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Drug Certification/Designation Procedures for Illicit Narcotics Producing and Transit Countries

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Summary

This report summarizes the congressionally-mandated presidential designation procedures on major illicit narcotics producing and transit countries that will be fully in effect for fiscal year 2004 and subsequent years. To put the new procedures in perspective, the report also provides background on the past procedures and presidential actions, congressional reform efforts, and the transitional procedures in effect for fiscal years 2002 and 2003.

From the mid-1980s to 2001, Congress required the President to certify that specified drug producing and drug transit countries were cooperating fully with the United States in counter-narcotics efforts in order to avoid a series of sanctions, including suspension of U.S. foreign assistance, and opposition to loans in the multilateral development banks. The sanctions would also apply if the Congress, within 30 calendar days, passed a joint resolution of disapproval to overturn the presidential certification. Spokesmen from many countries complained about the unilateral and non-cooperative nature of the drug certification requirements, and a movement to modify the process developed in Congress in 2000-2002.

In 2001, the Congress and President enacted the Foreign Operations Appropriations for FY2002 (H.R. 2506/P.L. 107-115) that waived the drug certification requirements for FY2002 only, but required the President, with certain waiver authority, to designate and withhold assistance from the worst offending countries that had “failed demonstrably” to adhere to international counter-narcotics agreements. Acting under this legislation, the President, on February 23, 2002, designated Afghanistan, Burma and Haiti, but granted national interest waivers to Haiti and Afghanistan under the new government.

In 2002, the Congress and the President enacted the Foreign Relations Authorization for FY2003 (H.R. 1646/P.L. 107-228), with new drug designation procedures requiring the President to make a report in mid-September of each year, identifying the major drug transit or producing countries. At the same time he is required to designate and withhold assistance from any of the named countries that has “failed demonstrably,” during the previous 12 months, to make substantial counter-narcotics efforts. Acting under these provisions, the President, relying upon the transitional rule, designated Burma, Guatemala, and Haiti, on January 31, 2003, but granted national interest waivers to Guatemala and Haiti.

In 2003 and subsequent years, the President is required by Section 706 of the Foreign Relations Authorization Act (P.L. 107-228), with some waiver authority, to identify the major drug producing or transit countries by September 15th, and to designate and withhold assistance from any of those countries that have “failed demonstrably” to adhere to international counter-narcotics agreements within the previous 12 months. Acting under these provisions, the President, on September 15, 2003, identified the major drug producing or transit countries. At the same time, he designated Burma and Haiti as having “failed demonstrably” in counter-narcotics efforts, but granted a national interest waiver to Haiti.

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Drug Certification/Designation Procedures for Illicit Narcotics Producing and Transit Countries

This report provides a summary of the new congressionally-mandated presidential designation procedures on illicit narcotics producing and trafficking countries that are fully in effect for fiscal year 2004 and subsequent fiscal years. To put the new procedures in perspective, it provides background on the past procedures, presidential action under the procedures, congressional reform efforts, and the transitional procedures in effect in fiscal years 2002 and 2003.¹

Drug Certification Requirements for FY1987-FY2001

Congress Sets Certification Requirements

In the mid-1980s, Congress became increasingly concerned that the Executive was giving inadequate attention and effort to blocking and controlling foreign drug trafficking. As a result, beginning with the Drug Abuse Act of 1986, Congress required the President to certify that certain countries were cooperating fully with the United States in counter-narcotics efforts in order to avoid the suspension of U.S. foreign assistance. Sections 489-490 of the Foreign Assistance Act of 1961, as amended, required the President to designate the major illicit drug producing and drug transit countries by November 1 of each year. These sections further required the President to withhold 50% of U.S. assistance for the designated countries for that fiscal year until he certified by March 1 of each year that the countries had cooperated fully with the United States in drug control efforts, or had taken adequate steps on their own to achieve the goals and objectives of the 1988 United Nations Drug Convention.²

¹ This report draws upon material in CRS Report RL30892, *Drug Certification Requirements and Congressional Modifications in 2001-2002*, by K. Larry Storrs, which provides pros and cons and more detailed tracking of the various legislative proposals.

