

# DRUG TRAFFICKING AND ORGANIZED CRIME

IN LATIN AMERICA AND THE CARIBBEAN IN THE TWENTY FIRST CENTURY:

CHALLENGES TO DEMOCRACY

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**Abstract:** This article analyses the evolution of illegal drug economy in the Americas over the past two decades. It identifies eight key trends that have characterized illicit drug trafficking and organized crime as of 2012. They are: 1) The increasing globalization of drug consumption; 2) The limited victories and unintended consequences of the U.S.-led 'War on Drugs'; 3) The proliferation of cultivation areas and of drug smuggling routes; 4) The dispersion and fragmentation of organized criminal groups; 5) The failure of political reform and state-building efforts; 6) The inadequacies U.S. domestic drug and crime control policies; 7) The ineffectiveness of regional and international drug control policies; 8) The growing support for legalization debate.

**Keywords:** drug trafficking, organized crime, Latin America, war on drugs

## **Introduction**

What are the major trends that have characterized the evolution of illicit drug trafficking and organized crime (organized criminal networks) in the Americas over the last quarter of a century? Which have been the principal transformations or adaptations – economic, political and organizational - that have taken place within the region's vast illegal drug economy during first decade of the twenty first century? This essay identifies eight key trends or patterns that typify the ongoing transformation of the drug trade and the organized criminal groups it has spawned as of mid-2011. They are: 1) The increasing globalization of drug consumption; 2) The limited or

“partial victories” and unintended consequences of the U.S.-led ‘War on Drugs’, especially in the Andes; 3) The proliferation of areas of drug cultivation and of drug smuggling routes throughout the hemisphere (so-called “balloon effects”); 4) The dispersion and fragmentation of organized criminal groups or networks within countries and across sub-regions (“cockroach effects”); 5) The failure of political reform and state-building efforts (deinstitutionalization effects); 6) The inadequacies or failures of U.S. domestic drug and crime control policies (demand control failures); 7) The ineffectiveness of regional and international drug control policies (regulatory failures); 8) The growth in support for harm reduction, decriminalization and legalization policy alternatives (legalization debate).

### **The Globalization of Drug Consumption**

Many Latin American political leaders have long argued that if the U.S. population did not consume such large quantities of illegal drugs - if there were not so many American drug addicts and users—then Latin American and Caribbean countries would not produce large quantities of illegal drugs like marijuana, cocaine, and heroin for export and the region would not be plagued by the powerful and well-financed drug trafficking organizations – often called cartels – that have sprung up throughout the hemisphere over the last twenty five years plus.<sup>1</sup> It is certainly accurate to claim that the United States has been for decades, and remains today, the largest single consumer market for illicit drugs on the planet. Although there is no definitive estimate, the value of all illicit drugs sold annually in the United States may reach as high as US \$150 billion. Some \$37 billion per year may be spent on cocaine alone.<sup>2</sup>

Nonetheless, illegal drug use (and/or addiction) is not a uniquely “American” disease, despite the title of David Musto’s pioneering book on the origins of drug control in the United States.<sup>3</sup>

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<sup>1</sup> The ex-presidents from Brazil, Colombia and Mexico, Fernando Henrique Cardoso, César Gaviria, and Ernesto Zedillo respectively, highlight the necessity that the United States and Europe should “design and implement policies leading to an effective reduction in their levels of drug consumption and, as a consequence, in the overall scope of the narcotics criminal activities.” Latin American Commission on Drugs and Democracy, *Drugs and Democracy: Toward a Paradigm Shift* (New York: Open Society Institute, 2008), 7.

2. United Nations Office on Drugs and Crime (UNODC), *The Globalization of Crime: A Transnational Organized Crime Threat Assessment* (New York: UNODC, 2010), 5- 6. United Nations Office on Drugs and Crime (UNODC), *World Drug Report, 2011* (New York: UNODC, 2011), 8.

<sup>3</sup> See David F. Musto, *The American Disease: Origins of Narcotic Control* (New York: Oxford University Press, 1999, Third Edition) (First published in 1973 by Yale University Press).

Over the last decade, the now-27 countries of the European Union have increased to 4.3 to 4.75 million cocaine users, which represents 30 percent of the world-wide consumption in cocaine. The Europeans are almost closing the gap with the approximately 5 million regular cocaine users found in the United States.<sup>4</sup> Indeed, levels of cocaine use in the United States have dropped steadily since the early 1990s while cocaine consumption in Europe exploded exponentially during the first decade of the twenty first century. In fact, the number of cocaine users in the 4 EFTA and 27 E.U. countries doubled from 1998 through 2006.<sup>5</sup> Moreover, the Europeans pay more than twice as much per gram, ounce, kilo, or metric ton as do American consumers. The UNODC 2011 report estimated that Americas combined together consumed 63 percent of the 440 mt of cocaine available, while the European population consumed 29 percent of the world supply. However, cocaine consumption in the U.S. has decreased by 40 percent from 1999 to 2009.<sup>6</sup> The global heroin market is quite complicated in terms of the supply chain. Afghanistan leads the world in heroin production, producing 380 mt or 83 percent. It has been estimated that Afghanistan produced 6,900 of opium in 2009 alone. With the exception of Latin America, the heroin produced from Afghanistan is trafficked to every major region around the world. Next, Myanmar produces 5 percent, while Mexico produces 9 percent of the heroin supply. The supply produced from Mexico is trafficked to the U.S. market. Colombia, on the other hand, only accounts for 1 mt, which is approximately 0 percent of the world production of heroin. In terms of consumption, the UNODC 2011 report estimates that Central and West Europe

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<sup>4</sup> UNODC, *World Drug Report, 2011*, 87. Note that the 5 million users of cocaine in the U.S. are between the ages of 15 and 64.

<sup>5</sup> Cocaine demand has been decreasing steadily in the US since 1982, from an estimated 10.5 million users in 1982 to some 5.3 in 2008. Cocaine users in the 27 European Union countries have, however, more than doubled in the past decade, increasing from 2 million in 1998 to 4.1 million in 2008 (4.5 million in all of Europe). UNODC, *World Drug Report, 2010* (New York: UNODC, 2010), 16; also UNODC, *The Globalization of Crime* (New York: UNODC, 2010), v-vi and 82; the consumption of cocaine has decreased in the U.S. to 1.9 percent in 2009 to 2.5 percent in 2006. This information came from the UNDOC, *World Drug Report, 2011*, 93.

<sup>6</sup> Despite overall declines total area of coca leaf cultivation in the Andes, cocaine production remained essentially stable from the mid-1990s through 2008 at approximately 800-1,100 metric tons. North America, including Canada, accounted for some 40% of world-wide cocaine consumption. The EU and the EFTA (European Free Trade Area) countries consumed more than 25% of the world total. Together, these two regions accounted for more than 80% of the global cocaine market, estimated at US\$ 88 billion in 2008. UNODC, *The Globalization of Crime* (UNODC: New York, 2010), 82. In 2008, the total value of worldwide cocaine and heroin markets combined was estimated at \$US 153 billion. UNODC, *World Drug Report, 2010* (New York: UNODC, 2010), 19. These statistics are from the UNODC, *World Drug Report, 2011*, 119.

consumed 70 mt of heroin alone in 2009. People residing in East Europe consumed even more heroin, approximately 73 mt in 2009. Over the last decade or more, the bulk of the heroin consumed in Europe has come from Afghanistan, whereas most of the heroin consumed in the United States comes from either Colombia (roughly 2 percent of world supply) or Mexico (roughly 1.5 percent of world supply).<sup>7</sup> Cocaine, in contrast, is produced in only three countries of the Western Hemisphere: Colombia (45 percent), Peru (35-40 percent) and Bolivia (15-20 percent). Cocaine is trafficked from these three Andean countries to 174 countries around the globe.<sup>8</sup> (See Map 1, below).

Cocaine consumption is not limited only to advanced capitalist markets such as those of the United States and Europe.<sup>9</sup> Cocaine use in Latin America has also skyrocketed over the last decade. Indeed, Latin American consumers were in 2010 estimated to absorb some 200 metric tons of cocaine. Until 2009, Brazil was considered to be the world's second largest market for cocaine behind only the United States.<sup>10</sup> In the 2011 World Drug report, the United Nations reports that Brazil has replaced Argentina as the second biggest consumer of cocaine. The report estimates that Brazil has 900,000 cocaine users, which makes it the number one consumer in South America. Cocaine use in Argentina is reported to be 2.6 percent and 2.4 percent in Chile.<sup>11</sup> Cocaine consumption rates are quite high in other regions of the world. In 2009, Africa had between 940,000 on the lower end and 4.42 million cocaine users on the higher end. During the same year, Asia has an estimated 400,000 cocaine users on the lower end and 2.3 million users on the higher end. Eastern and South-Eastern Europe had less cocaine users in 2009 (310,000 on

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<sup>7</sup> This information is taken from the UNODC, *World Drug Report, 2011*, 71-73.

