



**The “New Wars:”**  
**Democracy, Security and Cooperation**  
**in Mexico and Central America**

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*Disclaimer: The views and opinions expressed are solely those of the author or authors and do not necessarily reflect those of the Latin American and Caribbean Center or Florida International University.*

## **Introduction**

The subregion comprised by the northern Central American countries and Mexico stands as one of the most violent in Latin America and the world. In the last ten years, the countries of this subregion have experienced three trends associated with criminal violence: a sharp increase in homicidal violence; greater and more visible levels of brutality performed by both criminal groups and state forces; and a steady process of cooptation, penetration and control of the security forces by criminal groups. These three trends, amount to what we can call an unprecedented security crisis. Most literature has explained the current crisis as a direct result of the proliferation of youth gangs known as maras, as well as an ever deeper penetration of stronger and better organized drug trafficking organizations in Mexico.

According to this view there are two factors that explain the emergence and rise of the main security threats mentioned above. One, the shifting routes of drug flows in the 1990s from the Caribbean to Central America and Mexico; and two, the policies of deportation that led to the arrival of thousands of gang members from the United States to northern Central America at the end of the 1990s. While we recognize the importance of these factors, we argue that the current security crisis cannot be understood without looking at the long history of political maneuvers and missteps that have repeatedly derailed efforts to build strategic and comprehensive policies to fight organized crime and common violence. In the last decade, Mexico and the countries of Central America, particularly those comprising the so-called “northern triangle” (El Salvador, Honduras, and Guatemala), have experienced a unique process of convergence regarding their security agendas.

Despite their different levels of homicidal violence,<sup>1</sup> there are increasing similarities between the threats faced by these countries as well as between the strategies pursued by their governments to reduce these threats. Drug-trafficking organizations (DTOs) and street gangs are both linked at the local level to other forms of criminal violence such as kidnappings and extortions, and linked at the transnational level to organized crime such as arms trafficking, human trafficking and money laundering. In regards to security strategies, military operations as well as repressive measures carried out by the police, such as massive incarcerations and the neutralization of kingpins of gangs and DTOs, have been among the most salient policies adopted by these countries to counteract the presence of these threats.

For observers, the existence of these commonalities would open up an opportunity to build an agenda of sub-regional cooperation on issues of security and crime (Selee et al., 2013; Shifter, 2012). Yet, evidence shows that cooperation between Mexico and the northern triangle Central American countries has been plagued by mistrust and lack of political will. For instance, in the early 2000s, Mexico reproached the countries of the northern triangle for exporting the “gang problem” into Mexican territory (particularly in the southern border of the country through the alleged presence of *maras*). However, some years later, Central American countries held Mexico responsible for its inability to contain DTOs, which indirectly caused their advancement towards Central American territory. In 2012, the Mexican government claimed that gang members from Mara Salvatrucha (MS-13) have trained some of the “most dangerous and sadistic [Mexican] cartels” (i.e. Zetas and the Beltran Leyva Organization) in ultraviolent tactics such as mutilations and beheadings (Ramsey, 2012). In addition, there was concern about the potential collaboration and alliance between members of the special forces of the Guatemalan military,

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<sup>1</sup> In particular, Mexico’s homicide rate of 21.5 per 100,000 inhabitants in 2012 continues to be low compared to that of Honduras (90.4), El Salvador (39.9) or even Guatemala (41.2) for the same year. Overall, however, homicide rates have been growing in these four countries in the last five to 10 years. See: UNODC (2013).

known as Kaibiles, and the Zetas cartel, who share a similar military background as former members of Mexico's special forces (López, 2011).

Security policies have swung back and forth between suppression-only approaches and well intentioned yet at best haphazardly implemented policies of security. The result has been that the governments of the sub-region have neglected the development of security policies that incorporate long-term strategies aimed at mitigating the structural causes of violence, while tackling at the same time the situational and contingent precipitants of crime. Governments, furthermore, have neglected the creation and enforcement of accountability mechanisms within the security and justice apparatuses. Corruption and lack of accountability are, arguably, the main obstacles to implement a criminal-justice system capable of dealing with the crisis of security in Mexico and Central America. As such, they are also one of the most important causes of the current governance crisis in the sub-region.

In light of this, the decision of the governments to authorize and privilege the use of military forces in their fight against criminal organizations has had negative, even if unintended, consequences for the states institutional capacities to confront crime and to maintain (and in some cases attain) citizens trust in its institutions. The use of the armed forces has been justified under two interrelated premises. First, the persistence of weak, corrupted and poorly coordinated police forces at the local and national levels; and second,, the upsurge of criminal organizations which proliferating levels of violence and state penetration have demanded a rapid and alternative security apparatus capable of articulating effective responses to crime. Based on these two premises, the governments of the region have launched a set of militarized strategies under emergency decrees followed by a declaration of war against DTOs and the so-called *maras*. These strategies constitute what we refer to in this article as “the new wars.” In contrast to the

so-called wars that characterized these and other Latin American countries during the Cold War years (1940s to 1980s), all waged against political enemies on the basis of their political ideology, these new wars are directed against criminal actors whose main aim *no longer is* to attain, threaten, or transform political power but to maximize profits and to secure points of illegal sale, production, and trafficking of goods. In other words, the “new wars” are waged against what could be identified as “economic” forms of insurgency.<sup>2</sup> For some, these new wars have been launched in a context widely seen as one of democratic consolidation and political peace in Latin America; for others, these wars have taken place in a context that could better be described as one of “violent democracies.”<sup>3</sup>

The following paper aims at answering the four following questions: What are the main characteristics of the current security crisis in the sub-region? What are the pitfalls and the lessons to be learned from the security strategies currently pursued by the governments of these countries? What are the main cooperation initiatives in the sub-region on issues of crime, violence, and security? And finally, what can be done in order to build more effective and sustainable cooperation strategies to address the security challenges shared by the sub-region? In order to answer these questions, the paper is divided into four sections. Firstly, we delineate the current security crisis in the sub-region. Secondly, we analyze the main strategies adopted by the governments of these countries in order to confront criminal organizations, particularly DTOs and the *maras*. In the third section we discuss the main examples of sub-regional cooperation

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<sup>2</sup> There is an ongoing debate as to how to best describe the aims and actions of members of organized crime, particularly when it comes to their capacity and willingness to penetrate state institutions. For the purposes of this paper, though, we will follow the more traditional definition of political violence suggested by Bourgois (2001) as “targeted physical violence and terror administered by official authorities and those opposing it, such as military repression, police torture and armed resistance” (8).

<sup>3</sup> Authors like Arias and Goldstein, for instance, interpret the concurrence of democratization and greater levels of violent crime in the region as the result of the type of democratic rule that has emerged in the region; which includes corrupted practices, weak institutions, abrupt economic liberalization, and sudden decentralization of power. See Enrique Desmond Arias y Daniel Goldstein (eds) (2010), *Violent Democracy in Latin America: Toward an Interdisciplinary Reconceptualization*. Durham: Duke University Press.

with particular emphasis on the Security Commission of the Central American Integration System (SICA), the Regional Initiative for Central America's Security (CARSI) and the Merida Initiative. We address the role of the United States as a mediator, facilitator or as an obstacle to deepen alternative models of cooperation between these countries and we evaluate the extent to which these cooperation initiatives merely reproduce rather than correct the strategies adopted at the local level. We finish this section by asking if a significant transformation of the existing strategies in the next years could take place. This is so in light of potential shifts in the global market of drugs or in the current prohibitionist framework towards drugs. Finally, we conclude with a fourth and last section where we present potential policy recommendations to improve current sub-regional cooperation strategies on issues of security.

