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# The Transshipment of Illegal Drugs and Citizen Security: the case of Costa Rica

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## Dedication

Mami, esta tesis se la dedico a usted. Gracias por creer en nosotros—en mí, por sus oraciones y su amor incondicional. Aún a mi edad extraño estar más cerca. ¡Gracias! Y mil bendiciones.

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## Abstract

The illegal drug trade market in Latin America has experienced significant changes and has been the cause of a rapid increase in crime and violence. As countries fight the drug-trade, trafficking routes continue to shift. Today the main drug flow between the South American producing countries and the U.S.—the world’s major drug consumer market, are controlled by powerful Mexican criminal organizations that “transship” cocaine through the Central American isthmus in a wide variety ways to avoid detection and interruption to the flow of merchandise. As a result of the growing amount of cocaine moving through Central America, the death count in the region has risen to some of the world’s highest levels. Nevertheless, there are important differences among the Central American countries and the level of threat that drug-trafficking represents depends on country-specific vulnerabilities. (Argueta, 2013: 198)

This thesis seeks to gain a better understanding of how citizen security in Costa Rica is affected by the large quantities of drug that traverses through the country and explore the state’s ability to provide protection to its citizens. In doing so I argue three points: first, that Costa Rica is vulnerable to violence caused by the flows of illegal drugs that traverse its territory; second, that the Costa Rican state lacks the capacity to prevent the passage of illegal drugs; and third, that the country has started to see the emergence of indigenous criminal groups that collaborate with more sophisticated transnational criminal organizations.

Even though Costa Rica has not experience the levels of violence seen in other Central American countries and maintains the lowest homicide rate in Central America, the rate of homicides increased by 88.5% between 2000 and 2010. Studies have shown that during those years, homicides linked to organized crime increased by 16.25%, considerably higher than the increase of 5.96% seen on homicides not linked to organized crime. This data is evidence that organized crime has, in fact, a destructive impact on Costa Rican society overall.

The strength of the Costa Rican state to fight these trends is researched based on Mann's concept of "infrastructural power" and two of Soifer's (2008: 235-236) dimensions of state infrastructural power, national capabilities—infrastructural power as a characteristic of the state to exercise power, and subnational variations—the state's territorial reach or penetration. In general terms, the Costa Rican state does demonstrate fairly high levels of infrastructural power when it comes to stateness, rule of law, and institutional performance; but some structural weaknesses are also apparent. However, there is strong evidence that in recent years, despite limited resources—yet with the help of the U.S., Costa Rica has placed great emphasis on security and has made considerable progress in building its security apparatus and the country's capacity to fight drug-trafficking in an effort to protect the people.

Although the Costa Rican state seems to present those conditions that Williams and Godson (2002: 320) believe challenge the emergence of organized crime, social disorganization theories allow us to explain the increasing appeal of "deviant" behavior. Deterioration of social conditions—including increasing inequality, has given rise to small local groups and individuals eager to collaborate with foreign DTOs for profit. Customary in-kind payment increases the amount of drugs remaining in the country and expands the local drug-market, attracting more participants, developing competition, and generates more violence.

This thesis concludes that due to the characteristics of illegal markets, the Costa Rican is unable to stop the flow of drugs. Nevertheless, the state has demonstrated fairly high levels of resilience in fighting transnational organized crime and drug-trafficking. It has also shown considerable capacity to protect its citizenry.

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## Abbreviations

BID	Banco Interamericano para el Desarrollo (IADB)
BTI	Bertelsmann Transformation Index
CPC	Convenio de Patrullaje Conjunto (Joint Patrol Convention)
DGA	Dirección General de Armamento (National Weapons Bureau)
DTO	Drug-Trafficking Organization
GDP	Gross Domestic Product
HLOC	Homicides Linked to Organized Crime
IADB	Inter-American Development Bank
INEC	Instituto Nacional de Estadística y Censos (Statistics and Census)
ICD	Instituto Costarricense sobre Drogas (Institute on Drugs)
MSP	Ministerio de Seguridad Pública (Ministry of Public Security)
NAFTA	North American Free Trade Agreement
OECD	Organization for Economic Cooperation and Development
OIJ	Organismo de Investigación Judicial (Judicial Investigation Bureau)
PCD	Policía de Control de Drogas (Drug Control Police)
PNUD	Programa de las Naciones Unidas para el desarrollo (UNDP)
SPII	Servicio Policial de Intervención Inmediata (Intervention Police)
TSE	Tribunal Supremo de Elecciones (National Electoral Board)
UNDP	United Nations Development Program
UNODC	United Nations Office on Drugs and Crime

## Drug Transshipment in Costa Rica





## PART 1: Introduction

Over the last few decades, the illegal drug trade market in Latin America has experienced significant changes in terms of volume, value, and organization. Small and somewhat organized illegal markets have transformed into what today are large-scale chaotic drug markets that generate a broad range of organized criminal activity in the region. (Serrano and Toro, 2002: 155-156) Drug trafficking, in particular, is the cause of the rapid increase in crime and violence and of the development of “pockets of criminality” across Latin America. This explosion of violence is most likely also assisted by the coercive antinarcotic policies in what had become an increasingly unstable illegal drug market. (Ibid: 168)

These aggressive antidrug programs have also had as consequence the dispersion of once well-established trafficking routes. As the U.S. intensified its “war on drugs” in the early 1980’s, trafficking routes shifted continuously. Shipment routes for South American cocaine from Colombia through the Caribbean and into Florida decreased while drawing attention to the advantages of Mexico as a transit point. (Ibid: 159) As the drug flows moved to Mexico, profits from cocaine strengthened Mexico’s already existing criminal networks—just as it had done previously in Colombia, creating a wave of violence among criminal organizations seeking to strengthen and secure their control over key smuggling routes. (Bagley, 2012: 8)

U.S.-Mexico air-flight interdiction programs later succeeded in reducing air smuggling between Colombia and Mexico, causing the trafficking routes to shift once again to the coastal areas of Mexico and to the countries of Central America. (Serrano and Toro, 2002: 159) To varying degrees, organized crime threatens the stability of Mexico and that of the countries of Central America. In some of these countries or regions within these countries, the police has been corrupted and outgunned; and governments have had to rely on their

military to reclaim territorial control from criminal groups. These groups have also gone on the offensive, murdering law enforcement officials and others that have dared to oppose them. (UNODC, 2010: 240)

The death count has risen over time in Central America as a growing share of cocaine trafficking is funneled through the region. Honduras has had the fastest growing murder rate in the region, most likely due to the fact that the country has been increasingly used as landing site for aircrafts loaded with cocaine originating in Colombia and Venezuela on its way to North America. (Ibid: 238, 241)

It is in the nature of drug trafficking and transnational organized crime to transform in response to law-enforcement threats as much as to market opportunities. (Serrano and Toro, 2002: 175) Criminal networks have also demonstrated vast flexibility in choosing countries of production and transit routes. (Swanstrom, 2007: 22) Today, cocaine is most frequently transported from Colombia to Mexico or Central America by sea—primarily by Colombian groups, and then by land to the United States and Canada—mostly by Mexican groups. (UNODC, 2010: 87) There is no doubt that powerful Mexican drug trafficking groups—such as the Sinaloa and Los Zetas, are already operating in Central America. (Bagley, 2012: 5)

Even though conditions might not be as bad as in other Central American countries, during the last decade, drug-trafficking has become a major concern in Costa Rica—recognized as a stable democracy with a strong rule of law and high levels of human development. Owing to the increased activities of local and transnational criminal organizations involved in the smuggling and the sale of illegal drugs, Costa Rica has also experienced an increase in crime, violence, and insecurity. In other counties of Central America, the lack of appropriate state policies and institutional mechanisms has meant that the impact and expansion of drug-trafficking has been extensive and has evolved from representing a security problem to being a treat to “already weak governance.” Nevertheless, there are important differences among the Central American countries and the level of threat that drug-trafficking represents depends on country-specific vulnerabilities. (Argueta, 2013: 198)

Despite international efforts to end drug trafficking, its economy remains relevant, influential, and a very real threat to states in terms of the social harm it generates. Drug

traffickers continue to demonstrate their capacity to intimidate, kill, and buy protection from authorities—whether police, soldiers, prosecutors, judges, or prison custodians. (Serrano and Toro, 2002: 162)

Engaging in transshipment of illegal drugs entails a series of possible economic, political, and social costs, but there is also a very high risk of what is called “leakage”—when traffickers leave a portion of the drugs for use and sale within the transit country’s domestic market, which contribute to the spread of drug consumption, the formation of local criminal groups, and the emergence of violence that is associated with the drug trade. (Friman, 1995: 73)

The countries of Central America are considerably different from Mexico and Colombia and could fairly be characterized as innocent bystanders in the drug trade and the resulting drug war. Trafficking organizations are based in Mexico and Colombia, and the direct “high-level” involvement of Central Americans in the drug trade is insignificant. Above all, the Central American countries do not have the capacity to deploy substantial resources against the drug trafficking groups, such as those possessed by Mexico and Colombia. The required full-scale efforts are only a viable option for countries with relatively high income. Given the small size of the Central American economies, even countries such as Panama and Costa Rica, that are comparatively prosperous, do not have the resources to carry on a major opposition against the resourceful and powerful drug trafficking organizations (DTOs) (Demombynes, 2011: 12)

This thesis seeks to gain a better understanding of how citizen security in Costa Rica is affected by the large quantities of drugs that traverses through its territory, in light of the fact that Costa Rica, though by no measurement may be considered a weak state, is a developing country that, as such, is not exempt of inadequacies and difficulties. I start out by assessing the impact of drug-trafficking on the security of country’s population and take a look into the state’s capacity to confront the threats imposed by drug trafficking networks and to protect its citizens. I will also look into the existing structures that may contribute to the country’s vulnerability to drug trade, organized crime, and drug generated violence and crime.

The overall topic of this thesis is “the impact of drug flows on citizen security in Costa Rica.” I utilize a problem formulation in the form of a question to guide the overall thesis.

This is:

As a transshipment point for cocaine originating in South America, is Costa Rica able to provide its citizens protection from the crime and violence that is brought about by the illegal drug trade?

In procuring an answer to this central question, I have chosen to develop three propositions to guide this thesis in the data collection, the direction and the scope of the research, and the analysis. These three propositions are:

- 1) *Costa Rica is vulnerable to drug-trafficking violence; the country is experiencing an increase in violence caused by the flow of drugs crossing its territory.*
- 2) *The Costa Rican state lacks the capacity to deter the passage of illegal drugs through its territory.*
- 3) *Indigenous criminal groups have emerged and are likely to partner with larger and more sophisticated criminal groups operating at the transnational level.*

## PART 2: Methodological Considerations

The aim of this section is to delineate this thesis’ ontological and epistemological position, the unit of analysis, its guiding proposition, the conceptual framework, the data sources, and the analysis and reporting.

### 2.1. Ontology and Epistemology Reflections

This thesis departs from the understanding that the concept of human security, as an agent oriented-process, is a reflection of changes in the arena of international relations and evolving identities and interests, which places the individual or an aggregate of individuals at the center of the security discourse. (Newman, 2001: 239-240)

From a constructivist perspective, it is recognized that behavior, interests, and relationships are social constructions that, as such, can change. Thus, in this thesis human security is seen in the light of changing ideas and values that impact international relations. “The system is not a deterministic given—it is socially constructed.” Along this same line, it is understood that threats are constructed—they are not inherent or inevitable. (Ibid: 247-248)

I have also chosen to make use of an interpretive model. As such, it is conceived that the study of society and the human dimension conforms to a fluid dynamic—one that is ever changing and in which today’s reality may very well not be that of tomorrow. Since social phenomena are believed to be socially constructed the reality of one location—in this case Costa Rica, is expected to be different from any another. (Bryman, 2012: 33)

It is people that identify, seek out, and develop opportunities to benefit from illicit activities and give form to organized crime and criminal networks. It is their socially constructed environment that creates the conditions that made deviant behavior an acceptable means of generating wealth and attaining social assimilation.

The overall research strategy is interdisciplinary, in great part due to the fact that criminality is still delimited by the same borders that define the nation-state and has received very little attention by scholars in the field of international relations. The same could be said about organized crime, illicit markets, illicit globalization, and drug trafficking. A borrow extensively from the fields of security studies, criminality, sociology, and political science.

## 2.2. Case Study and Unit of Analysis

There are three main reasons for selecting Costa Rica as the focus of my: (1) although increased drug trafficking in Costa Rica is reported in media outlets, I found no substantial academic work that looked into the relationship between drug transshipment, vulnerability, and citizen security in Costa Rica; (2) when considering drug trafficking the attention is directed to those countries that make the news due to the high levels of violence and that fit traditional conceptualizations—such as Mexico, Guatemala, Honduras, and El Salvador, references to Costa Rica are scarce; and (3) I am Costa Rican,

and my family and I live the reality of a country that is impacted by increased drug trade and increasing insecurity.

This case study is intrinsic in that the case is not chosen because it is representative of other cases; it rather seeks to explore the particularities of the Costa Rican case. (Stake in Baxter and Jack, 2008: 549) Costa Rica is an interesting case on the issue of drug trafficking because it challenges the generally accepted notion that there is a direct link between state weakness and drug trafficking. Costa Rica is a country that has stood out as “exceptional” and unique in Latin America and much of the developing world. Costa Rica is considered to be the oldest and most stable democracy in Latin America; it declared demilitarization in 1948 when it abolished its army; it has maintained a lead in all social indicators in Latin America—in some segments even comparable to those of developed nations; the country is reputable for the protection of human rights; and a world leader in environmental protection and conservation.

Costa Rica is the southern most of the five Central American countries, north of Panama.<sup>1</sup> As all other Central American countries and Panama, it is situated strategically between the major cocaine producing countries of South America and Mexico—the main point of entry for illegal drugs into the United States. It seems reasonable that some of the cocaine travelling between South America and Mexico would traverse Costa Rican territory—be it by land, air, or water.

According to the U.S. Department of State, Costa Rica is considered to be a major drug-transit country, a major source of “precursors”—the chemicals used in the production of illicit narcotics, and a major money laundering country. (U.S. Department of State, 2014a)

The level of analysis is the relationship between the presence of in-transit cocaine and the security of citizens in Costa Rica. My aim is to reflect on the implications and potential impact of the presence of cocaine that is in transit through Costa Rican territory and of the actions of the actors involved in such transit on the average Costa Rican citizen in terms of his/her personal security. I do not seek to study the impact of drugs on the economy, the

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<sup>1</sup> I define Central America from an indigenous perspective—those five countries that upon independence formed the Federal Republic of Central America: Guatemala, Honduras, El Salvador, Nicaragua, and Costa Rica..

political system, or any other realm, as these topics fall outside of the specific scope of this thesis.

### 2.3. Conceptual Framework

Before addressing the three propositions, I start out with a brief contextual background. I provide an overview on the prohibition regime, the emergence of South America as the world's cocaine producer, the evolution of drug-trafficking from the Colombian cartels to the Mexican criminal groups, and the shift in trafficking routes. I briefly touch on citizen security issues and general impact of drug trafficking in what has become known as the highly violent countries of the "North Triangle" of Central America.<sup>2</sup> I then introduce some essential features about Costa Rica and the dynamics of the drug trade in the country. To understand these processes I take advantage of concepts developed below—such as characteristics of organized crime, criminal organizations, illegal markets, drug-trafficking, and transshipment. I also utilize concepts of social network theory to explain the evolution of the actors involved in the drug trade into what have become chaotic yet resilient structures.

In attending to my first proposition relating to the country's vulnerability to drug trade violence as a result of its position as a transshipment point, I address the transnational links that have surfaced in recent years and use the theoretical framework on organized crime. I also utilized concepts from sociological network theory to explain the structure of organized crime and better understand the role that Costa Rica plays within the larger context. To measure the impact of the drug trade and determine its correlation with violence, I analyze data on homicides. To grasp a sense of the volume of drugs transiting through the country, I make use of official data on cocaine drug seizures. Multi-year data on drug seizures and homicide rates allow us weigh the impact of drug flows and the citizens' vulnerability to the presence of drugs in the country. Other criminal data will also be considered—such as the availability of firearms and incidence of contract killings, in order to help us complete the picture.

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<sup>2</sup> The "Northern Triangle" refers to the three northern-most countries of Central America—Guatemala, El Salvador, and Honduras, victims of exorbitant violence and murder rates.

My second proposition considers the state's capacity to deter drug flows and protect its citizens. To assess the strength and capabilities of the Costa Rican state, I chose to work with two dimensions of infrastructural power as distinguished by Soifer: National Capability and Subnational Variations.

National Capability or the capability of the state to exercise control refers to the means of coercion available to the state and the material means underlying these. As utilized by Mann, I will assess the extent of the Costa Rican state's infrastructural power by tracking revenues and expenditures trends of the national government. Data on revenue, as a percentage of GDP, gives us an idea of the state's relation with power actors in civil society and its capacity to tax. On the other hand, state expenditures reveal the resources that are available to its leaders—allowing them to implement policies. (Soifer, 2008: 237) In conjunction with financial resources, I review recognized assessments of Costa Rica in the area of government effectiveness—including corruption, rule of law, and the capacity to provide public goods. I also take a survey the state's security apparatus—specifically the “counter-drug” machinery.

