

CHAPTER III

UNITED STATES-MEXICO BILATERAL RELATIONS AND THE ASSISTANCE TO COMBAT THE DRUG WAR

Location of Mexico that directly borders to the United States seems to make both these countries will inevitably need to establish a good relationship, especially in maintaining security around its borders. Mexico and the United States have worked together for years in terms of security. Mexico has been known to be very good at doing smuggling goods and people into the territory of the United States. And as the largest market for Mexican drug cartels, the United States is serious in combating the smuggling of illegal drugs from Mexico and reduces the use of these drugs in their citizens.

When Mexico's government increasingly showed its stability in the fight against drug cartels in its country through the drug war, the United States seems to welcome it. Assistance was given according to the request of the Mexican government. In this chapter I will explain briefly about the history of bilateral relations between Mexico and the United States, the assistance given by the United States related to Mexico's drug war, and the results achieved in cooperation with the United States and Mexico in the war.

A. Bilateral Relations

Mexico and the United States are neighboring countries that share the responsibility. It is said that no country that has closer relation to the United States than Mexico, especially in terms of the economy. When Mexico gained independence in 1821, the United States immediately recognized it as a sovereign country. Since then the diplomatic relations of the two countries were starting to build. Around the year of 1846 until 1848, Mexico and the United States had fought a war in the fight over Texas area. At that time, Texas has become the 28th state of the United States. However, Mexico seems to want to conquer it, so the war happened. Previously it was cold, but the mutual relations between the two countries are now good.

President Vicente Fox who ruled Mexico from 2000 to 2006 encouraged strong relations with the United States and called for greater cooperation under NAFTA as well as for a bilateral migration agreement that would regularize the status of undocumented Mexicans in the United States. But after the September 2001 terrorist attacks in the United States, the focus of relations shifted to border security issues as the United States became increasingly concerned about homeland security⁵¹. The other major issues in the United States are illegal immigration, climate change, and minority groups but the most prominent issues are the issue of drugs. In the United States the number of drug-users is reportedly getting higher year by year.

⁵¹ Clare Ribando Seelke. "Mexico-U.S. Relations: Issues for Congress". Congressional Research Service. June 3, 2010.

Table 3.1

Drug-users in the United States

Age	2002	2007	2008	2009
12 years and over	8.3 %	8.0 %	8.0 %	8.7 %

Source: Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality, National Survey on Drug Use & Health

From table 3.1, we can see that 12 year-old kids in the United States have been consuming illicit drugs. According to the source of this table, any illicit drug that has been consumed by the United States citizen includes marijuana/hashish, cocaine (including crack), heroin, hallucinogens (including LSD and PCP), inhalants, or any prescription-type psychotherapeutic drug used non-medically. During the 1960s, drugs like marijuana, amphetamines, and psychedelics came on the scene, and a new generation embraced drugs. In the 1970s, cocaine reappeared. In 1973, the U.S. Drug Enforcement Administration was created to enforce federal drug laws. Then, a decade later, crack appeared, spreading addiction and violence at epidemic levels⁵². Nowadays, the DEA's biggest challenge is the great change in organized crime. Mexico as one of illegal drug producer countries gave contribution to the development of illegal drugs consuming in the United States. That makes U.S. government more serious about decreasing or even stopping the number of illegal drugs coming to the United States.

⁵² "Illegal Drugs in America: A Modern History". Cited from http://www.deamuseum.org/museum_ida.html (March 10, 2012)

Under the leadership of President Felipe Calderon, the Mexican government also began to concentrate on border security issues particularly related to drug trafficking and violence. Since Mexican government declared war on drugs in 2006, the country experienced a security crisis. Murder, kidnapping, and other criminal acts related to drug business seem common in Mexico. The United States which is the main market of the Mexican drug cartels of course shares the impact of this war. In addition, the concentration of war in the northern area around the border of Mexico-US made the United States need to cooperate with Mexico to keep the country's security. Then in 2007 President George W. Bush, who served as president of the United States at that time, did an official visit to Mexico. President Felipe Calderón took the opportunity of this moment to ask for assistance to the United States in dealing with the drug war that was going on in his country. The United States has agreed and began to make cooperation with Mexico in order to combat the drug war.