## **1. The security crisis**

According to different sources, the countries of the northern triangle of Central America are now considered the most violent areas of the world. In the late 2000s, the United Nations Office on Drugs and Crime (UNODC) entertained the idea that Central American nations “may have recently surpassed the traditional world leaders in the number of murders committed per 100,000 members of the population.”<sup>4</sup> By 2011, there is little doubt that countries such as Honduras and El Salvador have gone well beyond the historic threshold established by other Latin American countries. Police figures indicate that in 2011 Honduras topped the homicide rate of 85/100,000 inhabitants mark, whereas El Salvador reached more than 70 murders per 100,000

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<sup>4</sup> United Nations Office on Drugs and Crime UNODC, *Crime and Development in Central America. Caught in the Crossfire*, (New York: United Nations Publications, 2007), p. 53.

populations.<sup>5</sup> According to unconfirmed official data from 2011, only Guatemala has experienced a relatively stable trend in homicides (42 per 100,000 inhabitants), although the northern region of Petén might see rates above 90/100,000.<sup>6</sup> Still, the Guatemalan rate of homicides is noticeably high, even for Latin American averages.

Mexico's homicide rates have been on the rise since 2007. Despite presenting considerably lower levels of lethal violence than the countries of northern Central American, the relative and absolute increase in the number of homicides in the last few years has confirmed the widespread perception of Mexico as a country caught in a profound security crisis- one of the worst experienced in its recent history. According to statistical data from the National Institute for Statistics and Geography (INEGI), the homicide rate went from 8 homicides per 100,000 inhabitants in 2007 to 23 and 24 per 100,000 inhabitants in 2010 and 2011. According to numbers published by the National Security Council (CNS) the total of homicides "allegedly linked to organized crime" reached more than 50,000 deaths in the 2006-2011 period. In the year 2011, considered one of the most violent ones of President Calderon's term, the number of deaths reached a total of 27, 199.<sup>7</sup> Although lethal and drug-related violence continues to be concentrated in specific areas, it has become more widespread in the last two years. For instance, lethal violence diminished in cities like Chihuahua, Culiacán and Ciudad Juárez, but augmented

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<sup>5</sup> Ronan Graham. 'Honduras Murder Rate Set to Soar to 86 per 100,000'. *In Sight. Organized Crime in the Americas* 2011, September 9, 2011. Can be found at: <http://insightcrime.org/insight-latest-news/item/1544-honduras-murder-rate-set-to-soar-to-86-per-100000>.

<sup>6</sup> Ronan Graham. 'Guatemala on Course for Stable Murder Rate in 2011.' *In Sight. Organized Crime in the Americas* 2011, December 9, 2011. Can be found at: <http://insightcrime.org/insight-latest-news/item/1959-guatemala-on-course-for-stable-murder-rate-in-2011>.

<sup>7</sup> Instituto Nacional de Estadística y Geografía (INEGI), México, Comunicado Número 287/11 published on July 28, 2011 and *newspaper* Excelsior, "En 2011, récord de homicidios; en el año, 24 asesinatos por cada 100 mil habitantes" (August 21, 2012) in [http://excelsior.com.mx/index.php?m=nota&seccion=nacional&cat=1&id\\_nota=854417](http://excelsior.com.mx/index.php?m=nota&seccion=nacional&cat=1&id_nota=854417)

in cities like Monterrey, Veracruz and Acapulco.<sup>8</sup> In Veracruz, for instance, the number of homicides increased in 188 percent, from a total of 461 in 2010 to 1005 in 2011. According to a recent study, “[Whereas] at the start of the Calderón administration, there was one drug related homicide every four hours; by 2011, the worst year on record, there was one every 30 minutes.”<sup>9</sup>

Homicide rates are just one of the most dramatic indicators of the recent security crisis in the sub-region. Equally important are the high levels of perception of crime and insecurity amongst Central American and Mexican citizens. According to the 2012 Americas Barometer, citizens of Mexico and the countries of the northern triangle reported perceptions of crime of more averaging 39 on a scale ranging from 0 to 100. In El Salvador and Mexico, these perceptions are even higher.<sup>10</sup> In contrast to countries like Argentina, Costa Rica, and Chile where high levels of crime perception do not reflect the “objective” dimension of delinquency and violence, in Mexico and the three countries of Central America perceptions are in fact consistent with crime rates and victimization patterns.<sup>11</sup> Besides victimization itself, the role played by criminal organizations in the production and reproduction of higher perceptions of violence cannot be underestimated. In the last decade, DTOs, maras and other forms of

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<sup>8</sup> Cory Molzahn, Viridiana Ríos, and David A. Shirk “Drug Violence in Mexico, Data and Analysis Through 2011” Special Report, Transnational Border Institute, Joan B. Kroc School of Peace Studies University of San Diego-Marzo 2012.

<sup>9</sup> *Ibid.* According to this study the classification of homicides as allegedly linked to organized crime is based on 6 criteria, including the following: “the victim was killed by high caliber firearms,” “the victim presents signs of torture or severe lesions,” “the victim was killed where the body was found, or the body was located in a vehicle” (p. 5). This classification, which has been recently suspended by the government, was highly controversial since it was not based on a systematic investigation of the killings but on a circumstantial and descriptive inference of the victim and her or his victimization. See:

Alejandro Hope “*De muertos y números*” en el blog *Plata o Plomo* <http://www.animalpolitico.com/blogueros-plata-o-plomo/2012/08/18/de-muertos-y-numeros/>

<sup>10</sup> The question used was: “AOJ11. Speaking of the place or neighborhood where you live, and thinking of the possibility of becoming victimized by an assault or a robbery, do you feel very safe, somewhat safe, somewhat unsafe or very unsafe?” For an analysis of the data, see Mitchell A. Seligson, Amy Erica Smith, and Elizabeth Zechmeister. 2012. *The Political Culture of Democracy in the Americas, 2012. Towards Equality of Opportunity.* Nashville: USAID-LAPOP.

<sup>11</sup> This coincidence matters inasmuch as high perceptions of crime tend to translate into a greater sense of insecurity, more distrust in the police, and the development of “private” measures in order to secure the material and physical wellbeing of people and community.

organized crime in the region have adopted more gruesome and publicly visible methods of execution. The public display of mutilated and tortured bodies from alleged members of organized crime or innocent civilians on side streets and bridges as well as drive-by-shootings or armed confrontations in public spaces, have undoubtedly increased feelings of fear and insecurity amongst citizens. Additionally, the growing connections between drug-trafficking activities and other criminal offenses such as kidnappings, robberies, and extortions, have also served to intensify the capacity of organized crime to disrupt citizens' sense of security and wellbeing.<sup>12</sup> The latter point needs to be recognized by current security policies, which have largely focused on combating DTOs leadership through the seizure of arms, drugs, and the capture of leaders, but have failed to address these other forms of crime and the challenges they pose at the local level.