² For more detail, see U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *Fact Sheet: Majors List and the Certification Process*, March 1, 2001; and CRS Report 98-159, *Narcotics Certification of Drug Producing and Trafficking Nations: Questions and Answers*, by Raphael F. Perl. There were some slight modifications in the procedures in the 1986-2001 period. Earlier, Congress required reports on drug producing and transit countries in 1981, and it gave the President the authority to suspend assistance to non-cooperative countries in 1984.

In the event the President was unable to certify that a country was fully cooperative, or to determine that a less-than-fully-cooperative country should be given a certification in the national interest, certain sanctions applied to the countries denied certification. Among the sanctions applied to decertified countries were the following: (1) most foreign assistance and financing of military sales for the decertified country were to be suspended, with the exception of counter-narcotics and humanitarian aid; (2) U.S. representatives were required to vote against loans for the country in the multilateral development banks; and (3) certain trade sanctions, including increased tariffs and denial of preferential trade benefits, could be applied at the President's discretion. The imposed sanctions were to remain in force until the country was subsequently certified.

The sanctions would also apply if Congress, within 30 calendar days, passed a joint resolution of disapproval to overturn the presidential certification, thereby decertifying a country. However, any such congressional resolution would be subject to a presidential veto, and would require a two-thirds vote of both houses to override. Moreover, Section 614 of the Foreign Assistance Act of 1961, as amended, gives the President the authority to provide assistance to a country, notwithstanding other provisions in the Act, if he determines and notifies Congress, that to do so is important to the security interests of the United States.

Presidential Certifications

Acting under the congressionally imposed requirements, U.S. Presidents regularly certified the vast majority of illicit drug producing and transit countries, especially countries that were friendly to the United States and that were trading and diplomatic partners. In a smaller portion of cases, where there were serious doubts about the counter-narcotics efforts of trade and diplomatic partners, these countries were given "national interest" waivers that freed them from sanctions on the grounds that continued aid would facilitate better relations and encourage greater counter-narcotics efforts.³ In general, the remaining countries that were denied certification (or decertified) were pariah states, or states with which the United States had little or no contact.

Presidents Ronald Reagan and George H.W. Bush decertified Iran, Syria, Burma and Afghanistan, and gave "national interest" waivers to Lebanon. President Bush decertified Panama in 1988 and 1989, just before and after the United States intervened militarily to remove military ruler General Manuel Noriega from power in part because of his involvement in drug trafficking activities. President William Clinton, decertified Nigeria in 1994, while Bolivia and Peru were given waivers; Colombia, Paraguay, and Pakistan were given waivers in 1995; and Colombia was decertified in 1996 and 1997 on grounds that Colombia's President had received campaign contributions from drug traffickers. This determination caused considerable consternation in Bogota, and some disagreement in Congress. In 1997-1999, there was criticism in Congress when the Administration removed Iran, Syria,

³ See *Passing Judgement: The U.S. Drug Certification Process*, Annenberg School for Communication, University of Southern California, 1998, pp. 1-2.

and Lebanon from the list of major drug producing and transit countries, and when North Korea was not included in the Majors List.⁴

In action relating to Mexico, which was often the center of attention despite being fully certified each year, congressional resolutions to disapprove Mexico's certification were introduced in 1987, 1988, 1997, 1998, and 1999.⁵ Resolutions of disapproval failed to reach floor action in most years, but both houses passed separate versions of weakened resolutions of disapproval in 1997, and a Senate resolution of disapproval reached the floor but was defeated in 1998. Responding to domestic and international criticisms, measures to modify the drug certification requirements were introduced but not enacted in 1997.⁶

On March 1, 2001, in the last presidential certifications under the old provisions, President George W. Bush certified 20 of the 24 designated drug producing or transit countries as fully cooperative in counter-narcotics efforts, and he granted national interest certifications to Cambodia and Haiti. Only two countries — Afghanistan and Burma — were decertified and subject to the sanctions. President Bush's determinations were very similar to the determinations of President Clinton in the previous year, except that Nigeria and Paraguay were elevated from national interest waiver status to fully cooperative status. By the end of the 30-day period for congressional review of presidential drug certifications, no resolutions of disapproval had been introduced to disapprove President Bush's certification of Mexico or any other country.

