

RESEARCH ARTICLE

Avoiding the Perfect Storm: Criminal Economies, Spoilers, and the Post-Conflict Phase in Colombia

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The possibility of ending the armed conflict in Colombia will depend, to a large extent, on the state's ability to prevent multiple criminal economies, and inhibit the actors who participate in them from damaging the implementation of the final peace agreements. This article analyzes criminal economies' ability to destabilize and thereby damage the post-conflict phase, and identifies dilemmas the state must confront in responding to this situation. The article's objective is to provide an analytical model to understand the complex relationship between actors involved in the peace process and criminal economies, and to thereby identify risks and possible models for intervention. The theoretical referent of this work is the discussion about peacebuilding in fragile states and literature that identifies organized crime as a spoiler. This is the first attempt to apply this perspective to Colombia, and to take the particular characteristics of the country into account while making comparisons with other countries that exhibit similar features in their own post-conflict and transitional phases. The article comes to the conclusion that in Colombia it is necessary to consider Interim Stabilization Measures, which allow the state to provide an effective response that takes advantage of available resources without losing sight of the need to strengthen local institutions in the mid-term.

Introduction

The possibility of ending the armed conflict in Colombia will depend, to a large extent, on the state's ability to prevent multiple criminal economies and inhibit the actors who participate in them from damaging the implementation of the final peace agreements. Both the national government and the Revolutionary Armed Forces of Colombia

(FARC by its Spanish acronym), who are currently holding peace talks to end the decades-long civil conflict, have acknowledged that the existence of illegal markets represents an important risk to the peace process. These markets provide economic incentives, demand regulation and protection, and have the capacity to upset the state's presence to the benefit of the illegal actors who participate in them.

This article analyzes criminal economies' ability to destabilize and thereby damage the post-conflict phase, and identifies dilemmas the state must confront in responding to this

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situation. This article's objective is to provide an analytical model to understand the complex relationship between actors involved in the peace process and criminal economies, and to thereby identify risks and possible models for intervention.

This analysis acknowledges the fact that in the long term, the post-conflict phase will depend on the state's capacity to establish an effective presence in the regions in which it has historically been unreliable or absent. In the short term, the main institutional challenge will be to protect the population, restore confidence in the state, and prevent criminal organizations and corruption networks from taking advantage of the transition.

In some regions, the post-conflict phase could provoke a 'perfect storm' in which the power vacuums generated by the demobilization of the insurgent groups could be re-occupied by factions that do not participate in the peace process, or by criminal organizations with the ability to supplant demobilizing groups. Territorial control and domination of the population will be at the center of this dispute. So, how can this situation be avoided?

This question will guide the last part of this essay, whose timeframe will be the first three to five years of the post-conflict phase, and which will propose options for state intervention based on stabilization. This text's theoretical referent is the discussion about peacebuilding in fragile states and literature that identifies organized crime as a spoiler. This paper is the first attempt to apply this perspective to Colombia, and to take the particular characteristics of the country into account while making comparisons with other countries that exhibit similar features in their own post-conflict and transitional phases.

Criminal economies: What are they, and why could they damage the post-conflict process?

Criminal economies can be defined as a cluster of transactions that involve merchandise considered legal (for example gold) or illegal

(such as cocaine), with exchanges that can occur in a framework that is seemingly legal ('front' companies for the buying and selling of gold) or illegal (drug trafficking), and whose regulation is the responsibility of one or more criminal actors with the capacity to use violence and coercion (Shaw and Kemp 2012; Garzón 2008). In organizational terms, the criminal economy should be understood as a multi-agent network that administers assets and services through exchanges regulated by intimidation and corruption (Giraldo 2011).

According to this definition, multiple criminal economies have fed the armed conflict in Colombia, and have functioned not only as a source of income for actors who participate in the violence, but also as the objects of territorial disputes. Although discussions on this topic have focused mainly on the influence of drug trafficking – and especially the cocaine market – this is only one of many criminal economies that have played a role in the hostilities. Colombia possesses a broad range of primary materials, merchandise, and services that are regulated by criminal organizations, paramilitary groups, and guerrillas.

Criminal economies provide incentives for a wide assortment of actors willing to break the law to obtain gains and benefits. In the armed conflict these benefits are not only economic, but also pertain to social and political legitimacy. The actors involved in this type of economy therefore aim not only to maximize their profits, but also to take on other roles. They become *de facto* powers that can substitute the state's most basic functions. This is especially true in regions that experience a weak state presence (Duncan 2015; FDFA 2013; World Bank 2011).

