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Elements for an EU strategy on public security in Central America and the Caribbean |

Delegations will find attached document JOIN(2014) 21 final.

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**JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE
COUNCIL**

Elements for an EU strategy on public security in Central America and the Caribbean

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JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

Elements for an EU strategy on public security in Central America and the Caribbean

I. Public Security — a common concern

The European Union is linked to Latin America and the Caribbean by a wide-ranging strategic partnership which was renewed and strengthened during the last Summit of the EU and the Community of Latin America and the Caribbean (CELAC) held in Santiago de Chile in January 2013. The two regions maintain political, economic and social ties of an unprecedented scale and substance. They cooperate closely and engage in comprehensive political dialogue at all levels — regional, sub-regional (Central America, the Caribbean, Andean Community and Mercosur) and bilateral. The EU is also an important partner for the development of Latin America and the Caribbean, with a strong accent on social cohesion, economic development, environmental issues and security.

Public security is a major concern in Latin America. Governments, civil society organisations and public opinion believe that it is a key weakness with a view to the development prospects of the region. The United Nations Development Programme (UNDP) report on human development in Latin America 2013–14 underlines that the region is now stronger economically, has less poverty and more consolidated democracies, but that the weak point is crime and a lack of security. As stated in Article 66 of the CELAC Summit's Havana Declaration of 29 January 2014: '…crime and violence are an obstacle for the full development of Latin America and the Caribbean and we stress the need for a regional consensus on public safety vision with a human development approach …'. The EU–CELAC Summit in Santiago de Chile tasked senior officials from both sides with exploring the possibility of including public security in their common bi-regional action plan.

The challenge posed by widespread crime, high rates of lethal violence and the overall deterioration of public security is particularly acute and urgent in Central America and the Caribbean. Many countries in these two neighbouring sub-regions, given their size and geographical location, are especially vulnerable. Their security and justice sectors have limited capacity and are exposed to powerful transnational criminal groups. The result is alarming levels of impunity and an increasing threat to public security. Crime extends its

influence beyond these countries and reaches or has the potential to reach Europe. Both the Caribbean and the Central American States have adopted regional strategies on security which form a basis for regional cooperation and call for international support.

The EU cannot be indifferent to the situation. For many years, it has been a key partner in cooperation programmes on crime prevention and justice in the countries of the region. EU Member States have carried out their own, often complementary activities and projects. However, given the scope of the danger and its significance for the EU's development partnership with Central America and Caribbean, fresh, joint reflection on public security in the region is needed. The objective of this communication is to provide input for a coherent and coordinated EU strategy for public security in Central America and the Caribbean with a particular focus on the protection of human rights and the promotion of reforms.

The EU strategy aims at:

1.   developing a shared public security agenda with the region as part of an overall political and development partnership;

2.   strengthening governments' capacity to tackle insecurity while upholding human rights and boosting prevention policies;

3.   fostering regional and international cooperation to deal with the transnational dimension of public security threats.

II. Central America and the Caribbean — a particularly urgent challenge

In Central America and the Caribbean, important global trade routes meet and strategic interests are at stake. This has the potential to boost development in the region — especially through trade and investment. However, the insecurity prevalent in the region has a detrimental effect on economic development and governance, and hampers access to education, health and other basic services. It also weakens democracy, human rights and the rule of law, which are at the core of what the EU wants to promote.

Vulnerabilities are further compounded by inherited weaknesses in economic structure (e.g. poverty, economic inequality and unemployment), mostly affecting indigenous and Afro-descendent populations. Social or cultural factors enhance vulnerabilities — families and community links coming apart, increased alcohol and drug abuse and widespread gender-related violence. Natural disasters also dampen development progress.

Governance difficulties, the presence of organised crime and a lack of economic opportunities feed off each other. They threaten to create a downward spiral of violence and under-development in which Central America and the Caribbean could remain trapped for a long time. Their citizens would be unable to benefit from the rest of Latin America's economic growth, while international organised crime would gain a greater foothold.

There are several consequences, as follows.

