COMBATING ORGANIZED CRIME AND DRUG TRAFFICKING IN MEXICO: WHAT ARE MEXICAN AND U.S. STRATEGIES? ARE THEY WORKING?

John Bailey

Mexico confronts the greatest threat to its democratic governance from internal violence since the Cristero Revolt of the latter stages of the Revolution of 1910–29. In this case, the threat is posed by criminal groups, especially by politically savvy, hyper-violent drug-trafficking organizations (DTOs), currently inflicting spectacular damage in several regions and sowing insecurity throughout the country. But the DTOs are only the most pressing symptom of a growing mix of forms of organized crime (OC) rooted in a robust informal economy and a civic culture marked by comparatively little confidence in the police-justice system and low compliance with the state’s law. The threat is further exacerbated by a crisis of political legitimacy and state capacity. Neo-liberal policies since the mid 1980s have not generated a new social contract to replace the populist consensus of the “golden age” of growth with stability (1950s–1970s), and the Mexican state lacks an effective police-justice-regulatory system capable of enforcing its laws with respect to public security.

Elements of the OC/DTO threat have been present since at least the mid 1980s. What brings it to a level to threaten democratic governance is its rapid recent growth and aggressiveness. This is due to the confluence of large supplies of violent entrepreneurs and weapons, financed by domestic and foreign markets for illegal drugs, all in the context of slow or even negative economic growth. What in the past had been a chronic but tolerable problem of public security has passed the tipping point to become a genuine threat to national security and democratic governance.

1The informal economy is the “off-book,” untaxed, mostly unregulated market for both licit and illicit goods and services. In the 31–33 percent of GDP range over 1999–2005, Mexico’s informal economy is close to the average (34–36 percent) that Schneider estimates for 145 countries. At 19 percent, Chile is at the low end in the Latin American context, while Peru (58 percent) is nearer the high end. Schneider (2007, Table 6.3, pp. 34–37).

2In my usage “public security” refers to threats to individuals’ persons and property and to democratic institutions posed by crime (especially violent crime) and by varieties of natural disasters (e.g., disease, earthquake, etc.). “National security” refers to threats to state institutions, territory and sovereignty posed largely by other states and by a variety of non-state actors, including organized crime. Democratic governance “...refers to the government’s and state’s ability to deliver goods and guarantee rights that are important for citizen well-being, within the rules and institutions of a democracy” (Mainwaring and Scully 2010, 1). Technically, drug-trafficking has been considered a national security threat in Mexico since the Carlos Salinas presidency (1988–2004).
This chapter argues that the government of Mexico (GOM) under President Felipe Calderón (2006–2012) developed a strategy to confront OC generally and DTOs in particular. The strategy had multiple components and was internally coherent. Its central logic was to employ the armed forces, principally the Army, to confront armed bands of criminals in selected locales in order to disrupt their activities and to buy time to implement a long menu of institutional reforms. At some undetermined point, the armed forces would return to a secondary, back-up role in police functions and the reformed police-justice system would take the lead against OC/DTOs. The declaratory strategy was plausible; most of it, however, remained only partially implemented by early 2010. Faced with public unrest and political opposition, the issue was whether President Calderón would be forced to rethink his government’s strategy in 2010.

The U.S. government (USG) also evolved a strategy to confront OC/DTOs in Mexico, Central America and the Caribbean, as well as within the United States. Unlike Colombia where the USG largely shaped anti-drug policies, the strategy with respect to Mexico was to respond to GOM initiatives. For example, the Mérida Initiative was crafted by the executive branches in both countries in 2007 in response to Mexico’s preferences. The U.S. Congress subsequently negotiated specific provisions. The Obama administration (2009–2013) maintained the basic thrust of Mérida, but made significant adjustments, e.g., to engage in social development programs and pilot projects in border cities.

This paper makes four points about Mexican institutional reform and timing in the GOM strategy. First, the scope of the institutional reforms needed to reconstruct Mexico’s national police, reorient the justice system from an inquisitorial to an adversarial (accusatory) model, build an intelligence system, and integrate the national, state, and local security apparatus requires decades, even in the best of circumstances. The cultivation of a culture of lawfulness to support institutional reform is also a generational shift.

Second, ordered into action, Mexico’s armed forces necessarily learn and adapt in a much shorter time frame in carrying out police operations. Whether they become more effective in their police roles remains to be seen; but their training, equipment, and methods underwent important change. Such change will likely affect the military’s thinking and behavior with respect to their role in Mexico’s political system.

Third, hundreds of officers from the armed forces have been recruited into civilian police and intelligence leadership positions at all levels.

Fourth, as a result we should expect a hybrid institutional work-in-progress: a police-intelligence system shaped by military influences, and a military that is adapting to police roles. A possible result is a better integrated police-intelligence system, one that can operate more effectively with military support as needed. The challenge is

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3Since the Mérida Initiative was considered an executive agreement and not a treaty, the Mexican Congress was excluded from the negotiations.
the subordination of this hybrid police-intelligence-military apparatus to a reformed justice system, especially since the justice reform will require much more time than the 2016 target stipulated by law.

Much of the USG strategy responded to Mexico’s initiatives. As such, it focused on two broad fronts: provision of training and equipment, and improvement in communication and coordination, especially in the border region. The USG, however, confronted something new in the OC/DTO threat. This was not a political-ideological insurgency, but rather a transnational criminal-industrial complex passing through a particularly violent phase. U.S. policy-makers struggled to assess the severity of the threat, with limited experiences to draw on. At the national level, the USG depicted its actions as responses to Mexican cues, and for the most part the responses percolated up from inter-agency consultations and negotiations with Congressional committees. Whether there was a deeper understanding of the threat and an unstated strategic response is unclear. Equally noteworthy responses were taking place at the state and local levels along the border.

This chapter first examines the evolution of the Mexican and U.S. national government strategies for confronting OC/DTOs, with particular attention to the institutional frameworks that have been established to implement these strategies. It then evaluates the degree of “fit” between the two governments’ strategies and considers metrics by which progress can be measured. It concludes with an assessment of progress.

