

LmunA 2024

Research report

Forum: Human Rights Council

Issue: Addressing the effect of organised crime and gang violence on human rights in South America

Student Officer: Nina Soetenhorst

Position: Head Chair



LMUNA

Lorentz Lyceum
Model United Nations
Arnhem

Introduction

In 2023, the United Nations Office on Drugs and Crime (UNODC) published its Fourth Global Study on Homicide. The study shows that organised crime is responsible for at least half of the homicides in Latin America and in the Caribbean, which was also the highest rate of homicide related to organised crime in the world. The study has a section on how organised crime causes more violence in those areas. Much of the violence is caused by clashing criminal groups, who have easy access to firearms.

In Ecuador, after a large drop in homicides until 2016, the rates spiked from 6 to 15 per 100,000 people in 2021 to 26 in 2022. In Jamaica, homicide rates neared 50, while Honduras's were estimated at 36 in 2022. For reference, the homicide rate in the United States is 6.

Also according to UNODC, in 2021, eight of the 10 countries with the highest homicide rates in the world were in Latin America, which the organisation said directly correlates to the misuse of firearms.

Definition of key terms

Homicide

Homicide is an action or act in which a human causes the death of another human. It is a voluntary act or neglect which causes the death of another. Therefore, a homicide can result from accidental, reckless or neglectful behaviour, even if there is no intent to cause harm to one another.

Drug

Any chemical is any natural or chemically made substance that when it is consumed causes a change in someone's physiology, including its psychology. It can be used as a medicine, it can be taken for pleasure or it might improve someone's performance of an activity. A drug can also be given to a person or animal, which causes them to lose feeling, change their behaviour, or become unconscious.

General Overview

Drugs

There is a complex network of drug trafficking organisations and street gangs that operate across South America, which creates a hostile environment in which violence can quickly escalate when rival groups compete with each other.

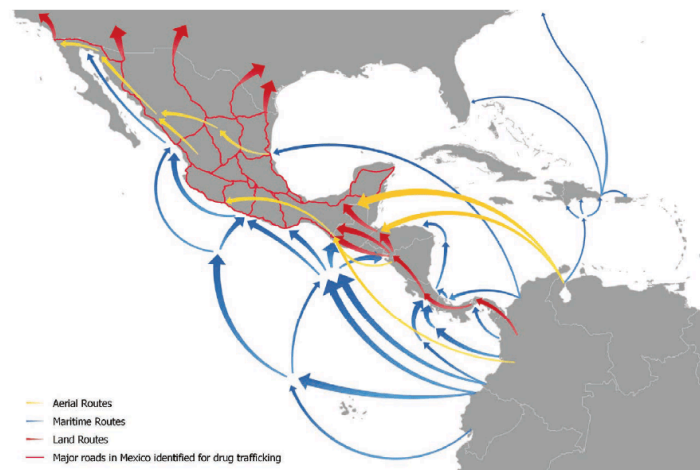
The world's supply of cocaine originates almost entirely in South America. Especially in Peru, Bolivia and Colombia, which have record levels of cocaine production. The production has caused more violence between local and international criminal groups near the border with Ecuador. In 2020, the onset of the global COVID-19 pandemic likely contributed indirectly to increases in the productive area under coca leaf cultivation in Peru and Bolivia, mainly as eradication activities were negatively impacted.

Given the concentration of the source of the world's supply of cocaine in three contiguous countries in South America - a feature which sets the cocaine market apart from other drug markets - it is expected that the majority of global cocaine seizures are also concentrated in and around South America. From 2008 onwards, more than one-half of global seizures of cocaine have taken place in this region. In 2020, the subregions of Central America, South America and the Caribbean collectively accounted for 72% of total global seizures of cocaine, 29 and approximately one-quarter of past-year cocaine users.

Figure: Cocaine trafficking routes from South America to North America, 2021

North America, with its large population, continues to be one of the main destinations for cocaine trafficked from South America. Mexico is an important

Cocaine trafficking routes from South America to North America, 2021



The boundaries and names shown and the designations used on this map do not imply endorsement or acceptance by the United Nations. Sources: UNODC CRIMJUST Annual Meeting of Strategic Analysts, Girardot, Colombia, November 2021; US Drug Enforcement Administration. 2020 National Drug Threat Assessment, Washington D.C.; National Drug Intelligence Center, 2021; El Heraldo, "Las seis rutas que usa el narcotráfico en su paso por Honduras", 21 February 2022.

transit country as a gateway for cocaine crossing the border to the United States as well as Canada (primarily through the United States, but also directly from Mexico). There are multiple routes through which cocaine reaches Mexico: via maritime shipments, especially with go-fast boats; and also, over land. Maritime trafficking seems to be the dominant route along the Pacific coast of Central America.

