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“GANGS AND CRIME IN LATIN AMERICA”

Mr. Chairman, Members of the Committee, as always it is a privilege to have the opportunity to appear before the Subcommittee on the Western Hemisphere of the House International Relations Committee. I was last here in March, when I discussed the state of democracy in the Western Hemisphere and shared with you a number of chronic and emerging challenges that threaten to unravel decades of developmental gains in Latin America. I am pleased to have the opportunity to discuss two of these challenges – crime and gang violence – in more depth with you today.

Crime is Slowing Economic Growth and Undermining Democratic Consolidation in Latin America

Today, Latin America has the dubious distinction of being one of the most violent regions in the world, with crime rates more than double the world average and comparable to rates in war-torn Africa. This is taking a tremendous toll on development in the region by both affecting economic

growth and public faith in democracy. Despite significant strides toward democracy over the last two decades, economic growth is largely stagnant and democratic consolidation scarce. Since the mid-1990s, growth rates in the region have averaged around two to three percent, which is inadequate for reducing current levels of poverty.

The Inter-American Development Bank estimates that Latin America's per capita Gross Domestic Product would be twenty-five percent higher if the region's crime rates were equal to the world average. Similarly, the World Bank has identified a strong correlation between crime and income inequality. Business associations in the region rank crime as the number one issue negatively affecting trade and investment. Latin America has found itself caught in a vicious circle, where economic growth is thwarted by high crime rates, and insufficient economic opportunity contributes to high crime. Crime-related violence also represents the most important threat to public health, striking more victims than HIV/AIDS or other infectious diseases.

Public faith in democracy itself is under threat as governments are perceived as unable to deliver basic services such as public security. A United Nations report last year revealed that only 43 percent of Latin Americans are fully supportive of democracy. Crime has rapidly risen to the top of the list of citizen concerns in Latin America. As the *Economist* magazine described it, "in several Latin American countries, 2004 will be remembered as the year in which the people rose up in revolt against crime." Massive street marches such as those that took place in Argentina, Mexico, and Brazil, and other expressions of protest against violence, have made it increasingly difficult for politicians to avoid dealing with the issue and, in many countries, have made tackling crime a central theme in political party platforms across the region. Several leaders in the region, including El Salvador's Tony Saca, Ricardo Maduro in Honduras, Guatemala's Oscar Berger, and Alvaro Uribe in Colombia, have all campaigned on a strong anti-crime message. The Presidents of Honduras and El Salvador have called gangs as big a threat to national security in their countries as terrorism is to the United States.

Regional Responses Favor Law Enforcement Approaches

Most regional responses have focused on strengthening law enforcement and toughening anti-gang laws, such as the *Mano Dura*, or "Firm Hand," policies adopted by El Salvador and Honduras, which have resulted in a significant increase in numbers of arrests as well as an increase in the

grounds for arrest. In these countries, merely having a tattoo is an arrestable offense. In Colombia, President Uribe introduced a number of reforms to reduce crime. The program has resulted in a reduction of crime and increased feelings of citizen security, which in turn has led to consistently high approval ratings. Boosted by high popularity, President Uribe successfully lobbied the Colombian Congress to pass a constitutional amendment, ratified by plebiscite, aimed at obtaining extraordinary executive powers to fight terrorism. In this process, the Uribe Administration has clashed with non-governmental human rights organizations, and has also been criticized by the United Nations Human Rights Commission. However, according to the Department of State Human Rights Report, the vast majority of allegations of human rights abuses, over 98 percent, are attributed to Colombia's illegal armed groups, primarily the three narcoterrorist groups – not government forces. This report clearly demonstrates the institutionalization of respect for human rights by the Colombian government whose forces as recently as the mid-1990s were accused of 50-60 percent of the human rights abuses. As a reflection of this commitment to human rights, since 1996, more than 290,000 members of Colombia's security forces have received specialized human rights training conducted by the International Committee of the Red Cross, the Colombian Red Cross, the Roman Catholic church, foreign governments and other government offices and agencies.

While most Latin American governments favor law enforcement approaches, much less attention has been given to the prevention component, with the notable exception of Panamanian President Torrijos' *Mano Amiga* or "Friendly Hand" plan, which aims to provide at-risk youth with positive alternatives to gang membership.

Indeed, the reactions to the problem of crime have not all been healthy. Where justice systems remain weak and crime is unrelenting and on the rise, both politicians and the public are more willing to sacrifice civil liberties and democratic values to address these ills. Torture, which had been considered a relic of the past, has re-emerged in recent years in Brazil, Mexico, and Peru as a tool to force confessions out of suspects during interrogations. In 2003, Freedom House found that the majority of convictions in Mexico included so-called "voluntary" confessions, often as a result of torture. Certain areas, in Guatemala, Haiti, Peru, and Bolivia for example, have seen a rise in vigilante justice, such as mob lynching. Frustrated and frightened voters are turning to populists who promise to use a heavy hand to deal with

the issue, even at the expense of democratic values. It is far from surprising that USAID-funded public opinion surveys in Latin America revealed that victims of crime have less confidence in democratic institutions and that, in many countries, high levels of crime provide the strongest justification in people's minds for a military coup.

