



# International Drug Control Policy

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## Summary

The global illegal drug trade represents a multi-dimensional challenge that has implications for U.S. national interests as well as the international community. Common illegal drugs trafficked internationally include cocaine, heroin, and methamphetamine. According to the U.S. intelligence community, international drug trafficking can undermine political and regional stability and bolster the role and capabilities of organized crime in the drug trade. Key regions of concern include Latin America and Afghanistan, which are focal points in U.S. efforts to combat the production and transit of cocaine and heroin, respectively. Drug use and addiction have the potential to negatively affect the social fabric of communities, hinder economic development, and place an additional burden on national public health infrastructures.

As an issue of international policy concern for more than a century, and as a subject of long-standing U.S. and multilateral policy commitment, U.S. counterdrug efforts have expanded to include a broad array of tools to attack the international drug trade. Such approaches include (1) combating the production of drugs at the source, (2) combating the flow of drugs in transit, (3) dismantling international illicit drug networks, and (4) creating incentives for international cooperation on drug control.

Congress is involved in all aspects of U.S. international drug control policy, regularly appropriating funds for counterdrug initiatives, conducting oversight activities on federal counterdrug programs, and legislating changes to agency authorities and other counterdrug policies. For FY2012, the Administration has requested from Congress approximately \$26.2 billion for all federal drug control programs, of which \$2.1 billion is requested for international programs, including civilian and military U.S. foreign assistance. An additional \$3.9 billion is requested for interdiction programs related to intercepting and disrupting foreign drug shipments en route to the United States.

Through its appropriations and federal oversight responsibilities, the 112<sup>th</sup> Congress may chose to continue tackling several ongoing policy issues concerning U.S. international drug control policy, including

- the role of the Department of Defense in counterdrug foreign assistance;
- challenges associated with sequencing alternative development and eradication programs;
- the effectiveness of U.S. efforts to promote international drug control cooperation; and
- how to reduce drug trafficking-related violence and other harmful manifestations of the drug trade.

The 112<sup>th</sup> Congress may also choose to address authorizing legislation for the White House's Office of National Drug Control Policy (ONDCP), which, pursuant to Section 714 of P.L. 105-277, as amended, expired at the end of FY2010. ONDCP's primary purpose is to establish policies, priorities, and objectives for the overall U.S. drug control program, including domestic and international aspects.

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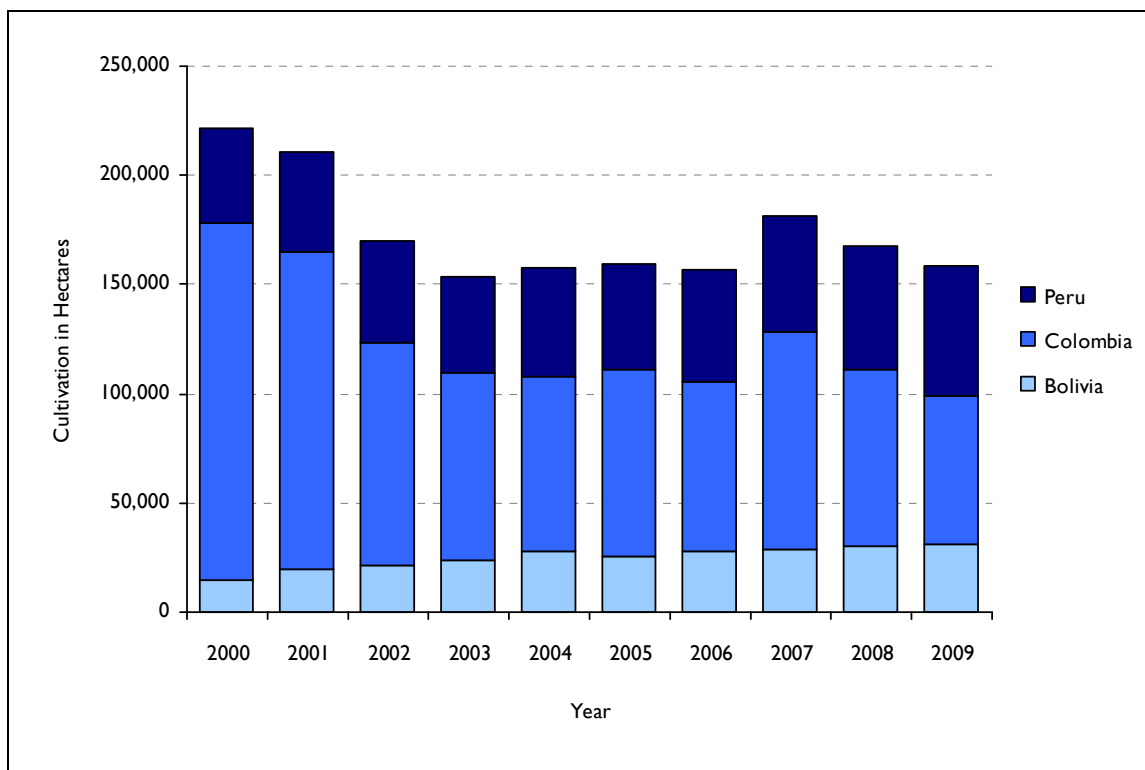
## Global Scope of the Problem

Illegal drugs refer to narcotic, psychotropic, and related substances whose production, sale, and use are restricted by domestic law and international drug control agreements.<sup>1</sup> Common illegal drugs trafficked internationally include cocaine, heroin, and synthetic drugs. International trade in these drugs represents a lucrative and what at times seems to be an intractable criminal enterprise.

## Drug Cultivation and Production Trends

Both cocaine and heroin are plant-derived drugs, cultivated and harvested by farmers in typically low-income countries or in regions of the world with uneven economic development and a history of conflict. Coca bush, the plant from which cocaine is derived, is mainly cultivated in three South American countries: Colombia, Peru, and Bolivia. See **Figure 1** (see also **Appendix A** for a comparison of U.N. and U.S. drug cultivation and production data). During the past decade, Colombia has been the primary source of coca bush cultivation. According to the United Nations, however, Colombia's proportion of the world's total illegal coca bush cultivation has declined from approximately 74% in 2000 to 43% in 2009.

**Figure 1. U.N. Estimates of Coca Bush Cultivation, 2000-2009**



**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 162.

<sup>1</sup> With few exceptions, the production and sale of controlled substances is legally permitted only if used for medical and scientific purposes.

**Notes:** Coca bush is the harvestable crop used in the production of cocaine, crack cocaine, and coca paste. **Figure 1** presents U.N.-published data on estimated illicit coca bush available internationally for harvest after eradication. UNODC draws on several sources of data for these estimates, and changes in data collection methodologies may make estimates incomparable over time. For Bolivia, sources through 2002 included the Inter-American Drug Abuse Control Commission and the U.S. government. Since 2002 for the Yungas region and for all regions of Bolivia since 2003 estimates were conducted by the National Illicit Crop Monitoring System, supported by the UNODC. For Colombia and Peru, estimates were conducted by the National Illicit Crop Monitoring System, supported by the UNODC. The U.S. government publishes separate estimates of illicit coca bush cultivation. See **Appendix A** for a comparison of U.N. versus U.S. estimates.

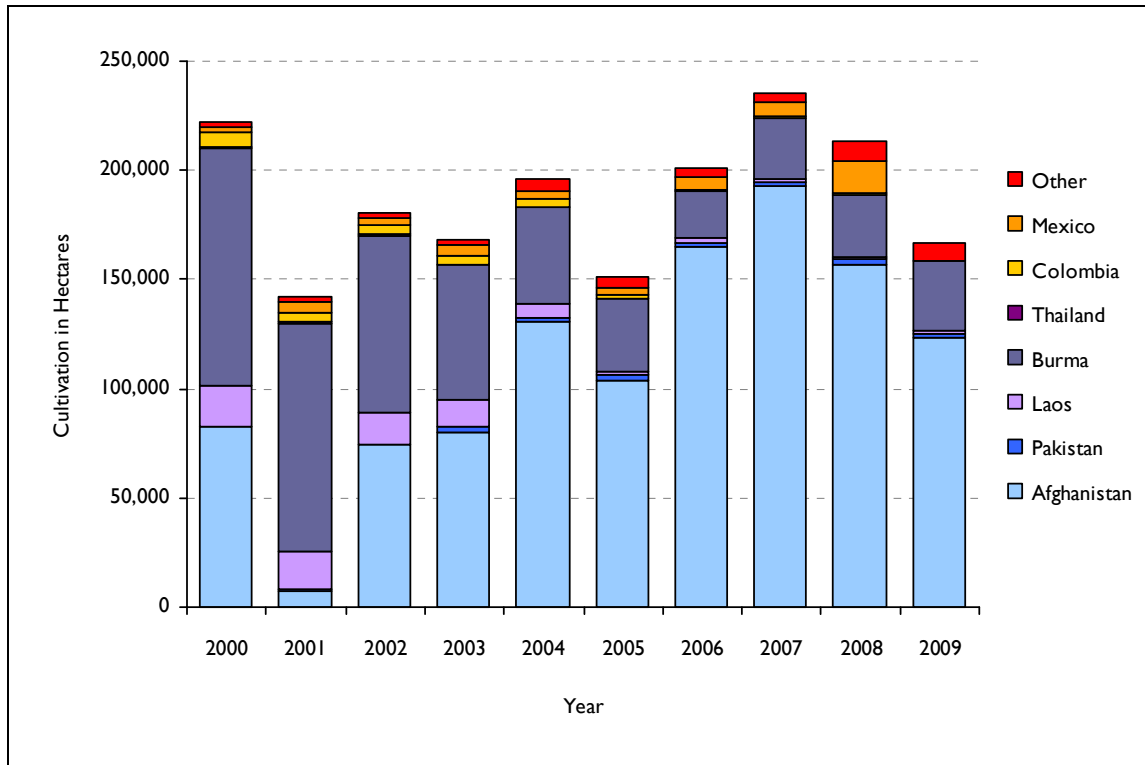
Estimates of harvestable coca bush are used to calculate how much 100% pure cocaine could theoretically be produced each year, based on the potency of sampled coca leaves and the efficiency of clandestine labs, where the plant is chemically processed into cocaine. According to United Nations estimates, the global total potential manufacture of pure cocaine in 2009 ranged between 842 to 1,111 metric tons, with Colombia alone manufacturing some 410 metric tons.<sup>2</sup> This represents roughly a stable trend in total potential manufacture of cocaine, compared to 2008 estimates.

Opium poppy, the plant from which opiates including heroin are derived, is cultivated mainly in Southwest Asia (Afghanistan and Pakistan) and Southeast Asia (Burma/Myanmar and Laos). (See **Figure 2**.) Opium poppy is also cultivated in Mexico, Guatemala, and Colombia, almost exclusively for heroin consumption in the United States. Over the past decade, Afghanistan has risen to prominence as the primary global source of illicit opium poppy cultivation, supplanting Burma, where the majority of opium poppy cultivation took place in the 1990s. In 2009, Afghanistan cultivated approximately 74% of the world's total illegal opium poppy. Similar to estimates to calculate potential cocaine manufacture, estimates are also used to calculate potential opium and potential heroin manufacture. According to the United Nations, the global total potential manufacture of opium in 2009 is estimated at 7,754 metric tons and the total potential manufacture of heroin (of unknown purity) in 2009 is estimated at 634 metric tons.<sup>3</sup>

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<sup>2</sup> U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 162.

<sup>3</sup> U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 138.

**Figure 2. U.N. Estimates of Opium Poppy Cultivation, 2000-2009**

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 138.

**Notes:** Opium poppy is the harvestable crop used in the production of opiates, including opium and heroin. **Figure 2** presents U.N.-published data on estimated illicit opium poppy available internationally for harvest after eradication. UNODC draws on several sources of data for these estimates, and changes in data collection methodologies may make estimates incomparable over time. For full sourcing details, see UNODC's 2010 *World Drug Report*. Note that 2009 estimates do not include totals for Mexico. Countries and regions included in the "Other" category are Algeria, the Baltic countries, the Balkans, Central Asia and the Caucasus, Egypt, Guatemala, Iraq, Lebanon, Peru, Russia and Member States of the Commonwealth of Independent States, South Asia, Thailand (beginning in 2003), Ukraine, Venezuela, and Vietnam. The U.S. government publishes separate estimates of illicit opium poppy cultivation. See **Appendix A** for a comparison of U.N. versus U.S. estimates.

Global illegal synthetic drug production is difficult to estimate. In general, the underlying chemicals needed for the production of synthetic drugs such as amphetamine, methamphetamine, and ecstasy<sup>4</sup> are legally manufactured in industrial factories for legitimate commercial and pharmaceutical purposes. In turn, some portion of the total legal production of these chemicals is diverted and misused for illicit purposes. Such diverted chemicals typically are processed into illegal synthetic drugs in clandestine laboratories, which can range in size from small residential-sized kitchens to large-scale "superlabs" capable of processing high volumes of synthetic drugs. According to the United Nations, however, the "variety and easy accessibility of the starting materials needed to manufacture synthetic drugs allow production to occur virtually anywhere in the world."<sup>5</sup>

<sup>4</sup> Ecstasy is the popular term for 3,4-methylenedioxymethamphetamine (MDMA).

<sup>5</sup> U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 203.

## Drug Trafficking and Consumption Trends

Major trafficking routes connect the drug producers with the drug consumers, with often sophisticated drug trafficking organizations (DTOs) controlling the various aspects of the supply chain. Current major drug transit pathways flow through Mexico and Central America (for drugs produced in South America and destined for the United States), West Africa (for South American cocaine destined for Europe and Afghan heroin en route to Europe and the United States), and all the countries surrounding Afghanistan (heroin destined to Europe, Eurasia, and elsewhere).

Globally, between 155 and 250 million people, aged 15 to 64, used illicit substances, including cannabis, at least once in 2008.<sup>6</sup> North America has traditionally been the main consumer of cocaine and cocaine-type drugs, with Europe's demand for cocaine rising in recent years. Europe and Asia have been the traditional markets for opiate-type drugs, including heroin. Asia and North America have been major markets for synthetic drugs. See **Table 1** for regional breakdowns. Among these users, approximately 16 to 38 million are termed "problem drug users."<sup>7</sup> The latter category of individuals are responsible for the consumption of most illegal drugs. The majority of these problem drug users (an estimated 11 to 34 million) do not receive treatment.

**Table 1. Regional Drug Consumption: Opiates, Cocaine, and Synthetics**  
estimated number of people, aged 15-64, who used opiates or cocaine at least once in 2008

Region	Opiates		Cocaine		Synthetics	
	low estimate	high estimate	low estimate	high estimate	low estimate	high estimate
Africa	680,000	2,930,000	1,020,000	2,670,000	1,550,000	5,200,000
Asia	6,460,000	12,540,000	430,000	2,270,000	4,430,000	37,990,000
Europe	3,290,000	3,820,000	4,570,000	4,970,000	2,500,000	3,190,000
Latin America	1,000,000	1,070,000	2,560,000	2,910,000	1,670,000	2,690,000
North America	1,290,000	1,380,000	6,170,000	6,170,000	3,090,000	3,200,000
Oceania	120,000	150,000	330,000	390,000	470,000	630,000
<b>Global</b>	<b>12,840,000</b>	<b>21,880,000</b>	<b>15,070,000</b>	<b>19,380,000</b>	<b>13,710,000</b>	<b>52,900,000</b>

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), pp. 153, 173, and 214.

**Notes:** Global prevalence of opiate use, as a percentage of population totals, is between 0.3% and 0.5% (lower and upper ranges). Subregions where prevalence is potentially higher than average include Eastern Africa (1.3% at the upper range), the Near and Middle East (1.5% at the upper range), and Eastern/South-East Europe (0.9% at the upper range). Global prevalence of cocaine use, as a percentage of population totals, is between 0.3% and 0.4% (lower and upper ranges). Subregions where prevalence is potentially higher than average include North America (2.0% at the upper range), Oceania (1.7% at the upper range), Western/Central Europe (1.5% at the upper range), the Caribbean (1.2% at the upper range), and South America (1.0% at the upper range). Global prevalence of synthetics (amphetamine-, methamphetamine-, and ecstasy-group substances) use, as a percentage

<sup>6</sup> U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 123.

<sup>7</sup> There is no universal definition for "problem drug user." U.N. data are based on information submitted by Member States to the United Nations and variously includes regular or frequent drug users deemed dependent on drug use and suffering from social and health consequences as a result of their drug use. U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 125.



of population totals, is between 0.3% and 1.2% (lower and upper ranges). Subregions where prevalence is potentially higher than average include Oceania (2.8% at the upper range), the Caribbean (1.9% at the upper range), and East/Southeast Asia (1.4% at the upper range).