B. The United States Assistance in Mexico's Drug War

In the case of illegal drug-related activities, the United States and Mexico actually has collaborated since the 1970's through the counternarcotics program. But specifically the two countries began to seriously work together to overcome the current drug war is still going on in Mexico, especially after the assassination of a U.S. Drug Enforcement agents Admission (DEA), Enrique Camarena, in February 1985. He was kidnapped in Mexico, tortured and then murdered. This was seen as one way of Mexico drug cartel to intimidate the United States because the United

States sent Enrique to investigate the presence of the drug business in Mexico and it seemed to disturb the cartel.

Then some of the program was made to combat the drug cartels, especially during the drug war, namely the Merida Initiative and Beyond Merida. Here are more details about this program:

I. The Mérida Initiative

Merida Initiative, or Plan Mexico, is the first agreement by the government of Mexico and the United States related to drug war in Mexico. The Mérida Initiative is the agreement between the United States and Mexico in order to combat drug trafficking and other criminal organizations in Mexico and Central America. The name of “the Mérida Initiative” was taken from the location of a March 2007 meeting between George W. Bush and Felipe Calderón. They agreed to expand bilateral and regional counternarcotics and security cooperation. The joint statement was issued on October 22, 2007 by announcing a multi-year plan for \$1.4 billion in US assistance to combat drug trafficking and other criminal organizations in Mexico and Central America. United States provided different assistance to Mexico and Central America, since the need of the United States toward these countries is also different. Generally, the fund spent in the Mérida Initiative is to provide training and equipment in order to help addressing the problem of increasing crime and violence in Mexico and Central America. The United States give funding for⁵³:

⁵³ United States Government Accountability Office. “Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures”. July 2010.

- Aircraft and boats to support interdiction activities and rapid response of law enforcement entities and other security forces;
- Inspection equipment and canine units to facilitate interdiction of trafficked drugs, arm, cash, explosives, and persons;
- Technical advice and training to strengthen the institutions of justice and law enforcement; and
- Crime prevention programs that address the root causes of crime and violence, especially amongst youth.

The difference of U.S. funds for Mexico and Central America can be seen in the table below:

Table 3.2

Mexico and Central America Program Components

Type of Funding	FY2008 Supplemental Request (Mexico)	FY2008 Supplemental Request (Central America)
Counternarcotics, Counterterrorism, and Border Security	\$ 306.3 million	\$ 16.6 million
Public Security and Law Enforcement	\$ 56.1 million	\$ 25.7 million
Institution Building and Rule of Law	\$ 100.6 million	\$ 7.7 million

Program Support	\$ 37.0 million	-
Total	\$ 500.0 million	\$ 50.0 million

Source: U.S. Department of State

From this table there is significant differences between Mexico and the whole Latin America funding. Counternarcotics, Counterterrorism, and Border Security spend the most funds. While in the FY2008 supplemental request also includes \$37 million for program support to cover the cost of U.S. personnel, administration, and budget services related to the proposed aid package⁵⁴.

So far the U.S. Congress has appropriated \$1.5 billion since the Merida Initiative began in Fiscal Year 2008 under the partnership⁵⁵:

- The United States is supporting Mexico's implementation of comprehensive justice sector reforms through the training of justice sector personnel including police, prosecutors, and defenders, correction systems development, judicial exchanges, and partnerships between Mexican and U.S. law schools.
- Air mobility has been increased through the delivery of eight Bell helicopters to the Mexican Army/Air Force and three UH-60M Black Hawk

Colleen W. Cook, Rebecca G. Rush, and Clare Ribando Seelke. "Merida Initiative: Proposed U.S. Anticrime and Counterdrug Assistance for Mexico and Central America". CRS Report for Congress. March 18, 2008

Bureau of Public Affairs. "THE MERIDA INITIATIVE: Expanding the U.S./Mexico Partnership". March 3, 2011 (www.state.gov)

helicopters to the Federal Police to provide for rapid transport of personnel for counternarcotics and other security operations.

- The U.S. government has provided scanners, X-ray machines, and other non-intrusive inspection equipment to enhance Mexican authorities' ability to detect illicit goods at key checkpoints of land and air ports of entry.