<sup>8</sup> UNODC, *The Globalization of Crime* (New York: UNODC, 2010), 81-82.

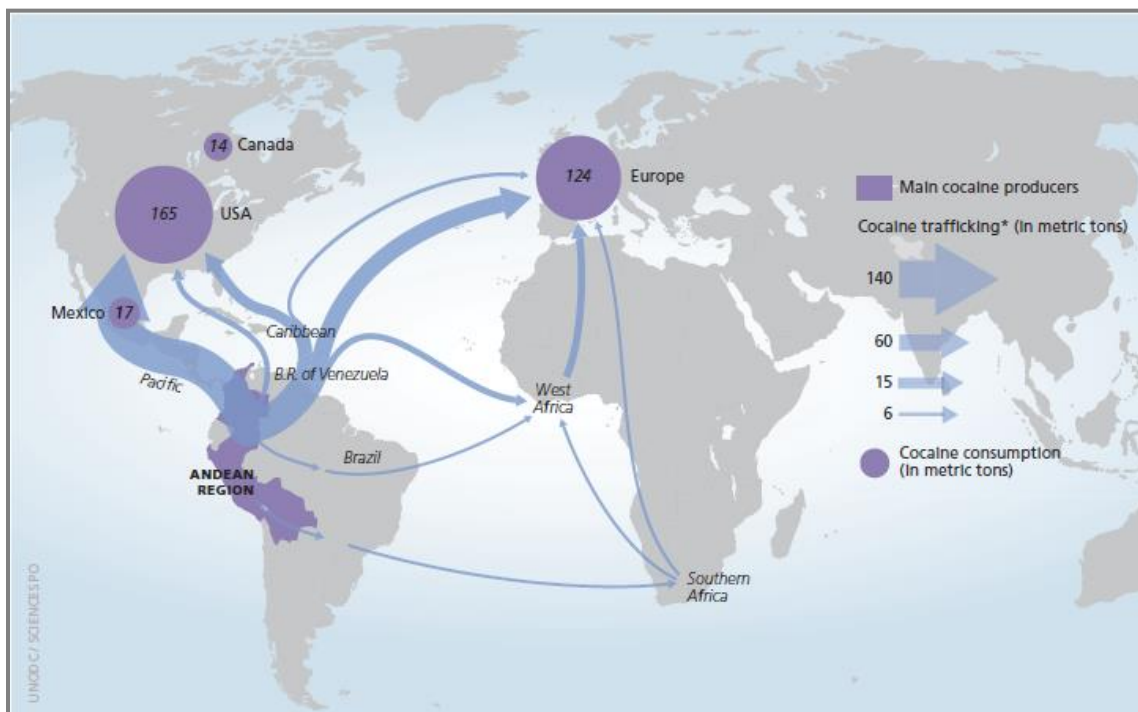
<sup>9</sup> Some 4.3 - 4.75 million people have used cocaine in Europe as of 2009. UNODC, *World Drug Report, 2011* (New York: UNODC, 2011), 86.

<sup>10</sup> South America was the third largest consumer market for cocaine in the world in 2008 with some 2.4 million users. The bulk of South American consumption was concentrated in two countries of the Southern Cone, although there was evidence of rising cocaine use in virtually every country in the hemisphere. Given its population of nearly 200 million, Brazil had the largest number of users at roughly 1 million. But use was most intense in Argentina, where an estimated 2.6% of the adult population used cocaine in 2006 - a statistic roughly similar to that of the United States. UNODC, *The Globalization of Crime* (New York: UNODC, 2010), 82.

<sup>11</sup> UNODC, *World Drug Report, 2011*, 91

the lower end and 660,000 on the upper end).<sup>12</sup> The dramatic rises in European and South American cocaine consumption specifically have greatly expanded world market demand for this illicit Andean product over the past decade. As a consequence, a pronounced trend toward the proliferation of new global trafficking routes and the increased involvement of criminal trafficking networks originating outside the Andean sub region became increasingly evident.

Map 1. Major Global Cocaine Flows, 2008<sup>13</sup>



### Partial Victories in the Andean War on Drugs

From the middle of the nineteenth century through the mid-1980s, Peru and Bolivia were the two principal country-suppliers of both coca leaf and of refined cocaine to the U.S., European and

<sup>12</sup> UNODC, *World Drug Report, 2011*. 86.

<sup>13</sup> UNODC, *World Drug Report, 2010, op cit.*, 70.

other world markets.<sup>14</sup> As of 1985, Peru produced roughly 65 percent of the world's supply of coca leaf while Bolivia grew approximately 25 percent and Colombia 10 percent or less.<sup>15</sup> With the "partial victories" achieved by the U.S.-led war on drugs in the southern Andes during the late 1980s and early 1990s – specifically, U.S.-financed crop eradication programs in Bolivia's Chapare under President Victor Paz Estensoro after 1986 (Operation Blast Furnace) and Presidents Hugo Banzer/Jorge Quiroga from 1998 to 2002 (*Plan Dignidad*), along with Peruvian President Alberto Fujimori's interruption of the "air bridge" between the Alto Huallaga coca region in Peru and the clandestine cocaine laboratories located in Colombia in the mid-1990s, coca cultivation in the Andes rapidly shifted to Colombia in the mid- and late 1990s.<sup>16</sup> By 2000, Colombia cultivated an estimated 90 percent of the world's coca leaf while production in Peru and Bolivia dwindled to historic lows.<sup>17</sup>

In the early 1990s, Colombia's U.S.-backed all-out war against drug lord Pablo Escobar and the Medellín cartel during the César Gaviria administration led to Escobar's death on December 2, 1993, and the rapid dissolution of the Medellín cartel.<sup>18</sup> Subsequent plea bargaining in 1994-95 during the Ernesto Samper administration with the major drug lords of the Cali cartel, specifically the Rodríguez Orejuela brothers, catalyzed the dismantling of the Cali cartel.<sup>19</sup>

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<sup>14</sup> Paul Gootenberg, *Andean Cocaine: The Making of a Global Drug* (Chapel Hill: The University of North Carolina Press, 2008), 1-14 and *passim*.

<sup>15</sup> Bruce Bagley, "La conexión Colombia-México-Estados Unidos," in Raúl Benítez Manaut, Abelardo Rodríguez Sumano, and Armando Rodríguez Luna, eds., *Atlas de la Seguridad y la Defensa de México 2009* (México City, México: CASADE, 2009), 25; Patrick L. Clawson and Rensselaer W. Lee III, *The Andean Cocaine Industry* (New York: St. Martin's Griffin, 1998), 12-16.

<sup>16</sup> After the Peru-Colombia "air bridge" that transported paste or base from Peru's Alto Huallaga to Colombia by small airplanes was disrupted by Peruvian President's Fujimori's adoption of a shoot-down policy in 1993-94, the subsequent termination of the cocaine flights out of Peru during the Fujimori dictatorship in the mid-late 1990s, and the launching of Plan Dignidad in 1998 (with US Government funding) by the newly-installed Banzer government in Bolivia, the epicenter of illegal coca cultivation shifted from Eastern Peru and Bolivia to southeastern Colombia. Gootenberg, *op. cit.*, 291-324; Clawson and Lee, *op. cit.*, pp.16-21; Francisco E. Thoumi, *Illegal Drugs, Economy and Society in the Andes* (Baltimore: The Johns Hopkins University Press, 2003), 7 and *passim*.

<sup>17</sup> Bruce Bagley, *op. cit.*, p. 29; UNODC, *Coca Cultivation in the Andean Region: Survey of Bolivia, Colombia and Peru* (New York: UNODC, June 2006).

<sup>18</sup> Steven Dudley, *Walking Ghosts: Murder and Guerrilla Politics in Colombia* (New York: Routledge, 2004), 195-198; Virginia Vallejo, *Amando a Pablo, Odiando a Escobar* (Bogotá, Colombia: Random House Mondadori S. A., Nomos Impresores, 2007), 352-385.

