

Report for Congress

Received through the CRS Web

Mexico's Counter-Narcotics Efforts under Fox, December 2000 to April 2002

May 8, 2002

K. Larry Storrs
Specialist in Latin American Affairs
Foreign Affairs, Defense, and Trade Division

Mexico's Counter-Narcotics Efforts under Fox, December 2000 to April 2002

Summary

This report provides information on Mexico's counter-narcotics efforts during the first year and a few months of the presidency of Vicente Fox (December 1, 2000, to April 30, 2002), with special emphasis on calendar year 2001, covered by the State Department's report on international narcotics control.

Share of Traffic. According to the State Department, Mexico is the transit point for "more than one half of the cocaine sold in the United States," which seems to be a slightly lower estimate than in past years. Mexico remains a major source country for heroin, marijuana, and methamphetamine, and a major center for money laundering activities.

Control Efforts. According to the State Department's latest report, seizures of cocaine by Mexico in 2001 were up 61% from 2000, and up 11% from the average yearly seizures in the previous five years (1996-2000). Seizures of opium were up 78% from 2000, and up 34% from the average of the 1996-2000 period. Seizures of marijuana were up 24% from 2000, and up 62% from the average in the previous five years. Seizures of heroin were down somewhat compared to 2000, but were slightly higher than in the previous five years. Seizures of methamphetamine and drug labs were down compared to 2000, but up compared to the 1996-2000 average. **Arrests** were down in all categories in 2001, but there have been major actions against leading drug lords, such as the killing of one brother and the arrest of another brother leading the Arellano Felix Organization, the arrest of a former Governor for facilitating trafficking activities of the Carrillo Fuentes Organization, and the arrests of key leaders in the Gulf Cartel, the Amezcua-Contreras Organization, and the Caro Quintero Organization. Mexico extradited 17 persons to the United States in 2001, including 11 Mexican nationals, on drug-related charges, although a Mexican Supreme Court decision in October 2001 essentially banned extradition for suspects facing life imprisonment. **Eradication** of opium and marijuana increased somewhat in 2001, but with more hectares of cultivation, the potential yield of opium was up 163% over 2000 and up 19% from the previous five years, while the potential yield of marijuana was up 6% from 2000 but down 13% from the 1996-2000 average.

Cooperative Efforts. President Bush and President Fox have met many times and have made the bilateral relationship a top priority. In these meetings, they have agreed to enhance law enforcement and counter-narcotics cooperation between the two countries, and President Fox has called for reform of the U.S. drug certification process. Top officials say that the climate of cooperation within the bilateral law enforcement and military communities has improved dramatically under Presidents Bush and Fox, and includes the sharing of sensitive intelligence and expanded training for Mexican anti-drug forces. Officials point to joint successes against major trafficking organizations operating within both countries.

Contents

Recent Congressional Interest and Action	1
Estimates of Mexico's Share of Drug Trafficking Activity	2
Mexico's Efforts to Control Illicit Drug Activities	3
Seizures of Drugs	3
Arrests and Extraditions of Drug Traffickers	4
Arrests in General	4
Actions Against Major Traffickers	5
Extraditions	5
Temporary Surrender Protocol	6
Anti-Corruption Efforts	6
Eradication of Illicit Crops	7
Mexico's Counter-Narcotics Cooperation with the United States	8

List of Tables

Table 1. Mexican Seizures of Illicit Narcotics, 1996-2001	4
Table 2. Mexican Arrests on Drug-Related Charges, 1996-2001	5
Table 3. Mexican Eradication of Illicit Drugs, 1996-2001	7

Mexico's Counter-Narcotics Efforts under Fox, December 2000 to April 2002

Recent Congressional Interest and Action

Congress has had a longstanding interest in Mexico's counter-narcotics efforts.¹ Beginning with legislation originally enacted in the mid-1980s, Congress required the President to certify annually, subject to congressional review, that drug producing or drug-transit countries have cooperated fully with the United States in drug control efforts during the previous year to avoid suspension of U.S. aid.² Mexico was fully certified in following years, but Congress closely monitored these certifications, and resolutions of disapproval to reverse the presidential certifications were introduced in 1996, 1997, 1998, and 1999. In 1996, no floor action was taken; in 1997, each house passed separate weakened resolutions; in 1998, a Senate version was defeated in floor action; and in 1999, no action was taken on House resolutions. Following the election of opposition candidate Vicente Fox as President of Mexico in July 2000, several Members called for modification of the certification procedures or exemption of Mexico from the process. Without legislative action, President Bush certified Mexico as fully cooperative on March 1, 2001, and no resolutions of disapproval were introduced in 2001.

