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**DEBUNKING THE PURA VIDA: COSTA RICAN
EXCEPTIONALISM IS UNDER THREAT**

by

Monica Flores Chacon

June 2021

Thesis Advisor:
Second Reader:

Rodrigo Nieto-Gomez
Cristiana Matei

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**DEBUNKING THE PURA VIDA:
COSTA RICAN EXCEPTIONALISM IS UNDER THREAT**

Monica Flores Chacon
Second Lieutenant, Public Forces of Costa Rica
Bachelor in Law, Federated University of Costa Rica, San José, 2013

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requirements for the degree of

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June 2021**

Approved by: Rodrigo Nieto-Gomez
Advisor

Cristiana Matei
Second Reader

Afshon P. Ostovar
Associate Chair for Research
Department of National Security Affairs

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ABSTRACT

Through comparisons with the rest of Central America, Costa Rica has stood out as an exceptional case in the region. Costa Rica's economic, social, cultural, and political history form part of this exceptional identity. The purpose of this thesis is to assess how drug trafficking is threatening the characteristics that make up Costa Rican exceptionalism. Using the research methodology and data analysis, this paper examines the expansion of drug trafficking in Costa Rica since the 1980s and its progressive infiltration into the economic, social, and political spheres of the country. Moreover, it examines the crime environment stemming from the growth of drug trafficking in Costa Rica and the governmental response to its containment. Ultimately, this thesis concludes that while Costa Rica continues to enjoy an exceptional position in relation to the rest of Central America, drug trafficking is undermining its democracy, economy, and society.

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LIST OF ACRONYMS AND ABBREVIATIONS

CARSI	Cooperation Agreement for Central American Regional Security Initiative
CENADRO	National Center for Drug Prevention
CIA	Central Intelligence Agency
CICAD	Joint Anti-Drug Intelligence Center
CONADRO	National Drug Council
CPI	Corruption Perception Index
DEA	Drug Enforcement Administration
DIS	National Intelligence and Security Directorate
GDP	Gross Domestic Product
GPI	Global Peace Index
HDI	Human Development Index
IAFA	Institute of Alcoholism and Drug Dependency
ICD	Costa Rican Drug Institute
IDD-Lat	Latin American Democratic Development Index
OIJ	Judicial Investigation Organism
PCD	Drug Control Police
RIAN	International Anti-Narcotics Network
SICA	Democratic Security in Central America
STRs	suspicious transaction reports
UIF	Financial Intelligence Unit
UN	United Nations
UNODC	United Nations Office on Drugs and Crime

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“Keep your face always toward the sunshine and shadows will fall behind you”

—Walt Whitman

First and foremost, I thank my family who always made me feel their unconditional love and support despite being thousands of miles away, giving me the strength to not lose my mind during the past 19 months. I especially thank my mother. All that I am is thanks to her love and teachings. To her, I dedicate this thesis. Te amo Mita!

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I. INTRODUCTION

A. RESEARCH QUESTION

This thesis answers the question: How is drug trafficking threatening Costa Rican exceptionalism?

B. PROBLEM STATEMENT

“We, the Ticos, are different”

—Fabrice Lehoucq,
Investigating Under The Rain of San José

Costa Rica is the exceptional case of Central America.¹ “We, the Ticos are different,” is an expression that, according to U.S. political scientist Fabrice Lehoucq, Costa Ricans recite with great pride.² Furthermore, Lehoucq classifies this expression as a dogma originating in the vision that Costa Ricans have of themselves, a product of the history of the formation of their state and democratic culture. Thus, it is not so absurd to think that exceptionalism is rooted in the national psyche of this country; therefore, the belief in this exceptionalism has been and continues to be projected to the rest of the world. Costa Rica’s exceptionalism is forged through comparisons with its Central American brothers, enjoying above others, one of the most stable and oldest democracies of the isthmus.³ The roots of this exceptionalism are also linked to the country’s early economic development through exports of the so-called “grain of gold (coffee),” the promotion and respect for human rights, its natural wealth, and its recognition as a peaceful nation.⁴ The latter is one of the points of great debate these days.

¹ Kirk S. Bowman, “New Scholarship on Costa Rican Exceptionalism,” *Journal of Interamerican Studies and World Affairs* 41, no. 2 (1999): 123, <https://doi.org/10.2307/166410>.

² Fabrice Edouard Lehoucq, “Investigando Bajo La Lluvia de San José,” in *Ciencia Social En Costa Rica. Experiencias de Vida e Investigación*, 1st ed. (Heredia, C.R.: EUNA, 1998), 43.

³ John A. Booth, *Costa Rica: Quest for Democracy*, Nations of the Modern World (Boulder, CO: Westview Press, 1998), 1.

⁴ Bowman, “New Scholarship on Costa Rican Exceptionalism,” 123–24.

Unlike many other nations worldwide, Costa Rica's independence was the result of Central American emancipation from the Mexican Empire, and not the product of war.⁵ Except for the 1948 Civil War, Costa Rican history books do not reminisce on big battles to consolidate its state or to defend its nation; on the contrary, diplomacy seems to be mostly present in its history. Nonetheless, it is precisely the civil war of 1948 that brought many reforms for the future of Costa Rica, including abolishing the army.⁶ Thus, since the abolition of its army, Costa Rica has enjoyed greater international visibility as a country of peace and security, particularly highlighting its low levels of violence compared with the rest of Central America. However, the last decade has shown an upward trend in the levels of violence and its link to drug trafficking in Costa Rican territory.

On February 15, 2020, Costa Rica reported the seizure of a shipment of more than five tons of cocaine in the port of Limón.⁷ According to the Costa Rican Drug Control Police (PCD), the drug shipment that had Holland as its destination is to date the largest drug seizure in Costa Rican history.⁸ However, not long after, and in the same Caribbean area of the country, Costa Rican authorities struck another blow to drug trafficking, managing to seize five tons of cocaine in two different operations. The first seizure resulted from the intervention on a boat sailing in the Caribbean Sea near the coast of Cahuita; the second, as a result of a vehicle chase in the community of Moin, a vehicle which at the time of its arrest was carrying a total of two tons of cocaine.⁹ Both seizures are evidence of the continuous trafficking of drugs in Costa Rican territory.

⁵ Víctor Hugo Acuña Ortega, "La formación del Estado en Nicaragua y Costa Rica en perspectiva comparada: Siglos XIX-XX," *Anuario de Estudios Centroamericanos* 44 (July 1, 2018): 254–55, <https://doi.org/10.15517/aeca.v44i0.34583>.