<sup>19</sup> By September 1996, after allegations that the Cali Cartel financed Ernesto Samper's presidential campaign had surfaced in 1994, the Rodríguez Orejuela brothers and other major the Cali cartel leaders had been imprisoned in

While some large criminal trafficking networks (e.g., the Cartel del Norte del Valle), continued to operate in Colombia in the late 1990s and early 2000s, some 300 plus smaller drug trafficking organizations (known as *cartelitos*) surfaced to fill the vacuum left by the dismantling of the two major cartels in the political economy of Colombia's still highly profitable drug trade. By the late 1990s, basically as an unanticipated and unintended consequence of the demise of the country's major cartels, Colombia's leftwing *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, or FARC) guerrillas and rightwing *Autodefensas Unidas de Colombia* (United Self-Defense Forces of Colombia, or AUC) paramilitary militias took control of coca cultivation and processing throughout rural Colombia, precipitating increased drug-related violence between these two groups of armed illegal actors, each of whom sought to eliminate the other and to consolidate their own territorial control over drug cultivation regions and the peasant growers across the Colombian countryside.<sup>20</sup>

As a direct result, levels of drug-fueled violence in Colombia spiraled out of control in the late 1990s and early 2000s. Indeed, during much of the first decade of the 2000s Colombia became one of the most dangerous and violent countries in the world. In July 2000, President Clinton and the U.S. government responded by backing the Andrés Pastrana administration in its war against run away drug production and trafficking in Colombia via the adoption of Plan Colombia. In August 2002, the newly inaugurated government of Álvaro Uribe received additional drug war assistance from Washington and the George W. Bush administration in the wake of the 9/11 terrorist attacks on the United States. Supported by almost \$8 billion in U.S. aid under Plan Colombia over the course of a decade, by 2010 Colombian President Uribe and his program of “democratic security” had managed to beat back the FARC guerrillas, demobilize

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Colombia. See Maria Clemencia Ramirez Lemus, Kimberly Stanton and John Walsh, “Colombia: A Vicious Circle of Drugs and War” in Coletta A. Youngers and Eileen Rosen, eds., *Drugs and Democracy in Latin America: The Impact of U.S. Policy* (Boulder: Lynne Rienner Publishers, 2005); also Camilo Chaparro, *Historia del Cartel de Cali: El Ajedrecista mueve sus fichas* (Bogotá, Colombia: Intermedio Editores, Una división de Círculo de Lectores S.A., 2005), 125-148. Fernando Rodríguez Mondragón y Antonio Sánchez, *El hijo del “Ajedrecista”* (Bogotá: Editorial Oveja Negra, Quintero Editores, 2007), 169-173.

<sup>20</sup> Bagley, Bruce, *op. cit.*, 28-29.

many – if not all – of the country’s paramilitary bands, and substantially reduce the country’s astronomically high levels of drug-related violence.<sup>21</sup>

Despite the substantial achievements of Plan Colombia and the Uribe administration’s “democratic security” policies, however, as of 2010 Colombia remained a principal source of coca leaf and refined cocaine in the Andes and drug-related violence and criminality appeared to be once again on the rise. The 2011 UN Drug Report states that the area used for cultivating coca in Colombia decreased by an estimated 15 percent in 2010, leaving Colombia just a slightly ahead of Peru as the world’s largest coca leaf producer . Currently, the area under cultivation in Colombia is estimated at 62,000 ha. In comparison, 2009 statistics report 73,000 ha. in terms of area under cultivation.<sup>22</sup> As an unintended consequence of the U.S.-backed war on drugs in Colombia, the locus of organized criminal involvement in cocaine trafficking gradually shifted northwards from Colombia to Mexico. As the Uribe administration and the U.S.-backed Plan Colombia succeeded at least partially in Colombia in the war against cocaine traffickers, the major drug trafficking networks in Mexico took advantage of the vacuum left in the drug trade to take over control of cocaine smuggling operations from Colombia into the United States. As a consequence, drug-related violence and criminality shifted northwards into Mexican territory as various Mexican trafficking organizations vied for control over the highly lucrative smuggling trade from Colombia and the southern Andes into the large and profitable U.S. market.<sup>23</sup>

Thus, Mexico’s current drug-related bloodbath is, in part, directly attributable to the partial victory in the war on drugs achieved in Colombia in recent years via Plan Colombia. If the U.S.-backed Mérida Initiative presently being implemented in Mexico achieves results similar to those

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<sup>21</sup> On the paramilitary demobilization, see Elvira María Restrepo and Bruce Bagley, eds., *La desmovilización de los paramilitares en Colombia: Entre la esperanza y el escepticismo* (Bogotá: Uniandes, 2011). The Uribe Government emphasized a counterinsurgency strategy in Plan Colombia, an important difference from the Pastrana government’s original “Plan Marshall.” During 2002-2003 Uribe increased the number of combat troops and pursued constitutional reforms to expand the military activities. Ramírez Lemus, et al, *op. cit.*, 111-112.

<sup>22</sup> The 62,000 ha and 73,000 ha includes in the calculation small fields. UNODC, *World Drug Report, 2011, 100-111*; Adam Isacson, *Don’t Call it a Model: On Plan Colombia’s Tenth Anniversary, Claims of ‘Success’ Don’t Stand Up to Scrutiny* (Washington D.C: Washington Office on Latin America, July 13, 2010).

<sup>23</sup> Bruce Bagley, *op. cit.*, 31. The U.S. government estimates that the Mexican cartels make \$19 to 39 billion annually from the drug trade. Drug policy analysts Dr. Peter Reuter estimates Mexican cartel drug profits at the much lower figure of \$7 billion per year for 2010. Even at Reuter’s lower estimate level, the profits remain quite substantial and are certainly enough to spur on the intense violence Mexican drug traffickers have exhibited in recent years.



of Plan Colombia, it will not halt drug trafficking or end organized crime in Mexico or the region. The most likely outcome is that it will drive both further underground in Mexico while pushing many smuggling activities and criminal network operations into neighboring countries such as Guatemala and Honduras and back to Colombia and the Andes. Indeed, evidence that some Mexican drug trafficking operations (Sinaloa, Zetas) are moving from Mexico into Central America is already abundant<sup>24</sup>

### **Proliferation of Areas of Cultivation and Smuggling Routes (The Balloon Effect)**

The 2010 World Drug report indicates that Colombia successfully reduced the total number of hectares under coca cultivation within its national territory in the second half of the 2000s, although production has still not returned to pre-2000 levels. How large the reductions in Colombian coca cultivation in the past three years have actually been is a controversial topic, plagued by inadequate data, methodological problems, and major uncertainties regarding the actual extent of cultivation and yield levels. Given similar caveats, coca cultivation in both Peru and Bolivia, after almost two decades of decline, appears once again to have expanded.<sup>25</sup> Most observers believe that overall coca leaf production and cocaine availability in the Andean region remain roughly on par with 2000 levels and well above those of 1990 or 1995. Evidently, the balloon effect that allowed coca cultivation to shift north from Bolivia and Peru to Colombia in the 1990s continues to operate as cultivation moved back into Peru and Bolivia from Colombia at the end of the first decade of the 2000s. Various observers have speculated about the possibility that the tropical variety of coca – known in Portuguese as *Epadu* – might well balloon coca cultivation from its traditional growing areas on the eastern slopes of the Andes into Brazil

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<sup>24</sup> The Northern Triangle countries of Central America - Guatemala, Honduras, and El Salvador - have been deeply affected. The intense drug-related violence presents serious challenges to governance. UNODC, *World Drug Report 2010*, 26.

<sup>25</sup> From 2009 to 2010, the area under cultivation increased in Peru by 2 percent. In terms of hectares, the estimates for 2010 are 61,200. Cultivation has varied in Peru based on region. Some smaller regions located in the Amazon Basin saw dramatic increases, as much as 90 percent, in terms of the area under cultivation. It is important to note that cocaine production in Peru has been increasing ever since 2005, according the UN Report. On the hand, Colombia saw a decrease in production in 2010; the 2010 estimate for production is 350 mt. For more information, see UNODC, *World Drug Report, 2011*, 101. Between 2000 and 2009 coca cultivation increased by 38 percent and 112 percent in Peru and Bolivia, respectively. UNODC, *World Drug Report, 2010*, 65. Coca cultivation is, in short, returning to countries where eradication policies damaged the reputation of the US and US drug control policies and incentivized peasant unrest. Gootenberg, *op. cit.*, 315.

and elsewhere in the Amazon basin in coming years, if ongoing or renewed eradication efforts prove successful in Colombia, Peru and Bolivia.