Mérida Initiative has four primary goals made in the early cooperation which were to:

1. Break the power and impunity of criminal organizations
2. Assist the Mexican and Central American governments in strengthening border, air, and maritime controls
3. Improve the capacity of justice systems in the region
4. Curtail gang activity in Mexico and Central America and diminish the demand for drugs in the region.

II. Beyond Merida

U.S.-Mexican relations have continued to be close under the Obama Administration, largely focusing on cooperation in combating organized crime and drug trafficking. In mid-January 2009, President Calderón visited then President-elect Obama in Washington D.C. That pre-inaugural meeting, which has become somewhat of a tradition for recent U.S. presidents, demonstrated the importance of strong relations with Mexico⁵⁶. President Obama shows that the alternation of leadership in the United States also has an impact related to policies undertaken by

⁵⁶ Clare Ribando Seelke. "Mexico-U.S. Relations: Issues for Congress". Congressional Research Service. June 3, 2010.

the United States in its cooperation with other countries. One of the changes made in cooperation between the United States and Mexico to combat drug cartels that are getting stronger. After agreement on the Merida Initiative, the U.S. government began to develop a new framework for bilateral relations with Mexico. Represented by the U.S. Ambassador for Mexico, Carlos Pascual, the United States and Mexico discussed a new strategy called "Beyond Merida". Beyond Merida broadens the scope of bilateral security efforts and focuses more on institution-building than on technology transfers⁵⁷.

Since the war became worse, the United States gave more funds for Mexico. According to U.S. Department of State, in 2009 the U.S. government requested more than \$ 432 million, decreased from the previous year. While it was estimated to be increased to \$ 582 million in 2010. Surprisingly, in 2011 government request decreased again to \$ 346 million. See table 3.3 below⁵⁸:

Table 3.3

Foreign Assistance Program Overview.

Request by Account and Fiscal Year (\$ in thousands)

Type of Funding	FY 2009 Actual	FY 2010 Estimate	FY 2011 Request
------------------------	---------------------------	-----------------------------	----------------------------

⁵⁷ Clare Ribando Seelke and Kristin M. Finklea. "U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond". Congressional Research Service. August 15, 2011.

⁵⁸ Congressional Budget Justification. "Foreign Operations (Annex: Regional Perspectives)". United States Department of State Fiscal Year 2011. Downloaded from www.state.gov/documents/organization/137937.pdf (January 14, 2012)

Development Assistance	11,200	10,000	26,304
Economic Support Fund	15,000	15,000	10,000
Foreign Military Financing	39,000	265,250	8,000
Global Health and Child Survival - USAID	2,900	3,458	3,458
International Military Education and Training	834	1,050	1,100
International Narcotics Control and Law Enforcement	360,000	284,000	292,000
Nonproliferation, Antiterrorism, Demining and Related Programs	3,845	3,900	5,700
Total	432,779	582,658	346,562

Source: U.S. Department of State

In 2009, Obama Administration officials worked jointly with Mexican counterparts to develop new goals for Beyond Merida's strategy, which replace the original goals developed in the Mérida Initiative. These goals, commonly known as "the four pillars", are:

1. Disrupting the Operational Capacity of Organized Crime

In President Calderón's era, the strategy seems to be more focused on dismantling the power of drug trafficking organizations. The government

looks at the cartels as corporations and to look for key points where pressure can be applied to interrupt their business. Government officials need to know the leadership, supply chains, and market for each of the cartels in order to combat them. Government has conducted joint police-military operations to arrest DTO leaders. Mexican government has also increased intelligence-sharing and cross-border law enforcement operations with the United States government. Examples of current U.S.-Mexico law enforcement partnerships are:

- **Border Enforcement Security Task Forces (BEST):** a multi-agency initiative, led by Immigration and Customs Enforcement (ICE) within the Department of Homeland Security (DHS), wherein task forces seek to identify, disrupt, and dismantle criminal organizations posing significant threats to border security (both along the Southwest border and along the Northern border)⁵⁹.
- **Operation Against Smugglers (and Traffickers) Initiative on Safety and Security (OASISS):** a bilateral program by the U.S. Customs and Border Protection (CBP) and Mexican government that aimed to enhance both countries' abilities to prosecute smugglers and human traffickers along the Southwest border.
- **Illegal Drug Program (IDP):** an agreement by ICE and the Mexican Attorney General's Office (PGR) where ICE can transfer cases of

