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Plata, plomo, or human rights?

What can México and Colombia learn from each other in the war on
drugs?

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Abstract

Drugs are playing an increasingly important role virtually everywhere in the world. A U.S. president declared the international war on drugs some 50 years ago. This paper will examine what has become of this proclamation, especially with regard to Colombia and Mexico. A focus will be on the link between human rights and strategies in the fight against drugs. The different strategies will be presented and examined for their potential and actual impact. It will be shown that the situations in Colombia in the past and present, and Mexico in the present are only comparable to a limited extent and that strategies, insofar as they have been successful, cannot be transferred without further ado. It becomes clear that there is no such thing as a perfect strategy, but that solutions have to be thought of internationally on the one hand, and on the other hand that the special characteristics of a country have to be taken into account. Finally, current trends are presented and a look into the future is taken.

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Abbreviations

AUC	Autodefensas Unidas de Colombia
CJNG	Cártel Jalisco Nueva Generación
COIN	A Counterinsurgency strategy of the Colombian government
DEA	Drug Enforcement Agency – meant is that of the U. S.
ELN	Ejército de Liberación Nacional
EZLN	Ejército Zapatista de Liberación Nacional
ETA	Euskadi ta Askatasuna
FARC	Fuerzas Armadas Revolucionarias de Colombia
Los Pepes	Perseguidos por Pablo Escobar
MAS	Muerte a Secuestradores
MDMA	Methylenedioxymethamphetamine
NAFTA	North American Free Trade Agreement
Narcos	Narcotraficantes, especially in Latin America
PIRA	Provisional Irish Republican Army
PRI	Partido Revolucionario Institucional
SPP	Security and Prosperity Partnership of North America

Italics are used for Spanish words/expressions that are not translated to avoid inaccuracies.

A. Introduction

I. Description of the problem

The war on drugs has been going on for many decades now, but it is far from over. Two of the main actors and at the same time victims are the Colombian and Mexican states and their populations. What (not only) Colombia and Mexico have in common is the presence and great influence of criminal organisations that try to take advantage of a weak government and citizens in desperate need of help. This is mainly done by bribing politicians and government officials and (in these countries) by trafficking drugs such as cocaine.¹ Ultimately, this almost inevitably leads to human rights violations such as torture or murder, which are further encouraged by a past or present civil war.

In the past, many strategies were designed to fight the drugs themselves, but also the cartels and other groups involved. However, not only the abuse of drugs, but also said strategies lead to human rights violations. It is often unclear whether an approach has failed or perhaps even prevented worse. In deciding which steps to take, however, not only scientific findings are taken into account, but also political and financial interests that do not necessarily go together.

II. Research question

The underlying question should be the following: Is the path taken by Colombia, after more than 50 years of civil war, desirable for Mexico to find a solution to the power of the drug cartels, the protection of human rights and the treatment of criminals? Is it even possible, given the different situation in the two countries?

III. Objectives

This thesis will examine the different strategies in the war against drugs and their impact on human rights in Colombia, México, and to some extent internationally. The situations of Colombia and México in the past and the current situations will be explained and analysed. On that basis, conclusions will be drawn with recommendations and suggestions on how to deal with the topic in the future.

¹ "Cocaine" as used in this thesis includes all different types of cocaine such as crack cocaine, cocaine salt, and coca paste.

The aim of this work is to highlight similarities and differences in the strategies of both countries and their impact both on the overall situation and on the concrete situation in each country. From this, recommendations for dealing with drug cartels in the future are to be derived.

IV. Methodology – Case study on Colombia and México

With a production of almost 2,000 tons per year, cocaine is increasing its importance on the drug market.² Colombia had almost monopolised the world production of cocaine in the late 1980s and early 1990s and continues to lead in terms of production and as supplier for the U. S. and Europe.³

This work will include a qualitative study about the cases of Colombia and México. Despite significant differences in the situations and in the approaches of both countries' governments, they are united in the fact that they face problems that come along with the power of drug cartels.

Colombia witnessed a 50-year-long civil war with hundreds of thousands dead and millions of people displaced, wounded, and cut off from their families. Drug (especially cocaine) cartels started to gain influence in the 1970s eventually leading to a contemporary peak in the late 1980s and early 1990s. In Medellín, almost a whole quarter was built on drug money helping Pablo Escobar to gain the support of vast shares of the voters. For the time being, he was even able to secure a place in the parliament. By allying themselves with political forces, paramilitary, and guerrillas the drug cartels got involved ever deeper in the civil war. The drug money rapidly took huge influence on different areas of Colombia and led to corruption almost everywhere. Police, particularly the local one, worked under the pressure of cartels. When the involvement of people with influence in drug activities became more and more obvious, the government decided to intensify its efforts to fight the drugs. It sought for help even from the international community, in particular the U. S., and agreed to extradition treaties and the deployment of foreign special forces on Colombian territory. The dismantling of certain cartels might have lowered the influence of drug money on politics for a short while, but it did not end the production of cocaine, the dependence of the local population on work provided by criminals, or human rights violations happening every day. The production of cocaine in Colombia reached another peak during the mid-2000s and provoked various approaches of politicians to deal with the problem. The peace agreement with the Fuerzas Armadas Revolucionarias de Colombia (FARC) in 2016 ended

² WDR 2022, Booklet 4, p. 15.

³ Ibid, p. 24-26.

the civil war.⁴ Overall, it certainly had and has a very positive impact on the living conditions of the majority of the population. Nevertheless, not all problems were solved, and Colombia continues to struggle with criminal gangs that produce and sell cocaine and other drugs.

A phenomenon that makes it more difficult to fight those gangs is the always increasing globalisation. As a result, victims are not only to be found in Colombia, but everywhere the drugs are transported to. And those responsible are not only the producers and the salesmen, but also people involved in the transport, the organisers of the regional distribution, and politicians in other countries that look the other way. Colombia has already tried several paths to find a solution and it is looking for a new or a combined one under the recently elected president Gustavo Petro. In the past 50 years, human rights violations have been committed by different actors including armed resistance forces, police, special forces, politicians, and occasional criminals, amongst members of the drug cartels. The amount and severity of those violations shall be presented and compared in this thesis. In particular, the impact on human rights and the effectiveness of the undertaken measures will be illustrated here.

México lies on the border from Latin America to North America and works in terms of drugs as a link between the two regions.⁵ High amounts of drugs are (still) produced in Colombia, Peru, and Bolivia, and then traded via México into the U. S. However, México itself has become largely influenced by drug cartels as well and is as much a producer country as a trade country. In fact, the cartels are so powerful that the independent crimes have almost vanished, because the majority of crimes is somehow connected to drugs.⁶

The Mexican cartels are particularly dangerous because they have access to advanced military strategies and tactics. This is due to the high rate of former police and army members that are themselves able to train the other members on these topics.⁷ Hence, the cartels provide teenagers with weapons, and educate them on military tactics⁸ with the promise of money, if they only work for them.⁹ Sometimes only 1,000 pesos (around 80 EUR) would be paid for an assassination.¹⁰ Being trained to kill, the ex-soldiers from the viewpoint of the cartels are the perfect *sicarios*, paid assassins.¹¹

⁴ Although a few ex-members took up arms again in 2019.

⁵ Petraeus, Zoellick, and O'Neil, in North America, Council on Foreign Relations of the U. S. (2014), p. 8.

⁶ Narcotráfico, ideas contra el fracaso, p. 6.

⁷ International crisis group (2013), in El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México, p. 14-15.

⁸ Such as drive-byes on motorcycles, Ibid, p. 15.

⁹ Ibid.

¹⁰ Ibid, itself relying on information from testimonies of police forces, soldiers, social workers, and gang members, that confirmed those numbers to the crisis group.

¹¹ International crisis group (2013), in El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México, p. 14-15.

In México, the actions of cartels and the war against them have a heavy impact on the rule of law and the stability of the state.¹²

Although the regions of Latin America are somewhat “famous” for cocaine when it comes to drugs, the region of North America also makes up for 99 % of the dismantled methamphetamine laboratories and more than half of the confiscated MDMA (ecstasy).¹³ Correspondingly, around 45,000 people per year get killed there by drugs.¹⁴ On top come the murders that are connected to drugs, to diminish the influence of another cartel or to prevent someone with inside information to reveal this to the police, for instance.¹⁵ With an amount of more than 320 billion US-Dollars per year the illegal drug trade even plays a moderate role in world economy.¹⁶

The term “drug cartel” for the first time was used for the situation in Colombia in the early 1980s where the criminal networks of Medellín and Cali were named like this. At first, it described federations of traffickers that built an alliance to oppress rivals and control the cocaine business in their territories.¹⁷

In the following decades, the definition was clarified, and now a drug cartel is widely understood as a commercial alliance formed to restrict competition, allocate territory, and to take other actions.¹⁸ Those “other actions” in the beginning were supportive actions for the other objectives. Since then, all different sorts of crimes have become part of the routine in the cartels.¹⁹ Thus, the term “drug cartel” as used in this thesis shall include all those types of organisations, whatever other crimes they commit on a regular basis.²⁰ The deciding factor is the fact that only around 15 % of the incomes of most cartels come from actions that are not drug related.²¹

¹² Narcotráfico, ideas contra el fracaso, p. 6.

¹³ Lopátina, in Pensamiento social ruso sobre América Latina, p. 287.

¹⁴ Ibid.

¹⁵ Lopátina, in Pensamiento social ruso sobre América Latina, p. 288.

¹⁶ Galen Carpenter, in Undermining Mexico’s Dangerous Drug Cartels, p. 7.

¹⁷ International crisis group (2013), in El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México, p. 8.

¹⁸ Ibid.

¹⁹ Ibid, p. 9.

²⁰ They have been called “Transnational criminal organisations”, “insurgents”, and “terrorists” by others, with further elaborations: International crisis group (2013), in El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México, p. 9.

²¹ International crisis group (2013), in El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México, p. 10, itself citing Entrevista de Crisis Group, México, D.F., 11 de diciembre de 2012 which could not be found by the author of this work.

V. Structure

The connection between the drug problem in general and human rights, the international standards in terms of drug policies, and the main strategies that have been part of policies or theoretical approaches will be presented as the theoretical framework (B.) The strategies can be divided in prohibitionist (A.II.11.) and legalising approaches (2.) and those that can be part of both prohibitionist and legalising strategies (3.). The sub-strategies will be described along with their potential impact overall, in terms of individual human rights, and in terms of collective human rights. This chapter concludes with joint approaches by the international community (4.)

The cases of Colombia and Mexico are then explained in detail (C.). Both studies follow a historical course, oriented towards the respective presidencies and the associated changes of direction in politics. The strategies used are described and facts are given to assess the success. In addition, background information is given that had or could have had further influence on the respective situation. The influence of the respective strategy is to be expressed in figures and passed laws.

The case studies are followed by a comparative analysis of the overall situation in both countries and a placement in the international context as well as an assessment of the impact of the strategies applied by both countries (D.). At the end, conclusions will be drawn and a lookout to the future will be provided (E.).

B. Theoretical framework

I. The drug problem and its human rights impact

The use of drugs brings with it various problems. In addition to the direct effect on health with each individual use, there is also the danger of becoming physically and/or psychologically dependent. The potential danger of both factors depends strongly on the drug in question. This paper will mainly deal with cocaine, but also with marijuana and heroin. These are the drugs that, beyond the dangers described, pose extreme problems due to their connection to drug cartels in Colombia and Mexico.

Apart from the impact on the health of consumers which is a public health problem, drugs in México and Colombia take a toll on human rights due to them being deeply intertwined with the drug cartels whether in production or in trafficking. Problematic is the influence of cartel machinations and government actions that respond to the cartels and try to curb drug use and the power of drug traffickers. A typical problem is the ignoring or even deliberate suppression of the rights of minorities. Since *narcos* often attract people who see no other alternative, already disadvantaged groups are pushed further to the margins of society and disadvantages are deepened. This especially affects indigenous peoples. In addition, women in particular suffer from the prevailing male world in the cartels with discriminatory role models and have to work in the coca fields for little money if any.²²

In addition, there are also an above-average number of members of already disadvantaged groups among the consumers (and addicts), at least in the U. S.²³ Hence, strict prohibition regulations primarily affect already struggling social groups. Less or more regulated consumption would therefore strengthen human rights both among consumers and among those who more or less involuntarily help the cartels in production and distribution.

Cartels usually not only deal in drugs, but also smuggle people across borders, extort ransoms through kidnapping and take protection money after threats of violence. Assassinations are a normalised mean when threats did not have to desired impact. They aim to destabilise governmental structures, particularly state and federal police, the judicial system, and freedom of press using as means intimidation and threats.²⁴ The latter is particularly hard on groups that are already disadvantaged. Even children are often deprived of their right to education because they have to work for cartels, and

²² WDR 2022, Booklet 4, p. 28.

²³ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 17.

²⁴ *Narcotráfico, ideas contra el fracaso*, p. 7; Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 288.

women are reduced to two roles: Housewives in the household of a cartel member who decides on the future of the whole family, and workers in fields of coca or opium plants. Furthermore, many *narcos* do not refrain from sexual assaults on women. Even worse, the women do not even get the small compensation of a fair trial against the perpetrator. Disputes between cartels or between cartels and the police are often carried out by force of arms at the expense of the civilian population, which is not taken into consideration, at least not by the cartels. The overall violence is increased substantially by the presence of illegal drug cartels, since the only way to enforce agreements is by force due to the lack of regulating laws.²⁵

Therefore, as the influence of cartels increases, so does the number of victims of human rights violations and vice versa. Independent of the direct impact of measures, the success of a strategy against the drug cartels therefore also determines the future number and intensity of human rights violations emanating from the *narcos*. Therefore, the human rights situation in a country strongly depends on the success of the chosen strategy, even if it does not prioritise the strengthening of human rights for political or other motives. However, the implementation of different approaches also has a certain impact on the situation in a country, regardless of their success.

The assessment of the impact of the war against drugs on human rights will be undertaken by separating effects on individual rights and collective rights.²⁶ A collective right that is heavily influenced by the war on drugs as that of self-determination of peoples, i. e. indigenous peoples in Colombia and México. The first problem they face is that most of them live as a group on the territory of a state, but are only recognised as citizens of that state, not as an autonomous community, let alone as a nation.²⁷ This conflict is part of many Latin American countries apart from México and Colombia.

Since Afro-Colombians, indigenous peoples, and other minority communities in Colombia and México often live in rural areas with limited access to education, healthcare, and other elemental needs, they appear as easy influenceable for the drug cartels.²⁸ Often left behind by the government, the threshold

²⁵ Spencer, *Security Challenges of the New Colombian Administration*, p. 84.

²⁶ More on the importance and possible conflicts between these two groups of human rights: Stavenhagen, in *los derechos humanos de las minorías culturales*, p. 382f. The conflicts between some theories are not part of this thesis. Consequences of the war on drugs effect both individual and collective rights independent from the importance that is given either of them.

²⁷ Stavenhagen, *ibid.*, p. 383. More about the negation of the right to self-determination for groups within former colonies *ibid et seq.*

²⁸ <https://minorityrights.org/country/colombia/>. (last visited 14.07.2023)

for helping someone acting against the government typically is not very high. The lack of resources forces people to take whatever job they get, for good measure.²⁹ Thus, drug cartels take advantage of minority groups in general, but especially Indigenous Peoples and Afro-Colombians, and employ them for planting crops and processing the drugs, for instance.

