Drones, drugs and death

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The war on terror's methods of mass surveillance and remote warfare are not unique. The US is also addicted to covert tools in its 'war on drugs', with disastrous consequences.

MQ-1 Predator Drone. Getty Images / Isaac Brekken. All rights reserved.

In April 2015, *USA TODAY* broke a story with the headline: "US secretly tracked billions of calls for decades". At first glance, it appeared to be yet another Edward Snowden revelation implicating the National Security Agency (NSA), mass surveillance and the 'war on terror'. But it actually concerned a mass surveillance operation that had taken place a decade earlier, not by the NSA, but by the Drug Enforcement Administration (DEA). It was not aimed at identifying terrorists, but rather the detection of drug traffickers.

"It's very hard to see [the DEA operation] as anything other than the precursor to the NSA's terrorist surveillance", former NSA general counsel Stewart Baker said of the similarities between the two operations. The now-discontinued DEA operation that began in 1992, was the government's first known effort to gather data on Americans in bulk, sweeping up records of telephone calls made by millions of US citizens, regardless of whether they were suspected of a crime. For over two decades, the Justice Department and the DEA amassed logs of virtually all telephone calls from the USA to as many as 116 countries linked to drug trafficking in order to track drug cartels' distribution networks in the US.

Like the NSA's mass surveillance programme, the operation has been criticised for its threat to privacy and its lack of independent oversight. It was halted in September 2013 amid the fallout from the Snowden revelations. The DEA mass surveillance programme, however, serves as a reminder of how methods associated with the 'war on terror' are not unique to it. Running almost parallel to it, and at times borrowing from it, the US is increasingly dependent on covert methods of warfare in its other long-standing war, its 'war on drugs'.

A new method of warfare

'Remote control

' warfare describes the global trend towards countering threats at a distance without the need to deploy large military force. Pervasive, yet largely unseen, it minimises its engagement and risk while extending its reach beyond conflict zones. Remote warfare includes not only mass surveillance techniques, but also the use of drones, 'special forces' and private military and security companies (PMSCs).

In the long-running 'war on terror', remote warfare is the growing and dominant method of choice. Both armed and reconnaissance drones have been used by the US to target terrorists in Pakistan, Yemen, Somalia, Afghanistan and Iraq for over a decade. Moreover, the start of the millennium has seen a sharp increase in the use of special forces. In 2015, US special operations forces were deployed to 135 countries, a large amount in counter-terrorism missions across the Middle East, north and west Africa. Added to the mix are private military and security companies (PMSCs), which are playing an increasingly important role in both Afghanistan and Iraq, with over 5,000 contractors employed in Iraq in 2014. Finally, Edward Snowden's mass surveillance revelations reveal the extent to which modern warfare is increasingly looking to infer knowledge from 'phenomena', rather than through traditional intelligence-gathering techniques.

These methods, in particular, mass surveillance, PMSCs and drones, have also been increasingly used in the last decade in the global 'war on drugs', for similar reasons. The appeal of remote warfare is in its perception as a cost-free form of warfare that plays to the west's technological strengths, increasingly attractive to a war-weary general public hostile to 'boots on the ground'. However, concerns over the transparency and accountability of these methods of warfare, as well as the human cost, long-term impact and their ability to achieve long-term security are being increasingly challenged.

Privatising the 'war on drugs'

Increasingly militarised since the 1980s, US drug policy has more recently become increasingly privatised. Since the implementation of Plan Colombia in 2000, the US state and defence departments have contracted PMSCs to carry out activities related to US military and police aid to Colombia. For example, the 2007 "Report to Congress On Certain Counternarcotics Activities in Colombia" mentions that Telford Aviation provided logistical support for reconnaissance aircraft 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.

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Antoine Perret, a research fellow at Columbia Law School who has written extensively on how the privatisation of the war on drugs is endangering human rights, explains how in Colombia, all US personnel working through Plan Colombia, including PMSC employees, have been granted immunity from Colombian jurisdiction by bilateral treaty with the US. This 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." This poses a particular concern for human rights.

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 that "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.

In Mexico too, the drugs war is becoming increasingly privatised. The Merida Initiative in 2007, cemented a plan between the US and Mexico to cooperate in fighting drug trafficking and increasing security in the region. It 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. Crucially, the provision of Merida Initiative assistance to Mexico has included contracting PMSCs to train local forces.

As in Colombia, the 'war on drugs' in Mexico has been widely criticised for resulting in human rights abuses. Indeed, 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." The activities of PMSCs, operating in this environment and hired by the US, raise additional human rights concerns. In fact, contractors have been accused of training Mexican police in torture techniques. "As is the case in Colombia", Perret argues, "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".

Privatisation 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. However, turning to PMSCs is not the solution. According to Perret, "the unrestrained use of PMSCs is not the best strategy for improving security and upholding the rule of law, as instead (of improving security and upholding the rule of law) they become another element endangering human rights in an already complex environment".

Drones: from surveillance to smuggling

As well as the increasing privatisation of the 'war on drugs', the US and local law enforcement-military actors are also increasingly relying on advanced technologies, in particular drones. Drones have been used in three main ways in the drug wars in Latin America. Firstly, US surveillance drones are being used to detect and track drug trafficking routes across the region. In 2011 an official briefing – obtained via the Freedom of Information Act – revealed that the US Air Force is working to make its RQ-4 Global Hawk high-altitude long-endurance drones available to its allies in Latin America and the Caribbean in order to help "find drugs fields and helping plan offensives against rebel groups".