⁵⁹ Department of Homeland Security. U.S. Immigration and Customs Enforcement. "Fact Sheet: Border Enforcement Security Task Force (BEST)". August 2011. Retrieved from <http://www.ice.gov/news/library/factsheets/best.htm> (February 14, 2012)

Mexican nationals smuggling drugs into the United States to the PGR for prosecution⁶⁰.

- **Project Gunrunner**: an initiative conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to disrupt the illegal flow of guns from the United States to Mexico and to strengthen U.S. and Mexican law enforcement coordination along the border in firearms and violent crime cases as well as to train the U.S. and Mexican law enforcement officials to identify firearms traffickers. Its objective is to deny Mexican drug cartels the "tools of the trade," which they employ to murder rival drug traffickers, civilians, as well as political, military, and law enforcement figures in order to strengthen their grip on the lucrative drug and firearms routes into and out of the United States⁶¹.
- **Policia Internacional Sonora Arizona (PISA)**: a non-profit organization that was established in 1978 to enhance international law enforcement communication and train officers (both from Mexican and U.S. government) in laws and procedures across borders.

2. Institutionalizing the Rule of Law in Mexico

This pillar also represents a continuation of previous strategy. Civilian institutions, not the military, are responsible for serving justice and maintaining the rule of law. Legal problems, such as the military's lack of

⁶⁰ Clare Ribando Seelke and Kristin M. Finklea. "U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond". Congressional Research Service. August 15, 2011.

⁶¹ Copied from The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), "Project Gunrunner" at <http://www.atf.gov/firearms/programs/project-gunrunner/> (February 14, 2012)

authority to collect evidence and interrogate suspects make clear about their availability as only a stop-gap measure and not a long-term solution⁶². There is around 98% impunity rates in Mexico or about 98% of perpetrators have not been brought to justice. Corruption in all levels of government has led to weaken the country. One of the most dominant issues in corruption is among police. It has given additional challenges for Mexican government in combating the DTOs. Corruption in Mexico has plagued federal, state, and municipal police forces. Many police have been arrested due to corruption issues and more than 900 police have been fired in Veracruz⁶³. Their duties now mostly are taken by the Mexican Navy. Corruption has also be found in the former investigative agency within the Attorney General's Office (PGR), the Federal Agency of Investigations (AFI), that was created in 2001 and then separated in June 2009. The United States give funds through Mérida cooperation to support specialized training courses to improve federal police investigations; intelligence collection and analysis; anti-money laundering capacity; and also the construction of regional command and control centers⁶⁴. Other than reforming the police, the 2nd pillar in Beyond Merida is reforming the judicial and penal systems. Mexican judicial system has been criticized for being opaque, inefficient, and corrupt so it needs to be

² Eric L. Olson and Christopher E. Wilson. "Beyond Merida: The Evolving Approach to Security Cooperation". Woodrow Wilson International Center for Scholars. May 2010.

³ BBC Indonesia. "Meksiko Pecat 900 Polisi dalam Kampanye Anti Korupsi". December 22, 2011. Retrieved from http://www.bbc.co.uk/indonesia/dunia/2011/12/111222_mexicodrugs.shtml (February 14, 2012)

⁴ U.S. Department of State. "FY2010 Mérida Initiative Spending Plan for Mexico". June 10, 2010.

reformed as well as Mexican prisons that are over capacity. The increasing number of arrest has caused the expansion of prison population in Mexico. Judicial reforms need to revise federal and state criminal procedure codes (CPCs), build new courtrooms, retrain current legal professionals, update law school curricula, and improve forensic technology⁶⁵. These goals will be applied in all 32 Mexican states before President Felipe Calderón leaves office in November 2012. The United States' assistance through USAID has been supporting funds for Mexico in the areas of:

- Prosecutorial capacity building
- Strengthening the internal control systems of the Secretariat for Public Security (SSP) and the Attorney General's Office (PGR)
- Extradition training
- Asset forfeiture
- Forensics
- Witness Protection