Closely linked to the workers in the fields and thus also to indigenous peoples and Afro-Colombians is the method of aerial spraying, which was and is used by various governments in the fight against drugs. This is a means of forced eradication of cultivated fields in which pesticides are sprayed from aeroplanes. However, the substances used are not only harmful to the coca or opium plants, but also to humans and the environment. From the drug lords' point of view, aerial spraying is a win-win situation: the cartel members are safe because only the (indigenous) workers are in the fields. And the government hurts members of minority groups, which makes the majority of the population angry at the government. As a result, the government takes less action against drugs, which is good for business and for the criminals themselves.

Especially (black) minorities are affected by the war against drugs. An official report in 2005 revealed that "93% of the areas planted with oil palm crops belonging to four big companies are located in the collective territories of the black communities".³⁰ Additionally, Colombia suffers from very high inequality.³¹

Another group suffering from the power of the cartels are human rights defenders. More than six years after the signing of the peace treaty, human rights defenders are far from safe. In April 2023 alone, 21 social leaders were killed including indigenous people, women, *campesinos*, and *afros*.³² Many other assassinations have been carried out against ex-combatants.³³ In general, this group suffers from the stigma of being blamed for any violation committed by a member of the group.³⁴

Drugs are a danger not only for individuals, but when the number of drug addicts in a country reaches the threshold of 7 %, the gene pool of the country's whole population is in danger as degeneration can

²⁹ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 135, for the case of Peru with very similar prerequisites.

³⁰ Osorio Pérez, in tierra, territorio y dinámicas de guerra, p. 102.

³¹ Paul, Clarke, and Serena, in Mexico Is Not Colombia, p. 17.

³² "un abril letal en Colombia". <https://elpais.com/america-colombia/2023-05-03/un-abril-letal-en-colombia-21-lideres-sociales-fueron-asesinados.html>. (last visited 06.05.2023).

³³ Ibid.

³⁴ Ibid.

start.³⁵ Therefore, fighting drug abuse is a main priority for countries that suffer from high addiction rates such as México but also the U. S.

The direct effects of drug use on health, however, will only be of interest to this paper to the extent that they are further reinforced or diminished by the war on drugs. These include, for example, the fact that criminalisation causes many users to take drugs of inferior quality or that dirty syringes transmit diseases that would have been prevented if they had been used cleanly.

II. International standards and types of anti-drug policies

Cocaine and heroin are generally classified as hard drugs whose trafficking, consumption and cultivation are illegal.³⁶ Exceptions exist mainly for medical use and in some countries the use of very small amounts is decriminalised.³⁷ Decriminalisation is mainly found in the Latin American region. For marijuana, on the other hand, there are already some examples of legalisation or the acceptance of certified shops where consumption is permitted. For medical purposes, the use of marijuana is largely approved in North and South America as well as in Europe.

A legalisation of the coca plantation becomes part of presidential campaigns more and more often recently.³⁸ Decriminalisation and legalisation at least seem an option for governments around the world.³⁹ A difference has to be made between different intensities of legalisation. Legalising the plantation of coca like in Bolivia⁴⁰ is not the same as legalising cocaine.⁴¹

There have been several approaches on how to fight the drugs, the cartels, and all the problems that come with them. The strategies used by Colombian or Mexican governments in the past, and the most important propositions shall be described here as their understanding is crucial for the following chapters. An analysis of the (expected) results will be given after the evaluation of the situation in each country.

³⁵ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 282.

³⁶ <https://academic-accelerator.com/encyclopedia/legal-status-of-cocaine>, https://en.wikipedia.org/wiki/Legal_status_of_cocaine#:~:text=All%20uses%2C%20possession%2C%20sale%2C,for%20medical%20or%20scientific%20reasons. (Both visited last: 12.07.2023)

³⁷ Ibid.

³⁸ Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 136, for the case of Peru, and Evo Morales in Bolivia, p. 138.

³⁹ Like in Portugal and the Netherlands, or more recently Honduras and Argentina, Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 15.

⁴⁰ <https://www.bbc.com/news/world-latin-america-39214085>, <https://time.com/4696338/bolivia-coca-cocaine-grow-morales/>. (both last visited 18.06.2023)

⁴¹ Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 138.

The first major question in terms of the approach to the war against drugs is that of prohibition or legalisation. Some strategies can be part of both legalisation and prohibitionist approaches.

1. Prohibition

If prohibition was chosen, it is important how the law actually is enforced. Governments can choose a mild path with low sentences and a distribution of resources that concentrates on other things than drugs. Or they can choose a militarised approach with high sentences, a prioritisation of criminal acts that are connected to drugs, specialised police forces, and even the use of the military and intelligence services on home soil and abroad. A mix of those ideas is also conceivable.

a) Militarised approach

A militarised approach is the most direct answer to drug cartels. It can be carried out only by the army or with combined army and police forces including also special forces. The aim is to root out whole camps and take out⁴² as much *narcos* as possible. Besides this first objective, the high military presence shall show power and strengthen the trust of the population in state institutions.

A militarised approach might provoke even more violent retaliations from the successors of the killed or imprisoned, among other consequences.⁴³

One can see where the war against drugs has been ongoing for a long time, especially when military forces were involved and partly performed tasks that usually fall to the police.⁴⁴ A change in the distribution of power is inevitable, and more influence from other countries is guaranteed where military forces cooperate with other nation's armed forces.

Another possible outcome is the adaptation of cartels to the new situation, i. e. they strengthen their military budget, expand trainings and get better weapons in order to keep up with the military and police forces. A consequence is even more violence.

⁴² As the majority opens fire on approaching military or police forces, the objective usually is to kill the *narcos*.

⁴³ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 11; Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 287.

⁴⁴ *Narcotráfico, ideas contra el fracaso*, p. 7.

The use of armed force against cartels not only leads to great losses on the part of the cartels and the police or army, but also claims many lives among the population. Since the success of such an operation is usually considered greater the more forces take part and the cartels adapt to it, supposedly more successful operations also claim greater victims among civilians. A military approach therefore often directly affects the highest human good, namely life. From a human rights perspective, such an approach can therefore hardly be a success; at best, it remains "neutral", whereby victims on the side of the cartels are also to be regretted, all the more so if they do not voluntarily fight for the cartels.

b) Extradition

Especiallly in the case of Colombia, but also in México, a widely used threat to the drug traffickers is to extradite them (to the U. S.). To understand the fear of the traffickers of extradition, it is important to take the jail situations in both countries into consideration. With rampant corruption in México⁴⁵ influential and rich criminals do not have to fear the imprisonment conditions or are even close to immune against prosecution.⁴⁶ Similarly, members of the Medellín Cartel that served penalties in 1991/1992 lived in a self-built "prison" in luxury.⁴⁷ Thus, the *narcos* feared long prison sentences and the conditions of U. S. prisons.

As a result, many of them entered or tried to enter into agreements with the governments to prevent extradition. If an extradition agreement between two states is accompanied by the opportunity to deploy police forces in the other country, the fear of being caught can increase, because bribery is less likely to work. In general, such an agreement makes the drug traffickers more cautious which can result both in less use of arms in order to not provoke attention or in higher expands in military.

This strategy has close to no direct impact on civilians and people that suffer by any mean from the cartels' activities.

⁴⁵ Paul, Clarke, and Serena, in Mexico Is Not Colombia, p. 20.

⁴⁶ Ibid, p. 2.

⁴⁷ Unidad investigativa, El Tiempo "Secretos de la retoma y fotos inéditas de La Catedral" 25 July 2022, <https://www.eltiempo.com/colombia/medellin/como-se-veia-la-carcel-privada-de-pablo-escobar-la-catedral-299846>.

c) Infiltration

A less violent approach that consumes less resources is to infiltrate cartels to get inside information and eventually get to the bosses. The disadvantage of that strategy is the high risk for the undercover agents and the long period of time it takes to achieve something. Apart from agents being killed, this approach can also lead to more caution and more arbitrary killings of people suspected to work for the police. When successful, it can allow for the arrest of cartel leaders without as much bloodshed as a full militarised approach. Hence, the consequences heavily depend on the success of single operations as does the impact on human rights which stays at zero if successful but can increase dramatically if cartel bosses take violent actions against those they suspect of informing on them.

Infiltration does not necessarily have to be used under a prohibitionist approach but can also be used as part of legalisation strategies as long as they still forbid the trading and thus allow for cartels concentrating on that part. Usually, it would proceed a militarised approach, though.

d) Isolation

Another strategy is isolating the members of the cartels. In both México and Colombia, many of the *narcos* and their supporters live a second life as what seem to be harmless citizens. Drawing a line between traffickers as heavy criminals and their supporters that just exercise everyday tasks to finance their own living could make it more difficult for the bosses within the cartels to gain control over great parts of the citizens. This could be achieved by building categories of participation with a clear allocation of crimes to those categories. Since limited resources prevent México (and Colombia) from investigating even serious crimes, a prioritisation of the highest categories could lead to a more effective use of these resources.

Another part of that strategy could be qualifying the *narcos* as insurgents or rebels.⁴⁸ This would open up further possibilities for states to engage with their special forces and intelligence agencies, for instance. However, this would probably lead to a severe loss of reputation for the (Mexican) government.⁴⁹ And that ends in worsened diplomatic relations to the country that calls the *narcos* out as insurgents or rebels.⁵⁰ If agreed upon with the (Mexican) government, this effect would be

⁴⁸ As some U.S.-Americans proposed: International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 9.

⁴⁹ *Ibid.*

⁵⁰ As in the case of the U. S. and Hillary Clinton in 2010, *Ibid*; Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 13-14.

prevented, though. Against the idea of qualifying them as rebels or insurgents speaks the absence of a political agenda.⁵¹ That changes when the drug traffickers become involved in an ideology driven civil war.

2. Legalisation

The chances of reducing, let alone ending, the illegal drug trade are slim.⁵² Legalisation strategies do not try to change this; they accept it. In contrast to the strategy of prohibition, legalisation does not attack the roots of drug abuse, but the consequences. Legalisation can also be distinguished from decriminalisation. Although the political signal of legalisation may be different from that of decriminalisation, the (possible) practical consequences are almost the same. For this reason, the terms will be used interchangeably unless stated otherwise.

Currently, the countries of the producers have to fight the effects in other countries at least as much as the consumer countries themselves.⁵³ Even worse, Colombia and México have paid and still pay a high price in human life as a result of drug cartels fighting each other and the police, forcing poor people to work for them, or taking hostages or protection money. On top of that, corruption and the loss of legitimacy of state institutions appear in the producer countries.⁵⁴ At the same time, the problems in the consumer countries are minimised to the consumers themselves. The legalisation of all currently illegal drugs would lead to a shift of the burden of the consequences of the fight against drugs. Only the countries where the users are located would have to deal with the consequences. Following that argumentation, in the cases of Colombia and México a legalisation could lead to less corruption and more stable states, let alone fewer drug deaths. Additionally, some budget would be freed for other reforms or projects. Given the fact that both countries have fought the drugs for many decades by now, one might argue that there is basically no other way than to legalise the drugs to get control over the situation.⁵⁵

However, drug cartels would certainly not just give up or become legal companies with fair working conditions. It is questionable whether the institutionalised violence would vanish quickly. The clashes with police forces would probably become fewer due to controls that are no longer necessary. Still, the main producers of cocaine would stay the same – criminal bands that are probably not happy about

⁵¹ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 9.

⁵² Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 13.

⁵³ Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 4.

⁵⁴ *Ibid.*

⁵⁵ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 289.

someone else entering the market. However, there might be a chance to penetrate the market when rivalries between groups are getting stronger.

Accepting that the war against the drugs cannot be won in the sense of stopping consumption entirely, thus eliminating all of the financial resources of the cartels, the question is if a legalisation provides more advantages than the drug war.⁵⁶ Since the main reason for drug-related deaths are overdoses and a doubtful quality of the drug, a legalisation would have a positive impact on the mortality and morbidity of the consumption.⁵⁷ In the case of heroine, the high HIV rates come from the shared and uncontrolled use of syringes.⁵⁸ Thus, these rates could be reduced dramatically leading to less infections, i. e. less deaths.

A positive impact regarding the victims of cartel-related violence and destabilisation would be the reduction of corruption and violence, and a stabilisation of the judicial system, particularly the criminal tribunals.⁵⁹ With no criminalisation of the drugs themselves, corrupting police and judges becomes unnecessary. Additionally, drug related crimes most certainly would decrease as well for they become unnecessary as well like money laundering. However, cartels would make up for the financial losses in the drug business by investing more money and manpower in illegal arms trafficking, illegal migration, kidnapping, extortion, piracy, and others.⁶⁰ A decrease of violence in an area thus would lead to an increase in another.⁶¹ As long as there are allegedly easier illegal ways to get money, cartels and other criminals will take advantage of those ways. Hence, legalising marijuana, cocaine, and heroine, does not dismantle the cartels. They would only take another field of illegal business instead.⁶² The question is if the impact on the population would be less bad or even worse. In terms of human rights, especially the participation of cartels in killings, extortions, and illegal migration is alarming. As traffickers, they do not care about the health situation of the migrants or whether they die trying to pass the border.

⁵⁶ Allegedly that is what Kofi Annan said, Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 289.

⁵⁷ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 14, for the case of Portugal; Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 293.

⁵⁸ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 293.

⁵⁹ Ibid.

⁶⁰ *Narcotráfico, ideas contra el fracaso*, p. 6; Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 293; Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83.

⁶¹ Lopátina, *ibid.*

⁶² As has already happened in México, Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 84, 90.

Legalisation cannot come without the provision of facilities for those who get addicted. Professional help must be guaranteed, and all possible measures must be taken to ensure that high rates of recovery are achieved.⁶³ This practical issue can become a severe problem where countries just not have the financial resources to provide for this help. Helping the addicted must be part of a legalisation strategy but it can also be applied independently. It helps not only the addicts but takes on one of the driving factors for the high profitability of drug trafficking which is the guaranteed consumption that results of the addiction.

In any case, a legalisation would have to take place under extremely strict control of production, distribution, and consumption,⁶⁴ and must be preceded by a precise analysis of the situation and the probable consequences in the country concerned.⁶⁵ Then, it can have a positive impact on the victims reducing the power of the cartels and giving people that do not see another chance to collect enough income than cultivating drugs a legal perspective.

a) Attack the financial resources

By legalising the main business of the cartels, they get legal competitors who can offer lower prices, thus reducing possible profit margins for the cartels, and diminishing their market share. Especially in countries that are far away from the current producer countries the home ground production could lead to the imports being not competitive. The idea is to deprive the cartels of the financial means for their other activities, therefore tackling corruption as well which is one of if not the main source of cartel power.

If performed perfectly, cartels lose most of their financial resources from the drug trade. With around 85 % less income on average, the means for corrupting police forces and administration were significantly dwindled. That would reestablish the rule of law and regain the trust of the population in the system, thus lessening acceptance for the activities of the cartels.

b) Helping addicted people

Another part of a legalisation strategy does not concentrate on the cartels but on the consumers.

⁶³ Narcotráfico, ideas contra el fracaso, p. 7.

⁶⁴ Lopátina, in Pensamiento social ruso sobre América Latina, p. 289.

⁶⁵ Ibid, p. 294.

