

Miranda Intelligence – Public Affairs Chatter

Freeze Orders and Thin Ice

By upholding the Financial Intelligence Unit's power to freeze bank accounts in some cases without prior judicial authorisation, Mexico's Supreme Court has not merely resolved a constitutional dispute but entrenched a model of preventive financial enforcement. The Court ruled on Monday that if there is sufficient evidence of illicit activity, the State can move to block assets immediately and be challenged only after the fact. Approved by a six-member majority, the ruling defines a legal doctrine where administrative speed is treated as a public good and ex post review as an adequate constitutional safeguard.

This case began in 2022 with a challenge by 49 opposition senators to amendments to the Law of Credit Institutions. Their objection was straightforward: allowing the State to place individuals and companies on the blocked persons list without a prior hearing undermines legal certainty, weakens the presumption of innocence and inverts due process by forcing the affected party to prove legitimacy only after its assets have been immobilised. However, in the draft opinion prepared by Justice Loretta Ortiz Ahlf, the regulation is framed as administrative rather than criminal; precautionary, rather than punitive. The constitutional logic may be tidy enough, but the implications are messier.

Justices Yasmín Esquivel Mossa, Giovanni Figueroa and Arístides Guerrero voted against upholding the regulation. Esquivel's dissent was also a pointed warning: justice requires clear rules. When the State is permitted to freeze bank accounts and deprive an individual access to his or her resources, the law must define with precision when, how and why this power may be exercised. In Esquivel's view, that threshold remains insufficiently clear. Mexicans, she argued, cannot be left exposed to decisions based on ambiguous or indeterminate criteria; combatting crime is indispensable, but not at the expense of clear legal safeguards. This decision reveals the Court is divided not only over the breadth of the power being upheld, but over the discretionary space it leaves the State.

The majority's position appears institutionally solid. The UIF, under this interpretation, does not investigate crimes but seeks to prevent risks to the financial system, and therefore need not trouble a judge before taking action. Sceptical legal experts are far from persuaded, however. In their view, the judgment normalises a model in which the executive may immobilise assets first and notify later, leaving individuals and companies to seek redress via mechanisms that are slow and costly. The standard defence — that an account freeze was unconstitutional because it was imposed without a judicial order — has now been substantially weakened. Future litigation against such actions will have to focus instead on violations in each specific case: an absence of adequate evidence of suspicious transactions, insufficient justification, or defects in the authority's reasoning and procedure.

The process to release a blocked account moves at a tedious pace: five working days to request a hearing, ten for the UIF to grant it, and fifteen more to decide whether the assets remain frozen. The implication for businesses is not subtle: compliance is no longer an ancillary function or a box-ticking exercise. Firms will need cleaner audit trails, tighter beneficial ownership records, faster escalation protocols, and management teams willing to accept an uncomfortable truth: in Mexico's more preventive and discretionary enforcement model, traceability comes first, and the burden of proof is on you.

When Independence Sounds Defensive

Mexico's crisis of disappearances has taken on a new legal and institutional dimension following a UN committee's decision to refer the issue to the General Assembly, throwing into relief a sharp domestic divide over how the State should respond. What is now at stake is not only the Mexican government's reputation under global scrutiny, but whether its own human rights institutions — particularly the National Human Rights Commission (CNDH) — are fulfilling their constitutional role as autonomous guarantors of rights, or serving instead as defenders of the government's preferred narrative.

As an autonomous constitutional body, the CNDH is not designed to function as an auxiliary voice of the executive, nor as a political buffer against international criticism. Its constitutional role is to act with technical independence — to investigate, document and issue credible findings in matters of grave human rights concern, and to protect victims' rights. For that reason, its public rejection of the UN report as "biased" carries institutional risks that are more than rhetorical. When an autonomous body enters the public debate to defend the State's broader narrative through a political declaration, without grounding that position in the data, investigative basis and documentary evidence that its mandate requires it to produce, it risks weakening the very autonomy it is meant to embody.

The federal government has reinforced that line. President Claudia Sheinbaum again rejected the UN report, arguing that it ignored the measures adopted by her administration. She also contended that conclusions were drawn from an analysis of enforced disappearance in only four states between 2009 and 2017 and maintained that the report did not comply with the UN's own standards for defining enforced disappearance. That defence did not go unanswered. Juan Pablo Albán, chair of the UN Committee on Enforced Disappearances, responded that the analysis was not limited to a specific historical window, but examined the evolution of the phenomenon from 2012 to the present, and that the Committee's decision was addressed to the General Assembly. More pointedly, he added that while disagreement is legitimate, disqualification is questionable.

The domestic political reaction has now raised the stakes further. Opposition figures have called for impeachment proceedings against CNDH President Rosario Piedra, alleging

negligence and conflicts of interest, arguing that her political affiliation with Morena is incompatible with the independence required for the country's ombudsperson.

Newspaper columnists have also waded into the debate, reinforcing the sense that the government's response has deepened rather than contained the controversy. In *El Financiero*, the respected Eduardo Guerrero argued that the administration reacted to the UN committee with unnecessary defensiveness and a lack of humility, warning that dismissing the report as politically biased echoed past governments' reflexes when confronted with evidence of grave abuses. His column suggests that the greater risk for the State is not only international scrutiny itself, but the moral and political cost of appearing more concerned with rebutting criticism than with acknowledging victims' pain and the scale of the disappearance crisis.

