

Watch List 2023 for the EU

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Spring Update

By International Crisis Group

Latin America Wrestles with a New Crime Wave

From Sudan to Ukraine, crises brew, calling for renewed attention and action. In her introduction to the <u>Watch List 2023 – Spring Update</u>, Crisis Group President & CEO Comfort Ero identifies ways the EU and its member states can prevent and resolve conflict around the globe.

cross Latin America, organised crime and a concomitant rise in violence have threatened the residents' safety and left governments grappling for effective responses. Although overall homicide rates have plateaued in recent years (albeit at the highest levels in the world), and even fallen in notoriously violent countries such as Colombia and El Salvador, the picture is still grim. Around a third of all murders around the world occur in Latin America each year, with many or most of them attributed by national authorities to organised crime. Rates of gender-based murders have increased in several countries. The predatory behaviour of criminal groups has also triggered and aggravated existing humanitarian emergencies such as mass displacement.

Geography is a major reason why Latin America emerged as a hotspot of global crime. Home to three of the largest cocaine-producing countries in the world – Colombia, Peru and Bolivia – as well as the main exit points for cocaine exports to Europe and the U.S., the region has played a key role in illicit drug markets for more than four decades. While Central America, Colombia and Mexico have long been plagued by violence, changes to the routes and networks underpinning the drug trade have brought flareups of violence in countries such as Ecuador and Costa Rica – which traditionally were considered secure and peaceful compared to some of their neighbours.

Many factors have contributed to real and perceived rises in public insecurity. Unprecedented rates of drug production and profitable new narcotic trafficking routes in countries such as Paraguay and Argentina play a role. Widespread economic hardship in Latin America, which became particularly acute during the pandemic, lured more individuals into organised crime. Meanwhile, the prevalence of corruption in the region has allowed an array of illicit markets to take root. These markets are not limited to drug trafficking: crime rings are engaging in human smuggling, fuel theft, illegal logging and mining, and extortion. Some outfits are attempting to deepen their influence over legal businesses and consolidate their control of communities as a means of acquiring new recruits and sympathisers and expanding their geographical base.

Latin America's new criminal landscape has repercussions beyond its borders. EU member states are struggling with a surge in cocaine trafficking to European shores as the continent becomes a preferred <u>export destination</u> for the drug. High-level intra-regional cooperation in responding to drug trafficking and organised crime is largely dormant. Meanwhile, U.S. security cooperation continues to play an important role across Latin America, but its significance appears to be diminishing, as <u>financial assistance</u> for narcotics control and law enforcement in the region – especially in <u>Mexico,</u> <u>Central America</u> and <u>Colombia</u> – has fallen slightly in recent years.

To help address these challenges, the EU and its member states should:

- Help partner governments take aim at bribery and corruption through a combination of strong policies and effective enforcement backed up by intelligence-based policing and supported by stronger cross-border information exchange.
- In order to increase human security, support efforts to: reduce impunity through investment in prosecutorial capacity; protect

victims and witnesses by backing the establishment of secure reporting channels and safehouses; and create alternatives to crime through social and employment programming.

- Reinforce EU technical assistance and capacity-building programs for combating crime – including the Europe Latin America Programme of Assistance against Transnational Organised Crime (EL PAcCTO) and the Cooperation Programme between Latin America, the Caribbean and the European Union on drug policies (COPOLAD).
- Use the forthcoming July summit between the EU and the Community of Latin American and Caribbean States (CELAC) to establish a working agenda on organised crime with the region's leaders, with a focus on challenging topics like intra-regional cooperation; negotiations with criminal gangs; and ways to guide counter-narcotics efforts away from the poorest and most vulnerable, where they too often focus.

New Trends and Old Crimes

Weak democratic institutions, high levels of corruption and extreme inequality have made Latin America fertile ground for organised crime. Major insecurity and instability linked to organised crime first took root in the 1980s. While elements of traditional organised criminal activity endure – notably, the use of selective violence and complicity with political forces and legitimate businesses – the landscape of illegal profit-making today bears little resemblance to its original incarnation.