⁶ Fernando Sanchez, "Democracy after War: Causes and Consequences of the 1948 Civil War in Costa Rica," Paper presented at ECPR Joint Sessions, Uppsala University, Sweden, April 13–18, 2004. <https://ecpr.eu/Events/Event/PaperDetails/13964.2004>, 18–19.

⁷ BBC News, "Costa Rica Makes Biggest Ever Cocaine Haul," *BBC News*, February 16, 2020, sec. Latin America & Caribbean, <https://www.bbc.com/news/world-latin-america-51520615>.

⁸ Ministerio de Seguridad Pública, "PCD realiza el decomiso de droga más grande en la historia de Costa Rica," *InSight Crime*, March 2020, https://www.insightcrime.org/wp-content/uploads/2020/03/PCD_realiza_el_decomiso_de_droga_mas_grande_en_la_historia_de_Costa_Rica.jpeg.

⁹ Kay Valle, "Record Cocaine Seizures for Costa Rica," *Digital Military Magazine*, 2020, <https://dialogo-americas.com/articles/record-cocaine-seizures-for-costa-rica/>.

The behavior of drug trafficking in Costa Rican territory is also echoed in the statistics compiled by the Costa Rican Drug Institute (ICD). According to the ICD, police forces seized 33 tons of cocaine and marijuana in 2018, a total of 47 tons in 2019, and in the first seven months of 2020, a total of 31 tons of drugs were seized.¹⁰ The above example illustrates how drug trafficking has infiltrated Costa Rican reality, the growing trend of which is reflected in the logistical role that the country has taken to drug cartels.

Both Costa Rican and international authorities are clear in identifying Costa Rica as a logistical point for the drug cartels. As for the increase in drug trafficking, the Minister of Public Security of Costa Rica Michael Soto points out that even though the drug trafficking phenomenon is knocking on the door of all of Central America, Costa Rica's geographical position favors the interests of criminal organizations.¹¹ On this same point, the United States Department of State highlights in its *2019 International Narcotics Control Strategy Report, Volume I, Drug and Chemical Control*, that due to the location, the vast maritime territory, and the size of the Costa Rican police force, it has become an attractive country for the transportation and storage of drugs.¹² Taking advantage of these factors, the cartels have progressively expanded their centers of operations in Costa Rica with the collaboration of local criminal organizations and the recruitment of people from vulnerable groups.

Drugs represent a threat to society, not only because of the effects of their consumption, but also because of the activities related to drug trafficking. As an example of the evolution of drug trafficking networks in the country, the former attorney general of Costa Rica, Jorge Chavarría, affirmed that the Mexican cartels are dedicated to enlisting

¹⁰ Data adapted from statistics available on the website of the Costa Rican Institute of Drugs. <http://www.icd.go.cr/portalicd/index.php/estad-uif>

¹¹ Gabrielle Gorder, "Costa Rica's Security Minister Talks Cocaine, Killings, and Organized Crime," InSight Crime, March 23, 2020, <https://www.insightcrime.org/news/analysis/costa-ricas-security-minister-talks-cocaine-killings-and-organized-crime/>.

¹² U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 2019: Drug and Chemical Control* 1 (March 2019): 142, <http://link.springer.com/10.1007/BF02900343>.

and training homegrown criminals.¹³ Chavarría also explains that cartels take the criminals recruited to drug trafficking “schools” in Mexico, where they instruct them in their methods for international drug smuggling.¹⁴ The final objective of the trainees is to replicate in Costa Rican territory the techniques learned and thus consolidate the dominance of the drug trafficking networks. Therefore, besides the already-problematic nature of drug trafficking, the expansion of the cartels comes with high levels of violence to assert their domain in the territory. Moreover, violence is one of the basic symbols by which cartels prove their territorial power.¹⁵

The violence challenges this “Central American Switzerland.”¹⁶ As mentioned before, compared to its Central American neighbors, Costa Rica is mainly known for its paradisiacal and peaceful image; however, the increase in the homicide rate over the last few years challenges this status. Regarding the increase in violence, Chavarría is emphatic in associating the rise in homicide rates with the territorial control strategies of organized crime.¹⁷ It is no coincidence that by 2017, the country reported a rate of “12.1 homicides per 100,000 inhabitants,” the highest homicide rate in Costa Rica’s history.¹⁸ Although Costa Rica’s homicide rates still are significantly lower than those of other countries in the region, their steady increase has become a major concern for the Costa Rican government

¹³ Leonardo Goi, “Costa Rica AG Says Mexico Cartels Are Recruiting, Training Local Groups,” *InSight Crime* (blog), March 27, 2017, <https://www.insightcrime.org/news/brief/costa-rica-ag-says-mexico-cartels-recruiting-training-locals/>.

¹⁴ José Meléndez, “Mafia de ‘El Chapo’ adiestra a centroamericanos: Costa Rica,” *El Universal*, February 12, 2017, <https://www.eluniversal.com.mx/articulo/nacion/seguridad/2017/02/12/mafia-de-el-chapo-adiestra-centroamericanos-costa-rica>.

¹⁵ Brian J. Phillips and Viridiana Ríos, “Narco-Messages: Competition and Public Communication by Criminal Groups,” *Latin American Politics and Society* 62, no. 1 (February 2020): 4, <https://doi.org/10.1017/lap.2019.43>.

¹⁶ Name popularly used to refer to Costa Rica. Given its extensive forests, stable democracy, and non-military presence.

¹⁷ Goi, “Costa Rica AG Says Mexico Cartels Are Recruiting, Training Local Groups.”

¹⁸ Maria Fernanda Ramirez, “What Homicide Statistics Reveal About Costa Rica’s Criminal Future,” Investigation and Analysis of Organized Crime, *InSight Crime* (blog), March 19, 2020, <https://www.insightcrime.org/news/analysis/costa-rica-homicide-statistics/>.

and its citizens (see Figure 1).¹⁹ Because of these reasons, this thesis aims to explore the evolution of drug trafficking in Costa Rica and its related activities, as well as the ways they can undermine Costa Rican exceptionalism.

