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THE BECKLEY FOUNDATION DRUG POLICY PROGRAMME

AT A CROSSROADS:

Drug Trafficking, Violence and the Mexican State

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SUMMARY

In this joint WOLA-BFDPP policy brief, the authors provide an overview of current and past drug policies implemented by the Mexican government, with a focus on its law enforcement efforts. It analyzes the trends in the increased reliance on the Mexican armed forces in counter-drug activities and the role that the United States government has played in shaping Mexico's counter-drug efforts. It is argued that government responses that are dominated by law enforcement and militarization do little to address the issue in the long term and draw attention away from the fundamental reforms to the police and justice systems that are needed to combat public security problems in the country. The brief also argues that the most effective way to address drug trafficking and its related problem is through increased efforts to curb the demand for illicit drugs in the United States and Mexico.

INTRODUCTION

Since 2005, Mexico has been beset by an increase in drug-related violence. In that year over 1,500 people were killed in drug-related violence; in 2006, the number of victims climbed to more than 2,500. In response to the violence, just days after assuming the presidency in December 2006, Mexican President Felipe Calderón launched "Joint Operation Michoacán" (*Operativo Conjunto Michoacán*), deploying around 6,500 soldiers and police in the state of Michoacán to set up roadblocks and checkpoints, occupy key areas where drugs were sold, and execute search and arrest warrants of individuals linked to drug trafficking. After a record year of drug-related killings, "Joint Operation Michoacán" was the first of several military-dominated operations launched by the new administration in Mexican states where organized crime was believed to be concentrated. Despite the efforts of the Calderón Administration, however, 2007 promises to be yet another bloody year, with the number of killings reaching 2,113 by the second week of October.[1]

Successive Mexican presidents have undertaken major initiatives to combat drug trafficking in the country. Yet the power and reach of the so-called Mexican drug cartels, and the violence associated with them, have only escalated. Like Calderón, both Presidents Ernesto Zedillo and Vicente Fox came into office promising to tackle organized crime and violence, announcing national crusades and expanding the role of the military to restore public order. In each of these cases, the security efforts succeeded in generating a temporary sense of improved citizen security through purges of corrupt officers, the creation of new forces, and a visible reliance on the military th3at resulted in short-term tactical victories. An important number of major drug kingpins have been captured in recent years. Ultimately, these efforts have faltered in the face of basic laws of drug supply and demand. New traffickers and new organizations take the place of old ones, "clean" soldiers and police officers are easily corrupted, and robust supply keeps drugs flowing through Mexico and over the border into the United States.

Today, drug-related killings, insecurity and fear have created in Mexico a growing sense of crisis. As citizens and elected officials look for ways to quell the violence, they should remember the clear lesson of nearly two decades of efforts to confront powerful trafficking organizations: quick fix solutions divert attention and resources from the long-term reforms in the police and justice sector that are needed to deal effectively with the inter-related problems of

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illicit drugs, crime and violence. More military involvement in the "drug war" has increased corruption within the institution, generated human rights violations and failed to make a dent in the narcotics trade. To contain that trade, drug traffickers must be identified, prosecuted and punished, and prevented from carrying out their illegal activities from behind bars. Effective police and judiciaries, free from corruption, are essential in achieving that end.

To highlight the lessons learned to date from drug control efforts in Mexico, this brief provides a general overview of past and present approaches to drug policy in that country, with particular attention to law enforcement efforts. It summarizes the strategies and tactics adopted by President Calderón's predecessors and his administration's efforts since he assumed office. Due to the interconnected nature of Mexico's drug trade with the United States, the study also analyzes the history and current state of U.S.-Mexico counter-drug cooperation, a timely topic given the Bush Administration's recent presentation to Congress of a $500 million security cooperation initiative for Mexico.

Overcoming the violence and corruption related to Mexico's drug trade and addressing the increasing problem of national drug use in the country is no small task. Given the global dimensions of the drug trade, it is also not something Mexico should face alone. The international community should support the Mexican government in efforts to carry out meaningful police and justice sector reform. Such reform efforts should include higher police salaries, and enhanced police oversight and control mechanisms to root out corruption and prosecute and sanction those who engage in corruption. On the American side, supporting steps should include stemming the flow into Mexico of handguns, assault rifles and other weapons that fuel the violence; and reducing the demand for drugs through evidence-based prevention strategies and improved access to high-quality treatment.

BACKGROUND

Understanding the illicit drug trade in Mexico requires situating the country in its unique international position, bordering the world's largest illicit drug consuming country, the United States, and serving as a logical transit country for cocaine shipments from Colombia. According to the U.S. State Department, about 90% of all cocaine consumed in the United States passes through Mexico.[2] Complicating this situation is the fact that Mexico is also a drug producing country itself. Mexico supplies a large share of the heroin distributed in the United States; it is the largest foreign supplier of marijuana to the U.S. market and a major supplier and producer of methamphetamines.[3] The World Drug Report 2007 from the United Nations Office on Drugs and Crime (UNODC) estimates that Mexico is one of the top two marijuana producers in the world.[4]

Another consequence of the illicit drugs produced in and flowing through Mexico is that the country now has a growing problem with drug consumption. Results from a nationwide survey conducted from 2003 to 2006 by the Ministry of Public Education and the Ramon de la Fuente National Institute of Psychiatry indicate an increase in adolescent marijuana consumption nationwide and a stabilization of cocaine use. Of particular concern is the reported increase in the consumption of drugs among adolescents in Mexico City and several states, particularly those along the U.S.-Mexico border.[5]

