

Forum: Commission on Crime Prevention and Criminal Justice

Issue: Implementing measures to prevent drug trafficking in Latin America

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Introduction

Drug trafficking has been an important part of Latin America for a long time, and many Latin American countries are losing power over the drug-trafficking organizations. Over time, drug trafficking has slowly been engraved into almost all aspects of Latin America, with Mexican pop artist Peso Pluma praising El Chapo with his songs, Peruvian Cocaine trade overrunning indigenous territory, and former Guatemalan President Otto Pérez facilitating the entry of drugs into Guatemala because of bribes from drug traffickers in the La Línea corruption scandal.

Because of the immense impact of drug trafficking in Latin America, endless efforts have been made to solve or weaken its impact. However, these efforts have many times proved to be unfeasible or to have little effect. This will focus on what measures are already being implemented, the status of the situation, what causes drug trafficking in Latin America, and how the international community can play a role in solving the issue of drug trafficking.

Definition of Key Terms

Extradition

The removal of a person (typically referred to as a fugitive) from a requested jurisdiction to another jurisdiction for criminal prosecution or punishment.

Contraband

Goods that have been imported or exported illegally

Narco-state

A region under the control of organized crime for the purpose of trafficking or producing drugs and where legitimate political authority is absent

Money Laundering

The concealment of the origins of illegally obtained money

Cartel

An association of manufacturers or suppliers with the purpose of maintaining prices at a high level and restricting competition

Front Organization

An organization that acts as the face of another organization or group, in this case most likely a drug trafficking or producing organization, in order to conceal the activities of that organization or group

Drug Precursor/Pre-Precursor

Substances that can be used to manufacture drugs

Drug Kingpin

A person who is in charge of a drug-trafficking network, organization, or enterprise.

Counternarcotics efforts

Actions designed to regulate and restrict the spread and use of illegal drugs

Smuggling

To import or export secretly contrary to the law

Drug Interdiction

Prevention of illicit drugs from reaching their destination

Background

A counterintuitive relation of power and violence

According to the Economist, “The more powerful a gang becomes, the less it needs or wants to resort to violence”. This may seem counterintuitive, so here’s an example. In 2021, Ecuador’s gang-related killings more than doubled from the number in 2020. Ecuador blamed Mexico for the killings. However, recent events suggested that the increase in gang-related killings was caused by the assassination of Jorge Luis Zambrano, the gang leader of Los Choneros, Ecuador’s biggest gang, which led to a split in the gang. Because the new gangs were smaller and less powerful, they resorted to violence. They fought each other and caused gang violence in Ecuador to skyrocket. By understanding this counterintuitive relationship between power and violence in cartels, we can be careful about splitting gangs up, by either not doing so, or being prepared for the increase in violence and trying to limit the increase in violence.

What makes a state vulnerable to drug cartels

Low quality border control

Whether contraband goes undetected or detected when it passes the border, and whether border officers will effectively respond to contraband (not taking bribes, able to respond well to armed smugglers, and more), is one of the factors that could determine the life or death of a state against organized drug crime. Latin American countries are by and large, only able to capture a small fraction of contraband smuggled over their borders.

Social Atomization

Social atomization is particularly hard to quantify in any country. It refers to the process by which individuals sever their links to communities and adopt a calculating and amoral approach in their dealings with society. This is a problem for the state. Firstly, people will become less morally obligated to follow the law, or any societal norms. The second sees community members respond to public acts of brutality and intimidation by retreating into self-defensive mechanisms of indifference, ignorance and forgetting. It is in these circumstances that organized crime can establish immense informal control over social and political life.

Political Change and Corruption

Political change is a big cause of a state's vulnerability to drug cartels. Political change and unrest cause instability in a state and allow for organized drug cartels participating in illicit activities to go largely unchecked. Therefore, solutions should keep political competition and change to a certain extent but not allow the state to fall into political unrest.

Corruption is probably one of the hardest problems to tackle because this means that from the smallest to the most important government officials, any official could be cooperating with a drug cartel because of a bribe, a threat, and more. Overall, there are few solutions that are guaranteed to solve corruption.