To help those that suffer from drug abuse specialised centres for addicts could help in reducing the consequences of an addiction and get clean again. Drug-use inflicted diseases such as HIV could be prevented by offering clean syringes for the use of heroin, for instance. Overall, it is part of the goal of that sub-strategy to increase the purity of the drugs in order to narrow the effects of impure drugs. This sub-strategy does not have possible negative impacts. The only argument against making use of it is the lack of financial resources. Since money is already spent on fighting the drugs, it is more of a political excuse rather than a solid argument. This sub-strategy concentrates on consumers which is why an impact on the human rights situation of the victims of the cartels could only be achieved on the very long term. That is, with less addicts the cartels would have less customers which ends in less financial resources. As a result, the cartel loses power and is less effective in its other actions such as extortion. But, this is very theoretical and does not really vary from the overall impact of a successful strategy.

c) Creating other opportunities for workers

A massive problem is that the ones that work for the *narcos*, especially those on the fields, often do not have another choice (s. above).⁶⁶ And for landowners, the other options are not profitable. The climate would allow for plantation of coffee and cacao beans.⁶⁷ However, for the plantation to be profitable the parcels have to be way bigger than for the plantation of coca which only makes it an option for already comparatively rich landlords. If they had another (profitable) option, the majority of cultivators would switch their workplace.⁶⁸ Thus, part of a strategy could be initiating dialogues between coca cultivators and the government.⁶⁹ To diminish the difference in earnings between coca plantation and alternatives like coffee, cacao, rice, and potatoes, governments could subsidise the plantation of the alternatives for those who want to own and/or want to work on fields, and create opportunities to work outside of the farming business.

The best outcome would be less people working on the fields for the *narcos* but in legal jobs. That would also attack the financial resources of the cartels.

⁶⁶ And Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 137 and 139.

⁶⁷ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 135, for the case of Peru with very similar climatic prerequisites.

⁶⁸ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 137.

⁶⁹ Ibid.

d) Portugal as an example for decriminalisation

In 2001, Portugal legalised almost all types of drugs including cocaine and heroin.⁷⁰ There the usage rates did not even increase and around ten years later were amongst the lowest in the EU where all other countries have more or less strict bans on what they call hard drugs (marijuana counts as a soft drug).⁷¹ Deaths that are rooted in drug usage and diseases that can be spread by blood contact such as in the use of syringes, have diminished drastically.⁷²

Although Portugal legalised possession and consumption, trade is still strictly prohibited.⁷³

3. Sub-strategies that can be part of both legalisation and prohibition strategies

Several sub-strategies might be applied to both overarching principles.

a) Strengthening police against corruption

When the leaders of a drug cartel are killed or arrested, often members of the cartel fight over the vacant positions. As a result, the cartel disintegrates into numerous smaller cartels. In order to protect those new cartels, armed forces have to be recruited. A main source for these men- and women-at-arms are ex-militaries, former police agents, and members of para-militias or armed rebels.⁷⁴

Once recruited they attract former partners to follow them to their new “job”.⁷⁵ As connections to other former colleagues stay intact, the ground for corruption is paved, and the willingness to fight former companions might be significantly lower than against criminals without any personal connection to the police/military forces. Knowing this, a good strategy would be to prevent recruitment. To do this, it is important to understand why police and military forces decide to change sides in the first place. In a country with low income and weak social security, money is certainly a factor. Drug cartels simply pay more (10,000 – 12,000 pesos/month for the lowest rank)⁷⁶ than what police officers (5,000 – 6,000 pesos/month for beginners)⁷⁷ earn, and not much less than base-rank

⁷⁰ Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 14.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 16.

⁷⁴ As was the case with Los Zetas, International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 13.

⁷⁵ International crisis group (2013), *ibid.*

⁷⁶ Ibid, p. 15.

⁷⁷ With a workload above 60 hours per week, <https://datamexico.org/es/profile/occupation/policias-y-agentes-de-transito>; <https://mx.indeed.com/cmp/Policia-Federal/salaries#:~:text=%C2%BFcu%C3%A1nto%20paga%20POLICIA%20FEDERAL%20en,en%20los%20%C3%BAltimos%2036%20meses>. (both last visited 15.06.2023)

soldiers (around 15,000 pesos/month)⁷⁸. On top of that, the prospects of being promoted rather quickly in a drug cartel, even increase the difference in money.⁷⁹ It might also satisfy the need of acknowledgement of (good) work better than the promotion system of the army or police. Another factor might be discontent with the government or politics in general. That can make officers want to quit their jobs. With education and working experience only in this field, other jobs than for the government are scarce. The decision to join a cartel then is taken only out of necessity to generate an income.⁸⁰

Solutions for these problems thus include creating more opportunities to work for people that were employed in the army or police, increasing the wages, and expand the promotion options. Generally better working conditions would certainly also reduce the drop-out quote. In addition, rotating the police forces within the country could prevent at least some of the corruption that is rooted in familial contacts between cartel members and police forces. However, that might also backfire for it has the potential to have a negative effect on the morale making it more likely that people quit.

The objective of this approach is to prevent police forces and army members from working for or with the cartels. As a result, the stability of the state would improve, and cartels would have fewer professional soldiers. On top of that, the operations of both army and police forces would be more effective. A less corrupt police could again make the *narcos* more cautious due to the smaller chances to get away with crimes by bribing the officials.

This idea is one of the more resource intensive ones as for a significant impact, particularly wages of policemen/policewomen would have to rise a lot.

b) Appeasement

The strategy of appeasement connects with the strategies of legalisation that it admits defeat. Via internal rules how to carry out the law, and agreements with cartel leaders a peaceful co-existence is

⁷⁸ Islas, L. "¿Cuánto gana un soldado en el Ejército Mexicano en 2023? Éste es el sueldo más bajo de los militares" 19 May 2023, <https://www.unionjalisco.mx/2023/05/19/cuanto-gana-un-soldado-en-el-ejercito-mexicano-en-2023-este-es-el-sueldo-mas-bajo-de-los-militares/>. (last visited 15.06.2023)

⁷⁹ At least in the beginning, International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 13, but probably also to the higher ranks due to the often early deaths of the members.

⁸⁰ The fact that Los Zetas primarily recruit among poor people supports that assumption, International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 14.

manifested. Illegal activities are not pursued until a certain degree, and cartels acknowledge the sovereignty of the state and certain threshold up until which the state looks the other way.⁸¹ The aim is to prevent crimes that involve members of the society that are not connected to the cartels, and to gain some control over the level of illegal activities the cartels are performing. This strategy relies on cooperation from side of the cartels, precise adherence to the set rules, and understanding from the majority of the population. As soon as a cartel deems itself to powerful to need such an agreement, the strategy does not work anymore. That can clearly be seen in the case of Colombia where neither the Medellín Cartel nor the Cali Cartel was ever interested in such a situation.⁸² However, it can assure a kind of peace and stability until one party of the informal agreement deems itself strong enough to break it.

c) A better future for children

Closely connected to these solutions is the creation of a future for children and teenagers. It often happens that the government leaves areas with working class people to themselves.⁸³ After a while, there is no school, no regular workplace, and no other opportunity.⁸⁴ Cartels then convince these people that they have work for them, and they hardly have another choice then to believe them.⁸⁵

By 2020, two per cent of 12–15-year-olds had used cocaine in the previous year.⁸⁶ With better opportunities for children the decision to work for a cartel would not be without alternatives. The first contact with drugs could be delayed, thus strengthening the individual personality and the resistance against consuming drugs without at least informing themselves about possible consequences. That in return, would lead to lower addiction rates and less overdoses among young people.

d) Closing the borders

One could argue that with unrestrictedly open borders it is easier for drug traffickers to export their drugs into other countries. Increasing the number of border patrols and restricting immigration to pave the way for more individualised and stricter controls might be a way to make the exporting more

⁸¹ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 6.

⁸² *Ibid*, 12.

⁸³ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 15.

⁸⁴ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 15.

⁸⁵ *Ibid*, citing an interview of the social worker Juan Pablo García in Nuevo León, on 12 October 2012.

⁸⁶ WDR 2022, Booklet 4, p. 36.

dangerous for the cartels. This idea usually is part of prohibition strategies, but theoretically it could still make sense if production and use were allowed, but trade still prohibited. For this strategy to work, controls would have to be massively increased and executed more carefully.

Since drug traffickers at least in the case of México often exercise human trafficking as well, it would probably only increase their criminal activities even further instead of reducing the export of drugs. Additionally, trade would flow slower making import and export less profitable which leads to less tax money among other things. In terms of human rights, this approach bears difficulties. People would be withheld from leaving their country and thus almost forced to work under miserable conditions. Illegal immigration with all its dangers on the way would rise, and refugees would have a harder stand in the country they fled to.

e) Taking the arms out

With approximately two thirds of the arms used by Mexican cartel members coming from the U. S. A.⁸⁷, it stands to reason that the possibility to buy fire weapons legally is greatly used by the criminals. Although they would probably still find ways to get weapons if that was illegal, it could have an impact on the performed level of violence. However, during the ten years of prohibition in the U. S. A. between 1994 and 2004, there were no serious wars between the Mexican cartels.⁸⁸ That changed for the first time in Mexican history in 2004.⁸⁹ The possibility of owning weapons legally certainly was not the only reason for that, but it made things easier for the cartels. And that the favourite types of weapons of the cartels are produced in Arizona and Texas is no secret.⁹⁰ Forbidding the sale of arms to private persons could have an impact on the quality and quantity of weapons used by the cartels.

A prohibition would also make the property of a weapon much more suspicious. That, in return, could facilitate the work of investigators. For that strategy to work, several countries would have to cooperate, though. In the case of México that might prove particularly tricky with the strong weapon lobby in the U. S. A.

⁸⁷ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 16.

⁸⁸ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 17.

⁸⁹ Ibid.

⁹⁰ Ibid.

f) Fight the laundering of the drug money

For the cartels to secure their profits, it is important to launder the money. If they were prevented from doing so, it could cause great damage to their financial resources. Money laundering became necessary for the cartels when former U. S. president Nixon signed the security act which reduced the threshold for payment by cash to 10,000 US-Dollars. Especially, because in Colombia the possession of U. S. currency was illegal.

A successful campaign against money laundering makes it harder for the cartels to monetise the drugs. That has two effects: it makes transactions riskier, and it reduces the financial resources to some extent. While the latter certainly helps reducing the power of the cartels, the former could also lead to more corruption when the *narcos* bribe involved people for looking the other way. A direct impact on human rights of victims of the cartels is thinkable only if they are involuntarily involved in the laundering which is not likely. Thus, (possible) consequences do not vary from the usual overall consequences of a (un)successful strategy.

4. International cooperation/joint approach

To maximise the impact, states can cooperate in the war against drugs implementing the same strategy in several countries at the same time. This makes it harder for cartels to react to new laws simply by switching the country for that part of the business that is attacked by the new law. Especially the approach to legalise use and production of drugs to diminish the financial resources of the cartels would profit from a joint strategy between the top consumer countries, i. e. the U. S. and the European countries.⁹¹

Cooperation between governments is indispensable as fighting drugs in one country usually only leads to more problems in other countries because the cartels do not care where the crops are planted and to whom the drugs are sold eventually and can adapt quite quickly to new situations.⁹²

With a cooperation between countries comes the risk of one country trying to only achieve what is in their best interest instead of searching for mutually beneficial solutions.⁹³ This is especially true when

⁹¹ WDR 2022, Booklet 4, p. 23.

⁹² Lopátina, in Pensamiento social ruso sobre América Latina, p. 282.

⁹³ Evo Morales feared that for the cooperation between the U. S. A and Bolivia, Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 138.

a government is opposed by a group of armed rebels that follow a political ideology. Depending on which ideology the cooperating country's government follows it tends to support the rebels or pursue them. *Narcos* are often connected to armed groups.⁹⁴ Strengthening armed resistance against the state means that the state has to dedicate more resources to sustain political stability within the country. As a result, the pressure on the cartels drops. Thus, when fighting against drugs one almost always has to deal with armed resistance groups as well. Supporting the own political ideology as well in another country seems like a logical step for any party. This can lead to governments losing sight of the real goal: to fight the drugs.

If financial aid is given, the risk of taking part in internal conflicts can be reduced by giving the government more freedom to choose how to use the money. This, in turn, means that the country could use the money for other purposes.

⁹⁴ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 283.

C. Case studies of Colombia and México, and international influence

The power of the cartels in Latin America was and is enormous. Some of the criminal organisations have more monetary resources than the states they are opposed to like Honduras, Guatemala, and El Salvador.⁹⁵ México and Colombia witnessed the strongest of those cartels which is why the outcome of their strategies play a large role in the international war on drugs.

I. Colombia

The strategies used by Colombia and their results will be displayed in chronological order starting with the president César Gaviria in 1990. Before that, the situation Gaviria found himself in will be described.

1. Background & Prerequisites

In the 1970s, Colombian cartels started to export cocaine systematically into the U. S. A. They brought the drugs via airplane or ship to New York, Miami, and Hollywood above all.⁹⁶ After some years, drugs, especially cocaine started to play a bigger role in Colombia. By then, the ongoing civil war had already lasted for around two decades. Around 1981, the group *Muerte a Secuestradores* (MAS) (death to the kidnapers) was founded mainly by drug traffickers.⁹⁷ They were closely linked to police and army building strategic alliances with them.⁹⁸ Apparently, at that time the government saw the drug traffickers as one of many actors they could ally with against anti-government groups.

The *narcos* took advantage of the civil war. By allying either governmental groups or the FARC and the *Ejército de Liberación Nacional* (ELN), they gained influence on both sides. Moreover, they could hide their business and profit from the fact that police forces and military, and armed groups such as FARC and ELN were occupied with fighting each other. The FARC and the ELN both financed their activities mostly with drug trafficking and extortion through cooperation with different cartels.⁹⁹ That made cartels part of the civil war but without a strict alignment to one side. The late 1980s saw all factors coming together: groups of drug traffickers around Medellín and Cali almost took over control of said cities, and the exportation of cocaine into the U. S. reached new records every year that led to a share

⁹⁵ Narcotráfico, ideas contra el fracaso, p. 7.

⁹⁶ International crisis group (2013), in El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México, p. 6.

⁹⁷ International crisis group (2003), Origins and transformation of the paramilitary groups, p. 6.

⁹⁸ Ibid.

⁹⁹ Paul, Clarke, and Serena, in Mexico Is Not Colombia, p. 4.

of the Colombian GDP of around 7 % by drugs.¹⁰⁰ At the same time, paramilitary groups were on the rise.¹⁰¹

As a result, the presidential campaigns for the 1990 elections were heavily influenced by the civil war and the *narcos*. The candidate of the Liberals Luis Carlos Galán, a declared enemy of the cartels, would probably have won the elections, was he not shot by groups controlled by the Medellín Cartel.¹⁰² Hence, his successor as head of the party César Gaviria was elected president. He was the first one to take actions as part of a wider political strategy that focused on the drugs.

2. César Gaviria (1990-1994)

The 1990s brought the problems for the government to a whole new level. Throughout the decade, it had to deal with the Medellín Cartel, the Cali Cartel, several increasingly armed groups on the far left and the far right of the political spectrum, and growing corruption in the own organisations, up to the highest politicians in the country.¹⁰³ As the guerrillas allied themselves with the *narcos* and U. S.-American agencies situationally cooperated with insurgents and even cartel members, civil war and the war on drugs became inseparably intertwined making it for the state authorities even harder to distinguish between enemy and (potential) ally.