Drug Designation Requirements for FY2002

Congressional Reform Efforts Lead to One Year Waiver and New Requirements in Foreign Operations Appropriations

After more than a year of efforts to modify the drug certification requirements, in December 2001 and January 2002, Congress passed and the President signed the Foreign Operations Appropriations Act for FY2002 (P.L. 107-115) that contained a temporary, one-year suspension of the drug certification procedures, along with new requirements.

Following the July 2000 election of opposition candidate Vicente Fox as President of Mexico, bills were introduced but not enacted to exempt Mexico from the drug certification requirement in FY2001. However, the Senate did pass S. Res. 366 in October 2000, expressing the sense of the Senate that a one-year waiver was

⁴ See CRS Report 98-159 cited above.

⁵ For details on the certification process and an illustration of the possible consequences of decertification of Mexico, see CRS Report RL30080, *Mexico and Drug Certification in 1999: Consequences of Decertification*, March 4, 1999, by K. Larry Storrs.

⁶ For more detail, see CRS Report 98-174, *Mexican Drug Certification Issues: U.S. Congressional Action, 1986-2001*, by K. Larry Storrs.

warranted for Mexico so that the new presidents in Mexico and the United States could develop more effective and cooperative counter-narcotics programs.

In late January 2001, Senator Dodd introduced S. 219 to suspend the existing drug certification process for all countries for two years and encourage a high-level conference to develop an effective multilateral strategy. In mid-February 2001, Senator Kay Bailey Hutchison introduced S. 353 to exempt Mexico from the drug certification requirement in FY2001 but require enhanced bilateral counter-narcotics cooperation. About the same time, Senator Grassley and Senator DeWine introduced S. 376 to modify the certification process for FY2002-FY2004 to require the President to identify only those countries that are failing to cooperate fully with the United States in drug control efforts.

In mid-February 2001, on the eve of President Bush's visit with President Fox in Mexico, the Senate passed S.Con.Res. 13 expressing the sense of the Congress that the President should work with the President of Mexico to advance bilateral cooperation. The measure urged the President to seek, among other things, "to review the current illicit drug certification process, and should seek to be open to consideration of other evaluation mechanisms that would promote increased cooperation and effectiveness in combating the illicit drug trade." During the joint press conference following the meeting in Mexico, President Bush indicated that there was a movement in Congress to review the drug certification requirements, and he expressed confidence in President Fox's efforts to combat drug trafficking.

In late February and early March, additional measures were introduced to modify the existing drug certification procedures. On February 27, 2001, Representative Kolbe introduced H.R. 753 to exempt Mexico from the drug certification requirements in FY2001. On March 1, 2001, Senators Boxer and Gramm introduced S. 435 to provide that the drug certification procedures would not apply to countries with which the United States has bilateral counter-narcotics agreements; and Representative Reyes introduced H.R. 841 to suspend the certification procedures for two years and encourage development of an effective multilateral strategy.

