth, in full exercise of his or her political and civil rights;

II. To be at least thirty-five years of age on the day of selection;

III. To have held on the day of selection, for a minimum of ten years, the professional Title of lawyer, issued by an authority or institution legally entitled to do so;

IV. To enjoy a good reputation, and not have been convicted of a crime that merits punishment of more than one year of prison; but if the person has been tried for theft, fraud, falsification, abuse of confidence, or anything else that seriously damages his or her good reputation in the public view, he or she will be rendered unqualified for the post, no matter what penalty he or she has received, and;

V. To have resided in the country during the last two years prior to the day of the designation;

VI. Not have been secretary of State, head of an administrative department, Attorney General of the Republic or of Justice of the Federal District, senator, federal deputy, governor of a State, or head of the Federal District, during the year previous to the day of his or her naming. Namings of ministers will be made preferably from those persons who have served with efficiency, capability, and probity in the impartial delivery of justice, or who have been distinguished for their honor, competence, and previous professional activity in the exercise of other juridical activities.

Article 96

To name the ministers of the Supreme Court of Justice, the President of the Republic will submit a short list to the consideration of the Senate, which, after comparing the persons proposed, will designate the minister to fill the vacancy. The designation will be made by the vote of two thirds of the members of the Senate present, within the term of thirty days, which may not be prolonged. If the Senate does not act within this period, the office of minister will be occupied by the person who, from the list, is designated by the President of the Republic.

In the case that the Chamber of Senators rejects the entire list, the President of the Republic will submit a new one, in the terms of the last paragraph. If this second list was rejected, the office will be occupied by the person who, from this list, the President of the Republic designates.

Article 97

Circuit magistrates and district judges will be named and given assignments by the Council of the Federal Judiciary, based on objective criteria, and according to the requisites and procedures that the law establishes. They will remain six years in the exercise of the office, at the end of which, if they are selected again or promoted to superior offices, they will be secure in their posts in the cases and according to the procedures that the law establishes.

The Supreme Court of Justice of the Nation may name one or more of its members, or a district judge or circuit magistrate, or designate one or several special commissions, when it judges convenient or the Federal Executive or one of the Chambers of the Congress of the Union, or the governor of a state has sought it, solely to investigate the conduct of a federal judge or magistrate, or an act or acts that constitute a serious violation of an individual guarantee. Also it may ask the Council of the Federal Judiciary to investigate the conduct of a federal judge or magistrate.

The Supreme Court of Justice is enabled to conduct the investigation of an act or acts that constitute the violation of the public vote, but only in the cases that in its judgment put in doubt the legality of all the process of election of one of the Powers of the Union. The results of the investigation will be brought to the attention of the appropriate organs at the most opportune moment.

The Supreme Court of Justice will name and remove its secretary, and other officials and employees. The magistrates and judges will name and remove officials of circuit tribunals and district courts, respectively, conforming to what the law with respect to the federal judicial profession states.

Every four years, the Whole of the Supreme Court of Justice of the Nation will name one of its members as president, who may not be elected again for the next immediate period.

Every minister of the Supreme Court of Justice, upon entering into the exercise of the office, will take an oath before the Senate in the following form:

President: "Do you swear to exercise loyally and patriotically the office of minister of the Supreme Court of Justice of the Nation that has been conferred on you, and protect and uphold the Political Constitution of the United Mexican States and the laws that arise from it, doing everything you do for the wellness and prosperity of the Union?"

Minister: "Yes, I swear it."

President: "If you do not do so, the Nation will demand that you do."

Circuit magistrates and district judges will take their oaths before the Supreme Court and the Council of the Federal Judiciary.

Article 98

Ministers of the Supreme Court of Justice of the Nation may have their places taken temporarily by supervisory ministers.

When the vacancy of a minister has exceeded one month, the President of the Republic will submit the nomination of a provisional minister for the approval of the Senate, observing what is given in the final part of Article 96 of this Constitution.

Resignations of ministers of the Supreme Court of Justice may be only for serious reasons. They will be submitted to the Executive, and if it accepts them, they will be sent for approval to the Senate.

Leaves of absence of ministers granted by the other members of the Supreme Court of Justice of the Nation may not exceed one month. Those that exceed this amount of time will be granted by the President of the Republic with the approval of the Senate. No leave may exceed the time of two years.

Article 99

The Electoral Tribunal will be, with the exception of the disposal in section II of Article 105 of this Constitution, the maximum jurisdictional authority in electoral matters, and the special organ of the Judicial Power of the Federation in them.

For the exercise of its functions, the tribunal will function as a superior committee, as well as in regional committees, and its sessions of resolution will be public, in the terms that the law determines. It will count on the juridical and administrative personnel necessary for its adequate functioning.

The superior committee will consist of seven electoral magistrates. The president of the tribunal will be elected by the superior committee from among its members, to exercise the office for four years.

The Electoral Tribunal will resolve in definite and unimpeachable form, in the terms of this Constitution and according to what the law disposes, about:

I. Challenges in the federal elections of deputies and senators;

II. Challenges presented about the election of the President of the United Mexican States. These will only be resolved by the superior committee.

The superior committee will issue the final results of the election of the President of the United Mexican States, once it resolves, in its case, the challenges on the election brought to its attention. It will proceed to formulate the declaration of validity of the election and who is president-elect, who will be the candidate who obtained the greatest number of votes.

III. Challenges of acts and resolutions of the federal electoral authority, distinct from those in the two previous sections, which violate constitutional or legal standards;

IV. Challenges of definite acts or resolutions backed by the authorities of federated entities in electoral areas, to organize and certify the elections or resolve the controversies that arise during the elections, which may affect the respective electoral process, or the final result of the elections. This way will proceed only when the remedy sought is material and juridically possible within the time frame of the elections, and would be feasible before the constitutional or legal date fixed for the installation of the organs to be filled by the elections, or the taking of office of the officials elected to them.

V. Challenges of definite acts and resolutions that violate the electoral rights of citizens to vote, be voted for, and freely and peacefully affiliate to take part in the political affairs of the country, in the terms that this Constitution and the laws specify;

VI. Labor conflicts or differences between the tribunal and its servants;

VII. Labor conflicts between the Federal Electoral Institute and its servants;

VIII. The determination and imposition of sanctions on electoral matters, and;

IX. The others that the law specifies.

When a committee of the electoral tribunal sustains an opinion about the unconstitutionality of an act or resolution, or about the interpretation of a precept of this Constitution, and this opinion is contradictory to one sustained by the committees or the whole of the Supreme Court of Justice, any of the ministers, committees, or parts of the Supreme Court can bring the contradiction to the attention of the full Supreme Court of Justice, so the whole of the court can decide which opinion must prevail. The resolutions that it gives on this will not affect affairs already decided.

The organization of the tribunal, the areas of jurisdiction of the committees, the procedures for the resolution of the affairs of its jurisdiction, as well as the mechanisms to fix the criteria of jurisprudence obligatory in electoral matters, will be those that this Constitution and the laws determine.

The administration, vigilance, and discipline of the Electoral Tribunal, in the terms of the law, will be performed in the terms that the law specifies, by a commission of the Council of the Federal Judiciary.

This commission will have as its members the president of the Electoral Tribunal, who will preside over it, an electoral magistrate of the superior committee designated from among the members, and three members of the Council of the Federal Judiciary. The tribunal will propose its budget to the president of the Supreme Court of Justice of the Nation for its inclusion in the proposed budget of the Judicial Power of the Nation. Also, the tribunal will make its internal regulations on its adequate functioning.

The electoral magistrates who form the superior and regional committees will be selected by the vote of two thirds of the members present of the Chamber of Senators, or in its recesses by the Permanent Commission, at the proposal of the Supreme Court of Justice of the Nation. The law will specify the rules and procedures to be followed in the selection.

Article 100

The administration, vigilance, and discipline of the Judicial Power of the Federation, with the exception of the Supreme Court of Justice of the Nation, will be the responsibility of the Council of the Federal Judiciary, in the terms that, conforming to the bases that this Constitution specifies, the laws establish.

The Council will consist of seven members; of which one will be the president of the Supreme Court of Justice, who will also preside over the Council; three designated by the whole of the Court, by a majority of at least eight votes from among the circuit magistrates and district judges; two council members designated by the Senate, and one designated by the President of the Republic.

All council members must have the qualifications specified by Article 95 of this Constitution, and be persons who have been distinguished by their capability, honesty, and honor in the exercise of their activities. In the case of those designated by the Supreme Court, they must, besides, be distinguished in the area of judicial activities.

The Council will function as a Whole or in Commissions. The Whole will resolve questions about the naming, assignment of tasks, and dismissal of magistrates and judges, as well as the other affairs that the law determines.

Except for the president of the Council, council members will have their duties for five years, be replaced in a staggered fashion, and may not be named for a new period.

The council members will not represent who designates them, for they will exercise their functions with independence and impartiality. During their time in office, they may be removed only in the terms of the Fourth Title of this Constitution.

The law will establish the bases for training of officials and keeping them up to date in areas of the law, as well as for the development of the judicial career, which will be regulated by the principles of excellence, objectivity, impartiality, professionalism, and independence.

The Council will be enabled to make general rules for the adequate exercise of its functions, in conformance with what the law establishes. The Supreme Court of Justice must obtain from the Council the authority to expedite those general resolutions considered necessary to assure an adequate exercise of the federal jurisdictional function. The whole of the Court may also review, and in its case, revoke what the Council approves by a majority of at least eight votes. The law will establish the terms and procedures for the exercise of these attributes.

The decisions of the Council will be definitive and unimpeachable, and as such, there will be no judicial or any other recourse against them, except for those that relate to the designation, assignment of tasks, or dismissal of magistrates and judges. These may be reviewed by the Supreme Court of Justice, only to verify that they were made according to the rules that the respective organic law establishes.

The Supreme Court of Justice will make its own budget, and the Council will make it for the rest of the Judicial Power of the Federation, without infringement on what is given in the seventh paragraph of Article 99 of this Constitution. The budgets so made will be submitted by the president of the Supreme Court for inclusion in the bill of the Budget of Spending of the Federation. The administration of the Supreme Court will be the responsibility of its president.

Article 101

The ministers of the Supreme Court of Justice, circuit magistrates, district judges, their respective secretaries, and the members of the Council of the Federal Judiciary, as well as the magistrates of the superior committee of the Electoral Tribunal, may not, under any circumstances, accept or discharge employment or responsibilities of the Federation, states, or private parties, except unpaid duties in scientific, educational, literary, or charity associations.

The persons who have occupied the office of minister of the Supreme Court of Justice, circuit magistrate, district judge, or member of the Council of the Federal Judiciary, may not, within two years after leaving office, act as sponsors, lawyers, or representatives in any process before the organs of the Judicial Power of the Federation. During this time, the persons who have discharged duties as ministers, except those who served as provisional or interim ministers, may not occupy the offices listed in section VI of Article 95 of this Constitution.

The restrictions of this article will be applicable to judicial officials who are on leave from their offices.

The infraction of what is given in the previous paragraphs will be penalized with the loss of the respective office within the Judicial Power of the Federation, as well as the payments that he or she received from the Federation, independent of the other sanctions that the laws contain.

Article 102

A. The law will organize the Public Ministry of the Federation, of which its officials will be named and removed by the Executive, in agreement with the respective law. The Public Ministry will be presided over by an Attorney General who must have the same qualifications required to be minister of the Supreme Court of Justice.

The Public Ministry of the Federation has as its duty the prosecution, before the courts, of all federal crimes; and to obtain orders of apprehension against law breakers; seek and question them to determine their responsibility for the crimes; to conduct judicial proceedings so that they follow all regularity, the administration of justice is prompt and efficient, seek application of penalties. It will intervene in all matters that the law determines.

The Attorney General of the Republic will intervene personally in the controversies that arise among two or more States of the Union, between a State and the Federation, or among the powers of a single State. In all negotiations in which the Federation takes part, in the cases of matters of diplomats and consuls general in the foreign states to which they are accredited, and others in which the Public Ministry of the Federation should intervene, the Attorney General should handle them personally, or by means of his or her agents.

The Attorney General of the Republic, as well as his or her agents, will be responsible for any failure to observe the law, omission in observing it, or violation of it, in the exercise of their functions.

The function of juridical advisor of the government will be under the Federal Executive, which, for such effect, will establish the law.

B. The Congress of the Union and the legislatures of the States in the areas of their respective jurisdictions will establish organisms of Human Rights that will help the Mexican judicial order, that will become familiar with complaints against the acts or omissions of administrative nature provided by any authority or public servant, with the exception of those of the Judicial Power of the Federation, that violate these rights.

The organisms to which the previous paragraph refers, will formulate public recommendations, not binding, and accusations and complaints before the respective authorities.

These organisms will not be concerned with electoral, labor, and legal affairs.

The organism that the Congress of the Union establishes will be known as the National Commission of Human Rights, and will have autonomy of management and budgeting, juridical personality, and its own property.

The National Commission of Human Rights will have a Consultative Council consisting of 10 members, who will be selected by the vote of two thirds of the members of the Chamber of Senators present or in its recesses by the Permanent Commission of the Congress of the Union, by the same qualifying vote. The law will determine the procedures to follow for the presentation of nominations to the appropriate Chamber. The two members who have been on the council the longest will be replaced annually, but members may be nominated and approved for a second period.

The President of the National Commission of Human Rights, who will also be on the Consultative Council, will be selected on the same terms as the other members in the last paragraph. He or she will remain in the office for five years, may be selected for only one other term, and may only be removed from the post in terms of the Fourth Title of this Constitution.

The President of the National Commission of Human Rights will present an activity report to the powers of the Union annually. To this effect, he or she will appear before the chambers of the Congress in the terms that the law gives.

The organism will make independent public recommendations which are non-binding, and denunciations and complaints to respective authorities. This organism will not have jurisdiction in areas of electoral, labor, and legal affairs.

The National Commission of Human Rights will become acquainted with the problems presented to it with the recommendations, agreements, or omissions of the equivalent organisms in the federated entities.

Article 103

The courts of the Federation will resolve all questions that arise:

- I. About laws or acts of authority that violate individual guarantees.
- II. About laws or acts of federal authority that infringe upon or restrict the sovereignty of the States, and;
- III. About laws or acts of the States that invade the sphere of federal authority.

Article 104

It is the concern of the courts of the Federation to accept these cases:

I. About all questions of civil or criminal order that arise about the observation and application of federal laws or international treaties concluded by the Mexican State. When these questions affect private interests only, they will also be made known, at the option of the plaintiff, to the judges and courts of common order of the States and the Federal District. Judgments of first instance are appealable to the judge immediately superior to the one before which the affair first came.

I-B. Cases of appeal that come before the courts of administrative questions to which section XXIX-H of Article 73 and part C, First Base, section V, clause N) of Article 122 refer, only as the laws specify. Appeals, which will come before the Collected Circuit Tribunals, will be subject to the terms that the regulating law of articles 103 and 107 of this Constitution sets for the review of cases of indirect relief. On the resolution of these by the Collected Circuit Tribunals, there will be no legal or any other recourse.

- II. About all questions about maritime law;
- III. About all those in which the Federation takes part;
- IV. About the controversies and actions to which Article 105 refers, which will be the exclusive concern of the Supreme Court of Justice of the Nation;
- V. About those that arise among a State or one or more of its neighbors, and;
- VI. About cases concerning members of the diplomatic and consular corps.

Article 105

The Supreme Court of Justice of the Nation will get to know, in the terms that the regulating law specifies, about the following affairs:

I. Of constitutional controversies, with the exception of those about electoral matters, that arise between or among:

- A) The Federation and a State or the Federal District;
- B) The Federation and a Municipality;
- C) The Executive Power and the Congress of the Union, both or one of its Chambers, or, in its case, the Permanent Commission; as federal organs or the Federal District;
- D) A State and another;
- E) A State and the Federal District;
- F) The Federal District and a Municipality;
- G) Two Municipalities of different States;
- H) Two Powers of the same State, about the constitutionality of their acts or general dispositions;
- I) A State and one of its Municipalities, about the constitutionality of their acts or general dispositions;
- J) A State and a Municipality of another State, about the constitutionality of their acts or general dispositions;
- K) Two organs of government of the Federal District, about the constitutionality of their acts or general dispositions.

