

# Aims and Limits Of the Mérida Initiative

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The Mérida Initiative includes, among other contributions, shipments of military equipment for fighting drug trafficking.

Drug and arms trafficking have become a threat to Mexico's national security. These kinds of organized crime challenge not only the institutions in charge of security and the administration of justice, but all government institutions. Society as a whole is affected by the corrupting power and violence that has characterized their activities, particularly in the last six years. For their part, the drug traffickers' organizational capabilities have put them among the main cocaine distributors in the United States.

To deal with this transnational phenomenon, in March 2007, Felipe Calderón and George W. Bush agreed to imple-

ment a security cooperation program known as the Mérida Initiative. Officially announced October 22, 2007, this new framework for cooperation is rooted in the principle of shared responsibility and aims to fight drug and arms trafficking and the violence generated by organized crime. The program was slated to last three years and cost a total of US\$1.4 billion in Mexico. It includes additional resources for Central America, the Dominican Republic and Haiti. It is important to take into account that these budget items are subject to approval by the U.S. Congress, which means that the annual transfer of the funds can vary according to U.S. internal political conditions.

Felipe Calderón's strategy against the drug traffickers, based on the use of force through the military and public security institutions, has resulted in an overall increase in

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violence nationwide, measured in the number of gangland executions since he took office, which soared from 2,221 in 2006, his first year in office, to 8,281 in 2009. In addition, the value of drugs confiscated in Mexico compared to the overall value of the drug trade comes to 4.65 percent, while that of illegal arms comes to only 1.4 percent of the total value of the weapons entering Mexico.<sup>1</sup>

U.S. intelligence reports reveal that the Mexican drug trafficking organizations are the main threat from organized crime operating in the United States because they control cocaine distribution in almost the entire country.<sup>2</sup> According to the White House's Office of National Drug Control Policy, both the supply and the purity of cocaine have increased in the United States, while prices have decreased.<sup>3</sup> Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) figures indicate that almost 87 percent of the weapons confiscated by the Mexican government from different drug cartels in the last five years come from the United States. An important part of this percentage is high power weapons like the AR-15 semi-automatic rifles.<sup>4</sup>

In the context of the Mérida Initiative, cooperation for security is understood as the transfer of mainly military and computer equipment technology, the exchange of information and training programs. This means giving Mexico access to an aid package that allows it to strengthen its operational capabilities for fighting the country's drug cartels. For its part, the United States assumes responsibility for being the world's biggest drug consumer and for being the origin of more than 90 percent of the illegal small arms and light weapons traffic into Mexico, as well as a significant part of the chemical precursors for making synthetic drugs, and for being key in the financial circuit that provides resources to the Mexican cartels.

The Mérida Initiative includes handing over four large resource packages. The first will be used to fight terrorism and drug trafficking and at the same time safeguard border security by land and by air. Almost 60 percent of these resources are earmarked for Mexico's Ministry of National Defense (Sedena) and the Ministry of the Navy (Semar).

This includes CASA 235 airplanes destined for Semar for patrolling and surveillance mainly along the Caribbean and Pacific maritime borders. In fact, this is the only thing this ministry will receive from the program. Also of note are the Bell 412 EP helicopters equipped with night vision for rapid deployment destined for the Sedena. The latter will also receive non-intrusive gamma-ray equipment and ion scanners to be utilized at inspection points within Mexico to detect drugs, arms, chemicals and explosives.

The transfer of computer equipment for creating data bases with registries of individuals, arms, drugs and vehicles is also part of the program. The main recipients of this technology will be the Federal Attorney General's office (PGR), the Center for Investigation and National Security (Cisen), the National Migration Institute (INM) and the General Customs Office (AGA). It should be pointed out that one project involving the PGR focuses on the northern border and aims to create a digital data base of traffickers in persons, arms and drugs based on the registry this office already has.

The INM has already put into operation a project to set up an electronic verification and control network establishing points for biometric identification at Mexico's 165 air, land and maritime ports of entry, although the priority is implementing them along the southern border. Finally, the General Customs Office will receive X-ray equipment to review commercial transport, vehicles and baggage, in addition to a comprehensive intelligent surveillance system with the capacity to centralize data sent from all Mexican ports. This is part of the strategy of the Security and Prosperity Partnership of North America (SPP), designed to guarantee safe trade within the region.