## Consequences of the Drug Trade

The global illegal drug trade represents a multi-dimensional challenge that has implications for U.S. national interests as well as the international community. Drug use and addiction have been said to negatively affect the social fabric of communities, hinder economic development, and place an additional burden on national public health infrastructures. According to the United Nations, drugs are both a cause and consequence of poverty, with “22 of the 34 countries least likely to achieve the Millennium Development Goals ... located in regions that are magnets for drug cultivation and trafficking.”<sup>8</sup> Intravenous drug users are at particular risk of contracting diseases such as Hepatitis B, Hepatitis C, and HIV/AIDS. According to a recent study, as much as 31% of injecting drug users may be living with HIV, representing as much as 18% of the total number of people internationally living with HIV.<sup>9</sup>

Observers suggest that drug trafficking also represents a systemic threat to international security. Revenue from the illegal drug trade provides international DTOs with the resources to evade government detection; undermine and co-opt legitimate social, political, and economic systems through corruption, extortion, or more violent forms of influence; penetrate legitimate economic structures through money laundering; and, in some instances, challenge the authority of national governments. In the process, a transnational network of criminal safe havens are established in which DTOs operate with impunity. As in the recent emergence of West Africa as a major cocaine transit hub for Latin American drug traffickers, DTOs prey on states with low capacity for effective governance or the enforcement of the rule of law. This can exacerbate preexisting political instability, post-conflict environments, and economic vulnerability.

### Drug Trafficking Organizations (DTOs)

The U.S. National Drug Threat Assessment defines DTOs as “complex organizations with highly defined command-and-control structures that produce, transport, and/or distribute large quantities of one or more illicit drugs.”<sup>10</sup>

In addition to moving illicit drugs, DTOs are capable of generating, moving, and laundering billions of dollars in drug proceeds annually. Major DTOs of concern to the United States include Mexican and Colombian DTOs, which are responsible for the production and transport of most illicit drugs into the United States. Other major DTOs of concern include the West African/Nigerian DTOs and Southwest and East Asian DTOs.

While DTOs are commonly identified by their nationality of origin, they are known to be aggressively transnational and poly-criminal—seeking to expand their consumer markets, to diversify their criminal enterprises and product variety, and to explore new transit points and safe havens with low law enforcement capacity and high corruption. Many of them also have links to other illicit actors, including arms traffickers, money launderers, terrorists and insurgent groups, and corrupt officials.

<sup>8</sup> U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 5.

<sup>9</sup> According to the study, there are between 11 and 21.2 million drug-injecting users, of which between 0.8 and 6.6 million may be living with HIV. Total global estimates of people living with HIV are between 30 and 36 million. Bradley M. Mathers et al., “HIV Prevention, Treatment, and Care Services for People Who Inject Drugs: A Systematic Review of Global, Regional, and National Coverage,” *The Lancet*, vol. 375, no. 9719 (March 20-26, 2010), pp. 1014-1028.

<sup>10</sup> U.S. Department of Justice, National Drug Intelligence Center, National Drug Threat Assessment 2010, No. 2010-Q0317-001, February 2010. Note also that the National Drug Threat Assessment defines drug “cartels.” Specifically, it defines drug cartels to be “large, highly sophisticated organizations composed of multiple DTOs and cells with specific assignments such as drug transportation, security/enforcement, or money laundering. Drug cartel command-and-control (continued...)”

By many accounts, drug trafficking, state weakness, political corruption, and powerful DTOs are part of a seemingly self-perpetuating cycle.<sup>11</sup> On the one hand, a drug trafficking presence in a country can increase corruption and undermine political stability, while on the other hand, social and political instability may be causal factors for attracting a thriving drug industry. Further, academic literature on conflict duration indicates that control of a lucrative illegal drug trade in the hands of a particular political actor, rebel, or insurgent group can lengthen a conflict. State powers in the hands of a DTO through deeply entrenched kleptocracy serve as a force multiplier to enhance a DTO's power by harnessing the capacity of a state's infrastructure—roads, seaports, airports, warehouses, security apparatus, justice sector, and international political sovereignty—to further the DTO's illicit business aims.

The consequences of a thriving illicit drug trade co-located in a U.S. combat zone are illustrated today in Afghanistan, where some portion of drug-related proceeds annually help facilitate the current insurgency.<sup>12</sup> In other regions, such as in the Western Hemisphere, Americans have been murdered, taken hostage, and tortured for their involvement in counternarcotics operations—highlighting the past and ongoing dangers associated with the international drug trade.<sup>13</sup> In addition, many observers are concerned about the potential spread of DTO-related violence from Mexico into the United States.<sup>14</sup> Moreover, several groups listed by the U.S. Department of State as Foreign Terrorist Organizations (FTOs) are known to be involved in drug trafficking.

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(...continued)

structures are based outside the United States; however, they produce, transport, and distribute illicit drugs domestically with the assistance of DTOs that are either a part of or in an alliance with the cartel.”

<sup>11</sup> See for example, Cornelius Graubner, *Drugs and Conflict: How the Mutual Impact of Illicit Drug Economies and Violent Conflict Influences Sustainable Development, Peace and Stability*, 2007.

<sup>12</sup> U.S. Embassy Kabul, U.S. Forces Afghanistan, *United States Government Integrated Civilian-Military Campaign Plan for Support to Afghanistan*, August 10, 2009.

<sup>13</sup> Examples include the shooting down of a drug eradication plane in Colombia in 1993, which resulted in the immediate shooting of the pilot and the taking hostage of three American defense contractors; the killing of five U.S. Drug Enforcement Administration (DEA) agents in Peru during the shooting down of a plane on a drug reconnaissance mission; and the torture and murder of DEA undercover agent Enrique “Kiki” Camarena Salazar in Mexico in 1985. Most recently, Immigration and Customs Enforcement (ICE) Special Agent Jaime Zapata was killed in February 2011 in northern Mexico by suspected drug traffickers. Another ICE agent was wounded in the same incident.

<sup>14</sup> See CRS Report R41075, *Southwest Border Violence: Issues in Identifying and Measuring Spillover Violence*, coordinated by Kristin M. Finklea.

### 2011 U.S. Intelligence Assessment of the Drug Threat

James R. Clapper, the Director of National Intelligence, presented the intelligence community's annual threat assessment to Congress in February 2011 and highlighted, among other issues, narco-threats to political and regional stability, illicit finance for insurgents and terrorist groups, and the expanding role and capabilities of organized crime in the illicit drug trade.<sup>15</sup> The threat assessment made reference to the following key trends:

- The drug threat to the United States, principally driven by “strong U.S. demand for illicit drugs,” stems mainly from the Western Hemisphere: Mexico, Colombia, Canada, and the United States.
- Despite significant successes against Mexican drug cartels, “Mexico’s overall military and police capabilities remain inadequate to break the trafficking organizations and contain criminal violence.”
- Efforts to discourage Afghan farmers from cultivating opium poppy will have limited effect due high opium prices, the inability to implement alternative livelihood programs on a large scale due to insecurity, and the absence of a market infrastructure in key poppy-growing regions.
- Drug trafficking is a major problem in Africa, as traffickers continue to use West Africa as a transit point for Latin American cocaine destined for Europe. Systematic, high-level cooptation of government and law enforcement officials facilitates the African drug trade, with Guinea-Bissau identified as “Africa’s first narco-state.”
- Terrorists and insurgents are predicted to “increasingly” turn to crime to generate funds and acquire logistical support. Examples of such groups, which are dependent on drug trafficking proceeds to remain viable as terrorist and insurgent organizations, include the Taliban and the Revolutionary Armed Forces of Colombia (FARC).

## Strategic Guidance

Drug trafficking has been an issue of international policy concern for more than a century and a subject of long-standing U.S. and multilateral policy commitment. Yet, tensions continue to appear at times between U.S. foreign drug policy and approaches advocated by independent observers and the international community.

Many U.S. policymakers have argued that the confluence of political and security threats surrounding international drug trafficking necessitates a policy posture that emphasizes the disruption and dismantlement of the criminal actors and organizations involved in all aspects of the drug trade. At the same time, other observers and policymakers have argued that security and law enforcement approaches to international drug control have failed to achieve notable successes in “eliminating or reducing significantly” the supply of illicit drugs—a goal the United Nations committed in 1998 to achieve by 2008 (and in 2009, recommitted to achieve by 2019).<sup>16</sup>

The United Nations Office on Drugs and Crime (UNODC), for example, argues that international concern with “public security” during the past decade has overshadowed other key tenets of drug control policy, including public health and drug demand reduction.<sup>17</sup> Numerous international non-

<sup>15</sup> James R. Clapper, Director of National Intelligence, Statement for the Record on the Worldwide Threat Assessment of the U.S. Intelligence Community for the House Permanent Select Committee on Intelligence, February 10, 2011, and for the Senate Select Committee on Intelligence, February 16, 2011, available at [http://www.dni.gov/testimonies/20110210\\_testimony\\_clapper.pdf](http://www.dni.gov/testimonies/20110210_testimony_clapper.pdf).

<sup>16</sup> p. 215, UNODC, *2008 World Drug Report*, June 2008, available at <http://daccessdds.un.org/doc/UNDOC/GEN/N98/775/09/PDF/N9877509.pdf?OpenElement>; UN Commission on Drugs, Report on the 52<sup>nd</sup> Session, E/2009/28, E/CN.7/2009/12 (2009), p. 44.

<sup>17</sup> *Ibid.*, p. 217.

governmental organizations (NGOs) also argue that greater emphasis should be placed on policies that emphasize efforts to reduce health and social consequences; programs to promote treatment, rehabilitation, and social re-integration for drug users; as well as sustainable and comprehensive alternative development projects.<sup>18</sup>

Some advocates are calling for a reevaluation of current international drug policies.<sup>19</sup> Such calls for a new look at international drug policies are being advocated from an increasingly growing sector of the policy community.<sup>20</sup> It remains unclear whether such policy debates can translate into lasting improvements to reduce the production, trafficking, use, and consequences of illegal drug trade. However, changes could affect a range of foreign policy considerations for the United States, including foreign aid reform, counterinsurgency strategy (particularly in Afghanistan), the distribution of domestic and international drug control funding, and the relative balance of civilian, law enforcement, and military roles in anti-drug efforts.

## **International Policy Framework**

Efforts to combat drug trafficking have enjoyed a long-standing and robust commitment internationally. One of the first multilateral efforts to combat drugs began with the International Opium Commission of 1909. Since then, the international community has broadened and deepened the scope of international drug control through several international treaties and monitoring mechanisms.

Today, international drug control efforts are grounded on the policy foundations laid by three United Nations treaties: the 1961 Single Convention on Narcotic Drugs, as amended; the 1971 Convention on Psychotropic Substances; and the 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. More than 95% of U.N. Member States, including the United States, are parties to these three international drug control treaties.<sup>21</sup>

In combination, these U.N. treaties limit the international production and trade of a defined set of narcotic drugs, psychotropic substances, and the precursor chemicals used to make these substances for primarily medical and scientific purposes. The treaties also establish international mechanisms to monitor treaty adherence—through the International Narcotics Control Board (INCB)—and for the collection of data related to the illicit cultivation, production, and manufacture of proscribed drugs.

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<sup>18</sup> See for example Vienna NGO Committee on Narcotic Drugs, “Beyond 2008 Declaration,” July 9, 2008; available at [http://www.vngoc.org/images/uploads/file/BEYOND%202008%20DECLARATION%20AND%20RESOLUTIONS%20FINAL\(1\).pdf](http://www.vngoc.org/images/uploads/file/BEYOND%202008%20DECLARATION%20AND%20RESOLUTIONS%20FINAL(1).pdf); Latin American Commission on Drugs and Democracy, “Drugs and Democracy: Toward a Paradigm Shift,” April 2009.

<sup>19</sup> In support of current prohibitionist policies, see “Drug Legalization Would Be ‘Catastrophe’, Says Ex-White House Drug Spokesman Bob Weiner; Drugs Have Not ‘Won the War’; Op-ed Letter in New York Times Today,” PR Newswire, June 18, 2009; Bob Weiner, “Time to End Prohibition for Drugs?” *New York Times*, op-ed, June 18, 2009; “How to Stop the Drug Wars,” *The Economist*, March 5, 2009; John P. Walters, “Drug Legalization Isn’t the Answer,” *Wall Street Journal*, op-ed, March 6, 2009.

<sup>20</sup> See for example H.R. 2134, Western Hemisphere Drug Policy Commission Act of 2009; Rafael Pardo and Juan Gabriel Aires, “Before Washington Ramps Up Yet another Losing War on Drugs, Why Not Let A Commission Construct a Better Policy,” *Christian Science Monitor*, op-ed, August 11, 2009; Nicholas D. Kristof, “Drugs Won the War,” *New York Times*, op-ed, June 14, 2009.

<sup>21</sup> International Narcotics Control Board (INCB), 2010 Annual Report, 2011.

U.N. policymaking on drug-related matters take place through the U.N. Commission on Narcotic Drugs, which is a functional commission of the U.N. Economic and Social Council. The U.N. Commission on Narcotic Drugs monitors global drug trends, develops strategies for international drug control, and recommends measures to combat the world drug problem. To support U.N. Member States in combating drugs, the UNODC conducts field-based technical assistance projects internationally and conducts research and analysis on current drug market trends.

Regional counterdrug-related organizations also supplement multilateral efforts globally. Such efforts include the Inter-American Drug Abuse Control Commission (CICAD), which is the drug control arm of the Organization of American States (OAS), and the Drug Advisory Programme (DAP) of the Colombo Plan. CICAD serves as the regional policy forum for all aspects of Western Hemisphere illegal drug issues. DAP supports drug demand reduction, treatment, and rehabilitation in the Asia and Pacific regions. Related international efforts also reinforce counternarcotics policies through their cross-cutting focus on such transnational phenomena as money laundering, corruption, organized crime, and global health.

**Key U.N. Treaties and Entities for International Drug Control**

- \* 1961 Single Convention on Narcotic Drugs, as amended
- \* 1971 Convention on Psychotropic Substances
- \* 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
- \* International Narcotics Control Board
- \* U.N. Commission on Narcotic Drugs
- \* U.N. Office on Drugs and Crime

## U.S. Foreign Policy Framework

The United States has been involved in international drug control since at least the beginning of the 20<sup>th</sup> century. Contemporary U.S. counternarcotics efforts were brought to the forefront of U.S. policy debates in the late 1960s. In 1971, President Richard Nixon declared that illicit drugs were America’s “public enemy number one.”<sup>22</sup> President Ronald Reagan followed with a directive in 1986 that identified narcotics trafficking a threat to U.S. national security.<sup>23</sup> Successive administrations have continued to feature combating the international drug trade prominently among U.S. foreign policy priorities. See **Appendix B** for a discussion of specific U.S. agency roles in combating drugs internationally.

Since at least the late 1960s, Congress has also been active on drug policy issues, enacting key provisions in U.S. law that define U.S. policies and authorities relating to international narcotics control, exercising oversight responsibilities on U.S. counternarcotics policy, and appropriating funds for international counternarcotics programs.

In 1998, Congress established the Office of National Drug Control Policy (ONDCP) to coordinate all U.S. counterdrug policy, both domestically and internationally.<sup>24</sup> ONDCP’s Director is the

<sup>22</sup> Richard Nixon, “Remarks about an Intensified Program for Drug Abuse Prevention and Control,” June 17, 1971. Briefing transcript at John T. Woolley and Gerhard Peters, *The American Presidency Project*, at <http://www.presidency.ucsb.edu/WS/?pid=3047>.

<sup>23</sup> Ronald Reagan, *National Security Decision Directive 221*, “Narcotics and National Security,” April 8, 1986, partially declassified on November 7, 1995, redacted version available at <http://www.fas.org/irp/offdocs/nsdd/nsdd-221.htm>.

<sup>24</sup> See CRS Report R41535, *Reauthorizing the Office of National Drug Control Policy: Issues for Consideration*, by Kristin M. Finklea.

primary advisor to the President on drug policy issues. The State Department is statutorily designated as the lead U.S. agency responsible for international counterdrug foreign assistance, and the Defense Department is the lead in the detection and monitoring of foreign drug flows destined for the United States. The U.S. Drug Enforcement Administration (DEA) is the lead on drug-related law enforcement. Multiple other U.S. agencies are also responsible for various aspects of the U.S. counterdrug response.

The following sections describe several of the key U.S. government strategies and initiatives for combating drugs internationally and in specific key regions around the world.

## **U.S. National Drug Control Strategy**

U.S. involvement in international drug control rests on the central premise that helping foreign governments combat the illegal drug trade abroad will ultimately curb illegal drug availability and use in the United States. To this end, the current Administration maintains the goal of reducing and eliminating the international flow of illegal drugs into the United States through international cooperation to disrupt the drug trade and interdiction efforts.

Since 1999, Congress has required that the White House, through the Office of National Drug Control Policy (ONDCP), submit to Congress a National Drug Control Strategy report each year.<sup>25</sup> This strategy describes the total budget for drug control programs—both domestically and internationally—and outlines U.S. strategic goals for stemming drug supply and demand.

