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NOTA EDITORIAL

Estimada comunidad académica y lectores de *Hemisferio*:

Vivimos tiempos en los que los marcos conceptuales y las fronteras de la seguridad se redefinen constantemente. Es un honor presentarles nuestra **II.ª edición**, una entrega que llega en una coyuntura de profunda transformación para las Américas. Como un instrumento del sistema interamericano, nosotros en el Colegio Interamericano de Defensa (CID) privilegiamos un enmarcado multidimensional, integrando diversas reflexiones desde los enfoques complementarios de seguridad humana, pública y nacional.

Abrimos esta edición desde un marco de **seguridad humana**. Guilherme De Araujo Grigoli aborda el imperativo ético y operativo de la **protección de civiles**; en un análisis comparativo vital para nuestra región, se argumenta que la legitimidad de organismos como la ONU o la OTAN no reside solo en sus mandatos escritos, sino en su capacidad para institucionalizar la protección humana en el terreno.

A continuación, nos adentramos en la **seguridad pública** y la lucha por el control institucional. Vinicius Alencar Moretto examina la anatomía de un **narco-estado**, ilustrando cómo la corrupción sistémica y el crimen organizado pueden capturar la soberanía y gobernar territorios enteros, con Venezuela como un caso de estudio crítico.

Ampliando el espectro hacia la **seguridad nacional** en el dominio invisible de la información y tecnología, Márcio Saldanha Walker expone la necesidad de que las potencias sudamericanas como **Argentina y Brasil** integren las Operaciones de Información en su estrategia nacional para no quedar vulnerables ante la competencia global moderna. Esta urgencia se hace tangible al observar nuestras **infraestructuras críticas**: un estudio por Zoraya Alas Candía, egresada del CID, sobre las **represas de Itaipú y Yacyretá** nos recuerda que un ciberataque contra estos gigantes energéticos no es ciencia ficción, sino un riesgo latente que podría paralizar economías enteras, lo que exige una ciberdiplomacia preventiva y robusta.

Mirando hacia el futuro de nuestras alianzas, vinculamos enfoques de **seguridad nacional y humana**. El texto de Kevin Spillman ofrece un análisis agudo sobre el cambio de postura de Estados Unidos respecto a la seguridad climática, advirtiendo que no priorizar el **cambio climático como amenaza** podría debilitar la confianza con socios regionales y ceder espacio estratégico a competidores globales.

Finalmente, cerramos retomando el debate sobre estrategias de seguridad pública. Los autores Mario de Jesús Molina Moncada, Gina María Sierra Zelaya y Luis Gerardo Reyes Flores analizan la **experiencia de Honduras**, donde la aplicación de estados de excepción ha logrado una reducción tangible de la criminalidad, lo que ha abierto un debate necesario sobre el equilibrio entre la "mano dura" y la sostenibilidad de la seguridad ciudadana a largo plazo.

Esta edición es una invitación a mirar más allá de la coyuntura inmediata y comprender las fuerzas profundas que mueven a nuestro hemisferio. Esperamos que estas investigaciones sirvan como herramientas valiosas para la toma de decisiones y el debate académico.

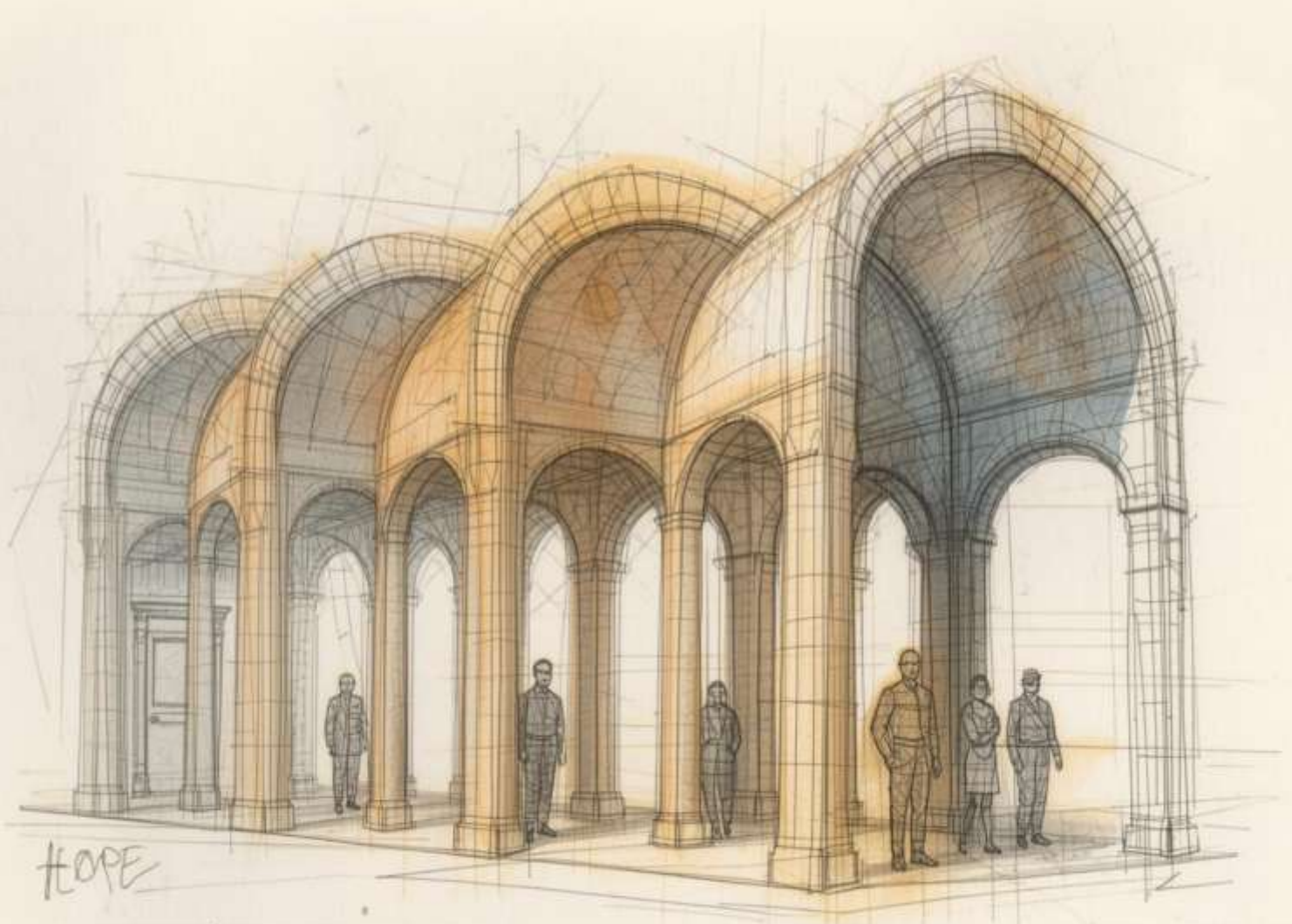
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PROTECTION OF CIVILIANS ACROSS INTERNATIONAL

**PROTECTION OF CIVILIANS ACROSS INTERNATIONAL
ORGANIZATIONS: MEASURING ROBUSTNESS AND DESIGNING A
HEMISPHERIC ADAPTATION**

Guilherme De Araujo Grigoli



PROTECTION OF CIVILIANS ACROSS INTERNATIONAL ORGANIZATIONS: MEASURING ROBUSTNESS AND DESIGNING A HEMISPHERIC ADAPTATION

Guilherme De Araujo Grigoli^a

ABSTRACT:

This article compares how the UN, NATO, EU, and AU conceptualize and implement the Protection of Civilians (PoC) through the lens of normative robustness. Based on constructivism, four dimensions are operationalized – validity claims, social acceptance, rule-based practice, and implementation – to assess convergences and forms of contestation among organizations. The method combines document review with a search protocol and a structured coding scheme. The findings point to a consolidation of the moral-legal imperative to protect civilians, but variations exist regarding thresholds for the use of force, collateral damage mitigation, mandate design, and learning mechanisms. The UN presents high normative density and mission-level guidelines; NATO emphasizes operationalization in planning and deployment; the EU mainstreams protection in CSDP instruments; and the AU incorporates PoC into regional operations, with heterogeneous capabilities. The conclusion draws implications for the Western Hemisphere such as training, interoperability, and civil-military coordination aiming to strengthen PoC as a norm.

KEYWORDS:

Protection of Civilians; UN; NATO; EU; AU

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INTRODUCTION

Protection of Civilians (PoC) has moved from scattered moral and legal intuitions to a cross-cutting expectation that shapes how contemporary operations are conceived and judged. It reflects a broad convergence around the idea that legitimacy, effectiveness and restraint are inseparable when force is used amidst populations. Civilian harm is no longer treated as a residual concern; it is central to political outcomes, mission credibility and long-term stability.¹

The roots of this expectation are older than the modern state. The Cyrus Cylinder is often cited as an antecedent of humane governance toward subject people. In the fifth century, St. Augustine articulated justum bellum criteria that sought to discipline violence by intent and authority. Early modern jurists such as Francisco de Vitoria and Hugo Grotius elaborated limits grounded in natural

environments where combatants and civilians intermix, authority is fragmented, and harm can result both from deliberate targeting and from the side-effects of necessary action. Urban warfare, the diffusion of precision and loitering munitions, the presence of non-state armed groups and private military actors, and the blurring of physical and cyber/info domain threats complicated distinction, proportionality and precaution. At the same time, global publics, media scrutiny and local constituencies conditioned the legitimacy of mandates on visible efforts to prevent, mitigate and respond to risks faced by civilians.³

In recent years, new challenges such as totalitarian regimes, religious extremism, and criminal organizations have pushed PoC beyond tactical considerations, requiring a political and systemic approach,⁴ Modern conflicts demand a multidimensional strategy to ensure PoC remains

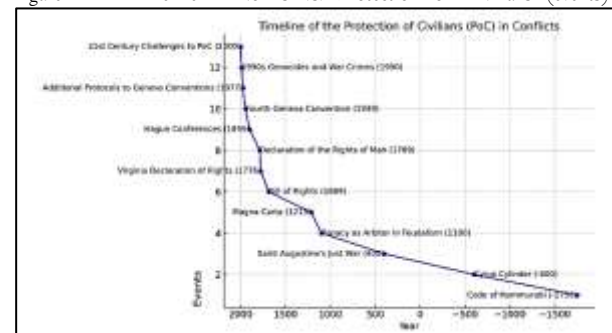
“Protection of Civilians (PoC) has moved from scattered moral and legal intuitions to a cross-cutting expectation that shapes how contemporary operations are conceived and judged”

law and the customs of war, while the Westphalian settlement consolidated state responsibility for the conduct of hostilities. Across the nineteenth and twentieth centuries, the codification of the Law of Armed Conflict, through the Hague Regulations and successive Geneva Conventions, progressively circumscribed the permissible use of force and strengthened protections for non-combatants. After 1945, the UN Charter’s constraints on the use of force, the Universal Declaration of Human Rights and the Fourth Geneva Convention entrenched a legal-moral baseline that would later inform explicit civilian-protection agendas.²

The post–Cold War era transformed these foundations into operational imperatives. Civil wars, fragile transitions and complex emergencies brought international and regional organizations to

effective and aligned with current realities, as shown in Figure I.

Figure I – Timeline - Norms vs. Protection of Civilians (events)



Source: The Authors based in UN Charter and post-1945 IHL/IHRL codification (Hague Regulations; Geneva Conventions); UN DPKO/DPO PoC policy series (2010/2015/2019/2023); NATO PoC Policy (2016) and Human Security materials (2024).

Within this landscape, PoC crystallized as a normative and practical commitment. It spans

¹ Carpenter, “Women, Children and Other Vulnerable Groups: Gender, Strategic Frames and the PoC as a Transnational Issue”.
² Guimarães, “A Construção Histórico-Sociológica dos Direitos Humanos”; Evans, “The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All”.

³ Cruz et al., “Improving Security of United Nations Peacekeepers: We Need to Change the Way We Are Doing Business - Cruz Report”.
⁴ Armiñon, “El concepto y el uso de la seguridad humana: análisis crítico de sus potencialidades y riesgos”.

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multiple layers: political signaling, legal framing, mission design, rules of engagement, targeting constraints, community engagement, early-warning, movement facilitation, safe-site management, accountability and learning architecture. Yet the content and emphasis of PoC vary across organizations: some privilege legal codification and mission guidance; others prioritize operational planning¹ and harm-mitigation tools; still others embed protection within wider crisis-management or regional peace-support arrangements². Such variation reveals that PoC's strength depends not only on formal texts but also on social recognition, conduct in practice and institutionalization over time.³

Comparing the United Nations (UN), the North Atlantic Treaty Organization (NATO), the European Union (EU) and the African Union (AU) is therefore analytically salient. These organizations differ in membership, instruments and action theaters, yet each has articulated commitments to protect civilians and has accumulated experience across diverse contexts.⁴ Examining convergences and divergences in justificatory frames, thresholds for the use of force, civilian-harm-mitigation measures, mandate design and review/learning mechanisms clarifies where PoC is most consolidated, where it is contested and which organizational features appear associated with greater resilience of the norm.

While our analytical lens is constructivist, the Protection of Civilians (PoC) is anchored in a positive-law framework that spans International Humanitarian Law (IHL) and International Human Rights Law (IHRL). In armed conflict, IHL's core principles—distinction, proportionality and precautions—constrain means and methods and prohibit attacks expected to cause excessive civilian harm relative to the anticipated military advantage; in parallel, IHRL continues to inform state conduct to the maximum extent compatible

with the exigencies of the situation. Contemporary organizational PoC policies and guidelines explicitly trace their legal bases to this IHL/IHRL dyad and to Security Council practice, which together shape mandate design, rules for the use of force and harm-mitigation repertoires.⁵

A comparative lens across UN, NATO, EU and AU is also instrumental for deriving policy-relevant insights for the Americas. Many hemispheric operating environments combine urban armed violence, disaster response, cyber-physical risks to essential services, cross-border pressures and mixed civil–military deployments. Translating lessons on justificatory frames, civilian-harm mitigation, mandate design and institutional learning into interoperable training standards, common terminology and coordination practices can strengthen PoC as a workable norm across the Hemisphere, while respecting diverse legal and organizational traditions.

METHODOLOGY

This study adopts a qualitative, document-based comparative design to examine how four organizations, the United Nations (UN), the North Atlantic Treaty Organization (NATO), the European Union (EU) and the African Union (AU), conceptualize and enact Protection of Civilians (PoC). The comparison is organized through a common analytical lens, namely normative robustness, which is here operationalized along four connected dimensions that bridge discourse and practice: validity claims, social acceptance, rule-consistent practice (compliance), and implementation through institutions and tools⁶ based on a model presented by Deitelhoff and Zimmermann. Similarities and differences across organizations are treated as tracing mechanisms that

¹ EU, "Council Joint Action 2007/677/CFSP on the European Union Military Operation in the Republic of Chad and in the Central African Republic; EU, "Concept on PoC (PoC) in EU-Led Military Operations".

² Oksamytna, Kseniya; Wilén, Nina, "Adoption, Adaptation or Chance? Inter-Organizational Diffusion of the Protection of Civilians Norm from the UN to the African Union"; Coning, "Peace Enforcement in Africa: Doctrinal Distinctions between the African Union and United Nations".

³ Guzzini, "Uma reconstrução do Construtivismo nas Relações Internacionais"; Deitelhoff and Zimmermann, "Defenses under Challenge: Unpacking the Dynamics of Defense Robustness"; Deitelhoff and

Zimmermann, "Things We Lost in the Fire: How different types of Contestation affect the robustness of international Defenses".

⁴ Dembinski and Schott, "Converging Around Global Defenses? PoC in African Union and European Union Peacekeeping in Africa; Carvalho and Stensland "The PoC in Peacekeeping in Africa: Context and Evolution".

⁵ Gilder, "The UN and the Protection of Civilians: Sustaining the Momentum."

⁶ Deitelhoff and Zimmermann, "Defenses under Challenge: Unpacking the Dynamics of Defense Robustness"; Deitelhoff and Zimmermann, "Things We Lost in the Fire: How different types of Contestation affect the robustness of international Defenses".

illuminate patterns of convergence and contestation along those dimensions.

The evidentiary corpus privileges primary organizational materials such as policies, doctrines, guidance documents, directives, mission and operation reports, communiqués, training standards, after-action reviews and lessons-learned notes complemented by authoritative peer-reviewed syntheses. For each organization, the corpus encompasses mandate-setting instruments and policy guidance at headquarters level, as well as mission- or operation-level documents that evidence how PoC is translated into planning, conduct and review.

The temporal scope runs from 2010 to 2025, with a final verification conducted in August 2025 to capture recent consolidations and updates. English is the working language throughout; Portuguese and Spanish sources are incorporated when official or substantively necessary, and French is used for AU/EU materials whenever English versions are unavailable. Foundational texts that predate the window are retained where indispensable to interpret current practice.

Searches were conducted in organizational repositories, such as the UN Digital Library and departmental policy pages, NATO standardization and policy portals, EUR-Lex and Council/EEAS repositories for the EU, and AU Peace and Security Council communiqués and PoC/PSO pages, as well as in academic databases including Scopus, Web of Science and relevant publisher platforms. Boolean strings combining the terms “Protection of Civilians” or “PoC” with policy, doctrine, guidance, planning, CSDP or PSO, and with each organization’s name or acronym, were adapted to each portal’s syntax.

Inclusion rested on three substantive conditions: the document must be an official primary instrument or a peer-reviewed synthesis directly addressing PoC; it must specify or illuminate mandates, tasks, planning and targeting constraints, civilian-harm-mitigation measures, or learning and review mechanisms; and it must fall within the temporal scope or be foundational to the interpretation of current practice. Media commentary without primary backing, superseded

versions where a consolidated update exists, and duplicates were excluded unless older versions were needed for process-tracing.

We translate the robustness construct into indicators and a 3-level ordinal scale (Low / Moderate / High) for each dimension. Each rating must be evidence-justified by at least one primary document plus, when useful, a secondary synthesis. Documentary evidence was coded deductively against the four dimensions and their indicators (DI–D4), using a three-level ordinal scale (Low/Moderate/High). For each cell, at least one primary instrument (policy, doctrine, mandate or guidance) and, where pertinent, one peer-reviewed synthesis was triangulated; discrepant signals were resolved in support of the most recent consolidated instrument, with justifications preserved in a coding log and pinpoint citations recorded in the matrix.

DI – Validity claims (justificatory frames)

Indicators: explicit moral-legal rationale for PoC; linkage to IHL/HRL; articulation in strategic/mandate-level texts.

Low: sporadic or implicit references; Moderate: explicit but narrow or context-bound; High: consistent, formalized rationale across core documents.

D2 – Social acceptance (recognition/uptake)

Indicators: endorsement by key stakeholders (member states, commands, component HQs); integration into training curricula; references by partner organizations.

Low: limited constituency; Moderate: recognized within select communities of practice; High: broad, recurring recognition in organizational format and partner dialogues.

D3 – Rule-consistent practice (compliance/behavior)

Indicators: translation into planning cycles (e.g., OPP/OPP-like), ROE/ROA constraints, targeting and CHM measures, tasking orders; presence of reporting PoC incidents/responses.

Low: ad hoc or incidental conduct; Moderate: partially embedded in planning/ROE/CHM; High: consistently embedded with feedback loops to operations.

D4 – Implementation (institutions/tools)

Indicators: dedicated policies/guides; institutional roles (PoC advisers/focal points); data systems;

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AAR/LL mechanisms; evaluation/review requirements.

Synthesis takes two complementary forms. A 4×4 matrix presents the cross-sectional ratings for organizations by dimension, each cell containing a one-sentence justification and a pinpoint citation. A narrative comparison then discusses, for each organization, the strongest and weakest dimensions and the mechanisms plausibly associated with those ratings – such as planning doctrine, civilian-harm-mitigation systems, mandate design and lessons-learned cycles – while noting where assessments hinge on context-specific mandates or mission-level variance.

Limitations arise from uneven public availability of doctrinal and planning materials – particularly where targeting and harm-mitigation

“Civilian harm is no longer treated as a residual concern; it is central to political outcomes, mission credibility and long-term stability”

guidance is not openly released –, from heterogeneity across missions and operations within each organization, from publication lags between policy change and online dissemination, and from language coverage where authoritative versions exist only in non-English languages. These constraints are mitigated by strict version control, source triangulation and explicit citation of the most recent accessible instruments. The research relies exclusively on publicly available documents and involves no human subjects, personal data or operationally sensitive information beyond what organizations have chosen to publish.

LITERATURE REVIEW ON THE CONCEPT OF POC AND THE CONSTRUCTS ESSENTIAL TO THE DEBATE

Situated within a constructivist understanding of international politics¹, this article treats Protection of Civilians (PoC) as a set of expectations whose meaning and force emerge from social practices and shared understandings rather than from material capabilities alone. Foundational constructivist work underscores that ideas and norms shape interests and behavior, providing action-guidance beyond instrumental calculation². In this register, PoC is best approached as a normative complex whose content and practical salience are historically contingent and socially produced.³

For analytical clarity, we adopt the tripartite view of norms as comprising: (i) a problem they purport to address; (ii) a declared value that gives them ideational direction; and (iii) prescriptions that orient behavior consistent with that value⁴. This framing enables us to identify the elements implicated when PoC is invoked, debated, or operationalized, and to distinguish disagreements about problems, values, or prescriptions in concrete settings.

Contemporary PoC governance unfolds amid **overlapping** temporal trajectories, social constituencies and issue domains, in which multiple organizations claim authority or act de facto within partially shared spaces. Such nesting and overlap complicate both conceptual consolidation and

¹ Critical perspectives have long interrogated the humanitarian field's entanglements with power and coloniality, cautioning that PoC/R2P framings may reproduce hierarchies or marginalize local agency. Recent contributions revisit these critiques in light of contemporary practice, including debates on decolonizing aid, the politics of humanitarian design and the localization agenda, and postcolonial readings of intervention and R2P. Actual articles to increase the debate: Clarke et al., “Decolonising humanitarian health,” *Conflict and Health* (2024); Keshavarz, “The obscured racialisation of humanitarian design,” *Third World Quarterly* (2025);

Khoury, “Power and humanitarian response in the Syrian war,” *World Development* (2024).

² Wendt, “Social Theory of International Politics”.

³ Guzzini, “Uma reconstrução do Construtivismo nas Relações Internacionais”; Tannenwald, “Ideas and Explanation: Advancing the Theoretical Agenda,” 15

⁴ Fehl, C.; Rosert, E., “It’s Complicated: A Conceptual Framework for Studying Relations and Interactions between International Defenses”.

practical coordination, a point long recognized in literature on regime complexity and norm interaction¹.

Because international norms are frequently ambiguous, and because heterogeneous audiences interpret them differently, implementation tends to proceed through contestation that clarifies, stretches, or reaffirms meaning in practice. In IR scholarship, contestation is not an aberration but a constitutive modality through which compliance is argued over and, paradoxically, sometimes strengthened².

Against this backdrop, we rely on the model presented by Deitelhoff and Zimmermann which defines the normative robustness model to structure the comparison. Robustness, in this usage, connects two overarching properties – validity (the breadth and resilience of social acceptance) and facticity (the extent to which a norm guides conduct) – and becomes tractable when unpacked into four linked dimensions that bridge discourse and practice³.

The model thus invites attention to justification, social uptake, rule-consistent behavior and the density of institutional implementation, allowing variation in PoC to be understood as a pattern rather than a puzzle. To study the robustness of norms, this article adopts the model by examining four dimensions, as presented in Figure 2.

Robustness is shaped by contestation in two analytically distinct registers. Application contestation targets how a norm should be used in contexts without disputing its core; validity contestation challenges that core itself. Distinguishing the two helps explain why PoC may be widely affirmed yet unevenly enacted across mandates and theaters. As developed in the contestation literature, this distinction links

everyday argumentative practice to the maintenance or erosion of a norm’s standing among relevant audiences⁴.

Wiener⁵ (2014) later emphasizes the need to advance the practice of contestation from merely highlighting legitimacy gaps to adopting a principle of contestation, which facilitates regular access to challenge norms and avoids legitimacy gaps. The goal is to move actors from negligence, denial, or disregard to a more explicit approach based on arbitration⁶, deliberation⁷, justification⁸ and containment^{9 10}.

Figure 2 – Assessing trends in norm robustness.

	Discourse-based Dimension		Practice-based Dimension	
	Concordance (acceptance in discussion and treaties)	Third-party reactions	Compliance	Implementation
Strengthening	High acceptance for the subset of legal norms; Highlighting number of ratifications, low number of opt-out clauses	Addresses almost universally sanction violations—discursively and/or practically	Compliance is (near) universal	High implementation on more than one level (eg, domestic, regional, international)
	Widespread acceptance for the subset of legal norms; Moderately rising number of ratifications, moderate number of reservations	Most addresses sanction violations—discursively and/or practically	Compliance is widespread	Moderate implementation on at least one level
	Rare acceptance for the subset of legal norms; Considerable number of reservations engage in interpretive widening	Addresses passively react to violations	Compliance is rare	Little implementation on any level
Weakening	No acceptance for the subset of legal norms; Low/ratifying number of ratifications, high number of opt-out clauses	Addresses appeal violations	Very little compliance	No implementation on any level

Source: Model presented by Deitelhoff & Zimmermann (2019; 2020).

In the specific case of PoC, the normative complex spans legal and customary elements and has diffused through international and regional organizations that differ markedly in membership, instruments and political economies. Regional bodies – most notably the African Union – have

¹ Alter and Meunier, “Nested and Overlapping Regimes in the Transatlantic Banana Trade Dispute”; Fehl, C.; Rosert, E., “It’s Complicated: A Conceptual Framework for Studying Relations and Interactions between International Defenses”.

² Wiener, “Contested Compliance: Interventions on the Defenseative Structure of World Politics”.

³ Deitelhoff and Zimmermann, “Defenses under Challenge: Unpacking the Dynamics of Defense Robustness”; Deitelhoff and Zimmermann, “Things We Lost in the Fire: How different types of contestation affect the robustness of international Defenses”; Wiener, “A Theory of Contestation”; Lenz and Söderbaum, “The origins of legitimation strategies in international organizations: agents, audiences and environments”.

⁴ Deitelhoff and Zimmermann, “Defenses under Challenge: Unpacking the Dynamics of Defense Robustness”; Deitelhoff and Zimmermann, “Things

We Lost in the Fire: How different types of contestation affect the robustness of international Defenses”; Wiener, “A Theory of Contestation”.

⁵ Wiener, “A Theory of Contestation”.

⁶ Arbitration is the legal way in which the pros and cons are evaluated as part of a legal process.

⁷ Deliberation is most likely identified as the political mode, where transnational regimes deal with rules and regulations.

⁸ Justification is the moral way in which the principles of right and wrong are questioned.

⁹ Containment reflects the social way in which rules are critically engaged in non-formal settings.

¹⁰ Zähringer, “Taking Stock of Theories around Defense Contestation: A Conceptual Re-Examining of the Evolution of the Responsibility to Protect”.

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become salient arenas for defining and operationalizing civilian-protection tasks, while international organizations function as spaces of identity formation and norm diffusion, where states internalize shared ideas about protection as part of their security practices¹.

Recent comparative work reinforces these points by showing both convergence around a moral-legal imperative to protect and persistent divergences in thresholds for the use of force, harm-mitigation tools, mandate design and learning architectures. Such findings motivate an organization-sensitive account of PoC's robustness that treats similarities as family resemblances rather than strict equivalences across the UN, NATO, EU and AU.

COMPARISON OF THE ACTUAL CONCEPT OF POC FROM THE PERSPECTIVE OF THE MAIN INTERNATIONAL ORGANIZATIONS

Read through the four dimensions of normative robustness – validity claims, social acceptance, rule-consistent practice, and implementation density – the United Nations (UN), the North Atlantic Treaty Organization (NATO), the European Union (EU) and the African Union (AU) exhibit a recognizable family resemblance around the moral-legal imperative to protect civilians, while maintaining distinctive profiles in the way they justify, internalize, enact and institutionalize Protection of Civilians (PoC). The comparative picture that emerges confirms convergence in core principles alongside persistent divergence in thresholds for the use of force, the embedding of civilian-harm mitigation (CHM) in planning and conduct, and the maturity of review and learning architectures. These patterns are consistent with recent comparative insights on multilateral practice².

The UN trajectory shows a stepwise consolidation from the *Operational Concept* of 2010³ to successive *Policies* in 2015⁴, 2019⁵ and 2023⁶. Across these iterations, justificatory frames increasingly foreground the host state's primary responsibility while authorizing missions, within capacities and mandates, to employ "all necessary means, up to and including deadly force" to prevent or respond to threats against civilians⁷. Mission-level guidance emphasizes integrated action by civilian, police and military components and the articulation of PoC strategies and directives that translate mandate language into operational tasks. This combination anchors high validity (clear legal-moral grounding), sustained social uptake across UN components, and high implementation density through mission strategies, even as compliance necessarily varies with mandate design, posture, and local threat environments. The literature on UN component integration corroborates the centrality of whole-of-mission arrangements to sustain PoC effects in practice⁸.

NATO crystallized its approach with the 2016 *Policy for the Protection of Civilians* and subsequent implementation guidance⁹. The policy frames PoC as encompassing all efforts to avoid, minimize and mitigate adverse effects of NATO and NATO-led operations on civilians and, where applicable, to protect civilians from violence by other actors through the establishment of a safe and secure environment¹⁰. The emphasis on operational planning, targeting constraints and CHM methods yields a comparatively strong compliance profile, while institutionalization has advanced through guidance and engagement but remains uneven across the breadth of activities and partner contexts¹¹. This profile reflects high validity and acceptance among Allies, robust practice in planning and conduct, and implementation density that is improving but still contingent on the functional area.

¹ Dembinski and Schott, "Converging Around Global Defenses? PoC in African Union and European Union Peacekeeping in Africa; Carvalho and Stensland "The PoC in Peacekeeping in Africa: Context and Evolution."; Oksamytna, Kseniya; Wilén, Nina, "Adoption, Adaptation or Chance? Inter-Organizational Diffusion of the Protection of Civilians Norm from the UN to the African Union".

² IPI. "Protection of Civilians in Partnership Peacekeeping"

³ UN DPKO, "Operational Concept on the PoC in United Nations Peacekeeping Operations", 10.

⁴ UN DPKO, "Policy - The PoC in United Nations Peacekeeping", 5.

⁵ UN DPO, "Policy for The PoC in United Nations Peacekeeping", 6.

⁶ UN DPO, "Policy for The PoC in United Nations Peacekeeping", 6.

⁷ UN DPO, "Policy for The PoC in United Nations Peacekeeping", 6. UN DPO, "Policy for The PoC in United Nations Peacekeeping", 6.

⁸ Weir, "The Integration of Civilian, Military, and Police Components in Peace Operations: Lessons from the UN Experience"

⁹ NATO, "NATO Policy for the Protection of Civilians"; "Preparing to Protect: Advice on Implementing NATO's Protection of Civilians Policy".

¹⁰ NATO, "NATO Policy for the Protection of Civilians".

¹¹ NATO, "NATO Policy for the Protection of Civilians"; "Preparing to Protect: Advice on Implementing NATO's Protection of Civilians Policy".

Within the EU's Common Security and Defence Policy (CSDP), PoC has been treated as crosscutting to executive and non-executive missions and operations, with substantive alignment to the IASC understanding of protection as securing full respect for rights under IHL, HRL and refugee law¹. The case of EUFOR Chad/CAR under UNSC Resolution 1778 illustrates how PoC considerations were embedded in mission design and conduct in an executive posture, whereas advisory or monitoring mandates have tended to mainstream PoC through planning and liaison rather than through direct protective use of force². Taken together, these features indicate moderate-to-high validity and acceptance, variable compliance conditioned by mandate type, and implementation density that has grown through concepts and mission practice without a single canonical definition.

The AU articulates PoC through its Constitutive Act-derived commitments and draft guidelines developed since 2012, embedding the protection of civilians within peace-support operations and linking it to regional human-rights instruments³. Mission experience – particularly AMISOM and its successor ATMIS – has included proactive authorizations to use force under Chapter VII-based UN Security Council resolutions and AU Peace and Security Council decisions, combining the protection of civilians and humanitarian actors with operations designed to reduce the threat posed by Al-Shabaab; these mandates expressly authorize the use of “all necessary measures,” including jointly planned and targeted operations, to create conditions for civilian security and humanitarian assistance⁴.

Two implications arise from these organization-specific discussions. First, thresholds for the use of force constitute the sharpest line of divergence: the UN codifies “all necessary means” within mission capabilities and mandates; AU practice has at times authorized proactive measures to forestall anticipated attacks; NATO integrates protection effects into planning while calibrating

action through targeting and CHM constraints; the EU differentiates between executive and non-executive postures for translating PoC into operational design. Second, differences in institutional architecture – advisers and focal points, guidance suites, reporting channels, and learning loops – largely explain why acceptance can be high while implementation density and compliance remain uneven across theaters. Both observations are borne out in the policy corpus and in comparative syntheses.

Expanding the cross-cutting analysis clarifies additional regularities. There is a strong correlation between the maturity of review and learning mechanisms and the stability of implementation arrangements: where mission-level strategies and directives are complemented by documented after-action reviews and codified lessons-learned products, practice exhibits greater consistency over time; where such architectures are thin, implementation tends to be reactive and episodic. Whole-of-mission integration of civilian, police and military components is a necessary (though not sufficient) condition for translating mandate language into coordinated tasking, a point highlighted by the UN's repeated insistence on integrated PoC strategies and by practitioner literature on UN peacekeeping integration⁵. Conversely, organizations that rely more heavily on targeted planning tools and CHM methods tend to demonstrate higher practice coherence at the tactical and operational levels, albeit sometimes with slower diffusion into broader institutional structures. Inter-organizational diffusion – especially across overlapping memberships – continues to drive convergence in justificatory frames and vocabulary without erasing differences in instruments and mandate authorities, which sustains diversity in compliance and implementation profiles.

A further transversal point concerns the relationship between host-state responsibility clauses and operational authority. UN policy language that emphasizes acting “without prejudice to the primary responsibility of the host state”

¹ IASC. “Protection: Definition and Guidance Overview”;

² Churrua “EUFOR Chad / CAR Mission on the PoC: A Distinctive EU Way to Peace Operations”; EU, “Guidelines on the Protection of Civilians in CSDP Missions and Operations (ST 17488/10)”; UNSC, “Resolution 1778 - Adopted by the Security Council at its 5748th meeting.”

³ AU, “African Peace and Security Architecture”; “Draft Guidelines for the PoC in African Union Peace Support Operations”.

