MIRANDA INTELLIGENCE

Public Affairs Chatter

September 17, 2025

Amparo Reform: Morena Redraws the Last Line of Defense

On the eve of Independence Day, September 15, President Sheinbaum submitted to the Senate a legislative package aimed at reshaping Mexico's amparo system—regarded by many as a key legal mechanism for ensuring constitutional checks on government action, but by others as routinely subject to abuse by powerful vested interests. A reform of the Ley de Amparo was widely expected as part of the broader effort to realign judicial powers with the new constitutional framework. The proposal includes amendments to the Federal Fiscal Code and the Organic Law of the Federal Administrative Court.

The positive aspects include the introduction of measures aimed at improving procedural efficiency, among them, the expansion of electronic filing systems and a new requirement for courts to issue rulings within 60 days of the constitutional hearing. These changes are intended to streamline access to justice and reduce delays that have long plagued the system.

Still, the business sector and legal analysts warn that the reform could shift the balance of power toward government authorities. One concern is the narrowed definition of legitimate interest, which now demands a real, current, and individualized legal injury—and proof that striking down a law or act would directly and certainly benefit the claimant. This change could restrict collective and public interest litigation, making it harder for NGOs, communities, and environmental defenders to challenge policies through amparo.

The reform also tightens the rules on suspension—the temporary halt of government actions. New provisions make it easier for the state to argue that suspending its actions would harm the public interest, especially in matters related to public debt, financial regulation, or revoked concessions. In tax disputes, a suspension will only be granted if the fiscal credit is fully guaranteed. Additionally, authorities will be able to justify noncompliance with court orders by citing "material or legal impossibility." The reform to amparo comes after many private energy companies used this mechanism to block the application of AMLO's counter energy reform, much to the frustration of the then government.

While legal challenges to the reform may arise, the newly established Supreme Court, which begins its work under a renewed constitutional framework and a mandate shaped by recent electoral processes, is more likely than not to take the government's side.

Mexico-Canada Relationship: Warming Up for Trade Season

With the 2026 review of the USMCA about to start, all three member states have begun laying the groundwork for what will be a pivotal moment in North American trade policy. On Friday, the Office of the U.S. Trade Representative (USTR) formally launched a public consultation process, inviting comments from individuals, businesses, and industry associations. The aim is to assess the agreement's

performance since its entry into force and gather recommendations to improve regional competitiveness, investment flows, and economic resilience.

In parallel, the Mexican government will open its own consultation process on September 17. According to Economy Secretary Marcelo Ebrard, a complete diagnostic of the treaty's implementation will be developed between now and January. This assessment will shape Mexico's position heading into the trilateral review set for July 2026.

Adding complexity to the diplomatic choreography, Canada confirmed that Prime Minister Mark Carney will visit Mexico on September 18–19 for an official bilateral meeting with President Sheinbaum. The agenda includes deepening cooperation in trade, energy, investment, infrastructure, and security. But behind the formalities lies a quiet urgency. As reported by Reuters, Carney is scrambling to repair the Canada–Mexico relationship after it soured late last year, when Canadian officials were reported to have floated the idea of negotiating a bilateral trade agreement with the U.S., independently of Mexico.

Three main issues are expected to dominate the Sheinbaum-Carney agenda. First, both nations will compare how they've responded to U.S. tariff pressure—Canada has retaliated in kind, while Mexico has pursued a more cautious path, accommodating instead of retaliating. Second, the two leaders are likely to align specific renegotiation priorities ahead of the USMCA joint review in July 2026: rules of origin, investment facilitation, and regulatory harmonization are all among the strongest candidates for coordinated pressure. Third, enhancing trade and investment between Mexico and Canada directly is seen as a mutual priority. While trade under the current agreement has already created strong interdependencies, there is a sense that both sides are now under pressure to deepen partnerships outside of U.S. channels, diversify supply chains, and make more resilient bilateral trade flows.

Reforming IP in the Age of AI

As part of a string of announcements made during Mexico's national celebrations, the federal government unveiled a sweeping reform to the Federal Law for the Protection of Industrial Property. Framed as a step toward modernization and international alignment, the initiative aims to simplify procedures, encourage innovation, and better equip regulators to address emerging challenges in the digital economy — particularly the misuse of artificial intelligence in industrial property violations.

The reform introduces a new provisional patent application process, granting applicants 12 months to finalize their submissions, and reinforces the digitalization of filings and enforcement actions before the Mexican Institute of Industrial Property (IMPI). It also expands the scope of administrative infractions, including specific provisions targeting "ambush marketing" and deceptive practices carried out through AI technologies — such as brand replication or manipulation of commercial evidence.

From a business perspective, the reform could enhance regulatory certainty and facilitate more efficient patent and trademark management. The inclusion of alternative dispute resolution mechanisms is also positive, though details remain vague.

MIRANDA INTELLIGENCE

Still, essential challenges persist. The reform risks leaving small businesses and inventors behind if digital tools are not accompanied by broader access and training. The proposed expansion of IMPI's precautionary powers — such as product seizures — must be carefully implemented to ensure due process and avoid legal overreach.

Extortion Reform Advances

The Chamber of Deputies approved a constitutional amendment empowering Congress to enact a General Law on Extortion—an initiative backed by President Sheinbaum and now sent to the Senate.

The reform seeks to standardize the definition of extortion, its aggravating factors, related crimes, and associated penalties. This includes harmonizing the current disparities in state-level sanctions. It also elevates extortion from a property offense to one prosecuted ex officio, recognizing its broader impact on public safety and economic stability.

While the Senate still has two pending presidential initiatives untouched since June 23, it has moved quickly to advance this reform. Three key committees—Constitutional Points, Public Security, and Legislative Studies—were summoned to approve the bill as received. Under the transitory provisions, Congress must enact the corresponding general law within 180 days of the reform's entry into force.

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