II. Armed conflict in the Americas

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In 2017 there was one active armed conflict in the Americas: in Colombia, between the Government of Colombia and various guerrilla groups. There were positive signs that the ongoing peace process, despite its many problems, might also soon bring the longest armed conflict in the Western hemisphere to a close. However, in several countries in Central and South America the levels of political and criminal violence were high enough to place them on a par with ‘traditional’ armed conflicts, even though they could not necessarily be defined as such. Militarized efforts to combat criminal gangs involved in drug trafficking—often underwritten by military and security assistance from the United States—have resulted in elevated homicide rates. This has made cities in the Americas some of the world’s most dangerous. Alongside this, there has been endemic political corruption, weak judicial systems and low confidence in state institutions. Together, these have led to an escalating crisis of forced displacement.

This section reviews developments in conflicts in the Americas in 2017. Before looking at the conflict in Colombia in detail, it first outlines and reviews some key general developments in the Americas related to criminal violence, with detailed case studies of El Salvador, Mexico and Paraguay.

Key general developments: The dynamics and knock-on effects of conflict and criminal violence

Violence in many countries in the Americas is perpetrated by criminal gangs, cartels, armed groups and militias involved in drug trafficking, guerrillas, as well as by state police and armed forces. Several of these countries have taken a mano dura (iron fist) and militarized approach to criminal gangs involved in narcotics trafficking, often underwritten by US military and security assistance. In Honduras, for example, the USA has invested nearly $114 million in security assistance since 2009 to establish elite military and police units, improve border security and carry out counternarcotic operations.¹ A key indicator of growing insecurity is that 43 cities in South and Central America now rank among the world’s 50 most dangerous cities based on homicide rates.²

Low confidence in state institutions

Despite socio-economic progress and narrowing inequalities, unmet aspirations of the expanding middle class are weakening relations between citizens and the state. Power grabs by sitting presidents, endemic corruption, elevated levels of violence and weak judicial systems have resulted in impunity and low confidence in public institutions.  

Guatemala, Honduras and Venezuela suffered from high levels of criminal violence and political tensions in 2017. In Venezuela, for example, amid extreme political polarization, the country slid into economic and humanitarian crisis, with ongoing anti-government protests and violence from both loyalists and the opposition.

Similarly, in Honduras, in addition to high levels of violence linked to the drugs trade, counter-narcotics and corruption, the results of the presidential election held on 26 November 2017 were delayed and disputed. This sparked the worst political crisis in nearly a decade. Protests occurred throughout the country and 31 people were killed in post-election violence. In December the Organization of American States (OAS) concluded that there were ‘irregularities and deficiencies’ in the election. Despite this, the USA recognized the incumbent President Juan Orlando Hernández as the winner and his opponent conceded defeat.

Forced displacement

A key symptom of growing insecurity in the Americas is the escalating crisis of forced displacement in Central America and Mexico. US policy continued to influence the region and each country individually in multiple ways. Three key changes in US policy in 2017 were (a) the declared intention to

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stem irregular immigration; (b) an increased number of deportations of undocumented migrants from Central America and the Caribbean and those residing in the USA on a temporary humanitarian basis; and (c) the reinforcement of border security with Mexico.\(^\text{10}\)

In August 2017, in response to the arrival at the US–Mexico border of tens of thousands of unaccompanied minors and families fleeing violence in El Salvador, Guatemala and Honduras, the USA ended its 2014 Central American Minors programme.\(^\text{11}\) A separate programme, Temporary Protected Status (TPS), has come under threat. The TPS has provided visas on a humanitarian basis since 1990 to people from various countries affected by ongoing armed conflict, natural disasters or other extraordinary conditions, allowing them to live and work legally in the USA on a time-limited basis.\(^\text{12}\) Over 435,000 people from 10 countries held TPS in 2017.\(^\text{13}\) In November the USA announced an end to TPS for over 50,000 Haitians and 2,500 Nicaraguans, and a decision to end TPS for 250,000 people from El Salvador followed in early January 2018.\(^\text{14}\) A decision on TPS for Hondurans was postponed until July 2018.\(^\text{15}\) Paradoxically, it was the USA’s anti-immigrant policies—specifically the deportation to Central America in 2010–12 of nearly 100,000 people convicted of crime in the USA—that exacerbated gang- and cartel-related violence in the region, which in turn drove the migratory surge of undocumented minors to the USA.\(^\text{16}\)