⁴ UNSC, “Resolution 1744”; “Resolution 2628”; AUPSC, “Communiqué of the 69th meeting of the PSC”.

⁵ Weir, “The Integration of Civilian, Military, and Police Components in Peace Operations: Lessons from the UN Experience”

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coexists with authorizations to use all necessary means in the face of imminent threats, requiring missions to calibrate protective action in ways that maintain host-state consent while delivering timely protection effects. NATO’s formulation, by contrast, places systematic weight on anticipating and mitigating harm produced by its own actions as well as by third parties in its area of operations, aligning planning and targeting with CHM logics; EU instruments have historically translated PoC through mandate design and planning in executive missions, with non-executive activities leaning on liaison and mainstreaming; AU missions have balanced proactive authorizations with constraints emanating from capabilities and complex operating environments. These contrasts map closely onto the four-dimension robustness lens and explain why organizations may rate similarly on validity and acceptance yet diverge on compliance and implementation.

The final transversal observation concerns the

“PoC’s strength depends not only on formal texts but also on social recognition, conduct in practice and institutionalization over time”

role of guidance suites and focal-point systems in sustaining institutional memory. Where policies are accompanied by clear implementation updates, designated advisers, and routinized reporting, the institutionalization of PoC exhibits durability and supports iterative improvement; where such elements are partial or uneven, organizations remain dependent on individual missions or commands to sustain practice. The documentary record indicates that the UN and NATO have progressively consolidated such features, the EU has expanded mainstreaming across CSDP practice while preserving mandate-type differentiation, and the AU has formalized guidelines while navigating resource-driven heterogeneity at the mission level¹. In line with the ordinal scale defined earlier (Low / Moderate / High), the table below presents organization-by-dimension ratings derived from the foregoing analysis. Each rating corresponds to

documentary evidence cited in this section and should be retained as part of the results display.

Table I – Organization-by-dimension ratings

Organization	Validity (justificatory claims)	Social acceptance (recognition/uptake)	Rule-consistent practice (compliance)	Implementation (institutions/ tools)
UN	High	High	Moderate-High	High
NATO	High	High	High	Moderate-High
EU	Moderate-High	Moderate-High	Moderate	Moderate
AU	High	High	Moderate	Moderate

Source: The authors based on comparative syntheses cited in the text.

The ratings for the UN reflect explicit policy authorizations and integrated mission-level guidance; NATO’s profile emphasizes planning, targeting and CHM methods; the EU’s profile captures mandate-conditioned variation between executive and non-executive postures alongside alignment with IASC notions of protection; the AU’s profile combines strong regional commitments with heterogeneous implementation across theaters. The sources supporting these judgements are the UN PoC policy series

(2010/2015/2019/2023), NATO’s 2016 policy and subsequent implementation material, EU CSDP practice as illustrated by EUFOR Chad/CAR and definitional alignment to IASC, and AU guidelines and AMISOM/ATMIS practice.

IMPLICATIONS FOR THE WESTERN HEMISPHERE.

Strengthening Protection of Civilians (PoC) in the Western Hemisphere is best pursued through institutions that already convene defense, public-security and civil-protection communities – principally the Organization of American States (OAS) and its technical arms, including the Inter-American Defense Board (IADB) and the Inter-

¹ UN DPO, “Policy for The PoC in United Nations Peacekeeping,” 6; NATO, “Preparing to Protect: Advice on Implementing NATO’s Protection of Civilians Policy”; CSDN, “PoC: Key International Debates and the Role

of the EU”; EU, “Concept on PoC (PoC) in EU-Led Military Operations”; AU, “Draft Guidelines for the PoC in African Union Peace Support Operations”.

American Defense College (IADC). Read considering the comparative findings, three levers recur across settings in the Americas: a common justificatory baseline that travels across audiences; constituency-building through integrated doctrine and training; and rule-consistent conduct in dense urban theaters backed by durable implementation architectures. Substantive alignment with the Inter-Agency Standing Committee's understanding of protection – as securing full respect for individuals' rights under IHL, HRL and refugee law – offers a workable definitional anchor for mandates, plans and public communication in the Hemisphere and facilitates coordination with humanitarian counterparts (see Table 2, Validity).

The first avenue for adoption is the recalibration of justificatory language in hemispheric instruments. UN policy wording that requires action “without prejudice to the primary responsibility of the host state” while preserving the authority to employ “all necessary means” within the mandate provides a template that both affirms state primacy and enables timely protective action against imminent threats¹. Transposed into OAS-endorsed guidance, this formula reduces political contestation over perceived over-reach and clarifies for operational commands how protection authority coexists with host-state consent. In practice, such language belongs not only in high-level mandates but also in planning directives, legal annexes and public information lines of effort (see Table 2, Validity).

A second avenue is constituency-building through integrated doctrine and training. Comparative experience shows that whole-of-mission arrangements – mission-wide PoC strategies, component-specific task matrices and common reporting cadences – are practical enablers of robust protection rather than administrative preferences. The IADB/IADC ecosystem can translate those lessons into joint curricula and operational playbooks designed for mixed deployments across the Americas, ensuring that civilian, police and military components co-own planning, tasking and

reporting cycles². Practitioner analyses of UN peacekeeping underline that institutionalized integration sustains protection effects beyond episodic initiatives, a finding directly applicable to OAS-facilitated exercises and refresher modules³ (see Table 2, Social acceptance).

A third avenue concerns rule-consistent conduct in urban and peri-urban theaters. CHM repertoires – weapon-selection constraints, collateral-damage estimation (CDE) methods, no-strike lists and tactical directives constraining the use of explosive weapons with wide-area effects near concentrations of civilians – reduce incidental harm and protect mission legitimacy⁴. The evidence based on risks posed by such weapons in populated areas supports early integration of CHM into planning and the routinization of incident reporting capable of triggering rapid adjustments in conduct. NATO's experience with tactical directives shows how to operationalize these repertoires; regionally adapted limits and procedures, socialized via OAS/IADB training and legal guidance, would raise baseline performance across the Hemisphere without importing institutional templates wholesale⁵ (see Table 2, Rule-consistent practice).

Implementation durability requires architectures that outlive rotations and political cycles. Where advisers or focal points have clear remits, reporting lines are routine, and after-action reviews (AAR) and lessons-learned products are mandated and circulated, protection outcomes improve and learning loops become self-reinforcing. The UN policy series demonstrates how repeated codification and mission-level guidance can create enabling conditions; an OAS-centered approach can scale this logic by promulgating minimalist reporting formats, sequencing joint scenario-based exercises (urban crisis; disaster response with security externalities; cyber-physical disruption) and issuing periodic protection summaries aggregating national inputs for decision-makers. Comparative work on multilateral practice suggests that overlapping memberships and institutional borrowing can be harnessed to align justificatory

¹ UN DPO, “Policy for The PoC in United Nations Peacekeeping,” 6.

² OAS, “Statutes of the Inter-American Defense Board (AG/RES. I (XXXII-E/06));” (IADC). “Regulation of the Inter-American Defense College”.

³ UN DPO, “Protection of Civilians (POC) — Implementing Guidelines for the Military Component”, “The Future of United Nations Peace Operations — Issue Paper Compendium”.

⁴ UNODA, “Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas”.

⁵ NATO. “AJP-3.19 Allied Joint Doctrine for Civil-Military Cooperation (CIMIC);” “NATO Policy for the Protection of Civilians”; OAS. “Annual Report 2023 of the Inter-American Defense Board (CP/49506)”.

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frames and vocabulary while preserving diversity in instruments and authorities – an alignment task well suited to OAS fora¹ (see Table 2, Implementation).

Several initiatives can carry these levers into practice. Adopted models include the UN PoC policy series and mission-wide integration practices that can be adapted to inter-American guidance notes and training syllabi, as well as NATO-style tactical directives constraining effects near civilians, which can inform doctrinal limits in urban policing-military coordination. In progress, the IADC’s curricular capacity and the IADB’s doctrine/lessons-learned cells are natural hubs for a hemispheric PoC module that couples legal framing with CHM repertoires and incident reporting. Prospectively, an OAS-endorsed “PoC guidance note” could fix common terminology, minimum mitigation standards and reporting baselines; a lightweight, region-wide incident-reporting schema could standardize data across agencies; and a semi-annual “hemispheric protection summary” could consolidate trends to inform training calendars and planning assumptions. These initiatives are consistent with the definitional anchor provided by IASC, the prudential case for EWIPA constraints, and the codification/learning logic present in UN guidance.

In Haiti, where stabilization efforts confront fragmented armed actors and dense urban terrain, a PoC package anchored in host-state primacy and necessary-means authority would clarify the legal-moral space for action while preserving consent. Integrated training lines – co-owned by Haitian authorities and hemispheric partners – would translate that framing into tasking and reporting for mixed police–military deployments. CHM repertoires would prioritize restrictions on explosive effects near civilians, CDE routines proportionate to the threat environment, and incident-reporting drills enabling rapid tactical adjustments. The UN policy series provides the codification logic for such architecture; practitioner work on UN integration supports the need for whole-of-mission arrangements to sustain

protection effects in Port-au-Prince’s dense neighborhoods² (see Table 2, Social acceptance; Rule-consistent practice).

In the Venezuelan humanitarian crisis, where mass displacement generates cross-border protection needs, a non-executive, coordination-heavy translation of PoC is indicated. A shared working definition aligned with IASC would stabilize vocabulary across border agencies, police, civil-protection bodies and humanitarian actors. Minimalist incident-reporting mechanisms would document protection-relevant events – attacks on migrants, obstruction of humanitarian assistance, disruption of essential services – feeding joint planning and review cycles. Training calendars could prioritize cross-border liaison procedures, safe-movement corridor design and information-sharing triggers. The prudential case for constraining area-effect munitions remains salient for contingency planning in populated corridors; meanwhile, UN-style codification of roles and reporting would enhance predictability and social acceptance on both sides of borders³ (see Table 2, Validity; Implementation).

Table 2 – Hemispheric Adaptation Matrix (OAS-integrated)

Robustness dimension	Concrete action lines (Hemisphere)	Proposed lead institutions (OAS & partners)	Example indicators (minimum set)	Illustrative hemispheric practices (adopted / in progress / prospective)
Validity (justificatory framing)	Fix a common PoC definition aligned with IASC; merge UN host-state/all necessary means UN mandates, OPLANs and legal annexes, standardize public-communication phrasing.	OAS General Secretariat (legal & security branches); Ministers of Foreign Affairs/Justice; IADB legal cell; national legal advisers.	OAS guidance note issued; % plus citing state/necessary-means clauses; public communications using harmonized phrasing.	Adopted: UN PoC policy series as template. In progress: IADC legal/operational modules. Prospective: OAS “PoC guidance note” fixing terminology and legal language.
Social acceptance (constituency & training)	Institutionalize whole-of-mission planning/reporting; embed PoC modules in joint curricula; appoint PoC focal points across civilian, police and military components; convene OAS humanitarian dialogue.	IADB/IADC; national joint staff colleges; police academies; humanitarian coordination cells.	# personnel trained/quarter; # organizations with PoC focal points; % operations with integrated PoC annex and shared reporting cadence.	Adopted: UN integration practices. In progress: IADC joint PoC course. Prospective: OAS yearly PoC exercise series (urban crisis / disaster response / cyber-physical disruption).
Rule-consistent practice (compliance)	Mainstream CHM repertoires (targeting constraints, CDE, no-strike lists); issue tactical directives limiting EWIPA near civilians; standardize incident reporting with rapid-adjustment drills.	Defense/general staffs; OAS security branch; operational commands; legal advisers/oversight offices.	% ops with CDE documented; # tactical directives issued/updated; median time incident–initial report; % incidents with mitigation follow-up.	Adopted: NATO-style tactical directives; ICRC EWIPA guidelines. In progress: IADC CHM SOP at IADB doctrine cell. Prospective: OAS incident-reporting schema for police/civil-protection.
Implementation (institutions/tools)	Issue standing guidance suites; assign advisers/focal points; mandate AAR and lessons-learned notes.	OAS/IADB doctrine & lessons-learned cells; national policy.	# guidance updates/year; % operations with AAR ≤30 days; # lessons.	Adopted: UN codification and operations-level guidance. In progress:

Source: The Authors

Abbreviations: IASC = Inter-Agency Standing Committee; IADB = Inter-American Defense Board; IADC = Inter-American Defense College; PoC = Protection of Civilians; CHM = Civilian-Harm Mitigation; CDE = Collateral-Damage Estimation; EWIPA = Explosive Weapons in Populated Areas; AAR = After-Action Review.

¹ IACHR/CIDH. “Report on Citizen Security and Human Rights (OEA/Ser.L/V/II)”; Oksamytna, Kseniya; Wilén, Nina, “Adoption, Adaptation or Chance? Inter-Organizational Diffusion of the Protection of Civilians Norm from the UN to the African Union”

² UNSC, “Resolution 2699”; BINUH/OHCHR, “Quarterly Report on the Human Rights Situation in Haiti: October–December 2024”; OHCHR,

“Situation of human rights in Haiti — Report of the United Nations High Commissioner for Human Rights”.

³ R4V. “Movements Report: First Quarter 2025”; R4V/UNHCR. “Refugees and Migrants from Venezuela — Figures”.

MAIN CONCLUSIONS ABOUT THE POC NORMATIVE COMPARISON

This article argued that Protection of Civilians (PoC) travels across organizations as a normative complex whose robustness turns on the coherence of justificatory frames, the breadth of social acceptance, the regularity of rule-consistent practice and the density of implementation arrangements. Read through that lens, the trajectories of the United Nations (UN), the North Atlantic Treaty Organization (NATO), the European Union (EU) and the African Union (AU) display a recognizable family resemblance anchored in a moral-legal imperative to protect, while preserving distinctive profiles that follow from their mandates, instruments and theaters of action. The comparative analysis has shown durable convergence on baseline commitments together with patterned divergence in thresholds for the use of force, CHM repertoires and the maturity of review and learning architectures¹.

Two contributions stand out. First, the

“Protecting civilians matters”

robustness framework affords an integrated way to connect texts to conduct, avoiding both purely doctrinal readings and purely operational inventories. By tying justificatory claims to evidence of uptake, behavior and institutionalization, the approach clarifies where PoC is consolidated and where it remains contingent. UN policy’s articulation of action “without prejudice to the primary responsibility of the host state” together with authority to use “all necessary means” within mandate and capabilities has proved consequential for calibrating legitimate, timely protection effects in complex settings². Second, a focus on implementation density draws attention to enabling architectures, advisers and focal points, mission-wide strategies and directives, routinized reporting, and lessons-learned products, whose presence correlates with more stable protection performance over time. Practitioner analyses of whole-of-mission

integration reinforce this link between form and function³.

The translation of these findings to the Western Hemisphere underscored the value of a shared definitional baseline aligned with the Inter-Agency Standing Committee (IASC) understanding of protection. Such alignment reduces lexical fragmentation across defense, public-security and civil-protection institutions and facilitates coordination with humanitarian actors. In urban and peri-urban theaters typical of the region, a prudential approach to explosive weapons with wide-area effects – bounded by tactical directives, weapon-selection constraints and CDE – emerges as both a legal expectation and a political necessity for sustaining legitimacy⁴.

At the organizational level, the analysis highlighted how overlapping memberships and inter-organizational exchange generate diffusion without erasing necessary differentiation. This has practical implications for hemispheric governance: regional venues can be used to align justificatory

frames and vocabulary while preserving mandate-specific instruments. The OAS/IADB/IADC ecosystem offers a natural scaffold for doctrine, training and data standards capable of carrying UN- and NATO-derived good practice into inter-American settings without importing institutional templates wholesale. The Hemispheric Adaptation Matrix (Table 2) distilled these lines of effort into concrete action lines – terminology and legal framing; constituency-building and training; CHM/targeting/incident reporting; and advisers/focal points/lessons-learned – with proposed lead institutions and minimum indicators. If useful to readers, a compact visual summary of this matrix could be added; otherwise, the discursive treatment herein is sufficient for publication.

The illustrative applications to Haiti and to the Venezuelan humanitarian crisis were chosen to

¹ IPI. “Protection of Civilians in Partnership Peacekeeping”

² UN DPKO, “Operational Concept on the PoC in United Nations Peacekeeping Operations,” 10; UN DPO, “Policy for The PoC in United Nations Peacekeeping”, 6. UN DPO, “Policy for The PoC in United Nations Peacekeeping,” 6.

³ Weir, “The Integration of Civilian, Military, and Police Components in Peace Operations: Lessons from the UN Experience”

⁴ IASC. “Protection: Definition and Guidance Overview.”; ICRC. “Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas.”; NATO. “Preparing to Protect: Advice on Implementing NATO’s Protection of Civilians Policy.”.

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show how a single set of principles adapts to executive and non-executive contexts. In Haiti, where stabilization efforts confront fragmented armed actors in dense urban terrain, the host-state/necessary-means pairing clarifies the legal-moral space for action while preserving consent; integrated planning and CHM repertoires raise the probability of timely, legitimate protective effects in Port-au-Prince's neighborhoods¹. In the Venezuelan displacement emergency, a coordination-heavy translation of PoC – common terminology, minimalist incident reporting and cross-border liaison procedures – can stabilize expectations and improve review cycles without relying on coercive authority².

Limitations should be acknowledged. Public availability of planning and targeting guidance is uneven; mission-level heterogeneity persists within each organization; and publication lags may obscure recent adjustments. These constraints were mitigated by version control, triangulation and preference for consolidated instruments, but they nonetheless bound the generality of some claims.

Future work can deepen measurement, linking incident registers to planning decisions and public reporting; map mission-level variance within organizations more finely and evaluate interoperability gains from harmonized terminology and CHM repertoires in hemispheric exercises³. Each strand speaks directly to the review and learning architectures that, in our comparison, distinguish settings where PoC has become practice rather than promise⁴.

In sum, the article proposes a way of seeing PoC that preserves its normative core while making its practice tractable. By holding together validity, acceptance, compliance and implementation, the framework makes visible the institutional work through which protection becomes actionable. Comparative evidence suggests that this work is cumulative and teachable. In the Americas, where

complex emergencies sit at the intersection of public security, defense and civil protection, that conclusion invites a practical agenda: consolidate language, train together, constrain effects near civilians, and learn systematically – the four moves captured in Table 2 – thereby converting shared commitments into repeatable protection outcomes.

¹ UN DPKO, "Operational Concept on the PoC in United Nations Peacekeeping Operations", 10; UN DPO, "Policy for The PoC in United Nations Peacekeeping", 6. UN DPO, "Policy for The PoC in United Nations Peacekeeping", 6; Weir, "The Integration of Civilian, Military, and Police Components in Peace Operations: Lessons from the UN Experience"; ICRC. The applicability of international humanitarian law to modern conflicts."

² IASC. "Protection: Definition and Guidance Overview."

³ UN DPO, "The Future of United Nations Peace Operations — Issue Paper Compendium"

⁴ UN DPKO, "Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations", 10; UN DPO, "Policy for the Protection of Civilians in United Nations Peacekeeping", 6; UN DPO, "Policy for the Protection of Civilians in United Nations Peacekeeping.", 6; Weir, "The Integration of Civilian, Military, and Police Components in Peace Operations: Lessons from the UN Experience"; ICRC. The applicability of international humanitarian law to modern conflicts."

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A CONSTRUÇÃO DE UM NARCO-ESTADO: INSEGURANÇA JURÍDICA, CORRUPÇÃO E CRIME ORGANIZADO

Vinicius Alencar Moretto



A CONSTRUÇÃO DE UM NARCO-ESTADO: INSEGURANÇA JURÍDICA, CORRUPÇÃO E CRIME ORGANIZADO.

Vinicius Alencar Moretto^a

ABSTRACT:

The consolidation of narco-states can be understood through the intersection of weak rule of law, systemic corruption, and the strengthening of organized crime networks. Institutional capture and territorial governance—manifested through practices such as extortion, drug trafficking, and money laundering—demonstrate the power of these organizations, which are capable of undermining state sovereignty and democratic functionality. In Latin America, certain countries reveal a dynamic interplay between transnational organized crime and the political sphere, particularly through corruption that permeates individuals as well as public and private institutions, enabling the establishment of parallel powers. In this context, the rule of law is a central element for safeguarding society and the democratic order. Confronting organized crime requires integrated actions of repression, prevention, and governance strengthening, with a multidimensional approach that underscores the importance of international cooperation in the face of transnational challenges.

KEYWORDS:

Narco-state, rule of law, state capture, territorial governance, and organized crime.

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INTRODUÇÃO

A crescente intersecção entre redes criminosas transnacionais e estruturas estatais em determinados países revela uma transformação institucional alarmante: o surgimento do narco-estado. Esse fenômeno caracteriza-se pela captura parcial ou total do aparato estatal por redes de narcotráfico, de modo que o Estado não apenas falha em combater o tráfico, mas frequentemente atua como seu facilitador ou beneficiário.

A insegurança jurídica, a corrupção e o crime organizado são fatores interligados que contribuem para o enfraquecimento das estruturas estatais e a fragilidade das instituições. A insegurança jurídica, caracterizada pela instabilidade e pela ineficiência na aplicação da lei, cria um ambiente propício para o avanço de atividades criminosas. A corrupção, por sua vez, permeia as instituições e facilita a atuação de redes criminosas, comprometendo a integridade

O domínio territorial ilegítimo tem implicações graves que impactam as sociedades, uma vez que o controle do espaço geográfico por organizações criminosas permite que os diversos ramos da economia ilícita (tráfico de drogas, de armas, mineração ilegal, lavagem de dinheiro, extorsão social de serviços públicos e privados, etc.) sejam explorados de tal maneira que ameçam a soberania estatal.

Para enfrentar estes problemas é necessária uma abordagem multidimensional que inclua, prioritariamente, o fortalecimento da cooperação internacional por meio de acordos multilaterais e do compartilhamento de inteligência para desarticular redes ilícitas transnacionais. É imprescindível restabelecer também a presença efetiva do Estado em territórios dominados ou vulneráveis, visando restaurar a autoridade estatal e reduzir a influência de grupos ilícitos. Além disso, é muito relevante

“A insegurança jurídica, a corrupção e o crime organizado são fatores interligados que contribuem para o enfraquecimento das estruturas estatais”

dos processos decisórios. Juntos, esses fatores favorecem a expansão do crime organizado, que, ao se infiltrar nas esferas políticas e econômicas, mina a capacidade do Estado de garantir a segurança e a ordem.

Um narco-estado caracteriza-se pela centralidade do crime organizado, em especial do narcotráfico, na configuração das esferas política, econômica e social. Essa condição é marcada pela integração, formal ou informal, entre instituições governamentais e redes criminosas, resultando em altos níveis de comprometimento político por meio de instituições corrompidas, aparelhadas e ineficientes. O colapso da segurança pública e a fragilização da governança tornam-se consequências inevitáveis desse processo.¹

incentivar ações de transparência e boas práticas na gestão pública mitigando os efeitos danosos que a corrupção exerce nas nos indivíduos, nas instituições e no meio político.

O FENÔMENO DOS NARCO-ESTADOS.

Em estados criminalizados setores significativos tornam-se participantes ativos e facilitadores do crime organizado transnacional. No contexto da América Latina, a Venezuela apresenta-se como um exemplo de Estado criminalizado. Elementos das Forças Armadas, da Polícia Nacional, da inteligência e da liderança política estão profundamente envolvidos no tráfico de drogas, de armas e na lavagem de dinheiro.²

¹ Kenny Pérez, *Narcoestado* (Bolívia: Ediciones Cesar, 2020), 20.

² Douglas Farah, *Transnational Organized Crime, Terrorism, and Criminalized States in Latin America: An Emerging Tier-One National Security Priority* (Carlisle, PA: U.S. Army War College Press, 2012), 2-7.

A CONSTRUÇÃO DE UM NARCO-ESTADO: INSEGURANÇA JURÍDICA, CORRUPÇÃO E CRIME ORGANIZADO

O fenômeno dos narco-estados encontra terreno fértil em outras nações do continente americano, como foi já ocorrido na Colômbia,¹ e como é o caso do México e Haiti, estes últimos por motivos e características diferentes, embora possuam a convergência de históricos marcados por instituições frágeis ou capturadas, corrupção sistêmica e a erosão da legitimidade do Estado, tanto perante a sociedade quanto nas relações internacionais. A infiltração de organizações criminosas transnacionais, altamente estruturadas, aproveita essas brechas, comprometendo ainda mais a governança. A natureza evolutiva da criminalidade organizada está diretamente relacionada aos recursos que ela gera, ao capital humano que mobiliza e à quase ilimitada capacidade de adaptação dos agentes criminosos a diferentes contextos sociais, institucionais e econômicos.²

As principais características de um Estado profundamente comprometido com o crime organizado, especialmente em sua vertente ligada ao narcotráfico, podem ser observadas em quatro dimensões interdependentes. A primeira delas é a captura institucional, processo pelo qual instituições públicas são cooptadas por atores ligados às economias ilícitas, comprometendo sua imparcialidade e funcionalidade. Nesse contexto, agentes de segurança, membros do Judiciário e representantes políticos passam a colaborar, direta ou indiretamente, com estruturas criminosas, favorecendo a impunidade por meio de práticas de corrupção e suborno. A corrupção sistêmica, sobretudo quando enraizada nos altos escalões burocráticos e políticos, torna-se elemento estruturante da consolidação do crime organizado.³

Em segundo lugar, observa-se a debilitação da lei e da ordem, caracterizada pela erosão das capacidades estatais de aplicação efetiva da legislação. Em vez de atuar no enfrentamento ao tráfico de drogas, o aparato jurídico é frequentemente instrumentalizado para proteger os interesses de narcotraficantes e seus aliados. Esse desvirtuamento revela uma simbiose funcional entre o Estado e as estruturas criminosas, na qual os

instrumentos legais passam a operar em benefício de atividades ilícitas, neutralizando o enforcement institucional.

A terceira característica é a violência sistêmica e a intimidação como mecanismos centrais de exercício do poder pelos grupos criminosos. O controle territorial, exercido por meio da força armada, viabiliza práticas como assassinatos seletivos, sequestros e ameaças constantes contra autoridades públicas e populações locais. A violência, nesse contexto, não é apenas um subproduto do narcotráfico, mas uma ferramenta deliberada de dominação e supressão da resistência social e institucional.

Por fim, destaca-se a tolerância e aceitação social da lógica criminal, fruto da exposição prolongada à violência, à corrupção e à ausência sistemática do Estado. Nessa dinâmica, observa-se uma transição da ordem legítima para uma nova forma de autoridade imposta por agentes ilegítimos, cuja dominação se fundamenta no medo, na dependência e na ausência de alternativas institucionais efetivas.

Em determinados contextos, o narcotráfico deixa de ser apenas uma atividade criminosa para se tornar uma força estrutural que compromete profundamente o funcionamento do Estado. Em cenários marcados por insegurança jurídica, corrupção sistêmica e presença consolidada do crime organizado, ocorre um processo de erosão institucional que abre caminho para o surgimento de estruturas paralelas de poder.⁴

O DOMÍNIO TERRITORIAL ILEGÍTIMO: IMPLICAÇÕES PARA O ESTADO DE DIREITO.

Politicamente, a persistência de zonas sob controle criminal enfraquece a governabilidade e limita a presença institucional. Já do ponto de vista da legitimidade, a população submetida ao domínio do crime perde a confiança no Estado como

¹ Paul J. Angelo, "Peace Is Slipping Away in Colombia." *Foreign Affairs*, 11 de outubro 2019, acessado em 18 de dezembro de 2024, <https://www.foreignaffairs.com/articles/united-states/2019-10-11/peace-slipping-away-colombia>

² Eduardo Salcedo-Albarán, *The Criminalization of the State in Latin America* (Bogotá: Vortex Foundation, 2010), 65-66.

³ Edgardo Buscaglia, Samuel González-Ruiz, José Cruz García González e César Prieto Palma, "Corrupción y delincuencia organizada: Un estrecho vínculo," *Revista Universitaria*, no. 76 (2002): 55-62.

⁴ William Ortiz Jiménez, *Os paraestados na Colômbia* (Granada: Editorial da Universidade de Granada, 2006), acessado em 26 de abril de 2025, <https://hera.ugr.es/tesisugr/16183605.pdf>.

provedor de ordem e direitos. Essa situação compromete a legitimidade do próprio Estado diante da sociedade submetida a uma governança ilegítima.

A configuração geográfica exerce influência direta sobre a forma como a sociedade humana se organiza política e socialmente. O território, nesse contexto, não é apenas uma delimitação física, mas uma expressão concreta da relação entre espaço e poder, podendo ser analisado tanto de forma estática quanto em sua dinâmica com processos sociais e políticos.¹

Sob essa ótica, torna-se evidente que o domínio territorial é um elemento essencial para a consolidação e a expansão de atividades ilícitas. Ao assegurar o controle de determinadas áreas, grupos criminosos ampliam sua influência e operam com maior liberdade. Não se trata de territórios autônomos no sentido pleno, mas de porções do espaço estatal que são apropriadas e submetidas à lógica do crime, nas quais a presença do Estado é desafiada, enfraquecida ou até mesmo instrumentalizada.

Por sua capacidade de influência e recursos, o narcotráfico adquire características típicas de uma entidade estatal, posicionando-se como um agente central na dinâmica política. Em contextos onde o Estado perde legitimidade e eficácia, essas redes criminosas passam a ocupar funções que antes eram exclusivas do poder público, como a imposição de regras, o controle territorial e até a prestação de serviços.²

LAVAGEM DE DINHEIRO - MECANISMO DE FORTALECIMENTO DO CRIME ORGANIZADO.

Uma pesquisa da Universidade de Bogotá apontou que 97,4% dos lucros do narcotráfico colombiano são lavados por meio de circuitos bancários nos Estados Unidos e Europa, utilizando

mecanismos financeiros complexos. Estima-se que 352 bilhões de dólares tenham sido integrados ao sistema econômico formal. Esses recursos consolidam a influência do crime organizado na economia formal, dificultando ainda mais o combate à lavagem de dinheiro.³ Esse montante revela apenas a parte visível de um iceberg muito maior que ameaça a estabilidade econômica global.

O sistema judicial e investigativo permite que a investigação e o processo legal possam responsabilizar indivíduos e empresas ligadas ao crime organizado e impedir o crescimento patrimonial e o usufruto de recursos de origem ilegal. Uma vez comprovada a responsabilidade, a justiça poderá confiscar e/ou congelar os bens móveis e imóveis, diminuindo o poder financeiro dos criminosos. Ao permitir a responsabilização de indivíduos e empresas, o aparato judicial atua não apenas na punição penal, mas principalmente na estratégia de sufocamento econômico das organizações criminosas, que dependem da acumulação e circulação de recursos para se fortalecer.⁴

Essa definição se coaduna com a de um estado criminalizado, isto é, as instituições governamentais são sistematicamente cooptadas para servir aos interesses de redes ilícitas e criminosas, tanto nacionais quanto transnacionais. Nesse contexto, as fronteiras entre estado, crime organizado e interesses econômicos privados se tornam indistintas.⁵

Alianças tácitas ou explícitas entre governos e organizações criminosas permitem a proteção mútua e promovem a expansão de interesses escusos, muitas vezes em acordos secretos onde governos locais permitem a operação de narcotraficantes em troca de estabilidade e apoio político. Em alguns casos, membros do governo podem participar ativamente no planejamento e execução de atividades ilícitas.

¹ Rodolfo Ortega Prado, "Geopolítica, evolución y espacio," en *Escenario y Estrategia*, Santiago de Chile: Academia de Guerra del Ejército de Chile, 2010, 64-92.

² Rubén I. Corona Cadena, "*O narco, Estado paralelo*," *Revista Análisis Plural*, 2008, acessado em 23 de abril de 2025, <https://n9.cl/9ani>

³ Roberto Saviano, *ZeroZeroZero: Como a cocaína governa o mundo* (São Paulo: Companhia das Letras, 2014), 271.

⁴ Mirlis Reyes, "Introdução à economia ilícita e contrabando de produtos falsificados." (Sessão 1, Curso de Economía Ilícita, Washington, DC, 1 de março de 2023).

⁵ Roger F. Noriega, "Organized Crime in the Americas: A Call to Action." *American Enterprise Institute*, 2015, 5, acessado em 24 de maio de 2025, <http://www.jstor.org/stable/resrep03216>.

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A cooperação internacional entre organismos multilaterais tem desempenhado um papel estratégico no enfrentamento ao crime organizado, ao viabilizar o compartilhamento de informações, experiências e boas práticas com foco na ruptura dos fluxos financeiros ilícitos e na proteção da integridade dos sistemas econômicos globais. O Grupo de Ação Financeira Internacional (GAFI) é um órgão intergovernamental criado com a finalidade de desenvolver e promover políticas nacionais e internacionais voltadas à prevenção e ao combate à lavagem de dinheiro, emitindo recomendações para fortalecer as legislações dos países-membros e implementação por parte de setores públicos.¹

NARCO-ESTADO: ENTRE A
DEMOCRACIA CAPTURADA E A
AUTOCRACIA CRIMINAL.

A presença de narco-estados em regimes

“O narcotráfico adquire características típicas de uma entidade estatal, posicionando-se como um agente central na dinâmica política”

democráticos e autocráticos demonstra que o narcotráfico possui uma capacidade transversal de infiltração e captura institucional, operando independentemente das formalidades de um regime político.

Em democracias fragilizadas, como já evidenciado na Colômbia e no México, o narco-estado se estabelece por meio da infiltração no meio político com financiamento de campanhas, e da corrupção policial e judicial. O Haiti representa de forma dramática como um narco-estado pode emergir e se consolidar em um contexto de democracia fragilizada e colapso institucional. Esta situação permite às organizações criminosas armadas, algumas ligadas diretamente ao

narcotráfico, assumirem o controle territorial, social e até político de partes significativas do país.²

Podemos observar, portanto, que ao contrário de regimes autocráticos, onde o poder é centralizado, no Haiti o narco-estado se consolida em meio à anarquia funcional, à fragmentação do poder e à ausência de controle territorial legítimo pelo Estado, fatores que contribuem para expansão do crime organizado e ameaçam os países vizinhos, em especial a República Dominicana.

