

Nontraditional Security Threats in the U.S.-Mexico  
Bilateral Relationship: Overview and Recommendations<sup>1</sup>

John Bailey

Georgetown University

January 25, 2005

Before September 11, 2001, security—primarily, anti-drug trafficking efforts—ranked among the top two or three issues in Mexico-U.S. relations. Since that day, security has dominated the U.S. policy agenda in foreign affairs, including the bilateral agenda. Mexico, which had put more emphasis on migration reform, has accepted the new reality as defined by the United States. This background paper identifies some of the more pressing nontraditional security threats in the U.S.-Mexico bilateral relationship and suggests recommendations to address them. Inevitably somewhat U.S.-centric, my approach is to cover a good deal of ground in broad-brush strokes, providing only enough detail to buttress the main points and illustrate the recommendations.

I make four main points by way of argument: (1) while there are differences in priorities and some potential and actual conflicts, the two countries' rankings of nontraditional threats converge closely enough to permit a good objective basis for cooperation; (2) the overall Mexico-U.S. security relationship is quite positive and moving forward, albeit gradually; (3) there is solid bilateral support for discreet cooperation on specific issues, but there is little support on the Mexican side for major public initiatives in security cooperation in the short term; and (4) despite its firm declaration of a war on terrorism, U.S. (non)actions suggest an incomplete commitment.

---

<sup>1</sup> Prepared for the Mexico Institute, Woodrow Wilson Center, study on the "Parameters of Partnership in U.S.-Mexico Relations," January 2005. Sigrid Arzt, David Eisenberg, William Olson and David Shirk provided helpful comments. The usual disclaimers of responsibility are invoked.

With these as a basis, I make four priority recommendations: (1) the two governments should seek ways to accelerate the pace of cooperation that is already ongoing in multiple arenas and, if useful, look for an opportunity to integrate these into a broader framework after Mexico's 2006 presidential elections; (2) cooperation against organized crime merits priority because of its central importance to both the Mexican and U.S. governments (although for different reasons), and because it provides multiple spin-offs for institution-building and benefits to law enforcement more generally, as well as to anti-terrorism; (3) security cooperation should be linked to human capital formation; and (4) because the Mexican armed forces play central roles in law enforcement, disaster relief and border protection, it is urgent to improve communications and cooperation between them and U.S. security forces and other first responders.

The paper is organized into four sections: (1) a note on terms; (2) an overview of three "clusters" of nontraditional threats and the priorities each country's government might assign to them; (3) a sketch of the policy-making context as of early 2005; and, (4) a summary discussion of recommendations.

### A Note on Terms

Two important sets of terms for this discussion are (1) traditional vs. non-traditional threats; and (2) national vs. public security. Traditional (or conventional) threats refer to hostile actions by governments of nation-states against governments and populations of other nation-states; the instruments used are typically armed forces, intelligence services or surrogate actors (e.g., political parties, guerrilla forces) to carry out subversion; and the targets are typically another nation's armed forces, intelligence services, key government agencies, and societal institutions. Nontraditional (nonconventional) threats can originate

from a variety of non-state human and natural causes, and they can affect both government institutions and civilian populations. (I suggest three such clusters in the next section.) Some threats are quite palpable, as when skyjacked commercial airliners are flown into buildings. But many others are in the eye of the beholder; that is, they are socially and politically defined as potential threats.

*National security*, a term familiar to Americans, refers to the defense of the nation-state and its key attributes (borders, territorial integrity, sovereignty and the like) and of its population, economy and central institutions. *Public security*, in contrast, refers to the protection of individual citizens and their property against natural disasters as well as the intentional aggressions of other individuals. Public security is familiar to Mexicans and most Latin Americans for two basic reasons: (1) it draws attention to the protection of individuals' civil and human rights; and (2) it emphasizes the protection of individuals and their property from crime, especially violent crime, which has become a grave concern since the mid 1980s.<sup>2</sup>

We need to make these distinctions because national security in Mexico and many other Latin American countries is associated with repressive governments, which used the concept to justify violence against their own citizenry. Most Americans are more familiar with terms like “public safety” and “law and order,” but the new concept of “Homeland Security” combines elements of public and national security. For the first time since the Civil War of the 1860s, Americans fear large-scale loss of civilian life and property in the homeland, caused not by armies but by transnational webs of nonstate actors.