It therefore seems logical to ask what the role of these criminal economies should be in the post-conflict phase. It is clear that the illegal markets and the demand for regulation that have fed the hostilities will continue once the agreements are signed. In fact, other countries' experiences show that in the stage immediately after negotiation, crime and violence tend to increase due to

appropriation of illegal income, disputes between illegal actors, and gaps in conflict resolution.

The United Nations Office on Drugs and Crime's (UNODC) *Global Study on Homicide* warns: 'Addressing crime and homicide in all its forms is crucial for countries emerging from conflict, as crime-related violence can escalate to levels similar to those of violence in times of conflict' (UNODC 2013: 17). To support this statement, the UNODC cites the cases of Afghanistan and Iraq, which experienced a resurgence of violence, especially against the civilian population. Similar mentions were made of Haiti's homicide rate, which doubled in six years, and South Sudan, where the availability of firearms has been associated with the frequency of livestock theft (UNODC 2013). Guatemala and El Salvador are also worth mentioning, as they consistently rank among countries with the highest homicide rates years after the signature of their respective peace agreements.

The impact of criminal economies on peacebuilding has been recognized in a number of UN documents. A 2012 statement by the President of the UN Security Council affirms that 'transnational organized crime, including illegal activities such as drug trafficking and illicit trade in arms, negatively impact the consolidation of peace in countries emerging from conflict' (UN Security Council 2012). In addition, peacekeeping missions increasingly consider the presence and influence of organized crime as factors that can negatively impact the post-conflict process (Hansen 2012).

There exists sufficient evidence to support the assertion that criminal economies can be a destabilizing factor in the implementation of peace agreements, as they maintain control over the civilian population, compromise the security of ex-combatants, and resist the presence of the state. It is also important to note that disarmament and demobilization are part of the transition process in which the illegal armed group dismantles its armed elements, thereby generating a power vacuum in its zones of influence. This vacuum

can be filled by armed factions that decide to continue illegal activity and not participate in the post-conflict process, or by criminal organizations that aim to take control of criminal markets.

In areas where the criminal economy has become more greatly entrenched, it has the ability to alter dynamics such as electoral processes (through campaign financing), the distribution of resources (by influencing state investment), the institutional reform process (through corruption), the execution of justice (by suborning judges and magistrates), and the everyday life of communities (Shaw and Kemp 2012; Transparency 2012). In the context of the armed conflict, this is what Ana Arjona calls the 'wartime social order': '...a set of rules that structure human interaction in a given community in a wartime' (Arjona 2014: 1374). In the case of guerrilla groups, Arjona writes about 'rebelocracy': '...a situation where armed groups become the facto ruler' (Arjona 2014: 1375).

The interference of this order can imply escalations of violence when the state openly confronts armed factions, or when groups compete with each other. Efforts to alter these dynamics can also occur under a low profile and make use of corruption networks (Wennmann 2014).

Criminal economies are able to adapt to existing institutional environments by assuming different forms according to the method of state intervention, market behavior, and changes in social organization (Xia 2008; Garzón 2012). According to this rationale, criminal factions in this context aim to minimize the volatile effect of the post-conflict phase by camouflaging themselves to avoid state action, or by taking advantage of the institutional vacuum (Wennmann 2014). It is important to take into account that the state's transition from a weak institutional capacity to a strong one, in which it possesses the ability to offer public goods to its citizens, is a process that demands resources and, above all, time. Criminal organizations expect that the state will not be able to consolidate itself at the regional level.

In Colombia, the demobilization processes of the 1990s are a warning about the dynamics of territorial occupation in the demobilization phase. A clear example of the complexity of these dynamics occurred after the disarmament of the Popular Liberation Army (EPL) and the Revolutionary Workers' Party (PRT) whose zones of influence became re-occupied by the FARC and the National Liberation Army (ELN) (ICG 2014).

Similarly, at the beginning of this century, the demobilization of paramilitary groups opened some areas of the country to the commanders' sale of armed structures to recognized drug traffickers, and to the criminally motivated recycling of these factions. As a result, multiple local armed groups emerged, aiming to take advantage of newly created power vacuums. At the root of this phenomenon were both the state's incapacity to form an effective and permanent presence at the regional level, and the existence of incentives to maintain weapons and continue illegal activity (Restrepo and Muggah 2009).

