

Ulises Canchola Gutiérrez, *Mexico's Practices Vis-à-vis International Law: Considerations on the Drawing Up of a Repertoire*

If we consider the contributions Mexico has made to the international community in areas such as peace and international security, disarmament, human rights, development and the environment, with international law as the guiding instrument of its foreign policy, it is only logical to ask ourselves why our country has not kept an ongoing, systematic record of the legal practices on which it has based itself since it became an independent nation. In his essay, Ulises Canchola puts forward a working hypothesis that seeks to establish with greater precision where Mexico stands in the arena of international law and what the position of international law is in our country. According to the author, we need a verifiable repertoire or inventory of legal practices to ensure that the stances we take on specific foreign policy issues are consistent and that the declarations we make are made with conviction, especially in today's increasingly dynamic and interdependent international context. Furthermore, the systematization of our legal practices would enable society and its representatives to play a more active role, which in turn would promote the development of democracy under our political system. This essay analyzes Mexico's perception of international law and raises questions as to its utility and effectiveness as one of the principal tools of our foreign policy.

Juan Sandoval Mendiola, *The Battle against Transnational Organized Crime in the Americas: Mexico's Leadership within the OAS*

In this article, the author introduces us to the problem of transnational organized crime in the Americas, which, although a relatively new issue on the hemispheric agenda, has come to constitute a serious threat to national security. Not only does organized crime undermine the state, society and the rule of law, but its social, economic and cultural impact has acquired such dimensions that states in the region have been forced to implement emergency cooperation mechanisms to deal with the specific challenges it poses. According to Juan Sandoval, because organized bands of criminals are able to diversify their activities so rapidly, infiltrating and contaminating every aspect of economic, political and social life on the continent, it is increasingly difficult for the authorities to weed them out and bring them to justice. The illegal businesses in which these bands are involved cover such a wide spectrum that they have created bona fide empires of crime, using corruption on all levels as a means to facilitate their activities. In this context, the author highlights the initiatives taken by Mexico, which has followed the path marked out by the UN Convention against Transnational Organized Crime (Palermo Convention) and its three complementary protocols. The specialized meetings Mexico has held and its promotion of the setting up of a Special Commission on Organized Crime to combat this alarming problem within the framework of the OAS have set a new trend in regional cooperation.

Ernesto Céspedes Oropeza, *Legislative Enforcement in Mexico of the Protocol to Prevent, Repress and Sanction the Trafficking of People, especially Women and Children*

This essay describes the efforts that need to be made to adapt legislation in Mexico and worldwide to sanction the trafficking of people and the terrible effects this crime has on the lives of individuals and society. Sexual exploitation, discrimination in the workplace, the trafficking of organs and other modern-day forms of slavery are some of the more reprehensible forms this crime takes, but it was not until the last decade that a treaty to regulate international cooperation in this area was negotiated in the United Nations. The objective of this treaty is to step up measures to combat the trafficking of people through the homogenization of the legislation and internal practices of its states party. In his article, Ernesto Céspedes explains the four main sections of the Protocol to Prevent, Repress and Sanction the Trafficking of People, and how multilateral international organizations are handling this issue. He then goes on to explain how this phenomenon affects bilateral relations between countries, particularly Mexico and the United States, and makes an in-depth analysis of the progress Mexico has made as regards the harmonization of its legislation with the precepts of international treaties. His conclusion is that a great deal remains to be done and that Mexico needs to draw up special legislation to prevent the trafficking of people and all its ramifications.

Guillermo Hernández Salmerón, *Mexico and the UN Convention against Corruption*

Guillermo Hernández Salmerón defines corruption as an illicit activity that affects all sectors of a country, both directly and in-

directly, casting doubt on its credibility on an international level. In this respect, corruption represents a tangible obstacle to the development and productivity policies implemented by nations that seek the equality and well being of their citizens. The author believes that these are the reasons the Mexican government has stated that one of its top priorities is to implement a series of strategies and adopt new, more effective instruments to combat corruption on both a national and international level. He explains the role Mexico has played within the framework of the UN Convention against Corruption (Mérida Convention), a project in which the country has assumed a position of leadership, both in the wording of the text and in its promotion. At the High Level Political Conference for the signing of the Convention, held in Mexico on December 2003, in Mérida, Yucatán, comprehensive solutions to the diverse manifestations of corruption experienced by countries around the world were put forward. A year after the Convention came into force, the First Conference of the states party took place in Amman, Jordan, during which Mexico reiterated its commitment and reported on the main actions it has taken to comply. Nonetheless, Hernández Salmerón acknowledges that no matter how great an effort nations make to adapt their legislation, corruption cannot be combated unless the international community fully commits itself to following up on the Convention and enforcing its provisions.

Diana Ponce Nava, Mexico's Participation in Negotiations on Climate Change, 1988-2006

In this article, Diana Ponce Nava addresses the subject of international negotiations on climate change, which, between 1988 and 2006, have resulted in the creation of an international legal framework to respond to this complex problem, whose scope

is not yet fully understood by governments and the inhabitants of our planet. The author provides an overview of the progressive development of the rules of international environmental law, which are the basis for the legal framework to deal with climate change and which gave shape to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol. The adoption of the UNFCCC and its protocol is a paradigm of the evolution of international law—which was formerly of a merely declaratory nature, entailing no quantifiable responsibilities—because it stipulates obligations and compliance dates for the commitments undertaken by the states party to reduce greenhouse gas emissions. An analysis of Mexico's contribution to 18 years of negotiations on environment-related legal instruments is provided, in addition to a discussion of the reforms and adjustments made within the country's public administration with a view to drawing up and enforcing domestic policies that facilitate compliance with the commitments undertaken by the country in the international arena. By way of conclusion, Ponce Nava underlines the limitations Mexico will face in its efforts to promote the development of international environmental law and the opportunities we will be afforded to make further contributions in this area.

Berenice Díaz Ceballos Parada, *Mexican Initiative for the Drawing Up of a United Nations International Convention for the Promotion and Protection of the Human Rights of Persons with Disabilities*

Berenice Díaz Ceballos' essay traces the progress that has been made *vis-à-vis* the protection of persons with disabilities within the framework of the United Nations, from initial efforts that took the form of a series of initiatives and declarations adopted

in the seventies right through to the recent approval of the Convention on the Rights of Persons with Disabilities, an initiative presented by Mexico in 2001. This Convention is the first international instrument that recognizes the rights of persons with disabilities and identifies the actions that need to be taken to eliminate the discriminatory practices that have prevented persons with disabilities from exercising their rights, which have now been formally recognized. The author describes the difficulties encountered during attempts to set up a Special Committee and the process that resulted in the consolidation of this prestigious Mexican initiative. She concludes her essay with an analysis of the legislative and public policy measures Mexico has introduced since the nineties and notes that, while an international legislative instrument is now at our disposal, it is essential that the states party enforce the Convention via the implementation of non-discriminatory educational initiatives, the amendment of existing legislation, training, greater budget allowances and the raising of awareness in general. Naturally, these efforts must go hand-in-hand with the political will to bring about the cultural changes required within society, so that human rights can be given their rightful place in the struggle to achieve peace and development.