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Oversight, Investigations, and Management

Hearing on “The U.S. Homeland Security Role in the Mexican War against Drug  
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John Bailey  
Department of Government and School of Foreign Service  
Georgetown University  
Washington, D.C.

My purpose today is to compare and contrast the “Mérida Initiative” (MI) with “Plan Colombia” (PC), and to identify relevant policy lessons.<sup>1</sup> Table 1 at the end of the document summarizes key points. In essence, Mexico is much bigger and more complex than Colombia. Mexico has more than twice the population of Colombia, over forty percent more land area, more than five times the gross domestic product (GDP), and more than three times the central government budget outlays. Colombia is a unitary system (but with significant decentralization), with a national police closely integrated with the armed forces, all operating under a single, civilian-controlled ministry. Mexico is a federal system with a small national police and greater reliance on hundreds of state and local police forces. Due to acute, systemic problems of corruption and incompetence in the civilian police-justice system, the Mexican armed forces have been assigned a lead role in anti-drug law enforcement. These, however, operate without full law enforcement authority and with a weak legal mandate. There are two other factors to note: first, the Mexican Army is among the most isolated of national institutions in terms of transparency and accountability; second, it has a long history of an anti-US institutional culture as part of its doctrine. The lead role of the Mexican Army creates a further complication: it reinforces the US tendency to militarize anti-drug security policies. Above all, Mexico shares a 2,000-mile land border with the United States, which—among other things—puts its internal security situation higher on the US policy agenda.

The problem profiles of the two countries also differ in important respects. Violence associated with organized crime is a significant challenge in both countries, but in quite different contexts. If we take 1948 as a point of reference, Colombia entered (or re-entered) a phase of profound internal war, while Mexico began to consolidate internal peace based on the hegemonic rule of the Institutional Revolutionary party (PRI). Insurgency forces (especially the FARC) have waged a forty-year armed struggle against the Colombian government, with varieties of rightist self-defense forces multiplying and complicating the violence. One estimate suggests that at its height in 2006 the FARC controlled approximately 30 percent of national territory (CRS 2008b, p. 6). Colombia’s primary challenge is to terminate the internal wars.

In contrast, guerrilla insurgency is not an issue in Mexico. The Zapatistas were a minor regional rebellion, confined mostly to parts of the state of Chiapas on the far southern border with Guatemala and have evolved into a local political force. The Ejército Popular

Revolucionario (Popular Revolutionary Army) is a shadowy, largely marginalized group with infrequent operations in the State of Guerrero and the Federal District. Mexico's key challenge is a sharp upsurge in criminal violence beginning in about 2004 and escalating in subsequent years. The government estimates that 34,612 homicides are attributable to organized crime between December 2006 and January 2011.<sup>2</sup> Most of the violence is associated with drug trafficking in the sense of trans-national smuggling and retail distribution to the rapidly-growing internal drug markets. The confluence of rivers of drug money, trained fighters, and high-power weapons has produced well-organized, politically-effective, hyper-violent trafficking organizations that are capable of challenging the government's police-justice system and the army. While most of the violence is concentrated in perhaps six or eight of the 32 states, the trafficking organizations can strike anywhere in the country and almost at will. In comparison, the height of Colombia's drug gang violence was in the late 1980s and early 1990s. Since that time the trafficking organizations have adopted lower-profile, less violent methods. In summary, Colombia is a case of a complicated internal war in which drug production and trafficking play a significant role; Mexico is a case of hyper-violent criminal organizations that use terrorist-like methods to challenge the government and society.