---

<sup>2</sup> These notions are developed at length in Bailey (2003).

In sum, the two sets of terms may overlap in some ways, but they should be distinguished to avoid confusion and unnecessary apprehension in the bilateral conversation.

### Threat Clusters and Priorities to the U.S. and Mexico

Security implies that an issue should receive immediate, priority attention and that, if necessary, governments may employ lethal responses. The concept is subjective, and the clusters suggested below could be expanded or reduced. I find it useful to divide nontraditional threats into three general categories.

(1) *Natural disasters* (These are primarily regional-level problems of public security, but they can have important national and international consequences.)

*Weather-related:* hurricane, flood, drought (including increased risks of forest fires);

*Geophysical:* earthquake, tidal wave, volcano eruption, avalanche, mudslide;

*Disease-related:* current threats by HIV/AIDS and tuberculosis; potential threats by cholera, influenza, SARS, etc., and by zoonotic diseases (i.e., illnesses that can be transmitted from animals to humans, e.g., tuberculosis, anthrax);

(2) *Essential Resources/Economic Conditions* (These affect basic economic functioning.)

*Energy:* secure access to petroleum and natural gas reserves (protection of extraction and production facilities, pipelines);

*Water:* much of U.S. Southwest and of Central and Northern Mexico are semi-arid. They are also regions of rapid growth. Current frictions over water will likely escalate in the future;

*Poverty, unemployment, inequality*: chronic problems for the United States; acute problems for Mexico;

*Communications infrastructure*: information (wire, cable, wireless, Internet and other forms); transportation (rail, highway, aviation).

(3) *Crime, Terrorism and Regional Rebellion* (Intentional threats by human agents.)

*Diffuse criminality*: violent crime (e.g., homicide, kidnapping, assault); nonviolent crime (e.g., corruption, tax and regulatory evasion, illegal migration);

*Impunity*: corruption and/or ineffectiveness of police and justice administration;

*Organized crime*: some forms, e.g., trafficking in illegal drugs, weapons and migrants, as well as document counterfeiting, money laundering and kidnapping, can complicate broader security problems; other forms, e.g., vehicle theft, cargo hijacking and fraud, are essentially law enforcement issues;

*Terrorism*: groups that are ideologically or culturally motivated to inflict large-scale death and destruction upon diverse targets. U.S. and Mexican populations and territories are highly vulnerable; Mexico itself could be a target or its territory could be used to launch attacks against the United States;

*Regional rebellion*: affects parts of Mexico.

Obviously, each of these issues could be elaborated at length, and more might be added. But let us proceed to a subjective estimate (my best guess) of the ranking that each national government might assign them, as shown in Table 1:

---

Table 1. Ranking of Security Threats: Mexico and the United States (Jan. 2005)

Mexico<sup>3</sup>

United States

---

<sup>3</sup> CIDAC (June 2004) is an especially good discussion of Mexico's security situation.

Organized crime	Terrorism
Criminality/impunity	Energy
Poverty, unemployment, Inequality	Communications infrastructure
Terrorism	Organized crime (especially related to illegal drugs and migrants)
Energy/water	Natural disasters
Natural disasters	Water
Communications infrastructure	Undocumented immigration
Regional rebellion	

At least six observations can be made about this exercise. (1) Nontraditional threats comprise a diverse set of real and potential problems, which involve a broad spectrum of public agencies and societal entities. There is no tidy logic or single organizing principle. (2) The U.S. list appears shorter, but terrorism puts virtually the whole of its society at risk. (3) Mexicans would probably rank criminality and impunity near the top of their list; in contrast, problems of violent crime have declined in importance in the United States over the past decade, and U.S. police and judicial corruption—while chronic--tends to be decentralized and corrigible. (4) Mexicans place poverty and inequality high on their ranking, but American governments resist their inclusion as a security issue. (5) The U.S. government remains concerned about organized crime, but more so about its potential collaboration with terrorist groups. For Mexico, the capacity of organized crime—especially drug trafficking--to corrupt and intimidate government and society makes it the top security threat. (6) There are potential sources of conflict between the two countries with regard to substance, particularly with

respect to energy, water, and organized crime related to migrant smuggling. Americans appear divided about whether illegal immigration itself is a security issue, while most Mexicans see it as an economic issue. Also, the ways in which the two countries act (or fail to act) on threats can cause conflicts between them. Even so, I believe the exercise supports my first main point: there are misalignments, as well as potential and real conflicts, but the threat rankings line up well enough to permit a good objective basis for cooperation.