I. What are the current U.S. and Mexican government strategies for confronting OC/DTOs? What institutional frameworks have been established to implement these strategies?

“Organized crime” has both analytical and legal meanings. It can assume many different forms, but it is qualitatively different from other forms of criminal activity on two dimensions: time and numbers. Organized crime involves repeat actions over time by multiple colluding actors whose objectives are illegal and warrant substantial penalty. In Mexican federal law, “When three or more persons de facto organize themselves to commit on a permanent or continual basis acts that are themselves or as linked to others have the effect of committing the following crimes, they will — for this reason alone — be penalized as members of organized crime.” The crimes listed include: terrorism; drug trafficking; currency counterfeiting; commercial activity based on illicit resources; trafficking in arms, undocumented migrants, or organs; corruption of minors in various ways; kidnapping; and vehicle theft. Some of these crimes (e.g., terrorism and drug-trafficking) are reserved for federal law. 

See, for example, von Lampe (2002) and Finckenauer (2005), for a discussion of the many different definitions and conceptions of organized crime. UNODC (2002) provides an especially useful analysis of the links between organizational variations of transnational organized crime and patterns of violence and corruption.

federal), others (e.g., kidnapping and vehicle theft) are included in state law (fuero común) as well, which frequently creates conflicts over jurisdiction.

In my usage, a public security strategy includes goals (some of them clearly stated, even measurable) that are logically interconnected and linked to agency missions and resources over some defined time period. Strategy typically includes a stated set of aspirations and a real set of priorities to be implemented given time and resource constraints. A government may list dozens of goals, for example; in reality, however, it can focus only on some smaller subset of them. Further, one should expect that the various actors and agencies will differ as to which are the real goals and what is the proper priority among them. With respect to sequences, one expects an anti-organized crime strategy to combine short-term repression and control measures with longer-term attention to institutional reform, education, health, employment, and the like. Implementation of the strategy ought to include feedback mechanisms to permit periodic adjustments.

A basic strategy to combat organized crime evolved over the first half of Felipe Calderón’s presidency (2006–2012). It was embedded in a broader set of policies to promote public security and justice reform more generally. At the declaratory level, the strategy identified various state responses to organized crime, some to be coordinated with civil society. Analogous to the U.S. military “surges” in Iraq and Afghanistan, the Mexican government sought to implement a reaction-repression-adaptation model while its prevention-justice administration model was constructed. In effect, the Mexican armed forces would “stand down” when the justice administration system was “stood up.”

The strategy ran obvious risks. First, the armed forces, especially the Army, were deployed to defeat an “enemy” only poorly understood, organically linked to the economy and civil society, and dispersed throughout Mexico and into both neighboring and distant countries. The military started out poorly prepared to act as a police in the sense of building support in local communities and employing minimum violence to apprehend suspects for judicial processing. They became exposed under intense media coverage to corruption, human rights abuses, and operational failure. Second, the dynamic of protracted confrontation with criminal gangs brought the risk of “dirty war.” Along with the civilian police and some societal groups, the Army, by unspoken doctrine or renegade units, was tempted to operate extra-judicially, using arbitrary detention, torture, and disappearances. Third, even assuming success in the “take” and “clear” aspects of the surge, the scale of the

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6By reaction-repression-adaptation model I mean the government dispatches its armed forces to various trouble spots with the expectation that it will learn by doing how to deal with criminal organizations; by police-justice administration I refer to the long-term menu of institutional reforms to train police, modernize the intelligence system, and implement judicial reform.
7We lack a clear analytical “picture” of the DTOs in the sense of their organization and functioning. Astorga (2007) provides the most complete narrative account.
8Most publicized case of extra-official, vigilante justice is Mauricio Fernandez, mayor of San Pedro Garza García, Nuevo Leon. Also several cases of human rights complaints have been brought against the Army. A narrow focus on the Army may be unfair in the sense that civilian police are arguably as guilty (or more) of human rights abuses.
institutional reforms required to stand up a competent police-justice system oper-
ates on a calendar of decades, not sexenios. By the middle of President Calderón’s
term (Winter 2009–10), political opposition to the use of the Army against OC had
reached the point that the government was forced to adjust its tactics in the case of
Juárez, Chihuahua, to rely more on the federal police.

In the following discussion, I focus on strategy to combat organized crime, par-
ticularly the DTOs within Mexico and along the Mexico-U.S. border. Much of
Mexico’s strategy is embedded in a broader set of policies aimed to improve public
security and rule of law in a general sense.

**MEXICO’S DECLARATORY STRATEGY**

In his inaugural address in December 2006 Felipe Calderón put the recovery of
public security and legality as the first of his three main priorities as president (along
with reducing extreme poverty and creating jobs). As one of the promised “100 ac-
tions in the first 100 days,” the Ministry of Public Security (Secretaría de Seguridad
Pública — SSP) produced a “Crusade against Crime” strategy paper in March 2007.
The document sets out eight ambitious goals. First among these was the consol-
idation of police forces (Federal Preventive Police, Federal Investigation Agency,
National Migration Institute, and the Customs and Tax Inspection Center) under
a single command to improve communication and coordination. The strategy also
emphasized crime prevention and citizen participation, institutional development
to professionalize the police, efforts to combat corruption, and the development of
standardized record management among police agencies and improvement of com-
munications and coordination.

