

**Topic B: Non-governability due to transnational organized crime in the Mexico-United States of America border: international cooperation and institutional strengthening.**

Firearm trafficking is an issue that is acquiring augmenting relevance for the international community. It is a type of organized crime that is affecting the United States-Mexico border and which effects are increasing rapidly as well.

The United States–Mexico border is the international border between the United States and Mexico. It runs from Imperial Beach, California, and Tijuana, Baja California, in the west to Matamoros, Tamaulipas, and Brownsville, Texas. In the east, and traverses a variety of terrains, ranging from major urban areas to inhospitable deserts. From the Gulf of Mexico it follows the course of the Rio Grande (Río Bravo del Norte) to the border crossing at El Paso, Texas, and Ciudad Juarez, Chihuahua; westward from that binational conurbation it crosses vast tracts of the Sonoran and Chihuahuan Desert, the Colorado River Delta, westward to the binational conurbation of San Diego and Tijuana before reaching the Pacific Ocean.

The border's total length is 3,169 km (1,969 miles), according to figures given by the International Boundary and Water Commission. It is the most frequently crossed international border in the world, with approximately 350,000,000 crossings per year. In addition, the total population of the counties and *municipios* is approximately of 12 million people.

Given this, it is important to stress the fact that there exist 42 border crossings in the previously stated area. The most problematic of these crossings are located along the cities listed below.

1. San Diego, California (San Ysidro) – Tijuana, Baja California (San Diego–Tijuana Metro.)
2. Otay Mesa, California – Tijuana, Baja California
3. Tecate, California – Tecate, Baja California
4. Calexico, California – Mexicali, Baja California
5. Andrade, California – Los Algodones, Baja California
6. San Luis, Arizona – San Luis Río Colorado, Sonora
7. Lukeville, Arizona – Sonoita, Sonora
8. Sasabe, Arizona – Altar, Sonora
9. Nogales, Arizona – Nogales, Sonora
10. Naco, Arizona – Naco, Sonora
11. Douglas, Arizona – Agua Prieta, Sonora
12. Antelope Wells, New Mexico – El Berrendo, Chihuahua
13. Columbus, New Mexico – Palomas, Chihuahua
14. Santa Teresa, New Mexico – San Jerónimo, Chihuahua
15. El Paso, Texas – Ciudad Juárez, Chihuahua
16. Fabens, Texas – Práxedes G. Guerrero, Chihuahua municipality
17. Presidio, Texas – Ojinaga, Chihuahua
18. Heath Canyon, Texas – La Linda, Coahuila (closed)
19. Del Rio, Texas – Ciudad Acuña, Coahuila
20. Eagle Pass, Texas – Piedras Negras, Coahuila
21. Laredo, Texas – Nuevo Laredo, Tamaulipas
22. Laredo, Texas – Colombia, Nuevo León
23. Falcon Heights, Texas – Presa Falcón, Tamaulipas
24. Roma, Texas – Ciudad Miguel Alemán, Tamaulipas
25. Rio Grande City, Texas – Ciudad Camargo, Tamaulipas
26. Mission, Texas – Reynosa, Tamaulipas (future)
27. Hidalgo, Texas – Reynosa, Tamaulipas
28. Pharr, Texas – Reynosa, Tamaulipas
29. Progreso Lakes, Texas – Nuevo Progreso, Tamaulipas
30. Los Indios, Texas – Matamoros, Tamaulipas
31. Brownsville, Texas – Matamoros, Tamaulipas.

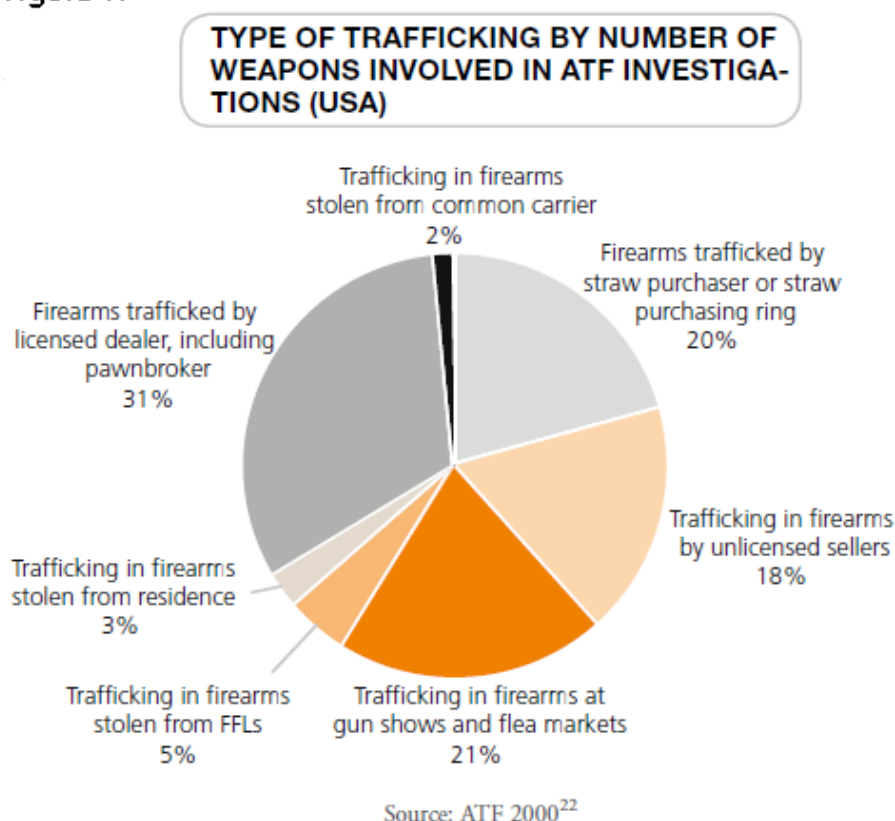
In addition to having access to several trading routes, firearm trafficking is facilitated for various reasons. One of these is the fact that the gun-owning laws in the United States are not as strict as in Mexico. These allow US citizens to be able to own as many guns as they desire, only with restrictions for those who have been condemned of serious crimes. Furthermore, firearms in the US can be purchased in licensed gun shops or at gun shows. In the latter scenario, there is no register of the