Illegal firearms

Drug trafficking is also linked to the rising levels of armed violence in South America.

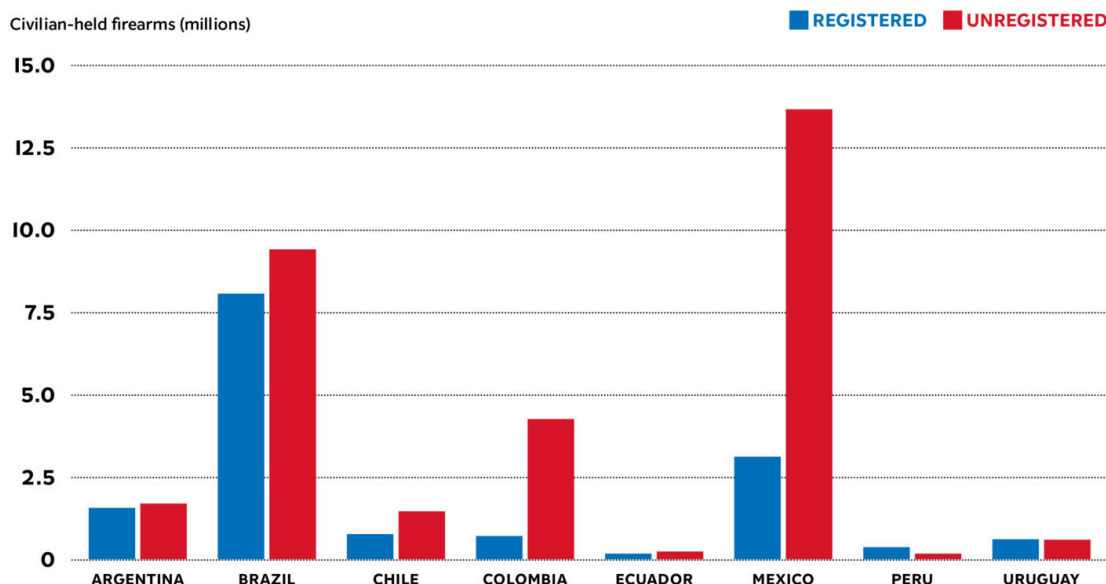
In 2021, 70% of the homicides in South America involved firearms, which are often illegally imported from the United States and Europe. Weak controls in supply and destination markets result in easier access to guns for criminal organisations.

In 2018, it was estimated that over 60 million firearms were in hands of citizens in South America, both legally and illegally owned. In Bolivia, Colombia and Mexico, there were more unregistered weapons than registered ones. In Argentina and Brazil, the number of unregistered weapons was similar to the number of registered ones.



Estimated guns in the hands of Latin American civilians

In some countries, civilian-held unregistered guns outnumber registered guns



Source: Small Arms Survey

Estimated guns in the hands of Latin American citizens, 2023

LmunA 2024

The millions of illegal weapons circulating in the region and the persistent trafficking between countries and from the United States have allowed the activities of criminal organisations to expand, and it has made their activities even more violent.

Yet the militarisation of public security has not yielded positive results, as drug cartels and other criminal groups have only strengthened their firepower against the state. As drug trafficking organisations expand or move their operations to other countries, an increase in armed violence is likely to follow. This is the case for Ecuador and many other nations in the Caribbean in recent years.

Firearms trafficking not only intensifies crime and violence: But it also affects economic development, political stability and the daily lives of millions of people in the region. It has been estimated that the direct costs of crime for 17 countries in Latin America in 2010-2014 averaged 3% of the region's GDP, which is equivalent to what the authorities spend annually on infrastructure. It is very likely that these costs would be higher today if the same variables were measured again.

Criminal and militant entities have capitalised on the widespread availability of Small Arms and Light Weapons (SALW), a category that includes handguns as well as semi-automatic and automatic rifles. UNODC notes criminal groups can acquire these weapons from sources including domestic markets, private dealers, black markets, legal and illegal North American and Western European channels, and even through the diversion of law enforcement and military stockpiles.

Human rights violations by the authorities

When releasing its World Report 2022, Human Rights Watch said that Latin America was facing some of its gravest human rights challenges in decades.