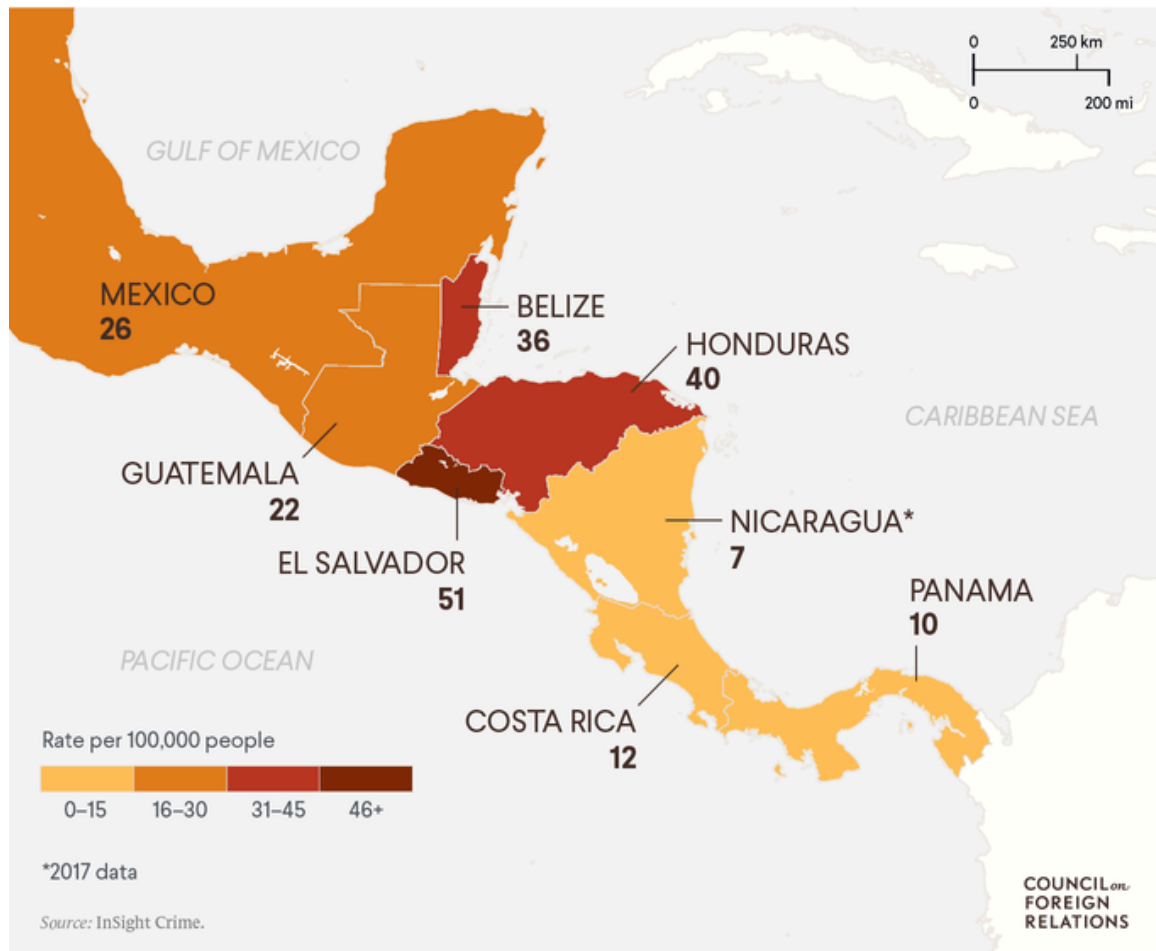


Figure 1. Comparison of Homicides Rates.²⁰

¹⁹ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, 2020: Trends in Organized Crime* 1, no. 2 (March 2020): 124, <https://doi.org/10.1007/BF02900343>.

²⁰Source: “Central America’s Turbulent Northern Triangle,” Council on Foreign Relations, accessed April 16, 2021, <https://www.cfr.org/backgrounder/central-americas-turbulent-northern-triangle>.

C. LITERATURE REVIEW

This literature review is composed of two sections that will serve as a foundation for understanding the topics to be developed in the following chapters and that seek to provide answers to the research question. The first segment will review the scholarly works that analyze the relationship between Costa Rica's geography and the interest of drug cartels in the territory. The second segment will review academic debates on the influence of geopolitics and the insertion of drug trafficking in Costa Rica. Overall, most of the literature that talks about the evolution of drug trafficking in Costa Rica agrees on the leading role that its geography, geopolitics, and topography have played in the expansion of transnational criminal organizations in the country.

1. The Geopolitical Trap

“Our geography has us prisoner”

—Laura Chinchilla, former President of Costa Rica,
interview, *The Wall Street Journal*

Located between Nicaragua and Panama, bordering both the Caribbean Sea and the North Pacific Ocean, and slightly smaller than West Virginia, Costa Rica has land favored by paradisiacal settings (see Figure 2).²¹ For many years, its location, vast rainforests, beaches, volcanoes, and biodiversity have been an attraction for millions of tourists. Thus, the tourism industry has become one of the country's economic bases, contributing directly and indirectly to 8.2% of the national gross domestic product (GDP) in 2018 alone.²² Unfortunately, while this same topography and location drive Costa Rica's economy, it has also drawn the attention of not-so-desirable visitors: drug cartels.

²¹ “Central America: Costa Rica,” The World Factbook - Central Intelligence Agency, accessed November 20, 2020, <https://www.cia.gov/library/publications/the-world-factbook/geos/cs.html>.

²² “Turismo aporta 8.2% del PIB de forma directa e indirecta en Costa Rica,” *El Economista*, accessed November 20, 2020, <https://www.eleconomista.net/actualidad/Turismo-aporta-8.2-del-PIB-de-forma-directa-e-indirecta-en-Costa-Rica-20181115-0032.html>.



Figure 2. Map of Costa Rica.²³

Costa Rica has become another chess piece in the logistics operations of drug trafficking. In 2013, former Costa Rican president Laura Chinchilla told *The Wall Street Journal*, “Our geography has us imprisoned,” referring to Costa Rica’s vulnerable position among South American cocaine producers and the drug market of the United States.²⁴ Likewise, the Minister of Public Security Michael Soto echoes this argument, saying that the problem of drug trafficking in Costa Rica and the rest of Central America is associated

²³Source: “What Are the Key Facts of Costa Rica?,” Maps of World, accessed April 16, 2021, <https://www.mapsofworld.com/answers/geography/what-are-the-key-facts-of-costa-rica/#>.

