

3-23-2011

# U.S.-Mexico Tensions Increase over Gun-Tracing Operation, Border Surveillance Program

Carlos Navarro

Follow this and additional works at: <https://digitalrepository.unm.edu/sourcemex>

---

## Recommended Citation

Navarro, Carlos. "U.S.-Mexico Tensions Increase over Gun-Tracing Operation, Border Surveillance Program." (2011).  
<https://digitalrepository.unm.edu/sourcemex/5480>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in SourceMex by an authorized administrator of UNM Digital Repository. For more information, please contact [amywinter@unm.edu](mailto:amywinter@unm.edu).

## **U.S.-Mexico Tensions Increase over Gun-Tracing Operation, Border Surveillance Program**

by Carlos Navarro

Category/Department: Drug Trafficking and

Published: Wednesday, March 23, 2011

President Felipe Calderón's administration and the Mexican Congress have frequently complained about the ease with which high-caliber weapons make their way into Mexico from the US. The topic comes up often during discussions on bilateral efforts to address drug trafficking ([SourceMex, Nov. 28, 2007](#)) and ([May 26, 2010](#)). But the controversy took a surprising turn following revelations that the US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) had purposely allowed weapons from the US to pass into the hands of suspected gun smugglers so they could be traced to the higher echelons of Mexican drug cartels.

The ATF office in Phoenix tried to keep the operation, known as Fast and Furious, secret, but the plan came to light in March after the revelation that some of the weapons were used to kill US agents in the last several months.

As if the Fast and Furious controversy was not enough, two other disputes between the US and Mexico—also related to US-Mexico drug-interdiction efforts—became known in March. One controversy, which followed the revelation that the US was sending unmanned drone aircraft into Mexico to help track the movement of drug traffickers, exacerbated the anti-US sentiment in Mexico. The grumbings occurred even though the operation has been conducted at the request of the Calderón government.

Relations were also tainted by a very public spat between Calderón and US Ambassador to Mexico Carlos Pascual. In secret communications with Washington, Pascual had strongly criticized the Calderón government's anti-drug efforts. But the content of the diplomatic dispatches was posted on the WikiLeaks Web site, run by an organization devoted to releasing once-secret documents. During a trip to Washington in early March, Calderón reportedly asked US President Barack Obama to remove Pascual. The US president did not directly heed the request, but Pascual tendered his resignation on March 19, which helped defuse a potentially uncomfortable situation for the US and Mexico.

### ***US agency introduced high-caliber weapons into Mexico***

By far the biggest of the three controversies was the Fast and Furious campaign. Under the operation, the ATF arranged for 1,765 guns to be sold to suspected smugglers during a 15-month period. Of those, 797 were recovered on both sides of the border, including 195 in Mexico after they were used in crimes, collected during arrests, or intercepted through other law-enforcement operations.

One of the biggest problems was that the drug cartels that received the weapons used them to shoot rivals and innocent bystanders. "We have 150 cases of injuries and homicides with arms smuggled and passed illegally into our country," said Deputy Humberto Benitez Treviño, a member of the opposition Partido Revolucionario Institucional (PRI) and chair of the justice committee (Comisión de Justicia) in the lower house.

Several weapons found at the scene of a shootout near the Arizona-Sonora border, which claimed the life of US Border Patrol Agent Brian Terry, were traced to the ATF stash. And the gun that killed US Immigration and Customs Enforcement (ICE) agent Jaime Zapata and wounded his colleague Víctor Ávila ([SourceMex, Feb. 23, 2011](#)) was also among the weapons that the ATF used in the operation.

The Fast and Furious operation was apparently conducted without the knowledge or authorization of other important US agencies, including the US Department of Justice (DOJ) and the US Department of Homeland Security (DHS). The two agencies learned about the operation only after several ATF insiders filed a complaint with the DOJ shortly after the agency discovered that some of its weapons had killed US agents.

Upon receiving the complaints, US Attorney General Eric Holder promised to take the charges "very seriously." The top US prosecutor said he has asked the US Office of Inspector General (OIG) to "get to the bottom" of the situation.

US Sen. Charles Grassley (R-IA), ranking member of the Senate Judiciary Committee, said he has initiated his own inquiry to determine whether guns traveled to Mexico through inadvertence or deliberate policy of US law enforcement. "Too many government agencies always want the big case," he said. "They keep these gun-running sales moving along, even when they have people within the agency that say something bad's going to happen. They had plenty of warnings...and the prophets turned out to be right."