To further highlight this phenomenon of political and criminal violence, three examples are discussed in more detail below: El Salvador, Mexico and Paraguay.

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\(^\text{13}\) Park, M., ‘Trump administration ended protected status for 250,000 Salvadorans. These immigrants might be next’, CNN, 10 Jan. 2018.


Political and criminal violence in Central and South America

**El Salvador**

The Chapultepec Peace Accords signed in 1992 transformed El Salvador’s political landscape, bringing peace following a decade of civil war. Nevertheless, the key developmental and societal issues that affect Salvadorian society are economic stagnation and violence from organized crime and gangs. According to the Salvadoran National Police, the biggest gangs—the Mara Salvatrucha, or MS-13, and Barrio 18—and other small gangs possess more than 600 cells throughout the country and are responsible for a majority of crime. In January 2017 leaders of MS-13 proposed negotiation of a peace agreement with the government. The draft proposal included a provision for the possible disbanding of the gang. However, this posed a challenge for the government since in 2015 the Constitutional Court had designated gangs as terrorist organizations, which would make them subject to legal prosecution for all crimes committed.

In September 2017 human rights groups based in El Salvador presented a report to the OAS’s Inter-American Commission on Human Rights (IACHR). The report chronicled alleged extrajudicial killings carried out by elements of the Salvadoran National Police and claimed that the situation resembled a low-intensity conflict, with conflict shifting from gang-on-gang violence to gang-versus-state violence. While the total number of homicides decreased from 5287 in 2016 to 3947 in 2017, El Salvador is still one of the most dangerous countries in the world outside a warzone, with a homicide rate of 60 per 100,000 people.

Despite the negative developments, in 2017 there were two positive developments related to accountability from the civil war. First, in October the government recognized that in 1981, during the civil war, 978 people were executed by the army in the village of El Mozote. However, payment of reparations has been slow: by May 2017 only 172 survivors and families (27 per cent of those entitled to receive compensation) had received their share of the $1.8 million disbursed by the government. Second, on

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29 November 2017 Inocente Orlando Montano, a former Salvadoran army colonel, was extradited from the USA to Spain. Montano faces charges related to the 1989 massacre of six Jesuit priests (including five Spaniards), their housekeeper and her teenage daughter.24 As explained by Almudena Bernabéu, a Spanish human rights lawyer who helped build the case against Montano, ‘This trial offers an opportunity for truth and justice, even if taking place in Spain, and is an effective step towards ending impunity in El Salvador’.25

Mexico

While Mexico faced numerous challenges in 2017, its most serious conflict trend was the accelerating pace and impact of narcotics-related crime. The history of the drug trade in Mexico is long and complex, and its trajectories of violence and peace have proven to be non-linear.26

One of the most violent inter-cartel conflicts has taken place in Ciudad Juárez, Chihuahua state, in the far north of Mexico. In 2010, at the height of the drug war between the Sinaloa and Juárez cartels over control of the lucrative drug trafficking routes to the USA, over 3000 homicides were registered, at a rate of 8 murders per day.27 Hopes were raised by community-led reforms of the criminal justice system, which led to a (temporary) reduction in violence (down to 543 homicides in 2016), increased support for the police and strengthened local government.28 However, in 2017 violence again increased, as 770 homicides were registered in Ciudad Juárez.29

In 2017 violence across Mexico once again surged and the country registered 29,168 homicides, marking a 30 year high and exceeding the previous record (27,213) during the drug war in 2011.30 Mexico’s overall homicide rate for 2017 stood at 22.5 per 100,000.31 The increase can be explained as the result of struggles between criminal groups for control of drug production areas and competition over local drug sales and trafficking routes. For exam-

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24 Burgos Viale, R., ‘La defensa de Montano peca de inocente’ [Montano’s defence team pleading innocent is a sin], El Faro (San Salvador), 5 Dec. 2017.