In particular, state crackdowns, often carried out with strong support from the U.S., have broken up the traditional hierarchical organisations that operated under a central command and participated in multiple illicit markets, for instance producing and trading drugs as well as carrying out killings and kidnappings. Archetypal drug cartels – such as Medellín or Cali in Colombia, or the Gulf or Guadalajara in Mexico – have given way to enterprising, smaller criminal groups intent on seeking out new illicit opportunities rather than relying on stable markets. Colombia now hosts an array of purely criminal groups alongside other armed outfits that combine ostensibly revolutionary goals with the extraction of illicit revenue. An estimated 24,000 combatants are enrolled in both armed groups and organised crime, in urban and rural areas. The number of criminal groups in Mexico doubled between 2010 and 2020, reaching over 200 according to <u>Crisis</u> <u>Group data analysis</u>.

Smaller criminal enterprises are not always assured of survival, of course. In Guerrero and Michoacán in Mexico, or Cauca and Nariño in Colombia, illegal groups regularly engage in turf wars. Criminal bosses tend to have short careers: death, arrest and extradition are common denouements. But broader criminal economies have become more resilient, in part because these groups' revenue streams – which help buy them political protection and judicial impunity – have become less vulnerable to sudden fluctuations.

A large part of criminal groups' power can now be traced to the increasing influence they wield over the communities in which they operate. In Colombia, groups such as the Gulf Clan now the most important criminal organisation in the country - offer benefits such as new school buildings and even give out toys to win over supporters in the territories they expand into. These groups do not rely on perks alone to establish dominance, however: the use of forced confinement – by which the groups require that residents remain in their homes and refrain from going to work or school - has become widespread. More than 100,000 people were victims of confinement in 2022, many of them members of Indigenous and Afro-Colombian communities along the Pacific coast. Criminal and other armed groups are particularly keen to take over these communities from rivals because they tend to be clustered near export points to international markets or crucial territories for illicit businesses.

In some cases, local criminal groups rent territories to entrepreneurs seeking to produce or transport drugs, which are then dispatched to global markets. This franchising and partnership model has enabled illicit drug markets to grow and diversify. Although the production and transportation of plant-based drugs remains an important criminal activity in Mexico, the country has also become a major player in the production and trafficking of methamphetamine and synthetic opiates to the U.S. Fentanyl seizures in Mexico have increased by more than 1,000 per cent since 2018. Huge profits from the synthetic drug trade fund turf wars between the Jalisco and Sinaloa Cartels, driving much of the lethal violence in the country. In Colombia, the Gulf Clan reportedly charges taxes on third-party drug traffickers that pass through its territory, according to the **plea bargain** offered to U.S. courts by its extradited former leader Dairo Antonio Úsuga, aka Otoniel. At the same time, the Clan runs migrant smuggling routes through the Darién Gap between Colombia and Panama. It also operates extortion rackets and enjoys numerous connections to legitimate private businesses across the north of the country.

Elsewhere in Latin America, new crime hubs have emerged in areas that offer strategic benefits to drug traffickers and enable novel connections to be forged among transnational outfits, local gangs and corrupt officials in courts, prisons and police forces. Extraordinary upsurges in violence have plagued the port cities of Guayaquil and Rosario, in Ecuador and Argentina respectively, as well as Costa Rica, Panama and Paraguay. Criminal groups in Ecuador have intimidated local communities by engaging in violent tactics such as hanging bodies from a pedestrian bridge, bombing shops and residential areas, and beheading rival group members. The country now has one of the fastest-rising homicide rates in the region, with 2022 its deadliest year since statistics were first recorded. The expansion of Brazil's First Capital Command (Primeiro Comando da Capital) – the country's largest criminal force and one of the most powerful in Latin America - accounts for much of the recent spike in lethal violence in eastern Paraguay, just across the Brazilian border.

The spread and diversification of criminal groups across Latin America has brought with it a surge of extortion and environmental crime. These illicit activities are less profitable than drug trafficking, but they have become increasingly attractive because they generate relatively stable incomes at lower risk and provide the opportunity to reinforce control of communities. In the countries of northern Central America – El Salvador, Guatemala and Honduras – extortion rackets have been calculated to be worth up to \$1.1 billion annually. In Colombia, meanwhile, reported cases of extortion have risen 40 per cent in the first three months of 2023 compared with the same period the previous year, according to military sources.