Some questioned how the operation could have taken place without Holder's knowledge and approval, since the ATF falls under the DOJ's jurisdiction.

"I've also made clear to people in the department that letting guns walk...is not something that is acceptable," Holder said in response to questions from Sen. Kay Bailey Hutchison (R-TX) at a Senate appropriations subcommittee hearing. "Guns are different than drug cases, or cases where we're trying to follow where money goes."

Homeland Security Secretary Janet Napolitano was also asked about the case during testimony before the Senate Judiciary Committee. Napolitano insisted that she was not made aware of the operation conducted by the ATF office in Phoenix. "No. This is within the Justice Department," she said at the hearing.

### *Critics lash out at 'arrogant' US*

Even though there was evidence that Fast and Furious was part of a rogue plan conducted by a local ATF office and not a larger operation by the US government, Mexican legislators were angered. "[The operation] is a grave violation of international rights," said PRI Deputy Jorge Carlos Ramírez Marín, who presides over the Chamber of Deputies. "What will happen if next time they'll need to funnel in trained assassins, for example, or nuclear arms?"

Deputy Pablo Escudero Morales, who chairs the national defense committee (Comisión de la Defensa Nacional), filed a legal complaint about the Fast and Furious program with the Ministerio Público, which handles prosecutions. "It is not enough to make speeches denouncing the operation or merely seeking testimony from officials like the interior secretary or the head of our customs agency," said Escudero, a member of the Partido Verde Ecologista de México (PVEM). "We have to push for the agency in charge of enforcing our laws, the PGR, to intervene."

Some critics also lashed out at what they saw as an arrogant attitude by the US. "Our neighbors, these 'ingenious' gringos, were exposed," José Manuel Gómez Vázquez Aldana wrote in a column published by the Guadalajara daily newspaper. "They supposedly are more capable in intelligence and strategy, but they demonstrated their clumsiness."

Foreign Relations Secretary Patricia Espinosa was more diplomatic, even releasing top officials in US President Barack Obama's administration from any culpability in this case. "US officials assured us that there was no intention of transferring arms to Mexican territory, which they considered an illegal and totally unacceptable action," Espinosa said in comments to reporters during a recent trip to Brussels. She emphasized that the investigations continue.

Several opposition lawmakers questioned whether the Calderón government was aware of the program, since administration officials had openly admitted to knowing about other US drug-interdiction operations. The administration quickly denied having any knowledge of Fast and Furious. "The government of Mexico has not given nor will it give its authorization, tacit or express, under any circumstance, for that to occur," the Procuraduría General de la República (PGR) said in a press statement.

Espinosa acknowledged that some Mexican agencies were aware of several US operations intended to track the movement of arms and drugs. "At no moment was there a mention of any illegal transfer of weapons," the foreign relations secretary insisted.

### *Mexican legislators say surveillance program violated sovereignty*

While the Calderón government adamantly denied any knowledge of the Fast and Furious operation, the administration worked closely and secretly with the US Department of Defense (DOD) on a program to monitor the movements of drug-trafficking organizations in Mexico. Under the program, which was begun in February, the US is sending unmanned aerial vehicles known as drones deep into Mexican territory to gather intelligence on the major drug-trafficking organizations and to follow their networks. The information is then turned over to Mexican law-enforcement agencies.

Some Obama administration officials said a drone was instrumental in identifying the perpetrators of the attacks on ICE agents Zapata and Ávila.

There were contrasting views between Mexican and US legislators on the new collaboration, which the two countries renewed during a meeting between Calderón and Obama in the White House on March 3.

US Rep. Henry Cuellar (D-TX) noted that the drones are extremely helpful to Mexico because they carry sophisticated tracking equipment. "In my opinion, [this effort] will have great success," said Cuellar.

The Texas legislator's views were a stark contrast to the sharp criticism from opposition legislators in Mexico. Sens. Rosario Green of the PRI and Ricardo Monreal of the Partido del Trabajo (PT) accused Calderón of violating the Mexican Constitution by agreeing to the collaborative effort without first consulting with the Mexican Senate and ignoring provisions that deal specifically with the country's air space. "If there was nothing to hide, then why not bring the matter up for debate in the Congress, which in the end has a lot of responsibility for matters that deal with national sovereignty," said Green.