Extensive networks of youth gangs and domestic criminal organizations linked to Mexican and Colombian drug cartels constitute an important variable of this crisis in El Salvador, Guatemala, and Honduras. These organizations are responsible for extortions, kidnappings, arm trafficking and hit-men networks. Youth gangs are perhaps the most prominent among these groups. Estimates for gang membership reach 28,000 in El Salvador, 20,000 in Honduras, and more than 15,000 in Guatemala.<sup>13</sup> According to an internal report of the Investigation Division of the Salvadoran police, 76 percent of extortions committed in that country were perpetrated by youth gangs, primarily the *Mara Salvatrucha (MS-13)* and *Barrio*

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<sup>12</sup> This may also serve to explain why in certain communities there had been attempts to take justice into their own hands against so-called members of criminal groups. See: Gema Santamaria (2012), "Taking Justice Into Their Own Hands Insecurity and the Lynching of Criminals in Latin America" in *ReVista*, Harvard Review on Latin America, Winter 2012. <http://www.drclas.harvard.edu/publications/revistaonline/winter-2012/taking-justice-their-own-hands>

<sup>13</sup> José Miguel Cruz' interviews with law-enforcement officials, in Tegucigalpa and San Salvador in July and August 2011 and January 2012.

18.<sup>14</sup> The same report indicates that in those cases investigated by the police, street gangs demanded nearly 4 million dollars from their victims in 2011. Guatemalan police reported that local *maras* collected an estimated 2 million dollars in the suburban community of Villanueva.<sup>15</sup> Youth gangs have also become an indispensable labor force for criminal activities conducted by stronger cartels in Honduras, Guatemala and El Salvador. Street gangs provide security to the corridors of drugs in Central America, conduct retaliation operations against other groups, and control some of the street markets for narcotic leftovers.

In the case of Mexico and Nicaragua, street gangs had, up until recently, retained a much more “traditional” profile. That is, they had operated within atomized and localized groups whose main goal was to create a sense of cohesion, solidarity, and respect amongst their members. What is more, they were characterized by a rather marginal presence in the production of violence and their participation in criminal activities, limited regularly to robberies and other minor offenses, was aimed at getting resources for drug and alcohol consumption within the gang but did not appear as a main driver of the organization.<sup>16</sup> However, these characteristics have started to change in the last decade in Mexico. In part, due to the stronger presence of DTOs who are able and willing to hire these youngsters as hit-men to secure “plazas” or distribution networks. This has clearly happened in Ciudad Juarez, Chihuahua where gangs like Los Aztecas and Los Mexicles have effectively become foot soldiers for the Juarez and Sinaloa cartel. In contrast to other Mexican gangs whose presence is mainly local, Los Aztecas have

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<sup>14</sup> Policía Nacional Civil de El Salvador, *Informe situacional de las pandillas en El Salvador. Enero a noviembre de 2011* (San Salvador: PNC, 2011).

<sup>15</sup> Policía Nacional Civil de Guatemala, 'Situación de maras en Guatemala', in *Situación de maras en Guatemala* (Guatemala: PNC, 2007).

<sup>16</sup> Carlos Mario Perea (2008) “El frío del miedo: violencia y cultura en México,” en *¿Qué nos une? Jóvenes, cultura y ciudadanía*. Instituto de Estudios Políticos y Relaciones Internacionales (IEPRI). Universidad Nacional de Colombia – La Carreta Social Editores: Medellín, pp. 125-156; José Luis Rocha (2007). *Lanzando piedras, fumando ‘piedras’: Evolución de las pandillas en Nicaragua 1997-2006*, Cuaderno de Investigación no. 23. Managua: UCA Publicaciones .

been described by U.S. authorities as “transnational border gangs” that operate in the US and Mexican border cities of Texas and Chihuahua.<sup>17</sup> Moreover, they allegedly originated in the United States and became prominent in Chihuahua only after the massive deportation of some of these gang members from the United States in the 1990s.<sup>18</sup> This story clearly mirrors the trajectory of deportation and eventual expansion of maras into Central America and should serve as a clear indicator of the need to improve mechanisms of information sharing between the United States and these countries regarding deportees’ records.<sup>19</sup> In the case of Nicaragua, street gangs have also started to operate under a different logic. They have become more closely associated to DTOs, participating in the local distribution of drugs and providing illegal arms for these groups. Among other things, Nicaraguan gangs have lost their connection with the communities in which they operate, integrate less and more disciplined members, and their organization is oriented towards the sale of drugs, particularly crack.<sup>20</sup> Nonetheless, we should clarify that in the case of Nicaragua, more than the street gangs of the urban centers of the countries, it is the local criminal organizations working in the economically and socially neglected region of the Caribbean Coast who have developed a greater role in the transnational trafficking of drugs and arms from Nicaragua to other countries in the Americas.<sup>21</sup>

The current landscape of violence and insecurity is mainly driven by the increasing and overpowering presence of transnational DTOs, but in reality, drug trafficking organizations

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<sup>17</sup> Department of Justice, Press Release, Barrio Azteca Leader Sentenced to Life in Prison and Two Barrio Azteca Soldiers Sentenced to 20 and 30 Years in Prison, June 29<sup>th</sup>, 2012, <http://www.justice.gov/opa/pr/2012/June/12-crm-834.html>

<sup>18</sup> Steven Dudley, “Barrio Azteca Gang Poised for Leap into International Drug Trade,” Insight Crime, February 11<sup>th</sup>, 2013, <http://www.insightcrime.org/juarez-war-stability-and-the-future/barrio-azteca-gang-poised-leap>

<sup>19</sup> Michael Shifter, “Countering Criminal Violence in Central America,” Council Special Report No 64, Council on Foreign Relations, April 2012, p. 29.

<sup>20</sup> Rodgers, Dennis (2009) “Bismarckian Transformations in Contemporary Nicaragua: from gang member to drug dealer to legal entrepreneur,” Brooks World Poverty Institute, Working Paper No. 82, Manchester: Brooks World Poverty Institution; Dennis Rodgers (2004) Pandillas: de la violencia social a la violencia económica, Revista Envío, <http://www.envio.org.ni/articulo/2657>

<sup>21</sup> Roberto Orozco, “El narcotráfico ya ha desarrollado mucho músculo y está generando mucho dinero,” *Revista Envío*, August, 2012, <http://www.envio.org.ni/articulo/4566>

(DTOs) have been operating in Honduras and Guatemala long before the end of the political conflicts of the 1980s, when they established drug transshipment routes in Central America with the help of government officials and military personnel.<sup>22</sup> However, the deranging of the drug flows in the Caribbean in the 1990s and the drug wars in Colombia and Mexico during the 2000s led to the consolidation of transnational crime in the institutionally weak states of Central America. DTOs in Guatemala and Honduras have effectively taken control over wilderness areas along the Atlantic coast and used them as safe havens and launch pads for international drug trafficking. Groups such as the Mexican Zetas, the Sinaloa cartel, and the scraps of former large Colombian criminal organizations have introduced new conflicts over the control of territories and drug routes, and contributed to the growing death toll. The increasingly transnational character of Zetas in the sub-region deserves closer attention. In contrast to other Mexican DTOs that have established collaborative networks in Honduras, El Salvador and Guatemala through alliances with local criminal organizations (mostly engaged in smuggling of drugs, firearms and contraband products),<sup>23</sup> the Zetas have actually decided to recruit nationals from Guatemala that report directly to their organization without the use of intermediaries. In particular, building on their own experience as former Mexican Special Forces units, there is evidence of Zetas having been able to recruit former members of the Kaibiles, an elite counter insurgency unit of the Guatemala army.<sup>24</sup> The expansion of the Zetas, through the recruitment of former Guatemalan officials, further illustrates the level of vulnerability of Guatemala's institutions in regards to DTOs and organized crime. It also highlights the need to work towards cooperation initiatives

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<sup>22</sup> See: Cynthia Arnson and Eric L. Olson (eds). *Organized Crime in Central America: The Northern Triangle* (Washington, D.C.: Woodrow Wilson Center Report on the Americas #29, 2011).