Home to approximately half of the world's tropical forests, Latin America – in particular the Amazon rainforest – is also a hotspot for environmental crime. In many cases, this illicit trade intersects with other criminal economies, such as drug trafficking: hollowed-out tree trunks, for example, are used to conceal shipments of cocaine. Traffickers have also used cattle ranching to launder money, which has the additional effect of contributing to deforestation in Brazil, Colombia and Bolivia. Journalists and environmental defenders – including Indigenous leaders – are prominent among the victims of criminal groups operating in the jungle.

Gender-based violence has also increased in some areas, exacerbated by the general climate of impunity and brutal violence fostered by criminal groups. Zacetacas, whose location in northern Mexico has made it a coveted site for gangs operating trafficking routes, experiences the fourth highest murder rate of the country's 32 states. Rates of disappearance of women in Zacetacas state rose by 50 per cent in 2022, with most of the victims between ten and nineteen years old. Other types of gender-based violence have also become more widespread as criminal operations have expanded.

These shifts in the structures and workings of organised crime have coincided with changes in the relations between organised crime groups and the political system. Rather than seeking to appropriate state institutions or confronting security forces in defence of their rackets, criminal groups have quietly woven networks of influence with local authorities and communities, combining violent intimidation with sophisticated techniques of co-option, including financing electoral campaigns for their preferred local candidate or preventing certain candidates from campaigning in certain areas. In so doing, they make it more likely that the authorities will turn a blind eve or even collude with these groups' activities.

The Quest for an Effective Approach

When policies aimed at curbing organised crime in Latin America have had positive effects, the impact tends to dissipate quickly. Latin American governments desperate to placate fearful citizens have gravitated to "iron fist" (mano dura) approaches, which combine coercive law enforcement, deployment of military forces in domestic policing, mass detentions and increasingly severe punishments. Over the medium and long term, however, these approaches have not eradicated organised crime but rather caused it to shift to new configurations that allow it to avoid or weather state crackdowns, sometimes through complicity with public officials. For example, tough law enforcement policies in northern Central America turned prisons into hubs where gangs

organised, consolidated their identity and expanded extortion rackets. The mano dura approach has also spurred rises in extrajudicial killings, often by para-police forces.

A radically different approach – namely, engaging in dialogue with criminal groups in order to demobilise them – also has a disappointing track record over the long term. Most criminal demobilisation initiatives have been undermined by high rates of recidivism among former rank-and-file members. Consider what happened after Colombia's paramilitaries laid down their weapons between 2003 and 2006: of an estimated 55,000 <u>demobilised combatants</u>, 20 per cent of them committed crimes between 2003 and 2012.

Against the backdrop of these experiences,

Latin American governments have adopted a range of strategies for addressing criminal violence. President Navib Bukele in El Salvador has attracted both regional renown and international criticism for bringing murder rates in his country down to historic lows over the past year through use of a "state of exception" that has seen the arrest and imprisonment of 65,000 suspected gang members, of whom 15 per cent are women. El Salvador now has the largest per capita jail population in the world, with some 2 per cent of its adult population behind bars. Human rights advocates have raised legitimate concerns about Bukele's mass incarceration policies, arguing that they have been carried out with excessive force, led to the erosion of suspects' legal rights and chipped away at the country's democratic institutions. Crisis Group and others have also voiced concern as to how long the improved security may last. The tangible effects on public safety, however, have brought Bukele extraordinary popularity. Despite a constitutional prohibition on his running for another term, he is likely to be re-elected in 2024.

Politicians elsewhere in the region are seeking to replicate the El Salvador security model. The front runners in the Guatemalan presidential election in June – Carlos Pineda, Sandra Torres and Zury Ríos – have explicitly drawn inspiration from Bukele. Honduras' left-leaning president has also taken <u>emergency security</u> <u>measures</u> to battle extortion.

