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Drone Strikes in Mexico: Is U.S. Military Intervention Possible?

By Vera Garcia

COELUM



PRONUNCIATION:

'che-l&m, is Latin for airspace or sky. The Romans began questioning the rights they had in the space above the land they owned and how high above them those rights would extend. They decided on, Ad coelum et ad inferos, meaning that their property rights would extend as high up as the heavens and all the way down to hell.

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Mexico and the U.S. have cooperated in the past years to combat drug cartels, beginning with the Mérida Initiative (Plan Mexico) negotiated in 2011¹. However, under former president Andrés Manuel López Obrador (AMLO), this cooperation didn't develop as expected. Following the U.S. arrest of a former Mexican Defense Secretary in 2020 on drug charges, AMLO criticized the Mérida Initiative and gradually reduced federal security cooperation with the U.S.².

Furthermore, as a response, on December 18, 2020, Mexico passed a reform to the National Security Law (*Ley de Seguridad Nacional*)³. It amended Article 68, which now pertains to foreign agents being required to share all critical information in respect to foreign law enforcement on Mexican soil⁴.

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Later, in 2021, Mexico and the U.S. agreed to the Bicentennial Framework for Security, Public Health, and Safe Communities. This focused on combating cross-border crime through three pillars: i) Protecting people; ii) Preventing transborder crime and iii) Pursuing criminal networks⁵. In line with that, the U.S. has, over the past years, used drones and aircraft to carry out spy activities in Mexico⁶. However, historically the U.S. has conducted covert flights without informing the Mexican Government.

This year, as we know, President Trump took office and following his inauguration, he designated six Mexican cartels as terrorist organizations⁷. Such an act produced speculation about potential military actions against them including drone strikes.

According to the U.S. Department of State, labeling cartels as terrorists' organizations provides the U.S. with additional law enforcement permissions to stop these groups⁸. Furthermore, Roland Johnson, the U.S. ambassador nominee to Mexico, recently stated that any U.S. military action should ideally involve Mexican cooperation. However, he also added that "when it comes to U.S security, all options remain on the table."⁹

President Claudia Sheinbaum firmly rejected this idea, reaffirming that national sovereignty and Mexican laws

1.- Congressional Research Service. (n.d.). U.S.-Mexico security cooperation: From the Mérida Initiative to the Bicentennial Framework. Congress.gov. Library of Congress. <https://www.congress.gov>

2.- Congressional Research Service. (n.d.). U.S.-Mexico security cooperation: From the Mérida Initiative to the Bicentennial Framework. Congress.gov. Library of Congress. <https://www.congress.gov>

3.- Congressional Research Service. (n.d.). U.S.-Mexico security cooperation: From the Mérida Initiative to the Bicentennial Framework. Congress.gov. Library of Congress. <https://www.congress.gov>

4.- Congreso de la Unión. (2011). Ley de Seguridad Nacional. Diario Oficial de la Federación. <https://www.dof.gob.mx>. Article 68 of the National Security Law: Article 68. - Within the framework of international cooperation, embassies and foreign missions accredited in the country must inform the relevant authorities in accordance with the respective bilateral cooperation agreements signed by the Mexican State in matters of security, and that contribute to preserving National Security, about any facts they are aware of in the performance of functions derived from those agreements and programs. The provisions governing this Title will observe the principle of reciprocity between Sovereign States.

5.- Congressional Research Service. (n.d.). U.S.-Mexico security cooperation: From the Mérida Initiative to the Bicentennial Framework. Congress.gov. Library of Congress. <https://www.congress.gov>

6.- Sanger, D. E., & Schmitt, E. (2025, February 18). C.I.A. drone flights in Mexico spark a debate over U.S. intervention. The New York Times. <https://www.nytimes.com/2025/02/18/us/politics/cia-drone-flights-mexico.html>

7.- U.S. Department of State. (n.d.). Terrorist designations of international cartels. U.S. Department of State. <https://www.state.gov>

8.- U.S. Department of State. (n.d.). Terrorist designations of international cartels. U.S. Department of State. <https://www.state.gov>

9.- DePetrìs, D. (2025, February 16). What would bombing Mexico accomplish? Lawfare. <https://www.lawfaremedia.org/article/what-would-bombing-mexico-accomplish>

required explicit consent for foreign operations¹⁰. On February 20, 2025, she also proposed reforms to Articles 19 and 40 of the Constitution¹¹. The last one, seeks to address the fact that Mexico will not accept, under any circumstance, any form of intervention, interference, or foreign action that undermines the nation's independence and sovereignty. It will also prohibit any foreign intervention in crime investigations and prosecutions, unless explicitly authorized by the Mexican government¹².