Subnational Variation or the state's territorial reach considers the ability of the state to exercise control over its entire territory. This dimension helps us defines the geographic area within which state policies can be enforced. By mapping out the reach of state institutions one would be able to determine where the state is and is not capable of enforcing its policies. This aspect is important because of the concealed nature of drug trafficking. The territorial variation in the reach of the state is relevant to the possible existence of “ungoverned” areas that may be utilized by trafficking organizations for the transshipment of drugs. (Ibid: 243-245)

Little subnational data is available and most data on the security apparatus of the country is considered restricted as per matters of national security—specially the size and distribution of security forces. So, I attempt to measure subnational variations, through (1) data on existing road infrastructure—network and matters of accessibility; and (2) state practices of identification—ease of obtaining an official identification card. (Ibid: 247)

The third and last proposition pertains to the proneness of the Costa Rican society to criminality. The driving proposition here is that the country has been experiencing a decline of social indicators; situation that is conducive to alternative or “deviant”



behaviors. I look at social indicators that help us better understand current social conditions and multi-year data to determine if in fact there has been noticeable changes and effective deterioration. I rely primarily on statistical data for indicators identified by theories of social disorganization and attempt to measure the level of structural disadvantage and resource deprivation with the use of the Human Development Index and Gini Index. Among those indicators used are poverty, unemployment, income inequality, and educational attainment. (Ousey and Lee, 2002: 83)

To bring to a close, I draw some general conclusions and provide a proper answer to the guiding research question based on the empirical data that is presented and analyzed throughout the document.

## 2.4. Data Sources

Being that it is critical to control the reliability of sources, I select sources with caution to ensure that they are trustworthy. Sources are selected on the grounds of their quality and objectivity. I try to utilize multiple data sources when possible, to enhance data credibility. Texts are primarily selected based on the source: authors that are known to be authorities in the field or frequently quoted by others, international organizations that are reputable, official governmental documents, academic journals, and other recognized periodicals. When relevant, attention is also paid to the date of publication. Most of the documentation is secured through Aalborg University's Library, from their collection, database memberships, or through interlibrary loans. I make extensive use of Bibliotek.dk to obtain certain articles and books. Reports and such are procured mostly from the publishers' websites.

Data collection proceeds in three steps. First, archival research was gathered on the drug trafficking and transnational criminal organizations. These included: academic and articles from peer review journals, newspapers, reports, and other internet sources. Second, collection of statistical data from the web sites of international organizations—such as, Brookings Institution, Inter-American Development Bank (IADB), UNDP, *Latinobarómetro*, the Center for Global Development, OECD, World Bank, Bertelsmann Stiftung, and web sites of Costa Rican governmental institutions. Third, semi-structured interviews were

conducted with Costa Rican officials<sup>3</sup> to verify information, clarify inconsistencies, and to procure up-to-date and hard-to-get data. Contact with local officials, particularly in the case of ICD, the aim was to obtain a more “ground-level” viewpoint and some “casual” perceptions. Contact was made through electronic mail and Skype. The information obtained was used throughout this thesis; but in particular in the analysis of the thesis’ three propositions.

It must be pointed out that there is a weakness when researching illicit markets due to the illicit nature of the activity. Obtaining reliable and accurate data is difficult, making it essentially impossible to measure the volume and value of the trade on any reliable level. (Bybee, 2011: 111) For this reason, I chose not to use data on the size of drug flows or monetary value of the illegal drug market. I have also chosen to avoid using publications from the U.S. Government, its institutions, and agencies, since I consider that it is often utilized in a discursive mode to exaggerate the impact of drug trade and mobilize resources in the fight against drugs. It is well known that the United States has been behind the creation of the world prohibition regime and has been aggressive in its imposition of other nation’s drug policies that converge with their own. Although the U.S. does play a major role in the area of drug trafficking and particularly in Latin America, I purposely take the focus of this thesis away from U.S. efforts in the region and only include some relevant facts to emphasize Costa Rica’s lack of resources to fight drug-trafficking.

## 2.5. Analysis and Reporting

I utilize a “linking data to propositions” analysis technique, in which I address each proposition and return recurrently to each one of them. This technique helps one (a) maintain a focused analysis; (b) explore opposing propositions as a means to offer alternative explanations; (c) improve the weight of findings by way of addressing and accepting or rejecting different propositions; and (d) evade superfluous data. (Yin in Baxter and Jack, 2008: 555)

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<sup>3</sup> Interviews were conducted with: Mr. Carlos Alvarado Valverde, General Director, Costa Rican Institute on Drugs (CID)—via Skype on July 18, 2014. Mr. Franklin Gonzalez Morales, Head of the Statistics Section, Costa Rican Judicial Power—via Skype on June 26, 2014. Mr. Carlos Hidalgo Flores, Head of Press and Communications, Ministry of Public Security (MSP)—via electronic mail, between July 14-17, 2014.

The result is what I hope will be an interesting and readable account of drug traffic and its impact on citizen security in Costa Rica, a country with a very 'particular' contexts.

## PART 3: Theoretical Framework

### 3.1. Human Security

At the very heart of this thesis is the concept of security and the individual at the center of security. We explore here the meaning of citizen security—the physical security of people as a component of human security.

“[T]he most familiar connotation of security is—safety from violence.” (Paris, 2001: 95)

And the focus of security has traditionally been the state “because its fundamental purpose is to protect its citizens.” (Axworthy, 2001: 19) Yet, a generalized

Figure 1: Thesis Outline



conceptualization of security in terms of power has dominated policy-makers, strategists and academia. (Buzan, 1991: 7) “[S]ecurity is about the ability of states to maintain their independent identity and their functional integrity.” Thus, the focus of security is on the sovereign territorial state. But, Buzan adds that “survival” is what is at the core of the concept of security; above all that of human collectives and then the personal security of individual human beings.<sup>4</sup> (Ibid: 18-19)

Since the end of the Cold War, security studies have broaden to include non-military security threats, to considering the security of individual and groups; thus, departing from the narrow conceptualization of security that focuses on external military threats to the state. As such, Paris (2001: 96-97) proposes that “human security” ought to refer to a broad category of research, within security studies, “that is primarily concerned with nonmilitary threats to the safety of societies, groups, and individuals.”

Security lies at the heart of our individual and communal existence. For the great majority of people in the world, disease, hunger, environmental contamination, street crime, or even domestic violence are much greater threats than war. For some the greatest threat may even come from their own state and not from an “external” source. Now, human security is not necessarily in conflict with state sovereignty, says Newman, as the state continues to be the main source of security. But, it does denote that human security is not consistent with international security as traditionally defined and that overdoing statist security can be detrimental of human welfare. For these reason human security, in its broadest sense seeks to place “the individual—or people collectively—as the referent of security.” (Newman, 2001: 239-240) (Swanstrom 2007: 9)

The UNDP’s Human Development Report of 1994 (1994: 22) makes the first significant reference to human security when it says that “[t]he concept of security has for too long been interpreted narrowly: as security of territory from external aggression, or as protection of national interests in foreign policy or as global security from the threat of nuclear holocaust. It has been related more to nation-states than to people. [...] Forgotten were the legitimate concerns of ordinary people who sought security in their daily lives.” Paris (2001: 89-90) argues that while a valuable critic, the report then proposes a concept

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<sup>4</sup> Buzan formulates five major sectors that impact the security of human collectives: military, political, economic, societal, and environmental. (Buzan, 1991: 19)

of human security that “lacks precision.”<sup>5</sup> A definition so broad that essentially “any kind of unexpected or irregular discomfort could conceivably constitute a threat to one’s human security.” Nonetheless, the report’s definition of human security remains the most widely used and most “authoritative” articulation of the term.

Security for individuals is not easy to define. Newman (2001: 240) stresses that the concept of human security is not a coherent one; different and often competing conceptions are the result of “sociological/cultural and geostrategic orientations.” This emergence of human security as a broad and evolving notion is a reflection of the impact that values and norms have on international relations. This “impossibility” of defining human security in precise terms, gives rise to the need to conduct analysis on specific threats. Buzan (1991: 36-38) argues that most threats to people result from the fact that people are “embedded in a human environment which generates unavoidable” pressures. Government and state are born, as such, out of the need that people had for order and security; human being sacrificed some freedoms in order to do away with the chaos of the “state of nature.”

As formulated by Hobbes, states are created by people to defend them from foreign invasions and to protect them from the treat that other individuals represent.<sup>6</sup> Along the same lines, Locke in his concept of social contract argues that the main reason people place themselves under a government is for “the preservation of their property” — meaning their lives, liberties, and possessions.<sup>7</sup> Buzan adds that from here there is no going back—the state is irreversible, and the security of people is “inseparably entangled with that of the state.” (Ibid: 38-39)

Buzan (1991: 39-40) provides us with a two-model view of the conception of state: the minimal and the maximal. Under the minimal, and based on Locke’s concept of a social contract, the state is preoccupied with the individuals who make it up. “The foundation of the state rests on the consent of its citizens to be governed, and therefore the actions of the state can be judged according to their impact on the interests of its citizens.” Under

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<sup>5</sup> “Human security can be said to have two main aspects. It means, first, safety from such chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life—whether in homes, in jobs or in communities.” (UNDP, 1994: 23)

<sup>6</sup> See Thomas Hobbes’ *Leviathan*.

<sup>7</sup> See John Locke’s *Second Treaties of Government*.

this interpretation national security would reflect the values that result from the interests of its citizens. On the other hand, there is the maximal state, a view that results from the supposition that the state is more than the sum of its parts and therefore has interests of its own. As such, the state “can be detached from, and legitimately unresponsive to, individual security needs.”

A more recent conceptualization of human security focuses on non-traditional security issues such as epidemiology, drugs, terrorism, inhumane weapons, and human trafficking. It sustains that the political, technological, and economic changes that globalization has engendered, have also given rise to “malignant” forces that take advantage of those changes. These malignant forces represent serious challenge to democracy, development, and security. (Newman, 2001: 245)

This shift in the conception of security incorporates both traditional “hard” security threats with new challenges to the state and to ordinary person—so called “soft threats.”

Swanstrom (2007: 2-3) adds that these soft threats “come in many shapes and forms but a characteristic is that they are less tangible than the traditional threats and more difficult to define and deal with.”

According to Berki, “[p]erhaps . . . the most important distinguishing mark of our modern Western civilization” is the assumption “that the security of the single individual is best left in the hands of the state”. (Berki in Goldsmith, 2002: 8) Except that at times the state has been unable or unwilling to protect its people. The need that emerges to address the relationship between the state and its citizens and considerations of individual security in international relations leads to the international prominence of human rights in the 1970s and 1980s. This shifted the focus of security from the state to include “individual human beings” and considerations of the proper role of the international community when states fail to protect. The protection of civilians has become part of the dialog previously reserved only to the rights of states and sovereignty. The inherent right of people to personal security is recognized by the United Nations Charter, the Universal Declaration of Human Rights, the Genocide Convention, and the Geneva Conventions.<sup>8</sup> As such,

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<sup>8</sup> The Geneva Conventions and their Additional Protocols (4 Conventions and 3 protocols) aims to protect people that are not involved in hostilities—civilians and health and aid worker, and those no longer taking part in the hostilities—wounded, sick, and prisoners of war. The Geneva Conventions are at the core of international humanitarian law. ([www.icrc.org](http://www.icrc.org))

individual security becomes a part of national security for many states that would not have considered it otherwise. (Axworthy, 2001: 19) (Buzan, 1991: 49)

### 3.2. State Capacity and Infrastructural Power

From citizen security and the state's role as primary guarantor of the wellbeing of its citizens, we move on to aspects relating to the strength or capacity of the state to execute this function.

Among the key aspects that define a state is the existence of a set of institutes that translate into practice the government's decisions. With these institutions, the state seeks to penetrate and control the total extent of its territory and the people within this territory. (O'Donnell, 2008: 28) Besides the institutional quality of the state, Michael Mann highlights a 'functional' attribute of the state—it's monopoly of "binding rulemaking." (Mann, 1984: 188) This 'binding rulemaking' is a term that comprises a variety of rules and functions. Among the most "persistent types" of state activities Mann lists in first place the maintenance of internal order. (Ibid: 196-197)

Now, when considering the strength of states, most scholars opt for assessing the state's capacity—which in general terms is a function of "state bureaucracy, the state's relations with social actors, and its spatial and societal reach." States with high capacity are considered to be better equipped "to establish a monopoly of violence, enforce contracts, control their populace, regulate institutions, extract resources, and provide public goods." (Soifer and vom Hau, 2008: 220) In other words, states with high capacity are better able to shape the structures that their societies exhibit.

To help in our analysis, we take advantage of Mann's distinction between two types of state power. The first type is "despotic power"; which relates to the power that the state elite have to impose their will over civil society without consultation. This type of power is referred by O'Donnell as "unilateral power"—a type of power that expects compliance and is backed by threats. The second type of power is "infrastructural power" or the power that the state has to penetrate civil society and to implement political decisions through its own infrastructure. Infrastructural power is a "collective power"—power through society and not above it. (Mann, 1984: 188-189) (Mann, 2008: 355) (O'Donnell, 2008: 47)

According to Mann, today's modern capitalist democracies are both weak and strong. They are despotically weak because their leaders only rule with the approval of the people and at the same time they are infrastructurally strong. (Mann, 2008: 356) For the purpose of this study we are concerned with the state's infrastructural power and explore it further.

Income tax typifies state infrastructural power. States assess and tax income on a regular basis at the source, without us being able to inhibit the process. Considering that income taxes did not become a major source of taxation until the twentieth century, it also helps to illustrate that strong state infrastructural power has only developed recently. In fact, state infrastructural power in the twentieth century and up until today is characterized by its "intensification", particularly in the West. However, if measured by state spending as a proportion of GDP, the growth of infrastructural power showed a tendency to flatten out sometime around the 1970s or 1980s. (Ibid: 356, 360)

As an administrative form, the state consists of a central elite that interacts with a society that is made up of a range of interconnecting power networks. The state's infrastructural power comes to determine how far its bureaucracy extends to exercise control over social relations. In most cases, the state cannot exercise direct control from the center and relies on agents within the territory it governs. The state's infrastructural power then relates to the series of relationships that connect these "institutions of control" to the communities they penetrate and to the central state elites. (Soifer, 2008: 234-235)

Soifer (2008: 235-237) recognizes three distinctive dimensions of state infrastructural power, which result from the relationships that exist between three actors (the central state elites, the institutions of control they rely on, and society): (1) National Capabilities—infrastructural power as a characteristic of the state to exercise power; (2) Subnational Variations—the state's territorial reach or penetration; and (3) Weight of the State—the effects of the state on society. I chose to utilize the first two dimensions to explore the infrastructural power of the Costa Rican state—and thus its capabilities. I consider them to be most relevant to the topic of this thesis.

Consistent with most analyses of power, the National Capabilities approach assessed power as the state's capability to exercise control. It weighs the resources that are at the state's disposal for exercising control over society and its territory. As such, the state's



infrastructural power is a characteristic of the central state and does not vary within a particular country.

Rather than power based on the resources available to the state, Subnational Variations gauges the state's capacity to penetrate its territory and the variations within its territory. In other words, the state may not be homogeneously powerful throughout the whole of its territory—its reach may be irregular. Since the state may have more power in some regions than in others, it reflects the limited reach of its institutions and its policies. Many states, particularly in the developing world, have limited territorial reach. (Ibid: 242-243)

A state and its government are said to be weak when they lack the capacity to make decisions and/or the capability to implement any decisions which its leaders believe to be necessary or appropriate—thus, lacking infrastructural power. As such, a weak state is incapable of fulfilling its most basic responsibility as organizer and guarantor of social relations. (O'Donnell, 2008: 47) Since states are central to development and human well-being, a state that is unable to provide security and establish control over its own territory translates into vulnerable communities—exposed to non-state powers and limiting their prospects for economic growth and the availability of basic social provisions. (Soifer and vom Hau, 2008: 219)

### 3.3. Organized Crime and Criminal networks

The threat to citizen security that concerns this thesis is the presence in the country of cocaine being smuggled from the producing countries of South America to the consumer markets in the north. In this section I present some key aspects of the trade that will help us understand the dynamics that take place.

Organized crime is defined by Albanese (2011: 231) as a “continuing criminal enterprise” that seeks to profit from illicit activities that are in great demand by the public. The difference from other criminal behavior is that organized crime: (1) originates from a continuing enterprise, (2) its crimes are rationally planned, (3) it utilizes force and threats to protect itself from prosecution, and (4) it satisfies public demand for illicit goods.