As long as the controversies may deal with general dispositions of the States or Municipalities challenged by the Federation, of the Municipalities challenged by the States, or in the cases referred to by clauses C), H), and K) above, and the resolution of the Supreme Court of Justice has declared the acts or dispositions invalid, the resolution will have effect when it has been approved by at least eight votes.

In the other cases, the resolutions of the Supreme Court of Justice will have effect only with respect to the parties in the controversy.

II. Of actions of constitutionality that may have as their object the establishment of a possible contradiction between a norm of general character and this Constitution.

The actions of unconstitutionality will be resolved upon, within thirty natural days following the publication of the norm, by:

- A) The equivalent of thirty-three percent of the members of the Chamber of Deputies of the Congress of the Union, against federal laws or those for the Federal District passed by the Congress of the Union;
- B) The equivalent of thirty-three percent of the members of the Senate, against federal laws or those for the Federal District passed by the Congress of the Union, as well as international treaties concluded by the Mexican State;
- C) The Attorney General of the Republic, against federal and state laws, or those of the Federal District, as well as international treaties concluded by the Mexican State;
- D) The equivalent of thirty-three percent of the members of a state legislative organ, against laws passed by this organ;
- E) The equivalent of thirty-three percent of the members of the Assembly of Representatives of the Federal District, against laws made by this Assembly, and;
- F) The political parties registered with the Federal Electoral Institute, by their national boards of directors, against federal or state laws; and the political parties with state registration, through their boards of directors, exclusively about laws passed by the legislative organ of the state that has granted them their registration.

The only way to establish nonconformance of electoral laws with the Constitution is by what is given in this article.

Federal and state electoral laws must be announced publically and published at least ninety days before the electoral process begins. In applying them during the electoral process, there may not be any fundamental legal modifications of them.

The resolutions of the Supreme Court of Justice may declare the invalidity of the challenged norms, only when they are approved by at least eight votes.

III. By itself or by petition of the appropriate unitary circuit tribunal, or the Attorney General of the Republic, it may get to know about cases of appeal of sentences of district judges in those cases in which the Federation took part, and in which their interest and importance merit its participation.

The declaration of invalidity of the resolutions to which sections I and II refer will not have retroactive effects, except in penal matters, in which the general principles and legal dispositions that are applicable in these matters will rule.

In case of noncompliance with the resolutions to which sections I and II of this article refer, the procedures established in the first two paragraphs of section XVI of Article 107 of this Constitution will be applied.

Article 106

Within the terms of the respective law, the Judicial Power of the Federation will have the responsibility to settle questions of jurisdiction that arise among the Courts of the Federation, among these and those of the States, between those of one State and another, and among all courts above and those of the Federal District.

Article 107

All questions that Article 103 discusses will be subject to the proceedings and forms of judicial order, that the law determines, according to the following bases:

I. Judicial relief always will follow to the aggrieved party.

II. Judgment will always be such that it only will be concerned with particular parties, limited to relief and protection in special cases for those who are making the complaint, without making a general declaration with respect to the law or act that motivates the complaint.

Judgments of relief must resolve complaints in accordance with the terms of the Regulating Law of articles 103 and 107 of this Constitution.

When communes, or concentrations of population which by right have a communal status, claim that they have been or are about to be, deprived of their property or the possession and beneficial use of their lands, waters, and grazing areas; all the questions that can benefit the mentioned entities and individuals, and the steps necessary and required to give the claimants their agrarian rights, shall be evaluated.

Cases brought by rural or urban concentrations of population, or communal farmers or dwellers, may not be dismissed for lack of procedural activity or lapsing of time, at any level. When actions that affect the collective rights of concentrations of population are taken, they will not proceed unless they are agreed to by the General Assembly or the second authority of the concentration.

III. Relief from judicial, administrative, or labor courts may be only on the following bases:

a) Against definite judgments or awards or resolutions that have as their end the judgment, where there is no ordinary recourse to modify or change; that the violation is being committed now, or that, being committed during the time of the proceeding, affects the case of the plaintiff, affecting the outcome; as long as in civil matters it is sure that the violation has been first contested by ordinary means as established by the law and treated in the second instance, if they were committed in the first. These requisites will not be required in relief against judgments that pertain to marital status, or that affect the order and stability of the family;

b) Against acts of judgment, of which their execution would call for impossible reparations, outside the area of judgment or after its conclusion, exhausting the resources of the defendant, and;

c) Against acts that affect persons from outside the area of jurisdiction.

IV. In administrative matters, cases of judicial relief will proceed against resolutions that cause injury, where there is no relief or means of legal defense. It will not be necessary to exhaust those means when the law that establishes them requires that the act in question be suspended, or greater interests than those that the regulating law of judicial relief require as a condition to decree that suspension.

V. Relief against definite judgments or awards and resolutions that are final, given that the violation was committed during the proceedings or at the same time the judgment was made, will come before the Collective Circuit Tribunal which has jurisdiction, conforming to the distribution of areas of jurisdiction that the Organic Law of the Judicial Power of the Federation establishes, in the following cases:

a) In criminal matters, against definite resolutions given by judicial courts, whether they are federal, of common order, or military;

b) In administrative matters, where particular definitive judgments and resolutions that are final, are decreed by administrative or judicial courts cannot be satisfied by some resource, judicial proceeding, or ordinary means of legal defense;

c) In civil matters, when they are definitive judgments decreed in proceedings of federal order or in mercantile proceedings, whether the authority that made the judgment is federal, state, or local, or in proceedings of common order, and;

d) In labor matters, for awards made by the federal or local Boards of Conciliation and Arbitration, or by the Federal Conciliation and Arbitration Tribunal of Workers in service to the State.

The Supreme Court of Justice, as part of its duties or upon petition made by the corresponding Collective Circuit Tribunal or the Attorney General of Republic, may hear cases of direct, judicial relief, as their interest and implications for future legal action merit.

VI. In the cases to which the previous section refers, the regulating law of articles 103 and 107 of this Constitution will specify the time and terms on what may be submitted to the Collective Circuit Tribunals, and, in its case, the Supreme Court of Justice, for them to give their respective resolutions.

VII. Relief against acts in the judicial proceedings, outside of judicial proceedings, or after the acts have been concluded, or against acts that affect persons outside of the proceedings, against laws or acts of administrative authority, will come before the judge of the district under whose jurisdiction the act in question took place or tried to take place, and its transaction will be limited to a report to the authorities, to a hearing before the parties interested in the report, where the interested parties will receive the questions, and offer and hear the claims. Judgment will be pronounced at the same hearing;

VIII. Against judgments that district judges or Unitary Circuit Tribunals pronounce in cases of relief, there will be review. Of these, the Supreme Court of Justice will hear:

a) When the petition for relief has been challenged, because it directly violates this Constitution, federal, states, or local laws, international treaties, regulations dispatched by the President of the Republic in accordance with section I of Article 89 of this Constitution and regulations of state and local law made by the governors of the States or by the Federal District where the problem of constitutionality remains;

b) In the cases understood to be under sections II and III of Article 103 of this Constitution.

The Supreme Court of Justice, upon its initiative or upon petition may be by the corresponding Collected Circuit Tribunal, or the Attorney General of the Republic may hear cases of relief in review of which their interest and implications for future legal action merit.

In the cases not foreseen in the previous paragraphs, the cases of relief will come before Collected Circuit Tribunals, and their judgments will have no recourse.

IX. The resolutions that the Collected Circuit Tribunals give in cases of direct judicial relief have no appeal, unless they decide about the unconstitutionality of a law or establish a direct interpretation of a precept of the Constitution. Such resolutions, will be brought before the Supreme Court of Justice, and conform to general standards, that may establish criteria of importance and precedent. Only on these bases will they be reviewed by the Supreme Court of Justice, which will limit the matters of appeal exclusively to decision on the questions that are properly constitutional.

X. Appealed acts are subject to suspension, in the cases and by means of the conditions and guarantees that the law determines, taking into account the nature of the alleged violation, the difficulty of repairing the damages and injuries that the aggrieved party may suffer by their execution, whether third parties were interested in the outcome, and the public interest.

The suspension will be granted with respect to definite judgments in criminal matters, by means of communication of relief, and in civil matters, by means of a bond made by the plaintiff gives to respond to the damages and injuries that such suspension may be causing.

The suspension will be without effect if the opposing party gives security to repay the costs to the state if it should grant the petition for relief, and pay for the consequent damages and injuries.

XI. The suspension will be requested before the authority responsible, when the petition for direct relief is brought before the Collected Circuit Courts, and the appropriate authority will make a decision in the matter. In all cases, the aggrieved party must present the petition for relief before the proper responsible authority, accompanied by copies of the petition for the other parties in the case, including the Public Ministry, and one for the judicial records. In other cases, the petition for suspension will be brought before and resolved by the district judges or the unitary circuit tribunals.

XII. Violations of the guarantees of Article 16, and in criminal matters, articles 19 and 20, are to be brought before the court that committed them, or before the appropriate district judge or unitary circuit tribunal. The resolutions made one way or the other may be appealed, in the terms prescribed by section VIII.

If the district judge or unitary circuit tribunal does not reside in the same place where the responsible authority resides, the law will determine the judge before whom the writ of relief must be presented. This judge has the power to suspend the appealed act provisionally, in the cases and terms that the law establishes.

XIII. When the Collected Circuit Tribunals render opinions contradictory to the lower courts in petitions for relief in matters of their jurisdiction, the ministers of the Supreme Court of Justice, the Attorney General of the Republic, the courts mentioned, or the parties that intervened in the proceedings where their cases were sustained, may disagree with the contradiction before the appropriate Committee of the Supreme Court, to have it decide which opinion should prevail as jurisprudence.

When the Committees of the Supreme Court of Justice have given contradictory opinions in judicial matters in the appropriate areas, any of those Committees, the Attorney General of the Republic, or any of the parties who intervened in the cases in which these opinions were sustained, may disagree with the contradiction before the Supreme Court of Justice. The Supreme Court, functioning as a Whole, will decide which opinion must prevail.

The resolution that the Committees or the Whole of the Supreme Court pronounces, will only have the effect of the fixing the jurisprudence, and will not affect the concrete judicial situations decreed in the proceedings where the contradictions had occurred.

XIV. Except as given in the last paragraph of section II of this article, the case of relief will be dismissed or declared to have lapsed because of inactivity by the plaintiff or the appellant, respectively, when the act appealed was of civil or administrative order, in the cases and terms that the regulating law states. The status of inactivity of the case will determine the judgment of its appeal.

XV. The Attorney General of the Republic or the designated agent of the Federal Public Ministry will be a party in all proceedings of the relief, but the Attorney General or the agent may decline to intervene in those proceedings, which, in their judgment, lack public interest.

XVI. If, in case relief is granted, the authority responsible insists on the repetition of the appealed act or tries to elude the sentence of the federal authority, and the Supreme Court of Justice deems that the noncompliance is inexcusable, he or she will be immediately separated from his or her duties, and brought before the appropriate judge. If it was excusable, with a previous declaration of noncompliance or repetition, the Supreme Court will require sufficient time for the authority to comply with the judgment. If the authority does not comply with the judgment within the time granted, the Supreme Court of Justice will proceed in the terms first specified.

When the nature of the act permits, the Supreme Court of Justice, once it has determined noncompliance or repetition, may decide on its own to require compliance with the judgments of relief, when noncompliance seriously affects society or third parties in a greater proportion than the economic benefits that the complainant could obtain. Equally, the complainant may apply before the appropriate organ to force compliance with the judgment of relief, as long as the nature of the act permits it.

XVII. The responsible authority will be remanded to the appropriate judicial authority when he or she does not suspend the appealed act when he or she is supposed to do so, and when any bond that results is proven to be illusory or insufficient, being in the last two cases, solid proof of the civil responsibility of the authority with which he or she offered the bond, and of which the authority gave it.

XVIII. (Repealed).

Fourth Title

Of the Responsibilities of Public Servants

Article 108

For the purposes of stating the responsibilities to which this Title refers, popularly elected representatives, members of the Federal Judicial and Federal District Judicial powers, officials and employees, and, in general, all persons who discharge employment, duties, or commissions of any nature in the Federal or Federal District Public Administration, will be responsible for the acts or omissions that they commit in the discharge of their respective functions.

The President of the Republic, during the time of his or her office, may be accused only of treason to the country, and serious crimes of common order.

Governors of the States, Deputies of the State Legislatures, and Magistrates of State Superior Tribunals of Justice, and, in their case, the members of councils of the state judiciary, will be responsible for violations of this Constitution and federal laws, as well as for the improper handling of federal funds and resources.

The constitutions of the states of the Republic will define, in the same terms as the first paragraph of this article, and for the purposes of their responsibilities, the character of public servants who discharge employment, duties, or commissions in the States and the Municipalities.

Article 109

The Congress of the Union and the Legislatures of the States, within the limits of their respective jurisdictions, will make laws of responsibilities of public servants, and other standards for which they may be held accountable, having this nature, specifying their liabilities, in conformance with the following considerations:

I. They will impose, by means of political judgment, the penalties indicated in Article 110 on the public servants designated therein, when in the exercise of their functions the servants have committed acts or omissions that are to their advantage, to the detriment of the fundamental public interest, or to their own best interest.

Political judgment cannot take place for the mere expression of ideas.

II. The commission of crimes on the part of any public servant will be prosecuted, and penalties given in the terms of penal legislation, and:

III. Administrative penalties will be applied to public servants for acts and omissions that go against the legality, honor, loyalty, impartiality, and efficiency that should be observed in the discharge of their employment, duties, or commissions.

Procedures for the application of the penalties mentioned will be developed independently. Penalties may not be imposed twice for a single violation of the same nature.

The laws will determine the cases and circumstances under which public servants should be criminally penalized for the cause of illicit enrichment during the time of their duties, or for motives of their own, for themselves, or for any other person, when they substantially increase their wealth, acquire goods, or use goods as their owners, when there is no legal justification to do so. The penal laws will include the penalties of confiscation and seizure of these goods, besides other appropriate penalties.

Any citizen, under his or her most strict responsibility, and by means of presentation of elements of proof, may make an accusation before the Chamber of Deputies of the Congress of the Union with respect to the conduct to which this article refers.

Article 110

The following may be subject to political judgment: the Senators and Deputies of the Congress of the Union, the Ministers of the Supreme Court of Justice of the Nation, the Members of the Council of the Federal Judiciary, the Secretaries of Dispatch, the Heads of Administrative Departments, Representatives of the Assembly of the Federal District, the Head of Government of the Federal District, the Attorney General of the Republic, the Attorney General of Justice of the Federal District, Circuit Magistrates and District Judges, the Magistrates and Judges of Common Law of the Federal District; the Members of the Council of the Judiciary of the Federal District; the council president,

council members, and the executive secretary of the Federal Electoral Institute; the magistrates of the Electoral Tribunal, the Directors General or their equivalents of decentralized organizations, enterprises of state participation, societies and associations assimilated into these, and public trusts.

The governors of the states, state deputies, and magistrates of State Superior Tribunals of Justice, and, in their case, the members of the councils of state judiciaries, may be subject to political judgment in the terms of this Title only for serious violations of this Constitution and the federal laws that come from it, as well as for the improper handling of federal funds and resources, but in this case, the resolution shall be only declarative, and it will be communicated to the state legislatures to treat the resolution according to their procedures.

The penalties will consist of the loss of status of public servant, and leave the penalized person unable to discharge any function, employment, duty, or commission of any nature in the public service.

For the application of penalties to which this precept refers, the Chamber of Deputies will proceed with the respective accusation before the Chamber of Senators, which declaration will have been made by the majority of the members present in session of the Chamber of Deputies, after having conducted the proceeding and hearing the accused.

The accusation will come before the Chamber of Senators, which, sitting as a court of judgment, will apply the appropriate penalty by resolution of two thirds of the members present in session, with all appropriate care, and after hearing the accused.