<sup>23</sup> Steven Dudley, November 21<sup>st</sup>, 2010, *Insight Crime*, in <http://www.insightcrime.org/investigations/insight-brief-central-americas-transportistas>

<sup>24</sup> UNODC (2012) *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, available at: <http://www.unodc.org/unodc/data-and-analysis/TOC-threat-assessments.html>, p. 15.

that can strengthen this country's institutional and accountability capacities and should serve as a cautionary tale in regards to the inclusion of Kaibiles in counter-narcotics operations along the Guatemalan-Mexican border.<sup>25</sup>

Another expression of the security crisis in the sub-region relates to the different forms of violence that Central American and Mexican immigrants face in their attempt to enter the United States through Mexico. These forms of violence consist of kidnappings, extortions, sexual exploitation, and forced labor, including forced recruitment on behalf of organized crime organizations. One of the most dramatic examples of the gravity of this situation was the massacre of 72 immigrants, most of them Central Americans, in the town of San Fernando, in the northeastern state of Tamaulipas, in Mexico. The investigation that followed the killing established that the victims had been threatened with extortion and forced recruitment by the Zetas.<sup>26</sup> The discovery of mass graves and other bodies dumped around the same area suggested this was not the first attack against immigrants on a massive scale. Abuses against Central American immigrants in Mexican territory are certainly not new. Their illegal status as well as their crossing through remote areas of the country, makes immigrants an attractive target of criminal groups. Nonetheless, the nature and intensity of these abuses has changed. Before the intensification of Mexico's drug-related violence, abuses against immigrants, which included sexual abuse, extortions, and robberies, were mostly performed by common criminals, corrupt state agents, semi-organized criminal bands of traffickers, and some members of maras operating in the southern Mexican states.<sup>27</sup> In the last five years of the 2000s, however, this panorama of

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<sup>25</sup> Edward Fox, "Guatemala to deploy controversial force to Mex border," May 10<sup>th</sup> 2012, <http://www.insightcrime.org/news-briefs/guatemala-to-deploy-controversial-force-to-mex-border>

<sup>26</sup> "Mexico Gang Leader Held in Massacre of Migrants," *The New York Times*, 8 de octubre de 2012, [http://www.nytimes.com/2012/10/09/world/americas/mexican-drug-leader-salvador-alfonso-martinez-escobedo-arrested.html?\\_r=0](http://www.nytimes.com/2012/10/09/world/americas/mexican-drug-leader-salvador-alfonso-martinez-escobedo-arrested.html?_r=0),

<sup>27</sup> In the latter case, it should be mentioned that despite the sense of alarm generated in Mexico around the years 2004 and 2005, the participation of maras in these forms of violence does not seem to have been (up to today) as

violence has seen the increasing participation of Mexican DTOs in the illegal trafficking of persons. Better armed and better organized, DTOs have been linked to the spiraling of violence against immigrants and the emergence of massive killings and kidnappings such as the San Fernando case.<sup>28</sup> In light of this, it becomes clear that there is an urgent need to revise the migration and deportation policies on behalf of both the United States and Mexico and to increase coordination with Central American authorities in order to work for a more secure and ordered mechanism of deportation and return for Mexican and Central American immigrants.<sup>29</sup>

## 2. The security strategies or the “new wars”

How have the countries of Central America and Mexico responded to this security crisis? As briefly explained at the beginning of this paper, the general tendency has been to implement militarized and heavy-handed measures in order to counteract the advancement of DTOs, gangs, and other criminal organizations. Since the mid 1990s, Central American security policies have constantly swung back and forth between zero tolerance and all-out-war-against-crime (*mano dura*) campaigns and rather vague initiatives based on notions of community policing and prevention. The different degrees of *mano dura* plans implemented by the three countries of the northern triangle constitute the best example of the zero tolerance type of programs in vogue during most of the 2000s. *Mano dura* policies revolved around new laws and penal codes that dictated, for example, criminalization of youth by banning any “street group,” the expansion of police power by empowering them with discretionary faculties, as well as the limitation of civil

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prominent as that of other groups. Santamaría, Gema (2007) “Maras y pandillas: límites de su transnacionalidad,” *Revista Mexicana de Política Exterior* No. 81, Las Fronteras de México.

<sup>28</sup> Rafael Fernández de Castro (2012) “Transmigración y violencia en México,” *ReVista, Harvard Review of Latin America*, available at:

<http://www.drclas.harvard.edu/publications/revistaonline/winter-2012/transmigration-mexico>

<sup>29</sup> Adam Isacson and Maureen Mayer, “Border Security and Migration: A Report from South Texas,” WOLA, 23 January 2013, available at:

[http://www.wola.org/commentary/border\\_security\\_and\\_migration\\_a\\_report\\_from\\_south\\_texas](http://www.wola.org/commentary/border_security_and_migration_a_report_from_south_texas)

rights.<sup>30</sup> The plans relied heavily on military-type strategy for law enforcement needs. Honduras and El Salvador both approved laws and legal reforms that allowed security forces heightened discretion to pursue and capture youths suspected of belonging to a gang and without evidence. In doing so, governments reclaimed the use of national armies in operations against gangs, and developed operations that allowed for the capture and mass incarceration of gang members, thus further saturating and overpopulating what appeared from the outset inadequate penitentiary systems. In fact, one of the first problematic results of the zero tolerance programs in Central America was extreme prison overcrowding.

In general terms, zero tolerance programs have left the region not only with more homicidal violence but also with pressing problems in the penitentiary systems, human rights crises, and strengthened street gangs. Moreover, despite the fact that these programs were aimed at stopping the alleged expansion and diffusion of these gangs across the Americas and beyond, they have had the unintended consequence of producing greater transnational connections amongst these gangs and increasing their level of articulation vis á vis organized crime.<sup>31</sup> Although their participation in international drug-trafficking continues to be rather small according to the latest UNODC report on organized crime in Central America, their involvement in the trafficking of arms seems more prominent as well as their control over local markets of drugs.<sup>32</sup>

In the last five years, and in an attempt to correct the failure of these programs, a series of post *mano dura* initiatives have been implemented. These programs aimed to reinforce

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<sup>30</sup> Mark Ungar, 'Policing Youth in Latin America', in *Youth Violence in Latin America. Gangs and Juvenile Justice in Perspective*, eds. Gareth Jones and Dennis Rodgers (New York: Palgrave Macmillan, 2009).

<sup>31</sup> Elana Zilberg *Space of detention: The making of a transnational gang crisis between Los Angeles and El Salvador* (Duke University Press: 2011); Cruz, "Central American maras."

