

DRUG TRAFFICKING IN MEXICO

The Security Council

Nanyang Technological University Model United Nations (NTUMUN) 2012

I. THE ISSUE

Drug Trafficking In Mexico. The conflict between the drug cartels and the Mexican government has escalated to new levels with both of them competing for territory and power. Although the total value of the drug trade in Mexico has halved since 1995, the number of deaths attributed to drugs have increased over six-fold since then. Looking at the large scale fighting which is taking place and placing the lives of innocent civilians at risk, the fighting which began in 1989 does not look any closer to a solution and requires the immediate assistance of the international community. The Security Council (SC) will aim to attempt to alleviate a war that destabilises Mexico and other Central American states, while also questioning the Mexican army's practices and their legitimacy.



Figure 1: Mexican soldiers assigned to guard packages of marijuana at a military base in Tijuana, July 18, 2008 (Source: Reuters, taken from <http://www.welt.de/english-news/article2229472/US-helped-Mexico-seize-drug-submarine.html>).

II. THE STUDY GUIDE

The clock is ticking for Mexico and President Felipe Calderón. The launch of Operation Michoacán in December 11, 2006, one of the first major operation against organised crime, marked the beginning of a full-scale offensive implemented by the federal government to step up measures against drug trafficking in the country. This effort is known as the “War Against Drug Trafficking”, or affectionately, the “Drug War” or “War on Drugs”.

Violence in various Mexican states appears to spiralling dangerously out of control: based on data released by the Mexican National Centre of Investigation and Security from August 2010, “more than 40,000 people have been killed since the war against drug trafficking began in December 2006”¹. Even though the Mexican government and corresponding media outlets provide differing estimations, the total drug-trafficking related killings in 2010 is said to hover around 11,500². Most of the sources do not provide breakdowns on the nature and background of the victims, but academics have postulated that the fatalities include officers from the national security forces, suspected drug gang or cartel members, as well as – sadly – innocent, uninvolved bystanders.

One clear instance of the aforementioned was highlighted in November 2010, when Ciudad Juarez was declared the second most dangerous city in the world. The city, with its population of 1.5 million, and is just across the border from American city El Paso, Texas “has already experienced 1,800 murders since January [2010] and is the epicentre of a violent battle between rival drug cartels, smugglers, kidnappers and criminals”³.

President Calderón’s administration staunchly contends that the widespread violence and number of casualties are evidence that gangs or cartels are forced to split and engage one another, albeit through gruesome and unruly methodologies. It has also become increasingly evident that strategies against the cartels should not be premised upon drug trafficking *per se*. In the words of the President, speaking at an anti-crime conference on the

¹ Nadia Sofia Segura (2011). *Should The UN Security Council Intervene In Mexico?*, The Perspectivist. Retrieved January 15, 2012 from <http://www.perspectivist.com/politics/should-the-un-security-council-intervene-in-mexico>.

² Viridiana Ríos and David Shirk (2011). *Drug Violence In Mexico: Data And Analysis Through 2010*, Trans-Border Institute, University of San Diego. Retrieved January 15, 2012 from <http://justiceinmexico.files.wordpress.com/2011/02/2011-tbi-drugviolence4.pdf>.

³ Real Clear World (2010). *World’s Most Dangerous Cities: No. 2 Ciudad Juarez*, Real Clear World. Retrieved January 15, 2012 from http://www.realclearworld.com/lists/most_dangerous_cities/ciudad_juarez.html.

worrying diversity of gangs and cartels, “[imposing fee-like taxes, extorting money] has become an activity that defies the government, and even seeks to replace the government ... [the gangs] are trying to impose a monopoly by force of arms, and are even trying to impose their own laws”⁴.



Figure 2: The spread of Mexico’s drug-related violence in 2010; however, the exact figures might not be precise because the statistical data varies from government source to information gathered by other news outlets (Source, BBC, <http://www.bbc.co.uk/news/world-latin-america-10681249?print=true>).

Nonetheless, Mexicans are not entirely convinced of the efficiency or effectiveness of the “War on Drugs”⁵; they are frustrated with the perceived lack of tangible progress, incensed by accusations of human rights abuses and atrocities, worried about the poor levels of safety and security, and unsure of the general direction of the missions, operations and movements. Violence has gone on unabated, and expressions for a rethink have become more vociferous. There have been various calls for the legalisation of drugs in the country, but President Calderón has resisted the calls and has instead opened up the issue for debate. In any way, the

⁴ Associated Press (2010). *Mexican Cartels Move Beyond Drugs, Seek Domination*, Americas on MSNBC.com. Retrieved January 15, 2012 from <http://www.msnbc.msn.com/id/38565051/ns/world-news-americas/#.TxwmmKVKqx0>.

⁵ These sentiments are largely derived from opinion polls; according to a survey administered in May 2011, nearly 60% of those polled believed that President Calderón’s government was losing its struggle against organised crime (“58% Cree Que el Crimen va Ganando Lucha: Encuesta”, *El Universal*, June 1, 2011). Retrieved January 15, 2012.

tenuous status quo is far from ideal, and delegates must be cognisant of the need to address the considerations and design relevant solutions – short-term and long-term – to be implemented.

Mexico will be holding its presidential election in July 2012, and the relentless violence will – almost certainly – continue to consume debates and political discourse.

Using The Guide

The study guide will put into perspective a few key areas that delegates should concentrate on: the **background and historical information of the issue**; its **causes**; **effects or implications**; and most importantly, the **range of solutions, proposals and recommendations** that individuals should consider when crafting their resolutions.

Delegates can also refer to Chapter V of the UN Charter – which explicitly draws out the roles and responsibilities of the SC – provided in the appendix.

