

November 21, 1978

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Presidential Review Memorandum NSC-41:
Review of U.S. Policies Toward Mexico

The Problem:

Relations with Mexico are increasingly important and delicate. Energy, trade and migration pose difficult and at times contradictory domestic and foreign policy choices for both countries. Because each choice affects the others we face a dilemma:

-- should we continue to approach issues in isolation, each on its own terms, or

-- should we approach major problems in a more coordinated fashion, within a broader policy framework? If so, how can an appropriate framework best be developed and implemented?

Outline of Memorandum:

Part I analyzes our stakes in relations with Mexico.

Part II suggests different ways of looking at how policy could evolve.

Part III reviews major individual issues.

Part IV identifies alternative frameworks for managing them.

Part V presents options for strengthening policy coordination between the two countries.

The annexes contain additional background information on 13 specific issues, plus two recent Mexican statements.

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PRM-41: Annexes

1. Energy
2. Trade
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4. Border
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6. Mexican Economy
7. Narcotics
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 - Lopez Portillo Speech of October 13
 - "Mexico and the World" by Jorge Castaneda

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PRM 41 - Narcotics

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Mexico is central to our international narcotics supply reduction program. Up to two-thirds of the heroin consumed in the United States comes from Mexico, which is also a major transit point for U.S. destined cocaine. Joint U.S.-Mexican narcotics programs have brought substantial positive results.

The U.S. has three major narcotics objectives in Mexico: (1) to reduce the amount of heroin entering the U.S. through support of the Mexican Government's continued eradication of poppy crops; (2) to stop the flow of drugs transiting Mexico from other parts of Latin America and (3) to dismantle the extensive narcotics trafficking networks there.

Mexico's primary interests are: (a) to terminate its position as the principal supplier of narcotics to the U.S. which impacts on other important bilateral interests, and (b) to halt the corrosive impact of the narcotics trade and Mexico's own drug abuse problems (primarily marijuana) on Mexican society.

Since 1973, the Government of Mexico has expended \$240 million on narcotics control; the U.S. has contributed another \$65 million, the bulk for aircraft for crop eradication.

Although Mexico does not have a serious initial heroin abuse problem and tends to blame U.S. demand for drugs as the major problem, the Government has undertaken a vigorous program to eradicate opium poppy cultivation as part of its efforts to improve relations with the U.S. Illegal heroin shipments to the U.S. have dropped significantly over the past two years. Levels now are estimated to be 1.5 tons below the 4-5 ton level of the 1974-76 period. The purity of U.S. street heroin has dropped to a new low and, significantly, heroin overdose deaths in the U.S. have declined 70 percent -- from 1770 deaths in 1976 to a projected 400 this year. This dramatic improvement is attributable in large part to the success of the Mexican program.

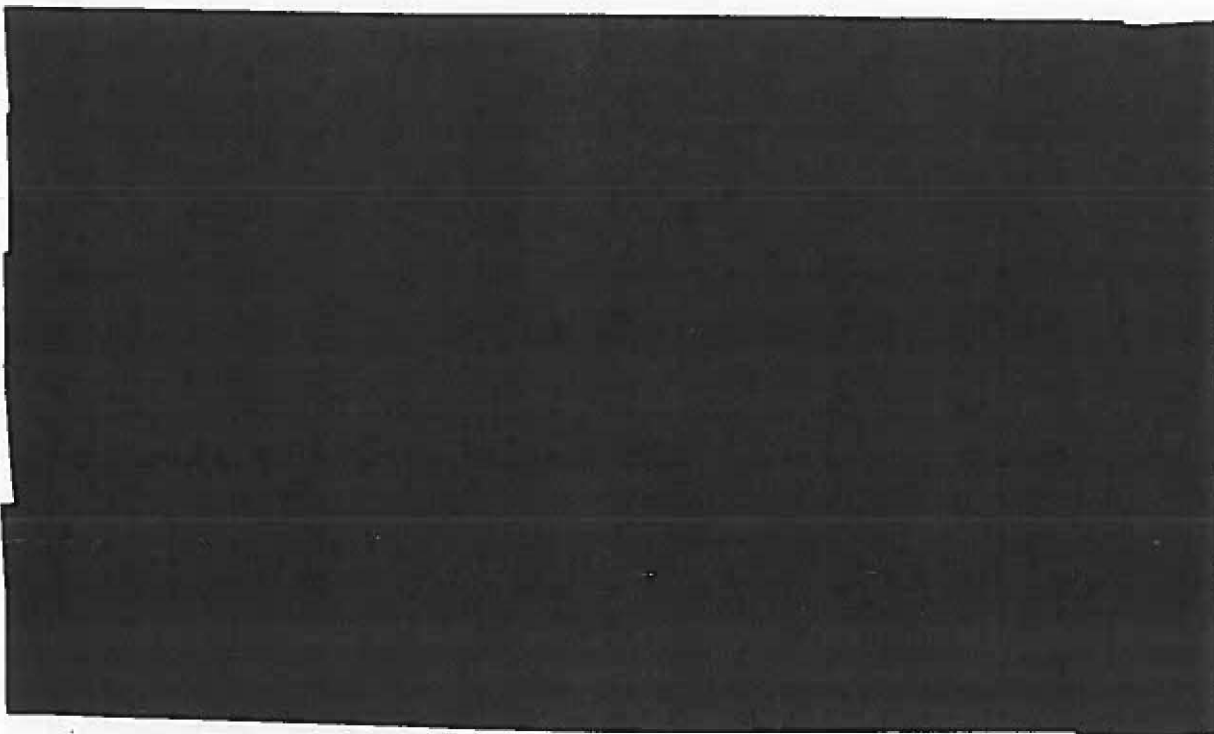
Mexico also has undertaken a vigorous program of marijuana eradication, including the controversial use of paraquat, which is proving highly effective. In this case the desire to cut down on domestic use in Mexico is a major motivation for the program.

