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“POINTS FOR IMPROVEMENT IN MEXICAN LEGISLATION ON SAFEGUARDS”

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INTRODUCTION: Right now what Mexico has in its national legislation regarding to Safeguards, according the legal hierarchy, is as follows:

METHOD: Legal method using the legal hierarchy as follows:

National Constitution:

National Mexican Constitution: The use of nuclear energy shall be just for peaceful purposes. (Article 27, paragraph 8. Published on 29th December 1960)

International Treaties:

Treaty for the Prohibition of Nuclear Weapons in Latin America (Tlatelolco Treaty)

Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

National Law:

Regulatory Law of Constitutional Article 27 on Nuclear Matters

The safeguards intended to organize and maintain a national system registration and control of all nuclear materials, in order to verify that deviation will not occur of these materials, nor manufacturing nuclear weapons or other not authorized uses.

The Federal Executive shall issue the regulations applicable thereto, and monitor compliance with the agreements or international treaties signed by Mexico on the issue (Article 24. Published on 4th February 1985)

Regulations:

None on August 2015

RESULTS: Nowadays in 2015, 30 years later that the Regulatory Law of Constitutional Article 27 on Nuclear Matters stated that the Federal Executive shall issue the regulations on safeguards, it is the time that there is any regulations on safeguards in Mexico.

DISCUSSIONS: There is not discussion that is need the regulations on safeguards in Mexico.

CONCLUSIONS: The Regulations on Safeguards in Mexico shall contain the following points:

- 1.- Title of the Regulations: For example: Regulations on Safeguards,
- 2.- Legal support (citing some laws in details that could contribute to net as a web the legal framework),
- 3.- Preliminary considerations (citing the reasons included in the international legal framework for Safeguards),
- 4.- First Title: General points: scope; objective of the regulations and some definitions,
- 5.- Second Title: Competent authorities, and
- 6.- Third Title: Safeguards on nuclear materials and installations: Here is recommended to underline what is desirable regarding to Safeguards.