States in the region face an uphill struggle to meet their responsibility for public security.

The most salient characteristics of this are:

•   A high degree of impunity, due to a lack of investigative and prosecution capacity, linked to widespread corruption of the security and justice systems[1].

•   Overcrowded and ineffective prison systems, which instead of being pathways to reinsertion and rehabilitation raise significant human rights concerns[2].

•   Low overall tax collection (below 18 % of GDP), and therefore, a lack of financial capacity to fulfil State responsibilities for the provision of public services and security. A telling consequence of this: private security personnel outnumber police officers across the region (e.g. in Guatemala: ~6 to 1; Honduras: ~4.9; compared to ~0.8 average of 34 European countries)[3], further increasing inequality of access to security.

•   Difficulties in territorial control and border management, compounded by a number of low-key territorial disputes still pending between states of the region, which facilitate the illegal trafficking of people and goods across the region[4].

Worrying insecurity indicators

Indicators for public insecurity show how dramatically criminal groups impact on the most vulnerable states. These indicators are particularly high in Central America and significantly above the world average in the Caribbean. Murder rates are the highest in the world and well above the 'epidemic' level of 10 murders per 100 000 inhabitants in many countries. This high murder rate is also associated to an unacceptably high level of other crimes, seriously affecting the quality of citizens' life. The latest United Nations Development Programme (UNDP) report 2013–14 indicates the costs which insecurity has for economic and social development.[5]

Much of the violent crime can be traced to organised criminal groups which compete for lucrative drug trafficking routes and territorial control. 80 % of the illicit drugs seized entering the US passes through Central America and Mexico, according to Organisation of American

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[1] UNDP, Regional Development Report for Latin America 2013–14: Citizen security with a human face, 'Impunidad' (p. 36).
[2] Ibid., 'Las carceles' (p. 122).
[3] Figures for Guatemala/Honduras: ibid. (p. 150); 34 European Countries: Confederation of European Security Services (CoESS), Private Security Services in Europe, Facts & Figures, 2011 (p. 143).
[4] Association of European Border Regions (AEBR), Cross-border Cooperation in Latin America: Final Report, 2010, 'Obstacles Identified' (p. 48).
[5] Reference to the UNDP's *Regional Development Report for Latin America 2013–14: Citizen security with a human face*: 'Many people indicate that they do not go out any more to shop or for leisure'.

States (OAS)[6] sources. The Caribbean islands act as a major transit zone for drug shipments from South America to Europe, the US and Canada. In 2009, more than seven tonnes of cocaine hydrochloride were seized in the region.[7]

A whole range of other activities complement and sustain organised crime, including human and arms trafficking, extortion and large-scale money laundering. Drug abuse, local trafficking and related crimes are on the rise, as are money laundering, kidnapping and murder. Attacks against property and common crime are also widespread.

Vulnerable groups (such as women and young people) are particularly exposed. Youth are easily drawn into criminal activities and are often the main victims of violence. Women represent one fifth of those murdered in Latin America and the Caribbean, compared to an average of one eleventh worldwide.[8]

In this framework, citizens tend to lose confidence in the ability of their governments to provide basic public services and no longer look to their governments for security. In some cases, organised crime controls entire regions and neighbourhoods.

Specific initiatives, such as mediation between those involved in crime, can temporarily reduce violence. The gang truce in El Salvador, where the murder rate has fallen by 50 % since March 2012, is an example of this. Those involved agree, however, that in order to be sustainable, these efforts would require political endorsement by the government and sustained comprehensive efforts to address the underlying causes of the violence.

Civil society has started to react strongly to the crisis in public security, challenging the legitimate authorities to reform and appealing to international donors for support. Civil society initiatives include supporting human rights defenders and victims of violence; promoting reconciliation, citizenship, and respect for the rule of law and for migrants' rights; working on drug demand reduction; and supporting economic initiatives and self–employment.

Inter-linked security challenges, mainly related to drugs trafficking, have an impact beyond the region.