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The paraquat problem now is compounded by passage of the Percy Amendment, which requires that we cease further aid for marijuana eradication if HEW determines that use of herbicides in the eradication effort is "likely to cause serious harm" to individuals who may use the products - unless warning markers are used with the herbicides. We are making efforts to determine how this should be implemented. The Mexican Attorney General has stated that the government will continue to eradicate marijuana with herbicides, with or without U.S. assistance.

The Mexican Government has indicated it will divert resources from poppy eradication to marijuana eradication if the U.S. decreases or stops its assistance.



Assuming recent trends toward smaller and fewer poppy fields under cultivation, as a result of successful government campaigns and continuing more aggressive prosecution of major traffickers, the longer term outlook for Mexico's decline as a major supplier to the U.S. of narcotic drugs appears favorable.

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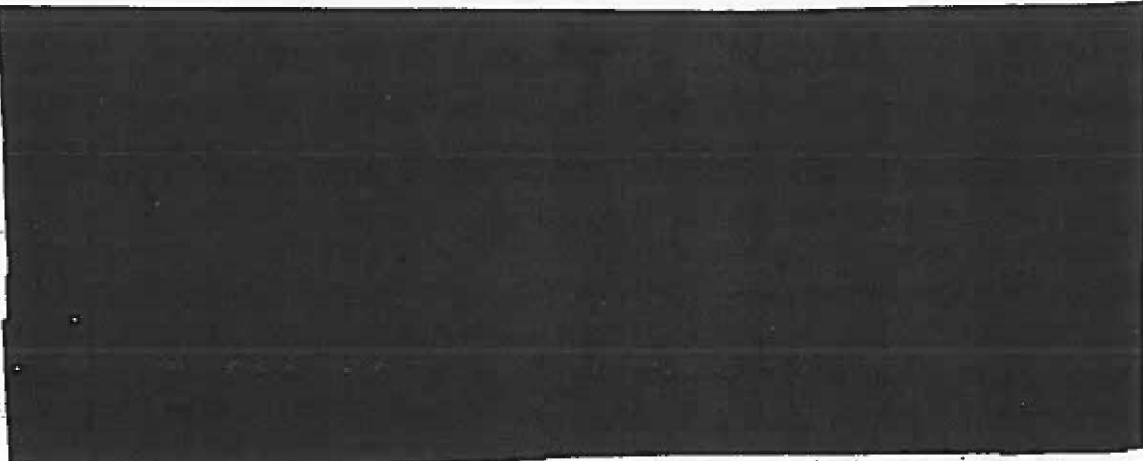
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PRM 41 - Security Relationship

Issue

Mexico's importance to the United States has major security dimensions deriving from its geographic location, long border with the U.S., potential as a major source of petroleum, and key and growing role in regional arms limitations programs, both conventional and nuclear. The security relationship will be affected by U.S.-Mexican actions on the other central issues which comprise the U.S.-Mexican agenda. Mexico's anticipated move to modernize its armed forces in the months ahead could also pose a key test for the U.S. and help define the kind of security relationship we want with Mexico.