Green, who served as foreign relations secretary during the administration of ex-President Ernesto Zedillo (1994-2000), raised concerns that the plan turns over Mexico's decision-making capabilities to the US. "What else can President Calderón do to surrender the leadership of our country?" asked the PRI senator.

Similar comments came from Monreal, who was bothered by the president's decision to forego consultation with the legislative branch. "The Senate, with its oversight of Mexico's foreign relations, did not have knowledge of this agreement," said Monreal. "This violates the Constitution, violates our nation's sovereignty, and places our country in a subservient position."

This is not the first time this year that the Calderón government has come under fire for collaborative efforts with the US. The administration was strongly criticized by opposition parties after word leaked out that the Mexican government had allowed FBI agents to question undocumented immigrants, mostly from Central America, being held in Mexican jails ([SourceMex, Feb. 2, 2011](#)).

The administration insisted that the use of drones to obtain intelligence was a joint US-Mexico program and that the US was merely providing the aircraft. "Each and every one of these actions has taken place with a strict respect for the law of the land," said Alejandro Poiré, technical secretary for the Consejo de Seguridad Nacional (CSN), comprising the Mexican president and the Cabinet secretaries who head ministries that address national security. "It is important to point out that in every instance, the collaboration with agents from other countries, and in particular with those of the US, is based on bilateral agreements and existing legislation."

Espinosa pointed out that the drone flights do not violate Mexico's sovereignty because they are "controlled" by Mexico and are unarmed.

### *Leaked cables force resignation of US ambassador*

The foreign relations secretary alluded to "tensions" between the US and Mexico, stemming primarily from the Wikileaks Web site, which obtained previously secret communications between diplomatic posts and the US State Department. In the leaked documents, US Ambassador Pascual strongly criticized Calderón's four-year campaign against drug traffickers ([SourceMex, Dec. 8, 2010](#)).

In a subsequent dispatch released by Wikileaks in February, Pascual described the Mexican Army as "inefficient" and "adverse to risk." In particular, in the cable originally dated Jan. 29, 2010, he criticized the Army's reluctance to act on US intelligence about prominent drug trafficker Arturo Beltrán Leyva. The Mexican Navy used the US intelligence to move against Beltrán Leyva, who died in a shootout in Mexico City ([SourceMex, Sept. 10, 2010](#)).

Calderón candidly admitted that Pascual's quotes about the military seemed to question the bravery of the Mexican armed forces. "It's difficult if suddenly you are seeing the courage of the Army [questioned]. For instance, they have lost probably 300 soldiers...and suddenly somebody in the American Embassy, they [say] the Mexican soldiers aren't brave enough," the Mexican president told Washington Post reporters and editors.

There was other evidence that relations were not cordial between the Mexican president and the US ambassador. "I do not have to tell the US ambassador how many times I meet with my security Cabinet. It is none of his business. I will not accept or tolerate any type of intervention," Calderón said in an interview with the Mexico City daily newspaper *El Universal* in late February. "But that

man's ignorance translates into a distortion of what is happening in Mexico, and affects things, and creates ill feelings within our own team."

Calderón is said to have lobbied Obama and Secretary of State Hillary Rodham Clinton on several occasions to remove Pascual from his post, suggesting that Pascual's comments had caused "severe damage" to Mexico's relationship with the US.

Just two weeks after Calderón's trip to Washington, Pascual handed in his resignation. Clinton, who announced the decision, said the resignation was "based upon [Pascual's] personal desire to ensure the strong relationship between our two countries and to avert issues raised by President Calderón that could distract from the important business of advancing our bilateral interests."

There was also the matter of conflict of interest, with critics questioning Pascual's decision to date Gabriela Rojas Jiménez, a daughter of Deputy Francisco Rojas, one of the legislative leaders of the opposition PRI. But there is a precedent. Tony Garza, who served as ambassador to Mexico under US President George W. Bush, also dated and subsequently married a Mexican national, María Asunción Aramburuzabala, owner of Grupo Modelo. Aramburuzabala was a member of the PAN.

Clinton did not give an effective date for Pascual resignation but said she asked him to stay in the post at least until his successor was named.

-- End --