Information provided in this study guide is not exhaustive; instead, the broad areas of discussion would provide solid starting points for delegates to comprehensively research the issue, and to then craft relevant and feasible solutions. Delegates can also pay close attention to the referenced footnotes, and be directed to the right places for exposition.

III. BACKGROUND INFORMATION

Drug trafficking – on a much smaller scale – in Mexico began about sixty-odd years ago; since then, geopolitical, political and socio-economic changes have not only changed the drug landscape, but also generated different impetuses for dissimilar plans to be introduced. Understanding this unique historical context would allow delegates to identify key stakeholders in the trade, as well as to frame their resolutions more holistically.

Early Mexican Drug Legality

Across its border, the United States of America (USA) was extremely proactive in pushing for prohibition; initiatives such as the 1909 Shanghai Conference for opium control and the 1914 Harrison Narcotics Act signified the beginning of the government's global diplomacy on drugs. This flurry of overtures and strong push for the ban on drugs was in stark contrast to the continuing legality across the border in Mexico. Between 1910 and 1920, there was the development of the Mexican Revolution⁶; with the variety of armed struggles, violent skirmishes and continuous disagreements, curbing drug trafficking was hardly on top of anyone's agenda.

In essence, "prohibition on one side of the USA-Mexican border and legal commerce on the other created the conditions for drug trafficking"⁷. Drug trafficking, in this sense, simply refers to the sale and distribution of illegal drugs or substances.

Origins Of Political Corruption

In the earlier decades, poppy and marijuana were the most notable illegal plants that were cultivated in Mexico; with the focus on the marijuana production, evidence of corruption surfaced in the 1930s. Maria Dolores Estevez, known as "Lola la Chata", was one of the most important drug trafficker operating in Mexico City; unsurprisingly, its growth and expansion were linked to various connections with – and even direct involvement by – high-ranking officials, politicians or members of the security forces. Many suspected that the drug cartels were protected by executive members of the anti-narcotics police. For example, Captain Luis Huesca de la Fuente, ex-chief of the Narcotics Police, was sent to prison on charges that he had stolen the drugs he seized, and protected "Lola la Chata"⁸.

The close collusion between heroin, marijuana smugglers and political representatives was observed across the country: the Chinese Antonio Wong Yin was reported to have links with the governor of Coahuila Nazario Ortiz Garza, and others had questionable relationships with General

Jesús García Gutiérrez, who was the person in charge of military operations in the same state⁹. Drug control politics was definitely lax, and the reliability of anti-narcotics agents was in doubt.

A major controversy erupted when General Pablo Macías Valenzuela, former Secretary of War and Navy and governor of the state of Sinaloa, was accused of heading a drug trafficking association, and for shielding other traffickers within the circle. The scandal did cool off, with the Attorney General's Office (PGR) and the accused contending that the latter had been deliberately set-up for political purposes; however, it brought to public light strong possibilities of dishonesty within the legislative and judicial branches of the administration.



Figure 3: Portrait of General Pablo Macías Valenzuela (Source: <http://history.msu.edu/iss330c/files/2010/03/PabloMaciasValenzuela.jpg>).

Professor Ben Smith from Michigan State University summed up the episodes quite succinctly.

"Drug trafficking was just another profitable business that could be achieved by powerful members of the 'revolutionary family', because of the political positions occupied by some of them at a given moment. Controlled, tolerated or regulated by mighty politicians in northern states, drug trafficking seems to have been a business that was developed from within the power structure, and drug traffickers do not give the impression of having emerged as an early autonomous specialised social group, but

⁶ Gonzales, Michael J. (2002). *The Mexican Revolution: 1910 – 1940*. Albuquerque: University of New Mexico Press.

⁷ Luís Astorga (2003). *Drug Trafficking In Mexico: A First General Assessment*, UNESCO Social And Human Sciences. Retrieved January 17, 2012 from <http://unesdoc.unesco.org/images/0011/001176/117644eo.pdf>.

⁸ Colleen W. Cook (2007). *Mexico's Drug Cartels*, CRS Report For Congress. Retrieved January 17, 2012 from <http://www.fas.org/sgp/crs/row/RL34215.pdf>.

⁹ Ben Smith (2010). *A History Of The Drug Trade In Mexico*, Michigan State University, ISS 330C History Of The Drug War. Retrieved January 17, 2012 from <http://history.msu.edu/iss330c/lectures/3-1/>.

rather as a new class of outlaws that depended closely on political and police protection”¹⁰.

Nevertheless, the status quo was generally stable: even though drug enterprises grew considerably, “police agents and the military also had the role of preventing drug traffickers from becoming completely autonomous or getting so wild as to go beyond certain limits of socially and historically tolerated violence ... as long as the outlaws were politically controlled [and get a piece of the cake]”¹¹.

The Commencement Of Operations



Figure 4: American President Richard Nixon and Mexican President Gustavo Diaz Ordaz shake hands at a ceremony on the Mexico side of the Rio Grande River (Source: <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB86/>).

The Federal Judicial Police (PJF), together with the army, gradually became the institutions responsible for fighting against the drug traffickers; the implementation of coherent operations, regrettably, was fraught with difficulties. First, tougher strategies in a particular region created – or rather, directed – similar trafficking problems in another area, given the mobility of the individuals and groups. Second, greed within the PJF encouraged more officers to transfer or head to areas where the quick drug money was. The army was also becoming increasingly involved in the operations. Third, most importantly, the marijuana boom in the 1960s brought in a substantial number of new traffickers to the trade; these smugglers were not only much younger, but also hungrier, wilder, and had a dangerous predilection for aggression and violence. Armed skirmishes with on-the-ground forces became more commonplace, more and more firearms were brought in for cross-fires in the city, and there were now assassinations of members from the higher hierarchy of the police forces.