#### Context and Constraints.

Mexico-U.S. cooperation has accelerated on a variety of fronts over the past 20 years. We have seen a robust growth of bilateral consultative mechanisms, along with expanding webs of informal communication and cooperation at various levels of government and diverse strata of society. Cooperation proceeded at different paces, however, and security lagged behind areas such as business, finance, and education. Also, U.S. anti-terrorism policy is more ambivalent than pronouncements suggest.

Beginning with national security, two basic reasons for the lag in cooperation derive from strategic location and contrasting political cultures. First, since the mid-19<sup>th</sup> century Mexico evolved within the sphere of U.S. military hegemony; in fact, its main threat emanated from the United States. Defeated in the war of 1846-48, Mexico's governments no longer needed to confront issues of military preparedness and alliance formation in a conventional sense. With the collapse of the French occupation (1862-67), Mexico became a free rider in terms of geostrategic security. In contrast, these matters have constituted the core of U.S. policy, especially after the assumption of a global role in World War I and thereafter. As to political culture, security goes to the heart of

sovereignty and governability, and Mexico's political elites mobilized public support to resist overt U.S. initiatives. The U.S. government, for its part, was satisfied with an arrangement whereby Mexico was a reliable partner whose government exercised sufficient control over its own territory to protect vital U.S. interests. Formal declarations of support and extensive public debate were not necessary. Mexican governments could take independent, even antagonistic public stances; pragmatic cooperation was what really mattered.

The product of this history is two very different political cultures with respect to national security politics and policy-making. The Mexican government has largely avoided public discussions of security policy and has delegated the issue to its armed forces. These in turn, especially the Army, operate in classic hierarchical fashion and with little civilian oversight—or even contact. The term “national security” may appear in varieties of documents, but there really is no fundamental doctrine to give coherence to policy or organization.<sup>4</sup> The U.S. government, in contrast, has developed elaborate security doctrines, themselves the products of extensive political debates and negotiations. Both government and society are accustomed to security planning and emergency preparedness. The overall result of these contrasting cultures is seen in the current context: Confronting terrorism, the U.S. rather quickly rethinks the threat and reorganizes itself; it then petitions its contiguous neighbors to join in its new doctrinal and organizational arrangements. The conversation with Canada proceeds fairly openly

---

<sup>4</sup> Rocha (forthcoming) is especially insightful on these themes.

and produces broad agreements; the conversation with Mexico proceeds more discreetly and produces narrower public agreements.<sup>5</sup>

The record of bilateral cooperation in public security (specifically, law enforcement) is less neuralgic than in national security. But here as well important considerations of sovereignty come into play, and we find a record of pragmatic cooperation, but also of disputes and antagonisms. By and large the pattern has been pressure by the U.S. government for Mexico to do more to improve law enforcement and justice administration.<sup>6</sup> Examples of disagreements include the rules governing extraditions, the annual drug certification exercise by the U.S. Congress (now suspended), and whether U.S. Drug Enforcement Agents may carry weapons on Mexican soil. Also, the U.S. penchant for unilateralism has left a legacy of irritation and bitterness in Mexican government and public opinion.<sup>7</sup>

These problems notwithstanding, I reiterate my second main point: the overall Mexico-U.S. security relationship is quite positive and is advancing, albeit gradually. U.S. officials routinely praise the degree of cooperation they encounter. Several recent public developments in Mexico might also be cited: (1) an elaborate public security architecture has been erected since the late 1990s, including new police agencies, a

---

<sup>5</sup> This point is developed at greater length in Bailey (2004). For example, after September 11 the United States needed a new military organization to defend the homeland. The result is the Northern Command, whose territorial scope includes Canada, Mexico and the contiguous oceans. Canada readily accommodated itself to the new arrangement. Mexico apparently ignores it, preferring to retain its long-standing special arrangements with the U.S. Department of Defense.

<sup>6</sup> Arzt (2002) is a useful discussion of U.S. pressures on Mexico with respect to measures against organized crime.