²⁴ Marguerite Cawley, “Costa Rica Losing Its Fight Against Drug Trafficking?,” *InSight Crime*, March 27, 2017, <https://www.insightcrime.org/news/brief/mexican-drug-trafficking-presence-in-costa-rica-highlights-security-needs/>.

with the location between producers and consumers of drugs. According to the United Nations Office on Drugs and Crime (UNODC) report, *Crime and Development in Central America*, 88% of the cocaine mobilized in Central America is headed to the United States, and Costa Rica stands out among the smuggling routes used by Mexican and Colombian cartels.²⁵

Furthermore, UNODC says that because of its topography and attractive position in the Central American isthmus and the ease of interconnection with North and South America, traffickers use Costa Rica to transport by air and land large quantities of cocaine through its Pacific and Atlantic coasts more and more frequently (see Figure 3).²⁶ In addition to the extensive coastlines on the Atlantic and Pacific Ocean and the 51,000 km of land, Elyssa Pachico argues that drug smugglers use Costa Rica's natural parks as a refuge to enable them to carry out their illegal activities, with less risk of being detected by the police authorities. To the extent that the 28 national parks that represent a quarter of Costa Rica's territory, drug traffickers have found a vast paradise in the mangroves and jungles, with few inhabitants and little police surveillance, which they can use as storage and shipment points.²⁷ In sum, the literature agrees that Costa Rica's location plays a significant role in the increase of the drug trade across the country.

²⁵ United Nations Office on Drugs and Crime, *Crime and Development in Central America: Caught in the Crossfire* (New York: United Nations, 2007), 12.

²⁶ *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment* (New York: United Nations Office on Drugs and Crime, 2012), 33, <https://doi.org/10.18356/493ae18b-en>.

²⁷ Elyssa Pachico, "Costa Rica Parks Used as Drug Smuggling Haven," *InSight Crime* (blog), August 31, 2012, <https://www.insightcrime.org/news/analysis/costa-rica-parks-used-as-drug-smuggling-haven/>.

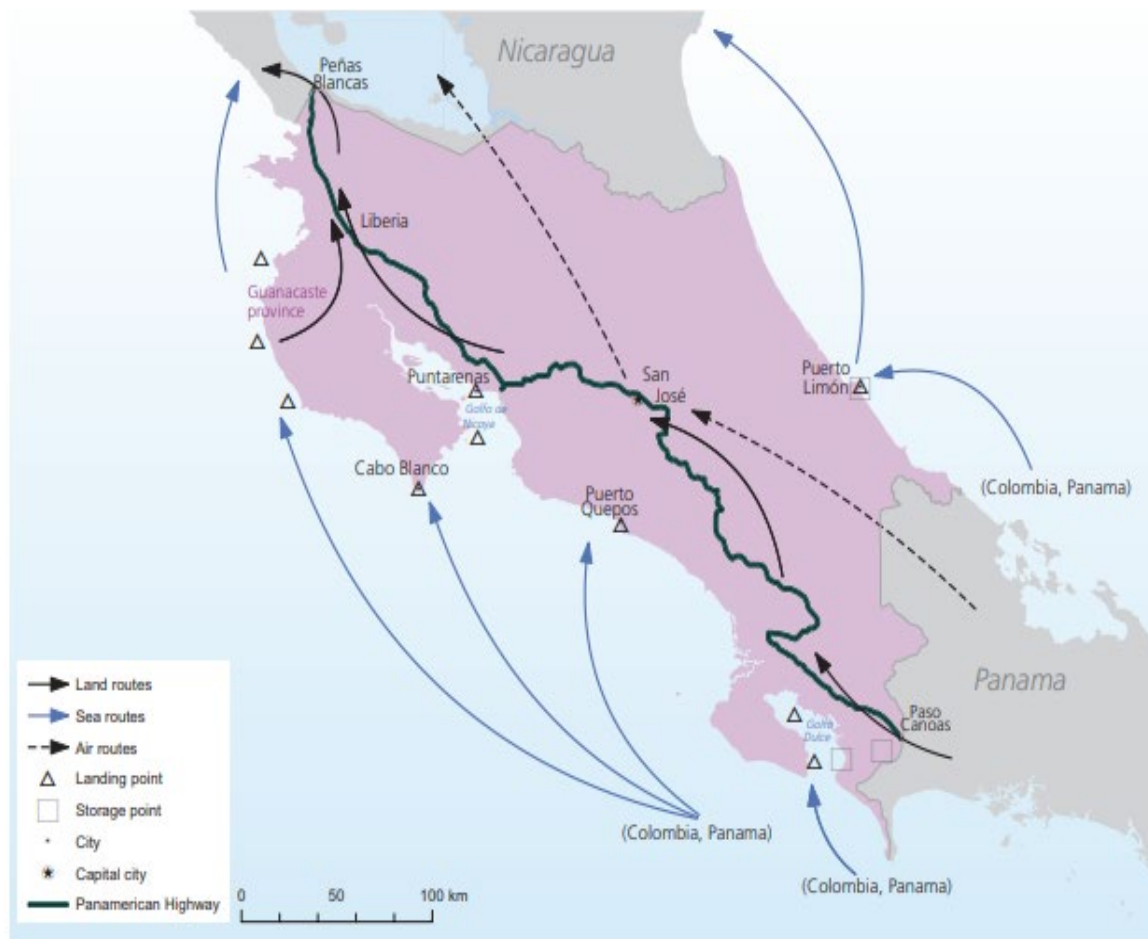


Figure 3. Cocaine Trafficking Routes in Costa Rica.²⁸

Further drawing on Costa Rica's location, president Chinchilla alludes to the relationship between the increase in drug trafficking and the need for resources. Given the growth of criminal organizations in the country, Chinchilla was vehement about the country's lack of resources to maintain effective border patrol and prevent the growth and reach of criminal organizations.²⁹ The former Minister of Public Security, Gustavo Mata, agrees with Chinchilla, noting that Costa Rican authorities do not have the capacity to detect all the drugs that pass through the country. On this subject Mata explains, "This is a

²⁸ Source: *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment* (New York: United Nations Office on Drugs and Crime, 2012), 33, <https://doi.org/10.18356/493ae18b-en>.

²⁹ Cawley, "Costa Rica Losing Its Fight Against Drug Trafficking?"

tsunami. They take advantage of air space, land borders, maritime [routes]. It is a constant bombardment. While the police find one shipment, three or four more are entering.”³⁰ All in all, besides the need for resources for its fight, Mata makes clear the overwhelming increase in drug trade operations in Costa Rican territory. This argument is also supported by the U.S. State Department, which says that the geographic characteristics and capacity of Costa Rica’s police forces have become attractive factors favoring drug cartel operations.³¹

Another group of scholars refers to the correlation between drug policies and drug trade expansion in Central America. The war against drug trafficking that has prevailed since the 1980s in North and South America, particularly in the United States and Colombia, stands out as one of the causes that has led to the multiplication and dispersion of drug trafficking routes in Central America. Although historically drug cartels have used Costa Rican waters, land, and air to transport drugs, the drug policies conducted by these countries have resulted in the making of a “balloon effect” in Central America, which in turn would explain the increase in drug cartel operations in Costa Rica.