<sup>32</sup> UNODC (2012) *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, p. 13, available to download at: <http://www.unodc.org/unodc/data-and-analysis/TOC-threat-assessments.html>

community policing and prevention initiatives that deal with the social and economic drivers of crime. For instance, the failure of the heavy hand plans in El Salvador prompted former President Saca to declare in a summit of the Central American Integration System (SICA) in 2007, that prevention should be the most important element in the regional initiatives against crime.<sup>33</sup> However, the latter have also been characterized by tensions between continuing with aggressive crime-suppression approaches and designing more comprehensive approaches that incorporate intelligence gathering, prevention, and accountability. More importantly perhaps, the Salvadoran government, led by Mauricio Funes, has sponsored a truce between leaders of the two main gangs that calls for an end of aggression amongst gang members and against Salvadoran society. According to the government, the truce has already generated an important decrease in the levels of homicidal violence in the country, from 14 to 5 homicides per day.<sup>34</sup> Given that it clearly departs from the militarized and combative strategies of *mano dura* policies, this measure would seem to offer a viable alternative to reduce gang related violence. However, there are at least three reasons to be more cautious about the potential sustainability of this pact and its potential lessons for other Central American countries. First, there have been some concerns expressed by gang leaders themselves regarding their capacity to persuade others, particularly those out in the streets, to honor this pact in light of the lack of effective social reinsertion programs or economic opportunities in the country. Extortions, for instance, seem to remain one of the main sources of revenue for these gangs and, without alternative sources of

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<sup>33</sup> Peter J. Meyer and Clare Ribando Seelke, 'Central America Regional Security Initiative: Background and Policy Issues for Congress', in *Central America Regional Security Initiative: Background and Policy Issues for Congress* (Washington, D.C.: Congressional Research Service, 2011).

<sup>34</sup> "Funes destaca en ONU reducción de homicidios en ESA," *La Prensa Gráfica El Salvador*, September 25<sup>th</sup> 2012, "Gobierno negoció con pandillas reducción de homicidios" *El Faro*, March 14<sup>th</sup>, 2012. <http://www.elfaro.net/es/201203/noticias/7985/>

revenue, it is not clear that this will change.<sup>35</sup> In addition, there are disconcerting reports that disappearances, which are not usually counted in the homicide statistics, are still common and widespread in Salvadoran society.<sup>36</sup> Secondly, the increasing participation of gang members within other forms of organized crime would suggest that the truce might have a limited impact over street-based youth gangs, particularly for those who may no longer respond to the gang leadership but to other criminal structures. Finally, some observers believe that gang leaders and criminal organizations are using the truce in order to negotiate and strengthen their criminal-economic networks with other groups.<sup>37</sup>

It should be noted here that Nicaragua's approach to the gang problem has been significantly different. Perhaps in light of the more recent involvement of street gangs in drug-trafficking activities, since the late 1990s Nicaragua's response to gangs has privileged the use of preventive measures through a model of community policing that works closely with civil society organizations.<sup>38</sup> Although these measures have not prevented drug trafficking from increasing its presence in the Caribbean Coast of the country, many authors have pointed at these measures as a possible cause behind the lower levels of lethal violence in Nicaragua.<sup>39</sup> Nonetheless, as explained before, Nicaraguan gangs have experienced a significant shift in the last years that may result in increasing levels of violence in the country. Particularly, if DTOs presence keeps increasing in Central America, Nicaragua may face greater challenges to

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<sup>35</sup> "Vos desharías a tu familia: la Mara Salvatrucha no se va a deshacer," *El Faro*, October 18<sup>th</sup>, 2012, <http://www.salanegra.elfaro.net/es/201210/entrevistas/9844/>

<sup>36</sup> "Los desaparecidos que no importan." *El Faro*, 21 de enero de 2013, <http://www.salanegra.elfaro.net/es/201301/cronicas/10773/>

<sup>37</sup> Jose Miguel Cruz (2013). Improving Citizen Security in Central America: Options for Responding to Youth Violence. Seminar at the Woodrow Wilson Center for Scholars, Washington, DC, October 18, 2012. Available at: <http://www.wilsoncenter.org/event/improving-citizen-security-central-america-options-for-responding-to-youth-violence#sthash.YdcsRwNa.dpuf>

<sup>38</sup> Jose Miguel Cruz (2011). Criminal Violence and Democratization in Central America. The Survival of the Violent State. *Latin American Politics and Society* 53(4): 1-33; Las maras y el narcotráfico tienen un componente de género clarísimo," *El Faro*, 5 de septiembre de 2011, <http://www.salanegra.elfaro.net/es/201109/entrevistas/5337/>

<sup>39</sup> Rocha 2007, *op.cit.*

maintain its relatively low levels of violence. Additionally, Nicaragua together with Costa Rica and Panama has become a key site for money laundering activities.<sup>40</sup> Hence the so-called stability experienced by these countries in regards to criminal violence may not be sustainable or may be subject to a fragile equilibrium in which corruption and the participation of legal actors in illicit activities has indirectly serve to prevent the escalation of violence.<sup>41</sup>

In Mexico, security policies against criminal organizations and particularly against DTOs experienced their most significant shift towards heavy-handed and militarized strategies at the end of 2006, when President Calderón announced and framed his strategy against organized crime as an inescapable war of “us” against “them.”<sup>42</sup> In principle, the so-called war would be based on two pillars, one defined as an immediate priority and the second as a long-term strategy. The first entailed the extension and consolidation of the state’s presence through the mobilization of the police and the army in areas that had fallen under the control of criminal organizations. The second involved the radical rebuilding of the institutional structure of security, through the depuration of corrupted elements from the police forces, the creation of new systems of information and intelligence, the strengthening of the Federal Police, and the adoption of a new vision that would recognize the importance of preventive mechanisms in reducing the impact and encroachment of organized crime.<sup>43</sup> The second pillar was thus meant to transform and consolidate significantly the security apparatus, particularly at the federal level. Although in

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<sup>40</sup> UNODC (2007) *Crime and Development in Central America: Caught in the crossfire*, May 2007, pp. 69-70.

<sup>41</sup> See an interesting conceptual discussion on the relation between crime, violence and corruption and how to model their interaction in the context of Latin America in John Bailey (2009) “Security Traps” and Democratic Governability in Latin America: Dynamics of Crime, Violence, Corruption, Regime, and State,” in Laurence Whitehead and Marcelo Bergman (Eds.) *Criminality, Public Security, and the Challenge to Democracy in Latin America*, Indiana: University of Notre Dame Press, pp. 251-76.

<sup>42</sup> Calderón announced his strategy with the following phrase: “It will be an all-out war because it is not possible to cohabit with drug traffickers....There is no return; it is them or us” quoted in Raúl Benítez Manaut, Abelardo Rodríguez Sumano and Armando Rodríguez (editores), *Atlas de la seguridad y la defensa de México 2009*, Colectivo de Análisis de la Seguridad con Democracia A.C., México, 2009, p. 17.

<sup>43</sup> *Ibidem*.

the second half of his term Calderón adopted some initiatives that did incorporate both pillars, including the program known as “Todos Somos Juárez” (We are all Juárez) that promoted a comprehensive approach towards violence and crime in the most violent city in Mexico,<sup>44</sup> overall, the emphasis of his security policy was by far focused on the first pillar. In particular, his government privileged the seizure of drugs and firearms as well the elimination of leaders or capos of the main criminal organizations. As a result, the objective of the long-term pillar has shown inconsistent and poor results by the end of his administration. We will come back to this point when we discuss the Plan Merida and the ways the definition of this plans’ priorities has helped further emphasized the first pillar over the second.

