CHAPTER FIVE
Central America: The Retreat of the State and the Expansion of Illicit Power Centers

The ability of TCNs to co-opt or influence local power structures at the local and national levels has significantly undermined governance and the rule of law and made Central America a key point of convergence where the activities of substate and extraregional actors present multiple, significant, and sustained threats to the security of the United States. TCNs, with more money than they can spend, launder, or invest, now exercise unprecedented formal and informal power in each of the six states of Central America.

These criminal actors and their resources have overwhelmed these small states. Instead of having to focus on one larger state apparatus, as in Mexico or Colombia, Central American TCNs have six small and weak nations—which seldom act in concert or share information—to hollow out.1 One Honduran academic termed this phenomenon the “evaporating state,” where the state government essentially withdraws from carrying out most of its legitimate functions.2

Although the presence of illicit actors in Central America is nothing new, the volume, sophistication, power, and impunity of the illicit activities and actors are fundamentally reshaping the region. This has

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2 Interview with Leticia Salomón, Centro de Documentación de Honduras, Universidad Nacional Autónoma de Honduras, Tegucigalpa, Honduras, January 2015.
led to the retreat of the state as a guarantor of an impartial and functioning judicial system, the rule of law, and control of national borders, and to a political process that increasingly represents little other than the investments of different TCNs in securing their interests. This leads to the cycle now under way in the northern tier of countries where, as Phil Williams notes, “States face two fundamental and interconnected challenges: They are often unable to meet the economic needs and expectations of their citizens, and they are unable to elicit the loyalty and allegiance of significant portions of these same citizens.”

One recent investigation into a series of interrelated money laundering, drug trafficking, and murder cases noted that in contrast to the vast Mexican territory, “where various cartels fight over control of routes at gunpoint, Central America might as well be one country, where drug trafficking groups quietly coexist, without a clearly defined hierarchy, and with the money as a flag to prevent shootouts and mishaps.”

This assessment omits the central fact that violence related to drug trafficking does exist, particularly between and among drug trafficking organizations and gangs, which we will discuss in further detail. Nonetheless, the concept highlights the reality that in Central America each network depends on other networks that extend across the region. Nor is there a clear hierarchy among these networks. Absolute loyalty to a single syndicate is seldom a requirement, and many of the human smuggling and cocaine transport groups work for whoever pays them at the moment.

Many of the most influential groups are transmutations of the clandestine structures that were active during the region’s civil wars in the 1980s. During these wars, Central America was part of the Cold War proxy conflicts between the Soviet Union and the United States. In the multiple regional conflicts, all sides developed clandestine meth-

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ods for moving weapons, money, and people, as well as acquiring false identification papers, safe houses, and vehicle licenses. When the wars ended, most of the combatants assimilated into civil society, but in each case small groups of participants did not. These groups almost immediately turned to crime to finance themselves, including kidnapping, extortion, and cocaine trafficking.

The shift from an ideological to an economic basis for operating allowed the networks of the extreme right and extreme left to work together, rather than against each other. The erasing of these ideological walls provided expanded alliances and greatly enhanced capabilities. Individually, the extreme right and extreme left had a long history of dealing with allies across the region, but together these budding networks had immediate access to a variety of trusted partners, regardless of their location, in any other country in the region. Additionally, each group had cadres of highly trained former combatants and intelligence operatives, who provided a new level of sophistication and brutality to already existing small-time criminal networks.

Both the Mexican DTOs and the new actors examined here bring one constant that drives violence: change due to the constantly shifting correlation of forces among the criminal actors and the states. The unsettled nature of the relationships among the converging groups in Central America bodes ill for any rapid reduction in violence. Adding to the disorder, new actors have been moving in, including the Sinaloa cartel, Los Zetas, and extraregional actors, such as Russian criminal organizations. As these groups move in, violence flares in specific areas of territorial dispute. As a 2012 United Nations study of TCNs in Central America noted, “The key driver of violence is not cocaine, but change: change in the negotiated power relations between and within groups, and with the state.”

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Transportista Networks

Unlike the Mexican organizations, the *transportistas* are largely local and each of the Central American networks individually seldom controls more than a few towns or rural valleys. While they move illicit products across a border, the Central American *transportista* structures are not truly transnational. Rather, they are local groups who have members on both sides of one specific border and control specific crossings.

While this limits their national reach, they are structures that are deeply rooted in the local community, creating control based on trust and on the ability of the network to inflict harm—not only on an offending individual, but likely on that individual’s extended family, as well. The alliances among *transportista* networks, particularly those in close proximity to each other, are often cemented through interfamily marriages. This feudal system of creating blood alliances is not new, but it is growing in importance. It almost guarantees that, if someone is captured, he or she will not divulge information that could damage multiple groups. It also helps guarantee that someone in the extended family with the same skills or same knowledge can immediately step in to replace the missing party and business will continue unhindered.7

The movement of illicit products is a type of relay system, where the goods are passed from the custody of one group to the next. For example, in the illicit movement of Chinese nationals, the *coyote*, or transporter, will text a group photograph to the cell phone of the *coyote* in charge of the next leg of the journey, with an arrival time and location. That *coyote* will, in turn, text a new photo with similar information to the person in charge of the next leg of the relay, and so on.8

The same methodology applies to drug trafficking. When a load is delivered in Honduras, the network in control of the reception area will pick up the product and move it toward Guatemala. The load will

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7 This is a well-known strategy of the Sinaloa cartel, and is said to be most prevalent along the Honduras-Guatemala border region, where the Sinaloa cartel has a strong influence.

