



El caso Radilla: Estudio y documentos (Biblioteca Jurídica Porrúa) (Spanish Edition)

José Ramón Cossío Díaz, Raúl M. Mejía Garza, Laura Patricia Rojas Zamudio

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El análisis que la Suprema Corte de Justicia de la Nación realizó en la consulta Varios 912/2010, en cumplimiento a la sentencia de la Corte Interamericana de Derechos Humanos (CoIDH) que condenó al Estado mexicano en el llamado "caso Radilla" marca una serie de cambios trascendentes en el sistema jurídico mexicano: la restricción en la interpretación de la jurisdicción militar; el cambio a un novedoso sistema de control constitucional de tipo mixto; el primer y extenso entendimiento al estatus de los derechos humanos contenidos en tratados internacionales dentro del orden jurídico nacional a partir de la reforma en materia de Derechos Humanos de junio de 2011; y a la función normativa de las resoluciones y precedentes de la CoIDH.

A partir del "caso Radilla", los derechos humanos deberán cumplir una función normativa concreta que, por importante que ésta sea, no está explicitada de suya en la propia reforma constitucional mencionada. El único modo de darle sentido a la resolución es mediante su estudio detallado, lo que a su vez supone entender su génesis, sentido y alcances.

El propósito de esta compilación es coadyuvar a este proceso de comprensión. No se trata de un libro, ni pretende pasar por tal. Es una compilación de documentos para posibilitar los fines mencionados. La compilación viene precedida de un estudio en el que se da cuenta de las diversas incidencias que conforman el proceso que, desde la desaparición del señor Radilla, concluyó con la resolución de la Suprema Corte y las tesis emitidas por ésta. El estudio inicial es, entonces, una forma de guiar al lector para que esté en posibilidad de seguir la lectura de los diversos documentos que aquí se incorporan.

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