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# Transnational Crime Issues: International Drug Trafficking

## Introduction

As a matter of U.S. and international policy, the production, dissemination, sale, and human consumption of potentially harmful and dangerous drugs, psychotropic substances, and related chemicals are controlled through laws, regulations, and related enforcement actions. Globally, the U.S. government contributes to counternarcotics efforts in international fora, including the United Nations (U.N.), for norm setting and multilateral cooperation on policy as well as law enforcement investigations. The U.S. government also supports bilateral and regional capacity building efforts through the allocation of foreign assistance, a key pillar of the U.S. government's *National Drug Control Strategy*.

Since the 1970s, U.S. counternarcotics assistance to foreign countries has grown to span a wide range of programming, including specialized police training, justice sector capacity building, drug crop elimination, interdiction support, and demand reduction. In recent years, U.S. policy has placed increasing emphasis on (1) embedding drug issues within the context of countering transnational organized crime; (2) combating the convergence of drugs, terrorism, and other illicit activity; and (3) integrating drug supply reduction programming (eradication, interdiction, arrests, prosecutions, incarcerations, etc.) with programming that responds to the societal and political consequences of such trafficking (violence, dislocation, addiction, corruption, weak governance, etc.).

## Opiates and Heroin

Globally, illicit opium poppy is cultivated in almost 50 countries, supplying local, regional, or international distribution and consumption of opium and opiates, including heroin. The primary global producers are located in Southwest Asia (Afghanistan), Southeast Asia (Burma and Laos), and Latin America (Mexico, Colombia, and Guatemala). Although global production estimates have fluctuated from year to year, opiate consumption has remained largely stable for more than a decade, according to U.N. statistics.

Global trends, however, may obscure regional shifts. In the United States, for example, heroin use has increased along with the number of heroin-related deaths in recent years. A recent U.S. trend involves the lacing of heroin with potent synthetic opioids, such as fentanyl and fentanyl analogs. Concurrent with efforts to reverse recent domestic drug use and overdose trends, foreign policy discussions center on how to boost U.S. efforts to reduce the production of such drugs at their source, interdict the drugs in transit, and dismantle the criminal organizations facilitating the trade. Most U.S.-consumed heroin originates in Latin America, following a trend since at least the 1990s; in recent years, Mexico appears to have replaced Colombia as the lead U.S. producer and supplier (see **Table 1**). According to the Drug

Enforcement Agency (DEA), clandestinely produced fentanyl may be sourced from Mexico, while fentanyl analogs and precursor chemicals needed in the manufacture of fentanyl are sourced from China.

**Table 1. Mexico: Poppy/Heroin, 2013-2016**

	2013	2014	2015	2016
Poppy cultivation (ha)	11,000	17,000	28,000	32,000
Potential pure heroin (mt)	26	42	70	81

**Source:** Office of National Drug Control Policy (ONDCP).

## Cocaine

The three primary sources of coca bush, the plant from which cocaine is derived, are located in South America: Colombia, Peru, and Bolivia. Although U.N. estimates at the global level indicate that the cocaine market is stable, the vast expansion of Colombia's coca cultivation and cocaine production in recent years (see **Table 2**) may be driving changes in the global market, as may the potential for emerging cocaine consumption in Asia and the Pacific.

At the regional level, cocaine use and availability trends suggest potential for further growth. Already, consumption in the United States is up, after sharp declines through 2012. Despite stagnating European consumption in recent years, cocaine availability is increasing. Another concerning trend involves an uptick in the number of overdose deaths involving a combination of cocaine and other illicit drugs.

**Table 2. Colombia: Coca/Cocaine, 2013-2016**

	2013	2014	2015	2016
Coca cultivation (ha)	80,500	112,000	159,000	188,000
Potential cocaine (mt)	230	310	495	710

**Source:** ONDCP.

The efficacy of U.S. approaches to combat cocaine production and trafficking in Latin America has been a source of longstanding debate; in recent years, reform priorities in the region have diverged from the historical U.S. focus on supply reduction. Aerial eradication in Colombia, for example, ended in October 2015. With substantial U.S. assistance devoted to programs in Colombia, Mexico, Central America, and Peru, policymakers and Members of Congress may continue to monitor the effectiveness of such programs. Implementation of the Western Hemisphere Drug Policy Commission, enacted in the Department of State Authorities Act, Fiscal Year 2017 (P.L. 114-323), may provide a focus for ongoing engagement and oversight.

## Chemical Controls and New Psychoactive Substances (NPS)

Various chemical substances are used in the production of synthetic man-made drugs, such as methamphetamine, or to refine and process plant-based drugs, such as heroin and cocaine. Such chemicals may be manufactured for legitimate commercial purposes and illicitly diverted. DEA has reported, for example, that most methamphetamine in the United States is produced in Mexico.

