



The Hague, 4 April 2012

File no. 2642-48

EDOC # 596028 v7

Europol External Strategy

Business Case: Cooperation with Mexico

1. Aim

The purpose of this Business Case is to provide additional information to the Management Board (MB) on the list of priority third parties for the conclusion of new cooperation agreements.

It specifically provides a rationale for Europol's operational interest in establishing a cooperation agreement with Mexico.

2. Policy Framework

2.1. Europol External Strategy

At its meeting on 1-2 February 2012, the MB took note of the information provided by Europol on the review of the External Strategy and Council list. Several MB members asked for more information on the prioritisation of countries.

Europol's legal basis is in the process of being amended, including the rules to conclude cooperation agreements (art. 23 ECD). It seems difficult, therefore, to initiate a new procedure to amend the Council list pending adoption of the new legal basis of the agency.

However, Europol takes note of the political and operational interest in concluding cooperation agreements with a limited number of priority countries. Following the MB discussion on 1-2 February, Europol decided to prepare business cases, based on the most urgent operational needs, to substantiate the possibility of adding a limited number of countries to the Council list at the first available legislative opportunity.

2.2. External Relations priorities

Europol External Strategy is compliant with the overall objectives of the EU for the external dimension of Freedom Security and Justice as expressed in chapter 7 of the Stockholm Programme: “Priorities in external relations should inform and guide the prioritisation of the work of relevant EU agencies.” In this regard, the Joint Executive Plan for Mexico (9820/10), implementing the Mexico-EU strategic partnership, attaches a high importance to strengthening cooperation between both parties to effectively combat transnational organised crime. The Executive Plan specifically calls on Mexico and the EU to establish contact and cooperation activities between the Mexican authorities and Europol, including participation in seminars, training and information sessions.

The Mexican Secretariat of Public Security (SSP) and other Mexican authorities have shown great interest in cooperating with Europol. However, the Mexican law enforcement landscape remains very fragmented and Mexican intentions have to be cautiously evaluated and assessed.

3. Operational needs

With no cooperation agreement in place the level of interaction between Europol and Mexican authorities has been relatively low. However, it has developed within the last year especially, in light of new indications that Mexican OC groups may be targeting the EU. So far engagement has been with the Mexican Secretariat of Public Security (SSP). The Procuraduría General de la República (PGR) is the other main law enforcement agency with which Europol will need to engage and it should be pointed out that friction exists between the two organisations.

Europol's general assessment, given the overall OC threat emanating from Mexico, and its increasing relevance to the internal security of the EU, is that establishing a cooperation agreement would be beneficial to Europol and its Member States in the long term.

3.1. Assessment of the threat to EU internal security

OCTA 2011 reported a notable increase in cocaine trafficking from Mexico to the [South West hub](#). This may indicate a new trend of potential significance for the EU, in light of the dominance of Mexican groups in the illicit drugs market in the Americas and the levels of violence attached to their activities. For the moment, however, the intelligence picture remains far from being clear.

OCTA 2011 also noted that poly-criminal organised crime groups involved in high-level drugs trafficking in Brazil, Colombia and Mexico have established a notable role in the illegal supply of endangered species to the EU and US markets. As a result, some of the concealment methods developed for drug trafficking are now used to traffic endangered species.

In the context of the EU Policy Cycle, Mexico may have some relevance for priority E in the fight against organized crime: "Disrupt the trafficking to the EU, particularly in container form, of illicit commodities, including cocaine, heroin, cannabis, counterfeit goods and cigarettes."

The following areas are the most significant in terms of the particular threat emanating from Mexico:

Drug related crime: Mexico remains a major methamphetamine-production country, in particular with regards to providing US markets. However, no direct links to the EU have been identified so far.

Europol (AWF Cola) has limited information on flight couriers from Mexican airports smuggling cocaine into EU airports (3 cases in 2011). In 2010, a seizure of approximately 400 kg cocaine (containerised) in Spain was documented, where the container was loaded in Mexico. Some other operations within AWF Cola have tentative links to Mexican suspects, although their involvement seems limited. As regards cocaine smuggling, Colombian sources (Colombian National Police Antinarcotics Directorate - DIRAN) consider that cocaine trafficking is split along very identifiable lines with Mexican organised crime groups (OCGs) controlling trafficking to USA, and Colombian OCGs, controlling the networks to Europe.

In discussions with Mexican authorities, they indicate that locally based cartels are increasingly active along the distribution channel, with evidence of direct contact with production sources (including the FARC), with the intention to avoid the involvement of some Colombian Cartels. It is claimed that a growing number of seizures in harbours from Southern Mexico have occurred where it has been established that the EU was the final destination. The general opinion is that Mexican cartels already control the distribution towards USA and are now turning their attention towards the EU markets.