The international component of the Administration’s 2010 National Drug Control Strategy centers on three specific “principles,” or goals: (1) collaborate with international partners to disrupt the drug trade, (2) support drug control efforts of major drug source and transit countries, and (3) attack key vulnerabilities of drug trafficking organizations (DTOs). The 2010 National Drug Control Strategy is also particularly notable for its admission that the United States, due to U.S. domestic consumption of illegal drugs, bears responsibility, in conjunction with drug-producing and -transit countries, for the existence of the international drug trade.<sup>26</sup>

### **2010 U.S. Strategic “Principles” and “Actions” to Combat Drugs Internationally**

The 2010 National Drug Control Strategy lists three strategic principles and corollary actions to be achieved in reducing the international drug supply. They include the following:

#### **Principle #1: Collaborate with International Partners to Disrupt the Drug Trade**

- Action A: Conduct Joint Counterdrug Operations
- Action B: Strengthen Counterdrug Institutions in the Western Hemisphere
- Action C: Disrupt Drug Flows in the Trans-Atlantic and Trans-Pacific Regions
- Action D: Prevent Synthetic Drug Production and Precursor Chemical Diversion
- Action E: Expand Prevention and Treatment Initiatives Bilaterally, Regionally, and Multilaterally
- Action F: Expand Health Interventions for Injection Drug Users Internationally

#### **Principle #2: Support the Drug Control Efforts of Major Drug Source and Transit Countries**

<sup>25</sup> This requirement was first established by Section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998 (Division C, Title VII, P.L. 105-277; 21 U.S.C. 1705) and has been subsequently amended.

<sup>26</sup> Office of National Drug Control Policy, 2010 National Drug Control Strategy, p. 3.

Action A: Strengthen Strategic Partnerships with Mexico

Action B: Disrupt the Nexus Between Drugs, Insurgency, and Corruption in Afghanistan

Action C: Build Law Enforcement and Criminal Justice Capacities in Source Countries in the Americas

Action D: Implement the Caribbean Basin Security Initiative

Action E: Promote Alternative Livelihoods for Coca and Opium Farmers

Action F: Support the Central American Regional Security Initiative

Action G: Develop a Comprehensive Counterdrug Strategy for the Western Hemisphere

Action H: Consolidate Gains Made in Colombia

**Principle #3: Attack Key Vulnerabilities of Drug Trafficking Organizations (DTOs)**

Action A: Improve Intelligence on the Vulnerabilities of DTOs

Action B: Disrupt Illicit Drug Trafficking in the Transit Zone

Action C: Target the Illicit Finances of DTOs

Action D: Target Cartel Leadership

## **International Drug Control Strategy Report**

As required by the Foreign Assistance Act of 1961, as amended, the State Department annually submits to Congress an International Drug Control Strategy Report (INCSR).<sup>27</sup> The INCSR, released in two volumes each year, provides an overview of U.S. counternarcotics policies and programs internationally. It also provides a country-by-country analysis of progress that foreign governments, particularly those of major drug-producing and drug-transit countries, have made in adhering to its international commitments to combat drugs (volume I) and related financial crimes (volume II).

The 2011 INCSR, released on March 3, 2011, reports that drug trafficking and transnational organized crime continue to threaten U.S. and citizen security interests, particularly as the profits that the drug trade generates remain the most lucrative criminal activity internationally. The INCSR also reports that while progress has been achieved in certain parts of the world, continued progress to combat drugs internationally requires ongoing cooperation and willingness to adapt to emerging threats.

Reported regional challenges to international drug control include combating drug trafficking in the Western Hemisphere, not only in historically established major drug source and transit countries such as Colombia and Mexico, but also in parts of Central America and the Caribbean, which have become vulnerable to exploitation as drug traffickers adapt and adjust to new smuggling corridors in the face of heightened enforcement pressure along old smuggling routes. The cultivation of opium poppy for heroin in Afghanistan also remains a global drug problem, despite improvements in the number of poppy-free provinces in Afghanistan in recent years.<sup>28</sup> Nevertheless, the INCSR reports that “active insurgences tied to drug traffickers in the southern

<sup>27</sup> See specifically Section 489 of the Foreign Assistance Act of 1961 (FAA), as amended, and Chapter 8 of the FAA generally.

<sup>28</sup> According to the 2011 INCSR, 7 provinces in Afghanistan currently cultivate opium poppy, compared to 21 provinces in 2005.

and western provinces of Afghanistan overlap with 98 percent of the country's poppy cultivation."<sup>29</sup>

Other reported challenges to international drug control include dealing with new and emerging criminal activities and technologies designed to avoid detection. Such activities include the use of the Internet to facilitate drug trafficking, use of new precursors and chemicals in the production of illegal drugs, the development of self-propelled semi-submersible vessels designed specifically for smuggling drugs, and screening containers for illegal cargo.

## **Regional Initiatives**

The majority of U.S. counterdrug efforts internationally are concentrated in two regions: South America and Afghanistan, which are focal points in U.S. efforts to combat the production and transit of cocaine and heroin, respectively. The U.S. government is also involved in developing several new counternarcotics programs, including in West Africa, the Caribbean (Caribbean Basin Security Initiative), and Central America (Central America Regional Security Initiative).

### ***Plan Colombia, the Andean Counterdrug Program, and Ongoing Assistance***

Plan Colombia was developed by the government of Colombia in 1999 as a six-year plan, concluding in 2005, to end the country's decades-long armed conflict, eliminate drug trafficking, and promote economic and social development. The plan aimed to curb trafficking activity and reduce coca cultivation in Colombia by 50% over five years.<sup>30</sup> Congress approved legislation in support of Plan Colombia in 2000, appropriating foreign assistance funds under the Andean Counterdrug Initiative (ACI) account each year ever since.<sup>31</sup> ACI historically provided counternarcotics assistance for Colombia, but also for other countries in the Andean region, including at various times Bolivia, Brazil, Ecuador, Panama, Peru, and Venezuela.<sup>32</sup> Beginning in FY2008, Congress renamed ACI the Andean Counterdrug Program (ACP) and then subsequently incorporated ACP into the International Narcotics Control and Law Enforcement (INCLE) foreign aid account. Since ACI and ACP were first implemented, U.S. counterdrug assistance has focused mainly on four strategic pillars:

1. eradicate coca and opium poppy crops,
2. interdict illegal drugs,
3. provide coca and opium poppy farmers other sources of income through alternative development, and
4. build institutions to train security forces and to strengthen democratic governance capacity.

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<sup>29</sup> 2011 INCSR, p. 15.

<sup>30</sup> See CRS Report RL32250, *Colombia: Issues for Congress*, by June S. Beittel.

<sup>31</sup> The first appropriations legislation for Plan Colombia was located in the Military Construction Appropriations Act, 2001 (P.L. 106-246, Title III, Chapters 1 and 2).

<sup>32</sup> In FY2005, ACI funds were also used for counternarcotics assistance in Guatemala and Nicaragua. Currently, ACI funds are no longer used for counternarcotics assistance in Venezuela.



For FY2012, ONDCP reports that the Administration is requesting \$132.8 million for drug control assistance to Colombia.<sup>33</sup> Projects in FY2012 are intended to continue to support Colombia's National Consolidation Plan, the U.S.-Colombia Strategic Development Initiative, and the nationalization of previous U.S.-supported Colombian military programs, including the counterdrug brigade, Colombian Army aviation, and the air bridge denial program.

### *The Mérida Initiative and Beyond*

The United States and Mexico announced on October 22, 2007, the start of a multiyear, bilateral security agreement called the Mérida Initiative.<sup>34</sup> This initiative aims to combat drug trafficking and other criminal activity along the U.S.-Mexican border, as well as in Central America.<sup>35</sup> Initial U.S. bilateral assistance to Mexico and Central America under the initiative consisted of a \$1.4 billion, three-year security package ending in FY2010 that would provide two main forms of assistance: (1) equipment, including helicopters and surveillance aircraft, and technical resources to combat drug trafficking, and (2) training and technical advice for Mexican and Central American military, judicial, and law enforcement officials.<sup>36</sup>

In mid-January 2010, the State Department approved a new strategy for Mexico as a follow-on to the Mérida Initiative after it ended in FY2010, called Beyond Mérida.<sup>37</sup> Follow-on counterdrug support to Central America would be provided through a separate program called the Central American Regional Security Initiative (CARSI). For the follow-on assistance program to Mexico, the character of U.S. support shifted from a focus on major counternarcotics equipment acquisition that was designed to improve operational ability against drug traffickers to a longer-term emphasis on institutional development and capacity building to the Mexican justice sector. This shift included greater emphasis on social reforms that can galvanize community support to fight organized crime, including drug trafficking.<sup>38</sup> The Beyond Mérida strategy has four pillars:

1. disrupt and dismantle organized criminal groups;
2. institutionalize justice sector reforms to sustain the rule of law and respect for human rights;
3. create an efficient, economically competitive border crossing that ensures "secure two-way flows" of travelers and trade; and
4. support Mexican government efforts to build strong and resilient communities through community organizations, civil society participation, sustainable economic opportunities, community cohesion, and violence reduction.

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<sup>33</sup> Office of National Drug Control Policy, Drug Control Budget: FY2012 Funding Highlights, February 2011, p. 11.

<sup>34</sup> The Mérida Initiative is named for the city where it was first conceived by Presidents George W. Bush and Felipe Calderon in March 2007.

<sup>35</sup> See CRS Report R41349, *U.S.-Mexican Security Cooperation: the Mérida Initiative and Beyond*, by Clare Ribando Seelke and Kristin M. Finklea, and CRS Report RL32724, *Mexico-U.S. Relations: Issues for Congress*, by Clare Ribando Seelke.

<sup>36</sup> U.S. domestic commitments will be or have already been implemented under the *National Southwest Border Counternarcotics Strategy*, the *National Drug Control Strategy*, the *Security Cooperation Initiative*, and the *Southwest Border Initiative*. See CRS Report RL33106, *Border Security and the Southwest Border: Background, Legislation, and Issues*, coordinated by Lisa M. Seghetti.

<sup>37</sup> U.S. Department of State, "Mexico: Evolution of the Mérida Initiative," document provided to CRS in January 2010.

<sup>38</sup> *INCSR 2010*.

For FY2012, ONDCP reports that the Administration is requesting \$66 million for drug control assistance to Mexico.<sup>39</sup> Programs are intended to support short-term goals of dismantling drug trafficking and other criminal organizations and the long-term goal of strengthening Mexico's justice sector institutions.

### **The 2009 U.S. National Southwest Border Counternarcotics Strategy**

In 2007, the U.S. government released an National Southwest Border Counternarcotics Strategy. This strategy outlined U.S. federal government roles and goals for preventing the illegal trafficking of drugs across the U.S.-Mexico border. ONDCP released an updated version of the Southwest Border Strategy in 2009, which took into account developments in bilateral U.S.-Mexico cooperation on drugs, particularly through the Mérida Initiative. In particular, the 2009 update expanded the U.S. counterdrug mission along the Southwest border to include not only combating the inbound flow of illegal drugs from Mexico into the United States, but also the outbound flow of illegal bulk cash and weapons destined for Mexico-based drug trafficking organizations. In order to achieve the strategic goal of substantially reducing the "flow of illicit drugs, drug proceeds, and associated instruments of violence across the Southwest border" the 2009 Strategy identifies six key objectives:

1. enhance intelligence capabilities associated with the Southwest border;
2. interdict drugs, drug proceeds, and related weapons at and between ports of entry, and in air and maritime domains along the Southwest border;
3. ensure the prosecution of all significant drug trafficking, money laundering, bulk currency, and weapons smuggling and trafficking cases;
4. disrupt and dismantle drug trafficking organizations;
5. enhance counterdrug technologies for drug detection and interdiction along the Southwest border; and
6. enhance U.S.-Mexico cooperation regarding joint counterdrug efforts.

### ***Caribbean Basin Security Initiative***

President Barack Obama announced the Caribbean Basin Security Initiative (CBSI) at the Summit of the Americas in April 2009 as a security cooperation effort in the Caribbean Basin region, focused on combating drug trafficking organizations, gangs, and other criminal groups.

Congress appropriated \$37 million for the CBSI in FY2010 to variously combat drug trafficking and organized crime, strengthen the rule of law, and promote social justice. The Obama Administration's FY2011 request for CBSI is \$79 million, of which \$31.2 million was requested for the State Department to conduct the counterdrug aspects of CBSI. For FY2012, ONDCP reports that the Administration is requesting \$17.8 million for drug control assistance through the CBSI.<sup>40</sup> Drug control funding reportedly would support regional counternarcotics initiatives, including efforts to improve regional capacity to interdict and eradicate drugs, reduce local demand for drugs, as well as to counter money laundering and corruption.<sup>41</sup>

### ***Central American Regional Security Initiative***

The Central America Regional Security Initiative (CARSI) is a follow-on to anti-crime assistance provided to the region originally through the Mérida Initiative. CARSI, through bilateral and regional efforts, seeks support efforts designed to stop corrosive and interrelated effects of crime,

<sup>39</sup> Office of National Drug Control Policy, Drug Control Budget: FY2012 Funding Highlights, February 2011, p. 11.

<sup>40</sup> Office of National Drug Control Policy, Drug Control Budget: FY2012 Funding Highlights, February 2011, p. 11.

<sup>41</sup> Ibid.

drugs, violence, and corruption the region. According to the State Department's 2010 International Narcotics Control Strategy Report, CARSI will extend U.S. commitments to assistance Central American states to combat criminal organizations, gangs, and related-violence in the region; to support justice sector capacity building; and to improve law enforcement intelligence sharing within and among regional governments.<sup>42</sup> The stated five goals of CARSI are to

1. create safe streets and emphasize citizen safety;
2. disrupt the movement of criminals and contraband throughout Central America;
3. support the institutional capacity of governments in the region;
4. reestablish effective state presence and security in communities at risk; and
5. foster enhanced levels of coordination and cooperation among countries in Central America for security and rule of law efforts.<sup>43</sup>

Of the total amount appropriated for CARSI, \$12.1 million in FY2009 was appropriated for counternarcotics-specific purposes in the region. In FY2010, an estimated \$27 million was appropriated. The Administration requested an additional \$31 million for FY2011. For FY2011, the State Department requests funds for counternarcotics-specific purposes in order to continue support for U.S.-vetted units of local law enforcement officers in the region; demand reduction programs; existing aviation assets in Guatemala for monitoring drug flows; and enhanced regional land and maritime interdiction capabilities and logistics supports.<sup>44</sup>

### *Afghanistan Counterdrug Strategy*

Drug control policy in Afghanistan has undergone a shift in strategy since June 2009, when the late Ambassador Richard Holbrooke, who at the time was the Obama Administration's Special Representative for Afghanistan and Pakistan, announced a halt to U.S. eradication efforts in Afghanistan and a concurrent increase in priority to agricultural development (or alternative livelihoods) assistance as well as interdiction.<sup>45</sup> The drug policy shift was formalized with the release of the Afghanistan and Pakistan Regional Stabilization Strategy in January 2010, which connects U.S. counternarcotics policy with U.S. counterinsurgency goals in the region. The January 2010 Regional Strategy had sections on combating the Afghan narcotics trade and disrupting illicit financial flows, among others.<sup>46</sup> The most significant changes in the January 2010 strategy include the elimination of U.S.-led eradication as a strategic goal, the addition as a key initiative of increasing U.S. government personnel in Afghanistan (particularly DEA), and the enhancement civilian-military coordination with new coordination centers in London, Kabul, and

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<sup>42</sup> *INCSR 2010*.

<sup>43</sup> U.S. Department of State, Bureau of Public Affairs, "The Central American Regional Security Initiative: A Shared Partnership," *Fact Sheet*, August 5, 2010.

<sup>44</sup> U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, "FY2011 Program and Budget Guide," pp. 182-186.

<sup>45</sup> Richard C. Holbrooke, "Holbrooke's Briefing on Trip to Pakistan, Afghanistan, and Brussels, July 2009," July 29, 2009. For further information on U.S. drug policy in Afghanistan, see CRS Report RL32686, *Afghanistan: Narcotics and U.S. Policy*, by Christopher M. Blanchard.

<sup>46</sup> U.S. Department of State, Office of the Special Representative for Afghanistan and Pakistan, "Afghanistan and Pakistan Regional Stabilization Strategy," January 2010, <http://www.state.gov/documents/organization/135728.pdf>.

Kandahar. Key initiatives to disrupt illicit financial flows include the Illicit Finance Task Force<sup>47</sup> and the Afghanistan Threat Finance Cell.

In March 2010, the State Department released an updated U.S. Counternarcotics Strategy for Afghanistan. It outlined two strategic goals—(1) counter the narcotics-insurgency nexus and (2) counter the narcotics-corruption nexus—coupled with several related objectives. Reiterating the January 2010 Regional Strategy, the March 2010 Counternarcotics Strategy confirms the U.S. government’s decision to “no longer fund or support large-scale eradication of poppy fields,” while condoning Afghan-led local eradication.<sup>48</sup> The March 2010 Counternarcotics Strategy also emphasized the need to improve the connection between the U.S. government’s counternarcotics goals with the U.S. government’s counterinsurgency goals. To this end, ONDCP reports that the Administration is requesting \$102.6 million for FY2012 drug control assistance to Afghanistan.<sup>49</sup>

### *Counternarcotics Support to West Africa*

While Africa has historically held a peripheral role in the transnational illicit drug trade, drug traffickers have begun to view West Africa as a strategically placed transit and staging point along cocaine trafficking routes from South America to Europe.<sup>50</sup> While there is no region-wide initiative in place to combat the growing drug trade through West Africa, the State Department requested \$13.2 million for counternarcotics assistance in Africa in FY2011, up from about \$0.5 million in FY2006. At the same time, the Department of Defense (DOD) has reportedly allocated \$21.1 million in FY2010 and \$30 million in FY2011 to counternarcotics programs in Sub-Saharan Africa.