¹⁰ Ibid.
¹¹ ^ 7

These progressions were epitomised in the state of Sinaloa, where there was the emergence of a new generation of traffickers who were unabashed with their illicit activities. Alarmed by these internal transgressions, American President Richard Nixon, in September 1969, announced the launch of Operation Intercept, designed as an elaborate and determined effort with the intent of shutting off the flow of smuggled marijuana from Mexico¹².

G. Gordon Liddy, a key member of President Nixon’s administration, wrote about the implications of the operation in his autobiography.

“For diplomatic reasons the true purpose of the exercise was never revealed. Operation Intercept, with its massive economic and social disruption, could be sustained far longer by the United States than by Mexico. It was an exercise in international extortion, pure, simple, and effective, designed to bend Mexico to our will”¹³.

Operation Intercept did bring about positive consequences in Mexico, as the Mexican federal government launched Operation Condor, one of the most extraordinary military campaigns against drug traffickers and plantations in the country. Mexico committed more manpower and resources to a “concerted drug eradication and enforcement policy ... which included a defoliation campaign using the toxic ‘Paraquat’ herbicide”¹⁴. In spite of the massacres and widespread destruction of illegal plantations, the big drug traffickers simply fled to other states and continued with their enterprises and original way of life. Sadly, according to the Drug Enforcement Administration (DEA) not a single major leader was arrested during the operation; the key, leading traffickers simply moved on to the states of Guadalajara and Jalisco, where they continued their business on a much larger scale thanks to the focus on cocaine trade¹⁵. On the contrary, negative sentiments towards the PJF and

¹² Edward M. Brecher (1972). *Chapter 59. The 1969 Marijuana Shortage And “Operation Intercept”*, The Consumers Union Report On Licit And Illicit Drugs. Retrieved January 18, 2012 from <http://www.druglibrary.org/Schaffer/library/studies/cu/CU59.html>.

¹³ G. Gordon Liddy (1991). *Will: The Autobiography Of G. Gordon Liddy*, St. Martin’s Paperbacks, USA.

¹⁴ Kate Doyle (2003). *Operation Intercept: The Perils Of Unilateralism*, The National Security Archive. Retrieved January 19, 2012 from <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB86/>.

¹⁵ Elaine Shannon (1988). *Desperados: Latin Druglords, U.S. Lawmen, And The War America Can’t Win*. Viking Adult, USA.

the army were reinforced, as citizens saw no improvements in socio-economic conditions.

Enrique Camarena And The 1990s

Enrique Camarena was an undercover agent for the DEA, who was later abducted, tortured and murdered while on assignment in Mexico. Due to his intelligence work, Camarena had managed to gather crucial information about an enormous marijuana plantation called “The Buffalo”, which spanned about one thousand hectares and had over three thousand workers on the fields¹⁶. Armed with this knowledge, Mexican soldiers were able to swiftly destroy “The Buffalo” after intricate planning from the top, but the success came at a painful price.

It has been asserted that drug lord Miguel Ángel Félix Gallardo had ordered the kidnapping of Camarena in 1985, and that the deed was blatantly carried out in broad daylight by corrupt police officers who were on the drug cartels’ payroll.¹⁷ Therefore, the Camarena case acted as a much-needed form of catalyst; it revealed the shocking level of corruption of Mexican agents and different police commanders, and inspired the prompt launch of an array of investigations for their arrests. These incarcerations – of big drug traffickers, police agents and unlucky scapegoats – were pedantic knee-jerk reactions; US officials – especially those in the DEA – were clearly “irate over the toughest of bilateral problems: the reach and political power of the crime barons who control Mexico's multibillion-dollar drug trade”¹⁸. Problems naturally persisted.

Given Mexico’s geographical location, its propensity as a staging and shipment point for narcotics was

taken advantage of intelligently by many groups when Colombian organisations formed partnerships with Mexico-based traffickers. This developed as enforcement efforts intensified in the Caribbean¹⁹. While growing arrangements and trade traffic contributed to the escalating violence, the scourge also coincided with the unravelling of an unspoken compact²⁰ between drug traffickers and the officers or government administrators under the direction of the Institutional Revolutionary Party (PRI). This was closely attributed to the political observation that the PRI was losing its grip on political power.

The arrest of supreme drug lord Miguel Ángel Félix Gallardo in 1989 also stimulated conflicts between the newly formed and independent cartels.



Figure 5: Mexico cartel areas of influence (Source: http://wikis.lib.ncsu.edu/images/d/d0/Mexico-cartel-influence_123.jpg).

There was a general lull in the fighting throughout the 1990s, even though President Ronald Reagan declared a “war on drugs” on the other side of the border; a movement that was later continued by his successor, President George H.W. Bush. This was largely maintained before the turn of the century.

Presidents Vicente Fox And Felipe Calderón

¹⁶ Peter Gorman (2006). *Big-Time Smuggler's Blues*, Cannabis Culture Marijuana Magazine. Retrieved January 19, 2012 from <http://www.cannabisculture.com/v2/articles/4768.html>.

¹⁷ Malcolm Beith (2010). *The Last Narco*. Grove Press, New York, USA.

¹⁸ George Russell (2001). *Mexico Slowdown On The Border*, TIME Magazine World. Retrieved January 19, 2012 from <http://www.time.com/time/magazine/article/0,9171,141219,0,0.html>.

¹⁹ DEA History (2008). *History Of DEA Operations*, US DEA. Retrieved January 19, 2012 from http://www.usdoj.gov/dea/pubs/history/history_part2.pdf.

²⁰ Jana Bussey (2009). *Drug Lords Rose To Power When Mexicans Ousted Old Government*. McClatchy Newspapers.