Organized crime has become a “sophisticated international venture” that involves groups and individuals across borders. Organized crime that involves two or more countries in the execution of criminal ventures is what today we know as transnational organized crime. (Ibid, 2011: 232) Transnational organized crime is not a new occurrence; it has taken place throughout the history of mankind. The difference today is “the speed, the extent, and the diversity of the actors involved.” The transnational expansion of criminal activities is facilitated by the very same increased opportunities that globalization offers legitimate enterprises. (Shelly, 2011: 3) The strength of transnational criminal organizations is their capacity “to conceal their activities within a variety of licit transactions, to act rapidly in order to exploit new opportunities, and to reconfigure and reconstitute organizational structures in response to law enforcement successes.” (Williams and Godson, 2002: 314)

Criminal organizations are, in fact, preeminent risk management entities. By way of conceiving a low-risk environment and taking advantage of safe havens, criminal organizations strive for the survival of the organization and the protection of their proceeds. They rely on extensive counter-intelligence methods and state of the art technology to stay informed about law enforcement efforts. The utmost vital consideration is that unavoidable risks and costs do not end up destroying them. Consequently, they take measures and utilize considerable energy, time, and resources to reduce and control risks and mitigate damage. (Ibid, 2002: 336-337)

Albanese (2000: 415) hypothesizes that there are three important features that predict the advent of organized crime: (a) opportunity factors, such as economic conditions, government regulations, enforcement effectiveness, or demand for the product, (b) criminal environment or the readiness of individuals and crime groups to take advantage of the opportunity, and (c) the skills required to commit crime, such as technical knowledge, connections with other criminal groups, and manufacturing and distribution capability—as is the case for drugs. With respect to the state, Williams and Godson (2002: 315) argue that the critical traits that determine the presence and operation of transnational criminal organizations are (a) the strength or weakness of the state, (b) whether its government is authoritarian or democratic, and (c) the degree of institutionalization of the rule of law. Among the conditions that restrain the emergence of organized crime include “well-functioning democracies with a high level of political

legitimacy, a strong and deeply entrenched culture of legality, rule of law, structures for accountability and oversight, and high levels of transparency.” In these settings, organized crime finds it challenging to develop a mutually advantageous relationship with the political and administrative elites. (Ibid, 2002: 320-321)

To help understand criminal organizations, one must also look at illegal markets and their dynamics. Arlacchi defines an illegal market as “a place or situation in which there is a constant exchange of goods and services, whose production, marketing and consumption are legally forbidden or severely restricted by the majority of states.” The activities of these markets are “socially and institutionally condemned as an inherent threat to human dignity and the public good.” Prohibition regimes might reduce the supply of those goods or services it seeks to abolish, but not so their demand—thus, pushing prices up. This encourages the emergence of suppliers of all kinds. Prohibited goods such as drugs are among the products that criminal markets concentrate on. (Ibid: 322, 324)

Researchers and analysts of illicit markets indicate that illicit markets are not highly organized, but are often disorganized and integrated by multiple participants who conspire and compete in “complex and unpredictable ways.” While criminal organizations are the most important players in illegal markets, these markets are rarely controlled by a small number of large syndicates and involve a wide range of participants. (Ibid: 323-324) The emphasis of criminal organizations is business and not criminality *per se*. Although there may be similarities with licit businesses, criminal enterprises differ in that they need to conceal their activities, require heightened security precautions, and rely on the use of violence and corruption. But as with licit businesses, their aim is profit. (Williams and Godson, 2002: 324)

Traditionally, criminal organizations have been viewed as centrally controlled organizations with a clear hierarchy. Today, this view has been replaced by the notion of criminal networks. Organized crime is better understood as a diversity of offenders and criminal groups that enter into collaboration with each other in a variety of ways. For this reason, the concept of “criminal network” has become a popular label that refers to the structure in which organized crime operates. (Bruinsma and Bernasco, 2004: 79)

Organized crime is a complex reality, a general and restricted characterization such as “criminal networks” may be troubling. Social networks are usually not clearly separated

from their environment and those involved do so in a variety of overlapping networks. Social networks result from the predisposition of people to come together with those of a similar nature and of “societal preconditions.” “People and their mutual relationships form the building blocks of which social networks are constructed.” As such, social networks change their form and content over time. Bruinsma and Bernasco (2004: 80-81, 83)

Social networks also have a distinguishable form that can vary between the form of a “chain,” the “hierarchical,” and the “central.” A chain-like form is that in which a social network is characterized by few social relationships between its members—“links” between them are often indirect and usually take place through a third party within the network. Hierarchical networks are those that commonly occur in the business world or in government. A central network is one in which a particular node holds a central position within a larger social network. (Ibid: 81-82)

Morselli defines a network as “a self-organizing structure that is essentially driven by emergent behaviour of its part.” (Morselli in Boivin, 2013) Networks are highly resilient and sophisticated organizational forms that are resistant to disruption. In adapting a network structure, though unknowingly, drug trafficking organizations have enjoyed wide-ranging flexibility and are able to respond rapidly and adapt to external threats—such as law enforcement. (Williams, 1998) Those social networks that are involved in criminal activities do not exist in advance—as with other type of networks, they surface as consequence of regular criminal collaboration. (Bruinsma and Bernasco, 2004: 91)

As other criminal enterprises do, drug trafficking has been known to employ “ethnic networks” for efficiency and trust. But, this is not always the case; the drug trade has seen the advent of “specialists that take advantage of location, language, location knowledge, or ability to melt into the crowd.” Even with an increasing number of sources of supply and target destinations, drug transactions still rely to a great extent on “the trust and mutual recognition that a common ethnic background implies.” (Naím, 2005: 73)

*A network can be understood as a series of connected nodes. The nodes can be individuals, organizations, firms, or even computers, but the critical element is that there are significant linkages among them. Networks can vary in size, shape, membership, cohesion, and purpose. They can be large or small, local or global, cohesive or diffuse, centrally directed or highly decentralized,*

*purposeful or directionless. A network can be narrowly focused on one goal or broadly oriented toward many goals, and its membership can be exclusive or encompassing. Networks are at once pervasive and intangible, everywhere and nowhere. More prosaically, they facilitate flows of information, knowledge, and communication as well as more tangible commodities. They operate in licit as well as illicit sectors of the economy and society. This enormous variability makes the network concept an elusive one; at the practical level, it also makes networks difficult to combat. (Williams, 1998)*

Networks are excellent structures for managing risk and limiting damage to the criminal enterprise. If the network is threatened in any way, it can alter itself and continue to function. They are highly resilient because of what Perrow has termed “loose coupling” — the possibility of alternative paths to cope with the disruption and limit the impact. By their own nature, networks involve loose coupling, which makes them more effective in managing risks. (Perrow in Williams, 1998)<sup>9</sup>

Due to their flexibility and adaptability, and their ability to take advantage of new opportunities and react quickly to law enforcement efforts, networks are organizational structures well fitting for criminal activities. Another critical characteristic of networks is that they have built-in redundancy that allows the network to recover when a part of the network is compromised; making them vastly resilient to disruption, capable of reconstruction in case of damage, and difficult to defeat. If threatened or debilitated this affords them the possibility of utilizing alternative the route of least resistance connections to avoid the disruption of their activities. Networks can also easily establish links with one another and have great expansion capacity through recruitment of new members, which enables them to take advantage of new opportunities as they become available. (Williams and Godson, 2002: 332-334)

Even though networks do not lack an organizational identity, they are not particularly concerned with their organizational form. Thus, they can come together at their convenience and for their own benefit without this being a threat to their identity. (Williams, 1998)

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<sup>9</sup> See Charles Perrow, 1988. *Normal Accidents: Living with High Risk Technologies*. Princeton University Press.

### 3.4. Drug Trafficking

Naylor defines drug trafficking as consisting of multiple exchanges of “inherently illegal goods between producers, distributors and consumers in a market-like context.” (Boivin, 2013) Williams and Godson quote Fijnaut, et al, in describing drug trafficking “as an extensive network where thousands of individuals, often in cliques and groups, are linked by formal or informal relations, or where these relations are easy to establish through ‘friends of friends’ if business so requires. Intersections can be [discerned] in the network, and individuals and groups with more power than others.” (Williams and Godson, 2002: 332)<sup>10</sup>

Being that illicit drug is such a lucrative enterprise, drug traffickers will always find a way to satisfy the demand. Traffickers will always seek out new opportunities, market new drugs, find a new route to smuggle drugs, establish new partnerships, take advantage of new technology, recruit new individuals, and figure out a way to launder the profits. Traffickers choose very carefully the routes to smuggle drugs, preferring routes where law enforcement is weak to avoid detection and reduce the risk of loss. They are also constantly on the lookout for new routes in search of convenience and safety. (Natarajan, 2011: 109, 113)

Criminal organizations involved in the trafficking of cocaine have been thought to have large, hierarchical, vertically integrated structures that formed cartels and dominated the market. (Williams, 1998) The structure of organizations that traffic illegal drugs is just as varied and range from people working alone to major organized crime “syndicates” that undertake a variety of tasks within the different stages of distribution. (Natarajan, 2011: 114)

After studying illicit cocaine trade in New York, Block concluded that criminals involved in the trade were better described as “criminal justice entrepreneurs”—individuals without a particular affiliation with any one organization, but rather involved with a series of small organizations. In Patricia Adler’s research on the underground drug market, she concludes that participants in illegal markets shifted between different types of activities in response

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<sup>10</sup> See Cyrille Fijnaut, Frank Bovenkerk, Gerben Bruinsma, and Henk van de Bunt, 1998. *Organized Crime in the Netherlands*. Kluwer Law International.

to the demands of the market. She also finds that these markets were “largely competitive” and not “highly structured.” (Albanese, 2000: 414)

In the case of drug trafficking networks, their shared purpose is to move drugs from the producing countries through a variety of transshipment points to the end user—with minimum disruption and loss from interception, and that the members of the network make a profit. The different networks provide the necessary connection between suppliers and customers, and are essential to the operation of the market. (Williams, 1998)

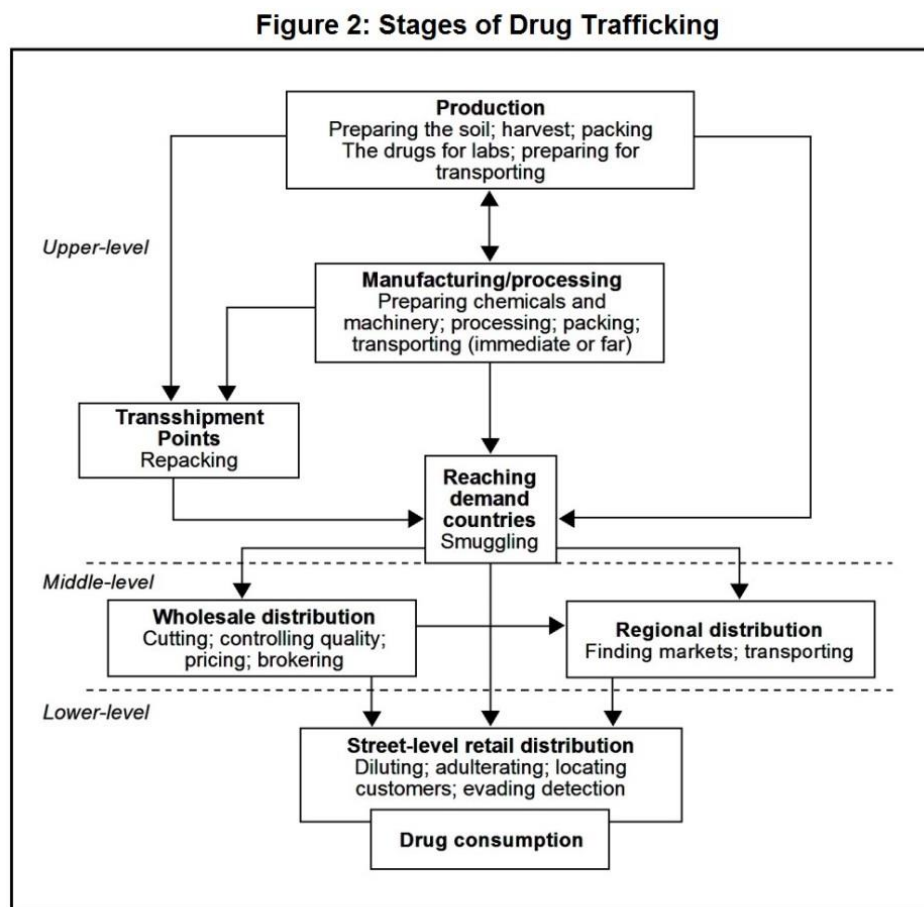
Criminal networks also take advantage of the loopholes within the state-based crime control and legal systems. (Shelly, 2011: 3) Even when it concerns criminal activity, drug traffickers are protected by the same legal framework and sovereignty that protects the state since there are few legal options to interfere in the affairs of other states. This provides criminal networks with advantages that they are quick to utilize. (Swanstrom 2007: 21)

According to Singer, illegal drug flows typically follow three sequential steps in a continuum: countries of production, countries of transshipment, and countries of targeted consumption. She notes that production and transshipment take part, predominantly, in developing countries. (Singer, 2008: 469) A single route includes multiple countries and any one country may have a different purpose in different routes. (Boivin, 2013)

Natarajan identifies six stages in drug trafficking:

- Growing or Producing
- Manufacturing
- Importing or smuggling
- Wholesale Distribution
- Regional Distribution
- Street-level Distribution

At the same time (see Figure 2) Natarajan distinguishes three levels of distribution: (1) Upper-level, indicating the movement of drugs in bulk from the producing countries to the consuming countries; (2) Middle-level, representing the wholesale distribution to different regions within the demand country; and (3) Lower-level, which involves retail sales to the consumer. (Natarajan, 2011: 110)



Source: Natarajan, 2011

In moving drugs from the producing countries to the end user, drugs are commonly shipped through third countries before reaching their final destination. This practice, employed to help avoid detection, is called transshipment and has been used extensively by both licit and illicit trade. In the case of illicit transshipment, which concerns us, it normally involves products covered under prohibition regimes such as “narcotics and other illicit drugs, endangered species, toxic waste, and slaves (sexual and labor).” When a direct route faces a heightened risk of interdiction, exporters use transshipment to hide



the merchandise while evading restrictions. (Friman, 1995: 66) The diversion of goods, legal or illegal, through third countries is done in an effort to conceal the country of origin and facilitate safe passage into the target country. (Morrison, 1997: 9)

As interdiction and suppression efforts are heightened at borders, or across them to chase down couriers, the dispersion of activities not only moves to other countries, but into more “inaccessible and intractable drug territories”—deserts, jungles, mountains. Again, disruption of drug trafficking elevates their price and profits for smugglers, and ‘the learning curve of traffickers.’ These actions combined with geopolitical factors shape where drugs end up flowing. (Gootenberg, 2009: 22)

Some of the factors that are alleged to make a country a potential transshipment point are: “a capacity for drug cultivation; a weak central state which not only lacks control over large portions of the country outside the major cities but also tolerates no-go areas in some of these cities; a “clientelist” political system with well-established patterns of corruption; a sophisticated infrastructure that is already used to facilitate transportation of illicit products and to launder proceeds of crime; extensive trade patterns that could be used as cover for various products, and existing [well entrenched] criminal organizations.” (Williams and Godson, 2002: 343)

Friman (1995: 68) claims that the reason why some countries emerge as transit states is related to both the country’s “openness to transit” and its “access to target”—target market. Openness to transit refers to the viability that the exporter has to gain access to and passage through the prospective transit state. Access to target refers to the extent to which the prospective state can gain entry into the intended final market that the exporter has targeted.

Access to the target market or country has to do primarily with the extent to which the prospective country is already subject to monitoring for illicit transshipment. Unrestricted countries are a better option and more likely to emerge as transit states. By the same token, countries that benefit from preferential trading arrangements with the target destination would also be likely to be used as a transit state. The expansion of economic linkages and trade between countries also broadens the flow of goods between potential transit states and target countries, within which the transshipment of illicit products can be concealed. Other good candidates for transshipment are those countries that border

the target state or are located in the target region—primarily because of the low cost of transporting goods as a result of proximity. However, the declining importance of geographical distance owing to technological advances in transportation and communications in general can easily challenge this logic. Openness to transit refers to the access that the exporter or producing country has to a potential transit country. The considerations are similar to those for “Access to Target”, except that it now involves the potential transit country and the source country—rather than the destination country. It is again important to consider the extent of restrictions between the two countries as well as proximity and the volume of economic linkages. (Ibid, 1995: 69-70)

Building on Friman’s analysis, Morrison argues that every country is a potential transshipment point, even if not on a direct route between producing and consuming areas. In no way does this mean that transit routes are picked randomly. “As opportunists, drug traffickers weigh up the costs and benefits of potential routes in order to choose those which are most hospitable to drug transit or provide the lowest risk of detection.” Transit points are not necessarily chosen because of the cover that internal turmoil might offer, but because they have a clean reputation that would not raise the suspicion of customs officers in target countries. (Morrison, 1997: 8-9)

Certain cultural traits are also believed to encourage and enable criminality. Among cultural traits are “the prevalence of patron-client relations, suspicion of outsiders, and the existence of informal exchange networks.” Those environments that support these traits are generally characterized by a weak rule of law and a culture of lawlessness; where people are inclined to tolerate criminal activities that succeed in obtaining wealth. These communities are also prone to the emergence of indigenous organized crime and become attractive targets for transnational criminal organizations in search of new opportunities—including transshipment points. (Williams and Godson, 2002: 329-330)

### 3.5. The Drug/Violence Nexus

In this last section, I explore the dominant models that help us better understand the connection between drugs and violence. We will use these notions to appraise Costa Rican society’s susceptibility to violence and the drug trade.

The acceptance of an illicit drug markets-violence connection has been widely accepted and embraced by many scholars, policymakers, and the mass media. (Ousey and Lee, 2002: 73) Violence is considered to be an intrinsic feature of illicit markets—and one that differentiates them from licit markets. (Andreas and Wallman, 2009)

Albanese argues that activities typical of organized crime—the provision of illicit goods and services, involve no inherent violence; they are consensual activities between criminal groups and the customers. But, because agreements that involve illegal products cannot be enforced in a court of law, criminal groups rely on threats and violence for their enforcement. The use of these means to enforce contracts performs a social function similar to the coercion that states use to discourage unwanted behavior. Criminal groups utilize threats and violence to intimidate outsiders, frighten potential informants, dissuade competition, and promote quick resolution of disputes. (Albanese, 2011: 232)

Before the mid-1980s, drugs-violence was studied on “individual-level perspectives.” These attributed violence to the effects of drug use or the need for cash that drug addicts have to support their habit. Goldstein introduced the Systemic Violence Model in the mid-1980s, which regards drug-related violence as a product of the structure of illegal markets and, as such, has its causes in the constraints that are associated with doing business in an illicit market—“a context in which the monetary stakes can be enormous but where the economic actors have no recourse to the legal system to resolve disputes.” (Goldstein in Ousey and Lee, 2002: 74-75)

According to the systemic model, violence is inherent to illicit substances and it is related to the “traditionally aggressive patterns of interaction within the system of drug distribution and use.” Some of the examples that Goldstein (1985) provides are turf disputes between drug dealers, quarrels over non-payment of drugs, retaliation for drug theft, elimination of informers, and retribution for selling adulterated drugs. The victims of systemic violence are usually those individuals that use or sale drugs, or are in some way involved in the drug business.