OVERVIEW OF THE DRUG TRADE

Mexico's production of marijuana and opiates dates from the late 19th and early 20th centuries, as does the trafficking of these drugs into the United States. Historically, poppy and marijuana cultivation was concentrated in northern states such as Sinaloa, Sonora, Chihuahua and Durango. This cultivation has now expanded; the top 15 marijuana and poppy producing regions in the country are located in the states of Sinaloa, Michoacán, Guerrero, Durango, Chihuahua and Sonora.[6] The president of Mexico's Supreme Agricultural Court estimates that around 30% of Mexico's cultivatable land is being used for drug production[7] although the Mexican government has not issued any official numbers on the amount of land used for drug cultivation in the country. Given the extreme poverty of many of the areas where crops used as raw materials for drugs are produced, it is not surprising that many peasants now work in this trade. As one man put it "[f]or every peso that I invest in maguey, I earn seven pesos the following year … For every peso that I invest in *mota* (marijuana), I get 500 pesos the following year."[8]

Mexico uses manual and aerial fumigation crop eradication strategies to tackle the production of marijuana and poppy. The Defense Ministry (*Secretaría de Defensa,* SEDENA) has played an important role in Mexico's eradication efforts since the late 1940s, being the main body responsible for the manual eradication of crops. Until the end of the Fox Administration, pilots from the federal Attorney General's Office (*Procuraduría General de la República*, PGR) were in charge of Mexico's aerial herbicide spraying efforts, also known as fumigation. Under the Calderón Administration, the task has now been transferred to the Defense Ministry.

While the networks established to traffic illicit substances have been functioning for several decades, the most radical change in the type and extent of trafficking occurred in the mid-1980s when major interdiction efforts by the United States effectively closed off Florida as an entry point for Colombian cocaine. Mexico was an attractive option for the Colombian "cartels" because of its almost 2,000 miles of largely unguarded border with the United States. Small-time drug smugglers in Mexico then blossomed into more sophisticated drug trafficking organizations with increasing power to corrupt officials and police, eventually becoming the modern syndicates that control

key corridors for the flow of drugs into the United States. Although many drug trafficking organizations operate in the country, the trade is currently dominated by what are commonly termed the Gulf, Sinaloa/Federation and Tijuana "cartels," named for their places of origin. It is estimated that at least 70% of all drugs that enter the United States pass through the hands of at least one of these organizations.[9] They control the flow of drugs within Mexico, as well as the transport of cocaine from South America, mainly produced in Colombia, through Mexico's Pacific ports and coastline, the Atlantic port cities of Cancún and Veracruz, and overland traffic through Mexico's southern states from Guatemala. Their main ports of entry into the United States are the border towns of Matamoros, Nuevo Laredo, Juárez, Agua Prieta, Nogales, Mexicali and Tijuana.[10]

Since 2003, methamphetamine production has increased sharply in Mexico. The U.S. Drug Enforcement Administration (DEA) has reported that the closure of methamphetamine labs in the United States led to a significant increase in production in Mexico, as shown by the growth in the seizures of this drug arriving from Mexico. Rather than a decline in the quantity of methamphetamines available in the United States, its production has simply been displaced to Mexico.[11] The main states for methamphetamine production are Jalisco, Sinaloa, Michoacán, Sonora and Baja California.[12]

Corruption of the police, politicians and even the Mexican military is a historic problem that has undermined Mexico's efforts to ensure the rule of law and combat criminal organizations and the drug trade. The country's weak institutions – already suffering from lack of oversight and accountability mechanisms – have been further eroded by the corruption generated by the drug trade. According to Mexican academic Luis Astorga, "[s]ince the beginning of the drug business, the best known drug traffickers in Mexico were linked in special official reports in Mexico and the USA to high-ranking politicians. More precisely, these politicians were suspected of being directly involved in the illegal trade and even controlling it."[13]

A recent case illustrates the level of this corruption. Currently, Mario Villanueva, the former Institutional Revolutionary Party (*Partido Revolucionario Institucional*, PRI) governor of the southern state of Quintana Roo is facing extradition to the United States to face charges of allegedly helping Mexican drug dealers smuggle 200 tons of cocaine into the country while he was in office from 1993 to 1999. The indictment request from the U.S. District Court in New York states that Villanueva earned $500,000 for each cocaine shipment moved by the Juárez "cartel" during the mid-1990s.[14] Weeks before finishing his term in 1999, Villanueva learned of his pending arrest in Mexico for drug-trafficking and money laundering and disappeared; he eluded police for two years until he was arrested in 2001. In June 2007, Villanueva was found guilty of money laundering by a Mexican court, but he was order to be released by a judge for having served the time for this crime. Moments after his release, Villanueva was again arrested due to the extradition request from the United States, which is currently proceeding through the Mexican court system.

U.S. SUPPORT

Due to the shared border between the United States and Mexico, their intertwined histories and strong economic and social ties, Mexico's counter drug policies cannot be analyzed independently from the United States' own "war on drugs." Just as drug production and trafficking in Mexico are stimulated by U.S. drug consumption, many of the Mexican government's policies and decisions on combating drug trafficking are linked to U.S.-led and promoted policies, as well as U.S. funding. It has been noted that the so-called "pressure response" scenario was well established as long ago as the late 1940s.[15]

While cooperation has increased in recent years, Mexico and United States have not always worked together easily on common problems. Since the war of 1846-1848, in which Mexico lost half its territory to the United States, Mexico has been very sensitive to sovereignty issues and any perceptions that the United States is meddling in its affairs. It refused to receive U.S. drug control assistance for several years in the 1990s and continued to generally prohibit members of the U.S. armed forces from training or carrying out operations within Mexican territory. The U.S. certification policy in place since 1986 was a particularly contentious point in bilateral relations until it was modified by the US Congress in 2002. Under the original policy, the U.S. president was required by Congress to certify each year that the major drug-producing and trafficking countries were fully cooperative with U.S. counter-drug measures; those that failed to win certification faced consequences ranging from a cut in economic assistance, automatic denial of loans from multilateral banks, to discretionary trade sanctions. The threat of decertification led to an increased role for the Mexican military in counter-drug operations[16] and arguably increased the potential for abusive practices. After the modifications in 2002, countries are automatically certified unless their counter-drug efforts are particularly poor. Despite occasional friction between Mexico and the United States regarding drug control issues, since the mid-1980s, the United States has provided assistance "to build up the PGR's [the Attorney General's Office, or *Procuraduría General de la República*] helicopter fleet for aerial crop eradication and interdiction efforts, to train thousands of police and prosecutors, to enhance the PGR's intelligence capabilities, to improve money-laundering controls and investigations; and to provide equipment, computers and infrastructure."[17]