3. Creating a "21st Century Border"

"Creating a 21st Century Border" means changing the concept of the border from a simply geographic line to one of secure movements. As a great country with major drug consumers, the United States have to keep its border security from any illegal good from neighbor countries. Mexican people have often been found smuggling in order to enter and sell their

⁶⁵ Clare Ribando Seelke and Kristin M. Finklea. "U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond". Congressional Research Service. August 15, 2011.

illegal goods to the United States' market. According to U.S. Department of State, the proposed of 21st century border is based on 5 things⁶⁶, which are:

- a. Enhancing public safety via increased information sharing, screenings, and prosecutions
- b. Securing the cross-border flow of goods and people
- c. Expanding legitimate commerce and travel through investments in personnel, technology, and infrastructure
- d. Engaging border communities in cross-border trade
- e. Setting bilateral policies for collaborative border management.

Mexico and the United States have spent significant funds for border-related security, both inside and outside the Mérida. Although the United States' assistance in Mérida Initiative and Beyond Merida give special concern to Mexican DTOs and their criminal activities, but this 3rd pillar explain that United States will also combat other illegal behaviors happen along the border. U.S. Customs and Border Protection (CBP) is a U.S. government agency that secures the homeland by preventing the illegal entry of people and goods while facilitating legitimate travel and trade. In order to handle the Mexico's drug war, CBP aims to help Mexican government establishing a Mexican Customs training academy to support professionalization and promote the Mexican Customs' new role of performing received inspections. Another thing that needs government's

U.S. Department of State. "United States – Mexico Partnership: A New Border Vision". March 23, 2010. Available at <http://www.state.gov/r/pa/prs/ps/2010/03/138926.htm> (February 15, 2012)

concern is the corruption of U.S. and Mexican border officials who are in charge securing the border. Between October 1, 2004, and June 9, 2011, 127 CBP employees have been arrested or indicted for acts of corruption including drug smuggling, alien smuggling, money laundering, and conspiracy. Of the 127 arrests, 95 are considered mission compromising acts of corruption⁶⁷.

4. Building Strong and Resilient Communities

The last pillar is rather new focus on the set of policies in combating Mexico's drug war. It is considered that social and economic factors also play an important role. Plans to reduce the demand for drugs, create jobs, improve local infrastructure, and to build better public spaces are being considered as government officials continue to meet with civil society groups to design violence reduction programs⁶⁸. The new programs in this pillar have targeted efforts to:

- Improve strategic planning and communication to reduce risk factors that lead to crime/violence
- Help subnational governments to collaboratively address community needs

⁶⁷ See Statement of Alan Bersin, Commissioner, Customs and Border Protection, before the Senate Committee on Homeland Security and Governmental Affairs, Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs on "Border Corruption: Assessing Customs and Border Protection and The Department of Homeland Security Inspector General's Office Collaboration in the Fight to Prevent Corruption" released on June 9, 2011. Retrieved from http://www.dhs.gov/ynews/testimony/testimony_1307549850535.shtm (February 15, 2012)

⁶⁸ Eric L. Olson and Christopher E. Wilson. "Beyond Merida: The Evolving Approach to Security Cooperation". Woodrow Wilson International Center for Scholars. May 2010.

- Prepare youth to be responsible members of their communities.

Ciudad Juárez, Chihuahua, is known as one of the most violent city in the world. It has been the center of Mexico's drug trafficking-related violence where the Juárez and Sinaloa Cartels have battled for taking control over the El Paso drug smuggling route. In 2010, homicide levels have reached nearly 200 per 100,000 in Chihuahua. While in national level for homicides reach to 32 per 100,000⁶⁹. The fourth pillar tries to develop socio-economic programs with leadership from the Mexican government and the support from the U.S. government. The U.S. support was given through USAID. In FY2010 supplemental funding, USAID received \$14 million to implement pillar four activities in Ciudad Juárez. Those activities may include: grant funding for crime prevention programs, support for human rights NGOs, assistance to help civic organizations influence local and state politics, municipal exchanges to share best practices in reducing violence, and support for the development of community crime prevention strategies⁷⁰.

