

PUBLIC SECURITY CHALLENGES IN THE AMERICAS

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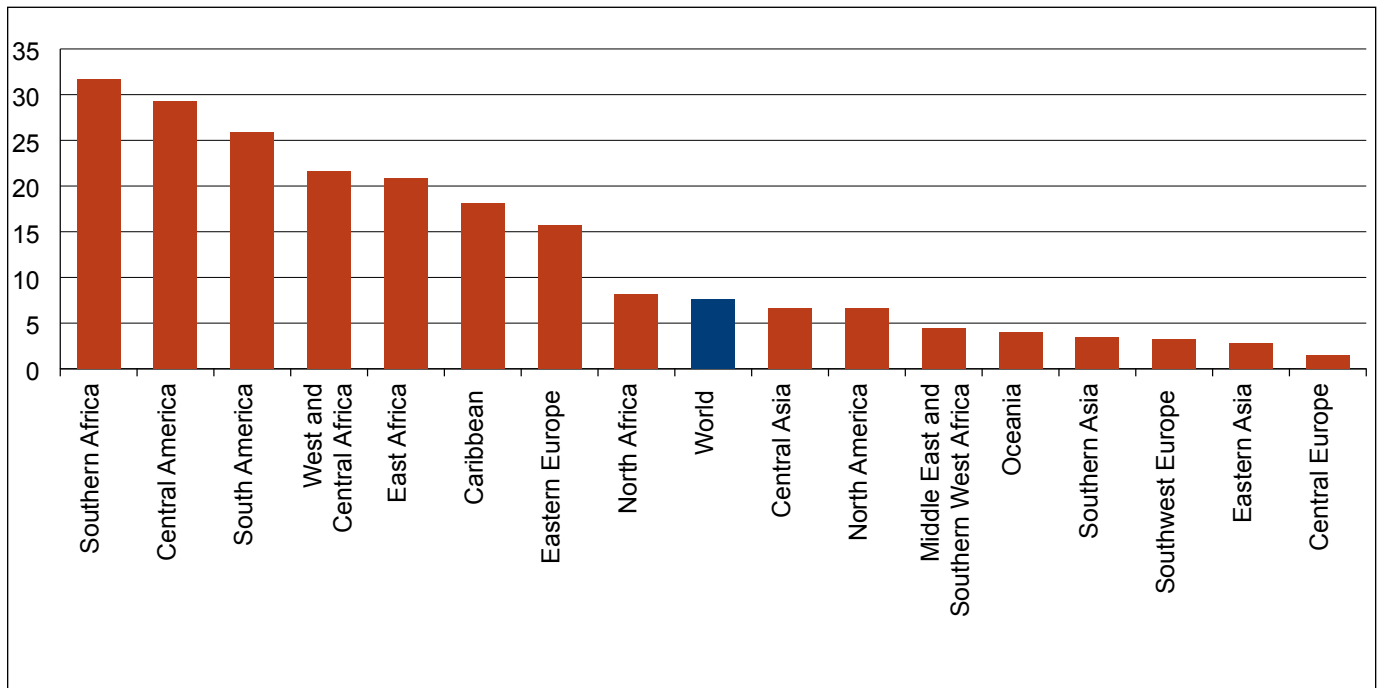
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Executive Summary

- Latin America remains one of the most violent regions in the world—by some measures the most violent one. During the past decade alone, 1.4 million people in Latin America and the Caribbean (LAC) lost their lives as a result of violent crime.
- If murderous violence affects Latin American countries in different ways, its impact is also diverse across the various socio-demographic groups. Particularly worthy of mention is the high concentration of regional homicide victims among men between 15 and 29 years of age, whose homicide rate in LAC (89.7 per 100,000) is nearly five times higher than the global figure (19.4 per 100,000).
- The perception that state authorities are unable to protect the citizens' most fundamental rights is visibly damaging the support for democratic institutions in LAC and creating a breeding ground for authoritarian attitudes.
- Fear of crime has become a unique social problem that directly impacts quality of life of most Latin Americans by limiting their activities and increasing expenditures on private security.
- The state is not responding effectively. In fact, the acute problems of effectiveness and integrity of the police and the courts in Latin America are well known.
- In general LAC countries do not have criminal justice systems but a complex network of institutions with few collaborative practices. Furthermore, there is a clear lack of informational systems that would allow for a better policy design process.
- In order to understand the magnitude of the broad criminal violence phenomenon in LAC, one must take into account at least the following factors: highly unequal income distribution, youth marginalization, widespread urbanization, proliferation of guns, pervasive presence of organized crime, and weakness of law enforcement institutions.
- Confronting public insecurity in the hemisphere demands efforts at the local, national, regional and hemispheric levels. These efforts should include the fight against transnational drug trafficking as an important element, though not the centerpiece of the strategy. An international cooperation agenda that focuses on tackling structural factors that generate and reproduce criminal violence, rather than simply on controlling crime, is essential for progress.
- A number of areas are particularly ripe for policy intervention and cooperation at the hemispheric level:
 - **Reframing the discussion.** This means resisting appeals to fighting crime through iron-fisted methods that almost always fail to reduce crime rates but never fail to undermine basic civil rights.
 - **Developing robust indicators.** There is an urgent need to develop better public safety indicators that would allow for more informed diagnoses and policy decisions.

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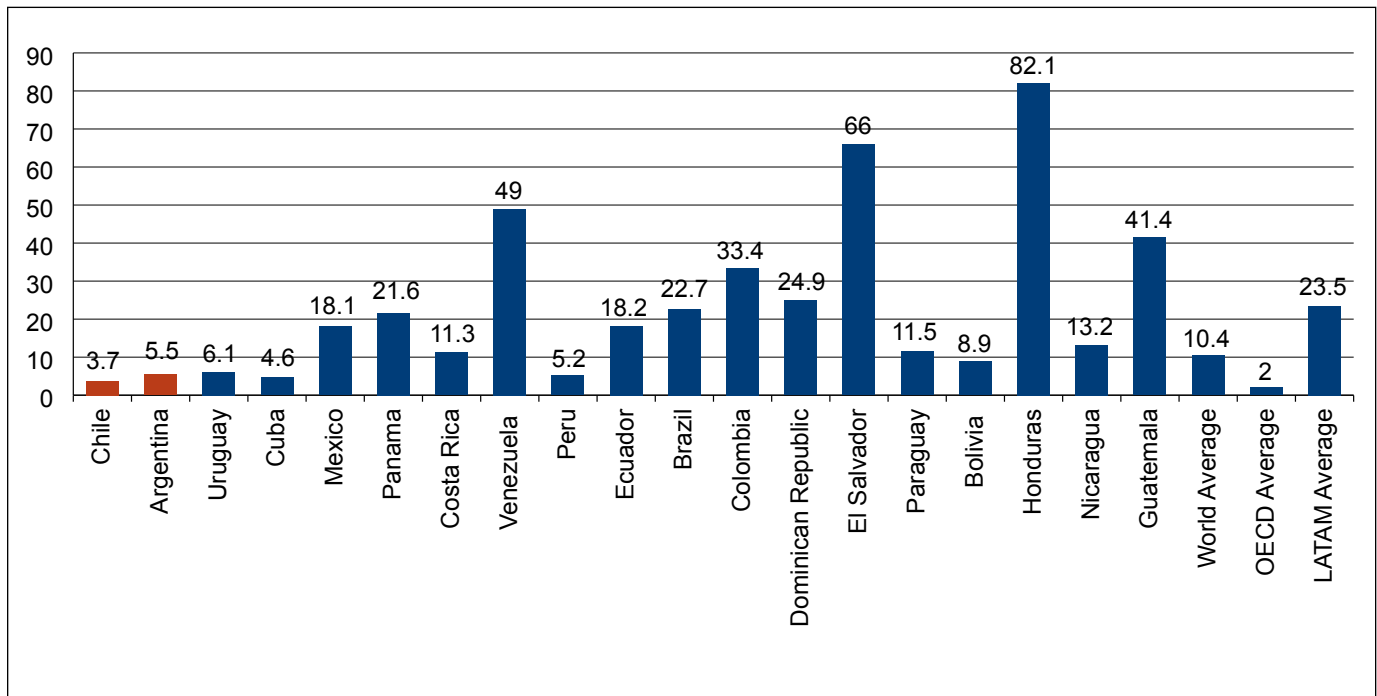
Figure 1.1 World Homicide Rate