At the same time, U.S. officials have encouraged the use of the Mexican military in counter drug operations. This was principally because the military was considered to be the only institution with the manpower, capacity and equipment to counter the threat of drug trafficking and because the military were viewed as being less corrupt than the Mexican police.[18] The visit of U.S. Defense Secretary William Perry in October 1995, the first-ever visit by a U.S. defense secretary to Mexico, advanced U.S.-Mexico military cooperation. It was only following Perry's trip that Mexico began to accept more U.S. assistance beyond the small amounts of U.S. International Military Education and Training (IMET) that it had previously received. A

bilateral working group for military issues, which would include counter-drug cooperation, was also established.

Between 1996 and the early years of the Fox Administration, U.S. counter-narcotics assistance supported several major programs:

- Funding for programs to vet, train and equip special anti-drug units within the PGR and assistance to the PGR's intelligence division (*Centro de Planeación para el Control de Drogas*, CENDRO).

- U.S. military support for the Air-Mobile Special Forces (*Grupos Aeromóviles de Fuerzas Especiales*, GAFES) to serve as troops to confront drug "cartels," including training and equipping hundreds of soldiers and the provision of seventy-three UH-1H helicopters.

- Assistance to continue efforts to vet, train and equip members of special anti-drug units within the Federal Investigative Agency (*Agencia Federal de Investigación*, AFI), army, navy and marines.[19]
- In the mid-1990s, the CIA also began providing training and support for an elite team of Mexican soldiers, the Center for Anti-Narcotics Intelligence (*Centro de Inteligencia Antinarcoticos*, CIAN), tasked with "developing the intelligence that is used to identify top drug traffickers and for designing strategies for dismantling drug cartels."[20]

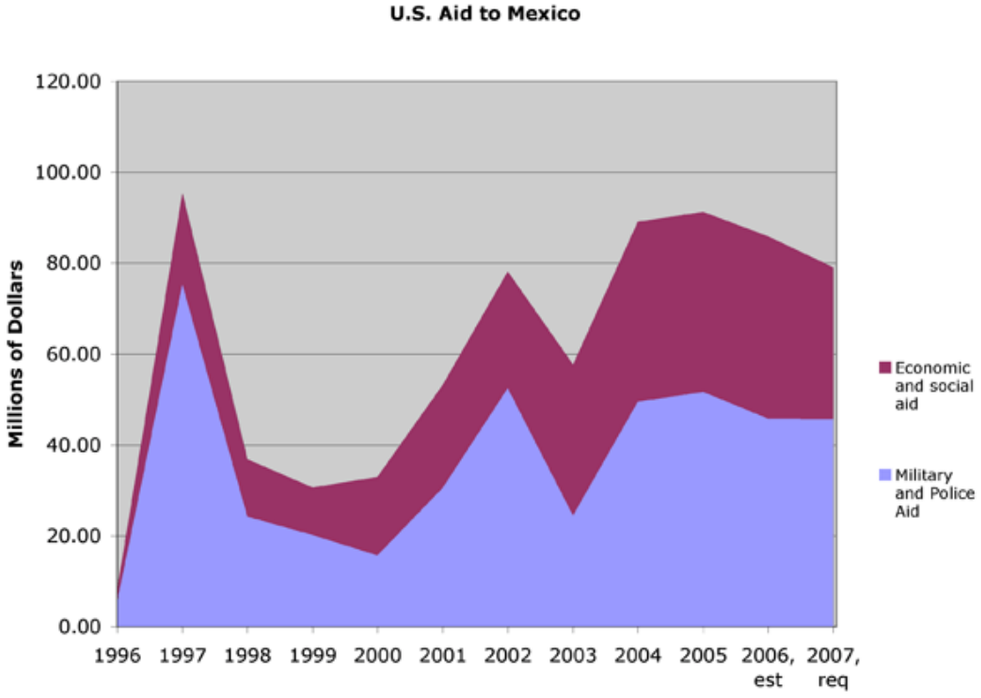
Although U.S. security assistance had been almost completely focused on counter-drug issues for the past decade, this shifted after the attacks of September 11, 2001 and now the U.S.-Mexico security relationship also includes counter-terrorism and border security.

In 2007, Mexico received an estimated $59 million dollars in military and police aid from the United States and $28 million in economic and social aid. The budget requests for 2008 are for $47.39 million in military and police aid and $18.38 million in economic and social aid.[21] U.S. military and police aid will substantially increase if the larger counter-drug aid package negotiated between the United States and Mexico is finalized and funded by the U.S. Congress.

DEFINING POLICE AND MILITARY ROLES

Addressing drug trafficking and the ongoing corruption of Mexico's law enforcement agencies has been a policy focus of the federal government since the 1980s, as has been defining the role of Mexico's military to combat organized crime. During the administration of Miguel de la Madrid (1982-1988), efforts were made to purge agents that were linked to drug trafficking from the Federal Security Directorate (*Dirección Federal de Seguridad*, DFS). More importantly, in 1987, following the lead of U.S. President Ronald Reagan, de la Madrid declared drug trafficking a national security issue, opening the door for an increased militarization of drug control efforts, including law enforcement and intelligence tasks.

President Carlos Salinas de Gortari (1988-1994) also made efforts to purge the PGR of corrupt agents and restructure it, particularly within the counter-drug unit of the Federal Judicial Police. In 1988, Salinas established the Center for Drug Control Planning (Cendro) within the PGR as its intelligence analysis center and later created the National Institute to Combat Drugs (*Instituto Nacional para el Combate a las Drogas*, INCD) in 1992. The executive coordinating group of the INCD included representatives from the defense and navy ministries; this was the first time that the Mexican government had directly included the armed forces in counter-drug decision making bodies. In the 1989-1994 National Development Plan, President Salinas also declared drug trafficking a national security threat,[22] thus confirming the military's expanded role in counter-drug efforts.