According to the Council of Hemispheric Affairs, “the ‘balloon effect’ is a well-worn analogy used by drug policy analysts to illustrate the process by which drug production is displaced across national borders in order to evade eradication and interdiction efforts.”³² On the same note, Juan Carlos Garzón and John Bailey explain that with the balloon effect theory, drug policies for the eradication and interdiction of drug production or trafficking create a displacement effect due to the high mutability capacity of criminal organizations, which are constantly looking for new routes or ways to transport

³⁰ Asmann Parker, “Report Unravels Transnational Strands of Costa Rica Drug Trade,” *InSight Crime*, November 14, 2017, <https://new.insightcrime.org/news/analysis/report-unravels-transnational-strands-costa-rica-drug-trade/>.

³¹ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, 2019.

³² COHA, “The Balloon Effect, In Effect: Humala, Peru, and the Drug Dilemma (Part 2 of 2),” accessed November 22, 2020, <https://www.coha.org/the-balloon-effect-and-displacement-part-2-of-2/>.

drugs.³³ César Villegas Herrera agrees with this explanation, and further argues that for example, the strategies implemented by Colombia and United States governments for the eradication of direct exports from the producing country (Colombia) to the consuming country (United States), caused the cartels to incorporate Central America among their new export routes.³⁴

Naturally, Costa Rica is no exception. In more graphical terms, by squeezing the balloon at both ends, the balloon does not remove the air but transfers it. Drawing further, Professor Bruce Bagley states in his article “The evolution of drug trafficking and organized crime in Latin America,” that the U.S. and Latin American and Caribbean countries’ approach to the drug war (mainly interdiction), has only been successful in forcing criminal organizations to change their smuggling and cultivation routes, yet has failed to eradicate or decrease drug trafficking.³⁵ In summary, scholars highlight geopolitics as an influential factor in the emergence of drugs in Central America.

2. The Influence of Geopolitics

“The Reagan administration was the enemy of drug traffickers, but it was much more so of the communists.”

Mercedes Muñoz, *Drug Trafficking, Democracy and National Sovereignty in Costa Rica*

The geopolitical interests of the U.S. government in the 1980s influenced drug activity in Costa Rica.³⁶ In the eighties, the world was immersed in the Cold War, a conflict that among its main actors included the Soviet Union and the United States. Influenced by

³³ Juan Carlos Garzón and John Bailey, “Displacement Effects of Supply-Reduction Policies in Latin America: A Tipping Point in Cocaine Trafficking, 2006–2008,” in *The Handbook of Drugs and Society*, ed. Henry H. Brownstein (Hoboken, NJ: John Wiley & Sons, Inc, 2015), 484, <https://doi.org/10.1002/9781118726761.ch23>.

³⁴ César Villegas Herrera, “La Economía Ilícita Del Narcotráfico En Centroamérica. Análisis Del Mercado de La Cocaína y Las Respuesta Políticas de Los Estados,” *Anuario de Estudios Centroamericanos* 40 (2014): 249.

³⁵ Bruce Bagley, “The Evolution of Drug Trafficking and Organized Crime in Latin America,” *Sociologia, Problemas e Practicas* 71 (January 2013): 107. <https://doi.org/10.7458/SPP2013712333>.

³⁶ Mercedes Muñoz, “Narcotráfico, Democracia y Soberanía Nacional en Costa Rica.” *Anuario de Estudios Centroamericanos* 25, no. 2 (1999): 33.

the conflict, during this period the United States' foreign policy focused primarily on the fight against communism. The policy mainly known as the "Reagan Doctrine" stands out in these years, which also supported anti-Communist insurgents wherever they were.³⁷

With the expansion of the Cold War in the Latin American territories, the U.S. government was particularly interested in the territory of Costa Rica, seeing it as a strategic point in its fight against communism, given the closeness with its neighboring socialist governments. To the north, with Nicaragua, and to the south, with Panama, both governments were identified as undemocratic, militaristic, and close to the communist government of Cuba (see Figure 4).³⁸ On the same note, Thomas Leonard says that during this same time, the political ideals of the newly elected President Luis Alberto Monge and the promise of economic assistance led Costa Rica to support the anti-communist struggle of the United States in Latin America. Nevertheless, the conditions imposed by receiving economic assistance as well as the demands of the U.S. government turned out to have a high cost for Costa Rica, accelerating inflation and the national debt, and aggravating socioeconomic differences in the country.³⁹

³⁷ Bureau of Public Affairs Department of State. The Office of Electronic Information, "Reagan Doctrine, 1985" (Washington, DC: Department of State. The Office of Electronic Information, Bureau of Public Affairs.), accessed May 1, 2020, <https://2001-2009.state.gov/r/pa/ho/time/rd/17741.htm>.

³⁸ Muñoz, "Narcotráfico, Democracia y Soberanía Nacional en Costa Rica," 33.

³⁹ Thomas M. Leonard, "Central America, U.S. Policy, and the Crisis of the 1980s: Recent Interpretations," ed. Morris H. Morley et al., *Latin American Research Review* 31, no. 2 (1996): 199.



Figure 4. Map of Central American Countries.⁴⁰

The U.S. policies that focused on the fight against communism led to relegating the fight against drug trafficking throughout the Caribbean to the background; consequently, these policies led Costa Rica to take the same actions. Costa Rican scholar Mercedes Muñoz Guillén claims that: “the Reagan administration was the enemy of the drug traffickers, but it was much more so of the communists.”⁴¹ Muñoz Guillén also argues that the ambiguity on U.S. policies allowed the Central Intelligence Agency (CIA) security collaborators, including informant officers and pilots located throughout the Central American isthmus, to get involved in the same drug trafficking networks for which they carried out intelligence, due to the high revenue opportunities.⁴² Over this matter, Senator

⁴⁰Source: “United States Interventions in Central America,” accessed April 16, 2021, http://umich.edu/~ac213/student_projects06/student_projects/usica/main.htm.

⁴¹ Muñoz, “Narcotráfico, Democracia y Soberanía Nacional en Costa Rica,” 35.

⁴² Muñoz, 34.