In the early 1990s, Fidel Castaño organised a group called '*Los Pepes*' (short for Perseguidos por Pablo Escobar = Pursued by Pablo Escobar), that was best known for their hunt for Pablo Escobar and his cartel members and affiliates (his brother Carlos was also part of that group).¹⁰⁴ Fidel Castaño was a drug trafficker himself and for a long time linked to the Medellín Cartel.¹⁰⁵

During the war against the Medellín Cartel the homicide rate in Colombia peaked at around 72/100,000 inhabitants.¹⁰⁶ Where Colombia saw high death rates, Medellín witnessed war, with a homicide rate of around 420/100,000 inhabitants.¹⁰⁷

¹⁰⁰ WDR 2000, p. 2.

¹⁰¹ International crisis group (2003), *Origins and transformation of the paramilitary groups*, p. 7.

¹⁰² *Ibid.*

¹⁰³ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 2.

¹⁰⁴ Richani, in *Defining the Linkages connecting the State, Army and the AUC*, p. 34; International crisis group (2003), *Origins and transformation of the paramilitary groups*, p. 8.

¹⁰⁵ International crisis group (2003), *Origins and transformation of the paramilitary groups*, p.8.

¹⁰⁶ Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 7-8.

¹⁰⁷ *Ibid.*, p. 7.

A part of Gaviria's strategy was to let the armed groups in his country fight each other and eventually take on the winner. As a result of that, DEA (the U. S. American Drug Enforcement Agency) and Colombian police even built an alliance with Carlos Castaño and his men to kill the most famous head of the Medellín Cartel Pablo Escobar.¹⁰⁸ Thought from the result, it surely was a smart move to look the other way when members of the Cali Cartel and other enemies of Escobar built an alliance to kill the latter. But it is also proof of the power the cartels had, and an admission of defeat in the war of the Colombian state against the cartels. Some go so far as to say that allying with the Cali Cartel was the only chance to actually get Escobar.¹⁰⁹

The death of Escobar might have had a high symbolic value, especially for the U. S. But the void that was left by the dismantlement of the Medellín Cartel was quickly filled by their Cali counterpart and later on by scores of smaller cartels, sometimes referred to as *cartelitos*.¹¹⁰

At the end of his term, Gaviria legalised the formation of so called *Cooperativas de Vigilancia y Seguridad Privada* (organisations for surveillance and private security) with the programme name *CONVIVIR* (living together).¹¹¹

The coca leaf production in 1990 was at around 44,000 tons.¹¹² The potential cocaine manufacture peaked in 1992, came to a hold for one year, and then started to rise again.¹¹³ The leaf production by the end of the decade accumulated to around 195,000 tons¹¹⁴ which is more than four times higher than in 1990. Although it rose during the early 1990s, the exploding rate of growth came during the mid- and late 1990s. The dismantlement of the big cartels of Medellín and Cali probably played a role in that as the successors were not able to organise the logistics of importing the coca leaves from Peru and Bolivia anymore, and thus decided to grow them in Colombia instead.¹¹⁵ As a result, cultivation in Peru and Bolivia declined, and the overall production of cocaine in Colombia stayed at the same level during the 1990s with smaller ups and downs including worse or better years in terms of climate or

¹⁰⁸ International crisis group (2003), *Origins and transformation of the paramilitary groups*, p.8.

¹⁰⁹ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 7, quoting Serrano and Toro (2002), p. 174.

¹¹⁰ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 2.

¹¹¹ International crisis group (2003), *Origins and transformation of the paramilitary groups*, p. 7.

¹¹² 14 % of 319,200 tons, WDR 2000, p. 28, fig. 5.

¹¹³ WDR 2000, p. 28 fig. 7.

¹¹⁴ 68 % of 287,000, WDR 2000, p. 28 fig. 6.

¹¹⁵ WDR 2000, p. 29.

fungus.¹¹⁶ The strategy of destroying the big cartels eventually had an impact but more that of a shift in production and cultivation than that of a reduction. On top of that, the situation got more complicated, because the big cartels were succeeded by many smaller cartels that fought over the dominance in the drug market involving more civilians than before.

3. Ernesto Samper (1994-1998)

Samper took over when the Cali Cartel was almost at the peak of its power being rid of their strongest enemy the Medellín Cartel (s. above).

Besides the FARC, the ELN, the *narcos*, the Americans (especially the DEA), and the Colombian state, a new player entered the already difficult situation in 1997, the Autodefensas Unidas de Colombia (AUC). Their main leader was Carlos Castaño after his brother died in 1994.¹¹⁷ Apart from that connection to the drug business, the AUC attracted also large landowners, cattle ranchers, conservative politicians, and agribusinesses.¹¹⁸ With an annual budget of more than 80 million U. S.-Dollars (most of that being drug money) and being illegally armed heavily, the AUC was not dependent on support from outside.¹¹⁹ In fact, the AUC leaders belonged to the wealthiest people of Colombia.¹²⁰

This paramilitary group was something of a right-wing answer to the increasingly strong left-wing guerrillas of the FARC and ELN.¹²¹ With both sides linked to the *narcos* and their almost inexhaustible financial resources, and with the anti-communist US forces situationally allying themselves with the AUC, Samper found himself in an extremely precarious situation. However, the Samper administration was not blameless in this regard. Under Samper, no peace talks were held with the FARC or ELN.¹²² Therefore, farmers of illicit crops sought protection by the FARC and other groups which led to greater financial resources for the guerrillas that again could be invested in more arms and manpower with the result of more violence.¹²³ This is especially true, because the AUC got involved in all parts of the drug business as well with the same result.¹²⁴ Having modern helicopters, aircraft, and motorboats at

¹¹⁶ WDR 2000, p 29-30.

¹¹⁷ International crisis group (2003), Origins and transformation of the paramilitary groups, p.8.

¹¹⁸ Paul, Clarke, and Serena, in Mexico Is Not Colombia, p. 5; Richani, in Defining the Linkages connecting the State, Army and the AUC, p. 34.

¹¹⁹ Richani, in Defining the Linkages connecting the State, Army and the AUC, p. 34.

¹²⁰ Paul, Clarke, and Serena, in Mexico Is Not Colombia, p. 5.

¹²¹ International crisis group (2003), Origins and transformation of the paramilitary groups, p. 12.

¹²² Ibid, p. 7.

¹²³ Ibid, p. 10.

¹²⁴ Paul, Clarke, and Serena, in Mexico Is Not Colombia, p. 5; International crisis group (2003), Origins and transformation of the paramilitary groups, p. 11.

their disposition, and militarily trained generals in command, the AUC was a considerable army, not just some poorly armed rebels.¹²⁵

During Samper's turn, the coca leaf cultivation in Colombia increased dramatically.¹²⁶ Samper himself was accused of being connected to the Cali Cartel having received financial aid during his campaign for presidency.¹²⁷ The 'process 8,000' called judicial inquiries were being observed internationally, and the scandal led to strained relations particularly between Colombia and the U.S.¹²⁸

Especially during the 1990s the violations of human rights were constantly on a high level. Forced displacements, (political) homicides, 'disappearances', kidnappings, and torture peaked with extraordinarily high numbers.¹²⁹ Many small or middle-sized landowners, farmers, and indigenous peoples were expelled from their lands by paramilitaries and other cartel-connected groups.¹³⁰ Homicide rates stayed on a constantly high level.¹³¹

4. Andrés Pastrana (1998-2002)

Pastrana's strategy consisted of both a peace process and the elimination of illicit coca cultivation.¹³² While developing a strategy to end the conflict, Colombia got international help at the end of the decade.¹³³ The main part of said strategy would hold the name *Plan Colombia*.

a) Plan Colombia – Concept

Plan Colombia consisted mainly of the idea to destroy crops and to engage militarily.¹³⁴ Other instruments like offering other opportunities to those who work for the drug cartels, were not widely

¹²⁵ Richani, in *Defining the Linkages connecting the State, Army and the AUC*, p. 34

¹²⁶ S. already in A.I.2, WDR 2000, p. 28.

¹²⁷ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 6.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*, with further sources.

¹³⁰ International crisis group (2003), *Origins and transformation of the paramilitary groups*, p. 12.

¹³¹ *Macrotrends, Colombia Murder/Homicide Rate 1990-2023.*

<https://www.macrotrends.net/countries/COL/colombia/murder-homicide-rate>.

¹³² WDR 2000, p. 18.

¹³³ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 7.

¹³⁴ Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 133.

used.¹³⁵ A relatively small amount of money was used to strengthen human rights in the region by sponsoring training programmes and supporting human rights NGOs among other things.¹³⁶ The U. S. spent more than 4 billion US-Dollars for the project.¹³⁷

Pastrana started to enhance the military capacities by enlarging the army.¹³⁸

b) Outcome

Plan Colombia has cost Colombia more than 1 % of its GDP per year over many years.¹³⁹ Aerial spraying, the most used strategy, has not really done any harm to the production.¹⁴⁰ Although data is scarce, it can be noted that forced eradication such as aerial spraying leads to a very short-lived significant decrease in cultivation that is followed by an increase up to the former or even higher levels.¹⁴¹ Even worse, the spraying caused health problems within the rural population, often members of minority groups, and it damaged the environment.¹⁴² These minority groups consist mainly of indigenous peoples and *Afrodescendientes*.¹⁴³ Their health is already at risk due to terrible living conditions for most of them.¹⁴⁴ The overall assessment of the impact of the plan on human rights turns out negative.¹⁴⁵

After a light decrease, from 1998 until 2002 the homicide rates grew every single year, allegedly as a result of the violent FARC getting directly involved in the drug trade.¹⁴⁶ The presence of Mexican cartels shows that the groups following the big cartels of Medellín and Cali were not less internationally connected than their predecessors which probably played a role in the ongoing violence as well.¹⁴⁷

¹³⁵ Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 133, calling that part of the strategy the “orphan child” of the plan.

¹³⁶ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 11.

¹³⁷ Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 132; Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 7-8 estimated even more than 5.3 billion.

¹³⁸ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 10.

¹³⁹ Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 5.

¹⁴⁰ *Ibid.*

¹⁴¹ WDR 2022, Booklet 4, p. 19.

¹⁴² Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 5.

¹⁴³ Osorio Pérez, in *tierra, territorio y dinámicas de guerra*, p. 94.

¹⁴⁴ *Ibid.*

¹⁴⁵ Segura and Mechoulan, *Made in Havana: How Colombia and the FARC Decided to End the War*, p. 9.

¹⁴⁶ *Macrotrends, Colombia Murder/Homicide Rate 1990-2023.*

<https://www.macrotrends.net/countries/COL/colombia/murder-homicide-rate>; Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 8.

¹⁴⁷ Spencer, *Security Challenges of the New Colombian Administration*, p. 83.

Between 2000 and 2005, the size of fields used for the cultivation of coca crops in Colombia decreased by around 50 %.¹⁴⁸ This is especially interesting as the cartels did react to the threat to their resources. Instead of trying to defend the fields, they spread to other provinces, making it 23 out of 31 Colombian provinces that were used for coca cultivation by the end of 2005.¹⁴⁹ At the beginning of Plan Colombia it was only three.¹⁵⁰

The main problem that had led to peasants and others cultivating coca was not tackled which is the market security of cocaine contrary to coffee or cacao.¹⁵¹ Most of those who had hoped for help in terms of alternative cultivation opted to continue the coca planting when their hopes were disappointed.¹⁵² Since the majority of the people working for the *narcos* did not see any other option to finance their lives, and the execution of Plan Colombia was not changing that, the destruction of crops only led to desperation and people that had nothing more to lose.¹⁵³ Which in return is exactly what drives people to work for the drug lords.

The White House justified the maintenance of the Plan arguing that without crop eradication the production of cocaine would have been higher, and without (militarily supported) increased controls more cocaine would have come to the consumers.¹⁵⁴ This argumentation is attackable, because it does not take into account the long-term results of forced eradication. Indeed, a presence in only three out of 31 regions makes a growth in production seem less likely than the spread to 23 regions. Between 2003 and 2009, the size of coca planting fields was relatively stable with a short peak in 2007.¹⁵⁵

5. Álvaro Uribe (2002-2010)

a) Concept

Uribe continued the partnership with the U. S. In the first year of his presidency, the (counterinsurgency) strategy COIN was implemented.¹⁵⁶ The Plan was marked by the military

¹⁴⁸ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, table p. 133, WDR 2005, Vol. 2, p. 209.

¹⁴⁹ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 133.

¹⁵⁰ Ibid.

¹⁵¹ Spencer, Security Challenges of the New Colombian Administration, p. 83.

¹⁵² Ibid.

¹⁵³ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 133; for Peru: *ibid.*, p. 135 – 136; for Bolivia: *ibid.*, p. 139.

¹⁵⁴ *Ibid.*, p. 134.

¹⁵⁵ WDR 2010, p. 161, fig. 132.

¹⁵⁶ Paul, Clarke, and Serena, in Mexico Is Not Colombia, p. 8.

cooperation between U. S. and Colombian forces, especially in terms of mobility and operational planning.¹⁵⁷

The objective of this U. S.-Colombian military cooperation was the dismantlement of the FARC.¹⁵⁸ This means, it concentrated more on the civil war than on drugs, but because of the strong links between paramilitary groups and guerrillas, and the *narcos*, it impacted the war on drugs as well.

The enlarging of the military was continued under Uribe to the end that within seven years the number of soldiers in the Colombian army more than doubled.¹⁵⁹

Another important policy is the so-called Alternative Development, as a strategy to eradicate illicit crops.¹⁶⁰ On the one hand, there is fumigation, which generates unrecognised forced displacement, as well as serious environmental and economic impacts.¹⁶¹ On the other hand, there is the Forest Warden (*Guardabosques*) programme, which seeks productive reconversion based on an intra-verbal agreement not to plant coca, with the promise of support for productive projects.¹⁶² Thus, contrary to forced eradication which aerial sprayings are part of the Forest Warden programme is a type of voluntary eradication of crops.¹⁶³ The programme was founded in 2003 and is a co-operation with the UN.¹⁶⁴

Uribe concentrated on mitigating the violence rather than focussing only on reducing the flow of drugs.¹⁶⁵ As part of that, he negotiated with the AUC to achieve their disarmament.¹⁶⁶ Combined with that a reintegration programme for right-wing paramilitaries was launched.¹⁶⁷

b) Outcome

Unfortunately, the *Guardabosques* programme has had a limited scope and impact on the narcotics market, was of low socio-economic sustainability, and produced serious problems of segmentation of

¹⁵⁷ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 9.

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibid.*, p. 10.

¹⁶⁰ Osorio Pérez, in *tierra, territorio y dinámicas de guerra*, p. 99.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ WDR 2022, Booklet 4, p. 19.

¹⁶⁴ International Crisis Group (2005), in *War and Drugs in Colombia*, p. 25.

¹⁶⁵ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 11 – 12.

¹⁶⁶ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 10-11.

¹⁶⁷ *Ibid.*, p. 10.

populations derived from targeted actions.¹⁶⁸ Farmers were not given enough support to make the switch, various families were not abandoning the growing of coca, and pressure of armed forces on farmers continued.¹⁶⁹ The continuity of an anti-drugs policy in Colombia that focuses on the eradication of illicit crops as the main problem, ignores the fact that illegal coca is a symptom of social exclusion in the rural sector; state weakness and the armed conflict create conditions that favour the illegal economy.¹⁷⁰

In 2005, various local leaders of the *narcotraficantes* laid down their arms and served several sentences, and some of their leaders were extradited to the U. S. A.¹⁷¹ That was as a result of the law 975/2005 which allowed for reduced sentences and asset laundering, aiming at peace and more stability.¹⁷² However, the presence and influence of paramilitary forces continued.¹⁷³ Only the name changed: by the government they were then called *Bacrim* (*short for Bandas Criminales* – criminal gangs).¹⁷⁴

All in all, the violence declined.¹⁷⁵ However, as a negative matter of fact, the Uribe government used some of the American money that was meant to support the anti-cartel measures, for a campaign against Uribe's political opponents.¹⁷⁶

The COIN strategy of Plan Colombia was widely seen as a success improving the capacities of Colombia's security forces.¹⁷⁷ It provides the forces with better opportunities to quickly change the operational field of action making it possible to react faster to information about the location of the drug traffickers.¹⁷⁸

As a result of the negotiations, the AUC was eventually dismantled in 2006, and until then all paramilitary drug-trafficking was suspended.¹⁷⁹

¹⁶⁸ Osorio Pérez, in *tierra, territorio y dinámicas de guerra*, p. 99.

