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Firewall Diplomacy: Mexico and the U.S. Draw a Line on Guns

On September 28, U.S. and Mexican officials jointly launched Mission Firewall (*Misión Cortafuegos*), a new bilateral framework intended to combat cross-border firearms trafficking. Framed as a "historic" breakthrough by both governments, the agreement includes expanded gun tracing protocols, real-time data exchange, and a pledge by the U.S. to track weapons from crime scenes back to licensed dealers.

At first glance, the announcement is a diplomatic win. It's the first time Washington has formally acknowledged a degree of shared responsibility for the flow of firearms into Mexico—a long-standing demand from Mexican officials. Interior Secretary Rosa Icela Rodríguez described the deal as "unprecedented cooperation", while U.S. counterparts emphasized operational upgrades across customs and law enforcement channels.

But beyond the optics, the mechanics warrant scrutiny. The core measures—nationwide expansion of eTrace, enhanced ballistic matching, and closer inter-agency coordination—are technically significant, yet familiar. Tracing is not quite the same as enforcement. U.S. gun laws remain fragmented, and point-of-sale tracking does not necessarily lead to prosecutions. Mexico, for its part, must absorb the logistical and judicial load: seizures, forensic integration, case-building.

The timing is notable. The rollout came just weeks after the U.S. Supreme Court's decision in Mexico v. Smith & Wesson, which reaffirmed legal protections for U.S. gun manufacturers against foreign lawsuits. That ruling effectively closed one of Mexico's few legal avenues to seek redress.

Officials have stressed bilateral resolve, but the asymmetry is clear: Mexico gets database access; the U.S. retains enforcement discretion. And while headlines in El País and Reforma struck a celebratory tone, both outlets underscored the absence of binding obligations. As analysts put it, the initiative may be "historic" in tone, but not necessarily in consequence.

Who Gets the Keys? Sheinbaum's Appointments for CRT and CNA

President Sheinbaum is moving quickly to fill Mexico's new regulatory bodies. Her administration has pledged to send the Senate shortlists for the Telecommunications Regulatory Commission (CRT) and the National Antimonopoly Commission (CNA), both framed as independent and technical bodies. Industry observers are mostly focused on the quality of the appointments, and whether when in place they will have the character and power to stand up to the industry dominant player (i.e., América Móvil) or powerful vested interests (i.e., the government itself, Grupo Televisa, other quasi-monopolists).

The CRT will absorb the now-defunct IFT's core functions: managing spectrum, allocating concessions, and overseeing competition in the telecom and broadcast sectors. But while the law establishes formal autonomy, all five commissioners will be nominated by the president and ratified by a Senate where

Sheinbaum's allies hold a commanding majority. The staggered timeline—one commissioner per year until 2032 means power, at least initially, may lie in just two or three votes.

According to El Economista, the shortlist includes familiar and on the face of it some reassuring faces: Tania Villa and Álvaro Guzmán—both former IFT officials with deep industry experience—plus Norma Solano Rodríguez, ex-legal director at Mexico City's ADIP and now a senior official at the ATDT, and Jorge Luis Pérez Hernández, former interim head of Infotec. One slot may go to a nominee proposed by Senator Javier Corral, a key figure in Mexico's telecom legal reforms.

The stakes are immediate. Industry and government alike are pushing for the CRT to begin operations quickly, as key administrative processes remain frozen. Next month, the CRT is expected to issue new guidelines for the national mobile line registry—a task that cannot move forward without a functioning board.

Beyond the plenary, names are already circulating for operational roles: Adriana Elena Cruz (Asymmetric Regulation Oversight), Miguel Monroy (Sanctions), Pablo Vanegas (Infrastructure Promotion), Ricardo Castañeda (Government Infrastructure), Marisol Nava (Auctions), Paula Ortega (Legal Affairs), and Mercedes Olivares (Audience Services).

Critics worry that by stretching appointments across administrations but locking in early allies, the government ensures a long-lasting imprint on the regulator's direction. In telecoms that could mean a pro government (and some fear also pro América Móvil and/or pro Televisa) watchdog in a high-stakes arena. The CNA faces similar risks: it won't become operational until all five commissioners and a president are confirmed, leaving major market cases in limbo.

That said, President Sheinbaum has made plenty of quality appointments in the government, including Gabriel Cuadra as Deputy Governor of the Central Bank. Some of the names being floated about suggest she is looking for experience and integrity. Being picked by the government does not mean they will not carry out their duties faithfully.

Extortion Goes Federal: Now Comes the Hard Part

On September 9, Mexico's Chamber of Deputies overwhelmingly approved a constitutional reform to create a General Law on Extortion. Just two weeks later, on September 24, the Senate followed suit—unanimously. The amendment to Article 73 now moves to state legislatures for ratification, a mere formality given the political consensus on display.

