



# Department of Justice

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STATEMENT OF THE UNITED STATES

BY

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TO THE

ORGANIZATION OF AMERICAN STATES  
MINISTERIAL CONFERENCE ON ILLICIT DRUG USE AND  
PRODUCTION OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

IXTAPA, MEXICO  
THURSDAY, APRIL 19, 1990

Mr. Chairman, Attorney General Alvarez del Castillo, Mr. Secretary General, Fellow Ministers, Fellow Chiefs of Delegation, Distinguished Ambassadors, Officials of the Executive Secretariat of the OAS, Ladies and Gentlemen:

It is a great pleasure to be here today. At the outset, I would like to acknowledge the moving remarks of President Salinas. His words today, like his administration's actions over the past year, demonstrate the renewed vigor and commitment of Mexico's government and people to the war on drugs.

As a co-chairman of the Law Enforcement Working Group of the U.S./Mexico Bi-National Commission, I have had the honor of working one-on-one with Mexico's top law enforcement officials and I am confident of their ability to address the insidious problems associated with drug production, trafficking, and abuse.

We have demonstrable proof of the Mexican authorities' resolve to deal with these problems. Mexico has brought to justice several of the world's most notorious drug kingpins. Mexico has become a leader in promoting international cooperation. Next week, Mexico will once again host a significant drug control conference, the 8th International Drug Enforcement Conference, about which I will comment momentarily.

Again, I am pleased to meet with you all at this significant hemispheric conference. I have had the pleasure of meeting with some of you in your countries, others of you in the United States, and I am delighted to make the acquaintance of those whom I have not yet come to know.

We come together at an auspicious time. In the past two months or so, leaders in the war against drugs have met in New York at the United Nations Special Session on Drugs, in London at the World Ministerial Summit to Reduce Demand of Drugs and Combat the Cocaine Threat, and at the Cartagena Summit.

We have had no small number of opportunities to engage in dialogue, and to pass resolutions. But this is not a war that will be won with words. We must work from a strong foundation of cooperation. Our coalitions have been formed. Our understanding of the problem has increased. We are not at ground zero. But the time has come to act. We must demand of ourselves that we leave Ixtapa with concrete measures in hand -- a specific blueprint of actions that we must accomplish as nations, individually, and as nations united.

The tragic events in Colombia -- the murders and the mayhem -- that reached a crescendo last August and unfortunately continue through today, underscore the importance of advancing our agenda for action. In his speech at the United Nations, U.S. Secretary of State Baker captured the essence of what we all know, that "no nation has so bravely confronted the drug lords or made greater sacrifices. No nation can remain indifferent to Colombia's fate."

We recognize and appreciate their sacrifices. Most important, the human costs, but we recognize the economic toll, as well. We all understand that the drug cartels have thrown down the gauntlet and challenged our very precepts about democracy and freedom. Colombia's losses are losses to all mankind. We must not only share their concern. We, in the Western Hemisphere, particularly, must share their resolve. And we must share the responsibility.

The OAS reminds us through our charter that several of its essential purposes are "... to provide for common action on the part of those states in the event of aggression and to seek the solution of political, juridical, and economic problems that may arise..."

Our OAS founders, perhaps, never envisioned drug kingpins as aggressors against whom we must unite, but as Senator Paula Hawkins noted so eloquently in the CICAD meeting in Buenos Aires last month, "The international drug trafficking cartels are international aggressors. Those who protect and support drug traffickers are a menace to the peace and security of this hemisphere."

Now we must turn to solutions to this international crisis. It is healthy that the OAS has deliberately dropped the use of the arbitrary labels of producing, transiting, and consuming nations. For, in truth, those labels serve no purpose. The drug war requires that all member countries face the multiplicity of the drug problem together. Common, cooperative, concrete actions are urgently required.

Time does not permit me today to describe in detail all of the issues in the Ixtapa Program of Action. So, while our technical experts are convening and examining these matters in-depth, I would like to emphasize certain areas that, I believe, are the wellspring from which the rest of our actions can emanate.

Those who have heard me speak before know of the importance I attach to the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. I was privileged to represent the United States at the Vienna signing in December 1988 after representatives of over 100 nations labored to produce this historic document.

The overwhelming majority of OAS members have signed the treaty. The United States completed ratification on February 20, 1990. In fact, four OAS members -- the Bahamas, Chile, Ecuador, and the United States -- are among the ten nations that have already ratified this landmark instrument. Several other nations, including our distinguished hosts, the Government of Mexico, are diligently proceeding with ratification efforts within their countries. Adoption of the United Nations Convention this year should be our first priority, for it can act as a cornerstone of our cooperation.

