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CONGRESSIONAL TESTIMONY

U.S. Drug Policy in Latin America

**Testimony before
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My name is Ray Walsler. I am a Senior Policy Analyst at The Heritage Foundation. The views I express in this testimony are my own, and should not be construed as representing any official position of The Heritage Foundation.

It is a great honor to be invited to testify before the Subcommittee of the Western Hemisphere and its most distinguished members.

The probing questions in your letter of instruction call for massive investigation and research and for a level of expertise far greater than mine. The challenges faced in drafting a practical, results-oriented policies in a resource-constrained environment are critical to the health of our nation and the region. Furthermore, it is important to avoid the temptation to tilt at windmills whether we call them the “War on Drugs” or “Strategies of Liberalization and Harm Reduction.”

Drugs: An Enduring Threat

The production, processing, trafficking and consumption of illicit drugs, in my opinion, constitute the gravest threat to overall human security in the Americas. The bulk of the drug trade is conducted by ruthless and powerful criminal organizations that possess the capacity to corrupt and destroy entire nations. The drug trade and drug wars since the 1970s have produced unimagined violence and fatalities that rival the internal conflicts in Central America during the Cold War.

A decade ago, experts agonized over the possibility that Colombia hovered on the verge of becoming a failed narco-state. Ten years later, Colombia, with the determined efforts of the Colombian people and the active assistance of the U.S., has staged a significant comeback and has successfully reduced homicides, kidnappings, and acts of terrorism, containing the threat posed by insurgent groups like the Revolutionary Armed

Forces of Colombia (FARC) and by the rightist paramilitaries of the United Self-Defense Forces of Colombia (AUC). Both of these groups engaged actively in the drug trade. The vast majority of Colombia's paramilitaries have been demobilized and the FARC has suffered serious reverses. Heartening news indicates that coca production has finally begun to decline in Colombia, realizing one of the most significant long-term benchmarks for success in Plan Colombia. These are not the signs of a failed war on drugs, but indicators that a capable Colombia is increasingly able to meet the internal challenges posed by the drug trade.

The Obama Administration has demonstrated its confidence in Colombia and the government of President Alvaro Uribe by moving forward to deepen its strategic ties under a new Defense Cooperation Agreement that will utilize facilities in Colombia in order to monitor trafficking over land and at sea and gather valuable intelligence needed to advance the fight against traffickers. Colombia and the U.S. are pressing forward with this agreement despite the distorted misrepresentations and threats issued against Colombia by Venezuela's Hugo Chávez and his allies. Likewise another indication of strong cooperation was the August 2009 renewal of the Air Bridge Denial

On the other hand, the picture elsewhere is not as rosy. Coca production appears to be on the rise in Bolivia and Peru.

Earlier this year, Washington was deluged with anxious expressions of concern regarding the threat Mexico drug cartels posed to the stability of our closest neighbor. The names of dreaded and emboldened drugs organizations – the Gulf and Sinaloa Cartels, La Familia Michoacana, as the lethal drug soldiers Los Zetas have become far

too familiar too the public in the U.S. Ciudad Juarez, across from El Paso, has become the epicenter for Mexico's narco-carnage.

Again, the Obama Administration, like the Bush Administration before it, recognizes the gravity of the situation and is continuing to deliver promised assistance under the Merida Initiative. It has regularly expressed its readiness to back Mexico's President Calderón in the drug fight. Professionals throughout the U.S. government recognize the urgency of their mission in cooperating with Mexico and the importance of delivering swift and targeted help. Congress can also help by streamlining the dispersal of assistance, cutting down on red tape, and by following through with the provision of the \$450 million requested in the FY2010 State Department in order to demonstrate sustained legislative support for this critical program.

Likewise the new Administration with the Departments of Homeland Security and Justice in lead has added additional teeth and stronger missions through the updating of its National Southwest Border Counternarcotics Strategy and with the assignment of additional law enforcement personnel to the border. It is moving ahead to block the southward movements of arms and bulk cash into Mexico, using the ample authority already granted by existing gun legislation. Vigilance and security on the U.S.-Mexican border along with active cooperation with Mexico's law enforcement are the watchwords for success in defeating Mexico's dangerous cartels.

Drugs, Democracy, and Political Agendas

The powers of criminal networks are deeply rooted in the Andes and impact deeply the corridors of illicit commerce that run directly into the U.S. market. Today, however, the drug routes diverge running with alarming persistence toward new,

developing consumer markets in South America and Europe via West Africa. Brazil has become the world's second largest cocaine consumer after the U.S. Argentina faces a mounting drug consumption problem.