purchase. In contrast, in Mexico, by law, the military has the absolute legal control of the sales and private ownership is only allowed for small caliber handguns.

According to the United Nations Office on Drugs and Crime, due to the easy trade in the US, licensed dealers are the ones that are more likely to be involved in firearm trafficking. Moreover, the civilians known as “straw buyers” are involved in this process. These are people who are sent by the civilians who are not able to buy guns to do it for them. After the firearms had been purchased this way in the US, they are transported to the border through which they are later passed into Mexico.

Transport is achieved by what is called “hormiga” (ant) trafficking. This means that a large amount of smugglers transport a small amount of weapons hidden inside automobiles across the border into Mexican territory. Then they are distributed with two different purposes, rather for crime or for conflict, both being possible in the Mexican case. There are 6,700 registered gun dealers at the northern border. In addition, about 70 percent of the firearms detained in Mexico in the period of 2004-2008 were traced back to the US. From these, 39% came from Texas, 20% from California, and 10% from Arizona (UNODC 2010). The most common types of trafficking mentioned by the UNODC in the Tocta Report are shown in the following graph.

Figure 1.



A report made by the U.S. Senate confirms that this country is the provider of the vast majority of weapons in the hands of Mexican drug traffickers, and therefore proposes a series of measures to impose greater control over gun trafficking. The report called “Stopping the Trafficking of Firearms to Mexico, U.S.” was prepared by Senator Dianne Feinstein, president of the Caucus on International Narcotics Control of the Senate; Charles Schumer and colleagues; and Sheldon Whitehouse. The study states that the arsenals of military-style are easily purchased from the United States by Mexican organized crime organizations. This has led to criticism against the U.S. Congress for not providing an effective response to this issue.

The document has two main objectives. Firstly, it aims to provide sufficient information about the relation between the firearms that are being produced and imported by the US and how they are being used in Mexico. It is argued that it is

highly complicated to reduce drug-related violence in Mexico without limiting the access to weapons by criminal organizations. It also indicates that this country must strengthen the existent laws and regulations concerning weapons in order to take control over the current situation.

In order to achieve the latter, the report proposes to: amend legislation to prohibit the sale of arms fairs without checking for permission and report the sale to the authorities; improve the implementation of the ban on the importation of military-style weapons; to renew the assault weapons ban; disclose all sales by businesses with multiple sales license; and ratification by the Senate of the Inter-American Convention on Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. The previously mentioned convention is of particular importance due to the fact that it is a multilateral treaty which aims to promote and facilitate collaboration through the exchange of information and experience among the involved states. This has the objective of preventing and combating the illegal production and trafficking of firearms and diverse similar materials.

Secondly, the document seeks to highlight the commitments announced by the United States Government to better control the flow of high-powered weapons into Mexico. It also emphasizes the initiatives that have been taken to address this issue. Nonetheless, it concludes that there is still much more to do.

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) informed the Senate in 2009 and 2010 that 20,504 out of 29,284 firearms that had been recovered and traced in Mexico came from the United States. The Bureau had also previously informed the senate on April of 2011, that it had tracked a total of 21,313 firearms recovered in Mexico in 2009, amount from which 10,945 had been manufactured in

the United States; 3,268 had been imported to the country; and 7,100 could not be identified given the lack of information provided by the United States government.

Furthermore, the agency tracked 7,971 guns recovered in Mexico during 2010. Out of the amount registered, 4,186 were American-made, 2,105 were imported and 2,680 could not be identified. The ATF reported that in 2009, among the weapons recovered the most common were of .223 caliber, 7.62 mm, 9 mm, .22 and 5.7 mm. The weapons recovered from Mexico came mainly from the states along the Southwest border. In a similar way, it is stated by the Government Accountability Office (GAO) that approximately 87 percent of the weapons confiscated by Mexican authorities tracked over the past five years, came from the United States.

