



Privatising the War-on Drugs: PMSCs in Colombia and Mexico

Antoine Perret

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US drug policy has become increasingly privatised in recent years as the US government contracts private military and security companies (PMSCs) to provide intelligence, logistical support and training to state security forces in drug-producing and –transit states. As the cases of Colombia and Mexico illustrate, this privatisation strategy is having a damaging impact on these already fragile environments.

Editor's note: *Remote Warfare and the War on Drugs mini-series: This series of articles explores how remote warfare is being used in the war on drugs. To date, much of the debate on remote warfare has focused on its use in the war on terror. However, the use of drones, private military and security companies (PMSCs), special forces and mass surveillance are all emerging trends found in the US's other long standing war, the War on Drugs. The articles in this series seek to explore these methods in more depth, looking at what impact and long term consequences they may have on the theatre in which they're being used.*

Since the mid-1970s, the US government has invested billions of dollars in anti-drug assistance programmes. The main objective is to reduce the flow of Latin American-sourced illicit drugs to the US. At the beginning of this so-called **War on Drugs**, the US treated the fight against drugs as a police problem, providing equipment and supplies to civilian law enforcement for counter-narcotic efforts. Since the 1980s, however, US drug policy has been militarised and, more recently, privatised: the US government provides military-grade equipment and training to police forces and contracts private military and security companies

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(PMSCs) to provide intelligence, logistical support, and training to state security forces in drug-producing and -transit states, such as Colombia and Mexico.

The privatisation of the War on Drugs has had a significant impact in countries where it is waged, adding further complexity to these already complicated environments. As states often fail to properly control PMSCs' activities, this tends to increase the risk of human rights violations and impunity in contexts where the application of the rule of law is already uneven. The use of PMSCs in the War on Drugs often weakens the rule of law and so is counterproductive. The cases of Colombia, where the use of PMSCs takes place largely under the guise of Plan Colombia, and Mexico, where PMSCs have been used since the implementation of the Merida Initiative, illustrate these issues well.

Colombia: Human rights violations and impunity

Colombia is experiencing an armed conflict where the Colombian government fights against several armed groups, such as *Fuerzas Armadas Revolucionarias de Colombia—Ejército del Pueblo* (FARC, Revolutionary Armed Forces of Colombia) and *Ejército de Liberación Nacional* (ELN, National Liberation Army) that are well-organized and heavily linked with drug trafficking. Since the 1960s, the US has collaborated militarily with Colombia in the fight against those armed groups, as well as drug traffickers. In 2000, Colombia and the US agreed on a new plan of cooperation called [Plan Colombia: Plan for Peace, Prosperity, and the Strengthening of the State](#) (usually referred to as Plan Colombia).

 street art

Image of Mexican Drug War-themed street art. Picture entitled: *The Mexican Dead* by Suslan Soosay [via Flickr](#)

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Although Colombia and the US had long cooperated in fighting drug trafficking, Plan Colombia represented a shift. Since its implementation, the US State and Defense Departments have contracted PMSCs to carry out activities related to US military and police aid to Colombia. For example, the 2007 *Reports to Congress On Certain Counternarcotics Activities in Colombia*—[partly reproduced here](#)—mention that Telford Aviation provided logistical support for reconnaissance airplanes and ITT and ARINC were responsible for operating radar stations. Furthermore, in 2006, Chenega Federal Systems was in charge of maintaining an intelligence database, and Oakley Networks was responsible for Internet surveillance. Other [sources](#) reported that Military Professional Resources Incorporated (MPRI) [helped](#) restructure the Colombian armed forces to aid their fight against drugs; Northrop Grumman, under its contract, flew over the Colombian jungle with aircraft equipped with infrared cameras in order to track illegal activities related to drugs or guerrilla movements; and DynCorp has been in charge of the fumigation of coca plants since 2000.

The concern about human rights violations by PMSCs is particularly acute in Colombia because all US personnel, including PMSC employees, working in Colombia through Plan Colombia have been granted immunity from Colombian jurisdiction by bilateral treaty with the US.

The lack of control and supervision has been observed on many occasions, including by US authorities. A [report](#) on contracting oversight by the United States Senate Committee on Homeland Security and Governmental Affairs concluded that the “State Department, which has awarded over \$1 billion in counternarcotics contracts in Latin America to one company, DynCorp, has conducted sporadic oversight of that company.”