U.S. Security Interests



Mexico's natural gas and petroleum reserves represent a major source of energy which is not dependent on, or vulnerable to, long sea transportation.

Mexico may play a broader role as well by participation in international peacekeeping activities of the United Nations or the Organization of American States. Latin America has tended not to contribute military contingents to UN forces in recent times; Mexico is a prime candidate for such a role.

Mexico's Security Concerns

Mexico does not face an immediate external military threat, thanks in large part to the U.S. security umbrella

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and the absence of other strong or aggressive neighbors. It could be argued that Cuba, under certain circumstances, represents a potential threat. The Guatemala-Belize dispute may create unrest on Mexico's southern border but nothing more. The current turmoil in Nicaragua is also worrisome to Mexico. The defense of Mexico's territorial waters and exclusive economic zone are important aspects of Mexico's security concerns. To many Mexicans, the U.S. represents the only threat to Mexican independence. Mexican nationalistic feelings and sensitivity on this issue form basic parts of the Mexican psyche.

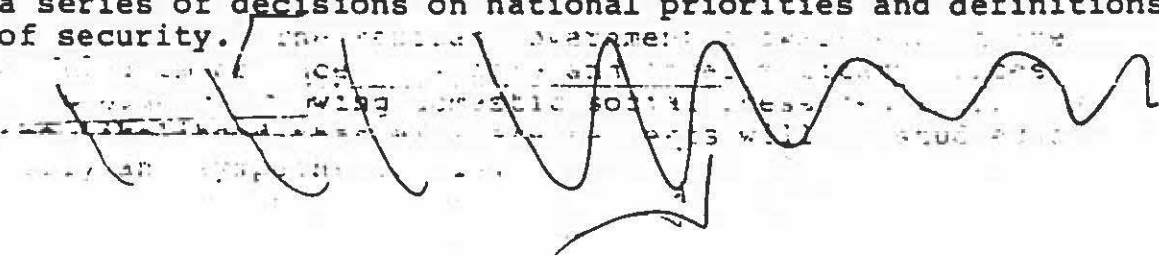
Internal security is also a primary concern of the Mexican security forces. Although a repetition of the political anarchy which characterized the internal Mexican scene earlier this century is unlikely, security concerns have risen markedly over the past decade. Socio-economic strains on the nation's political system, already evident in terrorist activity, could intensify as the result of population pressures and economic dislocation.

The military will play an influential role in the development and implementation of Mexico's internal security policy. The type of relationship we maintain with Mexico could help determine the thinking of Mexico's military and civilian elites.

Modernization vs. Commitment to Arms Restraint

Within the next five years it is likely that the Mexicans will move to modernize their armed forces, using the increased revenues available from the development of the country's energy resources. Its current military inventory, almost exclusively of World War II vintage, is badly in need of replacement. In particular the legitimate need to modernize will have to be weighed against Mexico's visible and respected role as a leader in the pursuit of conventional arms restraint and disarmament.

The modernization problem presents Mexico with a series of decisions on national priorities and definitions of security.