Mid-level paramilitary commanders deserve a special mention here. The demobilization of the paramilitary groups focused on high commanders and rank-and-file combatants, while the mid-level members, who had possessed real territorial control, received no differential treatment. These mid-level participants took advantage of their knowledge of regional dynamics and criminal economies, as well as their relationship with the civilian population, to continue operations (CNRR 2007). In the post-demobilization period, the Organization of American States' Peace Process Support Mission (MAPP/OAS) reported the existence of at least 22 structures characterized by '...the participation of mid-level commanders – demobilized or otherwise – in recruitment of ex-combatants and control of illegal economies' (MAPP/OAS 2007).

One point that should be highlighted in the Colombian case relates to political-criminal connections through which factions of the local political and economic elite construct alliances and subordinate relationships

with criminal organizations (Duncan 2006; Romero 2007; Ronderos 2014). Both types of actor – legal and illegal – might have an interest in sabotaging the peace process, given that peace would alter their territorial power and capacity to influence political and judicial decision-making. These networks of corruption will therefore try to subsist by other means, including violence. In extreme cases, this situation could result in a reactivation of the armed conflict. In a more moderate scenario, it would destabilize the post-conflict process and generate setbacks in the implementation of the agreements.

FARC history includes the extermination of the Patriotic Union (UP), a political party established by the guerrilla group in the framework of peace negotiations in the 1980s. This episode was marked by the assassination of two presidential candidates, eight congress people, 13 delegates, and 70 councilors (Dudley 2008). The political conditions in which these events occurred have now changed, and the state has more capacity to respond to this type of action. However, we cannot overlook the partnership between regional political elites, members of the armed forces, and criminal organizations that still reject political participation by this guerrilla group.

In the midst of this complex panorama, it is necessary to take into account that in the post-conflict phase, the state must assume multiple responsibilities in a context marked by limited resources and institutional inertia. Security institutions and the justice system will confront the enormous challenge of providing citizen security – which must include ex-combatants – and avoid the possibility that criminal economies will damage implementation of the peace agreements. Outright attacks on organized crime could result in the activation of cycles of violence – but the failure to confront this threat in the post-conflict process' early stages could provide conditions for the legitimization of such crime (Kemp et al 2013). Under these circumstances, the state must decide which choice is the lesser evil.

The lesser evil: State dilemmas in the post-conflict phase

According to Walter Kemp et al, in the post-conflict phase the state will confront a typical case of 'Morton's Fork,' as it must resolve a dilemma in which the two possible options are equally problematic (2014). On the one hand, outright combat against criminal economies could generate imbalances and spirals of violence (Hansen 2014). On the other, not confronting this problem in its early stages could empower criminal organizations and generate long-term cycles of their legitimization through territorial domination and control of the population.

In the first scenario, operations against criminal economies can have side effects that destabilize the process. Actions taken against the leaders of criminal factions generate power vacuums that provide space for disputes between mid-level commanders, or result in the creation of new factions (Wennmann 2014). At the same time, the indiscriminate deployment of repressive action against the weakest links in the chain not only has marginal impact but also meets significant resistance in populations that depend on illegal markets (Felbab-Brown 2013). Without a focused dissuasive strategy, the limited resources of the state are scattered and the central objectives, which include the protection of the population and the confidence restoration in the state, are lost (Szabo et al 2013).

A key consideration in this context is the dispute for territorial legitimacy in regions that have been under the control of armed factions (Cockayne and Pfister 2008). It is necessary to take into account that in areas under the influence of criminal economies, illegal actors have regulated daily life – executing expeditious justice mechanisms, providing access to income, and imposing forms of social control. In other words, they have supplanted state functions through authoritarian and discriminatory practices (Miraglia et al 2012). The challenge in the post-conflict phase is how to minimize the violence, and how to transform the social

and political capital of the FARC in a way that strengthens the state.

In the case of Colombia, the capture and extradition of the leaders of criminal organizations have generated periods of destabilization. This signifies increases in disputes between groups, rises in criminal indices, and temporary escalations in homicide rates. For example, in Medellín in 2008, the extradition of a paramilitary leader who exercised strong influence over criminal structures in the city provoked a cycle of disputes and restructurings that increased the homicide rate from 45.6 per 100,000 inhabitants in 2007 to 94.4 per 100,000 inhabitants in 2008 (Llorente and Guarín 2012).