The Mexican Secretariat of Public Security (SSP) indicates that evidence exists of a permanent deployment of representatives of Mexican cartels in several countries of the EU, with Spain and Italy specifically mentioned. A recent operation, already developed and closed in Spain, mentioned the arrest of several Aeromexico flight crews involved in the smuggling of cocaine when flying to Madrid.

Mexico was also recently identified as a source of concern by the Anti-Mafia Public Prosecutor of Reggio Calabria (Italy), who claims that the 'Ndrangheta has links with Mexican cartels for provision of narcotics from South America to Italy. SSP confirms the existence of an ongoing operation under judicial control in which direct contacts exist between Mexican cartels and Italian 'Ndrangheta, reporting that a representative of the Italian OCG has already travelled to Mexico.

Heroin is increasingly trafficked (into the US and elsewhere) by Mexican cartels and it may be possible that these cartels would use networks available in Europe to bring in heroin. Poly-drug trafficking is already a key feature seen in the Western Balkans, so it would also be possible to see such developments.

Trafficking in Human Beings: Mexico reports several current investigation focusing on THB from Central American countries (mainly El Salvador) involving the participation of a variety of LEAs (SSP, PGR, CIEDO, Immigration and local authorities). Within this umbrella project, Mexican authorities have detected a growing number of Eastern European women, mainly originating in the former Soviet Union countries, Romania and Bulgaria, being trafficked to the main cities, highlighting Mexico City and Guadalajara amongst others. They also mention an ongoing investigation linked with Germany as well as another related to Bulgaria in which high ranking officers of the Bulgarian authorities are allegedly involved.

Illegal immigration: Mexico has identified links with the Middle East and EU countries, notably UK and France, which are used as transit points for illegal immigrants en route to Mexico. The immigrants detected are often from countries such as Pakistan, Afghanistan and Iraq prompting concerns also in respect of potential links with terrorism.

Terrorism: there has been no cooperation to date between Europol and Mexico in the fight against terrorism. However, Mexico is relevant for Europol, as there have been reports of the presence of members of European-based terrorist groups (e.g. ETA). Furthermore, Mexico is also very relevant for Europol (AWF Dolphin) as numerous anarchist extremist activities have been committed there, whilst often claiming solidarity with anarchists imprisoned in the EU.

Credit card fraud: in particular concerning the theft of credit card information used in an otherwise legitimate transaction or ‘skimming’, Europol has identified significant numbers of cash withdrawals where Mexico does not follow the EU approach on RFID (Chip-Pin) technology. EU criminals have partners in Mexico (and other Latin American countries) who use the data skimmed within the EU.

Counterfeiting: Europol's Central Office function for Euro counterfeiting allows for direct cooperation with States as if an agreement already existed. In the past, the organisation exchanged strategic (technical) information with Mexico on counterfeit banknotes, in some cases requests were received directly from Mexico or via ICPO-Interpol.

Outlaw Motor Cycle Gangs: Mexico has expressed interest in interacting with Europol on problems caused by Outlaw Motor Cycle Gangs, although there is no indication of extensive connections between groups in Europe and those in Mexico. This request has been put on hold until some form of agreement is in place to enable further cooperation.

4. Progress to date

The General Commissioner of the Mexican Federal Police visited Europol on 19 May 2011. Europol LB Washington was tasked to identify areas for possible cooperation, in particular the possibility that Europol/LB Washington receive operational data from Mexico with focus on Mexican organised crime activities in and towards Europe. Mexico's interest in strengthened cooperation with Europol was also recorded in the context of a meeting held on 8 December 2011 between the Ambassador of Mexico to Belgium, Mrs Sandra Fuentes-Berain, and the Director of Europol. This was followed-up in March 2012 by a meeting between Europol Operations Department experts and representatives of the Secretariat of Public Security, which took place in Mexico City.

Europol produced a SCAN Threat Notice on Mexican OC in 2011. Strengthening of ties is also supported by a number of MS and partners, in particular the United States.

The strategy for current general cooperation options with Latin America which Europol (Scan Team) has been tasked to deliver is based upon four strategic assessments currently under development. This opportunity will be used to explore the value / feasibility of an increased investment in centralised nodes - notably, AMERIPOL. This is based on the premise that whilst some countries represent a clear business interest for Europol and specific AWFs, entering into discussions on bilateral Europol agreements with a large number of countries in this region is not realistic, at least, in the short to medium term.

5. Conclusion and recommendation

Information provided by the Mexican authorities indicates an increasing threat posed by Mexican OC to the internal security of the EU. Whilst there is some evidence from EU Member States to support this view, the increased threat has not been fully and independently confirmed by Europol yet.

Nonetheless, the indications are sufficiently serious to justify priority attention being given to the possibility of concluding a cooperation agreement.