Tempos sombrios também são forjados em momentos de paz! Sob o regime de Hugo Chávez, a Venezuela abriu suas fronteiras para as narco-guerrilhas da Colômbia e colocou o país como entreposto para o escoamento da cocaína para os Estados Unidos, Europa e África. Assim, com o apoio de militares e forças de segurança, juntamente com o conhecimento e anuência do meio político, o país passou a exportar aproximadamente 90% da

cocaína produzida na Colômbia, consolidando-se definitivamente como um narco-estado.³

Com a morte de Chávez em 2012, seu sucessor Nicolás Maduro aperfeiçoou a ditadura iniciada nos anos anteriores, a qual desencadeou em uma das piores crises econômicas e humanitárias do mundo, com a consequente e massiva imigração de uma grande parcela de sua população para países vizinhos, em especial a Colômbia, Peru e Brasil.⁴

Maduro consolidou sua permanência no poder por meio da corrupção de setores das Forças Armadas e das forças policiais, além de firmar alianças com a suprema corte venezuelana. Em

¹ Juan Cruz Vieyra, “Cuatro claves para entender la corrupción en Latinoamérica,” *Foreign Affairs Latinoamérica*, 31 de outubro de 2016, acessado em 28 de abril de 2025. <https://revistafal.com/cuatro-claves-para-entender-la-corrupcion-en-latinoamerica>.

² Pierre Espérance, “How to Take on Haiti’s Gangs,” *Foreign Affairs*, 2 de abril de 2024, <https://www.foreignaffairs.com/haiti/how-take-haitis-gangs>.

³ Leonardo Coutinho. Hugo Chávez, *O Espectro: Como o presidente venezuelano alimentou o narcotráfico, financiou o terrorismo e promoveu a desordem global* (São Paulo: Vestígio, 2018), 53-61.

⁴ Felipe Corazza e Lígia Mesquita, “Como o narcotráfico se tornou o maior empregador do México,” *BBC News Brasil*, acessado em 7 de abril de 2025, <https://www.bbc.com/portuguese/internacional-45909515>.

2020, a Assembleia Nacional Constituinte aprovou, de maneira inconstitucional, a Lei das Forças Armadas, dando ao Chefe do Executivo ampliando ainda mais o controle sobre a Forças Armada Nacional Bolivariana (FANB). A Venezuela ingressa definitivamente para o chamado “eixo das ditaduras”.¹ Além disso, a lei oficializou a Milícia Bolivariana, uma força paramilitar composta por civis armados, com a função de servir como um braço repressivo do regime contra indivíduos ou grupos dissidentes.²

E com a militarização do crime organizado na Venezuela, em um cenário onde o regime desmontou as estruturas democráticas substituindo-as por um sistema de terror articulado, surge com o Tren de Aragua e o Cártel de los Soles, duas organizações criminosas que operam com apoio ou omissão estatal, silenciando adversários políticos, intimidando a população ou qualquer tentativa de contestação interna.³

A expressiva capacidade financeira dos cartéis de drogas mexicanos mostra-nos que os lucros auferidos pelas atividades ilícitas representam uma ameaça às autoridades e à sociedade daquele país. Estimativas apontam para um lucro entre 14 e 45 bilhões dólares anuais, o que lhes dá os meios para corromper e coagir as instituições estatais e a alavancagem suficiente e necessária para impedir a capacidade do governo de defender o Estado de Direito.⁴ Neste cenário, as instituições públicas deixam de funcionar de forma independente e imparcial, sendo capturadas e corrompidas pela influência e poder das organizações criminosas, e a sociedade feita como refém de um sistema de ciclo vicioso e perverso.

A SEGURANÇA JURÍDICA E SUA RELEVÂNCIA.

A segurança jurídica refere-se à estabilidade, previsibilidade e confiança que as pessoas e as instituições públicas e privadas depositam no

ordenamento jurídico de um país. Isso inclui a certeza de que as normas serão aplicadas de forma consistente, que os direitos serão respeitados e que as decisões judiciais não sofrerão alterações arbitrárias ou imprevistas.

No âmbito da segurança pública e do enfrentamento ao crime organizado, observa-se a consolidação de uma narrativa que questiona a eficácia das prisões enquanto instrumento de redução da criminalidade, sugerindo que tais medidas estatais produzem efeitos limitados ou até contraproducentes. Em paralelo, emerge uma preocupante inversão de valores, na qual as forças policiais — frequentemente atuando em contextos de alta complexidade social e institucional — são estigmatizadas como agentes de opressão, obscurecendo o papel central das organizações criminosas na perpetuação da violência e na corrosão do Estado de Direito.

Urge a retomada dos fundamentos básicos da dissuasão, por meio da alta probabilidade de punição, e da incapacitação, por meio da prisão por tempo considerável e isolamento de indivíduos líderes de grupos criminosos.⁵

Tanto a dissuasão quanto a incapacitação são pilares clássicos da criminologia e da teoria da pena. Mas sua eficácia depende de um arranjo institucional que assegure não apenas a punição, mas sua previsibilidade, proporcionalidade e legitimidade, características da segurança jurídica em um estado democrático de direito.

Um dos fatores que leva indivíduos a optarem pela criminalidade é a relação entre custo e benefício percebido. A análise das causas e motivações, bem como dos riscos associados à prática delituosa, permite compreender com maior profundidade a incidência de determinados tipos de crimes, favorecendo a formulação de estratégias mais eficazes de prevenção e controle. Para Gary Becker, ganhador do Prêmio Nobel de Economia, o comportamento criminoso pode ser explicado por

¹ Heni Ozi Cukier, “Exército do Eixo das Ditaduras - Coreia do Norte envia soldados para Rússia,” 9 de abril de 2024, vídeo, 26:25, <https://www.youtube.com/watch?v=INGSON0ygGA>

² Miguel Ángel Martín, “El verdadero poder detrás del Tren de Aragua: La Guardia Pretoriana de Maduro,” *Diario Las Américas*, 30 de março de 2025, <https://www.diariolasamericas.com/opinion/el-verdadero-poder-detras-del-tren-aragua-la-guardia-pretoriana-maduro-n5373588>.

³ Ronna Rísquez, *El Tren de Aragua: La banda que revolucionó el crimen organizado en América Latina* (Caracas: Editorial Dahbar, 2023), 147–48.

⁴ Farah, *Transnational Organized Crime, Terrorism, and Criminalized States in Latin America*, 19–21.

⁵ Bruno Amorim Carpes, *O Mito do Encarceramento em Massa* (Porto Alegre: Editora E.D.A., 2021), 52.

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uma lógica de incentivos: antes de cometer um delito, o indivíduo realiza uma análise racional, ponderando os potenciais benefícios frente aos custos esperados, como a probabilidade de punição e sua severidade.¹

Muggah entende que as medidas de prevenção e redução do crime organizado não podem recorrer apenas às forças de segurança, à justiça criminal e à reforma penal. O autor considera que tais medidas são importantes, mas que devem ser acompanhadas pelo combate aos problemas sistêmicos que contribuem para a emergência da criminalidade, com adoção de estratégias voltadas para o desenvolvimento econômico e o desemprego crônico.²

Já na perspectiva de Latzer, a relação entre pobreza e criminalidade não pode ser reduzida a uma causalidade direta. Para ele, a pobreza, por si só, não enseja um fator determinante para o comportamento criminoso. Variáveis culturais, familiares, institucionais e individuais desempenham papel igualmente relevante na compreensão dos fatores que levam um indivíduo à delinquência.³

O certo é que a ausência de consequências legais efetivas e a impunidade recorrente fragilizam a função dissuasória da justiça, alimentando a reincidência criminal. O chamado “retrabalho policial”, no qual indivíduos são presos reiteradamente sem punições eficazes, evidencia a falência do sistema penal e desgasta tanto as forças

de segurança quanto a credibilidade das instituições públicas.⁴

A relação entre a severidade das leis e os índices de criminalidade tende a ser inversamente proporcional. Nesse sentido, a impunidade se consolida como um fator estruturante da cultura da transgressão, na medida em que a ausência de sanções efetivas reforça no infrator a percepção de que o crime compensa.⁵ Dessa forma, sem ordenamento jurídico concreto ou mecanismos coercitivos eficazes, o indivíduo se sente encorajado a reincidir, enfraquecendo a autoridade do Estado e comprometendo a eficácia das políticas de segurança pública.

No Brasil, em 2019, um partido político e algumas organizações não governamentais (ONG's), propuseram ao Supremo Tribunal Federal (STF), a mais alta corte do país, a proibição das ações policiais nas favelas do Rio de Janeiro, alegando quadro de generalizada violação de direitos humanos por parte das forças de segurança. No começo do ano seguinte, o STF decidiu, de forma monocrática,⁶ pela proibição de operações policiais nas comunidades daquela cidade por meio da Arguição de Descumprimento de Preceito Fundamental (ADPF) 635.⁷

A atualização mais recente sobre a ADPF 635 ocorreu em abril de 2025, quando o Supremo Tribunal Federal (STF) homologou parcialmente o plano apresentado pelo Estado do Rio de Janeiro para reduzir a “letalidade” policial nas comunidades.⁸

¹ Gary Becker, “Crime and punishment: an economic approach.” *Journal of Political Economy*. 76, no. 01, 1968 (Em: Roberto Motta, *A Construção da Maldade: como ocorreu a destruição da segurança pública brasileira*. São Paulo: Editorial Faro, 2022, 30).

² Robert Muggah, “Combatendo o Crime Organizado na América Latina: Entre Mano Dura e Segurança Cidadã” em *Promessas Não Cumpridas: A América-Latina Hoje*, ed. Michael Shifter e Bruno Binetti (Washington DC: Inter-American Dialogue, 2019), 31-55.

³ Barry Latzer, *The Rise and Fall of Violent Crime in America*. (New York: Encounter Books, 2017), 266.

⁴ Guilherme Muraro Derrite, “Evolução e desafios na segurança pública: soluções na Era da inteligência.” (Congresso de Operações Policiais, São Paulo, SP, 16 de outubro de 2024).

⁵ Bernardo Sorj e Danilo Martuccelli, “Problemas e promessas: economia informal, crime e corrupção, normas e direitos”, em *O Desafio Latino-americano: Coesão Social e Democracia* (São Paulo and Rio de Janeiro: Instituto Fernando Henrique Cardoso and Edelman Center for Social Research, 2008), 125–57.

⁶ Embora os ministros do STF possam tomar decisões monocráticas, essas decisões não são definitivas em muitos casos e podem ser reavaliadas pelo colegiado (pelo conjunto dos 11 ministros da Corte). Isso significa que,

embora a decisão seja tomada por um único ministro, ela pode ser revisada, revogada ou modificada por todos os ministros em uma decisão colegiada posterior.

⁷ Supremo Tribunal Federal, “ADPF das Favelas: STF homologa parcialmente plano do Estado do Rio de Janeiro para reduzir letalidade policial”, Supremo Tribunal Federal, acessado em 04 de abril de 2025, <https://noticias.stf.jus.br/posts/noticias/adpf-das-favelas-stf-homologa-parcialmente-plano-do-estado-do-rio-de-janeiro-para-reduzir-letalidade-policial/>.

⁸ Em contextos em que criminosos enfrentam a polícia com armamento de guerra, como fuzis de assalto, granadas ou metralhadoras, o uso da força letal por parte do Estado se insere no âmbito da legítima defesa própria ou de terceiros. Do ponto de vista jurídico, tanto no direito penal brasileiro quanto no direito internacional dos direitos humanos, há critérios claros para o uso da força por agentes do Estado, como a legalidade, necessidade e a proporcionalidade. A polícia deve usar os meios éticos e legais para responder a injusta agressão contra os criminosos que utilizam esse tipo de armamento. Assim, em uma determinada ação policial em áreas conflagradas, o respeito a vida é o objetivo de todo o planejamento operacional de uma operação. Os excessos devem ser investigados, em qualquer situação. Contudo, não se pode atribuir o fardo da letalidade policial indiscriminadamente quando a lei é clara e garante aos representantes do estado o uso legítimo da força.

Representantes das polícias militar e civil do estado do Rio de Janeiro argumentam que a ADPF limita a capacidade operacional das corporações, dificultando o combate ao crime organizado. Além disso, consideram que a decisão judicial representa uma interferência do judiciário em questões de segurança pública e que as restrições impostas prejudicam o trabalho dos agentes, expondo-os a mais riscos e limitando sua capacidade de ação, sendo a decisão mais nociva do que benéfica.¹

O Rio de Janeiro consolidou-se, nos últimos anos, como um espaço de refúgio e reorganização para traficantes oriundos de diversas unidades da federação. A decisão do Supremo Tribunal Federal, ao estabelecer parâmetros mais rigorosos para a realização de operações policiais em comunidades vulneráveis, produziu efeitos colaterais que impactaram diretamente a dinâmica territorial do crime organizado. Nesse contexto, o Comando

A DINÂMICA DO TRÁFICO DE DROGAS E SUAS CONSEQUÊNCIAS SOCIAIS, POLÍTICAS E ECONÔMICAS.

O alcance e o impacto do crime organizado nas Américas se aprofundaram nas últimas décadas, à medida que as organizações criminosas adotaram as práticas e a tecnologia de uma economia globalizada para construir redes transnacionais.⁴

As redes de contatos e o dinamismo que caracterizam as atividades ilícitas na América Latina revelam o crescente fortalecimento financeiro das organizações criminosas transnacionais, as quais operam por meio de infraestruturas logísticas tanto legais quanto ilegais. Um exemplo paradigmático é o comércio internacional de cocaína, que mobiliza diversos atores e atravessa múltiplos territórios: desde a aquisição da droga junto a fornecedores na

“Uma pesquisa da Universidade de Bogotá apontou que 97,4% dos lucros do narcotráfico colombiano são lavados por meio de circuitos bancários”

Vermelho, facção com origem no Rio de Janeiro e já presente em 24 dos 27 estados brasileiros, ampliou sua capacidade de controle e proteção criminal. A limitação das ações estatais favoreceu a migração de criminosos de outros estados para o território fluminense, o que não apenas fortaleceu as redes interestaduais do tráfico, mas também permitiu que lideranças regionais mantivessem influência em seus estados de origem, sob a salvaguarda da estrutura criminosa carioca.² Esse movimento resultou na expansão do poder territorial e da capacidade de articulação do Comando Vermelho em nível nacional, desafiando ainda mais a soberania estatal.³

Colômbia, passando pela coordenação do transporte por estruturas como o Cártel de los Soles e o Tren de Aragua, cruzando fronteiras frágeis na América Central, até chegar às fases finais do contrabando, conduzidas por cartéis mexicanos com destino aos mercados consumidor norte-americano e europeu.⁵

O Brasil ocupa uma posição estratégica no contexto geopolítico do tráfico de entorpecentes, especialmente no que se refere à cocaína. Sua localização privilegiada o converte em importante rota de trânsito para o escoamento internacional dessa substância. O país faz fronteira com os três principais produtores mundiais de cocaína — Colômbia, Peru e Bolívia - e passou a ser utilizado como uma rota alternativa e, em muitos casos,

¹ Alexandre Gomes, “Julgamento da ‘ADPF das Favelas’ no STF levanta debate segurança pública”, Tribuna do Poder, acessado em 26 de abril de 2025, <https://tribunadopoder.com.br/politica/julgamento-da-adpf-das-favelas-no-stf-levanta-debate-seguranca-publica/>.

² Bruna Fantti, “RJ tem 249 líderes do tráfico de outros estados procurados em favelas”, Folha de S.Paulo, acessado em 28 de abril de 2025,

<https://www1.folha.uol.com.br/cotidiano/2025/03/rj-tem-249-lideres-do-trafico-de-outros-estados-procurados-em-favelas.shtml>.

³ Fabrício Oliveira, “Desafios Operacionais no Combate ao Crime Organizado: Controle Territorial Armado.” (Congresso de Operações Policiais, São Paulo, SP, 18 de outubro de 2024).

⁴ Noriega, Organized Crime in the Americas, I.

⁵ Rísquez, El Tren de Aragua, 101.

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considerada mais segura para o envio de carregamentos destinados ao continente europeu, já que conta com uma vasta capilaridade hidrográfica, terrestre e da diversidade de portos para o escoamento de sua economia ao longo da costa atlântica. De acordo com dados do International Narcotics Control Board, aproximadamente 25% das 200 a 300 toneladas de cocaína consumidas anualmente na Europa transitam por rotas que incluem o território brasileiro.¹

Paralelamente a esse papel logístico no tráfico internacional, o Brasil também vem registrando um aumento no consumo doméstico da substância. Esse crescimento tem sido associado, entre outros fatores, à expansão econômica vivida em anos anteriores e ao aumento do poder aquisitivo de parcelas da população, situando o país como o segundo maior mercado consumidor de cocaína no mundo, atrás apenas dos Estados Unidos.²

Cada elo dessa cadeia transnacional do crime representa uma fonte de lucro significativa. Tanto o crime organizado quanto grupos terroristas tiram proveito dessas rotas, operando como atores híbridos que transitam entre a criminalidade transnacional e o terrorismo internacional, o que amplia seu alcance e complexifica sua natureza.³

Essa convergência não é apenas oportunista, mas estratégica, moldada por interesses financeiros e logísticos compartilhados. Autoridades da comunidade de inteligência alertam que o Hezbollah — organização terrorista apoiada pelo Irã — tem intensificado sua presença e influência na América Central e do Sul, atraído pelo alto potencial lucrativo do narcotráfico na região. Essa cooperação ilícita fortalece as capacidades operacionais de ambos os grupos, permitindo-lhes financiar atividades extremistas e expandir suas redes de influência.⁴

O regime chavista contribuiu significativamente para a degradação das bases institucionais

venezuelanas. Como consequência direta da intrínseca relação governamental com o narcotráfico, a Venezuela, antes conhecida como um petro-estado, transformou-se em um narco-estado. Nesse modelo, o governo venezuelano deixou de ser um facilitador para se tornar um ator central nas operações de tráfico de cocaína, assumindo um papel de liderança na organização e gestão desse comércio ilícito.⁵

A questão do tráfico de drogas no contexto latino-americano exige uma análise aprofundada. Desde a década de 1980, esse fenômeno tem ocupado uma posição central nas agendas internacionais das principais economias da região. Os recursos atribuídos pelos governos para travar o avanço do tráfico de droga são insuficientes e o crime organizado avança firmemente para fazer frente às instituições e desafiar o meio político, sendo uma das finalidades de suas ações mostrar à sociedade seu poder e sua influência, causando medo e pânico.

O assassinato de Fernando Villavicencio, candidato presidencial no Equador, destacou o crescente impacto do narcotráfico na política do país. O presidenciável era conhecido por ser um grande crítico de traficantes e havia recebido diversas ameaças de morte. Esse episódio reflete a escalada do crime ligado ao narcotráfico, que também transformou o Equador em um ponto estratégico para a logística de drogas. A presença de cartéis internacionais intensificou a insegurança, expondo líderes políticos e instituições ao risco de intimidação e violência direta. O caso sublinha a necessidade de reformas profundas na segurança pública.⁶

Em El Salvador, observamos o retorno de políticas conhecidas como “mano dura”, que compreendem maior rigor de ações estatais, especialmente voltadas ao uso das forças de segurança e defesa para pôr em prática medidas de contenção ao crime organizado. Por décadas, os

¹ Saviano, *ZeroZeroZero*, 169-70.

² Carolina Sampó, “Reflexiones críticas y casos regionales: Inseguridad pública y crimen organizado” (Curso de Segurança Multidimensional, Washington, DC: Inter-American Defense College, 18 de novembro de 2022).

³ Noriega, *Organized Crime in the Americas*, 2.

⁴ Rebecca Anna Stoil, “Ties Between Hezbollah and Mexican Drug Cartels Revealed,” *Jerusalem Post*, 15 de dezembro de 2011, acessado em 20 de abril de 2024, www.jpost.com/International/Article.aspx?id=249684.

⁵ Coutinho, *Hugo Chávez, o Espectro*, 175.

⁶ Juan Diego Posada e Lara Loaiza, “Las 4 razones de la crisis de seguridad en Ecuador.” *InSight Crime*, 10 de agosto de 2023, acessado em 23 de agosto de 2023, <https://insightcrime.org/es/noticias/4-razones-tesis-seguridad-ecuador/>.

habitantes de El Salvador enfrentaram um dilema devastador: partir ou morrer. Apelidado de "capital mundial do assassinato", o país registrava, em 2016, uma média impressionante de um homicídio por hora, apesar de sua população ser de apenas 6 milhões — consideravelmente menor do que a da cidade de Nova York.¹

A reeleição de Bukele em 2024 é contestada por parte da classe política, uma vez que a Constituição Salvadorenha não permite um segundo mandato a um presidente. As políticas de enfrentamento à criminalidade são sentidas pela população como um alívio e uma libertação contra terríveis organizações como a MS-13 e Barrio 18. Todavia, críticos dessa política de enfrentamento às gangues apontam para a preocupação com o respeito aos direitos humanos e com o devido processo legal.²

O plano de segurança em El Salvador envolveu um aumento na presença policial e militar nas áreas mais violentas do país com vistas a recuperar o controle de territórios dominados pelas gangues, cortando suas fontes de financiamento, limitando sua mobilidade, e utilizando a estratégia de uma forte vigilância e patrulhamento em bairros considerados zonas de alto risco.³

A desordem promove o ambiente propício para que organizações criminosas desenvolvam suas ações e reinem sobre uma determinada região. Onde chegar a polícia, chegará a ordem; onde chegar a

ordem, chegará a segurança; e onde chegar a segurança, chegará a prosperidade!

A recorrente negligência dos governos nacionais, que optam por ações unilaterais em detrimento do compromisso com a cooperação internacional e multilateral previamente assumido, revela a persistência de políticas de curto prazo em substituição a estratégias duradouras e de políticas de estado.⁴

A região da América Latina tem se mostrado um campo fértil para discussões sobre questões acerca da cooperação regional. No entanto, a região apresenta imaturidade política em aspectos de cooperação em segurança contra o crime organizado e as diferentes faces da economia ilícita. Evidencia-se essa imaturidade por meio de um regionalismo circunstancial,⁵ no qual projetos de integração possuem ciclos de otimismo e criação de instituições, seguido por estagnação prolongada e poucas ações de efeito prático.

CORRUPÇÃO: ALIADA DO CRIME ORGANIZADO E GÊNESE DO NARCO-ESTADO.

Corrupção é, em última instância, o azeite que permite que interesses de grupos dos mais diversos níveis sociais possam ser mantidos para as atividades ilegais que geram lucros milionários e permitem a

¹ David Culver, Abel Alvarado, Evelio Contreras e Rachel Clarke, "Nayib Bukele é taxado como ditador; este grupo nunca se sentiu tão livre," CNN Brasil, 12 de setembro de 2024, acessado em 23 de março de 2025. <https://www.cnnbrasil.com.br/internacional/nayib-bukele-e-taxado-como-ditador-este-grupo-nunca-se-sentiu-tao-livre/>.

² Culver, Nayib Bukele é taxado como ditador, <https://www.cnnbrasil.com.br/internacional/nayib-bukele-e-taxado-como-ditador-este-grupo-nunca-se-sentiu-tao-livre/>

³ Nelson Renteria, Sarah Kinoshian, Diego Ore, Natalia Siniawski e Drazen Jorgic, "El Salvador's Bukele Re-Elected as President in Landslide Win," Reuters, 4 de fevereiro de 2024, acessado em 15 de abril de 2025, <https://www.reuters.com/world/americas/el-salvador-president-bukele-poised-another-landslide-voters-head-polls-2024-02-04/>.

⁴ Roberto Pereyra Bordón, "Políticas de Defesa e Segurança Hemisférica," (Sessão 2, Curso de Políticas de Defesa e de Segurança Hemisféricas, Washington, DC, 28 de fevereiro de 2023). O autor afirma que uma Política de Estado é estabelecida de forma duradoura e consistente, e visa atender interesses e necessidades do Estado e da sociedade em geral, estendendo-se no tempo independente das mudanças no governo ou na liderança política. O autor afirma, ainda, que uma Política de Estado obedece a interesses nacionais que são fundamentais, e que não se caracteriza por ser uma política de determinado governo, devendo ser elaborada por consenso (parlamento) e sustentada por meio de documentos públicos (leis, constituição).

⁵ Ana Covarrubias, "Regionalism and Covid-19." *The Dialogue: Leadership for the Americas*, 29 de julho de 2020, acessado em 25 de março de 2024.

<https://www.thedialogue.org/analysis/regionalism-and-covid-19/> . Ana Covarrubias apresenta a noção de **regionalismo circunstancial** na América Latina. Esse conceito pode ser ilustrado pelo caso da **UNASUL (União de Nações Sul-Americanas)**, criada no final dos anos 2000, quando o contexto político da região favoreceu o surgimento de uma organização internacional com um escopo mais amplo que o econômico, incorporando dimensões sociais, técnico-científicas e de concertação política. Apesar do potencial, a iniciativa gerou poucos resultados concretos, já que sua fundação esteve fortemente marcada por um perfil de concertação político-ideológica. Com a ascensão de governos de orientação mais à direita em alguns países, a UNASUL foi gradualmente esvaziada, até que em 2019 surgiu o **Foro para o Progresso da América do Sul (Prosul)**, concebido como alternativa à organização anterior. No entanto, também nesse caso não houve avanços significativos. Com as mudanças eleitorais subsequentes — sobretudo no Brasil, país central na articulação da UNASUL — e o retorno de lideranças de esquerda a partir de 2022, retomaram-se diálogos para a reativação da UNASUL em detrimento do Prosul. Esse vai e vem revela que, independentemente da orientação política dominante, os Estados da região não têm demonstrado interesse consistente em cooperar de forma estável na esfera da concertação política. O que prevalece é um viés ideológico, sinalizando a imaturidade da região em tratar esses temas como **políticas de Estado**, e não apenas como **políticas de governo**.

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influência e o desenvolvimento das atividades criminosas.

Os elevados lucros gerados pelo crime transnacional conferem às organizações criminosas vastos recursos para corromper e intimidar agentes públicos, favorecendo sua infiltração nos sistemas político, judicial e administrativo. O capital ilícito, ao penetrar essas estruturas, permite que redes criminosas exerçam influência direta ou indireta sobre processos decisórios, minando a imparcialidade institucional e enfraquecendo os mecanismos de controle e responsabilização.

A análise do Quadro I, que apresenta os índices de percepção de corrupção da América Latina elaborados pelo Banco Mundial, abrange o período de 2014 a 2023 — este último sendo o ano mais recente com dados oficialmente divulgados. Quanto menor o valor, maior o índice de corrupção daquele país.

Países como Venezuela, Haiti, Nicarágua e México ilustram de forma contundente essa dinâmica. A Venezuela, que em 2014 já exibia índices alarmantes (4,8), viu sua pontuação cair ainda mais ao longo dos anos, atingindo apenas 1,4 em 2023. Esse declínio coincide com o aprofundamento da crise econômica, a erosão do sistema judiciário e a captura do Estado por redes de interesses privados e ilícitos. O Haiti, igualmente marcado por crises institucionais recorrentes, apresenta trajetória semelhante, consolidando sua posição entre os países mais corruptos da região.¹

Embora apresente uma estrutura institucional mais complexa, o México não escapou dos efeitos da corrupção sistêmica. Seu índice, que era de 22,1 em 2014, oscilou negativamente ao longo da década, alcançando 17,5 em 2023, evidenciando a dificuldade em consolidar avanços sustentáveis diante de desafios como o poder dos cartéis. O caso da Nicarágua é também emblemático: o processo de autoritarismo crescente, aliado à eliminação de mecanismos de accountability e repressão às

“Narco-estado captura o Estado”

Quadro I – Índices de controle de corrupção do Banco Mundial

País	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Argentina	19,2	19,2	19,2	19,2	19,2	19,2	19,2	19,2	19,2	19,2
Bolivia	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0
Brazil	15,0	15,0	15,0	15,0	15,0	15,0	15,0	15,0	15,0	15,0
Colombia	12,0	12,0	12,0	12,0	12,0	12,0	12,0	12,0	12,0	12,0
Costa Rica	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0
Cuba	1,4	1,4	1,4	1,4	1,4	1,4	1,4	1,4	1,4	1,4
Ecuador	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0
El Salvador	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0
Haiti	4,8	4,8	4,8	4,8	4,8	4,8	4,8	4,8	4,8	4,8
Mexico	22,1	22,1	22,1	22,1	22,1	22,1	22,1	22,1	22,1	17,5
Nicaragua	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0
Panama	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0
Paraguay	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0
Peru	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0	10,0
Uruguay	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0	18,0
Venezuela	4,8	4,8	4,8	4,8	4,8	4,8	4,8	4,8	4,8	1,4

Quadro I – índice de controle de corrupção do Banco Mundial dos países da América Latina.

Fonte: Banco Mundial. <https://www.worldbank.org/en/publication/worldwide-governance-indicators/interactive-data-access>

Observa-se que a literatura acadêmica encontra respaldo no quadro apresentado. A análise dos índices mostra que países com fragilidade institucional persistente ou agravada apresentam sistematicamente níveis mais altos de corrupção percebida.

liberdades civis, resultou em um retrocesso severo nos indicadores de integridade pública, passando de 19,2 em 2014 para apenas 7,1 em 2023. Fatores como a perda de autonomia do poder judiciário (ou a corrupção dentro das próprias cortes), o enfraquecimento de agências de controle, a erosão da liberdade de imprensa e no uso político das forças de segurança mostra-nos que a corrupção não é um fato isolado e está diretamente atrelada à espiral da deterioração institucional.²

Adam Blackwell identifica quatro pilares que sustentam a prática da corrupção: corruptores, corruptos, impunidade e tolerância. A corrupção é, pois, o resultado da interação entre aqueles que oferecem vantagens ilícitas (corruptores) e aqueles que as aceitam ou as solicitam (corruptos). Essa dinâmica é agravada pela impunidade, ou seja, pela incapacidade ou falta de vontade do sistema judicial de responsabilizar os envolvidos. A tolerância social e cultural diante da corrupção — muitas vezes encarada como prática corriqueira ou inevitável —

¹ Banco Mundial. *Worldwide Governance Indicators*, acessado em 28 de abril de 2025. <https://www.worldbank.org/en/publication/worldwide-governance-indicators/interactive-data-access>.

² Coutinho, Hugo Chávez, o espectro, 179-87.

reforça o ciclo vicioso que dificulta reformas e alimenta a desconfiança social.¹

Por meio da corrupção as organizações criminosas estabelecem parcerias estratégicas com agentes estatais e também no meio privado, beneficiando-se daquilo que podemos chamar de ambiente permissivo e estável. Neste contexto amplia-se o espectro de possibilidades ilícitas, incluindo a comercialização de armamentos, o acesso a registros nacionais de aeronaves e cargas, a utilização de instituições financeiras para a movimentação de capitais, a apropriação de companhias aéreas e linhas de transporte para o tráfego de mercadorias, bem como a obtenção de documentos oficiais de identificação, instrumentos fundamentais para a expansão de suas redes ilícitas.²

A Convenção da ONU contra o Crime Organizado Transnacional é enfática em afirmar que não há desenvolvimento social, econômico e humano sem segurança pública, e reconhece o impacto nefasto da atuação do crime organizado nos países. O documento estimula a cooperação internacional e assistência mútua, fortalecendo a capacidade policial e jurídica dos Estados, os quais comprometem-se a adotar uma série de medidas contra o crime organizado transnacional, incluindo a tipificação criminal na legislação nacional de atos como a participação em grupos criminosos organizados, lavagem de dinheiro, corrupção e obstrução da justiça.³

A efetividade das medidas anticorrupção depende da integração entre transparência e accountability. A transparência, ao assegurar o acesso público à informação, fortalece o controle social e dificulta práticas ilícitas no âmbito estatal. O accountability, entendido como a obrigação de prestação de contas e de sujeição a sanções efetivas, consolida a responsabilização de agentes públicos e privados.

CONCLUSÃO.

A consolidação de narco-estados constitui uma ameaça sistêmica à soberania, à estabilidade democrática e à integridade institucional dos países afetados. A articulação entre insegurança jurídica, corrupção estrutural e domínio territorial ilegítimo permite ao crime organizado expandir seu poder e sua influência sobre áreas geográficas estratégicas. O controle territorial exercido por facções criminosas viabiliza não só o tráfico de drogas e armas, como também práticas recorrentes de extorsão, exploração econômica e intimidação das populações locais — elementos que ampliam significativamente o capital político e financeiro dessas organizações.

A experiência de países como a Venezuela, México e Colômbia, revelam como a infiltração do crime organizado nas estruturas políticas e estatais transforma essas redes ilícitas em atores influentes no cenário nacional. A simbiose entre criminalidade e poder político prejudica, ou no mínimo neutraliza, os mecanismos de controle institucional e subverte os princípios democráticos, criando uma governança paralela ancorada na lógica do medo e da impunidade. O combate à corrupção constitui uma prioridade estratégica para os Estados, uma vez que sua efetividade depende diretamente da transparência pública como instrumento essencial para assegurar o acesso à informação pela sociedade e para fortalecer os mecanismos de accountability.

Nesse contexto, a segurança jurídica revela-se não apenas como um mecanismo técnico do ordenamento legal, mas como um dos pilares fundamentais das democracias maduras. Sua presença assegura previsibilidade, isonomia e confiança nas instituições, enquanto sua ausência abre caminho para a captura estatal e o descrédito generalizado. O enfrentamento ao crime organizado, portanto, exige uma estratégia multidimensional que envolva o fortalecimento da justiça e a recuperação dos territórios tomados e os estados precisam cooperar em âmbito internacional.⁴

¹ Adam Blackwell, “Insegurança e a criminalidade organizada transnacional,” (Sessão 9, Curso de Segurança Multidimensional, Washington, DC, 22 de novembro de 2022).

² Edgardo Buscaglia, *Vacíos de poder en México: Cómo combatir la delincuencia organizada* (México: Debate, 2011), 35-56.

³ Escritório das Nações Unidas contra as Drogas e Crime, *Prevenção ao Crime e Justiça Criminal: marco legal*, UNODC, acessado em 12 de abril de 2024, <https://www.unodc.org/lpo-brazil/pt/crime/marco-legal.html>

⁴ Alessandro Visacro, “Fazendo as Coisas Certas: Segurança e Defesa do Estado Moderno,” *Cadernos de Estudos Estratégicos*, no. 1 (Março 2019): 78-79.

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SOUTH AMERICAN COUNTRIES ARGENTINA AND BRAZIL, AND THE STRATEGIC INFORMATION OPERATIONS

Márcio Saldanha Walker



SOUTH AMERICAN COUNTRIES ARGENTINA AND BRAZIL, AND THE STRATEGIC INFORMATION OPERATIONS

Márcio Saldanha Walker^a

The supreme art of war is to subdue the enemy without a fight.
Sun Tzu, 2,500 years ago.

The main motives for war are fear, honor, and self-interest.
Thucydides, 2,400 years ago.

ABSTRACT

This study highlights the importance of Argentina and Brazil in considering the incorporation of Information Operations into their national defense strategies. The analysis compares the relationship between military power and National Defense, based on the strategic planning structures of Argentina and Brazil in South America, making the connection with the possibilities of Information Operations. The U.K. and Russian strategies are analyzed to derive a relationship between the relevance of Information Operations in the ongoing competition of the world's leading countries. The article investigates whether the organizational strategic planning model of the South American countries Argentina and Brazil is adequate for the information strategy, as the great powers have adopted it. The conclusion points out that the organizational model of strategic planning in the South American countries of Argentina and Brazil needs to be revised to face the informational strategic trend.

