



United States
General Accounting Office
Washington, D.C. 20548

National Security and
International Affairs Division

B-258161

August 16, 1994

The Honorable John Conyers, Jr.
Chairman
The Honorable Alfred A. McCandless
Ranking Minority Member
Legislation and National Security
Subcommittee
Committee on Government Operations
House of Representatives

In response to Mr. McCandless' request, we are providing this interim report on the impact of the recent U.S. decision to discontinue sharing information with the governments of Colombia and Peru that could lead to their shooting down civilian aircraft suspected of being used in drug trafficking activities. Our information on this subject was obtained as a part of our broader review of U.S. counterdrug efforts in Peru, undertaken at the Subcommittee's request. The results of the broader review will be provided later.

According to information provided by U.S. embassy and Peruvian police officials, the policy change has had an adverse impact on the United States' and Peru's ability to disrupt drug trafficking activities. This is because aircraft detection and monitoring and related activities have been suspended. Available data from U.S. government agencies is inconclusive at this time as to the impact the policy change has had on the amount of drugs shipped from Peru. However, U.S. agencies agree that traffickers are now using less evasive practices in moving drugs from Peru to Colombia.

Peruvian forces in the past have used weapons against aircraft suspected of transporting drugs and in early 1994, Colombia announced that it was planning to implement a policy to shoot down drug traffickers. U.S. government officials became concerned that such a policy would violate international law. According to the Department of Justice, U.S. officials who knowingly provide information that leads to the shooting down of civilian aircraft could be subject

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to criminal prosecution. On May 1, 1994, the Department of Defense halted the sharing of real-time aircraft tracking information to Colombia and Peru and on May 26, 1994, the Department of Justice advised all relevant agencies that assistance programs directly or materially supportive of shootdowns should be suspended pending the completion of a thorough review of the legal questions.

According to U.S. embassy officials, civilian aircraft are involved in almost 90 percent of drug-trafficking activities in Peru. These aircraft carry cocaine base from Peru to Colombia for final processing into cocaine and ultimate distribution to the United States. Drug trafficking is a complex process, and the full impact of the policy change on information sharing is not yet clear. Although the U.S. embassy reported a dramatic increase in the number of drug trafficking flights and amounts of cocaine base being shipped during June, it based its conclusion on a comparison of activity during the months of May and June. We compared the June figures to the preceding months of March and April and found them to be very close. In July, the numbers reported were actually less than those for June. The reasons for the changes are not known.

Nevertheless, U.S. officials and Peruvian police told us that the decision to stop sharing information has led to changes in how drug traffickers conduct their operations. According to various U.S. reports and officials, before the May decision drug traffickers wanted to minimize their exposure to the air interdiction threat. Thus they (1) used fewer flights with larger drug loads, (2) flew mainly in the early evening hours, and (3) spent on average only about 10 to 12 minutes in loading and unloading their cargoes. Officials in Peru from various U.S. agencies said they had observed that drug traffickers had now begun to change their practice of transporting large drug loads on a few flights to using multiple flights with smaller drug loads. Some drug traffickers are beginning to fly during the day. According to U.S. embassy officials, during June some traffickers had increased their time on the ground to 20 to 25 minutes. In one area, the traffickers' aircraft sometimes remained overnight.

In addition, officials from several U.S. agencies stated that an analysis of flight patterns indicates that traffickers are reverting to more direct air routes from Peru into Colombia rather than the indirect and time-

consuming routes they were taking before the cutoff of information. They attributed the changing patterns to the fact that the deterrent effect that the U.S. radars and Peruvian air force had on the drug traffickers was gone.

According to U.S. officials in Peru, the policy change has also adversely affected the use of U.S. resources that were designed to provide aircraft detection and monitoring information. For example, ground-based radar in Peru has not been able to accomplish its assigned mission since May 1, 1994. Also, certain types of U.S. training and assistance to Peruvian law enforcement agencies and the air force are no longer being provided.

We interviewed and obtained documents from officials at the Departments of State and Defense and the Drug Enforcement Administration in Washington, D.C.; the U.S. Embassy in Lima, Peru; and the U.S. Southern Command in Panama. We also interviewed Peruvian police officials responsible for counternarcotics programs. We discussed the information in the letter with agency officials and have included their comments where appropriate.

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As you requested, we plan no further distribution of this letter until 30 days after the date of the letter, unless you release the letter or its contents prior to that time. After 30 days, we will send copies of this letter to the Secretaries of Defense and State; the Administrator, Drug Enforcement Administration; and the Director, Office of National Drug Control Policy. We will also provide copies to others upon request.

If you have any questions about this report you may reach me on (202) 512-4128. Major contributors include Andres C. Ramirez, Assistant Director; and Ronald D. Hughes, Evaluator-in-Charge.

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