¹⁶⁹ International Crisis Group (2005), in *War and Drugs in Colombia*, p. 25.

¹⁷⁰ Osorio Pérez, in *tierra, territorio y dinámicas de guerra*, p. 99, quoted from Vargas, 2014.

¹⁷¹ *Ibid*, p. 100.

¹⁷² *Ibid*.

¹⁷³ *Ibid*.

¹⁷⁴ *Ibid*.

¹⁷⁵ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 11 – 12; *Macrotrends, Colombia Murder/Homicide Rate 1990-2023*; <https://www.macrotrends.net/countries/COL/colombia/murder-homicide-rate> - homicide rates decreased from around 69 to 34/100,000 inhabitants.

¹⁷⁶ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 12.

¹⁷⁷ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 9.

¹⁷⁸ *Ibid*.

¹⁷⁹ *Ibid*, p. 10-11.

After 2007, the aerial sprayings in Colombia decreased and the interdiction was increased instead.¹⁸⁰ Thus, the operation of drug traffickers moved more to Central America, especially México.¹⁸¹ In the same year, the monthly net cocaine production in Colombia dropped within three years from over 500 metric tons to around 220 metric tons per year.¹⁸² In the years of the Uribe government, the number of kidnappings, murders, and acts of terrorism decreased dramatically while the economy grew.¹⁸³

The FARC slowly became more profit-oriented and less ideological which makes it harder to convince at least parts of them to lay down their arms and negotiate instead.¹⁸⁴ With drugs being the main factor of profit, this development led to more involvement in the drug-trafficking.¹⁸⁵

6. Juan Manuel Santos (2010-2018)

a) Concept

The era of the 2010s saw a prioritisation of the peace talks between the FARC and the government. Santos' main goal was to end the civil war with a diplomatic solution.¹⁸⁶ He started a programme of voluntary eradication and substitution in 2013.¹⁸⁷

b) Outcome

The peace talks eventually led to an agreement in 2016. Since the FARC had lost some of its power already before 2016, the impact on the cultivation of coca was not as strong as it might have been in the 1990s. On the contrary, the focus on the peace talks gave the *narcos* room to expand cultivation and production after the lowest rates in decades were achieved in 2012 and 2013.¹⁸⁸ The first try of a substitution programme in 2013 failed entirely and it was not started again until the end of 2016.¹⁸⁹ Cultivation of coca plants and potential production of cocaine have seen enormous growth after 2013

¹⁸⁰ Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 5.

¹⁸¹ *Ibid.*

¹⁸² *Ibid.*, p. 6.

¹⁸³ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 12.

¹⁸⁴ *Ibid.*, p. 13.

¹⁸⁵ *Ibid.*

¹⁸⁶ Drange and Opdahl, in *Colombia between peace and war: The 2018 presidential elections and the way forward*, p. 3.

¹⁸⁷ Spencer, *Security Challenges of the New Colombian Administration*, p. 84.

¹⁸⁸ WDR 2022, Booklet 4, p. 16.

¹⁸⁹ Spencer, *Security Challenges of the New Colombian Administration*, p. 84.

in Colombia and Bolivia.¹⁹⁰ Where the fields used for coca plants in 2013 reached a size of roughly 50,000 hectares, in 2017 that number had risen to about 170,000.¹⁹¹ However, the number of homicides dropped after 2012 without bouncing back to such high levels.¹⁹² But, a think tank from Bogota estimated a rise of killings by around 45 % in areas where the government tried to substitute illicit coca production with other agricultural businesses.¹⁹³

Part of the peace treaty provided for the end of the aerial sprayings.¹⁹⁴ A pilot project to substitute illicit crops was agreed upon as well as upon humanitarian and confidence building measures.¹⁹⁵ The results of the substitution programme are ambiguous, though. Roughly 500,000 people entered the programme and eradicated their crops.¹⁹⁶ However, the Duque government did not fulfil its part of the agreement giving them neither the needed financial support nor the protection.¹⁹⁷ Moreover the government was not able to profit from the dissolution of the FARC in regards of stability and less violence that should have come from the absence of armed groups. On the contrary, FARC dissidents and former allies formed several groups leading to rising levels of violence.¹⁹⁸ Another result of the agreement was the implementation of an UN-mission for Colombia.¹⁹⁹

7. Iván Duque (2018-2022)

Duque was a critic of the peace agreement with the FARC 2016.²⁰⁰ He progressed only slowly with the implementation of the agreement.²⁰¹ In fact, he moved many tasks of implementation of the over 500

¹⁹⁰ WDR 2022, Booklet 4, p. 16, press release of The White House, 16 July 2021, <https://www.whitehouse.gov/ondcp/briefing-room/2021/07/16/ondcp-releases-data-on-coca-cultivation-and-potential-cocaine-production-in-the-andean-region/>.

¹⁹¹ WDR 2022, Booklet 4, p. 16.

¹⁹² UNODC, Organization of American States (April 2023) Number of homicides in Colombia from 2008 to 2021. <https://www.statista.com/statistics/917683/colombia-number-homicides/>.

¹⁹³ Zakharov, J "A Long Way from Havana: The Colombian Peace Process Stumbles" (17 August 2018). <https://fundforpeace.org/2018/08/17/a-long-way-from-havana-the-colombian-peace-process-stumbles/>. (last visited 14.07.2023)

¹⁹⁴ Malandra, O. " Indigenous People Are on Frontlines of Colombian Uprising" 3 June 2021. <https://www.earthisland.org/journal/index.php/articles/entry/indigenous-people-frontlines-colombian-uprising/>.

¹⁹⁵ Segura and Mechoulan, *Made in Havana: How Colombia and the FARC Decided to End the War*, p. 20.

¹⁹⁶ Lizarazo, N. "Acuerdos de Paz de La Habana, punto 4: ¿En qué va la sustitución de cultivos ilícitos?" (29 September 2019). <https://www.pressenza.com/es/2019/09/acuerdos-de-paz-de-la-habana-punto-4-en-que-va-la-sustitucion-de-cultivos-ilicitos/>. (last visited 14.07.2023)

¹⁹⁷ *Ibid.*

¹⁹⁸ Spencer, *Security Challenges of the New Colombian Administration*, p. 86.

¹⁹⁹ Segura and Mechoulan, *Made in Havana: How Colombia and the FARC Decided to End the War*, p. 20.

²⁰⁰ Drange and Opdahl, in *Colombia between peace and war: The 2018 presidential elections and the way forward*, p. 1.

²⁰¹ Wallenfeldt, J. "Iván Duque." *Encyclopedia Britannica*, February 15, 2023. <https://www.britannica.com/biography/Ivan-Duque>. (last visited 13.07.2023)

clauses of the agreement to the ministry of agriculture which allegedly slowed down projects on purpose and used financial resources for other things than their competences.²⁰² Duque's presidential campaign was said to be partly financed by drug-traffickers but the public prosecutor was close to Duque and did not investigate deeply.²⁰³ Duque restarted the praxis of aerial sprayings, albeit the promised abandoning in the peace treaty.²⁰⁴ With the arrival of COVID in the early 2020s, the government's main effort was to combat the virus. More measures to fight the growth in cocaine production have not been taken.

Since 2014, the homicide rate has been stable between 24 and 27/100,000 inhabitants with a little peak in 2021.²⁰⁵ Thus, in terms of overall violence Duque's term saw neither an improvement nor a deterioration. However, the state failed to fill the void that was left by the dissolution of the FARC. Many smaller groups emerged as successors with most of them being involved in the drug business, some even with connections to the Mexican Gulf Cartel.²⁰⁶ That also explains the record production of cocaine in 2020 with a potential manufacture of 1,228 tons in Colombia and leads to the conclusion that the smaller successor cartels are not less internationalised in terms of drug trafficking than the big cartels that have been dissolved in the 1990s in Colombia and the late 2000s in México respectively.²⁰⁷ Furthermore, the substitution programme that was started under Santos was opposed by the small armed groups that killed many leaders of a collective organisation that was founded by the families that were part of the substitution programme.²⁰⁸

²⁰² Zakharov, J "A Long Way from Havana: The Colombian Peace Process Stumbles" (17 August 2018). <https://fundforpeace.org/2018/08/17/a-long-way-from-havana-the-colombian-peace-process-stumbles/>. (last visited 14.07.2023)

²⁰³ Ibid.

²⁰⁴ Malandra, O. " Indigenous People Are on Frontlines of Colombian Uprising" 3 June 2021. <https://www.earthisland.org/journal/index.php/articles/entry/indigenous-people-frontlines-colombian-uprising/>.

²⁰⁵ Statista Search Department (February 2023), Homicide rate in Colombia from 2014 to 2022 in number of homicides per 100,000 inhabitants. <https://www.statista.com/statistics/984798/homicide-rate-colombia/#:~:text=Colombia%3A%20homicide%20rate%202014%2D2022&text=In%202022%2C%20there%20were%20approximately,26.8%20homicides%20per%20100%2C000%20inhabitants.>

²⁰⁶ Zakharov, J "A Long Way from Havana: The Colombian Peace Process Stumbles" (17 August 2018). <https://fundforpeace.org/2018/08/17/a-long-way-from-havana-the-colombian-peace-process-stumbles/>. (last visited 14.07.2023)

²⁰⁷ WDR 2022, Booklet 4, p. 16.

²⁰⁸ Zakharov, J "A Long Way from Havana: The Colombian Peace Process Stumbles" (17 August 2018). <https://fundforpeace.org/2018/08/17/a-long-way-from-havana-the-colombian-peace-process-stumbles/>. (last visited 14.07.2023)

8. Petro Gustavo (since 2022)

Gustavo, himself former member of the rebel group M-19, promises changes in many areas. Minorities' situations are to be improved and the educational and health system shall be enhanced.²⁰⁹ The police shall be restructured prioritising non-violent approaches and a more civil character.²¹⁰ In his agenda, Gustavo states that the war against drugs has failed, and announces a new human rights based approach that consists of decriminalising the cultivation of coca and the use of psychoactive drugs, abandoning forced eradication, and creating new opportunities particularly for people that live in rural areas.²¹¹

A first step has been made with a change of the constitution that allows for the legalisation of cannabis.²¹²

II. México

1. Background

An overarching problem in México is poverty. In 2010, over 52 million Mexicans lived in a form of poverty.²¹³ Between 2008 and 2010, the number of people living in *pobreza alimentaria*²¹⁴ even augmented from 20,2 million to 21,2 million.²¹⁵ On top of that, the gap between the richest and the poorest parts of the population is rising.²¹⁶

Some rural areas are quite secluded from the rest of the country due to the two mountainous regions that cross México from North to South.²¹⁷ That leads to difficulties in enforcing the rule of law, policy making, preventing social isolation, and to more poverty and higher drug abuse rates.²¹⁸ Furthermore,

²⁰⁹ Programa de Gobierno Gustavo Petro, p. 29, 33-39.

²¹⁰ Ibid, p. 45.

²¹¹ Ibid, p. 50-51.

²¹² Marina E. Franco, in Por qué la legalización del uso recreativo del cannabis en Colombia está más cerca, <https://www.telemundo.com/noticias/noticias-telemundo/internacional/colombia-cannabis-marihuana-legal-rcna83789>. (last visited 13.07.2023)

²¹³ Dautrey, in Precariedad de la sociedad, segmentación de la política social: El caso de México, p. 27.

²¹⁴ A form of poverty where families barely have enough resources to satisfy the most basic needs (Philippe Dautrey).

²¹⁵ Dautrey, in Precariedad de la sociedad, segmentación de la política social: El caso de México, p. 27.

²¹⁶ From ten times to 12 times between 1984 and 2004. Dautrey, in Precariedad de la sociedad, segmentación de la política social: El caso de México, p. 27.

²¹⁷ Teiner, in Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency, p. 83.

²¹⁸ Ibid.

social security is not very high.²¹⁹ The majority of the working population is employed in the informal sector where people are not incorporated into the social insurance system.²²⁰ Since employers in the formal sector usually search for people that also worked in the formal sector before,²²¹ it is hard to enter the system of social insurance if once part of the informal sector.

The corruption in the health sector is the highest in the whole continent.²²² In conjunction with the low social security and the high number of people living in extreme poverty, this has multiple effects: Firstly, it makes the access to medical treatment harder. Secondly, it forces people to take jobs in the informal sector to be able to pay for treatments, and to pay more than others to get better help. That, in return, leads to even more corruption in the system.

In the late 1990s, México slowly became the “bad guy”, besides Cuba, in Latin America when it comes to human rights.²²³ A meeting with an NGO for human rights in Paris ended badly and led to a tense situation that never really disappeared.²²⁴ Only shortly afterwards, Latin America witnessed many demonstrations and government changes to progressive and/or left governments.²²⁵ Following that, the protection of human rights has become one of the most important points in the Mexican agenda.²²⁶

The history of narcotrafficking in México goes back more than 100 years starting in Sinaloa.²²⁷ Wealth and influence started to grow dramatically when cocaine became popular in the U.S.A.²²⁸ In terms of cultivation, México is responsible for most of the opium poppies that are cultivated in North and South America, albeit its almost marginal share (around 6 % as of 2021) of the world-wide cultivation compared to Afghanistan (around 86 %).²²⁹ Opium is used to produce Heroin. The cartels responsible

²¹⁹ Only 3-6 % of the agricultural workers are incorporated into the social security system. Dautrey, in *Precariedad de la sociedad, segmentación de la política social: El caso de México*, p. 27.

²²⁰ Dautrey, in *Precariedad de la sociedad, segmentación de la política social: El caso de México*, p. 29, including further evidence.

²²¹ Dautrey, in *Precariedad de la sociedad, segmentación de la política social: El caso de México*, p. 29.

²²² *Ibid*, p. 37, including further evidence.

²²³ Ojeda Gómez, in *México antes y después de la alternancia política*, p. 117.

²²⁴ *Ibid*, p. 118-119.

²²⁵ Benente, in *Derecho, conflicto social y emancipación*, p. 329.

²²⁶ Ojeda Gómez, in *México antes y después de la alternancia política*, p. 117.

²²⁷ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 5.

²²⁸ *Ibid*, p. 6.

²²⁹ WDR 2022, Booklet 3, p. 74.

for cultivation and trafficking are the same as for cocaine, so the only difference to be highlighted here is that the use of unclean syringes contributes significantly to the spread of disease.