In the second scenario, to ignore the influence of the criminal economies and thereby allow them to take action, could hold a high price for the peace process. In the short term, there is a risk that the criminal networks could interfere with regional state intervention by diverting public resources, appropriating income, generating spaces to mediate between communities and local authorities, and taking over security and justice provisions.

In the long term, the longevity of criminal organizations or other guerrilla factions could open cycles of legitimization accompanied by demands for space for political negotiation. As Charles Tilly demonstrates, democratization processes provide incentives to all actors to strengthen their position in the new regime, which frequently occurs through violence and intimidation (Tilly 2003). This scenario is particularly relevant to Colombia, where criminal actors have repeatedly assumed political agendas in order to begin negotiations with the state.

One case that illustrates this situation occurred after the demobilization of the paramilitary groups in Colombia. In various areas of the country, mid-level commanders assumed control while the economic and political structures that had supported paramilitary activity continued intact. Although the justice system had the capacity to open judicial processes against political

leaders who had strong connections with these groups – in a phenomenon that the country came to know as ‘para-politics’ – judicial processes were not initiated in all regions. In some areas, after demobilization of the paramilitary groups, alliances between political actors and criminal organizations continued. This was due in part to support from mid-level commanders and regional and national elites who used violence to influence political competition.

Given this reality, state interventions in the regions influenced by criminal economies oscillate between two extremes. State actions can vary between territorial occupation and the dismantling of criminal organizations, to enacting structural changes and strengthening state institutions (Cockayne 2011). In the first case, the priority is to recover the monopoly on the legitimate use of force and to dismantle criminal factions. In the second case, the positioning of the state leads to the transformation of the structural conditions that originally created space for the construction of criminal economies.

The problem lies in the fact that though regaining the territory might be a feasible goal in the short term, it will be insufficient if unaccompanied by comprehensive state intervention. At the same time, over-emphasizing institutional capacity strengthening without minimum security conditions for the citizenry could generate opportunities for the privatization of state functions and their cooptation by illegitimate powers (Gutierrez 2014).

In practice, interventions by security forces, while common, are not often coordinated with other state decisions. This is exacerbated by the fact that the deployment of the armed forces is used to dismantle criminal economies and not to protect the citizenry, as demonstrated by state intervention in areas in which coca is cultivated and processed. Action by the armed forces can have immediate impact through eradication, arrests, and confiscation. However, the sustainability of these efforts in the short and long term depends on state capacity to enact

institutional changes to these regions. This is why coca crops have persisted for more than a decade in areas where the state has made multiple interventions without consolidating its local-level institutional presence; in 2013, 44 per cent of coca crops were found in such areas (UNODC 2014).

In an environment marked by limited state capacity to form an effective local presence, it is important to ask whether the goal of dismantling criminal economies is feasible and desirable. Perhaps a more achievable objective – at least in the short term – is to reduce the negative impact of dismantling criminal economies, specifically to decrease violence and crime (Shaw and Kemp 2012). In the post-conflict phase, the state must decide whether it has the capability to eliminate these economies, or whether it will focus on creating a situation in which the actors involved will support, rather than sabotage the process.

Stedman’s assertion that the success of a post-conflict process is strongly determined by what he calls ‘spoiler management’ capacity is of great relevance here. According to Stedman, peace operations’ effectiveness depends on their ability to change the behavior of local actors (1997). In addition, Cockayne and Pfister analyze the impact of organized crime on the post-conflict phase, and find that the ‘spoiler management’ approach has the advantage of defining parameters for action, and providing an achievable goal for institutions. The objective is to reduce the negative impact of organized crime on the process, rather than propose direct combat or extermination of organized crime (Cockayne and Pfister 2008).

As Stedman affirms, this approach has a strong territorial component and requires differential strategies that take into account the various possible relationships between spoilers and the post-conflict process (1997). State capacity to mold the behavior of criminal economies is crucial, so that they do not express themselves violently and thereby damage the post-conflict phase.