The origins of PC and MI are different. As originally proposed by President Andrés Pastrana (1998-2002), Plan Colombia covered five areas: the peace process, economic growth, anti-drug production and trafficking, reform of justice and protection of human rights, and democracy-promotion and social development. Pastrana sought assistance from the European Union and a number of other countries. Following an internal debate, the US government (USG) emphasized the anti-narcotics theme to the point that other countries were reluctant to participate. Pastrana's original logic (shared by other international actors) was that a negotiated peace could set the stage for economic development, institutional reform, and conditions to reduce drug trafficking. The USG, in contrast, insisted that solving the drug issue would starve the resources to FARC and other insurgency groups and hasten the end to the war. Other themes, such as human rights and the peace process were secondary (Chernick, 2008, pp. 129-137).<sup>3</sup> In all this, the USG played an active—even intrusive—role.

In contrast, the George W. Bush administration made a conspicuous effort not to take the lead with respect to MI but to respond to Mexico (and subsequently to the Central American and Caribbean countries). This is because, given the long history of intervention (perceived and real), USG initiatives in sensitive areas of public security and law enforcement would arouse Mexican nationalist responses that would be fatal to the Initiative. Also, President Calderón's government was more narrowly focused on repressing drug-related criminal violence, a focus that the USG shared. Although initially focused on Mexico and Central America, MI was subsequently broadened to include Haiti and the Dominican Republic (Selee 2008; Olson 2008). In August 2010, with the establishment of the Central American Regional Security Initiative (CARSI), MI was re-focused on Mexico.

The resulting policies thus differ in scope and targets. Even in its narrower version, PC included democracy-promotion and institutional development, with more ambitious

components of economic development (e.g., crop substitution), and some attention to human rights. The policy targets reflect the US interpretation of the problem context. Originally, PC focused on anti-drugs programs. Following September 11, 2001, the US policy shifted to include strong attention to anti-terrorism, with more active support for initiatives against the FARC and self-defense forces. Those targets put more attention on the Colombian army and police, and themes of air mobility and operational intelligence. Primary attention in PC went to Colombia, with comparatively minor funding to Ecuador and Peru.

In the Barak Obama administration, MI remained more narrowly focused on internal and bilateral security and institution-building in law enforcement and justice administration. Human rights conditionality was a sensitive issue because of Mexico's rejection of assistance conditioned on standards imposed by the USG. Significant changes in the Obama administration were the "four pillars" organizing concept and the tailoring of individual subregional policies for Mexico, Central America, and the Caribbean.<sup>4</sup> The administration also shifted from an equipment-focused initial phase to the current institution-building phase. The result is insufficient equipment and programs that will take years to show positive results.

With respect to time and money, PC ran from 2000 to 2006, and was followed by a similar set of policies in a PC, Phase II (2006-2011). The USG spent about US\$4.5 billion through 2006 and \$6.1 billion through 2008 (CRS 2008b). The current debate in the USG concerns reducing US support and encouraging greater burden-bearing by the Colombian government. As originally announced, USG commitment to MI ran through 2010, although it was extended by the Obama administration. Set originally in the US\$1.5 billion range for 2008-2010, the Obama administration requested \$310 million for Mexico for FY 2011 and \$282 million for FY 2012 (CRS 2011, 1).<sup>5</sup> Given Mexico's much larger economy and public sector budget, the dollar amounts of US assistance are small, which reduces USG policy leverage.

Finally, US commitments for its own internal policy are much greater in the case of MI—at least at the declaratory level—than for PC. US rhetoric calls for a "genuine partnership" with Mexico. This should be underlined as a significant shift in policy toward much greater engagement in regional security affairs and a stronger commitment to make internal adjustments to ameliorate conditions that feed insecurity. Specifically, the USG commits itself to reduce drug demand, halt the flows of precursor chemicals and weapons into the region, and address problems of bulk cash smuggling and money laundering.

#### Lessons Learned from PC Relevant to MI

Policy learning occurred in PC's implementation, and Mexican authorities have shown great interest in the Colombian experience.<sup>6</sup> Eight "lessons" are worth noting.