When Caribbean states blocked trade routes from Colombia ever more often successfully in the 1980s, the drug traffickers decided to shift the routes to México.²³⁰ Having started as messengers or subordinates to the Colombian cartels, they slowly took over influential positions in the trafficking. They noticeably gained influence after the death of Pablo Escobar and the dismantlement of both the Medellín Cartel and the Cali Cartel.²³¹ Instead of entirely taking over the positions of the cartels, they partly connected with the successors in Colombia, thus expanding the drug trafficking route Colombia-México-U.S. The shift in trafficking more via the Pacific than via the Atlantic and Caribbean states might as well play a role in the higher engagement of Mexican cartels in the trafficking to the U. S.²³²

Until 2010 the Mexican bands took over almost the entire drug trafficking into the U.S.A. with around 93 % of the cocaine that was imported travelling via México.²³³ This might be the reason for increased violence as the income grew exponentially and more gangs wanted to get their share of it. The increased wealth also led to more and deadlier weapons, for good measure. The date (2010) coincides with the end of the second Uribe term in Colombia.

Besides Marijuana and Cocaine, Crystal Meth is also being produced in México.²³⁴ Again, the U.S.A. are the main importer, but quickly reacted with laws to fight the epidemic.²³⁵ In a worldwide operation launched by the UN in 2008, over half of the Crystal Meth found was from México.²³⁶

²³⁰ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83.

²³¹ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 15.

²³² WDR 2022, Booklet 4, p. 23.

²³³ Estimated by the U.S.-American Drug Enforcement Administration, International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 6 - 7.

²³⁴ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 7.

²³⁵ Ibid.

²³⁶ Ibid.

Albeit a wide range of numbers, it is clear that the income from selling drugs has to be counted in billions of US-Dollars, every year.²³⁷ At the same time, the minimum wage in 2017 was still around only 3 EUR per day.²³⁸

México is so dominated by the cartels that observers even start to ask if it has become a “failed state”.²³⁹ Although that might be an exaggeration, the violence certainly is out of control and the efficiency of state institutions is crippled due to the high corruption.²⁴⁰ Additionally, the war among the cartels and against the government is fought throughout the whole country including touristic areas and rural ones that were calm and almost untouched by humans before the cartels came to power.²⁴¹ Additionally, the violence has spread abroad. Members of rival cartels are being assassinated in the U. S.²⁴²

México is not only a country through which drugs pass on their way to the United States, but more than half a million people addicted to hard drugs can be found domestically.²⁴³ As a result, cartels fight for influence over the addicts in México as well.²⁴⁴ This, in return, can lead to more violence, more corruption, and an even bigger involvement of the rest of the population in the drug business. The monopoly of the use of force by the state gets undermined and the trust of the population in the government suffers heavy ruptures.²⁴⁵

Some areas see over a third of their population getting their main income from the illegal drug business.²⁴⁶ The one-party rule of the *Partido Revolucionario Institucional* (PRI) was part of a lot of corruption and secret deals with the cartels, particularly the Sinaloa Cartel.²⁴⁷ Despite many negative

²³⁷ Accordings to International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 7-8, the income lies somewhere between six and 39 billion US-dollars annually.

²³⁸ <https://countryeconomy.com/national-minimum-wage/mexico?year=2017>. (last visited 09.06.2023)

²³⁹ Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 3.

²⁴⁰ *Ibid*, 3 - 4.

²⁴¹ *Ibid*, p. 3, 6 - 7.

²⁴² *Ibid*, p. 6 - 7.

²⁴³ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 8.

²⁴⁴ *Ibid*.

²⁴⁵ *Ibid*.

²⁴⁶ Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 8.

²⁴⁷ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83.

consequences it ensured something like a peaceful co-existence between state authorities and drug cartels with no greater outbreaks of violence.²⁴⁸

2. The year 1994

This relatively peaceful period ended 1994. At the beginning of the year, México entered the North American Free Trade Agreement (NAFTA).²⁴⁹ The agreement was met with uprisings mainly in the region of Chiapas and by the *Ejército Zapatista de Liberación Nacional* (EZLN) that have not officially ended until today.²⁵⁰ The entering into force of NAFTA led, together with the dismantlement of some Colombian cartels, to increased drug-trafficking via México into the U. S.²⁵¹

3. Strategies of the cartels

Apart from drugs, the Mexican cartels are also involved in stealing and robbing oil to such an extent that the biggest Mexican oil company is suffering from severe slumps in sales.²⁵² Since all business areas are somewhat dependent from oil, attacks in that field have an impact on large parts of the industry.²⁵³

Important part of “convincing” oil companies, but also almost every other type of business including taxis, bars, restaurants, and mining companies, is the use of extortion.²⁵⁴ For example, in Morelia in the state of Michoacán, according to a company leader almost everyone is paying some sort of protection money.²⁵⁵ If someone does not pay, the *narcos* kill without hesitation.²⁵⁶

Part of the strategy of the cartels is the use of teenagers as *sicarios* (s. already above). This has multiple advantages for the cartel. The leaders spare their own manpower when using youngsters that are not integrated into the cartel yet. A killed 15-year-old will not make the cartel lose any business contacts.

²⁴⁸ *Ibid.*

²⁴⁹ Petraeus, Zoellick, and O’Neil, in North America, Council on Foreign Relations of the U. S. (2014), p. 10.

²⁵⁰ Basail Rodríguez, in Mercedes Olivera, p. 411, 421.

²⁵¹ WDR 2000, p. 45.

²⁵² International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 10.

²⁵³ *Ibid.*

²⁵⁴ *Ibid.*, p. 11.

²⁵⁵ *Ibid.*

²⁵⁶ *Ibid.*

Someone who has no job, no school to attend, and no money, tends to be happy with less monetary compensation than an army deserter that is used to a quite high regular income and that has seen various negotiations for wages in his/her life. Thus, it is simply cheaper to employ children and teenagers. Underaged serve dramatically lower sentences making them available again for the cartel even if they were ruled guilty of a serious crime.²⁵⁷

Eventually, the loyalty to the cartel is higher. It is easier to bind a young person to a group than an older person with a less formable character. The younger new members are, the less contacts to people outside of the cartel life they had. As a result, there is just not much where they could return to save their families.

4. Alternancia

Generally, the 2000s started with a change of direction in terms of politics in México. Fighting drug trafficking was a main part of the agenda, among other things.²⁵⁸ With the change from a one-party state to a multi-party system came a rise in organised crime and fighting between the cartels over the drug routes that did not make halt before the civil society.²⁵⁹

However, the strategy regarding the fight against the drugs did not vary much from the predecessor's strategy. Vicente Fox (president 2000 – 2006) continued to mainly use the army and extradite criminals to the U. S. A., and the idea that the responsibilities were shared with the latter.²⁶⁰ Cooperating closer together proved difficult, though, due to strained relations after 11 September 2001.²⁶¹

The Security and Prosperity Partnership of North America (SPP)²⁶² aimed to improve the surveillance of trafficking routes via planes and ships between México, Canada, and the U. S. A., and to improve the living conditions in these countries.²⁶³ However, a decrease in trafficking was only achieved with respect to cocaine whereas at the same time a significant growth in heroin and morphine trafficking must be admitted.²⁶⁴

²⁵⁷ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 16.

²⁵⁸ Covarrubias Velasco, in *Cambio de siglo*, p. 122.

²⁵⁹ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83.

²⁶⁰ Covarrubias Velasco, in *Cambio de siglo*, p. 134.

²⁶¹ *Ibid*, p. 137 – 138.

²⁶² And its informal successor, the North American Leaders' summit (NALS), Petraeus, Zoellick, and O'Neil, in *North America, Council on Foreign Relations of the U. S. (2014)*, p. 10.

²⁶³ Covarrubias Velasco, in *Cambio de siglo*, p. 139 – 141.

²⁶⁴ WDR 2007, p. 51, 63.

5. Calderón (2006 – 2012)

The president Felipe Calderón made use of different strategies during his presidency that show that him and his administration acknowledged the failure especially of the first approach.

a) Military approach

At first, Calderón decided to use the army to fight the cartels.²⁶⁵ He launched a military offensive in December 2006.²⁶⁶ Within five years more than 40,000 people died in this context, with other estimates reaching as high as 83,000 in six years.²⁶⁷ The offensive has only led to death and destruction, and many displaced people, but not so significant progress in the war against the drugs.²⁶⁸ In 2008, the opium production increased by 120 % compared the year before.²⁶⁹ Even worse, as the cartels expanded their military capacities violence escalated even more until the sad record of the highest homicide rate in México in the 21st century in 2019.²⁷⁰

The fact that the areas of violence shift quickly and in an unpredictable way, makes it even more destabilising.²⁷¹

With Calderón's strike 25 of the 37 cartel leaders were killed or arrested.²⁷² Such voids in the leadership usually lead to bloodbaths about the hegemony within the drug imperium.²⁷³ In the case of México, one of the results was the creation of many smaller groups following the division of a bigger cartel after the dissolution of their leadership.²⁷⁴

Among the nine most influential cartels, the *Cártel de Sinaloa* and *Los Zetas* emerged as the dominating powers.²⁷⁵ The opium production in 2009 was more than double of that in 2006.²⁷⁶

²⁶⁵ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83.

²⁶⁶ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 1.

²⁶⁷ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83; Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 1.

²⁶⁸ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 1, contested by WDR 2010, p. 27.

²⁶⁹ WDR 2010, p. 41, 44.

²⁷⁰ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83-84.

²⁷¹ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 15.

²⁷² International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 11.

²⁷³ *Ibid.*

²⁷⁴ *Ibid.*, p. 11-12.

²⁷⁵ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 12.

²⁷⁶ WDR 2016, p. 27.

b) Appeasement

During Calderón's term the idea of a strategy of appeasement came up (again).²⁷⁷ México itself had proved that strategy valid to some extent. But that was with a one-party-system when the cartels could rely on adherence of informal agreements on part of the government.²⁷⁸ With the now predominant multi-party-system governments can change entirely in every election and it is very uncertain whether the successors keep to the informal agreements.²⁷⁹

Apart from the probable unwillingness of the cartels, an appeasement policy would also mean the end of U. S. engagement in México. It is unlikely that the U. S. would support such a step.²⁸⁰ That, in return, would mean the cut of financial (and military) aid from the U. S. which is important to México. Because of these prognoses, Calderón did not risk that step.

c) Decriminalisation

Having reconsidered his strategy, Calderón together with the congress decriminalised the possession of small amounts of all drugs including cocaine, heroin, and even crystal meth in 2009.²⁸¹ If someone is found with small possessions, the police give them the address of a rehabilitation clinic.²⁸²

Compared to 2011, the seizures of heroin in México in 2012 declined by 58 %.²⁸³ The opium production halved between 2009 and 2012.²⁸⁴

The rate of homicides peaked in 2011 as a result of the military engagement earlier one and the extended military budgets of the cartels that followed as a response, and then started to decline.²⁸⁵

²⁷⁷ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 12.

²⁷⁸ *Ibid.*

²⁷⁹ *Ibid.*, p. 12 – 13.

²⁸⁰ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 13.

²⁸¹ *Ibid.*, p. 15, Heinze and Armas-Castañeda, in *Public policies on the use of drugs in Mexico and Latin America*, p. 3.

²⁸² Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 15.

²⁸³ WDR 2014, p. 21-22.

²⁸⁴ WDR 2016, p. 27.

²⁸⁵ *Ibid.*, p. 98.

6. Peña Nieto (2012 – 2018)

Peña Nieto said that his priority would be to pursue those groups that are responsible for the majority of extortions and kidnappings – which are Los Zetas.²⁸⁶ But he also promised to chase the ones being responsible for the killings, and these are more or less all of the drug cartels, particularly the Sinaloa Cartel and Los Zetas.²⁸⁷

His approach concentrated more on law enforcement with the help of the police than on fighting the cartels militarily.²⁸⁸ The record number of homicides in 2019 clearly speaks for the failure of this strategy.

7. Current situation

The Mexican government recently raised the general minimum wage by 20 % to 207.44 Mexican Pesos (around 11.40 EUR) per day.²⁸⁹ With rising wages the necessity to earn money illegally drops. However, the difference remains gigantic making it way more profitable to work for criminal gangs involved in the drug trafficking. It remains to be seen which impact the increments in (minimum) wages have.

The Sinaloa Cartel was succeeded as the most powerful cartel with the strongest military capacities by the Cartel Jalisco Nueva Generación (CJNG).²⁹⁰ Alarming about that is the fact that the CJNG generates increasingly money from fuel theft.²⁹¹ This expansion in other fields of business has a huge impact on the success probabilities of the different strategies. Especially legalisation/decriminalisation of drugs as a strategy suffers from that diversification, because it then only hits one part of several big income sources for the cartels. Since the cartels are aware of shifting political situations, a legalisation that is planned for a decade but needs much time to be implemented would let the cartels struggle less than a surprisingly quick change of directives. The war on drugs could even end without ending the war against the cartels. It is unknown if that leads to a better end.

²⁸⁶ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 14.

²⁸⁷ *Ibid.*

²⁸⁸ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 84.

²⁸⁹ [https://www.shrm.org/resourcesandtools/hr-topics/global-hr/pages/mexico-boosts-minimum-wage-by-20-percent.aspx#:~:text=Mexico%20boosted%20its%20general%20minimum,all%20employees%20working%20in%20Mexico](https://www.shrm.org/resourcesandtools/hr-topics/global-hr/pages/mexico-boosts-minimum-wage-by-20-percent.aspx#:~:text=Mexico%20boosted%20its%20general%20minimum,all%20employees%20working%20in%20Mexico;); <https://countryeconomy.com/national-minimum-wage/mexico>. (both last visited 09.06.2023)

²⁹⁰ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 83, 90.

²⁹¹ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 90.

III. International connections

Colombia and Mexico, as the most important producing and transit countries in Latin America respectively, have enormous influence on the American continent, but connections exist worldwide. The political decisions of the respective neighbouring countries in particular have a major impact on both countries and will therefore be presented in the following.

The world-wide illicit drug market accounts for more than \$ 330 billion every year.²⁹²

On the first Special Session of the UN on the international drug problem in 1998, alternative development was considered the only long-term solution to the illegal crop planting.²⁹³

1. Connection of the cartels and associates in México, Colombia, Peru, and Bolivia

The situation in Colombia cannot be thought without the impact of policies in Peru and Bolivia. During the 1980s, both countries focused their legislation on expulsing the illegal planting of coca crops and marijuana in their respective country. This led to the *narcos* moving (part of) their business to Colombia which eventually took the same approach as Bolivia and Peru. As a result, the drug traffickers moved again, this time to México.²⁹⁴ Since the Mexican government was not successful in their attempts to win against the *narcos* militarily and did not start to eradicate their crops on a large scale, the drug traffickers have not moved their planting areas since then. In 2000, still 98 % of the global coca leaf production was situated in Colombia, Peru, and Bolivia.²⁹⁵

All that leads to the conclusion that certain strategies might not solve the problem but transfer it into another country. Generally, populations want problems to disappear as quick and easy as possible. Moving the drug problem to another country often is easier and faster to achieve than tackle the issue internationally. As a result, governments tend to get the problem out of the country instead of using strategies to solve it. The next state copies the allegedly successful strategy. The end is a chain of countries that relocate their problems to the next.

²⁹² Global Commission on Drug Policy, *Taking Control: Pathways to Drug Policies that Work*, Rio de Janeiro, 2014, At: http://www.globalcommissionondrugs.org/wp-content/uploads/2016/03/GCDP_2014_taking-control_EN.pdf; Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 3.

²⁹³ WDR 2000, p. 5.

²⁹⁴ *Ibid*, p. 45.