8 Interviews with three *coyotes* in Central America as part of a project for the Homeland Security Institute, 2011.
then be handed over to another transportista group that has operations on both sides of whichever border is being crossed. That group, in turn, will hand it off to other groups until it reaches the stash houses in Guatemala, where the Mexican organization that owns the load retakes control of it and moves it across the Mexican border.9

Those who operate pieces of the supply chain operate in, and control, specific geographic territories, allowing them to function in a relatively safe environment. Violence often erupts when the groups overlap or try to expand their sphere of operations. These networks move a multiplicity of illicit products, including cocaine, chemical precursors, and human beings, ultimately crossing U.S. borders undetected thousands of times each day.

Transportistas interviewed for this study say the greatest threat to their business transactions is seldom the police or military, which they are accustomed to dealing with. Rather, it is tumbadores, or other groups who steal the trafficked material, either in transit or from stash houses. Tumbes, as the thefts are called, are a favorite way for a group to announce its expansion into a new area. In the early days of their expansion into northern Guatemala, Los Zetas carried out a series of often-bloody tumbes, sometimes keeping the drugs, sometimes (in an effort to build alliances) allowing the transportista to buy the load back at a slight markup. The idea was not so much to make money as to establish Los Zetas as the dominant presence everyone else would have to deal with.10

Tumbes are an important driver of violence across the region because the organization handling the product is responsible for either recovering the stolen property or making the owner of the load financially whole. In addition, if a structure is hit and does not respond, it is viewed as weak and easy prey for other aspiring tumbadores.

9 This description is based on multiple interviews with transportistas in the region, as well as police and law enforcement officials in Panama, Nicaragua, El Salvador, Honduras, and Guatemala.

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The transient and sometimes fungible nature of these supply chains means they are often in flux and easily rerouted when obstacles arise in any part of the chain. When one link is under pressure or cannot do the job, there are other trusted options available at almost every step. This culture of honor among the traditional transportista networks is violated by *tumbes*, especially if carried out by a rival group rather than a common thief. In the case of rival networks, *tumbes* are often wars to the death—not only for individuals, but for entire clans.

However, when the system works well, as it generally does, it makes the transportista networks impossible to track at ground level in real time. Investigations usually offer a snapshot of what has taken place rather than a moving picture of how they are evolving.

This relay system relies on several factors to maintain its functionality. One of the most important is local political control, particularly in areas where the state is largely absent. The control of a municipality through the mayor—either a narco or a person the narcos trust—offers multiple benefits. Political infiltration offers the opportunity to engender political and social support, while control of local projects offers the twin possibilities of generating and allocating formal jobs where they are scarce while simultaneously offering multiple avenues for laundering money.\(^{11}\) The narco mayors do not hew to any ideological lines and are often elected by any party whose backing the narcos can purchase.

Although the Sinaloa Cartel has expanded its influence significantly in Central America over the past two years, the Central American networks do not maintain exclusive relationships with any of the transnational cartels. They negotiate prices for the passage of products through their territory, from pick up to delivery, on a case-by-case basis.\(^{12}\)

To understand the current situation, it is necessary to briefly revisit the recent history of the two main Mexican organizations, the Sinaloa Cartel and Los Zetas, in Central America. In 2006, Los Zetas began

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\(^{11}\) According to Moisés Naim, these are the features of "mafia states." (Moisés Naim. "Mafia States: Organized Crime Takes Over." *Foreign Affairs,* May/June 2012)

\(^{12}\) This description of how the networks link up and move products comes from interviews in Guatemala, Honduras, and El Salvador, February 2013 to February 2015.
a rapid expansion into Guatemala while the Sinaloa cartel and other smaller Mexican groups migrated more visibly to Honduras. Both found El Salvador relatively hospitable territory. This shift was driven largely by the decision of Mexican President Calderón Hinojosa to begin waging a more aggressive campaign against the drug cartels with strong U.S. support. As Mexican and U.S. pressure increased inside Mexico, the organizations saw opportunities to operate more securely in the relatively accessible Northern Triangle.¹³

While the Sinaloa cartel and other established Mexican groups continued to use the more traditional model of allying with local transportista networks in the region to acquire and move product, Los Zetas introduced a new methodology that has significantly altered TCN operations in the region—that of widespread territorial control.¹⁴

Rather than focusing on cocaine trafficking nodes and specific points of penetration to move their product (the transportista model), Los Zetas sought territorial dominion in which it could then tax all illicit activities that were carried out or moved through that territory. This diversified the revenue stream of the organization by taxing prostitution, human smuggling, and all illicit activities in its areas of control.¹⁵ It is estimated that in some cases in Guatemala, Los Zetas derived only about 40 percent of its revenues from cocaine trafficking, while the rest came from levies on other activities.¹⁶ This was already the model of Los Zetas in Mexico, but it was new in Central America, as was the level of violence that often accompanies the territorial takeovers of Los Zetas.

In one innovation, the group has been stealing tanker trucks full of gasoline in Mexico from the state-run Pemex oil company to sell at discounted rates on the major highways along the Mexico-Guatemala border. One recent intelligence analysis in Guatemala estimated that

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¹³ For a more complete look at this phenomenon, see UNODC, 2012, pp. 11-13.

¹⁴ For more-complete studies of this shift, see Logan, 2013; Steven Dudley, "Part I: The Incursion," InSightCrime, September 7, 2011.

¹⁵ For a comprehensive analysis of this phase of drug trafficking, see Julie López, "Guatemala: La Cara Cambiante del Narco," Plaza Pública (Guatemala), July 18, 2013.