Source: Geneva Project Secretariat, *World Report on Violence and Health*, 2008²

- **Improving law enforcement institution building.** International cooperation efforts that focus on training programs for the region’s police and judicial authorities are one way to fight widespread impunity, one of the most important incentives for crime activity in LAC countries.
- **Fighting corruption.** Increasing accountability and transparency at all levels of government should be at the core of any integral initiative toward increasing security in the Americas.
- **Thinking seriously about the military’s role.** It is crucial that countries in the hemisphere engage in a meaningful conversation on the military’s proper role—if any—in the fight against crime, particularly organized crime, in a functional democracy.
- **Increasing the state’s coordinated presence in violent areas.** One of the most serious hindrances to security in the region is the presence of “failed spaces,” which are territorial spaces in which the state’s writ has ceased to rule or never existed. The most violence-ridden places require massive and coordinated state presence, organized under the leadership of task forces that work in conjunction with the community.
- **Limiting gun trafficking.** The region needs to make significant strides to regulate transfers of small weapons across borders, and even more efforts to revamp national laws regarding gun possession that are generally permissive and/or poorly enforced.
- **Combating money laundering.** While the drug business is extremely profitable, anti-money laundering efforts have not been at the top of the regional agenda. It is critical to jointly look for the “money trail” and fight all types of informal economic activities that are financed by drug trafficking organizations.

Figure 1.2 Homicide rates in Latin America, 2011



Source: UNODC, 2011

- **Rethinking the “war on drugs.”** It is high time to re-evaluate the cost efficiency of the traditional approach of the so-called “war on drugs,” which is heavily slanted toward interdiction and destruction of illicit crops. Instead, there should be a meaningful evidence-based hemispheric debate on the most effective and efficient options to mitigate the harm that drugs and drug trafficking inflict on societies.
- **Enhancing social inclusion.** A hemispheric agenda against crime ought to include more focus on social, economic, cultural and political inclusion.

The Context

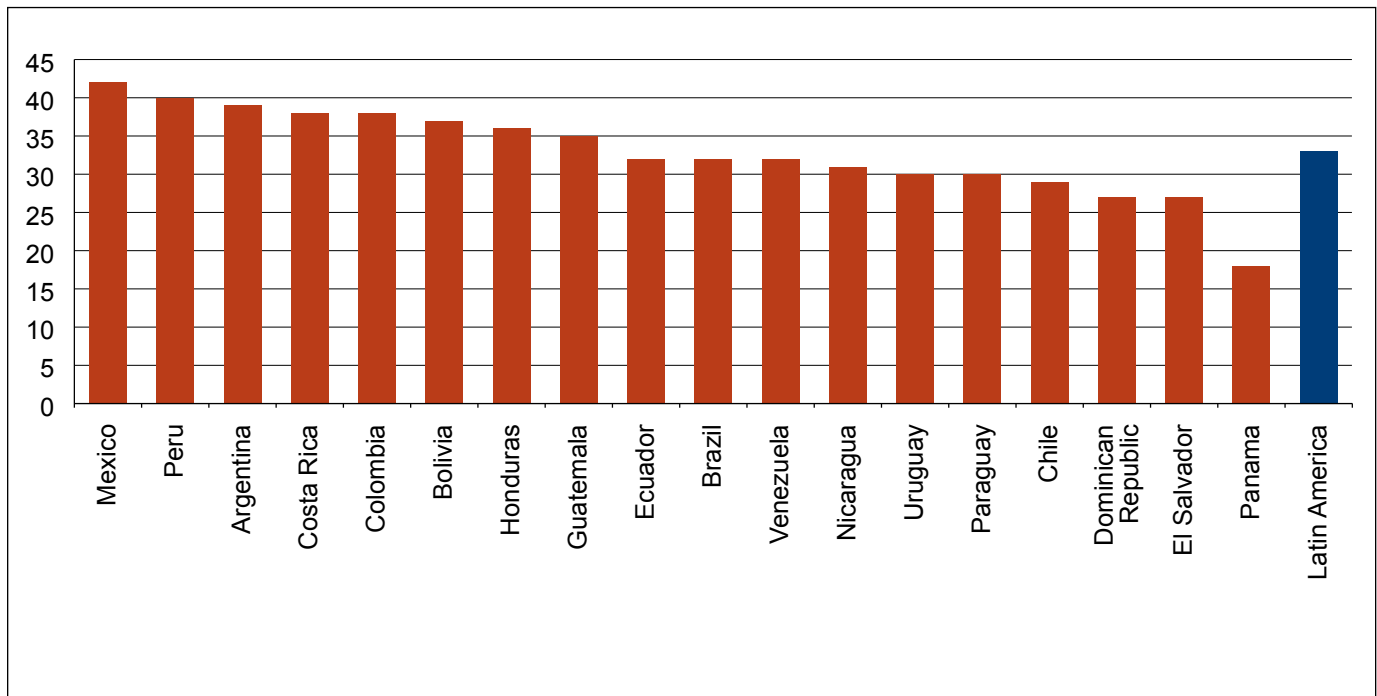
Latin America’s democratization process and increasingly robust economic development are threatened by pervasive criminal violence and some of the factors that lie beneath it. Latin America remains one of the most violent regions in the world—by some measures the most violent

one. During the past decade alone, 1.4 million people in Latin America and the Caribbean (LAC) lost their lives as a result of violent crime.

