



SUMMARY

- Regional organizations have invested in institutions to limit the use of force at the international level. However, national issues and growing ideological differences lead to divergent perceptions of the most important threats and how to deal with them.
- The risks of inter-state conflict and use of force in the region is very low. The main issues regarding the use of force seem to be limited to the national levels, even in the cases of organized crime, and other related problems.
- There are two main clusters of problems in domestic security which are associated with (i) state actors (*securitization & militarization, misuse of force, lack of monopoly of force in certain areas*) and (ii) non-state violent actors (*»privatization« of force, state capture by organized crime, anti-state violence*).
- Future discussions of the monopoly on the use of force in the region must also address three new issues: (i) the rise of authoritarian governments, (ii) rising defense spending (iii) ideological rivalries.

Security Perspectives in Latin America

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An analysis of the monopoly on the use of force in Latin America must take into account two levels: the international, vis-à-vis a neighbor, a country within the region, or an external actor, and the domestic level. Different issues must be taken into account in each.

The international use of force is highly unlikely in Latin America at present, although there are still unresolved border disputes.¹ While David Mares has referred to an »illusion of peace,« the last military confrontation was in 1995 between Ecuador and Peru, which means that there have been no inter-state armed conflicts for twenty years.

Likewise, the need for the use of force in response to threats from an external country are also highly unlikely. However, the ALBA (Bolivarian Alliance for the Peoples of Our Americas) has revived the traditional notion that its members face an external threat and therefore need to defend themselves against an external enemy, namely the United States.² Special attention has been given to the need to defend its natural resources. Current political tensions between the United States and Venezuela have highlighted this idea, and Caracas has accused Washington of promoting intervention and even of planning an invasion.

The OAS (Organization of American States) and other sub-regional organizations have invested in developing institutions to limit the use of force at the international level. In the early 2000s, the OAS developed new security institutions such as the Committee on Hemispheric Security and the Secretariat for Multidimensional Security, arguing that the Americas were facing new threats including drug trafficking, terrorism, and organized crime. However, the OAS has been unable to design and structure an effective system for hemispheric security and conflict resolution.³

Within this framework, sub-regional organizations have become increasingly important in defining security policies. However, their

1 The most relevant are: Nicaragua/Costa Rica; Bolivia/Chile; Dominican Republic/Haiti; Argentina/United Kingdom; Venezuela/Guyana, and Venezuela/Colombia.

2 ALBA depends mainly on Venezuelan oil revenues. Its most important members are Bolivia, Cuba, Ecuador, El Salvador, Nicaragua, and Venezuela. A number of small Caribbean states also participate, but not in its defense institutions.

3 Pablo Celi, »Dilemas y perspectivas de la autonomía estratégica de Suramericana en Seguridad y Defensa,« in Anuario 2014 de la Seguridad Regional en América Latina y el Caribe, ed. Catalina Niño (Programa de Cooperación en Seguridad Regional-FES, 2014).

agendas differ and depend on what are perceived as the most important threats to security. The countries of the Southern Cone⁴ concentrate on the perspective of cooperative security, whereas the Andean Region,⁵ as region of drug cultivation, is most interested in tackling organized crime, drug trafficking, and associated issues. These same threats, plus migration are also part of the Central American security perspective.⁶

These issues leave most Latin American countries facing important threats to citizens' security and rising levels of violence. International studies reveal that many Latin American countries are among the most violent in the world, above all Honduras and Venezuela, which are among the countries with the highest homicide rates (104 per 100,000 and 82 per 100,000 respectively). This points to the use of force not only by the state, but also by non-state actors.

SECURITY AND USE OF FORCE: SUB-REGIONAL DIVERSITY

Although a minimum consensus on security issues was reached at the beginning of the twenty-first century in Latin America, North America, and the Caribbean, national issues and growing ideological differences have created a diversity in perceptions of the most important threats and in how to deal with them through sub-regional structures. As already mentioned, a hemispheric perspective developed through the OAS has been replaced by sub-regional perspectives. In the Latin American case, the differences are between South America (also divided into the Southern Cone and the Andean Region) and Central America.

South America: multilateral cooperation/cooperative security

Regarding the perception of security issues and the ways of dealing with them, there are differences between the Southern Cone and the Andean Region.⁷ In the first place, the Southern Cone is the sub-region which has been most successful in asserting state control over the monopoly on the use of force. One important aspect has been civilian control over the armed forces. The military is primarily involved in peacekeep-

ing operations, especially in Haiti through the UN mission (Minustah).