The state must therefore increase the cost of taking any action that destabilizes

the post-conflict process or puts it at risk by using dissuasive and focused efforts that deter escalations of threats or attacks (Felbab-Brown 2013). In the early stages of the post-conflict process, the position of state intervention should change from open combat with criminal economies – in the context of counter-insurgent efforts – to protection of the citizenry under a broader approach to public security (Kaldor 2011; Gordon 2013).

The implementation of such an approach requires an understanding of regional dynamics and of the relationships between actors involved in the process, and in criminal economies. With this objective, this paper proposes an analytical model that uses *ideal types* to identify possible relationships and their level of risk to the process. This exercise does not aim to describe concrete cases but rather to capture basic features of such a relationship and understand the dynamics of this multi-faceted and complex phenomenon at a micro-level.

Analytical model: Criminal economies and the regions

Actors involved in the conflict engage with criminal economies in a variety of ways, each of which plays a role in determining their relationship with the population and local

power structure. In the case of the guerrilla groups, their relationship with illegal markets functions alongside their political objectives. However, in certain areas their participation in these markets has organizational impact and becomes the crux of their activity (Gutierrez 2004). As Beardsley and McQuinn analyze in the cases of Sri Lanka and Indonesia, the access to resources can affect patterns of behavior of the guerrilla organizations, impacting their ‘... preferences for or aversion towards ongoing conflicts and the means of waging war’ (Beardsley and McQuinn 2014: 627). This matches one of the main characteristics of current armed conflicts, that there exist gray areas in which it can be difficult to distinguish between political motivations and economic interests and profit (Kaldor 2013).

Peter Lupsha proposes a typology of the relationships between criminals and the world of politics based on his conceptualization of the evolution of criminal organizations (Lupsha 1996). As Cockayne and Pfister suggest, this classification can be particularly useful when considering different approaches to spoiler management (Cockayne and Pfister 2008). According to Lupsha, there are three types of relationships with criminal economies: predatory, parasitic, and symbiotic (1996). **Table 1**

Type of relationship	Description	Activities
Predatory	Appropriation of existing profits. Theft of legal or illegal products. In the case of the guerrilla groups, activities are subordinate to political interests.	Theft and extortion of local populations and business people.
Parasitic	Control of a series of profit-generating activities, generally through payment of illegal tax in exchange for ‘protection.’ Mediation functions with legal authorities.	Charging of ‘taxes’ in exchange for protection.
Symbiotic	Management of criminal relationships (influence on connections and transactions). Capacity to create nexus between legal and illegal, as well as formal and informal markets and businesses. Political groups depend on criminal groups.	Regulation of the illegal market. Management of one or more links in the chain.

Table 1: Typology of relationships between illegal actors and criminal economies. *Source:* Compiled by the author, based on Lupsha 1996.

defines each one of these categories and describes their activities.

The relationship between the illegal actor and the criminal economy is also measured by the actor's degree of control over the territory. While predatory activities do not require control of criminal activities in a certain area (as they can operate in a competitive environment), the symbiotic relationship implies monopolization of one or more links in the chain. In the construction of ideal types, it must be understood that: a) predatory activities can occur in competitive environments where there are one or more criminal actors; b) the parasitic relationship requires the existence of one or more criminal economies that can be taxed in exchange for 'protection;' and c) the symbiotic relationship implies consolidated and stable territorial control.

A basic matching scheme for the categories would have the following features, seen in **Table 2**. The X indicates the box in which the relationship is strongest.

Understanding these combinations is key to identifying the most appropriate response. In the predatory/competitive environment, strategies must focus on containing the increase in common crime, especially extortion. In the parasitic/arrangements category, the immediate objective is to contain disputes between groups, avoid violence, and gradually dismantle criminal networks. The most complex scenario is that of symbiotic relationship/control. In this case, the way the state functions is in question, as is its institutional capacity to protect

citizens. This context requires an integral intervention focused on the reduction of territorial vulnerabilities. In other words, it requires a change in conditions that allow the emergence and development of criminal economies.

For greater clarity about this analytical model, it is useful to explain the categories by examining the case of the FARC. In some areas, the group focuses on extortion (known in local slang as 'vacunas') and appropriation of assets. These predatory activities generate constant cash flow for FARC fronts, and allow easy access to resources. The range of victims is broad and can vary according to the resources required by the group. There are indications that these practices have increased during the current negotiations (Fundación Paz y Reconciliación 2015).