The declarations and resolutions of the chambers of Deputies and Senators are unimpeachable.

Article 111

To proceed criminally against the deputies and senators of the Congress of the Union, the ministers of the Supreme Court of Justice of the Nation, the magistrates of the Superior Committee of the Electoral Tribunal, the Secretaries of Dispatch, the Heads of Administrative Departments, the Representatives of the Assembly of the Federal District, the Head of Government of the Federal District, the Attorney General of the Republic and the Attorney General of Justice of the Federal District, as well as the president and members of the General Council of the Federal Electoral Institute, for the commission of crimes during the time of their office, the Chamber of Deputies will declare by majority of its members present in session, whether there are or are not grounds to proceed against the accused.

If the resolution of the Chamber is negative, all further proceedings will be suspended, but that will not be an obstacle for the accused to be charged with the crime after he or she has left office, for the same does not change the foundation of the charge.

For what pertains to the President of the Republic, the accusation must only be brought before the Chamber of Senators in the terms of Article 110. In this case, the Chamber of Senators will resolve it with the base of the applicable penal legislation.

To be able to proceed criminally for federal crimes against the governors of the states, state deputies, and magistrates of the Superior Tribunals of Justice of the States, the same procedures established in this article will be followed, but, in this case, the declaration of justification will have the effect of communicating to the state legislatures, who will deal with it according to their procedures.

The declarations and resolutions of the chambers of Deputies and Senators are unimpeachable.

The effect of the declaration against the accused will be loss of office, and make him or her subject to the penal process. If the judgment was guilty, and it was for a crime committed during the exercise of the office, the person convicted will not be granted pardon.

In proceedings of civil order that are brought against any public servant, a declaration of justification is not required.

Penal sanctions will be applied according to what is given in the penal legislation, and trial will be for crimes from which the author obtains an economic benefit or causes economic damage or injury. The sanctions must be in agreement with the profit obtained, and with necessity of satisfying the damages and injuries caused by the illicit conduct.

Economic sanctions may not exceed three times the benefits obtained, or the damages or injuries caused.

Article 112

A declaration of justification of the Chamber of Deputies is not required when a public servant, to whom the first paragraph of Article 111 makes reference, commits a crime during the time when he or she was out of office.

If the public servant has returned to discharge his or her functions, or has been named or elected to another post covered by Article 111, the proceedings will be according to what is given in that precept.

Article 113

The laws about administrative responsibilities will determine the obligations of public servants, with the end of safekeeping legality, honor, loyalty, impartiality, and efficiency in the discharge of their functions, employment, duties, and commissions. Also, the laws will determine the penalties applicable for criminal acts or omissions that they may commit in the course of these, as well as the procedures and authorities that apply. Those penalties will consist of suspension, dismissal, and disqualification, as well as economic sanctions, and must be set in agreement with the economic benefits obtained by the responsible person, and with the economic injuries and damages caused by their acts or omissions to which section III of Article 109 refers, but they may not exceed three times the benefits obtained or of the damages and injuries caused.

Article 114

The procedure of political judgment may be initiated only during the period in which the public servant is in office, and within a year afterwards. The corresponding penalties shall be applied within a period no greater than a year after the procedure is initiated.

The responsibility for crimes committed during the time of duty by any public servant will be required to be in agreement with the terms of principle given in the criminal law, which never will be less than three years. The terms of principle are interrupted when a public servant discharges one of the duties to which Article 111 refers.

The law will specify the cases of principle of administrative responsibility, taking into account the nature and consequences of the acts and omissions to which section III of Article 109 makes reference. When these acts or omissions are serious, the terms of principle will not be less than three years.

Fifth Title

Of the States of the Federation and the Federal District

Article 115

The states will adopt for their internal rule, the republican form of government, representative, popular, having as the basis of their territorial division and of their political and administrative organizations, free Municipalities, conforming to the following bases:

I. Each Municipality will be administered by a council of direct popular election, consisting of a municipal president and the number of officers and members that the law determines. The jurisdiction that this Constitution grants to the municipal government will be exercised in an exclusive manner, and there will be no intermediate authority between it and the government of the State.

Municipal presidents, council members, and trustees of municipal governments, elected popularly by direct election, may not be re-elected for the immediately succeeding term. Persons who by indirect election, or by naming or designation of some authority, discharge the functions of these offices, may not be elected for the immediately succeeding term. All of the officials mentioned above, when they have the character of primary officials, may not be elected for the immediately succeeding term with the character of alternates, but those who have the character of alternates can be elected for the immediately succeeding term as primary officials, to the same offices.

The state legislatures, by agreement of two thirds of their members, may suspend municipal governments, declare that these have been dissolved, and suspend or revoke the office of any of their members for those serious causes that state law foresees, as long as, and when their members have had sufficient opportunity to answer the questions and make the arguments about what they are being brought to judgment.

Members leaving office will be substituted for by their alternates, or the succession will take place according to what the law disposes.

In case a council has been declared dissolved, or because of the resignation or death of the majority of its members, and if, conforming to the law, the alternates do not enter into their functions, and there are no new elections, the legislatures will name people to the municipal councils from among the neighbors to conclude the respective terms. The number of these members will be what the law determines, and who fulfills the requirements for eligibility will be determined by the officers.

II. Municipalities will have juridical personality, and will handle their belongings according to law.

Councils will have powers to approve, according to regulations that legislatures of the states have established, the orders of police and good government, and the regulations, circulars, and administrative dispositions of general observance within their respective jurisdictions, that organize the public municipal administration, regulate the matters, procedures, functions, and public services that are their responsibility, and assure citizen and neighborhood participation.

The object of the laws to which the previous paragraph refers is to establish:

- a) The general bases of municipal public administration and administrative procedure, including the means of challenge and the organs to settle the controversies which may arise between the administration and private parties, subject to the principles of equality, public notice, hearing, and legality;
- b) The cases in which the agreement of two thirds of the members of the councils to make resolutions affecting acts or contracts that will commit the municipality for a longer period than that of the council will be required;
- c) The standards of general application to make contracts to which sections III and IV of this article refer, as well as the second paragraph of Article 116 of this Constitution;
- d) The procedure and conditions for the state government to assume a municipal function or service, when, in the absence of the corresponding compact, the state legislature may consider that it is impossible for the municipality to exercise the function or perform the service; in this case, it will be necessary for the council to apply to the state, by a vote of two thirds of its members, and;
- e) The dispositions applicable in those municipalities without edicts or corresponding regulations.

The state legislatures will make the standards by means of which conflicts which arise between municipalities and the state government, or among themselves, because of acts originated by the clauses c) and d).

III. The municipalities, with the concurrence of the States when it is determined necessary and as the laws determine, have responsibility for the following public services:

- a) Drinking water, drainage, sewage, and treatment of their waste water;
- b) Street lighting;
- c) Cleaning, collection, transfer, treatment, and final disposal of wastes;
- d) Markets and supply centers;
- e) Cemeteries;
- f) Public walkways;
- g) Streets, parks, and gardens;
- h) Public security, in the terms of Article 21 of this Constitution, municipal preventive policing, transit, and;
- i) Those other areas that the state legislatures determine, according to the territorial and socioeconomic conditions of the municipalities, as well as their administrative and financial capacity.

Without infringement on their constitutional areas of jurisdiction, in the discharge of functions or the giving of services which are their responsibility, municipalities will observe federal and state laws.

Municipalities of the same state, with previous agreement among their governments, and subject to the law, may coordinate and associate with each other to give the most efficient public services or the best exercise of functions that correspond to them. In this case, and those relating to the association of municipalities of two or more states, they must obtain the approval of the legislatures of the respective states. At the same time, when it is necessary in the judgment of the respective council, they may conclude compacts with the State by which they, in direct manner or by means of a corresponding organism, they will be in charge of some of these, or these will be given or exercised in coordination by both the State and the municipality;

IV. Municipalities will freely administer their finances, which will be formed from the parts of the goods that belong to them, as well as fees and other revenue that the legislatures establish for them to have in their favor, and in all cases:

a) They will receive contributions, including for additional valuation, that the states establish for real property, of its sectioning, division, consolidation, transfer, and improvement, as well as for those things which change the value of real property.

Municipalities may make compacts with their states about the responsibilities related to the administration of these contributions.

b) They will receive federal contributions, which will be made by the Federation to municipalities in agreement with the bases, totals, and terms to be determined annually by the states.

c) They will receive revenue derived from the giving of public services that are their responsibility.

Federal laws will not limit the power of the states to establish the contributions to which bases a) and c) refer, and they will not give exemptions for these contributions. State laws will not establish exemptions or subsidies with respect to the mentioned contributions, in favor of any person or institution. Only the goods of the public domain of the Federation, the states, or of municipalities will be exempt from these fees, except when these goods are used by state entities or private parties, under any Title, for administrative ends, or ends distinct from their public object.

The councils, in the area of their jurisdictions, will propose budgets to the state legislatures that list the payments and price applicable to taxes, licenses, building permits, and the tables of per-unit values of land and construction which serve as the base for taxes on real property.

The legislatures of the states will approve the budgets of their municipal governments, and review their public accounts. How they will spend the money will be approved by the municipal governments, on the basis of their available earnings.

V. Municipalities, in the terms of the relevant state and federal laws, are entitled to:

a) Formulate, approve, and administer zoning and plans for municipal urban development;

b) Participate in the creation and administration of their territorial reserves;

c) Participate in the formation of plans of regional development, which must be in agreement with the general plans on the matters. When the Federation or the states make projects of regional development, they must assure the participation of municipalities.

d) Authorize, control, and watch over land use, in the area of their jurisdiction, in their territory;

e) Intervene in the proper use of urban land;

f) Grant licenses and permits for construction;

g) Participate in the creation and administration and creation of zones of ecological reserves, and in the making and application of cleanup programs in these areas;

h) Intervene in the formulation and application of programs of public passenger transit, when these affect their territorial area, and;

i) Conclude compacts for the administration and custody of federal zones.

In conducting these, and conforming with the ends specified in the third paragraph of Article 27 of this Constitution, they will make the regulations and administrative dispositions that were found to be necessary.

VI. When two or more urban centers situated in municipal territories of two or more federated entities form, or tend to form, a continuous area of population, the Federation, the federated entities, and the respective municipalities, within the limits of their jurisdictions, will plan and regulate the development of these centers in a joint and coordinated manner, following federal law on the matters.

VII. The municipal preventive police will be at the command of the municipal president, in terms of the corresponding regulation. The police will follow the orders of the governor of the State, in those cases where he or she judges that it needs extra force, or that there is a serious disturbance of the public order.

VIII. The laws of the states will introduce the principle of proportional representation in the election of the councils of all municipalities.

Labor relations between municipalities and their workers will be regulated by the laws which the legislatures of the states make with the basis given in Article 123 of this Constitution, and their regulatory dispositions.

IX. (Repealed);

X. (Repealed).

Article 116

The exercise of the public power of the states will be divided into Executive, Legislative, and Judicial, and no two or more of these powers may reside in a single person or corporation.

The Legislative Power may not lie in a single individual.

The powers of the States will be organized according to their constitutions, subject to the following standards:

I. The governors of the States may not remain in their offices more than six years.

The elections of the Governors of the States and of the State Legislatures will be direct, and in the terms that the respective electoral laws give.

The Governors of the States, whether they took office by popular election, ordinary or extraordinary, in no case and for no reason can return to occupy the office, in the character of interim, provisional, substitute, or acting Governor.

These persons may never be elected for the immediately succeeding term:

a) The substitute constitutional Governor, or the person designated to conclude the term in case of the vacancy of the office of Governor, when he or she has been distinctly named so;

b) The interim Governor, the provisional Governor, or the citizen who under any denomination, takes the place of the Governor temporarily, if he or she has discharged the duties of Governor in the last two years of the term.

Only a Mexican citizen by birth and native of the country, or with effective residence no less than five years immediately before the day of the election, may be the constitutional governor of a state.

II. The number of representatives in the legislatures of the states will be proportional to the number of residents of each one, but, in all cases; there may not be less than seven deputies in states which have a population that has not reached 400,000 inhabitants; nine, in those where the population has exceeded this number but has not reached 800,000 inhabitants; and eleven in the states where the states is 800,000 or greater.

Deputies of the legislatures of the states may not be elected for the immediately succeeding term.

Alternate deputies may elected for the immediately succeeding term with the character of primary deputy, as long as they have not been in the exercise of the office, but primary deputies may not be elected for the immediately succeeding term with the character of alternates.

The states will choose their legislatures through both the principle of plurality vote and the principle of proportional representation, in the terms that the laws specify.

III. The Judicial Power of the states will be exercised by courts that their respective constitutions establish.

The independence of magistrates and judges in the exercise of their function must be guaranteed by the constitutions and Organic Laws of the states. These will establish the conditions for the pay, formation, and tenure of those who serve the Judicial Powers of the states.

Magistrates of the State Judicial Powers must fulfill the requisites specified by sections I to V of Article 95 of this Constitution. Persons who have occupied the offices of secretary or equivalent, state attorneys general or deputies in their respective states, may not be state magistrates for one year after they have left the offices.

Nominations of magistrates and judges who make up the State Judicial Powers will be made preferably from those persons who have given their services with efficiency and probity in the administration of justice, or who merit it for their honor, competence, and previous experience in other branches of the legal profession.

Judges of the first instance, and those with any other Title that the states create, will be named by the Superior Tribunal or by the Supreme Tribunal of Justice of each state.

Magistrates will last in the exercises of their duties for the time that the State Constitutions specify, may be selected again, and be secure in their posts for as long as they wish in the terms that the Constitutions and Laws of Responsibility of Public Servants of the States determine.

Magistrates and judges will receive adequate compensation, that cannot be taken from them, which cannot be reduced during the times of their duties.

IV. The constitutions and laws of the states in electoral matters will guarantee that:

A) The elections of the governors of the state, the members of state legislatures and municipalities will take place by means of universal, free, secret, and direct suffrage.

B) In the exercise of the electoral function at the charge of the electoral authorities, guiding principles will be those of legality, impartiality, objectivity, certainty, and independence.

C) The authorities who may have at their charge the organization of elections, and the jurisdiction to resolve controversies in electoral matters, will enjoy autonomy in their functioning and independence in their decisions.

D) A system of means of challenge for all electoral acts and resolutions will be established, that invariably will make them subject to the challenge of legality.

E) Time limits for the challenge of all electoral acts and resolutions will be fixed, taking into account the principle of definitivity in setting the stages of electoral processes.

F) In accord with what is available in the budget, political parties will receive, in equitable form, public financing for their sustenance, and on support for their activities related to the obtaining of votes.

G) There will be favorable conditions of equity for access of political parties to the means of social communication.

H) Criteria for determining the limits of distributions to political parties for their electoral campaigns will be fixed. In addition, the maximum amounts of contributions that they may receive from their sympathizers will be fixed. Also, there will be control and vigilance over their origin, and use of all resources that political parties will receive. At the same time, sanctions for noncompliance with the dispositions in these matters will be established.

I) Crimes will be classified, and omissions will be determined, in electoral matters, as well as the sanctions that may be imposed for these.

V. The constitutions and laws of the States may institute courts of administrative questions, given full autonomy in making their rulings, that have as their responsibility to settle the controversies that arise between the state public administrations and private parties. They will establish the standards for their organization, their functioning, their procedures, and the recourses against their resolution.

VI. Labor relations between the States and their workers will be regulated by the laws that the legislatures of the States pass, based on what is disposed in Article 123 of the Political Constitution of the United Mexican States and its regulatory dispositions.

VII. The Federation and the States, in the terms of law, may agree among them what parts of the exercise of their functions, the exercise and operation of public works, and the giving of public services, each may make, when economic and social development make it necessary.

The States will be enabled to make compacts with their municipalities, with the effect of having them assume the giving of the services or the attention to the functions to which the first paragraph refers.