John Kerry, leader of the United States Senate Subcommittee on Narcotics, Terrorism, and International Operations, attested to the adverse influence that the U.S. activities had on the development of Latin America's drug trade.⁴³ To sum up, the geopolitical interest of the United States has to date had an irreversible effect on the presence of transnational criminal organizations in Costa Rica.

In this regard, Costa Rican history recounts the story of John Hull, an American mercenary who served as a link between the CIA and drug traffickers. According to statements given on American television by former Colombian drug trafficker George Morales, Hull had an airstrip located on his private property at the San Carlos Pier in Costa Rica, which was used for the supply of drugs and dispatch of weapons for the "Contras"⁴⁴ in Nicaragua.⁴⁵ Morales also declared before the Kerry Committee that the CIA financed and protected Hull's airstrip, explaining why there were large drug movements under the protection of the American government.⁴⁶

In this sense, the anti-communist geopolitical objectives of the U.S. paved the way for the expansion of drug trafficking into Costa Rican territory, which would even penetrate the branches of the government.⁴⁷ Expanding on this argument, Jaime Darenblum also contends that drug cartels have Costa Rican authorities on their payroll in order to protect their drug shipments.⁴⁸

Recently, the Bureau for International Narcotics and Law Enforcement Affairs in its *International Narcotics Control Strategy Report* for 2020, warns of the growing incidence of transnational criminal organizations in the corruption of Costa Rican security

⁴³ United Nations Office on Drugs and Crime, *Crime and Development in Central America*.

⁴⁴ The Contras were Nicaraguan rebel groups from 1979 to 1990, who were battling the communist Sandinista Junta of National Reconstruction with support from the United States.

⁴⁵ Miguel Pedrero Gómez, *Corrupción, las cloacas del poder: Estrategias y mentiras de la política mundial* (Madrid, Spain: Ediciones Nowtilus S.L., 2010), 200.

⁴⁶ Pedrero Gómez, *Corrupción, las cloacas del poder*.

⁴⁷ Muñoz, "Narcotráfico, Democracia y Soberanía Nacional en Costa Rica," 39.

⁴⁸ Jaime Darenblum, "The Americas: Costa Rica in Danger of Losing Its Clean Reputation." *The Wall Street Journal*, March 4, 1988, Eastern Edition. <http://libproxy.nps.edu/login?url=https://www-proquest-com.libproxy.nps.edu/newspapers/americas-costa-rica-danger-losing-clean/docview/398089845/se-2?accountid=12702>.

forces and the judicial branch, and at the same time highlights the work of the United States to reduce the reach of corruption.⁴⁹

Regarding this situation, Michael Soto recognizes that criminal organizations rely on corruption to maintain their operations, yet he assures that efforts are being made to ensure that there is no corruption in the country.⁵⁰ In short, the expansion of corruption and drug trade in Costa Rica was impacted by U.S. anti-communist fight.

D. RESEARCH DESIGN

“Good, sound research projects begin with straightforward, uncomplicated thoughts that are easy to read and understand.”

—John W. Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*

The aim of this thesis is to achieve four objectives: the first is to identify the characteristics that have given rise to the concept of Costa Rican exceptionalism; the second is to assess the current state of transnational criminal organizations in Costa Rica and the institutional capacities to combat its entrenchment in the country; the third is to understand the social, political, and economic effects of drug trafficking on the Costa Rican state; and finally, the main goal of this thesis is to establish the ways in which drug trafficking affects Costa Rican exceptionalism (see Figure 5).

⁴⁹ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, “International Narcotics Control Strategy Report, 2020,” 125.

⁵⁰ Gordier, “Costa Rica’s Security Minister Talks Cocaine, Killings, and Organized Crime.”

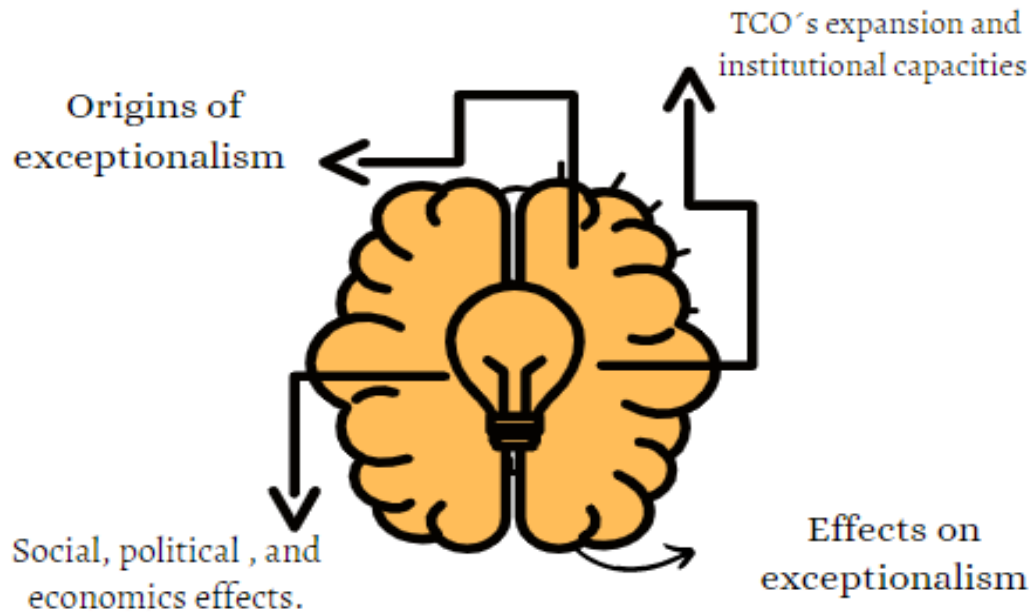


Figure 5. Research Design Objectives Map

To meet these goals, the research framework of this thesis will pursue the following general procedure: the collection and refinement of data, problem statement, identifying trends, data analysis, and finally, the development of conclusions. The first step of the research design consisted of gathering data related to keywords such as “Costa Rica,” “drug trade,” “criminal organizations,” and “exceptionalism.” The information was mainly gathered from academic research databases like Google Scholar, JSTOR, ProQuest, as well as information from the websites of Costa Rican and international institutions. Similarly, the analysis incorporated newspaper articles and publications on websites specializing in crime trends.