For two decades all available figures put the rate of intentional homicide in the region above 20 per 100,000 inhabitants, practically tripling the figure for the world as a whole. According to the latest global estimate, in the year 2004 only sub-Saharan Africa showed comparable figures to those of LAC (see Figure 1.1).¹

Regional murder figures hide, however, a surprisingly heterogeneous reality. In Latin America, some of the world’s highest murder rates, such as those in Venezuela, Colombia and especially the northern region of Central America, coexist today with relatively low rates in the Southern Cone’s countries. While in 2011 Honduras recorded the world’s highest murder rate (82 per 100,000 people), 16 times higher than that of the United States and 45 times above that of Canada,³ Chile’s rate was, in fact, similar to

Figure 1.3 Victimization Rate in Latin America, 2011



Source: Jan van Dijk et al., *The Burden of Crime in the EU – Research Report: A Comparative Analysis of the European Survey of Crime and Safety*, 2005⁸

that of the countries of Western and Central Europe, which have the lowest indicators of criminal violence in the world. The remaining countries had intermediate rates, which are high nonetheless within the international context. Today, only 3 of the 18 Latin American countries (Chile, Argentina and Uruguay) exhibit homicide rates below the global rate (7.6 per 100,000 inhabitants in 2004). The latest United Nations report on homicides shows that among the 20 countries with the highest homicide rates in the world, 10 are located in LAC.⁴

If murderous violence affects Latin American countries in different ways, its impact is also diverse across the various socio-demographic groups. Particularly worthy of mention is the high concentration of regional homicide victims among men between 15 and 29 years of age, whose homicide rate in LAC (89.7 per 100,000) is nearly five times higher than the global figure (19.4 per 100,000).⁵ Although femicide is a serious and possibly growing problem in the

region, the most notable feature of homicidal violence in LAC is the extreme disparity between homicide rates for men and women, unparalleled in the world. If globally the ratio of murders of males to murders of females is 3.4 to 1, in Latin America the ratio stands at almost 11 to 1.⁶

Homicides are just the most visible part of the security challenge and the less problematic to quantify. When the inquiry includes other dimensions of the violence, the regional picture is, if anything, bleaker. In 2010, the proportion of households where someone was the victim of a criminal offense in the previous year was over 25 percent in nearly all Latin American countries. Unlike the rates of homicide, the regional data of victimization is quite homogeneous, with 13 out of the 18 countries ranging between 30 percent and 40 percent of households victimized per year. In any given year, over one-third of Latin Americans—200 million people—are victims of a criminal offense either directly or in their immediate household. Today, the highest victimization

rates are found in Mexico, Peru, Argentina and Costa Rica (see Figure 1.2). The Latin American average dwarfs the average victimization figure recorded by the 2005 International Crime Victimization Survey, covering over 30 industrialized countries—16 percent.⁷

Even more serious are the acute and rapidly escalating levels of fear of crime detected throughout the region. According to Latinobarómetro, a regional opinion poll, in 2011 in almost all countries the majority of the population claimed to live in an increasingly unsafe country. Negative expectations on public safety have risen dramatically throughout the region.⁹

The deleterious consequences of crime—and the accompanying fear of it—are multifold. They start with the staggering human cost, but go on to encompass economic and political implications. Nearly one-half of the fatal victims of crime in LAC are young men between 15 and 29 years old, at the peak of their productive and reproductive lives.¹⁰ Rigorous estimates place the direct and indirect costs of violence in LAC at 12 percent of the region's GDP—a number greater than the economic output of Argentina and Chile combined.¹¹ Unsurprisingly, the issue of crime has become the region's dominant preoccupation. Latinobarómetro 2011 reports that 27 percent of Latin Americans rank crime as their countries' most pressing concern, a three-fold increase since 2001 and a much larger figure than for any other collective challenge.¹²

The perception that state authorities are unable to protect the citizens' most fundamental rights is visibly damaging the support for democratic institutions in LAC and creating a breeding ground for authoritarian attitudes. According to the 2010 Americas Barometer, another regional survey, 42 percent of the population in LAC believed a *coup d'état* was justified in a critical situation due to high crime rates.¹³ Population in the region—as frightened as it is eager for public order—is paying close attention to, and often rewarding at the ballot box, populist rhetoric that offers the “iron fist” and a cavalier attitude toward the rule of law to solve the security problems. A growing reliance on the military to take over public security missions, as seen in countries like Mexico and El Salvador, is another indication of both the seriousness of the threat and the risks of undermining democratization and the rule of law in the hemisphere.

In sum, although the magnitude of the public security problem and concern about it vary from country to country, there is no doubt that crime and fear of crime have become defining traits of the reality in LAC, with far-reaching implications.

Some Roots

The levels of violence described in the previous pages do not occur at random. Identifying the list of causes that lie behind violent crime, and the relative importance of each of them, is a task that far exceeds the scope of this paper. The very notion of “cause” is problematic in the context of crime. Therefore, we prefer the use of the term “risk factor” common in the epidemiological literature.¹⁴ It is possible, at most, to identify social and individual factors whose relationship with crime rates displays statistical regularity. Even that, however, could lead to the wrongheaded belief that it is possible to clearly isolate the factors fueling the growth of criminal violence.

The reality is much more complex. Criminal behavior is a most difficult phenomenon to explain, one that is less dependent on the presence of certain social features taken in isolation than on the convergence of many factors and their complex interaction.

At the global level, rates of homicide and robbery have shown significant statistical correlation with socio-economic inequality, economic stagnation (low growth rates), low education levels, high levels of urbanization, and the presence of drugs in communities (either drug trafficking and drug use), among other variables.¹⁵ In the Latin American context, Londoño and Guerrero found strong associations between homicidal violence and income distribution, educational attainment and, to a lesser extent, poverty.¹⁶ Similarly, in the case of Costa Rica's 81 cantons, the United Nations Development Program detected significant correlations between rates of homicide and robbery, on one hand, and the percentage of urban population, population density, the proportion of households with overcrowding, and the rate of arrests for drug possession and illegal weapons on the other hand.¹⁷ Other qualitative studies tend to confirm these findings.¹⁸ Thus, a report by USAID on youth gangs in Mexico and Central America notes that “gang members come from poor and marginalized urban areas, and are the product of an environment characterized by ineffective

services, social exclusion, weak social capital, disintegrated families and overcrowding.”¹⁹

At the risk of giving an oversimplified image of a very complex phenomenon, we will posit that in order to understand the magnitude of the broad criminal violence phenomenon in LAC one must take into account at least the following factors: income distribution, youth marginalization, widespread urbanization, proliferation of guns, pervasive presence of organized crime and weakness of law enforcement institutions.