President Calderón laid out the main elements of a strategic response to OC in
particular in subsequent speeches. On Navy Day, June 1, 2008, he conveyed his
sense of the threat: OC is more than trafficking: “[organized crime] also seeks to
put the entire structure of illegality at its service,” referring to contraband, counter-
feit products, auto theft, kidnapping, and the like. His stated priorities were, first,
joint military-police operations to regain territory and support local authorities.
Second, justice reform, to better equip the judicial system to deal with organized
crime. Third, police reform, to purge corrupt personnel and create a new profes-
sional police. Fourth, implementation of “Platform Mexico,” (Plataforma Mexico),

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9“Palabras al pueblo de México desde el Auditorio Nacional,” (December 1, 2006) (http://www.presidencia.
gob.mx/prensa/discursos/?contenido=28316 last accessed on July 16, 2009).
10“Estrategia integral de prevención del delito y combate a la delincuencia,” (SSP March 2007). See
11Discurso, El Presidente Felipe Calderón en la Inauguración de las Instalaciones de la V Región naval
Militar, 1 junio 2008. See also, “La política mexicana contra la delincuencia organizada,”
(Mayo 29, 2008) ;
a nationally integrated information system intended to improve police intelligence. Fifth, “Clean up Mexico,” (Limpíemos Mexico), to promote drug prevention and rehabilitation.

Events also drove the evolution of declaratory policy. The kidnapping and murder in June 2008 of Fernando Martí, son of a prominent businessman, galvanized the country. The ensuing scandal created momentum to produce the “National Pact for Security, Justice, and Legality” the following August 22. The Pact, which remains the major policy statement to date, enumerated some seventy-five commitments by the three branches at the federal and state levels, plus the mayors, as well as various civil society groups, to take in order to promote public security.12

By summer 2009 the overall declaratory strategy against organized crime, essentially drug trafficking, took the following shape:

1. Deploy federal forces (police and Army) in the most seriously affected areas. The aim of these joint police-military operations (operativos conjuntos) was to confront armed gangs, take back territory, and prop up local security forces and municipal governments. The goal was to disrupt the criminal groups’ capacity for reproduction by applying targeted pressure. The operations were mainly in the North and a few internal locations (e.g., Michoacán). The state of Chihuahua was most affected, but joint operations were conducted in Baja California, Nuevo León, and Tamaulipas as well.

2. Attack OC’s finances. Though there was some progress in creating a legal framework (e.g., asset seizure), Treasury (Secretaría de Hacienda y Crédito Público — SHCP) lacked sufficient resources to prepare cases for prosecution, and the Federal Attorney General’s Office (Procuraduría General de la República — PGR) did not have enough trained attorneys to prosecute the cases. The banking system developed some measures against money laundering, but numerous other channels (e.g., currency exchanges, hotels, restaurants, race tracks, professional sports, and the like) remained vulnerable.

3. Dismantle OC’s political cover. In recent years several mayors and a governor (Quintana Roo) had been arrested for protecting trafficking. Calderón dramatically stepped up the pressure in a joint police-Army operation in his home state of Michoacán in May 2009. With no advance warning to the state governor, ten mayors from the three main parties, along with seventeen other officials, including an adviser to the state’s attorney general, were charged with collusion with organized crime. Rather than a “wake-up call” to the political class, many viewed the operation a partisan maneuver.

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4. Promote institutional reform, with priority to intergovernmental cooperation, reform of the police and justice systems at all levels, and improvement of intelligence capabilities. The administration encountered delays in organizing itself at the federal level, but the bigger problem was enlisting effective cooperation from the 32 states and 2,140 local governments. Until the kidnapping scandal of June 2008, many state and local officials were skeptical about the Calderón’s motives, suspecting a ploy to gain legitimacy after the contested 2006 presidential election. By summer 2009 the federal government had developed a “3X3 plan,” that is, cooperation among the legislative, executive, and judicial branches at the federal, state, and local levels to promote anti-crime measures. Ideally judicial reform would move in tandem with other measures, but the congress had stipulated eight years to complete the process.

5. Generate grassroots support and recover the societal base. In places the Army and police could disrupt criminal activities, the objective was to deliver basic social services to build public support for the government. At the policy-making level, the social cabinet (including the health, education, and social development ministries) created special programs for the targeted areas. The programs included health care, “Safe Schools,” and safe spaces.

6. Promote international cooperation, primarily with the United States, but also with other governments in the region (especially Colombia and Guatemala). With respect to the United States, the Obama administration appointment’s at State, Justice, and Homeland Security strongly promoted bilateral cooperation. A priority was to improve cooperation between U.S. and Mexican intelligence services.

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13 Sigrid Arzt (2002, 137–38) points to a three-prong strategy against organized crime: first, identify and attack the criminal group’s operations; second, eradicate the group’s financial base; and third, dismantle its political-institutional protection. The last is both the most difficult and the most important. On the Michoacan operation, see “Histórico: PGR pega al gobierno en Michoacán,” ElUniversal.com.mx, May 27, 2009.

14 “Por falta de pruebas liberarán a 12 exfuncionarios de Michoacán,” Milenio online, January 31, 2010.

15 For example, CISEN needed a more comprehensive framework law to spell out its functions and institutional accountability. It was the sole source of the trained polygraphers needed to vet police forces and could produce only a limited number per year.
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These elements made up the GOM’s declaratory policy, in effect what the government said it wanted to do. If this characterizes the strategy, it is less complicated than President Calderón has suggested.16 The immediate goals were to: (1) break up and disarticulate the criminal groups’ operational networks for logistics, finance, and economic activity; (2) help break up international operations of OC; (3) incarcerate the main leaders, operators, and strategists; and, thereby (4) eliminate the impunity that allows this sort of criminality to harm society (Mexico PGR 2008).

If these are the broad outlines of the strategy, the Presidency’s National Security Program 2009–2012 (Programa para la seguridad nacional 2009–2012) goes into considerable detail about two “special objectives,” 13 “strategic lines,” and 148 “action lines” designed to link the security program to the National Development Plan 2007–2012 (Plan nacional de desarrollo 2007–2012), as required by law. The National Security Program identifies threats and lists varieties of activities, but it does not link the activities to particular agencies nor set out performance metrics.17

The limited scope of the chapter rules out an evaluation of each point of the declaratory strategy. I shall comment only on the joint police-army operations and on selected institutional reforms. I return to goals in the consideration of metrics.