## **Overall U.S. Drug Control Funding**

For FY2012, the Administration has requested approximately \$26.2 billion for all federal drug control programs, up from \$25.9 billion in FY2010 (see **Table 2**).<sup>51</sup> Of this, 23%, or \$6 billion, is requested for international and interdiction programs. Beginning with the FY2012 budget request, ONDCP significantly restructured its budgeting process, adding 19 more agencies and programs to the overall drug budget.<sup>52</sup> According to ONDCP, these additional agencies had not previously been included in the drug budget because the programs were deemed to be “unreliably estimated

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<sup>47</sup> Subsumed under the Illicit Finance Task Force includes a U.S.-Russia Counternarcotics/Financial Intelligence Working Group with the first meeting convened in Moscow in December 2009.

<sup>48</sup> U.S. Department of State, Bureau for South and Central Asian Affairs, *U.S. Counternarcotics Strategy for Afghanistan*, March 24, 2010.

<sup>49</sup> Office of National Drug Control Policy, *Drug Control Budget: FY2012 Funding Highlights*, February 2011, p. 11.

<sup>50</sup> See CRS Report R40838, *Illegal Drug Trade in Africa: Trends and U.S. Policy*, by Liana Sun Wyler and Nicolas Cook.

<sup>51</sup> Office on National Drug Control Policy (ONDCP), *National Drug Control Budget, FY2012 Funding Highlights*, February 2011.

<sup>52</sup> The additional agencies and programs include U.S. Forest Service; Court Services and Offender Supervision Agency for the District of Columbia; Defense Department Counterdrug OPTEMPO; Federal Judiciary; Centers for Medicare and Medicaid Services; Health Resources and Services Administration; National Institute on Alcohol Abuse and Alcoholism; Customs and Border Protection’s (CBP) Border Security Fencing, Infrastructure, and Technology; Federal Law Enforcement Training Center; Federal Emergency Management Agency (Operation Stonegarden); Bureau of Land Management; National Park Service; Asset Forfeiture Fund; Bureau of Prisons (Corrections Costs); Criminal Division; Office of Federal Detention Trustee; U.S. Attorneys; U.S. Marshals Service; and Federal Aviation Administration.

or were thought to be related to consequences of drug use (as opposed to directly related to drug use reduction).<sup>53</sup> The addition of these agencies had the effect of increasing the total budget, particularly domestic programs (compare **Table 2** with **Table 3**).

**Table 2. Federal Drug Control Funding, FY2010 Final-FY2012 Request**  
budget authority in \$U.S. millions

Activities	FY2010 Final	FY2011 Est.	FY2012 Req.
International	2,595.0	2,367.5	2,138.4
Interdiction	3,658.0	3,706.7	3,901.0
Domestic	19,634.1	19,657.4	20,170.3
Total	25,887.1	25,731.6	26,209.7

**Source:** Adapted from Office of National Drug Control Policy (ONDCP), National Drug Control Budget, FY2012 Funding Highlights, February 2011. Totals may not add due to rounding.

**Note:** “International” activities refers to activities primarily focused on or conducted in areas outside the United States, mainly conducted by the State Department, U.S. Agency for International Development (USAID), Defense Department, and Department of Justice. International activities include a wide range of drug control programs to eradicate crops, seize drugs (except air and riverine interdiction seizures), arrest and prosecute major traffickers, destroy processing capabilities, develop and promote alternative crops to replace drug crops, reduce demand, investigate money laundering and financial crime activities, and promote the involvement of other nations in efforts to control the supply of and demand for drugs. “Interdiction” refers to activities designed to intercept and disrupt shipments of illegal drugs and their precursors en route to the United States from abroad. “Domestic” refers to activities related to domestic demand reduction, including federal drug treatment and drug prevention programs, as well as domestic law enforcement.

**Table 3. Federal Drug Control Funding, FY2005 Actual-FY2011 Request**  
budget authority in \$U.S. millions

Activities	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010 Enact.	FY2011 Req.
International	1,393.3	1,434.5	2,050.2	1,824.6	2,082.2	2,288.0	2,308.1
Interdiction	2,928.7	3,287.0	3,175.9	2,901.4	3,910.2	3,640.1	3,727.0
Domestic	8,462.2	8,422.6	8,618.0	8,550.3	9,286.0	9,103.4	9,517.5
Total	12,784.2	13,844.1	13,844.1	13,276.3	15,278.4	15,031.5	15,552.5

**Source:** Adapted from Office of National Drug Control Policy (ONDCP), National Drug Control Strategy, FY2011 Budget Summary, 2010. Totals may not add due to rounding.

<sup>53</sup> Office on National Drug Control Policy (ONDCP), National Drug Control Budget, FY2012 Funding Highlights, February 2011.

## **U.S. Assistance for International Counternarcotics Programs**

A large component of the international component of ONDCP's national drug budget, discussed above, is committed to civilian- and military-funded assistance to foreign countries for counterdrug support. Such foreign aid is designed to support foreign countries interdict and eradicate drugs, support the development of alternative livelihoods, and reduce the local demand for drugs. The following sections describe both civilian and military funding and authorities for counternarcotics foreign assistance.

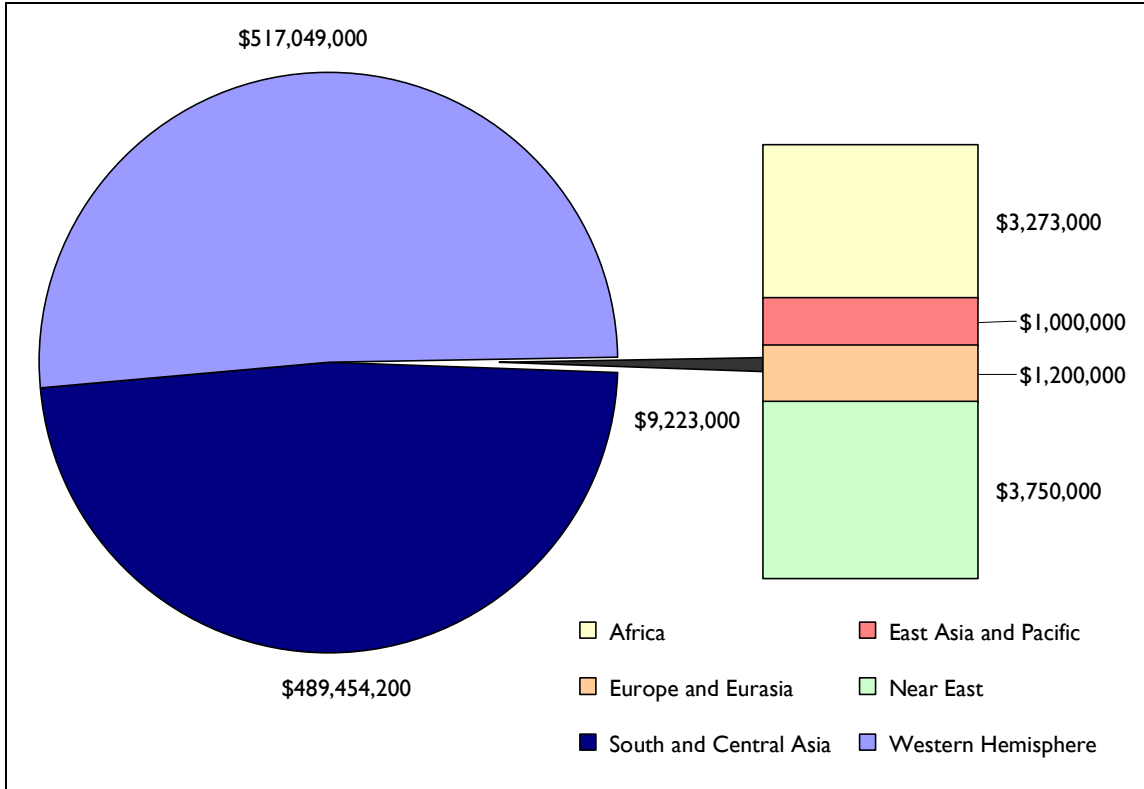
### **Civilian Funding and Authorities**

The U.S. Department of State and U.S. Agency for International Development (USAID) are the two primary sources of civilian U.S. funding for international counternarcotics assistance. Counternarcotics programs may be implemented by other U.S. government entities or to private contractors. Funding spigots include the foreign aid accounts for Development Assistance (DA); Economic Support Fund (ESF); Assistance for Europe, Eurasia, and Central Asia (AEECA); and International Narcotics Control and Law Enforcement (INCLE).

Authority for the U.S. Department of State and USAID is derived from multiple provisions in the Foreign Assistance Act (FAA) of 1961, as amended. Key provisions are located at Chapter 8 of Part I of the FAA, as amended, entitled "International Narcotics Control." Section 481 of the FAA states that the Secretary of State is "responsible for coordinating all assistance provided by the United States Government to support international efforts to combat illicit narcotics production or trafficking." Section 126 of the FAA also directs USAID, when planning programs of assistance for countries in which illicit narcotics cultivation takes place, to "give priority consideration to programs which would help reduce illicit narcotics cultivation by stimulating broader development opportunities."

**Figure 3** and **Figure 4** depict civilian assistance for international counternarcotics programs in FY2010 by region and by program. **Table 4** and **Table 5** summarize trends in civilian assistance for international counternarcotics programs from FY2007 through FY2010.

**Figure 3. U.S. Civilian Counternarcotics Assistance, by Region, FY2010**  
Operational Plan Estimates for the State Department and USAID Only



**Source:** U.S. Department of State, Office of the Director of Foreign Assistance (F), response to CRS request, March 2011.

**Note:** Data included in this chart represent all State Department FY2008, FY2009, and FY2010 Operational Plan updates as of March 15, 2011 (0100 EST). In FY2007, plans were completed by all USAID offices except Iraq and by some State Department offices. FY 2009 GHCS-State and GHCS-USAID account values do not currently include funds reported in the COPRS system for the PEPFAR program.

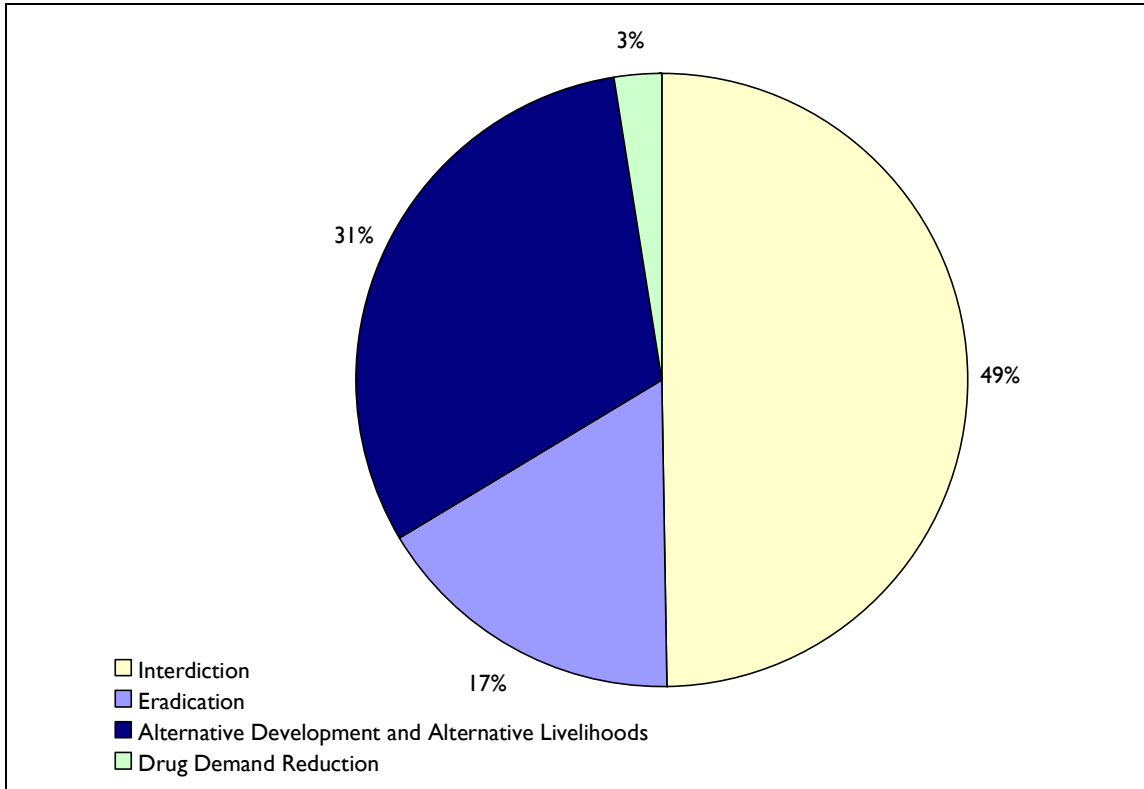
**Table 4. U.S. Civilian Counternarcotics Assistance, by Region, FY2007-FY2010**  
Operational Plan Estimates for the State Department and USAID Only

	FY2007	FY2008	FY2009	FY2010
Sub-Saharan Africa	200,000	1,592,000	1,110,000	3,273,000
East Asia and Pacific	600,000	2,317,000	1,000,000	1,000,000
Europe and Eurasia	—	1,269,000	887,000	1,200,000
Near East	—	—	—	3,750,000
South and Central Asia	4,000,000	317,934,046	454,125,000	489,454,200
Western Hemisphere	527,429,000	540,843,000	401,343,100	517,049,000
<b>TOTAL</b>	<b>532,229,000</b>	<b>863,955,046</b>	<b>858,465,100</b>	<b>1,015,726,200</b>

**Source:** U.S. Department of State, Office of the Director of Foreign Assistance (F), response to CRS request, July 2010.

**Note:** Data included in this chart represent all State Department FY2008, FY2009, and FY2010 Operational Plan updates as of March 15, 2011 (0100 EST). In FY2007, plans were completed by all USAID offices except Iraq and by some State Department offices. FY 2009 GHCS-State and GHCS-USAID account values do not currently include funds reported in the COPRS system for the PEPFAR program.

**Figure 4. U.S. Civilian Counternarcotics Assistance, by Function, FY2010**  
Operational Plan Estimates for the State Department and USAID Only



**Source:** U.S. Department of State, Office of the Director of Foreign Assistance (F), response to CRS request, March 2011.

**Note:** Data included in this chart represent all State Department FY2008, FY2009, and FY2010 Operational Plan updates as of March 15, 2011 (0100 EST). In FY2007, plans were completed by all USAID offices except Iraq and by some State Department offices. FY 2009 GHCS-State and GHCS-USAID account values do not currently include funds reported in the COPRS system for the PEPFAR program.

**Table 5. U.S. Civilian Counternarcotics Assistance, by Function, FY2007-FY2010**  
Operational Plan Estimates for the State Department and USAID Only

	FY2007	FY2008	FY2009	FY2010
Interdiction	165,181,000	185,853,880	225,364,000	505,045,000
Eradication	202,952,000	331,245,000	261,166,000	169,227,000
Alternative Development and Alternative Livelihoods	134,766,957	274,480,258	328,577,100	314,939,000
Drug Demand Reduction	3,734,000	15,766,000	43,358,000	26,515,200



	FY2007	FY2008	FY2009	FY2010
Program Design and Learning	25,595,043	652,000	—	—
Administration and Oversight	—	55,957,908	—	—
TOTAL	532,229,000	863,955,046	858,465,100	1,015,726,200

**Source:** U.S. Department of State, Office of the Director of Foreign Assistance (F), response to CRS request, March 2011.

**Note:** Data included in this chart represent all State Department FY2008, FY2009, and FY2010 Operational Plan updates as of March 15, 2011 (0100 EST). In FY2007, plans were completed by all USAID offices except Iraq and by some State Department offices. FY 2009 GHCS-State and GHCS-USAID account values do not currently include funds reported in the COPRS system for the PEPFAR program.