On March 1, 2001, the same day that President Bush certified that Mexico was cooperating fully with the United States in counter-narcotics areas, the Senate Foreign Relations Committee held a hearing in which several of the proposed modifications to the drug certification requirements were discussed. Then Assistant Secretary of State for International Law Enforcement Affairs Rand Beers testified that the certification process had been "an effective, if blunt, policy instrument," but he recognized a growing sense in Congress that there may be more effective approaches. He added: "Any regime that might modify or replace certification should have an enforcement mechanism to ensure continued international counternarcotics cooperation. If there were efforts to suspend the certification procedure, we believe the President must retain in the interim the power to decertify or sanction individual countries using the standards of the current process. We do not believe that there should be exemptions for individual countries or regions at this

time. Future carve-outs may be appropriate, however, for regions where there is a mutually acceptable and credible multilateral evaluative mechanism in place.”⁷

On April 3, 2001, the Senate Foreign Relations Committee reported out S. 219 with an amendment in the nature of a substitute, with elements from the various proposals, that would suspend the existing drug certification procedures for three years, require the President to designate only the worst offenders subject to sanctions, and encourage a high-level conference to develop effective multilateral drug reduction and prevention strategies. On August 1, 2001, the Senate Foreign Relations Committee approved S. 1401, the Foreign Relations Authorizations Act for FY2002-FY2003, with the provisions of the previously reported S. 219 incorporated as Sections 741-745 in Title VII, Subtitle D, Reform of Certification Procedures Applicable to Certain Drug Producing or Trafficking Countries. The Committee reported out S. 1401 (S.Rept. 107-60) on September 4, 2001, and the measure was placed on the Senate Legislative Calendar, but not acted upon in 2001.

During President Fox’s official state visit to the United States on September 5-7, 2001, the Mexican President, in addressing a joint session of the U.S. Congress, called upon Congress to pass legislation to suspend the drug certification requirements as a gesture of trust and faith in the new government, arguing that “trust requires that one partner not be judged unilaterally by the other.” Following the Bush-Fox talks, the joint communique praised the growing law enforcement cooperation between the countries, expressed support for the OAS’ multilateral evaluation of counter-narcotics efforts, and noted President Bush’s commitment “to work with the U.S. Congress, on a priority basis, to replace the annual counter-narcotics certification regime with new measures designed to enhance international cooperation in this area.”

In December 2001 and January 2002, Congress passed and the President signed the Foreign Operations Appropriations Act for FY2002 (H.R. 2506/P.L. 107-115) that contained a temporary, one-year waiver of the drug certification procedures on a global basis for all major drug transit and drug producing countries. In place of the old requirements, the legislation required the President to designate and withhold assistance from the worst offending countries, namely the countries among the major

⁷ This was a reference to the Multilateral Evaluation Mechanism (MEM) developed by the Inter-American Drug Abuse Control Commission (CICAD) of the Organization of American States (OAS). Following up on the Hemispheric Anti-Drug Strategy of 1996 and the Plan of Action of Summit of the Americas II (1998) in Santiago, Chile, the CICAD agreed upon the Multilateral Evaluation Mechanism (MEM) in 1999, and a CICAD working group developed a questionnaire with 61 indicators to which governments responded for the first time in 2000. A Governmental Experts Group, made up of one representative from each country, assessed achievements in 1999-2000 for all countries except their own country. The resulting overview Hemispheric Report and the individual National Reports make assessments and recommendations for future action. Critics argue that the reports are preliminary, bland, and without any sanctions. Proponents argue that the reports make important recommendations, that the MEM process will advance beyond the early efforts, and that countries care about their performance under the agreed upon criteria. For more detail on the CICAD and the MEM process, see the CICAD’s internet site at [<http://www.cicad.oas.org/en/mem/Main.htm>].

illicit drug producing and trafficking countries that have “failed demonstrably,” during the previous 12 months, to make substantial efforts to adhere to obligations under international counter-narcotics agreements. It provided, however, that notwithstanding poor counter-narcotics performance, the President could waive the sanctions and continue to provide assistance to the designated countries if he determined and reported to Congress that the assistance to the countries was vital to the national interests of the United States.