In fact, if all OAS members were to ratify their signing of the U.N. Convention this year, it would take effect with the requisite twenty assents before year end. What a suitable leadership role for the nations here assembled!

And what a step forward as well!

The U.N. Convention sets forth basic norms and mechanisms for worldwide intergovernmental cooperation to combat all aspects of the drug traffic. It has established a modern, legal framework for international cooperation on drugs and, as such, becomes a juridical complement to the work established by the Inter-American Program of Action of Rio de Janeiro.

This treaty is so important because it is a law enforcement treaty. Signators are obligated to criminalize each link in the chain of illicit drug-related activities, from the initial production of drugs to the final laundering of profits. This Convention calls on its parties to remove the shield of bank secrecy, as well as to establish effective measures to seize and forfeit drug proceeds. It calls for placing controls on the flow of essential chemicals. And it mandates unprecedented cooperation in the conduct of investigations, prosecutions, and where appropriate, extraditions. Yet, this Convention does not alter the laws of any country. It absolutely respects sovereignty.

This is a very unique convention because it actually undertakes to impose responsibilities on each of the ratifying nations to take specific steps to aid one another in an expanded law enforcement effort.

It is incumbent upon all signatory nations to conform their own legislation to meet treaty requirements. The ultimate test of the U.N. Convention will be the ability of our countries to adopt the implementing legislation. I cannot urge too strongly that each nation undertake this initiative now -- particularly relating to money laundering and asset seizure and forfeiture.

The OAS, with its decades of experience in international law, is extremely well-placed through its Juridical Committee and Drug Abuse Control Commission to assist governments with implementation. We cannot move forward too quickly in this arena. Although these laws are covered and required by the United Nations Convention, we simply cannot wait. The United Nations Global Plan of Action has called upon all nations to move forward on this front and I wholeheartedly endorse this specific action.

The U.N. Convention includes, among other subjects, the matter of essential and chemical precursor control. I would like to acknowledge and commend those of you who participated in the experts group, whose activities culminated last month at the OAS Drug Abuse Control Commission meeting in Buenos Aires with the Recommendations for Model Regulations to Control Chemical Precursors and Chemical Substances.



I would hope that we can capitalize on their achievement by leaving Ixtapa with a ringing endorsement for their model regulations, and that we would each ensure that our nations enact a rigorous chemical control program.

In the United States, we are already seeing positive results from our essential chemical control law. Although the import/export provisions of the U.S. law have only been in force for a short time, our officials are already exercising their new authority to stop suspect shipments of chemicals. While this program has in no way inhibited legitimate trade, it is causing U.S. firms, which I might add face severe sanctions, to be more cautious.

As I noted, we found that participating in an experts group was a profitable experience, and I endorse the creation of another experts group to draft a set of model regulations on the financial aspects of the illegal traffic in drugs.

Through appropriate legal and regulatory changes, we need to be able to prevent the utilization of our banking systems and financial institutions for money laundering, as well as be able to identify, trace, seize, and forfeit the assets derived from drug trafficking.

When we seize and forfeit these drug-related assets, we not only deprive the cartels of their ill-gotten gains, but we can rejoice in the irony of seeing their own assets used against them. What poetic justice to see them help finance their own demise!

To accomplish this goal, it becomes as important to share financial information as it is to share other evidence of criminal activity. As we become more adept at these international financial investigations, we all will be able to reap the rewards.

For example, as a result of the Colombian Government furnishing United States enforcement officials information relating to the organization of the late Rodriguez Gacha, five different nations cooperated in freezing over \$90 million in illegal profits obtained from drug trafficking. Similar operations involving other nations have affected assets put beyond the reach of the law of their own country.

It was a genuine pleasure for me to present checks for \$1 million each to the Swiss and Canadian Ambassadors this past September. This represented their equitable share of the proceeds stemming from their contribution to the major investigation we called Operation Polar Cap. Needless to say, I

would welcome the opportunity to make similar presentations in the future.

For all of our talk of the importance of treaties, conventions, and model laws, I believe that many of us recognize that the most important international relations grow out of country-to-country agreements that have been made on a bilateral or multilateral basis.

As a former front-line prosecutor myself and now as my nation's chief law enforcement officer, I firmly believe that our objective must be to develop prosecutable cases to allow for full dismantling of cartels. Coordinated operations are essential. We cannot incapacitate organizations that operate across international boundaries without being able to obtain evidence and secure the cooperation of law enforcement officials on an equally international basis.