¹⁶ Interview with Guatemalan counternarcotics intelligence officials, April 2013.
30 percent of the gasoline sold in Guatemala came from these Zeta thefts, yielding the group millions of dollars a month unrelated to the drug trade.\(^{17}\)

The new routes carved out by Los Zetas put it in direct conflict with *transportista* networks, particularly in Guatemala. The confrontation among these groups—largely won by Los Zetas and its allies because of superior firepower, ruthlessness, and military training—led to a series of massacres and assassinations in the Guatemalan drug trafficking world. As the UNODC’s Antonio Mazzitelli noted,

> The confrontation between two different criminal cultures—the first, business oriented; the second one, territorial oriented—constitutes a serious threat not only to the security of citizens, but also to the very consolidation of balanced democratic rule in the region.\(^{18}\)

The shift also brought a significant “Mexicanization” of the criminal networks in the region, meaning an imitation of the habits and culture of the Mexican drug lords. This includes a significant rise in the importation of expensive horses and horse shows on properties owned by drug traffickers and their allies; the production of *narco corridas*, or songs lauding the exploits of a particular drug trafficker or DTO; the importation of cars used to race on specially constructed racetracks in isolated areas (Maseratis, Ferraris, and other luxury vehicles); displays of gold-plated weapons; and importation of exotic animals from Africa and elsewhere to roam the narco ranches in Guatemala and Honduras.\(^{19}\)

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\(^{17}\) Interview with Guatemalan counternarcotics intelligence officials, April 2013.


\(^{19}\) Farah, 2013. The late Colombian drug lord Pablo Escobar built a “mini zoo” of exotic animals, including elephants, giraffes, and hippos. The hippos have bred into a large herd and some have broken free and run amok.
The “Repollo” Network: A Window on the Convergence of Criminal Actors

When Jorge Ernesto Ulloa Sibrian (“Repollo,” or “Cabbage”) was arrested, cocaine-transporting networks across Central America were affected. Ulloa Sibrian was a transportista extraordinaire who protected and aggregated smaller loads from multiple small, regional transporters, then sold the larger consolidated loads at a significant profit. The buyers of the consolidated loads, usually turned over in Guatemala, were brokers for the Mexican cartels, Russian crime syndicates, or anyone who could pay for access to his vast network of political, police, and border-crossing protection that stretched from Panama to Guatemala. Ulloa Sibrian’s network offers an unusual window into the functioning of the multiproduct criminal networks in Central America, as well as on the different actors in the convergence of TCNs in the region. Ulloa Sibrian directly controlled a relatively small group of people, many of whom in turn interacted or overlapped with other networks, including those who run strip clubs and brothels that are centers of human trafficking. These micronetworks are largely connected at the top, where leaders decide on financial cuts, lend people and vehicles to each other for specific jobs, and occasionally betray and kill each other.

Ulloa Sibrian’s network was at the center of one of the most shocking killings in Central America in recent years—the July 2011 murder of legendary and revered Argentine folk singer Facundo Cabral. Cabral, 74, was gunned down in the early morning hours as he was being driven to the airport in Guatemala City. The killing shows the complex and tangled nature of the convergence of licit and illicit business and the vast range of relationships this convergence entails. The true object of the assassination attempt reportedly was Henry Fariñas


Fonseca, Nicaraguan owner of the well-known Elite strip clubs in the region, who was driving the vehicle Cabral was in and had sponsored Cabral’s last concert tour. His clubs have been linked to human smuggling operations as well as prostitution. Fariñas was wounded during the shooting in Guatemala City. He later returned to Nicaragua, where he was arrested. Yet, upon his return and arrest, Nicaragua’s Supreme Court president Alba Luz Ramos immediately came out to defend Fariñas publicly. Still, Fariñas was convicted of drug trafficking a few months later.22

Fariñas was an important link for various networks for creating forged documents, including false U.S. visas, which could be used to move both women and drugs throughout Central America and into Mexico and the United States. To protect his work with criminals, Fariñas was working closely with Nicaraguan police. Police officers, including at least one high-ranking official, were regular customers at the nightclub or friends of Fariñas. A private security firm with close government ties that sometimes employed off-duty police officers provided occasional security at the club, while the club made donations to renovate a police station and sponsored a police softball team. Kickbacks were also alleged, although the accusations were not pursued.23

Fariñas provided a route for police to resell seized cocaine. A police unit that seized 50 kg of cocaine would only report 40 kg, then sell the rest to Fariñas and his allies. At times, this provided the nightclub owner with a financial incentive to tip off police to rival drug shipments. The investigation into Cabral’s murder has spanned at least four countries and involved investigators from six governments, including the United States, Colombia, Panama, Nicaragua, Costa Rica, and Guatemala.

Colombian police said the alleged mastermind of the killing is a Costa Rican named Alejandro Jimenez, who was reportedly trying to force Fariñas to sell one of the Elite franchises in Costa Rica. Colom-

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bian police said Jimenez was a main cocaine purchaser and money launderer for Los Rastrojos, a Colombian BACRIM group of mostly former paramilitary combatants that operates under official protection in both Venezuela and Ecuador; it also operates in Colombia. Jimenez, according to former Colombian police chief General Oscar Naranjo, was the main tie between Los Rastrojos and the Sinaloa cartel in Mexico and in charge of moving the cocaine from Colombia (or Venezuela or Ecuador) to Guatemala. To do so, he partnered with Ulloa Sibrian, and used Ulloa Sibrian's extensive regional business enterprises, including the Elite nightclub chain, to launder part of the money.24