In the same year, a *New York Times* article reported

that, in an effort to step up its involvement in Mexico's drug war, the Obama administration began sending drones deep into Mexican territory to gather intelligence to help locate major traffickers. Furthermore, US Customs and Border Protection operates 10 MQ-1 Predator drones, including two based in Cape Canaveral, Florida, that patrol a wide swathe of the Caribbean through the Bahamas and down to south of Puerto Rico, as part of the drugs fight. And in 2013, it was reported that the US navy was testing a new type of drone that can be hand-launched from a ship's deck to help detect, track and videotape drug smugglers in action across the Caribbean Sea.

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Secondly, Latin American law enforcement and military agencies are turning to drones to help fight drug cartels themselves, with at least 14 Latin American and Caribbean countries having used or purchased drones. In Mexico, the National Defense Secretariat, the federal police, the Procuradoría General de la República (the attorney general's office), as well as the army and air force fly drones to gather intelligence to combat organised crime, mainly drug trafficking. In Brazil, Colombia, Panama and Trinidad and Tobago too, drones are used to monitor drug trafficking and find drug smuggling routes.

Finally, drones are being used by drug cartels themselves, to smuggle drugs between countries. In January 2015, a drone crashed in a supermarket parking lot in Tijuana, Mexico – carrying three kilograms of crystal meth and in August 2015, two Mexican citizens were convicted of utilising a UAV to fly 13 kilograms of heroin from Baja California, Mexico, into California. This led US authorities to deem drones an "emerging trend" employed by transnational criminal organisations to smuggle narcotics into the US. Remote warfare technology is not only being used by drug cartels to smuggle and distribute contraband, but is also being used by cartels to fight each other, dominate the criminal markets, control local populations and deliver lethal action against their enemies.

What impact is this reliance on increasingly advanced technology, in particular drones, having? According to Brookings Institution senior fellow Vanda Felbab-Brown, an expert on illicit economies and organised crime, the proliferation of remote warfare capabilities among criminal groups in Latin America is having a detrimental effect. It is, "undermining deterrence, including deterrence among criminal groups themselves over the division of the criminal market and its turfs". This is because "remotely delivered hits will complicate the attribution problem – in other words, whoever authorised the lethal action — and hence the certainty of sufficiently painful retaliation against the source and thus a stable equilibrium".

The reliance on technology by state actors more generally, Felbab-Brown argues, has had damaging effects from a strategic perspective as the "allure of signal intelligence" has led to the discounting of other key intelligence techniques. As well as failing to develop a strategic understanding of criminal groups' decision-making to anticipate their responses to law enforcement actions, it also fails to cultivate a broad and comprehensive understanding of the motivations and interests of local populations that interact with criminal and insurgent groups and, crucially, to identify the importance of establishing good relationships with local populations to advance anti-crime and counterinsurgency policies. In Colombia, for example, drug eradication policy antagonised local populations to national government, and strengthened the bonds between them and rebel groups. Ultimately, the desire to infer knowledge from 'phenomena' in modern warfare, has come at the expense of traditional intelligence gathering techniques, in essence "the tactical tool, technology… has trumped strategic analysis", Felbab-Brown concludes.

The increase in advanced technologies has had other, less predictable impacts too. As organised crime actors have adopted advanced technologies in response to law enforcement agencies, they have also responded in the opposite way, by developing primitive technologies and methods to counter the advanced technologies used by law enforcement, according to Felbab-Brown. At the same time, society has adapted to criminal groups and violence in a similar way, by adopting its own 'back-to-the-past' response with, for example, anti-crime militias. The implication of this, Felbab-Brown warns, is deeply worrying as citizens' militias "fundamentally weaken the rule of law and the authority and legitimacy of the state", and is ultimately a "dangerous and slippery slope" to greater breakdown of order.

New tactics, old strategy

The unforeseen consequences of remote warfare in theatres across the globe where the 'war on terror' is playing out are starting to emerge. As well as the transparency and accountability vacuums associated with these methods and the human costs they incur, remote warfare techniques are also having broader, negative implications in the theatres in which they are being used. From increased radicalisation caused by drone strikes in Pakistan, to instability

resulting from special forces and private military companies in Africa, the notion that remote warfare is making us safer in the face of terrorism is being questioned.

Like the ‘war on terror’, the ‘war on drugs’ can only be solved by addressing the root causes of insecurity.

Unsurprisingly, remote warfare methods are having similar consequences in theatres across Latin America where the ‘war on drugs’ is playing out. As mass surveillance techniques and the use of private military companies raise concerns over human rights violations and a lack of transparency and oversight, the broader strategic shortfalls of remote warfare are also becoming apparent. Indeed, covert warfare techniques and, in turn, the responses they spur, have been found to weaken the rule of law and legitimacy of the state in areas where they’ve been used, rendering these methods ineffective and counterproductive in achieving security in the long-term.

Like the ‘war on terror’, the ‘war on drugs’ can only be solved by addressing the root causes of insecurity. In the case of the ‘war on drugs’, this must be done by addressing the costs and unintended consequences of a militarised and enforcement-led global ‘war on drugs’ strategy and, as the LSE Expert Group on the Economics of Drug Policy report concluded, should ultimately concentrate on the shifting of resources and focus towards effective evidence-based policies that ensure population security, economic development and protecting human rights. Remote warfare does not offer a new approach to the problem of illicit drug trafficking, rather it represents an unchanged strategy, dressed up with new tactics.

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