While the framing of this security strategy as a war on organized crime can be attributed directly to Calderón’s administration, it would be a mistake to think of all its elements as being entirely new or as representing a total break *vis a vis* the “old” strategies pursued by the Institutional Revolutionary Party (PRI). As sociologist Luis Astorga has argued, the relation between the Mexican government under the *priísta* regime and DTOs was heterogeneous and complex, combining tolerance and complicity with persecution and repression.<sup>45</sup> Moreover, contrary to widespread conceptions, political elites were not co-opted by criminal organizations but rather criminal organizations were under the control and supervision of some of the PRI’s most influential political elites. In this sense, one cannot refer to an existing “pact” between criminal organizations and *priísta* politicians that was then broken when Calderón took office. Rather, one should refer to a radical lost of control on behalf of the current political elites over

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<sup>44</sup> WOLA (2011), “Tackling Urban Violence in Latin America: Reversing Exclusion through Smart Policing and Social Investment”, pp. 9- 11.

<sup>45</sup> Hope provides several examples that illustrate this point. He refers to 1970s *Operación Condor*, considered the first major intervention of the armed forces to counter DTOs; to the elimination and imprisonment of important capos throughout the 1980s and the 1990s; as well as to the introduction in the 1990s of various legal reforms in order to authorize the use of measures to combat organized crime. Alejandro Hope (2012) “Respuesta a Robert Bonner” en *Foreign Affairs en Español* <http://www.revistafal.com/portada/1365-respuesta-de-alejandro-hope.html>

the actions and decisions of these criminal organizations. In this sense, although public opinion has tended to interpret the recent victory of PRI at the presidential elections (July 2012) as an opportunity to re-establish the existent “pact” between *priísta* elites and DTOs, it would be more accurate to say that the PRI will probably attempt to rebuilt its local and federal presence and its capacity of coercion in order to exercise its previous role.

The current president of Mexico, Enrique Peña Nieto, has announced a shift in the security strategy against crime and violence in the country. Rather than focusing on the capture of drug lords and the seizure of drugs and arms, he has delineated a policy that would privilege violence reduction programs and police operations focus on reducing kidnappings and extortions, all of which have had a great impact on citizens’ perceptions of insecurity. He has also promised to devote greater resources to institutional building through the creation of a “mando único,” a national police force that would centralize the municipal and state police forces under a unified command. The latter measure is meant to help face the challenges pose by the institutional weakness and corruption characterizing the municipal and state police forces in Mexico.<sup>46</sup> However, it is too soon to establish what the impact of this shift will be on the levels of insecurity and violence in Mexico. More importantly, it is yet to be seen if a model of “mando único,” inspired by the Colombian centralized police forces, would actually help strengthening police institutions in Mexico. In particular, the recent history of democratization in Mexico demonstrates that corruption can take place in both centralized and decentralized scenarios, with the difference perhaps that in a more pluralized and democratic scenario, corruption has tended

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<sup>46</sup> Claire O'Neill McCleskey, “Entire Police Force of Mexican Town Resigns,” *Insight Crime*, 3 de enero de 2013, <http://www.insighcrime.org/news-briefs/entire-police-force-michoacan-town-resigns>

to focus on the local levels rather and has no longer been controlled by a centralized and dominant political elite as in the pre-1990s decades.<sup>47</sup>

### **3. Sub-regional cooperation**

Since the end of the civil conflicts in the 1990s, Central American governments have indicated their willingness to work together on security issues and to form a unified block when approaching external donors to fund regional initiatives. However, their integration has been more symbolic than factual.<sup>48</sup> The Security Commission of SICA led the efforts to prepare a regional security strategy that was adopted by the Central American governments in 2007. Such strategy addressed eight threats to regional security: organized crime, drug trafficking, deportees with criminal records, street gangs, homicide rates, arms trafficking, terrorism, and corruption. However, the 2009 coup in Honduras and the difficulties to secure enough funds upset the operational development of the strategy. In 2011, after a significant revision of the strategy and the involvement of new international actors, SICA secured the promise of nearly US\$ 1.1 billion in additional funding for the regional security initiative.<sup>49</sup>

External cooperation has been instrumental in advancing security initiatives in Central America. Since the 1990s, international organizations, such as the European Union, the Inter-American Development Bank, the United Nations, USAID, and the World Bank have significantly supported security efforts by investing and funding criminal-justice reform programs, especially in the areas of law-enforcement, prevention, and justice administration.

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<sup>47</sup> David Shirk and Luis Astorga (2010), “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context, Woodrow Wilson Center and University of San Diego,” available at:

<http://wilsoncenter.org/topics/pubs/Drug%20Trafficking%20Organizations.%20Astorga%20and%20Shirk.pdf>

<sup>48</sup> Peter J. Meyer and Clare Ribando Seelke, 'Central America Regional Security Initiative: Background and Policy Issues for Congress,'

<sup>49</sup> *Ibid.*

According to a study conducted by the Inter-American Development Bank and the Washington Office on Latin America, between November 2009 and June 2010, Central American countries had 375 internationally funded security programs that added up to nearly US\$ 1.6 billion. Ninety percent of those funds were allocated to national governments, whereas only seven percent of the recipients were local governments and municipalities. However, most prevention programs are conducted from city halls, not national governments, and that has contributed to a high level of dispersal and duplication of efforts in the implementation of preventive measures. The United States stands as the most important single source of international cooperation for the Central American countries with a total of US\$377.9 million (33.4% of total funds), whereas the Inter-American Development Bank, the World Bank, and Spain have each contributed with a little more than US\$140 million (12.5% each). Other donors are the European Union, the United Nations, Sweden, the Netherlands, and Canada. Nearly thirty-five percent of the funds are channeled to institutional strengthening; that is, the development of institutional capacities related to citizen security and management. Twenty percent of the international funds for security are aimed to support prevention programs. Projects for enhancing the institutional capacity to fight against organized crime receive nearly thirteen percent of the cooperation funds, and only 0.6 percent is devoted to strategic information development.<sup>50</sup>

Mexico had had an active role in Central America during the 1980s and 1990s. During the latter years of the so-called Cold War, Mexico was able to serve as a mediator between the political conflicts and active guerrilla movements in countries like Nicaragua, El Salvador and Guatemala, and the concerns of the United States in regards to the potential expansion of

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<sup>50</sup> WOLA and IDB, Mapping Study of Internationally Funded Citizen Security Projects in Central America (Washington, DC: WOLA, 2011). Can be found at: [http://www.wola.org/wola\\_publications](http://www.wola.org/wola_publications).

communism and political instability across the Americas.<sup>51</sup> It also had an important role as a facilitator of the peace processes and political transitions that eventually led to the emergence of civil and democratic regimes in these countries during the 1990s. During the 2000s, in face of the “new wars” against gangs, DTOs, and other common threats, cooperation efforts between Mexico and Central America have focused on increasing information and intelligence sharing between the police and other security institutions in these countries. In the last meetings of the “Mecanismo de Tuxtla,” a dialogue initiative between Mexico and Central America that was created two decades ago, the issue of establishing better mechanisms to ensure the safe repatriation of Central Americans to their countries of origin was brought into focus.<sup>52</sup> Furthermore, Mexico has participated in meetings and other dialogue mechanisms established by SICA and it is part of the “Group of Friends of Central America” created in 2012 (which includes other Latin American and European countries as well as international organizations such as the IADB, OAS and UNDP), in an effort to provide material and logistical support for the Central American countries on issues of security. Mexico does not participate as a donor but has agreed to cooperate with Central American countries with expertise and good practices.<sup>53</sup>

In spite of these efforts, security cooperation between Mexico and Central America remains secondary, not only financially but also in terms of the political capital that leaders from these countries invest on it. Sub-regional takes place mostly in a “triangular” fashion, with the United States as the main donor and main political interlocutor for both Mexico and the Central American countries, including Nicaragua (despite of the anti-imperialist and pro-Hugo Chavez

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<sup>51</sup> Raúl Benitez and Ricardo Córdova (2011) “Security Challenges in Mexico and Central America,” in Chester Crocker et al (eds.) *Rewiring Regional Security in a Fragmented World*, Washington: United States Institute of Peace.