KEYWORDS

Information Operations, strategic planning, Argentina strategy, Brazil strategy, South America strategies.

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INTRODUCTION.

Information Operations (IO) are pivotal actions of military power, yet they remain underexplored within the national defense doctrines of South American countries. Despite their continental geopolitical significance, nations like Argentina and Brazil have traditionally developed military strategies with a conventional focus on military power. Both countries share similar strategic environments and aim to align their military objectives. However, there are significant challenges in leveraging information power and considering a joint and cooperative strategy for South America.

This article underscores the necessity of integrating military and informational components within the DIME (Diplomatic, Information, Military, and Economic) strategic planning framework. While historical political issues

in the South Atlantic. At the same time, Brazil focuses on the Amazon Rainforest and the Blue Amazon region. Economic challenges further exacerbate the problem, with internal restrictions hindering defense expenditure.

International geopolitical developments, particularly those involving NATO, have underscored the increasing significance of informational aspects in military strategic planning. Technological advancements have blurred the lines of military engagement, complicating the recognition of conflict boundaries. NATO countries, including the United Kingdom, have integrated these developments into their doctrines, viewing the world as a continuous competition between powerful state actors. This evolving hybrid threat environment complicates strategic planning and international military cooperation. The ongoing competition, driven by technological advancements in information, poses a significant challenge.

“Information Operations (IO) are pivotal actions of military power, yet they remain underexplored within the national defense doctrines of South American countries”

influencing diplomatic and economic aspects must be considered, especially given the current constraints faced by Argentina and Brazil, this study specifically addresses the importance of incorporating military and informational perspectives to enhance national defense capabilities.

When viewed through the DIME framework, Argentina and Brazil's strategic military planning heavily emphasizes diplomacy aimed at regional cooperation and multilateralism to foster stability and peace. Both countries prioritize cyber defense and advanced communication systems within their military capabilities. However, their military strategies continue to focus on the modernization of armed forces and investments in traditional weaponry, revealing a disconnect from information capacity. Despite their geopolitical similarities, these nations' primary military strategic objectives differ: Argentina seeks to maintain a strong presence

This study analyzes the relationship between military power and national defense by comparing Argentina's and Brazil's structures and strategic planning processes. The methodology examines how these processes align with international strategic perspectives on military information operations. The geopolitical context of continuous competition between NATO and Russia serves as an exemplar, highlighting the importance of information operations at the strategic level. The UK's strategic location, advanced military capabilities, political influence, and commitment to defense spending underscore its significant role in NATO's military planning, as evidenced by its 2022 strategy emphasizing strategic information operations. Conversely, Russia's Gerasimov Doctrine reflects a substantial shift in military strategy, adapting to the evolving nature of modern warfare. Despite their traditional nuclear capabilities, the UK and Russia have adapted their

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strategy to the information environment, reflecting continuous competition with leading global powers.

This article aims to assess whether the strategic planning models of South American countries like Argentina and Brazil are appropriately aligned with the strategic-military approach to information operations. Through this comparative analysis, the study highlights the potential need for an updated strategic framework that integrates informational components into national defense doctrines.

I MILITARY POWER IN NATIONAL DEFENSE

In strategic decision-making, power signifies the ability to influence others. It lies in being understood effectively and conveying intentions and ideas. When power is robust, people grasp the rationale behind strategic choices and appreciate their impact. National defense, encompassing military preparedness, deterrence effect, strategic reviews, and collaboration with allies, ensures a country's sovereignty and security.

In Argentina, Law No. 23,554/1988, National Defense is the integration and coordinated action of all the Nation's forces to solve those conflicts that require the use of the Armed Forces, in a deterrent or effective manner, to confront aggressions of external states origin.¹ This means that all military and defense resources work together to address conflicts necessitating using the Armed Forces. The law specifies that these actions can be either deterrent (to prevent aggression) or effective (to confront aggression actively) and are aimed at dealing with threats from external states.

Decree No. 571/2020, with the Defense guidelines, changes the previous Law and considers that the "use of the Armed Forces to the set of the so-called 'new threats,' puts the doctrine in severe and inexorable crisis."² This shift in focus necessitates a critical reassessment of traditional military strategies and doctrines, as the Armed Forces are increasingly called upon to engage in

operations beyond conventional warfare. The decree brings an obstacle to the urgency of adapting to changes to ensure the effectiveness and relevance of the military in contemporary security landscapes.

In Brazil, the National Defense Policy plans actions for the country's defense, focused mainly on external threats, but allows interagency work on the internal border strip, establishing objectives for the expressions of National Power.³ This means that while the primary focus of Brazil's National Defense Policy is to protect the country from external threats, it also permits collaboration between different government agencies to address security issues along the internal borders. The policy sets clear goals for how various aspects of national power—such as military, economic, and diplomatic resources—should be utilized to ensure the country's defense and security.

According to Law No. 11,631/2007, the State is empowered to intervene and complement the deficiencies of any military expression of the National Power.⁴ It allows the government to take necessary actions, such as reallocating resources, requisitioning private assets, and mobilizing both civilian and military personnel, to address any gaps or weaknesses in the nation's defense capabilities. The National Defense Strategy guides the country in using the means at its disposal to overcome threats to its objectives.⁵ This strategy, part of Brazil's broader defense policy, outlines how it plans to protect its national interests and ensure security. It includes measures for modernizing the armed forces, developing advanced technologies, and enhancing cooperation between the military and civilian sectors.

Considering Argentina and Brazil's national defense strategies, evaluating the role of military power within the broader DIME framework is crucial to determine its suitability for the defense effect needed and for cooperative military planning between these nations. Additionally, this assessment should explore the relevance of military power in the context of great powers' tendencies to exert indirect

¹ Gobierno de Argentina. "Ley N° 23.554 de Defensa Nacional." Sancionada el 13 de abril de 1988 y promulgada el 26 de abril (1988).

² Gobierno de la República Argentina. "Decreto 571/2020." Boletín Oficial de la República Argentina, 29 de junio (2020).

³ Brazil. "Política Nacional de Defesa. Estratégia Nacional de Defesa" (2020d)

⁴ Brazil. "Law No. 11631/2007." (2007)

⁵ Brazil. "MD30-M-01: Doutrina de Operações Conjuntas - 1º volume" (2020b, 1.5)

influence through diplomatic, information, and economic means.

There needs to be a more apparent boundary between policy and strategy.¹ Brazil's doctrine allows military reaction against non-state threats, considered other actors. In contrast, the Argentine doctrine allows military reaction only against state threats. In this relationship, it is inferred that there is an original incompatibility when establishing military methods and means in establishing strategies against hybrid threats. This scope includes the problem of considering the non-kinetic modes used by Information Operations strategies, a possibility for higher levels of planning that consider using means that are not strictly military.

Although academics like Buzan² say that "the standard unit of security is then the sovereign territorial state," he also says that the threats are not only military but also political, economic, environmental, and social. Krasner³ emphasizes that "there is still the implication of international legal sovereignty and Westphalian sovereignty" in the relations of States. However, in both cases, the principles of innovation are constantly disregarded. When looking at future wars, you must consider both the political-military conditions in which they will occur and the tactics each will choose. It would be best to see how one level of war will shape or direct the other.⁴ Those possibilities arise from the need to recognize that non-military means are essential factors of imbalance and pressure for power in a world with constantly competing powers. Dispute relations between states involve non-military elements in a gray area, challenging establishing an environment of war or peace.

Usually, the traditional defense strategy is based on the deterrence effect. In the realist view of conflicts, "the most important weapons are, of course, nuclear weapons."⁵ However, it is not the only strategy of power because "over the past forty-five years, it would be difficult to point to a single instance in which a nuclear-weapon state was able

to change the status quo by threatening its use."⁶ In other words, the strategy of deterrence effect by nuclear means is only effective through efficient means of influence and strategic communication, which are considered in an Information Operations campaign at the political and strategic levels.

Even one of the most traditional strategists in history, Clausewitz, the strategy of military power must consider that "social relations shape war."⁷ This is because in Clausewitz's triad, comprised of the government, army, and people, the latter stands out as an essential support for the will of the State and power. Clausewitz's approach considers not only the physical strike but also the end of the state connected with the information effects. Power relations are a constant exchange of social components "independent of the size of the conflict, the environment in which it takes place, the means with which it is fought, and even the amount of violence involved."⁸ That is why, in a globalized world, economic, environmental, or pandemic problems must be considered threats, as they can influence the military information environment.

There is a great dilemma in the continuous competition of power struggle. States are guided by the minimum interest in protecting themselves and the maximum interest in increasing their power in the international system.⁹ The essence of the dilemma is that the measures a state takes to improve its security generally diminish the security of others.¹⁰ However, National Defense needs to be increasingly integrated, as threats are transnational and expected, such as cyberattacks, and challenge military power. The enemy's source of military power, the center of gravity, may not be at the level of military leadership. "They generate freedom of action and the will to fight; They can be physical or abstract and vary as it changes substantially."¹¹

According to McFate¹², war has gone beyond lethality. Today, all instruments of national power must be used, not just those that fire. Non-kinetic weapons can be very effective in warfare, and shrewd

¹ *Ibid.* (1,2)

² Barry Buzan. "People, States and Fear: an Agenda for International Security" (1991)

³ Stephen D. Krasner. "Soberanía, hipocresía organizada." (2001)

⁴ Evergisto de Vergara. "Estrategía, Métodos & Rutinas." (2009, 15)

⁵ Martin Van Creveld "La transformación de la guerra: La más radical reinterpretación del conflicto armado desde Clausewitz." (2007, 18)

⁶ *Ibid.* (2007, 28)

⁷ *Ibid.* (2007, 62)

⁸ Martin Van Creveld. "La transformación de la guerra: La más radical reinterpretación del conflicto armado desde Clausewitz." (2007, 166)

⁹ Kenneth Waltz. "Theory of International Politics." (1979)

¹⁰ John Mearsheimer. "Anarchy and the struggle for power." (2001, 36)

¹¹ Argentina. "Libro Blanco de la Defensa." (2015a, 18)

¹² Sean McFate. "Las nuevas reglas de guerra. Victoria en la era del desorden permanente." (2020, 188)

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strategists can weaponize almost anything. "Military violence no longer needs to play a preponderant role as it did in the great wars."¹ War is a hybrid of intangible and tangible domination of battlefield variables that manifests itself broadly indirectly.²

That is why it is essential, at the strategic level - using capabilities that cover the spectrum of information, particularly in intelligence, surveillance and control, electronic warfare, cyber defense, and space - to have the possibility of being able to detect, identify and adopt strategic actions that allow the adequate management of risks and threats to National Defense.³

This means that at the strategic level, possessing a comprehensive range of capabilities across various aspects of the information domain is essential for

“Military violence no longer needs to play a preponderant role as it did in the great wars; war is a hybrid of intangible and tangible domination”

effective national defense. The Informational aspect extends beyond traditional nation-states to include non-state actors, aiding in identifying suspicious activities. Military capabilities encompass intelligence, surveillance, control, electronic warfare, cyber defense, and space operations, ensuring a holistic approach to safeguarding a nation's security and interests.

Furthermore, while physical military power can be formidable, it does not always guarantee strategic and lasting victory. Nations with nuclear capabilities often employ alternative methods to gain an edge in the ongoing power struggle between states. Information, as a critical factor, can create significant advantages. Therefore, a military strategy that adapts its means and methods to incorporate the strategic potential of informational efforts is essential for achieving political objectives.

In short, the strategies of Argentina and Brazil need to adapt to today's military power by using an expansive approach, changing the physical view of targets, including the effects of the human and technological environment connecting with information. Since Argentina and Brazil's strategic methodology is based on state elements, it is necessary to consider how they will be used in a new strategy adapted to the information age. War is going underground in the gray zone, where it is not declared⁴, or it is shadow wars, armed conflicts in which credible denial, not firepower, forms the center of gravity.⁵ Military power must be seen more broadly by the strategist to meet the objectives of National Defense in a comprehensive approach with information strategic power.

2 MILITARY STRATEGIC PLANNING IN ARGENTINA AND BRAZIL

2.1 Strategic Military Planning in Argentina

In Argentina, the mission (ends) of the National Defense System is to avert and repel military aggressions by other states using its armed forces.⁶ The National Defense System has a crucial mission to overarching goal aligns with the strategic level of warfare. At this level, national objectives are defined, and decisions are made to safeguard the country's security and territorial integrity.

The levels of warfare are divided into strategic, operational, and tactical. Levels of warfare allow commanders to determine responsibilities, distribute resources, and assign tasks to the appropriate command. These levels serve as analytical frameworks linking tactical actions to

¹ Gustavo Trama; Evergisto de Vergara. "Estrategia militar: de lo lineal a lo complejo." (Trama y Vergara 2021)

² Andrew Korybko. "Guerras Híbridas: De las revoluciones de colores a los golpes." (2018, 22)

³ Gustavo Trama; Evergisto de Vergara. "Estrategia militar: de lo lineal a lo complejo." (2021, 4)

⁴ Josep Baqués. "Grey Zone: Towards a definition of the Gray Zone (GZ) concept." (2017)

⁵ Sean McFate. "Las nuevas reglas de guerra. Victoria en la era del desorden permanente." (2020, 154)

⁶ Argentina. "Libro Blanco de la Defensa." (2015a)

achieving national objectives. While there are no rigid boundaries between these levels, they help commanders design and synchronize operations, allocate resources, and assign tasks to the appropriate command. In essence, the levels of warfare provide a structured approach for translating strategic goals into actionable plans at the operational and tactical levels.

In Argentina, the Strategic level of warfare is divided into National Strategic and Military Strategic levels of leadership. This division of strategic objectives results from internal historical issues and limits military possibilities for action. At the national strategic level, Argentina's political leaders and policymakers make decisions that impact the overall security and well-being of the nation. Their objectives encompass a wide range of issues, including territorial defense, economic stability, and diplomatic relations.

Historical context significantly influences these objectives, reflecting Argentina's experiences during democratic periods and under dictatorship. For instance, Argentina's military strategies are shaped by its experiences in the Falklands War and its period of military rule, leading to a focus on sovereignty and territorial integrity. These historical experiences constrain military operations, often limiting them to defensive and peacekeeping roles rather than offensive actions. Argentina's recent military history, including elements of past conflicts and new political dynamics, shapes its current defense strategies and capabilities. This historical context often restricts the scope and nature of military operations.

In Argentina, the level of the national strategy brings together the factors of national power that consist of the sectoral strategies: political, economic, military, social, and scientific-technological, for the national strategic desired final state.¹ The national strategy should establish the strategic objectives for using military power. The level of military strategic leadership brings together all the military means and, eventually, those others coming from the

National Power to achieve the military end of the state in a war.²

The division between national and military strategic levels ensures a clear delineation of responsibilities, preventing military actions from exceeding their intended scope and aligning them with broader national interests. The military leadership translates national strategic goals into actionable plans. They consider military capabilities, resources, and constraints. Sectoral strategies will correspond to power factors. "The State, as a politically organized entity, has recourse, or may have recourse, in addition to the Military Instrument, to the use of any of those which constitute the totality of its available power resources."³

Short- and medium-term military planning, as part of military strategic planning, is carried out under the responsibility and coordination of the Joint Chiefs of Staff, which will include the provisions for using the Military Instrument.⁴ "This implies determining deficiencies in material, human resources, infrastructure, organization, training, doctrine, and any other factor of military power."⁵ The transformation and renewal of the military instrument implies obtaining autonomy over developments that provide a strategic advantage.⁶

Integrating definitions, the military strategy identifies the ends to be achieved, conceives how to reach them, and determines objectives and means to achieve those ends.⁷ The military-strategic conception is a "general concept of the use and orientation of the development and evolution of the nation's military power to contribute to the achievement of the objectives set by the military strategy."⁸ In other words, in Argentina's strategic planning method, military means are only used when in conflict and against another State, at the military strategic level of defense, not acting nationally in times of peace. However, as already noted, the strategy needs to address issues relating to the power of information.

¹ Argentina. "Libro Blanco de la Defensa." (2015a)

² Argentina. "PC 00-02: Glosario de términos de empleo militar para la acción militar conjunta." (2015c)

³ Argentina. "ROB-00-01: Conducción para las Fuerzas Terrestres" (2015b)

⁴ Argentina. "PC 10-04: Planeamiento para la Acción Militar Conjunta-Nivel Estratégico Militar (Proyecto)" (2018, 29)

⁵ *Ibid.* (2018, 35)

⁶ *Ibid.* (2018, 39)

⁷ *Ibid.* (2018, 1)

⁸ Argentina. "PC 00-02: Glosario de términos de empleo militar para la acción militar conjunta." (2015c, 23)

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The transformation and renewal of the military instrument, aimed at securing a strategic advantage, necessitates gaining autonomy over relevant developments. It's essential to recognize that the current strategy fails to address critical aspects of information power. To enhance the effectiveness of this transformation, a clear target must be defined—whether it's achieving technological superiority, operational agility, or intelligence dominance. Furthermore, understanding the effects of information dissemination, psychological operations, and cyber capabilities is crucial for achieving strategic success.

2.2 Strategic Military Planning in Brazil

In Brazil, the National Defense Policy (PND)¹ defines national security as allowing the country to preserve its sovereignty and territorial integrity, promote its national interests to be free from pressures and threats, and guarantee that citizens exercise constitutional rights and duties. In its complete cycle, the Conception of Joint Employment of the Armed Forces crosses the political, strategic, operational, and tactical levels.

Brazil also has historical restrictions on using the strategic power of information across a broad spectrum. During the military regime (1964–1985), the Brazilian armed forces played a significant role in governance. They passed laws, repressed political groups, and aimed to modernize industry and infrastructure. Therefore, Brazil's focus on internal security and regional stability is influenced by its military period and subsequent democratization history. This historical backdrop shapes its defense strategies, emphasizing non-intervention and peacekeeping roles. Understanding how this history influences the nation's approach to security is essential. The emphasis on non-intervention and regional stability reflects this historical backdrop.²

In Brazil, the Political Level of the leadership establishes the political objectives (ends) to achieve the Desired Political Final State (effects), provides

guidelines, and defines the limitations that apply to the different areas of National Power. The military recognizes that security and development are interconnected. Efforts to enhance security contribute to overall development and vice versa. For instance, ensuring stability in conflict-prone regions facilitates economic growth and social progress.

The Strategic Level transforms the political conditions and guidelines into strategic actions aimed at the external and internal spheres to be developed by the sector by the different ministries in a coordinated manner with actions of military expression. This level unfolds the desired strategic end state in all expressions of national power.³ According to the MD30-M-01 2V⁴, the Joint Employment Planning System of the Armed Forces (SisPECFA) Includes a) at the political level: guidelines under the responsibility of the Supreme Commander (SC); b) at the strategic level: guidelines and plans under the responsibility of the Ministry of Defense (MD).

Per the manual MD 30-M-01 IV⁵, military power will be used according to the following cases: a) war situation - exploring the fullness of violence: Defense of the Homeland. (b) non-war situation - when military power is used in a limited manner or without involving combat action: guarantee of constitutional powers; ensuring law and order (GLO); subsidiary powers; preventing and combating terrorism; actions under the aegis of international organizations; employment in support of foreign policy in times of peace or crisis; and other non-war work.

By integrating the definitions, the policy elaborates the goals, guiding the direction of strategic actions. The Strategy, as an instrument of the Policy and, therefore, underlying it, is responsible for defining the means and actions to be adopted to achieve the established objectives.⁶ In other words, in Brazil's strategic planning method, the military defense strategy can be integrated with

¹ Brasil. "Política Nacional de Defesa. Estratégia Nacional de Defesa." (2020d)

² John Doe. Brazil's Defense Strategies: Historical Perspectives. *Journal of International Relations* (2023)

³ Brasil. "MD30-M-01: Doutrina de Operações Conjuntas - 1º volume." (2020b, 16)

⁴ Brasil "MD30-M-01: Doutrina de Operações Conjuntas 2º Volume." (2020c, 15)

⁵ Brasil. "MD30-M-01: Doutrina de Operações Conjuntas - 1º volume." (2020b, 19)

⁶ Brasil. "Estratégia." (2020a, 1.8)

other non-military elements of State defense, establishing a National Defense Policy.

However, when examining Brazil’s strategy, there seems to be a gap in comprehensive emphasis. Brazil’s National Defense Policy could benefit from a more integrated approach that considers all dimensions of the DIME framework. While the military defense strategy is crucial, it should not operate in isolation. Diplomatic efforts, information dissemination, and economic considerations play equally vital roles. By harmonizing these elements, Brazil can enhance its strategic posture and better safeguard its national interests. Brazil’s strategic planning should go

distinct objectives and methods for each country’s military capabilities.

In Argentina, the highest level of planning is called the National Strategy. In Brazil, this level corresponds to what is defined as National Politics. At this level, both countries consider how to employ their national power. However, there is a critical distinction in the planning process. In the Argentine doctrine, the National Strategic Level encompasses the means and actions of national power. In contrast, in Brazil, the Political Level provides only planning guidelines, which serve as the objectives for the Strategic Level.

“Las estrategias de Argentina y Brasil necesitan adaptarse a hoy día militar power por usando un enfoque expansivo, cambiando la visión física de objetivos”

beyond military-centric perspectives and embrace a holistic information approach.

2.3 Comparison – Planning Structure in Argentina And Brazil

Level	Ends	Means		Information Planning
		Argentina	Brazil	
Use of Military Power		War against other states		No
			War and non-war	Yes
National Strategy	National Strategic Desired End State	All the means and actions of the National Power		No
National Politics	Political Desired End State		All the means of the National Power	with restrictions ¹ ²
Strategic	Military Strategic Desired End State	Military Means and Actions		No
	Strategic Desired End State		Means and Actions of All Expressions of National Power	with restrictions

Fig. 1 – Ends, Means, and Information Planning.¹

In the context of military planning, Brazil and Argentina stand out as two distinct examples. The divergence in military planning approaches can be traced back to the utilization of military power. This divergence arises from historical decisions made at the political level, leading to establishing

The strategic power of information plays a crucial role in shaping national security policies. However, its implementation faces distinct constraints in different countries. In Argentina, military power is predominantly associated with a conventional interpretation of war between states. This perspective limits the use of information as a strategic asset to support military operations during armed conflicts. In contrast, Brazil adopts a broader approach, recognizing that military power extends beyond traditional warfare scenarios. Here, the interpretation of strategic information incorporates elements of non-warfare contexts, such as diplomacy, intelligence sharing, and cooperation with non-state actors.

Brazil’s unique perspective on information power reflects its historical context and regional dynamics. Unlike Argentina, which has experienced fewer armed conflicts, Brazil has grappled with internal security challenges, transnational criminal networks, and environmental threats. Consequently, Brazilian policymakers recognize that information can be wielded in traditional war scenarios and address asymmetric threats, cyber warfare, and transboundary issues. This nuanced understanding

¹ Author’s elaboration.

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allows Brazil to leverage information strategically across a spectrum of security challenges, fostering cooperation with neighboring countries and international partners.

At the Brazilian political-strategic level, the focus on information power is restricted because policies only apply cybersecurity and cyber defense measures. These policies address information security, data protection, and digital threats. However, they do not encompass the broader scope of Brazil's national information strategy, which may include other strategic elements beyond cybersecurity.

The Brazilian National Information Security Policy (PNSI) was approved by Decree No. 9,637/2018. It covers cybersecurity, cyber defense, physical security, and organizational data protection. Its goal is to ensure information availability, integrity, confidentiality, and authenticity. The PNSI is implemented through the National Information Security Strategy (ENSI) and national plans. ENSI addresses topics such as cybersecurity, cyber defense, security of critical infrastructure, and data leak prevention. The National Cybersecurity Policy (PNCiber) was established by decree. It guides cybersecurity activities in the country. Its principles include national sovereignty, protection of fundamental rights (such as freedom of expression and data protection), prevention of cyber incidents, and international technical cooperation in cybersecurity.

In Brazil, strategic planning plays a pivotal role in determining the means and actions of all expressions of National Power. This comprehensive approach begins with strategic planning for the other sectors. In contrast, the Military Power's actions are scheduled for the Strategic Military level in Argentina. However, none of the countries conceive the planning of information power in broad understanding, as great powers have used it in the strategy of continuous competition. To completely understand strategic planning, it is essential to incorporate comprehensive strategic information. Thus, a holistic understanding of strategic planning encompasses the means and the

power of strategic information that guides informed decisions.

Comparing the different structures between Argentina and Brazil, aligning the decision-making levels that establish the means and ends of planning and strategic actions is complex. Furthermore, strategic planning in both countries is focused on traditional physical threats in the military field, making it challenging to adapt to the needs of strategic evolution for threats of an informational nature.

2.4 The Dime Framework: a Key to Understanding Argentina and Brazil's Security Strategies

Applying the DIME framework to Argentina and Brazil provides a comprehensive perspective on their security challenges and strategies:

a. Argentina

Diplomatic: Diplomacy is essential as a constitutive element of national power. It is the means of foreign policy and, as such, helps it achieve better results through judicious work and persuasion in international relations.¹ Argentina is a proactive player in regional diplomacy, actively engaging through organizations like the UNITED NATIONS, MERCOSUR (Southern Common Market), and the Organization of American States. This commitment to stability and cooperation in South America is a reassuring sign of Argentina's diplomatic strength.

Information: There is no reference in Argentina's military doctrine concerning national power that considers the Information factor in its planning. In 2005, debates by rights commissions on the military use of psychological operations against the population by the Armed Forces during the military period became public. One of the documents banned by the government was Regulation RC 5-I '*Operaciones psicológicas del Ejército Argentino*,' which was in force until 1997, written by General Lanusse in 1968.² This action generalized conceptual confusion regarding the term Information Operations. Thus, Argentina

¹ Argentina. Ministerio de la Defensa. "PC 00-01: Doctrina Básica para la Acción Militar Conjunta." (2018)

² Pamela Verónica Morales. "Reglamento RC5-I 'Operaciones psicológicas' del Ejército Argentino." (2011)

focuses only on cybersecurity to protect its information infrastructure.

Military: Due to economic and social priorities, the country has substantial restrictions on investment in retooling, and the National Security Law prohibits its use in actions within the government itself. This is reflected in the structure of the Forces in terms of equipment and personnel maintenance problems. While not involved in significant conflicts, Argentina maintains a capable military for defense and participates in international peacekeeping missions. This helps to ensure national defense and contributes to global peace efforts.

Economic: Economic instability and inflation are significant concerns for Argentina, impacting social stability and security. Addressing these financial challenges is essential for maintaining overall national security.

b. Brazil

Diplomatic: Brazil plays a crucial role in regional and global diplomacy, being a member of UNITED NATIONS, MERCOSUR, BRICS (Brazil, Russia, India, China, and South Africa), and other international organizations. This involvement helps to foster regional and global stability and address security challenges through cooperative efforts.

Information: The country has an Information Operations doctrine for Military Operations at the operational and tactical levels under the authorization of Brazilian constitutional limits. The doctrine does not consider using IO at national political or strategic levels, restricting actions to the military field. Brazil invests in cybersecurity and countering misinformation, crucial for maintaining public trust and national security. These efforts help to protect the country's information infrastructure and prevent the spread of harmful misinformation. It established the National Policy on Cybersecurity, instituted on December 27, 2023; this policy aims

to guide and oversee cybersecurity activities in Brazil. It also established the National Cybersecurity Committee.¹

Military: Brazil's robust military presence in border defense, which focuses on internal interagency security and humanitarian affairs and participates in international peacekeeping efforts, is a strong pillar of the country's national defense and global peace and stability efforts. The country has a National Defense Policy², structuring technology development programs like cyber capabilities. For the Amazon, the Brazilian military is involved in operations to combat illegal activities such as logging, mining, and drug trafficking. The "Blue Amazon" strategy is more extensive and includes Surveillance and Monitoring, Naval Presence, and International Cooperation.³

Economic: Brazil faces significant financial challenges, including inequality and poverty, which affect overall security and social cohesion. Addressing these economic issues is vital for maintaining national stability and security.

3 THE STRATEGIC POWER OF INFORMATION OPERATIONS

"Today's conflicts favor Information Operations."⁴ In the case of Brazil, the Strategic Level of Information Operations designs the framework of actions guided by political conditions and guidelines. These actions may be related to the country's internal and external environment.⁵ In the case of Argentina, there is no doctrine for Information Operations.

The military strategy brings together ends and means to produce effects. This is related to the military power of capabilities in the information environment and the ongoing competition of the strategies of leading Western countries and Russia. The analysis of the strategic power of Information Operations will be used as a reference for changing strategic thinking, which is a multidimensional

¹ Government of Brazil. "Decreto Nº 11.856, de 26 de dezembro de 2023." Diário Oficial da União, 27 de dezembro de 2023. (2023)

² Brasil. "Política Nacional de Defesa. Estratégia Nacional de Defesa" (2020d)

³ Nathan Thompson. "The Blue Amazon: Brazil Asserts Its Influence Across the Atlantic." (2015)

⁴ Brasil. "MD30-M-01: Doutrina de Operações Conjuntas - 1º volume." (2020b, 43)

⁵ Brasil. "Política Nacional de Defesa. Estratégia Nacional de Defesa." (2020d, 193)

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operational strategy: human, informational, and physical.

Strategic campaigns in the information environment use the study of the science of language and demonstrate the difficulty of controlling information's internal and external factors. According to Chomsky¹, "The difficulty of interpretation begins with the indefiniteness of the functions of things." The different mission policies of the armed forces have made it difficult for strategists to adapt to types of warfare, such as composite warfare, unrestricted warfare, legal warfare, hybrid warfare, complex irregular warfare, asymmetric warfare, fifth- and sixth-generation warfare, or conflict in the gray zone.²

"Information is power"

The informational environment has different vectors depending on senders and receivers. Efficient and effective driving is in effect in an information-saturated context. Correct perception is an advantage for intangibly and decisively attaining the desired end state.³ The senders are the military power, and the receivers are the targets. Controlling the flow of information will determine the destructive potential of the effects. In the case of strategic effects, the expected end depends on the perception of the desired end state.

Antagonistic views of countries on the global information environment, such as those of Western countries and Russia, nuclear powers that can directly or indirectly influence the national defense strategies of South American countries, have declared themselves enemies. These countries are developing large strategic Information Operations campaigns, as in the case of the United Kingdom and its extraterritorial beyond the seas, and in the case of Russia in the case of Russia with the war with Ukraine and its projections on common spaces such as open oceans to Antarctica.

3.1 United Kingdom's Strategy for Information Operations

In one glaring example of Western strategy, the UK's Information Operations power goes beyond military might. The choice of this country as a Western example of analysis is because the United Kingdom's Information Operations strategy was publicly expressed in its defense strategy. Therefore, it became widely known worldwide. Furthermore, the United Kingdom is an important North Atlantic Treaty Organization (NATO) member and strongly influences the strategy implemented throughout the bloc. NATO is currently heavily engaged with the threat of advancing Russia's strategy that was implemented in the war with Ukraine.

The UK military doctrine incorporates the DIME framework, which stands for Diplomatic, Information, Military, and Economic instruments of national power. This framework is essential for strategic military planning and is detailed in various UK Defence Doctrine publications. The diplomatic component involves using diplomacy to manage international relations and alliances, emphasizing the importance of diplomatic efforts in preventing conflicts and fostering international cooperation.

The information component focuses on using information and communication to influence perceptions and behavior, highlighting the role of information operations in shaping the strategic environment and supporting military objectives. The military instrument involves using armed forces to achieve strategic goals, outlining the principles of employing military power, including the maneuver approach and mission command. Lastly, the economic component involves using economic measures to influence the behavior of other states or non-state actors and discussing integrating financial tools with other instruments of power to achieve strategic goals.⁴

The information component of the DIME framework is crucial because it involves the strategic

¹ Noam Chomsky. "A ciência da linguagem: conversas com James McGilvray." (2014)

² Trama; Guerrero, & Vergara. "Los ciegos y el elefante: el ambiente operacional híbrido." (2019, 3)

³ Luiz Arcadio Zarza. "Estrategia militar y su transfiguración en la era de la información." (2016, 5)

⁴ Ministry of Defence, UK Defence Doctrine (JDP 0-01) (2022)

use of information and communication to influence perceptions and behaviors. Information operations are essential for shaping the strategic environment in the UK Defense Doctrine context. This includes propaganda, cyber operations, and public diplomacy, which can be used to support military objectives, counter adversary narratives, and maintain public support. By effectively managing information, the UK can enhance its strategic position, disrupt enemy plans, and ensure that its operations are understood and supported domestically and internationally. Information is a powerful tool for achieving broader strategic goals without using military force.

As shown in Fig. 2 of the United Kingdom's Strategy, "CP 411: defense in a competitive age," the intensity of Information Operations increases with the escalation of competition between States and the emergence of crises and conflicts. This progressive advancement of means in the informational dimension demonstrates that the expected effects involve actions that begin at the political level, with the establishment of strategic actions and guidelines, and transform into operational and tactical actions.

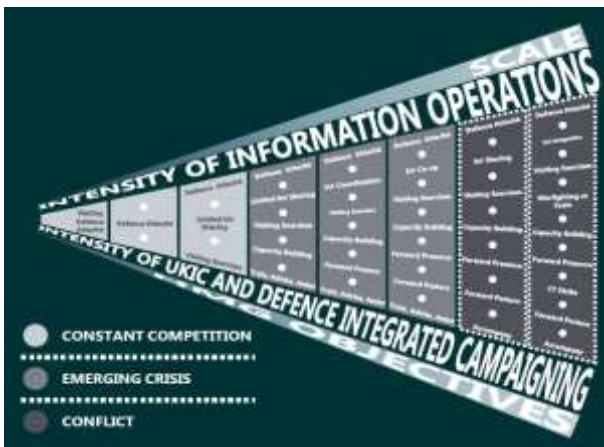


Fig. 2 - CP 411: defense in a competitive age.¹

In this strategy, the degree of involvement in information operations includes inter-ministerial actions in foreign relations, expanding strategic instruments according to the possibilities and needs for intensifying actions, according to the threat level. The strategic environment involves peacetime defense measures, with technological and doctrinal

development capable of understanding the enemy's strategic environment.

Furthermore, regarding the military doctrinal approach, the term information campaign was defined over twenty years ago by the UK Ministry of Defense manual, JWP 3-80, as: "coordinated information output of all government activity undertaken to influence decision-makers in support of political objectives, while protecting one's decision-makers."² There appears to be a historical doctrinal relationship in the United Kingdom between what was published in 2002 and the new publication in 2021, exemplifying the historical and evolutionary strategic option for using the informational medium. This strategic intention was updated with the 2021 document, being expanded according to the needs of continuous competition in the sphere of the information environment.