However, there are important differences with regard to military participation in public security. Whereas Argentina and Chile prohibit this, Brazil allows the military to participate in internal security. Despite these differences, one important goal which these countries have pursued is to avoid the blurring of responsibilities between the civilian authorities (the police) and the military. As will be seen below, both in the Andean region and in Central America such policies have been lacking.

Although the situation cannot be compared to the Andean region or Central America, public security is becoming one of the main problems and the absence of the state in certain parts of these countries has permitted transnational crime, especially relating to drug trafficking. The most important case is the border triangle shared by Argentina, Brazil, and Paraguay, which is known for the significant presence of illegal activities and violence.

In the Andean region, drug trafficking and organized crime are considered the main sources of heightened public insecurity and violence. Colombia is a special case due to its history of guerilla groups also associated with drug traffic. Currently peace negotiations are under way between the government and FARC, the largest and most important guerrilla group. Over the past sixteen years Venezuela has also become a special case, due to increasing militarization of the regime and of society as a whole, and its high level of military spending, in recent years surpassed only by Brazil.

Although transnational crime and issues related to drug trafficking are predominant, sub-regional organizations have been working towards establishing policies and institutions for dealing with traditional interstate challenges to peace and security like territorial and other conflicts. Currently the main schemes are Mercosur (Southern Common Market) and Unasur (Union of South American Nations). Both have developed strategies based on the idea of zones of peace and confidence-building measures.⁸

Unasur also states that it is developing a South American focus regional community for cooperation in security. »Multilateral Cooperation« is a central concept, based on the idea of cooperation with other regions such as Asia, Africa, and Europe. It is rooted in the ideals of South American strategic independence and a South American defense doctrine.

4 Argentina, Chile, Paraguay, Uruguay, Brazil.

5 Bolivia, Colombia, Ecuador, Peru, and Venezuela.

6 Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. Some include Belize, due to its geographical location, but most consider it a Caribbean nation.

7 Raúl Benítez, Pablo Celi, and Rut Diamint, »Los desafíos de la seguridad y la defensa en Latinoamérica. Entre las nuevas amenazas, la nueva geopolítica y los viejos conflictos,« in Anuario 2009 de la Seguridad Regional en América Latina y el Caribe, ed. Hans Mathieu and Paula Rodríguez (Programa de Cooperación en Seguridad Regional-FES, 2009).

8 Celi, »Dilemas y perspectivas de la autonomía estratégica« (see note 3).

Unasur seeks to promote regional security cooperation on risks and threats that have regional impacts. The main points on the defense and security agenda include peaceful conflict resolution, common positions on international security, common regional policies, and confidence-building between states.

Its agenda and institutions are state-centered and based on the concept that the states possess the monopoly on the use of force, assert sovereignty, and enjoy democratic control of their armed forces. Unasur has created the Center for Strategic Defense Studies (CEES⁹) which is a part of the South American Defense Council (CDS).

Within Unasur a distinction is drawn between defense issues and public security. For the latter, it has established two additional councils: one on citizen security, justice, and coordination of actions against transnational organized crime and one on the fight against drug trafficking. Of the three councils dealing with security and defense, the only one operating actively is defense.

However, this sub-regional perspective does not seem to have been accepted or implemented by member states. In various cases, especially Venezuela, there has been an increase in the role played by the armed forces in public security but also in controlling protests and demonstrations, which has led to serious accusations of violations of human rights, both at the national and international levels.

In general, even though both sub-regional and regional groups in South America are based on the notion of cooperative security (especially Unasur), national security continues to be predominant. While there was a debate at the end of the 1990s and the beginning of the twenty-first century, mainly among academics, about the concept of human security, the traditional state-centered understanding has prevailed among governments. Due to the important role that the armed forces play in many of these countries, academics, civil society organizations, and some policymakers worried that the concept would strengthen the tendency that governments already have to »securitize« a broad range of issues.

Central America: Failure of democratic security?

The main threats in Central America are organized crime, violence, and drug-trafficking. Its strategic position between producers and exporters in South America and markets in North America has made it one of

the main channels feeding into Mexico, as the main transit area. It is subject to the pressures of being the transit area for weapons coming from north to south, and drugs going from south to north. Additionally, due to stronger policies against organized crime in both Colombia and Mexico, the various groups involved have become more active in Central America.