Adding to Goldstein’s model, Blumstein (1995:27) proposes that the community disorganization effect of the drug industry and its activities on the larger community should also be considered. He affirms that in some communities drug markets are such a relevant activity that their violent culture is likely to permeate the larger community—

including those individuals that are not directly involved in the drug trade. The widespread prevalence of guns among drug dealers is likely to encourage others in the community to arm themselves for protection. More arms in these communities increases the probability that more disputes among residents would result in violent acts—whether the quarrelling individuals are involved in the drug trade or not. (Ousey and Lee, 2002: 75)

Zimring and Hawkins (1997: 153), from a different perspective, sustain that illegal drug markets do not cause high levels of “lethal violence”, but are instead a “contingent cause” of violence. They argue that the social environment in which the illegal drug market operates is more significant in predicting violence than the illegal commerce itself. There is no “iron law” that links illegal drug markets with violence, but the existence of certain social conditions will develop that link. They revise the generally accepted systemic violence models by arguing that “the creation and expansion of illegal markets will produce extra homicides when social circumstances conducive to lethal violence already exist.” In other words, if people involved in the illegal drug market are violence-prone, violence will increase. Similarly, when violent persons enter a non-violent illegal market, they will likely contribute to making the illegal market a more violent one. On this same line of thought, Ousey and Lee (2002: 76-77) point out that lethal violence is not a problem in all countries where these markets exist and that it is likely that international disparities can be attributed to the social context, which makes some countries more predisposed to violence.

Following the contingent causation thesis, Ousey and Lee (2002: 95) call attention to the importance of determining those circumstances that facilitate and inhibit the relationship between drug markets and violence. Drawing on criminological literature they conclude that the effect of illicit drug markets on homicide rates depends on the level of resource deprivation. In communities with average or above average levels of resource deprivation, illicit drug market activity tends to have “a significant positive impact on homicide rates.” In contrast, in communities with below average levels of resource deprivation the impact is negative. Hence, at least with regard to resource deprivation, their analysis reinforces the contingent causation thesis proposed by Zimring and Hawkins.” Communities experiencing “high levels of multiple forms of social and economic disadvantage”—such as poverty, unemployment, income inequality, and single parenthood, are also likely to be

unable to maintain essential social institutions and to afford access to conventional forms of social mobility. These communities experience a gradual deterioration of their ability to “socialize their members into conventional noncriminal behaviors, and to supervise and regulate individual behavior more generally.” (Ibid: 78)

### 3.6. Social Disorganization Theories

Lyman and Potter (2007: 68) reiterate that criminality is often linked to social conditions and that high crime rates are related to general social decay. Nevertheless, the problem of disorganization and criminality is exacerbated by the lack of or inadequate social services, educational opportunities, housing, and health care. According to social disorganization theories, the resulting frustration that results from the breakdown in social norms and opportunities causes people to choose criminality as their only possible way to achieve success. (Ibid, 2007: 81) For a better understanding of social disorganization theories, we take a brief look at three models: Relative Deprivation, Merton’s Anomie, and Differential Opportunity.

“Relative Deprivation”, as propagator of crime and violence, is an approach that suggests that the existence of inequality between two communities that are situated in close proximity gives rise to feelings of anger, hostility, and social injustice. Peter and Judith Blau affirm that young people that grow up experiencing poverty and at the same time witnessing others that are well-off are affected by an increasing sense of frustration. Deprived of the benefits of affluence by way of social discrimination, it is essentially impossible for them to achieve success through orthodox means, making deviant behavior an appealing option. (Ibid, 2007: 68)

Merton under his theory of “anomie” argues that the emphasis that modern society places on the accumulation of wealth ignores the “appropriate” means to achieving this wealth. This conception of success is at the core of organized crime offering the means for social adaptation. According to Merton’s anomie theory, deviant behavior is a symptom of the disconnection between “culturally defined aspirations and socially structured means.” Conformity with social order is sacrificed and the means of achieving become inconsequential. Illegitimate actions—such as fraud, corruption, and crime, appear more

attractive and become increasingly common means of achieving “success” when social expectations are not satisfied. (Merton in Lyman and Potter, 2007: 69)

Based on “differential opportunity”, Cloward and Ohlin argue that many ‘lower-class’ adolescent males “experience a sense of desperation surrounding the belief that their position in the economic structure is relatively fixed and immutable.” Not being able to attain the upward mobility reinforced by cultural expectations offers ideal conditions for organized crime to promote socialization on a community level. (Cloward and Ohlin in Lyman and Potter, 2007: 69)

Abadinsky claims that socioeconomic stratification confines some individuals to environments where they experience high levels of strain and promote criminal socialization—identification and association with criminal groups. According to Sutherland, factors such as “deprivation, limited access to legitimate alternatives and exposure to innovated success models (e.g., pimps, gamblers, or drug dealers) create a susceptibility to criminal behavior.” (Abadinsky in Lyman and Potter, 2007: 69)

## PART 4: Contextual Background

### 4.1. Surge of the Cocaine Trade

A prohibition regime is “a particular category of norms—[...] which prohibit [...] the involvement of state and non-state actors in particular activities.” Their purpose is to protect the interest of states and other powerful members of society; “to deter, suppress, and punish undesirable activities”; and to enforce moral values, beliefs, and prejudices of those making the laws. (Nadelmann, 1990: 479-481)

The drug prohibition regime is institutionalized by the 1961 UN Single Convention on Narcotic Drugs and the 1971 Convention on Psychotropic Substances. It criminalizes, outside of strictly regulated medical and scientific channels, the production, sale, and possession of cannabis, cocaine, and most opiates, hallucinogens, barbiturates, amphetamines, and tranquilizers. Violations to the regime are punished with criminal sanctions in almost every country and the criminal justice systems of most of the world’s

counties are vastly involved in the investigation and prosecution of violations to drug laws. (Ibid, 1990: 503) The 1961 Convention is said to preserve the American ideal of tracking drugs to their original “source” and eradicating the raw materials used in their production. Although no legal cross-border safe havens for drugs remained after 1961, a series of conditions prevail that explain the “uneven drug regulatory spaces” —such as weak enforcement incentives or capacities and the existence of a culture of tolerance. (Taylor in Gootenberg, 2009: 22)

While the United States made it its mission to brand cocaine and heroin illegal, the country remains the largest source of global demand for illegal drugs. The U.S. is also calling the shots and remains the leading spender in the enforcement of the illegal drugs prohibition. For over three decades, the U.S. has made overseas “source control” a central part of its foreign policy. It has encouraged the crop-killing spraying of coca and poppy field and pursuing kingpin traffickers and their organizations. However, despite all efforts the flow of drugs into the U.S. and other major target consumption markets continue persistently. Drug control at the source has proven to be difficult, primarily due to the fact that sources are multiplying, more actors are involved in the process of drug production and trafficking, and that “lawless or rebel enclaves” have emerged within producing countries. Source control and the emphasis on repression not only add value to drugs, it also makes the trade a more attractive business to join because of high profits and have resulted in high levels of violence. (Naím, 2005: 80-81)

Coca production has become an alternative for peasants in Bolivia and Peru—making both countries the center of the coca production, supplying nearly the whole of the world’s coca. The coca plant does not require good soils, it yields up to four or five harvests per year, it requires little infrastructure and start-up costs, and offers a higher return than any other alternative. Peru and Bolivia have specialized in the land- and labor-intensive aspects of cocaine production—the cultivation of coca and processing it into a raw paste. Some of this paste is refined domestically, but the majority is sold to Colombian traffickers who transport it to laboratories in or near Colombia. After the paste is refined into cocaine, it is transported to North American and European markets through a variety of smuggling networks. (Andreas, 1995: 77-78)

Despite the fact that Colombia had had an extensive past in drug producing and smuggling, it was Pablo Escobar—head of the infamous Medellín Cartel, which turned Colombia into the leading global source of cocaine towards the end of the 1980s. “Too visible, too obvious, they were quick grist for the mills of the law.” With the help of the U.S., Escobar was tracked down, incarcerated, and killed in 1993. The field was then cleared for the rise of the Cali Cartel—Escobar’s longtime rival. But it too was brought down swiftly. The Colombian cartels dominated the cocaine market from production through smuggling and distribution in the U.S. The big Colombian cartels based their alliances on personal trust and informal networks and were characterized by unsavory vendettas, corruption, and extreme violence. More or less vertical organizations, the elimination of their leadership meant the organizations’ end. (Naím, 2005: 73-74)

From the 1970s to the 1990s, the Colombian cartels controlled and used Caribbean routes to smuggle cocaine directly into the U.S.—primarily Miami. As the U.S. and other countries concentrated surveillance and interdiction efforts on the Caribbean, Colombian cartels were forced to find new routes and methods for their shipments. They partnered with existing and well experienced Mexican drug-trafficking organizations (DTOs) to take care of their distribution; thus removing themselves from much of the risk in transporting cocaine. By the end of the 1990s, most Mexican DTOs were dedicated to cocaine-trafficking. (Hooper, 2011) (Meiners, 2009)

Whether it was produced locally or shipped from Bolivia or Peru, Colombia remained the world’s main source of cocaine even after the demise of the powerful cartels in the mid-1990s. The large cartels broke down into some 250/300 “mini-cartels” that later came to include guerrilla and other para-military groups. The highest added value—that of moving the product into U.S. territory, was taken over by existing large-scale Mexican distributors that were already in the business of smuggling all sorts of goods across the border into the U.S. These criminal groups, that had the advantage of controlling territories along the U.S. border, entered into partnerships with Colombian suppliers, other Mexican groups, and a series of new players.<sup>11</sup> (Naím, 2005: 75)

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<sup>11</sup> Brought in by processes of globalization these included Russian, Ukrainian, and Chinese groups. (Naím, 2005: 75)



## 4.2. Rise of the Mexican DTO

The implementation of NAFTA<sup>12</sup> in 1994 came to facilitate the smuggling of drugs and other illicit substances into the U.S. It brought about a business bonanza for smuggling groups—whose first priority was to maintain control of border-crossing corridors at all costs. Mexican DTOs rapidly started to resemble their Colombian predecessors in their violent means. The drug trade had experienced a reconfiguration: the product expertise of Colombians was exchanged for “functional specialty” of the Mexicans. The increase of rivalries and risks translated into an ongoing rearrangement of the business to adapt to new circumstances. As the number of players had grown, their activities become more decentralized. With time these trafficking groups became more financially savvy and smarter to benefit from globalization processes and survive law enforcement and competition from other groups. When the elite of the major Mexican DTOs were captured in the early 2000s, much of the business was too decentralized and “protected in the mainstream of the economy” to matter—the arrests were no more than temporary setbacks. (Ibid, 2005: 75-77)

The U.S. demand for drugs has always driven the drug problem in Mexico. Today’s Mexican DTOs have their origins in the 1950s and 1960s. Opium, heroin, and marijuana had characterized Mexico, before cocaine, as a major grower and manufacturer of drugs. This coupled with prohibition in the U.S., during which time Mexican “rum runners” became skilled criminals, drove the emergence of the Mexican criminal groups that came to dominate the heroin and later cocaine markets in the Western Hemisphere and that gave rise to the criminal activity and unprecedented violence that Mexico has seen. (Bybee, 2011: 128) Mexico has exhibited most the characteristics of a transshipment country, as outlined by Friman, Williams and Godson, and Morrison—existing criminal organizations, “clientelist” culture, corruption, appropriate infrastructure, extensive trade patterns with the U.S., and 3,169 kilometers of shared border with the world’s primary target consumer.

The drug corruption that has tainted so many of Mexico’s political institutions and drawn the complicity of so many state officials is appalling and reminiscent of Colombia during its

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<sup>12</sup> The North American Free Trade Agreement (NAFTA) between Canada, the United States, and Mexico.

“narco” heydays. Corruption in Mexico is rampant not only among high-profile state officials, but also law enforcement officers, prison guards, and other low-level civil servants. Through the collusion of local government officials—attained by means of corruption or coercion, each DTO in Mexico essentially runs its own “mini” Narco-State. (Ibid: 138-139)

The drug trade in Mexico has been characterized by high murder rates along the U.S.-Mexico border. There are three primary motives for these murders: first, intimidation by DTOs of those that threaten to expose them—journalists and the media in general; second, elimination of government officials that threaten their operations—politicians and law enforcement; and third, rivalry for control of transit routes and local consumer markets. (Ibid: 344) Most analysts agree that these high murder rates are most likely the result of President Calderon’s efforts to suppress the drug trade.<sup>13</sup> Calderon’s administration involved the Mexican military on levels not seen before, deploying tens of thousands of troops on street patrols, checkpoints, trains, and to oversee law enforcement in states with high levels of drug violence. (Shirk in Bybee, 2011: 349)

Mexico has demonstrated that the violence results from the political will to crack down on the drug trade. Efforts to eradicate drug corruption and uphold the rule of law make DTOs resort to violent tactics. “Narco-corruption has caused the government to lose its monopoly on force. (Ibid: 249) The troubling rate of homicides is reminiscent of Colombia in the 1980s—at the time considered to be “the most dangerous Narco-State in the world.” Even though the great majority of drug violence had been limited to individuals involved in the trade, violence is increasingly directed towards ordinary citizens, civil servants, and high-profile political figures. (Ibid: 343-344)

Although there seems to be this ongoing rivalry between trafficking groups, these groups are just as likely to form alliances. It all depends on risk assessment, personal relationships, and opportunity. Ongoing rearrangements, ruptures, alliances, and the emergence of splinter groups come to denote constant shifts in the status quo. (Ibid, 2011: 346-347)

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<sup>13</sup> As a member of the Partido Acción Nacional (PAN), one of the three major political parties in Mexico, Felipe Calderón served as President of Mexico from December 1, 2006 to November 30, 2012. ([www.wikipedia.org](http://www.wikipedia.org))

### 4.3. The Capture of Central America

Between the 1990s and 2007, “multi-ton” amounts of South American drugs were shipped directly to Mexico via a wide variety of ways, including small propeller aircrafts, self-propelled submersibles, fishing boats, and cargo ships. By early 2008, Mexican cartels were increasingly utilizing Central America for “land-based” smuggling routes. While small amounts of drugs have always made their way through Central America, local conditions offered considerable logistical challenges, including bad roads, multiple border crossings, and a volatile security environment. But the increased pressure from Mexican law enforcement assisted by U.S. intelligence and technology made air and maritime routes between South America and Mexico too high a risk. The next best option was the use of Central America to move drugs northbound to Mexico—avoiding Mexico’s airstrips and ports. The volume of drugs transiting through the region increased enormously in a very short time attesting to the region’s increased importance as a transshipment route for drugs. (Meiners, 2009)

The methods and routes for moving these drugs through Central America are diverse and in constant change. Since there is no land connection between Central and South America due to the Darien Gap,<sup>14</sup> aircrafts or watercrafts are needed to transport drugs from South to Central America. Once past the Darien Gap, drugs are transported northbound along the Pan-American Highway. In 2009 authorities noticed an increase in the use of aircrafts to transport cocaine. Most of these flights originated in eastern Colombia and southwestern Venezuela and were bound for illegal airstrips in isolated and mountainous areas of Honduras—from there the merchandise was moved by land across the weakly guarded Honduran-Guatemalan border, through Guatemala, and into Mexico—often through largely unpopulated regions. (Stratfor, 2014) (Hooper, 2011)

Meiners (2009) makes reference to three common “land-based” methods used by traffickers in Central America: overland, littoral maritime, and short-range aerial. Overland smuggling is straight forward; drugs are commonly smuggled into Costa Rica from Panama and then moved northbound through the country’s main highways. The merchandise is then transported on foot or on horseback across a remote border point into Nicaragua and

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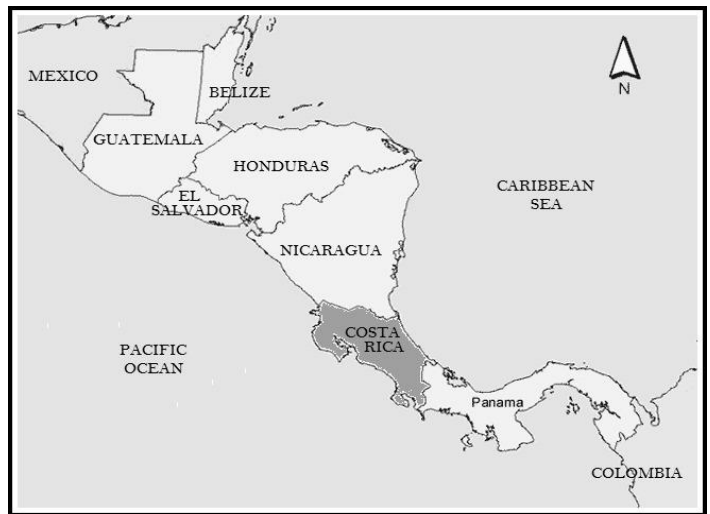
<sup>14</sup> The Darien Gap is a region of swampy jungle terrain along the Panamanian-Colombian border that makes road construction prohibitively expensive, restricting overland travel.

loaded again into vehicles to continue their journey into Honduras. Other times, drugs may be transported along the Pan-American Highway through Managua, and into El Salvador and Honduras. Unlike long range cargo ships and self-propelled semisubmersibles, littoral maritime operations involve so called “go-fast boats”, which are used to carry smaller amounts of drug, at higher speeds, and over shorter distances.