- **Income distribution.** The empirical relationship between socioeconomic inequality and citizens’ insecurity is well established. After analyzing the effect of various socioeconomic variables on rates of homicide and theft in 39 countries, Fajnzylber, Lederman & Loayza concluded that “income inequality, measured by the Gini index, has a significant and positive effect in the incidence of crime.”²⁰ This relationship is stronger than the one observed between insecurity and income levels, poverty, education or economic growth. Given this evidence, it is not a coincidence that LAC has levels of criminal violence unparalleled in the world. Despite some recent improvements, the region has long exhibited the highest levels of income concentration.²¹
- **Youth marginalization.** Criminal violence in LAC cannot be understood without reference to the social marginalization of a significant portion of young people in the region.²² According to ILO data, one-fifth of young Latin Americans do not study or work, a fact that eloquently summarizes the severity of the social exclusion of this demographic sector, critical for security purposes.²³ The situation is even more serious in the highly violent Central American countries. There, the proportion of young people excluded from education and any kind of employment reaches a quarter of the population. Young people between 15 and 24 years of age constitute 20 percent of Central Americans.²⁴ They are, however, 45 percent of the unemployed.²⁵ Not coincidentally, the Central American countries face a problem of youth violence unparalleled in LAC countries. Approximately 70,000 young people belong to gangs—known as *maras*—in Central America.²⁶ These gangs have a significant impact on levels of uncontrolled violence and increasing participation in activities supporting organized crime.²⁷
- **High urbanization levels.** The empirical connection between urbanization and crime—especially the one that affects personal possessions such as houses and cars—is clear, even though explanations behind it are not clear.²⁸ One possibility is simply that city dwellers are more affluent and have more assets to steal. Another one is that cities tend to attract the migration of young men or other high-risk groups. Still another is that the possibility of arrest is lower in the urban environment. Regardless of the explanation, this connection matters decisively in Latin America, since in 2010 the proportion of population in the region that lived in urban areas was around 80 percent—a figure exceeding that of any region in the world, except North America.²⁹ Despite the persistence of serious outbreaks of violence in rural areas in countries like Colombia and Peru, criminal violence in LAC is largely an urban problem. In nearly all cases homicide rates in major urban areas of LAC exceed the national figure. Similarly, victimization rates are higher in urban than in rural areas of the region, and the probability of being a victim of a criminal deed increases with the size of the town or city where the person lives.³⁰
- **Gun proliferation.** Between 45 million and 80 million light firearms are circulating legally and illegally in LAC, according to a recent estimate.³¹ The proportion of homicides committed with a firearm is 19 percent in Western and Central Europe; it reaches nearly 70 percent in South America and 77 percent in Central America—the highest figures in the world.³² In Venezuela, the most recent estimates situate this ratio between 80 percent and an incredible 98 percent.³³ Thus, for example, the severe increase of intentional homicide in Central America in recent years is due entirely to the increase in deaths by firearms.³⁴ Many reasons explain such a disparity between regions, including permissive and/or inappropriately applied laws regulating the acquisition and possession of weapons in much of LAC, the legacy of internal armed conflicts in places like Colombia and Central America, and the uncontrolled proliferation of private security companies, often with little government regulation. The presence of gang violence is a factor that should be considered in the increasing levels of gun violence since most problems are resolved by murdering the rival.

- **Organized crime.** The data presented in the first section of this chapter shows that the most acute problems of homicidal violence are concentrated in northern Latin America (Colombia, Venezuela, the Caribbean, Central America and, increasingly, Mexico). This is precisely the geographic area most affected by the international drug trafficking. Approximately 90 percent of the cocaine entering the U.S. market moves through the corridor of Central America and Mexico.³⁵ About 45 percent of intentional homicides that occurred in Mexico in 2008-2010 were directly related to drug trafficking, a similar proportion to that detected in Guatemala in 2009.³⁶ The widespread presence of drug trafficking and organized crime sets the backdrop of violence that is plaguing much, but not all, of the hemisphere. Clearly, organized crime goes beyond the operation of large transnational drug trafficking syndicates, which routinely attracts headlines. On the one hand, there are other forms of organized crime in the region, notably human trafficking, that rival drug trafficking in terms of profitability and whose activities, in many cases, make use of networks and structures generated by it.³⁷ On the other hand, violence levels are affected by the presence of *local* illicit markets fueled by the growth in consumption of narcotics in drug producing or transshipment countries.³⁸

These five factors are compounded by another structural flaw, which deserves a more detailed treatment: the weakness of law enforcement institutions in much of LAC.

The Law Enforcement Conundrum

The acute problems of effectiveness and integrity of the police and the courts in Latin America are well known. As shown in Table 3.1, the indicator measuring the rule of law by the Global Governance Indicators by the World Bank yields very poor results for Latin America, separated by a gulf from the countries of the European Union as well as the United States and Canada.³⁹

If the gap between Latin America and developed countries is considerable in this area, even more remarkable is that in terms of confidence in the police and the courts, the region lags behind other regions of the developing world, such as Asia and Africa.

Table 3.1 Effectiveness of the Rule of Law in Latin America 2009

Country	Index(*)
Argentina	-0.66
Bolivia	-1.22
Brazil	-0.18
Chile	1.25
Colombia	-0.44
Costa Rica	0.56
El Salvador	-0.78
Ecuador	-1.28
Guatemala	-1.12
Honduras	-0.87
Mexico	-0.57
Nicaragua	-0.83
Panama	-0.09
Paraguay	-0.98
Peru	-0.66
Dominican Republic	-0.72
Uruguay	0.72
Venezuela	-1.59
Latin America	-0.53
Europe	1.05
United States of America	1.53
Canada	1.78

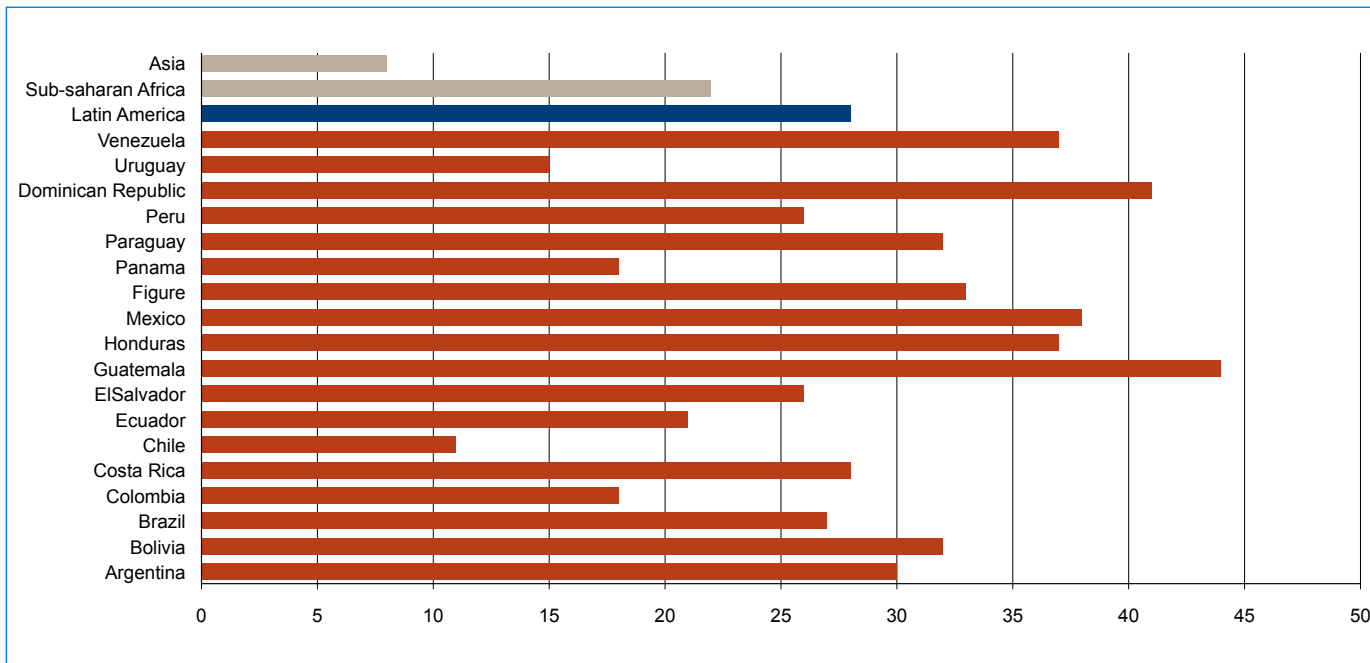
(*) Index oscillates between -2.50 and 2.50.