The most vulnerable countries are those in what is known as the Northern Triangle (Guatemala, El Salvador, and Honduras).¹⁰ Approximately 90 percent of drug traffic passes through this area, which is largely controlled by Mexican cartels. Additionally, gangs and the well-known »maras« (transnational organized groups) are very active in this area. In El Salvador, there have been negotiations between the gangs and the government and, although there have been criticisms, the homicides rate decreased in 2012 and 2013 (to 41 per 100,000 and 40 per 100,000).

Illegal immigration has also been an important issue, especially because the sub-region has become an important route for migration and human trafficking to first Mexico and then the United States. The flow from South America, especially certain Andean countries, has increased over recent years and violence has increased. As stated above, Honduras has one of the world's highest homicide rates, followed in this sub-region by El Salvador, where homicide rates increased again in 2014 to 63 per 100,000.

The general consensus is that government institutions have not been able to respond adequately as they are infiltrated by organized crime, in an example of the consequences of the absence of a state monopoly on the use of force. Although organized crime prefers a minimum presence of state authority in order to be able to pursue its activities, it also exploits state institutions, especially at the level of local government. In other parts of these countries, especially rural areas, vast territories are under control of organized crime.

In Central America cooperation on security is a priority, as individual countries cannot develop strategies and policies to tackle this threat. After peace treaties were signed in El Salvador, Nicaragua, and Guatemala during the late 1990s and 2000s, democratic security became the main perspective in the region. The Framework Treaty on Democratic Security in Central America was based on conflict prevention and cooperation. Influenced by a human security perspective, it stressed a multi-sectoral people-centered approach (as well as being prevention-oriented).

⁹ www.ceedcds.org.ar

¹⁰Andreas Quarten, *Superación de la crisis de seguridad en el triángulo norte de Centro América*, Policy Paper No. 46, Programa de Cooperación en Seguridad Regional-Fundación Friedrich Ebert, February 2013. www.seguridadregional-fes.org.

However, there was also an important military component following with the traditional state-centered perspective. It must be noted that the military component meant that the treaty was not ratified by Costa Rica and Panama, because neither has armed forces. There was enthusiasm during the first years but little implementation, and also criticism based on the idea that in the long-run this became a good example of the securitization of national agendas.

The Central American Security Commission (CSC) was established within the framework of the Central American Integration System (SICA). Its main goal is to promote integration in different areas in order to address the various threats faced by the region. It promotes common policies and training in areas such as police and the judicial system. Two of its main current programs are related to promoting a network of public prosecutors against organized crime and controlling small arms and light weapons.

However, these regional institutions have not generated effective measures addressing current threats. Instead differences between countries on what they consider the main risks and how to deal with them have prevailed. As in the case of several Andean countries, especially Colombia, but in the past also Bolivia and Peru, the role of the United States in bilateral relations must also be considered. The war against drugs and terrorism has failed and, therefore, other options are being discussed.

Given the levels of violence and insecurity in Central America, some analysts consider international assistance to be necessary.¹¹ It is argued that the UN could play an important role through: 1) establishing bilateral agreements for commissions to provide assistance for the implementation of reforms; and 2) a Security Council decision under Chapter 7 of the UN Charter, which would consider an intervention to deal with a threat. The latter is very unlikely, but many feel the need for international intervention due to the degree of infiltration by organized crime.

The conclusion is that what is needed is international assistance and capacity-building, not intervention. This assistance should be focused on two areas, within the framework of democratic governance: reform and strengthening of state institutions, and a state presence in all territories with a monopoly on the use of force.

USE OF FORCE AT THE NATIONAL LEVEL

¹¹Andreas Quarten, *Superación de la crisis de seguridad* (see note 9).

The use of force therefore has a very important domestic component in Latin America. Some of the main risks and problems are:

Use by state actors

- For public/citizen security, not only by the police, but increasingly involving the armed forces. The armed forces are mostly not trained for this and there are reports of violations of human rights.
- For political reasons. In some countries the use of force – by both police and the military – to control protests and demonstrations has increased. Venezuela is currently the extreme case. Executive decree No. 8610 allows both the police and the armed forces to use lethal force when controlling demonstrations. The 1999 Constitution prohibits the use of weapons during protests.
- Risks of securitization.
- States are unable to protect significant groups of citizens. They fail to provide security.
- The state as a potential perpetrator of violence and creator of insecurity. It can become a threat, for instance violating human rights, where its monopoly on the use of force is used for political/social repression.
- In the Venezuelan case, militarization of the government (military officers control government posts) and of society (militias). The government defines itself as a «civilian-military.»
- In many countries, the state does not possess a monopoly on the use of force.