Later in the year, the Senate Foreign Relations Committee reported out two measures (S. 219 and S. 1401) that would have suspended the certification requirements for three years and called for multilateral consultations. Although congressional action on S. 219 or S. 1401 is still pending, the drug certification requirements were temporarily modified in late 2001 by enactment of the Foreign Operations Appropriations Act for FY2002 (H.R. 2506/P.L. 107-115). This measure waived the drug certification requirements for FY2002 for all countries, and instead required the President to designate only countries that had demonstrably failed to meet international counter-narcotics obligations.³ On February 25, 2002, President

¹ This report draws upon CRS Report RL30886, *Mexico's Counter-Narcotics Efforts under Zedillo and Fox, December 1994 to March 2001*, by K. Larry Storrs.

² For details on the certification process and an illustration of the possible consequences of decertification of Mexico, see CRS Report RL30080, *Mexico and Drug Certification in 1999: Consequences of Decertification*, March 4, 1999, by K. Larry Storrs. For more general information on U.S.-Mexican relations, including legislation on trade, immigration, and drug trafficking issues, see CRS Issue Brief IB10070, *Mexico-U.S. Relations: Issues for the 107th Congress*, by K. Larry Storrs.

³ For details on U.S. congressional action, see CRS Report 98-174, *Mexican Drug Certification Issues: U.S. Congressional Action, 1986-2001*, by K. Larry Storrs. For more detailed information on Mexican counter-narcotics efforts during Zedillo's presidency, (continued...)

Bush found that three countries – Afghanistan, Burma, and Haiti – had demonstrably failed to meet international obligations in this area, but he determined that it was in the national interest of the United States for Afghanistan (under the new government) and Haiti under Aristide to continue to receive U.S. assistance. Mexico was not mentioned under the modified procedures for FY2002.

Estimates of Mexico's Share of Drug Trafficking Activity

According to estimates by the Department of State's Bureau for International Narcotics and Law Enforcement Affairs, Mexico is the transit point for more than half of the cocaine flowing to the United States, and is a major source country for heroin, marijuana, and methamphetamine.⁴ Agency experts agree that Mexico's share of illicit traffic in the various areas has remained high over the years, although there are variations in the estimates. The methodology for making the estimates (whether derived from seizures or some other means) is not regarded as entirely adequate, and the estimates may be affected by changing trafficking patterns and demand as much as enforcement efforts. In many cases, estimates have not been provided in recent Administration reports and congressional testimony

With regard to cocaine, the major drug of concern, the State Department's recent INCSR report covering the year 2001 states that Mexico was the transit point for "more than one half of the cocaine sold in the United States." This seems to be a slightly lower and more uncertain estimate since the INCSR covering 2000 estimated that 55% of the cocaine sold in the United States transited Mexico, and a DEA official testified in March 2001 that 65% of South American cocaine reached American cities via the U.S.-Mexico border.⁵

With respect to heroin, the recent INCSR report did not estimate the percentage of U.S.-bound heroin produced in Mexico, but it noted that Mexico produces only about two percent of the world's opium, nearly all destined for the United States. A U.S. Customs official stated, in March 2001 hearings, that 14% of the heroin seized

³(...continued)

contact the author (202-707-5050) for previous (out of print) versions of this report: CRS Report 97-354, March 14, 1997; CRS Report 98-161, March 4, 1998; CRS Report RL30098, March 18, 1999; and CRS Report RL30475, March 16, 2000, by K. Larry Storrs.

⁴ See U.S. Department of State, Bureau for International Narcotics & Law Enforcement Affairs, *International Narcotics Control Strategy Reports* (INCSR), generally issued in March of each year with coverage of the previous year. The latest version, issued in March 2002, is available on the internet at [<http://www.state.gov/g/inl/rls/nrcrpt/2001/>].