Why are drug cartels attractive to the public

There are many possible reasons that a person may become a drug trafficker, as shown in Figure 1. However, many overlap and some are more prevalent than others. The most important categories are social influence, job opportunities/economic survival, and oppression.

Chart 1 – Primary Motivations

Motivations	Seller	Victim ²	User
Monetary Profit	X	X	X
Economic Survival	X	X	
Power and Influence	X		
Glamour/Status/Lifestyle	X	X	X
Gratification: Sexual/Drug High/Luxury		X	X
Desire for Relationship	X	X	
Exercise of Control	X		X
Desire For Ease or Instant Gratification	X	X	X
Desire for Fantasy Lifestyle	X	X	X
Addiction-Drugs/Sex/Pornography	X	X	X
Peer Acceptance/Adulation	X		

Figure 1: A chart describing the primary motivations of a seller, victim, or user to participate in illegal activities (National Association of Attorneys General)

Social Influence

Some motivations for drug trafficking that fall under Social Influence include desire for peer acceptance, status, and power. According to Predictors of Gang Membership: Variations Across Grade Levels, young people who faced rejection from peers were likely to become a member of a gang. Along with this, because many times people who join drug cartels are living in a community with a large percentage of cartel members, joining a cartel is often a case of joining their peers. Status and power are also sometimes gained by joining drug cartels, which is attractive to many people.

Job Opportunities/Economic Survival

Because many Latin American countries lack job opportunities, people often turn to drug cartels, who often pay more than the jobs which they can achieve legally. Most Latin American countries have many impoverished people, and almost all Latin American countries are conventionally listed as third world countries. However, solving this problem alone does not seem to reduce drug trafficking much, as nearly every time a Latin American president attempts to reduce drug trafficking by providing more job opportunities, the attempt has failed to reduce drug trafficking by a large amount.

Oppression

This includes human trafficking and modern slavery, where the action of becoming a drug trafficker is not a choice. Other than social and economic factors, this is the biggest factor that causes a person to join a drug cartel.

How geography impacts drug trafficking

Drug trafficking organizations take advantage of impoverished regions and remote geography to hide their operations, harming some of the most sensitive environments and directly affecting the people who depend on these natural resources. Drug cartels of bordering countries influence each other on drug trafficking, may help each

other, and will likely create links of trade. For example, Colombian drugs may not be sent directly to international markets but may be sold to Venezuelan drug cartels, who would then prepare the drugs for international markets. Countries with different climates will grow different crops, or not grow crops by using drug precursors.



Figure 2: A map showing drug majors and drug trafficking routes (Business Insider)

How drug trafficking started in Latin America

Latin American cartels had their origins in the late 1960s and early 1970s, when the United States cracked down on Mexican drug trafficking and thereby opened the market to South American suppliers. At the same time, demand for marijuana and cocaine increased substantially in the United States. The rise of the cartels boosted the drug trade worldwide and precipitated major foreign policy disputes between the United States and Colombia, Bolivia, and Peru.

Related Crimes

Firearm trafficking

Because many Latin American countries are very close to the United States and Latin America has internal trade, all parts of Latin America can access, although to different extents, some of the best firearms in the world. Of course, this makes drug cartels even more difficult to control. Because of firearm trafficking, many drug cartels are

considered paramilitary organizations and are sometimes even more attractive to the public for recruitment than the military of their respective state.

Money Laundering and Production of False Documentation

For the most part, money laundering is used to collect illicit profits and conceal them as legitimate transactions, while the production of false documentation helps with virtually all crimes that drug cartels commit. This includes human trafficking, migrant smuggling, firearm trafficking, and identity theft. Money laundering can be solved through things like undercover police and the detection of rapid movement of funds by banks. The production of false documentation can be solved through increasing and improving security measures on documentation.