<sup>7</sup> Examples of unilateral actions include extrajudicial renditions (fugitives from U.S. justice located in Mexico and delivered informally to U.S. authorities at the border); Operation "Casa Blanca," a 1998 undercover sting operation by U.S. agencies to arrest bankers and businessmen from Mexico and other Latin American countries for alleged money laundering (without consulting counterpart governments); the purchase in early 2003 by the U.S. government of Mexico's national electoral registry, containing identification information; and the unannounced (but presumably authorized) presence of U.S. authorities in Mexican airports to observe safety procedures during an "orange alert" in December 2003.

cabinet-level secretariat and a national coordinating mechanism; (2) in October 2003, Mexico hosted the Special Conference of Security to consider concepts relevant to replacing the antiquated Rio Treaty of 1947; (3) Mexican military leadership participated in the Sixth Ministerial of the Americas held in November 2004<sup>8</sup>; and (4) a new framework law for national security, which defines important concepts and provides for oversight mechanisms for intelligence operations, was passed at the end of 2004. Thus, we see some initial steps toward a public conversation about security issues and international cooperation.

My third main point is that there is solid bilateral support for discreet cooperation on specific issues, but there is little support on the Mexican side for major public initiatives in security cooperation in the short term. The reasons for this include Mexican public opinion and presidential electoral politics.

A public opinion survey carried out in Mexico in July 2004 relates usefully to this discussion.<sup>9</sup> Several findings suggest substantial support for cooperation on specific issues: (1) overall, the Mexicans sampled ranked public security as the second most important of seven government activities (tied with combating poverty) and ranked foreign relations and national defense last; (2) with respect to “critical threats,” 89 percent ranked drug-trafficking as the most important threat (of eight listed), chemical and biological weapons placed third (86 percent), and international terrorism ranked

---

<sup>8</sup> Ricardo Pascoe noted that, “It was the first time that Mexico publicly attended a meeting of Latin American military leaders under the aegis of the U.S. secretary. Our military had kept a discreet but real distance from these sorts of meetings up to now, because they usually implied some sort of international commitment. Our presence in this meeting suggests a new conception by the Mexican military about its relationship to international politics” (*El Universal Online*, December 22, 2004; my translation).

<sup>9</sup> CIDE & COMEXI (2004). The survey was conducted July 9-19, with a national sample of 1,500 and a 4 percent margin of error.

fourth (81 percent)<sup>10</sup>; (3) with respect to Mexico's role against terrorism, 63 percent agreed with the proposal to permit American agents to participate with Mexican agents in guarding Mexico's airports, ports, and borders; 84 percent supported increasing Mexico's entrance and exit requirements for people from other countries; and 87 percent supported increasing controls on movements of goods through Mexico's borders and ports; (4) with respect to Mexico's foreign policy goals, 80 percent supported stopping the flow of illegal drugs into the United States, and 78 percent supported combating international terrorism (placing these third and fourth on a list of ten possible goals).

At the same time, other findings suggest considerable doubt and distrust of the United States, suggesting less support for broad-scale security collaboration. For example, (1) 55 percent disagreed that the U.S. has a generally positive influence in the world; (2) 43 percent chose "distrust" and 33 percent "indifference" as best describing their feelings toward the United States; (3) 54 percent disagreed with the idea that, when dealing with common problems, the two countries should be willing to make decisions jointly, even if Mexico might have to go along with something it might not have preferred.<sup>11</sup>

Clearly, we cannot rely too much on a single survey. But the findings suggest Mexican support for particular measures, along with skepticism about and resistance to broader cooperation with the United States.

---

<sup>10</sup> Surprisingly, more Mexicans than Americans put chemical and biological weapons and international terrorism as "critical threats" (86 to 66 percent and 81 to 75 percent, respectively). See CIDE, COMEXI, Chicago Council (2004).

<sup>11</sup> This point is especially interesting with respect to the public-vs.-leaders response: while 54 percent of the general public disagreed, 74 percent of the leaders agreed. The finding suggests something of a gap that astute politicians would recognize as a potential problem in public negotiations with the United States.