JOINT POLICE-ARMY OPERATIONS

While other scholars such as Roderic Camp have examined in depth the armed forces’ role in domestic policing, this paper focuses on joint police-Army operations as the key short-term tactic in the Mexican government’s anti-OC strategy. Drawing on press accounts, Donnelly and Shirk (2009, 29) list fourteen deployments to ten different locales between December 2006 and July 2009, totaling more than 43,000 personnel. Michoacán (with two deployments) and Chihuahua (with four) got special attention. They note that we lack a precise breakdown between numbers of police and military, nor do we have information on the length of the deployments.18

Were the deployments “successful”? There are several different measures of success (some considered below), but my interest is whether the joint operations (operativos conjuntos) improved coordination among federal agencies and between these

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16See “Es difícil explicar estrategia contra el crimen,” ElUniversal.com, March 10, 2010. In my view, Joaquín Villalobos (2010), the former Salvadoran guerrilla commander, explains and defends the government’s anti-crime policy more ably than do official spokespersons.

17The strategy document goes part of the way to address a basic criticism by RAND Corporation analysts, who claim that the Calderón administration failed to develop a cohesive national security strategy. “While Calderón has made fighting the drug cartels, crime, and corruption a cornerstone of his administration, a cohesive national security strategy has, again, yet to be articulated. Such a national security strategy would identify the nature of new security threats, describe how the country is responding to the threats, and delineate responsibilities across agencies and levels of government. Calderón has articulated his National Development Plan; however, there is no explicit link between national security priorities and that plan or among the various national security institutions” (Schaefer et al. 2009, 14).

18It would seem conventional to keep this sort of information classified.
and state-local forces. We would expect variation in outcomes across the various locales, depending on the mix of personalities and circumstances. At least one press account was generally negative about inter-agency cooperation. “The failure of the deployments against organized crime and the need to restructure them was because the federal police commanders never subordinated themselves to military command — as originally agreed — and often acted to protect drug traffickers, alerting them to actions planned against them.” As a result, military forces found themselves isolated in a climate of confrontation with other federal, state, and local authorities. In its original design, the military planned the deployments, which were to be implemented by SSP and the PGR. On the ground, the operations were commanded by military officers. However, civilian police did not usually adhere to the command structure.

**ASSESSING INSTITUTIONAL REFORM**

**Reform of the police and intelligence systems:**
Police reform was the top priority in the institutional reform agenda. In President Calderon’s words, “I would start with the federal police. I want to deliver to my people, when I finish my presidency, a new and cleaner police corps at the federal level.” The architect-engineer and policy entrepreneur for this goal was SSP Secretary Genaro García Luna, whose career trajectory is central to understanding the design of Calderón’s police reform. García Luna, like many others in the public security apparatus, began his career in the Center for Research and National Security (Centro de Investigación y Seguridad Nacional — CISEN), which was founded in 1989 to replace the disgraced Federal Security Directorate (Dirección Federal de Seguridad — DFS). Trained as a mechanical engineer, with graduate study in strategic planning, he joined CISEN early in his career and departed with the diaspora from that agency that fanned out to SSP, the PGR, and several states in the latter months of Ernesto Zedillo’s administration (1994–2000). He first helped

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19Based on field interviews in early 2010, coordination between military and police forces appeared better in Tijuana then in Cuidad Juarez (Olson 2010, 5).

20“El ejército lucha case en solitario contra el hampa,” LaJornada.unam.mx, January 20, 2009. The problem of poor (or nonexistent) coordination between the Army and police was emphasized by U.S. and Mexican officials in author interviews in Mexico City (April 26–27, 2010). Original Spanish Text: “El fracaso de los operativos contra el crimen organizado y la necesidad de reestructurarlos se debe a que los comandantes de la policía federal nunca se subordinaron al mando militar — como se acordó inicialmente —, y, muchas veces protegieron a narcotraficantes, avisándoles sobre las acciones planeadas en su contra.”


23CISEN was formed from the General Directorate for Research and National Security, which served briefly after the collapse of the DFS. An unusually interesting official history is CISEN 2009, in which the founders tell their stories. “Investigación” (research) is used deliberately in the agency titles to avoid the term “intelligence,” which creates unease in public opinion.
organize the intelligence unit of the Federal Preventive Police before moving on to the PGR in 2000. There he designed and built the Federal Investigation Agency (Agencia Federal de Investigación — AFI), which served as the investigative police for the Attorney General’s office.

Some thought President Calderón’s appointment of García Luna as SSP secretary and Eduardo Medina Mora as Attorney General might calm the inter-agency feuds that hampered security policy during the Fox administration. But conflicts between the ministers continued up to Medina Mora’s resignation in September 2009. While never publicly aired, the conflicts were probably related to differing visions of police reform and to García Luna’s bare-knuckle style of bureaucratic infighting.

Judging from policy statements and press accounts, García Luna’s vision of police-intelligence reform was to consolidate the various federal police forces into one organization, develop an effective intelligence apparatus to guide police operations, and devise an effective coordination mechanism to integrate police operations on all levels. The new police would operate under SSP control and be integrated into the National Public Security System (Sistema Nacional de Seguridad Pública — SNSP), the main institutional framework. Central to his thinking was to extend investigative powers to the preventive police. By April 2008 García Luna proposed integrating the AFI and PFP into a new Policía Federal, composed of six total divisions and approximately 30,000 officers divided into central operations and 34 regional police stations.

Even with President Calderón’s strong support, however, the implementation of García Luna’s vision of police reform was blocked by corruption scandals, including the top levels of both AFI and the PFP, and by congressional opposition. Some congressmen pointed to constitutional provisions that specified public safety functions for the municipalities and the mandatory subordination of investigative police to PGR attorneys (ministerios públicos). In the truncated version of reform, the PGR was left with a hollowed-out Ministerial Police (Policía Ministerial), essentially the

24As to personal and bureaucratic in-fighting, a leading student of public security commented: “…durante los tres primeros años de este gobierno tuvimos un conflicto impresionante entre la Procuraduría General de la República y la Secretaría de Seguridad Pública federal. A la par de un problema que ha ocasionado 14 mil muertos, la guerra entre narcos, hemos visto un conflicto básico y un error de conducción política del gobierno federal al permitir que el secretario de seguridad y al procurador estuvieran confrontados en prácticamente todos los frentes” (“Perdemos ante el crimen: Samuel González Ruiz,” Siempre, September 13, 2009).