Taken from "Just the Facts", WOLA, LAWG, CIP: http://www.ciponline.org/facts/mx.htm

The administration of President Ernesto Zedillo (1994-2000) was marked by the intensification of the use of the armed forces in counter-drug operations, as well as an expanding role for members of the military in civilian institutions and public security bodies. Zedillo's administration began to substitute Federal Judicial Police with members of the army in several areas of the country and placed high-ranking military officials within civilian law enforcement agencies, such as in the PGR's drug intelligence center.[23] Zedillo also established the National Public Security Council, which included the defense and navy ministries, broadening their role in decision making and policymaking on domestic public security issues, including drug control efforts. [24] In 1999, Zedillo created the Federal Preventive Police (*Policía Federal Preventiva*, PFP) to work to prevent federal crimes as well as to assist local and state agents in criminal investigations. At its outset, the PFP included around 5,000 military personnel – about half the total force – serving in positions that were supposed to be temporary until enough new civilian agents could be selected and trained.

During the Zedillo administration, the Defense Ministry issued the Azteca Directive, which established the military's permanent campaign against drug trafficking, including programs to eradicate drug crops, confiscate illegal drugs and combat organized crime. The Ministry also created the General Plan to Combat Drug Trafficking.[25] In what was to be the beginning of joint military-police operations, the military also began to support civilian law enforcement officials in counter-drug and other criminal control efforts through "mixed operations forces" (*bases de operaciones mixtas*).

The election of Vicente Fox from the National Action Party (*Partido Acción Nacional*, PAN) as the president in 2000 was hailed as a turning point in Mexico's development as a democracy. For the first time in 71-years, the PRI no longer controlled the presidency. President Fox turned public security and the problems facing Mexico's law enforcement agencies into top priorities, raising the military's profile in the anti-drug effort and bolstering cooperation with the United States. The Fox Administration's bolder approach was seen in, among other actions, the establishment of the Ministry of Public Security (*Secretaría de Seguridad Pública*, SSP) and the disbanding of the notoriously corrupt Federal Judicial Police force and its replacement with the Federal Investigative Agency, directed by the PGR, in 2001. In January 2003, there was a major reorganization of the PGR and all offices involved in counter-drug issues and organized crime were consolidated under the Deputy Attorney General's Office for Special Investigation into Organized Crime (*Subprocuraduría de Investigación Especializada en Delincuencia Organizada*, SIEDO). [26]

During the Fox administration, there were several efforts to purge law enforcement agencies of corrupt officials, most notably within the AFI, where over 800 agents have been under internal investigation for corruption or criminal acts since its creation in 2001. During the first two years of its creation, over 600 AFI agents were involved in illegal actions including kidnapping, torture, homicide, drug trafficking, organized crime and extortion. The PGR explained this corruption and involvement in illicit activities as a result of the presence of former judicial police agents within the new corps. Nonetheless, more than half of the agents implicated in these acts of corruption were new to the agency. In 2006, numerous AFI agents were captured in operations against criminal groups.[27]

President Fox presented to Congress in 2004 a series of proposals for public security and criminal justice reform. The proposed reforms included the establishment of oral trials[28], an explicit recognition of the "presumption of innocence" until proven guilty, the creation of a Ministry of the Interior (*Secretaría del Interior*) to replace the Public Security Ministry, and the joining together of the PFP and the AFI into one federal police force under this new ministry's command. While addressing important failings in the current criminal justice system, the proposal did not diminish the highly disputed use of preventive custody and it included the denial of due process guarantees for individuals accused of participating in organized crime, defined as any group of three or more people who conspire to commit multiple crimes. While minimal aspects of the reform were approved in Congress, the substantive part of the reform was not approved due to divisions and a lack of collaboration between the Fox Administration and opposition parties.

Like his predecessors, Fox continued to fill justice institutions with military personnel and further broadened the role of the military in public security tasks, particularly counter-drug operations. Upon assuming office, Fox named brigadier general and former military prosecutor Rafael Macedo de la Concha as Attorney General of Mexico. In his first few years in office, Fox also transferred eight entire army units and 1,600 members of several navy battalions to the PFP.[29] In his second state of the union address, Fox confirmed the expanded use of the military stating that "beginning in March 2002, special forces battalions were mobilized to support the territorial commands to carry out high impact and result-oriented operations in areas of critical and decisive importance, which allowed for the control of drug-trafficking and a more efficient fight against organized criminals."[30]

The growing reliance on the military became even more apparent in President Fox's launch of a military-dominated "Operation Safe Mexico" (*Operativo México Seguro*) in June 2005 to combat drug-related violence and corruption in the northern states of Tamaulipas, Baja California and Sinaloa, later expanded to Michoacán, the State of Mexico, Guerrero and Chiapas. The operation purged local police bodies infiltrated by drug-related corruption, deployed federal PFP and AFI agents and soldiers to the streets of cities affected by drug-related violence and crime, established military checkpoints in the cities to search cars and trucks, executed outstanding arrest warrants, boosted investigations into federal crimes, searched for illegal drugs and weapons, and detained wanted criminal suspects. Although "Operation Safe Mexico" was announced as a new strategy, the activities themselves replicated tasks normally carried out by federal agents, but now at a higher-level. According to Raul Pérez Arroyo,

research head for the State Human Rights Commission of Sinaloa, "[t]he way in which President Vicente Fox has decided to combat the problem of insecurity and organized crime is no different from the traditional form in which other presidents, in their own six-year terms, have decided to eradicate organized crime or drug trafficking and the criminal groups that carry this out in Mexico: combating fire with more fire."[31]

The Fox Administration was also characterized by unprecedented cooperation with the United States in counter-drug efforts. To the satisfaction of U.S. officials, the Mexican government adopted aggressive tactics for tackling the drug trade including stepped-up arrests and the detention of top figures among several of the key drug trafficking organizations. In November 2005, Mexico's Supreme Court reversed a 2001 legal ruling that prohibited the extradition of criminals to another country if they would face life imprisonment, considering this to be against the Mexican Constitution and effectively blocking the extradition of many drug traffickers to the United States. The reversal of this ruling cleared the path for several extraditions; 63 were extradited to the United States in 2006 alone.[32] Additionally, in April 2006, the Mexican Congress approved a local-level drug dealing (*narcomenudeo*) law that would have given state and local law enforcement bodies a greater role in prosecuting local-level dealing, while also decriminalizing small amounts of drugs for personal use. Originally supported by President Fox, he vetoed the law in May 2006 under intense pressure from the United States.