⁵ See testimony of DEA Administrator Donnie R. Marshall and Assistant Customs Commissioner John C. Varrone before the Subcommittee on Crime of the House Judiciary Committee, March 29, 2001.

in the United States comes from Mexico, while an independent study indicated that Mexico is the source of 29% of the heroin used in the United States.⁶

In other areas, the recent INCSR report noted that Mexico-based transnational criminal organizations have become the largest distributors in the United States of methamphetamine and precursor chemicals like ephedrine. Mexico is also a transit point for potassium permanganate that is used in the purification process for cocaine. According to DEA, “virtually all the marijuana smuggled into the United States, whether grown in Mexico or shipped through Mexico from lesser sources such as Central America, is smuggled across the U.S.-Mexico Border.”⁷ Mexico continues to be a major money-laundering center and in recent years, international money launderers have turned increasingly to Mexico for initial placement of drug proceeds into the global financial system, according to the INCSR.

Mexico’s Efforts to Control Illicit Drug Activities

The following three tables show estimates of Mexican drug control efforts in three areas – seizures, arrests, and eradication – from 1996 to 2001. Caution should be exercised in considering the changes in the various areas as an indication of Mexico’s seriousness in controlling drug trafficking. The trends may also be affected by the demand for the drugs, the amount of drugs produced or available, the sophistication of the drug traffickers, the intelligence and capabilities of Mexican counter-drug agencies, the effectiveness of reporting and monitoring methods, the effect of weather conditions on eradication efforts, and competition from alternative drug suppliers.

Seizures of Drugs

Turning to Mexican seizures of drugs in 2001, the results portrayed in Table 1 demonstrate some significant successes compared to the previous year, helped in part by the fact that there were some significant reductions in the reported seizures of cocaine, opium and marijuana for 2000 as the previously reported estimates were refined and reevaluated. Overall, the results were positive in all categories compared to the performance in the previous five years.

Seizures of cocaine, which many consider to be the key test, increased significantly in 2001 from 18.3 metric tons to 29.3 metric tons, a 61% increase from seizures in 2000, an 11% increase from average seizures of 26.6 metric tons in the previous five years (1996-2000), and the highest level of seizures within the last six years, except for 1997 and 1999. Five-year averages are provided because yearly results may be skewed by a limited number of large seizures, with some recent maritime operations resulting in the seizure of 3-8 metric tons of cocaine.

⁶See testimony of Assistant Customs Commissioner John C. Varrone before the Subcommittee on Crime of the House Judiciary Committee, March 29, 2001.

⁷See testimony of DEA Administrator Donnie R. Marshall before the Subcommittee on Crime of the House Judiciary Committee, March 29, 2001.

Seizures of opium also increased significantly, from 0.27 metric tons in 2000 to 0.48 metric tons in 2001, a 78% increase from 2000, a 34% increase from the average of 0.36 metric tons in the 1996-2000 period, and the highest level of seizures in the last six years, except for 1999.

Table 1. Mexican Seizures of Illicit Narcotics, 1996-2001

	1996	1997	1998	1999	2000	2001
Cocaine (mt)	23.6	34.9	22.6	33.5	18.3	29.3
Opium (mt)	0.22	0.34	0.15	0.80	0.27	0.48
Heroin (mt)	0.363	0.115	0.120	0.258	0.268	0.240
Marijuana (mt)	1,015	1,038	1,062	1,459	1,619	2,007
Methamphetamine (mt)	0.172	0.039	0.096	0.358	0.555	0.396
Illicit Drug Labs	19	8	7	14	23	18

Sources: Data is from the U.S. Department of State, *International Narcotics Control Strategy Report*, March 2002, pp. V-27-V36, with some updating with data from the text and with more current data from the State Department. Seizures are measured in metric tons (mt).

Seizures of marijuana increased 24% from 1,619 metric tons in 2000 to 2,007 metric tons in 2001, making the seizures the largest in the last six years, and a 62% increase over the average of 1,239 for 1996-2000.

Seizures of heroin declined 11% from 0.268 metric tons in 2000 to 0.240 in 2001, but the seizures were 5% greater than average seizures in the 1996-2000 period.