President Bush’s Designations under the Appropriations Act

Acting under the provisions of the Foreign Operations Appropriations Act for FY2002, President Bush designated the countries with the worst counter-narcotics records on February 23, 2002, having previously identified the major illicit drug producing and drug transit countries in November 2001. He designated three countries — Afghanistan, Burma, and Haiti — as having failed demonstrably within the last 12 months to make substantial counter-narcotics efforts, but he granted national interest waivers to Haiti and Afghanistan under the new regime.⁸ Shortly thereafter, on March 1, 2002, the State Department issued the annual International Narcotics Control Strategy Report, in accordance with a requirement that was not changed, with descriptions of the counter-narcotics activities of illicit drug producing and trafficking countries.⁹

Drug Designation Requirements for FY2003

Congress Establishes Permanent New Requirements with Transitional Provisions for FY2003

Continuing the reform efforts of the previous years, in September 2002, Congress passed and the President signed the Foreign Relations Authorization for FY2003 (H.R. 1646/P.L. 107-228), with permanent new requirements in Section 706 of the Act dealing with International Drug Control Certification Procedures.

Drawing from S. 1401, mentioned above, the new procedures require the President to make a report, not later than September 15 of each year (15 days before the start of the fiscal year), identifying the major drug transit or major illicit drug producing countries. At the same time, the President is required to designate any of the named countries that has “failed demonstrably,” during the previous 12 months, to make substantial efforts to adhere to international counter-narcotics agreements

⁸ See State Department Fact Sheet, *Overview of Annual Presidential Determinations on Major Illicit Drug Producing and Drug-Transit Countries*, February 25, 2002 available on line at [<http://www.state.gov/g/inl/ris/fs/8480.htm>] for information on the procedures and the presidential action.

⁹ See the International Narcotics Control Strategy Report covering 2001, available online at [<http://www.state.gov/g/inl/rls/nrcrpt/2001/>].

(defined in the legislation) and to take other counter-narcotics measures.¹⁰ U.S. assistance would be withheld from any designated countries unless the President determines that the provision of assistance to that country is vital to the national interest of the United States, or that the designated country subsequently made substantial counter-narcotics efforts. Notwithstanding the general suspension of the previous drug certification and sanctions procedures, subsection 706(5)(B) of the Act provides that the President may apply those procedures at his discretion. A transition rule provided that for FY2003, the required report must be submitted at least 15 days before foreign assistance funds are obligated or expended.

President Bush's Designations under Transition Rule

Acting under the transition rule in Section 706 of the Foreign Relations Authorization Act for FY2003 (P.L. 107-228), President Bush identified 23 countries as major drug producing or transit countries¹¹ on January 31, 2003, four months into the fiscal year, rather than the established date of September 15, before the start of the fiscal year. As he identified the countries, he designated three countries — Burma, Guatemala, and Haiti — as having “failed demonstrably” within the last 12 months to make substantial counter-narcotics efforts, but he granted national interest waivers to Guatemala and Haiti on grounds that continued U.S. assistance to those countries serves U.S. national interests. At the same time, the President expressed concern about the amount of illegal synthetic drugs (particularly ecstasy) entering the United States from Europe (particularly the Netherlands), and the amount of pseudoephedrine and high potency marijuana entering the United States from Canada.¹²

By making the identifications and the designations at the time and the way that he did, the President made clear, and it was so stated in a fact sheet on the FY2003 narcotics certification process, that he was not exercising his option to utilize the procedures and standards of the old certification system.

Several months later, on March 1, 2003, the State Department issued the annual International Narcotics Control Strategy Report, in accordance with a requirement

¹⁰ According to statements in the floor debate, September 15 was picked as a time just before the start of the new fiscal year when the Congress could exercise oversight and take some action if it was dissatisfied with the identifications and designations.

¹¹ The countries identified as major illicit drug producing or transit countries were: Afghanistan, Bahamas, Bolivia, Brazil, Burma, China, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, India, Jamaica, Laos, Mexico, Nigeria, Pakistan, Panama, Paraguay, Peru, Thailand, Venezuela, and Vietnam. In general, nations are identified as major drug producing countries when a thousand hectares of illicit opium poppy or illicit coca, or five thousand hectares of illicit cannabis are harvested or cultivated during a year. Nations are identified as major drug transit countries when they are a significant direct source of illicit drugs affecting the United States, or such drugs are transported through the nation's territory.