NPS are chemicals designed to mimic the effects of illegal drugs, but are not subject to international drug controls and are inconsistently regulated at the national level. From a total of just 26 reported NPS in 2008, the U.N. reports that more than 739 NPS were discovered between 2009 and 2016 (see **Table 3**). Common NPS used in the United States include synthetic cannabinoids, such as Spice and K<sub>2</sub>, as well as synthetic cathinones (bath salts). Many of these NPS are sourced from countries known for their chemical production capabilities, including China. In the absence of timely updates to international drug control listings, countries are trying different policy approaches to regulate or prohibit NPS distribution and use. Many observers acknowledge this as an evolving policy area.

**Table 3. U.N.-Reported NPS, 2009-2016**

2009	2010	2011	2012	2013	2014	2015	2016
128	162	212	270	450	452	644	739

**Source:** U.N. Office on Drugs and Crime.

## Cannabis

Cannabis, or marijuana, is the most widely cultivated, produced, and consumed illegal drug in the world. According to the U.N., approximately 3.8% of the global population used cannabis in 2015—a trend that has remained largely stable since 1998. In recent years, a growing number of countries have participated in efforts to variously decriminalize, depenalize, and legally regulate cannabis cultivation and consumption, whether for medical purposes or for recreation. Uruguay, for example, passed a law in 2013 to authorize the production and distribution of cannabis for adult recreational use. In the United States, although cannabis remains a federally controlled substance on par with heroin and ecstasy, several states have passed laws to legalize marijuana for recreational and/or medical use. Internationally, the United States has come under pressure to reconcile its federal and state policies, including at the 2016 U.N. General Assembly Special Session on the World Drug Problem.

## Authorities and Appropriations

The President is authorized, “notwithstanding any other provision of law,” to provide assistance to foreign countries and organizations for counternarcotics purposes and other anticrime purposes. The authority, incorporated into the Foreign Assistance Act (FAA) of 1961, as amended, serves as the authorizing basis for annual appropriations for the International Narcotics Control and Law Enforcement (INCLE) account administered by the State Department. For FY2017, Congress appropriated \$889.664 million in base budget funding to the INCLE account and \$412.260 million in INCLE overseas contingency operation (OCO)

funding (the INCLE account also funds programs for non-counternarcotics purposes). According to the Office of National Drug Control Policy (ONDCP), the White House Office that advises the President on federal drug policy and budget matters, the State Department’s Bureau of International Narcotics and Law Enforcement Affairs (INL) managed \$446.1 million in international counternarcotics programming in FY2015.

Pursuant to the FAA, as amended, “priority consideration” is to be given to development programming that would both reduce drug crop cultivation and stimulate broader economic opportunities. On the basis of this authority, the U.S. Agency for International Development (USAID) uses funds appropriated for Development Assistance (DA) and/or the Economic Support Fund (ESF) to implement alternative development programming in Afghanistan, Colombia, and Peru. According to ONDCP, USAID managed \$95.5 million in such funding in FY2015.

Foreign assistance appropriated to the State Department may also be subject to restrictions on the basis of foreign country counternarcotics performance. A cornerstone of this policy is an annual process in which the President identifies major foreign illicit drug producing and transit countries and prohibits bilateral assistance to those whose counternarcotics efforts are determined to be lacking. In annual State-Foreign Operations appropriations, Congress adds additional conditions and reporting requirements on the use of funds, including counternarcotics INCLE funds.

The Secretary of Defense is additionally authorized to support the counterdrug activities of foreign security forces, including law enforcement agencies. Funding for DOD counterdrug activities is funded out of a central transfer account (CTA) in Defense Appropriations Acts for Drug Interdiction and Counter-Drug Activities, Defense-Wide. In FY2017, DOD was appropriated \$626.1 million in base funds and an additional \$215.3 million in OCO funds for its counterdrug support efforts. The FY2017 NDAA, P.L. 114-328, modified DOD’s counternarcotics authorities as part of a broader reconceptualization of DOD’s security cooperation authorities; implementation of the latter could affect the conduct of future DOD counterdrug efforts.

## Outlook

The 115<sup>th</sup> Congress may continue to monitor drug developments around the world and their impact on domestic drug trafficking and consumption patterns. On the international front, Members of Congress may also review existing foreign assistance authorities and funding for effectiveness in advancing U.S. counternarcotics priorities.

*Source material, legislative research, and further policy analysis are available to congressional clients upon request. For additional background, see CRS Report RL34543, International Drug Control Policy: Background and U.S. Responses.*

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