Article 117

The States may in no case:

I. Conclude alliances or treaties, or join in a coalition, with any other State, or with foreign powers;

II. (Repealed);

III. Coin money, issue paper money, stamps, or stamped paper;

- IV. Impede the transit of persons or objects that cross their territory;
- V. Prohibit or impede, directly or indirectly, entry to their territory, or exit from it, of any national or foreign goods;
- VI. Impede the circulation, or the consumption of domestic or foreign goods, require inspection or registration of commercial packages, or require documentation to accompany the merchandise, which has the effect of establishing state customs;
- VII. Make or maintain in force laws or fiscal dispositions that make distinction of taxes or requirements by reason of origin among domestic or foreign goods, except to establish the differences with respect to similarly produce goods of the state or local area to mark goods as having a distinct origin;
- VIII. Contract directly or indirectly obligations or loans with other nations, with foreign corporations or individuals, when they must pay in foreign currency or make payment outside the national territory. The states and municipalities may not contract such obligations or loans, except when they are destined for productive foreign investments. Their decentralized organizations and public enterprises are included in this prohibition. Exceptions will conform to the bases that the legislature establishes in a law, and for the provisions and up to the amounts that the same laws annually fix in the budgets. The executives will report on these in giving their public accounts.
- IX. Impede the production, storage, or sale of tobacco on bulk, in distinct forms, with fees greater than those that the Congress of the Union authorizes.
The Congress of the Union and the legislatures of the states will immediately make laws to combat alcoholism.

Article 118

Neither may they without the consent of the Congress of the Union:

- I. Establish tonnage rights, or any other of ports, or impose fees or charges for imports or exports;
- II. Have, at any time, permanent troops or warships;
- III. Make war by themselves on any foreign power, except for cases of invasion and danger so imminent that they cannot delay. In these cases, they will give an immediate account to the President of the Republic.

Article 119

The Powers of the Union have the duty to protect the States against all foreign invasion or violence. In every case of internal uprising or unrest, they will give them protection, as long as they are called for by the legislature of the State, or by its Executive if the legislature is not in session. Each State and the Federal District is obligated to deliver without delay those suspected, processed, or sentenced, as well as practice the securing and delivering of objects, instruments, or products of crime, assisting the authority of any of the federated entities that requires them. These obligations will be practiced, with the intervention of the respective Attorney General's Offices in the terms of the compacts of collaboration, that, for this effect, the federated entities will conclude. For the same ends, the states and the Federal District may conclude compacts of collaboration with the Federal Government which will work through the Attorney General's Office of the Republic.

Requests for extradition that a foreign State requires will be transmitted by the Federal Executive, with the intervention of the judicial authority in the terms of this Constitution, the international treaties in force, and the regulating laws. In those cases, the writ of the judge that commands compliance with the requests will be enough to cause the person requested to be detained for sixty natural days.

Article 120

The governors of the States are obligated to publish and enforce federal laws.

Article 121

Each state of the Federation will give full faith and credit to the public acts, registrations, and judicial proceedings of all others. The Congress of the Union, by means of general laws, will prescribe the manner of testing these acts, registrations, and proceedings, and their effect, subject to the following bases:

- I. The laws of the State only have effect in its own territory, and, as a consequence, they have no effect outside of it;
- II. Personal and real property will be governed by the law of the place where it is located;
- III. Judgments pronounced by the courts of a State about property rights or real goods located in another State, will have force in the State of judgment only with respect to its own laws. Judgments about personal rights will have effect in another State only when the person judged has expressly agreed to submit to the judgment, or by reason of residence, to the justice that they pronounced, and as long as the judged person has been summoned personally to participate in the judgment.
- IV. Acts pertaining to marital status made by the laws of one State will have validity in the others, and;
- V. Professional Titles granted by the authority of one State, subject to its laws, will be respected in all others.

Article 122

As Article 44 of this document defines the juridical nature of the Federal District, its government will be in the charge of the Federal Powers and the executive, legislative, and judicial organs of local level, in terms of this article.

Local authorities of the Federal District are the Legislative Assembly, the Head of Government of the Federal District, and the Superior Tribunal of Justice.

The Legislative Assembly of the Federal District will consist of a number of elected deputies, chosen according to the principles of plurality vote and proportional representation by means of the system of lists voted on in one multiple electoral area, that this Constitution and the Statute of Government specify.

The Head of Government of the Federal District will be in charge of the executive and public administration in the entity, and will be one person, elected by universal, free, direct, and secret vote.

The Superior Tribunal of Justice and the Council of the Judiciary, with the other organs that the Statute of Government establishes, will exercise the judicial function of common order in the Federal District.

The distribution of areas of jurisdiction among the Powers of the Union and the local authorities of the Federal District will be subject to the following dispositions:

A. The Congress of the Union has the power to:

- I. Legislate on what is relative to the Federal District, with the exception of matters expressly the responsibility of the Legislative Assembly;
- II. Make the Statute of Government of the Federal District;
- III. Legislate on matters of the public debt of the Federal District;
- IV. Make the general dispositions that will assure the proper, opportune, and efficient functioning of the Powers of the Union, and;
- V. Legislate on the other attributions that this Constitution gives to it.

B. The President of the United Mexican States has the power to:

- I. Introduce laws before the Congress of the Union relative to the Federal District;
- II. Propose to the Senate who should take the post, in case of dismissal of the Head of Government of the Federal District;
- III. Send annually to the Congress of the Union, the proposal of the amounts of indebtedness necessary for the financing of the Budget of Spending of the Federal District. For this effect, the Head of Government of the Federal District will submit the corresponding proposal to the consideration of the President of the Republic, in the terms that the law specifies.

IV. Provide in the administrative sphere for the exact observance of the laws that the Congress of the Union makes with respect to the Federal District, and;

V. The other attributes that this Constitution, the Statute of Government, and the laws specify.

C. The Statute of Government of the Legislative Assembly will be subject to the following bases:

First Base - With respect to the Legislative Assembly:

I. The deputies of the Legislative Assembly will be elected every three years by universal, free, direct, and secret vote in the terms that the law disposes, which must take into account the organization of elections, the granting of certificates of election, and the means of challenge in electoral matters, as given in articles 41, 60, and 99 of this Constitution.

II. The qualifications to be deputy of the Assembly will not be less than those to be a federal deputy. The matters applicable to the Legislative Assembly with respect to its members, will be compatible with the dispositions contained in articles 51, 59, 61, 62, 64, and section IV of Article 77 of this Constitution.

III. To the political party that obtains the most seats by plurality vote, and at least thirty percent of the vote in the Federal District, will be assigned by proportional representation enough deputies to have the majority of the Assembly.

IV. The Assembly will establish the dates for the holding of two ordinary periods of sessions per year, and the members and attributes of the internal organ of government that will act for it during its recesses. The calling of it to extraordinary sessions will be the power of this internal organ upon petition of the majority of its members or the Head of Government of the Federal District.

V. The Legislative Assembly, in the terms of the Statute of Government, will have the following powers:

A) To make its organic law, which will be sent to the Head of Government of the Federal District for the sole purpose of ordering its publication;

B) Examine, discuss, and approve annually the budget of spending and the law of income of the Federal District, approving first the contributions necessary to cover the budget.

The law of income may not incorporate amounts of indebtedness superior to what the Congress of the Union has specified for the financing of the budget of spending for the Federal District.

The power to initiate the law of income and the budget of spending lies exclusively with the Head of Government of the Federal District. The term for its presentation concludes each November 30, with the exception of the years when an ordinary election of the Head of Government of the Federal District takes place, in which case the limiting date will be the 20th of December.

The Legislative Assembly will formulate its budget bill annually, and it will send it at an opportune time to the Head of Government of the Federal District to include in the introduction of the budget bill.

What will be applicable to the public treasury of the Federal District, in what is not incompatible with its nature and its organic rules of government, are the dispositions contained in the second paragraph of clause c) of section IV of Article 115 of this Constitution.

C) Review the public account of the year before, through the main accounting department of the treasury of the Legislative Assembly, according to the criteria established in section IV of Article 74, in what is applicable.

The public account of the previous year must be sent to the Legislative Assembly within the first ten days of the month of June. This term, as well as what is established for the presentation of the initiatives of the law of income and the bill of the budget of spending, may be extended only when the executive of the Federal District justifies it sufficiently to the Assembly.

D) Name who must substitute, in case of vacancy of the office of Head of Government of the Federal District;

E) Make the legal dispositions to organize the public treasury, the main accounting office and the budget, the accountability, and the public spending of the Federal District;

F) Make the dispositions that govern the local elections in the Federal District, subject to the bases that the Statute of Government establishes. These will take into account the principles established in the clauses B) through I) of section IV of Article 116 of this Constitution. In these elections, only political parties with national registration may participate.

G) Legislative in matters of public local administration, its internal rules and administrative procedures;

- H) Legislate on civil and criminal matters, establish standards for the organization to protect human rights, on citizen participation, on the public defender's office, on notary service and public registration of property and commerce;
- I) Establish standards for civil protection, redress about faults of policing, and good government; security services given by private enterprises, crime prevention and social readaptation, public health and social services, and social planning;
- J) Legislate in matters of planning and development, in urban development, particularly in land use; preservation of the environment and ecological protection; housing, construction, and building maintenance; public roads and streets, transit, and parking; acquisitions and public works; and on the exploitation, use, and enjoyment of the goods that belong to the Federal District;
- K) Regulate the giving and concession of public services, legislate about urban transport services, cleaning, tourism and lodging services, markets, second-hand stores and supply centers, and cemeteries;
- L) Make standards about economic promotion and employment protection, agricultural business development, mercantile establishments, animal protection, public events; civic, cultural, and sports promotion; and the social function of education in the terms of section VIII of Article 3 of this Constitution;
- M) Make the organic law of the courts charged with the judicial function of the common order of the Federal District, which will include what is relative to the responsibilities of the public servants of these organs;
- N) Make the organic law of the Court of Administrative Questions for the Federal District;
- N-1) Present initiatives of laws or decrees on matters relative to the Federal District before the Congress of the Union, and;
- O) The others that this Constitution expressly confers upon it.

Second Base - With respect to the Head of Government of the Federal District:

I. He or she will exercise the office, which will last six years, beginning on the 5th day of December of the year of the election, which will take place conforming to what the electoral legislation establishes. To be Head of Government of the Federal District, one must satisfy the requirements that the Statute of Government establishes, among which the head must be Mexican by birth in full exercise of his or her rights, with an effective residence of three years immediately before the day of the election if he or she is from the Federal District, or five uninterrupted years for those born in another entity; to be at least thirty years of age on the day of the election, and not having discharged previously the office of Head of Government of the Federal District with any character. Residence is not interrupted by the discharge of public duties of the Federation in another territorial area.

For the case of dismissal of the Head of Government of the Federal District, the Senate will name, at the proposal of the President of the Republic, a substitute to complete the term. In case of temporary vacancy, the public servant that the Statute of Government specifies will fill the vacancy. In case of permanent vacancy, by resignation or any other cause, the Legislative Assembly will designate a substitute to conclude the term. The resignation of the Head of Government of the Federal District may be accepted only for serious causes. Leaves from the office will be regulated by this same statute.

II. The Head of Government of the Federal District will have the following powers and obligations:

- A) Execute and enforce the laws relative to the Federal District that the Congress of the Union makes, in the sphere of jurisdiction of the executive organ at his or her charge, or its dependencies;
- B) Promulgate, establish, and execute the laws that the Legislative Assembly makes, providing for their exact observance in the administrative sphere, by means of the issuing of regulations, decrees, and accords. At the same time, it may make observations about the laws that the Assembly sends it for its promulgation, in a term no greater than ten working days. If the bill that received observations is confirmed by a majority of two thirds of the deputies present, it must be promulgated by the Head of Government of the Federal District.
- C) Present initiatives of laws or decrees before the Legislative Assembly;
- D) Name and remove freely the public servants of the district executive organ, whose designation or removal was not foreseen in distinct manner by this Constitution or the corresponding laws;
- E) Exercise the functions of direction of the services of public security, conforming with the Statute of Government, and;
- F) The others that this Constitution, the Statute of Government, and the laws confer on him or her.

Third Base - With respect to the organization of the local public administration in the Federal District:

I. The general lines of responsibility among central, deconcentrated, and decentralized organs will be determined.

II. The political-administrative authorities in each one of the territorial demarcations into which the Federal District will be divided, will be established.

At this time, the criteria to implement the territorial division of the Federal District will be fixed. The responsibilities of the corresponding political-administrative organs, their form, their functioning, as well as their relations with the Head of Government of the Federal District, will be set.

The leaders of the political-administrative organs will be elected, in universal, free, secret, and direct form, according to what the law determines.

Fourth Base - With respect to the Superior Tribunal of Justice and the other judicial organs of common order:

I. To be magistrate of the Superior Tribunal of Justice, one must meet the same requirements that this Constitution states for the ministers of the Supreme Court of Justice; besides, it will be required that magistrates will have been distinguished in the professional exercise of the legal profession or in the judicial branch, preferably in the Federal District. The Superior Tribunal of Justice will consist of the number of magistrates that the respective organic laws will specify.

To cover the vacancies of magistrates of the Superior Tribunal of Justice, the Head of Government of the Federal District will submit the respective proposal to the decision of the Legislative Assembly. Magistrates will exercise the duties for six years and must be approved by the Assembly; and if they were, they will be secure in their posts in the terms of the Fourth Title of this Constitution.

II. The administration, vigilance, and discipline of the Superior Tribunal of Justice, the lower courts, and other judicial organs will be the responsibility of the Council of the Judiciary of the Federal District. The Council of the Judiciary will have seven members, one of whom will be the president of the Superior Tribunal of Justice, who will also preside over the Council. The other members will be: a magistrate, a judge of first instance and a justice of the peace, selected from among the members; one designated by the Head of Government of the Federal District, and two others named by the Legislative Assembly. All the council members must fulfill the same requirements as to be a magistrate and will last five years in their duties, will be replaced in a staggered manner, and may not be named for a new period.

The Council will designate the judges of first instance and those of other denominations that may be created in the Federal District, in the terms that the dispositions in matters of the judicial career foresee.

III. The responsibilities and standards of functioning of the Council of the Judiciary will be determined by taking into account the disposal of Article 100 of this Constitution.

IV. The criteria conforming to what the law disposes, for the hiring and keeping up to date on judicial matters of officials, as well as the development of the judicial career, will be fixed.

V. The restrictions and sanctions given in Article 101 of this Constitution will apply to the members of the Council of the Judiciary, as well as to magistrates and judges.

VI. The Council of the Judiciary will develop the proposal of the courts of justice in the district, and it will remit to the Head of Government of the Federal District for its inclusion in the proposal of the budget of spending to be presented to the approval of the Legislative Assembly.

Fifth Base - There will be a Court of Administrative Questions, which will have full authority to settle the controversies between private parties and the authorities of the local public administration of the Federal District. The standards for its form and responsibilities will be determined, which will be developed by its organic law.

D. The Public Ministry in the Federal District will be presided over by an Attorney General of Justice, who will be named in the terms that the Statute of Government specifies. This ordering and the respective organic law will determine its organization, responsibilities, and standards of functioning.

E. In matters relative to the Federal District with respect to the President of the United Mexican States, what is disposed in section VII of Article 115 of this Constitution will apply. The designation and dismissal of the public servant in direct charge of the public security force, will take place in the terms that the Statute of Government specifies.

F. The Chamber of Senators of the Congress of the Union, or in its recesses, the Permanent Commission, may remove the Head of Government of the Federal District for serious causes that affect relations with the Powers of the Union or public order in the Federal District. The proposal for dismissal must be presented by half of the members of the Chamber of Senators, or the Permanent Commission in its case.

G. For the most efficient coordination of the distinct state and local jurisdictions among themselves, and of these with the Federation and Federal District in the planning and execution in the urban zones collected around the Federal District, in agreement with Article 115, section VI of this Constitution, on matters of human settlement, protection of the environment, preservation and restoration of ecological balance, transport, potable water and drainage; collection, treatment, and disposal of solid wastes; and public security, their respective governments will make compacts for the creation of metropolitan commissions, in which they will concur and participate with the support of the laws.

The commissions will be begun by mutual agreement of the participants. The instrument of creation will determine the form of their formation, structure, and functions.