Presidents Vicente Fox and Felipe Calderón have taken necessary measures to combat the worsening violence in the country since 2000, because previous administrations largely adopted a passive stance regarding cartel violence. President Vicente Fox sent troops to a number of states as fighting began to emerge between cartels, but these actions were perceived to be quite mild in comparison to the intent of President Felipe Calderón.



Figure 6: Mexican President Felipe Calderón (Source: http://www.topnews.in/law/files/felipe-calderon_1.jpg).

As expounded in the beginning, President Calderón has clearly taken a more aggressive and concerted approach towards the drug traffickers. Over the years, the anti-drug campaign has increased in magnitude, with tens of thousands of troops involved alongside state and federal police forces. Allegations and accusations of corruption are rife, and practices of intimidation and bribery manifest.

Turf battles have become more dangerous, and the major cartels even control large areas of cities, territory and municipalities. With their level of influence, financial resources and general clout, they now – worryingly – have the abilities to affect the results of electoral politics²¹. Simultaneously, the drug cartels are expanding their network of distribution, in areas previously controlled by Colombian and Dominican criminal associations, and they – at present – control most of the illicit, illegal drugs going into the USA²². Wholesale

²¹ Statesman (2008). *The United States Is Undermining Its Own Security*, Statesman.com. Retrieved January 19, 2012 from http://www.statesman.com/opinion/content/editorial/stories/10/10/25/1025starr_edit.html.

²² Michael Webster (2008). *Mexican Drug Cartels Forming Alliances With American Street Gangs*, Laguna Journal. Retrieved January 19, 2012 from <http://web.archive.org/web/20080731101537/http://www.rightsidenews.com/200806161201/homeland-security/mexican-drug-cartels-forming-alliances-with-american-street-gangs.html>.

distribution has become the new normal for these major cartels, and no end seems to be in sight.

The Drug Cartels

The Sinaloa Federation and the Los Zetas Cartel are considered to be the Mexico's most powerful and influential drug cartels: the former controls a large domain which stretches from the central west coast to the centre north of the country²³, while the latter has a stronghold in Nuevo Laredo, Tamaulipas, directly across the border from Laredo, Texas.

Intriguingly, the Los Zetas Cartel was founded by a group of deserters of the Mexican Army's elite Special Forces Airmobile Group (GAFE), who managed to intelligently terrorise rival cartels with their superior, technical knowledge of special military tactics²⁴. Predictably, the cartel's top brass features corrupt former federal, state and local police officers²⁵. The imperviousness of the huge drug cartels has instead led the Mexican authorities to go after the smaller, weaker organisations; but the main challenges have not gone away.

Security Council Involvement

On December 8, 2009, the United Nations (UN) SC adopted a presidential statement on drug trafficking, which called for "stronger international cooperation with global, regional bodies against drug trafficking". In the words of UN Secretary-General Ban Ki-moon, "*those who run trafficking operations are ruthless and often murderous ... we must pursue them and thwart them with the full force of the law and international resolve*"²⁶.

In the words of James Cockayne of the International Peace Institute, "*the statement sends a signal that even if the major security implications of drug trafficking fall on production and transit states in the*

²³ Ariel Zirulnick (2011). *Mexico's Most Powerful Drug Cartels: Sinaloa Federation*, The Christian Science Monitor. Retrieved January 20, 2012 from <http://www.csmonitor.com/World/Americas/2011/0622/Mexico-s-most-powerful-drug-cartels/Sinaloa-Federation>.

²⁴ Albert de Amicis (2010). *Los Zetas And La Familia Michoacana Drug Trafficking*, University of Pittsburgh. Retrieved January 20, 2012 from <https://www.ncjrs.gov/pdffiles1/234455.pdf>.

²⁵ Olga R. Rodriguez (2010). *Cartels Gang Up Against Gunmen*, San Antonio News. Retrieved January 20, 2012 from <http://www.mysanantonio.com/news/mexico/article/Cartels-gang-up-against-gunmen-789457.php>.

²⁶ Security Council (2009). *Security Council Presidential Statement Calls For Stronger International Cooperation With Global, Regional Bodies Against Drug Trafficking*, UN Department of Public Information. Retrieved January 20, 2012 from <http://www.un.org/News/Press/docs/2009/sc9807.doc.htm>.

global South, consuming states in the global North also have responsibilities in tackling the trade”²⁷. There is the strong emphasis on stronger trans-regional and international cooperation.

Conflict management²⁸ is an important feature of the presidential statement, and it signalled a positive progression for the harmonisation of national, regional and global efforts. “The UN Secretariat is now empowered to consider drug trafficking as a potential amplifier of insecurity around the world – and then to work through a range of demand-side and supply-side approaches to support the efforts of states, civil society ... and regional bodies to tackle the problem”²⁹.

IV. CAUSES AND EFFECTS

Unabated Violence

With the increase in the scale and the mandate of the operations targeted against the groups of traffickers, it comes as little surprise that organised crime has contributed to the deteriorating security situation. President Calderón finds himself in a tricky Catch-22 situation: the employment of violence seems to be the most direct and impactful methodology to damage the cartels, but the cycle of attacks and crackdowns has allowed drug-related homicides to rise at an unstoppable rate³⁰. Calderón’s administration has boasted an impressive number of high-level drug cartel arrests and the seizure of enormous amounts of drugs and money, but the massacres and bloodshed has been staggering. The ruthlessness of the military and the police have been matched by the tough retaliation of the drug cartels and their representatives.

The states that are thought to be the most dangerous – based on the number and enormity of

²⁷ James Cockayne (2009). *Enter The Security Council: A Milestone In Global Drug Control Policy*, International Peace Institute. Retrieved January 20, 2012 from <http://www.ipinst.org/news/comment-a-analysis/139-enter-the-security-council-a-milestone-in-global-drug-control-policy.html>.