In other areas, the FARC tax criminal economies, charging for transactions and in some cases demanding payments in exchange for protection. The guerrilla organization does not directly intervene in the illegal market, but has the capacity to impose sanctions, mediate between legal and criminal actors, and impede transport through certain zones. In this context the FARC establish, and in some cases impose arrangements, with the actors who participate in the criminal economy. A report by Fundación Ideas para la Paz finds that at least six FARC fronts have made agreements with criminal groups to address coca crop management, protection of laboratories, and use of transport routes (Echandía 2013).

	Competitive environment	Agreements/ Arrangements	Control
Predatory	X		
Parasitic		X	
Symbiotic			X

Table 2: Typology of relationships between the illegal actor, the criminal economy, and the territory. *Source:* Written by the author.

A cluster of more systemic relationships between criminal economies and the insurgency is also observable. In some areas of the country, the FARC control coca cultivation and production of the base paste, fix prices, regulate payments, and provide input for traffickers. One point that should be highlighted here is that the drug economy is only one of the sources of income for this insurgent group. In some territories, the FARC also control trafficking of gasoline and basic goods, exploitation of logging, and the deviation of public resources, among other activities.

This analytical model corresponds to information compiled by the Financial Information and Analysis Unit (UIAF) according to which the FARC divide their financial investments into three levels (Montero 2012). The first level is comprised of resources necessary to fulfill the group's strategic plans (growth projections and territorial occupation). The second level is formed by the maintenance of structures, such as fronts and companies. Finally, the third is based on survival – the cash operations of the units. With the exception of broader strategic planning, resources are managed autonomously by each front, all of which have independent budgets. The UIAF report also highlights the fact that a significant part of the guerrilla's resources goes towards paying for corrupt activities.

The categorization and acknowledgement of these dynamics does not imply that the FARC has become a different criminal group, but rather that it has developed multi-faceted and complex relationships with a broad range of criminal economies.

Given this relationship, the group's demobilization and disarmament could generate a significant vacuum that might be filled by a variety of actors: factions of the FARC that decide not to be part of the process; mid-level commanders who take advantage of their knowledge and experience; the ELN (the second-largest active guerrilla group in the country); criminal groups; transnational organized crime; or a combination of all or some of the above.

It is important not to lose sight of the fact that in the majority of Colombian regions, the FARC operate alongside these actors. This collaboration exposes FARC members to a gamut of options in terms of rearmament, recruitment, and dissidence (ICG 2014). This situation poses a great risk that could destabilize the process – a perfect storm that could manifest itself to different degrees throughout the regions. How can this be avoided?

Avoiding the perfect storm: Stabilization

The 'perfect storm' scenario is only one of the many possible outcomes. It is important to understand that in Colombia, the state capacity to confront criminal economies has increased, the demobilization of the paramilitary groups has removed one of the main spoilers of negotiations with the guerrilla groups in the 1990s, and it would be difficult for another group to replace the regional armed presence of the FARC.

The fundamental issue is that incentives generated by criminal economies continue to be high. Equally as important is the fact that state capacity in many areas continues to be limited, and corruption networks are available to the highest bidder. Given these conditions, the FARC is located in areas in which the state has had a weak or non-existent presence, and so the areas under FARC control require a rapid response in terms of local governance and especially protection (Nussio and Howe 2012).

Under these circumstances, the first stage of the post-conflict phase will require a range of stabilization measures focused on the protection of the population and the generation of the conditions necessary for the implementation of the agreements. Colletta and Muggah call these 'Interim Stabilization Measures' (ISM), which are implemented with the aim of creating the time and space necessary to facilitate a minimum of trust between key actors. This trust will, in turn, help create the necessary conditions for future stages of the post-conflict process (Colletta and Muggah 2009).

In the Colombian context, one of the state's priorities should be to dismantle occupation attempts by criminal organizations or other illegal armed groups. The state must have the ability to immediately and definitively respond to increased threats and attacks against social leaders, human rights defenders, victims, demobilized people, and other protagonists of the peace process (ICG 2014). In the past, the partnership between local elites and criminal organizations has had real impact on regional peacebuilding efforts, in a context in which violence has partly defined the political regime and the relationship between the central state and the regions (Gutierrez 2014).