## Military Funding and Authorities

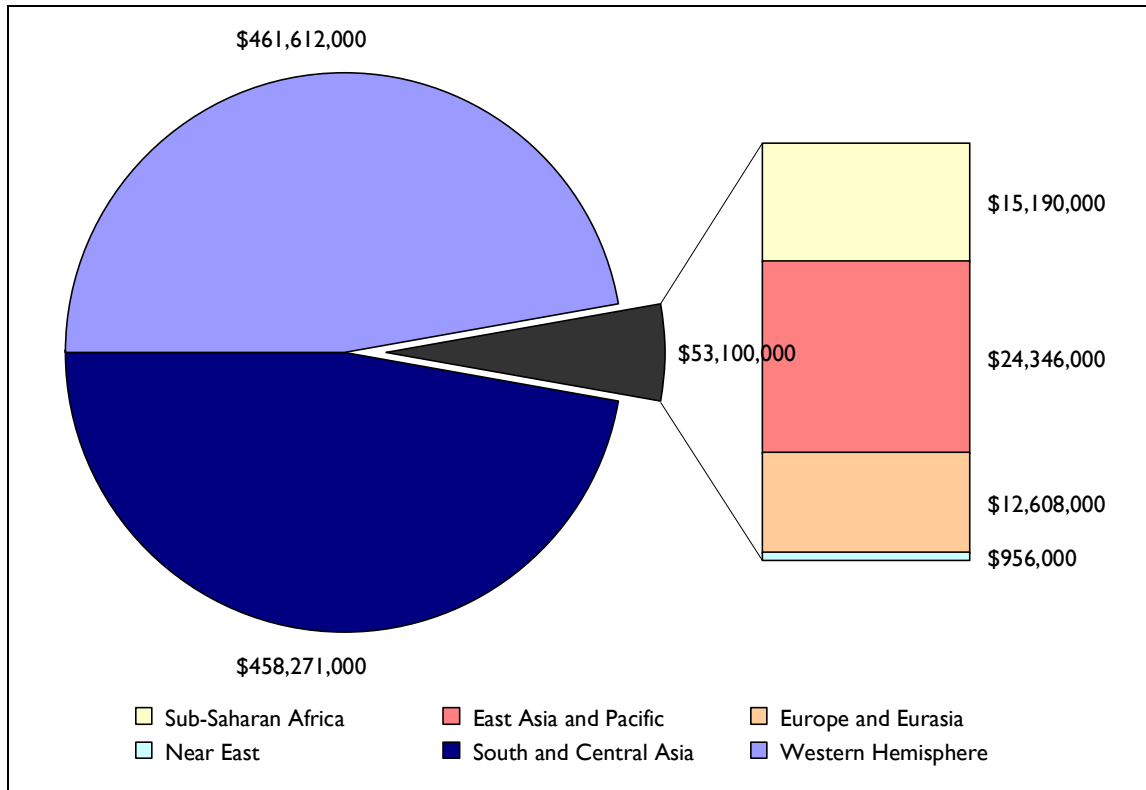
The U.S. Department of Defense (DOD) has multiple roles and responsibilities in the area of counternarcotics. Pursuant to 10 U.S.C. 124, DOD is the single lead federal agency for the detection and monitoring of aerial and maritime movement of illegal drugs toward the United States and plays a key role in collecting, analyzing, and sharing intelligence on illegal drugs with U.S. law enforcement and international security counterparts. In addition, Congress authorizes DOD to offer counternarcotics assistance to train and equip foreign countries in their efforts to build institutional capacity and control ungoverned spaces used by drug traffickers.

DOD maintains two counternarcotics foreign assistance training and/or equipping authorities, originating from Section 1004 of the National Defense Authorization Act (NDAA) for Fiscal Year 1991 (P.L. 101-510) and Section 1033 of the NDAA for FY1998 (P.L. 105-85). Under Section 1004, Congress authorized DOD to provide counterdrug-related training and transport of law enforcement personnel to foreign law enforcement agencies worldwide, among other provisions. Section 1033 enables DOD to assist specific countries’ counterdrug efforts by providing non-lethal protective and utility personnel equipment, including navigation equipment, secure and non-secure communications equipment, radar equipment, night vision systems, vehicles, aircraft, and boats.

Currently, DOD is authorized to provide Section 1033 assistance to 22 countries, including (in chronological order) Peru and Colombia (Sec. 1033, P.L. 105-85); Afghanistan, Bolivia, Ecuador, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan (Sec. 1021, P.L. 108-136); Azerbaijan, Kazakhstan, Kyrgyzstan, Armenia, Guatemala, Belize, and Panama (Sec. 1022, P.L. 109-364); Mexico and the Dominican Republic (Sec. 1022, P.L. 110-181); and Guinea Bissau, Senegal, El Salvador, and Honduras (Sec. 1024, P.L. 110-417).

**Figure 5** and **Table 6** summarize DOD estimates, provided to CRS, for DOD-funded counterdrug assistance to foreign countries, by region. Note that, unlike the State Department, DOD counternarcotics funding is not budgeted or allocated by country or region. In annual defense department appropriations, DOD has received department-wide funding for drug control efforts, both domestically and internationally, through a single central transfer account, called “Drug Interdiction and Counter-Drug Activities.”

**Figure 5. U.S. Military Counternarcotics Assistance, by Region, FY2010**



**Source:** U.S. Department of Defense (DOD), Office of Counternarcotics and Global Threats, response to CRS request, March 2011.

**Note:** This data reflect non-budget quality estimates of DOD counterdrug support provided or efforts in these countries/regions; DOD formal budget submissions to Congress do not measure counterdrug programs by countries/regions.

**Table 6. U.S. Military Counternarcotics Assistance, by Region, FY2007-FY2010**

	FY2007	FY2008	FY2009	FY2010
Sub-Saharan Africa	7,389,000	10,703,000	18,228,000	15,190,000
East Asia and Pacific	25,992,000	33,091,000	37,673,000	24,346,000
Europe and Eurasia	1,755,000	4,884,000	6,806,000	12,608,000
Near East	978,000	6,000	824,000	956,000
South and Central Asia	337,336,000	361,698,000	330,973,000	458,271,000
Western Hemisphere	394,903,000	405,624,000	484,330,000	461,612,000
TOTAL	768,353,000	816,006,000	878,834,000	972,983,000

**Source:** U.S. Department of Defense (DOD), Office of Counternarcotics and Global Threats, response to CRS request, March 2011.

**Note:** This data reflect non-budget quality estimates of DOD counterdrug support provided or efforts in these countries/regions; DOD formal budget submissions to Congress do not measure counterdrug programs by countries/regions.

## Policy Issues

Over the years, U.S. counterdrug efforts have expanded to include a broad array of tools to attack the drug trade using several foreign policy approaches. Through its appropriations and federal oversight responsibilities, the 112<sup>th</sup> Congress may choose to evaluate current efforts, which appear to center around four main drug control policy strategies: (1) combating the production of drugs at the source, (2) combating the flow of drugs in transit, (3) dismantling illicit drug networks, and (4) creating incentives for international cooperation on drug control. The following sections describe and analyze each of these primary strategies and their legislative sources.

### Combating the Production of Drugs at the Source

Major U.S. policy tools for combating the production of illicit drugs, particularly cocaine and heroin, center on the eradication of coca bush and opium poppy crops and the provision of alternative livelihood options to drug crop farmers. Both policy approaches ultimately seek to reduce the amount of illicit drug crops cultivated.

#### Crop Eradication

Eradication programs seek to combat the flow of plant-based illegal drugs at the root of the supply chain—in the fields where the crops are grown. Crop eradication can take several forms, including (1) aerial fumigation, which involves the spraying of fields with herbicide; (2) manual removal, which involves the physical up-rooting and destruction of crops; and (3) mechanical removal, which involves the use of tractors and all-terrain vehicles to harrow the fields. The United States supports programs to eradicate coca, opium, and marijuana in a number of countries, including primarily Colombia and Afghanistan (see **Table 7**). These efforts are conducted by U.S. government agencies and contractors that administer U.S. eradication programs providing producer countries with support to eradicate drug crops with chemical herbicides, technical assistance, specialized equipment, and spray aircraft. In FY2009, the State Department spent approximately \$432 million on international eradication programs.<sup>54</sup>

**Table 7. U.S. Assistance for Crop Eradication, FY2007-FY2010 Est.**  
(in current U.S. \$)

	FY2007	FY2008	FY2009	FY2010 est.
Afghanistan	—	169,871,000	237,000,000	35,000,000
Bolivia	8,544,000	7,285,000	8,496,000	6,930,000
Colombia	159,208,000	137,880,000	—	109,050,000
Guatemala	200,000	200,000	270,000	22,000
Laos	—	145,000	—	—
Mexico	200,000	—	—	—
Pakistan	2,300,000	1,000,000	1,000,000	2,000,000

<sup>54</sup> State Department response to CRS request, February 26, 2010.

	FY2007	FY2008	FY2009	FY2010 est.
Peru	32,500,000	14,864,000	14,400,000	16,120,000
Western Hemisphere Regional	—	—	—	105,000
Total	202,952,000	331,245,000	261,166,000	169,227,000

**Source:** U.S. Department of State, Office of the Director of Foreign Assistance (F), response to CRS request, March 2011.

**Note:** Data included in this chart represent all State Department FY2008, FY2009, and FY2010 Operational Plan updates as of March 15, 2011 (0100 EST). In FY2007, plans were completed by all USAID offices except Iraq and by some State Department offices. FY 2009 GHCS-State and GHCS-USAID account values do not currently include funds reported in the COPRS system for the PEPFAR program.

Eradication is a long-standing but controversial U.S. policy regarding international drug control. As recently as 2008, the State Department had considered crop control the “most cost-effective means of cutting supply,” because drugs cannot enter the illegal trade if the crops were never planted, destroyed, or left unharvested.<sup>55</sup> Without drug cultivation, the State Department’s rationale continued, “there would be no need for costly enforcement and interdiction operations.” Proponents of eradication further argue that it is easier to locate and destroy crops in the field than to locate subsequently processed drugs on smuggling routes or on the streets of U.S. cities. Put differently, a kilogram of powder cocaine is far more difficult to detect than the 300 to 500 kilograms of coca leaf that are required to make that same kilogram. Also, because crops constitute the cheapest link in the narcotics chain, producers may devote fewer economic resources to prevent their detection than to conceal more expensive and refined forms of the drug product.

Opponents of expanded supply reduction policy generally question whether reduction of the foreign supply of narcotic drugs is achievable and whether it would have a meaningful impact on levels of illicit drug use in the United States. Manual eradication requires significant time and human resources, reportedly involving upward of 20 work-hours of effort to pull up and destroy one hectare of coca plants.<sup>56</sup> Aerial application of herbicide is not legal or feasible in many countries and is expensive to implement where it is permitted.<sup>57</sup> Aerial fumigation in Colombia has also raised allegations that the herbicide chemical used has caused negative human, animal, and environmental consequences.<sup>58</sup>

Others question whether a global policy of simultaneous crop control is cost-effective or politically feasible because eradication efforts may also potentially result in negative political, economic, and social consequences for the producing country, especially in conflict or post-conflict environments.<sup>59</sup> Some argue that this has been the case with respect to eradication efforts

<sup>55</sup> U.S. Department of State, 2008 INCSR, at <http://www.state.gov/p/inl/rls/nrcrpt/2008/>.

<sup>56</sup> Kevin J. Riley, *Snow Job? The War Against International Cocaine Trafficking* (New Brunswick, NJ: Transaction Publishers, 1996), p. 112.

<sup>57</sup> Colombia is currently the only country that conducts regular aerial spraying of coca and opium poppy.

<sup>58</sup> For further discussion of eradication policy in Colombia, see CRS Report RL33163, *Drug Crop Eradication and Alternative Development in the Andes*, by Connie Veillette and Carolina Navarrete-Frias.

<sup>59</sup> Barnett R. Rubin and Alexandra Guaqueta, *Fighting Drugs and Building Peace: Towards Policy Coherence between Counter-Narcotics and Peace Building*, Dialogue on Globalization, Occasional Paper No. 37, November 2007.

in Afghanistan, where some U.S. officials have acknowledged that poppy eradication may have caused many poor Afghan farmers to ally with insurgents and other enemies of the Afghan government.<sup>60</sup> In 2009, Richard Holbrooke, who was the Obama Administration's Special Representative for Afghanistan and Pakistan at the time, called Western eradication policies in Afghanistan "a failure" and stated that they have "wasted hundreds and hundreds of millions of dollars."<sup>61</sup> Further, aerial eradication remains a high-risk activity, as spray planes and their crew are targeted by drug traffickers. In 2003, the Revolutionary Armed Forces of Colombia (FARC), which the State Department lists as a foreign terrorist organization, shot down a U.S. government plane in the Colombian jungle, killing the American pilot and a Colombian air force sergeant and taking three other crew members, all U.S. defense contractors, hostage.<sup>62</sup> They remained FARC hostages until July 2008.<sup>63</sup>

## Alternative Development

U.S. counterdrug policy also includes foreign assistance specifically targeted to illicit drug crop farmers. Alternative development can be viewed as a form of drug crop eradication. The ultimate goal is to convince current farmers to abandon their drug crops and switch to licit, sustainable livelihoods and sources of income. Whereas other eradication methods involve the physical removal or chemical destruction of illicit drug crops, alternative development involves the introduction of crop substitution options, training in sustainable farming techniques, infrastructure development, and other projects that make alternative livelihoods economically more attractive. The U.S. government considers alternative development a key component to drug supply reduction policies and has active programs in Southeast Asia, Southwest Asia, and South America (see **Table 8**).

**Table 8. U.S. Alternative Development Foreign Assistance, FY2007-FY2010 Est.**  
(in current U.S. \$)

Country	FY2007	FY2008	FY2009	FY2010 est.
Afghanistan	—	123,475,185	161,518,000	157,000,000
Bolivia	26,174,500	7,662,073	17,746,100	17,248,000
Colombia	57,533,000	108,857,000	109,831,000	101,021,000
Ecuador	8,194,957	2,269,000	7,737,000	10,449,000
Laos	—	300,000	100,000	—
Pakistan	—	—	—	2,000,000
Peru	42,864,500	21,917,000	31,645,000	27,221,000
TOTAL	134,766,957	274,480,258	328,577,100	314,939,000

<sup>60</sup> Thom Shanker and Elisabeth Bumiller, "U.S. Shifts Afghan Narcotics Strategy," *New York Times*, July 23, 2009; Staff of Senator John F. Kennedy, "Afghanistan's Narco War: Breaking the Link between Drug Traffickers and Insurgents," A Report to the Senate Committee on Foreign Relations, August 10, 2009.

<sup>61</sup> *Ibid.*

<sup>62</sup> For further discussion, see CRS Report RL32250, *Colombia: Issues for Congress*, by June S. Beittel, and CRS Report RS21049, *Latin America: Terrorism Issues*, by Mark P. Sullivan.

<sup>63</sup> "Colombia: U.S. Hostages Spotted," *New York Times*, June 10, 2008; "Betancourt, U.S. Contractors Rescued from FARC," *CNN.com*, July 3, 2008.

**Source:** U.S. Department of State, Office of the Director of Foreign Assistance (F), response to CRS request, March 2011.

**Note:** Data included in this chart represent all State Department FY2008, FY2009, and FY2010 Operational Plan updates as of March 15, 2011 (0100 EST). In FY2007, plans were completed by all USAID offices except Iraq and by some State Department offices. FY 2009 GHCS-State and GHCS-USAID account values do not currently include funds reported in the COPRS system for the PEPFAR program.

U.S. alternative development programs, funded and run mainly by the State Department and U.S. Agency for International Development (USAID), support U.S. counternarcotics objectives by helping countries develop economic alternatives to narcotics production, expand legal employment opportunities, and offer other incentives to farmers to discontinue planting illicit drug crops. In theory, this approach is designed to complement law enforcement and eradication efforts to provide both a “carrot and stick” strategy.

For several decades, alternative development has been implemented in various forms and with varying success.<sup>64</sup> Since the late 1960s, when alternative development policies were initially conceived as simply crop substitution projects, efforts have somewhat expanded to include a broader concept of alternative development. Current U.S. programs include not only crop substitution projects but also the development of and assistance for roads, infrastructure, and health care.

Some observers, however, claim that while current U.S. efforts often aim to achieve this broadened concept of alternative development, they may not always achieve it in practice. Some indicate that a relationship between alternative development projects and a reduction in illicit drug production may be tenuous, as policy coordination between alternative development projects and eradication and interdiction efforts remains limited in some cases.<sup>65</sup> Further, it appears that alternative development projects are not implemented in most regions where illicit crops are grown today. According to reports, approximately 10% to 15% of areas under illicit cultivation are covered by alternative development projects supported by the international community, and, on average, 5% of farmers of illicit crops receive alternative development assistance.<sup>66</sup> Common factors limiting the reach and prevalence of alternative development projects include ongoing security threats in areas of illicit crop cultivation, lack of political will or resources to administer alternative development projects, and local distrust of government or external influences.

## **Combating the Flow of Drugs in Transit**

Interdiction efforts seek to combat the drug trade as traffickers begin moving drug products from source countries to their final destinations. The Department of Defense is the single lead federal agency for the detection and monitoring of aerial and maritime movement of illegal drugs toward the United States. Along with the Defense Department, several other U.S. federal agencies are involved in coordinating operations with foreign government interdiction forces and providing

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<sup>64</sup> See, for example, UNODC, *Alternative Development: A Global Thematic Evaluation, Final Synthesis Report, 2005*, at [http://www.unodc.org/pdf/Alternative\\_Development\\_Evaluation\\_Dec-05.pdf](http://www.unodc.org/pdf/Alternative_Development_Evaluation_Dec-05.pdf).

<sup>65</sup> See, for example, “A Failed Balance: Alternative Development and Eradication,” *Transnational Institute, Drugs and Conflict Debate Paper 4*, March 2002.