²⁸ The Crime-Conflict Nexus (2010). *UN Security Council Takes A New And Welcome Approach To Drugs Trade*, The Crime-Conflict Nexus. Retrieved January 20, 2012 from <http://crimeconflict-nexus.wordpress.com/2010/01/13/un-security-council-takes-a-new-and-welcome-approach-to-drugs-trade/>.

²⁹ ^ 27

³⁰ STRATFOR Global Intelligence (2008). *Mexican Drug Cartels: Government Progress And Growing Violence*, STRATFOR Global Intelligence. Retrieved January 20, 2012 from http://www.stratfor.com/analysis/20081209_mexican_drug_cartels_government_progress_and_growing_violence.

the violent conflicts over the past years – include Baja California, Chihuahua, Tamaulipas, Michoacán, Guerrero, Sinaloa and Nuevo León.

Intimidation and fear are the order of the day, and key tools or platforms have been used by the major drug cartels to get their point across: organisations lawlessly display banners across highways with the intention of shocking and injecting fear into their rivals or the security forces; hit lists have been drawn up with names of government agents or police officers who are perceived to be detrimental to the illegal trade; their families have been exhorted, kidnapped and intimidated under various circumstances; and with the proliferation of the Internet, the drug traffickers have unabashedly uploaded video clips³¹ and broadcasts depicting everything from warnings to violent exchanges.

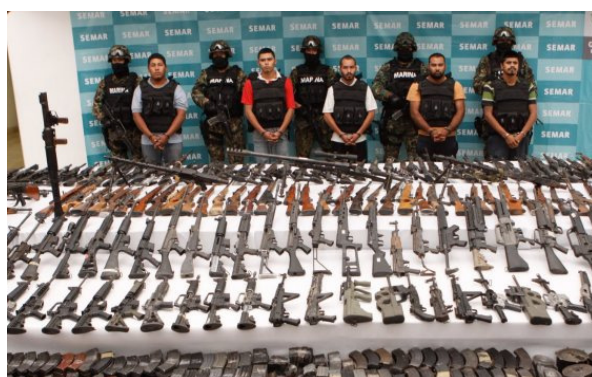


Figure 7: Automatic weapons and grenade launchers seized from members of the Los Zetas Cartel (Source: <http://3.bp.blogspot.com/-10nd5XOOiZw/Tirg4stw5oI/AAAAAAAAAmcY/GixSbW-nRy0/s1600/110723-los-zetas-weapons-captured.jpg>).

A number of DEA reports reflect that Mexican drug cartels – with the use of automatic weapons, armour, improvised explosives and even grenade launchers – have become more sophisticated, organised and dangerous than any other criminal group in the history of US law enforcement³². On September 15, 2008 – for instance – grenade attacks took place in the main square of Morelia, Michoacán, which killed eight individuals and injured about a hundred³³.

Presently, as explained previously, “the drug war ... is increasingly coming down to a fight to the death

³¹ Drug traffickers have been known to use the popular video hosting-sharing site, YouTube, for an assortment of varying purposes and objectives.

³² ^ 21

³³ Marc Lacey (2008). *Grenade Attack In Mexico Breaks From Deadly Script*, The New York Times – Americas. Retrieved January 20, 2012 from http://www.nytimes.com/2008/09/25/world/americas/25mexico.html?_r=1&ref=americas&oref=slogin.

between the Sinaloa cartel, a more traditional drug-trafficking organisation widely considered the most powerful, and Los Zetas, founded by former soldiers and considered the most violent as it expands into extortion, kidnapping and other rackets in regions far off the drug route map [in addition,] a third, the Gulf Cartel, remains well armed and rises to attack from time to time”³⁴. Understanding the context helps put the situation into proper perspective.



Figure 8: TIME Magazine ran a poignant feature in July 2011, commenting on the burgeoning violence associated with drug trafficking in Mexico (Source:

<http://www.time.com/time/magazine/0,9263,7601110711,00.html>).

Human Rights Abuses

José Miguel Vivanco, the Americas director at Human Rights Watch (HRW), made an astute observation about the situation in Mexico.

“Instead of reducing violence, Mexico’s ‘war on drugs’ has resulted in a dramatic increase in killings, torture, and other appalling abuses by security forces, which only make the climate of lawlessness and fear worse in many parts of the country”.

There is the proposition that military forces or troops should not be deployed in non-combat situations; in fact, the task of de-escalating the

³⁴ Randal C. Archibold (2012). *Mexico’s Drug War Bloodies Areas Thought Safe*, The New York Times – Americas. Retrieved January 20, 2012 from <http://www.nytimes.com/2012/01/19/world/americas/mexico-drug-war-bloodies-areas-thought-safe.html>.

present tensions and working intimately with on-the-ground communities or stakeholders should be left to domestic law enforcement works. The army now has the autonomy to carry out anti-drug and public security operations, and also the liberty to enact different policies to their advantage; yet, according to the US Department of State, the members of the army and military are guilty of a variety of human rights violations³⁵. In general, the common accusations include the unjustified arrests of innocent bystanders, and the use of torture³⁶.

A comprehensive report released by the HRW in November 2011 detailed “more than 170 cases of torture, 39 ‘disappearances’, and 24 extrajudicial killings since [President] Calderón took office in December 2006”³⁷; these lapses include torture (with the complicity of judges and prosecutors, the negligence of officials, illegal detentions and torture *et cetera*), enforced disappearances (the lack of accountability, poor legal remedies, shortcomings in investigations *et cetera*), and extrajudicial killings (excessive use of force, manipulation of crime scenes, and prevalence of killings *et cetera*)³⁸.