“Latin America is experiencing such an alarming reversal of basic freedoms that we now have to defend democratic spaces that we once took for granted,” said Tamara Taraciuk Broner, America's acting director at Human Rights Watch. “Even democratically elected leaders attacked independent civil society, the free press, and judicial independence. Millions of people were forced to leave their homes and countries, and the economic and social impact of the pandemic has been devastating.”

LmunA 2024

The Cuban government systematically engaged in abuses against critics, including ill-treatment of detained people, and abuse-ridden criminal prosecutions in response to peaceful anti-government protests.

The elections in Nicaragua were carried out without any strong democratic guarantees. In the run-up to the elections, Daniel Ortega's government randomly arrested and prosecuted its critics and opponents, including seven presidential candidates, holding many in abusive conditions for weeks or months. Additionally, more than 100 people perceived as critics remain imprisoned in the context of the human rights crisis that began in 2018.

The International Criminal Court prosecutor opened an investigation into allegations of possible crimes against humanity committed in Venezuela under Nicolás Maduro's watch. A UN Fact-Finding Mission found that judicial authorities had been complicit in egregious abuses. An independent EU electoral mission that monitored the November regional elections also reported that some political opponents remained disqualified from running for office, there had been unequal access to the media, and the lack of judicial independence and of respect for the rule of law undermined the election's impartiality and transparency. Human Rights Watch has denounced the crackdown on dissent and the uneven playing field, which made it more difficult to ensure that all voters could exercise their rights freely.

Elected leaders with authoritarian tendencies have also repeatedly tried to undermine the rule of law.

In Brazil, President Jair Bolsonaro, an apologist for his country's military dictatorship (1964-1985), tried to intimidate the Supreme Court with insults and threats and made baseless claims of electoral fraud.

In El Salvador, President Nayib Bukele and his allies in the legislative branch replaced Supreme Court justices with whom they disagreed and passed laws to dismiss hundreds of lower-level judges and prosecutors. Supreme Court justices they named ruled that he could run for consecutive re-election, despite a constitutional prohibition. The government also proposed a "foreign agents" bill that, if approved, would severely restrict the work of independent journalists and civil society organisations.

LmunA 2024

Meanwhile, in Argentina, Bolivia, Peru and Guatemala, various efforts to undermine judicial independence or to use the justice system for political purposes have threatened democratic checks and balances.

In Colombia, members of the National Police responded to mostly peaceful demonstrations by randomly dispersing protesters and using excessive force, including the use of live ammunition. Violence and abuses by armed groups, including killings, massacres, and forced displacement, increased in remote areas where the presence of civilian state institutions and economic opportunities are lacking. Over 450 human rights defenders have been killed in Colombia since 2016, the United Nations reported.

Major parties involved

United Nations Office on Drugs and Crime (UNODC)

For two decades, UNODC has been helping make the world safer from drugs, organised crime, corruption and terrorism. They are committed to achieving health, security and justice for all by tackling these threats and promoting peace and sustainable well-being as deterrents to them. UNODC also releases studies on where drug trafficking and organised crime are very prevalent.

Previous attempts to solve the issue

The Regional Office for South America (ROSA)

Established in 2009, the Regional Office for South America (ROSA) is working with state institutions, civil society organisations, regional and international organisations and the United Nations in order to strengthen their capacities in promoting and protecting human rights. The Office currently establishes work agreements with governments and other entities for the new planning period 2018-2021 in seven countries, on technical assistance in legislation and policies, as well as training and capacity building in all areas ROSA specialises in.

The Office is increasingly being considered as a key reference, providing technical assistance on the inclusion of human rights standards in laws and policies to multiple decision makers such as parliaments, governments and other public institutions (the

LmunA 2024

judiciary, public prosecutors, public defence offices), on a broad range of issues – for example Indigenous people’s rights, people deprived of freedom, use of force, rights of migrants, freedom of assembly and freedom of expression, and the human rights implications of the COVID-19 pandemic.

ROSA has been developing more systematic monitoring activities on issues such as police violence, in the context of protests and social conflicts as well as in the context of enforcement of restrictions related to COVID-19; attacks on human rights defenders; and the situation of people on the move.

ROSA has strengthened the relationship between the international human rights mechanisms and states as well as civil society. Capacity-building efforts dedicated to international standards have focused on different target groups – the judiciary, public defence offices and legislators, but also on human rights defenders and observers.

The Office has emphasised its support to human rights defenders in varied contexts. Highlights included the organisation of a Regional Forum focused on the particular situation of environmental human rights defenders and their protection challenges.

The Office also has a role in promoting the business and human rights agenda in the subregion. After the 2020 Regional Forum on Business and Human Rights, regional ownership was developed and support for national action plans (NAP) and policies on the matter was strengthened in Argentina, Brazil, Chile, Peru and Ecuador.

