

Statement of Senator Tom Coburn, M.D.

“Drug Enforcement and the Rule of Law: Mexico and Colombia”

Subcommittee on Human Rights and the Law
United States Senate Committee on the Judiciary
May 18, 2010

Thank you, Chairman Durbin, for convening this hearing. I regret that I was unable to attend the hearing today, but I will be submitting questions for the record to explore this issue further.

It is clear that the United States has made significant investments in both human and financial capital to develop the rule of law in Mexico and Colombia, and I believe we are long overdue for oversight of these efforts. Our country has spent billions of dollars over the past decade to promote the rule of law and help in these countries' transitions to an adversarial justice system. As a result, it is important that Congress understands whether these programs are working, when and how the U.S. should transfer these programs to full control of the host country and, importantly, whether our efforts and funding also have the effect of protecting of human rights.

I would like to welcome the excellent witnesses who have appeared today to help us shed light on these efforts to strengthen the rule of law in Mexico and Columbia. I have reviewed the written statements you submitted and am truly impressed by each of your experiences and the insight you have to offer. It is particularly encouraging to see our western state attorneys general take the time to educate, train and empower their Mexican counterparts to embrace the adversarial system of justice. As Mr. Wasden noted in his written testimony, while it is the responsibility of the foreign government to change their criminal justice systems, he could “be their friend and let them learn from my successes and my failures...and together we could make a difference.”

To all of the witnesses, I am particularly interested in hearing more about the effectiveness of current programs, funding and, especially to the government witnesses, what the specific future plans are to withdraw the significant financial and human investment in these countries and transition these programs to the full control of the Colombian and Mexican governments, respectively. While it is important to continue dialogue between the U.S., Colombia and Mexico on these issues, particularly at the state-to-state level, as Mr. Wasden stated in his testimony, true reform can only be successful when it is embraced and operated by these countries on their own. As is the case within our own country when dealing with federal programs aimed at reforming our individual state criminal justice systems, until our states take sole financial responsibility and authority over their own law enforcement and criminal justice systems, continued federal funding will only cripple true reform.

In this case, especially in light of the mounting debt in the United States, as Columbia and Mexico take on more financial and operational responsibility, they will be more secure and more likely to remain truly committed to developing new and innovative strategies to maintain and improve their adversarial justice systems. Greater host country investment will yield greater success in strengthening the rule of law and in partnering with the United States on matters of mutual concern to both countries.

Thank you again for being here today. I look forward to the testimony.