Ulloa Sibrian was the crucial link between local groups that seldom move beyond the small territory they control ("fixers") to those that have access to the international market both for selling products and for acquiring specialized goods, such as sophisticated weapons or access to international financial markets. According to police and judicial sources, as well as published reports, Ulloa Sibrian ran a network that moved cocaine, illegal immigrants, and millions of dollars in bulk cash while buying scores of properties in different countries and multiple legitimate businesses. Official estimates of the scope of his network demonstrate Ulloa Sibrian's centrality to the local drug trade: Guatemalan and Salvadoran authorities calculated that he moved up to 16 tons of contraband through those two countries over the course of his career, the vast majority of it destined for the U.S. market.25

Such a figure makes Ulloa Sibrian comparable to some of the largest homegrown traffickers to emerge from Central America. Investigators said he used a number of different methods to move cocaine, from trucks and trailers to speedboats. In addition to working with Russian organized crime organizations in Guatemala, Ulloa Sibrian reportedly worked in collaboration with some of the most prominent


local groups operating in the Northern Triangle, especially in El Salvador, providing an example of the convergence of different TCNs that can be observed in the region.26

In the immediate aftermath of the civil war, the nascent security forces, including the National Civil Police, were still in the process of reform and thus unable to deal with the crime wave in an effective manner. Some were even complicit in the violence. In addition to former soldiers and former insurgents with the Farabundo Martí National Liberation Front (FMLN), members of the police were all involved in organized crime. Essentially, belligerents were demobilized but never actually reintegrated back into society, leaving many with limited options. Gangs became an easy way to make money and provided ex-combatants with a sense of security. Total membership in El Salvador’s two main gangs ranges from 10,500 to 38,000. Even taking the more conservative figure still puts gang members somewhere around 60 percent of the size of the police force and at nearly the same size as the army.27

**Transnational Gangs**

Transnational gangs, such as MS-13 and the Calle 18 active in Guatemala, Honduras, and El Salvador, are by far the biggest groups. These small but increasingly powerful parts of the gang structures add new elements of complexity to the drug trade, as they become more deeply involved in the transportation of cocaine, weapons, and human beings. This contrasts with their traditional roles of providing security for illicit movements and hit teams to deal with the opposition when necessary.

The gangs did not spring up overnight. From 2000 to 2004, some 20,000 young Central American criminals were deported from the United States to their homelands.28 The trend further accelerated from 2008 to 2010, with another 63,000 criminals deported to El Salvador.

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In total, some 300,000 criminals, mostly gang members, have been deported to the Northern Triangle countries over the past decade. As investigative journalist Ana Arana notes, the consequences have been severe:

Fed by an explosive growth in the area’s youth population and by a host of social problems such as poverty and unemployment, the gangs are spreading, spilling into Mexico and beyond—even back into the United States itself. With them, the maras [gangs] are bringing rampant crime, committing thousands of murders and contributing to a flourishing drug trade. Central America’s governments, meanwhile, seem utterly unable to meet the challenge, lacking the skills, know-how and money necessary to fight these supergangs.30

As a result of the explosive growth of criminal groups, the Northern Triangle countries and Belize had four of the six highest homicide rates in the world, far higher than during the armed conflicts of the 1980s. El Salvador, Guatemala, and Honduras measure consistently among the highest five murder rates globally, ranging from 50 to 71 homicides per 100,000 citizens. This compares with about five murders per 100,000 in the United States and 1.7 in Canada. The murder rate for people ages 15 to 24 in El Salvador was an almost unimaginable 94 per 100,000, the highest in the world for that age group.31


31 There are multiple studies on the number of homicides in the region, which vary slightly in the exact numbers but arrive at the same general numbers. For official National Police statistics in El Salvador, see “Número de Víctimas y Tasas de Homicidios Dolosos en El Salvador (1999-2006),” Observatorio Centroamericano Sobre Violencia, September 3, 2010. See also Edith Portillo, “Gestión de Sacas Acumula 16 Mil Homicidios,” *El Faro*, December 29, 2008; and UNODC, *Crime and Instability Case Studies of Transnational Threats*, February 2010. The figure on homicides among young people was taken from “Latin America Has the Highest Homicide Rate for Young Adults in the World,” Canwest News Service, November 26, 2008.
In addition to the violence, gangs (particularly MS-13) have increased their territorial control, resulting in increasing links of some gang structures with the *transportista* networks that move illegal drugs across Central America to Mexico. While these alliances are not widespread and take place in regions where the gangs control territory that the *transportistas* need to transit to safely move their products, the result has been a significant new revenue stream for the gangs, resulting in the acquisition of modern weaponry, territorial expansion, and new political power.

To minimize their financial outlays, the *transportistas* pay the gangs in kind (small kilo or subkilo amounts) rather than with cash whenever possible. This has helped fuel the steep rise in cocaine consumption across the region. To turn the cocaine into cash, the gangs store the drugs in heavily defended *pozos* (wells or tunnels) and distribute batches of a few grams at a time to gang members to sell on the street. Because the gangs are often more interested in quick transactions than getting the best possible price, the cocaine is often relatively cheap, making it more easily accessible than in many other parts of the world. If the gangs need to acquire more weapons or explosives, they will trade drugs for the goods they need.32

While the small retail of drugs remains the norm, there have also been a growing number of cases where the gangs have been in direct control of multihundred–kg loads of cocaine, indicating a clear expansion and consolidation of certain *clicas*, or small gang units, in the drug trade.