25The SNSP is the institutional mechanism for the coordination of public security agencies at the federal and state levels. The Public Security Council is the federal counterpart to the National Security Council. SNSP and the Council are the primary national-level policy making bodies. A priority of the SNSP is collection of data and integration of data bases on weapons, vehicle registration, stolen vehicles, public security personnel, prison populations, citizen identification, and the like. For a critical appraisal see “Seguridad: 10 anos de propuestas y ninguna política de Estado,” ElUniversal.com, December 28, 2006.

26Mexican police forces have traditionally been divided along jurisdiccional lines (federal, state, and local) and by function — investigative police and preventive police. The later were limited primarily to patrolling streets and protecting facilities.

27Justice in Mexico Project News Report, April 2008
vestiges of the AFI. García Luna focused on the new Policía Federal (to replace the Policía Federal Preventiva) endowed with investigative powers. He also proposed the creation of 32 state police forces which would combine preventive and investigative agencies at the state level and absorb the municipal (preventive and transit) police.  

Effective intelligence is central to combating the DTOs. At the federal level there are four main agencies. CISEN, under the Ministry of Internal Affairs (Secretaría de Gobernación), is the lead strategic intelligence agency, focusing mainly on political and internal security issues. It focuses on drugs as these affect broader political issues. Its founders sought to separate CISEN from anti-drug operations to protect it from infiltration and corruption. Although its operational arm was spun off to the PFP in the late 1990s, it plays a leading role in inter-agency coordination both internally and internationally (e.g., in the National Security Council, Public Security Council, and the SNSP). Operating under the PRI-government system, CISEN was viewed with deep suspicion by opposition parties. Following a period of relative neglect and slim budgets during the Fox administration, the agency recovered status and resources under Calderón. The agency apparently enjoys considerable trust by the USG.

PGR’s National Planning and Intelligence Center (Centro Nacional de Planeación e Inteligencia e Información para el Combate a la Delincuencia—CENAPI) is the successor agency to the Planning Center for Drug Control (Centro de Planeación para el Control de Drogas—CENDRO). Currently headed by a Navy admiral with an extensive background in intelligence, it appears to have more of an analytical than operational role. It provides intelligence directly to the Attorney General and presumably to the Deputy Attorney General for Specialized Investigation on Organized Crime (Subprocuraduría de Investigación Especializada en Delincuencia Organizada — SIEDO).

SSP’s Undersecretariat for Strategy and Police Intelligence (Subsecretaría de Estrategia e Inteligencia Policial) and the new Federal Police Intelligence Center (Centro de Inteligencia de la Policía Federal—CIPF) apparently have more operational roles, with access to multiple data-bases and the Mexico Platform (Plataforma México). The Platform, currently under construction, is a nation-wide network of data bases with information on vehicle registration, weapons, public and private security personnel, prison censuses, arrest records, and the like. In principle, Federal, state, and local law enforcement personnel would provide constant updates, and the information would be available to authorized users throughout the country.

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29A press item reports that CISEN’s role was expanded under Calderón to include anti-drug and kidnapping roles. See “Reforman el Cisen; entrará de lleno al combate contra bandas del narcotráfico,” Lajornada.com, January 28, 2009.
30A significant sum in the Mérida package was invested in CISEN. See “EU inyectará 17 millones de dólares al Cisen,” ElUniversal.com, October 6, 2008.
31The Center is described in “‘Cerebro’ tecnológico enfrentará criminals,” ElUniversal.com, November 25, 2009.
The Secretariat of Defense (Secretaría de Defensa Nacional — SEDENA) plays a leading role in combating DTOs. We know little to nothing about its intelligence services. SEDENA’s Second Section deals with general defense-related intelligence, and its Seventh Section focuses on anti-drug intelligence. In recent years, the Secretariat has decentralized more of its intelligence-gathering to its twelve military zones.32

Reform of the judicial system:
Mexico’s federal law authorizes the basic tools to act against organized crime; the problem is in administrative and judicial implementation. Among other things, the law:

- specifies tougher penalties for higher-ups in criminal organizations or for public officers engaged in organized crime;
- authorizes a special unit in the Attorney General’s office to investigate organized crime and specifies how the unit should work with financial units to investigate financial irregularities;
- permits police infiltration of criminal organizations and protects their identity;
- provides for protection of witnesses and others who might be at risk in criminal investigations;
- sets out rules for police searches, communications intercepts, uses of intercepted information, asset seizure, anonymous tips, rewards or sentence reduction for cooperation with investigators; pretrial detention to develop evidence against suspects; and special prison assignment and treatment.

The thrust of Mexico’s broader judicial reform centers on presumption of innocence and oral trials. These priorities would likely improve transparency and, possibly, protection of defendants’ civil rights with respect to criminal trials in general. Based on a comparative study of several Latin American countries, however, Luis Pásara (2010) cautions against expecting that judicial reform in general will have significant effects on crime. Beyond generic criminal justice, Guillermo Zepeda (2009, 27–28) offers useful ideas for judicial reforms especially applicable to organized crime. These include: specialized judicial units with limited workloads; professional investigators; technical auxiliary units; elite police units to serve judicial orders; specialized courts with reduced workloads; protection for victims and witnesses; better quality maximum security prisons; and, follow-up and social readaptation programs. An immediate priority, given the military’s lead role in anti-DTO policing, is to improve coordination among the Army, federal police (SSP), and the Attorney General’s ministerial police and prosecutors (ministerio publico) so that persons apprehended in joint operations enter directly into the criminal justice system.