The United Kingdom's military strategy is adapted to the current need for the participation of non-military means to resolve conflicts in a constant environment of competition between countries and world leaders. It therefore appears that the UK is seeking to coordinate influencing activity at the highest level, beginning to plan its actions at the National Strategy level. In this way, the strategic level determines the necessary format for information operations, directing the effort to achieve the interests favorably.

National strategy directs the integrated use of national power to achieve policy ends. Doctrine has traditionally characterized three instruments of national power – diplomatic, military and economic – with information as the latest addition. (...) The information instrument of national power is the application of the UK's institutional narrative using information activities (including strategic communication) in support of national interests. Information technologies underpin information activity.³

In this information age, the United Kingdom made its intention clear in its publication by choosing information operations or campaign information as a strategy in conjunction with International Relations. This shows that the

¹ United Kingdom. "CP 411: defence in a competitive age." (2021, 19)

² United Kingdom. "JWP 3-80 Information Operations." (2002, 1.2)

³ United Kingdom. "Joint Doctrine Publication 0-01: U.K. Defence Doctrine." (2022, 12)

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proposed military communication actions can achieve the desired effects at the strategic and political levels. Thus, the United Kingdom synchronizes information operations from the military strategic level. All government activity was undertaken to influence decision-makers in support of political objectives while protecting the decision-makers themselves".¹

3.2 Russian's Information Warfare

The analysis takes Russia as a counterpart, a country with a military doctrine opposing Western intentions, especially considering NATO. In a non-ostensive example, Russian information warfare is not limited to wartime. "It's not even limited to the initial phase of the conflict." (Giles 2016, p. 15) Information warfare is the starting point of a new type of warfare, hybrid warfare, with extensive use of the media and, where possible, global computer networks (blogs, social networks, and other resources). Gen Gerasimov is the Russian military strategist who most influenced Russia's recent political strategy and stance. Gerasimov saw the need to use new technologies and all the means that the State had to develop a new military strategy. In another order of things, it indicates that there must be a close relationship between national strategy and military strategy. These relationships can be formal or informal but must have been continuity.

Russia's strategic approach in this indirect media domain is related to the strategic actions of war and its perspective concerning Information Operations. As Bartles (2016) points out, "The important thing is that while the West considers these non-military measures as a way of avoiding war, Russia considers these measures like war." These considerations must be reviewed to understand and not misinterpret the doctrine. The West characterized this Russian strategy as based on disinformation, with few facts based on legitimate actions and interests.

Information Operations plays a critical role in Russia's military doctrine. It encompasses deliberate actions to influence adversaries' views, attitudes, and behavior during military operations. Vital

components of IO include psychological operations (PSYOP), electronic warfare (EW), cyber operations, and the physical destruction of information infrastructure. By leveraging these tools, Russia aims to shape public opinion, disrupt adversary communication, and protect its information systems. Russia's strategic objectives align with its military doctrine. These include territorial security, maintaining military strength, and safeguarding critical infrastructure. IO contributes directly to achieving these goals. Whether through shaping narratives, disrupting enemy networks, or protecting information channels, Russia recognizes the importance of information as a powerful tool alongside traditional military capability.

Reflexive Control Theory Russia's Reflexive Control Theory, rooted in the Soviet era, aims to shape an adversary's decision-making processes by subtly manipulating their perceptions of reality. The objective is to lead opponents to make decisions against their interests. By skillfully controlling the information environment, Russia creates scenarios where its desired outcomes appear as the most favorable choices. Reflexive control operates across negotiations, battlefield deception, and deterrence operations, forcing adversaries to alter plans and make irrational decisions.²

Implications and Methods Within Russian military doctrine, reflexive control plays a strategic role. Unlike Western countries, Russia views warfare broadly, considering a state's population to achieve goals. Information superiority is critical for destabilizing geopolitical balance. Denial and deception operations, exemplified by using "little green men" in Ukraine, demonstrate the method's effectiveness. Russia intentionally controls combat environments to increase predictability and create desired conditions. Reflexive control's adaptability makes it a powerful tool in information warfare and strategic manipulation.³

Currently, in the era of globalization of information and the consequent weakening of the physical limits of borders between states, Russia is changing how to resolve conflicts between them,

¹ United Kingdom. "JWP 3-80 Information Operations." (2002, 1.2)

² Keir Giles; James Sherr; Anthony Seaboyer. "Russian Reflexive Control." (2018)

³ Ibid. (2018)

which has become an essential factor. In Russia's contemporary conflicts, the strategy has prioritized the joint use of non-military measures, such as political, economic, and informational. These would be used to complement, or even replace, what will be implemented with the support of military force.

Under today's conditions of Russia's war against Ukraine, winning information confrontations at the tactical level will result in the achievement of strategic and political goals and the defeat of an enemy's armed forces (and the capture of its territory, the destruction of its economic potential, and the overthrow of its political system). This is because Russia's information warfare is not only directed at Ukraine but also at all Western country's enemies that support Ukraine's war effort. Russia conducts information confrontation activities between states and other actors in the information space to cause damage to information systems, processes, resources, and critical structures and undermine political and social systems to destabilize the adversary state.¹

3.3 The Strategic International Information Warfare and Its Impact on Brazil and Argentina

With strategic globalization, in the case of continuous global power competition, Westphalian military power is maximized by technological advances, as can be identified between Western countries, like the U.K. and Russia's power projection. In South American realism, particularly in Argentina and Brazil, the threshold of state resistance can increase or decrease in the strategy that uses the information environment due to the relativity of boundaries in the communications, electromagnetic, and cybernetic space. It would be critical for any military force to control the influence of tangible and intangible external technologies, developing strategies to bolster the threshold of resistance.²

As seen in the analysis of the strategies of the United Kingdom and Russia, different strategic actions, means, and ends applied by Information Operations are at stake. The means and methods can serve as a doctrinal example of how the military

component can use non-kinetic actions, considered hybrid, to achieve desired effects and targets. Strategic actions and political purposes serve as a reference to the global impact and an alert to the possibilities of informational threats to South America.

Faced with the potential growth of strategic threats in the information environment, South American countries need to be prepared to benefit from the fact that the power of Information Operations goes beyond physical force. This can be used in favor of Argentina and Brazil, which have similar political and military interests in defending their populations, cultures, Atlantic-South-Continental positions, large territories, and natural resources. Argentina and Brazil also have a stage of technological development that can be easily affected by Information Operations.

In Brazil, the doctrinal state of Information Operations has yet to advance beyond the tactical level of employment. This is because the National Policy and National Defense Strategy do not include actions to integrate informational methods and means. Therefore, there needs to be more clarity between applying tactical means and the possibility of a broad strategy in means and ends for strategic levels. In Argentina, Information operations are not implemented at a practical level and, therefore, are far from being considered at a strategic and political level. The fact that there are different methodologies and policies between Argentina and Brazil to establish the role of their armed forces makes cooperative actions difficult, making it difficult to perceive the impact of Information Operations as a strategic and political threat.

CONCLUSION

The analysis of Argentina and Brazil's strategic models highlights a critical gap: the need for more incorporation of Information Operations to undermine their strategic potential in a continuously competitive global environment. The information strategic approach observed in ongoing competitions between significant powers, such as the United Kingdom and Russia, underscores the

¹ Nogovitzin, y otros. "Rivalry in the Information Sphere: Russian Conceptions of Information Confrontation." (2022, 12)

² Marcelo Gullo. "Relaciones internacionales: una teoría crítica desde la periferia sudamericana." (2018)

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importance of communication and cyberspace dominance in modern military strategy for the domain of information.

Argentina and Brazil leverage the DIME framework to address their multidimensional security challenges, aiming for a balanced approach to ensure national stability and security. By focusing on diplomatic engagement, information security, military readiness, and economic stability, both countries work towards a comprehensive strategy to address their unique security concerns. Regarding the role of military power, the study of the strategic conflict scenario allowed us to conclude that National Defense is not limited to military physical power. The uncertainty surrounding the world of international relations makes it difficult to plan and define the Armed Forces' leadership.

When comparing Argentina's and Brazil's strategic planning, distinct differences emerge. Brazil's strategy is more politically integrated, offering greater flexibility in military planning and action, whereas Argentina's approach remains more confined to conventional military power. This disparity poses challenges to cooperative strategic action between the two nations. A joint and collaborative strategy for South America hinges on adjusting strategic perceptions within the information environment.

Effective military strategic planning must adapt to evolving security challenges, requiring an accurate identification of trends, risks, and threats. In Brazil, the Armed Forces are integral to the National Strategy, while in Argentina, they are viewed primarily as a response to external military threats, limiting their current operational scope. The examples of the United Kingdom and Russia illustrate the necessity for military strategies to incorporate indirect information actions through non-military means to achieve objectives in the ongoing state competition.

Suppose the neighboring South American countries, Brazil and Argentina, want to collaborate on defense and security matters at the strategic level. In that case, both nations must recognize the significance of information warfare, cyber capabilities, intelligence sharing, and strategic communication to counter common adversaries

effectively. Leveraging their respective strengths to create a synergistic defense strategy is crucial in an increasingly interconnected world, where information power is as critical as traditional military might.

In this analysis, it becomes evident that Argentina and Brazil's strategic planning processes require revision to align with the informational strategic trends embraced by major powers. This complexity poses challenges for developing a cohesive national or joint strategy. Both countries must adapt their methods and doctrines to restore strategic equilibrium and effectively compete in the information environment. National strategists should recognize that failing to project power in this domain—given the growing importance of Information Operations—will result in strategic subservience and compromised national security.

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**LA CIBERSEGURIDAD DE LAS INFRAESTRUCTURAS CRÍTICAS
REGIONALES COMO FACTOR CLAVE PARA LA SEGURIDAD
MULTIDIMENSIONAL DEL HEMISFERIO AMERICANO. CASO
PRÁCTICO: ITAIPU Y YACYRETA**

Zoraya Alas Candia



LA CIBERSEGURIDAD DE LAS INFRAESTRUCTURAS CRÍTICAS REGIONALES COMO FACTOR CLAVE PARA LA SEGURIDAD MULTIDIMENSIONAL DEL HEMISFERIO AMERICANO. CASO PRÁCTICO: ITAIPU Y YACYRETA

Zoraya Alas Candia^a

RESUMEN

Este trabajo, analiza el preocupante aumento de ciberataques a infraestructuras críticas en el mundo y su potencial impacto en la seguridad multidimensional del hemisferio americano. Se utilizó enfoque cualitativo, pensamiento crítico, análisis sistémico, respaldo teórico-práctico suficiente, para demostrar la importancia de detectar y corregir a tiempo las debilidades institucionales de ciberseguridad para fomentar la confianza mutua y ampliar los marcos de cooperación hemisféricos existentes. Como ejemplo práctico, presenta el caso de las Represas Hidroeléctricas Sudamericanas de Itaipu y Yacyreta, para ilustrar la aplicación de los instrumentos y mecanismos de cooperación regional a disposición de todos los países del hemisferio a través la Organización de los Estados Americanos (OEA). La Declaración sobre Seguridad de las Américas (DSA 2003), sirvió de guía a esta investigación, haciendo especial hincapié en la contribución de las Relaciones Internacionales y la Ciberdiplomacia para dirimir conflictos de Derecho Internacional y mantener la paz y la seguridad hemisférica.

PALABRAS CLAVE:

Seguridad multidimensional, ciberseguridad, infraestructuras hidroeléctricas críticas, derecho internacional, Relaciones Internacionales, diplomacia cibernética

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INTRODUCCIÓN

El preocupante aumento de ciberataques a los sistemas que controlan y operan las infraestructuras críticas en el mundo, hace necesaria una mirada crítica respecto a la manera en que se articula la cultura estratégica hemisférica de ciberseguridad, en la intención de encontrar nuevas maneras de aplicar los mecanismos de cooperación regional existentes que contribuyan a mitigar la inseguridad cibernética¹.

A nivel regional, el riesgo de ser blanco de actividades maliciosas que enfrentan las infraestructuras críticas, es verdaderamente elevado, debido a que estos activos vitales para el desarrollo de los Estados, dependen 100% de las tecnologías que manejan sus sistemas operativos, lo que lamentablemente, las expone constantemente a recibir ciberataques.

Este tipo de amenazas a la seguridad cibernética

“No debemos esperar la ocurrencia de un ciber 911 para empezar a actuar”

regional, posee características muy complejas que operan en varios espectros al mismo tiempo, socavan la estabilidad política, económica, energética y la seguridad de los países. Paralelamente, les impide fomentar confianza cibernética mutua, ya que los ciberataques, podrían provenir de cualquier país del hemisferio e incluso, del resto del mundo; pero, en la práctica, salvo que un grupo cibercriminal se atribuya la autoría de los ciberataques, la determinación precisa de la identidad de los perpetradores, sigue siendo casi imposible.

Ante este panorama, los sistemas de ciberseguridad de los países del hemisferio se encuentran al límite de sus capacidades operativas. En virtud de ello, este estudio abordará el acuciante incremento de ciberataques a infraestructuras críticas en el mundo y su potencial impacto en el hemisferio americano, para resaltar la importancia

de aplicar los instrumentos y mecanismos interamericanos existentes e incrementar la cooperación y la confianza mutua regional. A tal efecto, plantea a modo de casuística regional, un análisis de los niveles de ciberseguridad de dos Represas Hidroeléctricas Sudamericanas: Itaipu y Yacyreta.

En tal sentido, debemos reconocer que la sociedad de la información en el ciberespacio en la que vivimos inmersos, representa un universo de oportunidades de desarrollo y crecimiento para todos los países del mundo; pero al mismo tiempo, representa un gigantesco desafío para la ciberseguridad de los Estados. Esta compleja dualidad, pone constantemente a prueba sus capacidades, así como la calidad de la gestión de las instituciones nacionales y de los Organismos Internacionales encargados de reglamentar el uso responsable del quinto dominio.

Al respecto, es menester remarcar la importancia que reviste para nuestro hemisferio proteger adecuadamente sus activos estratégicos y abordar el tema con la seriedad y rigurosidad que merece. Este análisis, realizará un escenario prospectivo respecto al impacto destructivo y las potenciales consecuencias que los ciberataques a estas infraestructuras hidroeléctricas críticas de la región sudamericana podrían provocar, para dimensionar más claramente cuánto afectaría a todo el hemisferio americano.

Para ello, se tomarán en consideración los instrumentos interamericanos sobre seguridad cibernética vigentes, que ponen el foco en la necesidad de incrementar esfuerzos conjuntos entre los países del hemisferio, para reforzar las medidas de ciberseguridad colectiva (Carta de las Naciones Unidas - 1945)² que permitan elevar los niveles de ciberseguridad regional para garantizar la seguridad

¹ Colegio Interamericano de Defensa, citado en Colegio Interamericano de Defensa, *Documento de posición sobre ciberseguridad hemisférica y amenazas híbridas* (Washington, D.C.: CID, 2022).

² Organización de las Naciones Unidas, *Carta de las Naciones Unidas y Estatuto de la Corte Internacional de Justicia* (San Francisco: ONU, 1945).

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humana (Informe sobre Desarrollo Humano - PNUD 1994)¹ y la seguridad nacional de todo el hemisferio.

Como punto inicial de este estudio sobre ciberseguridad interamericana, recordemos al senador americano Joe Lieberman² que dijo: “No debemos esperar la ocurrencia de un ciber 911 para empezar a actuar”.

Esta frase de impacto, debe hacernos reflexionar profundamente sobre ¿qué evento de ciberseguridad podría compararse a una tragedia de esas proporciones en nuestra región? La respuesta es: Los ciberataques a infraestructuras hidroeléctricas críticas.

Para ejemplificar la magnitud destructiva que un ciberataque podría ejercer sobre este tipo de activos estratégicos vitales, tomaremos como ejemplo a dos Represas Hidroeléctricas sudamericanas de las cuales se benefician Argentina, Brasil y Paraguay.

Las represas hidroeléctricas de Itaipu³ y Yacyreta⁴, fueron establecidas en base a dos Tratados internacionales binacionales independientes, ambos firmados en el año 1973. El Tratado de Itaipu, compromete a Brasil y Paraguay, mientras que el Tratado de Yacyreta, fue firmado entre Argentina y Paraguay.

La protección de estas infraestructuras hidroeléctricas críticas, reviste trascendental importancia para asegurar la soberanía energética, mantener la seguridad humana y la seguridad nacional de los tres países mencionados, pero al mismo tiempo, para garantizar la paz y la seguridad de todo el hemisferio americano.

Examinando el marco normativo que las sustenta, encontramos informaciones muy interesantes, extraídas de sus sitios webs oficiales. Por ejemplo, ambas hidroeléctricas, además de los Tratados binacionales constitutivos por las que fueron creadas, se encuentran respaldadas por políticas públicas nacionales de sus respectivos Estados, coherentes con la naturaleza del vínculo jurídico binacional que las originó.

En el mismo sentido, se pudo verificar que Argentina, Brasil y Paraguay, son signatarios del Convenio de Budapest⁵ sobre ciberdelincuencia, así como de sus protocolos complementarios. Por otro lado, los tres países poseen Equipos de Respuesta a Incidentes de Ciberseguridad (CSIRTs) a nivel nacional y paralelamente, cada entidad binacional posee su propio CSIRTs individual.

Adicionalmente, siguiendo las recomendaciones de los organismos regionales especializados en ciberseguridad, en forma periódica realizan ejercicios conjuntos y coordinados de simulación de ciberataques. Sin embargo, no se han encontrado registros en fuentes abiertas, ni en consultas informales a expertos, que demuestren la existencia de un CSIRTs⁶ conjunto entre ambas Hidroeléctricas, y esto, en términos de ciberseguridad, constituye una enorme debilidad estratégica que podría ser aprovechada de forma maliciosa.

América Latina, es reconocida por la abundancia de biodiversidad y recursos naturales que posee. En efecto, según el Banco de Desarrollo de América Latina y el Caribe - CAF 2018⁷, la región sudamericana es privilegiada en ese aspecto, ya que alberga bajo su superficie el 30% del agua dulce del planeta, insumo prioritario para la producción de otros bienes y servicios vitales para nuestro hemisferio.

¹ Programa de las Naciones Unidas para el Desarrollo (PNUD), *Informe sobre Desarrollo Humano 1994: Nuevas dimensiones de la seguridad humana* (Nueva York: PNUD, 1994).

² Joe Lieberman, citado en U.S. Senate Committee on Homeland Security and Governmental Affairs, *Hearing on “Cybersecurity: Preventing Terrorist Attacks and Protecting Privacy in Cyberspace”* (Washington, D.C.: U.S. Government Printing Office, 2002).

³ ITAIPU Binacional, *Tratado entre la República del Paraguay y la República Federativa del Brasil para el aprovechamiento hidroeléctrico del río Paraná* (Asunción-Brasilia: 1973), <https://www.itaipu.gov.br/>.

⁴ Entidad Binacional Yacyreta, *Tratado entre la República del Paraguay y la República Argentina para el aprovechamiento hidroeléctrico del río Paraná en el sitio denominado Yacyreta-Apipé* (Asunción-Buenos Aires: 1973), <https://www.eby.org.ar/>.

⁵ Consejo de Europa, *Convenio sobre la Ciberdelincuencia (Convenio de Budapest)*, firmado por Argentina, Brasil y Paraguay (Estrasburgo: Consejo de Europa, 2001), <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=185>.

⁶ CSIRT Argentina, “Centro de Respuesta a Incidentes de Seguridad en Tecnología de la Información,” Ministerio de Seguridad, <https://csirt.argentina.gob.ar/>; CSIRT Brasil, “Centro de Tratamiento e Resposta a Incidentes Cibernéticos,” <https://www.cert.br/>; CSIRT Paraguay, “Equipo de Respuesta a Incidentes de Seguridad Informática,” <https://www.gov.py/csirt>.

⁷ Banco de Desarrollo de América Latina y el Caribe (CAF), *Gestión integrada del recurso hídrico en América Latina: desafíos institucionales, legales y políticos* (Caracas: CAF, 2018), <https://scioteca.caf.com/handle/123456789/1293>.

Lógicamente, los recursos naturales existentes en la región sudamericana, son aprovechados por los países que tienen la fortuna de poseerlos para impulsar su desarrollo. Una de las maneras que han encontrado para hacerlo, es a través de la construcción de monumentales represas hidroeléctricas que les permitan utilizar responsable y convenientemente la abundancia de agua y el impresionante caudal de sus ríos para generar energía eléctrica.

Este legítimo aprovechamiento de sus recursos, es el ejemplo perfecto de la dualidad a la que se hizo referencia más arriba; pues, configura al mismo tiempo una inestimable oportunidad de progreso y cooperación internacional para el desarrollo de esa subregión, y a la vez, abre las puertas a una cantidad indeterminable de riesgos y desafíos para la seguridad cibernética hemisférica.

Con base en lo anterior, se plantea la segunda pregunta de estudio: ¿por qué estas infraestructuras hidroeléctricas críticas sudamericanas podrían ser blancos potenciales de ciberataques?

Respuesta: Por el tipo de bien que generan y el nivel de daño que un ciberataque individual o simultáneo, podría causar a todo el hemisferio americano.

Como sabemos, estas infraestructuras hidroeléctricas críticas, son muy importantes para el impulso económico y la independencia energética de la región sudamericana; pero, al estar operadas por tecnologías de última generación que dependen completamente de sistemas operativos digitales, se convierten automáticamente en preciados bastiones para organizaciones internacionales de ciberdelincuencia de todo el mundo, con altísimo potencial destructivo. Recordemos que, la energía eléctrica que producen estas represas, mueve toda la actividad económica, mercantil, educativa, tecnológica y la salud pública del Cono Sur¹.

En adición a lo anterior, la ubicación geoestratégica de las referidas hidroeléctricas, en

pleno corazón de América del Sur, incrementa exponencialmente el riesgo de daño potencial a gran escala que esa subregión podría sufrir, en caso de ocurrir un ciberataque^{2,3}.

Por otro lado, tanto la represa hidroeléctrica de Itaipu como la de Yacyreta, se encuentran sobre el mismo cauce hídrico, el caudaloso Río Paraná, a tan sólo 422 kilómetros la una de la otra. Pero, por si este escenario no fuese ya lo suficientemente complejo, se adiciona a esta peligrosa ecuación el hecho de que, una de ellas se encuentra a menos de 30 kilómetros de la Triple Frontera, conocida por las constantes sospechas de ser un centro de actividades criminales con fines de financiamiento al terrorismo internacional y la otra represa, si bien se sitúa aproximadamente 380 kilómetros más al sur, sigue perteneciendo a su zona de influencia.

Sin duda alguna, estos datos generan gran preocupación a la comunidad de ciberseguridad. Las ganancias que generan este tipo de actividades cibernéticas maliciosas, casi siempre se asocian al financiamiento de delitos conexos, lo que constituye otra de las amenazas endémicas que aquejan al mundo e influyen directamente sobre en nuestra región⁴.

Prosiguiendo con el análisis, desde la perspectiva económica, encontramos que el Río Paraná, es uno de los más importantes de la región sudamericana. Forma parte de la Hidrovía Paraguay - Paraná, por cuyas aguas transita todo el comercio de importación y exportación proveniente de distintas partes del mundo⁵.

Para ilustrar mejor la gravitancia hidrohegemónica que reviste el Río Paraná para esa subregión, es importante mencionar que su trayectoria inicia al sur, en la Cuenca del Plata, pasando por la Cuenca del Paraná, influyendo sobre la Cuenca del Amazonas; llegando incluso hasta la Cuenca del Orinoco, al norte del mapa hidrográfico

¹ Banco de Desarrollo de América Latina y el Caribe (CAF). *La infraestructura en el desarrollo integral de América Latina: la visión desde el sector eléctrico*. Caracas: CAF, 2019. <https://scioteca.caf.com/handle/123456789/1434>.

² ITAIPU Binacional. "Datos técnicos y geográficos." <https://www.itaipu.gov.br/>.

³ Entidad Binacional Yacyreta. "Ubicación geográfica." <https://www.eby.org.ar/>.

⁴ Organización de las Naciones Unidas contra la Droga y el Delito (UNODC), *La conexión entre el delito cibernético y la financiación del*

terrorismo (Viena: ONUDD, 2021), <https://www.unodc.org/unodc/es/cybercrime/terrorism.html>.

⁵ Comisión Económica para América Latina y el Caribe (CEPAL), *La Hidrovía Paraguay-Paraná: desafíos y perspectivas logísticas para la integración regional* (Santiago de Chile: CEPAL, 2020), <https://www.cepal.org/es/publicaciones/45674-la-hidrovía-paraguay-paraná-desafíos-perspectivas-logísticas-la-integración>.

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sudamericano (Comité Intergubernamental Hidrovía Paraguay-Paraná -1992)¹.

La posibilidad de un ciberataque a cualquiera de estas infraestructuras hidroeléctricas críticas sudamericanas, podría tener consecuencias catastróficas en todo el hemisferio americano; empezando por la interrupción inmediata y por tiempo indefinido del suministro de energía eléctrica en todo el territorio de los tres países afectados².

Por otro lado, los servicios de internet en la región, quedarían completamente inutilizados y fuera de servicio, lo que dejaría aisladas a sus comunidades, sin interconexión y, consecuentemente, a merced de los ciberdelincuentes especializados en detectar debilidades de seguridad cibernética dentro de los servicios de banca electrónica, tanto pública como privada.

“Los ciberataques a infraestructuras hidroeléctricas críticas podrían provocar, para dimensionar más claramente cuánto afectaría a todo el hemisferio americano”

Igualmente, a consecuencia de la pérdida de conectividad digital, se verían severamente comprometidos los controles de los comandos informáticos que operan los sistemas de apertura y cierre de las compuertas que gobiernan las esclusas de ambas hidroeléctricas.

Ante tal escenario, lo primero que ocurriría serían terribles inundaciones que afectarían gravemente a sus poblaciones. Se interrumpiría indefinidamente la navegabilidad fluvial en gran parte de Sudamérica y, por consiguiente, ocurriría una drástica caída de toda la actividad económica y mercantil a nivel regional. Pero lo más grave y triste, sería la imposibilidad de dar atención médica a sus comunidades, ante la proporción de las inundaciones y la cantidad de damnificados que esto

podría provocar, inevitablemente sus sistemas de salud pública colapsarían.

La magnitud del daño que un ciberataque a estas infraestructuras hidroeléctricas críticas sudamericanas podría representar para nuestra región, es un tema que debe ser atendido con urgencia. Afrontarlo, no sólo sobrepasaría por completo las capacidades de los países afectados, sino que, además, sus consecuencias justificarían la declaración inmediata de estado de calamidad regional y, por consiguiente, se convertiría en una amenaza directa a la seguridad multidimensional de todo el hemisferio americano.

Haciendo prospección desde la perspectiva de la ciberseguridad, los CSIRTs individuales de ambas hidroeléctricas y los equipos nacionales de respuesta a incidentes cibernéticos de los tres países involucrados, con toda seguridad harían lo

imposible por recuperar el control de los sistemas operativos bajo ciberataque. Pero, lamentablemente, ante la eventual magnitud de los daños informáticos y el colapso general de los sistemas a nivel subregional, sus esfuerzos serían en vano, esto, pues se desestabilizarían por tiempo indefinido todos los servicios estatales y a causa de esto las pérdidas humanas y económicas alcanzarían proporciones dantescas.

En efecto, para afrontar un ciberataque, indefectiblemente, los países comprometidos deberán recurrir a la ayuda internacional, lo que, a su vez, absorbería las capacidades de respuesta a incidentes cibernéticos de los demás países del hemisferio, especialmente de aquellos con mejor situación económica y mayor desarrollo

¹ Comité Intergubernamental de la Hidrovía Paraguay-Paraná, *Acuerdo de Santa Cruz de la Sierra sobre Transporte Fluvial por la Hidrovía Paraguay-Paraná (Puerto Cáceres – Puerto Nueva Palmira)* (Santa Cruz, Bolivia: Comité Intergubernamental de la Hidrovía, 1992), <https://www.hidrovias.org/>.

² Organización de los Estados Americanos (OEA) y Banco Interamericano de Desarrollo (BID), *Estado de la ciberseguridad en el sector energético en América Latina y el Caribe* (Washington, D.C.: OEA/BID, 2020), <https://publications.iadb.org/es/estado-de-la-ciberseguridad-en-el-sector-energetico-en-america-latina-y-el-caribe>.

tecnológico. Es decir, los países del hemisferio pagarían subsidiariamente los daños colaterales de un ciberataque a estas infraestructuras hidroeléctricas críticas.

La verdad es que, prácticamente, ningún país de nuestro hemisferio posee recursos suficientes ni capacidades de respuesta necesarias para sobreponerse por sí solo a un ciberataque masivo de estas características, lo que abona el terreno para seguir bregando por la adopción de mayores medidas de ciberseguridad colectiva¹.

Al respecto, el enfoque académico, estratégico y teórico que otorga el Colegio Interamericano de Defensa (CID)² a este tipo de situaciones que comprometen la ciberseguridad regional, coincide con este análisis, reconociendo que, únicamente podrían ser gestionados de manera adecuada, mediante la prevención y la cooperación hemisférica coordinada.

En adición a lo anterior, la instrumentación de tales esfuerzos, debe realizarse siempre a través de las Relaciones Internacionales de los países y los objetivos de esas colaboraciones estratégicas, deben orientarse a edificar una arquitectura de ciberseguridad colectiva sólida³.

Desde el punto de vista del Derecho Internacional, por consecuencia lógica, la ciberdiplomacia sería la encargada de conducir los debates respecto a los términos y alcances de los acuerdos multilaterales que se negocien sobre el tema, para alcanzar compromisos regionales basados en consensos que garanticen verdaderamente la protección integral de las infraestructuras hidroeléctricas críticas, para asegurar el bien común de nuestro hemisferio (CAEN)⁴.

DESARROLLO

Teorías

La ciberseguridad es una especialidad relativamente nueva, sin embargo, ofrece interesantes enfoques teóricos y opiniones de diversos autores que permiten dimensionar claramente la importancia que reviste para el mundo emprender acciones de prevención individuales y colectivas, así como la cooperación regional para afrontarlas exitosamente.

En tal sentido, Henry Kissinger⁵, se refiere al ciberespacio como un ámbito virtual de intercambio de información e interacción entre personas y sistemas que se encuentra permanentemente expuesto a ciberamenazas.

Tomando en consideración lo anterior, con absoluta propiedad, Nick Espinoza⁶ aseguraba que en el ámbito del ciberespacio: “donde exista una vulnerabilidad, esta con toda seguridad será aprovechada” por los ciberdelinquentes.

En efecto, informaciones estadísticas elaboradas por la Oficina de Asuntos de Desarme de las Naciones Unidas (UNODA)⁷, confirman que cada vez se registran más ciberataques en el mundo y su potencial destructivo también es cada vez mayor. Por ello, es imperioso que los países de la región tomen en serio las graves las amenazas cibernéticas que aquejan a sus infraestructuras críticas y las afronten de forma coordinada, colaborativa y multilateral.

En cuanto a las instituciones y herramientas jurídicas sobre ciberseguridad que se encuentran a disposición de todos los países del hemisferio, dentro del sistema interamericano, la Organización de los Estados Americanos (OEA) y sus organismos

¹ Organización de los Estados Americanos y Banco Interamericano de Desarrollo, citados en Organización de los Estados Americanos y Banco Interamericano de Desarrollo, *Estado de la ciberseguridad en el sector energético en América Latina y el Caribe* (Washington, D.C.: OEA/BID, 2020).

² Colegio Interamericano de Defensa (CID), *Documento de posición sobre ciberseguridad hemisférica y amenazas híbridas* (Washington, D.C.: CID, 2022), <https://www.college.cid.edu/documentos/ciberseguridad-hemisferica.pdf>.

³ Organización de los Estados Americanos (OEA), *Marco de referencia para una arquitectura de ciberseguridad regional* (Washington, D.C.: OEA, 2019), <https://www.oas.org/es/sms/cicte/docs/Framework-Ciberseguridad.pdf>.

⁴ Escuela de Altos Estudios Nacionales (CAEN), *Seguridad y defensa nacional en el ciberespacio: retos y estrategias en América Latina* (Lima: CAEN, 2021), <https://www.caen.edu.pe/documentos/seguridad-cibernetica.pdf>.

⁵ Henry Kissinger, citado en Mariano Bartolomé, *Ciberseguridad: una mirada estratégica desde la defensa hemisférica* (Washington, D.C.: Colegio Interamericano de Defensa, 2021)

⁶ Nick Espinoza, citado en Oficina de Asuntos de Desarme de las Naciones Unidas, *Desarme y ciberseguridad: amenazas y tendencias globales* (Nueva York: ONU, 2022).

⁷ Oficina de Asuntos de Desarme de las Naciones Unidas (UNODA), *Desarme y ciberseguridad: amenazas y tendencias globales* (Nueva York: ONU, 2022), <https://www.un.org/disarmament/publications/more/cybersecurity-report-2022/>.

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especializados como la Unión Internacional de Telecomunicaciones (UIT)¹, aportan una serie de instrumentos, políticas, conceptos, salvaguardas de seguridad, así como directrices, métodos de gestión de riesgos, acciones y formación técnica que pueden combinarse entre sí para proteger de forma efectiva e integral los activos estratégicos de nuestra región.

Profundizando el conocimiento de las características de la ciberseguridad, el ex catedrático del Colegio Interamericano de Defensa, Profesor Doctor Mariano Bartolomé², definió la ciberseguridad como: “todo aquello que se enfoca en las amenazas y riesgos que surgen y se despliegan en el ámbito del ciberespacio”. Consideraba además que, para dar respuesta efectiva al combate de las actividades maliciosas en el ciberespacio, el núcleo de la ciberseguridad siempre debía enfocarse a garantizar que los sistemas informáticos mantengan intacta la Triada CIA: Confiabilidad, Integridad y Disponibilidad.

Partiendo de lo anterior, surge una nueva incógnita: ¿por qué si se trata sólo de ciberamenazas, se consideran tan peligrosas? En primer lugar, aunque se trate sólo de una posibilidad eventual, desde la toma de conocimiento sobre su existencia, una ciberamenaza, debe considerarse como una operación maliciosa en progreso. Hoy en día, la pregunta no es si pasará, sino cuándo ocurrirá³.

Algunos de los motivos de ese axioma, están asociados al hecho de que las operaciones maliciosas, revisten características muy particulares, por ejemplo, su bajo costo, cualquier persona con conocimientos suficientes podría ejecutarlas. Además, posee límites difusos, lo que las hace muy difíciles de detectar o prevenir, hasta que el daño ya está hecho.