In the COVID-19 context, the Office pioneered a regional engagement of National Preventive Mechanisms in their response to the pandemic and built effective networks with experts on the rights of persons deprived of their liberty. The Office elaborated a document to promote the use of international human rights standards by different institutions to reduce overcrowding in prisons during the pandemic, aiming at the release of some groups of detainees, particularly based on their vulnerability. ROSA also engaged with relevant institutions in all countries on the full inclusion of Indigenous people in the health and humanitarian response during the pandemic as well in the recovery plans.

Operation Trigger VI

The successful operation was the result of ongoing cooperation between the International Criminal Police Organization (INTERPOL) and UNODC in detecting, identifying and prosecuting weapons trafficking networks worldwide.

LmunA 2024

Operation Trigger VI took place over the course of three weeks (8-28 March 2021). Dozens of officers from police, customs, border and prosecution services joined forces across South America to track illegal firearms and identify their possible links with organised crime.

Coordinated by INTERPOL and UNODC, the joint operation saw the arrest of multiple suspects and resulted in the seizure of illegal weapons across Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, France (French Guiana), Guyana, Paraguay, Peru, Suriname, Uruguay, and Venezuela.

Throughout the operations, officers in 13 countries simultaneously checked firearms against INTERPOL's iAMS database to determine if the weapons had been reported as lost, stolen, trafficked or smuggled. With over a million records, iAMS enables the identification of firearms trafficking patterns and smuggling routes.

Pre-operational training delivered jointly by INTERPOL and UNODC ensured that officers and prosecutors had the skills needed to detect, identify, investigate and prosecute firearms crime holistically, with each firearm to be considered as part of a larger, connected criminal network.

Possible solutions

- Strengthen the independence of the judiciary to ensure fair trials and impartial justice.
- Provide human rights training for police, military, and other security forces to ensure they understand and respect human rights standards.
- Implement strong anti-corruption measures to reduce the abuse of power and resources that often lead to human rights violations.
- Implement community-based and intelligence-led policing to specifically target gang activities and disrupt their operations.
- Create specialised law enforcement units trained to handle gang-related crimes, ensuring they have the necessary resources and support.

Bibliography

<https://en.wikipedia.org/wiki/Homicide>

https://insightcrime.org/wp-content/uploads/2023/08/Global_study_on_homicide_2023_web.pdf

Migliorini, Dario. “Organised Crime Blamed for Half of Latin America’s Homicides.”

InSight Crime, 22 Dec. 2023,

insightcrime.org/news/organized-crime-blamed-for-half-of-latin-americas-homicides/.

Accessed 22 Dec. 2023.

United Nations Office on Drugs And Crime. *Global Report on Cocaine 2023 Local Dynamics, Global Challenges*. Mar. 2023.

https://www.unodc.org/documents/data-and-analysis/cocaine/Global_cocaine_report_2023.pdf

Human Rights Watch. “Latin America: Alarming Reversal of Basic Freedoms.” *Human Rights Watch*, 13 Jan. 2022,

www.hrw.org/news/2022/01/13/latin-america-alarming-reversal-basic-freedoms.

May 15, Carina Solmirano |, and 2023. “Behind a Rise in Latin America’s Violent Crime, a Deadly Flow of Illegal Guns.” *Americas Quarterly*, 15 May 2023,

www.americasquarterly.org/article/behind-a-rise-in-latin-americas-violent-crime-a-deadly-flow-of-illegal-guns/.

Pont, Andrei Serbin. “Uncovering Illegal Weapons Trafficking Trends in Latin America through Open Source Research.” *Bellingcat*, 8 Feb. 2024,

www.bellingcat.com/resources/2024/02/08/uncovering-illegal-weapons-trafficking-trends-in-latin-america-through-open-source-research/. Accessed 12 July 2024.

<https://en.wikipedia.org/wiki/Drug>

<https://dictionary.cambridge.org/dictionary/english/drug>

[OHCHR South America Regional Office | OHCHR](#)

“South American Crackdown on Illegal Gun Trade Reveals Serious Trafficking despite Pandemic.” *United Nations : Office on Drugs and Crime*, 6 Apr. 2021,

LmunA 2024

www.unodc.org/unodc/frontpage/2021/April/south-american-crackdown-on-illegal-gun-trade-reveals-serious-trafficking-despite-pandemic.html.

UNODC. “About UNODC.” *United Nations : Office on Drugs and Crime*,
www.unodc.org/unodc/en/about-unodc/index.html.