32Benítez Manaut et al. (2009) is useful for varieties of information on security and defense.
Institutional changes in the military:
As important as the reforms attempted with respect to police and intelligence agencies, the military forces adopted changes to support its enhanced police roles, including:

1. Creation of a human rights directorate in SEDENA (announced in January 2005 and implemented with the Calderón presidency): “It is a clear indicator that the armed forces are improving their doctrine in order to continue operations that will put them in direct contact with society” (Guevara 2008, 9);

2. Creation of the Federal Support Forces Corps: Intended to support civilian authorities in operations against OC, leaving the rest of the Army to carry out traditional functions. There was concern both within and outside the Army about placing it under President Calderon’s direct control. Even though this was amended by a September 2007 decree, no funds were provided for the Support Forces Corps in 2008–2010;

3. Expansion of the Marine Infantry Corps: “A total of 32 battalions (BIM) are being raised . . . , which will see a manpower expansion of about 13,000 [troops]” (Guevara 2008, 10). They are being equipped for a maritime police role (e.g., assault rifles, night vision, body armor, GPS-transceivers, light trucks, and the like);

4. Enhancement of detection capabilities by the Navy: Unmanned Aerial Vehicles and maritime surveillance aircraft are being incorporated. The Navy also has ordered six CN-235MPA Persuader surveillance aircraft to complement its C-212PM’s, relatively new addition which have been instrumental in several interdictions. Also, eight Naval SAR stations were to be completed 2009, which will permit permanent presence without the need for bases. (Guevara 2008, 11);

5. Intelligence, surveillance, and reconnaissance: Enhanced satellite imaging processing by the Navy has increased its capacity to identify marihuana and poppy fields. It has also improved the Navy’s ability to intercept illegal seagoing vessels. The interception of a semi-submergible vessel on July 15, 2009, was credited to improved intelligence-sharing with the Colombian navy and the DHS (ibid.); and,

6. Improving inter-service operations: Mexico’s Army and Navy operate in two separate ministries and with little operational coordination until recently. Beginning in 2007 SEDENA and SEMAR Chiefs of Staff began holding periodic meetings. In May 2008 the two ministries agreed to logistics and acquisitions coordination. Beginning in September 2007 they have held joint training exercises, focusing on airborne troops and special forces
operations. Army and Navy units have cooperated separately with civilian police in joint operations. In November 2007, the two armed forces joined in a detection/eradication operation for the first time (Guevara 2008, 12).

7. Training of special Army units to act against DTOs (especially the Zetas):
Small groups (10 per unit) were trained for day- and night-time helicopter-borne maneuvers and deployed to Chihuahua and Sinaloa.

The Army’s heightened role in law enforcement naturally brings it more directly into politics. We see more active lobbying in Congress by the Army to defend its budget and expand legislation to protect its activity in its policing role. Beyond this, the Army has become more active in publicizing its anti-DTO roles, in calling for an inter-party pact to promote public security, and even in public safety messages (e.g., advice to landlords to monitor renters).

U.S. STRATEGY: FOLLOW MEXICO’S LEAD

The U.S. and Mexican national governments have cooperated increasingly closely to combat drug trafficking since the latter 1980s. Complicating this cooperation is Mexico’s sensitivity about real and perceived U.S. intervention into its domestic affairs (thus the U.S. insistence on following Mexico’s lead) and the distant relations between the Mexican and U.S. armed forces (thus the difficulty in dealing with Mexico’s Army, the main instrument to combat OC/DTO). It is useful to consider U.S. strategy in both general and border-centric perspectives.

The main innovation in general bilateral security relations was the Mérida Initiative, announced in October 2007. At the declaratory level, it represented a qualitative advance in terms of U.S. material assistance, policy targets, and
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commitment to shared responsibility. As to financial commitment, the USG appropriated U.S.$1.330 billion for fiscal years 2008–2010. Note that this money was not transferred directly to the GOM; rather, funds went to purchase equipment and support varieties of training.³⁸

In past years, drug supply reduction and interdiction were the focus of U.S. policy. The declared policy targets of Mérida, however, were much broader: “(1) break the power and impunity of criminal organizations [not just DTOs]; (2) assist the Mexican and Central American governments in strengthening border, air, and maritime controls; (3) improve the capacity of justice systems in the region; and, (4) curtail gang activity in Mexico and Central America and diminish the demand for drugs in the region” (Seelke 2010, 2). Finally, with respect to shared responsibilities, the USG committed to do more to reduce drug demand, and to deter southbound weapons trafficking and bulk cash shipments.

The Obama administration introduced significant adjustments to Mérida. In terms of policy design, the scope of the “Bush Mérida” included Mexico, Central America, and the Caribbean. The “Obama Mérida” (i.e., the innovations introduced in early 2010) shifted from a combined regional perspective to one with three separate sub regions: Mexico, Central America, and the Caribbean. The Obama Mérida also introduced the concept of four pillars: “(1) disrupting the operational capacity of organized crime, (2) institutionalizing Mexico’s capacity to sustain rule of law (police and judicial reform), (3) creating a 21st century border structure, and (4) building strong and resilient communities” (Seelke 2010, 22), all of which were consistent with GOM policy. Community development (pillar four) appeared to broaden U.S. involvement in Mexico’s internal affairs in new ways (ibid., 23).³⁹

The U.S. State Department submitted to Congress its “FY2008 Supplemental Appropriations Spending Plan, Mexico, Central America, Haiti, and the Dominican Republic” (September 2008), which elaborates on the four strategic goals for Mexico by adding ten main objectives, twenty more specific objectives, and dozens of illustrative actions. The Plan also itemizes thirty-one specific performance measures (which I return to below).