Seizures of methamphetamine and illicit drug labs were down in comparison to the previous year, but were up compared to the average results in the previous five years. Seizures of methamphetamine declined 29% from 0.555 metric tons in 2000 to 0.396 metric tons in 2001, but this result constituted a 59% increase over the average yearly seizure of 0.250 metric tons in the 1996-2000 period. Seizures of illicit drug labs declined 22% from 23 in 2000 to 18 in 2001, but this result was a 27% increase over the average seizures of 14.20 labs during the previous five years.

Arrests and Extraditions of Drug Traffickers

Arrests in General. As indicated in Table 2, the number of people arrested in Mexico on drug-related charges declined in 2001 in all categories, although spokesmen for Mexico and the United States hailed the importance of the arrests and extraditions of major traffickers. The figures show that the numbers of arrests of foreigners in 2001 were the lowest on the chart, down 31% from 2000, and down 25% from the 1996-2000 average. The number of arrests of Mexicans and total arrests were also the lowest on the chart, down 23% from 2000, and down 21% from the average in the previous five years.

Table 2. Mexican Arrests on Drug-Related Charges, 1996-2001

	1996	1997	1998	1999	2000	2001
Nationals	11,038	10,572	10,034	10,261	10,771	8,365
Foreigners	207	170	255	203	233	162
Total	11,245	10,742	10,289	10,464	11,004	8,527

Sources: Data is from the U.S. Department of State, *International Narcotics Control Strategy Report*, March 2002, pp. V-27-V36, and previous data on 2000 and data in the report text on 2001.

Actions Against Major Traffickers. Despite the decline in the number of arrests, the State Department's INSCR report stated that the Mexican government's longstanding fight against drug trafficking and crime has "resulted in tangible successes against the Arellano Felix Organization (AFO), the Carrillo Fuentes Organization (CFO), and the Gulf Cartel – widely considered the top three drug groups in the country," and additional successes have been registered since the report was issued in early March 2002.

Major successes in 2001 and early 2002 against the Arellano Felix Organization (AFO) based in Tijuana near San Diego include the following: (1) the arrest in March 2001 of a cell leader, Rigoberto Llanez Guerrero, and several lieutenants; (2) the arrest in August 2001 of Colombian trafficker and cocaine supplier Herbert Alberto Cruz Ruiz; (3) the killing in early February 2002 of drug lord Ramon Arellano Felix in a police shootout in Mazatlan, although some sources say he was killed by a rival gang; (4) the arrest in early March 2002 of drug lord and overall leader Benjamin Arellano Felix; and (5) the arrest in mid-March 2002 of Manuel Herrera Barraza, another key figure in the Arellano Felix organization.

Accomplishments against the Carrillo Fuentes Organization (CFO) based in Juarez near El Paso include the arrest in May 2001 of former Governor Mario Villanueva after a two-year manhunt for allegedly using his position to facilitate drug shipments and money laundering in the far southeastern state of Quintana Roo; and the arrest in June 2001 of cell leader Ramon Alcides Magana who was transshipping cocaine through Quintana Roo with tacit support from Governor Villanueva.

Other accomplishments include the arrest in April 2001 of Gilberto Garcia Mena and the arrest in late March 2002 of Adan Medrano of the Gulf Cartel; the arrest in May 2001 of Adan Amezcua of the Amezcua-Contreras methamphetamine trafficking organization; and the arrest in December 2001 of Miguel Caro Quintero of the Caro-Quintero Organization who was designated as a significant trafficker in June under the Foreign Narcotics Kingpin Act.

Extraditions. The Mexican government extradited a total of 17 persons to the United States in 2001, including 11 Mexican nationals on drug-related charges, considerably more than the one Mexican national extradited on drug-related charges by the Zedillo Administration in 2000. According to the State Department's INCSR, the Mexican nationals extradited in 2001 included: Arturo "Kitti" Paez Martinez, a

designated drug kingpin; Isaias Hernandez Garza and Juan Hernandez Ibarra, two heroin trafficking brothers; Francisco Camarena Macias, a drug trafficker who transported cocaine through narco-tunnels in Douglas, Arizona; and Christopher David King and Miguel Angel Martinez Martinez.