This method is used to avoid certain stretches of highway or even an entire country. While possible to make the entire trip from South America to Mexico this way, it is believed that this method is most commonly used in combination with an overland segment. The third method, short-range aerial operations, involves the use of small clandestine planes hopping through Central America and possibly transferring the cargo to land vehicles or other planes along on their way Mexico. The common characteristic that these three methods have is that shipments are much smaller—no more than a few pounds at a time. This means more frequent shipments and more handling, but it also means that if a shipment is seized the loss is also smaller. More importantly, these methods are thought to require that the Mexican DTOs maintain a presence in Central America.

The more powerful Mexican DTOs are the ones responsible for the increased smuggling of drugs through Central America. Los Zetas have being very active in Guatemala for some years and the Sinaloa cartel has been known to operate extensively between Panama and El Salvador. Yet, no single Mexican group maintains a monopoly on land-based drug trafficking in Central America and it is very likely that those active in the region are not using a single route or method of smuggling. Despite the fact that Mexican cartel members themselves have been operating in the region, they rely mostly on locals for the various steps of their smuggling operations. (Ibid)

**Map 1: Central America**



By 2011, the amount of cocaine seized in Central America was thirteen times larger than that seized in Mexico, a reflection of the increased flow of cocaine through the region and of the region's strategic importance. (Argueta, 2013: 202) In 2012, the U.S. started an aggressive interception program carried out in cooperation with Central American police and military forces, targeting aerial and maritime trafficking. By 2013 there is a drastic fall in smuggling flights, believed to be the result of this interception program. But the Central American region is considered far too important to Mexican drug trafficking organizations to be abandoned. The reduction of flights only means that once again DTOs have adjusted their operations to interdiction efforts. It is very likely that drug traffickers have gone back to using maritime transport. Now that it is more difficult to enter Central American airspace without being detected, marine vessels have the advantage of being able to disguise easily as legitimate traffic. (Stratfor, 2014)


As an increase share of the drug flows moved through Central America, violence erupted in the region. The new drug routes traversed areas that were controlled by local crime groups and the balance of power between them was disturbed, contributing to some of the world's highest levels of violence and drug related corruption. While these groups had been involved in cross-border trafficking for a long time, the arrival of larger volumes of cocaine raised the stakes significantly, promoting competition for territorial control. It is argued that more than 90% of cocaine trafficked into the United States transits through Mexico and Central America. "Central America has long suffered from high levels of violence, and has never really recovered from the civil wars that ended in the 1990s." This new wave of violence originates at the turn of the century and has affected mostly the northern part of the Central American isthmus: Belize, El Salvador, Guatemala, and Honduras. These four countries experience the highest murder rates in the world today (see Table 1).

The areas with the highest levels of violence include the Honduran coast, both sides of the Guatemalan-Honduran border, and along the Guatemala borders with Belize and Mexico. Honduras is the single most affected country, with murder rates that have more than doubling in the last five years—already having started at fairly high levels. The murder rate of Honduras in 2011 (91.4 per 100,000) is one of the highest recorded rates in modern times. (INCB, 2014) In comparison, one can see that even if murder rates have increased in

Mexico, it has not done so at the same level as in the countries of the Central American northern triangle, demonstrating the disproportionate impact organized criminal groups have had on the societies of these three countries. (Hooper, 2011) On the other hand, Nicaragua and Costa Rica have managed to maintain relatively low levels of violence. These lower levels of violence are explained by the “persistence of institutional and social structures that provide a more peaceful and stable environment.” (Cruz in Argueta, 2013: 198)

**Table 1: Homicide Rate per 100,000 population  
Middle America Region by country, 2000-2012**

Country	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Belize	17,2	26,1	34,6	25,9	29,8	29,8	33,0	33,9	35,1	32,2	41,8	39,2	44,7
Costa Rica	6,4	6,4	6,3	7,2	6,6	7,8	8,0	8,3	11,3	11,4	11,3	10,0	8,5
El Salvador	39,3	36,9	37,0	36,4	45,8	62,2	64,4	57,1	51,7	70,9	64,1	69,9	41,2
Guatemala	25,9	28,1	30,9	35,1	36,4	42,1	45,3	43,4	46,1	46,5	41,6	38,6	39,9
Honduras	50,9	54,8	55,8	61,4	53,8	46,6	44,3	50,0	60,8	70,7	81,8	91,4	90,4
Mexico	10,3	9,8	9,5	9,3	8,5	9,0	9,3	7,8	12,2	17,0	21,8	22,8	21,5
Nicaragua	9,3	10,4	10,6	11,9	12,0	13,4	13,1	12,8	13,0	14,0	13,5	12,5	11,3
Panama	9,8	9,8	12,0	10,4	9,3	10,8	10,8	12,7	18,4	22,6	20,6	20,3	17,2

 Highest registered homicide rate for each country

Source: UNDOC

In addition to building up relationships with powerful political, criminal and economic players, Sinaloa and Los Zetas have established relationships with violent Central American youth gangs.<sup>15</sup> *Mara Salvatrucha* (MS-13) and *Calle 18* are the two largest gangs in the region. The two are loosely organized around local cliques and the Mexican cartels have varying levels of relationships with different cliques. These gangs have a stronger presence in Honduras, Guatemala and El Salvador—the Northern Triangle. Although it has been documented that Mexican cartels hire gang members as assassins and pay them with

<sup>15</sup> These Central American gangs originate from within gangs in Los Angeles made up of Central Americans whose parents immigrated to the U.S. to escape the region’s civil wars. After being arrested in the U.S. gang members completed their sentences in U.S. jails and then deported to their ancestral homeland. In most cases these deportees spoke no Spanish and had no significant ties in their parent’s homeland. This encouraged them to band together and put to use the skills they learned in the streets of Los Angeles and in prison to make a living in Central America—in crime.

drugs, it is also believed that both MS-13 and Calle 18 are “too anarchic and violent” for the Mexican cartels to rely heavily on them. (Ibid, 2011)

The position of Central America between the main cocaine producers and consumers, along with the anti-drug-trafficking efforts of the 1990s in Colombia and the more recent ones in Mexico, has contributed to the region’s growing strategic importance to drug-smugglers. (Cruz in Argueta, 2013: 198) As experienced in Colombia and in Mexico, the situation could destabilize rapidly if local governments decide to confront Mexican DTOs. Central American countries do not have the capacity to tackle the challenge posed by heavily armed, well-funded criminal groups—such as those from Mexico. At the very least, such a confrontation would give rise to destabilizing violence that could extend throughout the region—including those more stable countries of Central America. (Hooper, 2011)

#### 4.4. Costa Rica

Costa Rica borders Nicaragua to the north, Panama to the southeast, the Caribbean Sea to the east, and the Pacific Ocean to the west. The country’s total land area is 51.100 km<sup>2</sup>. Costa Rica has maritime boundaries with Nicaragua, Panama, Colombia and Ecuador—its territorial waters, including the exclusive economic zone, are approximately eleven times the country’s landmass. The topography is varied with valleys and mountain ranges that run along the length of the country. Administratively, Costa Rica is divided in seven provinces, 81 *cantones*,<sup>16</sup> and 474 districts. The approximate total population of the country is 4.652.000 inhabitants. (OIJ, 2013: 11)

In Latin America, Costa Rica is the most consolidated and oldest democracy, one of the three safest countries,<sup>17</sup> seventh in the Human Development Index<sup>18</sup> (first in Central America), with the highest life expectancy (80.0 years), the lowest housing shortage<sup>19</sup>, and one of the region’s lowest illiteracy rates (2.4%).<sup>20</sup> (Ibid: 11) Even while the rest of Central America was immersed in conflict during the 1980s and 1990s, Costa Rica remained the

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<sup>16</sup> A *catón* is the equivalent to a municipality; a *kommune* in Denmark.

<sup>17</sup> 2014 Global Peace Index, Institute for Economics and Peace (<http://economicsandpeace.org>).

<sup>18</sup> Human Development Report 2013, UNDP.

<sup>19</sup> Inter-American Development Bank (*Banco Interamericano de Desarrollo* – BID)

<sup>20</sup> Costa Rica’s National Statistics and Census Institute.

peaceful and stable democracy that has characterized it since it abolished its military in 1948. Yet, today the Costa Rican “exceptionalism” is being challenged by Mexican DTOs that threaten its security as it has that of other countries in the region. (Miroff, 2011)

Costa Rica's fight against drug-trafficking began in the mid-1980s, when authorities noticed—for the first time, a sharp increase in cocaine seizures that went from 30-40 kilograms annually between 1980 and 1985 to around 600 kilograms in 1986. This is around the same time that U.S. authorities enhanced radar surveillance to detect aircrafts filled with drugs flying from Colombia to Miami or into parts of Mexico. The increased law enforcement in the Caribbean that pushed DTOs into Central America also pushed them into Costa Rica. Through the end of the 2000s, Costa Rica was a meeting point for Colombian and Mexican cartels for the exchange and transport of drugs northbound. (Porth, 2011 and 2011a) This has changed in recent years, Mexican DTOs have established operations inside the country and, instead of moving drugs swiftly through, they are using the country as a cocaine storage depot. Drugs are warehoused until arrangements are made to continue moving the cargo north. (Miroff, 2011) The country has become a “drug center” that DTOs increasingly use as a base of operations. (Porth, 2011a)

From early on, the situation made Costa Rican authorities aware that the country's police force was below standards and that its presence across the country was weak. By the late 1980s, it was discovered that Colombian DTOs were using some 250 private landing strips—and employing local people, to refuel airplanes originating in Colombia. This was a demonstration of Costa Rica's weak capacity to monitor its territory and enforce its laws. Lax regulations at the country's major seaports also offered ample opportunities for drug traffickers to smuggle drugs in shipping containers. (Porth, 2011)

Transnational crime, drug trafficking, and violence have had a strong impact on Costa Rican society and affect vulnerable groups the most—such as the young, the under age, the poor, those with no formal education, and females head of household. The country possesses a strategic position within the American continent, the stability, and the infrastructure that make it attractive for organized criminal groups to conduct activities related to the logistics involved in drug-trafficking; whether it is to take delivery of drugs coming from South America, hide and sell them in the local market, or move them on to consumer countries in North America, Europe, and elsewhere. The largest portion of the



illicit drugs traversing Costa Rica is made up of Cocaine, and in the last few years the country was only surpassed by Panama in the volume of seized drugs. Authorities have detected the presence of groups from Mexico and Colombia, and new trafficking groups surface regularly. (OIJ, 2013: 9-10)

Mexico's Sinaloa cartel has been known to having a presence in Costa Rica for many years, but it is believed that rival trafficking groups have started to move in. Authorities fear that the country could become another drug battleground, like Honduras and the other northern triangle countries of Central America. Even though Costa Rica remains Central America's least violent country, homicide rates increased tremendously since 2004. In an interview with the Washington Post, former Costa Rican President, Laura Chinchilla, stated that the country's authorities, security sector, and courts had never faced a test of the level that the country is facing from the vast corrupting powers of the cartels. "I don't remember in our whole history a menace like this menace from organized crime," said Chinchilla. (Miroff, 2011)

Counties like Mexico, Guatemala, and Honduras have sent their soldiers to the streets to confront the increasing threats from organized criminal groups; conversely, Costa Rican authorities have insisted on taking a more holistic approach that includes community policing, social programs, and the protection of a strong legal system. Former security minister, Mario Zamora, emphasized that maintaining legitimacy is key to resisting criminality and that the country's relatively high levels of public trust in government institutions is the best defense against organized crime and corruption. (Ibid, 2011)

"Costa Rica's strong and healthy democracy is the backbone of the [...] relatively unobstructed and aggressive response to drug-trafficking activity in the country." In large part due to investigations by local journalists about the increased presence of DTOs in the country in 1986, the Costa Rican Legislative Assembly established a commission to investigate corruption in the country. Between 1986 and 1992, a total of three anti-corruption commissions were created. "Due to the cooperative nature of the press and government during these commissions, three Supreme Court justices were forced to retire; the general manager of a major bank stepped down; a congressman was prevented from becoming the president of the legislature; and several government officials and police were fired." These efforts have helped keep Costa Rican institutions "relatively

robust and effective”—especially the Judiciary. This cooperative activity was the start of a long and ongoing effort to build internal capacity to fight DTOs and the corruption that allows them to operate. (Porth, 2011)

Most of the cocaine arrives to Costa Rica by maritime means and only a relatively small portion remains to supply the local market. The bulk continues its journey north by land or water and some is shipped to Europe. It is not known when exactly Colombian groups started to use “go-fast-boats” to cross Costa Rican waters along both coastal areas. The Costa Rican-U.S. Coast Guard cooperation may help break up DTOs, but it is not enough. Coastguard boats can travel anywhere from 35 to 40 knots, while those used by DTOs can travel at speeds of up to 50 knots given that they are fitted with larger and more powerful motors. Some of the drug transiting the country that originates in Panama is introduced by land, taking advantage of poor border security. As border security has increased, DTOs have been pushed away from land trafficking and again to maritime and air routes. But, until security improved at both borders, vehicles—mostly trucks, where used to carry a metric ton or even more of drugs—mostly cocaine, and transport them along the Inter-American Highway. Due to the increased road security, DTOs have opted for smaller vehicles to avoid the likelihood of special police checks, decreasing the amount of drugs transported per vehicle to an average of 300 kilograms per shipment. The drug is moved by *transportistas* (transporters or drug movers) along the Pan-American Highway and is smuggled into Nicaragua through a variety of remote border crossings. In addition, the port of Puntarenas has become a major stopover for drug shipments by sea. The declining amount of commercial flight and courier interceptions suggests that these methods are mostly used for shipments to Europe<sup>21</sup>—mainly Spain. (OIJ, 2013: 15)(Sanchez, 2011) (Porth, 2011a) Even as security increased at the country’s two international airports, individuals continue to smuggle drugs onto international-bound commercial flights utilizing a variety of concealment methods. Given the number of foreigners that continue to be detained, it is clear that the commercial airlines are still a major route for drug trafficking into Europe and Africa. (Ibid, 2011a) Maritime vessels in transit through the Caribbean are another important means of transport for cocaine destined for Europe. (INCB, 2014)

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<sup>21</sup> Cocaine destined for Europe is usually (1) concealed among licit merchandise being exported in containers shipped from the Port of Limón and (2) transported in small quantities (under 2 kg) by individuals traveling on commercial flights. (OIJ, 2013: 33)

In April of 2011, a new Coast Guard station opened in the country's main Pacific port of Caldera, with U.S. funding—part of the approximately \$500 million in security assistance to Central America that the U.S. Congress has allocated since 2008. The U.S. has also donated two high-speed “interceptor” boats to give Costa Rican authorities a better chance of catching up with smugglers who use “go-fast-boats.” But smugglers adapt quickly and change their tactics constantly, moving cocaine in semi-submersible far out at sea—beyond the reach of the new boats, or in slow-moving fishing boats that hide drug loads in their holds or beneath thousands of pounds of fish and ice. The decline of fishing stocks in Costa Rican waters and catch restrictions have impelled local fisherman to collaborate with drug traffickers. For a payment of US\$20,000—or its equivalent in cocaine, fisherman ferry drug to shore or deliver fuel out at sea to smugglers so they can continue their journeys north without having to come ashore. (Miroff, 2011)

Based on the role they play as part of the drug trafficking network, criminal groups in Costa Rica can be grouped in three categories. First, there are the “international traffickers”, these are foreign groups or individuals that operate within Costa Rica placing drug orders that will later be sent on to consumer markets. With support from *transportistas*, they move and supervise the transit of drugs through Costa Rica and on to Guatemala and Mexico. Foreign nationals involved in the business are mostly Colombian and Mexican. Second, are the “logistical support” and *transportistas*, which in effect include suppliers, movers, and drug collectors (those responsible for picking up a drug delivery). They are not in direct competition with each other; their goal is to move merchandise and try to go unnoticed avoiding any conflict. In terms of logistical support these groups assist with the supply of fuel and vessels, picking up and stowing merchandise, and loading and offloading. In the case of Costa Rica, these groups are integrated by nationals operating locally and conformed by an extended network of collaborators. They represent the majority of arrests related to drug violations. Third, are the sellers and distributors, familial structures or “narco-families” that sell drugs in the local market—mostly marijuana, cocaine, and crack-cocaine.<sup>22</sup> These groups tend to have hierarchical structures with a “leader” that oversees the entire operation and that may have foreign contacts that supply the merchandise. (OIJ, 2013: 24-25, 38)

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<sup>22</sup> Crack-cocaine, also called rock-cocaine, refers to cocaine when it is in solid form. It is a highly concentrated and therefore highly addictive form of the drug. (<http://www.medterms.com>)

In reference to youth criminal groups—such as gangs or *maras*, those existing in Costa Rica resemble more the classical territorial group type than the *maras* seen in the northern triangle. The key difference is that these Costa Rican groups are in search of financial benefits and not a cultural identity. Even if unlikely to adopt the *mara* culture, these groups could evolve to emulate *mara* structures. Until now, youth criminal groups have concentrated their activities to a range of minor offenses such as vandalism, minor theft, disorderly conduct, and drug dealing—crimes of subsistence. They do intend to have control of areas to develop their criminal endeavors, as it enables their financial interests. Although these groups have a low criminal profile, there exists the possibility that they could evolve resulting in criminal specialization and the use of more violent means to achieve their goals. (Ibid: 72)