Daniel Kaufmann et al., World Governance Indicators, 2010. Available at: <http://info.worldbank.org/governance/wgi/index.asp>.⁴⁰

Adding together all the different intensities of confidence in institutions, the data in Figures 3.1 and 3.2 underestimate the levels of public trust in the region: only 7.5 percent and 5.9 percent of Latin Americans, on average, declare that they have much confidence in the police and the courts, respectively. The comparable figures for sub-Saharan Africa are 29 percent and 33 percent.

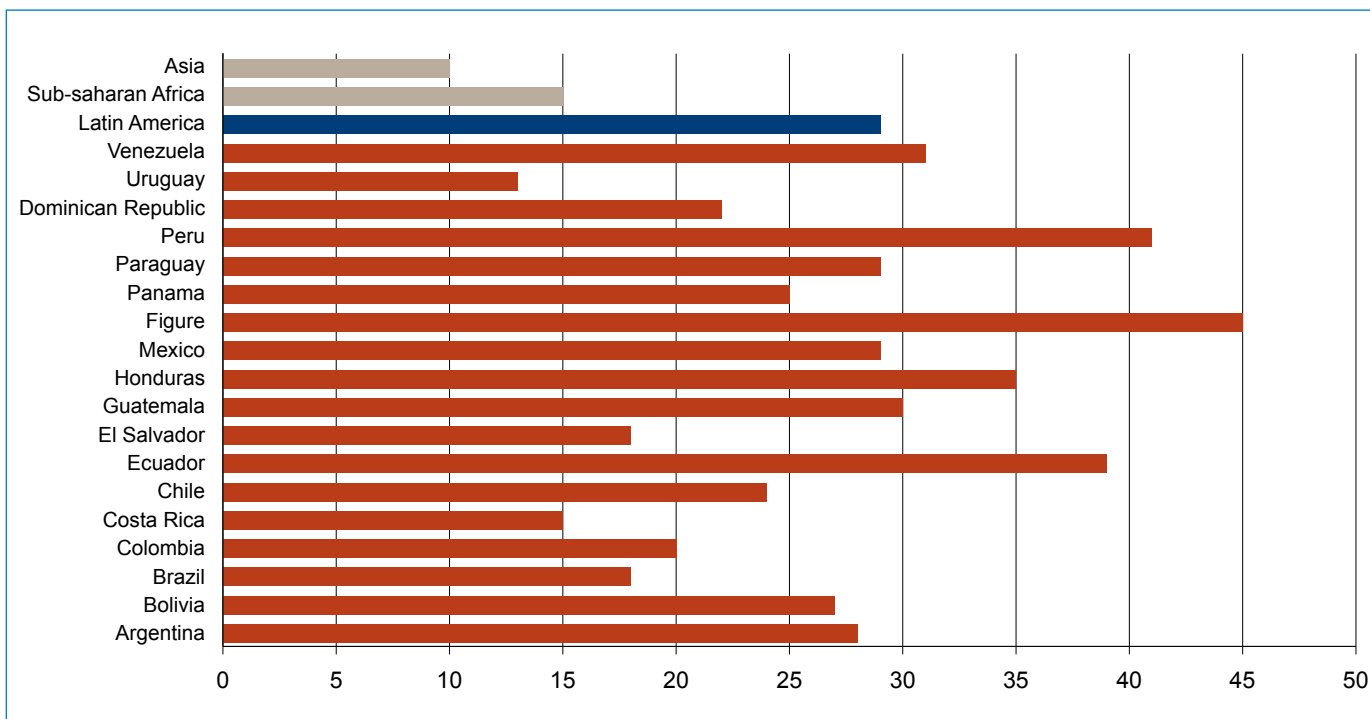
One of the predictable results of such a level of mistrust is the reluctance to report crimes, which, in turn, contributes to widespread impunity. In the case of Costa Rica, where levels of confidence in the police and courts are comparatively high in the region, only 23 percent of crimes are reported to authorities, a figure that drops to 22 percent in Mexico.⁴¹ Impunity is also rooted in the minimal results of the judicial system region-wide. Not coincidentally, in Mexico, below 2 percent of offenses result in a sentence—a proportion similar to that detected in Colombia (2.6 percent) some years

Figure 3.1 Lack of Trust in Police in Latin America



Sources: Latin America: Latinobarómetro 2009; Middle East/Africa: Gallup; sub-Saharan Africa: AfroBarometer 2008, 2009; Asia: Asian Barometer 2008, 2009; United States: Gallup

Figure 3.2 Lack of Trust in the Justice in Latin America



Sources: Latin America: Latinobarómetro 2009; Middle East/Africa: Gallup; sub-Saharan Africa: AfroBarometer 2008, 2009; Asia: Asian Barometer 2008, 2009; United States: Gallup

ago.⁴² In Venezuela the problem is even worse: only 2 out of 100 intentional homicides—the most serious manifestation of criminal behavior—are solved by the authorities.⁴³

The historical roots of these problems are complex. The advent of democracy in much of Latin America over the past generation found most countries deeply unprepared to deal with a surge in crime. For a long time, the priority bestowed to internal and political conflicts—which consumed the lion's share of the efforts by police forces—crowded out any serious consideration of crime prevention or control in the political agenda. Later, the economic challenges that beset the region's democratization wave left crime issues and the reform of criminal systems once more lingering on the margins of political debates. Lack of reform translated itself into little investment in police, justice and prison system infrastructure, abandonment of the modernization of education and training capacities, and scant technological improvements. Security policies had little interest in or capacity for a multi-pronged approach to criminal phenomena, one that gave due attention to the deep social roots of the problem. Crime was largely conceived as a police problem that in most cases would be ultimately resolved by the justice system and through the incarceration of offenders. In Latin America, the expansion of crime over the past three decades proceeded apace, with acute deterioration of those institutions in charge of its control.