<sup>52</sup> Raúl Benitez Manaut (2012) “Central American and Mexico Security and Migration Initiative,” Presented at the Interamerican Dialogue, Aseis-Guatemala, Guatemala, 10-11<sup>th</sup> February, 2012, p. 10.

<sup>53</sup> Secretaria de Relaciones Exteriores, Mexico, “Grupo de Amigos de la Estrategia de Seguridad de Centroamérica,” available in: <http://www.sre.gob.mx/index.php/sistema-de-la-integracion-centroamericana-sica/1394>

rhetoric of its current president, Daniel Ortega). In this sense, the orientation and character of the sub-regional cooperation between these countries tends to be defined by the security agendas that have been previously established and negotiated vis-à-vis the United States. The Merida Initiative and CARSI are cases in point. The Mérida Initiative represents the single most important recent cooperation initiative on issues of security between Mexico and the United States. Launched in 2007 by President Bush and President Calderón, the initiative emphasizes an offensive strategy against DTOs and other criminal organizations, which is coordinated with the security strategy that had thus far been implemented by the Mexican government.<sup>54</sup> Passed in 2008 by the US Congress, the initiative included a fund of \$405 million for Mexico and \$50 million for Haiti, Dominican Republic and the Central American countries.<sup>55</sup> Since then, the assistance has been divided. Under President Barack Obama the Merida Initiative focused on Mexico, whereas the Regional Initiative for Central America's Security (CARSI) was created in order to focus exclusively on security cooperation with Central America. While much has been said about the role of the Obama administration in changing the aid priorities of the Merida Initiative towards longer-term security strategies such as institutional building and strengthening community's resilience, in practice, not much has changed. For instance, from the \$1.7 billions of dollars received by Mexico between the years 2008 and 2012, 70% have been allocated to military and police institutions pursuing traditional counterdrug measures such as border control, arms and drugs seizures, and imprisonment of important DTOs leaders.<sup>56</sup> In the case of CARSI, resources have been devoted to strengthening institutional capacities in issues of security and rule of law and, in a lesser degree, to preventive programs addressing juvenile violence.

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<sup>54</sup> Armando Rodríguez Luna, "*La Iniciativa Mérida y la guerra contra las drogas. Pasado y presente*," p. 47.

<sup>55</sup> Andrew Selee, Cynthia Arnson, and Eric Olson (2013), "Crime and Violence in Mexico and Central America: An Evolving but Incomplete US Policy Response," Wilson Center and Migration Policy Institute, p. 5.

<sup>56</sup> See Maureen Meyer (2011), "Obama y la Iniciativa Mérida: ¿El inicio de un cambio o continuidad de la fallida guerra contra las drogas?,"p. 70.

However, resources provided by CARSI are very limited as well as the capacity of Central American countries to apply resources on the ground.<sup>57</sup> In this regards, it should be mentioned that institutional building is not only an aim that cooperation initiatives should have but is also a necessary means to make better use of the resources these countries receive. Central American countries need to acknowledge and address these challenges domestically.

Lastly, an issue that deserves attention and that may have some impact on the security cooperation agenda is the current debate over the need to rethink the prohibitionist framework and the so-called war on drugs. The debate, which gained greater attention after Latin American political leaders such as Ernesto Zedillo, Cesar Gaviria and Fernando Henrique Cardoso (former presidents of Mexico, Colombia and Brazil, respectively) as well as the current president of Guatemala, Otto Perez Molina, pronounced themselves for an “alternative” approach to the war on drugs, has served to highlight the human, economic, and institutional impact that the traditional prohibitionist approach has have in the region. Among other things, these leaders have called for the adoption of a more comprehensive approach to drugs focused on harm reduction, health, prevention, and the adoption of a regulated drugs market. In this sense, the debate has not been oriented towards the legalization of drugs, but to generating a dialogue amongst decision makers about the cost and consequences of the war on drugs and the viability of establishing a system of regulation.<sup>58</sup> In light of the spiraling levels violence affecting Latin American countries, Mexico and Central America in particular, the debate is undoubtedly relevant for the sub-region. However, at least in the short term, the debate will most probably not have any significant impact in the current cooperation initiatives in the region. The United States has demonstrated skepticism towards the idea of debating an alternative framework to regulate drug

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<sup>57</sup> Andrew Selee, Cynthia Arnson, and Eric Olson (2013), *op.cit.*, p. 7.

<sup>58</sup> “Call off war on drugs, leader of Guatemala tells the west,” 19 January 2013, The Guardian, <http://www.guardian.co.uk/world/2013/jan/19/war-on-drugs-has-failed>

consumption and, in the sub-region, besides Otto Perez Molina, the idea has not received enough support from the political leaders and current presidents. Even the “anti-imperialist” Nicaragua’s president Daniel Ortega has expressed that it would be a mistake to abandon the war on drugs that the United States has promoted across the Americas.<sup>59</sup>

#### **4. Policy Recommendations**

The security strategies adopted by Mexico and the countries of the northern triangle have privileged heavy handed and all-out-war approaches to criminal violence. Considering this scenario and the limited and controversial results that such policies have brought in, how could the current security strategies and cooperation initiatives adopted by the countries in the sub-region be strengthened? What viable alternatives exist for these countries to increase their institutional capacity in light of the great challenges posed by insecurity, local violence and transnational crime? In the next section we will address these issues and suggest some specific policy recommendations towards a 2020 agenda of security cooperation between Mexico and Central America.

***Institutional reforms, no longer a long-term goal:*** The institutional reforms developed to date have focused on improving the professional and technical capabilities of the criminal-justice systems while they have neglected the enforcement of accountability mechanisms and of preventive measures, which are urgently needed to secure long-term and sustainable effects in combating crime and violence. The governments of the sub-region must realize that any successful security strategy requires state institutions and operators that are robust and accountable enough to fulfill their mandates without violating the rule of law, thus becoming

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<sup>59</sup> Charles Davis, “Nicaragua’s revolutionary drug war,” in Aljazeera, 31 May 2012, <http://www.aljazeera.com/indepth/opinion/2012/05/201252791946921607.html>

themselves the safe haven for criminal groups and perpetrators of human rights abuses. Regional efforts and international cooperation should put this issue at the top of the list of initiatives to be implemented in the short term.

A potential watershed in this strategy is the political involvement of extra-regional actors, who are supporting similar initiatives and cooperation programs in every country of the region. Actually, there is an important role to be played by international cooperation agencies, which are the backbone for many of the citizen security programs that are in place at the moment of this writing, especially in Central America. These agencies have a significant leverage over the implementation of policies in the resource-limited countries of Guatemala, El Salvador, and Honduras, and they can lead to significant overhauls in the implementation of institutional reforms in the region. However, as David Bayley says, the success of foreign assistance in supporting reforms is proportional to the country's commitment to them.<sup>60</sup>

It is possible to consider three different potential ways in which international cooperation agencies can contribute to reinforce institutional capabilities and transparency mechanisms in the region. These options go from the characterization of institutional strengthening as an essential goal for security reform to a more refined redirection of funds to accountability institutions. Firstly, in many cases, international cooperation agencies can advance significant institutional reform if they are willing to affirm and demand unrestricted transparency and political commitment to institutional accountability on the side of recipient countries. This course of action means a reconsideration of the institutional structure of the security apparatuses, and is, perhaps, the most radical among the set of choices available to actors involved in reform process. In addition, it is also highly politically sensitive. But it also should be one of the options that

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<sup>60</sup> Bayley, David H. 2006. *Changing the Guard: Developing Democratic Policing Abroad*. New York: Oxford University Press.

have to be put on the table as recourse to address the problems of lack transparency and institutional weakness. Often, in the absence of a strong political commitment on the side of the international community, local institutions continue perpetuating ineffectual structures and illegal practices that reproduce the problems of security from the same institutions responsible to address them.