I then classified the information according to the main variables and determined the applicability of the data in accordance with the research question. Next, through the analysis of the data, I organized the information into the variables that, in the opinion of this researcher, allowed me to accurately assess the effects of drug trafficking and organized crime in Costa Rica. Finally, I followed the words of John Creswell, who wrote that “Good, sound research projects begin with straightforward, uncomplicated thoughts

that are easy to read and understand.”⁵¹ This research does not seek to discuss theories or arguments surrounding drug trafficking; on the contrary, it seeks to apply the available information to respond to the objectives set, through a simple and understandable language for expert and inexperienced readers in the field.

E. THESIS OVERVIEW

This thesis is composed of five chapters. In the first chapter, the research question, the problem statement, and the research design are established. The second chapter analyzes the origin and characteristics of Costa Rican exceptionalism. The third chapter explores the influence of criminal organizations and the political scene in Costa Rica. The fourth chapter seeks to provide an x-ray of the development of drug trafficking and violence in Costa Rica, as well as the institutional capacities to fight drug trafficking. Finally, the fifth chapter focuses on providing conclusions (see Figure 6).

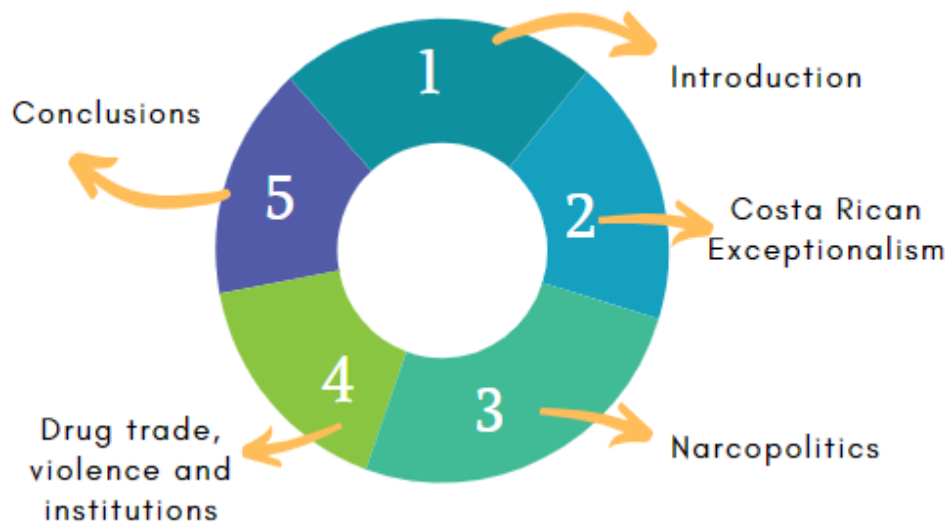


Figure 6. Thesis Overview

⁵¹ John W. Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (New York: Sage Publications, 2014), 26.

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II. COSTA RICAN EXCEPTIONALISM

“*Costa Ricans*, who calls themselves *ticos*, have long prided themselves on being different from their neighbors in Latin America.”

—Mitchell A. Seligson,
Costa Rican Exceptionalism: Why the Ticos are Different

“Pura Vida” is a saying representative of a nation forged between comparisons and a sense of uniqueness. By pronouncing the words “Pura Vida,” besides using them commonly as a form of gratitude, the Costa Rican reflects the citizen who grows up hearing that his land is blessed by peace, exuberant nature, and above all, a land that decided to exchange guns for books. Nonetheless, it is not enough to share a territory, the same language, or customs for individuals to develop a sense of belonging and identity; it is also necessary to have a common history that unites society and leads them to defend the identity they share. Costa Rica’s economic, social, cultural, and political history has shaped its national identity, but above all, its identity is influenced by its perception of exceptionality in the international arena.

Mitchell Seligson presents this notion of exceptionalism, writing “Costa Ricans, who call themselves Ticos, have long prided themselves on being different from their neighbors in Latin America.”⁵² It is fair to say that Costa Rican exceptionalism could not exist without the continuous comparisons and illustrations of the differences that separate it from other nations. This chapter seeks to highlight the main characteristics that make up Costa Rica’s exceptional identity since its origin as a nation and throughout its history.

A. FOUNDATIONS

Costa Rica is an exceptional case in the recounting of Central American history. A comparatively balanced social and economic development, the scarcity of armed conflicts, respect for human rights, and a stable democratic system are some of the factors that have made Costa Rica stand out when contrasted with the history of other Central American

⁵² Mitchell Seligson, in *Citizen Views of Democracy in Latin America* (Pittsburgh, PA: University of Pittsburgh Press, 2001), 90, <https://doi.org/10.2307/j.ctt5hjp4v>.

countries. Regardless, the idea of Tico exceptionalism did not skyrocket overnight; on the contrary, according to history, its construction seems to have begun in the period of colonization.

In the year 1502, Christopher Columbus set sail from Cadiz to undertake his fourth and last voyage to the Indies. On September 25, 1502, Columbus arrived at lands he later named “Costa Rica” (Rich Coast). After he arrived at Uvita Island, Columbus began his exploration of the territory with the objective of finding the sources of gold that adorned the jewelry of the first Indians sighted. Yet, the explorers soon discovered that, despite its name, Costa Rica was a land poor in minerals.

Owing to the scarcity of mineral resources, the isolation of the territory, the inclement weather, and indigenous hostilities, the period of Costa Rica’s colonization was the last and the slowest in Central America.⁵³ Once the conquest period was over, the first colonies of modern civilization began to form Costa Rica’s population, which was composed of creoles, mestizos, Indians, and blacks. By 1575, a high percentage of the native culture had either died from diseases transmitted by the Spanish or was subdued by them; therefore, the amount of population with European features was higher than the indigenous. Consequently, interracial marriage was extensive; however, unlike other Central American colonies, European traits and culture predominated in Costa Rican colonies.⁵⁴

John Booth convincingly argues “Almost from the outset Costa Rica’s development stood somewhat apart from that of its neighbors.”⁵⁵ Although during this time social differences among Costa Rican colonies always existed, these differences were less pronounced than in the rest of the colonies belonging to the Captaincy General of Guatemala, of the Viceroyalty of New Spain. In contrast to the other colonies, and influenced by geographical isolation, Costa Rican society developed with greater

⁵³ Melissa Vogt, “Historic Account of Costa Rican Development:: The Creation of an Identity,” in *Variance in Approach Toward a ‘Sustainable’ Coffee Industry in Costa Rica*, Perspectives from Within; Lessons and Insights (London, UK: Ubiquity Press, 2019), 13, <https://www.jstor.org/stable/j.ctv11cvx7c.8>.

⁵⁴ John A. Booth, *Costa Rica: Quest for Democracy* (New York: Routledge, 2018), 17–18.