27 Downs, R., ‘Dozens killed as wave of violence hits Juárez, Chihuahua’, UPI, 8 Jan. 2018; and Seguridad, Justicia y Paz, ‘San Pedro Sula, la ciudad más violenta del mundo; Juárez, la segunda’ [San Pedro Sula, the most violent city in the world; Juarez the second], Press release, 11 Jan. 2012.

28 Quinones, S., ‘Once the world’s most dangerous city, Juárez returns to life’, National Geographic, June 2016.

29 Downs (note 27).


ple, violence intensified after January following the arrest and extradition to the USA of the head of the Sinaloa cartel, Joaquín ‘El Chapo’ Guzmán.\(^\text{32}\)

As violence has increased and spread, those who can afford it purchase security, either from the police or from private security companies: an estimated 70 per cent of police are engaged in protecting private interests, while industry officials claim demand for private security is increasing at 40–60 per cent per year.\(^\text{33}\) Since 2013 Mexico has also seen the emergence of community self-defence militias. These militias have emerged in towns with high rates of economic inequality and where a weak historic state presence has led to poorer citizens feeling deprived of both private and state security.\(^\text{34}\) However, many self-defence militias have been corrupted by cartels and have themselves become vigilante organizations, often acting with de facto impunity.\(^\text{35}\)

In addition, opportunistic crime against Central American migrants—robbery, sexual assaults, kidnapping and extortion, and sometimes lethal violence—continues. This is allegedly perpetrated by cartels and criminal groups either working with the complicity of local police and security personnel or by taking advantage of their lack of capacity.\(^\text{36}\)

Pervasive corruption among officials of the ruling Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI) and a lack of political will to implement new anti-corruption measures and prosecute offenders have exacerbated tensions in Mexico.\(^\text{37}\) While public outrage over his alleged effort to avoid paying taxes on his sports car finally forced the resignation of Mexico’s Attorney General, Raúl Cervantes, in October, there is little public confidence in the ability of the state police and justice system to deal with crime.\(^\text{38}\) Only 4.5 per cent of reported crimes result in convictions: an impunity rate of 95 per cent, giving Mexico one of the highest rates of impunity in the world. Since only 7 per cent of crimes are reported, if the


\(^{34}\) Phillips, B. J., ‘Inequality and the emergence of vigilante organizations: The case of Mexican autodefensas’, Comparative Political Studies, vol. 50, no. 10 (Sep. 2017), pp. 1358–89.


figures for conviction were extrapolated to all crimes it would amount to 99 per cent impunity.\footnote{Le Clercq Ortega, J. A. and Rodríguez Sánchez Lara, G., Global Impunity Dimensions: Global Impunity Index 2017 (Universidad de las Américas, Puebla: Puebla, Aug. 2017), p. 96; Herrera, R., ‘Revelan impunidad de 99\% en México’ [99\% impunity revealed in Mexico], Reforma (Mexico City), 28 Aug. 2017; and Zepeda Lecuona, G. R., ‘El tamaño de la impunidad en México’ [The size of impunity in Mexico], Impunidad Cero, 2017.}