Human Trafficking

Diversification is a common strategy used by transnational drug traffickers and criminal organizations to maximize earnings and market domination - this includes employing drug, labor, sex, and violence trafficking pathways. Drug cartels transport individuals (mostly women and children) for sex and earn a large profit by doing so. In a different scenario, sex trafficking may occur when a person owes money for drugs. To secure their safety and avoid having to die for their drug prize, the individual who owes money will pay off their obligation through prostitution. Drug cartels who have lost access to portions of their regions or had their drugs stolen have attempted to compensate for their financial losses by turning to sex trafficking.

Major Parties Involved

Name of Country or Organization

Argentine Republic (Argentina)

In Argentina, drug trafficking is a federal crime, and although Argentina's climate is not suitable for harvesting drug crops, the country has developed into one of the continent's largest providers of precursor chemicals. Not only that, but the Argentina-Bolivia and Argentina-Paraguay borders are some of the main routes for cocaine and marijuana trafficking.

Plurinational State of Bolivia (Bolivia)

In the 2000s, drug trafficking in Bolivia skyrocketed. This was caused in part because of the expulsion of the United States Drug Enforcement Administration (DEA) from the country. Other than having access to some major drug trafficking trade routes, the *Cártel de Santa Cruz* belongs to Bolivia. Bolivia is unique in its Cocaine Trade, as it is generally more peaceful than other countries. In fact, several Bolivians detained on drug trafficking charges allege torture by Bolivian law enforcement personnel, indicating a possible mass use of excess force in law enforcement agencies.

Federative Republic of Brazil (Brazil)

Along with having extensive borders with drug-producing countries, and being a major gateway to illicit drug markets, especially cocaine, it is one of the top suppliers of cocaine to Europe. Penalties for drug trafficking are severe, often involving long prison sentences, while punishment for possession of drugs for personal use being relatively mild. In Brazil, according to a study, when asked “Is there illicit drug trafficking or drug sales in the area where you live?”, 70% answered yes, the highest percentage of any country in the study.

Republic of Chile (Chile)

Chile is one of the top markets for Cocaine consumption in Latin America. Chile sees drug trafficking as its most severe national security threat. Not only that, but Chile has been working jointly with the United States to fight drug rings.

People’s Republic of China (China)

Although China is not a major exporter of drugs, it is one of the greatest exporters of drug precursors to Latin America, including fentanyl precursors (phenethyl bromide, propionyl chloride, and sodium borohydride) and methamphetamine precursors (ephedrine and pseudoephedrine), opioid additives, and synthetic opioids. Although internally, China strictly enforces drug control with strict punishments, its involvement in drug trafficking cannot be overlooked.

Republic of Colombia (Colombia)

Colombia has been home to some of the biggest, most sophisticated, and most violent drug cartels since the 1970s. Colombia, along with the United Mexican States, has drug cartels strong enough to challenge the state. It is also the biggest exporter of cocaine in Latin America. Because of this, the nation has become almost synonymous with drug trafficking. In fact, it is estimated that in 2022, 70% of cocaine consumed worldwide was produced by Colombia. This is caused by an increase in global cocaine demand, deep-rooted corruption in the government, and changes in Colombia’s Armed conflict with the Fuerzas Armadas Revolucionarias de Colombia (FARC), which has since been turned into the Ex-FARC Mafia by former members of the FARC. Although this is true, Colombia has made great progress in lowering cocaine production.

Republic of Cuba (Cuba)

Although Cuba itself has very strict laws that prohibit domestic drug trafficking, Cuban waters and airspace have often been exploited for drug trafficking, and although Cuba itself is not heavily involved in drug trafficking, drugs ending up in places like Florida have often been linked to Cuba. Cuba has also been found to facilitate drug trafficking in the Caribbean region.

Cártel de Jalisco Nueva Generación (CJNG)

The CJNG, like most other major cartels in Latin America, commit a variety of crimes, including drug trafficking, weapon trafficking, theft of fuel, and murder. However, all of these crimes mainly stem from drug trafficking. The

CJNG is based in Mexico and are responsible for a significant proportion of illicit drugs trafficked into the United States.