Trafficking in drugs and the spread of gangs potentially poses a serious risk to the EU, which accounts for 26 % of the cocaine consumed worldwide. A significant proportion of the cocaine en route to Europe continues to pass through the Caribbean. A joint report by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and EUROPOL, entitled *Cocaine: A European Union perspective in the global context* (2010) highlighted a marked increase in cocaine trafficking through South and Central America bound for Europe. Moreover, another report notes that Latin American drug cartels have a permanent presence

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[6] OAS, *Report on the Drug Problem in the Americas*, 2013.
[7] OAS, *Report on Citizen Security in the Americas*, 2012, p.91. Seizures relate to the Bahamas, Dominican Republic, Saint Vincent and the Grenadines, Jamaica and Trinidad and Tobago.
[8] OAS, *La Seguridad Publica en las Américas*, 2008.

in several EU countries (primarily Italy, the Netherlands and Spain)[9]. On the EU periphery, efforts at stabilisation are undermined by illegal trafficking networks, especially in the Gulf of Guinea.

III. The EU response

The EU faces this challenge as a long-standing partner for the development of both sub-regions. The EU supports the **Central America Security Strategy** (ESCA), adopted at the Guatemala conference in 2011 and coordinated by the Central American Integration System (SICA), and the **Caribbean Security Strategy** adopted in February 2013 by the Caribbean Community (CARICOM) Heads of State.

The EU's support will put new and existing agreements to good use, especially the EU-Caribbean Joint Strategy and the EU-Central America Association Agreement. It will be based on long experience of cooperation with the region and will seek to make efficient use of the existing cooperation instruments. It will also draw on a number of sector dialogues and cooperation mechanisms such as the regional dialogues on drugs, migration and gender, and national level bilateral dialogues on drugs and security.

The EU's response reflects ongoing concerns about the dangers arising from organised crime and State failure already recognised in the **EU Security Strategy 2003**[10] and is in line with the **EU's comprehensive approach to external conflict and crises** set out in 2013.[11] The EU approach also builds on other EU policy documents:

- the Internal Security Strategy, which deals with international criminal network, money laundering corruption and trafficking (COM/2010/673);
- the Agenda for Change, which acknowledges the relationship between security and development, democracy, human rights and the rule of law (COM/2011/637 final);
- the communication *Human Rights and Democracy at the Heart of EU External Action — Towards a more effective approach* (COM(2011) 0886);
- the drugs strategy (2013-20), with its focus on a balanced, evidence-based approach to drugs policy (2012/C 402/01);
- the communication *The roots of democracy and sustainable development: Europe's engagement with civil society in external relations* (COM/2012/492 final);
- the strategy to combat illicit accumulation and spread of small arms and light weapons (SALW) and ammunition, which singles out Latin America as a region affected by the proliferation and excessive accumulation of SALW (5319/06);

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9 Europol, Impact of Mexican OCGs on the OC situation in Europe, Scan Policy Brief — Threat Notice 012-2013.

10 EU Security Strategy 2003 later updated and reaffirmed by the European Council in 2008.

11 Joint Communication of the Commission and the HR/VP to the European Parliament and the Council of 11 December 2013 on the EU's comprehensive approach to external conflict and crises (JOIN(2013) 30 final).

- the Action-Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings (19.11.2009 — 11450/5/09 REV 5);
- the communication on fighting corruption in the EU (COM(2011) 308 final), which emphasised the need to build anti-corruption capacity in partner countries);
- the European Parliament study "Assessing the EU's approach to security sector reform", with its integrated human rights-based approach, strengthening both the efficiency and accountability of the security sector (PE 433.837);

The EU also takes into account studies and recommendations issued by competent multilateral institutions, most notably the UNDP reports on Citizen Security in Latin America (2013) and in the Caribbean (2012) respectively, and the OAS reports on the Drugs Problem in the Americas (2013) and Public Security in the Americas (2008).

The strategy will pursue the following objectives in Central America and the Caribbean.