²⁹⁵ WDR 2000, p 29.

a) Peru

In Peru, at least for the moment, the defence of alternative cultivation seems lost, as does the war against drugs.²⁹⁶ The reason is the connection between drugs and corruption. Even if police or military forces find a cocaine production or crops, they often let themselves be paid for looking away.²⁹⁷ Peru is not Colombia, but the Cocaine production and trade in both countries are tied so closely together (s. above) that a situation that occurs in one country is at least to a certain degree true in the other country as well.

A growing group of cultivators starts to get involved into the trade as well.²⁹⁸ That makes it a lot harder to show them an alternative. Together with the increasing cocaine production that is deemed evidence of the failure of the drug policy that is highly inspired by U. S.-American ideas.²⁹⁹ On top of that, in some areas of Peru, the state is that absent that cocaine money has to pay for schools and clinics.³⁰⁰

b) Bolivia

The *Plan Dignidad* (1998) that Bolivia launched together with the U. S. A. led to the destruction of basically the entire production of a core component of cocaine within three years in the region of Chapare which was the most important region in terms of cocaine production in Bolivia up to that point.³⁰¹

2. Influence of the U. S.

One can see the dedication of the U. S. government already in the numbers. In 2015, the federal drug control budget was at an estimated 25.5 billion US-dollars.³⁰²

²⁹⁶ That allegedly was a statement of the director of the Peruvian anti-drug agency, Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 136.

²⁹⁷ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 136, for the case of Peru.

²⁹⁸ Ibid.

²⁹⁹ Ibid.

³⁰⁰ Ibid.

³⁰¹ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 138.

³⁰² U.S. Government, Executive Office of the President, FY2015 Budget and Performance Summary: Companion to the National Drug Control Strategy, Washington, D.C., 2014. At: https://www.whitehouse.gov/sites/default/files/ondcp/aboutcontent/fy2015_summary.pdf; Mejía and Csete, in Direct and indirect costs of the drug war, p. 3.

With around 90 % of the cocaine consumed in the U. S. coming through or from México and Central America, it is no wonder that the U. S. government seeks for solutions for their drug problems in Latin America.³⁰³

Ronald Reagan was the first U.S. president to react to the ever-rising illegal import of drugs, mostly cocaine. He let start surveillance aircrafts and ground patrols to detect and confiscate tons of drugs.³⁰⁴ As a result, the Colombian cartels cooperated more closely with their Mexican counterparts and used the gigantic U.S.-Mexican border to smuggle the drugs into the country.³⁰⁵

The U. S. declared the “global war against drugs” in 1971 in person of the contemporary president Richard Nixon.³⁰⁶ It implemented the “zero tolerance” policy towards cocaine.³⁰⁷ From the 1980s on, the main strategy consisted of two parts: attacking the production of cocaine and intercepting the cargoes that were headed to the U. S.³⁰⁸ According to the theory behind that fewer crops would lead to less supply.³⁰⁹ That in return, would increase the prices and/or reduce the quality.³¹⁰ Eventually, the consumption would sink.³¹¹ Numbers show that the expectations have not been met. Between 1981 and 2005, the purity of cocaine increased, and the prices have even halved.³¹² The same applies to heroin between 1990 and 2005.³¹³ At least in 1999, demand for cocaine was around 70 % lower than in 1985.³¹⁴ This is probably thanks to health campaigns that had had about the same impact as those campaigns against alcohol and tobacco.³¹⁵

President Biden recently announced steps to decriminalise marijuana on a federal level.³¹⁶ With the U. S. as the main consumer country and destination of most of the Marijuana produced in México and

³⁰³ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 284.

³⁰⁴ International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 6.

³⁰⁵ *Ibid.*

³⁰⁶ *Narcotráfico, ideas contra el fracaso*, p. 7; Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 131.

³⁰⁷ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 289.

³⁰⁸ Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 131.

³⁰⁹ *Ibid.*

³¹⁰ *Ibid.*

³¹¹ *Ibid.*

³¹² Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 132; against: Walters, *ibid.*, p. 131 – 132, who announced a reduction of purity and an augmentation of prices based on a six-month-statistics with unknown origin.

³¹³ WDR 2007, p. 50.

³¹⁴ WDR 2000, p. 3.

³¹⁵ *Ibid.*

³¹⁶ Biden, J “Statement from President Biden on Marijuana Reform” 6 October 2022.

<https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/06/statement-from-president-biden-on-marijuana-reform/>.

Colombia, a legalisation could have a significant impact which could serve as an indicator for a possible decriminalisation of cocaine and/or heroin as well. Furthermore, the influence of political decisions in the U. S. for the world (still) is very high.³¹⁷ Even a small step, such as legalising marijuana nationwide, could have a huge impact on other countries' drug policies.³¹⁸

The prohibition of alcohol and tobacco in the U. S. in the 1920s serves as an indicator of what a prohibition after a period of legalisation provokes. The impact of the first legalisation should be the opposite of that. The prohibition in the U. S. led to both more corruption and violence, above all in the structure of organised crime.³¹⁹ The opposite would be less violence and corruption. Although the two situations are not comparable without some restrictions, the overall outcome of the prohibition can at least serve as an indicator.

Rising violence in both the U. S. and México has drawn the countries to a closer cooperation.³²⁰ If this cooperation could also prevail in less violent and more diplomatic circumstances before the background of legalisation measure, both countries would profit from the reduced influence of cartels and better opportunities to legally help addicts.

What makes the cartels rich is the inexhaustible hunger for cocaine in the U. S.³²¹ However, demotivating U. S. citizens to obtain drugs from Mexican cartels does not mean that the cartels are running out of funds. The European market has already been accessed, and trade routes to parts of the Middle East and Sub-Saharan Africa have been implemented.³²² Thus, abandoning the prohibition would only help if others followed.³²³

A main component of the war against drugs so far has been reducing domestic demand in the U. S. The measures include drug-treatment-programmes, anti-drug-educational campaigns, and criminal

³¹⁷ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 17.

³¹⁸ *Ibid.*

³¹⁹ *Ibid.*, p. 14.

³²⁰ Petraeus, Zoellick, and O'Neil, in *North America*, Council on Foreign Relations of the U. S. (2014), p. 10.

³²¹ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 8.

³²² *Ibid.*, p. 8 - 9.

³²³ *Ibid.*, p. 8.

sanctions.³²⁴ Results have been mediocre, but better than the try to reduce production by eradicating crops by aerial spraying.³²⁵

3. Italian Camorra and other criminal bands

Italian gangs are not as directly involved in the cocaine business as their Mexican or Peruvian counterparts, but at least to some extent they are present in the production areas.³²⁶ Trade and distribution from Mexican and Colombian cartels primarily target the U. S. A., but the European market offers even more potential consumers, and important for the cartels, most countries in Europe are quite rich which makes the distribution of cocaine very profitable. Instead of building up their own structures it is often easier for cartels to take advantage of already existing criminal networks and trade routes. Two of these networks are the Italian Camorra and 'Ndrangheta. Out of the four bigger Italian criminal organisations, Camorra and 'Ndrangheta are the ones that work closest together with Latin American organisations, and that generate most of its income through drug trafficking and distribution.³²⁷ They are responsible not only for the import of cocaine to Italy but also for the redistribution to other European countries with a control of around 80 % of the cocaine traffic in Europe.³²⁸ That makes them a really powerful ally for Latin American cartels.

The powerful Calabrian (Italian) 'Ndrangheta for several reasons is a key player to the Latin American cartels. As a connection to México, it formed an alliance with the Gulf cartel.³²⁹ Being one of the strongest European organised crime groups, the 'Ndrangheta can work from a strong position as a distributor within Europe.³³⁰ The excellent contacts to countries in the Balkan region allow the Mexican cartel to ally only one group but reaching different markets by profiting from the further ongoing chain of distribution.³³¹

³²⁴ *Ibid.*, p. 9.

³²⁵ *Ibid.*

³²⁶ Daniels, in *EE UU y la guerra contra las drogas en Latinoamérica*, p. 136.

³²⁷ Impiombato, in *Fighting organised crime, preventing terrorism: the Italian case*, p 62-63; Strazzari and Zampagni, in *Between organised crime and terrorism: Illicit firearms actors and market dynamics in Italy*, p. 257.

³²⁸ <https://www.bbc.com/mundo/noticias-internacional-64289066>. (last visited 27.06.2023)

³²⁹ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 9.

³³⁰ Strazzari and Zampagni, in *Between organised crime and terrorism: Illicit firearms actors and market dynamics in Italy*, p. 237-238.

³³¹ For the market of illicit firearms: Strazzari and Zampagni, in *Between organised crime and terrorism: Illicit firearms actors and market dynamics in Italy*, p. 238, 257, 262, assuming that the 'Ndrangheta can take advantage of these connections for the purpose of drug trafficking.

The organisation was involved in trafficking large amounts of cocaine and hashish from Latin American countries in the 1990s.³³²

The FARC hold connections to the Basque (Spanish) Euskadi ta Askatasuna (ETA)³³³ and the Provisional Irish Republican Army (PIRA).³³⁴ Allegedly, Camorra, FARC, and ETA even worked together in an arms-for-drugs collaboration.³³⁵

4. Political aspects

Realistically, a joint strategy between all Latin American, North American, European, and Middle Eastern countries is not reachable in the next decades. That leaves the question what the best strategy for México and Colombia is, if the cooperation fails. A joint strategy is that strong because it does not leave gaps in the jurisdiction that could be used by the cartels. This applies also to smaller cooperations. Getting the countries that suffer the most from the drugs on the same page, is something that can be achieved in the future. That includes most of the Latin American countries and the U. S. as biggest market for illegal drugs. Since states within the U. S. are free to implement their own drug policy and some states have already legalised cannabis, there is a good chance that the border states to México can be convinced to join a common strategy considering the failures so far.

A challenge is the politization of the topic within a country that is a member of a joint strategy. Especially when producer country, transit country, and consumer country are not the same, the political agendas of each country tend to differ, and countries' representatives will try to influence the joint strategy to achieve their individual objectives. Particularly when one of the members is much more powerful (in terms of economy) than the other(s) such as the U. S. compared to either México or Colombia, this challenge might prove difficult to fulfil.

³³² Paoli, in *Crime, Italian Style*, p. 162.

³³³ The ETA has disintegrated in 2018.

³³⁴ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 17.

³³⁵ Strazzari and Zampagni, in *Between organised crime and terrorism: Illicit firearms actors and market dynamics in Italy*, p. 270.

D. Comparative analysis

I. Similarities and differences between México and Colombia

Colombia and México are comparable to some extent, but not in all aspects. A difference has to be made between Colombia during the 1990s, during the 2000s, and in recent years. The level of violence in the times of the Medellín and Cali Cartels was even higher than it is nowadays in México.³³⁶ However, the violence in Colombia had other sources besides the cartels, mainly the two radical leftist groups the FARC and the ELN, and the right-wing group AUC.³³⁷ Thus, when the two cartels had disappeared, killings and other criminal activities did not come to an end immediately.³³⁸ On the contrary, violence prevailed on such a high level that Colombia together with the U. S. started the “Plan Colombia” in 2000.³³⁹ Only after decisive blows against the FARC and ELN in the early 2000s and the restraint of right-wing paramilitaries, violence shrunk to a normal level compared to surrounding countries.³⁴⁰ During the execution of Plan Colombia, smaller cartels filled the vacuum that was left after the dissolution of the Cali and Medellín Cartels. A development that was even accelerated by the aerial sprayings that forced the drug traffickers to spread the cultivation almost all over the country.

The situation changed again significantly with the start of the peace talks in 2012 that led to the agreement of 2016 between the government and the FARC that finally brought an end to the long lasting civil war. When alternative development programmes were started, the still operating *cartelitos* attacked the peasants and farmers that were willing to substitute the coca plantation and commenced to massively increase cultivation and production again. Where the Colombia of the 1990s is only to a limited extent comparable to México, the current situation in Colombia is more similar. After Calderón’s hit against the contemporary strongest cartels, smaller groups emerged and brought new levels of violence to México fighting over the succession. As the main transit country from Colombia to the U. S., México’s cartels are profiting from the record productions of cocaine in Colombia as well. In that regard, the situations are not only comparable but intertwined.

A main difference is the evolution of the drug-related violence. In México, almost every act of violence can be connected to one of the cartels.³⁴¹ Armed political opposition is not a problem. Contrary to

³³⁶ Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 9; Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 14.

³³⁷ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 4-5; Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 10.

³³⁸ Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 10.

³³⁹ *Ibid.*

³⁴⁰ *Ibid.*

³⁴¹ Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 10.

México, in Colombia much of the violence in the last decades was rooted in ideological reasons and started by left-wing guerrillas or right-wing paramilitaries that both had connections to the *narcos*.³⁴² Thus, in that regard, the situation of Colombia in the 1990s and México today is not comparable. One might draw the conclusion that dismantling the cartels does not end the violence.³⁴³ In fact, in Colombia it just did not end, because the civil war between government and guerrillas went on. But with the end of the civil war already in sight, the situation changed completely. The *cartelitos* that had emerged in the late 1990s were still present, and they saw their business in danger. The source of violence now were almost only the small cartels. Ending the civil war had proved to not be the solution to the war against drugs as well. Comparably to that development, México witnessed peaks in homicides shortly after the dissolution of its biggest cartels, and after a law enforcement approach that was based on a strong police.

Another former difference that has become smaller over time is the structure of the cartels. With probably nine significant cartels³⁴⁴ the illegal power is much more divided in México now than in Colombia to the times of the Cali and Medellín Cartel, and the cocaine and heroin business in México is characterised by changing alliances and shifts in power.³⁴⁵ The destruction of the two leading cartels in Colombia led to the foundation of the *cartelitos*.³⁴⁶ In the Colombia of nowadays, there are even more cartels albeit the difference in population between the two countries. Eventually, these many cartels did not pose a threat to national security and democracy anymore until recently.³⁴⁷ That is slightly different in the case of México, though. When one of the cartels vanishes, the others take its share or new ones come up, but not less destabilising than the predecessor.³⁴⁸ That means that using the strategy of concentrating forces and resources on one cartel after the other would probably have the same effect as in Colombia, i. e. leading to more cartels that use even more violence.

³⁴² Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 14.

³⁴³ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 10.

³⁴⁴ Teiner, in *Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency*, p. 84; International crisis group (2013), in *El desafío de Peña Nieto: los cárteles criminales y el Estado de Derecho en México*, p. 12.

³⁴⁵ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 11.

³⁴⁶ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 14; Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 11.

³⁴⁷ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 11.

³⁴⁸ *Ibid.*

However, México (and other countries) can learn from Colombia, more particularly from its police forces. Decades of experience in fighting against cartels have given the Colombian police forces a good idea of good and bad tactics, of weaknesses and adaptation methods of the *narcos*.³⁴⁹

Among the overall similarities between México and Colombia are the uneven wealth distribution, income inequality and the drug-related violence.³⁵⁰ Furthermore, alliances between different parties of the civil war in Colombia of the past and between cartels in present Colombia shift(ed) quickly as well as they do in México nowadays between the different cartels.

Eventually, in terms of drugs Colombia is more of a source country while México started as a transition country and is turning into a mix of transition and source country.³⁵¹ However, also Colombia is known for its weak border control and is starting point for four of the six principle Latin American drug trafficking “corridors”.³⁵²

The effects of Plan Colombia show that the cases of Colombia and México are not only comparable to a certain extent, but they are also connected. After 2007, the aerial sprayings in Colombia decreased and the interdiction was increased instead.³⁵³ Thus, the operation of drug traffickers moved more to Central America, especially México.³⁵⁴ At least partly as a result of that, a wave of violence went through México when the government decided to fight the increased presence of groups involved in drug trafficking.³⁵⁵ Within three years, the homicide rate in México rose from around 7/100,000 to almost 24/100,000 inhabitants per year which is about the rate Colombia suffers from for the last ten years as well.³⁵⁶

II. Analysis of the different anti-drug strategies and their implementation

The Colombian and Mexican governments have experimented with different strategies in the past. The recent records in world-wide cocaine production and homicide rates in México are clearly indicating

³⁴⁹ Galen Carpenter, in *Undermining Mexico's Dangerous Drug Cartels*, p. 11.