The question, then, is who can take on this responsibility. The armed forces, trained to understand counter-insurgency logic, would find it difficult to fulfill a policing role. In addition, one of the goals of the post-conflict phase should be the redefinition of the military's role in internal security to limit it to specific and exceptional situations. The police also have only a limited capacity to form an effective presence in rural zones, given that it has just enough manpower to

monitor urban areas. The possibility of creating a new force, such as a gendarmerie, would demand significant resources and time, and so it would not be a viable alternative in the short term.

It is therefore necessary to consider the ISM, which would allow the state to provide an effective response that takes advantage of available resources without losing sight of the goal to strengthen local institutions in the mid-term. Given this reality, this article proposes an alternative: the creation of a *National Stabilization Force* (NSF), which would be a component of the National Police, supported by the Attorney General's Office and the military.

The NSF would be responsible for population protection in areas in which the guerrilla demobilizes, resolution of high-impact crimes, and the security of ex-combatants. Its mandate would be limited to a period of three to five years, depending on regional conditions. During this time, progress could be made in the formation of a new rural police force (gendarmerie) that would assume responsibility for security in these areas (See **Figure 1**) and could include former members of the NSF.

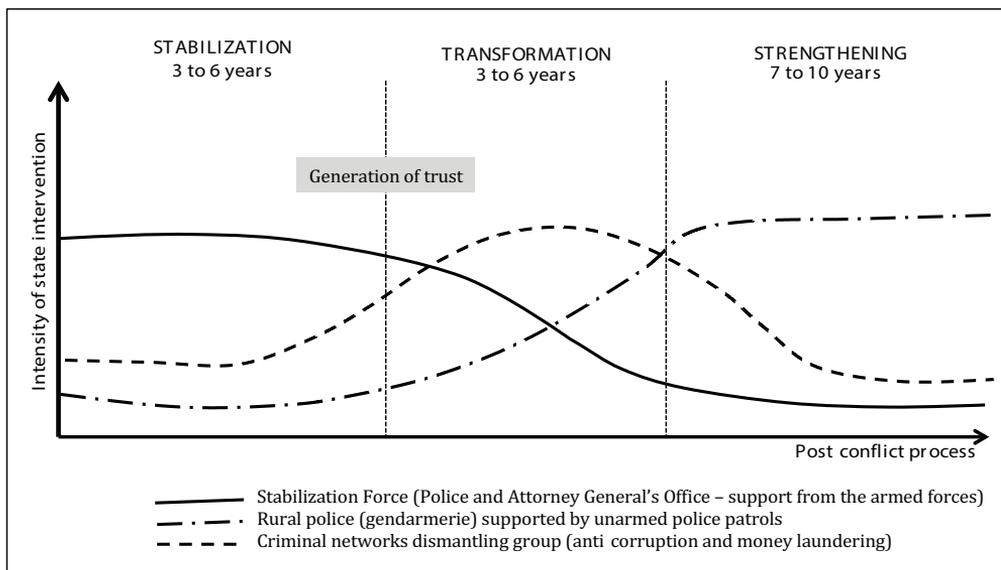


Figure 1: Interim Stabilization Measures (ISM). *Source:* Created by the author.

The participation of demobilized people in the NSF would be subject to contextual characteristics, with special attention paid to the relationship between the community and the insurgent group. In areas where civilians strongly reject the guerrilla presence, the integration of ex-combatants in the NSF would not be advisable. In regions where the guerrilla has a more legitimate presence, its members' integration into the NSF could contribute to the group's transition from a hard power to a soft power, which would in turn be under institutional control (Colletta et al 2008).

As illustrated by Colletta, although this type of measure implies a risk to the peace process, it can contribute to a rapid occupation response in which security efforts take advantage of ex-combatants' knowledge of the area (Colletta 2012). In the case of the FARC, it is important to note that the organization has a strong group identity. Therefore, the dismantling of its social anchorage could increase the risk of recidivism and participation in illegal activities (Nussio and Howe 2012). Public policy must therefore be open to the possibility that mechanisms which allow for the continued cohesion of armed structures could be implemented in the first stage.

Simultaneous to the creation of the Stabilization Force, the formation of a 'Criminal Network Dismantling Group' is recommended. This group would be responsible for conducting a purge of the security forces and dismantling the financial and political structures that support criminal economies. The suggestion here is that intervention by this group intensifies in the 'transformation' stage, when the state has greater capacity to respond to local attempts at destabilization.