The reform mandates a unified legal definition of extortion across Mexico, standardized aggravating factors, and harmonized penalties. Most significantly, it allows for prosecution ex officio—meaning cases can move forward without a victim's formal complaint. Legislators say the aim is to address chronic underreporting, driven by fear and institutional mistrust. Whether this translates into more effective prosecution remains to be seen.

Politically, the alignment is notable. The Green Party framed it as a boost to intergovernmental coordination. Morena legislators linked it directly to President Sheinbaum's national security agenda. Even the opposition was supportive, even if somewhat quiet—there's little political upside in opposing a crackdown on a crime that touches everyone from informal vendors to agribusiness to school administrators.

The numbers tell the story. In the first half of 2025, authorities registered 5,887 extortion victims—an 83% increase over 2015. Business groups like COPARMEX say the true figure is far higher, given the rampant underreporting. Extortion has become a parallel tax: targeting transport routes, food supply chains, retailers, and schools.

The New Customs Law: More Teeth—or Just Another Stage Play?

President Sheinbaum's proposed overhaul of the Ley Aduanera—pitched as a major anti-contraband initiative—is now scheduled for debate and vote on October 6, after congressional leaders requested a pause to avoid a fast-track approval.

The proposal is broad and forceful. It eliminates liability exemptions for customs agents, shortens license terms to ten years (with renewal tied to biennial certification), and places e-commerce couriers under formal regulatory oversight. Perhaps most significantly, it creates a new Customs Council—a deliberative body charged with overseeing everything from agent licensing to concession authorizations.

According to the bill's explanatory text, the Council is meant to "restore trust in institutions" by making customs processes fairer and more transparent. But its real function is clear: consolidate control. The Council, chaired by the Finance Ministry and composed of representatives from SAT, ANAM, and the Anti-Corruption Ministry, will have power not only over agent authorizations and revocations, but also over all customs-related permits and concessions. Customs authorities will be required to seek approval before issuing key resolutions. The Finance Ministry, in turn, will issue the operational rules for the Council—a tight loop of power under executive supervision.

The context is fiscal and political. Customs bring in an impressive 24% of total tax revenue—about 3.6% of GDP—and are under pressure to perform. Hacienda touts record revenue: MXN 836 billion (~US$45.6 bn) collected from January to July 2025, up 21% in real terms, with the full-year haul already past MXN 1 trillion (~US$54.5 bn). Yet the SAT simultaneously estimates MXN 22.8 billion (~US$1.2 bn) in fraud—more than triple 2024's figure. The contradiction is stark: record collection, record evasion.

Mexico's Amparo Reform: A Summary of Ana Laura Magaloni's Critique

This is a summary of a longer essay circulating by the legal scholar Ana Laura Magaloni written in response to the proposed reform of the Amparo Law, which is expected to pass shortly, and which we analyzed earlier this month. Magaloni opposes the initiative, and her position broadly reflects the views of the business community and law firms that have long relied on amparos to defend private clients against the government.

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Magaloni argues the reform is not a technical adjustment but part of a political process that began in 2018, when Morena consolidated control of the presidency, Congress, and most state governments. This concentration of power has eroded checks and balances. The judiciary, already weakened by the 2024 judicial reform, now faces tighter limits on its ability to review executive action.

For business, the impact is clearest in three areas: environmental and collective litigation, tax disputes with the SAT, and account freezes by the Financial Intelligence Unit (UIF). Each narrows legal recourse, raising compliance costs and political risk.

The amparo as obstacle

During AMLO's presidency, judges used amparos to suspend flagship projects like the Maya Train, and the Electricity Industry Law. The government saw these rulings as political interference. The new reform seeks to prevent similar suspensions under Sheinbaum by cutting judicial discretion.

Three changes

- **Legitimate interest narrowed**: Only plaintiffs with a "real, current, direct, and differentiated" harm can sue. This would make it nearly impossible for NGOs or citizen groups to challenge projects like the Tren Maya, the new airport, or sweeping energy reforms on environmental or collective grounds. Large infrastructure will advance with fewer legal obstacles.
- **Tax amparos constrained**: Suspensions now require fiscal guarantees, and some appeals are eliminated. While this curbs evasion, it leaves honest taxpayers with fewer defenses against aggressive SAT enforcement.
- **UIF freezes hardened**: Suspensions no longer apply to account freezes. Companies and individuals must prove the lawful origin of funds before regaining access, reversing the presumption of innocence.

Implications

Businesses face weaker judicial protection, greater compliance burdens, and heightened regulatory risk. Foreign investors may demand higher returns to compensate for reduced legal certainty. Magaloni sees the reform as confirmation of Mexico's shift to a hegemonic regime where judicial checks no longer constrain executive power. For companies, the new reality is clear: litigation will matter less, while compliance and political risk management will matter more

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