Los ciberataques, casi siempre son perpetrados de forma anónima, lo que obstaculiza la atribución de la responsabilidad de los autores. Por

consecuencia, los índices de impunidad respecto a este tipo de ciberdelitos son elevadísimos; ya que, en el ámbito jurídico, sin causa no hay condena y sin jurisdicción no hay justicia.

Otras de las características de las amenazas cibernéticas, es la multiplicidad y simultaneidad de blancos potenciales. Los ciberdelincuentes, pueden atacar de forma individual o en operativos tipo comando. Las operaciones, casi siempre son remotas y los métodos de recolección y análisis de información para prevenirlos o combatirlos necesitan ser mejorados constantemente, por el vertiginoso ritmo en que los delincuentes cibernéticos innovan sus técnicas maliciosas.

Respecto al alcance conceptual de la ciberseguridad, la Fuerza Aérea de los Estados Unidos (USAF)⁴, responsable de la guerra y la defensa aérea, así como de las operaciones espaciales, hace una interesante disquisición entre amenazas e incidentes de ciberseguridad. Aseguran que, para que un evento de ciberseguridad se considere una ciberamenaza, deben poder identificarse al menos cuatro elementos: actores o perpetradores, herramientas o técnicas aplicadas, un blanco a atacar y un impacto destructivo e ilegal que se desea obtener.

Por su parte, según Rid⁵ las ciberamenazas pueden definirse como códigos maliciosos de computadora, empleados con el objetivo de amenazar, causar daño físico o funcional a estructuras, sistemas o seres vivos.

En cuanto a los tipos de perpetradores, el Profesor Mariano Bartolomé⁶, los clasifica de acuerdo a su motivación, En líneas generales, pueden ser: hacktivistas, cibercriminales, insiders, espías, terroristas o directamente tratarse de acciones desplegadas en el marco de las campañas ofensivas o defensivas en las guerras híbridas.

¹ Unión Internacional de Telecomunicaciones (UIT). *Guía de ciberseguridad: marco para políticas nacionales de ciberseguridad*. Ginebra: UIT, 2018. <https://www.itu.int/en/publications/Documents/tsb/2021-Guidelines-National-Cybersecurity-Frameworks-es.pdf>.

² Mariano Bartolomé, “Ciberseguridad: una mirada estratégica desde la defensa hemisférica,” *Revista Hemisferio*, Colegio Interamericano de Defensa, no. 14 (2021): 22–25. <https://www.college.cid.edu/revistah/download/revista-hemisferio-14.pdf>.

³ Oficina de Asuntos de Desarme de las Naciones Unidas, citado en Oficina de Asuntos de Desarme de las Naciones Unidas, *Desarme y ciberseguridad: amenazas y tendencias globales* (Nueva York: ONU, 2022).

⁴ Fuerza Aérea de los Estados Unidos (USAF), *Cybersecurity and Cyberspace Operations Doctrine (AFDP 3-12)* (Washington, D.C.: Department of the Air Force, 2020), https://www.doctrine.af.mil/Portals/61/documents/AFDP_3-12/AFDP%203-12-Cyberspace%20Operations.pdf.

⁵ Thomas Rid, *Cyber War Will Not Take Place* (Oxford: Oxford University Press, 2013).

⁶ Mariano Bartolomé, “Ciberseguridad: una mirada estratégica desde la defensa hemisférica,” *Revista Hemisferio*, Colegio Interamericano de Defensa, no. 14 (2021): 22–25. <https://www.college.cid.edu/revistah/download/revista-hemisferio-14.pdf>.

Pero, ¿a qué denominamos infraestructuras críticas? En palabras del precitado autor, son activos estratégicos de vital importancia para la seguridad de los Estados, la salud pública, la economía nacional y para la confianza ciudadana en sus autoridades.

PERSPECTIVA MULTIDIMENSIONAL DE LA CIBERSEGURIDAD

Analizando la ciberseguridad regional, desde la perspectiva de la Declaración sobre Seguridad en las Américas (DSA - OEA 2003)¹ instrumento internacional que sirvió de base para el presente estudio; a modo de referencia, se toma prestada la interpretación gráfica de la DSA, realizada por el Profesor Doctor Mark Hamilton, Decano del CID, denominada “Los cuatro cuadrantes de la seguridad

como ya fuera señalado, muy a menudo se combinan para generar financiamiento.

Por otra parte, la seguridad humana, es el primer bien público que la inseguridad cibernética amenaza. Según la ONU, para hablar de seguridad humana, deben coexistir tres libertades fundamentales y un derecho inalienable: la libertad respecto al miedo, la libertad respecto a la necesidad, y el derecho a vivir una vida digna².

Sobre el punto, el Instituto Interamericano de Derechos Humanos (IIDH)³, amplía el concepto de seguridad humana, incorporando dentro de la definición general a la seguridad económica, alimentaria, la salud, el derecho a un ambiente saludable, la seguridad personal, la seguridad comunitaria y la libertad política.

“Las Relaciones Internacionales y la Ciberdiplomacia efectiva que la articula, hacen posible llegar a consensos amplios”

multidimensional”.



Fuente: Profesor Doctor Mark Hamilton, Decano del CID.

Este interesante cuadro, ordena de manera clara y didáctica las amenazas, preocupaciones y otros desafíos a la seguridad hemisférica contenidos en la DSA. En él, se observa que las ciberamenazas a infraestructuras críticas, se encuentran dentro del cuadrante inferior izquierdo, en el grupo de las amenazas asimétricas, compartiendo escenario con las armas de destrucción masiva y el terrorismo que,

En igual sentido, según Fuentes, Rojas y Aravena⁴, la seguridad humana, posee además tres características fundamentales, la primera es su naturaleza integradora, la segunda su carácter multidimensional y la tercera su fuerte sentido multilateralista.

El segundo bien público vulnerado por la inseguridad cibernética, es la seguridad nacional. Kennan⁵ la define como la capacidad de un Estado de proseguir su desarrollo sin influencias externas. En este orden de ideas, es claro que, la ausencia de ciberseguridad subyuga la soberanía de los Estados, por consiguiente, la seguridad nacional no puede consolidarse.

Si bien, la Carta de las Naciones Unidas, no define expresamente el término seguridad nacional, sin embargo, se considera reconocida tácitamente,

¹ Organización de los Estados Americanos (OEA), *Declaración sobre Seguridad en las Américas* (México, D.F.: Conferencia Especial sobre Seguridad, 2003), <https://www.oas.org/es/sms/docs/DeclaracionSeguridad2003.pdf>.

² Programa de las Naciones Unidas para el Desarrollo (PNUD), *Informe sobre Desarrollo Humano 1994: Nuevas dimensiones de la seguridad humana* (Nueva York: PNUD, 1994), <https://hdr.undp.org/system/files/documents/hdr1994es.pdf>.

³ Instituto Interamericano de Derechos Humanos (IIDH), *Seguridad Humana y Derechos Humanos en las Américas: Enfoques integrados* (San José: IIDH,

2006), <https://www.iidh.ed.cr/multic/UserFiles/File/Revista/Revista%2043/SeguridadHumana.pdf>.

⁴ Claudio Fuentes, Alfredo Rojas y Francisco Rojas Aravena, *Seguridad Humana en América Latina: Un enfoque multidimensional y cooperativo* (Santiago de Chile: FLACSO-Chile, 2005), https://biblioteca-repositorio.clacso.edu.ar/bitstream/CLACSO/2434/1/FuentesRojas_SeguridadHumana.pdf.

⁵ George F. Kennan, *American Diplomacy, 1900–1950* (Chicago: University of Chicago Press, 1951).

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ya que ese importante instrumento internacional, establece principios y mecanismos específicos para mantener la paz nacional de los Estados, insumo principal e imprescindible para alcanzar y mantener la paz internacional.

Por otro lado, Diniz y Muggah¹, consideran que, para alcanzar la seguridad cibernética regional, es necesario incrementar la cantidad de regulaciones a nivel nacional y generar mayor cantidad de acuerdos a nivel multilateral. Por consiguiente, para que la protección de las infraestructuras críticas regionales resulte efectiva, debe llevarse a cabo en base a la observancia y ejecución de esos acuerdos y nunca de forma aislada.

APORTE DE LAS RELACIONES INTERNACIONALES A LA SEGURIDAD MULTIDIMENSIONAL

En el año 2011, la Organización de las Naciones Unidas (ONU)² declaró que el acceso libre a internet constituía “un derecho humano”. Sin embargo, tal afirmación resultó polémica, porque traía ocultas importantes responsabilidades y obligaciones para los Estados, sin mencionar los riesgos y amenazas que su provisión universal conllevaría en términos de ciberseguridad.

Por su parte, la Oficina de Asuntos de Desarme de las Naciones Unidas (UNODA)³ considera que, el Derecho Internacional y el respeto a la Carta de la ONU son claves para concientizar a la comunidad internacional respecto al uso responsable del ciberespacio.

En efecto, es incuestionable que, para someterse a la declaración de la ONU sobre el acceso libre a internet y elevar su provisión al rango de derecho humano fundamental, los países del hemisferio

primero deberían comprometerse a cumplir los compromisos subsidiarios que derivan de él, para que el texto de ese maravilloso instrumento internacional, no se convierta en una mera expresión de buenos deseos o en una simple enumeración de mejores prácticas.

Respecto a la naturaleza jurídica de la ciberseguridad, Barlow⁴ considera al ciberespacio como un bien común global, porque no se encuentran bajo el control ni la jurisdicción de ningún Estado en particular. Sobre el punto, la Organización de los Estados Americanos (OEA) y el Banco Interamericano de Desarrollo (BID)⁵ a través de los organismos internacionales y la gobernanza cibernética hemisférica, instrumentados mediante organismos especializados como el Comité Interamericano contra el Terrorismo (CICTE) son los encargados de diseñar, negociar y consensuar reglas de uso responsable en el ciberespacio.

Examinemos ahora la interesante dualidad que las Relaciones Internacionales plantean respecto al ciberespacio y sus riesgos. Si observamos el fenómeno desde el prisma de la corriente de pensamiento Realista, cuyos principales representantes fueron Hobbes, Maquiavelo, Morgenthau y Mearsheimer, verificamos que ciertamente se trata de un ámbito anárquico, en donde existe alta conflictividad y una tenaz lucha por el poder⁶.

Sin embargo, cuando lo analizamos desde la óptica opuesta de la corriente de pensamiento Idealista, representada por Woodrow Wilson⁷, advertimos que, existiendo multiplicidad de diferentes actores relevantes involucrados, la cooperación adquiere un rol protagónico y necesario para zanjar las disputas.

¹ Eugênio Diniz y Robert Muggah, “A Resposta da América do Sul aos Desafios da Segurança Cibernética,” *Revista Brasileira de Política Internacional* 57, no. 1 (2014): 9–29. <https://www.scielo.br/rbpi/a/VeJgNq7nGbsKFrkWdqDKFhM/>.

² Asamblea General de las Naciones Unidas, *Informe del Relator Especial sobre la promoción y protección del derecho a la libertad de opinión y de expresión*, A/HRC/17/27 (Ginebra: Consejo de Derechos Humanos, ONU, 2011), <https://undocs.org/es/A/HRC/17/27>.

³ Oficina de Asuntos de Desarme de las Naciones Unidas (UNODA), *Desarme y ciberseguridad: amenazas y tendencias globales* (Nueva York: ONU, 2022), <https://www.un.org/disarmament/publications/more/cybersecurity-report-2022/>.

⁴ John Perry Barlow, “Declaración de Independencia del Ciberespacio,” *Electronic Frontier Foundation*, Davos, 1996, <https://www.eff.org/es/cyberspace-independence>.

⁵ Organización de los Estados Americanos (OEA) y Banco Interamericano de Desarrollo (BID), *Estado de la ciberseguridad en el sector energético en América Latina y el Caribe*. Washington, D.C.: OEA/BID, 2020. <https://publications.iadb.org/es/estado-de-la-ciberseguridad-en-el-sector-energetico-en-america-latina-y-el-caribe>.

⁶ Hans Morgenthau y John Mearsheimer, citados en Robert Jackson y Georg Sorensen, *Introducción a las relaciones internacionales: teorías y enfoques* (México, D.F.: Oxford University Press, 2016).

⁷ Woodrow Wilson, citado en Robert Jackson y Georg Sorensen, *Introducción a las relaciones internacionales: teorías y enfoques* (México, D.F.: Oxford University Press, 2016).

Esto, demuestra que, lejos de la obligación de competir por la razón, ambas corrientes funcionan perfectamente de forma complementaria para alcanzar soluciones hemisféricas que satisfagan a todas las partes interesadas, a través de la cooperación hemisférica y la aplicación escrupulosa de los instrumentos regionales de gobernanza cibernética aportados por la OEA.

Pero, profundicemos este análisis. Si aplicásemos las teorías enunciadas en el párrafo anterior a la casuística propuesta por este trabajo, respecto a las infraestructuras hidroeléctricas críticas sudamericanas, verificaríamos fácilmente que, a partir de la firma de los Tratados binacionales constitutivos de ambas represas hidroeléctricas, los países involucrados automáticamente pasan a desarrollar interdependencia compleja, tal como lo que señalan Keohane y Nye¹.

Esto, ocurre porque a partir de la suscripción de los Tratados, sus acuerdos empiezan a generar beneficio económico mutuo, lo que ubica automáticamente sus relaciones en la categoría denominada interdependencia compleja, tal como se ha señalado.

Sobre el mismo punto, Keohane y Nye, distinguen además otras características que casi siempre se encuentran presentes en este tipo de relaciones interdependientes, ellas son: la sensibilidad y la vulnerabilidad. Entendiendo la primera como la velocidad con que los cambios influyen en los actores y la segunda, como el grado de afectación que el fenómeno ejerce sobre los actores. En el caso planteado como ejemplo de este trabajo académico, ambas son muy elevadas.

En este punto, queda claro que, las Relaciones Internacionales, aportan estrategias y mecanismos colectivos de gran valor para afrontar de manera coordinada y colaborativa los desafíos comunes que plantea la inseguridad cibernética en exponencial aumento en nuestro hemisferio y en el mundo.

Las Relaciones Internacionales y la Ciberdiplomacia efectiva que la articula, hacen

posible llegar a consensos amplios que permitirán no sólo prevenir y combatir de manera cooperativa los ciberataques; mediante la aplicación de las herramientas jurídicas, instrumentos regionales y multilaterales ofrecidos por la OEA, sino que, además, fomentan la confianza mutua para alcanzar de forma rápida la resiliencia cibernética hemisférica² y mantener la paz del hemisferio americano.

A propósito multilateralismo interamericano, es importante destacar la ardua labor que realizan los organismos que coordinan la cooperación regional en materia de ciberseguridad, como por ejemplo la Estrategia Interamericana Integral de Seguridad Cibernética (EIISC-OEA, 2004)³ que trabaja en permanente contacto con otras comisiones del OEA como el Comité Interamericano contra el Terrorismo (CICTE), la Comisión Interamericana de Telecomunicaciones (CITEL) y el Grupo de Expertos de la Reuniones de Ministros de Justicia u otros Ministros, Fiscales y Procuradores Generales de las Américas (REMJA).

Otra dependencia que también aborda estos delicados temas dentro de la OEA y que se encuentra financiada por el Banco Interamericano de Desarrollo (BID), es el Observatorio de Ciberseguridad de América Latina y el Caribe (OCALC)⁴ esta entidad, está encargada de medir los niveles de madurez y la capacidad de respuesta cibernética en la región, además de contribuir ostensiblemente a que el sistema interamericano cumpla con su objetivo ineludible de fomentar la cooperación regional, la confianza mutua, así como la resiliencia cibernética para mantener la paz y resguardar la seguridad multidimensional del hemisferio americano.

CONCLUSIONES

El preocupante y sostenido aumento de ciberataques a infraestructuras críticas en el mundo,

¹ Robert O. Keohane y Joseph S. Nye, *Power and Interdependence: World Politics in Transition* (Boston: Little, Brown, 1977).

² Organización de los Estados Americanos y Banco Interamericano de Desarrollo, citado en Organización de los Estados Americanos y Banco Interamericano de Desarrollo, *Estado de la ciberseguridad en el sector energético en América Latina y el Caribe* (Washington, D.C.: OEA/BID, 2020).

³ Organización de los Estados Americanos (OEA), *Estrategia Interamericana Integral de Seguridad Cibernética (CICTE-OEA)* (Washington, D.C.: OEA, 2004), <https://www.oas.org/es/sms/cicte/EstrategiaCiberseguridad.pdf>.

⁴ Banco Interamericano de Desarrollo (BID) y OEA, *Observatorio de Ciberseguridad de América Latina y el Caribe (OCALC)*, <https://observatoriociberseguridad.oas.org/>.

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inquieta a la comunidad internacional, al mismo tiempo, hace necesaria una reflexión crítica, analítica y profunda sobre la manera como nuestra región gestiona la ciberseguridad.

El acelerado desarrollo de las tecnologías disruptivas, trae consigo enormes beneficios para la humanidad, pero también, grandes riesgos y desafíos para la ciberseguridad global. La vertiginosa evolución de las tecnologías emergentes y disruptivas, no da tregua a los encargados de custodiar el uso responsable del quinto dominio y mucho menos de anticipar suficientemente las actividades cibernéticas maliciosas.

Identificar a tiempo las vulnerabilidades que presentan los sistemas de ciberseguridad regional, es vital para corregirlos cooperativamente y mantener la estabilidad y la paz regional. En el afán de ejemplificar la manera de detectar debilidades institucionales de ciberseguridad, este trabajo, analizó el caso de las Represas Hidroeléctricas de

Las características tan particulares que presentan los ciberataques, son el caldo de cultivo ideal para dificultar su combate, por lo difícil que resulta atribuir concretamente la autoría de un ciberataque a sus responsables, e incluso, aun lográndolo, se tropezaría igualmente con las profundas lagunas legales que posee el Derecho Internacional en materia de ciberseguridad, pues al ser un ámbito sin gobernanza global, el acatamiento de los compromisos jurídicos internacionales es de cumplimiento voluntario.

El presente trabajo, concluye que los problemas que se suscitan en el ámbito del ciberespacio, deben gestionarse siempre a través de la cooperación, la colaboración y el consenso regional, apoyados en las Relaciones Internacionales e instrumentadas mediante la Ciberdiplomacia hemisférica efectiva, que contribuyan a alcanzar acuerdos regionales amplios que favorezcan la confianza mutua y la resiliencia cibernética para mantener la paz social y la seguridad cibernética de las Américas.

“Ciberseguridad hemisférica”

Itaipu y Yacyreta, ambas situadas en Sudamérica y de gran importancia para la economía y la soberanía energética de esa subregión.

Las infraestructuras hidroeléctricas sudamericanas mencionadas, se encuentran en la primera línea de fuego entre los activos regionales críticos, encabezando una larga lista de posibles blancos estratégicos para la actividad cibercriminal organizada internacional, precisamente, por el tipo de bien que producen.

La energía eléctrica que generan estas Represas Hidroeléctricas Binacionales, mueven la economía, la tecnología, la salud y todos los demás ámbitos de la actividad humana en la región sudamericana, por lo tanto, un ciberataque a una de ellas o a ambas en simultáneo, tendría consecuencias devastadoras para nuestro hemisferio.

Este estudio, considera que, alcanzar la resiliencia cibernética después de un ciberataque de esas características y proporciones, definitivamente insumiría muchísimo tiempo y recursos, tanto de los Estados afectados, como de los demás países del hemisferio.

En base a la casuística analizada, se recomienda respetuosamente a las Hidroeléctricas de Itaipu y Yacyreta, añadir una nueva capa a sus sistemas de ciberseguridad, creando un CSIRT en conjunto, que incremente sus niveles de protección ante eventuales ataques cibernéticos y que sirva para fortalecer la integración de sus sistemas de respuesta ante ataques cibernéticos individuales.

Finalmente, se recuerda a los países de la región que los organismos internacionales y los Comités interamericanos especializados en temas de ciberseguridad, se encuentran a disposición de todas las naciones del hemisferio; ofreciendo respaldo técnico, teórico, legal y documental, aportando importantes instrumentos normativos internacionales para orientar las negociaciones, incluso, existen financiamientos blandos para acompañar los esfuerzos de protección de los activos estratégicos de nuestra región de cuya protección dependen la paz y la seguridad multidimensional del hemisferio americano.

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**AN EXAMINATION OF THE EVOLVING U.S. CLIMATE SECURITY
POSTURE IN LATIN AMERICA AND THE CARIBBEAN: IMPLICATIONS
FOR SOUTHCOM AND REGIONAL PARTNERSHIPS**

LT Kevin Spillman



AN EXAMINATION OF THE EVOLVING U.S. CLIMATE SECURITY POSTURE IN LATIN AMERICA AND THE CARIBBEAN: IMPLICATIONS FOR SOUTHCOM AND REGIONAL PARTNERSHIPS

Kevin Spillman^a

SUMMARY

This article examines the recent U.S. policy shift de-emphasizing climate change as a security priority in Latin America and the Caribbean (LAC), particularly its implications for SOUTHCOM and regional partnerships. Despite climate change acting as a significant threat multiplier in the region, exacerbating resource scarcity, economic disruption, and migration, current U.S. policies have curtailed climate-focused initiatives, contrasting sharply with previous strategies.

This policy divergence risks misaligning U.S. priorities with those of LAC partners, who widely view climate impacts as critical security concerns. Such misalignment could reduce partner engagement, undermine the effectiveness of security cooperation programs, and erode trust. Furthermore, it creates an opening for the PRC to expand its influence by positioning itself as a more responsive partner on environmental issues. The article recommends a nuanced implementation of policies, enhanced strategic communications, active monitoring of PRC narratives, and internal impact assessments to mitigate these challenges and preserve U.S. strategic interests.

KEY WORDS:

Climate security, SOUTHCOM, security cooperation, humanitarian assistance, strategic competition

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INTRODUCTION

The United States possesses enduring strategic interests in Latin America and the Caribbean (LAC), a region with historically strong geopolitical ties to U.S. homeland security and its economic prosperity. National Security Strategies have consistently recognized this linkage, emphasizing the benefits gained from a stable, peaceful, and democratic Western Hemisphere. Despite this acknowledged importance, U.S. Southern Command (SOUTHCOM), the combatant command responsible for the region, has historically operated within a comparatively resource-constrained environment relative to commands directly facing adversarial states, such as U.S. Central Command or U.S. Indo-Pacific Command. The absence of near peer competitors and active interstate conflicts in LAC for over half a century is likely a key factor in the scarcity of allocated resources. In FY25's budget request, SOUTHCOM received the second smallest allocation for security cooperation¹, which has

Disaster Response (HA/DR) missions to infrastructure development and capacity-building initiatives aimed at climate resilience². This stands in stark contrast to the 2025 posture statement delivered by her successor, Admiral Alvin Holsey, which contained zero explicit mentions of "climate change," although it did acknowledge threats from "natural disasters" and "environmental degradation".³

This shift within SOUTHCOM coincided with broader policy changes within the Department of State and the Department of Defense. An internal State Department memo authored by Secretary Marco Rubio outlined a strategic redirection away from "climate policies that weaken America" and towards achieving "energy dominance"⁴. While conceding that environmental threats require attention and supporting "sensible environmental protections," the memo prioritized actions aligning with core national interests defined as making America safer, stronger, and more prosperous. This coincides with broader departmental reorganization

“Climate change acts as a threat multiplier through several interconnected mechanisms”

become one of the most effective soft power tools in the DoD's toolbox. Yet despite receiving this small allocation for security cooperation initiatives, SOUTHCOM has been extraordinarily effective in partnership building through humanitarian assistance, disaster response, and emergency preparedness. In a region increasingly impacted by the effects of extreme weather, natural disasters, and resource scarcity, these programs have come to be instrumental in building partner relationships, capacities, and capabilities.

Recent shifts in U.S. policy and rhetoric indicate a clear departure from the previous administration's approach to climate security in the LAC region. In General Laura Richardson's 2024 posture statement, climate change was prominently featured, referencing it nearly a dozen times in contexts ranging from Humanitarian Assistance and

efforts that have the potential to impact the DoD, such as the dissolution of USAID and the closure of U.S. embassies and consulates around the globe. At the Pentagon, Secretary of Defense Pete Hegseth issued a memorandum detailing a revised mission focus for the DoD, explicitly calling for the "elimination of the 'Climate' distraction"⁵. This directive included removing climate-related terminology from DoD mission statements and prohibiting DoD components from planning, programming, or budgeting for climate-specific initiatives. Notably, however, the Hegseth memo contained language permitting the assessment and mitigation of "weather-related impacts on operations", creating a potential semantic distinction between permissible activities focused on immediate weather events and prohibited activities framed around long-term climate change.

¹ Office of the Secretary of Defense, "Fiscal Year (FY) 2025 President's Budget."

² Richardson, "SOUTHCOM's 2024 Posture Statement to Congress."

³ Holsey, "SOUTHCOM's 2025 Posture Statement to Congress."

⁴ Rubio, "Priorities and Mission of the Second Trump Administration's Department of State."

⁵ Hegseth, "Mission Focus Of the Department of Defense."

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The rapid and explicit nature of this policy realignment across key national security departments, marked by strong rhetoric dismissing climate action as a "distraction" or detrimental to national strength, suggests a coordinated, top-down shift driven by ideological considerations rather than an incremental adjustment based on evolving threat assessments or resource allocation debates. The policy change has been carried out without regional feedback or observation of changing environmental realities on the ground, and further, the deliberate distinction between addressing "weather-related impacts" while forbidding "climate change" terminology introduces semantic ambiguity. This ambiguity could generate inconsistent implementation across government agencies, including SOUTHCOM, and potentially generate friction with regional partners who explicitly link intensifying weather events to the broader phenomenon of climate change and utilize standard climate terminology in their own security planning.

This article analyzes the implications of this recent U.S. policy shift de-emphasizing climate change as an explicit security priority within the SOUTHCOM AOR. It examines how this divergence from previous policies, programs, and stated regional partner concerns affects the efficacy of U.S. security cooperation, the strength of its partnerships, and the dynamics of strategic competition with the People's Republic of China (PRC) in LAC. To help frame this analysis, the article utilizes Principal-Agent Theory, whose theoretical lens conceptualizes the relationship between the United States (the principal) and LAC partner nations (the agents) in security cooperation endeavors. The theory suggests that successful cooperation, where the principal provides resources or support to the agent to achieve mutually desired outcomes, relies on factors such as the alignment of interests and objectives, information symmetry, and effective incentive structures.¹ This analysis will explore how the U.S. decision to downplay climate security, a documented priority for many regional actors², potentially misaligns principal and agent interests, thereby complicating cooperative security efforts and potentially undermining U.S. strategic

goals in the hemisphere.

A COMPLEX SECURITY ENVIRONMENT

Persistent Traditional and Non-Traditional Threats

The security landscape in LAC can be best understood as a complex interplay of persistent threats that extend beyond traditional state-based conflict. Transnational Criminal Organizations (TCOs) represent a dominant challenge, drowning peaceful societies with violence and corruption. These organizations have demonstrated significant adaptability, diversifying their portfolios from narcotics trafficking to include human smuggling, illicit logging, and illegal mining, often leveraging global networks for illicit finance and logistics. The pervasiveness of this threat is reflected in regional perceptions, where the 2022 William J. Perry Center survey found that 72% of responding security professionals ranked organized crime as a top security threat in the hemisphere.³ These criminal enterprises often thrive in environments with weak governance and institutional fragility. Historical instability, endemic corruption, democratic backsliding, and limited state capacity create vacuums that TCOs readily exploit and the state's absence or inability to provide security and basic services in certain areas allows these criminal enterprises to thrive.

Additionally, deep-seated socio-economic issues act as significant drivers of insecurity. Persistent poverty and inequality coupled with economic stagnation limit opportunities and foster conditions where crime may appear as a viable alternative for impoverished communities. Food and water insecurity, exacerbated by environmental factors, adds another layer of vulnerability. Together, these socio-economic pressures contribute not only to criminality but also to irregular migration flows, as individuals seek better opportunities and security elsewhere. The high ranking assigned to economic problems and poverty/inequality by regional security professionals in the Perry Center survey strongly

¹ Biddle, "Building Security Forces & Stabilizing Nations: The Problem of Agency."

² Paterson, "Results of the Perry Center Threats Survey."

³ Ibid.

suggests that a security cooperation relationship that is focused solely on traditional military or law enforcement responses, without addressing these underlying socio-economic vulnerabilities, vulnerabilities acutely worsened by climate change, may be perceived by regional partners as insufficient or fundamentally misaligned with the root causes of instability.

Climate Change as a Threat Multiplier

Since 2007, experts within the DoD have recognized that climate change intersects with and amplifies existing security challenges across the globe.¹ It acts as a threat multiplier through several interconnected mechanisms:

- **Resource Scarcity and Competition:** Climate change intensifies competition over dwindling resources. Droughts impact water availability for agriculture and critical infrastructure like the Panama Canal, which has had to drastically decrease the number and draft of ships permitted for daily passage². Degradation of

“A U.S. policy that focuses narrowly on specific threats while simultaneously de-emphasizing programs addressing climate impacts risks being ineffective”

- arable land and changing rainfall patterns threaten food security, particularly for vulnerable agricultural communities. This scarcity can fuel local conflicts, social unrest, and forced migration.
- **Economic Disruption and Vulnerability:** Climate impacts directly undermine key economic sectors. Agriculture, a significant source of exports and livelihoods in LAC, suffers from droughts, floods, and rising global temperatures. Fisheries face threats from ocean warming, acidification, and the exacerbation of unregulated fishing, impacting critical portions of coastal community economies. Tourism-dependent economies, particularly in small island states, are devastated by increasingly powerful hurricanes.³ Damage to critical infrastructure, including ports, transportation networks, and energy facilities (such as

hydropower dams potentially affected by altered river flows), disrupts trade and development, deepening poverty and inequality.

- **Displacement and Migration:** Acute climate-related disasters, such as hurricanes in the Caribbean, floods in Bolivia and Ecuador, forest fires in Brazil and Chile, and droughts across Central and South America, force immediate displacement. Even slow-onset changes like sea-level rise can force coastal communities to migrate. This internal and cross-border migration strains resources in receiving areas, potentially increasing social tensions and creating new security dilemmas for governments.
- **Exploitation by Illicit Actors:** Climate-stressed communities, facing economic hardship and resource scarcity, can become more vulnerable to recruitment by TCOs. Criminal groups may exploit migration routes, control access to essential goods like water or food after disasters or deepen their involvement in environmental

crimes such as illegal logging and mining, often facilitated by corruption and used to finance other illicit activities.

The profound interconnectedness of these threats, where TCOs engage in environmental crime, climate impacts drive migration flows managed by criminal networks, and corruption enables myriad illicit activities, highlights the limitations of a traditional security cooperation approach. A U.S. policy that focuses narrowly on specific threats, such as TCOs or PRC influence, while simultaneously de-emphasizing or eliminating programs addressing climate impacts, deteriorating infrastructure, or underlying economic vulnerabilities, risks being ineffective precisely because it ignores these critical linkages.

¹ Goodman, *National Security and the Threat of Climate Change*.

² Dahl, “The Panama Canal Is Running Dry.”

³ “Climate Migration and Displacement No Place to Run.”

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By attempting to isolate and remove the "climate distraction," such a policy might inadvertently undermine progress against other prioritized threats that are inextricably linked to environmental and socio-economic stability.

CLIMATE SECURITY AS A U.S. PRIORITY: SOUTHCOM UNDER GENERAL LAURA RICHARDSON

Integrating Climate into Strategy and Rhetoric

During General Laura Richardson's tenure as Commander of SOUTHCOM, addressing climate change evolved into a prominent component of the command's strategic discourse and activities. Posture statements delivered in 2023 and 2024 explicitly integrated climate change and environmental degradation as significant security challenges impacting both the region and U.S. interests. The 2024 statement, for instance, directly asserted that climate change and environmental degradation diminish military readiness by expanding operational requirements while potentially reducing available resources.¹ It further highlighted the disproportionate effect of extreme weather events and natural disasters on the LAC region, particularly the Caribbean and Central America, impacting fundamental access to food, water, healthcare, and energy.

This integration was framed within a broader emphasis on partnership and collaboration. General Richardson frequently invoked the concept of "Team Democracy," positioning the United States and its like-minded regional partners as working collectively to counter shared threats, including those stemming from environmental instability. This rhetoric suggested an approach where climate security was not merely an environmental issue but a domain for cooperative security engagement, aligning U.S. efforts with perceived partner needs.

Climate-Related Programs and Initiatives

This strategic framing translated into tangible programs and initiatives undertaken by SOUTHCOM and its component commands during this period. Several activities explicitly

incorporated climate considerations:

- **Humanitarian Assistance and Disaster Response:** While HA/DR has long been a core SOUTHCOM mission, exercises and operations were increasingly contextualized by the rising frequency and intensity of climate-driven disasters. Annual exercises like Tradewinds and Resolute Sentinel, as well as humanitarian missions like Continuing Promise and the Lesser Antilles Medical Assistance Team (LAMAT), provided platforms for practicing joint response to events like hurricanes and floods, implicitly building climate resilience.
- **Resilience Infrastructure:** SOUTHCOM invested in projects aimed at enhancing partner capacity to withstand and respond to disasters. This included the construction and equipping of Emergency Operations Centers and Disaster Relief Warehouses in vulnerable locations. Collaboration with entities like the U.S. Army Corps of Engineers (USACE) developed critical infrastructure projects that considered climate resiliency and environmental sustainability.
- **Capacity Building and Planning:** The command actively engaged in building partner capacity linked explicitly to climate security. This involved subject matter expert exchanges with SOUTHCOM's Situational Assessment Team and the Pacific Disaster Center (PDC), focused on disaster planning and emergency response. Further, the deliberate incorporation of climate security scenarios into tabletop exercises such as Precipitous Storm, Pervasive Crux, and Jaguar Sentinel, developed training programs to assist regional defense and security partners in planning for climate contingencies using data-driven tools.

These SOUTHCOM-led efforts can be seen as a cooperative effort with broader U.S. government initiatives at the time. The U.S.-Caribbean Partnership to Address the Climate Crisis 2030 (PACC 2030), launched in 2022, aimed to bolster regional climate adaptation, resilience, and clean energy transitions through various programs involving agencies like USAID and the State Department. That same year, the DoD released its

¹ Richardson, "SOUTHCOM's 2024 Posture Statement to Congress."