Mexico's presidential succession complicates bilateral security cooperation in both general and specific terms. In general, the president's influence begins to wane in the last two years of the six-year term and attention shifts to the candidates competing for the succession. This cyclical feature is more pronounced in the case of President Vicente Fox (2000-2006), whose administration has been weaker and less effective than several of his predecessors'. Based on what we have seen with respect to public opinion, bilateral security would become caught up in succession politics and, given President Fox's weakness, significant public initiatives would be vulnerable to attack. In more specific terms, the Interior Secretary—a key player in shaping security policy—is viewed as a presidential contender. Thus his behavior in the short term is viewed through that lens. And if he indeed formally seeks the nomination of the National Action Party, he will leave the cabinet at some point in early 2005. The absence of the Interior Secretary and the likely departure of the Foreign Relations Secretary will complicate a significant bilateral negotiation in the short term.<sup>12</sup>

My final point is that, despite its firm declaration of a war on terrorism, U.S. actions and omissions suggest an incomplete commitment. From the outset following the terrorist attacks, U.S. officials walked a narrow line between exhortations to the public to prepare for war, but also to try to lead normal lives. There would be no pronounced mobilization; no resumption of the draft; not even a tax surcharge (rather Americans would be treated to tax relief!). Further, even though the country was on some sort of war footing, it would continue to function with 8-10 million undocumented residents and a continuing annual influx of thousands more undocumented migrants. Policies to address

---

<sup>12</sup> Mexico's Secretary of Foreign Relations is actively campaigning to head up the Organization of American States. Success creates another gap in the security cabinet; failure means much reduced effectiveness—or resignation.

these issues are of utmost importance to Mexico, the country of origin of some large fraction of the undocumented residents and migrants. Although it remains to be seen, U.S. political leadership may be prepared to confront these issues in President Bush's second term (2004-2008). In the absence of a more comprehensive policy, political skirmishes are confined to a series of partial issues, such as border security, language policy, status of the *matrícula consular* for identification purposes, access by undocumented residents to social services and drivers licenses, and the like. The issue also appears in a variety of ways in broader security cooperation, e.g., treatment of organized crime engaged in migrant trafficking.

Apart from this structural problem, there are constraints in the immediate U.S. context as well. The Central Intelligence Agency is going through a contentious change in leadership, and an intelligence reform initiative is underway. With President Bush's reelection, new appointees will head up the Departments of State, Justice and Homeland Security, all central to bilateral security policy. Barring crisis, there typically is a pause of some months as new teams are put into place and policies are reviewed.

### Recommendations

The recommendations flow from the basic argument, which is: (1) despite differences in priorities and potential and real conflicts, nontraditional threat agendas converge closely enough to permit a good objective basis for bilateral cooperation; (2) the overall Mexico-U.S. security relationship is positive and moving forward gradually; (3) there is support for discreet cooperation on specific issues, but there is little support on the Mexican side for major public initiatives in security cooperation in the short term; and (4) the U.S. government is less than fully committed to the war on terror. My approach will be to

point to priority concerns and indicate some directions for policy responses, but specific (and additional) recommendations are best left to the working group.

*1. Accelerate the pace of ongoing bilateral cooperation and, if useful, formulate significant initiatives after Mexico's 2006 presidential elections.*

Extensive bilateral cooperation pertinent to a variety of nontraditional security issues is already underway in multiple arenas, including government and civil society organizations, at various levels. Examples include the Binational Commission (and its various working groups), the United States-Mexico Military Commission, the Border Governors Conference, the Conference of Border Attorneys General Mexico-United States, the border state consuls, various twin city organizations, e.g., San Diego-Tijuana, and Mexican-American chambers of commerce.

Rather than inventing a new bilateral security structure in the short term, a more useful approach is to survey the existing organizations and their current activities that relate to nontraditional security threats. The Binational Commission is the key instrument here. Consistent with longstanding practice, however, its approach appears rather “border-centric.”<sup>13</sup> The point to underline is that a strategy that relies on border security to deal with nontraditional threats is doomed to failure. The path to success is to develop strategies for early detection, early warning and rapid response in the interiors of the two countries. With that approach as the guide, the lead agencies of the two national governments can identify instances of successful anticipation and cooperation as well as problem areas (e.g., blind spots) and devise low-key strategies to accelerate and coordinate efforts.

---

<sup>13</sup> See U.S. Department of State, “U.S.-Mexico Binational Commission Working Group on Homeland Security and Border Cooperation,” November 12, 2003.