<u>Objective I. Further develop a shared public security agenda with the region</u>

Intensified **political dialogue** will be the main instrument to achieve this objective. Building on the regional strategies adopted by both Central America and the Caribbean, the EU will work with partner governments at national and regional level towards constructing a shared political and operative agenda. This should provide transparency and orientation for all stakeholders on both sides.

The High Representative and the Commission will ensure through the established channels that the EU and Member States have adequate opportunities to exchange the information they need in order to increase synergies and coherence in their respective activities.

I.1 Cooperative agenda based on key security challenges at national level

The EU Delegation and EU Member States' embassies in the host country will cooperate closely in the analysis of the public security situation. Conflict analysis and the ability to offer or support mediation in long-standing conflicts will be particularly useful in this regard.

I.2 Regional dialogues with Central America and the Caribbean.

<u>EU — Central America,</u>

The adoption in 2011 by Central American countries of a new Regional Security Strategy for Central America (ESCA) was a significant achievement. Having SICA countries working together on an issue so closely related to national sovereignty was an important step in the regional integration process and in seeking opportunities for international cooperation.

Together with the provisional entry into force of the EU–Central America Association Agreement, and soon, of the Political Dialogue and Cooperation Agreement (PDCA), ESCA will offer new opportunities for a strengthened political dialogue between the EU and Central America on public security issues.

The Secretariat General of SICA will be the main interlocutor for coordination on this matter, partly through the ESCA Group of Friends.

The issues to be dealt with in these exchanges with Central American regional authorities could be:

- recent trends and developments in the regional security situation, taking into account best practices and lessons learned;

- public security policies and legislation in the fight against crime and impunity, the promotion of inclusive crime prevention and rehabilitation, assistance to victims and reconciliation;

- the institutional environment of public security, capacity building needs and the comprehensive reforms envisaged for the justice and security sector (police, penitentiary system and judiciary):

- international and regional cooperation between Central American countries and the opportunities, challenges and difficulties related to implementing the Central American Security Strategy; in this context, obstacles to cooperation such as unresolved border issues should be touched upon in a broader context;

- the added value of EU cooperation and its impact, as well as the future needs and direction of cooperation where relevant.

EU-Caribbean Joint Strategy

In November 2012, the EU and the Forum of the Caribbean Group of African, Caribbean and Pacific (ACP) States (CARIFORUM) adopted a Joint European Union–Caribbean Partnership Strategy, which aimed to establish a stronger partnership between the EU and the Caribbean. The partnership seeks to move beyond the traditional donor-recipient relationship in order to forge a framework of mutual interests, encompassing the political dimension alongside the traditional concerns of development cooperation and trade relations. Crime and security together form one of the five priority areas of the partnership.

In this framework, and under Article 8 of the ACP-EU Partnership Agreement, the EU carries out regular political dialogue with CARIFORUM, taking full account of the stipulations of the region's own Security Strategy adopted in February 2013 by the CARICOM Heads of State.

The Caribbean Implementation Agency for Crime and Security (IMPACS), the Regional Security System (RSS), the Caribbean Financial Action Task Force (CFATF) and the Caribbean Customs Law Enforcement Council (CCLEC) are key actors in this respect. The

EU has provided many of these agencies with financial support under the 10th European Development Fund.

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Suitable mechanisms for linking the two regional dialogues mentioned above will be agreed upon with SICA and CARICOM members. The existing SICA-CARIFORUM coordination mechanism could be a good vehicle.

I.3 EU-CELAC dialogue

The existing EU-CELAC Action Plan is the overarching framework for bi-regional cooperation. Although it covers some important issues linked to security (in particular drugs and migration), it does not include public security as an issue in its own right.

A potential chapter on public security in the EU–CELAC Action Plan could define a common bi-regional understanding of the main challenges, identify shared principles guiding joint action, and set out the main lines of an agreed bi-regional work-programme, in terms of dialogue and cooperation activities.

Security issues related to this strategy may also be discussed in the framework of the bilateral political dialogues (with interested CELAC members).