Through the commissions will be established:

A) The bases for the making of compacts, in the structure of the commissions, conforming to what the territorial areas and of functions with respect to the execution and operation of works are, the giving of public services, or completing of actions in the matters indicated in the first paragraph of this part;

B) The bases to establish and coordinate the commissions among the areas that make them, their specific functions in the referenced matters, as well as for the common contribution of material, human, and financial resources necessary for their operation, and;

C) The other rules for the mutual and coordinated regulation of development of the urban zones, giving of services, and completion of actions, to which the members of the commissions agree.

H. The prohibitions and limitations that this Constitution establishes for the States will apply to the authorities of the Federal District.

Sixth Title

Of Labor and Social Considerations

Article 123

Every person has the right to dignified and socially useful work. To achieve this, the creation of jobs and the social organization will be promoted conforming to law.

The Congress of the Union, without going against the following bases, may make laws about labor, which will regulate:

A) Among workers, day laborers, employees, domestic workers, artisans, and of a general manner, all contracts of work

I. The maximum duration of the workday will be eight hours.

II. The maximum time of nighttime work will be seven hours. Prohibited: unhealthy or dangerous work, and all work after 10:00 P. M., by those less than sixteen years of age.

III. The employment of those less than fourteen years of age is prohibited. Those of this age and older, and younger and than sixteen, will have a maximum workday of six hours.

IV. For every six days of work, the worker will enjoy at least one day of rest.

V. Women during pregnancy will not receive work that requires considerable effort, and signifies a danger to their health in relation to their pregnancy. They will get a break of six weeks before the birth, and six weeks after it, in which they will receive their entire wages or salary, and keep their position and their benefits. In their nursing period, they will have two special breaks (each day) of one half hour each, to nurse their babies.

VI. The minimum wages and salaries that workers will enjoy will be general or professional. The first will be determined by geographical area. The second will apply in areas determined by their economic activity, or in special professions, occupations, or trades.

Minimum wages and salaries must be sufficient to satisfy the normal needs of a head of family; in material, social, and cultural areas; and to provide the obligatory education to their children. Furthermore, minimum professional salaries will be set considering the conditions of their distinct economic activities.

Minimum wages and salaries will be set by a national commission consisting of representatives of workers, employers, and the government; which may be aided by special consulting commissions that are considered necessary for the best discharge of their functions.

VII. For equal work, there must be equal pay, without taking into account sex or nationality;

VIII. The minimum wage or salary will not be affected by suspension, lump sums, or discount;

IX. Workers will have their right to share in the profits of businesses, regulated in conformance with the following standards:

a) A national commission consisting of representatives of workers, employers, and the government will set the percentage of profits to be shared with workers.

b) The national commission will do research and do studies necessary and appropriate to understand the general conditions of the national economy. As well, it will take into consideration the necessity to promote the industrial development of the country, the reasonable return of capital that should be received, and the necessary reinvestment of capital.

c) The same commission may revise the percentage set (when new studies and research justify it).

d) The law may exempt from the obligation of profit sharing: new businesses during a predetermined and limited number of years, businesses of exploration, and businesses engaged in any other activities, as justified by their nature and particular conditions.

e) To determine the amount of profits of any business, the basis used will be its taxable income, according to the disposition of the Income Tax Law. Workers may present the objections that they judge convenient before the appropriate office of the Secretariat of Finance and Public Credit, according to the procedures that the law determines.

f) The right of workers to share in profits does not imply the power or administration of the businesses for which they work.

X. Wages and salaries must be paid definitely in money of legal tender, not with merchandise, or with promissory notes, tokens, or anything else represented as money.

XI. When, because of extraordinary circumstances, the hours of work must be increased, wages or salary must be paid at the rate of 100% more than the amount set for normal time. In no case may the overtime exceed three hours daily, or three consecutive times. Those younger than sixteen years of age are not included in this class of worker.

XII. Every agricultural, industrial, mining, or other class of business, is obligated to provide comfortable and sanitary accommodations to its workers, according to what the regulating laws determine. This obligation will be complied with by means of the contributions that businesses make to a national fund for housing, with the objective of making deposits for their workers and establishing a system of financing that permits granting them credit that is inexpensive and sufficient to acquire their own housing.

Social utility will be considered in the making of a law for the creation of a commission consisting of representatives of the Federal Government, workers, and employers, which will administer the resources of the national housing fund. This law will regulate the forms and procedures by which workers may acquire the housing mentioned above.

The businesses to which the 1st paragraph of the section refers, which are located away from the centers of population, are obligated to establish schools, clinics, and other services necessary to the community.

Furthermore, in these same centers of work when their population exceeds two hundred inhabitants, they must reserve a space that will not be less than five thousand square meters, for the establishment of public markets, installation of buildings for municipal services, and recreation centers.

In all centers of work, the establishment of stores which sell alcoholic beverages, and of gaming houses, is prohibited.

XIII. Businesses are obligated to provide education or training to workers for the activities that they employ the workers to do. The regulating law will determine the systems, methods, and procedures by which the owners will comply with this obligation.

XIV. Business owners will be responsible for the industrial accidents and sicknesses of workers suffered by reason of, or in the exercise of the profession or labor that they do. As such, employers must pay the appropriate compensation, according to whether the worker has died, or simply become unable to work, in accordance with what the laws determine. This responsibility will remain with the employer, even after contracting with the worker through an intermediary.

XV. Employers will be obligated to observe, in accordance with the nature of their businesses, the legal precepts about health and safety in their establishments, and to adopt adequate means to prevent accidents in the use of machines, instruments, and materials of work, as well as to be organized in a manner that results in the best guarantee of the health and life of their workers, and of the fetuses of pregnant women. The laws will contain to achieve this, the penalties that will result in each case.

XVI. Workers as well as business owners will have the right to come together with each other in defense of their respective interests; forming unions, professional associations, et cetera;

XVII. The laws will recognize the right of workers to strike, and employers to stop work.

XVIII. Strikes are legal when they have their object to bring about balance between the different factors of production, reconciling the rights of the worker with those of capital. In public services, it is obligatory for workers to give notice to the Board of Conciliation and Arbitration ten days before the date set for suspension of work. Strikes will be considered illegal only when the majority of the strikers have committed violent acts against persons or property, or in case of war, when they affect establishments and services on which the government depends.

XIX. Stoppages are legal only when they excess of production makes it necessary to suspend work, or to maintain prices at or above cost of production, after approval of the Board of Conciliation and Arbitration.

XX. The differences or conflicts between capital or labor will be subject to the decision of a Board of Conciliation and Arbitration, formed by an equal number of representatives of the workers and the employers, and one of the government.

XXI. If the employer fails to submit the differences to arbitration, or to accept the decision given by the board, the labor contract will be terminated, and the employer will be obligated to compensate the workers with the amount of three months' wages or salary. The employer's responsibility for the conflict that resulted will also be terminated. This disposition is not applicable in the cases of the actions contained in the following section. If the failure was because of the workers, the contract of work will be terminated.

XXII. The employer who dismisses a worker without just cause, for having joined an association or union, or for having taking part in a legal strike, is obligated, at the option of the worker, to rehire him or her, or pay compensation in the amount of three months' wages or salary. The law will determine the cases in which employers may be exempt from the obligation to comply with the contract, by means of a payment of indemnification. Equally, the employer has the obligation to pay the worker the amount of three months' wages or salary when the worker leaves service because of the lack of honesty of the employer; or the worker, or his or her spouse, children, parents, brothers, or sisters, have been mistreated. The employer is not exempted from this responsibility when the mistreatment of dependents or family members is with the worker's consent or tolerance.

XXIII. Credits in favor to workers by salary or wages, or payments earned in the last year, and by indemnifications will have preference over all other debts in the cases of closing or bankruptcy.

XXIV. The debts contracted by a worker that are due their employers, or their employers' associates, family members, or dependents, are only the responsibility of that worker, and in no case and for no reason may they be exacted on the members of the worker's family. These debts may not exceed the worker's wages or salary for one month.

XXV. The service of placement of workers will be free for them, and may be made by municipal offices, employment agencies, or by any other public or private institution. The giving of this service will take into account the demand for work, and in equality of conditions, will give priority to persons who are the sole source of income for their family.

XXVI. All labor contracts made between a Mexican and employer in a foreign country must be legalized by the appropriate municipal authority, and seen by the consul of the nation where the worker would have to go. Furthermore, in the ordinary clauses, it will clearly state that the costs of repatriation of the worker are the responsibility of the contracting employer.

XXVII. Those conditions will be null and they are not obligatory, although they are expressed in the contract:

- a) Those that set an inhuman work day, or a day that is notoriously excessive, given the kind of work.
- b) Those that set wages or a salary that is not subject to the judgment of the Boards of Conciliation and Arbitration.
- c) Those that stipulate an interval between paydays of more than one week.
- d) Those that specify a recreation center, inn, cafe, tavern, bar, or store to make a payment of wages or salary when the employees do not use these establishments.

e) Those that contain a direct or indirect obligation to acquire consumer articles in specified stores or places.

f) Those that permit the retention of salary or wages to pay fines.

g) Those where the worker waives the right to compensation for work-related accidents and illnesses, or damages coming from the non-completion of the contract or the disappearance of the work.

h) All other stipulations that imply the waiver of any right of the worker that is in the laws of protection and aid for workers.

XXVIII. The laws will determine the goods that constitute the belongings of the family, goods that are inalienable that may not be subject to liens or seizures, and are transmittable by inheritance with simplification of judicial formality for the heirs.

XXIX. The Law of Social Security is to the public benefit, and it will include insurance or disability, old age, life, involuntary unemployment, of illnesses and accidents, day care, and any other thing directed to the protection and well-being of laborers, farm workers, non-salaried persons, and other social sectors and their families.

XXX. At the same time, considerations of social utility will be made for the construction of inexpensive and sanitary housing, designed to be acquired as the property of workers in determined time periods, and;

XXXI. The application of the laws of labor is the responsibility of the authorities of the States, in their respective jurisdictions, but it is the exclusive area of the federal authorities in affairs relevant to:

a) Types of services and industry:

1. Textiles;
2. Electric;
3. Motion pictures;
4. Rubber;
5. Sugar production;
6. Mining;
7. Smelting of iron, and steel works (including the mining of basic materials, and their use and smelting, as well as the obtaining of metallic iron and steel in all its forms and alloys, and the products made from these);
8. Hydrocarbons;
9. Petrochemical products;
10. Cement and concrete;
11. Quarries;
12. Automotive, including mechanical or electric automobile parts;
13. Chemicals, including pharmaceutical and medical chemicals;
14. Cellulose and paper;
15. Vegetable oils and greases;
16. Food processing, understood to be making of those products that are, or are destined to be, packaged, canned, or bottled;
17. Beverages that are destined to be bottled or canned;
18. Railroading;
19. Basic lumbering, which is understood to be the production from sawmills, and the making of boards or formed wood products;
20. Glass, exclusively being that having to do with the making of plane, smooth, or shaped glass, or of glass bottles;
21. Tobacco, which is understood to be the making or processing of tobacco products, and;
22. Services of banking and credit.

b) Businesses:

1. Those that are administrated in direct or decentralized form by the federal government;
2. Those that operate by virtue of a federal contract or concession, and the industries that are connected with them, and;
3. Those that operate in federal zones or are under federal jurisdiction, in territorial waters, or in those areas understood to be in the exclusive economic zone of the Nation.

Also under exclusive jurisdiction of the federal authorities:

a) The application of labor regulations in affairs relative to conflicts that affect two or more federated entities, collected contracts that have been declared obligatory in more than one federal entity, employer's obligations in educational matters, in the terms of the law; and with respect to the obligation of employers in matters of training and continuing education of their workers, as well as safety and sanitation in the workplace. To do these things, the federal authorities will count on the help of the states, when types of activities or industry are in the areas of state jurisdiction in the terms of the corresponding regulating laws.

B) Among the Powers of the Union, the Government of the Federal District; and their workers:

I. The maximum daily workday will be eight hours during the daytime, and seven at night, respectively. Those hours that exceed these are extraordinary, and will be paid for by 100% more than the rate set for ordinary service. In no case may overtime exceed three hours daily, or three consecutive times.

II. For each six days of work, the worker will enjoy at least one day of rest, with full payment of wages or salary.

III. Workers will be granted vacations, that never will be less than twenty days a year.

IV. Wages and salaries will be set and budgets, which may not be reduced by any amount during the time that they are in force.

In no case may wages and salaries be any less than for workers in general, in the Federal District and the states of the Republic.

V. There will be equal work for equal pay, without taking sex into account.

VI. Stoppages, percentage discounts, deductions, or suspensions of wages or salaries shall be done according to the cases foreseen in the laws.

VII. Job designations of personnel will be done by means of systems that will take into account the knowledge and aptitudes of the workers. The State will organize schools of Public Administration.

VIII. Workers will enjoy the right of promotion, for which the process takes account of their knowledge, aptitudes, and seniority. Given equal conditions, the person who is the only source of income in his or her family will have priority.

IX. Workers may be suspended or dismissed only for just cause in the terms that the law sets.

In case of unjustifiable separation, they will have the right to choose to be rehired or to receive an appropriate indemnification as stated in legal proceedings. In the cases of elimination of positions, the affected workers have the right to receive another equivalent position, or to receive indemnification, according to the law.

X. Workers will have the right to organize, in defense of their common interest. As well, they have the right to strike, after fulfilling the requisites that the law determines with respect to one or more dependencies of the Public Powers, when they violate the rights that this article dedicates to them in a general and systematic manner.

XI. Social security will be organized conforming to the following minimum bases:

a) It will cover work-related accidents and illnesses, non-work-related illnesses and maternity; and retirement, disability, old age, and death.

b) In case of accident or sickness, the right to come back to work will be for the time that the law determines.

c) Women during pregnancy will not receive work that exerts considerable force, and endangers their health in relation to their pregnancy. They will enjoy a period of one month of rest before the approximate date fixed for the birth and two months after the birth, during which they will receive their whole salary, and keep their employment and the rights that they acquired in relation to their work. In the period of nursing, they will have two extraordinary rests (a day of one half hour each) to nurse their children. Besides, they will enjoy medical and obstetrical assistance, help with nursing, and child care services.

d) Families of workers will have the right to medical assistance and drugs, in the cases and in the proportion that the law determines.

e) Centers for vacations and recuperation will be established, as well as economic stores for the benefit of workers and their families.

f) Workers will be provided inexpensive housing, for rent or purchase, conforming with the programs previously approved. Besides, the state, by means of appropriations, will establish a national housing fund with the end of making deposits in favor of these workers, and establishing a system of giving them credit that is inexpensive, and sufficient for them to acquire comfortable and sanitary housing or to allow them to construct, repair, improve, or pay debts to bring their existing housing up to these standards.

The contributions made to this fund will be entrusted to an organization responsible for social security, regulated by its law, and which have for all that it is responsible, the form and procedures according to which it will administer this fund and grant, and adjudicate its respective credits;

XII. Individual, collective, and interunion conflicts will be submitted to a Federal Court of Conciliation and Arbitration, made up according to what is given in the regulating law. The conflicts between the Judicial Power and its servants will be resolved by the Council of the Federal Judiciary. Those that arise between the Supreme Court of Justice and its employees will be handled by the former.

XIII. Soldiers, sailors, and members of the bodies of public security, as well as the personnel of the foreign service, will be regulated by their own laws.

The state will grant the active members of the Army, Navy and Air Force, the loans to which base f) of section XI of this part refers, in terms similar and through an organization responsible for social security with respect to the components of these institutions, and;

Members of the police institutions of municipalities, federated entities, and the Federal District, as well as those of the Federation, may be removed from their posts if they do not comply with what the laws in force at the moment of their dismissal specify to stay in these institutions. They may not be reinstalled or compensated, except by judicial proceeding or means of defense where they can contest their dismissal. If they cannot rejoin the institutions, they can only receive indemnification. Dismissal of other public servants to which this section refers will be governed by what the applicable legal precepts give.

XIII. (Bis) The Central Bank and the entities of the Federal Public Administration that form part of the Mexican Banking System will regulate their labor relations with their workers by what is given in this part.