The Borders of Crime in Latin America Are Dissolving

The roots of crime in Latin America run deep but are certainly not unique to this region alone. In addition to slow economic growth rates and stubborn levels of income inequality, this region, like other areas of the world, is dealing with a melting pot of debilitating threats including, among others, organized crime networks, narco-trafficking, youth gang violence, ineffective legal systems, and extremely high levels of corruption. Porous borders present an additional threat to regional democracy, investment, stability, and security, and have resulted in a transnationalization of the problem. Organized crime exploits established links for narcotics trafficking to traffic contraband, launder money, and move people. Trafficking in persons is thriving in a region where the problems of forced labor, corruption, and organized crime are exacerbated by weak public institutions and the lack of accountability and oversight by government officials.

In many countries, the divide between youth gang violence and organized narco-crime is becoming increasingly blurred. According to a World Health Organization study, in Brazil children as young as six years old are drawn into gangs to be look-outs and carriers and are often paid in-kind with crack cocaine or other drugs. Domestic drug addiction is a growing problem in Andean and Central American countries as well – the Central American Narcotics Affairs Sections of the U.S. Embassies have found an explosion of crack cocaine use and addiction among elementary school age children in that sub-region. Many of these threats to democracy, human rights, and citizen security are financed with massive resources from organized crime, money laundering, alien smuggling, and other illicit, interconnected transnational enterprises.

Effectively Tackling Gang Violence Requires a Holistic Approach

The growing problem of gang violence in Latin America is particularly troubling since it affects the lifeblood of many countries in the region – the youth. A demographic youth bulge, coupled with poor quality primary

education, has created a cohort of youth without jobs or realistic expectations of employment. The situation has fueled the mounting problem of gang violence, primarily in Central America, but also in Mexico, Jamaica, Colombia, and Brazil. Jamaica, already one of the most violent countries in the region, experienced a 50 percent increase in its murder rate from 2003 to 2004, largely a result of expanded gang and drug-related violence. The arrests in the United States some weeks ago of over 100 members of the notorious Salvadoran gang, *Mara Salvatrucha*, also known as MS-13, underscored the transnational nature of the gang problem. Furthermore, the large numbers of gang members deported to Central America and Mexico are placing increasing strain on already weak criminal justice systems in the region. Although estimates vary, many experts believe that there are nearly 100,000 gang members spread across Central America and Mexico and upwards of 800,000 gang members here in the United States.

We cannot realistically expect to solve the problems of gangs and crime in the short term. However, by working together with other governments and other U.S. government agencies to implement effective cross-sectoral measures that strengthen institutions and build local capacity, we can – and must – have an impact.

Up to now, most approaches to dealing with gangs and crime in Latin America have focused on law enforcement. However, history has taught us that addressing only law enforcement will not have a sustainable, long-term impact on the problem of gang violence. Crime and violence will continue to thrive where rule of law is weak, economic opportunity is scarce, and education is poor. Therefore, effectively addressing crime requires a holistic, multi-sectoral approach that addresses its root social, political, and economic causes.

Crime Flourishes Where Rule of Law is Weak and Economic Opportunity is Limited

Crime is intricately linked to efforts to reform justice systems and combat corruption. A recent study by a Mexican think tank, the Center for Development Studies, found that 96 percent of crimes went unpunished between 1996 and 2003. Similarly, officials estimate that 75 percent of crimes go unreported in Mexico. In Brazil, only around eight percent of some 50,000 murders committed annually in Brazil are successfully

prosecuted. With statistics like these, it is not surprising that many Latin American citizens do not even bother to report crimes.

Since the 1980s, USAID has promoted reforms of judicial systems in Latin America to make them more modern, independent, transparent, accessible, and efficient. USAID has helped promote changes to Criminal Procedure Codes in 12 Latin American countries, assisting countries in their transition from the much-abused, ineffective all-paper systems to modern accusatory, oral criminal proceedings. In some countries with new Criminal Procedure Codes, pre-trial detention has dramatically declined in several countries. For example, in El Salvador, the incidence of pre-trial detention declined from 90 to 36 percent and, in Colombia, from 74 to 41 percent. New oral criminal trials have also significantly reduced the length and cost of trials. In Bolivia, trials that used to average four years now average four months. Furthermore, the cost of trials in Bolivia has decreased from an average of US\$2,400 dollars to US\$400 dollars.