The 2010 UN report registered a 10-20 percent decline in coca production in Colombia from 2008 to 2009.<sup>26</sup> But enthusiasm regarding such statistics should be tempered by realism. First, it is important to note that year-to-year variations are commonplace owing to climate factors and short-term disruptions; declines over several years are required to identify enduring trends. Second, the UN statistics are approximations along a range rather than firm data points; it is entirely possible that the 2010 UN report underestimate the real levels of production. Third, innovations in more productive hybrid plants, yields-per-hectare and processing can produce higher levels of refined cocaine production than anticipated by the UN analysts. Finally, the ongoing decentralization and dispersion of cultivation in Colombia makes accurate mapping of the total numbers of hectares under cultivation a very problematic endeavor.<sup>27</sup>

Such caveats aside, the key reason that Colombia appears to have experienced a significant decline in coca production in 2008 and 2009 is that the Uribe government moved away from its almost exclusive (U.S.-backed) reliance on aerial spraying to a more effective mixture of spraying and manual eradication linked to comprehensive alternative development programs in key coca growing areas such as La Macarena. As a consequence of the weakening of FARC control in vast stretches of rural Colombia and the partial demobilization of the paramilitary bands engaged in drug trafficking over the period 2002-2007, 2008-09 marked the beginning of an important decline after at least three years of steady increases in total production. To sustain this decline will certainly require that Colombia continue its manual eradication efforts and that

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<sup>26</sup> In 2008 Colombia produced 450 metric tons of cocaine, out of a UN estimated 865 metric tons worldwide production. US government estimates of total cocaine production were higher, ranging up to 1000 metric tons. Regarding cultivation, there was a decrease in hectares cultivated from around 80,000 to 68,000 in 2008-2009 in Colombia according to the UNODC, *World Drug Report, 2010*, 66. Estimates of cocaine production per hectare of cultivated coca are quite unreliable.

<sup>27</sup> For a discussion in historical perspective of the difficulties of quantifying cocaine production, see Gootenberg, *op cit.*, 325-336; For a discussion of the difficulties with the UNODC estimates, see Francisco E. Thoumi, "Debates recientes de la Organización de las Naciones Unidas acerca del régimen internacional de drogas: Fundamentos, limitaciones e (in) posibles cambios," in Juan Gabriel Tokatlian, ed., *Drogas y prohibición: Una vieja Guerra, un nuevo debate* (Buenos Aires: Libros del zorzal, 2010), 27-56; Francisco E. Thoumi and Ernestine Jensema, "Drug Policies and the Funding of the United Nations Office on Drugs and Crime," in *Global Drug Policy: Building a New Framework* (NY: The Senlis Council, 2003).

it provide additional funds for well-designed and executed alternative development programs in coca growing areas throughout the country.<sup>28</sup>

Meanwhile, recent increases in coca cultivation in both Peru and Bolivia suggest that the focus of U.S. attention and resources on Colombia has led to the neglect of coca cultivation in those traditional coca growing countries in the central Andes. To forestall a recurrence of the balloon effect – pushing cultivation out of one country only to have it reappear in others – the Obama administration will have to seek to reestablish a workable relation with the government of President Evo Morales in Bolivia and find effective ways to combat the resurgence of *Sendero Luminoso* (Shining Path) and coca cultivation in Peru. Failure to achieve more effective drug control policies in both countries will likely result in a continuing shift of coca production back to Peru and Bolivia, thereby nullifying any real progress made in reducing coca cultivation in Colombia over the medium term.<sup>29</sup>

In the 1980s, largely as a result of the formation of the U.S. government’s South Florida Task Force in 1982 – headed by then-Vice President George H. W. Bush – the established Caribbean routes used by the Medellín and Cali cartels in the 1970s and early 1980s were essentially closed down by American law enforcement and military operations. They were quickly replaced over the mid to late 1980s and early 1990s with new routes that used Panama and Central America,

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<sup>28</sup> See Coletta A. Youngers and John M. Walsh, “Development First: A More Humane and Promising Approach to Reducing Cultivation of Crops for Illicit Markets,” Washington D.C.: WOLA, March 2010. Also Vanda Felbab-Brown, Joel M. Jutkowitz, Sergio Rivas Ricardo Rocha, James T. Smith, Manuel Supervielle, and Cynthia Watson, “Assessment of the Implementation of the United States Government’s Support for Plan Colombia’s Illicit Crop Reduction Components,” Produced for review by the U.S. Agency of International Development (USAID), 17 April 2009; U.S. Government Accountability Office (GAO), “Plan Colombia: Drug Reduction Goals were Not Fully Met, but Security Has Improved: U.S. Agencies need More Detailed Plan for Reducing Assistance,” October 2008; Adam Isacson and Abigail Poe, *After Plan Colombia: Evaluating “Integrated Action: The Next Phase of U.S. Assistance”* (Washington D. C.: Center for International Policy (CIP), International Policy Report, December 2009).

<sup>29</sup> United Nations, *Coca Cultivation Survey June 2009* (New York: United Nations, 2010). “If the current trend continues, Peru will soon overtake Colombia as the world’s biggest coca producer - a notorious status that it has not had since the mid-1990s,” said UNODC Executive Director Antonio Maria Costa. Coca cultivation in Peru increased 6.8 percent in 2009 - from 56,100 hectares in 2008 to 59,900. Cultivation of coca in Colombia, however, decreased in 2009 by 16percent - from 81,000 hectares in 2008 to 68,000 hectares in 2009. Despite Colombia’s apparent decline, overall coca cultivation in the Andean region decreased only 5.2 percent in 2009. According to the UNODC data, cultivation of coca in Bolivia barely changed between 2008 and 2009, increasing only by 400 hectares (about 1 percent--from 30,500 hectares in 2008 to 30,900 in 2009). This UNODC report contradicted the U.S. estimate for Bolivia, which showed a 9.4% increase in cultivation between 2008 and 2009 (and a 2009 cultivation estimate that is 4,100 hectares higher than the UNODC’s estimate). See Just the Facts: A Civilian’s Guide to U.S. defense and Security Assistance to Latin America and the Caribbean. June 23, 2010. <http://justf.org>

the Gulf of Mexico, and the Pacific Corridor to reach Mexico and then cross from Mexico into United States.<sup>30</sup> When the Mexican cartels took over from Medellín and Cali in the late 1990s, the Pacific Corridor became the principal smuggling route northwards from Colombia to the United States, although the Gulf route also remained active.<sup>31</sup> From December 1, 2006, onward Mexican President Felipe Calderón, with Washington's active assistance since 2008 via the Mérida Initiative, has waged an intense military campaign against Mexico major drug cartels.<sup>32</sup> Although not by any means successful in eliminating Mexico key drug trafficking groups as of 2010, Calderón's militarization of the drug war has unquestionably made smuggling across the U.S.-Mexican border from Mexico more dangerous and expensive than in past years. As a result, some of the Mexican trafficking organizations have begun to move into Central America – especially Guatemala and Honduras – to take advantage of these much weaker states to conduct their smuggling operations.<sup>33</sup>

There is also abundant evidence indicating increased use of both Venezuelan and Ecuadoran territory by Colombian traffickers to replace the increasingly problematic Mexico routes. Venezuela is a jumping off point for smuggling through the Caribbean to the east coast of the United States or across the Atlantic through West Africa into Europe. Venezuela also is used for

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<sup>30</sup> Bagley, *op cit.*; Peter Dale Scott and Jonathan Marshall, *Cocaine Politics: Drugs, Armies and the CIA in Central America* (Berkeley: University of California Press, 1998), 186-192.

<sup>31</sup> This displacement is also confirmed by the fact that Mexican criminal organizations have increased their activities in the US. By 2008 these organizations had presence in 230 US cities while three years before they were present in only 100 cities. Moreover, the Colombian groups now controlled the illicit cocaine and heroin distribution in only 40 cities, mostly in the north-east. UNODC, *World Drug Report 2010*, p.79.

<sup>32</sup> On Calderon's military strategy and the Mérida Initiative, see Rafael Velázquez Flores and Juan Pablo Prado Lallande, coordinadores, *La Iniciativa Mérida: Nuevo paradigma de cooperación entre México y Estados Unidos en seguridad?* (Mexico D. F.: Universidad Nacional Autónoma de México, 2009); Raul Benitez Manaut, ed., *Crimen organizado e Iniciativa Mérida en las relaciones México-Estados Unidos* (Mexico D.F.: CASADE Colectivo de Análisis de la Seguridad con Democracia, 2010); David A. Shirk, *The Drug War in Mexico: Confronting a Threat*. (New York: Council on Foreign Relations, Council Special Report No. 60, March 2011),

<sup>33</sup> Bagley, *op cit.*; Douglas Farah, "Organized Crime in El Salvador: The Homegrown and Transnational Dimensions," in Cynthia J. Arnson and Eric Olson, eds., *Organized Crime in Central America* (Washington DC: Woodrow Wilson Center for International Scholars, Latin American Program, 2011); International Crisis Group "Learning to Walk Without a Crutch: An Assessment of The International Commission Against Impunity in Guatemala," Latin America Report No. 36, International Crisis Group, May 31, 2011, 3; Steven S. Dudley, "Drug Trafficking Organizations in Central America: Transportistas, Mexican Cartels and Maras," in Cynthia J. Arnson and Eric Olson, *op. cit.*, passim.

drug flights into Honduras or Guatemala where the shipments are then transferred to trucks and transported by land across the Guatemalan-Mexican border northwards to the United States.<sup>34</sup>