In early November 2012, the Salvadoran National Police intercepted a launch on the Pacific coast near the town of Metalio, Sonsonate province, and seized 113 kg of cocaine. It was the largest cocaine seizure to date in El Salvador. A launch with a similar amount evaded capture.33 Police sources said that the most unusual thing about the bust was that the people running the launch and those waiting on the

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32 Information acquired in meetings with well-informed experts in El Salvador, March–June 2013. Members of the National Police antigang unit, both street-level policemen and senior commanders, said in separate interviews in the same time frame that this was the phenomenon that they were observing.

beach to unload the product were all members of MS-13, which contradicted MS-13’s traditional role as the security detail. Prior to the November seizure, the largest load wholly controlled by MS-13 was about 14 kg, meaning that the seized load was several orders of magnitude larger than what had been seen previously. The case study of MS-13’s Moris Alexander Bercian Manchon and the Fulton Locos, who reportedly controlled this load, provides more detail on the evolution of gangs into drug traffickers. (See “Evolution of Gangs and TCNs” later in this chapter.)

Impact on National Stability

The impact of these networks has been profoundly damaging to the rule of law, political stability, and democratic processes under way since the end of the region’s armed conflicts in the early 1990s. Particularly in the Northern Triangle, the significant political power acquired by these entities, coupled with growing corruption and the decline of the states’ ability to carry out basic functions has pushed the most-affected nations to the point of collapse.

Criminalized or Captured State Structures

The cumulative effect of the major actors driving the dynamics of drug trafficking and transnational organized crime in Central America—drug cartels, transportistas, gangs, and co-opted or criminalized state actors—has been destructive. However, with the possible exception of some gangs that have openly challenged the security forces, the activities of these groups are clearly not forms of criminal insurgency. With criminalized state actors, the dynamic is exactly the opposite: not to overthrow the state, but to maintain control of the instruments of state power for as long as possible.

In criminalized states, the ruling parties have access to hundreds of millions of dollars with no accountability except to other members of the political structure and the criminal organizations. The advantage of this

model for those participating in the criminal enterprise is that they run no risk of negative consequences from the state, because the state itself is the sponsor. A second model that is more typical of Central America is the capture of state structures, usually at the local level, by criminal networks. In this case, parts of the state condone or protect and benefit economically from TCN activities, with some protection at the departmental or national level. However, the state itself, as a matter of policy, is not protecting these activities. Honduras and Guatemala fall closer to this model. In both countries, law enforcement actions against cocaine traffickers, including extraditions of suspected kingpins to the United States, do occur because the national government has enough power and political will to carry them out, even if on a limited basis.

El Salvador is a more complex case. As discussed below, gangs have attained considerable political influence through their ability to mobilize or coerce electoral support in the neighborhoods that they control, as well as through intimidation and violence. Beyond that, Douglas Farah, who has done extensive research on Central America, argues that the FMLN and the Frente Sandinista para la Liberación Nacional (the ruling parties of El Salvador and Nicaragua, respectively, led by former Marxist guerrillas) being closely linked with FARC and the Venezuelan regime, along with their role in moving hundreds of millions of dollars in untraceable ways through interconnected state oil companies, sets them apart from other Central American nations in terms of state participation in opaque financial transactions.

Transportista groups also do not seek to overthrow or replace the national government. Rather, they seek to corrupt and control power at a local level, without broader aspirations. They share some characteristics of John P. Sullivan’s notion of a “criminal insurgency,” where the “overarching political motive is to gain autonomous economic control over territory . . . Not all insurgents seek to take over the government or have an ideological foundation. Some seek a free range to develop

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36 Farah has carried out extensive research on these illicit money streams under contract with the U.S. government. He draws on this research and supporting documentation for this assessment.
parallel structures for profit and power. The goal of these groups is aimed more at keeping the national government out so they can operate in their spaces without having to answer to a higher authority. While the effect of these groups is to deprive the state of control of their “autonomous spaces” as an insurgency would, they are also able to accommodate state presence or co-opt the state to their own ends.

The gangs are undergoing a profound metamorphosis from groups with little or no political vision to formidable political blocs that, while having no inherent ideology, are capable of delivering hundreds of thousands of votes to a political party in exchange for specific benefits. The gangs deliver on the promises of votes by getting entire neighborhoods, under penalty of death or expulsion, to vote for the favored party. Thus the gangs control not just the votes of gang members but of their families and entire communities.

It has been widely reported that the FMLN negotiated with the gangs in the first round of the 2014 presidential elections, confident of achieving the majority of 50 percent plus one vote necessary to avoid a second round. The FMLN narrowly missed its goal but led by a comfortable margin of more than 10 points going into the second round, with the promise of support from the third-place candidate. In the second round, however, the right-wing Alianza Republicana Nacionalista (ARENA) party tried to negotiate its own deal with the gangs, and the effort was enough to get the gangs to withdraw their support from the FMLN. The ARENA party shocked the nation on Election Day by coming within 0.10 percentage points of winning the presidency, a stunning turnaround in which the gang vote played an important part.


38 The jailed leadership of the MS-13 and Calle 18 gangs acknowledged in a joint statement that they had negotiated with the FMLN in the first round, and attributed their withdrawal of support to the closeness of the second round, feeling that the FMLN had betrayed their trust. They did not acknowledge new negotiations with ARENA. For the full communiqué, see: “Mamá Responden al Gobierno: ‘No le Tenemos Miedo a Zacatran’,” La Página, February 27, 2015. See also David Gagne, “El Salvador Gangs Outline Political Motives for Violence,” InSight Crime, March 2, 2015. The information on ARENA’s desperate attempts to reach a deal comes from interviews with ARENA security officials in San Salvador in January 2015.
Gangs occupy significant amounts of territory, challenge and often defeat government forces in pitched battles, systematically target high-ranking police and judicial authorities, negotiate as equals with the government for specific benefits, carry out terror tactics to achieve the goal of intimidating any potential enemies, and are able to force the government to make concessions. All of these are hallmarks of a classical insurgency.