The Cost of Containing the Price

The blockades and protests called by transporters and agricultural groups this week is nominally about diesel, insecurity and operating conditions, but it raises a broader question.

In the face of escalating global energy prices, the administration has chosen to implement a combination of informal price controls and fiscal subsidies — specifically, a reduction in IEPS tax collection — to prevent sharp increases in diesel and petrol prices. President Claudia Sheinbaum has acknowledged that this effort is already costing the treasury more than MXN 5 billion per week in forfeited revenue, which is a generous way of saying that the government is paying dearly to preserve price stability, while insisting the decision is not political. At the same time, many gasoline stations are not respecting the price agreements, with diesel and gasoline routinely found above the agreed price.

Transport operators, unsurprisingly, see the situation rather differently. ANTAC argues that insecurity, extortion, corruption at checkpoints and the high cost of diesel have made normal operations increasingly untenable. Their position is not simply that fuel is expensive, but that higher diesel costs are accompanied by a national security crisis: there were more than 10,000 cargo theft investigations in 2025, an average of 40 violent robberies per day, and documented cases of drivers going missing. Industry voices warn that diesel increases are already raising transport costs by between 12 and 15 percent, with those pressures ultimately passed on to consumers.

The Interior Ministry (Segob) has taken a hard political line, insisting that most of the protesters' demands have already been addressed and suggesting there is little justification for road blockades. Secretary Rosa Icela Rodríguez even hinted at possible partisan motives behind the mobilisation, an accusation that critics say deflects attention from the substance of the grievances.

A Generational Turn in Foreign Policy, but Little Actual Change

President Claudia Sheinbaum's nomination of Roberto Velasco Álvarez to replace Juan Ramón de la Fuente as foreign minister marks a symbolic generational shift in Mexican diplomacy, even though the practical short-term impact will be minimal as Velasco has been the de facto foreign minister for some time now due to outgoing Ramón de la Fuente's long (medical-related) absences.

Velasco, 38, rose within the foreign ministry under Marcelo Ebrard, originally as his spokesman and then responsible for North America, a position he held onto under Sheinbaum and de la Fuente. Since Sheinbaum took over he has mostly handled foreign affairs negotiations with Trump administration and reported directly to Sheinbaum with whom he has a close (but professional and respectful) relationship.

Velasco is not a product of the traditional foreign service establishment. Instead, he reflects what many believe is needed in the post-2018 Trump model: PR and Comms expert, US Master's (Chicago), able to manage coolly the often impossible demands made on the Mexican government. If Mexican foreign policy today is less about doctrine than about navigating an increasingly transactional and personalised relationship with Trump's Washington, he is seen as the perfect point person; someone who understands the mechanics of the bilateral relationship and the pressures that will shape the upcoming USMCA review.

More broadly, the appointment signals a narrowing of priorities. The foreign ministry is likely to remain focused on managing risk with the US: trade, migration and security. His long relationship with his original mentor Ebrard may also help coordination between SRE and SE when it comes to USMCA review. De la Fuente and Ebrard were not thought to have an especially close rapport.

Apart from his youth, he also represents a newer profile within the cabinet: urban, gay, internationally educated and part of a future post-Sheinbaum 4T generation slowly reshaping the public face of 4T government. This is a notable break from many of the people AMLO liked to have around him in the cabinet.

But most importantly, Velasco's value lies in deep familiarity with a US-Mexico bilateral relationship that no longer follows traditional diplomatic rules. Sheinbaum appears to be betting that, in the current phase, effectiveness will depend less on diplomatic tradition than on execution and pragmatism. If the next two years are dominated by the USMCA review and renewed bilateral tensions, that calculation may prove justified.

Chatter box

- **Femicide, Legally Defined.** Mexico's government has proposed a new General Law against femicide, alongside a constitutional reform that would allow Congress to legislate on the issue at a federal level. The aim is to harmonize the legal definition of femicide, standardise investigations and reduce the wide gaps in how states classify and prosecute these crimes.

The proposal responds to a long-standing demand from victims' families and women's rights groups: that justice shouldn't depend on geography. It would also harden the punitive framework for femicide, with penalties of up to 70 years in prison, no statute of limitations and specialised prosecutors required to follow mandatory investigative protocols.

Some organisations, including Amnesty International, have welcomed the initiative as the result of sustained pressure from civil society. Others, such as the Observatorio Ciudadano Nacional del Femicidio, have questioned the lack of consultation on the regulation and the absence of stronger prevention measures. Their point is not that tougher laws are unnecessary, but that harsher punishment alone is not policy.

- **Fiscal Caution, Political Commitments.** Mexico's Finance Ministry has submitted its 2027 pre-criteria budget package to Congress, forecasting GDP growth of between 1.9% and 2.9% while reaffirming that social spending will remain central to the administration's priorities. The exercise is by now a familiar one: signal fiscal prudence to markets without unsettling the distributive logic that underpins the government's political coalition. Investors are unlikely to dwell on the growth forecast range itself.
- **Piracy, Platforms and the Reach of the State.** Mexico's Supreme Court is poised to decide whether the Mexican Institute of Industrial Property can order the suspension of websites accused of piracy. Formally, the dispute stems from a challenge brought by Total Play, but the implications travel well beyond intellectual property enforcement. At issue is a broader and rather more awkward question: how far the State may go in regulating digital content before enforcement begins to look uncomfortably like restriction of access.

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