The examples of those activities can be seen below:

1. Pan American Health Organization's Electronic Mapping

The Pan American Health Organization (PAHO) originally aimed to determine mortality from traffic accidents. But with USAID funding,

⁶⁹ According to el Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública. Information updated and delivered by Instituto Ciudadano de Estudios Sobre la Inseguridad (ICESI) in October 2010. Downloaded from http://www.icesi.org.mx/documentos/estadisticas/estadisticasOfi/denuncias_homicidio_1997_2010.pdf (December 15, 2011)

⁷⁰ Eric L. Olson and Christopher E. Wilson. "Beyond Merida: The Evolving Approach to Security Cooperation". Woodrow Wilson International Center for Scholars. May 2010.

it subsequently expanded to map homicides, whether intentional or accidental, and is currently mapping homicides in Ciudad Juárez from its office in El Paso, Texas. So, both a matter of crime and public health are recognized as homicides.

2. La Fundación del Empresariado Chihuahuense (FECHAC)

FECHAC is an association of business men and women with around 29,000 members in the state of Chihuahua to support their respective communities through basic education, preventive health, training and the formation of social capital. The goal of this association is to develop stronger citizens and communities. By the support of USAID, it is working to strengthen and expand after school and summer programs, create safe places for young people to gather, and prepare youth for brighter futures through job and entrepreneurship training⁷¹.

3. Engaging Youth-At-Risk, “Youth: Work for Mexico!”

Since 2010, International Youth Foundation (IYF) collaborates with FECHAC and Centro de Asesoría y Promoción Juvenil, A.C. (CASA-PJ) launched “Youth: Work for Mexico”. Through this program, USAID has also given funds on developing after-school and summer programs for Mexican youth aged 9 to 29 years. “Youth: Work for Mexico” aims to address youth challenges in Ciudad Juárez and Tijuana. Working with local civil society groups, the program will help create

⁷¹ International Youth Foundation’s Youth Conference in Ciudad Juárez on April 14, 2011.

safe spaces for disadvantaged young people, strengthen and expand after school and summer programs, and prepare Mexican youth for viable futures through self- or salaried employment. The program will also leverage private sector resources and expertise, and increase community involvement. The youth will also be engaged in the conceptualization, design and implementation of the programs to help them stay in school and access the job market, while equipping them with the education and life skills necessary to become positive role models at work, at home, and in their communities⁷².

4. Support Urban Planning⁷³

The rapid pace of urbanization due to the migration of people in search of jobs has resulted in population growth and density that further contributes to increased levels of crime and violence. This is particularly happened in Tijuana and Ciudad Juárez. In the absence of urban planning, design and management, organized criminal groups have taken control and average Mexican citizens are left vulnerable to crime and cartel recruitment. USAID has begun the process of identifying urban planners and social investment advisory in Mexico with budget around \$0.5 million over 2 years.

Since the United States' assistance came in the fight against drug cartels in

2007, the situation in Mexico was getting better, but the following years it gets more

⁷²“Youth: Work Mexico”. Retrieved from <http://www.iyfnet.org/youth-work-mexico> (February 16, 2012)
⁷³Diana Negroponte. “Pillar IV of ‘Beyond Merida:’ Addressing the Socio-Economic Causes of Drug Related Crime and Violence in Mexico”. Woodrow Wilson International Center for Scholars. May 2011.

and more severe. The forms of cooperation carried out in the Merida Initiative and Beyond Merida seems to be less effective in reducing drug production and drug-related crime rate in Mexico. The victim has totaled nearly 50,000 in less than 5 years and tended to increase since the arrival of the United States' assistance. Drug production in Mexico is also growing. In 2006, before the United States' assistance came, Mexico harvested 8,600 ha of cannabis and 5,100 ha opium. While in 2008, after there was cooperation with the United States in combating drug cartels, Mexico harvested 8,900 ha of cannabis and 6,900 ha of opium⁷⁴. It shows that there is another thing that makes Mexico fail in combating the drug war, not solely about the assistance from another country.

⁷⁴ Cited from <http://narconews.com/Issue62/articulo3957.html> (March 2, 2012)