The balloon effects produced by the partial victories in the war on drugs in the Andes on both drug cultivation and drug smuggling routes are evident. Over the past twenty five years and more, the war on drugs conducted by the United States and its various Latin American and Caribbean allies has succeeded repeatedly in shifting coca cultivation from one area to another in the Andes and in forcing frequent changes in smuggling routes. But it has proven unable to disrupt seriously, much less stop permanently, either production or trafficking in the hemisphere. The traffickers constant, successful adaptations to law enforcement measures designed to end their activities have led to the progressive contamination of more and more countries in the region by the drug trade and its attendant criminality and violence.<sup>35</sup>

### **Dispersion and Fragmentations of Criminal Drug Trafficking Organizations (The Cockroach Effect)**

The differential insertion of individual countries into the political economy of drug trafficking in the hemisphere has produced a variety of forms or types of intermediation between peasant growers of illicit crops and consumers. In Bolivia, the presence of peasant cooperatives in the countryside since the *Movimiento Nacional Revolucionario* (National Revolutionary Movement, or MNR) revolution of 1952 produced coca grower associations and generally inhibited the rise of either criminal organizations or guerrilla movements as intermediaries, although the Bolivian military itself has on various occasions fulfilled this role.<sup>36</sup> In Peru, the absence of strong grass roots associations among peasant growers opened the way for both elements of the country's military apparatus (led by intelligence chief Vladimiro Montesinos) and guerrilla organizations

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<sup>34</sup> Between 2006 and 2008, over half the maritime shipments of cocaine to Europe detected came from the Bolivarian Republic of Venezuela. Ecuador has also been affected by an increase in transit trafficking, and both countries are experiencing increasing problems with violence. *World Drug Report 2010*, 30.

<sup>35</sup> Randall C. Archibald and Damien Cave, "Drug Wars Push Deeper into Central America," *The New York Times*, March 2, 2011.

<sup>36</sup> In Bolivia, coca growing peasants joined in unions and this situation helped to maintain the struggle for their recognition in national politics relatively peaceful. Gootenberg, *op cit.*, 313.

(Sendero Luminoso) to perform the role of intermediaries or traffickers.<sup>37</sup> In Colombia, the absence of both peasant organizations and military intermediaries paved the way for the rise of major criminal organizations such as the Medellín and Cali cartels to fill the role. The demise of the major cartels opened the way for illegal armed actors such as the FARC and the paramilitaries.<sup>38</sup> In Mexico and Central America, elements of the military and/or police have sometimes performed the functions of intermediation in previous decades, but in the 1990s and 2000s these countries have followed the Colombian pattern of criminal intermediation owing to the absence strong grower associations.<sup>39</sup>

In terms of criminal organizations or criminal trafficking networks, Colombia and Mexico provide the two most important examples over the last twenty five years. In Colombia, the rise and fall of Medellín and Cali (and subsequently the Norte del Valle cartel) vividly illustrate the perils and vulnerabilities of large, hierarchical criminal trafficking organizations, especially when they attempt to confront the state openly. Both major cartels in Colombia were hierarchically structured and proved to be vulnerable targets for Colombian and international law enforcement agencies. In the wake of Medellín and Cali, Colombia witnessed a rapid fragmentation and dispersion of criminal networks that have proven far more difficult for law enforcement authorities to track down and dismantle than their larger and more notorious predecessors.<sup>40</sup> Although there may be counter-tendencies leading to re-concentration among

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<sup>37</sup> In Peru, the eradication policy caused discontent and rejection among the peasants and favored the growth of the Shining Path. Thus, the guerrillas took control of particular areas, forcing local authorities to resign and flee while the guerrilla leadership demanded payments for processing and transporting the drug. Intense eradication actions without economic alternatives made people join the guerrillas, Mariano Valderrama and Hugo Cabieses, "Questionable Alliances in the War on Drugs. Peru and the United States" in Menno Vellinga, ed., *The Political Economy of the Drug Industry: Latin America and the International System* (Gainesville, FL: University Press of Florida, 2004), 60-61.

<sup>38</sup> This collapse of Colombia's two major cartels opened the way for new actors to assume expanded roles in the drug industry, particularly paramilitary and guerrilla organizations that use the illegal drugs to fund their activities, Francisco E. Thoumi, "Illegal Drugs in Colombia: From Illegal Economic Boom to Social Crisis," in Menno Vellinga, ed., *op. cit.* 76.

<sup>39</sup> Francisco E. Thoumi, *Illegal Drugs*, *op. cit.*, 159-264; Kevin Healy, "Coca, the State and the Peasantry in Bolivia," in Bruce Bagley, ed., *Assessing the America's War on Drugs*, Special Issue, *Journal of InterAmerican Studies and World Affairs (JISWA)* 30, nos. 2 & 3 (Summer/Fall 1988): 105-126; International Crisis Group, "Coca, Drugs and Social Protest in Bolivia and Peru," Latin American Report No. 12, International Crisis Group (3 March 2005). <http://www.crisisgroup.org/home/index.cfm?l=1&id=4775>.

<sup>40</sup> Juan Carlos Garzón, *Mafia & Co.: The Criminal Networks in Mexico, Brazil and Colombia* (Washington D.C.: Woodrow Wilson International Center for Scholars, Latin American Program, June 2008); Luis Jorge Garay-

criminal trafficking organizations in Colombia today (e.g., los Rastrojos, las Águilas Negras), the basic lesson to emerge from Colombia appears to be that smaller criminal networks are less vulnerable to law enforcement and state repression. Colombia's emergent *Bandas Criminales* (BACRIM), the descendants of the now formally demobilized paramilitary groups that made up the Colombian Sell-Defense Forces (Auto Defensas Unidas de Colombia – AUC) represent a new generation of drug traffickers in Colombia. They differ from the “paras” in several important respects: 1) they tend to be politically much more deft and subtle in seeking political alliances inside the Colombian economic and political establishment, often hiding their political linkages through indirect contacts and “clean” candidates without records of paramilitary affiliations or ties in the past; 2) They focus on establishing political influence at the municipal and departmental (provincial) levels rather than the national level; 3) The locus of their activities includes not only Colombia's Caribbean coast but also the Pacific southwest; and 4) They have expanded their economic interests beyond drug trafficking to include other illegal activities (land piracy, gold mining, timber) as well as legal enterprises. From the Colombian state's perspective, such organizations are, at least to date, far less threatening because they do not have the capacity to threaten state security directly.<sup>41</sup>

In Mexico, as in Colombia in the 1980s and early 1990s, cocaine profits appear to have energized the country's major criminal networks and unleashed a wave of violence among criminal organizations seeking to strengthen and consolidate their control of key smuggling routes. As of 2011, this struggle was still playing itself out in brutal and bloody fashion. Nonetheless, Mexico's criminal trafficking groups do appear to be gradually following the Colombian pattern of dispersion and fragmentation, although the evidence is not yet conclusive. In 2000, the Tijuana cartel (Arrellano Félix family) and the Juárez cartel (Carrillo Fuentes family) were the two largest and most dominant drug trafficking organizations in Mexico. Since 2000, after the Vicente Fox administration first went after Tijuana and then Juárez, Mexico has seen the rise of at least five new major trafficking organizations and a host of smaller, lesser

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Salamanca, Eduardo Salcedo-Albarán, and Isaac De León-Beltrán, *Illicit Networks Reconfiguring States: Social Network Analysis of Colombian and Mexican Cases* (Bogotá: Método Foundation, 2010).

<sup>41</sup> Elyssa Pachico, “The New Political Face of Colombia's Drug Gangs,” *InSight*.

<http://www.insightcrime.org/insight-latest-news/item/1743-the-new-political-face-of-colombias-drug-gangs>

known groups: Sinaloa, Gulf, Familia Michocana, Beltrán-Leyva, and Zetas.<sup>42</sup> This dispersion of criminal networks in Mexico may well represent the beginning of the kind of fragmentation observed in Colombia in the 1990s. If it does, the trend would be warmly welcomed by Mexican governing authorities because it would portend a considerable diminution in the capacity of organized criminal networks in Mexico to directly challenge state authority and national security.