<sup>66</sup> See, for example, UNODC, *The Economic Viability of Alternative Development*, UNODC internal paper, 1999, at [http://www.unodc.org/pdf/Alternative%20Development/EconomicViability\\_AD.pdf](http://www.unodc.org/pdf/Alternative%20Development/EconomicViability_AD.pdf); UNODC, *Alternative Development: A Global Thematic Evaluation, Final Synthesis Report, 2005*; and UNODC, *World Drug Report, Chapter 3: Alternative Development, 2000*, p. 152.

law enforcement training and other forms of assistance to foreign countries in order to deny drug traffickers the use of transit routes.

Within the so-called “transit zone”—a 42-million square-mile area between Central and South America and the U.S. southern borders, which covers the Caribbean Sea, the Gulf of Mexico, and the eastern Pacific Ocean—a DOD-led interagency group called the Joint Inter-Agency Task Force South (JIATF-South) coordinates interdiction operations across federal agency participants, as well as international liaisons from Great Britain, France, the Netherlands, and several Latin American countries. The U.S.-Mexican border is the primary point of entry for cocaine shipments and other drugs smuggled into the United States.<sup>67</sup>

Outside the transit zone, other international interdiction operations involving U.S. agencies, mainly DEA, include Operation Containment, Project Cohesion, and Project Prism. Operation Containment, a multinational law enforcement effort established in 2002 and led by DEA, aims to place a “security belt” around Afghanistan to prevent processing chemicals for converting opium poppy to heroin from entering the country and opium and heroin from leaving.<sup>68</sup> Project Cohesion, an international precursor chemical control initiative established in 2005 and led by the International Narcotics Control Board (INCB),<sup>69</sup> tracks precursor chemicals involved in the production of cocaine and heroin. Project Prism, a U.N.-sponsored initiative, monitors and controls illicit trade in precursor chemicals used in the production of amphetamine-type synthetic drugs. The Obama Administration’s revised 2010 counternarcotics policy for Afghanistan also emphasizes in particular interdiction and the dismantling of Afghan drug trafficking syndicates.<sup>70</sup>

**International Drug Flow Attack Strategy**

As part of U.S. law enforcement efforts to combat the flow of drugs and related illicit movements of cash and laundered drug proceeds, DEA developed the International Drug Flow Attack Strategy (DFAS) in mid-2005. The goal of the strategy is to disrupt cocaine movements between the source zones in Latin America and the United States through intelligence-led operations that are coordinated with foreign law enforcement counterparts in source zones, transit zones, and arrival zones. Although descriptions of many aspects of the DFAS initiative are not available publicly, the State Department reports that Operation All Inclusive, a multi-year counterdrug law enforcement operation in the Western Hemisphere, has been one of the primary efforts implementing DFAS techniques and tools. From January 2008 through September 2008, Operation All Inclusive netted more than 100 metric tons of cocaine, 225 kilograms of heroin, 140 metric tons of marijuana, \$92 million in drug proceeds, and 1,278 arrests.

Several U.S. agencies also provide foreign law enforcement training and assistance in order to enhance interdiction efforts abroad. The Department of State, the U.S. Coast Guard, U.S. Customs and Border Protection, and DEA are involved in providing anti-narcotics law enforcement training, technical assistance, and equipment for foreign personnel. The U.S. military provides international support for drug monitoring and detection. In addition, the United States regularly contributes funding and expertise to law enforcement assistance activities of the United Nations and other international organizations.

<sup>67</sup> U.S. Department of Justice (DOJ), National Drug Intelligence Center (NDIC), National Drug Threat Assessment 2008, October 2007, Product No. 2007-Q0317-003, at <http://www.usdoj.gov/ndic/pubs25/25921/index.htm#Top>.

<sup>68</sup> Statement of the Honorable Michele M. Leonhart, Acting Administrator, Drug Enforcement Administration (DEA), House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies, March 12, 2008, at <http://www.usdoj.gov/dea/pubs/cngrtest/ct031208.html>.

<sup>69</sup> The INCB is an independent and quasi-judicial control organ monitoring the implementation of the United Nations drug control conventions.

<sup>70</sup> See also James Risen, “U.S. to Hunt Down Afghan Drug Lords Tied to Taliban,” *New York Times*, August 10, 2009; “U.S. Drug Agents Target Afghan Poppy Pushers,” National Public Radio, July 29, 2009.

U.S. interdiction activities in the transit zone, spanning the continental and maritime border areas between the United States and Latin America and the Caribbean, are sometimes considered among the bright spots of U.S. counterdrug efforts. The State Department reports that its interdiction activities in the Caribbean, including Operation Bahamas Turks and Caicos (OPBAT), contributed to a drop in illegal drug flows from 70% in the 1980s to less than 10% in recent years.<sup>71</sup> A 2005 report released by the Government Accountability Office (GAO), for example, highlighted the role of improved interagency coordination and international cooperation for improvements in transit zone interdiction operations.<sup>72</sup> Drug trafficking organizations, however, are reportedly growing increasingly sophisticated in their evasion techniques, and some observers are concerned that current interdiction capabilities may not be sufficient for long-term reductions in drug supplies. Proponents of strong drug interdiction policies, for example, have long been concerned that the nation’s focus on anti-terror objectives will detract from resources and political will needed to combat foreign illicit drug production and trafficking. Supporting such concerns, the 2005 GAO report states that the commitment of U.S. military assets to Iraq and Afghanistan in the 2000s may have hampered the ability of U.S. law enforcement to intercept drug shipments in the future.

Some observers, however, caution that interdiction efforts could raise the retail price of illegal drugs, potentially resulting in a perverse incentive that actually increases the economic rewards to drug traffickers; interdiction efforts that appear to be reaping success in dismantling major drug trafficking networks may nevertheless pose the unintended consequence of sparking short-term increases in drug trafficking-related violence, as surviving drug traffickers compete with one another for control—often violently—of drug routes. This appears to have been in part a contributing factor to the ongoing drug-related violence in Mexico—and some observers are raising the concern that similar consequences may occur in Afghanistan under the Obama Administration’s renewed emphasis on interdiction efforts to combat the Afghan opiate trade.<sup>73</sup>

**Table 9. U.S. Civilian Assistance for Interdiction, FY2007-FY2010 Est.**

Country	FY2007	FY2008	FY2009	FY2010 est.
Afghanistan	—	14,622,000	21,000,000	254,879,000
Argentina	—	70,000	85,000	275,000
Bolivia	20,696,000	18,138,000	12,688,000	8,270,000
Brazil	—	833,000	300,000	200,000
Cape Verde	—	496,000	500,000	723,000
Colombia	113,612,000	99,248,000	—	83,900,000
Dominican Republic	—	150,000	3,250,000	1,750,000
Eastern Caribbean	—	—	230,000	—
Ecuador	—	6,143,000	6,359,000	2,550,000

<sup>71</sup> U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, Program and Budget Guide, Fiscal Year 2008 Budget, Publication No. 11453, September 2007, p. 92.

<sup>72</sup> U.S. Government Accountability Office (GAO), *Drug Control: Agencies Need to Plan for Likely Decline in Drug Interdiction Assets and Develop Better Performance Measures for Transit Zone Operations*, GAO-06-200, November 2005.

<sup>73</sup> See CRS Report R41576, *Mexico’s Drug Trafficking Organizations: Source and Scope of the Rising Violence*, by June S. Beittel.



Country	FY2007	FY2008	FY2009	FY2010 est.
El Salvador	—	200,000	—	—
Georgia	—	300,000	150,000	200,000
Ghana	—	496,000	500,000	500,000
Guatemala	840,000	1,140,000	1,610,000	1,056,000
Guinea	—	—	50,000	—
Guinea-Bissau	—	—	—	1,500,000
Haiti	1,010,000	1,350,000	2,835,000	—
Honduras	—	608,400	—	—
Indonesia	500,000	500,000	500,000	500,000
Jamaica	—	250,000	150,000	—
Kazakhstan	—	316,000	204,000	180,000
Kyrgyz Republic	—	775,000	547,000	—
Laos	—	365,000	300,000	300,000
Mexico	12,916,000	18,908,000	144,200,000	75,000,000
Morocco	—	—	—	750,000
Mozambique	—	—	—	300,000
Nicaragua	—	500,000	—	—
Nigeria	—	450,000	60,000	250,000
Pakistan	700,000	1,000,000	2,000,000	2,000,000
Panama	—	770,000	600,000	—
Paraguay	—	278,000	215,000	500,000
Peru	14,807,000	17,132,000	18,500,000	19,325,000
Philippines	100,000	—	—	—
Tajikistan	—	—	1,300,000	1,350,000
The Bahamas	—	—	150,000	—
Trans-Sahara Counter-Terrorism Partnership	—	—	—	2,000,000
Trinidad and Tobago	—	177,000	230,000	—
Turkey	—	25,000	235,000	—
Turkmenistan	—	—	145,000	175,000
Western Hemisphere Regional	—	—	6,000,000	25,862,000
<b>TOTAL</b>	<b>165,181,000</b>	<b>185,853,880</b>	<b>225,364,000</b>	<b>505,045,000</b>

**Source:** U.S. Department of State, Office of the Director of Foreign Assistance (F), response to CRS request, March 2011.

**Note:** Data included in this chart represent all State Department FY2008, FY2009, and FY2010 Operational Plan updates as of March 15, 2011 (0100 EST). In FY2007, plans were completed by all USAID offices except Iraq and by some State Department offices. FY 2009 GHCS-State and GHCS-USAID account values do not currently include funds reported in the COPRS system for the PEPFAR program.

## Dismantling Transnational Drug Networks

Key U.S. foreign policy tools available for targeting major drug traffickers and their illicit networks include establishing extradition agreements with foreign countries, freezing and blocking foreign criminal assets within U.S. jurisdiction, and building foreign capacity to investigate, arrest, prosecute, and incarcerate drug traffickers domestically.

### Extradition to the United States

The U.S. government regularly uses extradition as an important judicial tool against suspected drug traffickers located abroad. Extradition refers to the formal surrender of a person by a state to another state for prosecution. Proponents of extradition to the United States argue that suspected criminals are more likely to receive a fair trial in U.S. courts than in countries where the local judicial process may be corrupt and where suspects can use bribes and intimidation to manipulate the outcome of a trial.

U.S. bilateral judicial cooperation with Mexico and Colombia is often cited as particularly exemplary, yielding record numbers of extradited traffickers to the United States.<sup>75</sup> In 2010, Mexico extradited 94 individuals to the United States. Colombia extradited 186 to the United States in 2009, yielding a total of more than 1,041 individuals since 1997, when Colombia's legislature enacted a non-retroactive law to formalize U.S.-Colombian extradition cooperation.

#### State Department Narcotics Rewards Program

Through the Narcotics Rewards Program, the State Department offers up to \$5 million for information leading to the arrest or conviction of certain major drug traffickers.<sup>74</sup> Currently, the State Department is offering rewards for information associated with 40 at-large foreign drug traffickers, Mexican and Colombian traffickers. According to the State Department, rewards have been paid for assistance in the capture of at least nine previously listed drug traffickers.

Some anecdotal evidence appears to suggest that the threat of extradition has affected the behavior of foreign drug trafficking organizations. For example, some Colombian drug traffickers are reportedly distancing themselves from overt drug distribution activities, which could be used as evidence to trigger extradition. Nevertheless, this counterdrug tool remains controversial and is not universally supported. Many countries simply refuse to extradite drug traffickers, citing concerns about the potential use of the death penalty in the United States against its citizens and state sovereignty rights. Burma is one such country, which continues to refuse to extradite four suspected drug traffickers under indictment in the United States. Some observers claim that suspected traffickers often take advantage of such limitations in the extradition system and seek safe haven in countries that are unwilling to extradite.

### Freezing and Blocking Foreign Criminal Assets

To reap the financial benefits of the illegal drug trade, traffickers must launder their illicit profits into the licit economy. As a result, the United States and other members of the international community have sought to use anti-money laundering efforts as a tool to combat this upstream

<sup>74</sup> <http://www.state.gov/p/inl/narc/rewards/c27667.htm>.

<sup>75</sup> U.S. Department of State, 2008 *INCSR*; see also CRS Report RL32724, *Mexico-U.S. Relations: Issues for Congress*, by Clare Ribando Seelke.

activity in the illegal drug market. Currently, several U.S. agencies are involved in international anti-money laundering efforts designed to enhance financial transaction transparency and regulation, improve cooperation and coordination with foreign governments and private financial institutions, and provide foreign countries with law enforcement training and support.

Congress has been active in pursuing anti-money laundering regulations and program oversight. In 1999, Congress passed the Foreign Narcotics Kingpin Designation Act to authorize the President to target the financial profits that significant foreign narcotics traffickers and their organizations (known as “Specially Designated Narcotics Trafficker Kingpins,” or SDNTKs) have accumulated from their illicit activities.<sup>76</sup> This tool seeks to deny SDNTKs and their related businesses access to the U.S. financial system and all trade transactions involving U.S. companies and individuals.<sup>77</sup>

Following the September 11, 2001, terrorist attacks, Congress further strengthened U.S. measures to combat money laundering by providing the Secretary of the Treasury with new authorities to impose a set of regulatory restrictions, or “special measures,” against foreign jurisdictions, foreign financial institutions, and certain classes of financial transactions involving foreign jurisdictions, if deemed by the Treasury Secretary to be “of primary money laundering concern.”<sup>78</sup> These anti-money laundering tools are designed not only to address drug trafficking, but also to combat other forms of related criminal activity, including terrorist financing.

In addition, Congress requires that the State Department include in its annual International Narcotics Control Strategy Report (INCSR) a separate volume devoted to the state of international money laundering and financial crimes in each country. Among the report’s congressionally mandated requirements, the State Department annually identifies the world’s “major money laundering countries,” defined as those countries “whose financial institutions engage in currency transactions involving significant amounts of proceeds from international narcotics trafficking” and other serious crimes (see **Figure 6**).

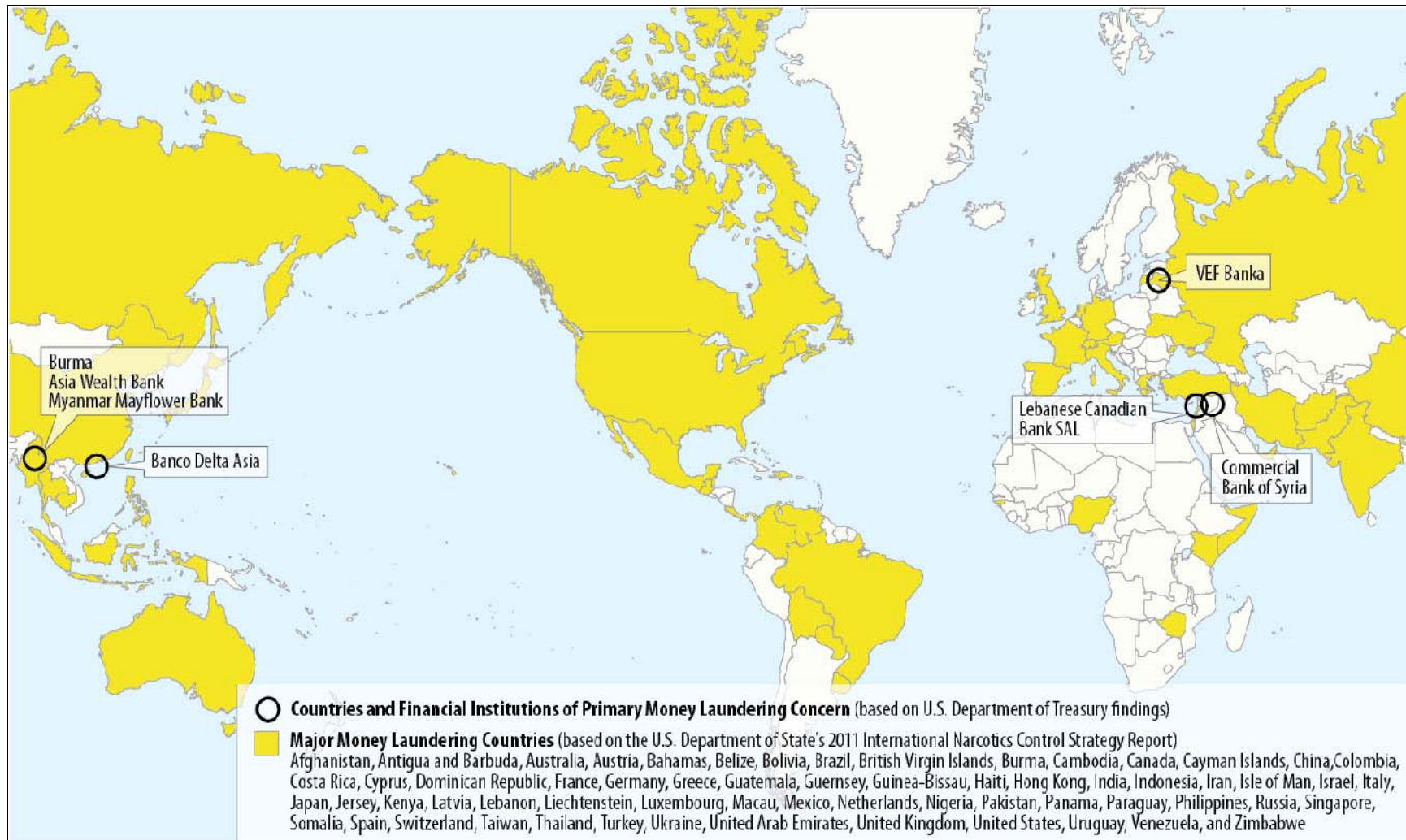
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<sup>76</sup> Title VIII, International Narcotics Trafficking, of P.L. 106-120, the Intelligence Authorization Act for Fiscal Year 2000 (21 U.S.C. 1901-1908; 8 U.S.C. 1182).