Until the last few years, Mexican policy and court decisions required that Mexican nationals wanted for crimes committed abroad be prosecuted in Mexico. However, the Zedillo Administration broke new ground by extraditing seven Mexican nationals and one dual U.S.-Mexican national to the United States between 1996 and 2000 on grounds that this was permitted under the U.S.-Mexico extradition treaty and Mexican extradition law in exceptional cases. Despite this stance, Mexican courts continued to be reluctant to approve extradition of Mexican nationals, even when recommended by the Mexican Foreign Ministry, and they freed several alleged drug traffickers after raising questions about the constitutionality and appropriateness of extraditions, especially where capital punishment or life sentences might be applied.

In January 2001, the Mexican Supreme Court ruled that Mexican citizens may be extradited to the United States for prosecution on drug charges provided that they are sentenced under Mexican guidelines. This seemed to clear one legal hurdle, but the INCSR report in 2001 noted that adverse lower court decisions on other issues, particularly the question of life imprisonment and capital punishment, continued to impede the extradition process.⁸ In October 2001, the Mexican Supreme Court ruled that life imprisonment is unconstitutional in Mexico and a bar to extradition for fugitives facing that penalty in another country, although extradition may take place if the requesting country provides assurances that this penalty will not be imposed. The INCSR report in 2002 characterized this decision as a significant setback, with the potential to frustrate the extradition of the most serious criminals. It also expressed concern about overly technical legalistic analysis of extradition requests.⁹

Temporary Surrender Protocol. The Mexican Senate in December 2000 approved a protocol to the U.S.-Mexico extradition treaty, already approved by the U.S. Senate, that would permit the temporary surrender for trial of fugitives who are serving sentences in one country but are also wanted on criminal charges in the other country. Following the meeting of Presidents Bush and Fox in Mexico in mid-February 2001, officials worked to implement this temporary surrender protocol, and the protocol entered into force in May 2001.

Anti-Corruption Efforts. As the first president to be elected from an opposition party in 71 years, President Fox has promised to strengthen democracy and the rule of law in Mexico, and to fight corruption and crime. He has proposed the professionalization of the police under a new Public Security Ministry to deal with widespread public concerns with security and police corruption. As part of those efforts his Administration has reorganized the Attorney General's office (PGR), reformed the Federal Judicial Police (PJF), and created a new Federal Investigative Agency (AFI) patterned after the FBI to some extent. Following the escape from

⁸ *INCSR*, March 2001, pp. V-30 and V-31.

⁹ *INCSR*, March 2002, p. v-31.

prison of drug lord Joaquin “El Chapo” Guzman, President Fox announced a national crusade against drug trafficking on January 24, 2001, promising to eliminate corruption in the police and prison systems and to enhance law enforcement efforts against drug traffickers. After that a large number of the prison officials in the state of Jalisco were questioned and charged, and many customs officials and anti-drug agents in the state of Chihuahua were removed from office. At a broader level, President Fox has ordered the Secretariat of the Comptroller and Administrative Development (SECODAM) to aggressively attack official corruption.

Notable efforts to punish drug-related corruption include the arrest in January 2001 of prison officials who facilitated the escape of drug lord Joaquin Guzman; the arrest in February 2001 of state and local police in Mexicali who had blocked official efforts to capture AFO lieutenant Gilberto Higuera Guerrero; the arrest in April 2001 of a brigadier general and two other officers for complicity with the Gulf Cartel; and the arrests in Tecate in April 2002 of more than 40 high-level law enforcement officials with ties to AFO traffickers. At a more systematic level, the government maintains a national police registry to prevent reemployment of corrupt policeman, and the Attorney General’s office has greatly expanded the screening and vetting of employees, dismissing 1,100 for irregularities in 2001 of some 14,000 screened employees.

Eradication of Illicit Crops

Table 3 portrays the results of Mexican efforts to eradicate opium poppy and marijuana cultivation in the last six years, showing the total eradication effort regardless of the number of sprayings, the effective eradication area available for cultivation, and the potential yield of the illicit products.