By contrast, Colombian President Gustavo Petro has taken a very different route to address his country's security dilemmas. A broad set of policies known as "<u>total peace</u>" aims to reduce violence and protect civilians, above all in conflict-affected rural areas, by seeking talks and conditions for ceasefires with armed groups and criminal groups, notably the National Liberation Army (ELN), dissidents of the former Revolutionary Armed Forces of Colombia (FARC) and the Gulf Clan. There are, of course, many complications in engaging in dialogue with so many distinct armed organisations. Colombian law prohibits holding political dialogue with organised criminal groups, meaning the purpose of any talks must be to seek the demobilisation and prosecution of members through the regular justice system. Washington, meanwhile, remains sceptical about conversations with criminal groups, particularly when a number of these groups' leaders face charges in the U.S.

Still, the policy remains Petro's hallmark initiative. Negotiations are set to continue with the ELN in Cuba in May, and talks may soon begin with a dissident (ie, splinter) group of the now demobilised FARC. But the government has quashed a precarious ceasefire with the Gulf Clan after <u>alleging that the group incited</u> <u>violence</u> in a mining strike, including burning trucks, blocking roads and attempting to attack an aqueduct in Tarazá, Antioquía.

Part of Petro's approach is motivated by an understanding that the causes of the resilience and sway of armed groups derive from the lack of other economic opportunities for rural residents, as well as the failings of the global drug prohibition regime. In his government's opinion, the counter-narcotic strategies applied by Latin American governments since the 1980s and backed by Washington have created huge economic incentives for illicit activity while punishing the weakest and most vulnerable participants in the drug supply chain, creating the conditions for illegal armed groups to gather recruits and resources. With his total peace effort, Petro is seeking to break this cycle.

Charting a Way Forward

The EU and its member states should support regional efforts to reduce the impact organised crime has on human security in the region, as well as the challenges it poses for respect for the rule of law and peaceful, democratic politics. They should also try to act as a counterweight to heavy-handed approaches, which can too easily gain political support when communities live in fear. By way of an alternative, the EU and member states should champion initiatives that combine building the capacity for humane and effective law enforcement with economic and social programs, including ones that aim to provide licit livelihoods for impoverished communities. In particular:

First, the EU and member states should give support to robust anti-bribery and anti-corruption policies – including the establishment of stronger financial controls and independent audit agencies to oversee public finances – and seek to strengthen intelligence-led policing to help ensure these policies are being enforced. Law enforcement efforts can also be bolstered by systematic information exchange between European and Latin American governments. The EU should also back prison reform initiatives that aim both to curb criminal groups' use of jails as operation centres and provide inmates with more training and education opportunities ahead of their release.

Secondly, European and other donors should focus on helping regional governments reduce impunity rates and enhance the security and safety of victims. To this end, they should support efforts to improve prosecution services' investigative capacities; establish new channels for victims and witnesses to share information about crimes; and create safe houses for vulnerable individuals who have reported violent crimes, including women. They should also focus on community-based initiatives that seek to reduce violence, such as employment and social programs for youth in vulnerable situations to counter crime and the violence it generates.

Thirdly, the EU and member states should explore additional support and promotion of existing regional cooperation efforts to combat drug trafficking. These include Ecuador's and Colombia's incipient partnership to protect their shared border and a Brazilian-led effort to reduce deforestation in the Amazon, which could serve as a stepping stone toward largerscale regional partnership programs. In parallel, European donors could increase investment in technical assistance initiatives to combat organised crime and drug trafficking, such as EL PACCTO and COPOLAD; continue to back the efforts to achieve greater Latin American police cooperation, including the embryonic Ameripol agency; and update programming in response to the region's changing criminal landscape.

Fourthly, the EU-CELAC summit to be held in July, after an eight-year hiatus, represents an opportunity to establish a working agenda on organised crime with the region's leaders. Topics for the agenda might include how the EU can help promote greater intra-regional security cooperation; questions surrounding negotiations with criminal groups – including the narrow conditions under which these might be appropriate; and how to reframe international counter-narcotics efforts so the focus moves away from low-ranking individuals in trafficking schemes (who often include highly vulnerable subsistence farmers) and instead targets higher-value segments of the supply chains, including by seeking to interrupt financial flows more effectively.