XIV. The law will determine the responsibilities which are considered in trust. The persons who discharge these will enjoy the means of this part in wage and salary protection, and will enjoy the benefits of social security.

Seventh Title

General Topics

Article 124

The powers that are not expressly conceded by this Constitution to federal officials are understood to be reserved to the States.

Article 125

No individual may discharge two federal offices of popular election at the same time, or one of the Federation and another of a State, but the person elected may choose between both, which office to discharge.

Article 126

No payment may be made for anything that is not understood to be in the budget, or as not determined by succeeding law.

Article 127

The President of the Republic, the Ministers of the Supreme Courts of Justice of the Nation, the Deputies and Senators of the Congress of the Union, the Representatives to the Assembly of the Federal District and all other public servants will receive an adequate remuneration that may not be taken away from them for the discharge of their duties, employment, functions, or commission, which will be determined annually and equitably in the Budget of Spending of the Federation and the Federal District, or in the budgets of state entities, as appropriate.

Article 128

All public officials, without any exception before taking possession of their offices, will take an oath to protect and defend the Constitution and the laws that arise from it.

Article 129

In time of peace, no military authority may exercise more functions than those that have an exact connection with military discipline. There will only be fixed and permanent military commands in the forts, bases, and depots on which the Government of the Union depends, or in camps, quarters, or barracks established outside populated areas for the stationing of troops.

Article 130

The historic principle of separation of the State and the churches guides the standards presented in the present article. It is the exclusive responsibility of the Congress of the Union to legislate in matters of public sects, churches, and religious groups. The respective regulating law, which will be of public order, will develop and make specific the following dispositions:

- a) Churches and religious groups will have juridical personality as religious associations, once they obtain their appropriate registration. The law will regulate these associations, and will determine the conditions and requirements for their essential registration.
- b) The authorities will not intervene in the internal life of religious associations.
- c) Mexicans may exercise the ministry of any sect. Mexicans as well as foreigners must do so by following the requirements that the law specifies;
- d) In the terms of the regulating law, ministers of sects may not hold public offices. As citizens they have the right to vote, but their names may not be voted for in elections. Those who have left the ministry in anticipation of running, and in the form that the law establishes, may be voted for in elections.
- e) Ministers may not associate among themselves for political ends, or preach in favor of or against any political candidate, party, or association. Neither may they oppose the laws of the country or its institutions, nor insult patriotic symbols in any form, in public meetings, acts of the sect, or religious literature.

The formation of all classes of political groups with a name containing any word or other indication of relation with any religious confession is strictly prohibited. No meeting of a political character may be held in houses of worship. Marriage is a civil contract. The simple promise of truthfulness and completing the obligations that the man and woman promised to each other, subject to what may happen in the case of failing to fulfill them, under the penalties that the law establishes with such purpose, will be enough. Ministers of sects, their antecedents, descendants, brothers, sisters, and domestic partners, as well as the religious associations to which they belong, will be incapable of leaving anything in their will to those persons that they have guided or helped spiritually. They may not name as heirs anyone related to within the fourth degree of relationship to them.

Acts related to marriage and divorce of persons are in the exclusive area of the administrative authorities that the law establishes, and will have the force and validity that these laws attribute to them.

The federal authorities, and those of the states and municipalities, will have, in matters of marriage and divorce, the powers and responsibilities that the law determines.

Article 131

It is the exclusive power of the Federation to impede imports or exports, or goods of commerce that pass through the national territory, as well as regulate at all times, and also prohibit for reasons of public security, and also prohibit the movement in the interior of the Republic of all classes of goods, no matter what their origin was. However, the Federation cannot establish the laws or collect the fees mentioned in sections VI and VII of Article 117 in the Federal District.

The Executive will be enabled by the Congress of the Union to increase, reduce, or remove tariffs of exports and imports, made by the Congress, and to create others, as well as to restrict and prohibit imports, exports, and the transit of products, articles, and goods when it is considered urgent, to the end of regulating exterior commerce, the economy of the country, the stability of national production or to attain any other objective for the good of the country. The Executive, upon sending the fiscal budget for each year to the Congress, will submit it to its approval the use it has made to this responsibility.

Article 132

Forts, quarters, depots, and other facilities destined by the Government of the Union to its service or for common use, will be subject to the jurisdiction of the Federal Powers in terms that the law which will be passed by the Congress of the Union establishes; as well as though facilities and goods to be acquired in the future, which will require the consent of the legislature of the State where they are acquired.

Article 133

This Constitution, the laws of the Congress of the Union that come from it, and all the treaties that are in accord with it, that have been concluded and that are to be concluded by the President of the Republic with the approval of the Senate will be the Supreme Law of all the Union. The judges of every State will follow this Constitution and these laws and treaties in considering dispositions to the contrary that are contained in the constitutions or the laws of the States.

Article 134

The economic resources at the disposal of the Federal Government and the government of the Federal District (as well as their respective state enterprises and administrations) will be administered with efficiency, effectiveness, and honor, to satisfy their objectives.

Acquisitions, leases, and transfers of all classes of goods, giving of services of any nature, and the contracting of works that the government undertakes, will be decided or carried out through open bidding by means of a public meeting where solvent propositions are presented. The propositions will then be presented as sealed bids, to be open publicly, to the end of assuring to the state the best conditions available in price, quality, financing, opportunity, and other pertinent areas.

When the bidding to which the previous paragraphs refers was not suitable to assure these conditions, the laws will establish the bases, procedures, rules, requirements, and other elements to guarantee the economy, effectiveness, efficiency, impartiality, and honestly that the assures the best conditions for the state.

The handling of federal economic resources will be subject to the bases of this article.

Public servants will be responsible for compliance with these bases in the terms of the fourth Title of this Constitution.

Eighth Title

Of the Changes to the Constitution

Article 135

The present Constitution may be added to, or changed. For the additions or changes to become part of it, it is required that the Congress of the Union, by vote of two thirds of the members present, agrees to the changes or additions, and these will be approved by the majority of the legislatures of the states. The Congress of the Union, or the Permanent Commission in its case, will make the count of the votes of the legislature, and the declaration of approval of the additions or changes.

Ninth Title

Of the Inviolability of the Constitution

Article 136

This Constitution will not lose its force and vigor, when any rebellion interrupts its observance. In the case of any public upheaval where a government contrary to the principles that it sanctions is established, as soon as the people recover their liberty, its observance will be re-established, and in arrangement with it and the laws made by virtue of it, those who figured in the government that came from the rebellion will be judged, as well as those who cooperated with them.

Transitory Articles**Article 1**

This Constitution will be published immediately, and with the greatest solemnity it will be sworn to defend and protect it in all the Republic; but with the exception of the dispositions relevant to the elections of the Supreme Federal Powers and of the States, it will not come into effect until May 1, 1917. On this date, the Constitutional Congress must be solemnly installed, and receive the oath of office of the citizen who will conduct the next elections for President of the Republic.

Article 2

The person holding the Executive Power of the Nation, immediately upon the publishing of this Constitution, will call elections for Federal Powers, seeing that these are conducted in such manner that the Congress as constituted in an opportune time sees fits, making the count of the votes cast in the presidential elections, may declare who is the person designated as the President of the Republic, to achieve compliance with the disposal in the previous article.

Article 3

The next constitutional period for marking the terms of deputies and senators shall begin on the previous September 1, and for the President of the Republic, on December 1, 1916.

Article 4

The senators who in the last elections received the second greatest number of votes will last for two years in the exercise of their offices, so the Chamber of Senators may turn over by half every two years.

Article 5

The Congress of the Union will select the magistrates of the Supreme Court of Justice in May this year, so that this high body may be solemnly installed on June 1.

Article 6

The Congress of the Union will have an extraordinary period of sessions beginning on April 15, 1917, to set itself up as an Electoral College, make the count of votes and certify the election of President of the Republic, making the respective declaration, and, besides, to make the Organic Law of Circuit and District Courts and the Organic Law of the Courts of the Federal District and Territories, as well as make all the laws by which it will consult with the Executive Power of the Nation. The laws about the courts will enable the Supreme Court of Justice of the Nation to name circuit magistrates, and district judges immediately, and the Congress of the Union to select magistrates and judges of first instance of the Federal District and Territories. The judges and magistrates named will take possession of their offices before July 1, 1917, replacing those persons named by the Executive of the Union who are currently in these posts.

Article 7

At this time, the count of the votes for senators will be made by the Elections Board of the First Electoral Authority of each State and the Federal District, which will be formed for the counting of the votes for deputies, and issue the corresponding credential to the senators who are elected.

Article 8

The Supreme Court of Justice of the Nation will resolve the cases of relief which are now pending, subject to the laws currently in force.

Article 9

The citizen who is First Chief of the Constitutionalist Army, holding the Executive Power of the Union, is empowered to dispatch the Electoral Law, conforming to what must be done at this time to conduct the elections to form the Powers of the Union.

Article 10

Those who have figured in the government in rebellion against the legitimacy of the Republic, or cooperated with the rebellion, who continue to take arms, employment, or duties with the factions that have attacked the Constitutional Government, will be judged by the laws in force, as long as they were not pardoned by these laws.

Article 11

While the Congress of the Union and legislatures of the States make laws about agrarian and labor problems, the bases established by this Constitution for these laws will come into force in all the Republic.

Article 12

The Mexicans who served in the Constitutionalist Army, their sons, daughters, and widows, and the other persons who have given services to the cause of the Revolution or to public institutions, will have preference in the acquiring of fractions to which Article 27 refers, and the right to the discounts that the laws will specify.

Article 13

All debts contracted by workers by reason of work with their employers, or with their employers' families or intermediaries, before the date of this Constitution, are hereby fully canceled.

Article 14

The Secretariat of Justice is hereby eliminated.

Article 15

The citizen charged with the Executive Power of the Union will be enabled to enforce the law of civil responsibility applicable to the authors, accomplices, and concealers of the crimes committed against constitutional order in the month of February 1913, and against the Constitutional Government.

Article 16

The Constitutional Congress in the ordinary period of its sessions, which will begin on the 1st of September of this year, will make all the organic laws of the Constitution that were not made in the extraordinary period to which transitory Article 6 refers, and will give preference to the laws relative to individual guarantees, and articles 30, 32, 35, 36, 38, 107, and the final part of Article 111 of the Constitution.

Article 17

The deputies who were elected to the 54th and 55th Legislatures of the Congress of the Union will remain in office from September 1, 1988 to October 31, 1991.

The houses of worship, and other goods that, conforming to section II of Article 27 of the Political Constitution of the United Mexican States, will maintain their current juridical status.

Article 18

The senators who were elected to the 54th and 55th Legislatures of the Congress of the Union will remain in office from September 1, 1988 to October 31, 1994, and those elected to the 54th Legislature, who were those named in second place in 1988, will last in their functions from September 1, 1988 to October 31, 1991.

(Note: All transitory articles from 1990 on have been eliminated from the IJJ-UNAM's posting, and are not on the Chamber of Deputies' posting. The ones from 1990 on are in the Chamber of Deputies' posting as annexes.)

Transitory Articles of Decree (Published in the Official Diary of the Federation of April 6, 1990)

First - This decree will enter into force on the day following its publication in the Official Diary of the Federation.

Second - In cases where the service of the National Citizen Registry is not established, citizens must register themselves on the electoral rolls.

Third - The deputies elected to the 54th Legislature of the Congress of the Union will hold office until October 31, 1991.

Fourth - The senators elected for three years to the 54th Legislature will remain in their offices until October 31, 1991. The senators elected for six years to the 54th and 55th Legislatures of the Congress of the Union will last in their functions until October 31, 1994.

Fifth - The Permanent Commission will consist of 37 members in the terms of Article 78 of this Constitution, at the start of the first recess of the 54th Legislature of the Honorable Congress of the Union.

Sixth - Until the new regulating law in electoral matters is passed by the Congress of the Union, the Federal Electoral Code will continue in force.

Transitory Articles of Decree

Published in the Official Diary of the Federation of June 27, 1990

First Article - The present decree will enter into force on the day following its publication in the Official Diary of the Federation.

Second Article - In what is made according to the new applicable standards, institutions of banking and credit and branches in Mexico of foreign banks who operate by concession of the Federal Government will continue to be regulated by the legal dispositions and regulations in force.

TRANSITORY ARTICLES OF DECREE OF CHANGES PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION OF JANUARY 6, 1992.

FIRST ARTICLE

The present Decree will enter into force on the day following its publication in the Official Diary of the Federation.

SECOND ARTICLE

- Upon the entry into force of this Decree, and while the regulating legislation in agrarian matters has not been changed, their dispositions will continue to be applied, including those relative to the authorities and instances in these areas, and to the internal organization of communes and communities, as long as they do not oppose what is established in this Decree.

THIRD ARTICLE

The Secretariat of Agrarian Reform, the Agrarian Consultative Body, the mixed agrarian commissions, and other authorities in these areas, will continue to relieve themselves of the affairs that they currently have in terms of matters of use or granting of ownership of lands, forests, and waters; creation of new centers of population; and restitution, recognitions, and Titles of communal goods; in conformance with the legal dispositions that regulate these questions, and that come into force at the moment that the present Decree comes into force.

Those concerned with the affairs mentioned above already, as well as those who have not given definite resolutions at the moment that the agrarian courts have entered into their functions, will put these affairs into an intermediate state of resolution, and turn them into affairs by which, conforming to their organic law, will be definitely resolved, in conformance with the legal dispositions to which the previous paragraph refers.

The other affairs of agrarian nature that are in process, or are presented upon the entry into force of this Decree, and that conform to the law that is passed on the areas of responsibility of the agrarian courts, will be turned over to those persons that will enter into their functions at this time, to resolve the affairs definitely.

Transitory Articles of Decree (Published in the Official Diary of the Federation of January 28, 1992, by Which Addition to Article 102 Is Made)

Article 1

The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Article 2

While the organisms of protection of human rights in the States are being established, the National Commission of Human Rights may receive complaints that should be of state and local concern.

The States that now have these organisms will receive the complaints not yet resolved that have been presented before the National Commission in a term of 30 natural days counted from the date of publication of the decree in the Official Diary of the Federation.

The legislatures of the States will have one year from the publication of this decree to establish organisms of protection of human rights.

Transitory Articles of Decree by Which Articles 28, 73, and 123 Are Changed

(Published in the Official Diary of the Federation of August 20, 1993)

Transitory Articles

First - The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Second - While the law of central banking, which is regulating law of Article 28 of this Constitution is being made, the Organic Law of the Bank of Mexico will continue in effect.

Transitory Article of Decree by Which Addition to Section III of Article 82 Is Made

(Published in the Official Diary of the Federation of August 20, 1993)

Transitory Article

First- The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Transitory Articles of Decree by Which Articles 65 and 66 Are Changed

(Published in the Official Diary of the Federation of September 3, 1993)

Transitory Articles

First - The present decree will become effective on the date following its publication in the Official Diary of the Federation.

Second - The ordinary period including November and December of the year 1993 and the ordinary periods of the year 1994 will be held in agreement with the dates that were stated in the terms of the decree of changes published on April 7, 1986.

Third - Beginning March 15, 1995, the periods of ordinary sessions will be held in agreement with the dates established by the present decree.

Fourth - The deputies who are elected to the 56th Legislature of the Congress of the Union will remain in office from November 1, 1994 to August 31, 1997.

Fifth - The senators who are elected 56th and 57th Legislatures of the Congress of the Union will remain in office from November 1, 1994 to August 31, 1997.

The senators elected in 1997 will last in their functions from November 1 of that year until August 31, 2000.

Transitory Articles of Decree by Which Articles 41, 54, 56, 60, 63, 74 and 100 Are Changed

(Published in the Official Diary of the Federation of September 3, 1993)

Transitory Articles

First - The present Decree will become effective on the date of its publication in the Official Diary of the Federation.

Second - The current Magistrates of the Federal Electoral Tribunal selected by the Chamber of Deputies of the Congress of the Union will remain in their posts, according to the decree published in the Official Diary of the Federation of October 3, 1990.