Secondly, cooperation agencies can lobby for the creation of external independent commissions responsible for investigating abuses, criminal involvement, and impunity in institutions. The implementation of the International Commission Against Impunity in Guatemala (CICIG, in its Spanish acronym) by the United Nations, with the support of the Guatemalan government, is an important case in point. The CICIG has been operating in the country since 2007 and its aim is to support and consolidate Guatemala's investigative and prosecuting capacities against clandestine security organizations and state agents participating in illegal forms of violence. Although some critiques worry the CICIG is supplementing but not necessarily strengthening Guatemala's institutions, we believe the commission has taken steps in the right direction. Some authors have suggested that this model could be followed by Honduras and El Salvador, which share some of the challenges that Guatemala's security and justice apparatuses have. As in the case of Guatemala, however, a political coalition would be needed in order to be able to "invite" this initiative. Up until now, there seems to be an ongoing dialogue in both of these countries in order to consider a Honduran or Salvadoran commission and some have even suggested that a sub-regional commission could be created. In any case, this path of action involves a strong sense of intervention from external actors, and a solid engagement from the international community to see the commission become operative and its recommendations implemented.

Finally, international cooperation agencies can redirect an important share of their assets to the development of comptroller's offices and accountability mechanisms in the criminal-justice institutions of the region. This is not easy. In the seemingly insurmountable need to tackle the extreme levels of insecurity and crime, international cooperation gets caught in the never-ending urgencies of blocking the latest threat, and institutional reform is pushed back in the queue of tasks. Thus far, as we have seen above, most of the programs directed to institutional strengthening, such as the Merida Initiative and CARSI, have been concentrated in equipment and training of public security forces, in the hope that better equipped and skilled personnel will yield more professional and transparent institutions. Except for some early programs supporting the creation of internal affairs units in the Central American police organizations, very little has been done to underpin accountability mechanisms within law-enforcement institutions. Even so, international cooperation can play a significant role in reducing the problems of institutional weakness and corruption by concentrating key assistance funds to programs of vertical and horizontal accountability, and by raising the overall political importance of these programs.

Although the intervention of international cooperation agencies in the support and implementation of needed institutional reforms in the region can be perceived by some countries with a long tradition of autonomy in international affairs, such as Mexico, as an unacceptable course of intrusion, it may be a politically helpful strategy in order to sidestep the common internal resistances and hurdles that every reform process faces. Under a regional commitment to institutional reform, in which all countries participate and establish a common set of goals, policy-makers and reform stakeholders may garner not only political support and legitimacy for their efforts, but also set the basis for constructive cooperation across the region. The seeming success of countries such as Colombia and Brazil in exporting their security reform models to

other countries in the region has gone hand in hand with the promotion made by third-party cooperation agencies, who understood the importance of using their leverage to bestow legitimacy to some local and previously overlooked initiatives. Mexico and the countries of the northern triangle of Central America can significantly advance their regional cooperation by supporting third-party cooperation initiatives for institutional reform.

In addition to the aforementioned point, there is a series of areas in which regional cooperation between Mexico and Central America should be advanced.

***Limit the participation of military forces.*** Decision makers should recognize that the use of military forces, in and of itself, will not solve the challenges posed by corruption and impunity. On the contrary; the use of military forces has, so far, enabled the use of discretionary powers and has legitimated the use of lethal force against so-called enemies. In context of democratized regimes, the task of fighting organized and common crime should be under the control of civilian security forces and these should be subjected to processes of judicial accountability as well as the observance of human rights.

***Improve information sharing on regional migration patterns and deportees.*** Although most of the region's migrants are motivated by a legitimate search of economic opportunities, the constant flows of migration and its areas of passage have become a scaffold for the expansion of criminal activities in the region. Crime organizations use migrants and the infrastructure devised by them as platform for illicit trafficking and as market for illicit activities. Any regional cooperation effort should address the problem of illegal migration and illicit trafficking in the region as a key strategic point to tackle insecurity in the region. Such effort should start with efficient systems of information sharing about illegal migration patterns and flows. Also, the massive deportation of Central American and Mexican immigrants by the United States—and

Central Americans from Mexico—, some of them with criminal records, has created important challenges for the receiving countries. This is not to say that deportation policies have, per se, caused the problems of gang and drug-related violence in these countries. As a matter of fact, as we have discussed in this paper, zero tolerance measures have unwillingly produce higher levels of violence, not deportation. Nonetheless, the dimension of the deportation flows, together with the lack of information regarding those persons re-entering the country, has indeed produced great problems of absorption by weakened state institutions and scarce social programs.

***Improve security in the Mexico-Guatemala border and in the “migration corridor”.*** The border shared by Mexico and Guatemala has become a critical point for the circulation, growth, and reproduction of multiple forms of criminal violence. Drug trafficking, human trafficking, kidnappings, extortions, sexual exploitation, gang related violence, are just among some of the expressions of violence that impact the lives of migrants and people living on both sides of the border. Besides the state of Chiapas in Mexico, other states that are part of the migration corridor that Central Americans have to cross in their trajectory towards the United States and that constitute real “hot spots” of crime, are Tabasco, Veracruz and Tamaulipas. A more secure border does not necessarily entail the creation of more migration checkpoints or the increase in deportations of Central Americans on behalf of the Mexican government. Rather, what is needed is the creation of security units in collaboration with local civil society organizations who can assist immigrants and prevent extortions, kidnappings and other forms of violence against them.

### **In sum**

The levels of transnational crime and violence present an inescapable challenge to Mexico and Central America. The expansion of DTO’s, the evolution of youth gangs, and the skyrocketing rates of local crime demand comprehensive responses. Given the regional and transnational

character of the problems, policy makers and stakeholders should correspondingly incorporate concerted cross-national responses to those challenges. This chapter has focused on the magnitude of the crime problem in the region and the extant international cooperation around it. Although extensive, most of the cooperation has neglected the need to address the problems in a regional perspective and the importance of local institutional strengthening beyond training and equipment of criminal justice institutions. Hence, in addition to the initiatives that are already in place across the region, it is essential to put institutional reform to boost accountability mechanisms at the top of policies to confront violence in Mexico and Central America, as well as at the center of regional cooperation. These countries have already devoted a significant amount of resources, manpower, and equipment to beef up institutions and programs that are nonetheless flawed and ridden with corruption. It is time to use the political capital that international organizations, cooperation agencies, and the countries themselves have when they work in tandem, as well as when they engage in the creation of models that can be used by their closest neighbors. International cooperation agencies have an essential role in such task. They cannot only create the incentives and spaces for this enterprise to happen, but they also can help to ease the tensions that every effort of institutional transformation produces by creating regional consensus, and local responsiveness.