They also have a very clear idea of what their desired end state is, and it does not include taking over the government. It is primarily a vision of a truly autonomous, transnational entity: a society in which the gang could behave according to its own internal code, without being in permanent confrontation with the state. Being tattooed would not be a stigma, seeking to kill rival gang members would be a full-time occupation, women could be treated as sex slaves without consequence, and their internal structure would set the governing rules. In short, it would look very much like the prisons they occupy, but without the bars, gross overcrowding, and lack of amenities.39

This would put the gangs closer to Valerica Cruceru's definition of a "pseudo-insurgency," where the groups "have successfully created parallel structures, [and] control resources and illegal markets over certain areas, denying government's control."40

Two important characteristics of insurgency had been missing until very recently in gang behavior. One is a clear bid to control state power, rather than just remaining outside state control, as described above. The other has been ongoing access to weapons and training that would allow the gangs to challenge the state's monopoly of force.

This is rapidly changing, at least in El Salvador, where the police have found several sophisticated training camps run by different branches of the gangs. Most of the camps are in areas where the guerrilla armies

39 This description of what the gangs seek is drawn from an interview with leaders of the MS-13 and Calle 18 gangs, El Salvador, September 26, 2012.

of the 1980s trained clandestinely. In the March 2015 municipal and legislative elections, the gangs were not simply negotiating their votes but running a few of their own candidates for national office. As one candidate, himself suspected of being tied to the Calle 18 group, stated: "Everyone knows the gangs have infiltrated many members into the municipal governments in the east."

It is reasonable to conclude that both trends will continue and likely accelerate, given the decomposition of the state and the growing financial, military, and territorial power of the gangs. Whether they are or ever will be part of a classic insurgency, the gangs have successfully captured control of territory where they exercise governance. Hence, the effect of gangs is the same in many places as that of an insurgent force.

The Growing Role of the Gangs

While the transportista networks have a long history in the region and are an important part of its criminal, political, and social fabric, the role of gangs in the drug business is relatively new and evolving rapidly. These groups, if they continue on their current trajectory, have the greatest potential to displace traditional networks and greatly increase their already formidable social, political, and economic power.

As noted earlier, the primary asset the gangs bring to the movement of drugs across Central America is their control of broad swaths of territory. When this territory overlaps with important routes of the transportista networks, negotiations are undertaken with the local gang leadership out of necessity. But there are indications of more consensual relationships developing. Because the gangs exercise control through hundreds or thousands of clicas, or neighborhood groups, which in turn are organized into programas (several dozen clicas), one cannot

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41 Farah, 2013, along with interviews with antigang police who have discovered gang training camps on the Guazapa Volcano.


43 “Gallegos Dice un Alcalde Tiene Tatuajes de Pandilla,” 2015.
generalize about the relationships of gangs and drug traffickers. The relationships develop differently depending on the region, the personalities involved, and the quality of the territory controlled.\(^44\)

The ongoing mutation of the gangs into political actors with growing ties to the drug trade cannot be understood outside the historic and controversial truce reached among the two main gangs and the government of El Salvador in March 2012. While there were other attempts at truces, this one provided the gangs with instruments to steadily gain political power and expand their territorial control. The truces, in essence, allowed the gangs to continue and expand their criminal activities, primarily extortion, kidnapping, protection, murder, and street-level drug dealing, in exchange for dropping the body count, or at least the bodies that were visible on the streets.\(^45\) Eventually it became clear that the gangs had been simply burying the bodies in clandestine cemeteries rather than publicly displaying them. While there is a general consensus that the homicide rate dropped, with ebbs and flows, it has become clear that the decline since the truce was not nearly as dramatic as initially portrayed.\(^46\)

Father Antonio Rodriguez, a priest who has dealt with the gangs in a pastoral capacity in neighborhoods under their control for two decades, publicly called the truce part of a “paz mafiosa” or “Mafia peace.” In a public letter to the leaders of the MS-13 and Calle 18 gangs who negotiated the truce, Rodriguez sarcastically congratulated them on having become the true governors of El Salvador, with the status of cabinet ministers for the departments of Justice and Public Security, adding,

You have shown the country a great truth: that you are the one[s] who are in command in the areas of security and insecurity, in

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\(^45\) For details, see Farah and Lum, 2013.

areas of death and in schools, in terms of extorting or not extorting. You are capable of raising or lowering the violence, and have shown how totally incompetent your predecessors have been . . . you have given us the evidence that we live in a failed state.47

In the early part of 2015, the gangs demonstrated the capacity to attack police posts and assassinate policemen with impunity, murdering seven policemen during the first two weeks of the year. This prompted an order from the police leadership that their forces could shoot to kill if they felt threatened.48 As the gangs have invaded new communities and driven out local residents, the specially trained and equipped antigang police have been powerless to do more than escort the residents to safety, rather than retake the territory from the gangs.49

Evolution of Gangs and Transnational Criminal Networks

Within this context, perhaps the prototype of the new role gang leaders will play in the cocaine trade is Moris Alexander Bercián Manchón ("El Barney"), one of the few gang leaders in the world designated by the Treasury Department as a major criminal figure.50 Bercián, of El Salvador, is one of a handful of documented cases in which a senior gang leader was directly involved not only in protecting but also acquiring and moving loads of more than 100 kg of contraband. The load described in an earlier section of this chapter ("Transnational Gangs") belonged to Bercián's clana, the Normandie Locos Salvatruchos (NLS). The NLS and the Fulton Locos Salvatruchos (FLS) are allies and are among the most violent and prosperous units of MS-13. Bercián was


arrested in possession of 7 kg of cocaine in 2010 but freed on a technicality, cementing the legend of his growing power.\textsuperscript{51}

In addition to his growing ability to move large amounts of cocaine, Bercián has set up a series of businesses to help launder the proceeds of the cocaine sales while carefully cultivating political protection and a reputation for brutality. Salvadoran police have an arrest warrant on him for some 50 murders.\textsuperscript{52} Bercián got a leg up on the competition because his father, Arturo Bercián ("El Tiburón" or "the Shark"), was a colonel in the Salvadoran military and ran his own small-time smuggling business on the El Salvador–Guatemala border where his son now operates. The border region is a key node in a primary cocaine movement group under the control of the Cartel de Texis,\textsuperscript{53} one of the largest and most politically well-connected transportista groups in El Salvador.