Despite the policies and programs implemented by the Fox Administration, drug-related violence continued to escalate. It remained high throughout Fox's term and skyrocketed during his last full year in office, 2005.

UNDERSTANDING THE SURGE IN VIOLENCE

There is no sole explanation for the increase in violence since 2005, although many believe that it is due in part to the Fox Administration's strategy of targeting top "cartel" leaders, known as *los capos,* in the thinking that, once decapitated, the drug "cartels" would be weakened. The strategy was in some ways quite effective. In May 2001, the Mexican government arrested Adan Amezcua, the leader of the Colima "cartel." In March 2002, the head of the Tijuana "cartel," Benjamín Arellano Félix, was arrested, followed by the arrest one year later of Osiel Cárdenas, the leader of the Gulf "cartel." These arrests and others left power vacuums within the "cartels", resulting in internal disputes and, more importantly, an opportunity for other Mexican "cartels" to take advantage of their weakened opponent and use violence to gain control over new drug-transit routes and territories.

Another explanation for the rising drug-related violence in Mexico is the political reshuffling that took place when the PRI lost its historic control over the federal, state and local governments. Academic Luis Astorga argues that as the ruling party, the PRI served as a referee for the drug "cartels", regulating, controlling, and containing the drug trade, while also protecting drug trafficking groups and mediating conflicts between them.[33] As one former high-ranking PRI official told *The Washington Post*, "In the old days, there were rules. We'd say, 'You can't kill the police, we'll send in the army.' We'd say, 'You can't steal 30 Jeep Cherokees a month; you can only steal five.'"[34] As the PRI began to lose political power, culminating in the 2000 presidential elections, this control structure was weakened, resulting in diminished control over the "cartels." Faced with this, "traffickers resorted to violence to enforce deals with customers, settle scores with competing organizations, and intimidate or exact revenge against law enforcement agencies."[35]

Perhaps the most alarming characteristic in the surge in drug-related violence in Mexico is not the sheer numbers of killings, but the tactics adopted by the drug-traffickers to enforce their control, settle accounts and instill fear. This has particularly been the case with the rise in power of the hit men of the Gulf "cartel," known as the Zetas. A force created by "cartel" leader Osiel Cárdenas, who escaped from a federal maximum security prison in 2001, the Zetas were originally composed of elite soldiers from the Mexican special force groups, the GAFEs; it is believed that some Zetas may have received U.S. military training when they were part of this special force. Having inside knowledge of Mexico's security forces and highly specialized training in weaponry, intelligence gathering, surveillance techniques and operation planning, the Zetas are able to mount very effective operations. They are also very violent.[36] With the Zetas, and to a lesser extent similar groups created later within other "cartels", the past few years have been characterized by acts of chilling brutality including the torture, execution and burning of rivals; severed heads being set on stakes in front of public buildings or, in one incident, being rolled across a dance floor in a nightclub in Michoacán; pinning threatening messages directed at rival traffickers and law enforcement officials onto the murdered bodies of victims, and attacks and threats against reporters.

NEW ADMINISTRATION, SAME STRATEGY?

Winning the presidency of Mexico by a razor-thin and hotly disputed margin over opposition candidate Andrés Manuel López Obrador of the Party of the Democratic Revolution (*Partido de la Revolución Democrática,* PRD), President Calderón began his administration with a quick and massive response to the drug-related violence affecting the country, deploying over 6,500 soldiers and federal police agents to Michoacán, followed by operations in several other states affected by drug trafficking and violence. In an effort to confirm his

mandate as president, Calderón said he would apply the full force of the government's authority against the drug trade and would grant "no truce and no quarter" in combating organized crime.[37] Although the packaging may be different, the new government's strategy bears striking resemblance to the efforts of his predecessors described above.

Mexico's current counter-drug operations have been deployed in nine states and have involved over 27,000 soldiers, with agents from SEDENA, the Ministry of the Navy (*Secretaría de la Marina*), the Ministry of Public Security and the PGR. As a result of the operations and other counter-drug efforts, the Calderón Administration's first report on the state of the nation indicates that from January to June 2007 they interdicted 928 tons of marijuana, over 5.5 tons of marijuana seeds, 192 kilos (422 pounds) of opium gum, and 3.6 tons of cocaine. The government also reported the detention of over 10,000 people for drug crimes, including leaders and operators of seven drug trafficking organizations, the seizure of money and arms, and the eradication of over 12,000 hectares (29,000 acres) of marijuana and 7,000 hectares (17,000 acres) of poppies.[38]

In spite of these efforts, the drugs still flow and the violence continues, not only in the states traditionally known for drug-related violence, such as Sinaloa and Tamaulipas, but also states that had been relatively free from the scourge such as Veracruz and Nuevo León. The SSP reports that from January to June 2007 there were on average 248 drug-related killings per month, with the week of April 23-29th alone registering 94 such killings. On February 5, drug "cartel" assassins disguised as soldiers disarmed police at two stations in Acapulco and killed five officers and two secretaries. On May 11, four bodyguards of the governor of the State of Mexico were executed while escorting his family in the city of Veracruz. Days later José Nemesio Lugo Félix, the head of the PGR's organized crime center (*Centro Nacional de Planeación, Análisis e Información para el Combate a la Delincuencia*) was gunned down in Mexico City. Violence has reach such extreme levels in places like Monterrey, which until last year was one of the safest cities in Mexico, that even events as simple as children's birthday parties have been reported to be carried out indoors in venues with metal detectors and security guards to inspect the presents.[39]