Table 1. Proliferation of Mexican Cartels, 2006-2010<sup>43</sup>

2006	2007-2009	2010
Pacífico Cartel	Beltrán Leyva Cartel	Pacífico Cartel
		Pacífico Sur Cartel
		Acapulco Independent Cartel
		“La Barbie” Cartel
Juárez Cartel	Juárez Cartel	Juárez Cartel
Tijuana Cartel	Tijuana Cartel	Tijuana Cartel
	“El Teo” Faction	“El Teo” Faction
Golfo Cartel	Golfo-Zetas Cartel	Golfo Cartel
		Zetas Cartel

<sup>42</sup> Luis Astorga Almanza, *Seguridad, traficantes, y militares: El Poder y la sombra* (Mexico City: Tusquets, 2007); Luis Astorga Almanza and David A. Shirk, “Drug Trafficking Organizations and Counter-drug Strategies in the U.S.-Mexican Context,” in Eric L. Olson, David A. Shirk, and Andrew D. Selee, eds., *Shared Responsibility: U.S.-Mexico Policy Options For Confronting Organized Crime* (Washington DC: Mexico Institute, Woodrow Wilson International Center for Scholars/San Diego, CA: Trans-Border Institute, 2010). From 1995 onward several Mexican cartels became progressively more involved in cocaine traffic out of Colombia. The Tijuana and Juarez cartels started to fight for control of cocaine smuggling routes across Mexico and cross-border plazas into the United States in the vacuum left by the collapse of the major Colombian cartels. Only after 2000, however, did Mexico experience the rise and participation of newer cartels such as Sinaloa, the Gulf, and the Zetas. Bruce Bagley and Aline Hernández, “Crimen organizado en México y sus vínculos con Estados Unidos,” in Hans Mathieu and Catalina Niño Guarnizo, eds., *Seguridad Regional en América Latina y el Caribe: Anuario 2010* (Bogotá: Friedrich Ebert Stiftung, 2010), 332-333.

<sup>43</sup> Table elaborated by the author based on personal interviews in Mexico in 2011.



La Familia Michoacana	La Familia Michoacana	La Familia Michoacana
Milenio Cartel	Milenio Cartel	La Resistencia
		Jalisco Cartel-Nueva Generación
<b>6 Organizations</b>	<b>8 Organizations</b>	<b>12 Organizations</b>

A key reason that some analysts do not accept the fragmentation of organized crime thesis in contemporary Mexico relates directly to the emergence of a new criminal network model – the Sinaloa cartel. Unlike its predecessors and current rivals in Mexico, the Sinaloa cartel is less hierarchical and more federative (hub and spokes) in its organizational structure. Its principal leader, Joaquín “El Chapo” Guzmán Loera has forged a new type of “federation” that gives greater autonomy (and profits) to affiliated groups. To date, Sinaloa, also known as the Federation, seems to be winning the war against its rivals, although its fight against the Zetas (a paramilitary-style organization) is proving to be prolonged, costly, and bloody. It is likely that the Sinaloa model will prove more sustainable - better for business - than other criminal trafficker organizational models in Mexico, but the jury is still out.<sup>44</sup>

The escalating urban gang wars in Medellín, Colombia’s *Comuna 13* neighborhood exemplify the kinds of violent internecine conflicts taking place over many contested drug trafficking areas and routes across the entire Latin American region (e.g., the states of Nuevo Leon, Chihuahua, Michoacán and Tamaulipas in Mexico, the Pacific coast of Guatemala, the Valle de Cauca Department near Cali, Colombia, the municipality of Caucaasia in Colombia, or the favelas of Rio de Janeiro in Brazil). In Medellín, literally scores of relatively small, competing drug gangs have generated a pattern of "disorganized" crime: Rather than rationally doing what would be “good

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<sup>44</sup> Carlos Antonio Flores Pérez, *El estado en crisis: Crimen organizado y política. Desafíos para la consolidación democrática* (México D. F.: Centro de Investigaciones y estudios Superiores en Antropología social (CIESAS), 2009), 137-228; Jorge Chabat, “El Estado y el crimen organizado transnacional: Amenaza global, respuestas nacionales,” in *ISTOR: Revista de Historia Internacional*, Año XI, núm. 42 (otoño de 2010): 3-14; Phil Williams, “El crimen organizado y la violencia en México,” en *Ibíd.*, 15-40.

for business - keeping murder rates low and police attention to a minimum – the criminal world is in turmoil and in need of an arbitrator to re-establish authority.”<sup>45</sup>

Like Mexico, where the splintering of authority has led to the creation of smaller but no less violent groups such as the Cartel de Acapulco and Mano con Ojos, Colombia’s drug gangs are fighting to establish their place in the new criminal hierarchy in Medellín’s poor and marginalized barrios long ignored by both the central Colombian state in Bogotá and by Medellín’s municipal government. Under former mayor (now governor of Antioquia) Sergio Fajardo, Medellín did see a significant decline in violence rates for several years – especially homicide statistics - via informal negotiations with the gangs, new mayoral initiatives to reduce gang violence (e.g., increased social services, expanded educational opportunities, jobs programs, new public recreational spaces for youth) and the demobilization of the nation’s paramilitary groups in 2005 and beyond. The relative peace achieved by the Fajardo administration in Medellín and the successor mayoral administration of Alonso Salazar, did, unfortunately, gradually give way to renewed violence in Medellín’s Comuna 13 and other urban neighbourhoods where drug trafficking and BACRIM activity resurged in 2010 and 2011. Medellín’s Comuna 13 or Ciudad Juárez’s Rivera del Bravo slums are perfect launching platforms for gang warfare. In such neighbourhoods, drug traffickers have found readily accessible pools of new gang members and many potential drug consumers, as well as efficient corridors for smuggling drugs and arms. In Comuna 13, the violence is mainly about controlling the San Juan highway, which leads out of the city to northern Antioquia and Urabá on Colombia’s northern Caribbean coast. The gangs that control the highway decide who and what enter and leave Medellín: drugs, guns, money. The armed group established by former Medellín capo Pablo Escobar, now known as “the Office,” remains the largest and most powerful criminal network in Medellín, even though it has splintered into rival factions and neither side has yet managed to achieve control over Comuna 13 and the San Juan transit route.<sup>46</sup>

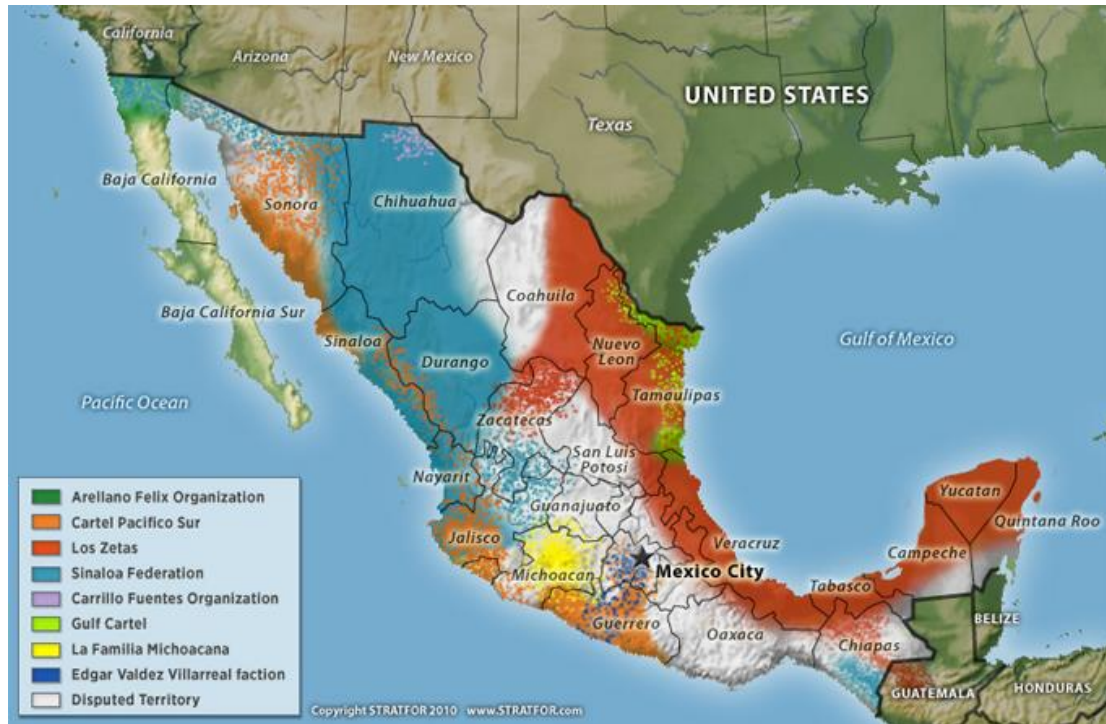
### Map 3. Mexican drug cartel’s main areas of influence<sup>47</sup>

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<sup>45</sup> Elyssa Pachico, “Investigation: Medellín’s Turbulent Comuna 13,” *InSight*, May 2011.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Mexico and the Cartel Wars in 2010*, Annual Report 2010, STRATFOR, December 16, 2010.