Cártel de Sinaloa (Sinaloa Cartel)

As the most powerful drug cartel in all of Latin America, the paramilitary Mexican drug cartel has been worshipped in Mexican culture and is predicted to overpower the Mexican state itself in the near future. Because the Sinaloa Cartel often gives Mexican citizens food and water, and give their paramilitary members high pay, Mexican citizens often favor the drug cartel over their government, to the point where being a member of the Sinaloa Cartel is more desirable than being a member of the Mexican army. One of the primary causes for the power of the Sinaloa Cartel are the easy access to weapons in the United States, and the smuggling of weapons from the United States to the Sinaloa Cartel through mules. Another primary cause is the huge demand for drugs in the United States, and the advantageous geological adjacency of Mexico to the United States, where the Sinaloa Cartel does not need to pass through many countries or travel a long distance in order to smuggle illicit drugs into the United States. The Sinaloa Cartel primarily trafficks Colombian cocaine, Mexican marijuana, methamphetamine, fentanyl, Mexican heroin, and Southeast Asian heroin.

Drug Enforcement Administration (DEA)

The DEA is a United States federal law enforcement agency under the U.S. Department of Justice established in the 1973 followed by the signing of the Controlled Substances Act (CSA) by President Nixon in 1970 and President Nixon's declaration of a War on Drugs in 1971. The DEA is tasked with combating illicit drug trafficking and distribution. The DEA has been successful in temporarily maintaining relative control in the countries that the DEA has been allowed in but has also often been expelled from those countries. For example, the DEA has been successful in dismantling major drug rings including the Medellin and Cali cartels in Colombia but has been expelled from operating in Bolivia. This is possibly because of American espionage, as countries like Venezuela have accused the DEA representatives of spying. Nevertheless, the DEA is one of the most important organizations combating drug related crimes in Latin America.

Ejército de Liberación Nacional (ELN)

The ELN is a Marxist–Leninist guerrilla insurgency group based in Colombia that is recognized by many countries as a terrorist organization. The ELN frequently confronts Colombian authorities with armed assaults, assassinations, extortion operations, and hostage-takings. The ELN is currently the largest and most powerful rebel group in Colombia and seeks to control critical areas of the country- specifically those associated. With drug trafficking. A ceasefire between Colombia and the ELN is currently in place, with the UN monitoring the ceasefire.

Ex-FARC Mafia

As the name suggests, the Ex-FARC Mafia is a descendant of the Fuerzas Armadas Revolucionarias de Colombia (FARC), which ceased to be an armed group on 27 June 2017. The Ex-FARC Mafia was created by former members of the FARC, who wanted to carry on the goal of the FARC, which was to redistribute wealth

from the rich to the poor, gain political power, and have greater control over mass media. Although the Ex-FARC Mafia's main purpose was not to control the market of drugs and trade drugs, the Ex-FARC Mafia, like the FARC, trafficks drugs to earn the money required to run the group.

Republic of Guatemala (Guatemala)

Guatemala, a major source zone of opium poppy, has become one of the larger drug smuggling countries in Latin America precisely because drug cartels in neighboring states have offered their support. For example, Colombian Cartels have sent cocaine to Guatemalan Cartels and taught them how to transport cocaine without being noticed. Additionally, Guatemala's inefficient and corrupt police force, ideal climate for growing drugs, and hard-to-navigate regions for smuggling drugs created a growing incentive to traffick drugs, and a weakening ability to counter drug trafficking in Guatemala.

Republic of India (India)

India's main involvement in drug trafficking in Latin America is being one of the two major suppliers of drug precursors to Latin American Countries, along with China.

Interpol

Interpol has been one of the leading organizations in fighting drug trafficking. Although fighting drug trafficking is not Interpol's main purpose, drugs worth 5.7 billion were seized in Interpol-led operations, particularly operations like Operation Trigger IX, which led to 20 organized crime groups in Latin America being disrupted. It is also important to recognize corruption within Interpol, which greatly reduces its ability to efficiently fight drug trafficking.

Jamaica

Jamaica is the biggest Caribbean supplier of Marijuana. Jamaica is a transit point for drugs trafficked from South America, which includes many Latin American countries, numerous international markets.