To be fair, human rights abuses and other acts of atrocities are not limited to the domains of the government or the security forces: drug cartels have been known to use brutal methods to punish informants, or individuals who do not adhere to the established order. The cycle of violence, in extreme situations, has made it more convenient for officers and traffickers on both sides to resort to inhumane methods to get dissimilar jobs done.

Child Abuse

Based on a commentary published by the Cable News Network (CNN), it is asserted that at least 30,000 children in Mexico are involved in some form of organised crime³⁹. The nationwide alliance of civic and social organisations, notably the Child

³⁵ US State Department (2003). *Country Reports On Human Rights Practices – 2002*, Bureau Of Democracy, Human Rights And Democracy.

³⁶ Larie Freeman (2002). *Troubling Patterns: The Mexican Military And The War On Drugs*. Washington D.C., Latin American Working Group.

³⁷ Human Rights Watch (2011). *Neither Rights Nor Security: Killings Torture And Disappearances In Mexico’s “War On Drugs”*, Human Rights Watch. Retrieved January 21, 2012 from http://www.hrw.org/sites/default/files/reports/mexico1111we_bwcover_0.pdf.

³⁸ Ibid.

³⁹ Tania L. Montalvo (2012). *Children In Mexico: Criminals Or Victims?*, CNNMexico.com. Retrieved January 19, 2012 from <http://edition.cnn.com/2012/01/17/world/americas/mexico-children-crime/>.

Rights Network in Mexico, has also highlighted instances when minors – conveniently poached from less-than-desirable socio-economic conditions – are manipulated to commit crimes, manipulate authorities or break the law on purpose for the cartels. This is a growing, worrying trend that has been allowed to manifest because of the dire poverty trap that continues to trouble Mexicans.

Double-Dealers

Unfortunately, government corruption is rampant. Drug cartels with extensive resources and networks under their belt have consistently managed to infiltrate the underpaid police and army. Corruption exists in the police, judiciary and government, and has contributed negatively to the drug problem. The lack of an independent judiciary weakens the confidence of the citizenry in the rule of law; and when there is no faith in strong, effective democratic institutions in the country⁴⁰, continued violence will be perceived very pessimistically.

In law enforcement, the overall organisation is extremely complex, and the prevalence of red tape and bureaucracy – with overlapping jurisdiction, roles, authority and responsibilities – continues to plague the multitude of agencies. Police officers from the Federal District are poorly paid, with the absence of overtime and extra income⁴¹; so as to supplement their meagre salaries, bribes are part and parcel of the job. There is also the worry that members of the police force, with the familiarity with the enforcement mechanisms and know-how of the internal processes, might be tempted to not only provide cartels with the necessary classified information, but also choose to work in the cartels instead. They provide subtle forms of protection for the kingpins, and can be linchpins – typically as state enforcers or protectors – in the drug trade. Fundamentally, given the precarious work environments they find themselves in and the seemingly endless drug struggle with no clear resolution, “it is easy to understand how these officers could get discouraged and maybe feel they deserve more for their risks and services when

finding stacks of untraceable money on drug raids, or offered payoffs by dealers and cartels”⁴².

Purges and prosecution were frequent: President Calderón, in June 2007, got rid of 284 federal police commanders from states and the Federal District⁴³.

Incompetency of the country’s judiciary and the lack of independence in the administration of law are particularly highlighted in the inadequate state courts, where most citizens head to for the redress of grievances. This was confirmed by reports from the United Nations Commission on Human Rights (UNCHR) – now known as the Human Rights Council (HRC) – that there was disorganisation in the legal profession⁴⁴. Cartels have been difficult to convict in court, “because members of the cartels have infiltrated and corrupted the law enforcement organisations that are supposed to prosecute them, such as the Office of the Attorney General”⁴⁵. Lawyers, like police officers, face harassment and difficulties, and the judicial system is hampered by poor investigation and trial procedures.



Figure 9: The Mexican police force (Source: http://www.novinite.com/media/images/2009-04/photo_verybig_102466.jpg).

The legislative branch of the government is hardly spared from allegations of corruption: individuals have been arrested and charged with selling protection or information to drug cartels, nominated members have been accused of being ranking members of the illegal organisations, and

⁴⁰ John Bailey (2002). *The Mexico Project*, Centre For Latin American Studies, Georgetown University. Retrieved January 21, 2012 from

<http://web.archive.org/web/20060901123617/http://clas.georgetown.edu/mexico/grants/crime.htm>.

⁴¹ The Library Of Congress Country Studies, CIA World Factbook (1996). *Mexico Police And Law Enforcement Organisations*, The Library Of Congress Country Studies, CIA World Factbook. Retrieved January 21, 2012 from

http://www.photius.com/countries/mexico/national_security/mexico_national_security_police_and_law_enfor~516.html.

⁴² Preston Seet (2002). *Police Drug Corruption*, Drugwar.com. Retrieved January 21, 2012 from

<http://www.drugwar.com/pcopdrugcorruption.shtm>.

⁴³ ^ 8
⁴⁴ Commission On Human Rights (2006). *Civil And Political Rights, Including The Questions Of Independence Of The Judiciary, Administration, Of Justice, Impunity*, Economic And Social Council. Retrieved January 21, 2012 from

http://www.unhcr.org/refworld/publisher/UNCHR...4411820d0_0.html.

⁴⁵ A. Zamora Jimenez (2003). *Criminal Justice And The Law In Mexico*, Crime, Law And Social Change, 40 (1).

investigations have uncovered dubious deals between politicians and high-profile traffickers. Assassinations of mayors and congressmen are not uncommon, and their deaths have been purportedly linked to involvement in the drug trade⁴⁶.

Global-Regional Ramifications

Past instances around the world have shown that continued forms of suffering and the relentless abuse of human rights could potentially lead to unnecessary regional destabilisation. Therefore, the ongoing developments and present episodes of violence carry immense ramifications for global-regional peace and security.