¹² See the text of the presidential determination, the factsheet on the procedures, and the briefing and explanation on the FY2003 narcotics certifications available online at the State Department's website at [<http://www.state.gov/g/inl/narc/c8342.htm>].

that was not changed by the legislation, with descriptions of the counter-narcotics activities of illicit drug producing and trafficking countries.¹³

Drug Designation Requirements for FY2004 and Thereafter

Regular Requirements for FY2004 and Thereafter under the Foreign Relations Authorization Act

As indicated above, the Foreign Relations Authorization for FY2003 (P.L. 107-228), established permanent new requirements in Section 706 of the Act dealing with International Drug Control Certification Procedures.

The new procedures require the President to make a report, not later than September 15 of each year, identifying the major illicit drug producing or transit countries. At the same time he is required to designate any of the named countries that has “failed demonstrably,” during the previous 12 months, to make substantial efforts to adhere to international counter-narcotics agreements and to take other counter-narcotics measures. U.S. assistance for the coming fiscal year would be withheld from any designated countries unless the President determines that the provision of assistance to that country is vital to the national interest of the United States, or he determines that the designated country subsequently made substantial counter-narcotics efforts. Notwithstanding the general suspension of the previous drug certification and sanctions procedures, subsection 706(5)(B) of the Act provides that the President may, at his discretion, apply the old procedures and the more demanding standards of the previous legislation.

President Bush’s Designations for FY2004

Acting under Section 706 of the Foreign Relations Authorization Act for FY2003 (P.L. 107-228), President Bush identified 23 countries as major drug producing or transit countries¹⁴ on the established date of September 15, 2003 — 15 days before the start of the new fiscal year as intended by Congress. The countries named on the “majors list” were the same countries identified in the previous determination. In keeping with the new procedures, among the countries on the majors list, the President designated two countries — Burma and Haiti — as having “failed demonstrably” within the last 12 months to make substantial counter-narcotics efforts. However, Haiti was exempted from sanctions by a presidential determination that continued U.S. assistance to Haiti advances U.S. national interests.

¹³ See the International Narcotics Control Strategy Report covering 2002 at [<http://www.state.gov/g/inl/rls/nrcrpt/2002/>].

¹⁴ The countries identified as major illicit drug producing or transit countries were: Afghanistan, Bahamas, Bolivia, Brazil, Burma, China, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, India, Jamaica, Laos, Mexico, Nigeria, Pakistan, Panama, Paraguay, Peru, Thailand, Venezuela, and Vietnam.

In the text of the presidential determination, the President expressed concern about the flow of illegal synthetic drugs (particularly ecstasy) to the United States from the Netherlands, the amounts of precursor chemicals for producing methamphetamine as well as the amounts of high potency marijuana entering the United States from Canada, and the involvement of North Korea in heroin and methamphetamine traffic in East Asian countries. He indicated that the government of Guatemala had more adequately met international counter-narcotics obligations in the eight months since the last determination when it was listed as having failed demonstrably, but he explicitly stated that further progress was expected in the coming year.¹⁵

¹⁵ See the text of the presidential determination and the briefing on the FY2004 narcotics certification determinations available online at the State Department's website at [<http://www.state.gov/g/inl/narc/>].

