

**THE SUPREME COURT OF JUSTICE OF THE NATION PUBLISHES A PROTOCOL FOR
CASES RELATED TO DEVELOPMENT AND INFRASTRUCTURE PROJECTS**

On January 2015, the Supreme Court of Justice issued its "Action Protocol for those delivering justice in cases related to development and infrastructure projects."

The main purpose of the protocol is to provide legal tools for those who administer justice, enabling them to identify cases where rights may be infringed by the planning and promotion of development and infrastructure projects.

The protocol defines development and infrastructure projects as "those ventures promoted by companies and/or the state, in rural or urban areas, which have commercial purposes or are carried out on the grounds of the common good, and involve the acquisition, disposition, lease or occupancy of territorial spaces, generating an impact on the lives of individuals or communities that inhabit or depend on them, and a possible involvement of their human rights."

Examples of these projects include the construction of hydropower plants, dams, roads, cement manufacturers and operation of various extractive industries.

The document explains the importance of analyzing the feasibility or otherwise of a development project from a human rights perspective. In this regard, it is essential to consider that any action that imposes a negative impact to a group of people, must necessarily be subjected to their consultation, providing the necessary information to evaluate it.

This scenario involves a challenge to the justice administrator, where he or she has to perform a balancing of the rights to determine the legitimacy of the project. This protocol aims to be a useful tool in this

sense, as it opens the spectrum for the judge, who has to consider elements such as environmental impacts, impacts to health and access to water or food. In the case of indigenous peoples, their right to self-determination can also be affected.

The Supreme Court adds this protocol to its catalog of Action Protocols for those who administer justice to people in a particularly vulnerable state, returning to the best international practices in the subject and guiding those who dispense justice in their task of ensuring the protection of human rights.

References:

Protocol:

<http://equidad.scjn.gob.mx/protocolo-de-actuacion-para-quienes-imparten-justicia-en-casos-relacionados-con-proyectos-de-desarrollo-e-infraestructura/>