The second package of Mérida Initiative funds is earmarked for the Attorney General's Office (PGR), the Ministry of Public Security (SSP), the Ministry of Finance (SHCP) and the Ministry of Health (SS). The PGR will receive armored and communications equipment for public officials and police, including everything from vehicles to bullet-proof vests. The SSP is the institution most favored by this, since it will get 60 percent of the resources, including Cessna Caravan air-

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planes for surveillance and communications monitoring; UH60 helicopters, also known as Blackhawks, for transportation and rapid deployment; and mobile gamma-ray and X-ray equipment.

The SHCP will be given computing infrastructure to strengthen its Financial Intelligence Unit's (UIF) capacity against money laundering. This infrastructure will connect the UIF to Platform Mexico, the informational computer system that links up all the institutions participating in the National Strategy for the Prevention and the Fight against Crime launched by the Felipe Calderón administration.

The Mérida Initiative establishes that the essential point of U.S. co-responsibility is to monitor its financial system to prevent its being used by the drug cartels. So, President Barack Obama asked Congress to include the Gulf Cartel, the Sinaloa Cartel and the criminal organization dubbed The Michoacán Family on the list of drug traffickers subject to the Foreign Narcotics Kingpin Designation Act, which authorizes the U.S. Treasury's Office of Foreign Assets Control (OFAC) to freeze the bank accounts of members of those crime organizations.<sup>5</sup>

The Ministry of Health, for its part, will receive computer equipment to link up the state and municipal offices of the National Council against Addictions (Conadic), in order to extend its drug use prevention and treatment programs to more places. The fight against drug trafficking should emphasize more the reduction of drug use in Mexico, but mainly in the United States, since consumption, particularly of cocaine, has risen in both countries in recent years, requiring the design of comprehensive preventive policies.

The third aid package is to strengthen institutions in the justice system. Once again, the PGR is to receive resources—and the largest sum—in the form of computing informational and training packages. The items are defined as part of programs to improve the criminal justice system, outstanding among which is the funding of the Witness Protection Program. Another program attempts to modernize crime labs, specifically those related to ballistics, chemical-biological and cybernetic analysis. It will also include a

program to digitalize prosecutors' administrative processes and establish exchange of information and analysis between Mexico's National Planning and Intelligence Center (Cenapi) and the U.S.'s Operation Against Smugglers Initiative on Safety and Security (OASISS). The latter is part of the bilateral Mexico-U.S. agreement to fight the smuggling and trafficking of persons along the border, in force since October 2005.

The last package focuses on fostering transparency through bringing non-governmental organizations into the efforts and training on human rights, oriented not only to inform about these rights, but to promote respect for them. At the same time, it aims to combat corruption inside government bodies, a budget item that absorbs 90 percent of the resources of this package.

However, everything mentioned above is clearly insufficient to fulfill the established objectives. Let us simply take into account that in the period the Mérida Initiative will transfer these resources (US\$1.4 billion over three years), Mexican and Colombian drug traffickers will launder between US\$18 billion and US\$39 billion a year in profits in the United States.<sup>6</sup> The plan to safeguard both countries' borders, based on criminal and financial intelligence information exchange, faces the challenge of increasing the percentages of confiscation pointed to above and of offering useful, timely intelligence with a real impact on the drug trade in Mexico and the United States.

Technology transfer and update in Mexican institutions doing intelligence work, administering justice, and dealing with taxes and customs are important. However, Mexico also needs to improve cooperation and coordination among its security institutions and among the three levels of government, something that technology alone cannot achieve. In this sense, implementing the General Law on the National Public Security System, in effect since January 2, 2009, is key to making the Mexican security apparatus more efficient. Very worthy of note are the powers given to the National Public Security Council (CNSP) for promoting harmonization and development of prosecutorial, police and evidentiary models in the country's public security institutions.

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An important defect of the Mérida Initiative is its lack of specific budget items for monitoring the use of the resources; this means that in practice, this will be left up to the U.S. Congress as part of the legislative process for freeing up the funds. Mexico, for its part, must strengthen its auditing and monitoring processes for the sums assigned to security. The General Law on the National Public Security System gives some of the authority to do this to the CNSP, but coordination with the Ministry of Public Functions and the Federal Auditor's Office, the other bodies of the Mexican state that guarantee accountability and transparency, is also important.