In Guatemala, Colombia, and El Salvador, USAID has supported the creation of justice centers and justice houses, *casas de justicia*, and alternative dispute resolution mediation centers that offer a number of services to the poor, ranging from arbitration and witness protection to neighborhood dispute resolution and family violence response services. These justice centers are increasing access not only to legal services, but to other social services as well, and are making justice for the poor more swift and more effective.

Crime flourishes in environments where economic opportunity is limited. Regional trade agreements including the Central American Free Trade Agreement, CAFTA-DR, and President Bush's vision of a Free Trade Area of the Americas will increase trade and investment in Latin America, thereby creating jobs and expanding economic opportunities for millions of Latin Americans. In addition, USAID is supporting innovative efforts to increase the developmental impact of remittances. According to the Inter-American Development Bank, remittances to the region from the United States alone totaled US\$30 billion dollars in 2003. USAID's efforts to promote democratic governance and strengthen the rule of law, foster economic growth, and improve the quality of basic education are providing the foundation for more prosperous, rule-based societies, which will help to disable the backbone of crime.

Due to, among other factors, entrenched poverty and lack of economic opportunity, weak education systems, unstable family environments, and a general absence of positive alternatives to which youth can devote their time, gang membership unfortunately is often the most alluring option for vulnerable youth. While gang activity is characterized by engagement in illicit activities, in many cases it is not the criminal element that is attracting youth, but rather the lack of better alternatives that is pushing youth towards involvement with gangs. The poverty, lack of opportunity, and feelings of hopelessness that characterize many lives in Latin America are often no match for the cash flow, livelihood, and social cohesion offered by many gangs. Efforts to tackle the problem will only be effective in the long term if they address the root causes of the problem and address both the social prevention and law enforcement sides of the equation.

Effective interventions must involve multiple sectors – justice, police, local governments, private sector, health officials, teachers, parents, religious organizations, and the media – coming together to develop a holistic approach that both deters criminal behavior and provides individuals with options to improve their own well-being. Stand alone traditional law enforcement interventions cannot be effective. What is needed are locally driven, multi-sectoral efforts that merge the many faces of development – governance, education, health, and economic growth. Addressing gang violence is not just a question of implementing punitive measures for criminal offenders, but rather an issue of thoughtful prevention that tackles its root causes.

At-risk youth that have access to employment opportunities are less likely to become involved in youth gang violence. Likewise, education expands opportunities and creates new options for vulnerable youth. Health professionals that know first-hand the violent effects of gang involvement can play a role in counseling youth who are at risk of harm to themselves, their families, and their communities. Police forces that work with communities enhance the credibility of the police and improve the overall quality of public security. Finally, local governments that understand the impacts of crime and violence in their communities – an understanding that can only come from effective communication within and between sectors – are more likely to support activities that expand economic and social opportunities for their constituents.

USAID Programs

USAID already has a number of programs in place that are working to create economic opportunities, expand democratic governance, strengthen education, and improve public health. By employing a holistic, multi-sectoral approach that addresses both law enforcement and prevention, USAID is helping reduce crime in Latin America and the Caribbean. Some examples:

In Guatemala, President Berger has made law enforcement and anti-corruption his top priority, and combating crime and improving citizen security tops the list of Guatemalan citizen demands and expectations. The USAID Mission is planning to launch a new community crime prevention program designed to assist communities and local police. This activity will include programs that provide at-risk youth with alternatives to involvement with gangs. This will build on USAID's ongoing work with a coalition of non-governmental organizations in Guatemala to improve public security and mitigate crime and delinquency by increasing educational and employment opportunities for vulnerable youth, developing multi-sectoral crime prevention councils, implementing widespread public awareness campaigns, and creating a model "youth home," or *Casa Joven*, dedicated to improving the lives of vulnerable youth and former gang members. At the national level, USAID is planning to assist the Guatemalan government to build capacity in local police forces and educate leadership on the principles of community policing, respect for human rights, and the management of scarce resources.

In Colombia, a new country-wide initiative called "Safe Departments and Municipalities," or DMS, was launched by the Colombian National Police, and the Ministries of Defense and the Interior, supported by USAID through Georgetown University's Colombia Program. The DMS program was developed in response to the Government of Colombia's groundbreaking "Democratic Security Policy," a 2003 initiative that seeks to address security issues at every level of society, in every part of the country. The DMS program has established municipal crime and violence information systems or "observatories" that are helping mayors and local officials monitor and maintain civil peace. The program views citizens as active participants and partners in governance and has local leaders working closely with public security forces and citizens to devise innovative approaches to citizen security. The DMS program has involved more than 5,000 governors, mayors, city council presidents, and departmental police commanders

throughout Colombia. USAID also supports programs in Colombia to provide leadership and skills training for youth in at-risk populations to prevent their entry into gangs or armed groups. Ex-gang leaders in this program have undergone a dramatic change and now focus their energy on community development and civic strengthening programs.