Apart from the counter-drug operations that federal government has launched throughout the country, Calderón has proposed a series of reforms to public security institutions. In January, Calderón called on all levels and branches of the government, as well as civil society and the business sector to join him in the National Crusade Against Crime, similar to "crusades" announced by presidents Zedillo and Fox. More importantly, in March the federal government presented the "Integral Strategy to Prevent and Combat Crime." This strategy proposes the merging of Mexico's four federal police forces, the creation of a national criminal database, the professionalization of federal police and mechanisms to combat police corruption, penitentiary reform, and the active participation of civil society in crime prevention.[40] Government officials estimate that it will take at least a year for the

strategy to be functioning at 80% and that it may take up to three years for it to be completely functioning, given infrastructure problems, the need to hire more personnel, and the legal reforms that need to be passed in Congress.[41]

If the Calderón Administration can muster the political will to fully implement this strategy, it could represent an important transformation of Mexico's security bodies, strengthening police investigative capacities, ensuring more accountability and enhancing coordination among the different agencies and control and oversight over the penitentiary system. In June the government suspended 284 police officers from the PFP and AFI, including 34 state and Federal District police chiefs, pending probes into their possible links to organized crime or drug trafficking. This is a positive step, but like past purges of Mexico's law enforcement agents, it will accomplish little without the implementation of more structural reforms.

Likewise, while these efforts are important, several academics and organizations, including the Network of Specialists in Public Security, made up of 55 academics and 30 non-governmental organizations, have expressed their concerns on the security policy presented in the National Development Plan 2007-2012, many of which reflect the proposals presented in the Integral Strategy to Prevent and Combat Crime. Their critiques include a concern that the Plan "appears to be more of a contingency plan in the light of an emergency situation and not a solid plan that provides guidance for a long-term path to follow; it is directed more at solving problems that the government views as a threat and not the problems that concern citizens; it confuses insecurity with organized crime and identifies this with drug trafficking; the security policy is presented in isolation from other policies, therefore failing to create an integral security policy; and the plan deals more with measurable results than with the profound transformations needed within the police and justice institutions" among other issues.[42]

Parallel to the public security strategy, President Calderón submitted to the Mexican Congress a series of constitutional reforms to Mexico's justice system to address insecurity in the country. While his proposal established the basis for purging police forces of corrupt officers through more agile mechanisms, the proposal for the expansion of the ability of federal prosecutors and the police to arrest people, conduct searches, and intervene in personal communications without the need for a warrant from a judge has provoked strong opposition from several sectors. The Calderón proposals have yet to be fully debated in Congress, but PRI Senator Manlio Fabio Beltrons said that "none of the proposals that harm individual guarantees will be approved."[43] The PRI and the other opposition parties have worked on alternative justice reform proposals. Given that no party has a majority in Congress, the debates on these reforms promise to be heated and it remains to be seen which elements may be approved. The Network for Oral Trials, made up of representatives of the business sector, academic institutions, non-governmental organizations, and constitutional law experts, among others, has strongly opposed several aspects of President Calderón's proposal because they compromise guarantees for basic rights and reduce the already weak state controls over police and public prosecutors. [44]

While it is too soon to assess the new administration's effectiveness in combating organized crime, the failure of similar strategies in the past does not bode well for the new government. President Fox had also announced plans to professionalize the police, combat corruption and reform the prison system in his National Development Plan 2000-2005, yet no substantive reforms were implemented. The counter-drug operations are a larger scale replica of President Fox's Operation Safe Mexico. The continued violence in states targeted in that operation like Tamaulipas, Sinaloa and Michoacán suggest that more than a massive show of force is needed to address the problem. Key elements of a potentially successful counter-drug policy are being put into place, but the Calderón Administration will need long-term political will to deliver on what it has planned. Mexico's creeping dependence on the armed forces to address the country's public security problems should not be considered a long-term solution.

THE DANGERS OF MILITARIZATION

On the evening of June 1, 2007, the Esparza family was driving in their pickup truck in the community of La Joya de los Martínez, in Sinaloa, when they failed to stop at a military checkpoint. Soldiers from the 24th Regiment of the Motorcycle Calvary opened fire on the vehicle, killing two women and three children. The surviving members of the Esparza family stated that they saw no military checkpoint and that the soldiers had refused to help the injured. The National Human Rights Commission established that none of the individuals who were killed or injured had fired any weapons. While the Defense Ministry detained 19 soldiers for the crimes and compensated family members and the injured, the incident stands as a stark reminder of the risks involved in deploying the Mexican military to do police work.[45]

Like his predecessors, President Calderón has embraced the use of the Mexican armed forces to combat drug trafficking. They are the predominant force in counter-drug operations. The Defense Ministry has assumed full charge over drug-eradication efforts, including fumigation, and in May 2007, President Calderón created the Special Support Force (*Cuerpo Especial de Fuerzas de Apoyo del Ejército y la Fuerza Aérea Mexicana*), composed of army and air force personnel to combat organized crime.

While the use of the Mexican military in counter-drug operations is understandable given the scale and scope of the violence affecting the country and the enduring problem of police corruption and lack of training, there are clear dangers to military involvement in domestic law enforcement operations. More often than not, reliance on the military diverts attention and resources from undertaking the necessary steps to

strengthen the civilian police, intelligence apparatus and the judiciary. Military forces are trained for combat situations, in which force is used to vanquish an enemy. In contrast, domestic law enforcement forces are trained to use the least amount of force possible and to work with local communities. The difference in roles and tactics means that conflict and abuses are virtually inevitable when the military is brought into a law enforcement role.