The United States is still in the midst of increasing coordination among the agencies in charge of combating arms trafficking into Mexico. For example, in June 2009, the National Southwest Border Counternarcotics Strategy, implemented by the Office of National Drug Control Policy (ONDCP), went into effect. Among its objectives is establishing coordination mechanisms between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and Immigration and Customs Enforcement (ICE) to analyze and share information relative to border violence and arms traffic.<sup>7</sup> This information is controlled by the El Paso Center for Intelligence, but both the ATF and ICE use different information platforms, resulting in the dispersion of the information and even the duplication of functions at these two agencies. It is not clear up to what point this strategy is linked with that of the Department of Homeland Security, called Southwest Border Security, implemented beginning in 2009.

In short, the Mérida Initiative is a bilateral cooperation program that attempts to strengthen both the border surveillance and control structure and public security institutions on the Mexican side. However, it is not clear whether equipping them militarily is the best way of decreasing the Mexican drug cartels' operational capability and the violence they generate. It should be remembered that the Federal Police (formerly the Federal Preventive Police), a part of the

Public Security Ministry, has more than 15,000 officers originally from the armed forces.

In this sense, the Mérida Initiative has the parallel objective of gradually withdrawing the Mexican armed forces from the fight against drug trafficking, as stipulated in the legislation authorizing its content and objectives,<sup>8</sup> particularly regarding tasks in the areas of patrols and the administration of justice that have had to be taken on in some of the country's municipalities.<sup>9</sup> This explains the importance of providing the Ministry of Public Security and the Attorney General's Office with operational and intelligence-gathering capabilities. This will only be possible to the extent that the Mexican government improves the level of cooperation, coordination and professionalization of its institutions and security elements. In other words, the success of the Mérida Initiative still depends on the internal actions undertaken by the Mexican and U.S. governments. ■■■

#### NOTES

<sup>1</sup> Sergio Aguayo Quezada, *México. Todo en cifras* (Mexico City: Aguilar, 2008), p. 209.

<sup>2</sup> National Drug Intelligence Center-U.S. Department of Justice, "National Drug Threat Assessment 2009," December 2008, <http://www.justice.gov/ndic/pubs31/31379/index.htm>.

<sup>3</sup> The Office of National Drug Control Policy, White House, "The National Drug Control Strategy. Data Supplement 2009," January 2009, <http://www.whitehousedrugpolicy.org/SearchResults/SearchResults.asp?qu=ncj&x=1&y=1>.

<sup>4</sup> U.S. Government Accountability Office (GAO), "Firearms Trafficking. US Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges," June 2009, <http://www.gao.gov/products/GAO-09-709>, p. 3.

<sup>5</sup> See [http://mexico.usembassy.gov/eng/releases/ep090415\\_BOBama\\_Drug\\_Trafficking.html](http://mexico.usembassy.gov/eng/releases/ep090415_BOBama_Drug_Trafficking.html).

<sup>6</sup> David Johnson, "Guns, Drugs and Violence: The Merida Initiative and the Challenge in Mexico," statement before the Subcommittee on the Western Hemisphere of the House Foreign Affairs Committee, March 2009, <http://www.state.gov/p/inl/rls/rm/120679.htm>.

<sup>7</sup> Office of National Drug Control Policy, "National Southwest Border Counternarcotics Strategy," June 2009, [http://www.whitehousedrugpolicy.gov/publications/swb\\_counternarcotics\\_strategy09/swb\\_counternarcotics\\_strategy09.pdf](http://www.whitehousedrugpolicy.gov/publications/swb_counternarcotics_strategy09/swb_counternarcotics_strategy09.pdf), pp. 29-36.

<sup>8</sup> See section 2, paragraph 6: "Mérida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008," H.R. 6028, 11th Congress, 2D Session, Senate of the United States, June 11, 2008, <http://www.govtrack.us/congress/bill.xpd?bill=h110-6028>.

<sup>9</sup> Jesús Aranda, "En 16 meses el ejército ha recibido casi 15 mil denuncias," *La Jornada*, May 25, 2009.