Third - In the federal election of 1994, for each state and the Federal District, two senators of plurality and one of primary minority will be elected to the 56th and 57th Legislatures of the Congress of the Union, who will take office on the 1st of November of 1994, to the date of end from the decree of the last legislature given there. For this election, political parties must register with a list with two candidates in each federated election of 1997, one senator will be elected to the 57th Legislature for each state and the Federal District by plurality vote who will remain in office from November 1, 1997, until the date that the Legislature ends. For this election, political parties must register one list with one state of candidates in each federated entity.

Fourth - Federal deputies to the 56th Legislature will remain in office from the 1st of November of 1994 to the date that this Legislature ends.

Fifth - The federal election to make the 56th Legislature of the Chamber of Deputies of the Congress of the Union, will be conducted with its bases on the distribution of single electoral districts and the five multiple electoral areas into which the country was divided for the federal electoral process of 1991. For the federal election of 1997, the new distribution of single electoral districts will be made on the basis of the definite results of the general census of population of 1990.

Sixth - All dispositions that oppose the changes established in the present decree are repealed.

Transitory Articles of Decree by Which Articles 16, 19, 20, and 119 Are Changed, Published in the Official Diary of the Federation of September 3, 1993

Transitory Articles

First - The present decree will become effective on the day following its publication in the Official Diary of the Federation, with the exception of the disposal in the Second Transitory Article.

Second - The disposal in the first paragraph of constitutional Article 20 mentioned in the present decree, will take effect in a year counted from the date of the present publication.

Transitory Articles by Which Articles 31, 44, 73, 74, 79, 89, 104, 105, and 107 Are Changed, As Well As Section IX of Article 76 and the First Paragraph of 119, and Section XVII of Article 89 are Repealed

First - The present Decree will become effective thirty days after its publication in the Official Diary of the Federation, except for the disposals in the following transitory articles.

*** (NOTE: Section VI of Article 73 was repealed between 9/3/93, 12/31/96. Powers of the Assembly are now specified in Article 122. -Tr.) ***

Second - The Assembly of Representatives of the Federal District to be elected for the period of November 1991 to November 1994 will continue having the powers established in section VI of Article 73 of this Constitution, in force at the moment that the present Decree takes effect.

Third - The 3rd Assembly of Representatives of the Federal District will have the powers that the present Decree gives it, and will be as it is from the period beginning November 15, 1994, and concluding September 16, 1997.

Fourth - Beginning on March 15, 1995, the ordinary periods of sessions of the Assembly of Representatives of the Federal District will be held according to the dates established by the present Decree.

Fifth - The first nomination for the office of Head of the Federal District in the terms of this decree, will be confirmed in the month of December 1997, and the respective constitutional period will conclude on December 2, 2000.

Sixth - The councils of citizens by territorial area will be selected and installed in 1995, conforming with what is given in the Statute of Government and the respective laws.

Seventh - Public servants employed by the Federal District and its dependencies will keep all their rights of work.

Eighth - Initiatives of laws of income, and decrees of the budget of spending of the Federal District for the years 1995, 1996, and 1997, as well as the public accounts of 1994, will be reviewed by the Chamber of Deputies of the Congress of the Union.

Ninth - While the methods and dispositions that coordinate the fiscal system between the Federation and the Federal District are changed, the standards that currently regulate these matters will continue to apply.

Tenth - While the new standards applicable to the Federal District are being made, the legal and regulatory dispositions now in effect will remain in force.

Eleventh - The Congress of the Union will keep the power to legislate, in the local area, on matters of common, civil, and penal order for the Federal District, while the appropriate orders of federal character are made. When these orders come into effect, the Assembly of Representatives may legislate on these matters, in the terms of the present decree.

Hall of Sessions of the Permanent Commission of the Congress of the Union, Mexico City, on October 20, 1993. Senator Emilio M. Gonzalez, President-Senator Antonio Melgar Aranda, Secretary-Deputy Ma. Luisa Urrecha Beltran, Secretary-(Signatures).

In compliance with what is given by Section I of Article 89 of the Political Constitution of the United Mexican States and for its necessary publication and observance, I make the present decree in the residence of the Federal Executive Power, in Mexico City, Federal District on the twenty-first day of the month of October of the year nineteen hundred ninety-three -Carlos Salinas de Gortari-(Signature). The Secretary of the Interior, Jose Patrocinio Gonzalez Blanco Garrido-(Signature).

(The transitory articles of 1994 are from the posting of Georgetown University's Political Database of the Americas.)

Transitory article published in the Official Diary of the Federation, April 19, 1994

Only article. The eighth, ninth, seventeenth, and eighteenth paragraphs of Article 41 of the Political Constitution of the United Mexican States are changed to read as follows:

- I. (Without naming it, the organization is assigned to a federal authority, given juridical personality and its own resources. Elsewhere, it is named the Federal Electoral Institute (IFE).)
- II. (What the electoral authority will be like, and that it will be directed by electoral council members named by the legislative and executive powers, and by political parties.)
- III. (Creates the Federal Electoral Tribunal, and specifies its attributes.)
- IV. (Nominations of the electoral council members must be approved by two thirds of the Chamber of Deputies, before the members are seated.)

Transitory article published in the Official Diary of the Federation, July 1, 1994

Only article. Article 82, section I of the Political Constitution of the United Mexican States is changed to be as follows.

- I. To be a Mexican citizen by birth, son of a Mexican father or mother who have resided in the country for at least twenty years;
- (Note: The section letters in the following article are added to make the summaries of the changes in each article easier to follow. They were not in the original text. -Tr.)

Transitory article published in the Official Diary of the Federation, December 31, 1994

Only article. The present decree will enter into force on December 31, 1999.

Three paragraphs are added to Article 21, section V of Article 55 is changed, section XXIII of Article 73 is reinstated, sections II and VIII of Article 76 are changed, sections II, IX, XVI, and XVIII of Article 89 are changed, the second paragraph of Article 93 is changed; the first, second, and fifth paragraphs of Article 94 are changed and an eleventh is added; sections II, III, and V of Article 95 are changed, and section VI and a final paragraph will be added to it; articles 96, 97, 98, 99, 100, and 101 are changed; the first, third, and fifth paragraphs of Article 102, part A are changed, and a last paragraph is added to it; sections II and III of Article 103 are changed, section IV of Article 104 is changed, articles 105 and 106 are changed; the last paragraph of section V, the first and last paragraphs of section VIII, section XI, the first and second paragraphs of section XII, the first paragraph of XIII, and all of XVI of Article 107 are changed; the third paragraph of Article 108 is changed, the first and second paragraphs of Article 110 are changed, the first and fifth paragraphs of Article 111 are changed, the third paragraph of Article 116 is changed and the fifth is deleted, and the numbering of the article into parts has changed; the third base of Part C of Article 122 has changed and additions made to it, and the second paragraph of part B of Article 123 has been changed. The Political Constitution of the United Mexican States is to be as follows:

- I. (Article 21 emphasizes that public security is a function of all governmental agencies in Mexico.)
- II. (Article 55 now says that ministers of the Supreme Court of Justice, as well as cabinet secretaries, must leave their posts 90 days before the elections, if they run for elective office.)
- III. (Article 73The Congress may make laws to establish the bases for government agencies to cooperate in public security matters.)
- IV. (Article 76The Senate now is authorized to approve the nominations for attorney general, and Supreme Court ministers in this article.)
- V. (Article 79The Permanent Commission no longer may receive an oath of office from a new member of the Supreme Court of Justice, but may now approve a nomination for attorney general.)
- VI. (Article 89The President of the Republic now must get the Senate's approval for nominations for attorney general, and must have the Senate approve nominees for the Supreme Court from a short list.)
- VII. (Article 93The chambers of the Congress no longer have the power to set up commissions to investigate the functioning of state businesses.)

- VIII. (Article 94The Supreme Court of Justice has been reduced from 21 to 11 ministers. Terms are for 15 years, nonrenewable instead of 6 years, renewable.)
- IX. (Article 95Ministers of the Supreme Court now must have been in the legal profession for 10 years instead of five. They must not have held major offices for a year before their selection.)
- X. (Article 96How the Senate will confirm the nomination of ministers of the Supreme Court of Justice by the President of the Republic;)
- XI. (Article 97Creates a Council of the Federal Judiciary, and says that it will staff and oversee the lower courts, as the Supreme Court did in the past;)
- XII. (Article 98Vacancies of the Supreme Court of Justice now remain until the Senate is in session again.)
- XIII. (Article 99Changes how resignations and leaves of ministers of the Supreme Court are handled.)
- XIV. (Article 100 - The Council of the Federal Judiciary now oversees all courts except the Supreme Court of Justice of the Nation.)
- XV. (Article 101 - As others in the Mexican judiciary, the members of the Council of the Federal Judiciary may not hold other employment while they are serving in their offices.)
- XVI. (Article 102 - Minor changes in what the Attorney General of the Republic does;)
- XVII. (Article 103 - Federal courts now have jurisdiction over acts of federated entities that infringe on federal jurisdiction.)
- XVIII. (Article 104 - Says that the Supreme Court of Justice will have exclusive jurisdiction over the cases that come before it, in terms of the next article.)
- XIX. (Article 105 - Lists the types of cases that the Supreme Court will get to know.)
- XX. (Article 106 - Enables the Federal District's judicial problems to come before the Supreme Court, on an equal footing with those of the states.)
- XXI. (Article 107 - Enables the Supreme Court to receive cases upon petition of a Collected Circuit Tribunal, or to review cases decided upon by individual circuit judges.)
- XXII. (Article 108 - Members of state councils of the judiciary, in addition to other state officials, are responsible for mishandling federal funds.)
- XXIII. (Article 110 - In addition to other federal officials, members of the federal and Federal District councils of the judiciary, and electoral officials, are subject to political judgment.)
- XXIV. (Article 111 - If members of the federal and Federal District councils of the judiciary, and electoral officials, become objects of political judgment, they will be treated in the same way as other federal officials.)
- XXV. (Article 122 - The article establishes a council of the judiciary for the Federal District.)
- XXVI. (Article 123 - Says that the Council of the Federal Judiciary will resolve most labor conflicts between federal courts and their employees.)

Transitory articles (to accompany the changes of December 31, 1994)

First. The present decree will enter into force on the day following its publication in the Official Diary of the Federation, with the exception of the disposal in the eighth and ninth articles to follow.

Second. The current ministers of the Supreme Court of Justice of the Nation will conclude their functions upon the entry into force of this decree. They will receive a pension equal to what is given for cases of forced retirement in the "Decree That Establishes the Causes of Forced or Voluntary Retirement of Ministers of the Supreme Court of Justice of the Nation".

The ministers listed in the last paragraph will not have the restrictions to which the last paragraph of Article 94, and the third paragraph of Article 101, changed by virtue of the present decree, refer.

Upon returning to the exercise of their functions, in conformance with the procedure given in Article 96 changed by virtue of this decree, the benefit given them in the first paragraph will be suspended, during the time in which they resume their functions.

Third. For the nomination and approval of the first ministers who will make up the Supreme Court of Justice of the Nation, conforming to the changes given in the present decree, the head of the Federal Executive will submit the names of 18 persons to the Chamber of Senators, from whom the Chamber will name 11 ministers with the vote of two thirds of its members, when it is in session.

Fourth. To implement the changes in the first paragraph of Article 97, the law that regulates the selection, salary, promotion, and dismissal of the members of the Federal Judicial Power will list the cases and procedures that must be resolved according to sections I, II, and III of Article 109 of this Constitution.

The Chamber of Senators, after the persons proposed have appeared before it, will make its selection within the term of thirty natural days, which cannot be extended.

The period of each of the first eight will last until the last day of November of the year 2003, of 2006, of 2009, and of 2012 for two of each, respectively, and of 2015, for the last three. Upon approving the nominations, the Senate must specify which periods apply to which ministers.

Once at least seven ministers are approved, there will be a solemn opening and installation session, at which the president of the Supreme Court of Justice of the Nation will be designated.

Fifth. The circuit magistrates and district judges selected for the first time for the Council of the Federal Judiciary, will be members for a period that will last until the last day of November of the year 2001. The period of one of the council members designated by the Senate and the one designated by the Executive, will last until the last day of November of 1999, and that of the remaining members will last until the last day of November of the year 1997. The Senate and the Federal Executive must designate its representatives to the council within thirty natural days following the entry into force of this decree, and indicate which of the periods each council member will have.

The council will be installed once five of its members are named. One of these will become its president immediately.

Sixth. As the new Supreme Court of Justice of the Nation and the Council of the Federal Judiciary are being installed, in the terms of the third and fifth transitory articles above, the last Commission of Government and Administration of the old Court will exercise the functions of management, and handle the administrative affairs of, the Judicial Power of the Federation. In that way, what is specified in the second transitory article will be applicable, in its case, to the members of the Commission here, once the new Supreme Court of Justice has been formally installed, in terms of the disposal in the present decree.

It is the responsibility of this Commission to convene the solemn session of opening and installation to which the third transitory article refers, as well as take the means necessary for conducting the first vote to select council members from among the circuit magistrates and district judges, which will be done in the days immediately following when this decree takes effect.

The Commission will cease to exist once it has conducted the affairs according to what is in the last paragraphs, to help install the Supreme Court and the Council of the Federal Judiciary, when they have come into place.

Seventh. The magistrate, the judge of first instance, and the justice of the peace selected for the first time to the Council of the Judiciary of the Federal District, will be council members for a period that will last until the last day of November 1999. The other council members will serve until the last day of November in the year 1997. The Assembly and the head of the Department must designate their representatives to the council within thirty natural days following the entry into force of the present decree, and will indicate which periods correspond to which council members.

The council will be installed once five members are named to it.

The Whole of the Superior Tribunal of Justice will continue in charge of the administrative affairs of the judiciary, until the council has been constituted. At the same time, it will take the means necessary to conduct the selection of the magistrate and judge of the first instance who will be council members, which will be done in the days immediately following when this decree takes effect.

Eighth. The changes to Article 105 will enter into force on the same date that the corresponding regulating law takes effect.

Ninth. The processes to which the changed articles refer, initiated beforehand, will continue to be handled according to the dispositions in force when the present decree takes effect.

Tenth. Labor conflicts between the Judicial Power of the Federation and its servants that arose beforehand, will continue to be handled according to the dispositions in force. When the present decree comes into effect, the Council of the Federal Judiciary or the Supreme Court of Justice, once they are installed according to the third and fifth transitory articles above, will handle these conflicts.

Eleventh. The legal and regulating dispositions and general accords based upon the constitutional precepts that are changed by the present decree, will continue in force when these changes take effect, which do not oppose these changes.

Twelfth. The labor rights of the public servants of the Judicial Power of the Federation will be respected totally.

Transitory articles of the changes of August 22, 1996

First. The present Decree will enter into force on the day following its publication in the Official Diary of the Federation, with the exception of what is given in the following articles.

Second. The additions contained in section II of Article 105 from the present decree will refer only to the electoral legislation of the States, which by the calendars of their processes in effect before April 1, 1997, will enter into force beginning January 1, 1997.

For federal and state electoral legislation made before April 1, 1997 with the motive of implementing the changes contained in the present decree, for this occasion only, the term specified in the fourth paragraph of section II of Article 105 will not apply.

The actions of unconstitutionality that may have as their object, to establish a possible contradiction between a general electoral standard and the Constitution, which are exercised according to the terms in Article 105, section II and this decree, will be subject to the following special dispositions:

A) The term to which the second paragraph of section II of the mentioned article refers, for the exercise of these actions, will be fifteen natural days, and;

B) The Supreme Court of Justice of the Nation must resolve the action in a term no greater than fifteen working days, counted from when the action was presented to it initially.

The changes to Article 116 contained in the present decree will not apply to the constitutional and legal dispositions of the States which must conduct electoral processes that have started, or will start, before January 1, 1997. In these cases, they will have a year from the end of these electoral processes, to adjust their constitutional guidelines according to the constitutional and legal precepts given here.

All other States to which the exception does not apply, must adjust their constitutional and legal guidelines according to Article 116 as modified by the present decree, within six months from when this decree has entered into force.