Of course, more cocaine flowing through Costa Rica also means that there is more cocaine in the local market, more drug dealing, and more consumption. This fuels petty crime and violence like it has in other Central American countries. Costa Rica's urban areas and beach towns have been hit by a surge in crack-cocaine use. (Miroff, 2011) The use of powder-cocaine has also increased: the prevalence rate<sup>23</sup> of cocaine use rose from 1.8 in 2006 to 3.0 in 2010. The consumption of cocaine is higher than the Central American average; in 2010 the annual prevalence rate reached 0.8 in Costa Rica, while the Central American average was 0.7. (Ibid: 30)

## PART 5: Proposition #1 on Drug-Trafficking Violence

*Costa Rica is vulnerable to drug-trafficking violence; the country is experiencing an increase in violence caused by the flow of drugs crossing its territory.*

The volume of drug shipments transiting through Costa Rican has increased significantly in recent years. Between 2005 and 2012, local authorities seized an average of over 17 tons

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<sup>23</sup> Prevalence is the proportion of individuals in a population having a disease or characteristic—in this case, using cocaine. It is a statistical concept that refers to the number of users in a particular population at a given time, whereas incidence refers to the number of new cases that develop in a given period of time. (<http://www.medterms.com>)

of cocaine annually (see Chart 1). This is a considerable increase from the five ton average seized annually between 2000 and 2005. (OIJ, 2013: 29) (INCB, 2014)

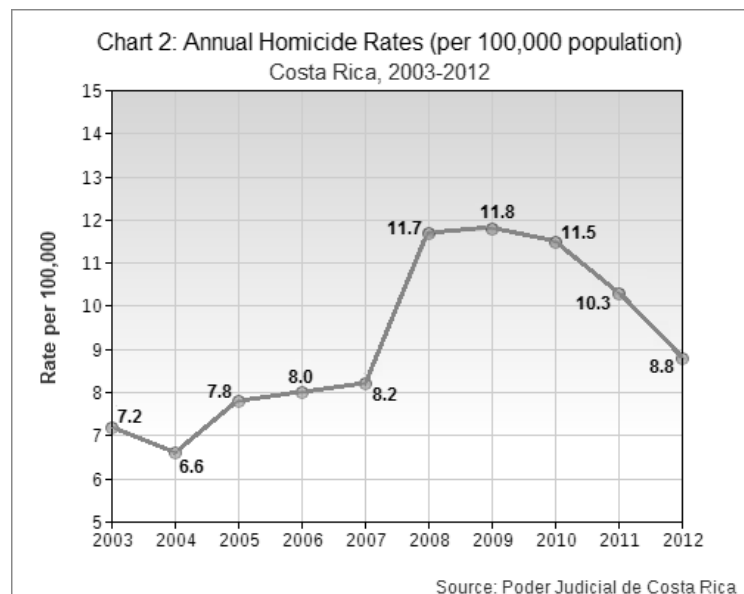
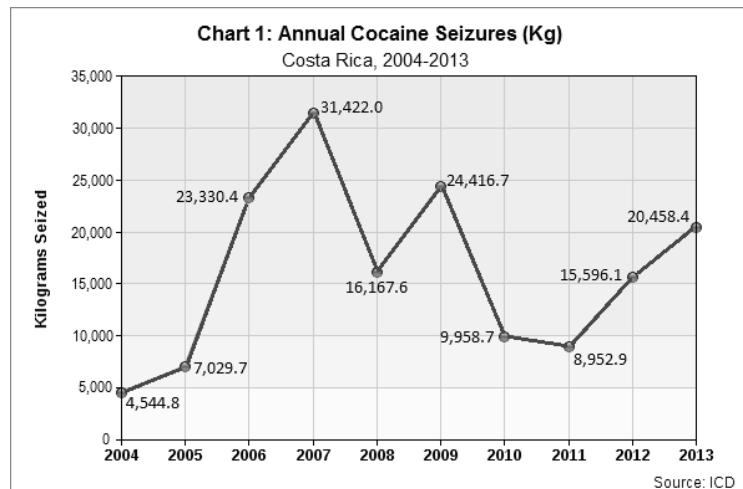
Today, Costa Rica is not only a transshipment point for drugs—specifically cocaine,

but also a “warehouse” country, where narcotics are stored temporarily before they are moved on further towards their destination. No cultivation of coca has been found in the country; nor have there been uncovered any laboratories for cocaine production. (OIJ, 2013: 30) (INCB, 2014)

If we consider Goldstein systemic model, the large quantities of drugs flowing through Costa Rica and changing hands would in itself generate violence that would otherwise not exist in the country. The fact that cocaine is an illegal drug, the trade is illicit, and so much money is involved, requires unorthodox modes of settling disputes and enforcing agreements. Thus, Costa Rica would not be immune from the violence inherent in drug-trafficking. (Goldstein, 1985)

Even though Costa Rica continues to show the lowest homicide rate in Central America—avoiding the high

levels of violence experienced by most of the other countries in the region, the rate of criminality doubled between 1990 and 2008. In the 1990s, Costa Rica went from having the lowest crime rate in the Americas (5.0 per 100,000) to a rate above 10.0 per 100,000

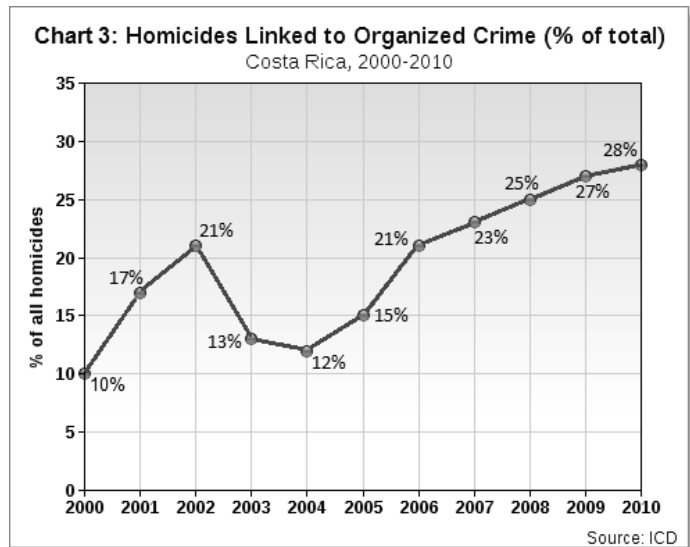


by 2008 (see Chart 2). Between 2000 and 2010, the rate of homicides increased by 88.5% as it went from 6.1 to 11.5 per 100,000 of population. (ICD, 2012)

Now, if we take into account Zimring and Hawkins' (1997:153) "contingent cause" of violence, although Costa Rica is not a violent prone country or a country with recent civil unrest to justify this surge in homicide rates, there is ample evidence of foreign groups involved locally with a violent track record and contributing to the increased levels of violence.

As stated before, Costa Rican authorities have had evidence of Mexican groups already operating in the country—specifically the Sinaloa cartel, Los Zeta, and the Tijuana cartel, among others. These organizations are transnational in character with areas of influence not only in their native Mexico, but also in the U.S., all Central American countries, and even in some South American countries. These are major criminal organizations responsible for hundreds of brutal murders in Mexico and other Central American countries and without a doubt responsible for some of the violence in Costa Rica. The concern is that these groups would initiate turf wars and generate even higher levels of inter-cartel violence like it has been seen in Mexico and the countries of the northern triangle. (Sanchez, 2011) (Dirk Kruijt, 2011: 16)

After studying homicides between 2000 and 2010, ICD determined that during those years homicides linked to organized crime (HLOC) had increased by 16.25%, considerably higher than the increase of 5.96% seen on homicides not linked to organized crime. This data is evidence that organized crime has, in fact, a destructive impact on Costa Rican society overall. In Chart 3, one can see that HLOCs increased from representing 10% of all homicides in 2000, to 28% in 2010. This means that more than one quarter of all



homicides in the country is the result of the presence and activities of organized criminal groups. (ICD, 2012)

Data from the Costa Rican Judiciary (*Poder Judicial*) provides us with statistics from 2011 through 2013. For three consecutive years the country experienced a decline in the incidence of homicides. The country's homicide rate per 100,000 of population dropped to 8.7 in 2013 from 10.3 in 2011, cementing the downward trend that began in 2011 which suggests a suppression of extreme violence and a reduction in the national crime rate. (Poder Judicial, 2013)

The Costa Rican Judiciary emphasizing the role that drug trafficking has played, suggests two possible explanations for this decline. First of all, the increased efforts on the part of public security agencies to disarticulate groups with links to organized crime. Second, the capture of individuals associated with such criminal acts. Convictions for offences under organized crime have consistently exceeded two hundred individuals annually. Fewer individuals with homicidal potential on the street would allegedly have some level of impact on the number of homicides. (Ibid) Other reasons may be a truce between rival groups, the shift of violence to other regions of Central America, and the establishment of hegemonic power by one single group. (ICD, 2012)

Through crime analysis authorities have been able to identify the areas where delinquency rates are particularly high and determine the influence that criminal groups have based on the nature of their activities. As a result, vulnerable areas have been identified by local authorities. In these areas there is a high concentration of offenses near those places that have been known, by the police, to be points of sale and distribution of drugs. These vulnerable areas are mostly located in districts of high population density. (Ibid: 70) Accordingly, Costa Rican authorities have recognized a direct link between the increased sale and consumption of drugs—especially crack-cocaine, and increasing levels of violence. Six of the ten *cantones* with the highest homicide rates are also within the 10 with the largest seizures of crack. This is troubling because the use of crack is considered to be growing at a faster rate than any other drug. (Ibid, 2013: 20)

In 2012, over 81% of all homicides took place in the metropolitan area of the capital city of San José or the Caribbean Coastal Region. Ten percent of all homicides were committed in Limón Central—on the Caribbean coast, and 15% in San José Central; yet, one must keep

in mind that the population of Limón Central is about one-third that of San José Central.<sup>24</sup> Over thirty one percent of the country's homicides were determined to be related to illicit activities—predominantly drugs. This type of crimes has been on the rise in recent years, including in 2012 when the total number of such crimes rose to 126 from 63 the previous year. (Poder Judicial, 2013)(OIJ, 2013: 64)

It is normal that homicide rates are higher in areas with higher concentration of population—as is the case of the capital city of San José, which also records the highest drug trade. So, it would be expected that homicide rates in San José and the surrounding areas would be higher. Some of the higher homicide rates are, in fact, within the capital's metropolitan area. Nevertheless, homicide rates remain high along coastal areas, particularly in the Caribbean region. For 2013, the province of Limón once again comes at the top with the country's highest homicide rate, and all its 6 *cantones* register rates above the national average—including the 3 *cantones* with the highest homicide rates in the country. As mentioned before, most of the drugs trafficked through Costa Rica is smuggled into the country by sea or the southern border and is moved northbound on the Inter-American Highway; homicide rates coincide with this pattern. (Gonzalez Morales, 2014)

Blumstein (1995:27), as well as Ousey and Lee (2002: 75), highlight the impact that the prevalence of guns among drug dealers has on local communities. More guns increases the probability that more disputes will be settled using guns, including those involving individuals with no links to the drug business. The DGA reported that 24,517 firearms were registered in the country between 2010 and 2012—which amount to one firearm for every 180 residents. In great part this is due to increased feelings of insecurity. On another account, the total number of stolen firearms has also been increasing steadily; in the three years between 2010 and 2012 a total of 4,340 firearms were reported stolen in the country. A 67.8% of homicides in 2012 involved the use of firearms; but their use is not limited to homicides, more than half of all crimes committed in the country are carried out with a firearm. Firearms were used in 75.2% of house robberies and in 48.6% of assaults. When evaluating data on registered weapons, armed robberies, and illegal possession of weapons, the DGA concludes that the country's illicit arms market is supplied from within

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<sup>24</sup> The population of canton of Limon Central is 104,205 and that of San Jose is 314,748 (Gonzalez Morales, 2014)



the legal market—that is, from the theft of weapons that are allowed and legally purchased by civilians. While some weapons might have been smuggled into the country, most are imported legally and are only later diverted for illicit use. (OIJ, 2013: 65-69).

There is evidence that supports the existence of groups and individuals that are engaged in contract killings. They are believed to be largely Costa Ricans that offer their services as hired murderers. These individuals could be members of local criminal groups that carry out jobs related to drug recovery and debt collection. (Ibid: 26) “Presumed contract killings” (*presunción de sicariato*) almost doubled in 2012, to 37 from 17 in 2011. It is estimated that 80% of contract killings are related to drug trafficking. Ninety seven percent of these killings were committed with fire arms; again, reflecting an increase in levels of violence and specifically violence involving fire arms. Since the beginning of the 2000s, the provinces of San José (48.6%) and Limón (43.2%) have also had the highest rates of contract killings. Due to the investigative complexity and lack of cooperation and secrecy—resulting from the danger associated with the actors of the killing, few of these cases are ever resolved, as are the cases related to organized crime. (Poder Judicial, 2013)

While in the early- to mid-2000s the people of Costa Rica considered inflation, unemployment, and corruption among the most pressing problems the country was facing, delinquency and public security have gradually become a prominent concern—climbing and remaining at the very top of citizens’ concern since 2007. By 2011, and considerably ahead of the next highest category (the economy, 10%), closer to half (44%) of those surveyed considered delinquency the country’s most pressing problem. With respect to “drug trafficking”, only 2% of surveyed individuals considered it to be a critical issue for the country. It seems evident that the country’s general population has not made the association between drug-trafficking or organized crime and the violence the country is experiencing. (Latinobarómetro)

The data is undisputable Costa Rica has and is currently experiencing increasing levels of violence that is caused by the flow of drugs. Most of the violence seems to stem from conflicts between drug-retailing groups, but some would most likely be the result of the value of merchandise moving through the country and the potentially large number of players involved in its transportation. It is safe to say that Costa Rica is, in fact, indeed vulnerable to drug-trafficking violence.

## PART 6: Proposition #2 on State Capacity

*The Costa Rican state lacks the capacity to deter the passage of illegal drugs through its territory.*

In 2011, 62% of Costa Ricans were confident of the state's capability to tackle and solve the problem of drug trafficking in the country; only 14% believed that the state was incapable of doing so. Yet, only 2% of a *Latinobarómetro* survey considered drug trafficking the most important problem that the country was confronting. The top rated problem was public security. (Latinobarómetro)

To estimate Costa Rica's structural power, we start by studying its "national capabilities," as proposed by Soifer. Mauricio Cárdenas (2010) from the Brookings Institution suggests the measurement of the bureaucratic quality of the state and revenue generating capacity of the state

to allow for a broad perspective of a state's capacity. We first take a look at "government effectiveness," as a corollary of the "bureaucratic quality" of the state

as defined by the World Bank.<sup>25</sup> In the last five years of available data (2008-2012), Costa Rica starts out with a score of 0.3 and a corresponding percentile rating of 64.1 on government

effectiveness. For the last year (2012) the

score is 0.5 with a percentile rating of 68.9 (see Table 2). Costa Rica has consistently scored higher than any of the other countries in the region, including Mexico

**Table 2: Government Effectiveness  
(Score and Percentile Ranks)  
Costa Rica, 2008-2012**

Year	Score*	Percentile Rank
2012	0.5	68.9
2011	0.3	64.5
2010	0.3	65.1
2009	0.3	64.6
2008	0.3	64.1

\* Score ranges from -2.5 (lowest) to 2.5 (highest).

Source: World Bank

<sup>25</sup> The World Bank's Government Effectiveness "captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies." The score ranges from -2.5 (lowest effectiveness) to 2.5 (highest effectiveness).

Within Latin America, Costa Rica is only surpassed by Chile—with a government effectiveness score of 1.3 and a percentile rating of 86.6. This information suggests that Costa Rica is a country with a government effectiveness that is consistently and significantly above the world's medium and at the top within Latin America. Furthermore, within the World Bank's governance indicators, government effectiveness has been Costa Rica's lowest scoring indicator (see Table 3). (World Bank, 2013)

**Table 3: Governance Indicators (Scores and Percentile Ranks)  
Costa Rica, 2008-2012**

Series Name	2008	2009	2010	2011	2012
Government Effectiveness Score	0.3	0.3	0.3	0.3	0.5
Percentile Rank	64.1	64.6	65.1	64.5	68.9
Control of Corruption Score	0.4	0.7	0.6	0.6	0.6
Percentile Rank	69.9	73.2	72.4	72.0	71.3
Political Stability and Absence of Violence Score	0.4	0.6	0.7	0.5	0.6
Percentile Rank	57.4	65.9	70.3	63.7	67.3
Regulatory Quality Score	0.5	0.5	0.5	0.4	0.6
Percentile Rank	64.1	65.1	68.9	65.9	70.3
Rule of Law Score	0.4	0.5	0.5	0.4	0.5
Percentile Rank	62.5	65.4	64.9	63.4	64.9
Voice and Accountability Score	0.9	1.0	1.0	1.0	1.1
Percentile Rank	76.0	77.7	81.0	78.4	82.9

\* Score ranges from -2.5 (lowest to 2.5 (highest).