The results of existing sector dialogues (on precursors with Bolivia, Chile, Colombia, Ecuador, Peru, Venezuela and Mexico, on security with Mexico and on drugs with Brazil) will feed into the initiatives covered by this strategy, where relevant.

I.4 Strengthening coordination with other relevant actors

The EU aims to strengthen discussions on security in the region with relevant multilateral or international organisations possessing significant expertise, such as the OAS, the Inter-American Development Bank (IADB), the World Bank, UN bodies (like the UNDP and the United Nations Office on Drugs and Crime — UNODC), the Commonwealth and SEGIB.[12] The EU will also promote discussions with relevant international and regional civil society organisations (e.g. universities, think tanks, and observatories). The EULAC Foundation could also play a useful role in improving understanding of the problem.

In addition, the EU will seek to intensify its exchange on the security situation in Central America and the Caribbean with the US and Canada; as both nations are significant actors engaged on the issue.[13] Both countries have more recently adopted an overarching approach

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[12] The Ibero–American Secretariat General.
13 In the case of Canada, with a particular focus on the Caribbean.

which, like that of the EU, includes institutional capacity building, violence prevention and drug demand reduction.

Objective II. Strengthen the ability of governments to deliver quality public services

II a. Supporting legislative and regulatory reforms to enhance accountability

Progress has been made with regard to the legislative and governance mechanisms underpinning the states' capacity to deliver services relating to public security. This capacity, however, remains limited and clear potential exists for further cooperation between the EU, Member States' agencies and the institutions of the region. This cooperation might be envisaged in fields such as **justice and security sector reform; legislative, regulatory and policy reforms to enhance human rights; illicit trafficking; money laundering; and the fight against corruption and impunity.**

In fields such as drugs policy, prevention of the diversion of precursors, money laundering and public health, strengthened cooperation building on existing activities in the framework of the cooperation programme between Latin America and the European Union on drugs policies (COPOLAD) and the Cocaine Route programme[14] should be pursued. This cooperation could include information sharing and operational exchanges between institutions from the region e.g. **the Inter–American Drug Abuse Control Commission (CICAD)**, **the Police Community of the Americas (AMERIPOL), and the Caribbean Implementation Agency for Crime and Security (IMPACS)** and bodies such as **Europol, Interpol and the EMCDDA, and the Maritime Analysis Operation Centre on Narcotics (MAOC-N).** Any cooperation would take into account the capacity, priorities and legal mandates of the agencies and countries concerned and would aim at improving the working mechanisms of the regional networks.

Further elements, such as the legislative and regulatory framework for the protection of children, women and other vulnerable groups (particularly as they are often the hardest hit by violence and insecurity); the transparency of security-related expenditure and the reinforcement of democratic oversight by parliaments (supported by ombudsmen and audit bodies) should also be promoted. Specific activities could be considered, working together with local organisations to help support the formulation of relevant policies and bearing in mind relevant frameworks such as UN Security Council Resolution 1325 on Women, Peace and Security.

II b. Building the capacity of law enforcement, judicial and penitentiary authorities

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14 Including, under the latter, projects such as PRELAC — on chemical precursors — and GAFISUD — on money laundering.

Cooperation between Central America, the Caribbean and the EU should promote a comprehensive and balanced **reform of the justice and security sector institutions** (including the penitentiary sector and policies encouraging rehabilitation and alternatives to incarceration). This should be accompanied by support for policies to combat illicit trafficking, money laundering, corruption and impunity. Support might also be given to policies aimed at enhancing the regulation and oversight of private security companies and to the exchange of best practices on conventional arms transfer controls.[15]

Furthermore, in light of the Communication on the law enforcement training scheme[16], there might also be scope for more consistent and efficient support for the region on law enforcement capacity-building, by offering training or by sharing knowledge and good practice (with a possible role for EUROPOL and CEPOL). Twinning-type projects, as currently carried out within the EU, could also provide a good model for future cooperation with the region.

Support for the development of national and regional capacity to collect and analyse **statistical data** on crime and to monitor crime trends would also boost evidence–based decision making and international cooperation in the region.