In another incident in Michoacán in May 2007, soldiers fired grenades into a house where suspected "cartel" members were hiding, killing them instead of arresting and interrogating them. The CNDH has also implicated members of the armed forces in human rights violations, including torture, arbitrary detentions and sexual assault, in counter-drug operations in Michoacán.[46] Regional and international human rights bodies have repeatedly recommended to the Mexican government that human rights abuses committed by members of the military against civilians be investigated and tried by civilian justice institutions as impunity prevails when these abuses are probed by the military justice system, which lacks independence and impartiality.

The Mexican military has the reputation of being one of the most closed and secretive in Latin America. Civilian oversight and control of the military is sorely lacking, making it more vulnerable to the corrupting influence of the drug trade. Between 1995 and 2000 more than 150 soldiers and officers were tried for drug-related crimes. At least three army generals have been convicted of crimes related to drug trafficking since 1997, including the Mexico's top anti-narcotics officer under President Zedillo, General Jesús Gutiérrez Rebollo.[47]

The continued deployment of soldiers to fight organized crime exposes them more deeply to corruption. It is estimated that one in eight soldiers deserts every year, and "cartel" members reportedly entice troops with large sums of money to change sides. From 1994 to 2000, 114,000 soldiers deserted the army, with very little tracking of what happens to the deserters.[48] While the Zetas are the most notorious case of the drug trade's lure of money and power, they are not the only ex-soldiers who have left the armed forces to work for the "cartels." In a recent incident in May, several members of an armed convoy of traffickers that invaded the town of Cananea, Sonora and killed seven people, including 5 policemen, were former soldiers.[49]

A RISING CONSUMER POPULATION

In addition to the disturbing rise in drug-related violence, Mexico is also suffering from increased domestic drug abuse. As a transit and producer country there is a steady flow of drugs through Mexico. As in other transit countries, the payment in kind between drug trafficking organizations results in a greater availability of drugs in the country and an increase in small-scale drug dealing as local markets are sought for the drugs. While marijuana continues to be the main drug used by Mexicans, followed by cocaine, there has been an alarming increase in methamphetamine use, exacerbated as Mexican "cartels" try to make a profit in this new drug at home. This problem has become particularly acute in cities on the U.S. border. For example, it is estimated that among Tijuana's 1.4 million residents, there are over 100,000 methamphetamine addicts.[50]

The response from the Mexican health and education sectors in treating addictions has been criticized as deficient and erratic. Mexican expert on addictions Haydée Rosovsky states that "preventive efforts in Mexico in general are characterized as being broken up between different institutions or organizations with a variety of discourses. … There is no public policy regarding drugs that supports solid, persistent and evaluated programs, as there has not been enough political will in our country for such a policy."[51]

The National Development Plan 2007-2012 lays out objectives for more prevention campaigns and rehabilitation measures in Mexico. This includes the "Let's Clean Mexico" (*Limpiemos México*) initiative by which the government will build 300 specialized units throughout Mexico to treat addictions. Another component of the initiative is the Safe School Program, which aims to detect consumption of illegal substances in schools.[52] This program proposes drug tests and written questionnaires about drug use by elementary and middle school children. While both proposals stipulate that these tests will not be done without parents' consent, they have been questioned by the National Human Rights Commission, Mexican human rights organizations, and members of Congress from the PRI and PRD for their potential violation of children's rights.

While it is too soon to provide an assessment of these efforts, the priority given in the federal government's discourse to attending to addictions may be an important indicator for future policies. Recently, the National Council Against Addictions *(Consejo Nacional contra las Adicciones*, Conadic), part of the Ministry of Health, was granted approximately 68 million dollars as part of the over 206 million seized from Zhenli Ye Gon, a trafficker of pseudoephedrine into Mexico. The money will be used to establish the 300 prevention and treatment units detailed in the National Development Plan.[53] This additional funding in part addresses critiques on the deficient amount of resources granted by the new administration to address addictions. Previously Conadic had stated that the Mexican government designates only one peso to prevent addictions for every 16 that is spent in the fight against drug traffickers. According to the Interior Ministry (*Secretaría de Gobernación*), the federal government issued 732,000 television and radio spots on the campaign to combat drug trafficking and crime between December 1, 2006 to April 30, 2007. None of the messages, which have highlighted the government's joint operations and drug interdiction efforts, mentioned the issue of drug prevention in Mexico.[54]

LOOKING TOWARD THE FUTURE: U.S.- MEXICO COOPERATION

In his first published interview with the foreign press after assuming office, President Calderón affirmed that "the U.S. is jointly responsible for what is happening to us … in that joint responsibility the American government has a lot of work to do. We cannot confront this problem alone."[55] The president and members of his administration have maintained this position with the United States, continuously calling on the U.S. government to do more to combat drug trafficking, curb U.S. demand for drugs, and enhance control over weapons sales that facilitate trafficking into Mexico.

The Calderón government has continued to cooperate with the United States, extraditing 64 criminals in the first eight months of 2007,[56] including so-called Gulf Cartel leader Osiel Cárdenas Guillén and three other kingpins. Police assistance programs continue, the DEA trained over 2,000 Mexican police on ways to effectively combat methamphetamines in the past year,[57] and the FBI has helped train Mexican police to detect the kinds of drugs now being sold in Mexico.

Apart from this cooperation, for several months Mexico and the United States negotiated a financial assistance package to combat drug trafficking in Mexico. At this writing, mid October 2007, the precise details and specific amounts of the assistance have not been made public. A larger cooperation package between the two countries could be an opportunity to promote systemic changes in Mexico if it is focused on the structural reforms that need to be implemented to effectively combat drug trafficking; more equipment, training and the creation of specialized forces will not have the desired effects without profound reforms to the police and justice systems. Nevertheless, various press reports suggest that the package may not significantly diverge from traditional U.S. counter-narcotics assistance to Mexico, as they have cited the following as possible areas of cooperation: equipment for wire tapping, improvement in communication and electronic systems to better monitor Mexico's airspace, aircraft and military equipment, more intelligence sharing, training, and strengthening the rule of law in Mexico.