Generally speaking, Latin American countries do not have criminal justice systems but a complex network of institutions with few collaborative practices. In many countries, the institutional response to expanding criminal activity is defined by lack of coordination, absence of compatible and related shared records, and even pernicious interagency competition.⁴⁴ There are no information systems adequately connecting the work of the police and that of the law and prison systems. Neither is there a common strategy for the prioritization of action on whatever threats need more attention. Institutions directly concerned with public security are riddled with barriers that restrict their levels of efficiency and effectiveness in controlling and, just as important, preventing crime. Unsurprisingly, they have serious problems in shoring up their legitimacy with the public. Although the panorama is not positive, there are many reforms that were implemented in Latin America that have had important results. Police forces, for instance, have developed programs

to limit human rights abuses and make police accountable to the public. Countries such as Colombia, Chile and Brazil have interesting initiatives on those areas.

Problems are particularly severe in police forces. While there are many types of police in the region, depending on the work they do (prevention, investigation) or their territorial deployment (national, state or local), most of them share an important lack of social prestige associated with inefficiency and corruption.⁴⁵

Simply put, in most countries, police forces do not appear to have the necessary capabilities to deal with crime. In many cases, there is a glaring gap between the technological capability exhibited by criminal organizations and police forces. Thus, in Mexico and the northern triangle of Central America, organized crime has shown a remarkable capacity to deploy highly trained personnel and integrate several criminal operations. The police limitations are compounded by endemic police corruption, a problem linked to the pervasive low salaries and limited social security coverage that afflict the institution, as well as to the increasing economic power of criminal groups. Developing social security coverage for the members of the police is a pending task in most countries. In Mexico, for instance, pensions of police officers amount to less than one-third of the salary they received while in active service.⁴⁶ In many cases, police officers do not have insurance to provide some kind of financial stability to their families in case of death or injuries. Hence, it is hardly surprising that members of the police who live in crime-ridden territories are susceptible to corruption. Even when they do not, in many countries police officers may do private work when they go off duty and are often allowed to wear their police uniform and carry a gun while doing so. These practices clearly debilitate the structural capacities of the institution.

There have been many attempts in most Latin American countries to address these and other problems through reform. For the most part, those reforms have focused on institutional changes to improve the quality of police pre- and in-service training, as well as the creation and strengthening of internal and external control mechanisms. In most countries, these efforts have met with little or no success.⁴⁷ The political power held by the police, its significant autono-

my and, most of all, the government's need to preserve the internal order, make it very difficult to carry out the necessary and long-overdue reforms.

Latin America's democratic consolidation sorely requires the modernization of police forces and an increase in the state's capacity to enforce the rule of law. Given the sensitivity of the issues and interests involved, these efforts can only succeed with strong and sustained support at the highest political level. The failure of police reform processes will very likely enhance the trend toward the militarization of public security already visible in several Latin American countries.

Indeed, decisions made in the wake of Latin America's democratic transitions to keep the armed forces away from domestic pursuits are being revisited at the moment. The call for military participation in internal security in several countries implies that police forces are unable to deal with crime, but that the military may be capable of doing so. The latter may prove a dangerous mirage. Untrained to control crime, the military's involvement in domestic security may well bring a myriad of troubling consequences, including widespread human right abuses and the corruption of the armed forces.

The state of judicial institutions in Latin America is only slightly better. As mentioned above, most Latin Americans perceive the justice system as slow, corrupt, inefficient, and biased against the poor. Courts are seen as "revolving doors" with limited capacity to prosecute and convict those who commit crimes.

Over the past decade, most Latin American countries have introduced changes to their criminal justice systems, mostly geared toward the total or partial replacement of the traditional inquisitorial procedures with an adversarial or mixed system. The goal has been to strengthen due process and rights of the accused and also to better guarantee citizen security by strengthening criminal investigation processes and obtaining effective, timely and legitimate evidence for convictions. It is too early to know whether these reform processes—which imply new and different roles for judges, prosecutors and police officers—have significantly improved public security. Significant problems have arisen in the implementation of reforms, usually con-

nected to police unwillingness to submit themselves to oversight by the Public Prosecutor's Office in the investigation process.

Moreover, in many countries, public opinion is yet to warm to the changes. In the view of many experts and the public—notably in countries heavily affected by organized crime—the reforms tend to increase the protection of the rights enjoyed by presumed offenders and thus multiply the opportunities for criminals to avoid punishment.⁴⁸ It is important to note, however, that in countries where these reforms have been fully implemented the efficiency of the justice system has substantially increased and the duration of criminal proceedings has been reduced.⁴⁹

The weakness of police forces and courts—which are made worse by a near-breakdown in correctional systems throughout the region—is one of the key factors that underlie LAC's violence epidemic.⁵⁰ When these deep institutional flaws are placed alongside a set of social conditions and transformations that are inimical to social peace, the picture that emerges is a daunting one. Enhancing public security levels in LAC calls for a comprehensive policy approach that is nonetheless attuned to the nuances of local contexts. Above all, policymakers ought to resist the temptation to seek single causes and remedies to the region's violence. The pending task is far more complicated than simply looking for a silver bullet.

The Challenges

The public security agenda in the Americas is broad and multidimensional. Crucially, effective reforms require a nuanced approach that recognizes the substantial differences in the nature of public safety problems within the region.

Hence, for instance, in Mexico, the so-called northern triangle of Central America (Guatemala, Honduras and El Salvador), and some countries in the Caribbean, such an agenda can hardly be decoupled from the challenges posed by drug trafficking and proximity to the highly profitable U.S. narcotics market. A different kind of organized crime-related challenge afflicts Brazil, particularly its main cities. There, violence problems are also connected to the presence of heavily armed criminal organizations with territorial control, and widespread gun ownership. Yet in the Brazilian case, problems go beyond drug trafficking

operations by transnational syndicates to encompass the presence of local illicit markets involving myriad criminal activities. Colombia and Mexico's security situation, while still heavily determined by the intensity of organized crime, presents unique traits. After many years of combating drug trafficking and crime, the overall results are mixed. Good security-enhancing strategies at the national and some local levels, and lower homicide rates overall, coexist with the visible presence of organized crime and armed groups, which are linked to cocaine production and trafficking. In Venezuela, the politicization and subsequent collapse of law enforcement institutions, the systematic weakening of local authorities, and the country's increased transshipment role in the narcotics trade have created a lethal cocktail that is pushing crime rates upward.

Meanwhile, in most Andean countries (Peru, Bolivia and Ecuador) the main problem is increasingly violent street crime. There is no clear evidence to link this problem to drug trafficking (internal or external) and that may help to explain why murder rates remain moderate. The public safety problems faced by Argentina, Chile and Uruguay, in turn, are related to highly localized spaces where levels of violence are high, as well as the growing incidence of property and personal crime linked to small, local organizations rather than transnational crime syndicates.

The point to emphasize here is that, while an important concern, transnational drug trafficking is merely one factor in explaining the levels of violence in the region. Fighting international drug trafficking ought not to be turned into the articulating principle of a hemispheric public safety agenda. Even in countries where it is a major determinant of crime rates, the pervasive presence of the narcotics trade compounds and indeed builds upon a plethora of deeper structural factors that enhance the vulnerability of these countries to organized crime. Among others, these factors include: weak state institutions unable to command a strong presence in the territory and offer adequate access to public services; vastly inadequate law enforcement capabilities; high levels of political and institutional corruption; marginalization of a significant proportion of the young population, thereby creating a reserve army for illegal activities; growing levels of internal drug consumption; and limited and ineffective gun control policies. The construction of safer societies in the hemisphere requires paying attention to

all these factors, most of which are not amenable to quick fixes. In particular, it is worth insisting that public insecurity cannot be separated from social exclusion.