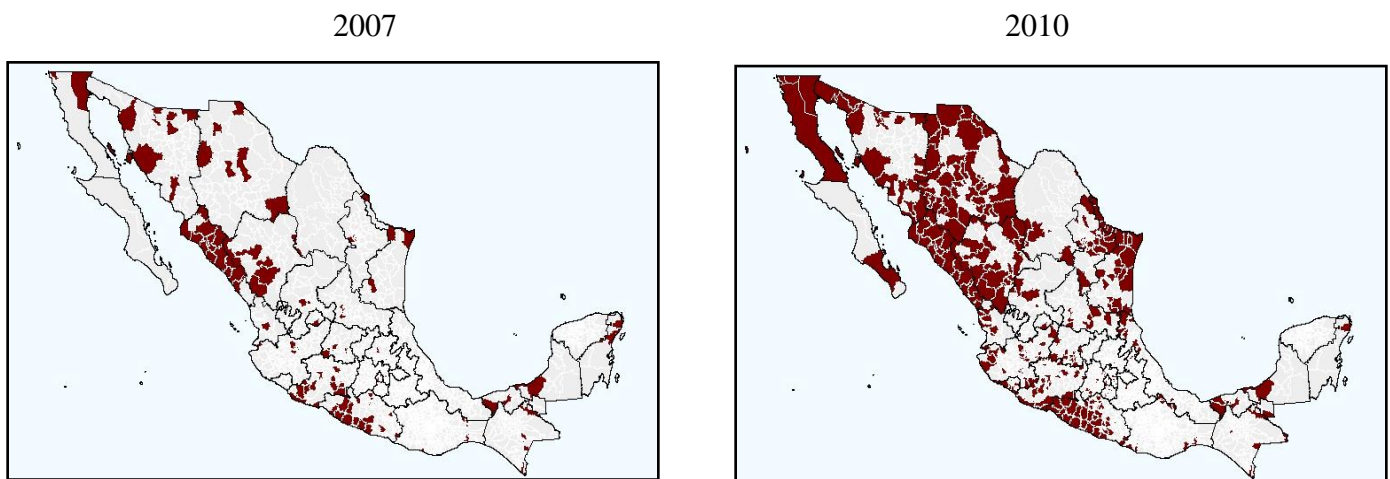
The *maras* (youth gangs) in Central American countries such as Honduras and Guatemala, the Barrio Azteca prison gang in El Paso, Texas, and Juárez, Mexico, and the Comando Vermelho in Rio de Janeiro provide additional examples of the proliferation of gangs or *pandillas* that work and fight - often in close association with major cartels - that have appeared along with the phenomenon of fragmentation and dispersion. In 2004, for example, the armed wing of the Juárez Cartel - La Línea - started to attack the local police openly while employing the *cobro de piso* (right-of-way tax) to transit drug shipments through Chihuahua. This was possible owing to the incorporation of former police officials from Juárez into the ranks of the Juárez cartel. Following the intromission of the Sinaloa Cartel into Juárez in the mid-2000s, rising levels of violence and murder involving Los Aztecas, a gang affiliated with La Línea, against opposition gangs such as the Mexicles, the *Artistas Asesinos* (Artistic Assassins) and the Gente Nueva (new youth gangs) have been the order of the day in Juárez, the murder capital of Mexico.<sup>48</sup> By October 2005, there were also an estimated 17,000 gang members that belong to the *Mara*

<sup>48</sup> Patricia Dávila, “La disputa por Ciudad Juárez,” in Rafael Rodríguez Catañeda, ed., *El México Narco* (Mexico: Planeta, 2010); Charles Bowden, *Murder City: Ciudad Juarez and the Global Economy’s Killing Fields* (New York: Nation Books, 2010).

*Salvatrucha* or MS-13 and the 18<sup>th</sup> Street operating in Ciudad Juárez.<sup>49</sup> While no recent statistics are available, anecdotal evidence indicates that the numbers of maras active in Juarez and Mexico more generally appear to have increased steadily to above 25,000.

As in the Colombian case during the 1980s and 1990s, paramilitary groups have also surfaced in recent years in Juárez, Monterrey and other parts of Mexico in response to the cartels and affiliated gang violence. The appearance of these paramilitary bands highlights the weak law enforcement capacities of the Mexican government and its perceived inability to effectively confront and defeat the country’s powerful drug trafficking organizations.<sup>50</sup>

Map 2. Municipalities with Five or More Organized Crime-Related Deaths 2007-2010<sup>51</sup>



<sup>49</sup> Agnes Gereben Schaefer, Benjamin Bahney, and K. Jack Riley, *Security in Mexico: Implications for U.S. Policy Options* (Santa Monica, California: RAND Corporation, 2009).

<sup>50</sup> See [http://www.elpasotimes.com/newupdated/ci\\_17627581](http://www.elpasotimes.com/newupdated/ci_17627581); also George W. Grayson, *Mexico’s Struggle with ‘Drugs and Thugs’*, New York: Foreign Policy Association, Headline Series, No. 331, winter 2009; Hal Brands, *Mexico’s Narco-Insurgency and U.S. Counterdrug Policy* (Carlisle, PA: The Strategic Studies Institute, U.S. Army War College, May 2009).

<sup>51</sup> Eduardo Guerrero, “Organized Crime and Violence in Mexico (2007-2010),” Presentation, LANTIA Consultores, March 19th, 2011.

Under pressure from Mexican and U.S. law enforcement, Mexican trafficker organizations have, since the mid-2000s if not before, sought to move at least part of their smuggling operations from Mexico into neighboring countries. Guatemala and Honduras are currently targets for both the Sinaloa Cartel and the Zetas.<sup>52</sup> The upsurge in drug-related violence in both of these Central American nations is closely related to these shifts in operational bases. This trend, observable throughout the hemisphere, is sometimes labeled the “cockroach” effect, because it is reminiscent of the scurrying of cockroaches out of a dirty kitchen into other places to avoid detection after a light has been turned on them. Closely linked to the “balloon” effect, the “cockroach” effect refers specifically to the displacement of criminal networks from one city/state/region to another within a given country or from one country to another in search of safer havens and more pliable state authorities.

### **Failure of Political Reform or State Building (The Deinstitutionalization Effect)**

States determine the form or type of organized crime that can operate and flourish with a given national territory. Criminal organizations, in contrast, do not determine the type of state, although they certainly can deter or inhibit political reform efforts at all levels of a political system from local to national. Advanced capitalist democracies - from the United States to Europe to Japan - exhibit wide variations in the types of organized crime that they generate and/or tolerate. The United States, for example, has eliminated the Italian mafia model and seen it replaced by fragmented and widely dispersed domestic criminal organizations, many affiliated with immigrant communities. Europe is characterized by a similar evolution of organized crime groups affiliated with immigrant populations. Japan, in contrast, has coexisted with the Yakuza, a more corporate-style criminal network. In China, state capitalism coexists with the Chinese triads and other criminal organizations. In Russia, the Putin government, in effect, subordinated and incorporated various elements of the Russian mafia as para-state organizations.<sup>53</sup>

In Colombia, the paramilitary organizations, deeply involved in drug trafficking, were linked directly to both state institutions and to specific political parties. In Mexico, the formerly

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<sup>52</sup> On March 11, 2011, Honduran officials reported that they had for the first time dismantled a cocaine lab that belonged to the Zetas. This highlights the changing location activities of Zetas due to the pressure they are feeling elsewhere. Stratfor Analysis, March 22, 2010.

<sup>53</sup> Bruce Bagley, “Globalization and Transnational Organized Crime: The Russian Mafia in Latin America and the Caribbean,” in M. Vellinga, ed., *Op cit.*, 261-296.

dominant PRI party developed almost tributary relations with organized crime groups. When the PRI's almost 71-year monopoly over political power was broken at the national level in 2000 by the victory of PAN presidential candidate Vicente Fox, the old lines of tribute/bribery broke down as well and unleashed a wave of internecine violence among trafficking organizations as they struggled among themselves for control of cocaine transit through their country.<sup>54</sup>

Transitions from authoritarian regimes to more open and democratic forms of governance in Latin America, as in Russia and Eastern Europe, are particularly problematic, because the old, authoritarian institutional controls often collapse or are swept away but cannot be easily or quickly replaced by new, democratic forms of control, at least in the short term. Mexico is experiencing precisely such a transition. The old institutions—police, courts, prisons, intelligence agencies, parties, elections—no longer work. Indeed, they are manifestly corrupt and dysfunctional. Nevertheless, in practice, few new institutional mechanisms have arisen to replace them. Moreover, reform efforts can be, and often have been, stymied or derailed entirely by institutional corruption and criminal violence intended to limit or undermine state authority and the rule of law. There certainly are significant institutional reforms proposed or underway in México at the end of the Felipe Calderon sexenio (2006-12), but there is little question that such reforms have not come fast enough nor have they been deep enough to date to contain drug trafficking criminal organizations and related violence and corruption in México.