With respect to the U.S.-Mexico border region, the Obama administration updated the National Southwest Border Counternarcotics Strategy (from the original version published in 2007). At the declaratory level, the strategic goal remained drug-centric: “Substantially reduce the flow of illicit drugs, drug proceeds, and associated instruments of violence across the Southwest border” (ONDCP 2009, 2). The document


³⁹The State Department’s fiscal year 2011 budget justification states that, “Funding will support critical efforts to implement specialized assistance in one or two Mexican border cities with an aim of synthesizing the four pillars into a positive demonstration of local effectiveness, which can then be replicated elsewhere by the Government of Mexico. This effort would also highlight increased emphasis on expanding assistance from the federal level to state and municipal levels” (United States Department of State 2010, 70).
set out six “strategic objectives” (e.g., “enhance intelligence capabilities associated with the Southwest border”) and then catalogued how dozens of USG agencies and programs relate to nine themes (e.g., “money,” “weapons,” “technology,” etc.). With recurring reference to good intentions (e.g., expand, enhance, expedite, ensure, encourage, and the like), the strategy should be read as a statement of how a very complicated bureaucratic apparatus might be deployed to improve coordination (internal and bilateral) to reduce northbound flows of drugs and southbound flows of weapons and bulk cash. As a catalog it displayed the various agencies and programs with respect to a series of themes but without any sense of what office, agency, or person is in charge of setting priorities and managing operations on the ground. Possibly the classified version of the report goes into detail on these matters.

Mérida and the Southwest Border Strategy were the main USG federal pronouncements on bilateral security strategy. Though beyond the scope of this paper, there were numerous significant innovations in bilateral cooperation at the state and local levels along the border. We have glimpses of specific cases; however, no one — to my knowledge — has produced a comprehensive analysis of trends in this zone of 630,000 square kilometers, 41 major border crossings, and 12 million residents.40

II: How do the two countries’ strategies and frameworks interconnect? In what ways has there been progress in coordination, and what gaps remain (e.g., database and intelligence sharing, satellite and communications monitoring, etc.)?

At the declaratory level, the two countries’ strategies fit together well. The adoption by Mexico’s DTOs of less lethal, but still grotesque, terrorist tactics seems to qualify these criminal groups as terrorist organizations. This connects with the anti-terrorist momentum in the United States but can complicate anti-DTO initiatives in Mexico.41 Furthermore, the leadership levels of both governments actively seek ways to harmonize their strategic visions and to work together more closely. The USG claims to follow Mexico’s lead, and this is consistent with the adjustments made in the Obama Mérida to expand the scope beyond drug trafficking to include organized crime generally, promote institutional reform, and to experiment with new forms of social development.42

41For example, DTOs either create or take advantage of anti-government street protests in order to cast blame on the police and Army for human rights abuses. The anti-terrorism lens can depict such protesters as terrorist sympathizers or tools.
42See, for example, the transcript of a press conference, “U.S. Ambassador to Mexico Carlos Pascual and Mexican Ambassador to the United States Arturo Sarukhan,” September 26, 2009, in which Ambassador Pascual stated: “And Arturo speaking first is not just symbolic, it’s real, in that the strategy has to come from Mexico. And the way that the United States plugs into that is what makes it effective” (available at http://www.state.gov/r/pa/prs/ps/2009/sept/129672.htm, last accessed on March 12, 2010). Joint responsibility and the four-pillars strategy were reiterated following the Second Meeting of the High Level Group in Mexico City in March 2010. See “Declaración conjunta sobre cooperación bilateral contra la delincuencia organizada transnacional,” (March 23).
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At the operational level, significant gaps remain in inter-agency coordination within and between the two countries. Mexico’s federal system is undergoing a rapid decentralization, which has strengthened the 32 state governors and complicated policy coordination generally. With respect to intergovernmental coordination in security policy on Mexico’s northern border, Olson (2010) reported that a “lack of coordination and political infighting between political parties, political leaders, and government agencies has crippled Mexican anti-crime efforts.” Local authorities state that their opinions are often ignored by state and federal actors, and federal agencies appear unable to coordinate their tasks adequately. Further, “. . . there does not appear to be a tradition or culture of inter-agency cooperation or joint task forces that result in a well coordinated policy amongst the various ministries and levels of government.” (ibid.)

At the federal level, President Calderón gave a starkly negative appraisal of disorganization of the police-intelligence apparatus in his defense of the General Law for the National Public Security System submitted to congress in September 2008. He pointed to a “wrongheaded fragmentation” of commands that produced divisions among police agencies, hindered coordination, and even produced a “logic of rivalry” that blocked intelligence sharing. This had led to the disorganization of state capacity to confront crime.

That organic dispersion means duplicating functions and spending, not to mention the gradual loss of the ability to ensure an adequate scheme for protecting classified information, as well as a complete lack of coordination, congruent and uniform protocols, systems, organizational forms, ranks, and police functions, explained the president. 43

Problems of coordination are also built into the U.S. federal bureaucracy in the sense that cabinet-level agencies operate with equal standing and their various bureaus and programs have specific statutory authorities and report to different oversight and appropriations committees in the Congress. Law enforcement programs need to be coordinated through hundreds of federal, state, local, and tribal police and justice agencies. The standard solution is to set up interagency mechanisms and to work out memorandums of understanding where missions overlap. The Southwest Border Strategy describes a variety of such coordination mechanisms, some fairly well established (e.g., Border Enforcement Security Task Forces), others fairly new (e.g., Organized Crime Drug Enforcement Task Force Fusion Center).44

43See “Calderón senala fallas en sistema de seguridad,” ElUniversal.com, October 2, 2008. Original Spanish Text: Esa dispersión orgánica implica duplicidad de funciones y dualidad de gasto, sin mencionar la pérdida gradual de la capacidad de garantizar un adecuado esquema de control de confianza, así como una total carencia de coordinación, congruencia y homogeneidad de protocolos, sistemas, formas de organización, grados y atribuciones policiales, explicó el mandatario.

44See United States Government Accountability Office (2009a) for a discussion of coordination problems (e.g., ICE and DEA with regard to drugs seized by CBP between ports of entry) and an evaluation of coordination mechanisms. USGAO 2009b discusses coordination problems with respect to controlling weapons trafficking. As important as coordination problems was the delay in moving funds through the appropriations pipelines. See USGAO 2009c.
A significant recent development is increased cross-border coordination in law enforcement and intelligence. At the central government level, a bilateral inter-agency group to oversee the implementation of Mérida-related programs was scheduled to begin operations in April 2010. Located in Mexico City, the group — estimated at some 70 officials — would facilitate the administration of programs by the various participating U.S. and Mexican agencies. Though beyond the scope of this paper, there are ongoing advances in intelligence and law-enforcement cooperation along the U.S.-Mexican border as well.