Table 1. Comparison of Features of Sections 489-490 of FAct (Old Provisions) and Section 706 of Foreign Relations Authorization (New Provisions)

Features	Sections 489-490 of FAct of 1961	Section 706 of Foreign Relations Authorization
Legal status of the legislation	Sections 489-490 are permanent law	Section 706 is permanent law with new requirements; old provisions available to President as an option
Naming of major illicit drug producing and drug transit countries	Known as Majors List, required by November 1, four months before certification	Required by Sept. 15, same time as designation of worst offenders.
International Narcotics Control Strategy Report (INCSR) describing country performance and U.S. programs	Required by March 1	Still required by March 1
<i>Certification/Designation Procedures:</i>		
a. Responsibility for certification or designation	President	President
b. Congressional review/reversal	Congressional review and disapproval of certification	No congressional review of determination, but oversight available
c. Date of certification or designation	By March 1	By Sept. 15, at same time as designation of Majors List
d. Country coverage of certification or designation	All "major" countries must be certified as fully cooperative to avoid sanctions	President to designate worst offenders only.
e. Period for evaluation	Previous Jan.-Dec. calendar year	During the previous 12 months
f. Standards for certification or designation	Country has fully cooperated with U.S., taken steps to comply with U.N. Convention objectives, and engaged in other cooperative measures	Designation of worst offenders which have failed demonstrably to meet defined international counter-narcotics obligations
g. Effect of non-certification, or designation as worst offender	Withholding of U.S. assistance and sales financing, voting against country loans in MDBs, and possible trade sanctions	Withholding of U.S. assistance
h. Presidential waiver	President may waive sanctions if in vital national interest of United States	President may waive sanctions if in vital national interest of United States
International counter-narcotics cooperation	Defined as compliance with U.N. drug convention, and bilateral and multilateral agreements	Defined as compliance with U.N. drug convention, and bilateral and multilateral agreements, with key features specified.

Table 1 compiled by K. Larry Storrs, Congressional Research Service.

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Country	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Iran																	
Jamaica																	
Laos																	
Lebanon																	
Malaysia																	
Mexico																	
Morocco																	
Nigeria																	
Pakistan																	
Panama																	
Paraguay																	
Peru																	
Syria																	
Taiwan																	
Thailand																	
Venezuela																	
Vietnam																	

Note: Prepared by K. Larry Storrs, with technical assistance from Nancy Shaffer and Sarah Mitchell, from *International Narcotics Control Summary* provided by the Department of State. In nearly all cases, determinations were made on November 1 of each year.

Table 3. Countries on Majors List, FY1987-FY2001, That Failed to “Cooperate Fully,” and Were Decertified or Given National Interest Certification

Country	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Afghanistan															
Iran															
Syria															
Panama															
Laos															
Lebanon															
Burma															
Bolivia															
Nigeria															
Peru															
Colombia															
Pakistan															
Paraguay															
Belize															
Cambodia															
Haiti															

Legend:

-  Decertified.
-  National interest certification.

Note: Prepared by K. Larry Storrs, with technical support by T. Lisbeth, from *International Narcotics Control Summary* provided by the Department of State. In nearly all cases, certifications were made on March 1 of each year.

**Table 4. Countries on Majors List, FY2002-FY2004,
That “Failed Demonstrably” and Were Subject to Sanctions
or Given Waivers in National Interest**

Country	2002	2003	2004
Afghanistan			
Burma			
Haiti			
Guatemala			

Legend:

- Subject to sanctions.
- National interest waiver.

Note: Prepared by K. Larry Storrs, with technical assistance from Nancy Shaffer and Sarah Mitchell, from *International Narcotics Control Summary* provided by the Department of State, and the FY2004 presidential determinations.

Determinations for FY2002 were made on February 23, 2002; for FY2003 were made on January 31, 2003; and for FY2004 were made on September 15, 2003.

Table 5. Majors List, FY2004
Countries Determined on September 15th before Fiscal Year
to be Major Illicit Narcotics Producing and/or Transit Countries

Country	2004	2005
Afghanistan		
Bahamas		
Bolivia		
Brazil		
Burma		
China		
Colombia		
Dominican Republic		
Ecuador		
Guatemala		
Haiti		
India		
Jamaica		
Laos		
Mexico		
Nigeria		
Pakistan		
Panama		
Paraguay		
Peru		
Thailand		
Venezuela		
Vietnam		