It may be the case that a new security organization is neither necessary nor convenient, that promotion and coordination can be managed by existing bureaucratic arrangements (e.g., lead agencies, task forces, presidential offices or advisors, and the like). Should a new structure be seen as necessary, a variety of options will present themselves in the short term from several initiatives currently underway. Examples range from bilateral to regional to multilateral, including, for example: the United States-Mexico Military Commission, the Northern Command, some kind of NAFTA-plus arrangement, a regional body expanded to include Central America and the Caribbean, or a successor organization to the Inter-American Defense Board, if the 1947 Rio Treaty is replaced.<sup>14</sup>

The point to emphasize is that cooperation should be accelerated at the grassroots, to inform public opinion about the new security environment and to prepare the ground for broader and more public initiatives after July 2006. Also, security against nontraditional threats begins with state and local agencies and with civil society, and much remains to be done to improve coordination between these and national agencies.

## *2. Assign priority to cooperation against organized crime.*

Transnational organized crime ranks high on the priority lists of both Mexico and the United States, although for different reasons. Mexico is especially vulnerable to the capacity for violence and corruption of drug-trafficking organizations. The United States is particularly concerned about terrorism, which is both a crime and an act of war. An estimate by the Foreign Military Studies Office as of 2002 was that, “at this time, no apparent link exists between the international smugglers and any terrorist organization.

---

<sup>14</sup> Again, a short wait will pay dividends. The Military Commission goes through periods of activity and dormancy (Cope 1996); the Northern Command has yet to find its mission; trade negotiations face an uncertain future; the successor arrangements to the Rio Treaty are under discussion.

However, that does not preclude a working relationship of some type from becoming a reality in the future.”<sup>15</sup>

It is questionable whether successful attacks on the larger trafficking organizations will do much to reduce the availability or purity of illegal drugs on the streets of Mexico or the U.S.; in all probability a crackdown would worsen the drug abuse problem within Mexico.<sup>16</sup> But pulverizing the larger organizations can be the key in transforming large-scale “stationary bandit” organizations, which can control territories and units of government, into smaller-scale “fugitive bandit” organizations, which have to rely more on stealth and mobility. The difference can be important to the effort to build stronger local-regional law enforcement and justice administration organizations. Success in attacking drug-trafficking organizations creates knowledge and resources that can be applied against other forms of organized crime, including terrorism.

Improved cooperation against organized crime implies several necessary steps. (1) The two countries’ laws pertinent to organized crime and terrorism need to be made compatible, at a minimum so that law enforcement and intelligence agencies are gathering the same sorts of intelligence and evidence that can be used in both countries. (2) There is good working cooperation and intelligence sharing between U.S agencies and Mexican agencies that are specially vetted, which suggests the need for more vetted personnel on the Mexican side. (3) Mexican and U.S. attorneys and judges prosecuting organized crime need special training on how the intelligence and legal systems of the two countries operate. Defense attorneys and public defenders need similar training. (4)

---

<sup>15</sup> Quoted in Curtis et al. (2004), p. 20.

<sup>16</sup> Larger organizations presumably are more able to move drugs through and out of Mexico; smaller organizations, faced with difficulties smuggling products into the United States, might create larger markets within Mexico.

Given the extensive immigration of Mexicans to the United States, U.S. police need training about how to deal with the immigrant communities. (5) More effective mechanisms are needed to connect U.S. and Mexican police agencies at the state and local levels “in real time.” (6) Better arrangements are needed to produce and protect witnesses whose testimony is required to prosecute cases.<sup>17</sup>

A priority is that Mexico’s police agencies generally lack databases on crime reports and criminals that are current and connected across jurisdictions. Mexico’s state-level databases on motor vehicles (e.g., license plates, vehicle identification numbers) are not accessible to U.S. police. More generally, the development of a counterpart to the F.B.I.’s National Crime Information Center would be enormously beneficial.<sup>18</sup>

In terms of substantive priorities, smuggling organizations and money laundering should lead the list. Both countries are dedicated to interdicting drug trafficking operations. In terms of country differences, Mexico assigns priority to North-South smuggling of guns, ammunition and other materials that contribute to high levels of criminal violence, especially in Northern Mexico.<sup>19</sup> The United States is more concerned about human trafficking, especially with respect to third country nationals who might

---

<sup>17</sup> Mexico’s witness protection program is fairly recent and needs more resources. The March 2004 U.S. Supreme Court decision in Crawford vs. Washington puts more pressure on U.S. prosecutors to produce witnesses in criminal prosecutions (rather than relying on depositions or police testimony). In the case of Mexicans needed to prosecute cases of organized crime in the United States, the logistics of transporting, housing and protecting them, as well as providing necessary legal assistance, have yet to be worked out.