III. What are the available metrics for evaluating both countries’ strategies? What measurable progress has been made in recent years, and what are the prospects for further progress in the short, intermediate, and longer term?

Strategies should be evaluated with both political and technical metrics. At the political level the key metrics for Mexico are criminal violence, essentially gang-related kidnappings and murders, and the detention of DTO leaders perceived as kingpins; for the U.S., the political metrics are spillover of violence from Mexico along the Southwest border and the price and quality of illegal drugs in retail markets. Performance on these metrics has the greatest impact on public opinion, which is the critical judge about “success” in anti-OC/DTO activity.

Beyond these, both governments have developed numerous technical measures. In the case of Mexico, the measures usually take the form of results of anti-crime operations in terms of persons detained, products confiscated (e.g., drugs, currency, vehicles), weapons and munitions seized, public spaces recovered, schools opened, and the like. The numbers reported indicate that the Calderón government was much more effective in the first half of his term than were his two immediate predecessors. On various measures, the Calderón government accomplished more in three years than previous administrations accomplished in full six-year terms.

As noted, the U.S. State Department’s “FY2008 Supplemental Appropriations Spending Plan, Mexico, Central America, Haiti, and the Dominican Republic” (September 2008), goes into detail about general and specific objectives and illustrative actions. The Plan also itemizes thirty-one specific performance measures. Some of these are fairly general, e.g., “acquisition of the infrastructure and capabilities to enable full-time operation of the Government of Mexico’s strategic communications system;” but most are specific and quantifiable, e.g., “percentage change in the Mexican federal...

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46In addition to Zamarripa (forthcoming), see “México y EU concretan policía transfronteriza,” ElUniversal.com.mx, December 2, 2007, which describes the formation of an “International Trans-border Police” made up of Mexican and U.S. federal-state-local agencies and modeled on the successful Sonora-Arizona International Police.
47See, for example, GOM, “Indicadores de gestión, en contra de la delincuencia organizada, Enero 1, 2006 al 31 de mayo del 2008,” and “Indicadores de gestión, en contra de la delincuencia organizada, diciembre 1, 2006 al 1 de enero del 2009.”
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criminal case backlog.” The State Department is scheduled to present its progress report, presumably including hard numbers, to Congress in April 2010.

ARE THE STRATEGIES WORKING?

We need to address this sensitive issue by differentiating between short- and medium-term perspectives and between political and technical policy criteria. The view about anti-OC/DTO strategy in Mexico is generally negative as of April 2010 with respect to short-term political and institutional-policy criteria, and the short-term assessment colors views about the longer term. This perception, however, is subject to change, depending on perceptions of violence and the government’s success with respect to apprehending drug “kingpins.” My sense is that the perceptions about strategy in the United States are less pessimistic than they are apprehensive. That is, the USG and public opinion are getting a clearer appreciation (if not comprehension) of the breadth and depth of the OC problem. Only in recent months, however, has the USG begun to focus on mobilizing resources and experimenting with more comprehensive approaches.

Beginning with the politically relevant criteria in Mexico’s case, the key issue is that gang-related violence continued to rise through the first quarter of 2010. Eerily reminiscent of the public support in the United States during the Viet Nam war, public opinion has focused on the body count despite the GOM’s emphasis on impressive results on a variety of technical indicators. The government could plausibly argue that increasing violence was an indicator that DTOs are fighting among themselves in response to heightened pressure from the armed forces and law enforcement. At some point, however, and especially as more ordinary citizens were affected, the violence must be seen to recede. As to kingpins captured, the paramount symbol, Joaquín Guzmán Loera, remained at large.

By late March 2010, public opinion appeared negative with respect to the government’s strategy.48 A government spokesman’s reference to Colombia’s experience to argue that much more time is needed to reverse negative trends is plausible in the abstract, but it appears unpersuasive in the current public debate.49 In substantive terms, the GOM strategy will be judged over the longer term by whether significant progress was made by 2012 to train and deploy a federal police of acceptable professional competence and ethical character. Also important is the perception that judicial reform is having visible effects in reducing public insecurity.

48See, “Gana el narco guerra contra el gobierno federal, piensa 59% de los mexicanos,” Impreso.milenio.com, March 23, 2010. As to strategy, 47 percent indicated the government was pursuing the wrong course. Even though we should not rely too much on a single telephone survey (N=600), the results themselves become “facts” in the public debate.

49Remarks by Ambassador Arturo Sarukhan, Georgetown University, March 26, 2010.
With respect to the United States, the strategies could be viewed as “working” in the short term in the sense that the quality and price of illegal drugs remained relatively stable in major urban markets.50 The scope of spillover violence along the Southwest border was unclear; the problem remained potentially salient but analysts struggled to identify and measure it (Lake et al. 2010). Public opinion has not yet been activated and targeted on the issue.

With respect to longer-term judgments, my sense is that much depends on the performance of institutions and programs that are being assembled and implemented in the Obama Mérida. For example, perceived success of the innovative pilot projects in the “hard cases” of Juárez and Tijuana can create positive expectations elsewhere. Progress in bilateral, interagency cooperation by the group assembled in Mexico City in March 2010 would be noteworthy as well. Also important are continued innovations in cooperation at the state and local levels along the border.

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50 Administration officials are prone to suggest that supply reduction and/or interdiction have important effects to raise drug price and reduce quality. Walsh (2009) reports on a study by the Institute for Defense Analysis that used the DEA’s “System to Retrieve Information from Drug Evidence” database and RAND’s 2004 methodology. A main finding is that cocaine prices in U.S. markets continued to drop over this period while purity remained relatively constant.
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