United Mexican States (Mexico)

Not only is drug trafficking deeply entrenched in the culture of Mexico, but the cartels of Mexico are also some of the most powerful in the world. These include the Sinaloa Cartel and the CJNG. Mexico deals with firearm trafficking from the United States of America, weak border control, and corrupt government and law enforcement officials. Mexico mainly makes drugs through precursors from China.

Republic of Peru (Peru)

Peru is involved in drug trafficking mainly by the growing of coca and the shipment of cocaine to the United States. Although Peruvian traffickers are less organized, less powerful, and unable to create alliances and deals with competing groups compared to other traffickers, Peru's involvement in drug trafficking is still significant.

Primeiro Comando da Capital (PCC)

The PCC is a Brazilian organized crime syndicate. It runs over 50% of Brazil's drug exports to Europe and is a major player in the Brazilian-West African drug trade. The PCC is currently transitioning into a global mafia, being able to influence politics and penetrate the legal economy.

Commonwealth of Puerto Rico (Puerto Rico)

Puerto Rico is often used as a strategic place that traffickers pass through when smuggling illicit drugs, especially to the United States of America, as not only is Puerto Rico a commonwealth of the United States, but it is also incredibly close to the United States.

The Oriental Republic of Uruguay (Uruguay)

Uruguay is not a major narcotic producing country and has low levels of drug-related corruption. Legislation on drug use and possession is loose in Uruguay, possibly leading to its high consumption of drugs, along with Argentina and Chile. However, foreign drug traffickers take advantage of its porous borders with Argentina and Brazil, as well as Montevideo's busy international container port, to use Uruguay as a base for logistics and transit operations.

United States of America (United States)

There are many unique attributes of the United States that makes it increase the rate of drug trafficking in Latin America. Firstly, the United States is the prime consumer of illicit drugs smuggled from Latin America, as the largest consumer of drugs in the world. Secondly, The United States is the best and easiest place in the world to buy firearms. In most states, a background check is not required unless the client is buying from a federally licensed firearm dealer. Additionally, the firearms sold in the United States to the public are some of the most powerful firearms in the world. This causes many drug cartels to smuggle these firearms through an intermediary, to develop the drug cartel into a more powerful organization. Thirdly, the United States borders Mexico, which is home to the world's most powerful cartels, making the United States an easy target of these cartels. The United States itself is internally divided in terms of legislation, with some states allowing specific types of these drugs, and some criminalizing all the common Latin American drugs completely. However, the United States and all states within it want to minimize drug use.

Bolivarian Republic of Venezuela (Venezuela)

Venezuela is currently a major drug-transit country and is used mainly by Colombian and Peruvian drug cartels, especially for transporting cocaine to global markets. In 1993, Venezuela replaced prison sentences with 'social security measures' for possession of up to 2 grams of cocaine and 20 grams of cannabis. Possession for personal use is punished with referral to treatment, which can still lead to obligatory internment in specialized centers. Venezuela's role as a drug-transit country is due to its weak judicial system and permissive and corrupt environment. In 2005 Venezuela severed ties with the United States Drug Enforcement Administration (DEA), accusing its representatives of spying. Venezuela is currently an active member of the Inter-American Drug Abuse

Control Commission. In May 2014, Venezuela signed an international agreement with Russia to cooperate in the fight against drugs. President Maduro announced joint operations between the Russian Federal Drug Control Service and ONA. The 2010 Organic Law on Drugs increased the penalties for drug trafficking and gave ONA the authority to seize the assets of individuals connected with drug trafficking.

Previous Attempts to Resolve the Issue

Many attempts have been made in the past to prevent drug trafficking in Latin America, but some notable attempts are the *Declaration of Lima*, *Resolution 73/192 (2018)*, the *Mérida Initiative*, the *Global Illicit Flows Programme (GIFP)*, *Operation Trigger IX*, and *Operation Car Wash*.

The *Declaration of Lima (1938)* provided for Pan-American consultation in case of a threat to the “peace, security, or territorial integrity” of any state, which was essential in the case of drug trafficking.

Resolution 73/192 (2018) is an extensive document which proposed many solutions to drug trafficking, but was overall very broad in its solutions, and so did not have a big impact.