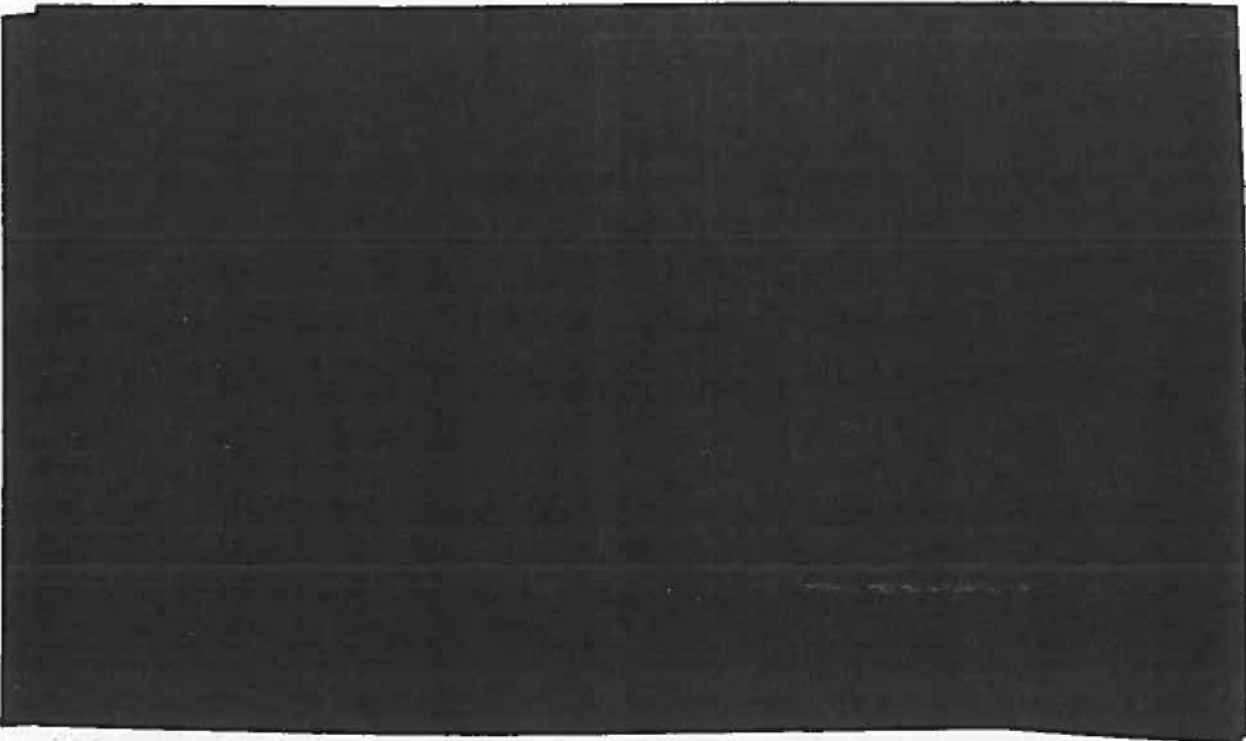


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Assuming the continuation of a friendly relationship with Mexico, we too may face basic questions of our security relationship with Mexico, an advanced LDC and emerging middle-level power. It is by no means impossible to pursue both modernization and arms restraint, but management of the issue by both sides will be important. Even within the terms of anticipated future conventional arms restraint regimes, Mexicans will be able to purchase substantial amounts of new equipment.



Just as we must adjust to Mexico's role as an oil power, as an increasingly important trading partner and as a source for large numbers of migrants to the United States, within the near future we will also face basic questions of Mexico's importance to U.S. security, the future nature of our security relationship and our interaction on security and conventional arms limitation agreements, regional and global.

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PRM 41 - Human Rights

While it generally supports positive multi-lateral human rights initiatives, Mexico's domestic human rights record leaves room for significant improvement. At the same time, Mexicans have criticized the United States for human rights violations against Mexican-Americans and Mexican citizens in the United States. In the human rights area we want to continue our multilateral cooperation, manage a quiet and reasonable dialogue, and encourage human rights improvement on both sides without undue cost to our other interests.

Background on Human Rights in Mexico

Mexico's record on human rights is reflected in a complex set of policies and actions. In multi-lateral areas, Mexico generally supports positions to improve human rights in hemispheric nations, and follows this up by granting political asylum to the persecuted of those nations. The Mexican Government has not yet adhered to the American Convention on Human Rights. Their officials have informed us that they will ultimately sign it, though they have some reservations about its jurisdictional aspects. Although rather cautious about visits by the IAHR, by the Red Cross and by private human rights groups, Mexico informed the 1977 OAS General Assembly that the Inter-American Human Rights Commission would be welcome to visit. Amnesty International was allowed to visit Mexico twice and the Mexicans have permitted the formation of domestic human rights groups.

On the domestic side, Mexico's record is more complex and contradictory, with sizable credibility gaps between Mexico's professed policy and actual record. The Mexican Constitution and law support such basic human rights as freedom from torture or arbitrary arrest, the right to a fair trial, and freedom of speech and association. Mexicans take great pride in the social content of their Constitution which guarantees the right to work, education, food, labor union membership, collective bargaining and the like. However, confronted by the tensions inherent in rapid development, Mexico, like most countries, falls short in fulfilling its human rights goals.

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The obstacles to Mexico's implementation of its human rights protections have their roots in poverty and in the political system which grew out of the 1917 Mexico Revolution. The system is dominated by one party, the Institutional Revolutionary Party (PRI). While there has been scope for considerable debate and opposition within the PRI, the increasing rigidity of the political system and the concomitant rigidity of the economic system has not left sufficient room for dissidence in the Mexican political system, thereby producing extremists and even terrorists.