Figure 10: Relatives of Edelmiro Cavazos, mayor of Santiago, stand next to his coffin at his funeral in Santiago, Mexico. Cavazos was abducted, tortured and then murdered, allegedly by some of his own police officers (Source: Dario Leon / AFP, taken from <http://www.npr.org/templates/story/story.php?storyId=130491241>).

Drug trafficking in Mexico has had negative after-effects in Guatemala and nations in West Africa, as the drug cartels begin to establish bases as staging areas for access to markets all over the world. Shipments have been regularly sent to France, Spain, as well as the United Kingdom⁴⁷. Still, given that it borders Mexico, the USA – with historical roots attached – is especially concerned about the burgeoning drug trafficking trade, and equally worried about the spiralling violence. The issues of money-laundering, transportation of automatic weapons, and the infiltration of Mexican drug cartels in major American cities remain crucial. In the words of US Secretary of State Hillary Clinton, in 2009, “[America’s] insatiable demand for illegal

⁴⁶ Jason Beaubien (2010). *Mayors Are New Targets In Mexico’s Deadly Drug War*, National Public Radio. Retrieved January 22, 2012 from <http://www.npr.org/templates/story/story.php?storyId=130491241>.

⁴⁷ Arthur Brice (2009). *Latin American Drug Cartels Find Home In West Africa*, CNN World. Retrieved January 22, 2012 from http://articles.cnn.com/2009-09-21/world/africa.drug.cartels.1.drug-cartels-european-market-cocaine?_s=PM:WORLD.

*drugs fuels the drug trade, [and that] the United States bears shared responsibility for the drug-fuelled violence sweeping Mexico*⁴⁸.

V. RECOMMENDATIONS

This list of solutions and recommendations are not exhaustive, and are intended to be starting points for studies and in-depth analysis. Delegates are encouraged to conduct personal research to evaluate further areas that require the Council’s attention, and propose feasible solutions for them.

Controlling The Violence

A policy that targets the top brass of the drug cartels *per se* appears to be extremely ill-conceived. Like the Hydra, other heads appeared after one was cut, all of them emerging from the same root⁴⁹: a change or disruption in the drug cartel system, such as the arrest or death of a kingpin, would either generate bloodshed as competing organisations move in to exploit the power vacuum⁵⁰, or raise possibilities of “revenge killings” as their deputies and lieutenants take the helm.

Violence seems to beget more violence; an all-out crackdown with no sound strategies and confused motivations would only lead to more bloodbaths in Mexico. Based on a specific strategy of dynamic concentration, online commentator Mark Kleiman based made a recommendation, based on a strategy of dynamic concentration.

“Mexico should, after a public and transparent process, designate one [dealing organisation] as the most violent of the group, and [enforcement efforts] should focus on destroying that organisation ... if it worked, this process would force a ‘race to the bottom’ in violence; in effect, each organisation’s drug-dealing revenues would be held hostage to its self-restraint when it comes to gunfire”⁵¹.

⁴⁸ Eugene Robinson (2009). *Drugs And Guns – A Deadly Trade Between Mexico And The US*, The Washington Post. Retrieved January 22, 2012 from <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/26/AR2009032603115.html>.

⁴⁹ ^ 7
⁵⁰ Fred Burton (2007). *Mexico: The Price Of Peace In The Cartel Wars*, The Stratfor Global Intelligence. Retrieved January 19, 2012 from http://www.stratfor.com/mexico_price_peace_cartel_wars.

⁵¹ Mark Kleiman (2011). *Controlling Mexican Drug Violence: A Dynamic Strategy*, The Reality-Based Community. Retrieved January 22, 2012 from <http://www.samefacts.com/2011/04/crime-control/controlling-mexican-drug-violence/>.

A Long-Term Solution

Besides fighting head-on with the drug cartels, the Mexican government could focus on the alleviation of poverty, heightening the quality of life, and bettering general socio-economic conditions. Committing to long-term investments – in the fields of education, public awareness, infrastructure and housing – would create more economic or fiscal opportunities for its citizens, who would not only have ample, productive employment choices, but would also generate greater expectations for stable security conditions in their neighbourhoods, leading to less subservience to the demands of the cartels.

But opponents contend that the drug culture is too tightly tied to the culture and history of the country, and the financial lure of the drug trafficking business is too lucrative and tempting for teenagers and youths who are looking to make a quick buck. Bearing these background worries in mind, there have been recommendations to the administration for the consideration of new policies; specifically, the Council on Hemispheric Affairs contends that it is an appropriate time to contemplate proposals for drug decriminalisation and legalisation in the United States, and other countries affected by consumption and abuse woes⁵². Taking drug use as a public health problem, instead of a security one, puts into practice basic economic principles: “cartels are essentially businesses ... they are determined to meet the enormous and growing demand for their products in order to guarantee the continuation of their immense profits”⁵³. Therefore, stemming demand could possibly limit the production and trafficking of the illicit substances.

Law and security enforcement do not appear to be sustainable solutions, and “the ultimate solution is legalisation, which would lower profits and take violence out of the drug trade”⁵⁴. The USA is pouring in a lot of money annually to support President Calderón in his anti-drug endeavours, but the results have been far from staggering. After years of deadly fighting, more and more legislators on both sides of the border are beginning to believe that

⁵² Larry Birns, Michael Ramirez (2009). *Time To Debate A Change In Washington's Failed Latin American Drug Policies*, Council On Hemispheric Affairs. Retrieved January 22, 2012 from <http://www.coha.org/time-to-debate-a-change-in-washington%E2%80%99s-international-drug-policies/>.

⁵³ Ibid.