In December the Congress passed a law strengthening the military’s role in combating organized crime, including authorizing the government to deploy soldiers to areas under the control of drug gangs.\footnote{Ley de Seguridad Interior [Internal security law], Diario Oficial de la Federación, vol. 771, no. 18 (21 Dec. 2017).} The measure was criticized as expanding the president’s ability to deploy the military without congressional or judicial oversight, raising concerns of human rights abuses.\footnote{Malkin, E., ‘Mexico strengthens military’s role in drug war, outraging critics’, New York Times, 15 Dec. 2017.} The unsolved disappearance of 43 teachers and college students from Guerrero state in 2014, apparently perpetrated by local police and drug cartels, and repeated cover-up attempts by government officials, provides a vivid reminder of the abuses perpetrated—largely with impunity—by drug traffickers and by police, soldiers and other state actors. An estimated 33,000 individuals went missing in Mexico between 2006 and 2017.\footnote{Ahmed, A., ‘In Mexico, not dead. not alive. just gone’, New York Times, 20 Nov. 2017.}

With presidential and congressional elections due in July 2018, the spectres of violence and electoral fraud cannot be dismissed as organized crime groups are expected to attempt to manipulate outcomes, while assassinations of government officials, activists and journalists continue to go largely unpunished.\footnote{Paterson, K., ‘Who and what will the 2018 Mexican elections bring?’, NMPolitics.net, 7 Feb. 2018.}

**Paraguay**

Paraguay’s fragile democracy weathered violent protests on 31 March 2017 when the Senate voted to allow President Horacio Cartes to stand for election for a second presidential term.\footnote{Romero, S., ‘Protests erupt in Paraguay over efforts to extend president’s term’, New York Times, 31 Mar. 2017.} The crisis ended in April when the Chamber of Deputies revoked the decision and Cartes announced that he would not seek a second term, seemingly preserving the constitution’s strong checks on executive power.

The border region between Paraguay and Brazil continues to be afflicted by drug trafficking and gang violence. Paraguay is the second largest producer of marijuana in South and Central America, 80 per cent of which is sold in Brazil.\footnote{Carneri, S., ‘Los narcos brasileños también matan en Paraguay’ [Brazilian drug traffickers also kill in Paraguay], El País (Madrid), 4 Dec. 2017.} The triple frontier area that lies at the junction between Paraguay
(near the city of Ciudad del Este), Argentina (near Puerto Iguazú) and Brazil (near Foz do Iguacu) is also an important transit corridor for cocaine produced in Bolivia, Peru and Colombia. Brazilian gangs are fighting for control of trafficking routes and are also believed to be expanding their presence in Paraguay.\textsuperscript{46} While Paraguay’s overall homicide rate, at 7.8 per 100,000 in 2017, was relatively low by regional standards, Amambay department on the border with Brazil has historically been the most violent area in the country, reaching 66.7 homicides per 100,000 in 2014, with the vast majority of these homicides being drug related.\textsuperscript{47}

The Paraguayan authorities have also been unable to dismantle the small but resilient left-wing guerrilla group, the Paraguayan People’s Army (Ejército del Pueblo Paraguayo, EPP). The EPP has been active since 2008 in rural areas in the northern departments of Concepción, San Pedro and Canindeyú. It focuses on land ownership, agrarian reform and for the rights of farmers, or campesinos.\textsuperscript{48} Paraguay is one of the most inequitable countries in South and Central America in terms of land distribution: while 30 per cent of Paraguayans live in rural areas, 85.5 per cent of land is owned by just 2.6 per cent of the population.\textsuperscript{49} Despite a booming agriculture sector, 40 per cent of the population lives below the poverty line.\textsuperscript{50} Current government policies favour large landowners and agribusiness (especially soya production) and ignore small- and medium-sized farmers and indigenous groups, who are displaced to towns and cities.\textsuperscript{51}

The EPP, which is estimated to consist of 50–150 members, has targeted police, businesses and wealthy individuals. It has killed approximately 50 people, including members of the security forces, kidnapped individuals for ransom and attacked public utilities including electricity transmission towers.\textsuperscript{52} The EPP is financed through ‘taxes’ on local ranchers and landowners, ransoms and, allegedly, through growing involvement in narcotics trafficking, which stems from training given by the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC),