There have been numerous allegations of human rights violations at the hands of PMSCs operating under Plan Colombia, but, so far, none of these violations have been brought to justice. For example, in 2004, a pornographic movie went public that included US contractors from the Colombian base Tolemaida sexually abusing minors. No investigation took place and no one was ever punished. DynCorp's activities, particularly the fumigation of coca plants, have also caused concern. In 2008, Ecuador filed suit against Colombia at the International Court of Justice, arguing "Colombia has violated its obligations under international law by causing or allowing the deposit on the territory of Ecuador of toxic herbicides that have caused damage to human health, property and the environment." In August 2013, the governments of Colombia and Ecuador announced an agreement ending the dispute, with Colombia paying reparations for the damage caused.

Mexico: Increasing violence and a lack of state control

The drug-related violence in Mexico that has captured so many headlines in recent years is not new to the country. Although drug traffickers have operated in Mexico for more than half a century, serious violence related to drug activity started around the 1990s, when the drug market became more lucrative and the centralized power of the Mexican government started to slip. Mexico is now a major supplier of all kind of illegal drugs—heroin, methamphetamine, marijuana, and cocaine—to the US drug market: the drug market between US and Mexico is estimated by US government reports as ranging between US \$18 and 39 billion in profits annually.

In 2007, following President Calderón's lead to crack down on the drug cartels, the US and Mexico cemented a plan to cooperate in fighting drug trafficking and increasing security in the region. This plan, called the Merida Initiative:

Expanding the US/Mexico Partnership (hereinafter the Merida Initiative), established full cooperation between the two countries, with the US providing an anti-crime and counter-drug assistance package to Mexico that included training and equipping Mexican forces. The provision of Merida Initiative assistance to Mexico has included contracting PMSCs to train local forces.

As in Colombia, the human rights situation in Mexico is complicated. Militarizing the War on Drugs in Mexico has been severely criticized due to the resulting human rights abuses. For instance, Human Rights Watch (HRW) reported in 2011 “credible evidence of torture in more than 170 cases across the five states surveyed” and documented “39 ‘disappearances’ where evidence strongly suggests the participation of security forces.” HRW concluded that “rather than strengthening public security in Mexico, Calderón’s [and now Peña Nieto’s] ‘war’, has exacerbated a climate of violence, lawlessness, and fear in many parts of the country.”

In this scenario, the activities of PMSCs, which are hired by the US, raise additional concerns about the respect of human rights. In fact, contractors have been accused of training Mexican police in torture techniques. As is the case in Colombia, the use of PMSCs by the US government to perform security tasks in another country tends to adversely affect human rights, when the purpose should be the contrary.

A worrying (and growing) strategy

The privatization of the “war on drugs” is one more element endangering human rights in an already complex environment. Privatization is often resorted to as a strategy when the use of public resources is seen as risky. Indeed, in both Colombia and Mexico, public forces have been involved in massive human

rights violations. Given their past history of human rights violations in Colombia and Mexico, the unrestrained use of PMSCs is not the best strategy for improving security and upholding the rule of law. Unfortunately, the trend of privatizing the War on Drugs is not diminishing: following the Plan Colombia and Merida Initiative, the US government implemented the [Central American Regional Security Initiative](#) (CARSI) to fight against drugs in Central America, and PMSCs are a key actor in its execution.

Antoine Perret is visiting research fellow at Columbia Law School. He holds an LLM and a PhD in Law from the European University Institute (Florence), an MA in International Affairs from the Universidad Externado de Colombia (Bogotá) in collaboration with Sciences Po (Paris) and Columbia University (New York), and a Licence in International Relations from the Graduate Institute of International and Development Studies (Geneva). He was a lecturer and researcher at Universidad Externado de Colombia (Bogotá) and research fellow at the Center for Latin American and Latino Studies at American University (Washington, DC). Through his work on PMSCs he has collaborated with the Geneva Center for Democratic Control of Armed Forces (DCAF), the UN Working Group on Mercenaries, and the UN Regional Centre for Peace, Disarmament and Development (UNLIREC).

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