Third. The president and executive secretary of the General Council of the Federal Electoral Institute, as well as the eight new council members, and their alternates who will substitute for the current council members, who may not be selected again. Until nominations are made, or the law on electoral matters is changed, the General Council of the Federal Electoral Institute will continue exercising its responsibilities and functions, that the Federal Code of Electoral Institutions and Procedures gives it currently.

Fourth. In the federal election of 1997 to be held for the Fifty-seventh Legislature, thirty-two senators according to the principle of proportional representation, by means of a list voted from one national multiple electoral area. They will last in their functions from November 1, 1997 to the date that the last Legislature mentioned above concludes. The assignments will be made by means of a formula that takes into account the percentage of the vote each party got for its list, and which non-winning parties had the most votes overall, and will be made from the lists in descending order. The second paragraph of the third article of the transitory articles of decree of September 2, 1993, published in the Official Diary of the Federation the next day, by which articles 41, 54, 56, 60, 63, 74, and 100 of this Constitution were changed, is repealed.

Fifth. The new electoral magistrates must be designated no later than October 31, 1996. For this time, they will require a vote of three fourths of the members of the Chamber of Senators present, to be selected.

Sixth. While the corresponding laws are made or changed, the Federal Electoral Tribunal will continue to exercise the responsibilities and functions that the Federal Code of Institutions and Electoral Procedures gives it currently.

Seventh. The Head of Government of the Federal District will be elected in the year of 1997, and exercise the office for only this time, until the 4th of December of the year 2000.

Eighth. The standard that determines the ability to make the dispositions that govern the local elections in the Federal District, specified in clause F) of section V of the first base of part C of Article 122 of this Constitution as changed by this decree, will enter into force on January 1, 1998. For the election in 1997 of the Head of Government and deputies to the Assembly of the Federal District, the Federal Code of Electoral Institutions and Procedures will apply.

Ninth. Requisite A, to which the second base of part C of Article 122 refers, which prohibits any individual from becoming Head of Government if he or she has discharged the office in any character before, shall be understood to be applicable to all citizens who have led this organ, no matter under what denomination they held the office in the past.

Tenth. The disposal in section II of the third base of part C of Article 122, which refers to the election of the leaders of the political-administrative organs of the territorial demarcations of the Federal District, will enter into force on January 1, 2000. In 1997, they will be elected in indirect form, in the terms that the law specifies.

Eleventh. The standard that establishes the power of the Legislative Assembly of the Federal District to make laws in civil and criminal matters for the district, will take effect on January 1, 1999.

Twelfth. Land and buildings located in the Federal District, that are used for the services that the Federal Powers give, as well as any other possessions that affect the use of these, will continue under federal jurisdiction.

Thirteenth. All directives that have regulated the local organs in the Federal District to date, will continue in force until the new organs that must substitute for them are in place, conforming to the dispositions and bases specified in this decree.

Hall of Sessions of the Permanent Commission of the Honorable Congress of the Union, Mexico, D.F., August 21, 1996 - Sen. Fernando Ortiz Arana, president. Dep. Martina Montenegro Espinoza, secretary. Sen. Francisco Xavier Salazar Saenz, secretary. -Signatures.

In compliance with the disposal of section I of Article 89 of the Political Constitution of the United Mexican States, and for its necessary publication and observance, I make the present decree in the residence of the Federal Executive Power in Mexico City, Federal District on the twenty-first day of the month of August of nineteen ninety-six, Ernesto Zedillo Ponce de Leon, -signature. The Secretary of the Interior, Emilio Chuayffet Chemor, -signature.

Transitory articles of decree of March 5, 1997, published in the Official Diary of the Federation on March 20 of the same year, by which section II is changed, the previous section III becomes IV and a new section III is added, to part A of Article 30, section II of part B of Article 30 is changed; Article 32 is changed; the previous Part B becomes C, and a new Part B is added, and a new Part C is added to Article 37, all in the Political Constitution of the United Mexican States.

Transitory Articles

First. The present decree will enter into force in the year following its publication in the Official Diary of the Federation.

Second. Who has lost his or her Mexican nationality by birth, by having acquired a foreign nationality, and is in full exercise of his or her rights, may benefit from the disposal in constitutional Article 37, part A, changed by virtue of the present decree, if he or she applies to the Secretariat of Foreign Relations within five years after this decree enters into force.

Third. The previous dispositions in force as of the date on which this decree becomes effective will continue to apply, with respect to Mexican nationality, to those born or conceived during the time they were in force.

Fourth. Such matters as the Congress of the Union has made the corresponding dispositions in questions of nationality will continue to remain in force, as long as they do not oppose the present decree.

Fifth. The last paragraph of Part C of Article 37 will become effective on the day following its publication in the Official Diary of the Federation.

Only article of February 3, 1999, published in the Official Diary of the Federation on February 26 of the same year, by which the third transitory article is changed, by decree by which articles 30, 32, and 37 of the Political Constitution of the United Mexican States were changed, published in the Official Diary of the Federation on March 20, 1997, to be as follows:

Third article. The dispositions effective previous to the entry into force of this decree will continue to apply to those born or conceived while they were in force, only to those who were favored by them, without prejudice to those who benefit from the change contained in the present decree.

Transitory Article

Only. This change will become effective the year following its publication in the Official Diary of the Federation.

Transitory article of decree of February 3, 1999, published in the Official Diary of the Federation on March 8 of the same year, by which the second paragraph of Article 16 is changed; the first paragraph is changed; a second paragraph is added and the two subsequent paragraphs become the third and fourth paragraphs of Article 19; a third paragraph is added to Article 22 and the subsequent becomes

the fourth paragraph; the first paragraph is changed and a third paragraph added to section XIII of Part B of Article 123, all of the Political Constitution of the United Mexican States.

Transitory Article

Only. The present article will become effective on the day following its publication in the Official Diary of the Federation.

Transitory articles of decree of June 9, 1999, published in the Official Diary of the Federation on June 11 of the same year, by which the first and sixth paragraphs of Article 94, the last paragraph of Article 97, the first, second, third, fifth, seventh, eighth, and ninth paragraphs of Article 100, and section IX of Article 107 are changed, a second paragraph is added to Article 94, resulting in the previous second to tenth paragraphs becoming the third to eleventh; and a third paragraph is added to Article 100, resulting in the previous third to ninth paragraphs becoming the fourth to tenth, all of the Political Constitution of the United Mexican States.

First. The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Second. The current members of the Council of the Federal Judiciary, with the exception of the president of the Council, will conclude their functions at the entry of the present decree into force.

The whole of the Supreme Court of Justice, the Senate, and the Federal Executive must designate members of the Council of the Federal Judiciary, in conformance with changed constitutional Article 100, no less than 30 natural days following the entry into force of the present decree.

For one time, the terms of the members of the Council designated by the Supreme Court of Justice will end the last day of November 2002, 2004, and 2006, those designated by the Senate the last day of November of the years 2003 and 2007, and the member designated by the Executive, the last day of November 2005. In designating the members of the Council, it must be specified which periods belong to which members.

Third. Until the new Council of the Federal Judiciary is installed, in terms of the transitory article before this one, it will function as a temporary commission comprised by the president of the Council and those officials directly under the Council. The commission will review the transactions, and resolve administrative affairs of extreme urgency to it, except those relating to the naming, assignment, ratification, and dismissal of judges and magistrates. Once the Council is installed, it will receive an account of all measures taken during this time, with the end that it may find the measures agreeable to it.

Fourth. The processes to which the changed articles refer, that were initiated before the current decree became effective, will continue in force according to the dispositions then in effect.

Transitory article of decree of June 9, 1999, published in the Official Diary of the Federation on June 28 of the same year, by which a fifth paragraph is added to Article 4, resulting in the previous fifth and sixth paragraphs becoming the sixth and seventh, respectively; and the first paragraph of Article 25 is changed; both in the Political Constitution of the United Mexican States.

Transitory Article

Only. The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Transitory article of decree of June 9, 1999, published in the Official Diary of the Federation of June 28 of the same year, by which section XXIX-H is changed, and a section XXIX-I is added to Article 73 of the Political Constitution of the United Mexican States.

Only. The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Transitory articles of decree of June 9, 1999, published in the Official Diary of the Federation of June 28 of the same year, by which a section XXIX-J is added to Article 73 of the Political Constitution of the United Mexican States.

First. The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Second. The regulating law which gives the jurisdiction of the Federation in sporting matters shall be made within the period of one year.

Transitory article of decree of July 14, 1999, published in the Official Diary of the Federation of July 29 of the same year, by which Article 58 of the Political Constitution of the United Mexican States is changed.

Only. The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Transitory articles of decree of July 14, 1999, published in the Official Diary of the Federation of July 30 of the same year, by which a second paragraph and eight sections are added to Article 78, with a section V of the Third Title, as well as section IV to Article 74, fifth paragraph; Article 73, section XXIV; Article 74, section II; and 79 are changed; and section III of Article 74 is repealed, all in the Political Constitution of the United Mexican States.

First. The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Second. The superior budgeting entity of the Federation will begin its functions on January 1, 2000. The review of the Public Budget and the functions of overseeing the budget to which sections I to IV of Article 79 changed by the present decree refer, will take place, in the terms of this decree, starting with the review of the Public Budget of the year 2001.

The superior budgeting entity of the Federation will review the Public Budgets of 1998, 1999, and 2000, conforming to the dispositions in force before the present decree becomes effective.

The references made in these dispositions to the Main Accounting Office of the Treasury of the Chamber of Deputies, will be understood to be made to the superior budgeting entity of the Federation.

Third. While the superior budgeting entity of the Federation has not begun to exercise the functions to which the present decree refers, the Main Accounting Office of the Treasury will continue exercising the functions it now has, conforming to Article 74, section IV of the Constitution, its Organic Law, and the applicable judicial dispositions in force until the present decree becomes effective.

The public servants of the Main Accounting Office of the Treasury will not have their labor rights affected in any form, because of the entry into force of the present decree, and the laws made from it as a consequence.

Once the superior budgeting entity of the Federation is formed, all the human, material, and property resources of the Main Accounting Office of the Treasury will become a part of the entity.

Fourth. The Main Accountant of the Treasury will be the head of the superior budgeting entity of the Federation until December 31, 2001. He may be chosen again for this post for a period of eight years, as referenced by Article 79 of this Constitution.

Transitory articles of decree of August 18, 1999, published in the Official Diary of the Federation of September 13 of the same year, by which Part B of Article 102 of the Political Constitution of the United Mexican States is changed.

Transitory Articles

First. The present decree will become effective on the day following its publication in the Official Diary of the Federation.

Second. The current members of the Consultative Council of the National Commission of Human Rights will continue in their posts to conclude the period for which they were designated. They may be proposed and selected for a second period in the terms given in Part B of Article 102, as changed by this decree.

Third. No later than 60 days from when this decree takes effect, the Chamber of Senators, or in its case, the Permanent Commission of the Congress of the Union, must select the president of the National Commission of Human Rights, conforming to the procedure given in Part B of Article 102, as changed by this decree. For this effect, the following rules will be observed:

A. The appropriate commission of the Chamber of Senators will begin to make a full sounding among the social organizations that represent the distinct sectors of society, as well as the public organisms and private promoters of human rights.

B. On the basis of the sounding specified before, the commission will propose the ratification of the current head of the National Commission on Human Rights for the post, or, alternatively, choose another from a short list of candidates.

Fourth. Also, the Congress of the Union will make the changes to the Law of the National Commission of Human Rights, in order to exercise its functions and jurisdiction according to what is given in the present decree and the regulating law in force about its expedition.

Fifth. All dispositions that oppose the present decree are repealed.

Transitory articles of decree of October 28, 1999, published in the Official Diary of the Federation of December 23 of the same year, by which Article 115 of the Political Constitution of the United Mexican States is changed.

Transitory Articles

First. The present decree will become effective 90 days after its publication in the Official Diary of the Federation, except for what is foreseen in the following articles.

Second. The states must adjust their constitutions and laws to conform to what is given in the present decree, no later than one year after it has become effective. In its case, the Congress of the Union must adjust federal laws no later than April 30, 2001.

Until the adjustments to which the previous paragraph refers are made, the current dispositions will continue in effect.

Third. With respect to functions and services which, conforming to the present decree, are the responsibility of municipalities, and that on the entry into force of these changes to which the previous transitory article refers, are performed by state governments or in a coordinated manner with their municipalities, the municipalities will assume them, after their approval by their councils. The governors of the states will do what is necessary to attempt to transfer public services to municipalities in an orderly manner, in a maximum period of 90 days from the reception of the corresponding application.

In the case of base a) of section III of Article 115, within the period specified in the first paragraph, state governors must request their legislatures to keep in their area of jurisdiction the services to which the cited base refers, when their transfer from the state to the municipality would affect their giving, to the detriment of the people living in the municipality. The state legislatures will resolve these requests.

As the process of transfer to which the first paragraph refers takes place, public functions and services will continue to be exercised or given in the terms and conditions now in force.

Fourth. The states and municipalities will make the acts leading to transfers, to the effect that the compacts that, in their case, were made before, are adjusted to what is in this decree, and state constitutions and laws.

Fifth. Before the start of the fiscal year 2002, state legislatures, in coordination with their states' municipalities, will adopt the measures leading to the goal of having per-unit values of land that serve as the base for collection of contributions on real property, be equivalent to market values for the property. They will proceed, in their case, to make adequate adjustments to the rates applicable for the collection of the mentioned contributions, to the end of guaranteeing that they will conform to the principles of proportionality and equality.

Sixth. In the making of the actions leading to implementation of the present decree, the rights and obligations contracted previously with third parties, as well as the rights of state and municipal workers, will be respected.

Transitory Article of Decree of March 8, 2000, Published in the Official Diary of the Federation the 7th of April of the Same Year, and With Corrections on the 12th of April of the Same Year, by Which Changes and Additions to Article 4 of the Political Constitution of the United Mexican States Are Made

Transitory Article

Only. The present decree will take effect on the day following its publication in the Official Diary of the Federation.

Transitory Articles of Decree of August 23, 2000, Published in the Official Diary of the Federation the 21st of September of the Same Year, by Which the Last Paragraph of Article 20 Is Deleted, the First Paragraph and Section IV of Article 20 Are Changed, the Contents Are Grouped Into a Part A, and a Part B Is Added, to Article 4 of the Political Constitution of the United Mexican States

Transitory Articles

First. The present decree will take effect six months after its publication in the Official Diary of the Federation.

Second. The legal dispositions in force will continue to apply, as long as they do not oppose the present decree, until the regulations to put these changes into effect are made.

Transitory Article of Decree of August 23, 2000, Published in the Official Diary of the Federation the 21st of September of the Same Year, by Which Section XXV of Article 73 of the Political Constitution of the United Mexican States Is Changed

Transitory Article

Only. The present decree will take effect on the day following its publication in the Official Diary of the Federation.

(Transitory articles with the incorporation of the former Article 2 into Article 1, the addition of a paragraph to Article 1, and writing of a new Article 2 of the Political Constitution of the United Mexican States on July 18, 2001 - Tr.)

First. The present decree will take place on the day following its publication in the Official Diary of the Federation.

Second. When these changes take effect, the Congress of the Union and the legislatures of the federated entities shall make the adjustments to federal laws and state constitutions to put the changes into effect as stated here.

Third. To establish the boundaries of single electoral districts, the location of indigenous peoples and communities must be taken into consideration as much as is practical, to the end of maximizing their political participation.

Fourth. The head of the Federal Executive Power will make the entire text of the motives and standard body of the present decree available, by translating it into the languages of the indigenous people of the country, and order its dissemination in their communities.

Hall of Sessions of the Permanent Commission of the Honorable Congress of the Union - Mexico City, July 18, 2001. -Sen. Fidel Herrera Beltran, Vice-President Acting as President. -Sen. Susana Stephenson Perez, Secretary. Signatures.

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The most recent changes are now in the text. They were probably not in the IJ-UNAM text before because of the long student strike at UNAM that lasted through most of 1999 and into 2000.

I thank history professor Donald J. Mabry of Mississippi State University for posting this text at his Historical Text Archive. Please direct requests for permission to use it and comments to:

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