Today Mexico is faced with a terrorist movement (on a smaller scale than in the past and in many other Latin American countries) which calls for radical revolution and has engaged in kidnappings, bank robberies and murders. To meet this threat, the government has adopted a hard line to deal with suspected members of terrorists organizations. The principal anti-terrorist instrument is an ad hoc elite group reportedly consisting of some police and military elements and known as the White Brigade. In its drive to eradicate terrorists the White Brigade and other security force elements have sometimes ignored the human rights of the suspects and Mexican judicial procedures. Human rights groups and opposition political parties have charged that the security forces have tortured and executed suspects and are responsible for the disappearances of as many as 200-300 persons over the last decade.

While the emphasis of repression has been on those suspected of terrorism, occasional extra-legal actions by the security forces have also affected agrarian, labor, and student strike leaders.

The Government of President Lopez Portillo is sensitive to these abuses and in an effort to heal the breaches in Mexican society caused by dissident groups dating back to 1968, sent the Mexican Congress a bill to provide amnesty for political prisoners early in September 1978. The law was passed and promulgated in late September and has already benefited about 200 persons although questions about the fate of some people who have disappeared persist. Because of certain restrictions contained in the law, its full impact on those who have committed violent crimes has not yet been determined.

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Realizing the importance of renewing and opening up the Mexican political system, President Lopez Portillo has instituted a series of political reforms to increase the number of opposition political parties and their representatives in Congress. These reforms will be important in the process of advancing political freedoms in Mexico by giving dissidents a more active role in the mainstream of Mexican politics. It is not expected that the reform for the foreseeable future will weaken the dominant role of the PRI.

U.S. Policy Approaches

General Improvement of the US-Mexican Dialogue

Our approach to promoting further human rights improvement in Mexico is through encouragement of and cooperation with human rights groups, ranging from the IAHRC to Amnesty International, to Mexican human rights groups. Given the Mexican Government's support for human rights initiatives in international forums and the special sensitivity of Mexicans about being told what to do by the United States, it would be ill-advised and counter-productive for us to take Mexico to task publicly for its domestic violations of human rights. We will continue to use quiet diplomacy on human rights. In the continuing dialogue with the Mexican Government on human rights developments we want to assure the Mexicans that we believe human rights violations in both the United States and Mexico are legitimate issues of discussion between our two Governments.

It is apparent that Mexico's implementation of its economic and social human rights will depend on Mexico's economic development. The distribution of income is now markedly uneven, with a large segment of the population lacking permanent employment or basic social services. Our policy is to support

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Mexico's attempts to redress these human rights problems within the context of improving Mexican economic and political development.

Mexican Adherence to the American Convention on Human Rights

We continue to encourage the Mexican Government to adhere to the Convention, notwithstanding the legal difficulties which can, as in the case of United States adherence, be resolved through reservations on certain articles. Now that the Convention is in effect and a Court is close to establishment, Mexico's adherence would support its professed preference to resolve international problems through multilateral organizations.

Improvement in Human Rights of American Prisoners

Despite the decrease in the number of American prisoners held in Mexican jails as a result of the prisoner transfer treaty of 1977, new arrests occur monthly and sometimes involve violations of our citizens' human rights by security forces. We continue to press for improved treatment of arrested Americans, consistent with Mexico's international and bilateral agreements.

Mexican Complaints About U.S. Human Rights Violations

Within the framework of discussions on treatment of American prisoners we are prepared to discuss Mexican complaints about mistreatment of Hispanics, including illegal Mexican workers in the United States. The Mexicans have complained about a number of cases in which Mexican citizens and Mexican-Americans have been mistreated by federal, state and local authorities in the United States and allegations that they have not in all cases received full protection of American law or judicial procedures.

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Mexican Support for U.S. Multilateral
Efforts to Promote Human Rights

We appreciated Mexico's privately expressed offer to support our human rights initiatives in the 1978-79 UN General Assembly. To date there has been little opportunity for them to do so, but as Mexico seeks a wider role in international organizations we hope to be able to count on Mexico as a voice for balance in UN treatment of human rights. At the same time it should be noted that Foreign Secretary Roel, both in the 1978 OAS General Assembly and the 1978 UNGA, has staked out a position arguing that the protection of human rights throughout the hemisphere and the world should include protection of the human rights of migrant workers.

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