Source: World Bank

In agreement with Mann, Cárdenas (2010) considers that income tax epitomizes state infrastructural power as it illustrates the capacity of a state to implement policies. Here we should attempt to measure the capacity of the Costa Rican state to collect taxes—or coerce the payment of taxes. For its revenue potential and the civic responsibility that it generates, income taxes—especially personal income tax, is one of the three pillars of the tax system in modern democracies.<sup>26</sup> As a point of reference, in industrialized countries (OECD countries) personal income taxes represents an average of 8.4% of GDP and over one-third of the total tax intake—an average of

<sup>26</sup> The other two being the value added tax (VAT) and contributions to social security. (Cardenas, 2010)

34.8% of GDP. From personal income tax, Latin American countries on average generate revenue of only 1.4% of GDP, which constitutes a smaller portion of the average total tax intake—23.4% of GDP. Effective tax collection requires properly developed social and institutional structures. This speaks to the state capacity and its infrastructural power as formulated by Mann. (BID, 2012: 173-174) In the case of Costa Rica, in 2012 the personal income tax revenue was 1.35% of GDP and the total tax revenue was 21% of GDP.<sup>27</sup>

The level of tax collection itself, as a measurement of state capacity, is troublesome because there are a series of devices that come into play—such as tax rate structures, deductions, and benefits. Latin America, in general, is characterized by low tax structures and high benefits. An indicator that would provide us with a better indication of state capacity to collect taxes would be the evasion of taxes. According to the Inter-American Development Bank (IADB), the rate of personal income tax evasion in Costa Rica is around 45%, while the business income tax evasion is closer to 60%.<sup>28</sup> It is estimated by the BID, that in 2010 the business income tax revenue potential was 6.5% of GDP; however the actual revenue was 2.7% of GDP.<sup>29</sup> (Ibid: 23, 216)

One can conclude that the Costa Rican state's capacity to collect taxes is fairly weak, considering the level of tax evasion—both on the individual as on the business level. To further explore the strength of the Costa Rican state, we also consider other areas that high capacity states are generally better equipped to manage. As proposed by Soifer and vom Hau (2008: 220), among these areas is maintenance of a monopoly of violence, the capacity to enforce contracts, and to provide public goods.

Bertelsmann Stiftung's Transformation Index (BTI), gives Costa Rica the highest possible score—a 10 out of 10, on the monopoly on the use of force. Although the state's monopoly on the use of force has not been openly challenged, Costa Rica is given credit for managing to keep under control the security crisis that has been generated largely by the spread of DTOs throughout the Central American isthmus and

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<sup>27</sup> Data source: [www.stats.oecd.org](http://www.stats.oecd.org)

<sup>28</sup> No data is provided for data.

<sup>29</sup> No data on the revenue potential of personal income tax was available.

managing to maintain the lowest homicide rate among its neighbors. It is noted that Chinchilla's administration increased the country's efficiency of anti-crime and anti-drugs efforts considerably. (Bertelsmann Stiftung, 2014a: 5)

In determining the country's capacity to enforce contracts we turn to the World Bank's "Ease of Doing Business" ranking, which includes an "Enforcing Contracts" indicator. This indicator measures the ease or difficulty of enforcing commercial contracts in a given country.<sup>30</sup> For 2014, Costa Rica is ranked 130 out of 189 countries; placing lowest among all Central American countries. As part of contract enforcement one can also consider the issue of property rights. Turning again to the BTI, Costa Rica is rated 9.0 on "Property Rights", arguing that private property rights and regulations are well-defined and enforced. It is also noted that due process is followed and adequate compensation is paid in cases of state expropriation. The reduced score results from the fact that although contracts "are generally upheld and investments are secure, [ ] the judicial system is slow, and resolving a contract-related legal dispute is quite complicated." (Ibid, 2014: 20) (Bertelsmann Stiftung, 2014b) Hence, contract enforcement is a manifestation of the weakness of the Costa Rican state.

Moving on to the state's capacity to provide public goods, we continue with BTI's "Social Safety Nets" rating. In this area, Costa Rica is rated 8 out of 10. The score is justified for the country's "broad and sustained effort to develop social safety nets capable of compensating for social risks and preventing poverty." Some of the state's social investments include universal programs—such as health and education; contributive programs—such as pensions; and programs targeting vulnerable segments of the population—such as "conditional cash transfers." Costa Rica's largest share of public spending goes towards universal programs (57%), followed by contributive programs (20%), and selective programs (11.5%); this last item displays the fastest growth. The last three administrations have committed to conditional cash transfers for education, and the last administration has added two more with focus on

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<sup>30</sup> "The enforcing contracts topic assesses the efficiency of the judicial system by following the evolution of a commercial sale dispute over the quality of goods and tracking the time, cost and number of procedures involved from the moment the plaintiff files the lawsuit until payment is received." (www.doingbusiness.org)

extremely poor families and child care. However, the score also reflects the fact that social investment has been insufficient to address the increased income inequality and that there remains a substantial portion of the most vulnerable population that is not covered by the programs intended for them. Coverage of universal services is high; about 65% of the economically active population has health coverage and 61% have pension plans; and most of the rest of the population is covered as dependents and/or beneficiaries of selective programs. (Bertelsmann Stiftung, 2014a: 21)

BTI also assesses a country's level of "stateness," for which Costa Rica receives a score of 10. At the administrative level, the state is considered to have the capacity to successfully provide basic services, "particularly health, education, access to electricity and telecommunications with a national scope." The Costa Rican state does exhibit some level of weakness that affect results in several areas—including basic services and infrastructure, and that are the result of "conflicting competences, limited financial resources, and administrative capabilities." Nevertheless, the Costa Rican state demonstrates fairly high levels of infrastructural power when it comes to stateness, rule of law, and institutional performance. (Bertelsmann Stiftung, 2014b)

The second dimension of structural power identified by Soifer (2008: 247) is "subnational variations." As originally anticipated, when determining state presence through its territory, one is confronted with a lack of and contradicting subnational data. However, as noted above, one is to expect that a state with somewhat limited financial resources would have to sacrifice some level of territorial penetration and oversight. As Soifer suggests, infrastructure—in the form of road networks and accessibility, as well as state practices of identification may offers a sense of subnational variations of structural power and helps us get a sense of where the state is and is not present and capable of enforcing its policies.

Costa Rica has one of the densest road networks in Latin America, with a national road network of approximately 7,503 km; of which 4,761 km are paved and 2,742 km are gravel or dirt. The cantonal road network (subsidiary roads, local streets, and unclassified roads) totals nearly 29,014 km—4,454 km of which is paved and 24,560

km of gravel. Cantonal roads make up about 80% of all country roads; and of these 85% is gravel or dirt. Due to the lack of a railway system and navigable internal waterways, roads provide the principal means of transporting people and goods in the country.<sup>31</sup> In a funding proposal to the IADB, in 2008 the government of Costa Rica requests financing to improve road conditions. The main purpose to expand and upgrade basic rural infrastructure, as stated in this funding proposal, was to “increase the physical access of the rural population to public, economic, and social services.” The program addressed a longstanding need to provide rural communities with proper roads to ensure access to social and government services, as well as economic and commercial services, and job and income generating opportunities. (IADB, 2008) In other words, although Costa Rica is a small country and has a fairly dense road network, it suffers from weak road infrastructure and accessibility to some of the outlying areas of the country; thus, affecting the state’s capability to enforce its policies.

Researching state practices of identification, one comes upon two items stand out. First, is the convenience to acquire a national identity card; which, in the case of Costa Rica, also serves the purpose of a voter-registration card. This is a most important document that the state is responsible for making available to all adult citizens.<sup>32</sup> When determining the ease of obtaining an identification card, it was found that there are 33 offices of the electoral board (TSE) —throughout the country. The TSE is the only authority sanctioned to issue this document and it would be necessary for an individual to go to one of their offices to apply for and again to collect the identification card. However, if one looks at the map available on the TSE’s website (see map in Annex 1) it is evident that for individuals in some of the outlying and coastal areas it would mean a fairly cumbersome journey to reach the closest office—keeping in mind also that not all of these areas are scarcely populated areas. It is important to mention, that the TSE’s website offers to send someone to you if you are unable to reach their offices for reason of sickness, disability, age, or if legally deprived

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<sup>31</sup> The only other option would be air; but local flights are limited and expensive.

<sup>32</sup> The state also issues identification cards to minors, which are now commonly used.

of one's freedom.<sup>33</sup> Particularly noticeable and of interest to us, is the absence of offices along both coasts and the northern border area; which is very representative of the country's state presence and areas heavily impacted by drug-trafficking, as it has been mentioned before. The second item is fingerprinting—which is required for many legal transactions, among others gun ownership and legal residency for foreigners. Fingerprinting is only done at the central offices of the Ministry of Public Security (MSP) in the capital city of San José.<sup>34</sup> One would assume, for example, that some gun owners in distant locations would not bother to complete the formal registration of their weapon.

BTI's Country Report on Costa Rica for 2014 summarizes very well the capabilities of the Costa Rican state in its conclusions when it says that management and execution capacities require improvement. "Strengthening the state's implementation capabilities would allow Costa Rica to consolidate its social policy gains while tackling key deficiencies in the areas of infrastructure, environmental policy, citizen security, human capital and inequality. Problems in these areas are often related to the quality of management and administration rather than to a lack of resources." (Bertelsmann Stiftung, 2014a: 35)

Since the focus of this thesis is the security of Costa Rican citizens, one must take a look at the size of the state's security apparatus. Although Costa Rica has no standing military, the country does possess extensive security forces meant to tackle internal issues of law and order. Costa Rica has a police force of about 14,000 officers. Compared to the police forces of other Central American countries, it is considered to be a better equipped and trained police force. On the other hand, despite the bad image that Costa Rican police forces have among the local population, they are not perceived as a threat—it is not a "predatory police." (Sanchez, 2011) (Hidalgo Flores, 2014)

Drug trafficking and organized crime have demanded great efforts on the part of the Costa Rican state and its security institutions. It is not only a matter of sovereignty and

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<sup>33</sup> TSE web site: <http://www.tse.go.cr/sedes.htm>

<sup>34</sup> MSP web site: [http://www.msp.go.cr/tramites\\_servicios/toma\\_huellas.aspx](http://www.msp.go.cr/tramites_servicios/toma_huellas.aspx)



fulfilling international commitments, but it is also about the problems generated by drugs remaining in the country from in-kind payment. The Costa Rican police agencies that specialize in drug control are the Narcotics Section of the OIJ—comprised of a professional group that is highly trained in international traffic, and the Drug Control Police (PCD) of the Ministry of Public Security (MPS). The PCD investigates both domestic and international drug trafficking and is also responsible for drug control efforts at airports—including the country's three international airports. In addition, the PCD is responsible for border controls at *Paso Canoas* to the south and *Peñas Blancas* in the north. Moreover, both organizations routinely conduct complex investigations on drug trafficking for the Narcotics Division of the Prosecutor's Office (Ministerio Público). (ICD, 2011: 28)

Along with the Narcotics Section of the OIJ and PCD, the National Coastguard Service and the Air Surveillance Service of the MSP provide maritime and air interdiction support. Finally, the Special Intervention Unit (*Unidad Especial de Intervención*) under the Ministry of the Presidency (*Ministerio de la Presidencia*) and the Immediate Intervention Police Service (SPII) of the OIJ are forces specialized in highly difficult property break-ins for court-ordered searches. (Ibid, 2011: 28)

The country's lack of need to invest in the heavy and expensive equipment that traditional armed forces would require did not result in a channeling of financial resources to develop the best possible police force to maintain internal order. In fact, while they may be better prepared than any of the other police forces of Central America, the country's police is said to have insufficient training, a shortage of service men, and a lack of resources—such as vehicles and weapons, to be able to patrol its territory, borders, and coasts. However, efforts have been made by the government to improve the training of police officers. In 2010, Costa Rica and Colombia signed an agreement by which Colombian experts train and provide ongoing advice in the fight against drug trafficking to the Costa Rican police. In 2011, the government announced the creation of a new border guards that would be equipped with pickup-up trucks,

speedboats,<sup>35</sup> communication equipment, and other high-tech gadgets. (Sanchez, 2011)

There is also the problem of police corruption. In the past, police officers have been arrested for their involvement in drug trafficking. In 2008, during the coverage of a high profile case, local media reported that the salary of a police officer was around US\$328 per month—a salary with which it would be difficult to maintaining a family and not high enough to discourage the temptation of accepting a bribe. (Ibid, 2011) Carlos Alvarado of CID, claims that police salaries have improved significantly since then; nonetheless, they are probably still on the low side. (Alvarado Valverde, 2014)

The detection and seizure of large amounts of drugs has been facilitated, in large part, by the increased capacity of navel interdiction by the National Coastguard Service of Costa Rica and through efforts conducted within the Joint Patrol Convention (CPC) in conjunction with US authorities. (ICD, 2011: 34) Costa Rica and the United States cooperate in a series of programs that are aimed at enhancing interdiction, investigative, and prosecutorial capabilities to support the fight against drug trafficking and improve citizen safety. These programs include the provision of training and technical support in areas such as rule of law, law enforcement, border security, and maritime interdiction. The United States and Costa Rica also maintain a somewhat controversial counter-narcotics bilateral agreement to enable maritime operations against drug trafficking. (U.S. Department of State, 2014b) Allowing US warships, or those of any other country, to make a port call in the country, requires legislative approval. This body has denied repeated requests and has only allowed US Coast Guard vessels to dock in Costa Rican ports. (Sanchez, 2011)

Over the past several years, and in response to the threat of organized crime, the Costa Rican government has increased spending on law enforcement agencies. In 2012, a new tax on corporate entities was approved to help cover this expenditure—generating some \$66 million in 2013 and allowing an increase by 18 percent to the budget of the MPS. (U.S. Department of State, 2014b)

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<sup>35</sup> Part of the northern border (with Nicaragua) is defined by the San Juan River, which belongs to Nicaragua, yet Costa Rica has navigation rights.

Most type of data and information on the country's security forces is not available to the public since it is considered sensitive to national security. Authorities do not make much information available that might allow one to identify any increased efforts on the part of the state to tackle the threat of drug trafficking and organized crime; including the security resources at their disposition—such as human, equipment, infrastructure, capacity building or financial, or the distribution of these resources throughout the country. The only signs that the government has increased efforts of any kind are (1) the creation of a National Coast Guard in 2000<sup>36</sup>—that operates seven stations: 5 on the Pacific coast and 2 on the Caribbean coast is mostly dedicated to the interception of drug smuggling (see map at front); (2) a budgetary increase of 80% to the regular police force within the last five years; and (3) the establishment of a Border Police in 2013—operating two posts, at main crossing point at each of the two borders. (Hidalgo Flores, 2014) (Alvarado Valverde, 2014)

In 2013, 116 drug trafficking organizations were dismantled by Costa Rican security forces and nearly 20 tons of cocaine was seized. Among the dismantled groups were 27 of a transnational character and 89 local. During the four years of the previous administration (2010-2014) cocaine seizures exceeded 46 tons and governmental efforts to dismantle drug-trafficking structures impacted over 300 groups. Last year's cocaine seizure by Costa Rican authorities is the highest within the last three years and it positions the country as the region's leader in cocaine seizures. (Notimex , 2014)

It is evident that, although with somewhat limited resources—yet with assistance from the U.S., Costa Rica has made considerable progress in building its capacity to fight drug-trafficking in an effort to protect its citizens. It is not likely that drug flows will stop; traffickers will continue to evolve to stay in business. One must also wonders, how channeling such large amount of the country's resources to such a difficult venture may impact other areas that need attention and that could potentially contribute to disincentivize criminality. In the next section we take a look at social factors that fuel the impact of drug-trafficking on Costa Rican society.

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<sup>36</sup> The Costa Rican Coastguard counts with 23 vessels and is staffed by 453 officials. Data source: MSP website.

## PART 7: Proposition #3 on Social Weakening

*Indigenous criminal groups have emerged and are likely to partner with larger and more sophisticated criminal groups operating at the transnational level.*

Costa Rica has become one other link in a series of overlapping drug-trafficking networks that, as presented by Williams and Godson (2002: 332), are characterized by high levels of built-in redundancy. In essence this means that in Costa Rica, as a transshipment country, network structures are reproduced at the local level to minimize disruptions.

As previously stated, there is plentiful evidence of Mexican DTOs operating in Costa Rica. (Sanchez, 2011) All DTOs seem to follow a similar pattern in Costa Rica, where a very limited number—no more than a couple, of individuals from the group needs to be present in Costa Rican territory. The foreign elements that represent DTOs spearhead local operations, placing and receiving orders, and ensuring their continuing transportation north. To do so, they require of a variety of local contacts that provide the necessary logistical support. (Alvarado Valverde, 2014) DTOs operations in Costa Rica, as in any other transshipment country, take advantage of “resilience” through “redundancy” and capacity expansion by way of recruitment. (Williams and Godson, 2002: 334)

In order to provide the support that transnational groups require, local recruits are individuals who know the territory and characteristics of the country. More importantly, they have the networks and logistical capacity to carry out smuggling activities. For these reasons, the local recruits are primarily Costa Ricans or Nicaraguans residing in Costa Rica.<sup>37</sup> Payment for logistics and transportation started out being made in cash, but authorities deem that it has reached the point where most payments are in-kind—specifically with cocaine. This is what Friman (1995: 73) labeled drug “leakage.” The drug received by local groups remains in the country and supplies the local cocaine market. Consequently, Costa Rican authorities have seen an emergence of local criminal groups involved in drug trafficking. Of particular notoriety are familial groups—groups comprised of close proximity family members. The participation of minors in drug trafficking is also

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<sup>37</sup> Nicaraguans represent the largest group of foreign born immigrants in Costa Rica—approximately 74.57% of the country’s foreign born population and 6.7% of the country’s total population. Source: 2011 Census, INEC (<http://www.inec.go.cr>)

growing. Youngsters are recruited by criminal groups as “*narcomenudistas*” (narco-retailers), taking advantage of the enticement of financial gains. Authorities consider that this phenomenon is not distinctive of deprived areas; it has also been identified in secondary school settings. (OIJ, 2013: 21 and 23) (Alvarado Valverde, 2014)

In a report by the OIJ, the agency states that they have also identified organized criminal groups composed solely of Costa Ricans who have become skilled in the business through collaboration with elements of foreign groups—mostly Colombians and Mexicans; and that this, in fact, is not a recent trend. These local groups are for most part involved in the transfer of drugs (marihuana and cocaine) from the country of origin, to their local distribution and sale; but sometimes they collaborate to move and distribute drugs. They are also evolving and have started to make contacts abroad for the importation of drugs. Authorities have evidence that these same individuals have established contact with foreign DTOs in their interest to participate in transnational drug-trafficking—smuggling drugs all the way through to Guatemala and Mexico. This would make them transnational in character. (OIJ, 2013: 22) As local groups take advantage of the opportunity that has open to them and become better skilled, they will most likely grow in size and strength.