The enrichment drugs provide for criminal organizations is enormous. Given the availability of vast quantities of cash, organizations possess the capacity to finance corruption, illicit activities, and hire killers ready to commit the unspeakable. Crime and terror, of the ordinary criminal type and of the international variety, go hand-in-hand. Terrorist organizations claiming political agendas likewise see ample opportunities to exploit the lucrative drug trade for their benefit. The narcoterrorists of the FARC have become the classic standard of a militarized, political force that has discovered new life by becoming an active participant in the cocaine business serving as gatekeepers, enforcers, and agents in the cultivation, processing and transshipment of Colombian cocaine. Coupled with extortion and kidnapping, the FARC furthers the climate of lawlessness and fear in which the drug trade flourishes.

Evidence has emerged that Islamist extremists groups such as Hezbollah are also setting up shop and see the Western Hemisphere's drug trade as a profitable means of support. We must remain vigilant regarding the connections especially at a time when non-Hemispheric players are seeking wider roles, stronger ties, and greater political and economic leverage in the Americas.

Drugs and the Bolivarian Revolution

I believe the U.S. should also be deeply concerned about the connections that have developed between the drug trade and the "Bolivarian Revolution" widely proclaimed by Venezuela's Hugo Chávez and members of the Bolivarian Alternative for

the Americas [ALBA]. The Bolivarian movement blends a toxic mix of resurgent nationalism, populist authoritarianism, and anti-Americanism. While ALBA purports to seek the integration of people's regimes for the promotion of social justice and the benefit of the poor and marginalized, it also cloaks a consistent strategy of non-cooperation aimed at reducing U.S. access and influence in region. Booting the Drug Enforcement Agency out of Bolivia or Venezuela, closing the forward operating base at Manta in Ecuador, and expelling U.S. ambassadors on flimsy pretexts are all signs of a consistent effort to undercut past joint progress on the drug front. The Bolivarian leaders see their strength waxing whenever U.S. influence wanes.

Many argue that Bolivarian revolutionaries have when granted control over the mechanisms of the state have engaged in systematic institutional corruption and have converted professional militaries and police into political cadres. The loss of scrutiny of government performance by the press, legislatures, and independent civil society bodies opens the door for corrupt officials to develop clandestine networks with criminals and terrorists with increasing impunity.

I cite for example prominent individuals in the inner circles of Hugo Chávez's government such as his former director of Military Intelligence, Brigadier General Hugo Armando Carvajal Barrios, whose links with the FARC produced last year's Treasury sanctions. One takes away the impression that military adventurers like Carvajal are sadly representative of the secretive, unaccountable labyrinth of anti-drug policy and distorted decision-making that currently prevails in Chávez's Venezuela. Similar the rapid rise of cocaine transshipments transiting Venezuela and signaled in a recent GAO report are further cause for alarm for what is occurring in Venezuela.

In short, the politics of anti-Americanism trump cooperation in what should be a common fight against a shared international foe.

I fear that future Latin American drug policy will remain clouded by these ongoing disputes that are essentially political. While others at this table will argue for a closer ties with Bolivia, and even Venezuela, I remain skeptical about the chances of restoring active cooperation. Developing a diplomatic and counter-narcotics strategy which factors into account the non-cooperation by “Bolivarian” states constitutes one of the toughest policy challenges ahead for the Obama Administration and Congress. Future legislation must take a hard look at definitions of cooperation and at the consequences for non-cooperation. And we should make it a rule not to punish our friends while trying to reward those who actively oppose us.

Furthering Latin American Ownership of International Drug Problems

A recent study conducted by a distinguished panel of former leaders, “Drugs and Democracy: Toward a Paradigm Shift” urged a new pragmatism and flexibility in dealing with drug issues. The views expressed by Latin American presidents were linked with modest liberal reforms regarding drug possession in Mexico and in Argentina. They have encouraged the perception that there are easier, soft-side approaches to dealing with the hard realities of aggressive drug cartels, violent vendors, and vulnerable publics. The thoughtful study has opened new avenues of reflection and should foster further debate.

One should also take note of the regional efforts to develop South American defense and security cooperation with Brazilian leadership within the context of the establishment of the Union of South American Nations (UNASUR) and the proposal to create a UNASUR drug council. The challenge for this body will be to conduct

coordinated and effective actions against drug trafficking and usage rather than become smokescreens for inaction.

Our diplomats should continue to press our southern neighbors to take their counter-drug responsibilities seriously and reunite to defeat dangerous foes whose capacity to threaten their democracies is far more sinister and troubling than the events we have witnessed for example in Honduras since June 28.