The cold, hard fact is that it is an unequal fight: the initiative is too often in the hands of the cartels, which frequently have more resources available to them than do the enforcement agencies. Combined with corruption and intimidation factors, the burden is too much for any one nation. There is only one way to beat them: to make our cooperation in law enforcement so effective that its impact is greater than the sum

of the various individual law enforcement efforts carried out in separate countries around the world.

We see this synergism at work through the International Drug Enforcement Conference, in which we all participate. IDEC, as it is known, has involved the countries in the Western Hemisphere in specific networks to share information and carry out cooperative intelligence gathering and law enforcement operations.

IDEC will convene its 8th annual meeting next week in Mexico City. I have every confidence that the chief drug law enforcement officers of all of our nations, working together, can devise further successful strategies and that the proud IDEC tradition will continue.

Yet for all of our successes on the enforcement front, in our hearts we all know whereof Colombian President Virgilio Barco spoke, when in London he said last week, "The fight against drugs will only be won when we have succeeded in penetrating the hearts, minds, and habits of the consumers of cocaine, opium, heroin, and other lethal drugs."

There can be no doubt in anyone's mind that demand reduction initiatives are a critical component in our overall drug abuse prevention efforts. Demand reduction is the first chapter in the

Rio Plan of Action, which clearly speaks to its importance. Demand reduction, appropriately, has a prominent place in the Ixtapa Plan of Action.

In the United States, President Bush's National Drug Control Strategy guides our efforts. This document addresses both supply and demand reduction issues, taking special note of how they are interrelated. Our National Drug Control Strategy is a comprehensive plan that looks at the entire spectrum of drug control activities: not just law enforcement, but prevention, education, rehabilitation, and treatment. And an essential element in our strategy is its emphasis upon re-establishing the traditional value structure within our country -- a value structure which excludes drug dependency as an acceptable lifestyle.

We believe in conducting educational activities about the harm caused by drugs, accompanied by strong laws with stiff penalties that will act both as a deterrent and punishment, and in providing opportunities for treatment.

Our strategy is not a federal strategy, but one that is truly national. It requires all levels of government and all of our institutions, public and private, to do their share. And,

most important, we recognize that without the active involvement of our citizens, we will not succeed.

I would also like to take this opportunity to remind you that although it may appear that the United States strategy is today focused on cocaine, our strategy recognizes that we have fought and are fighting the drug war on many fronts: heroin, marijuana, and dangerous drugs, and in every case, on the obscene profits of the illegal drug trade.

We also recognize that government, alone, will never solve the problems associated with drug abuse. Therefore, we are actively working with all of our communities to mobilize them in support of worthwhile demand reduction activities.

We cannot dismiss the power of public opinion -- the essential element of any demand reduction activity. We must inspire the will of the people to say no to drug trafficking and the social havoc it wreaks. We must use the court of public opinion to support government initiatives to reduce supply and demand. We must increase intolerance for drugs in every nation.

Next month in Quito we will participate in formulating the Inter-American Program of Education for Prevention. I trust that meeting will generate, as we will here in Ixtapa, a practical

plan of concrete national, regional, and hemispheric actions to support our overall objectives, namely educating not only our children but all of our citizens about the multi-faceted consequences of drug abuse and involving them all as well in implementing these programs.

This is the centennial anniversary of the First International Conference of American States. When those visionaries from 18 independent republics gathered that first time in Washington 100 years ago, they probably never envisioned today's world and the threat drugs bring to all free democracies. When our predecessors met in Bogota over 40 years ago to ratify our charter, they probably never envisioned the new meaning of "(taking) common action .... in the event of aggression."

Yet, here we are in 1990 -- on the dawn of the United Nations Decade Against Drug Abuse. As the 1990s begin, there is a much greater resolve on the part of all countries affected by the drug problem to see that these joint endeavors increase their impact upon the illegal drug cartels.

We can take pride in the foundation we laid with the Rio Program of Action in 1986. It was an ambitious agenda, designed in the best interests of the Western Hemisphere. And, it remains so today.

We now also have before us the Comprehensive Multidisciplinary Outline that was the prelude to the United Nations Convention. We have before us the United Nations Global Plan of Action. We have before us the Cartagena Declaration. And now, in several days, we will have the Ixtapa Declaration.

With these guideposts, the time has come to step away from introspective analysis of the problem. Let us put rhetoric behind us. The time to take action is now. We have a solidarity among us that can be stronger than any cartel. Acting now, working together, we can succeed. To do less, to aspire to less, would be unthinkable and unacceptable indeed.

Manos a la obra!

Thank you.