II c.   Support governments in their efforts to empower communities.

Cooperation activities are being carried out in partnership with governments and the communities they serve, to foster socio-economic development and reduce violence. In Central America and the Caribbean, they particularly focus on the promotion of peaceful methods of resolving conflict within society and the development of opportunities for all parts of the population.

Following further analysis, areas for cooperation could include the promotion of economic growth; fostering professional training and entrepreneurship as means of providing people with employment and alternatives to crime; support for victims of violence, (including through humanitarian assistance where appropriate); reconciliation, rehabilitation and reinsertion projects; the development of alternatives to imprisonment for lesser crimes; the protection of vulnerable groups in society; strengthening mechanisms for oversight by civil society; and support for initiatives promoting mediation, peace-building, and drug demand reduction.

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For Objective II, as a first step, a mapping exercise will be carried out by the EU and Member States, setting out all activities being implemented by them in the region of relevance to public security. This map will facilitate the sharing of experience, provide information on

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15 Under the Arms Trade Treaty.

[16] "Establishing a European Law Enforcement Training Scheme", COM(2013) 172 final

possible synergies and areas for further engagement, and help avoid duplication. It should be updated regularly, shared with the host countries and other donors, and will feed into joint programming. This strategy will guide future work by the EU and Member States in this field.

For its work in the field of the rule of law, justice and security sector reform, the EU will also apply lessons learnt through civilian EU missions in other regions of the world. EEAS in-house expertise from the units that plan and conduct those missions, as well as, where appropriate, military in-house expertise, could be brought in during the planning and evaluation of activities included in this strategy, in order to support political dialogue and cooperation activities with the region.

Ongoing or future intra- and inter-State mediation efforts by various actors in the region could be supported on request.

Objective III. Fostering regional and international cooperation on operational activities in order to fight insecurity in Central America and the Caribbean

The EU will promote exchanges and cooperation between regional institutions and international actors, especially with regard to the trans-regional aspects of organised crime. The countries of the region face similar problems and have broadly similar institutions; exchanging knowledge serves to strengthen their joint capacity.

These efforts could be in the form of exchange programmes between specialised agencies or of support for carefully targeted attempts at trans-regional cooperation. Increased involvement by organisations such as **Europol, Eurojust and Frontex,** within their remits and in stronger cooperation with regional organisations/initiatives, could be useful in this regard.

Particular attention should be paid to better linking resources deployed in the region by Member States (e.g. liaison officers) and EU agencies. This could include improving law enforcement and judicial cooperation and strengthening cooperation between regional networks, such as the region's **Network of Prosecutors against Organised Crime** (**REFCO), the Ibero-American Network for International Legal Cooperation (IberRed), the Conference of Ministers of Justice of Ibero-American Countries (COMJIB)** and European networks.

In line with the Joint Communication – EU Cyber Security Strategy, JOIN(2013)1 final of February 2013, the strategy will pursue dialogue with the relevant international partners, to ensure effective defence capabilities, identify areas for cooperation and avoid duplication of efforts in the field of cybersecurity and fight to cybercrime.

Regional networking could benefit from fostering other joint activities, such as support for the development of coordination mechanisms to respond to complex multi-dimensional crises and helping to put in place a more effective **crisis response and early warning capability.**

Conclusion

Insecurity in Central America and the Caribbean harms millions in their daily lives and affects human rights, the rule of law and economic development in the region. It is a significant obstacle to regional stability and cooperation.

As the governments of the region try to rise to this challenge, so must Europe. Its long-standing partnership and its economic and security interests are at stake. The EU offers dialogue and practical cooperation, knowing that it has as much to learn from its partners as it has to give. With this strategy, the EU sets out to meet its partners in Central America and the Caribbean with a transparent, comprehensive approach.

This strategy will guide our engagement with partner countries in the field of security. While work with partners at sub-regional and national levels should start as soon as possible, the next EU-CELAC summit, to be held in 2015, could provide an appropriate opportunity for a political evaluation of the strategy and common decisions for the whole of the continent.