³⁵⁰ Paul, Clarke, and Serena, in *Mexico Is Not Colombia*, p. 13.

³⁵¹ *Ibid*, p. 19.

³⁵² *Ibid*, p. 20.

³⁵³ Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 5.

³⁵⁴ *Ibid*.

³⁵⁵ *Ibid*.

³⁵⁶ Mejía and Csete, in *Direct and indirect costs of the drug war*, p. 6.

the failure of those strategies. However, there have been differences in the results of various strategies.

1. Prohibition

In the war on drugs for decades, the question was not if drugs should be forbidden but how that prohibition should be executed.

The first idea was to hunt the cartel leaders (in Colombia) hoping to thus dismantle the cartels. With the dissolution the violence would end, and the drug trafficking would decrease. The hope was proved wrong. The violence stayed on a high level and the flow of drugs even rose. It was mainly succeeded by Plan Colombia with its idea of forced eradication in form of aerial sprayings. The initial success was followed by a phase of stagnation and (slow) recovery in terms of production. But the damage to the farmers was done. The sprayings had caused health problems and environmental damage, and it had left people without work, because the *narcos* simply changed the position of their fields.

The success of extradition agreements between Colombia and the U. S. is difficult to assess. Certainly, criminals feared extradition, thus trying to enter negotiations with the state. But if once these negotiations failed or the government would not even start them, *narcos* would rather die in Colombia than being extradited which made them more likely to use violence until the very end.

Among the prohibitionist approaches the full-scale military campaign is the one with most obvious consequences. Calderón's use of the army may serve as an example. The result were high death rates among both civilians, and soldiers and police forces, and a period of increased violence that followed the direct confrontation. It was only logical that the president decided to switch strategies to a totally different approach.

2. Legalisation/Decriminalisation

That approach was a low scale decriminalisation of all drugs. Homicide rates had peaked in 2011, and started to decline, along with the illicit cultivation of opium poppies. The increase in violence even after the end of the military operation can be explained with the succession war inside the cartels and

the higher militarisation. Both factors lead to delayed results. However, cartels recently conquered a new field of business, precisely the oil theft. It is unclear if they fear the loss of their main income and thus already try to establish alternative income sources or if they simply want to extend their financial resources. The problem with the assessment of the impact of a legalisation on the resources and strategies of the cartels is the export of the drugs. When the vast majority of the cocaine in México leaves the country, a legalisation threatens the cartels only if it is carried out in the big consumer countries.

But where a decriminalisation is implemented for a longer period of time (Portugal) it had a very positive impact. The overall health improved massively, drug abuse rates did not rise, and the state gets a tax income that can be reinvested.

A very practical problem is the size of the already existing illegal market that should turn into a legal market. In the main producer countries, it would not be big enough to absorb the enormous quantities that are produced.³⁵⁷ On the other hand, the entry into the drug market would be dramatically facilitated not only for the costumers, but also for the producers. It remains to be seen if that leads to more professional involvement in other drugs as well, or if their market share even drops due to the various legal options that would then flood the market.

Legalisation is closely connected to offering viable options for the producers.³⁵⁸ Otherwise, only the supervisors would change. Financial necessity would still force agricultures to plant coca. For that reason, alternative development programmes were started where voluntary eradication of crops was combined with the creation of new jobs for the workers. Since alternative development is a long-term project, a clear conclusion from the development of numbers and sizes of coca fields cannot be made. Nevertheless, the programme was accepted by many former workers indicating that rising numbers in production come from more efficiency, not involvement of more people in the planting of crops for the *narcos*.

The choice is not only between decriminalising and legalising but also between production, possession, consumption, and trade. México has decided to decriminalise only the use of drugs but not the production/cultivation. That way, the only option to get drugs is from someone who is cultivating it

³⁵⁷ Daniels, in EE UU y la guerra contra las drogas en Latinoamérica, p. 136, for the case of Peru.

³⁵⁸ Ibid, p. 135 – 136.

illegally. Thus, the cartels remain the only producers which explains the impact of the decriminalisation has been marginal.

Something that could diminish the impact of a legalisation is the “will to power” which can be observed in the different Italian criminal organisations.³⁵⁹ When the top priority is not money anymore, but (political) power over other people, drug trafficking becomes only one mean among multiple to achieve the ultimate goal of dominating others. Again, cartels most certainly would just change their own approach to get the desired influence. A result could be a “win” in the war against drugs, but only at the cost of a defeat in another area. A similar development has already happened in the case of the FARC. There, the shift was not from money to power, but from ideology to money. Having lived with high financial resources, the former ideology-driven group had emerged into a money-driven business. In the last decade before the peace agreement, the need to fight for a leftist ideology had almost vanished. With money comes power, in particular in countries that suffer from high corruption. The leaders of financially strong groups get used to that power and are so rich that they do not care about money anymore, but more about power. Therefore, money is not the objective, but the mean. This is important to understand the (possible) reaction of cartels to strategies that attack their financial resources.

3. Others

An idea that proved useful were peace talks with armed rebels and other groups that were aligned to the *narcos* but with an ideological objective that could be (to some extent) reached through negotiations. In the case of Colombia, the dismantlement of the AUC and connected groups in two phases had a positive impact on the violence in the country, and some of the land formerly hold by rebels could even be redistributed among poor families, thus bringing peace and stability to the region. Since the AUC was heavily involved in the drug trade as well, the *narcos* lost one of their potential partners making the situation for the government a little less complicated. Since ideologically driven groups in México are not a factor, this strategy is not an option. The starting peace talks with the FARC 2012 immediately showed a positive effect on the level of violence with lower homicide rates.

³⁵⁹ Paoli, in *Crime, Italian Style*, p. 163.

Changes in the counter-narcotic strategies cannot be thought without the countries that are home to the most consumers.³⁶⁰ Thus, the U. S. A. and the EU as the biggest consumer markets³⁶¹ should find a coordinated strategy together with the biggest producer and transit countries. That would be México, Colombia, Peru, and Bolivia, for a start. Since the cartels usually adapt quickly to changes (in law), it would be even better to have at least the neighbours of said countries in the agreement as well. A first step was made in 2012, when the Pacific Alliance was founded by Mexico, Colombia, Peru, and Chile.³⁶²

In the next step, the strategy should be interconnected not only between countries but also between different types of drugs. If fighting cocaine led only to people taking more crystal meth instead, the situation would even have worsened due to the higher addictogenic³⁶³ level.

³⁶⁰ Narcotráfico, ideas contra el fracaso, p. 7.

³⁶¹ Ibid.

³⁶² Petraeus, Zoellick, and O'Neil, in North America, Council on Foreign Relations of the U. S. (2014), p. 11.

³⁶³ The rate how fast someone gets addicted.

E. Conclusions & Lookout to the future

I. Conclusions

The situations in Colombia and México show that with the strategies that have been used so far, the war against the drugs cannot be won.³⁶⁴ Both Colombia and México will have to react to the rising threat that cartels pose to their stability and their population. Since several strategies have failed in the past, it is time to either improve these strategies by learning from mistakes in the execution namely voluntary eradication accompanied by protection and substitution programmes, or to try new strategies as legalisation.

Drug-business, violence, and corruption are so deeply rooted in the Mexican society and so inextricably connected that an approach that focuses on only the drugs itself like (forced) crop eradication, for instance, does not have a chance to have a lasting effect. The same applies to an arguably lesser extent to Colombia. As another result of that situation, taking sub-strategies one after another does not work. Eventually, different strategies will have to be combined if Colombia and México hope to solve their multiple problems that are related to the drugs. Since the deployment of the army led only to cartels that are even less scrupulous in their means and better equipped in terms of weapons and military tactics, it is advisable to choose a strategy that focuses on victims and consumers, and uses less force. Regarding the consumers it would help to legalise the use of marijuana, cocaine, and heroin, and to build facilities where they can use the drugs in a safe environment and get professional help for the consequences of drug abuse without having to fear prosecution.

At the same time, the prohibition of fireweapons would decrease the level of violence. Furthermore, shootings that still occurred, would see less professionally armed *narcos*. However, even more important than the Mexican regulations are the U. S. American arms laws, particularly in the southern states.

As with the arms, México depends on the help of other countries as well when it comes to the legalisation. Besides the direct influence on the health of users, a legalisation would also have an impact on the financial resources of the cartels. However, this impact is minimised when none of the importing countries legalises the drugs as well. As soon as the cartels get legal competitors with lower prices, the demand for the illegal drugs will dwindle which in return leads to less income. Especially

³⁶⁴ Narcotráfico, ideas contra el fracaso, p. 7, Galen Carpenter, in Undermining Mexico's Dangerous Drug Cartels, p. 13.

the U. S. and to a lesser extent the European countries should overthink their drug policies to help México (and Colombia) solving their problems. Pilot projects with legalising the use and production of marijuana like in Portugal, Spain, and the Netherlands, should be started and monitored to evaluate the consequences of a broader legalisation of drugs. A legalisation in México should be accompanied by offering other job opportunities to the coca farmers and the poorest parts of the society. The latter should be tried for Colombia again as well, in connection with a protection programme for those who voluntarily eradicate their crops.

Concerning the victims, the most promising strategy so far has been voluntary crop eradication combined with alternative cultivation. To keep up with the profitability of planting coca/opium, subsidising alternatives should be considered as well as opening up entirely different jobs for the farmers.

An ongoing issue is the involvement of legal groups and enterprises in illegal activities carried out by *narcotraficantes* and paramilitaries.³⁶⁵ This connection makes it difficult to hunt the *narcos* without also making those to enemies who are not part of the drug trafficking but negotiate from time to time with the traffickers. One might argue that it is even better to also get the half-criminals who directly or indirectly support those mainly responsible. However, laws and plans to fight the drugs are made and enforced by politicians. And politicians tend to care much about the next elections. Meddling with the partly illegal affairs of big companies is a dangerous agenda when it comes to these elections. In conjunction with a limited budget, that might lead to rather symbolic actions like the aerial spraying.

Every strategy that attacks the power and/or the financial resources of a cartel is significantly more effective when carried out by a large community of countries than when exercised by only one.

As with cocaine, the costs of material and plantation for cannabis are considerably lower than the (illegal) market prices.³⁶⁶ In countries where coffee shops or social clubs exist, the prices on the illegal market are no match for the legally sold marijuana, even with high taxes.³⁶⁷ That leads to almost unbeatable competitors for the illegal dealers. Even if drug cartels reacted with higher wages for the agricultures to maintain the monopoly on the production, this would at least lead to better working

³⁶⁵ Osorio Pérez, in *tierra, territorio y dinámicas de guerra*, p. 101.

³⁶⁶ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 292.

³⁶⁷ *Ibid.*

conditions for them. However, it stands to reason that the answer of the cartels would include violence and illegal means.

Eventually, legalisation needs support of the population in order to become a political agenda for running parties. In México, already the idea of legalising Marijuana met decisive rejection.³⁶⁸ Therefore, it does not seem likely that legalising cocaine becomes a topic of interest in the next elections.³⁶⁹

As a legalisation would lead to a shift in the work of the cartels, for an assessment of the impact on human rights, it is necessary to know the consequences of that shift. Eventually, a way of no suffering, no violations does not exist. Thus, it is even more important to find a solution that helps the most. “The most” is subject to definition, though. The question is if many people suffering weak (human rights) violations are better than a few people suffering heavy violations, or the other way around, and how probable it is to reduce either the number or the severity of violations in each scenario.

The fact that criminal organisations like the different Italian groups (s. above) prosper, even without or with low income from drug-trafficking, shows that there are enough other ways to get rich by committing crimes. Without a doubt, the cartels would go that way as well, if the drugs they are trading were legalised. The number of drug deaths and HIV infected might decrease, albeit higher addiction rates. But the deaths in other areas would augment. Still, states would profit from the tax income that could be invested.³⁷⁰ However, the cartels already get their share of the income via corruption and placing their own men in the administration. It is likely that this would intensify.

Even if a full world-wide legalisation is far from a realistic option, small steps in that direction can have a considerable positive effect already, particularly when they come from the U. S. Legalising marijuana throughout North and Latin America could be such a step. The results could be taken as an indicator of what would happen if cocaine was legalised as well.

³⁶⁸ Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 290.

³⁶⁹ See only Lopátina, in *Pensamiento social ruso sobre América Latina*, p. 290 where the former Mexican president is cited against the legalisation.

³⁷⁰ For estimations of tax income from drugs: Galen Carpenter, in *Undermining Mexico’s Dangerous Drug Cartels*, p. 16.

II. Lookout

Recent changes in policies are pointing towards decriminalisation/legalisation of use and cultivation first of all of marijuana but also of cocaine and heroin. With Colombia, one of the big supplier countries is about to experiment with legalisations. Interesting about the results will be the impact on the cartel structures as countries that have already decriminalised the cultivation and use of marijuana some time ago have not been among the greater suppliers, thus experienced “only” internal effects.

If the small steps towards legalisation prove fruitful for some big consumer countries a change in the international standards can be expected. So far, that has only been the case for Marijuana. With hard drugs, even countries that have experimented with Marijuana for some time now, the governments are way less likely to enter into these experiments as well.

Another interesting development is the advancing criminalisation of smoking. After all, the recent developments in terms of politics towards cocaine and marijuana on one side and cigarettes on the other side are diametrically opposed. A renewed growth of the black market is conceivable, possibly even with the help of the players currently active in the cocaine business, but also a slow extinction of tobacco consumption.

A new drug on the market is the animal sedative xylazine, often mixed with fentanyl, then better known as ‘tranq’, ‘tranq-dope’, or ‘zombi drug’ for the often occurring deep wounds and loss of flesh.³⁷¹ The U. S. already qualified it as an ‘emerging threat’, and a first death was linked to it in the UK.³⁷² Since this and similar new drugs are very potent, small amounts are enough to produce many doses.³⁷³ Which makes them a very tempting option for drug cartels.

³⁷¹ Howard, J. “Biden administration declares fentanyl laced with xylazine ‘an emerging threat’ in the US” 12 April 2023, <https://edition.cnn.com/2023/04/12/health/fentanyl-xylazine-emerging-threat-us/index.html>; https://www.emcdda.europa.eu/publications/european-drug-report/2023/drug-situation-in-europe-up-to-2023_en under ‘new synthetic opioids’, <https://www.elmundo.es/ciencia-y-salud/salud/2023/06/01/6478616e21efa0b15b8b4591.html>. (last visited 28.06.2023)

³⁷² <https://www.euronews.com/next/2023/05/26/xylazine-what-to-know-about-the-flesh-eating-zombie-drug-spreading-from-the-us-to-europe>, <https://www.elmundo.es/ciencia-y-salud/salud/2023/06/01/6478616e21efa0b15b8b4591.html>. (both last visited 28.06.2023)

³⁷³ https://www.emcdda.europa.eu/publications/european-drug-report/2023/drug-situation-in-europe-up-to-2023_en under ‘new synthetic opioids’. (last visited 28.06.2023)

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