\textsuperscript{50}‘Aumenta la pobreza en el país durante era Cartes’ [Poverty increased in the country during the Cartes era], ABC Color, 16 June 2017.
\textsuperscript{51}Yorke (note 49).
a Colombian guerrilla group (see below). In 2013 the Paraguayan Government created a joint military–police task force to combat the EPP. The Joint Task Force (Fuerza de Tarea Conjunta, FTC) has been criticized for its failure to defeat the EPP, alleged corruption within the unit and its lack of coordination with other Paraguayan security agencies. The head of the FTC was replaced in 2017, leading to the appointment of its seventh head in four years.

**Armed conflict in Colombia**

Armed conflict in Colombia has continued for over five decades, leaving in its wake more than 220,000 deaths, as well as 6.9 internally displaced persons in a country with a population of 48 million. The armed conflict has involved various armed groups, drug cartels and the government. The main armed conflict in Colombia was ended by the signing of a peace agreement in November 2016 between the government and FARC.

Several steps to implement the peace agreement were made in 2017. In January a Special Electoral Mission was established by the government and FARC to provide recommendations to modernize the Colombian electoral system, not least to legitimize and assure the participation of FARC as a political party. In February the National Commission for Security Guarantees was created and tasked with dismantling criminal organizations and selecting judges who will preside over the Special Jurisdiction for Peace (Jurisdicción Especial para la Paz, JEP). The JEP will be responsible for prosecuting and punishing the most serious crimes carried out during the armed conflict. As a sign of FARC’s commitment to the process, on 6 February the government’s High Commissioner for Peace reported that around 6,000 members of FARC had demobilized throughout the 20 concentration zones and eight demobilization zones designated by the government and managed by the United Nations Mission in Colombia (UNMC).

In March 2017 the governmental registration office issued national identification documents to former FARC members as a means to reintegrate them

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55 Clavel (note 53).
57 Final Agreement to End the Armed Conflict and Build Stable and Lasting Peace, 24 Nov. 2016.
58 ‘Cronología de la implementación del acuerdo de paz’ [Chronology of the implementation of the peace agreement], Agenda Propia, 15 June 2017.
into society. In April the process was expanded to create a special entity that would help ensure gender mainstreaming in implementing the peace agreement. There is an inherent risk that former FARC guerrillas will join organized criminal gangs if they are not successfully reintegrated into productive activities that can give them and their families a licit and dignified livelihood. Whether reintegration plans will result in sufficient numbers of jobs for former FARC combatants remains an open question.

On 20 June the UNMC reported that FARC had completed the handover of its weapons ahead of the 27 June deadline. However, dissident FARC groups, calculated to be around 5–15 per cent of the total number of FARC ex-combatants, continued to expand in certain areas, mainly bordering Ecuador, Peru and Venezuela.

On 4 September 2017 the National Liberation Army (Ejército de Liberación Nacional, ELN), Colombia’s second largest guerrilla group, signed a temporary ceasefire agreement with the government until January 2018. Despite the agreement, ELN continued to attack public security officers in Arauca department.

With presidential and congressional elections taking place in 2018, FARC will seek to become fully incorporated into the political arena under its new name, the Common Alternative Revolutionary Force (Fuerza Alternativa Revolucionaria del Común, with the same acronym, FARC), and advocate for reforms with its coalition partners. However, it is unclear whether the Congress will approve laws relating to the JEP and other reforms designed to facilitate FARC’s formal participation in politics.

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60 Office of the High Commissioner for Peace, ‘Así marcha el Acuerdo de Paz’ [Current state of the peace agreement], 2017.


64 Office of the High Commissioner for Peace, ‘Acuerdo y comunicado sobre el cese al fuego bilateral y temporal entre el Gobierno y el ELN’ [Agreement and communiqué on the bilateral temporary ceasefire between the government and the ELN], 4 Sep. 2017.