Such observations do not constitute arguments against democratization. Rather, they highlight challenges and obstacles along the road to democratization that are frequently overlooked or ignored altogether. Democratic theorists have only recently begun to seriously examine the problems for democratic transitions that emanate from organized and entrenched criminal networks. In the countries of Latin America and the Caribbean, such neglect of institution reform may well imperil both political stability and democracy itself. Rather than democratic consolidation, the consequence of ignoring organized crime and its corrosive effects may well be institutional decay or democratic de-institutionalization. Countries emerging from internal armed conflicts are significantly more vulnerable, although such conflicts are not the only source of institutional weakness. Transitions from authoritarian to democratic political systems may also engender such institutional deficits even in the absence of prior prolonged internal conflict.

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<sup>54</sup> Bruce Bagley and Aline Hernández, *op cit.*, 332.

## **The Inflexibility and Ineffectiveness of Regional and International Drug Control Policies (Regulatory Failures)**

Reflecting the hegemonic influence of the United States over international drug policy during the post-World War II period, the United Nations (UN) Organization of Drug Control (UNODC) is and the Organization of American States (OAS) have both faithfully reproduced the U.S. prohibitionist regime at the multilateral level. The UN's approach to drug control (like that of the OAS) severely limits the flexibility of responses at the level of member-states because it effectively rules out any possible experimentation with legalization and/or decriminalization. Both the UN and the OAS part from the assumption that all illicit drugs are "evil" and must be prohibited and suppressed. In practice, the UN-OAS-U.S. unwavering prohibitionist strategy has dominated international discourse on drug control and prevented individual countries from experimenting with alternative approaches (or forced them to ignore or defy their UN treaty obligations regarding narcotics control).<sup>55</sup>

For example, both the UN, the OAS and the U.S. have, in effect, systematically rejected Bolivian President Evo Morales' declared policy of fostering traditional and commercial uses of legally grown coca leaf while prevent the processing of coca leaf into cocaine in that country. It must, of course, be recognized that coca cultivation in Bolivia did rise significantly in subsequent years beyond the amount that was necessary to supply traditional or ceremonial purposes and even "legal" non-cocaine uses. Similarly, both the U.S. federal government and the UN opposed the November 2010 California ballot initiative that sought (and failed) to legalize marijuana cultivation and commercialization in that state. It is entirely possible that, had the California Proposition 19 initiative on marijuana been approved by the state's voters, it would have run afoul of both U.S. federal statutes and America's UN treaty obligations.

In practice, the UN prohibitionist inclination has meant that there is little or no international backing for options other than the current "war on drugs," no matter what collateral damage is incurred in the process. The ten-year UN drug policy review of international drug control

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<sup>55</sup> Francisco E. Thoumi, "Debates recientes de la Organización de las Naciones Unidas acerca del régimen internacional de drogas: Fundamentos, limitaciones e (im) posibles cambios," in Juan Gabriel Tokatlian, ed., *op. cit.*, 27-56; Global Commission on Drug Policy, *War on Drugs: Report of the Global Commission on Drug Policy*, June 2011. <http://www.globalcommissionondrugs.org/Report>

policies (1998-2008) predictably concluded that the current prohibitionist UN policies in place were the best and only real strategic option available moving forward and generated no significant alterations in international drug control policies and practices, despite growing doubts and questioning among some member states and many independent analysts.<sup>56</sup>

### **The Failure of U.S. Drug Control Policies**

While the United States has managed to stabilize or even reduce demand for most illicit drugs at home, it most certainly has not eliminated American demand for illicit drugs or the profits associated with supplying the huge U.S. market. Demand control has routinely been underfunded by Washington while primary emphasis has almost automatically been accorded to expensive, but ultimately ineffective, supply-side control strategies. There have been some efforts since 2009 undertaken by the Obama administration, and his Drug Czar Gil Kerlikowske, to redress this long-standing imbalance in U.S. drug policy, although prevention and treatment remain woefully underfunded. Analysis of the reasons behind the U.S. insistence on supply over demand control strategies lies beyond the scope of this essay.

The consequences of Washington's strategic choices are, however, obvious. Washington has demanded that the countries of the region follow its lead in the war on drugs and, as in previous years, upheld a formal "certification" process that often sanctioned those nations that did not "fully cooperate." U.S. insistence on such a policy approach has not only led to overall failure in the war on drugs over the last twenty five years plus, it has been counterproductive for both U.S. and individual Latin American country interests. The price that Colombia has paid for its role in the war on drugs has been high in both blood and treasure. The price that Mexico is being asked to pay today is as high or higher. The high costs associated with failure have generated a reaction to the U.S. strategy both at home and abroad and produced a new debate over alternatives to American prohibitionist approaches such as harm reduction, decriminalization, and legalization.<sup>57</sup>

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<sup>56</sup> Rafael Pardo, "Introducción: Hacia un nuevo pensamiento sobre drogas. Nueve anomalías sobre el paradigma convencional y dos propuestas de nuevos caminos," in Juan Gabriel Tokatlian, ed., *op. cit.*, 13-26.

<sup>57</sup> Bruce Bagley and Juan Gabriel Tokatlian, "Dope and Dogma: Explaining the Failure of U.S.-Latin American Drug Policies," in Michael LaRosa and Frank O. Mora, eds., *Neighborly Adversaries: Readings in U.S.-Latin American Relations* (New York: Rowman & Littlefield, Publishers, 2007), 219-234. Bruce Bagley, "Políticas de



## **The Search for Alternatives: The Debate over Legalization, Decriminalization, and Harm Reduction**

Some Latin American analysts anticipated that the possible passage of California's Proposition 19 in November 2010, which sought to legalize the cultivation, distribution and possession of marijuana in the state, would signal the beginning of the end of the U. S.-led war on drugs and allow Mexico and other countries in the region to move away from the "prohibitionist" strategy that has generated so much drug-related violence throughout Latin America and the Caribbean in recent years. Many Latin American political leaders, however, openly oppose the legalization of marijuana in California and stridently argue against the legalization or decriminalization of harder drugs in the USA and around the globe. In the end, Proposition 19 was defeated at the polls by a (52% against versus almost 48% in favor) among California voters. Undeterred, proponents of marijuana legalization in California are likely place another Prop-19 style initiative on the California ballot in November 2012 with the hope that a larger turn out among under 30 voters in a presidential year.

Whether one did or does favor marijuana legalization in California and beyond, there are many reasons to be skeptical of the real impact of marijuana legalization on drug trafficking and organized crime in California or anywhere else. First, even if such an initiative is ultimately approved in some American states, there are likely to be U.S. federal government challenges that could delay implementation of any such new state laws for years. Second, legalization of marijuana, if and when it ever occurs, will not address the issues – production, processing, trafficking and distribution – raised by criminal activity, violence and corruption spawned by traffic in harder drugs such as cocaine, heroin, and methamphetamines among other. Criminal gangs in Mexico and elsewhere in the hemisphere will most likely move away from marijuana to deeper involvement in the still-illegal drugs, organized crime and drug-related violence will continue. In the long run, as the 2011 Global Commission on Drug Policy report argues, some combination of legalization and/or decriminalization of illicit drugs along with serious harm reduction policies and programs worldwide may well offer the only realistic formula for

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control de drogas ilícitas en Estados Unidos: ¿qué funciona y qué no funciona?," in Juan Gabriel Tokatlian, ed., *La guerra contra las drogas en el mundo andino: Hacia un cambio de paradigma* (Buenos Aires, Argentina: Libros del Zorzal, 2009), 283-296; Bruce Bagley, "The New Hundred Years War? US National Security and the War on Drugs in Latin America," *Journal of InterAmerican Studies and World Affairs* 30, no. 1 (Spring 1988): 161-186.

reducing the illicit profits that drive drug-related crime, violence and corruption in Latin America and the Caribbean and around the globe, even if addiction rates go up as they did with the end of U. S. alcohol prohibition in the 1930s.<sup>58</sup> But in the short- and medium-run, Latin American and Caribbean countries will have to address their own seriously flawed institutions: ending long-standing corrupt practices; undertaking police, judicial, prison, and other key institutional reforms; and insuring greater electoral accountability. Such measures are essential for their own future political stability, democratic consolidation and national security and cannot wait for global decriminalization or legalization to take place at some nebulous point in the future. Neither the legalization of marijuana nor the decriminalization of harder drugs, when and if they ever take place, will constitute panaceas for the resolution of the problems created by proliferating crime, corruption, and violence throughout the region, for they will not do away with the many other types of organized crime that operate with virtual impunity in Latin America and the Caribbean today.

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<sup>58</sup> War on Drugs: Report of the Global Commission on Drug Policy, 2011.  
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