<sup>77</sup> The law was reportedly modeled on Treasury’s sanctions program pursuant to Executive Order 12978 (October 1995) against Colombia drug cartels under authority of the International Emergency Economic Powers Act (Title II of P.L. 95-223; 50 U.S.C. 1701 et seq.) and the National Emergencies Act (P.L. 94-412; 50 U.S.C. 1601 et seq.).

<sup>78</sup> Section 311 of the International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001 (Title III, Subtitle A of P.L. 107-56, the USA PATRIOT Act of 2001) amends the Bank Secrecy Act of 1970 at 31 U.S.C. 5318A.

**Figure 6. Major Money Laundering Countries and Jurisdictions of Primary Money Laundering Concern**



**Sources:** U.S. Department of State, 2011 INCSR; U.S. Department of the Treasury, Financial Crimes Enforcement Network, Section 311 Special Measures, at [http://www.fincen.gov/statutes\\_regs/patriot/section311.html](http://www.fincen.gov/statutes_regs/patriot/section311.html).

U.S. officials and some observers have highlighted the value of anti-money laundering efforts in combating drug trafficking. In 2007, the Treasury Department's Office of Foreign Assets Control (OFAC) reported that anti-money laundering efforts against Colombian drug cartels have been effective in isolating and incapacitating designated supporters, businesses, and front companies linked to the Cali Cartel and Norte del Valle Cartel.<sup>79</sup> Some observers also describe the Treasury Secretary's additional authorities to designate jurisdictions of primary money laundering concern and apply "special measures" against these jurisdictions as having "potentially profound effects on the financial services industry."<sup>80</sup> Treasury's designation of Banco Delta Asia, for example, successfully resulted in the freezing of some \$25 million in North Korean assets—funds that reportedly included counterfeit U.S. currency and profits from other North Korean criminal activity, including drug trafficking.<sup>81</sup>

Skeptics of the use of anti-money laundering efforts to combat drug trafficking argue that tracking illicit financial transactions may be more difficult and may yield less success than other counterdrug tools.<sup>82</sup> As the State Department's 2008 money laundering and financial crimes report reveals, major challenges in tracking and disrupting international money laundering activities remain.<sup>83</sup> The same types of money laundering methods—bulk cash smuggling, trade-based money laundering, and others—that the State Department identified as issues of concern more than a decade ago remain among the most used forms of money laundering today. Further, emerging challenges include the growing volume of financial transactions, especially the volume of international electronic transfers, and the movement of illegal money laundering outside formal banking channels, including through "hawala"-type chains of transnational money brokers and through the use of stored-value cards.

### **Building Foreign Law Enforcement Capacity**

Another element of U.S. efforts to dismantle foreign drug networks involves providing foreign countries with the tools also improve their domestic efforts to dismantle drug networks. Such assistance, in the form of training, equipping, and other institutional capacity building, ultimately seeks to strengthen foreign judicial and law enforcement institutions and assist in developing host nation administrative infrastructures to combat the illicit drug trade. Institutional development programs focus mainly on fighting corruption and training to support criminal justice system reforms and the rule of law. A variety of U.S. agencies are involved in counterdrug-related capacity building efforts abroad, including the State Department, USAID, the Department of Justice, and the Department of Defense.

According to the State Department, drug trafficking organizations often seek to subvert or co-opt governments in order to guarantee a secure operating environment and essentially "buy their way into power."<sup>84</sup> Anti-corruption efforts thus seek to prevent traffickers from undermining the

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<sup>79</sup> U.S. Department of the Treasury, Office of Foreign Assets Control, *Impact Report: Economic Sanctions against Colombian Drug Cartels*, March 2007.

<sup>80</sup> See, for example, Douglas N. Greenburg, John Roth, and Katherine A. Sawyer, "Special Measures under Section 311 of the USA PATRIOT Act," *The Review of Banking and Financial Services*, vol. 23, no. 6, June 2007.

<sup>81</sup> See also CRS Report RL33885, *North Korean Crime-for-Profit Activities*, by Liana Sun Wyler and Dick K. Nanto.

<sup>82</sup> See for example R. T. Naylor, "Wash-Out: A Critique of Follow-the-Money Methods in Crime Control Policy," *Crime, Law, and Social Change*, vol. 32, 1999, pp. 1-57.

<sup>83</sup> U.S. Department of State, *2008 INCSR*, Vol. 2, at <http://www.state.gov/p/inl/rls/nrcrpt/2008/vol2/>.

<sup>84</sup> U.S. Department of State, *2008 INCSR*.

legitimacy and effectiveness of foreign government institutions. Some observers, however, argue that counterdrug policies are placing too little emphasis on projects that help foreign countries develop a culture supportive of the rule of law. One expert explained in congressional testimony in 2007, “unless foreign police organizations recognize and internalize what the rule of law means, what its key characteristics are, and why the rule of law is necessary to accomplish their mission, no amount of aid will get the job done.”<sup>85</sup>

## Creating Incentives for International Cooperation

Congress has historically played a major role in developing counternarcotics-related legislative conditions on U.S. foreign assistance and unilateral trade preference programs.

### Conditions on Foreign Aid

In an effort to deter foreign governments from aiding or participating in illicit drug production or trafficking, the President may suspend U.S. foreign assistance appropriations to countries that are major illegal drug producers or major transit countries for illegal drugs, known as “drug majors.”<sup>86</sup> For FY2011, the President has identified 20 drug majors (see **Figure 7**). Of these, Congress requires that the President certify that the drug majors have not “failed demonstrably” to make at least “substantial efforts” to adhere to their obligations during the previous year under international counternarcotics agreements.

#### Defining the Drug Majors

A “major illicit drug producing country” is statutorily defined in Sec. 481 of the Foreign Assistance Act of 1961 (FAA), as amended (22 U.S.C. 2291(e)(2)), as a country in which:

- (a) 1,000 hectares of more of illicit opium poppy is cultivated or harvested during a year;
- (b) 1,000 hectares or more of illicit coca is cultivated or harvested during a year; or
- (c) 5,000 hectares or more of illicit cannabis is cultivated or harvested during a year, unless the President determines that such illicit cannabis production does not significantly affect the United States.

A “major drug transit country” is statutorily defined in Sec. 481 of the FAA, as amended (22 U.S.C. 2291(e)(5)), as a country

- (a) in which there is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States; or
- (b) through which such drugs or substances are transported.

<sup>85</sup> Statement of Dr. Roy S. Godson, Emeritus Professor, Government, Georgetown University, President, National Strategy Information Center, House Foreign Affairs Committee, Subcommittee on the Western Hemisphere, “Violence in Central America,” June 26, 2007.

<sup>86</sup> Since 1992, Congress has required that the President submit annual reports that identify major drug transit and major drug producing countries, known as the “drug majors.” Major illicit drug producing countries are defined by section 481(e)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(2)) as a country in which (1) 1,000 hectares or more of illicit opium poppy is cultivated or harvested during a year, (2) 1,000 hectares or more of illicit coca is cultivated or harvested during a year, or (3) 5,000 hectares or more of illicit cannabis is cultivated or harvested during a year, unless the President determines that such illicit cannabis production does not significantly affect the United States. Major drug-transit countries are defined by section 481(e)(5) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(5)) as a country (1) that is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States, or (2) through which are transported such drugs or substances.

Failure to receive a presidential certification of substantial counternarcotics efforts may result in certain foreign assistance prohibitions against those drug majors. Decertified drug majors may continue to receive U.S. foreign assistance, however, if the President determines that assistance is “vital” to U.S. national interests. Alternatively, foreign assistance to drug majors countries may nevertheless be withheld by Congress, despite a presidential certification, if Congress enacts a joint resolution disapproving of the President’s certification.

For FY2011, the President did not certify three drug majors—Bolivia, Burma, and Venezuela. However, for two of the three countries, Bolivia and Venezuela, the President partially waived the aid sanctions, permitting the U.S. government to provide assistance to Venezuela for “limited programs” and to Bolivia for “continued support for bilateral programs” (see **Figure 7**).<sup>87</sup>

**Figure 7. Map of World Drug Majors in FY2011**



**Source:** Barack Obama, Presidential Determination No. 2010-16, “Memorandum to the Secretary of State: Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2011,” September 2010.

Since its creation in 1986, the drug majors designation process has garnered significant controversy. Supporters of the process argue that, overall, it is an “effective diplomatic instrument” to enforce international drug control commitments because it holds foreign governments “publicly responsible for their actions before their international peers.”<sup>88</sup> However, in a few extreme cases, the drug majors designation does not appear to have much effect on a country’s drug control policies. In the case of Bolivia’s designation in 2008, the policy appears to have had the opposite effect, in part causing a further rift in counternarcotics policy between

<sup>87</sup> Barack Obama, Presidential Determination No. 2010-16, “Memorandum to the Secretary of State: Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2011,” September 16, 2010.

<sup>88</sup> See, for example, U.S. Department of State, 1996 International Narcotics Control Strategy Report (INCSR), 2007, at [http://www.state.gov/www/global/narcotics\\_law/1996\\_narc\\_report/exesum96.html](http://www.state.gov/www/global/narcotics_law/1996_narc_report/exesum96.html).

Bolivia and the United States.<sup>89</sup> Observers from many countries criticize the unilateral and non-cooperative nature of the drug certification requirements; such critics recommend moving toward multilateral and regional fora for evaluating governments' counterdrug efforts. Others question the extent to which the process reduces the scope of the illegal drug trade, when many of the world's drug producers and transit areas are located in countries that are not designated as drug majors or decertified by the President. Some have suggested the OAS/CICAD Multilateral Evaluation Mechanism (MEM), a regional system of peer review on drug control policies in OAS countries, could serve as an alternative model to facilitate international drug control cooperation.<sup>90</sup>

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<sup>89</sup> See, for example, Antonio Regalado, "Bolivia Plants Coca and Cocaine Flows," *Wall Street Journal*, August 18, 2009; Office of the U.S. Trade Representative, "Fourth Report to the Congress on the Operation of the Andean Trade Preference Act as Amended," April 30, 2009.

<sup>90</sup> For additional information on the OAS/CICAD Multilateral Evaluation Mechanism (MEM), see the 2011 *INCSR*.



### Congressional Role in Drug Certification Procedures

When making the annual drug majors decisions, the President may choose from two legislatively mandated methods available. One is codified at 22 U.S.C. 2291j while the second is codified at 22 U.S.C. 2291j-1.

#### The Original Certification Procedure: 22 U.S.C. 2291j

Beginning 1986 (P.L. 99-570), Congress required that the President determine and certify to Congress that major illicit drug producing or drug transit countries (i.e., drug majors) were “fully cooperating” with the U.S. government to combat the illegal drug trade. 22 U.S.C. 2291j requires that 50% of certain bilateral assistance be withheld and that the U.S. government oppose multilateral development assistance to the drug majors until the President makes his determinations and certifications.<sup>91</sup> If the President does not determine and certify a drug major as having met the “fully cooperating” requirement (or if Congress enacts a joint resolution disapproving of a Presidential certification), then the President must decide which of the two following actions will take place:

- **U.S. Denial of Assistance:** 100% of bilateral assistance is prohibited from being obligated and the U.S. government continues to oppose multilateral development assistance until the country is eligible for certification; or
- **Continuance of All or a Portion of Aid for National Interest Reasons:** Aid continues, not because the country qualifies for certification, but because the President determines that “the vital national interests of the United States require that the assistance withheld ... be provided.” In this scenario, multilateral development assistance could also be supported.

#### The Revised Drug Majors Process: 22 U.S.C. 2291j-1

While not eliminating the certification procedures under 22 U.S.C. 2291j, the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (P.L. 107-115), temporarily allowed for the suspension of the prior certification procedures and their replacement with a new set of procedures. The Foreign Relations Authorization Act, Fiscal Year 2003 (P.L. 107-228), made permanent the modified certification requirement under P.L. 107-115, and this new requirement became codified under 22 U.S.C. 2291j-1.

In lieu of following the original certification procedures (22 U.S.C. 2291j), the revised drug majors process (22 U.S.C. 2291j-1) required the President to designate and withhold assistance from only the worst offending drug majors—those that were determined by the President as having “failed demonstrably” to make substantial efforts to combat illicit drugs. It also eliminated the requirement to withhold initially 50% of bilateral aid prior to the President’s designation and certification to Congress.

The change in standards from whether a country had “cooperated fully” to whether it had “failed demonstrably” effectively shifted the “burden of proof to an assumption that foreign nations were cooperating with the United States and had to be proved otherwise to trigger the restrictions” in foreign assistance.<sup>92</sup> For those countries that were designated as having failed demonstrably, the same two options remained as under 22 U.S.C. 2291j: (1) 100% denial of U.S. bilateral and multilateral assistance or (2) continuance of all or a portion of aid for national interest reasons.

#### Methamphetamine Precursor Chemicals

An additional certification process was enacted by Congress as part of the Combat Methamphetamine Epidemic Act of 2005.<sup>93</sup> This law amends the Foreign Assistance Act of 1961 to require the State Department to report the five largest importing and exporting countries of two precursor drugs, ephedrine and pseudoephedrine, commonly used to produce methamphetamine, and certify whether these countries are fully cooperating with the United States on methamphetamine chemical precursor control. Nations deemed not to be fully cooperating face a loss of U.S. bilateral assistance and U.S. opposition to multilateral assistance in the multilateral development banks.<sup>94</sup> For FY2010, the State

<sup>91</sup> Aid subject to withholding included all aid under Chapter 32 of Title 22 of the U.S. Code except (1) aid under Part VIII (International Narcotics Control) of Subchapter I of Chapter 32 of Title 22 of the U.S. Code; (2) any other narcotics-related aid under Subchapter I of Chapter 32 of Title 22 of the U.S. Code; and (3) aid involving disaster relief, refugees, and provisions of food and medicine.

<sup>92</sup> H.Rept. 108-167, Part I, p. 18.

<sup>93</sup> Section 722 of Title VII of USA PATRIOT Improvement and Reauthorization Act of 2005 (P.L. 109-177; 21 U.S.C. 801 note) amended the Foreign Assistance Act of 1961 at Sections 489 and 490; for further explanation, see also H.Rept. 109-133.

<sup>94</sup> As with the drug majors certification process, the President can waive the foreign assistance restrictions if he (continued...)

Department identified 16 major precursor chemical source countries: Argentina, Belgium, Brazil, Canada, Chile, China, Germany, India, Mexico, the Netherlands, Singapore, South Korea, Taiwan, Thailand, the United Kingdom, and the United States. So far, the President has not decertified any country for its efforts to control methamphetamine precursor chemicals.

#### Other Drug-Related Foreign Aid Certification Requirements

Several additional drug-related certification requirements have appeared in recent appropriations legislation for specific countries. While not codified certifications processes, failure to be certified under these provisions can result in the prohibition of various amounts of foreign aid. For example, since 2006, Congress has placed conditions on a portion of U.S. economic assistance to Afghanistan (the amount varies in appropriations legislation for different fiscal years) by requiring the President to certify that the Afghan government is “cooperating fully” with counternarcotics efforts prior to the obligation of funds, or to issue a national security waiver in order to allow assistance to continue even when counternarcotics cooperation does not reach the cooperating fully standard.<sup>95</sup> For each year, the President has issued a national security waiver.<sup>96</sup> For Mexico in FY2009 and FY2010, for example, 15% of U.S. aid for counternarcotics efforts is similarly contingent on a certification that human rights complaints and violations, which have reportedly increased from 182 in 2006 to 1,230 in 2008 as counternarcotics efforts have been ramped up, are addressed.<sup>97</sup>

### Eligibility for Trade Preference Programs

In 1991, Congress passed the Andean Trade Preference Act (ATPA; P.L. 102-182). Congress later renewed and expanded the program in the 2002 Andean Trade Promotion and Drug Eradication Act (ATPDEA; P.L. 107-210).<sup>98</sup> The ATPA and subsequent amendments have permitted select beneficiary countries in South America to export certain products to the United States duty-free or at otherwise preferential trade levels.<sup>99</sup>

One of the purposes of the ATPA has been to support, in part, broader U.S. international counterdrug policy. By reducing the costs associated with exporting legitimate goods to the United States, ATPA would theoretically provide an incentive for drug-producing countries in South America to switch to economically viable alternative sources of income. In addition, pursuant to the ATPA, one of the eligibility criteria for renewed benefits under the Act is whether the beneficiary countries have upheld their international, regional, and bilateral commitments to combat drugs.<sup>100</sup> (See **Table 10** on the status of ATPA beneficiary countries.)