It is clear that Bercián, as a gang leader, has achieved important working relationships with, at a minimum, significant cocaine transport groups and possibly more-direct ties with the Sinaloa cartel. If he were able to consolidate a direct relationship as a provider of goods and services to the Mexican organization, it would represent a milestone in the evolution of gangs and TCNs.\textsuperscript{54}

While Bercián may be the most visible of the gang leaders with true international reach in the world of drug trafficking, he is not the only one, and others are likely to emerge. Already the FLS, NLS, and the Hollywood Locos Salvatruchos are engaging more and more directly in the movement of cocaine while also moving into human smuggling, protec-

\textsuperscript{51} For an excellent comprehensive overview of these groups, see Alejandra S. Iniunza and José Luis Pardo. "El Salvador Busca su Redención," \textit{El Universal} (Mexico). October 7, 2012.

\textsuperscript{52} "Moris Alexander Bercián Manchon. Alias 'El Barney'," undated.

\textsuperscript{53} The group is named for the Texistepa, the town where its leaders are from. The group and its ties to both the Salvadoran political establishment and to the Sinaloa cartel have been amply discussed in the national and international media. For a comprehensive profile of the group, see "Texis Cartel News," \textit{InSight Crime}, undated.

\textsuperscript{54} "Moris Alexander Bercián Manchon. Alias 'El Barney'," undated.
tion of precursor chemicals for methamphetamine, weapon trafficking and the protection of sophisticated weapon cargos, and stolen cars.\textsuperscript{55}

There are other anecdotal indications given by midlevel MS-13 leaders that the gangs are forging more-direct links with the Mexican cartels, particularly the Sinaloa cartel. MS-13 has reportedly sent emissaries to Mexico and hosted meetings in El Salvador to develop a more direct relationship with the Sinaloa traffickers in an effort to boost their regional trafficking activities.\textsuperscript{56}

In recognition of these changes, the U.S. Treasury Department took the controversial step of designating the MS-13 organization as a transnational organized crime group in October 2012, then designating six members of the gang, including Bercián, as significant transnational crime figures in June 2013.\textsuperscript{57} The designations were met with considerable skepticism among many in the law enforcement community who felt MS-13 did not meet the threshold for designation as a transnational group.

\textbf{Counternetwork Efforts in Central America}

Numerous, fragile experiments are under way to deal with some of these issues. The United States is funding several interagency task forces (IATFs) established by regional governments in hopes of providing a platform for a “whole of government” approach to reestablishing state authority in some areas while simultaneously combating drug traffickers. The most studied has been Técin Umán, near the Mexican border, an IATF that SOUTHCOM has identified as a high priority in the support of Central America’s efforts and a potential model for future IATFs. The task force was set up to have the police in the primary leadership role, with significant military support and special prosecutors who could initiate cases. The innovation of this IATF was


\textsuperscript{56} Farah and Lum, 2013.

\textsuperscript{57} U.S. Department of the Treasury, 2013.
that the Ministry of Defense (military) and Ministry of Governance (police) signed a memorandum of understanding that delineated the responsibilities of each ministry, and was supported by the President. The equivalent of the Guatemalan border patrol and the attorney general’s office were also part of the force.58

However, a recent RAND assessment of the project found that, despite substantial U.S. funding and training, the IATF exhibited several major weaknesses. These included the military remaining in the lead role; a lack of resolution regarding the duality-of-command issue despite the memorandum; a lack of operational planning capacity; a lack of organic training capability; noteworthy corruption problems; low operational tempo; and major logistical and resupply problems.59 This example only highlights the depth of the problems facing the region. Even if a unit receives the level of support that IATF Tecún Umán has, it is still very difficult to make progress in developing an effective approach to combating drug trafficking. The resignation in September 2015 of Guatemalan President Otto Pérez Molina—a strong supporter of the IATF concept—in connection with a corruption scandal that plunged the country into a political crisis may have an impact on the viability of the IATF experiment, but as of October 2015 it was too early to tell.

The government of Honduran President Juan Orlando Hernández has pursued creative policies that, in the judgment of some analysts, have made real progress in the fight against gangs and narcotraffickers. President Hernández has given the military the lead role in the fight against criminal networks, including a special role for newly created military police units in reasserting control over urban neighborhoods in large cities, taking them back from such gangs as Barrio-18 and MS-13, and from emerging splinter groups, such as Los Chirizos. President Hernández has also given the military a lead role in interdicting drug flows and going after the leadership of family-based smuggling groups. The cornerstone of the Hernández administration’s approach

59 Oak, 2015.
is the interagency task force **Fuerza Nacional de Seguridad Interinstitucional (FUSINA)**, or National Interagency Task Force. FUSINA brings together elements of the Honduran military, national police, investigators, judges, intelligence, and other relevant offices across the Honduran government to better coordinate the "whole-of-government" operations against organized crime. It operates under the oversight of Honduras' National Security Council, which includes the elected president, the head of Congress, and the ministers of Defense and Public Security. Below the leadership level, FUSINA is organized into 18 IATFs, each of which integrate elements of the military and police and have direct access to on-call prosecutors, judges, and other resources. These task forces generally correspond to the nation's departments, as well as additional task forces such as Maya-Chorti, whose mission is to control the border with Guatemala.