As mentioned previously, firearm trafficking contributes to aggravate and increase the impact of other organized crime groups, such as the drug cartels. According to the ATF,

“[Drug trafficking organizations (DTOs)] operating in Mexico rely on firearms suppliers to enforce and maintain their illicit narcotics operations. Intelligence indicates these criminal organizations have tasked their money laundering, distribution and transportation infrastructures reaching into the United States to acquire firearms and ammunition. These Mexican DTO infrastructures have become the leading gun trafficking organizations operating in the southwest United States.” (UNODC, 2010)

Even though there exist restrictive laws regarding firearm ownership, according to the UNODC, Mexico currently has the seventh largest civilian firearms holdings, being 15, 500, 000 firearms. However, only one third is registered. This in turn entails that there exist around 10 million weapons without registration. It represents the

necessary amount to arm one in three of the adult males residing in Mexico. Given this, the US and Mexican governments both agree on the fact that drug cartels are the principal buyers of gun traffickers.

The Tocta Report by the UNODC establishes that if a similar interdiction rate, 10 percent, is taken for firearms as it is done for drugs and cartel members, there is an estimate of 210,000 US weapons that are being held in stock by the cartels. In addition, US border control agencies have registered in 2008 the seizure of about 10,000 arms. This means that 30,000 arms are acquired in the US, amount from which around 20,000 of it cross the border into Mexico in order for them to be sold. Given this, the figures obtained, represent that approximately, each licensed dealer along the border provides about five firearms to the illicit market. However, the sales are most likely from a few specific dealerships. In addition, it is estimated that the total flow worth for this illicit market in the US-Mexico border is of US\$20 million each year. According to the UNODC, this represents 10 percent of the value of the illegal firearms market worldwide.

In the past 4 years, the Mexican's government so called "war on drugs" has left an outstanding number of civil casualties all over the Mexican territory. The most affected cities are in the northern border of Mexico, the one shared with the United States. The 17 most violent *municipios* out of the 42 mentioned before are given below. They are listed with the amount of "presumably related homicides to organized crime" that the Mexican Government has confirmation of.

	<b>State</b>	<b>Municipio</b>	<b>Homicides</b>
<b>1</b>	Chihuahua	Juárez	6437
<b>2</b>	Baja California	Tijuana	1667
<b>3</b>	Sonora	Nogales	442

4	Tamaulipas	Reynosa	230
5	Tamaulipas	Nuevo Laredo	159
6	Tamaulipas	Matamoros	130
7	Baja California	Mexicali	129
8	Chihuahua	Ojinaga	56
9	Baja California	Tecate	52
10	Sonora	Agua Prieta	33
11	Sonora	San Luis Río Colorado	24
12	Coahuila	Piedras Negras	12
13	Sonora	-	7
14	Sonora	Naco	6
15	Coahuila	Acuña	5
16	Baja California	-	3
17	Nuevo León	-	1
<b>TOTAL</b>		<b>17</b>	<b>9393</b>

Crime related to the illicit traffic of firearms brings various social, economic, and political consequences for the countries involved. Usually the fear of crime impedes proper circulation of people, which erodes social and economic relations. The implications of this come for sectors such as the education segment, and it may even prevent the installation or maintenance of infrastructure. The latter due to the fact that such criminal groups often depend on the disempowerment of local regions.

Likewise, crime restricts the access to employment and due to the constant fear, disincentives the accumulation of property. As a result, investors do not trust the country's economy due the social instability caused by crime; such conditions cause the cost of doing business to escalate. Finally, there are also several consequences for governance. The conditions brought on by crime cause a rupture in the relationship

among the people and the state, which in turn affects even more the population being involved, depriving it of public works projects, education, health services, among others.

How is this relevant to the Security Council? How are the non intervention and self determination principles respected, but at the same time, how can the international community help into the design of better practices against organized crime in Mexico?

Under the United Nations Charter, the authority and functions of the Security Council are diverse. Among them there is established that it is to maintain international peace and security under the principles and purposes of the United Nations. It also has the capacity to: investigate any dispute or situation which might lead to the fracture of peace; recommend diverse methods to address the given disputes; determine whether there exists a threat to the peace, recommending which actions should be taken; call on members to apply economic sanctions in order to prevent or stop aggression; take military action against the aggressor. To this list there are to be added additional functions. However, in order to address this topic, delegates should focus on the Security Council's capacity to formulate plans for the establishment of a system to regulate armaments. This way, it is to be assured that each state's sovereignty is to be respected.

## Questionnaire

1. *In what ways is your country being affected by the topic being addressed?*
2. *Are the measures being taken sufficient to eradicate illicit firearm traffic related violence?*
3. *What would be the proper modifications to guarantee they accomplish their objective?*

## References

1. UNODC. 2007. "Crime and Development in Central America: Caught in the Crossfire". Accessed July 2011. [http://www.unodc.org/pdf/research/central\\_america\\_study.pdf](http://www.unodc.org/pdf/research/central_america_study.pdf)
2. UNODC. 2010. "The Globalization of Crime: A Transnational Organized Crime Threat Assessment"
3. Department of International Law. Organization of American States, Washington D.C. 2011. "Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials". Accessed July 2011. <http://www.oas.org/juridico/english/treaties/a-63.html>



ITAMMUN2011