The main challenge, therefore, is to put in place comprehensive approaches to deal with public safety issues in several complementary ways. They range from institution-building initiatives particularly focused on police, justice reform and prison systems, to social policies aimed at changing the conditions under which crime activities have flourished. Try as hard as it may, the world's most inequitable region will not be able to defeat criminal violence by relying on law-and-order policies alone. Improving human development and social inclusion are a key part of the solution.

The Hemispheric Opportunity

Public security challenges are a cloud hovering over the consolidation of democracy in the Western Hemisphere. Confronting public insecurity in the hemisphere demands efforts at the local, national, regional and hemispheric levels. These efforts should include the fight against transnational drug trafficking as an important element, but not the backbone of the strategy. An international cooperation agenda that focuses on tackling structural factors that generate and reproduce criminal violence, rather than simply on controlling crime, is essential.

The following areas are particularly ripe for policy intervention and cooperation at the hemispheric level:

- **Reframing the discussion.** This means resisting appeals to fighting crime through iron-fisted methods that almost always fail to reduce crime rates but never fail to undermine basic civil rights. The only sustainable way to succeed in the struggle against crime involves implementing effective strategies for social prevention and deepening our countries' commitment to furthering human development, reducing inequality, and expanding the opportunities available to young people. However, social prevention must be calibrated with the strong sense of urgency that the situation demands and by the recognition that state coercion, within the boundaries of the rule of law, is unavoidable in the fight against crime. This is particularly true in responding to organized crime, which demands less social prevention and greater use of intelligence efforts and coercion. Moreover, effective

though social prevention may be in the long term, it is insufficient to placate the political perils that public insecurity poses for countries in the short term. Discourse and expectations must be similarly tamed. There is no easy solution to this surge in violence and we would be the wiser if we all acknowledged it. Societies should be prepared for a prolonged effort.

- **Developing robust indicators.** There is an urgent need to develop better public safety indicators that would allow for more informed diagnoses and policy decisions. In most LAC countries, information on crime behavior and trends are weak or non-existent, and for that reason policies are routinely crafted based on intuition rather than knowledge. Transferring to LAC the expertise of developed countries in this regard is a potentially rewarding pursuit.
- **Improving law enforcement institutional building.** International cooperation efforts that focus on training programs for the region's police and judicial authorities are one way to fight widespread impunity, one of the most important incentives for crime activity in LAC countries. Although criminal justice statutes have been modernized in the region, other critical aspects—such as the training of police officers and prosecutors, intelligence and investigation capacities, internal control procedures, and the use of modern information systems—continue to be inadequate in most countries, further compounding impunity. Equally weak is the formation of civilian capacities in security policies, notably in legislatures but also among the region's civil society.
- **Fighting corruption.** Increasing accountability and transparency at all levels of government should be at the core of any integral initiative toward increasing security in the Americas. This helps to improve society's willingness to abide by the law, as well as enhance the legitimacy of law enforcement efforts.
- **Improving design and implementation of anti-crime policies.** Paying attention to the institutional architecture and the coordination of the actors involved in the implementation of the citizen security policies critical. A successful strategy to reduce crime levels requires:
 - Coordination within the executive branch, specifically in attempting to coordinate the implementation of security measures proper with anti-crime policies. Such coordination is essential for long-term crime prevention, yet remains a rarity in LAC countries.
 - Horizontal coordination among the different branches of the state, particularly between the police force and the judicial branch.
 - Vertical coordination among the different layers of government, which implies clarity in the division of security functions between national and sub-national authorities.
 - Coordination between the state and other actors such as NGOs, external donors and others. This is particularly true with respect to private security firms, which have mushroomed throughout LAC countries. Let us not forget that in the adequate regulation of private security firms lies a central problem of sovereignty for states in the region.
- **Thinking seriously about the military's role.** It is crucial that countries in the hemisphere engage in a meaningful conversation on the military's proper role—if any—in the fight against crime, particularly organized crime, in a functional democracy. Ideally, this conversation ought to yield a set of doctrinal principles to guide decision making in this very sensitive area. Institutions such as the Inter-American Defense Board, the Center for Hemispheric Defense Studies, the South American Defense Council, and the Central American Defense Council should take a leading role in convening this discussion.
- **Increasing the state's coordinated presence in violent areas.** One of the most serious hindrances to security in the region is the presence of "failed spaces," which are territorial spaces in which the state's writ has ceased to rule or never existed. The most violence-ridden places require massive and coordinated state presence, organized under the leadership of task forces that work in conjunction with the community. These territories must be literally occupied by the police, but robust social investment should come in its wake, in the shape of school infrastructure, day care centers, labor training facilities, sports installations, and so on. There is nothing novel in all of this.

This is, in essence, what enabled the dramatic decline in Bogotá's crime rate over the past two decades.⁵¹ The recovery of each and every "failed micro-state" must be a project to be handled by the ministries of security alone, but one that involves the whole of the public sector, with first-rate public managers, clear and action plans, and resources—lots of resources.

- **Limiting gun trafficking.** As seen above, an overwhelming proportion of homicides in LAC are committed with guns.⁵² The widespread availability of firearms throughout the region lowers their prices in the informal market. The region needs to make significant strides to regulate transfers of small weapons across borders, and even more to revamp national laws regarding gun possession that are generally permissive and/or poorly enforced.
- **Combating money laundering.** While the drug business is extremely profitable, anti-money laundering efforts have not been at the top of the regional agenda. It is critical to jointly look for the "money trail" and fight all types of informal economic activities that are financed by drug trafficking organizations. Signing international treaties is not enough. It is the will to implement their provisions that counts.
- **Rethinking the "war on drugs."** It is high time to re-evaluate the cost efficiency of the traditional approach of the so-called "war on drugs," which is heavily slanted toward interdiction and destruction of illicit crops. Instead, there should be a meaningful evidence-based hemispheric debate on the most effective and efficient options to mitigate the harm that drugs and drug trafficking inflict on societies. In a way, the first requirement for substantial progress in the fight against drugs in the Americas consists in abolishing the prohibition to consider alternative public policy approaches.⁵³ Fortunately, just recently we have witnessed the initial salvo of this long awaited debate. Perhaps the most remarkable achievement of the Sixth Summit of the Americas, recently held in Cartagena, Colombia, was to have allowed, for the first time, an honest discussion on this issue. This discussion was led not by academics, civil society organizations or retired politicians, but by the region's current political leaders, who in many cases

are finally daring to speak in public what they have long said in private.

