

**MEXICAN CIVIL SOCIETY FOCAL GROUP ON BUSINESS AND HUMAN RIGHTS, WITH ASSISTANCE FROM
THE INTERNATIONAL CORPORATE ACCOUNTABILITY ROUNDTABLE***



Mexican National Baseline Assessment for the Implementation of the U.N. Guiding Principles on Business and Human Rights

Executive Summary

The objective of this study is to identify the current laws and policies in Mexico that lay the foundations for the protection of human rights in the context of business operations and create the legal basis for accessing judicial remedy and other forms of reparation in cases of corporate-related abuse. The findings presented in this document can be used as a starting point for the creation of a National Action Plan (NAP) on Business and Human Rights in Mexico.

The study presents both a summary of existing laws and regulations in Mexico relating to business operations, and an analysis of the legislative gaps in promoting and protecting human rights against corporate-related abuse. As the study evidences, there is a broad normative framework in Mexico. While this framework does not explicitly take into

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account “business and human rights,” it does create a legal basis for the regulation of business entities and operations.

The study also outlines the wide range of international, regional, and soft law instruments to which Mexico has acceded. In addition to local law, these instruments create State obligations in relation to protecting human rights within the framework of business operations and providing access to judicial mechanisms and reparations for victims of business-related human rights violations.

However, as the study indicates, international recommendations concerning business and human rights made to Mexico, including by the U.N. Working Group on Business and Human Rights and the Inter-American Commission on Human Rights, demonstrate that gaps exist in enforcing existing laws. The National Action Plan on Business and Human Rights should address these gaps in legislation and implementation. In addition, this new policy framework should take into account the views of certain U.N. special rapporteurs on the recurrent violations of human rights across Mexico, including critical levels of violence, insecurity, and impunity in direct contravention to the legislative and policy advances that the Mexican government promotes.¹

¹ Inter-American Commission on Human Rights, Human Rights Situation in Mexico. OEC/Ser.L/V/II.Doc. 44/15 (2015).