The four primary goals of the *Mérida Initiative*, as originally conceived, were to (1) break the power and impunity of criminal organizations; (2) assist the Mexican and Central American governments in strengthening border, air, and maritime controls; (3) improve the capacity of justice systems in the region; and (4) curtail gang activity in Mexico and Central America and diminish drug demand in the region. However, according to many sources, it is believed that the *Mérida Initiative* has mostly failed due to its inability to stop widespread violence and institutionalized corruption.

The *GIFP*, or previously the *Cocaine Route and Heroin Route Programmes (CRP and HRP respectively)*, was the first of its kind to think strategically about the flow of drug trafficking and to provide support, technical advice, building capacities, and encourage coordination between the states situated along the entire route. The *GIFP* is used to reform and coordinate the law enforcement approach along established illicit trafficking routes into the EU.

Operation Trigger IX was an Interpol led operation carried out under the framework of Project Disrupt. *Operation Trigger IX* focused in Latin America which led to the dismantling of a human trafficking ring in Paraguay, disruption of 20 organized crime groups, the seizure of 203 tons of drugs, 372 tons of drug precursors, 8,263 firearms, and 305,000 rounds of ammunition. This is likely because of the great cooperation between many law enforcement agencies and Latin American countries, the operation’s use of previously gathered data, such as the INTERPOL Ballistic Information Network (IBIN) which allowed law enforcement officials to compare images of ballistic fingerprints from fired casings and projectiles to establish links between crimes worldwide, and because *Operation Trigger IX* was beneficial to all countries involved.

Operation Car Wash was an operation that could not have been easily predicted to have had an impact as large as it had. This is because *Operation Car Wash* started out as an investigation into a small car wash in Brazil

over money laundering but uncovered a massive corruption scheme in the Brazilian federal government. What can be learned from this is the importance for law enforcement agencies to be thoroughgoing in their investigations, especially of money laundering and drugs, and the importance of acknowledging as much suspicious activity as possible.

Possible Solutions

There are some attributes of solutions that are recommended, based on the fact that drug trafficking affects all aspects of Latin America, past solutions that have worked, and current root issues that have not yet been solved.

Under the recognition that drug trafficking affects all aspects of Latin America, some solutions should be targeting specific aspects that are affected. Solutions could, for example, encourage the spread of religion to weaken narco-cultures, or education on the importance of indigenous communities.

Past solutions that have had great effect are Operation Car Wash, Operation Trigger IX, the GIFP, and the Declaration of Lima. Some attributes of these solutions are the cooperation of multiple countries, the increase in consultation between countries, the greatness of an expansion of an investigation, and strategic thinking about drug flow. Thus, possible solutions include encouraging cooperation of countries through incentives, databases for drug routes in Latin America, encouraging the public to report suspicious activity through campaigns or incentives, lowering the bar for search warrants (because this is a highly controversial topic, the shrewdness of this solution varies from country to country), and using forensics and criminology experts to make sure investigators are being thorough in their investigations.

Some current root issues that have not been solved are corruption, poor mental health of the public, weak education on the harms of illicit drugs, and weak border inspection and coast guard. Corruption can be solved mainly through the exposure of corrupt activities, which is done through whistleblowing, supreme audit institutions, organized civil society, and social accountability mechanisms. However, because social accountability mechanisms and organized civil society require citizens to be publicly against corruption and drug trafficking, both may have trouble recruiting members, even less members who are not corrupt. Because of this, and the fact that whistleblower protections are weak in most Latin American countries, solutions that enhance the safety of whistleblowers are recommended. Poor mental health of the public could be solved through encouraging the mandatory lowering of mental health counseling prices in Latin American countries, and in drug consuming countries. Weak education on the harms of illicit drugs could be solved through rehabilitation for illicit drug users, drug education campaigns, and lessons on the harms of drugs in schools. Solving weak border inspection and coast guard can reduce firearm trafficking and drug trafficking. This can be solved through trained border inspection dogs, and improving the coast guard of countries with a weak coast guard.

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