- **Enhancing social inclusion.** A hemispheric agenda against crime ought to include more focus on social, economic, cultural and political inclusion. This implies, in particular, developing multipronged programs for youth at risk in the Americas, aimed at decreasing school nonattendance rates, improving the quality of public education, preventing teen pregnancies and addictions, and improving access to decent jobs. In making this recommendation, we return to a central component of our analysis. Investment in human development offers the most certain route towards less violent, less insecure societies. The first 30 countries at the top of the UNDP's 2011 Human Development Index—none of which is a Latin American country—have an average homicide rate of 1.3 murders per 100,000 people. Of these 30, only one, the United States, has a homicide rate over 3 per 100,000.⁵⁴ When it comes to battling crime, human development is the real story. Everything else is mere detail.

Yet such an approach will not come cheaply. Nearly every form of public policy intervention in LAC is complex and expensive. Thus, in order for public policy to guarantee universal access to social rights—an essential step to reducing violence—countries in the region will have to profoundly reform their taxation systems. Taxes must be paid; in some cases rates should be increased and in almost all tax collection should be improved. The average tax burden in Latin America (18.7 percent of GDP, including social charges) is now a little more than half of taxes the collected by the industrialized countries of the OECD (34.8 percent).⁵⁵ Who can thus be surprised that the state in Guatemala has tenuous control over its territory, when its tax collection barely surpasses 10 percent of GDP? Successfully battling insecurity in LAC requires tackling the region's underdevelopment. Criminal violence is the place in which all the shortcomings of our development model are rendered evident. Crime is not just a security issue—it is a development issue.

In no way does this lighten the task at hand, but at the very least it should vaccinate policy against the miracle potions that have proliferated in Latin American countries and which offer societies a sudden mirage of law-and-order power even as societies become more and more resigned. The

“iron fist” law-enforcement approach is akin to a drug fix, which provides an intense, ephemeral, and ultimately false satisfaction. The option to consume this political narcotic is not to let our arms drop, nor is it to internalize violence as a fate predetermined by inscrutable gods. On the contrary, this problem does have a solution. But it is a longer, more complex, more expensive and more demanding solution than we would like to admit.

Endnotes

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COMMENTARY BY VANDA FELBAB-BROWN

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Kevin Casas-Zamora and Lucía Dammert are right to call for a comprehensive approach to fighting crime in Latin America. The need to incorporate well-designed socio-economic approaches into anti-crime strategies applies not only to policies toward social phenomena such as Latin American youth gangs, but also to fighting organized crime. This is because large populations in Latin America in areas with inadequate or problematic state presence, great poverty, and social and political marginalization continue to be dependent on illicit economies, including the drug trade, for economic survival and the satisfaction of other socio-economic needs. For many, participation in informal economies, if not outright illegal ones, is the only way to assure their human security and provide any chance of their social advancement.

By sponsoring especially labor-intensive illicit economies, criminal (as well as militant) groups provide public goods to the marginalized population, suboptimal as they may be, such as employment and an opportunity for social advancement. Criminal and belligerent groups also often provide security. While these groups are themselves sources of insecurity and crime, they often regulate the level of violence and suppress certain forms of crime, such as robberies, thefts, kidnapping, and even homicides. They may also provide dispute resolution mechanisms, including informal courts, in areas where formal justice processes are inaccessible to local populations. Functioning as order and rule providers brings criminal entities important support from the community.

In short, organized crime groups can build far stronger ties to local populations than an absent state, the only manifestation of which frequently is repressive actions. Organized crime groups can thus obtain extensive political capital. To change crime dynamics, the state needs to outcompete criminal groups in providing public goods, including citizen safety, through more effective and accountable law enforcement.

Although frequently portrayed as an effective solution to the problem of organized crime, mere legalization of illicit economies, particularly of drugs, is no panacea.

Proponents of legalization as a mechanism to reduce organized crime make at least two arguments: Legalization

will severely deprive organized crime groups of resources. Legalization would also free Latin American law enforcement agencies to concentrate on murders, kidnappings, and extortion.

A country may have good reasons to want to legalize the use and even production of some addictive substances (many, such as nicotine and alcohol, are legal) and ride out the consequences of greater use. Such reasons could include providing better health care to users, reducing the number of users in prison, and perhaps even generating greater revenues and giving jobs to the poor. But without robust state presence and effective law enforcement, both elusive and the reason for the strength of organized crime in Latin America, there is no guarantee that organized crime groups would be excluded from the legal drug trade. In fact, they may have numerous advantages over the legal companies and manage to hold onto the trade, including through violent means. Nor does mere legalization mean that with a switch the state will be robustly and effectively present. Deep state deficiencies, not simply legalization or prohibition, explain why there is so much illegal logging alongside legal logging, for example, or why smuggling in legal goods take place.

Organized crime groups who may be displaced by legalization of the drug trade can hardly be expected to take the change lying down. Rather, they may intensify their violent power struggles over remaining illegal economies in Latin America, such as the smuggling of migrants and other illegal commodities, prostitution, extortion, and kidnapping. To mitigate their financial losses, they may also seek to take over the informal economy in Latin America—trying to control who sells tortillas, jewelry and clothes on the *Zócalo*. If they succeed in franchising the informal economy and organizing public spaces and street life in the informal sector, their political power over society will be greater than ever.

Nor does legalization imply that law enforcement would be liberated to focus on other issues or turn less corrupt: The state would have to devote some (potentially substantial) resources to regulating the legal economy. In the absence of effective law enforcement, legal economies can still be pervaded by violence and corruption and be as abusive to local communities as illegal ones (for instance, the logging sector in Latin America).

Additionally, a gray market in drugs would likely emerge. If drugs became legal, the state would want to tax them in order to generate revenues and to discourage greater use. The higher the tax, the greater the opportunity for organized crime to undercut the state by charging less. Organized crime groups could set up their own fields with smaller taxation, snatch the market and the profits, and the state would be back to combating them and eradicating their fields. Such gray markets exist alongside a host of legal economies, from cigarettes to stolen cars.

There are no shortcuts to reducing crime in Latin America and improving law enforcement forces there. Without capable and accountable police that are responsive to the needs of the people and backed up by an efficient, accessible and transparent justice system, neither legal nor illegal economies will be well managed by the state.

An appropriate anti-crime response is a multifaceted state-building effort that seeks to strengthen the bonds between the state and marginalized communities dependent on or vulnerable to participation in illicit economies for reasons of economic survival and physical insecurity. The goal of anti-crime policies should not only be narrowly to suppress the symptoms of illegality and state-weakness, such as illicit crops or smuggling. Instead, their goal should be to reduce the threat that illicit economies pose from a national security concern to one of a public safety problem that does not threaten the state or the society at large, including by building bonds between marginalized local communities and the state.

Such a multifaceted approach in turn requires that the state address all the complex reasons why populations turn to illegality, including law enforcement deficiencies and physical insecurity, economic poverty, and social marginalization. Efforts need to focus on ensuring that peoples and communities will obey laws—not just by increasing the likelihood that illegal behavior and corruption will be punished, but also by creating a social, economic, and political environment in which the laws are consistent with the needs of the people and seen as legitimate.

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