(1) Colombians emphasize the need for a strategic approach to addressing internal violence.<sup>7</sup> An important shift to strategic thinking and policy development in PC came in 2003, with President Alvaro Uribe's "Plan Patriota."<sup>8</sup> Rather than reacting to guerrilla

initiatives in an ad hoc fashion, the Uribe government expanded the size and strengthened the operational capacity of the army and police, and adopted a harder, more proactive offensive against the insurgent forces.<sup>9</sup> His government also developed a more integrated political-military-development approach, one which carries overtones of US policy in Iraq (clear, hold, consolidate). Thus, the successor policy to Plan Patriota is called Plan Consolidación (GAO, 2008, p. 11-14). Mexico's government claims to employ a comprehensive strategy against organized crime, but its real strategy appears simpler and more straightforward: use the military to pulverize the trafficking organizations into smaller, less potent gangs so that state and local authorities can reclaim effective control over territory (Bailey 2010). The long menu of institutional reforms encountered delays in congressional approval and are being implemented slowly.

(2) President Uribe succeeded in forging strong political support for his strategy, to the point that he could implement a special tax to help finance it. Due mostly to extraordinary levels of violence, President Calderón faces strong opposition to his policies, and the main political parties use the public security issue for partisan advantage. Mexico has one of the lowest rates of taxation in the Hemisphere and relies heavily on income from Pemex, the national petroleum company.

(3) Human rights violations associated with PC were unacceptably high. A coalition of human rights organizations reports that during 2000-2008, an estimated 20,000 persons were killed by paramilitary, guerrilla, and state forces, and more than 2 million were displaced. Most of the displaced took shelter in precarious camps around larger cities. Other reports put the number of internally displaced at more than 3 million, with another 500,000 Colombian refugees and asylum seekers outside the country (CRS, 2008b, p. 26). In all, "Colombia continues to face the most serious human rights crisis in the Hemisphere, in a rapidly shifting panorama of violence" (Haugaard, 2008, p.4). An estimated 230,000 Mexicans are currently displaced, about half to the US.<sup>10</sup> Clearly, effective human rights safeguards are needed for the MI. This is an area of vulnerability for the Mexican armed forces, one complicated by the government's weak public communications ability.

(4) Over time, significant improvements were made in PC in the operational uses of intelligence, air mobility, communications and coordination, and organizational capacity (e.g., police special units) (GAO, 2008). Given the expanse and inaccessibility of much of Colombia's territory, air mobility is critical. US General (ret.) Barry R McCaffrey (2007, p. 5-6) emphasizes the key role of US financial aid "... in funding, training, maintaining, and managing a substantial increase (total rotary wing assets 260 aircraft [289 as of 2011]) in the helicopter force available to the Colombian Police, the Army, the Air Force, the counter-drug forces, and the economic development community." The improved mobility was supplemented by the creation of effective units such as the army's Aviation Brigade and Counternarcotics Brigade, as well as new mobile units in both the army and national police (GAO 2008, p. 27-30). With 40 percent more territory to cover, Mexico's air mobility is much less robust, as is US assistance for that purpose. To date the USG has delivered eight Bell 412 helicopters to the Mexican Air Force and six UH-60 Blackhawks to the Mexican Federal Police. Mexico's armed forces and federal police

have 295 rotary wing assets, and more than half of these (146) are light helicopters unsuitable for air mobility tasks (IISS 2011, pp. 367-368; 379-380).

(5) With respect to the long-standing US emphasis on supply-side strategies to reduce drug production and trafficking, there is a growing awareness that such supply-side, anti-drug approaches are necessarily limited. Most of the rationale for PC from the US perspective was to curtail drug production and trafficking from Colombia. However, the Government Accountability Office (GAO 2008, p. 17) reported bluntly: “Plan Colombia’s goal of reducing the cultivation, processing, and distribution of illegal narcotics by targeting coca cultivation was not achieved”. The vast amounts of resources invested in crop eradication and interdiction have little lasting effect on the price and purity of illegal drugs in US markets. The innovation with MI is an explicit commitment to invest more resources in demand reduction. The commitment, however, was not reflected in budget requests submitted by either the Bush or Obama administration.