Climate Adaptation Plan and Climate Risk Analysis, both focused on how the military branches could train, fight, and win in a changing environment. Thus, the integration of climate security considerations under General Richardson represented a conscious effort to adapt the region's security cooperation initiatives and humanitarian assistance programs to the broader non-traditional threat landscape of LAC. It signified a move beyond purely traditional military-to-military engagement to encompass interconnected challenges, especially those identified as priorities by regional partners.

Rationale and Perceived Benefits

The rationale for elevating climate security within SOUTHCOM's strategy was multifaceted. Primarily, it aimed to address factors directly contributing to regional instability, which in turn pose risks to U.S. interests and homeland security. Building partner capacity to respond to climate-related disasters was seen as enhancing regional stability and reducing the potential need for large-scale U.S. responses. Furthermore, joint HA/DR operations and climate resilience training served to both expand interoperability between military forces and to improve civ-mil relations for countries dependent on their armed forces for emergency response.

Addressing climate security was also framed as a means of countering malign regional influence, particularly from the PRC, whose investments in the region were sometimes associated with negative environmental consequences, such as the controversial Coca Codo Sinclair dam in Ecuador.¹ By offering support for sustainable development and climate resilience, the U.S. could present a contrasting, more responsible model of international development, admittedly, at a smaller scale.

Crucially, this focus was perceived as beneficial for strengthening relationships. By aligning security cooperation efforts with an issue of high importance to many LAC nations, particularly vulnerable Caribbean and Central American states, the U.S. aimed to build trust and solidify its position as the

"partner of choice" in the hemisphere. Many of these climate-related activities, while falling under security cooperation, inherently possessed strong soft power features. Providing disaster relief, building resilient infrastructure, and offering training directly benefited local populations and enhanced the U.S. image. This potentially provided a competitive advantage against PRC engagement models that are often perceived as more transactional and less focused on addressing the root causes of regional instabilities.

THE U.S. POLICY REALIGNMENT: REFOCUSING NATIONAL SECURITY PRIORITIES IN 2025

SOUTHCOM Command Transition and Posture Shift

The change of command at SOUTHCOM from General Richardson to Admiral Alvin Holsey in 2024 coincided with a palpable shift in the command's public posture regarding climate change. Admiral Holsey's 2025 Posture Statement, submitted to Congress in early 2025, maintained continuity with his predecessor in identifying key threats such as strategic competition with the PRC and Russia, the destabilizing impact of TCOs, and the challenge of eroding democracies in the region.² The command's overarching lines of effort: Strengthening Partnerships, Countering Threats, and Building our Team, would also remain consistent.

However, the explicit framing of climate change as a security threat, prominent in the 2024 statement, was absent in the 2025 document. While Admiral Holsey's testimony and statement acknowledged challenges related to natural disasters, environmental degradation, and food and water insecurity, these were presented as lesser issues rather than consequences explicitly driven by or integrated under the umbrella of climate change.³ This omission represented a significant departure from the Richardson strategy and signaled an alignment with broader administration policy shifts occurring simultaneously.

¹ Aguilera, "China's Global Footprint | Controversy in Ecuador's Largest China-Built Infrastructure Project."

² Holsey, "SOUTHCOM's 2025 Posture Statement to Congress."

³ Vergun, "Leaders Describe Host of Threats to Homeland, Steps to Mitigate Them."

Changing DoS and DoD Policies

The State Department, under the new leadership of Secretary Marco Rubio, also articulated a clear policy realignment concerning climate change and energy. A key departmental memo outlining the department's priorities emphasized the need to "do away with climate policies that weaken America" and instead leverage diplomacy to achieve "American energy dominance".¹ This policy cited previous climate initiatives as detrimental to U.S. strength and economic interests while the emphasis on "energy dominance" introduced a new dynamic into U.S. relations with LAC. The region holds significant reserves of both fossil fuels and rare earth minerals that are crucial for renewable energy transitions. A U.S. policy heavily favoring fossil fuel exploitation may align with the interests of some regional energy producers like Venezuela but could potentially clash with nations committed to decarbonization under the Paris Agreement or those seeking investment in renewable infrastructure. This creates

and fundamentally inconsistent with the military's "core warfighting mission".³

The administration's stated rationale for this significant policy realignment centers on several key themes. Primarily, it reflects a desire to refocus the State Department and DoD on what are defined as their "core" missions: diplomacy that advances specifically defined U.S. national interests (safety, strength, prosperity) and military preparedness focused on warfighting and lethality. The prioritization of "energy dominance" serves as both an economic goal and a strategic objective, replacing climate action as a key pillar of national policy. Further, the shift aligns with a broader "America First" foreign policy that questions the value of certain international agreements and multilateral initiatives, particularly those perceived as burdening the U.S. economy or infringing on sovereignty. Finally, the focus remains squarely on countering strategic competitors, primarily the PRC and Russia, with resources and attention redirected

“This integration was framed within a broader emphasis on partnership and collaboration”

a complex scenario where the new U.S. policy might simultaneously foster alignment with certain partners while creating friction with others, potentially increasing regional competition with China, which is also heavily invested in the region's diverse energy sector.

Shortly after Secretary Rubio's memo was released, newly nominated Secretary of Defense Pete Hegseth implemented a more sweeping shift away from climate considerations. A widely disseminated memo directed the "elimination of the 'Climate' distraction" across the department with specific mandates including removing the term "climate change" and related concepts from mission statements and forbidding components from planning, programming, or budgeting for climate-related initiatives.² Secretary Hegseth's public statements reinforced this policy, framing climate work as "woke," wasteful ("climate change crap"),

towards traditional geopolitical and military competition.

DIVERGING PRIORITIES AND THE IMPACT ON SECURITY COOPERATION

Applying Principal-Agent Theory

The relationship between the United States and its partners in LAC can be effectively analyzed through the lens of Principal-Agent Theory, with particular attention paid to security cooperation initiatives. In this framework, the United States acts as the principal, providing equipment, funding, training, and interagency coordination tools. LAC partner nations act as agents, expected to utilize this support to achieve objectives presumably shared with the principal, such as enhancing regional

¹ Rubio, "Priorities and Mission of the Second Trump Administration's Department of State."

² Hegseth, "Mission Focus Of the Department of Defense."

³ U.S. Department of Defense, "This Week."

stability, countering TCOs, and strengthening democratic institutions. The success of this relationship, according to the theory, depends heavily on the alignment of interests and priorities between the principal and the agents.¹

The recent U.S. policy shift introduces a significant challenge to this dynamic. The U.S. has demonstrably altered its stated priorities by de-emphasizing climate change as a security concern and curtailing related programs and funding. However, a substantial number of LAC partner nations continue to perceive climate change and its compounding socio-economic impacts, such as heightened poverty and inequality, as significant, high-priority threats to their national security and stability. This divergence creates a potential misalignment of interests at the core of the security cooperation relationship.

Consequences of Misalignment

This misalignment between the U.S. principal's revised priorities and the persistent concerns of many LAC agents can lead to several negative consequences for the effectiveness and sustainability of security cooperation:

- ***Reduced Partner Buy-in and Engagement:*** When partner nations perceive that U.S.-led initiatives ignore or downplay threats they deem critical (like climate vulnerability), their enthusiasm for participation may wane. They might prioritize allocating their own limited resources (financial, human, political capital, etc.) towards addressing those threats through other means or with other partners, potentially reducing the uptake and impact of U.S. programs.
- ***Decreased Effectiveness of Cooperative Programs:*** Security cooperation programs designed without adequately accounting for the influence of climate change as a threat multiplier may prove less effective in achieving their stated goals. For example, counter-migration strategies that ignore climate-induced displacement, or counter-TCO efforts that overlook the links between organized crime and environmental degradation, may only address symptoms rather than root causes, limiting

long-term success.

- ***Erosion of Trust and Goodwill:*** Abrupt policy reversals and rhetoric dismissing partner concerns can damage the trust and mutual respect essential for strong partnerships. The perception that U.S. policy is driven primarily by domestic political shifts rather than a consistent commitment to shared regional challenges can undermine U.S. credibility and make future cooperation on any issue more challenging. This creates a potential credibility gap: if the U.S. must inevitably respond to climate-linked disasters through HA/DR while its official policy dismisses the underlying cause, partners may view U.S. actions as reactive and inconsistent rather than strategically grounded in genuine partnership for long-term resilience.
- ***Information Irregularity and Planning Deficits:*** If U.S. agencies adhere to these policy directives, and consequently cease collecting, analyzing, or incorporating climate security data into their planning, the principal may eventually lack a comprehensive understanding of the operating environment faced by its agents. This information deficit hinders the ability to design relevant and effective cooperation strategies and exacerbates the challenges inherent in the principal-agent relationship.

Furthermore, the impact of this policy shift is unlikely to be uniform across the diverse LAC region. LAC is not monolithic; individual nations face different threats and possess varying levels of vulnerability and differing priorities. Governments grappling with acute TCO violence or those eager for U.S. support in developing fossil fuel resources might align more readily with the current U.S. focus, as has been seen through the warming relations with El Salvador's Nayib Bukele.² Conversely, nations highly vulnerable to climate impacts, particularly smaller developing islands in the Caribbean, for whom climate change represents an existential threat, are likely to feel alienated by the U.S. de-emphasis. This divergency means the U.S. policy shift could selectively strengthen ties with some partners while simultaneously weakening relationships with others, potentially fragmenting

¹ Biddle, "Building Security Forces & Stabilizing Nations: The Problem of Agency."

² Farah, "What Bukele Wants from Trump."

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regional cooperation efforts and creating strategic vulnerabilities.

Impact on Security Cooperation Programs

The policy shift is likely to have tangible impacts on various types of security cooperation programs conducted by SOUTHCOM:

- ***Humanitarian Assistance and Disaster Response:*** While HA/DR operations are almost certain to continue due to the high visibility and immediate necessity following frequent natural disasters in the region, the framing and focus may change. Emphasis might shift from building long-term climate resilience to providing short-term disaster relief. Funding for proactive measures, such as climate-proofing infrastructure or developing early warning systems explicitly linked to climate trends, could be reduced or eliminated, even if reactive aid persists. The Hegseth memo's allowance for addressing "weather-related impacts" might provide a loophole for some continuity, but the scope and intent remain constrained compared to the previous focus on climate resilience.
- ***Capacity Building:*** Programs specifically designed to build partner capacity in climate adaptation planning, environmental monitoring, or integrating climate considerations into defense strategies (activities highlighted under Gen. Richardson), are prime candidates for elimination or significant modification under the new directives forbidding climate-related budgeting. Training priorities may revert solely to traditional military skills and counter-TCO/counter-narcotics tactics.
- ***Military Exercises:*** Joint exercises like Tradewinds or Resolute Sentinel might see the removal or reframing of climate-related scenarios previously included to enhance realism and preparedness. Scenarios might focus purely on the military threats, divorced from the context of changing climate patterns, potentially limiting their value in preparing forces for future operating environments.
- ***Funding Streams:*** While overall defense appropriations may remain stable or increase,

specific funding lines relevant to climate security cooperation within SOUTHCOM's budget are likely to face cuts or reprogramming. Accounts like Overseas Humanitarian, Disaster, and Civic Aid (OHDACA) might see continued funding, but potentially with stricter guidelines preventing its use for explicit climate adaptation projects. Security assistance funds like Foreign Military Financing (FMF), International Military Education and Training (IMET), and Section 333 Building Partner Capacity will likely be steered away from any climate-related objectives towards counter-PRC, counter-Russia, or counter-TCO priorities. Because of their direct ties to climate security, programs like the Defense Operational Resilience International Cooperation (DORIC) could be wiped away altogether.

IMPLICATIONS FOR STRATEGIC COMPETITION WITH THE PRC

China's Expanding Presence and Strategy in LAC

The United States' policy shift occurs against a backdrop of steadily increasing engagement by the PRC in Latin America. Over the past two decades, China has transformed from a marginal economic player into a primary trading partner and a major source of investment and financing for many countries in the region with bilateral trade surging from \$12 billion in 2000 to over \$445 billion in 2021.¹ While the pace of state-to-state lending and overall Foreign Direct Investment (FDI) may have moderated or shifted in recent years, China remains deeply integrated into regional economies. With the recent addition of Colombia², twenty-three LAC nations have formally signed onto China's Belt and Road Initiative (BRI), facilitating large-scale infrastructure projects.³

China's interests in LAC are multifaceted. Economically, the region is a vital source of natural resources crucial for China's economy and food security, including oil, soybeans, copper, and lithium. LAC also represents a significant market for Chinese-manufactured goods and, increasingly,

¹ Shullman, "China Pairs Actions with Messaging in Latin America. The United States Should Do the Same."

² Reuters, "China, Colombia Sign Belt and Road Cooperation Pact."

³ Roy, "China's Growing Influence in Latin America."

higher-technology exports. Strategically, China seeks to build political influence, secure access to critical infrastructure (ports, energy grids, telecommunications networks like 5G), and advance its technological footprint through investments in telecommunications and space facilities. Notably, Chinese investments are increasingly targeting sectors related to the energy transition, such as renewable energy generation (solar, wind, hydro) and the critical minerals required for batteries and green technologies. Geopolitically, a key objective is the diplomatic isolation of Taiwan, where the PRC has been successful in persuading several LAC nations in recent years.

However, China's engagement is not without controversy. Concerns persist regarding the sustainability of debt incurred through Chinese loans, the environmental and social impacts of extensive infrastructure and extractive projects, a lack of transparency in contracts, potential cybersecurity risks associated with Chinese

environmental track record within LAC and globally is complex and often criticized¹, the contrast with an actively dismissive U.S. stance could still work in Beijing's favor perception-wise.

Secondly, if the U.S. policy shift leads to a reduction in relevant security cooperation programs or makes U.S. partnership less attractive due to misaligned priorities (as suggested by the principal-agent analysis), LAC nations seeking assistance for climate adaptation, disaster resilience, or clean energy development might become more receptive to Chinese offers. Facing urgent needs and potentially diminished support from their traditional U.S. partner in this specific area, governments may view Chinese investment or technical assistance as a necessary alternative, even if it comes with associated risks. The mere existence of a policy vacuum created by U.S. retrenchment could passively benefit China, as LAC nations needing climate solutions may turn to Beijing by default if Washington appears unwilling or unable to engage substantively on the issue.

“Climate security matters”

technology (particularly Huawei and 5G networks), and the potential dual civilian-military use of critical infrastructure like ports and space facilities. China's close ties with authoritarian regimes in Cuba, Nicaragua, and Venezuela also raise concerns, as much of the region views these countries as integral parts of the organized crime and forced migration that regional organizations have fought to eradicate.

How the U.S. Policy Shift Creates Openings for China

The U.S. decision to deprioritize climate change as a security issue creates potential openings for China to enhance its influence and advance its strategic objectives in LAC. Firstly, it allows China to position itself, rhetorically at least, as a more attuned and responsible partner on environmental and climate issues, which are significant concerns for many regional governments and populations. As the U.S. steps back from climate leadership, China can amplify its own climate-related messaging and highlight its investments in renewable energy projects within the region. While China's own

Potential Impacts on U.S. Strategic Objectives

This dynamic holds several potential negative implications for core U.S. strategic objectives in the hemisphere:

- ***Weakened Partnerships and Coalitions:*** Alienating partners over climate policy could undermine the trust and cooperation necessary to build effective coalitions. Strong partnerships are frequently cited by U.S. officials as America's key advantage in competing with the PRC. If climate becomes a significant point of friction, it could weaken the foundation of these partnerships.
- ***Reduced U.S. Influence and Leverage:*** A perception of the U.S. as an unreliable partner whose policies are subject to abrupt, domestically driven shifts, or as a partner unattuned to critical regional concerns, could diminish U.S. leverage on other issues. This might make it harder for Washington to

¹ Hoehn and Shanker, *Climate Security Is National Security*.

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influence regional decisions regarding PRC infrastructure investments, adoption of Chinese technology standards (like 5G), or alignment in international forums, such as the Organization of American States (OAS).

- ***Ceding Strategic Ground:*** China is actively investing in sectors crucial for a rapidly advancing global economy, including renewable energy technologies and the critical minerals needed for them, many of which are abundant in LAC. A U.S. policy that de-emphasizes climate action and clean energy transitions could inadvertently cede influence and economic opportunities in these strategically vital sectors to China.

CONCLUSION AND RECOMMENDATIONS

Findings

The analysis shows that the recent U.S. policy shift, characterized by a deliberate de-emphasis on climate change as a security priority within the SOUTHCOM AOR and broader U.S. foreign policy, represents a significant departure from the previous administration's approach. This realignment, driven by top-down directives from the State Department and Department of Defense under the current administration, creates a complex set of challenges and potential negative consequences for U.S. interests in LAC. In the realm of security cooperation, initiatives and efforts tied to climate resilience, disaster relief, and humanitarian aid have been the backbone of SOUTHCOM's portfolio; however, by deprioritizing climate security, these programs could be made significantly less effective or removed altogether.

Furthermore, the policy creates a potential vacuum in climate security leadership and support that the PRC could exploit, either actively or passively, to enhance its own influence in the region. By downplaying an issue of significant regional concern, the U.S. risks undermining its own goal of being the "partner of choice" and could inadvertently cede ground to China in strategically important sectors related to energy transition and sustainable development. The attempt to simplify the security landscape by eliminating the "climate

distraction" may prove counterproductive, as climate change is deeply intertwined with other prioritized threats like instability, migration, and illicit economies.

RECOMMENDATIONS

Addressing these challenges requires navigating the constraints of current U.S. policy while mitigating potential negative impacts on partnerships and strategic objectives. The following recommendations are offered for consideration by the U.S. government, particularly SOUTHCOM and the wider DoD enterprise.

- ***Adopt Nuanced Implementation and Terminology:*** While adhering to directives against budgeting for climate-related activities, leverage the permitted focus on "weather-related impacts" and "resilience". Ensure that efforts to mitigate damage from natural disasters and extreme weather result in enhanced infrastructure resilience by substantively incorporating forward-looking climate science and projections. Focus on tangible outcomes like enhanced HA/DR capacity, resilient infrastructure, and improved disaster preparedness that address partner needs without explicitly violating policy constraints. Success may hinge on semantic flexibility in program design.
- ***Enhance Strategic Communications:*** Actively communicate how U.S. security cooperation, despite its shifting priorities, continues to address the interconnected nature of security challenges faced by LAC partners. Explicitly link efforts against TCOs, support for democratic governance, and economic engagement to regional stability. Avoid rhetoric that dismisses or trivializes regional concerns about environmental security and climate impacts. Emphasize shared values and long-term commitment to the hemisphere's security and prosperity.
- ***Actively Monitor and Counter PRC Environmental Narratives:*** Systematically track PRC investments, projects, and diplomatic initiatives in LAC related to the environment, climate, energy transition, and natural resources. Develop evidence-based counter-messaging that

highlights the benefits of U.S. partnership (transparency, sustainability standards, respect for sovereignty, etc.) while critically evaluating and, where appropriate, exposing the potential downsides of PRC engagement (environmental damage, debt burdens, lack of local benefits, etc.).

- ***Conduct Internal Policy Impact Assessments:*** Regularly evaluate the real-world impacts of the climate policy shift on U.S. operational readiness, the effectiveness of security cooperation programs in SOUTHCOM's AOR, the health of regional partnerships, and the trajectory of strategic competition with the PRC. Based on these assessments, be prepared to adjust program implementation or push back against restrictive policies to better protect long-term U.S. interests.

Ultimately, the lasting success of U.S. strategy in LAC, including its ability to effectively compete with the PRC, may depend less on narrowly defining threats and more on demonstrating consistent, reliable partnership across the full spectrum of security challenges prioritized by the region itself. Acknowledging the interconnectedness of these challenges, including the profound influence of environmental factors, may be essential for building the resilient partnerships necessary to navigate an increasingly complex future.

The United States possesses enduring strategic interests in Latin America and the Caribbean (LAC), a region with historically strong geopolitical ties to U.S. homeland security and its economic prosperity. National Security Strategies have consistently recognized this linkage, emphasizing the benefits gained from a stable, peaceful, and democratic Western Hemisphere. Despite this acknowledged importance, U.S. Southern Command (SOUTHCOM), the combatant command responsible for the region, has historically operated within a comparatively resource-constrained environment relative to commands facing direct state adversaries, such as U.S. Central Command or U.S. Indo-Pacific Command. The absence of outwardly hostile governments and active interstate conflicts in LAC for over half a century is likely a key factor in the lack of allocated resources.

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ESTRATEGIAS DE REDUCCIÓN DE LA CRIMINALIDAD EN HONDURAS ENTRE LOS AÑOS 2022 - 2024

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RESUMEN

En los últimos quince años, Honduras ha implementado políticas de seguridad ciudadana destinadas a reducir la criminalidad. Este estudio aborda los antecedentes contextuales de dichas estrategias centradas especialmente en las medidas adoptadas por el Consejo Nacional de Defensa y Seguridad entre 2022-2024. Metodológicamente se empleó un enfoque histórico – crítico y normativo, respaldado por la sistematización de fuentes estadísticas oficiales, constatándose una reducción en la tasa de homicidios a 25.3 por cada cien mil habitantes derivados de las capturas de miembro de estructuras criminales, decomisos de armas y drogas. En este sentido, la medida denominada “decreto de excepción” sigue demostrando su relevancia en la notoria y sostenida disminución de la criminalidad, reflejando un impacto tangible en la seguridad nacional. Por consiguiente, las políticas públicas deben orientarse hacia la sostenibilidad en el tiempo, la contención del delito y el fortalecimiento integral la protección ciudadana.

PALABRAS CLAVE:

Estrategias, Reducción, Criminalidad, Violencia, Extorsión

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INTRODUCCIÓN

El deterioro de la seguridad en Honduras en décadas pasadas es multicausal, debido a factores como la pobreza, la falta de oportunidades, el limitado acceso a condiciones de desarrollo en contraste con el aumento de presencia de grupos y estructuras criminales, entre ellos las maras y pandillas, desembocando en aumento de homicidios, delitos comunes y criminalidad en general.

Lo anterior requirió de la implementación de políticas con un enfoque de control y represión del delito, acompañado de una militarización de la seguridad pública atenuando el problema, pero no conteniéndolo en su totalidad, complementariamente las reformas jurídicas se orientaron a la creación de nuevas figuras delictivas y el endurecimiento de las penas de tipologías existentes, así como las reformas del sistema de

Otro aspecto relevante fue la reestructuración del cuerpo policial en diversos momentos que permitió fortalecer con nuevo capital humano la Policía Nacional de Honduras y la implementación de mecanismos de credibilidad y confianza a lo interno para garantizar a la ciudadanía un servicio público en materia de seguridad más efectivo que en décadas anteriores.

Aun cuando todas las reformas contribuyeron a disminuir la criminalidad en el año 2022 se instaura el “Plan solución contra el Crimen”, en el marco de decretos sucesivos de suspensión de derechos y garantías, en tal sentido el objetivo del presente estudio es evidenciar la eficacia de las medidas adoptadas entre los años 2022 – 2024.

“El decreto de excepción sigue demostrando su relevancia en la notoria y sostenida disminución de la criminalidad, reflejando un impacto tangible en la seguridad nacional”

administración de justicia.

Adicionalmente se crearon leyes especiales para combatir diferentes fenómenos delictivos tales como tráfico de drogas, lavado de activos, asociación ilícita y criminalidad organizada en general, simultáneamente con leyes que permitieron la afectación económica que permitieron la privación de dominio de bienes ilícitos que no tuvieran una justificación legal o justa en su procedencia.

No menos importante fue el fortalecimiento del cuerpo policial producto de la autonomía adquirida en 1998 bajo el esquema de Secretaría de Seguridad y una Policía Nacional de orden civil, con sucesivas reformas estructurales orientadas a la mejora del desempeño, la transparencia y rendición de cuentas en el ejercicio de sus funciones en atención a las demandas de la ciudadanía.

I. ABORDAJE TEÓRICO

En seguida se detallan brevemente las políticas de seguridad implementadas antes del periodo de estudio en mención, a fin de conocer la evolución del delito como de las estrategias en el combate a la criminalidad, como un marco de referencia que condujo a la actual reducción.

I.I. Plan Tolerancia Cero

Constituye el antecedente relevante de las políticas públicas de mano dura, siendo impulsadas por la administración del presidente Ricardo Maduro (2002 – 2006), impulsando leyes de alto contenido represivo, destinadas a combatir las maras y pandillas que eran consideradas el principal actor generador de violencia.

Subsiguientemente esta promesa electoral fue retomada en el Plan de Gobierno “Mi compromiso

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contigo”¹ concretándose la puesta en marcha del “Plan Cero Tolerancia”, encaminado a tomar control de aquellos sectores donde se suscitaba alta incidencia delictiva, especialmente las zonas marginales y populares de las principales ciudades del país (Gutiérrez Rivera, 2009). Con lo anterior el Estado de Honduras se convirtió en el primer país del triángulo norte- en implementar medidas de mano dura contra miembros de maras/pandillas.²

Entre las reformas legislativas en esta administración se destaca el Decreto Legislativo n. 226-2001 contentivo de la Ley de Policía y Convivencia Ciudadana que entró en vigencia el 2022.³ Simultáneamente, se instauraron los comités municipales y comunitarios de seguridad ciudadana con un enfoque preventivo como parte de las estrategias de la puesta en marcha del programa “Comunidad Más Segura” con el que se intentaba edificar una “seguridad ciudadana integral en las comunidades locales de Honduras.”⁴

El 25 de agosto del 2003, se aprobó la reforma al Artículo 332 del Código Penal (Decreto Legislativo n. 117-2003), denominada Ley antimaras⁵ aunque no era un cuerpo de Ley. Esta reforma no tuvo éxito debido a la falta de claridad de la norma y consenso en la aplicación, incremento de denuncias por vulneración a derechos humanos de los detenidos, así como la insuficiencia de recursos y agudización del sistema penitenciario para sustentar la reforma efectuada.

De igual manera, se sancionó la Ley de control de armas de fuego, municiones, explosivos y otros similares,⁶ que regulaba la recolección y registro de armas de guerra y de asalto, así como, la Ley para la

Prevención, Rehabilitación y Reinserción Social de Personas Integrantes de Pandillas o Maras (Decreto No.141-2001), creando el programa que lleva el mismo nombre. En el área de rehabilitación y reinserción social se implementó el proyecto “Borrón y vida nueva”, en el que se realizaba remoción de tatuajes a pandilleros rehabilitados.⁷

En el caso del área de prevención, se trabajó a través de proyectos de organizaciones de la sociedad civil financiados por el Estado, orientados a prevenir los jóvenes ingresaran a maras y pandillas o consumieran drogas y a la policía para formarlos en el análisis y combate de estas agrupaciones criminales.⁸ Por otra parte, se concretizaron acciones de reformas estructurales al Poder Judicial⁹ e institucionales a la Policía Nacional¹⁰ y se logró la instauración de un Plan Nacional de Seguridad Ciudadana.¹¹

1.2. Políticas de Seguridad en el Gobierno del Poder Ciudadano

Instauradas en el período de gobierno del presidente Manuel Zelaya Rosales (2006-2009) este escenario sonde se dio continuidad a la estrategia de involucrar a los militares en las labores de seguridad, postura que fue objeto de críticas por la sociedad civil al señalarse ccontribuyó a que se siguiera “diluyendo las fronteras entre la seguridad interior y la defensa externa.”¹² Incluso se propuso incorporar a las empresas de seguridad privada, dada su mayor cantidad de efectivos, pese a que algunos de sus integrantes enfrentaban señalamientos por violaciones a los derechos humanos. Esta propuesta denominada “Operación Trueno” buscaba establecer una cooperación trilateral entre policías,

¹ El Plan de Gobierno 2002-2006, “*Mi Compromiso Contigo*”, proponía duplicar el presupuesto de la Secretaría de Seguridad en cuatro años, aumentar el número de policías en mil efectivos por año, instaurar patrullajes preventivos entre la Policía Preventiva y las Fuerzas Armadas, entre otras estrategias.

² Manuel Talavera, Diana Contreras, et al, “Políticas públicas de seguridad ciudadana y participación comunitaria en sociedades del triángulo norte: Los casos de El Salvador, Guatemala y Honduras”, (2017),40. Disponible en: [\(46\) Políticas Públicas de Seguridad Ciudadana y Participación Comunitaria en Sociedades del Triángulo Norte: Los casos de El Salvador, Guatemala y Honduras.](#)

³ Las sanciones contenidas en esta Ley, iban desde las medidas socioeducativas hasta el pago de daños y el trabajo comunitario.

⁴ Enrique Desmond Arias, Mark Ungar, “La vigilancia comunitaria y la crisis de seguridad ciudadana en Latinoamérica”, *Revista de Estudios Socio Jurídicos*, Vol.15, num.1, Colombia, (2013): 25 - 32.

⁵ Se adiciono el artículo 332-A y 332-B, Decreto 125-2003 de fecha del 25 de agosto del 2003, publicado en el Diario Oficial la Gaceta núm. 30,291 de fecha 16 de enero 2004. La reforma sancionaba a los jefes o cabecillas, miembros de maras, pandillas y demás grupos que se asociaran con el propósito permanente de ejecutar cualquier acto constitutivo de delito.

⁶ Decreto Legislativo n. 30-2000, publicado en Diario Oficial La Gaceta n.29,236 del 29 de julio del 2000.

⁷ Teresa Escotto Quesada, “Políticas y prácticas de prevención de la violencia que afecta a la juventud en Centroamérica, Análisis comparativo”, Comisión Económica para América Latina y el Caribe (CEPAL),(2015): 88.

⁸ Se implementó el Programa de Prevención de Educación para la Resistencia al Uso y Abuso de las Drogas y la Violencia (D.A.R.E.), el cual estaba dirigido a escolares y donde se les explicaba los riesgos y problemas por el uso de drogas.

⁹ Reformas y la aprobación de reformas constitucionales, la Ley Orgánica del Poder Judicial y un nuevo Código de Procedimiento Civil.

¹⁰ Según informe de la Mesa Sectorial de Seguridad y Justicia (2006), se aumentaría la plantilla policial en mil efectivos anualmente; sin embargo, dichas meta no fue cumplida.

¹¹ El Plan proyectaba la acción coordinada entre el Gabinete de Seguridad Ciudadana y el Consejo Nacional de Seguridad Interior (CONASIN).

¹² J. Álvaro Cáliz, “Hacia un enfoque progresista de la seguridad ciudadana: Situación y desafíos en el caso hondureño”, (Tegucigalpa: Fundación Friedrich Ebert Honduras, 2006). 4.

militares y las agencias de seguridad privadas, pero los empresarios de las últimas se opusieron a este plan,¹ limitando su ejecución a acciones conjuntas entre la policía y los militares.

El objetivo de estas propuestas se orientaba a la reducción de la violencia que en ese momento reflejaba en una tasa de homicidios en ascenso de 76 personas por cada 100,000 habitantes en el año 2008, aunque se continuó con las estrategias de mano dura en el abordaje de seguridad ciudadana, en este período se incrementó la percepción de inseguridad en la ciudadanía.

En respuesta a lo anterior, se adoptó la política nacional en materia de seguridad, denominada “Bases de la Política Integral de Seguridad Pública y Ciudadana. Lineamientos para el Plan Quinquenal 2008-2012”² que tenía como objetivo la reducción de niveles de violencia en Honduras a través un cambio de la percepción ciudadana sobre inseguridad, a la vez, que apostaba por una disminución de los hechos delictivos mediante la implementación de 5 ejes: prevención social; control social y sanción; control social, custodia y rehabilitación; fortalecimiento institucional; y coordinación institucional y seguimiento, todos con acciones específicas y mecanismos de monitoreo.

Complementariamente, el Acuerdo Ejecutivo No. 095-2006, formalizó el Proyecto “Apoyo al Fortalecimiento Institucional de la Secretaría de Seguridad: Concertación de una Política Integral de Seguridad Ciudadana y Pública”, impulsándose un proceso de consulta con diversos sectores sociales y políticos, que derivó en la formulación de la política mencionada.³ Con apoyo de la cooperación internacional del Japón (JICA), se inició la implementación del proyecto Policía Comunitaria, basado en el Modelo Kobán de Japón y adaptado de la experiencia desarrollada en la ciudad de Sao Paulo

en Brasil.⁴ Sin embargo, estos esfuerzos y la implementación de la política mencionada enfrentaron serias limitaciones.

I.3 Políticas de Seguridad Transicionales Post Golpe de Estado⁵

A consecuencia del golpe de Estado el 28 de junio del 2009, se generó una polarización económica, política y social afectándose la seguridad de las personas y sus bienes ante una serie de saqueos de negocios y destrucción de bienes públicos por parte de los seguidores del ex presidente Zelaya.

Los hechos suscitados conllevaron a que este período de gobierno se caracterizara por el aumento de la presencia militar en las calles, el uso del estado de excepción para restablecer el orden público, represión de manifestaciones y conflictos políticos que conllevaron a que la tasa de homicidios incrementara significativamente en 77.5 por cada 100,000 habitantes en el año 2010,⁶ a la vez, que se aumentaron las denuncias por uso excesivo de la fuerza y otras vulneraciones a los derechos humanos por parte de los cuerpos de seguridad del Estado.⁷

Durante este gobierno, las políticas de seguridad ya no eran solo contra los integrantes de maras y pandillas, sino contra la protesta social en un clima de ingobernabilidad,⁸ disminuyendo las actuaciones policiales en contra de la delincuencia.

Derivado de estos acontecimientos, se instauró la “Comisión de la Verdad y la Reconciliación” que tenía como objetivo determinar, investigar y esclarecer los hechos que se dieron antes y después del golpe de Estado, constatando en este período el uso desproporcionado de la fuerza de parte de las instituciones militares y policiales, ocasionado múltiples violaciones a los derechos humanos;⁹ motivo por el cual, efectuaron 85 recomendaciones

¹ Estas propuestas fueron cuestionadas por organizaciones civiles en defensa de los derechos humanos.

² Secretaría de Estado en el Despacho de Seguridad, “Lineamientos estratégicos de la política integral de seguridad pública y ciudadana, Honduras”, Disponible en: [\(Microsoft Word - Lineamientos Estrat\35Igicos de la Pol\35tica Integral de Seguridad P\372blica y Ciudadana\)](#)

³ IBID, Op.cit. Pág.2-3

⁴ Consiste en un sistema de casetas llamadas Koban, subordinadas de las comisarías de policía. cubriendo áreas donde ocurren menos crímenes o accidentes a fin de crear confianza y el contacto con la comunidad. Disponible en: [Desde - Brazil: Un aliado confiable que cuida la seguridad de la zona | Noticias y Articulos - JICA](#)

⁵ En este período Roberto Micheletti fungió como Presidente de Honduras hasta el 27 de enero del 2010, entregando la presidencia a Porfirio Lobo Sosa.