In a news conference held at the North American Summit in Quebec, Canada on August 21, 2007, both President Bush and President Calderón called the aid package the development of a common strategy to deal with the common problem of drug-trafficking and violence along the U.S.- Mexico border. Calderón particularly emphasized that the United States must also do its part, stating that "I am calling upon my neighbor in order to act in a coordinated way, because it's a situation we both have to face. It's a problem that affects [the] two countries, and only together will we be able to solve it."[58]

Apart from calling on the United States to do more to address drug consumption at home, Mexico has urged the Americans to crack down on gun sales that fuel illegal arms trafficking into Mexico. Mexican authorities estimate that more than 90 percent of the weapons that they confiscate were originally purchased in the United States. Cooperation on this matter has increased. U.S. officials now train Mexican police and customs officials to properly trace weapons, U.S. authorities have donated dogs trained in detecting various types of explosive powder, and there are plans to provide X-ray scanning equipment for increased inspection of vehicles entering Mexico from the United States.[59] In spite of these measures, weak U.S. gun regulations continue to make it easy to purchase weapons, facilitating their flow into Mexico. Many states, such as the border states of Arizona, New Mexico and Texas, do not limit the number of purchases of handguns, assault weapons, or magazines. Furthermore, although background checks are required for purchasing guns from licensed dealers, this is not the case for sales at gun shows, where an individual can buy an AK-47 for less than one thousand dollars and take it home, no questions asked.[60] In the light of this loophole, criminals may pay people with clean records to purchase these weapons for them and then transport them into Mexico.

Given that U.S. demand drives drug trafficking in Mexico and loose regulations governing gun sales facilitates illegal arms trafficking into the country, U.S. policymakers need to recognize their shared responsibility for the drug-related violence and drug trade in Mexico. Additional U.S. assistance to Mexico could be a real opportunity to reinforce systemic change in Mexico if it is directed at the structural reforms Mexico needs to effectively tackle this situation. For instance, U.S. police assistance programs should be modified to help Mexico restore public order and security, shifting from an emphasis solely on training and equipment to the transformation of command structures, incentives, and controls within the police to ensure that there are mechanisms for oversight and accountability in order to detect, deter and reduce corruption. Support for broad-based reform of the criminal justice system, which would improve investigative techniques and generate more citizen confidence in the police and legal system would also be important. Any additional assistance should also include oversight mechanisms to ensure respect for due process guarantees and human rights.

CONCLUSIONS

"This is not an easy task, nor will it be fast," President Calderón told an assembly of Mexican army officers shortly after assuming office. "It will take a long time, requiring the use of enormous resources and even, unfortunately, the loss of human lives."[61] It is clear that there is no quick fix to the drug-related violence plaguing Mexico. Continuing drug demand from both north of the border and increasingly within Mexico itself, widespread poverty that leads to involvement in drug cultivation and dealings with traffickers, and structures that permit corruption, all allow the drug trade to remain lucrative and attractive in the country. Such a dynamic creates an ideal environment for drug-related corruption and violence to flourish.

More than 20 years of efforts to address the problems related to drug trafficking through increased law enforcement efforts and the use of the military have repeatedly shown themselves to be insufficient. In the end, police and justice systems need to function effectively to combat drug trafficking and organized crime in Mexico. Enhanced cooperation, intelligence and police training; more internal and external control mechanisms; and measures to combat corruption, as stipulated in the strategy presented by the federal government to address the security crisis that confronts Mexico, would be steps in the right direction as long as they are promptly and full implemented. Reforms to the criminal justice system, including changing from an inquisitory to an adversary system, are also important and necessary. None of these reforms should sacrifice due process guarantees or human rights in the name of combating organized crime.

While strengthening Mexico's institutions is vital, this must be accompanied by efforts to curb drug consumption. Mexico previously affirmed that the "most effective means of reducing drug production and trafficking is the gradual reduction in current and future drug consumption."[62] This call needs to be translated into actions by Mexico and the United States to provide more funding for evidence-based prevention programs and improved access to rehabilitation. After years of deficient results, it should be clear that Mexico cannot be expected to tame its drug violence without the United States doing more to curb drug demand; likewise, a cut in U.S. demand will not, by itself, address the corruption and institutional weaknesses that have dogged Mexico's police forces. Neither country can solve the problem for the other, nor can either solve it alone. A new ethos of cooperation and collective action, with a focus on long-term policy, will be needed for the two neighbors to overcome their common drug problem.

Mexico is currently at a crossroad. The federal government can continue to implement different versions of past strategies, which have resulted in short-term impacts without producing long-term change, or it can seize this moment and take the steps necessary to implement the structural reforms Mexico needs. U.S. policymakers, as they discuss the current aid package and in future relations, can also play a role in helping Mexico restore public security but supporting reforms to the police and justice systems, while making stronger commitments to reduce U.S. demand for illicit drugs and more controls over arms sales in the country.

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The Washington Office on Latin America (WOLA, http://www.wola.org) is a nonprofit policy, research and advocacy organization working to advance democracy, human rights and social justice in Latin America and the Caribbean. Founded in 1974, WOLA plays a leading role in Washington policy debates about Latin America. WOLA facilitates dialogue between governmental and non-governmental actors, monitors the impact of policies and programs of governments and international organizations, and promotes alternatives through reporting, education, training and advocacy. WOLA's drug policy program monitors the impact of U.S. international drug control policy on democracy and human rights in Latin America. WOLA advocates for more effective counter drug strategies such as treatment on demand in the United States and rural development strategies in Latin America.

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The Beckley Foundation Drug Policy Programme (BFDPP, www.internationaldrugpolicy.net) is a UK based non-governmental initia-tive dedicated to providing a rigorous independent review of the effectiveness of national and international drug policies. The aim of this programme of research and analysis is to assemble and disseminate material that supports the rational consideration of complex drug policy issues, and leads to more effective management of the widespread use of psychoactive substances in the future.

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