We should encourage them to develop common strategies for reducing demand and devoting additional resources to treatment and rehabilitation. We should encourage them to make drug awareness part of their programs for poverty alleviation such as the conditional cash transfers that have been established in Brazil and Mexico.

Building a Drug-Resistant America:

Here at home we need to do far more to dampen our consumption of illicit drugs. The consumption of cocaine, marijuana, heroin, methamphetamines harms the nation and tears at the fabric of our well-being. Our society's liberal experimentation with and abuse of various drugs creates the problems abroad described above. Drug-related crimes, addictions, and wasted lives are among the most preventable burdens upon our health system, our justice system, and our penal system. I agree that we share a deep co-responsibility with our Hemispheric neighbors to address the hydra of harm that is U.S. drug consumption.

There is a continued need for a strong, multi-dimensional strategy that effectively mixes traditional measures of law enforcement with new measures such as expanded drug courts and enhanced treatment and rehabilitation options.

The Congress and the Executive must also redouble their efforts to educate the young about the dangers of drug consumption and build greater resistance against the hedonistic and unacceptable temptations of those who advocate the easy panacea of drug legalization in its myriad forms.

In the person of the 44th president of the United States, we have a powerful authority whose charismatic voice needs to be heard in targeted messages regarding the dangers of drugs. The time appears ripe for the President to employ his formidable powers of persuasion to convince younger Americans that change and hope in their lives begin drug free.

The Way Forward:

- **Develop a comprehensive long-term counter-narcotics strategy for the Americas:** There is a pressing need for a master strategy that incorporates and adequately funds Andean Counterdrug Initiative, the Merida Initiative, and the Caribbean Basin Security Initiative. It should be closely linked with domestic enforcement and anti-drug efforts such as the National Southwest Border Counternarcotics Strategy. The U.S. needs to continue treating the Americas as a seamless, geopolitical entity
- **Enhance inter-agency cooperation:** Command and control in the drug fight requires robust “whole of government” approaches and constant inter-agency coordination. It requires linking foreign and domestic counter-drug operations, intelligence-collection and sharing with careful strategic planning to go after high value targets. The chief objective of strategy should be the atomization and isolation of the most dangerous criminal organizations involved in the drug trade

and the raising of the costs of engaging in the drug business. The democratic states of the America must continue to approach organized drug criminal organizations with the same determination and application of resources they employ to prevent international terrorism.

- **Strengthen our long-term relationship with Colombia.** Colombia remains the critical pivot in the ongoing battle to reduce flows of cocaine into the U.S. Plan Colombia has greatly extended the government's competence, confidence, and control over its national territory. The investment has been remarkable and has permitted substantial progress against the enemies of the state. To further cement the partnership with congressional approval of the pending Free Trade Agreement with Colombia. Stronger legal trade between Colombia – a nation of immense resources and a resourceful, entrepreneurial-minded population of 40 million – might well be the single most important answer to encouraging genuine alternative development..
- **Beginning Planning for Merida Initiative II** - Plan Merida II should build on the foundations of partnership developed since Merida Initiative I was conceptualized and developed in 2007. The U.S. offers many of the skill sets needed by the Mexican authorities in their fight against the drug cartels, including intelligence capabilities, institution-building skills, human rights training, etc. that are important for a long-term foundation of reform and capacity building in Mexico. Long-term efforts should focus on sustainable institutional reform and on human resource development as Mexico seeks to overhaul its police and judicial systems and withstand the threat of the drug cartels.

- **Respond to Vulnerabilities in Central America and the Caribbean.** The Administration and Congress should establish an early-warning process and become more proactive in dealing with nations like Guatemala which have emerged as vulnerable to the penetration of powerful drug trafficking groups from Mexico.

Conclusion

Congressional leadership, the Obama Administration, and the American people need a strategy that is comprehensive, integrated, and long-range. Debates about the failed war on drugs will likely lead us nowhere as will any significant legislative attempts to open the door to drug legalization.

We need a strategy that fights the supply-side by working with partners and endangered friends like Mexico and Colombia whose very democratic governability and internal security can be placed at risk by the violence, corruption, and insecurity caused by drug cartels, narcoterrorists, and external enemies.

The U.S. must stand ready to help the smaller countries in the region that lack effective forces and resources or run the risk of seeing them overwhelmed by powerful criminal organizations.

Finally, it must find new ways to hold accountable and pressure for cooperation those leaders and nations which see non-cooperation with the U.S. on drug issues as another tool for curtailing and weakening U.S. influence in the region.

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