Williams and Godson (2002: 315, 320-321) have argued that there are certain critical traits of a state that determine the presence and operation of transnational criminal organizations, including strength levels, type of government (authoritarian or democratic), and the degree of institutionalization of the rule of law. On the other hand, well-functioning, a culture of legality, rule of law, and high levels of transparency are among the conditions that challenge the emergence of organized crime. In parts 5 and 6 of this thesis we touched on issues relating to Costa Rica’s democratic characterization. It must be added here that the Polity IV Project has consistently given Costa Rica a score of 10—Full Democracy, since 1890.<sup>38</sup> In Part 6 of this thesis we examined the World Bank’s Governance Indicators, where Costa Rica receives fairly strong scores for “Rule of Law,” “Control of Corruption,” and “Voice and Accountability” (refer back to Table 4 on page 45). This seems to indicate that the Costa Rican state possesses those conditions that challenge the emergence of organized crime. We explore these conditions a bit further.

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<sup>38</sup> The Polity IV Project is a composite index is a measure of the degree of democracy and autocracy. The thresholds for “Democracy” is 6 or above). A “Full Democracy” requires a perfect score of 10. ([www.systemicpeace.org](http://www.systemicpeace.org))

BTI utilizes three indicators to rate a country's 'Rule of Law': Separation of Power, Independent Judiciary, Prosecution of Office Abuse, and Civil Rights. In its 2014 Country Report for Costa Rica, BTI grants a score of 10 for "Separation of Power" highlighting the country's clear separation of powers with mutual checks and balances; an established system of four branches of government (executive, legislative, judicial, and electoral); and a relatively weak executive with limited and rarely used decree powers. The score for "Independent Judiciary" is 9, as justice is administered through a "differentiated organization and rational proceedings"; the judiciary is independent and free from unconstitutional intervention by other institutions; and is provided for economic independence. Yet, there have recently transpired well-publicized cases of corruption and conflict of interest involving members of the judiciary. For the "Prosecution of Office Abuse" the country receives a score of 8, since politicians and public servants are accountable when they break the law and engage in corrupt practices; the country's legislation conforms to international anti-corruption standards; and prominent figures—including ex-presidents, have been indicted and prosecuted. However, cases often take a long time to be resolved or are even "dismissed for exceeding the legal time period allotted," manifestation of some level of prevalent corruption. On the last indicator "Civil Rights," Costa Rica is given a score of 10, as civil rights and non-discrimination are guaranteed by the constitution and enforced through various institutions, by way of these mechanisms citizens are provided with channels to present objections against the state concerning their rights and interests. (Bertelsmann Stiftung, 2014a: 9-11) Transparency International's Corruption Perceptions Index (2013) ranks Costa Rica number 49 out of 177 countries; second in Latin America, after Chile. On "Control of Corruption" (2010)—which reflects perceptions of the extent to which public power is exercised for private gain, the percentile rank is 73%. (Transparency International, 2014)

Based on the above data one may conclude that overall Costa Rica presents stronger traits for those conditions that Williams and Godson believe challenge the emergence of organized crime. Yet, we need to look at other societal indicators that may make certain segments of society vulnerable to deviant behaviors and the appeal of organized crime. Ousey and Lee (2002:78) emphasize high levels of poverty, unemployment, and income inequality as the culprits of gradual deterioration of a community's ability to integrate their members into conventional noncriminal behaviors. Lyman and Potter (2007: 68 and

81), also support the notion of a direct link between “social disorganization” and the consequent appeal of criminality as the only possible way to achieve success. We take a look into the indicators of social disorganization presented by Lyman and Potter, Merton, and Cloward and Ohlin—specifically the level and quality of social services, educational opportunities, employment, and health. To determine if the country has, in fact, experienced social deterioration we look at changes over time to the Human Development Index and the Gini Index.

Over the past decade, social spending per capita in Costa Rica experienced significant growth, both at the aggregate level (70%), as in its main components—health (68%), education (98%), and social security and welfare (42%). This reveals the importance that has been given to social policy in the country. It also places Costa Rica fourth among the highest level of social spending as a percentage of GDP in Latin America at 22.6% in 2011.<sup>39</sup> (PNUD, 2014: 9) (UNDP, 2014)

Education is a central component of the country’s social policy. Preschool, primary, and secondary education (through 11<sup>th</sup> grade) is obligatory, universal, and free. The Costa Rican constitution has mandated a budget for public education at all levels at a minimum of 6% of GDP.<sup>40</sup> The result has been a literacy rate that exceeds 97% and an institutional network that incorporates education at all levels. However, while universal coverage has been achieved at the primary level, in 2011 only 72% of those ages 13 to 17 were enrolled at the secondary level and dropout rates were close to 11%. The secondary level (high school) graduation rate is only 42% of those students entering the seventh grade and demonstrates a trend towards increased disparities across socioeconomic levels. To address these tendencies, the government launched a conditional cash transfer program (*Avancemos*) designed to keep students in high school and increased spending in education. While total expenditures in education did not reach the constitutionally mandated of 6% for several years, spending reached 6.6% of GDP in 2011. (Bertelsmann Stiftung, 2014a: 21, 23)

<sup>39</sup> Above Costa Rica are Argentina (27.8%), Brazil (26.4%) and Uruguay (23.3%).

<sup>40</sup> The 2011 constitutional reform increases the mandate to state expenditure in education to an annual minimum of 8% of GDP starting in 2014.

Costa Rica is considered a “High Human Development” country by UNDP. As noted in the 2013 HDI Report, it ranks number 62 with a HDI value of 0.773, for 2012—seventh place among Latin American Countries.<sup>41</sup> In the sphere of education, the “Mean Years of Schooling” for 2010 was 8.4 years. However, the “Inequality-adjusted Education Index” reveals a loss of 15.7%. Besides the fact that Costa Rica has achieved a high literacy rate, there are two features related to education that are of concern: first, that the percentage of the population with a secondary education is relatively low at 53.6%; and second, as mentioned above, that the primary school dropout rate is rather high at 11%. Nevertheless, in 2011 80% of the Costa Rican population expressed satisfaction with the quality of the country’s education. (UNDP, 2013: 145, 153, 171)

As with education, healthcare is universal in Costa Rica and access is broad. “There is a consistent quality of service provided across socioeconomic levels and increasingly over geographic area.” Approximately 65% of the economically active population is covered by the government’s health scheme—most of the remaining population is covered as dependents or beneficiaries of selective programs. (Bertelsmann Stiftung, 2014a: 21) In general terms, Costa Rica has been an outstanding example of healthcare in Latin America and developing countries in general. In 2012, health expenditure represented 27.7% of all government expenditure and 7.6% of the country’s GDP. It is also pertinent to point out that approximately 94% of the country’s population has access to “improved sanitation facilities” and 96.6% has access to “improved water source.” Life expectancy is comparable to the most developed nations at 80 years (2012). Taken as a whole, 75% of Costa Ricans express satisfaction with the country’s health system (2007-2009). (UNDP, 2013: 145, 165) (World Bank, 2014)

As per data from the World Bank, Costa Rica’s economy grew by 4.7% in 2010, 4.3% in 2011, and 4.5% in 2012. These rates are well

**Table 4: Unemployment (total and youth male)  
Costa Rica, 2008-2012**

	2008	2009	2010	2011	2012
Unemployed, total (% of total labor force)	4,9	7,8	7,3	7,7	7,6
Unemployed, youth male (% of male labor force ages 15-24)	9,8	15,5	14,4	13,9	13,5

Source: World Bank

<sup>41</sup> The ten highest ranking HDI countries from Latin America are Chile, Argentina, Uruguay, Cuba, Panama, Mexico, Costa Rica, Venezuela, Peru, and Brazil.



above the worldwide average. However, for this last year 21.6% of the population remained in poverty and the unemployment rate was 7.6% (see Table 4). In part this can be explained by the fact that “production is primarily driven by capital- or technology-intensive activities, rather than labor-intensive sectors.” (Bertelsmann Stiftung, 2014a: 22)

Rates of poverty and extreme poverty have remained fairly unchanged since 1994, at around 20% and 6% respectively. Similar poverty levels in urban as well as in rural areas suggests an absence of regional exclusion; yet, inequality is higher in rural areas. Although the average income increased in 2011, income distribution in Costa Rica has shown a tendency to a higher concentration over the past decade. The income of the richest decile rose from 16 times that of the poorest decile in 2008 to 19.2 times in 2009. In 2012, the trend continued as the richest decile saw its per capita income increase by 11.6%, while that of the poorest grew by only 2.5%. The level of inequality measured by the Gini coefficient rose from 0.501 to 0.504 between the early 2000s and 2009. This confirms that the inequality in the country has, at best, remained unchanged the first decade of the 2000s. The Gini coefficient continued to increase from 0.508 in 2010 to 0.515 in 2011; which is considered to be “a marked deterioration.” Costa Rica at (0.14%) and Honduras (0.61%) are the only two countries to present a contrasting trend to that of the rest of Latin America, where inequality declined at an average annual rate of -0.89%. (Ibid, 2014: 15) (PNUD, 2014: 6) (UNDP, 2014).

“Poverty and inequality represent important sources of structural exclusion as well as a division of society that social policies and sustained levels of economic growth have been unable to reduce.” (Bertelsmann Stiftung, 2014a: 3) Since the 1940s, Costa Rica has implemented social inclusion policies that resulted in the high levels of human development and reduction in poverty that the country has achieved. But then again, as mentioned above, the respectable rates of economic growth that the country has achieved in recent years have lacked the proper policies to reduce poverty further and to halt increasing levels of inequality. “Poverty reduction has reached a plateau, and while the position of the country in terms of human development remains relatively high, overall progress since the early 2000s has been moderate in international comparison.” (Ibid, 2014: 14-15) Table 5 provides a “time series of HDI values” for Costa Rica that allows for

comparison of HDI values for 2012 with those for previous years and average annual HDI growth rate for four time periods that helps assess the pace of HDI changes for Costa Rica.

**Table 5: Human Development Index Trend  
Costa Rica, 1980–2012**

Human Development Index (HDI)								HDI Rank		Average Annual HDI Growth			
Value								Change		%			
1980	1990	2000	2005	2007	2010	2011	2012	2007-2012	2011-2012	1980/1990	1990/2000	2000/2010	2000/2012
0.621	0.663	0.705	0.732	0.744	0.768	0.770	0.773	4	0	0.65	0.62	0.85	0.76

Source: UNDP, Human Development Report 2013

To conclude with data on vulnerability indicators, the 2013 Human Development Report makes available a table on “Social Integration.” In this table three features of interest stand out: first, Costa Rica’s HDI losses 21.5% due to inequality; second, the level of trust in others is very low at only 14%; and third, also low levels of trust in the government at 32%. Other indicators are rather positive, these include including overall satisfaction with life (7.3 out of 10), satisfaction with freedom of choices (92%), satisfaction with job (87.5%), and satisfaction with community (82.5%).

Bearing in mind people’s perception of social and economic conditions and changes that might have taken place, cumulative data from *Latinobarómetro* surveys allow for some additional insight. Only minor variations are evident when it concerned the economic situation of the country—a reflection of peoples sense of their own economic situation. Consistently, around half of the population considers the country’s economic situation to be “regular”, with a tendency to lean towards “bad.” When asked about income distribution no major changes are noted, around half of the population believes that income distribution is “unfair”, with some improvement towards the last years as a larger portion of the respondents consider it to be “fair.” (Latinobarómetro)

In connection with the critical significance that feeling of dissatisfaction, frustration, and stress have within disorganization theories, one could weigh the extent to which Costa Ricans experience such a state of mind by way of the population’s level of satisfaction with their life over a period of time. A great majority of Costa Ricans are “fairly satisfied” or

“very satisfied” with their lives. In fact, with the exception of 2008, in recent years over 85%—and closer to 90%, of Costa Ricans said that they were “very satisfied” or “fairly satisfied” with their lives. Consistently, in the last 10 years or so only 1% of respondents said that they were “not satisfied at all” with their lives. (Ibid)

One can recognize that although Costa Rica might not present conditions that are believed by Williams and Godson to be conducive to the emergence of organized crime, there are some social indicators that explain the emergence of criminality and organized crime, as depicted by theories of social disorganization. Costa Rica has seen the emergence of small groups and individuals that have been eager to involve themselves in the drug trade. As it is known, the high profits from the drug business attract many to partake in it. If economic and social conditions, as well as conditions of inequality, continue their course and do not improve, more Costa Ricans will be drawn to drug-trafficking. With time local groups will grow, become more powerful, and will want to protect their interests “at all costs.” The presence of transnational DTO aids this process; as probably also does the routing of resources to battling drug-trafficking and drug flow.

## Conclusions

As expressed by the former Costa Rican President, Laura Chinchilla, Costa Rica had never faced a test of the level that the country is facing from the vast corrupting powers of the “cartels.” (Miroff, 2011) Maybe by opting for demilitarization, the country had relaxed its guard and paid little attention to internal security—there had been no need. No one expected conditions to turn so bad in such a short period of time. While living in peace and secured for decades, Costa Rica had grown used to its neighbors’ unrest, warfare, and violence. The sudden advent of such an intangible threat—that of illegal drug-trafficking and transnational organized crime, found the country unprepared, yet prepared. As Argueta (2013: 198) said, there are important differences between countries and the level of threat that drug-trafficking represents depends on country-specific vulnerabilities.

The data is undisputable; Costa Rica has experienced a sudden and significant rise in levels of violence that are a direct consequence of large volumes of cocaine that is being

transported across its territory. Drug-traffickers are interested in moving the merchandise through to the consumer market without attracting attention; even if foreign DTOs do resort to violence, it is probably not of great impact except for the fact that it might be gruesome—characteristic of their ways. However, the impact of drug-trafficking and the presence of transnational DTOs do affect the country in two distinctive ways: (1) it involves local individuals in the drug-trade, which contributes to developing local criminal stock; and (2) it expands the local drug market through in-kind payments to local collaborators. Although there is more of an indirect impact on the country's level of violence, there is a direct link between drug-trafficking and increase levels of violence in Costa Rica. Savvier criminals and an expanded local drug-market translate into more competition, more conflict, and more violence.

Costa Rica has made considerable progress in building its capacity to fight drug-trafficking and to protect its citizens. Costa Rica's "potential" as a transshipment country was predetermined, as it is situated on the direct route between the producing and the consuming regions—it is hard to believe that no one saw this. It is improbable that the flow of drugs will stop; traffickers will continue to evolve to stay in business, outsmart the authorities, and more groups will always be on hand to take over for others that go down. Costa Rica has not experienced the level of violence that other Central American countries have for the simple reason that, Costa Rica does not present the level of vulnerability that other countries in the region do. Although unsettled, the strength of Costa Rican institutions has allowed the country to better adjust and confront the threat more effectively. Changes brought in by drug-trafficking were abrupt and we can see the countries reaction in the homicide rates. Homicide rates crept in the early 2000s until the dramatic rise between 2007 and 2008. It took the country four years to bring that homicide rate below 10.0 per 100,000 of population—although still high by Costa Rican standards. This might not be seem like a great success, unless one considers the alternatives, the regional conditions, and the size of the Costa Rican economy. The country has had to divert a large amount of resources to tackle the drug-trafficking problem and the violence brought about by it. The Costa Rican state has proven robust and determined.

There are indications of "societal weakening" in Costa Rica. The surfacing of the drug-trafficking threat has coincided with a deterioration of the country's social conditions.

Maybe the country lost track of its commitment to its citizenry, maybe it is a consequence of globalization and liberal capitalism, or maybe both. The impact of worsening inequality and polarization of society will have dire consequences to the future of Costa Rica as social dissatisfaction and frustration mixes with the increased “opportunities” that drug-trafficking offer. The emergence of local groups and individuals eager to abandon conformity attests to the dramatic changes that Costa Rican society is experiencing. If social conditions, as well as conditions of inequality persist, more Costa Ricans will most likely be drawn to drug-trafficking. With time, local groups will grow, become more powerful, will want a larger piece, and will stop at nothing to protect their interests. The consequences of this scenario would be dreadful.

Costa Rica is at a crossroads and no one knows what is to come—except that drug-trafficking, in all probability, will continue to challenge Costa Rican authorities. The country cannot “rest on its laurels” like it might have done at some point. The state must remain alert and continue to plow through. Costa Rica has made a formidable job at resisting criminal activity, but as we have seen in many other cases, it is a fine balance to avoid retaliation from those that have no consideration for human life.

Is Costa Rica able to provide its citizens protection from the crime and violence that is brought about by the illegal drug trade? I believe that this thesis establishes that today the answer is “yes, it can.” Even so, only time will tell who is most resilient—the Costa Rican state or the criminal organizations dedicated to drug-trafficking, and only time will tell what the consequences will be of diverting the amount of resources that have been necessary to fight drug-trafficking and ensure citizen Security.

## Annex 1

**Map: Location of TSE Offices  
Costa Rica**



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