It is important to take into account that conducting judicial investigations that result in the dismantling of criminal networks takes time, requires effort by various institutions, and necessitates collaboration from a range of sectors. More than force and volume, state intervention in these instances requires intelligence work to better understand the

logic, motivation, and network organization formations that have managed to easily adapt (Rocha and Escobedo 2013).

With respect to peacebuilding, state efforts to clarify the responsibilities of actors that benefited from the conflict or were supported by one of the groups in the violence, are essential. In Colombia, post-demobilization investigations of the paramilitary groups – in the context of transitional justice measures, based in part on confessions by their high and mid-level commanders – constitute an important experience. In 2005, Law 975 was enacted to facilitate the reincorporation of the paramilitaries' former combatants into civilian life. This law created a special prosecution model that included alternative sentencing for those demobilized former paramilitary groups that contributed to clarification on the truth and reparation of victims.

Approximately 2,000 former paramilitaries have passed through the Justice and Peace tribunals. The information provided by the former paramilitaries served to clarify the extent of the paramilitary violence, and revealed the economic and political dimension of this movement. According to the International Center for Transitional Justice, the paramilitaries have confessed to more than 40,000 crimes affecting 51,000 people, including nearly 1,000 massacres, 25,000 murders, and more than 3,500 forced disappearances involving more than 1,400 state agents (Moreno 2014). Given the intimidating power and the influence of the justice system that paramilitary groups exerted, the state would have had much difficulty conducting the investigations without first dismantling the armed component of the organization.

There exists a range of international cases which exhibit this type of transitional mechanism (Kemp et al 2013). Some examples include the United Nations Stabilization Mission in Haiti (MINUSTAH), the Commission for the Investigation of Illegal Groups and Clandestine Security

Organizations in Guatemala (CICIACS), and rapid response criminal justice teams such as the OHCHR's Rapid Response Unit. In each of these cases, the intention behind deploying this type of force was to respond to emergency and delicate situations in a context in which local institutions did not have the necessary capability to fulfill their responsibilities.

The fundamental characteristic of this type of mechanism is its temporary nature, while taking into account that the transition from war to peace is not possible without strengthening local institutional capacities and the social fabric (Muggah 2009). If this strengthening does not occur, the risk of reactivating the conflict remains. This necessarily implies active participation by local actors, recognition of the victims, guarantees of non-repetition, and especially access to justice. The development of each of these areas requires time, so practical measures are needed to respond to the demands of protecting the citizenry in the short term.

The implementation of the ISM has both advantages and risks. On the one hand, they allow for a rapid response by the state, take advantage of existing resources, adapt to local conditions, build trust and confidence among parties, provide an institutional temporary structure and assume a pragmatic stance in the post-conflict phase. On the other hand, the creation of these mechanisms can be subject to strong resistance by sectors of the armed forces that aim to maintain their influence through counter-insurgency efforts in the regions. Temporary initiatives run the risk of prolonging themselves in time if institutional public security capacities do not develop. In this case, the measures could cause setbacks or even make essential security sector reforms seem unnecessary. Additionally, without a change in the territorial conditions that favor the emergence of criminal economies, the ISM run the risk of promoting continuing control over illegal services and commodities by criminal groups (Coletta 2013).

Coletta and Muggah stress that the implementation of this type of measure must take into account local characteristics and capacities in order to respond to the challenges faced in the post-conflict phase (2009). In the specific case of criminal economies, as this article shows, illegal actors and insurgent groups maintain relationships with illegal markets in a variety of ways, and demonstrate varying degrees of territorial control. State interventions must therefore base themselves on diagnostics that assist in understanding the nature of the armed conflict, the incentives and motivations of the actors that participate in it, and the identification of spoilers that can destabilize the implementation of the agreements.

The success of the peace process demands a range of early victories by the state, which will contribute to generating trust in the civilian population while containing attempts at sabotage by criminal actors and local elites who perceive their interests to be threatened. Given current circumstances, the ISM – including the NSF – provide a micro-level approach to mitigate the potential impact of the criminal economies in the post-conflict phase and the risk of increased violence and crime. As Coletta states, it is important not to lose sight that the '... overarching goal of this kind of measure is to prevent and reduce the onset and severity of organized violence at wars' end' (2013: 81). In Colombia, if the state is unable to contain the violence, violence will eventually shape the state, again.

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