⁶ Instituto Universitario de Democracia, Paz y Seguridad (IUDPAS), “Informe de Violencia y Criminalidad en Honduras”. Boletín edición n. 20, (enero- diciembre 2010)2. Disponible en: [Boletines Nacionales](#)

⁷ Human Rights Watch, Honduras: “Informe de derechos humanos demuestra la necesidad de mayor presión internacional,” (25 agosto 2009). Disponible en: [Honduras: Informe de derechos humanos demuestra necesidad de mayor presión internacional | Human Rights Watch](#)

⁸ Ibid.

⁹ Comisión de la Verdad y la Reconciliación (CVR), “Hallazgos y recomendaciones, Para que los hechos no se repitan,” (2011): 394).

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con la finalidad de que los hechos no se reprodujeran nuevamente en Honduras.

Adicionalmente, la suspensión de asistencia internacional en materia de lucha contra las drogas, contribuyó al incremento del narcotráfico en el país, según la Oficina de las Naciones Unidas contra la Droga y el Delito (UNODOC, 2012) se registró un aumento significativo de vuelos con cargamentos de cocaína provenientes de la frontera colombo-venezolana que aterrizaban en pistas clandestinas en el territorio hondureño.

I.4. Políticas Bajo el Esquema de Seguridad Democrática

Estas políticas constituyeron el eje central del marco estratégico denominado “Plan de Seguridad Democrática”¹ que incluía acciones orientadas a combatir el crimen organizado, fortalecer la

“Las políticas públicas deben orientarse hacia la sostenibilidad en el tiempo, la contención del delito y el fortalecimiento integral la protección ciudadana”

institucionalidad policial y judicial, promover la coordinación internacional y mejorar la percepción de seguridad en la población durante la administración del presidente Porfirio Lobo Sosa (2010-2014).

Este período presidencial comenzó en un contexto de creciente violencia, incluyendo la de índole política, lo que convirtió la seguridad ciudadana en una prioridad de su administración. Durante este período se promulgaron 98 decretos legislativos enfocados en seguridad, 43 orientados al control, 35 combinando control y prevención y 20 centrados en medidas preventivas.²

Una característica distintiva de esta administración fue el involucramiento activo y más acentuado de las Fuerzas Armadas de Honduras en tareas de seguridad pública, marcando un giro significativo en el enfoque del Estado frente a la criminalidad. Por tanto, bajo el marco de la Operación Libertad, se desplegaron 1,300 efectivos militares en distintas zonas del país, mientras el Congreso Nacional de la República autorizó una inversión de 4.4 millones de dólares para robustecer el rol castrense en el combate a la delincuencia.³

Esta estrategia se materializó en la creación de unidades élite como las Tropas de Inteligencia y Grupos de Respuesta Especial de Seguridad (TIGRES)⁴ y la Policía Militar del Orden Público (PMOP),⁵ bajo el argumento de recuperar el control territorial y reducir la criminalidad.⁶ Esta medida, lejos de resolver las causas estructurales de

la violencia, evidenció una respuesta reactiva y coyuntural, con escasa inversión en prevención o políticas de reinserción.

En consecuencia, se creó, la Comisión de Reforma de la Seguridad Pública, a través del decreto legislativo 04-2012, con la finalidad de dirigir el proceso de reforma planificada para un período de tres años. Como parte de la reforma se aprobó la Ley de Depuración de la Policía Nacional,⁷ declarándose una situación de emergencia nacional en materia de seguridad pública⁸ y a su vez se inició un proceso de transformación a la Ley Orgánica de la Policía Nacional⁹ a fin de establecer mecanismos más

¹ Programa de las Naciones Unidas para el Desarrollo (PNUD). *Informe sobre Desarrollo Humano Honduras 2013-2014: Seguridad ciudadana con rostro humano: diagnóstico y propuestas para América Latina*. (2013).

² Comisión Interamericana de Derechos Humanos (CIDH). *Situación de los Derechos Humanos en Honduras 2015*. Washington, D.C.: Organización de los Estados Americanos, (2015),33.

³ Thale, Geoff et al. *La Reforma Policial en Honduras: Desafíos y Avances*. Washington, D.C.: Oficina en Washington para Asuntos Latinoamericanos (WOLA), (2013)7.

⁴ Decreto legislativo núm. 103-2013.

⁵ Creada por medio del decreto legislativo núm. 168-2013. Reforma (Decreto núm. 286-2013).

⁶ WOLA. *Honduras: Militarización de la Seguridad Pública 2010-2020*. Washington, D.C.: Oficina en Washington para Asuntos Latinoamericanos (WOLA), (2020),15.

⁷ Decreto Legislativo N. 89-12 publicado el 25 de mayo de 2012 en el Diario Oficial La Gaceta.

⁸ Comisión Interamericana de Derechos Humanos (CIDH). *Situación de los Derechos Humanos en Honduras*. Op. Cit Pág.36

⁹ Se reformaron los artículos 7, 8, 13, 18, 18^a, 43, 96, 112, 115, 116, 118, 119, 123, 126, 127, 129 y 132.

de la Ley Orgánica de la Policía Nacional de Honduras (Decreto Legislativo N. 202-12 publicado el 22 de diciembre de 2012 en el Diario Oficial La Gaceta.

estrictos de control y evaluación del desempeño. Este marco legal facultó la revisión y evaluación del personal policial, priorizando la remoción de aquellos elementos vinculados a actos delictivos o prácticas irregulares.

Al mismo tiempo, durante esta administración, se implementaron programas de capacitación dirigidos a miembros de la Policía Militar del Orden Público,¹ enfocados a mejorar las competencias en inteligencia, investigación criminal, seguridad ciudadana y respeto a los derechos humanos.²

Finalmente, se implementó la estrategia denominada “Municipios más Seguros” como parte de las acciones contempladas en la política integral de convivencia y seguridad ciudadana para Honduras 2011-2022. El objetivo principal del programa es mejorar la convivencia y seguridad ciudadana en los 298 municipios del país, fortaleciendo la colaboración entre el Gobierno nacional, las instituciones responsables de seguridad y justicia, y las administraciones municipales.

A pesar de las reformas implementadas, los índices de violencia en Honduras continuaron siendo elevados durante el período 2010-2014. Informes internacionales destacaron que la militarización de la seguridad pública no logró una disminución sostenida de la tasa de homicidios, lo que llevó a cuestionamientos sobre la efectividad de las políticas adoptadas.³

I.5. Políticas Públicas de Seguridad Mediate Estrategias Interinstitucionales

Políticas públicas implementadas durante administración del presidente Juan Orlando Hernández (2014-2018/2018-2022). Las estrategias que se destacaron durante su administración, fueron la creación de una Fuerza Interinstitucional Nacional (FUSINA) enmarcada dentro del concepto de “Escudo Territorial” y el establecimiento de la Subsecretaría de Seguridad en el Despacho de Prevención, enfocada en

implementar proyectos preventivos dirigidos a la juventud.⁴

En cuanto a la prevención de violencia de género, el gobierno de Hernández participó en el proyecto BAI “Prevención de Violencia contra las Mujeres en Centroamérica” del Sistema de Integración Centroamericana (SICA). Este programa, se implementó en 10 municipios, ofreció capital semilla y capacitación en emprendimiento a mujeres víctimas de violencia y trata de personas. Sin embargo, persistían los niveles de violencia e inseguridad, cuestionándose la eficacia de las políticas de seguridad adoptadas.

En contraste, durante sus mandatos presidenciales, se aprobaron diversas iniciativas legislativas en materia de seguridad, entre las que se encuentran: a) La Ley de Protección para las y los Defensores de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia, (Decreto No. 34-2015) c) Ley de Protección del Espacio Marítimo (Decreto Legislativo N. 347-2013), orientada a fortalecer la seguridad en las aguas territoriales hondureñas y combatir actividades ilícitas como el tráfico de drogas.

En el ámbito de la reforma policial, se emprendió un proceso de depuración iniciado en el 2016, con el objetivo de erradicar la corrupción y mejorar la eficiencia dentro de la Policía Nacional. Este proceso resultó en la separación de aproximadamente el 35% del personal policial, aproximadamente a 4,678 agentes y oficiales. Sin embargo, este esfuerzo enfrentó desafíos significativos, incluyendo discrepancias en los registros oficiales sobre el número de efectivos policiales y cuestionamientos sobre la transparencia y eficacia del proceso.⁵

Del 2014 al 2017 se evidenció una intensificación en la remilitarización de la seguridad pública, ante el alto impacto de las actividades del crimen organizado transnacional. Este proceso implicó la capacitación de miembros policiales en

¹ Este proceso de formación buscaba mitigar los riesgos asociados a la militarización de la seguridad y garantizar el cumplimiento de las normas nacionales e internacionales en materia de derecho fundamentales.

² Thale, Geoff et al. *La Reforma Policial en Honduras*, Op. Cit, Pág 18.

³ Comisión Interamericana de Derechos Humanos (CIDH). *Situación de los Derechos Humanos en Honduras*. Op. Cit. Pág. 39.

⁴ En esta etapa destacó el Programa de Educación y Entrenamiento en Resistencia a las Pandillas (GREAT), diseñado para prevenir la delincuencia

juvenil y la afiliación a pandillas. Desde su implementación en el año 2012 al 2018 fueron capacitados aproximadamente 240,000 niños superando al resto de la región centroamericana.

⁵ InSight Crime. "Nueva reforma policial en Honduras supera a sus predecesoras". Publicado el 8 de julio de 2016. <https://insightcrime.org/es/noticias/analisis/nueva-reforma-policial-honduras-supera-predecesoras/>

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tácticas militares, el aumento progresivo del presupuesto de las Fuerzas Armadas para cumplir con sus funciones de seguridad y la creación de unidades militares para realizar actividades policiales.¹

Medidas que, a pesar de los señalamientos en su contra por parte de los organismos de protección de derechos humanos, revelaron en este período que la participación de las Fuerzas Armadas en la seguridad pública era respaldada por un segmento de la población. Las encuestas de percepción realizadas entre 2014 y 2016 señalaron que unidades como la PMOP y la FUSINA constituían instancias dentro del sector de seguridad y justicia que contaban con mayor confianza por parte de la ciudadanía.²

Por otra parte, se continuó y amplió la estrategia del programa Municipios Más Seguros, iniciado durante la administración del presidente Lobo Sosa. Esta iniciativa se centró en la prevención de la violencia y la promoción de la convivencia ciudadana a nivel municipal,³ entre otros, se priorizaron 30 de los 298 municipios de Honduras⁴ elaborándose planes específicos de prevención de violencia y recuperación de espacios públicos en aquellos lugares con mayores índices de criminalidad.

Se fortaleció el Sistema Nacional de Emergencias 911 y la Policía Militar del Orden público (PMOP), ampliando su cobertura y mejorando la capacidad de respuesta, acciones que contribuyeron en una notable disminución en la tasa de homicidios, pasando del 75.1 por cada 100,000 habitantes en el 2013 al 42.8 en el año 2017, según datos del Sistema Estadísticos Policial en Línea (SEPOL).

Se trazó nuevamente la depuración de la policía, la recuperación de zonas bajo el control de las pandillas o del crimen organizado, la reducción de los homicidios, disminución del delito de extorsión, y la generación de mecanismos integrales de “convivencia y seguridad ciudadana que incluyeran aspectos sobre prevención, rehabilitación y reinserción social.”⁵

En esta etapa se gestó la creación de la visión de país y sus respectivos planes de nación, como políticas públicas. La visión de país⁶ está desarrollada para el período 2010-2038 y engloba a los planes de nación que se dividen en “Plan de Nación 2010-2022 y 2022-2034”.

Adicionalmente, se delinearón estrategias orientadas a la elaboración de una política sobre seguridad ciudadana, paz y convivencia; al fortalecimiento del Consejo Nacional de Defensa y Seguridad; creación de la Fuerza de Seguridad Interinstitucional Nacional (FUSINA); y la implementación de mecanismos de prevención, rehabilitación, y reinserción social, a través de la utilización del deporte como forma de prevención y la instauración de comités y mesas de seguridad ciudadana a nivel local y comunitario.⁷

I.6. Las Políticas de Seguridad Refundacionales

Desarrolladas durante administración de la presidente Iris Xiomara Castro Sarmiento (2022-2024). Desde su asunción la presidente Castro implementó diversas estrategias para abordar la seguridad ciudadana en Honduras. estas políticas incluyen la declaración de estados de excepción, la implementación del plan nacional de seguridad “Solución contra el Crimen” y la ejecución de medidas para combatir el crimen organizado.

¹ Washington Office on Latin America (WOLA). "El papel de las fuerzas armadas en la seguridad pública en Honduras". (septiembre de 2020).6. <https://www.wola.org/wp-content/uploads/2020/09/FFAA-HN-ESP-9.9.pdf>

² IBID

³ Cristhian Eduardo Abate Flores, et al. "Implicaciones teóricas y prácticas de la adopción del Modelo de Servicio de Policía Comunitaria en Honduras" *Logos Ciencia, Tecnología*, vol.12, número 2,(2020).85-96. Entre el 2013 - 2015 se graduaron 1,724 policías con título de técnico superior no universitario en ciencias policiales, con una orientación en seguridad comunitaria.

⁴ Banco Mundial, PNUD, Secretaría de Estado en Despacho de Seguridad, Elaboración de Planes Municipales de Prevención de Violencia, Promoción de Convivencia y Seguridad Ciudadana.2016, 1-6.

⁵ Congreso Nacional de Honduras. "Visión de País 2010-2038 y Plan de Nación 2010-2022", (2010). Disponible: http://www.se.gob.hn/media/files/leyes/LC_10.pdf.

Entre las metas que se plantearon están las siguientes: Aumentar de 5,000 a 7,000 el número de militares apoyando a la Policía Nacional con operativos e inteligencia; Aumentar el registro de armas de fuego en más de 100 %; Incrementar en un 50 % el decomiso de armas no registradas (fuego y prohibidas); Establecimiento en 10 o 20 comunidades para implementar cambios en materia de seguridad, con el control de los propios vecinos.

⁶ La visión de país entre sus objetivos se plantea una Honduras que se desarrolla en democracia, con seguridad y sin violencia.

⁷ Políticas públicas de seguridad ciudadana y participación comunitaria en sociedades del triángulo norte: Los casos de El Salvador, Guatemala y Honduras, Pág. 53 y 54.

Al inicio de su mandato en materia de seguridad se orientó a desarrollar algunas de las propuestas contenidas en el “Plan de Gobierno período 2022-2026”,¹ entre las que se pueden mencionar el combate frontal e inteligente a la extorsión y al lavado de activos, el establecimiento de un sistema de inteligencia económica para el rastreo, detección y desactivación del lavado de capitales provenientes del crimen organizado transnacional y nacional; la potencialización del sistema de inteligencia e investigación, y la ampliación de la red estatal de servicios de apoyo para las víctimas, así como, la prevención del delito.

Cabe destacar que al incluyó en su plan de gobierno el fortalecimiento de la independencia de los órganos de justicia como elemento esencial en la consolidación de un Estado de Derecho, buscó reducir las brechas de impunidad de delitos de alto

“solución contra el crimen” (SCC),⁴ en cuyas estrategias se establece dar continuidad a la suspensión de las garantías establecidas en la Constitución de la República de Honduras en los artículos 69, 78, 81, 84, 93 y 99.⁵

De esta manera, con la integración de acciones estratégicas entre los gestores del sistema de administración de seguridad y justicia se lograron significativos decomisos de drogas, armas prohibidas, activos procedentes de diversos hechos delictivos, entre otras operaciones de inteligencia que han conllevado a la localización y captura de reconocidos líderes de maras y pandillas, así como, a la desarticulación de estructuras y/o grupos criminales de delincuencia organizada vinculados a la extorsión y delitos conexos.⁶

“Se registró una reducción en la tasa de homicidios a 25.3 por cada cien mil habitantes derivados de las capturas de miembro de estructuras criminales”

impacto generadas en la última década;² No obstante, su cumplimiento se volvió un desafío estructural ante las diversas manifestaciones ideológicas, intereses de grupos de poder entre los que se encuentran el crimen organizado, las maras y pandillas como factores determinantes en la inseguridad y actos de violencia en el país.³

Contexto que conllevó a que se declarará un estado de excepción en materia de seguridad a finales del 2022, suspendiéndose garantías y derechos constitucionales en zonas de mayor incidencia delictiva. Medida que fue refrendada el 31 de marzo de 2023, por el Consejo Nacional de Defensa y Seguridad (CNDS) al aprobar de manera unánime la II etapa del Plan Nacional de Seguridad

En consecuencia, reflejándose resultados favorables mediante el incremento en la persecución y juzgamiento de estos fenómenos criminales, obteniéndose importantes condenas en beneficio de los intereses de la sociedad.

Con todo, durante la vigencia de estos decretos, la Policía Nacional y otros entes de seguridad han ejecutado más de 43, 000 allanamientos, capturado 4,149⁷ personas por delitos de extorsión y actividades conexas, desarticulando alrededor 100 estructuras criminales entre otras acciones que contribuyeron a que Honduras cerrara en el año 2024 con una tasa de homicidios de 26.8 por cada

¹ Xiomara Castro Sarmiento, “Plan de Gobierno para la Refundación de la Patria y Construcción del Estado Socialista y Democrático”, (2022): 19-20.

² Transparency International. *Corruption Perceptions Index 2021*. Berlin: Transparency International, 2021. <https://www.transparency.org/en/cpi/2021/index/nzl>.

³ UNODC. *Global Study on Homicide 2019*. Vienna: United Nations Office on Drugs and Crime, (2019), 40. https://www.unodc.org/documents/data-and-analysis/gsh/Booklet_1.pdf.

⁴ El plan incluye planificar y ejecutar intervenciones en todos los municipios con mayor incidencia de sicariato, extorsión, narcotráfico, secuestro, tráfico de armas, asociación ilícita y lavado de activos.; Construir centro de reclusión de

emergencia (CRE) para 20 mil prisioneros en áreas despobladas; Captura inmediata de autores intelectuales de crímenes, líderes de maras y pandillas, carteles de narcotráfico y extraditables; Intensificar investigaciones y operativos para destrucción e incautación de drogas y sustancias prohibidas; Reformas legislativas, entre otras..

⁵ La inviolabilidad del domicilio, libertad personal, detención sin orden judicial, derecho de asociación y reunión.

⁶ Medidas que no exoneran a los funcionarios policiales de la obligación de acatar los procedimientos establecidos en la ley en la ejecución de todas sus diligencias.

⁷ Datos oficiales de DIPAMPCO entre 06 de diciembre de 2022 y el 02 de noviembre de 2024.

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1000,000 habitantes, la más baja en los últimos diecisiete años.¹

Simultáneamente y como parte de las estrategias de seguridad, se creó la Dirección Policial Anti Maras y Pandillas contra el Crimen Organizado (DIPAMPCO)² dotándola de capacidades operativas, investigativas y de inteligencia para combatir de manera integral a las maras y pandillas y otras formas de crimen organizado.

Lo anterior, demuestra que las políticas de seguridad ciudadanas ejecutadas a la fecha, constituyen un avance sustancial en la lucha contra la delincuencia organizada, han contribuido significativamente en la afectación económica, logística y operativa de estas organizaciones criminales en el país, como se reflejará en las correlaciones de los datos estadísticos que se desarrollaran en los apartados siguientes, visualizándose el debilitamiento progresivo de las redes económicas ilícitas que sostienen el crimen organizado. No obstante, persisten desafíos estructurales que demandan atención, para mantener la sostenibilidad de los resultados. Superar estos retos no solo es necesario para mantener lo alcanzado, sino esencial para garantizar el bienestar y la seguridad de la población.

2. METODOLOGÍA

El presente estudio se diseñó mediante bajo un enfoque cuantitativo, con un alcance descriptivo, mediante la sistematización de fuentes secundarias derivadas de bases de datos institucionales. La estrategia metodológica empelada fue la sistematización de datos³ para ello se consideró las siguientes variables siendo estas: a) capturas de miembros de estructuras criminales, b) homicidios atribuidos de miembros de estructuras criminales, c) denuncias de extorsión, d) impacto económico producto del decomiso de armas y e) impacto económico por decomiso de drogas.

Seguidamente una vez que se realizó el cálculo del dato se organizó por segmentos de tiempo de

duración de los PCM (decreto ejecutivo de emergencia) el cual es emitido a nivel presencial, se tomó como referencia dichas temporalidades entre el 06 de diciembre de 2022 y el 02 de noviembre de 2024, lo anterior como parte del Plan “solución contra el crimen”.

Para el procesamiento de datos se utilizó hojas de cálculo y los paquetes de análisis: a) openpyxl para la lectura del archivo xls tratado previamente en la hoja de cálculo, b) pandas para la lectura y procesamiento de información estadística y c) matplotlib para la creación de gráficos, todo lo anterior en el software Python.

3. RESULTADOS

En seguida se presentan los resultados derivados de la sistematización de datos en el periodo de tiempo en mención, situando en primer lugar la variable capturas de miembros versus homicidios atribuidos a miembros de estructuras criminales:

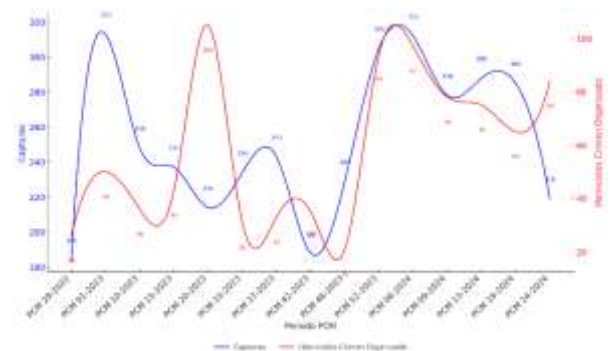


Figura 1. Capturas y homicidios atribuidos a de miembros de estructuras criminales por PCM
Fuente: Dirección Policial Anti Maras y Pandillas Contra el Crimen Organizado (2025)

Como se aprecia en la figura anterior se empleó un gráfico de doble eje el cual muestra que la estrategia de estado de excepción mediante los PCM muestra una relación de contención, puesto que en la medida en que se efectúan capturas de miembros de estructuras criminales, cuyos puntos más altos fueron los periodos del 06 de enero al 20 de febrero de 2023 que corresponde al PCM 01- 2023 el periodo y el 15 de febrero de 2024 al 04 de marzo de 2024.

¹ Infobae. Honduras extiende el estado de excepción hasta el 19 de febrero para reducir la violencia. Infobae, 7 de enero de 2025. <https://www.infobae.com/america/agencias/2025/01/07/honduras-extiende-el-estado-de-excepcion-hasta-el-19-de-febrero-para-reducir-la-violencia>

² Acuerdo ministerial n°1417-2022, publicado en el Diario Oficial La Gaceta el 20 de julio de 2022.

³ Reichertz, P. L. "Towards Systematization." *Methods of Information in Medicine* 16 (1977): 125–130. <https://doi.org/10.1055/s-0038-1636655>.

Por su parte en lo que respecta a la variación de homicidios atribuidos a miembros de estructuras criminales se observa dos momentos donde se alcanzó cifras altas, que fueron los periodos entre el 21 de mayo al 06 de julio del año 2023, correspondiente el PCM 24 - 2023, así como el 01 de enero del año 2024 al 15 de febrero del año 2024, que corresponde al PCM 52-2023.

La variación del índice entre diferentes es de - 0.319, en promedio, el índice disminuye ligeramente de un PCM al siguiente, la desviación estándar de la variación: 3.292 indicando una alta dispersión en los cambios del índice entre periodos, por lo que las fluctuaciones son significativas.

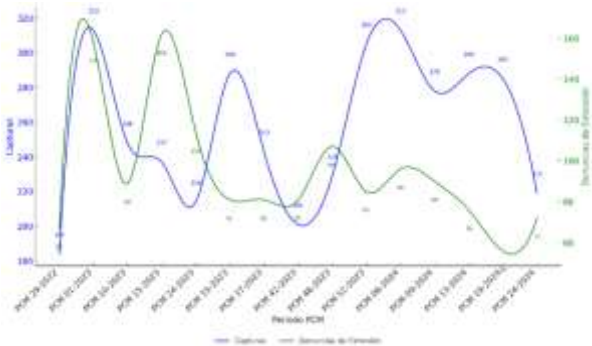


Figura 2. Capturas de miembros de estructuras criminales y denuncias de extorsión por PCM
Fuente: Dirección Policial Anti Maras y Pandillas Contra el Crimen Organizado (2025)

Como se observa en la figura anterior, en lo que respecta a las capturas, al ser los mismos datos utilizados en la figura I, existe un mismo patrón, no obstante en el caso particular de las denuncias de extorsión se han observado fluctuaciones interesantes destacando el periodo que oscila entre el 06 de enero del año 2023 al 20 de febrero del mismo año, correspondiente al PCM 01 – 2023, así mismo otro periodo relevante fue e comprendido entre el 06 de abril de 2023 al 21 de mayo del mismo año, donde se observaron alzas de denuncia.

El índice Capturas de miembros de estructuras versus denuncias de extorsión tiene una variación promedio de apenas 0.021, lo que indica una estabilidad relativa entre los distintos PCM. No obstante, se observaron fluctuaciones importantes en ciertos periodos, indicando un incremento notable en la eficacia relativa de capturas, lo que explica que en la medida que se realizan capturas tiende a disminuir la denuncia. Sin embargo, el valor $p = 0.518$, calculado con la Rho de Spearman, es

muy débil y no significativo por lo que las capturas no explican en su totalidad el fenómeno de disminución de la actividad delictiva que generan denuncias de extorsión, es posible que la transformación de las dinámicas delictivas y otras acciones en materia de seguridad incidan en la disminución de la extorsión.

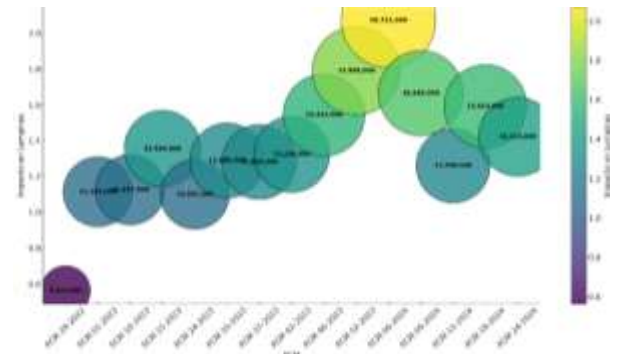


Figura 3. Impacto económico por decomiso de armas desagregado por PCM
Fuente: Dirección Policial Anti Maras y Pandillas Contra el Crimen Organizado (2025) y Unidad Técnica de Coordinación Interinstitucional.

Por su parte en la figura anterior se observa un notable aumento del impacto en concepto del decomiso de armas en el marco del estado de excepción, se observa que el periodo comprendido entre el 19 de febrero de los años 2024 al 04 de abril del mismo año que corresponde al PCM 06-2024, con leves disminuciones en los subsiguientes periodos.

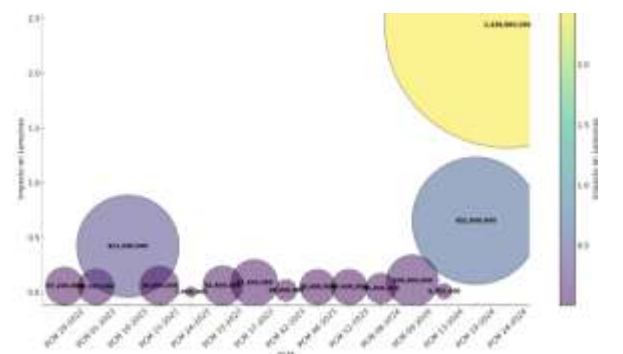


Figura 4. Impacto económico por decomiso de drogas desagregado por PCM
Fuente: Dirección Policial Anti Maras y Pandillas Contra el Crimen Organizado (2025) y Unidad Técnica de Coordinación Interinstitucional.

En lo que respecta al impacto económico por concepto de decomiso de drogas (kilos de clorhidrato de cocaína) el monto más alto se decomisó fue entre el 18 de agosto y el 10 de octubre del año 2024, así mismo en otros periodos se realizaron decomisos significativos que afectaron la dinámica de las estructuras criminales.

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Durante los periodos de estudio en el marco del estado de excepción se decomisó 12,624 kilos de clorhidrato de cocaína cuyo valor de mercado local (Honduras) es de L 4,102,800,000 cuyo equivalente en dólares es de USD \$164,112,000,¹ dicho valor puede variar según la ubicación del producto ilícito en el territorio centroamericano.

Sin duda tanto el decomiso de armas como de sustancia ilícita suponen un golpe a las estructuras criminales en tanto que se ve limitada su operatividad y marco de acción en el territorio hondureño, en donde la respuesta ha sido efectiva por parte de la Policía Nacional de Honduras.

DISCUSIÓN

Durante las últimas dos décadas, Honduras ha implementado una serie de políticas públicas orientadas a enfrentar la criminalidad y la violencia, especialmente a través de estrategias de corte reactivo y militarizado, como los planes de seguridad interinstitucional como la creación de la

Consecuentemente fue necesario desarrollar estrategias multi agenciales,³ en tal sentido se gestaron enfoques híbridos que reflejan la búsqueda de un equilibrio de la coerción estatal con estrategias de prevención social y participación comunitaria, Iniciativas como la implementación de la Policía comunitaria (Modelo Kobán), el fortalecimiento de la DIPAMPCO con un enfoque de inteligencia estratégica, y los planes municipales de prevención, marcan un viraje conceptual relevante. Estas orientaciones han permitido ampliar el margen de la acción estatal más allá de la represión, generando impactos localizados en la disminución de la incidencia delictiva y mejorando la percepción de seguridad en comunidades intervenidas, Sin embargo, su escalabilidad y permanencia exigen el financiamiento sostenido, formación especializada y mecanismos de evaluación rigurosos.

La lucha contra la criminalidad organizada en Honduras también ha estado respaldada por un proceso progresivo de reformas legislativas que han dotado al Estado de un marco jurídico más robusto

“Reducción de homicidios”

Policía Militar del Orden Público, FUSINA la aplicación de decreto de Estado de excepción. estas medidas han demostrado efectividad en el corto plazo, contribuyendo a una disminución sostenida de la tasa de homicidios, que pasó de una tasa de 86 por cada 100,000 habitantes a 25.3 en el 2024.² No obstante, la sostenibilidad de estos logros depende de una transición hacia modelos integrales, centrados en la prevención social, fortalecimiento institucional y gobernanza democrática de la seguridad.

En contraste con lo anterior se impulsó un proceso de reformas legislativas para dotar de herramientas normativas a las agencias de seguridad del Estado y de otros entes como el Ministerio Público y el Poder Judicial, ampliando sus atribuciones, campos de actuación y cobertura a nivel nacional.

y especializado. La aprobación de leyes como la Ley sobre Privación de Dominio de Bienes de Origen Ilícito, Ley contra el Lavado de Activos, la Ley Especial de Órganos Jurisdiccionales con Competencia Territorial, la Ley contra el Financiamiento del Terrorismo, Ley de Seguridad Poblacional y recientemente los denominados decretos de excepción, entre otros, han permitido dotar al sistema de justicia penal de herramientas normativas eficaces para la identificación, investigación, persecución y juzgamientos de integrantes de estructuras delictivas de alto perfil. Asimismo, estas reformas propiciaron la creación de nuevas unidades especializadas en el Ministerio Público, Poder Judicial y la Policía Nacional de Honduras.

Por otra parte, la criminalización de nuevas conductas delictivas, ha permitido reducir espacios de impunidad y aumentar la capacidad coercitiva del

¹ Según tasa de cambio en la fecha 01 de julio de 2025

² Sistema de estadísticas de la Policía Nacional de Honduras (2025) data histórica.

³ FUSINA (Fuerza de Seguridad Interinstitucional), ATIC (Agencia Técnica de Investigación Criminal), DLCN (Dirección de Lucha Contra el Narcotráfico) y DIPAMPCO (Dirección de Policial Anti Maras y Pandillas Contra el Crimen Organizado), entre otras.

Estado, evidenciándose en un número mayor de capturas, decomisos y condenas. Este andamiaje normativo, si bien requiere mecanismos de control que garanticen el respecto a los derechos fundamentales, ha sido clave la profesionalización y reorganización de las agencias de seguridad y justicia, contribuyendo significativamente a la eficacia estatal en la contención del crimen organizado y la reducción sostenida de la tasa de homicidios.

La reducción de homicidios como indicador de impacto más visible derivado de las políticas públicas en seguridad, esta métrica por sí sola no refleja plenamente los cambios estructurales necesarios para consolidar una cultura de legalidad y seguridad ciudadana. La persistencia de delitos como la extorsión, el narcotráfico, la corrupción institucional y la impunidad indica que la criminalidad organizada ha mutado, adaptándose a las intervenciones estatales. En consecuencia, es imperativo que las políticas públicas incorporen modelos de evaluación multidimensionales que incluyan indicadores de percepción, resiliencia institucional, acceso a la justicia, cohesión social y gobernanza de la seguridad, con el fin de orientar las decisiones basadas en evidencia y fortalecer la legitimidad democrática del Estado hondureño.

Para poder mantener la sostenibilidad en el tiempo de la reducción de la tasa de homicidios se requiere consolidar un modelo de seguridad preventivo, territorial y con base comunitaria. Esto implica fortalecer la policía comunitaria con formación técnica, infraestructura, presupuesto, talento humano especializado y mecanismos de evaluación y articulación intersectorial, así como, ampliar las rutas de prevención territorializadas en municipios con mayor incidencia delictiva, integrando a las secretarías de salud, educación, desarrollo e inversión social, entre otras instituciones que proporcionan servicios básicos.

De igual manera, potenciar las capacidades de inteligencia criminal y análisis predictivo a través de mayor inversión en tecnologías y personal técnico, herramientas de minería de datos, análisis de redes y sistemas de georeferenciación del delito de última generación, consolidando los protocolos de inteligencia estratégica sobre fenómenos emergentes como la ciberdelincuencia, extorsión transnacional,

lavado de activos, tráfico de armas, drogas, personas, delitos financieros entre otras tipologías criminales de criminalidad organizada.

Lo anterior sin soslayar las necesarias reformas legislativas en el sistema penitenciario, la dotación de presupuestos adecuados, equitativa y proporcionales a los objetivos y funciones de todas las instituciones del sector de administración de justicia, mejoramiento de las funciones de planificación y operatividad estratégica.

Finalmente, la reducción de la tasa de homicidios en Honduras representa un logro significativo, pero su sostenibilidad exige superar la lógica reactiva y avanzar hacia un modelo de seguridad pública basada en derechos, evidencia e institucionalidad democrática. Solo mediante un enfoque estructural, preventivo y adaptativo podrá el Estado hondureño responder o enfrentar mejor a la mutación del fenómeno criminal.

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