Table 3. Mexican Eradication of Illicit Drugs, 1996-2001

	1996	1997	1998	1999	2000	2001
Opium						
Total Eradication (ha)	14,671	17,732	17,449	15,469	15,300	15,350
Effective Eradication (ha)	7,900	8,000	9,500	7,900	7,600	10,200
Potential Yield (mt)	54	64	93	60	27	71
Marijuana						
Total Eradication (ha)	22,961	23,576	23,928	33,583	33,000	33,300
Effective Eradication (ha)	12,200	10,500	9,500	19,400	13,000	14,300
Potential Yield (mt)	11,700	8,600	8,300	6,700	7,000	7,400

Sources: Data is from the U.S. Department of State, *International Narcotics Control Strategy Report*, March 2002, pp. V-27-V36, with some updating with more current data from the State Department. Eradication is measured in hectares (ha), with one hectare equaling 2.47 acres. Total eradication reflects the total hectares sprayed, including spraying a field three times if there are three crops, and is a good representation of Mexican efforts. Effective eradication reflects the U.S. estimates of the number of hectares that remain available for production, factoring out repeated spraying in one area, and is used to calculate potential yield. Potential yield reflects the metric tons (mt) of the illicit drug that may have been produced given the available hectares of the product.

The results for eradication are somewhat surprising because of the fact that the total area under cultivation has been expanding, so that even where there are increases in the number of hectares eradicated, there may still be increases in the potential yield of the product. In the case of opium eradication, the situation is further complicated by the fact that the United States and Mexico have recently concluded that the northern parts of Mexico produce a higher opium yield per hectare than previously estimated, with the result that the potential yield has increased very significantly even though eradication efforts have increased as well.

The U.S. estimate of total eradication of opium poppy cultivation in 2001 of 15,350 hectares is 1% above the figure for 2000, but 5% below the average of 16,124 hectares in the 1996-2000 period. The effective eradication of opium poppy cultivation in 2001 of 10,200 hectares was 35% above the performance in 2000, and 25% above the average effective eradication in the 1996-2000 period. However, with the increase in the total area under cultivation, the estimated potential harvest was 4,400 hectares, which produced a potential yield in 2001 of 71 metric tons of opium gum, a significant 163% increase from the drought conditions in 2000, and a 19% increase over the average of 60 metric tons in 1996-2000.

The U.S. estimate of total eradication in 2001 was 33,300 hectares, a 1% increase over 2000, and a 22% increase over the average of 27,410 hectares in the 1996-2000 years. The estimate of effective eradication of Mexican marijuana in 2001 was 14,300 hectares, a 10% increase over 2000, and a 11% increase over the 1996-2000 average. With a potential harvest of 4,100 hectares, the potential yield of 7,400 metric tons of marijuana was up 6% from 2000, but down 13% from the average for the 1996-2000 period.

In short, while eradication efforts expanded in 2001, compared to previous years, the estimated yield of opium poppy gum in Mexico increased a significant 163%, while the estimated yield of marijuana in Mexico was up slightly from 2000, but down 13% from the previous five years.

Mexico's Counter-Narcotics Cooperation with the United States

U.S.-Mexico counter-narcotics cooperation increased substantially during the Administration of President Zedillo (1994-2000), with the full range of law enforcement, military, and border and drug control agencies being involved. Acting through the annual cabinet-level meetings of the Binational Commission, the twice yearly High Level Contact Group (HLCG) on Drug Control, and the roughly quarterly Mexico-U.S. Senior Law Enforcement Plenary, the countries' leaders agreed on a joint anti-drug strategy with numerous cooperative arrangements.¹⁰

¹⁰ See CRS Report RL30886, *Mexico's Counter-Narcotics Efforts under Zedillo and Fox, December 1994-March 2001*, by K. Larry Storrs. For a good summary by the Clinton Administration, see *Mexico and United States, Main Results of the Mexico-U.S. Binational Cooperation Against Illicit Drugs (1995-2000)*, available on the Internet at

Following the inaugurations of new presidents in the United States and Mexico, President Bush, on his first foreign visit, met with President Fox in Guanajuato, Mexico, in mid-February 2001, and the two leaders pledged to pursue a “partnership for prosperity.” On drug trafficking issues, they agreed to strengthen law enforcement cooperation in accordance with each country’s national jurisdiction, and in the joint press conference, President Bush indicated that he had confidence in President Fox’s efforts to control corruption and drug trafficking in Mexico, and that there was a movement in Congress to reform the U.S. drug certification procedure which Mexico considered unfriendly. With legislation unfinished, on March 1, 2001, President Bush certified that Mexico had cooperated fully with U.S. counter-narcotics efforts, citing arrests of drug traffickers and impressive eradication results in 2000

