

## REGULATORY CHALLENGES FOR PREVENTING FIREARMS SMUGGLING INTO MEXICO

Eugenio WEIGEND VARGAS\*  
Silvia VILLARREAL GONZÁLEZ\*\*

**ABSTRACT.** *The recent surge in illegal firearms trafficking from the U.S. into Mexico has helped empower Mexican criminal groups to adopt highly confrontational strategies, contributing to a surge of violence throughout the country. This article addresses the regulatory asymmetries between Mexico and the U.S. with respect to the production, import, export, sales and possession of firearms. It reviews several important gun laws and explores why this asymmetry limits bilateral cooperation and encourages gray market activity. It also examines the autonomy of U.S. states to regulate firearms, as this creates a diverse regulatory map that complicates any effort to stem smuggling. The results are flourishing gray markets on one side of the border and violent criminal activity on the other.*

**KEY WORDS:** *Organized criminal groups, regulation asymmetries, trafficking of firearms, gray markets.*

**RESUMEN.** *El tráfico ilegal de armas ha hecho posible que organizaciones criminales en México adopten estrategias más violentas y de mayor confrontación. Por lo tanto, contribuyendo al aumento en los niveles de violencia en todo el país. Este artículo aborda flujo ilegal de armas de Estados Unidos hacia México. Asimismo sugiere que la asimetría en las regulaciones de armas de fuego en ambos países limita su margen de acción a través de la cooperación bilateral. Se hace una revisión de las principales regulaciones con el propósito de facilitar una mejor comprensión de los retos que surgen a partir de estas asimetrías. La autonomía que posee cada estado en Estados Unidos para decidir sus propias regulaciones en materia de armas representa otro reto, ya que crea un mapa regulatorio amplio que necesita ser considerado para la creación de herramientas e instrumentos que ayuden a frenar el tráfico ilegal de armas. Además, estas*

---

\* PhD from Tecnológico de Monterrey. He has focused his research on security, arms trafficking and the United States-Mexico bilateral relations. He has a Master's degree in public policy from Brown University and a Bachelors' degree in economics from Universidad de Monterrey.

\*\* Specialist in Social Program Evaluation. Her work includes crime prevention, civil society organizations and community development. She has a Master's Degree on Public Policy and Program Administration from EGAP Tecnológico de Monterrey.

*diferencias crean mercados grises que benefician las utilidades de la venta de armas en un lado de la frontera, mientras que fortalece a los grupos del crimen organizado en el otro.*

PALABRAS CLAVE: *Grupos del crimen organizado, regulaciones asimétricas, tráfico de armas, mercados grises.*

TABLE OF CONTENTS

I. INTRODUCTION ..... 64

II. FIREARMS SMUGGLING INTO MEXICO ..... 67

III. FIREARM REGULATIONS: SMALL ARMS..... 70

    1. Firearms and International Regulations ..... 70

    2. Regulations in Mexico ..... 71

    3. Regulations in the United States and Texas ..... 73

    4. Implications..... 79

IV. CONCLUSIONS ..... 81

I. INTRODUCTION

Since 2004, firearms trafficking into Mexico has added to the nation’s rising violence. Most Mexico-based violence is attributable to organized criminal cartels. High-impact crimes in which these organizations engage, including homicide, kidnapping, extortion and armed robbery, have overwhelmed the capacity of Mexican law enforcement agencies. Since 2004, the percentage of crimes committed with firearms has grown steadily. In less than ten years, the percentage grew from 58 percent<sup>1</sup> during 2004 to 65 percent during 2012. It reached its highest peak during 2011, where 78 percent of crimes were committed with a firearm.<sup>2</sup>

The most common type of firearms found in Mexico are the AR-15 and the AK-47, both classified as assault weapons. Unsurprisingly, these are the main weapons used by criminal organizations.<sup>3</sup> The fact that a country with

<sup>1</sup> INSTITUTO CIUDADANO DE ESTUDIOS SOBRE LA INSEGURIDAD (ICESI), TERCERA ENCUESTA NACIONAL SOBRE INSEGURIDAD 2005 (2005).

<sup>2</sup> INSTITUTO NACIONAL DE ESTADÍSTICA Y GEOGRAFÍA (INEGI), ENCUESTA NACIONAL DE VICTIMIZACIÓN Y PERCEPCIÓN SOBRE SEGURIDAD PÚBLICA 2011 (2011).

<sup>3</sup> Colby Goodman & Michel Marizco, U.S. Firearms Trafficking to Mexico: New Data And Insights Illuminate Key Trends And Challenges, THE WILSON CENTER 187 (2010) *available at* <http://www.wilsoncenter.org/sites/default/files/Chapter%206-%20U.S.%20Firearms%20Trafficking%20to%20Mexico,%20New%20Data%20and%20Insights%20Illuminate%20Key%20Trends%20and%20Challenges.pdf>.

Download English Version:

<https://daneshyari.com/en/article/1098213>

Download Persian Version:

<https://daneshyari.com/article/1098213>

[Daneshyari.com](https://daneshyari.com)