<sup>18</sup> In the words of its Website, “NCIC is a computerized index of criminal justice information (i.e.- criminal record history information, fugitives, stolen properties, missing persons). It is available to Federal, state, and local law enforcement and other criminal justice agencies and is operational 24 hours a day, 365 days a year.”

<sup>19</sup> It is not easy to convey the significance of the violence. As simply one example, the columnist Sergio Sarmiento (*Reforma*, January 19, 2005, On line edition) reports that in the northern state of Sinaloa during Governor Juan Millan’s administration, 1998-2004, there were 3,163 homicides, of which 2,212 are thought to be drug-related. (The state’s population is approximately 2,535,000.)

have ties to terrorist organizations.<sup>20</sup> On the one hand, as we saw above, Mexican public opinion supports joint efforts against illegal migrants from third countries, which is also the priority target of the U.S. government. On the other hand, joint action against organizations that smuggle undocumented Mexicans is a more delicate problem.

Money laundering is a kind of “circulatory system” that links illegal activity with the legal worlds of banking and business. Laundering involves impressive sums of money, much of which is related to capital flight, tax evasion, fraud and corruption. The challenge is to formulate a joint strategy to concentrate efforts against high priority types of activity (e.g., laundering related to drug trafficking or terrorist activities).

Acting against smuggling and money laundering puts a high premium on intelligence and communications. Thus, minimum implications are additional resources to recruit, train, vet, and retain competent personnel in both countries to acquire the necessary language and cultural skills. The spin-offs from this type of training can benefit other areas of law enforcement. Examples include credit card fraud, tax and regulatory evasion.

### *3.Link security cooperation to development.*

Mexico attaches high priority to poverty and inequality as security threats, while the U.S. government resists including these in the agenda.<sup>21</sup> For this reason and due to budgetary constraints, a large-scale development assistance initiative is most unlikely. It

---

<sup>20</sup> Rumors of such connections surface from time to time. For example, “Mexican migration officials (INM) in Baja California are investigating the case of four presumed Chinese undocumented terrorists who allegedly crossed into the U.S. through the Tijuana land port of entry this week, with the purpose of activating an explosive in the city of Boston, stated INM delegate in Baja, Francisco Reynoso Nuño.” *El Mexicano* (front page) 1/21/05, reported in “TIJUANA NEWS SUMMARY,” Public Affairs Section, U.S. Consulate, Tijuana, Baja California Norte, January 21, 2005.

<sup>21</sup> However, the U.S. Government did endorse the general statements of principles produced at the October 2003 meeting on the Special Conference of Security hosted by Mexico and from the Sixth Defense Ministerial. Both statements give prominent place to poverty and inequality as security threats.

would seem obvious, however, that varieties of skills are directly pertinent to security preparedness and that these skills can contribute to economic and social development. Three broad sets of skills illustrate the point: (1) information management (computer operations; database and network creation and management); (2) police and first responders (emergency medical technicians; fire fighters); (3) physicians, nurses, health care assistants and technicians. As with cooperation against organized crime, some form of matching-grant arrangement may be a useful approach.

*(4) Improve communications and cooperation between the Mexican Army and U.S. security forces and first responders.*

The role of the military in Mexican politics and society is a complex and delicate issue, and one that is even more complicated and sensitive in the bilateral relationship. In a “normal” security context, the Mexican Army could be left to work out at its own pace its accommodation to Mexico’s transition to democracy and to the post-NAFTA bilateral relationship. But due to institutional weaknesses in other Mexican agencies (police, prison administration, disaster relief, rural social services, etc.) the Army’s role has been substantially expanded. The role expansion creates serious issues of accountability and protection of human and civil rights. It also provides an excuse for not putting sufficient effort and resources into reforming the police and administration of justice.

Whatever the case, the reality is that the Mexican Army is tasked with duties that require rapid, effective communications with U.S. security forces and first responders. It is only too easy to imagine scenarios that might bring the Mexican Army and U.S. armed forces and first responders into immediate contact. It is urgent that protocols of cooperation be developed and clearly communicated.