During President Fox’s official state visit to the United States on September 5-7, 2001, the Mexican President, in addressing a joint session of Congress, called upon legislators to pass legislation to suspend the drug certification requirements as a gesture of trust and faith in the new government, arguing that “trust requires that one partner not be judged unilaterally by the other.” Following the Bush-Fox talks, the joint communique praised the growing law enforcement cooperation between the countries, expressed support for the OAS’ multilateral evaluation of counter-narcotics efforts, and noted President Bush’s commitment “to work with the U.S. Congress, on a priority basis, to replace the annual counter-narcotics certification regime with new measures designed to enhance international cooperation in this area.”

Earlier, the Senate Foreign Relations Committee reported out S. 219 (a bill to modify drug certification requirements) in April 2001, and then reported out S. 1401 (Foreign Relations Authorization for FY2002-FY2003), with similar language in Sections 741-745, in August 2001. These provisions would modify the drug certification process for 3 years, require designation of the countries subject to sanctions only, and encourage development of a multilateral strategy. Although congressional action on S. 219 or S. 1401 is still pending, the drug certification requirements were temporarily modified in late 2001 by enactment of the Foreign Operations Appropriations Act for FY2002 (H.R. 2506/P.L. 107-115). This measure waived the drug certification requirements for FY2002 and required the President to designate only countries that had demonstrably failed to meet international counter-narcotics obligations.¹¹

During the Bush-Fox meeting in Monterrey, Mexico in March 2002, the Presidents acknowledged “major successes achieved by Mexico in the fight against narco-trafficking” and agreed on “the importance of redoubling judicial cooperation” between the countries.

¹⁰(...continued)

[http://www.whitehousedrugpolicy.gov/international/binational_1995_to_2000/index.html].

¹¹For details on the various measures, see CRS Report RL30892, *Drug Certification Requirements and Congressional Modifications in 2001*; and CRS Report RL30950, *Drug Certification Procedures: A Comparison of Current Law to S. 219 and S. 1401 as Reported*, by K. Larry Storrs.

According to the March 2002 INSCR report on Mexico, the two countries cooperate in a range of bilateral counter-narcotics and law enforcement fora, including the Legal Working Group of the Binational Commission, and the Senior Law Enforcement Plenary Group. The report states that the High-Level Contact Group on Drug Control was abandoned by mutual consent, although the five HLCG working groups meet under the auspices of the Binational Commission or the Law Enforcement Plenary, with the addition of new groups on cybercrime/intellectual property rights and on migrant smuggling.

The INSCR report emphasizes that the climate of cooperation within the bilateral law enforcement and military communities has improved dramatically in recent years, stating that “For the first time in recent memory, both sides are sharing sensitive information on counternarcotics issues.” The report mentions bilateral air-to-air communications on interdiction operations, joint post seizure analysis of maritime operations, and bilateral military intelligence sharing. It notes that U.S.-sponsored law enforcement training tripled in 2001, and that military-to-military contacts increased, with ion scanner and night vision goggle training being especially useful in Mexico’s drug interdiction efforts.

Among the joint operations that might be cited to exemplify the close cooperation between the countries is Operation Marquis which culminated in June 2001, with the arrest of about 80 individuals in the United States and Mexico. It was conducted against the Marquis Organization, a spin-off of the Carrillo-Fuentes Organization, that was moving large quantities of cocaine and marijuana through Nuevo Laredo, Mexico, into south Texas. Leaders on both sides of the border praised the bilateral cooperation that severely disrupted the organization’s trafficking operations, and they cited it as an example of the new level of trust and cooperation between the countries.¹²

¹² See Federal Government Says It Smashed Major Drug Ring With Mexico’s Help, *New York Times*, June 21, 2001, p. A14; DEA News Release, June 20, 2001; State Department International Information Programs, Fact Sheet: U.S.-Mexico Law Enforcement Cooperation, 05 September 2001.