These challenges are playing out against a backdrop of the desire by the region's leaders, across political ideologies, to find a new paradigm outside the U.S.-led "war on drugs," particularly as U.S. resources in the region have been severely curtailed. The search for a new paradigm includes calls for decriminalization. At the same time, there is a growing perception among the population that the violence generated by TCN activity is their primary concern, and that some sort of accommodation with those groups to end the bloodshed is the best and perhaps only way out of the current crisis.

"Are we going to be responsible to put up a war against the cartels if we don't produce the drugs or consume the drugs? We're just a corridor of illegality," said Eduardo Stein, a former Guatemalan vice president who headed President Pérez Molina's presidential transition

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60 There is a similarity between the FUSINA effort and the campaign against the Sicilian mafia described in Leoluca Orlando's *Fighting the Mafia and Renewing Sicilian Culture* (New York: Encounter Books, 2001). Orlando, the former mayor of Palermo who led the fight against the mafiosos, argues that not only is a whole-of-government approach essential, but that civic associations, including religious organizations, should take part. He stresses that the mafia cannot be rooted out solely with a top-down, law enforcement approach, but that a bottom-up, grassroots movement is needed as well.

team. "The issue of drug trafficking and consumption is not on the North American political agenda. The issue of drugs in the U.S. is very marginalized, while for Guatemala and the rest of Central America it's very central," he added.62

There are other psychological factors that play into the changing perceptions in the region, such as the growing belief that the U.S.-led interdiction efforts are not only part of the problem, but that they cannot succeed. "There are two dynamics at work," said one regional analyst who monitors polling data and political trends. "One is the feeling that the governments can or will do little or nothing to solve people's basic needs. The second is the feeling that people want to be on the winning side in any conflict, and the perception now is that the narcos have won, so they will adapt to that. Crossing that threshold to acceptance of the narco-state is huge, but already under way."63

It is unclear whether this changing attitude is driven by the growing political power of the TCNs or whether, conversely, the political process is simply recognizing a political reality and adapting to it. What is clear is that, while the internal conditions of each country are significantly different and somewhat fluid, all have seen a significant decline in the rule of law and governability in recent years.

Weakness in Central America's Counternetwork Response

With the exception of the efforts to develop institutional capacity to fight criminal networks we have described here, Central America as a whole, and the Northern Triangle in particular, have not been successful in mitigating the pernicious effects of illegal criminal activity on the rule of law, the legal economy, and state power. The government inaction and the growth of TCNs and gangs has led to "inadequate public security forces, dysfunctional judicial systems, inadequate jails which


63 Interviews with ARENA security officials in San Salvador in January 2015.
become training grounds for criminals and deficiencies in other dimensions of state structure such as the maintenance of infrastructure."64

While the weaknesses we describe next are regionwide, there are two countries that stand somewhat apart and where the weaknesses are not as pervasive. Nicaragua is in a somewhat different situation because of its innovative communal police structures developed during the first Sandinista government (1979–1990) and because of historic migration patterns that are markedly different from the countries of the Northern Triangle. Costa Rica is also somewhat apart from the travails of the Northern Triangle—for historic reasons, such as its stronger tradition of democratic civilian rule and its ability to largely stay out of Central America’s wars. Perhaps the biggest difference is that neither nation has seen the emergence of significant gang structures in their countries.65

Among the significant multiple weaknesses of the Northern Triangle countries are the following:

- corruption and distrust among and within police forces that make joint actions across national boundaries virtually impossible—and even local actions difficult to carry out
- lack of political will to combat DTOs, coupled with and fed by growing government complicity in drug trafficking and money laundering
- highly politicized national intelligence structures that are often used to track the political opposition rather than strategic threats
- significant intelligence stovepipes that exist because of fears that drug corruption or political interests will thwart any real action against criminal groups
- porous borders with almost no effective control for stopping contraband, be it drugs, people, weapons, or bulk cash


65 There are multiple reasons for this, the primary one being that neither Nicaragua nor Costa Rica saw a large flood of migrants to the United States during the regional wars. The Salvadoran diaspora community based in Los Angeles, California, was the incubator of what became the main gangs in the region. Hence, when gang members were deported to their countries of origin, few were sent back to Nicaragua or Costa Rica.
• a lack of revenue and tax base from which to raise the necessary income for the state to implement anything more than the dysfunctional systems currently in place
• the growing emphasis on the part of regional government on using the military to combat drug trafficking, although they do not have the training or institutional capacity to do so. (This is particularly true in Honduras, with the introduction in 2014 of the “military police,” a new branch of the military, responding to the military chain of command, but carrying out police functions. In El Salvador, tens of thousands of army troops have been deployed to support police operations but often take the lead or bypass the police completely.)

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66 Interviews with national and international police and intelligence officials in Panama, Nicaragua, El Salvador, Guatemala, and Honduras in 2014. The interviews were conducted in part to determine the precise nature of the biggest weaknesses in the systems, and these emerged as the top issues across the region. Dr. Leticia Salomón, director of the National University of Honduras’ Center for Scientific Investigation, and Victor Meza of the Center for the Documentation of Human Rights in Honduras have written extensively on the militarization of the counterdrug strategy in Honduras.