⁵⁴ Benny Avni (2011). *Why Mexico's Losing Its Drug War*, The New York Post. Retrieved January 23, 2012 from http://www.nypost.com/p/news/opinion/opedcolumnists/why_mexico_losing_its_drug_war_Y941xcXgjCLWBEde7rQ11M.

Jin Yao, Kwan (Mr.)
Council Chair

Mexico is fighting a war that cannot be won. In fact, support for the legalisation and decriminalisation of drugs has grown; “three former Latin American presidents known for their free-market and conservative credentials – Ernesto Zedillo of Mexico, Cesar Gaviria of Colombia and Fernando Henrique Cardoso of Brazil – said governments should seriously consider legalising marijuana as an effective tool against murderous drug gangs”⁵⁵.



Figure 11: An agent carries marijuana plants at a large plantation found near San Cristobal de Coyutlan (Source: Associated Press, taken from <http://online.wsj.com/article/SB10001424052748704254604574614230731506644.html>).

Addressing Human Rights Transgressions

The SC can acknowledge the atrocities carried out, and force Mexico – as a constructive start – to closely consider and implement recommendations or proposals penned by an assortment of human rights associations. The HRW, in its latest report on Mexico, made broad recommendations to “the executive, legislative, and judicial branches for addressing the abuses documented in the report”⁵⁶.

- Congress should reform the Military Code of Justice to prevent all investigations into alleged human rights violations from falling within

⁵⁵ David Luhnow (2009). *Saving Mexico*, The Wall Street Journal Politics. Retrieved January 23, 2012 from <http://online.wsj.com/article/SB10001424052748704254604574614230731506644.html>.

⁵⁶ ^ 37

military jurisdiction, and civilian attorneys general should take the initiative to investigate all cases of possible human rights violations, including those allegedly committed by the military;

- Government officials should stop making unfounded statements dismissing allegations of abuse before they have been investigated or claiming that abuse victims are criminals before they have been convicted of any crime; and
- Judges should enforce the prohibition on evidence obtained through torture, and legislators should eliminate the legal provisions, such as *arraigo* (preventative detention) and overly broad provisions permitting arrests in flagrante (in the act of committing a crime), which facilitate abuses against detainees⁵⁷.



Figure 12: A federal police truck in Mexico (Source: Flickr / lybrisson, taken from http://campusprogress.org/articles/combating_corruption_inside_the_mexican_police_force/).

Combating Corruption

There has been a multitude of efforts to reform and reconstruct the police force, but the International Narcotics Control Board (INCB) continues to assert that corruption remains a serious problem despite concerted efforts to reduce corruption by the central government⁵⁸. Some of the initiatives include Cleanup Operation in 2008⁵⁹, with agents and high-ranking officials arrested and accused of aiding the drug cartels; as well as follow-up action after a National Public Radio (NPR) report collected and published allegations from sources against politicians, academics and officials.

⁵⁷ Ibid.

⁵⁸ Marc Lacey (2008). *In Mexico Drug War, Sorting Good Guys From Bad*, The New York Times Americas. Retrieved January 23, 2012 from <http://www.nytimes.com/2008/11/02/world/americas/02mexico.html?ref=americas>.

⁵⁹ Guy Lawson (2009). *The Making Of A Narco State*, The Rolling Stone. Retrieved January 23, 2012 from http://www.rollingstone.com/politics/story/26435119/the_making_of_a_narco_state/print.

Still, all these are poor knee-jerk reactions that do little to address the underlying problems. One writer discusses the inherent struggles of the police.

“Twenty percent of the 165,510 municipal police agents earn less than \$1,000 a month, that’s about \$79 United States, and another 40 percent earns the maximum of \$4,000, or about \$315. Meanwhile, a local police officer can earn between \$4,000 to 5,000 pesos a month (\$315-395 in US currency) from cartel and drug traffickers. Part of the problem, it seems, is that police officers in Mexico are more valuable to the drug industry than they are to the Mexican government”⁶⁰.

Heightening the transparency and effectiveness of the local police force is of utmost importance. Unless the fundamental challenge on the lack of genuine motivation and tangible incentives, the police force cannot be wholly relied upon for the execution of important mandates and operations.

Strengthening Partnerships

With the premises laid down by the recent presidential statement from the SC (refer to the previous section), Mexico should no longer be left to her own devices in the fight against drug trafficking; in recent years, the USA – on account of President Calderón’s unprecedented willingness to adopt a tough stance against the cartels – introduced the Mérida Initiative, a security cooperation agreement between the USA and Mexico, as well as other countries in Central America. As expounded by the US Department of State: “the Merida Initiative will provide equipment and training in support of law enforcement operations and technical assistance to promote the long-term reform, oversight and professionalization of ... security agencies”⁶¹.

While the Mérida Initiative has been derided by many critics on different counts, it is a good precedent for the commencement of meaningful regional and global collaboration. Significantly, it should also signal the heightened involvement of stakeholders from the civil societies. This can

⁶⁰ Julissa Treviño (2010). *Combating Corruption Inside The Mexican Police Force*, Campus Progress. Retrieved January 23, 2012 from http://campusprogress.org/articles/combating_corruption_inside_the_mexican_police_force/.

⁶¹ Council On Foreign Relations (2009). *Merida Initiative*, Council On Foreign Relations. Retrieved January 23, 2012 from <http://www.cfr.org/americas/merida-initiative/p18904>.

include the providence of citizen journalism, on-the-ground commentaries, partnerships for socio-economic projects, developmental plans *et cetera*.

UN CHARTER CHAPTER V THE SECURITY COUNCIL

Composition

Article 23

1. The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organisation, and also to equitable geographical distribution.
2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.
3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.
2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific

powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organised as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organisation.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.
3. The Security Council may hold meetings at such places other than the seat of the Organisation as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.