USAID is supporting a municipal violence prevention program in Central America. Through our membership in the Inter-American Coalition for the Prevention of Violence, comprised of a number of regional organizations including the Inter-American Development Bank, the Organization of American States, the World Bank, the Centers for Disease Control, and the Pan-American Health Organization, we are supporting 12 municipalities in the six Central American countries to work with multiple sectors – including health care officials, police, and businesses – to develop municipal violence prevention plans, assist local governments to take leadership roles in violence and conflict prevention, and share information on best practices for prevention of violence and crime at the local, regional, and national levels.

Community-Based Policing Can Improve Public Security and Enhance the Credibility of Police

USAID-funded surveys about attitudes towards democracy have revealed that crime victims have less support for democracy and greater support for authoritarianism. In contrast, positive experiences with democratic institutions enhance support for democracy. This is particularly relevant for police, with whom citizens often have their first and most frequent contact. A daunting challenge for those seeking to strengthen democracy and improve criminal justice systems in Latin America is the poor reputation of the police in the region. They are among the least trusted of public institutions in the region. The region is struggling with a legacy that associates police with corruption more than competence and views them as perpetrators of crime rather than crime-solvers. Long-term sustainable development cannot occur in an insecure environment and a capable civilian police force is critical to ensuring citizen security and justice. Community-based policing programs, when implemented properly, have demonstrated that they are among the most innovative, successful efforts to address crime and build public support for the criminal justice system.

USAID favors the introduction of community-based policing wherever possible. Real development cannot occur in an insecure environment and

civilian police can and should be both champions and drivers of democratic development in their countries.

In El Salvador, USAID worked with the International Criminal Investigative Training Assistance Program, ICITAP, to implement a community-based patrol program. The focus in El Salvador was on removing three major obstacles that faced the police - a lack of transportation for basic police patrolling, an inadequate system of communications, and poor access to crime-related information. The El Salvador program, among other things, developed a 911 emergency police response system, created central records and case management systems, and provided training for police and prosecutors in implementation of the new Criminal Procedure Code. The patrol program was ultimately expanded to 90 percent of the Salvadoran population and 200 municipalities. This innovation changed fundamental policing practices within El Salvador and should encourage the adoption of proactive, problem-solving approaches to policing in that country. El Salvador is demonstrating that the police can be more than just a force that maintains political control – they can also be a key ally of citizens in protecting them from rising crime.

In Jamaica, USAID is working with a U.S. non-governmental organization, the Police Executive Research Forum, and the U.S. Chamber of Commerce to implement a community-based policing initiative. The initiative has pooled resources from the Jamaican government, civil society, the private sector and the donor community to develop a model precinct and community center in Grants Pen, an inner city neighborhood in Kingston, Jamaica, which had a very high murder rate and a significant gang problem. While the community center is not scheduled to open until July, the program has already resulted in a dramatic change in the community as residents became partners with the national police in articulating plans for the center. The perception within the community is that crime rates are down, which augurs well for growing collaboration between the community and police. These USAID activities are closely coordinated with the Narcotics Affairs Section of the Embassy, which is providing technical assistance to the police commissioner toward reorganization and modernization of the Jamaica Constabulary Force as a whole. Jamaica thus provides an example of how State and USAID can work together toward the shared objective of police modernization.

Congress recognized the important role of the civilian police to achieving democratic governance when it authorized, in the 2005 Foreign Appropriations Act, the use of development assistance funds to enhance the effectiveness and accountability of civilian police and to foster civilian police roles that support democratic governance. This new authority will improve USAID's capacity to develop and implement holistic approaches that include a broad range of actors, to achieve our overarching goals of poverty reduction, economic growth, and democratic development. USAID will apply this new authority with prudence and discretion, evaluating each case carefully and working closely with our colleagues at the State Department and other agencies to best determine how this new authority can help us achieve our objectives.

I would like to note that the struggle to preserve the developmental gains of the past decades in the face of rising crime in Latin America is well beyond USAID's capacity and resources alone. Our partners at the State Department, particularly the Bureaus for Western Hemispheric Affairs and International Narcotics and Law Enforcement, as well as the Department of Justice, have been leaders in this field for some time, and we look forward to working with them and learning from them.

Conclusion

In conclusion, rising crime and gang violence in Latin America pose a direct threat to security, economic growth, democratic consolidation, and public health in Latin America. USAID is prepared to continue working with other U.S. agencies to develop multi-sectoral responses that address both the law enforcement and social prevention aspects of crime mitigation.

Mr. Chairman, this concludes my statement. I welcome any questions that you and other Members of the Subcommittee might have.