At the same time, the U.S. Department of Defense is confronting its own institutional transformation and its new relationships with U.S. domestic, civilian agencies and civil society. One of the important implications, which is too complex to develop here, concerns the relationships between armies and police forces. At the Sixth Defense Ministerial, Secretary Donald Rumsfeld stated that since the September 11, 2001, attacks, “We have had to conduct an essential reexamination of the relationships between our military and our law enforcement responsibilities in the U.S. The complex challenges of this new era and the asymmetric threats we face require that all elements of state and society work together.”<sup>22</sup> The Secretary’s comment touches a sensitive nerve in many Latin American countries, including Mexico, about military involvement in police and justice administration.

Thus, while the immediate challenge is the development of binational emergency cooperation procedures, a longer-term conversation is needed about ways in which military forces and police can coordinate efforts, without jeopardizing civil rights.<sup>23</sup>

### Conclusion

The overall bilateral security relationship is positive and advancing, albeit slowly and quietly. There is solid ground for cooperation on a number of fronts. The next biennium provides an opportunity to survey problem areas, promote grassroots awareness and cooperation and prepare the ground for opportunities that might present themselves following Mexico’s July 2006 presidential elections.

---

<sup>22</sup> “Rumsfeld Says Americas at ‘Unique Moment’ for Democracy,” <http://usinfo.state.gov/dhr/Archive/2004/Nov/19-248026.html>

<sup>23</sup> The Council of the Americas document (2004) suggests that the U.S. Department of Defense is studying problems of public security in the Americas.

## References

Arzt, Sigrid. 2002. "Combating Organized Crime in Mexico: Mission [Im]Possible?" in John Bailey and Jorge Chabat, eds., *Transnational Crime and Public Security: Challenges to Mexico and the United States* (La Jolla, CA: Center for U.S.-Mexican Studies, University of California, San Diego), pp. 137-162.

Bailey, John. 2003. "Introduction: New Security Challenges in the North-South Dialog," in Bailey, ed., "Public Security in the Americas: New Challenges in the South-North Dialog," available at: <http://www.georgetown.edu/pdba/Pubsecurity/Intro.pdf>

-----, 2004. "Security Imperatives of North American Integration: Back to a Future of Hub and Spokes," in Sidney Weintraub, ed., *NAFTA'S Impact on North America: The First Decade* (Washington, D.C.: Center for Strategic & International Studies Press), pp. 235-262.

(CIDAC), Centro de Investigacion para el Desarrollo. 2004. *Threats and Challenges for Mexican Security* (Draft mimeo, June).

(CIDE, COMEXI and Chicago Council), Centro de Investigacion y Docencia Economicas, Consejo Mexicano de Asuntos Internacionales, and The Chicago Council on Foreign Relations. 2004. *Global Views 2004: Comparing Mexican and American Public Opinion and Foreign Policy*.

(CIDE & COMEXI), Centro de Investigacion y Docencia Economicas and Consejo Mexicano de Asuntos Internacionales. 2004. *Global Views 2004: Mexican Public Opinion and Foreign Policy*.

Cope, John A. 1996. "In Search of Convergence: U.S.-Mexican Military Relations into the Twenty-First Century," in John Bailey and Sergio Aguayo, eds., *Strategy and Security in U.S.-Mexican Relations: Beyond the Cold War* (La Jolla, CA: Center for U.S.-Mexican Studies, University of California, San Diego), pp. 179-210.

Council of the Americas. 2004. *Fostering Regional Development by Securing the Hemispheric Investment Climate* (Prepared at the request of the United States Department of Defense in support of the 6yh Ministerial of the Americas, Quito, Ecuador, November).

Curtis, Glenn E., John N. Gibbs, and Ramon Miro. 2004. *Nations Hospitable to Organized Crime and Terrorism: A Report Prepared under an Interagency Agreement by the Federal Research Division, Library of Congress, October 2003*. Excerpted in *Trends in Organized Crime*, 8:1 (Fall), 5-23.

Rocha, Oscar. Forthcoming. "Civil-Military Relations and Security Policy in Mexico," in Armand Peschard-Sverdrup, ed., *From Single Party Rule to Divided Government* (Washington, D.C.: CSIS Significant Issue Series).