(6) The US is increasingly aware that military forces and approaches have uses and limitations with respect to anti-trafficking operations and that institution-building with respect to police and justice administration is a lengthy, expensive challenge. Thus, the MI grants priority to reform police and justice administration in the participating countries (CRS 2009, p. 16-19). My sense, however, is that US policy-makers do not grasp the enormity of the challenges they confront. There are at least three priority issues. First, new approaches are needed that can combine military, police, intelligence, and socio-economic development capacities in a coherent strategy to deal with heavily armed, mobile, and politically astute trafficking organizations. Second, due largely to the incapacity and corruption of the civilian police, the armed forces necessarily take the lead role in anti-trafficking operations. Third, operational intelligence is the key instrument against trafficking organizations, and this capacity is weak Mexico.<sup>11</sup>

(7) Approaches that combine military, police, intelligence, and socio-economic development capacities might lead to institutional innovation of new types of national and transnational hybrid organizations (highly unlikely) or to much-improved inter-organizational coordination within and among the MI governments.<sup>12</sup> Organizations are profoundly resistant to change. Inter-agency coordination has been a recurring problem not just for the Mexican government.

(8) Beyond inter-agency and inter-governmental coordination for the MI is the need to forge a regional security strategy that encompasses upper-tier South America, Central America, and the Caribbean. A strategy implies setting priorities among goals over some time period, then translating the goals into operations and tactics, and linking these to agency tasks and resources. Even a national strategy, as the Colombian government eventually developed, would be a signal accomplishment. Much more common are official documents that list national goals, or regional operations that target a particular set of problems.

## Conclusion

My sense is that useful policy learning has taken place over the past decade or so with respect to more effective ways to confront the violence and corruption associated with organized crime. The learning will be especially useful, because the challenges presented especially by transnational drug-trafficking organizations have grown more ominous over time. Mexico's reality in 2011 is quite different from that of 2007, as criminal organizations have branched into many new types of both criminal and licit activities and have expanded their operations into new terrain, both in Mexico and other countries. Given the extraordinary levels of violence since 2006 it is doubtful that President Calderón's strategy of confrontation with criminal organizations will continue in the new administration that takes office in Mexico in December 2012. The Merida strategy will need to be redesigned and reinvigorated.

Table 1. Contexts and Characteristics of Plan Colombia and the Merida Initiative

	Plan Colombia	Merida Initiative
Country context	Population 45 M*; 1.14 M. sq. km.; GDP=US\$250B* (2008); GDP/cap=US\$5,174; budget expend=US\$65B; unitary, with significant decentralization; 32 departments, 1,100 counties	Population 110 M; 1.97 M. sq. km.; GDP=US\$1,142B (2008); GDP/cap=US\$10,747; budget expend=US\$227B; federal, with 32 states, 2,400 counties
Problem profile	Major guerrilla insurgencies; generalized violence; major producer & trafficker of illicit drugs; limited central government presence; corruption in police-justice system	Minor regional rebellion; producer & major trafficker of illicit drugs; rapid upsurge in trafficking violence; localized challenges to government presence; acute corruption in police-justice system
Policy origins	1999-2000; US proactive in policy design	2007-2008; US reactive in policy design
Policy scope: goals & countries	Internal security & anti-trafficking; social justice; development. Primary=Colombia; secondary=Peru & Ecuador	Internal security; law enforcement & justice admin.; Primary=Mexico; secondary=Central America & Caribbean
Policy targets	Insurgency (FARC; ELN); self-defense organizations; drug crop eradication; criminal justice system; economic development (e.g., crop substitution)	Counter-drug; counter-terror; border security; public security & law enforcement; institution-building & rule of law
Time commitment	2000-2006; succeeded by similar follow-on policies	Fiscal year 2008 through fiscal year 2010, with indications of extension
US financial commitment	US\$4.5B; US currently seeks reduced commitment	US\$1.5 B announced; approx. 10% program costs; --- appropriated in 2008; negotiations expected in Congress in 2009.
US commitments for internal policy	Reduce drug demand	“Genuine partnership”; Reduce drug demand; halt: weapons trafficking, precursor chemicals, money laundering

Note: \* M = million; B = Billion.