That being said, from a Mexican point of view, minor U.S. intervention (e.g., drone surveillance) should be carried out through diplomatic channels, ideally involving the Secretary of National Defense (SEDENA) and/or the Mexican Navy. The operations should be conducted jointly with Mexican forces to ensure compliance with sovereignty laws, and authorizations should be granted on a case-by-case basis rather than for an indefinite period.

On the other hand, for broader military intervention, the following steps would likely be required: i) Diplomatic agreements – Mexico and the U.S. would need to negotiate new security agreements, which would require approval by both the U.S. and Mexican Congress.

Regarding U.S. congressional approval, President Trump would need a new Authorization for the Use of Military Force (AUMF) specifically directed at those organizations¹³. Nevertheless, Trump's administration could invoke Title 50, a U.S. law that could authorize him to carry out covert operations in foreign countries, possibly without the need for an AUMF¹⁴.

Finally, another possible justification would be if the U.S. claimed "self-defense" under international law (i.e., under the self-defense provisions of United Nations Article 51). However, this scenario seems improbable, as it would require proving that self-defense is necessary^{15 16}.

To conclude, it is impossible to predict the exact consequences if the U.S. were to unilaterally carry out military operations in Mexico. However, what is clear is that the designation of cartels as international terrorist organizations is a significant matter. While such a designation would not automatically grant President Trump the authority to dispatch special operations forces against the cartels, U.S. law provides legal mechanisms that could eventually permit such actions.

If the U.S. were to conduct an airstrike in Mexico—whether controlled, drone-based, or targeting specific objectives—it would constitute a violation of Mexico's national sovereignty, and strain diplomatic relations between the two countries, especially if U.S. orders were to bypass Mexican law.

Mexico faces significant risks, making it difficult to determine which is more alarming: the panorama of foreign military intervention of any kind or the ongoing violence, disappearances, and corruption sustained by a government that remains passive against organized crime and drug cartels.

10.- Infobae. (2025, March 14). Intervención militar no está en la mesa: Sheinbaum a Ronald Johnson. Infobae. <https://www.infobae.com/mexico/2025/03/14/sheinbaum-responde-a-ronald-johnson-accion-militar-de-eeuu-contra-carteles-en-mexico-no-esta-sobre-la-mesa/>

11.- "The people of Mexico, under no circumstances, will accept interventions, intrusions, or any act from abroad that harms the integrity, independence, and sovereignty of the nation, such as coups, interference in elections, or violations of Mexican territory, whether by land, sea, or airspace. It will also not tolerate any intervention in investigations and prosecutions without the express authorization and cooperation of the Mexican State, within the framework of applicable laws."

12.- Grupo Milenio. (2025, March 15). Sheinbaum envió iniciativas de reforma a los artículos 19 y 40. Grupo Milenio. <https://www.milenio.com>

13.- Bipartisan Policy Center. (2018, August 9). What the AUMF is and why you should care. Bipartisan Policy Center. <https://bipartisanpolicy.org/blog/what-the-aumf-is-and-why-you-should-care-2018/>

14.- U.S. Code Title 50—War and National Defense. (n.d.). Cornell Law School. Retrieved March 20, 2025, from <https://www.law.cornell.edu/uscode/text/50>

2.6 Assistance to Law Enforcement Authorities
Agencies within the Intelligence Community are authorized to: (...) (b) Unless otherwise precluded by law or this Order, participate in law enforcement activities to investigate or prevent clandestine intelligence activities by foreign powers, or international terrorist or narcotics activities (...);

15.- United Nations. (1945). Charter of the United Nations: Article 51 - Self-defense. United Nations. <https://www.un.org/en/charter-united-nations>

Article 51: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

16.- DePetrís, D. (2025, February 16). What would bombing Mexico accomplish? Lawfare. <https://www.lawfaremedia.org/article/what-would-bombing-mexico-accomplish>

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