Use by non-state violent actors

Many countries in Latin America supply examples of the dangers of erosion of state control in providing security, which has led to the presence of non-state violent actors. More than traditional or communal providers of security, organized crime, gangs, and drug traffickers have become a threat to communities.

- »Privatization of the use of force«:¹² in this case organized crime, militias, and paramilitary groups take over territories where the state has lost control. Many of these are rural areas, but important cities such as Caracas, San Salvador, and San Pedro Sula (Honduras) are also affected. These groups establish their authority by force.
- Government institutions are infiltrated by organized crime. Not only central governments, but also regional and local.

¹²Herbert Wulf, Mely Caballero-Antony, and Marius Muller-Henning, *Is There a Need for New Peace and Security Rules in the 21st Century? Background Paper, Global Reflection Group on Monopoly on the Use of Force 2.0?* (FES, 2014).

- Anti-state violence.

NOTES FOR FURTHER DISCUSSION

Discussion of the monopoly on the use of force in Latin America must also address three new issues:¹³

- The rise of authoritarian governments which, as discussed above, leads to the use of force, at the national level for political reasons.
- Rising defense spending. During recent years, Brazil and Venezuela, and to a lesser degree Chile, have been building their capacity to use military force by buying weapons and military equipment. Russia has been an important provider, especially in the Venezuelan case. Because this has been closely related to high prices for commodities, especially oil and copper, military spending will probably decrease now that prices have fallen.
- Ideological rivalries. The concept of »twenty-first century socialism« and the »Bolivarian« front organized through ALBA seemed to divide Latin America into »left-« and »right-leaning« governments. However, this has been largely rhetoric, with high and low points of support for ALBA's »Bolivarian« front at both the regional and national levels.

Could these issues generate risks of inter-state conflict and use of force? This is highly unlikely. The main conclusion is that issues regarding the use of force in Latin America seem to be limited to the national levels, even in the cases of transnational crime, drug trafficking, and other related problems.

There are challenges both at the regional/subregional levels and the national. In the first case, the main challenge is that most of these threats require cooperation among countries, but cooperation on regional security is largely rhetoric and there is practically no implementation. Due to a state-centered tradition, sovereignty still plays an important role.

In the second case, the majority of domestic policies have failed, and the use of force entails many challenges and risks, especially vis-à-vis non-state violent actors that also use force for illegal activities, in many cases becoming a state within the state. The other important issue, especially within the framework of democratic governance, is when the state uses its force against its citizens for political reasons, which is a growing trend especially in countries such as Venezuela.

Lastly, future analysis needs to take into consideration the role of civil society actors. In Latin America there are different organizations involved in promoting peace and security at the national and regional levels. This could be an important step towards including perspectives on security and defense that are not state-centered.

¹³David Mares, *In Violent Peace* (New York: Columbia University Press, 2001).

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REFLECTION GROUP MONOPOLY ON THE USE OF FORCE

The Reflection Group »Monopoly on the use of force 2.0?« is a global dialogue initiative to raise awareness and discuss policy options for the concept of the monopoly for the use of force. Far from being a merely academic concern, this concept, at least theoretically and legally remains at the heart of the current international security order. However it is faced with a variety of grave challenges and hardly seems to reflect realities on the ground in various regions around the globe anymore. For more information about the work of the reflection group and its members please visit: http://www.fes.de/GPol/en/security_policy.htm

THINK PIECES OF THE »REFLECTION GROUP MONOPOLY ON THE USE OF FORCE 2.0?«

The Think Pieces serve a dual purpose: On the one hand they provide points of reference for the delib-

erations of the reflection group and feed into the final report of the group in 2016. On the other hand they are made available publicly to provide interested scholars, politicians and practitioners with an insight into the different positions and debates of the group and provide food for thought for related discussions and initiatives worldwide. In this sense, they reflect how the group and selected additional experts »think« about the topic and hopefully stimulate further engagement with it.

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