(...continued)

determines that providing aid to the country is vital to U.S. national interest.

<sup>95</sup> For FY2006, see the 2006 Foreign Operations Appropriations Act, P.L. 109-102; for FY2007, see the Revised Continuing Appropriations Resolution, 2007, P.L. 110-5; for FY2008, see the FY2008 Consolidated Appropriations Act, P.L. 110-161; and for FY2009, see the Omnibus Appropriations Act, 2009, P.L. 111-8.

<sup>96</sup> See CRS Report RL32686, *Afghanistan: Narcotics and U.S. Policy*, by Christopher M. Blanchard, for additional information on this congressional certification requirement.

<sup>97</sup> Ginger Thompson and Marc Lacey, “Mexico Drug Fight Fuels Complaints,” *New York Times*, August 19, 2009.

<sup>98</sup> See CRS Report RS22548, *ATPA Renewal: Background and Issues*, by M. Angeles Villarreal.

<sup>99</sup> Current law on the ATPA and ATPDEA is codified at 19 USC 3201 through 19 USC 3206.

<sup>100</sup> The section of the ATPA/ATPDEA, as amended, which specifies the eligibility requirements, currently refers to a section in law – Section 481(h)(2)(A) of the Foreign Assistance Act of 1961 (FAA) – that was subsequently moved to 490 of the FAA. This provision defines successful foreign cooperation on drug control as whether “during the previous year the country has cooperated fully with the United States, or has taken adequate steps on its own, to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances....”

Section 490 of the FAA thus establishes a high threshold for drug control cooperation—full cooperation with the (continued...)

Table 10. Status of ATPA Beneficiary Countries

Beneficiary Country	Date of Presidential Proclamation Designating Beneficiary Countries	Date When Beneficiary Status Went into Effect	Date When Beneficiary Status was Suspended (if applicable)	Date When Beneficiary Expired or is Set to Expire in Law
Bolivia	July 2, 1992 (Presidential Proclamation No. 6456; 57 FR 30097)	effective July 22, 1992	October 1, 2008 (73 FR 57158) <sup>a</sup>	June 30, 2009
Colombia	July 2, 1992 (Presidential Proclamation No. 6455; 57 FR 30069)	effective July 22, 1992	N/A	February 12, 2011
Ecuador	April 13, 1993 (Presidential Proclamation No. 6544; 58 FR 19547)	effective April 30, 1993	N/A	February 12, 2011
Peru	August 11, 1993 (Presidential Proclamation No. 6585; 58 FR 43239)	effective August 26, 1993	N/A	December 31, 2010 <sup>b</sup>

**Source:** CRS summary of the ATPA, as amended, and *Federal Register* (FR) notices.

- a. Bolivia has been suspended from the ATPA trade preference program because it failed to meet one of the eligibility requirements for the program. Specifically, it failed demonstrably, during the previous 12 months, to make substantial efforts to uphold its international commitment to combat drugs. Its suspension in December 2008, in effect, suspended trade preferences. In June 2009, the time period expired for the President to re-designate Bolivia as a beneficiary country.
- b. The ATPA trade preferences were not renewed because Peru has entered into a free trade agreement with the United States, which was implemented in February 2009.

A long-standing issue of debate, however, has been the extent to which the ATPA has been effective in providing Andean coca farmers alternative livelihoods and ultimately reducing illicit coca cultivation. As required by the ATPA legislation, the United States International Trade Commission (USITC) submits to Congress a biennial report that includes, among other matters, an analysis of the effectiveness of the ATPA/ATPDEA in “promoting drug-related crop eradication and crop substitution efforts of the beneficiary countries.”<sup>101</sup> The last report was issued in September 2010, evaluating the 2008-2009 time period, concluding, as the USITC has in previous years, that “the effectiveness of ATPA in reducing illicit coca cultivation and promoting crop substitution efforts in the Andean countries continues to be small and mostly indirect.”<sup>102</sup>

(...continued)

United States and full compliance with U.N. standards—that prior Administrations have argued is difficult to prove. As a result, Congress enacted an *alternative* standard for defining foreign cooperation on drug control at Section 5 of the International Narcotics Control Act of 1992 (P.L. 102-583). This provision defines *failed* foreign cooperation on drug control as whether a country has “failed demonstrably, during the previous 12 months, to make substantial efforts—(i) to adhere to its obligations under international counternarcotics agreements; and (ii) to take counternarcotics measures set forth in section 489(a)(1) of the Foreign Assistance Act of 1961....”

Notably, Administrations have used the latter criteria for measuring drug control cooperation, Section 5 of the International Narcotics Control Act of 1992 (P.L. 102-583), for determining whether a country under the ATPA/ATPDEA remains eligible for beneficiary status.

<sup>101</sup> 19 U.S.C. 3204.

<sup>102</sup> U.S. International Trade Commission, *Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution, 2009*, 14<sup>th</sup> Report, Investigation No. 322-352, USITC Publication (continued...)

## Conclusion

Many observers highlight the importance of international drug control policy, particularly because of the transnational nature of the drug trade, whereas others continue to criticize existing policies and mechanisms for failing to achieve sufficient progress in combating illegal drugs.<sup>103</sup> The UNODC has reported in recent years that global drug use has stabilized, on average; global opium poppy and coca cultivation is in decline; and global illicit drug seizures are up—and that a major contributing factor has been the continued international support for drug control policies.<sup>104</sup> Global coordination, many say, is vital for lasting success in combating the international drug trade. At the same time, however, others criticize the international drug control system for failing to achieve the United Nation’s stated goal of “eliminating or reducing significantly” by 2008 the production and availability of synthetic drugs and precursors, as well as the cultivation of the coca bush, cannabis plant, and opium poppy.<sup>105</sup> In 2009, the U.N.’s Commission on Narcotic Drugs set a new date of 2019 to “eliminate or reduce significantly and measurably” the cultivation of illegal plant-based drugs, the demand for illegal drugs, the production and trafficking of synthetic drugs, the diversion and trafficking of precursor chemicals used in the manufacture of illegal drugs, and drug-related money laundering.<sup>106</sup>

The 112<sup>th</sup> Congress may continue to exercise its oversight and assess existing U.S. international drug policy. Emerging questions in the drug policy debate include the following:

- In what ways are counternarcotics strategies facilitating or driving recent increases in drug trafficking-related violence? Are spikes in drug-related violence common or inevitable consequences of heightened counternarcotics operations? In what ways might governments mitigate or dampen current and potentially future increases in drug-related violence?
- How do counternarcotics policies interact with counterterrorism, counterinsurgency, and anti-money laundering priorities, particularly in countries such as Afghanistan, where the U.S. government may have an interest in all three issues?
- What role should the Department of Defense play in providing foreign counternarcotics assistance?
- How should U.S. policymakers weigh the benefits of aerial eradication as a counternarcotics policy tool with the social, financial, and political costs it may incur?
- To what extent is it a common phenomenon that human rights are violated over the course of drug-related investigations and operations? In what ways might human rights violations undermine or threaten drug control policies?

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(...continued)

No. 4188 (September 2010).

<sup>103</sup> “The International War on Drugs,” Cato Handbook for Congress, 2003, 2009.

<sup>104</sup> UNODC, *World Drug Report*, 2008 edition for the stability of drug use patterns and the 2009 edition for cultivation and seizures trends in 2008.

<sup>105</sup> UN General Assembly, Political Declaration, A/RES/S-20/2, October 21, 1998.

<sup>106</sup> UN Commission on Drugs, Report on the 52<sup>nd</sup> Session, Political Declaration, E/2009/28, E/CN.7/2009/12 (2009).

- To what extent should U.S. counternarcotics policy take into account economic development, social development, and health and harm reduction programs, and are such efforts sufficiently coordinated with international and bilateral partners?
- How do counternarcotics policies interact with related foreign policy goals of anti-corruption, justice sector reform, and improving the rule of law?
- How might international regulatory and legal constraints limit the reach of U.S. counternarcotics policy and potentially offer drug syndicates foreign safe havens? What legislative options might be available to prevent such legal safe havens from existing?

## Appendix A. Comparison of Drug Data, by Country, 2005-2009

### Drug Crop Cultivation Estimates

#### Opium Poppy Cultivation

**Table A-1. Afghanistan: Comparison of Opium Poppy Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009	2010
United Nations	104,000	165,000	193,000	157,000	123,000	n/a
United States	107,400	172,600	202,000	157,000	131,000	119,000

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 138; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, Vol. I (2011), p. 21.

**Notes:** U.N. source is the National Illicit Crop Monitoring System, which is supported by UNODC.

**Table A-2. Burma: Comparison of Opium Poppy Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009
United Nations	32,800	21,500	27,700	28,500	31,700
United States	40,000	21,000	21,700	22,500	17,000

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 138; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, Vol. I (2011), p. 21.

**Notes:** U.N. source is the National Illicit Crop Monitoring System, which is supported by UNODC.

**Table A-3. Colombia: Comparison of Opium Poppy Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009
United Nations	1,950	1,023	715	394	356
United States	n.a.	2,300	1,000	n.a.	1,100

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report* (2010), p. 138; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, Vol. I (2011), p. 21.

**Notes:** U.N. source is the Government of Colombia. In 2005, the U.S. government did not conduct a survey due to cloud cover. Partial surveys were conducted by the U.S. government in 2007 and 2009 due to cloud cover. The U.S. government did not conduct a survey in 2008.

**Table A-4. Laos: Comparison of Opium Poppy Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009
United Nations	1,800	2,500	1,500	1,600	1,900
United States	5,600	1,700	1,100	1,900	1,000

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report (2010)*, p. 138; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, Vol. I (2010)*, p. 23.

**Notes:** U.N. source is the National Illicit Crop Monitoring System, which is supported by UNODC. In 2009, the U.S. government conducted a partial survey of only the Phongsali growing area.

**Table A-5. Mexico: Comparison of Opium Poppy Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009
United Nations	3,300	5,000	6,900	15,000	n/a
United States	3,300	5,000	6,900	15,000	19,500

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report (2010)*, p. 138; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, Vol. I (2011)*, p. 21.

**Notes:** U.N. source is the U.S. government.

## Coca Bush Cultivation

**Table A-6. Bolivia: Comparison of Coca Bush Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009
United Nations	25,400	27,500	28,900	30,500	30,900
United States	26,500	25,800	29,500	32,000	35,000

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report (2010)*, p. 162; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, Vol. I (2011)*, p. 21.

**Notes:** U.N. sources through 2002 included the Inter-American Drug Abuse Control Commission and the U.S. government. Since 2002 for the Yungas region and for all regions of Bolivia since 2003, estimates were conducted by the National Illicit Crop Monitoring System, supported by the UNODC.

**Table A-7. Colombia: Comparison of Coca Bush Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009
United Nations	86,000	78,000	99,000	81,000	68,000
United States	144,000	157,200	167,000	119,000	116,000

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report (2010)*, p. 162; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, Vol. I (2011)*, p. 21.

**Notes:** U.N. source is the National Illicit Crop Monitoring System, which is supported by UNODC.

**Table A-8. Peru: Comparison of Coca Bush Cultivation Estimates**  
2005-2009

	2005	2006	2007	2008	2009
United Nations	48,200	51,400	53,700	56,100	59,900
United States	34,000	42,000	36,000	41,000	40,000

**Source:** U.N. Office on Drugs and Crime (UNODC), *World Drug Report (2010)*, p. 162; U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, Vol. I (2010)*, p. 21.

**Notes:** U.N. source is the National Illicit Crop Monitoring System, which is supported by UNODC.



## Appendix B. U.S. Agency Roles

Several U.S. agencies are involved in implementing U.S. international counternarcotics activities in support of the Administration's National Drug Control Strategy. These agencies include the following:

- **Office of National Drug Control Policy (ONDCP).** Located within the Executive Office of the President, ONDCP establishes U.S. counterdrug policies and goals, and coordinates the federal budget to combat drugs both domestically and internationally. Every year, ONDCP's director, sometimes referred to as the U.S. drug czar, produces the National Drug Control Strategy and the federal counterdrug budget summary.
- **Department of State.** The Secretary of State is responsible for coordinating all international counterdrug programs implemented by the U.S. government, including foreign counternarcotics assistance. The State Department identifies fighting the production, transportation, and sale of illegal narcotics among its primary goals. Every March, the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) produces the International Narcotics Strategy Report (INCSR), which describes the efforts of key countries to attack all aspects of the international drug trade, including anti-money laundering during the previous calendar year.
- **U.S. Agency for International Development (USAID).** USAID provides assistance for long-term economic and social development. The USAID Administrator serves concurrently as the State Department's Director of U.S. Foreign Assistance, with a rank equivalent to Deputy Secretary of State. USAID plays a role in counternarcotics development assistance, especially regarding alternative livelihood programs, which are designed to offer alternatives to farmers that will enable and encourage them to discontinue planting poppy and other illicit crops.
- **Department of Defense (DOD).** DOD maintains the lead role in detecting and monitoring aerial and maritime transit of illegal drugs into the United States and plays a key role in collecting, analyzing, and sharing intelligence on illegal drugs with U.S. law enforcement and international security counterparts. In addition, DOD provides counternarcotics foreign assistance to train, equip, and improve the counternarcotics capacity and capabilities of relevant agencies of foreign governments with its Counternarcotics Central Transfer Account appropriations.
- **Department of Justice (DOJ).** The Attorney General is responsible for federal law enforcement and to ensure public safety against foreign and domestic threats, including illegal drug trafficking. This translates into an array of responsibilities that include law enforcement operations, drug-related intelligence analysis, and prosecution and criminal justice activities, as well as police and justice sector training. Primary agencies under DOJ that focus on international drug control include the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), the National Drug Intelligence Center (NDIC), the Organized Crime Drug Enforcement Task Force (OCDETF), and the El Paso Intelligence Center (EPIC).

- **Department of Homeland Security (DHS).** The Secretary of Homeland Security is responsible for U.S. policies related to interdiction of illegal drugs entering the United States from abroad. The Strategic Plan for DHS identifies securing the U.S. border against illegal drugs as one of its primary objectives. Key offices within DHS that participate in counterdrug activities include the Customs and Border Protection (CBP), U.S. Coast Guard, and Immigration and Customs Enforcement (ICE).
- **Central Intelligence Agency (CIA).** The CIA's Crime and Narcotics Center (CNC) collects intelligence information and develops intelligence analyses to support or conduct operations countering illicit drug activities, including trends in illegal drug crop cultivation and production.
- **Department of the Treasury.** The Treasury Department participates in counterdrug efforts as they pertain to targeting the illicit financial proceeds that result from drug trafficking. Key offices that participate in combating drug-related money laundering include the Office of Foreign Assets Control (OFAC) and the Financial Crime Enforcement Network (FinCEN).

## Appendix C. Related CRS Reports

For further information related to drug policy issues, see the following CRS reports:

- CRS Report R41535, *Reauthorizing the Office of National Drug Control Policy: Issues for Consideration*, by Kristin M. Finklea.
- CRS Report R41215, *Latin America and the Caribbean: Illicit Drug Trafficking and U.S. Counterdrug Programs*, by Clare Ribando Seelke, Liana Sun Wyler, and June S. Beittel.
- CRS Report R41349, *U.S.-Mexican Security Cooperation: the Mérida Initiative and Beyond*, by Clare Ribando Seelke and Kristin M. Finklea.
- CRS Report RL32724, *Mexico-U.S. Relations: Issues for Congress*, by Clare Ribando Seelke.
- CRS Report R41576, *Mexico's Drug Trafficking Organizations: Source and Scope of the Rising Violence*, by June S. Beittel.
- CRS Report R41075, *Southwest Border Violence: Issues in Identifying and Measuring Spillover Violence*, coordinated by Kristin M. Finklea.
- CRS Report RL34112, *Gangs in Central America*, by Clare Ribando Seelke.
- CRS Report RL32250, *Colombia: Issues for Congress*, by June S. Beittel.
- CRS Report RS22548, *ATPA Renewal: Background and Issues*, by M. Angeles Villarreal.
- CRS Report RL32686, *Afghanistan: Narcotics and U.S. Policy*, by Christopher M. Blanchard.
- CRS Report RL34225, *Burma and Transnational Crime*, by Liana Sun Wyler.
- CRS Report R40838, *Illegal Drug Trade in Africa: Trends and U.S. Policy*, by Liana Sun Wyler and Nicolas Cook.
- CRS Report R41547, *Organized Crime: An Evolving Challenge for U.S. Law Enforcement*, by Jerome P. Bjelopera and Kristin M. Finklea, *Organized Crime: An Evolving Challenge for U.S. Law Enforcement*, by Jerome P. Bjelopera and Kristin M. Finklea.
- CRS Report R41004, *International Terrorism and Transnational Crime: Security Threats, U.S. Policy, and Considerations for Congress*, by John Rollins and Liana Sun Wyler.

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