Sources: International Monetary Fund, World Economic Outlook Database, October 2008; CIA World Factbook <<https://www.cia.gov>>; CRS (2008); GAO (2008).

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<sup>1</sup> The statement draws extensively on Bailey 2009. Bridget O’Loughlin helped with research and Inigo Guevara provided helpful comments, but neither bears responsibility for the content of the statement.

<sup>2</sup> Information provided by the Mexican Presidency, available at <http://www.presidencia.gob.mx/?DNA=119>.

<sup>3</sup> A US-based human rights group has reported: “For Planners of US assistance to Colombia, non-military programs have always been an afterthought. Four out of five dollars in US aid goes to Colombia’s armed forces, police, and fumigation program” (CIP, 2006, p. 5).

<sup>4</sup> The “four pillars” refer to: disrupt the capacity of organized crime to operate; institutionalize capacity to sustain rule of law; create a 21<sup>st</sup> century border structure; and build strong and resilient communities.

<sup>5</sup> “In the absence of FY2011 appropriations legislation, the 111th Congress passed a series of continuing resolutions (P.L. 111-242 as amended) to fund government programs, with the latest extension set to expire on March 4, 2011. The Continuing Resolution, as amended, continues funding most programs at the FY2010-enacted level, with some exceptions” (CRS 2011, 1).

<sup>6</sup> In the first days of the Calderón administration, Mexico’s Attorney General Eduardo Medina Mora led a high-level delegation to Bogota to consult with President Alvaro Uribe and top Colombian security officials. Medina Mora stated that the purpose of the visit was to “exchange experiences, views, and learn reciprocally about common problems, security problems, about exchange of information about how to better combat organized crime.” A high-level contact group begun in 2003 would be reactivated. “México usará experiencia de Colombia en lucha antinarco,” *El Universal* on line (January 26, 2007).

<sup>7</sup> See, for example, a statement by Colombia’s defense minister: “Recomendable, tener una política integral para combatir al narco”: Manuel Santos,” *El Universal* on line (November 29, 2006).

<sup>8</sup> See the discussion by Gonzalo de Fransico (2006, 97).

<sup>9</sup> “[Uribe] voted not to negotiate with any of the armed groups until they declared a cease-fire and disarmed. In addition, Uribe implemented new laws giving the security forces increased power, and instituted a one-time tax to be used to increase the troop strength and capabilities of the Colombian military. He increasingly equated the guerrillas with drug traffickers and terrorists, and initiated a military campaign, called *Plan Patriota*, to recapture guerrilla-controlled territory” (CRS, 2006, p. 3).

<sup>10</sup> “La ‘guerra’ ha expulsado de sus hogares a 230 mil personas,” *La Jornada*, (on line), March 26, 2011.

<sup>11</sup> By “operational” I mean various types of information that specific government agencies can use to act against criminal organizations or activities. Whatever the type of information, operational intelligence requires organizations that can (1) analyze useful information effectively, (2) communicate the information to the appropriate law enforcement agency in a timely fashion, and (3) protect themselves from penetration by criminal organizations through corruption or infiltration. Ideally, the organizations are accountable to democratic oversight, operating within a functioning legal framework.

<sup>12</sup> The US Department of Homeland Security is a testament to the enormous difficulty of coordinating 22 agencies under one roof in one country. That said, the organizational experiment underway at the US Southern Command (Miami, Florida) and its operational task force based in Key West bears close scrutiny. The task force brings together US military, intelligence, and police agencies with those from several Caribbean and out-of-region countries. Southern Command authorities claim a number of successful joint operations against trafficking organizations. (Author interviews, December 2008).