⁵⁵ Booth, 17.

homogeneity and equity.⁵⁶ Ultimately, Costa Rican egalitarianism influenced the structures of the political elites and the development of a democratic system.

B. DEMOCRACY, REFORMS AND ABOLITON

When it comes to democracy, Costa Rica has become a reference, for having one of the oldest and most stable democracies among Latin American countries.⁵⁷ On September 15, 2021, Costa Rica will celebrate the bicentennial of its independence, and with it, a long democratic tradition. Costa Rica's democratic tradition characterizes it, and its construction as a nation has revolved around this political system; consequently, its history has given it a notorious exceptionality. Through comparisons with the democratic processes of other nations, the notion of democratic exceptionality becomes evident. Costa Rica's democratic system has traditionally received, from international organizations dedicated to the analysis of democratic indicators, higher qualifications than other Latin American countries. For example, the Freedom House Index for 2020 places Costa Rica among the highest indices of civil liberties and political rights in Latin America.⁵⁸

The 2016 Latin American Democratic Development Index (IDD-Lat) ranks Costa Rica third in Latin America and the Caribbean, and number one in Central America for its democracy.⁵⁹ Similarly, the 2019 Democracy Index, compiled by the Intelligence Unit of *The Economist* magazine, which measures the levels of democracy of 167 states, places Costa Rica in 19th position worldwide, second place in Latin America, and first place in Central America. On a scale of 1 to 10, *The Economist* represents the sixty indicators valued, a scale that places Costa Rica in the category of total democracy with a score of 8.13 (see Figure 7).⁶⁰ According to these figures, despite the worldwide drop in democratic

⁵⁶ Booth, 19.

⁵⁷ Laura Álvarez, "El mito democrático costarricense y su impacto en la constitución de la práctica política en periodos de conflicto social," *Flacso-México*, 2011, 1.

⁵⁸ Freedom House, "Freedom in the World 2020 -Costa Rica," Freedom House, 2020, <https://freedomhouse.org/country/costa-rica/freedom-world/2020>.

⁵⁹ IDD-LAT, "Índice de Desarrollo Democrático de América Latina 2016" (IDD-LAT, 2016), 111–14, <http://idd-lat.org/2016/downloads/idd-lat-2016.pdf>.

⁶⁰ Among the categories assessed are electoral process and pluralism, civil liberties, government functioning, political participation, and political culture.

indexes, Costa Rica managed to increase 0.06 points concerning its rating obtained in 2018.⁶¹

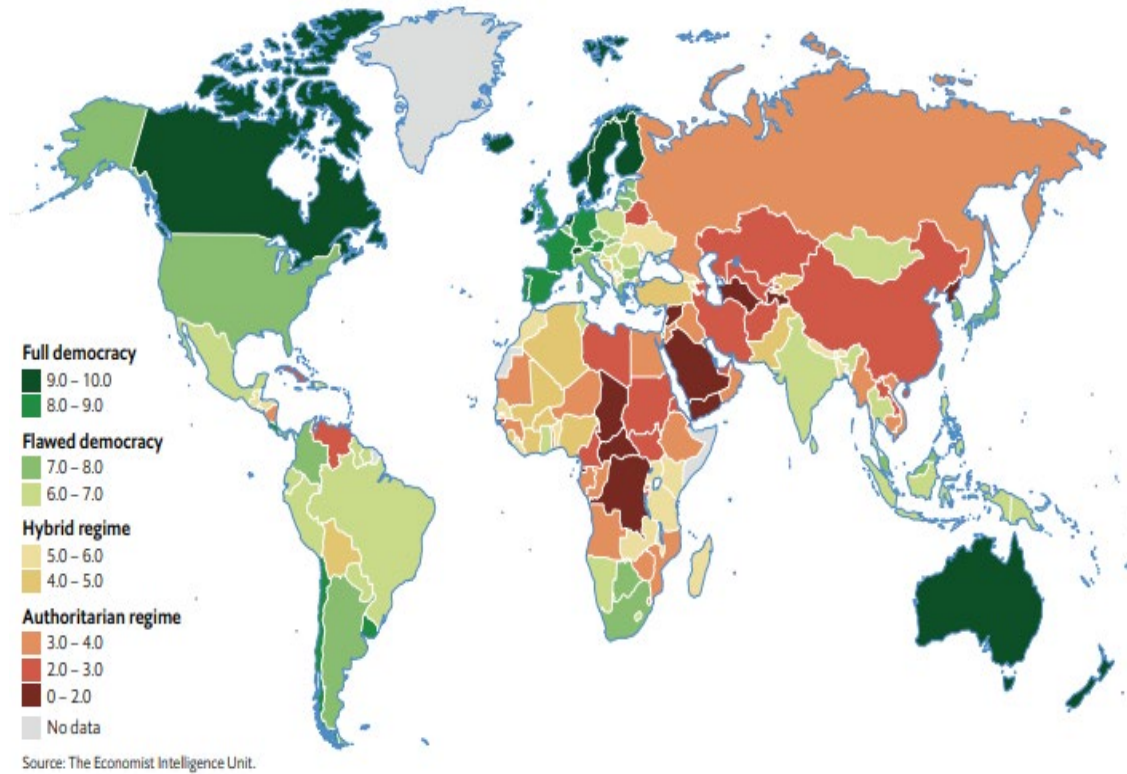


Figure 7. Democracy Index 2019, Global Map by Regime Type.⁶²

Today's Costa Rican democratic regime is the result of a long process of transformation from colonial times to its consolidation in the second half of the 20th century. John Booth highlights four factors of colonial life that influenced the eventual development of Costa Rican democracy, factors the rest of the Central American colonies did not experience. First, unlike other parts of Latin America, civil life advanced with less use of the armed forces, thus civilian rule has played a more important role than militarism.

⁶¹ "Costa Rica Sube Un Puesto En El Índice de Democracia En Un Año de Retrocesos a Nivel Mundial," Delfino, accessed January 31, 2021, <https://delfino.cr/2020/01/costa-rica-suba-un-puesto-en-el-indice-de-democracia-en-un-ano-de-retrocesos-a-nivel-mundial>.

⁶² Source: The Economist Intelligence Unit, <http://d1qqtien6gys07.cloudfront.net/wp-content/uploads/2020/01/Democracy-Index-2019.pdf>

Secondly, a large part of the population was involved in farming, which led to less social and economic inequality. These elements contributed to the development of a culture of egalitarianism.⁶³

Third, Costa Rica's early political maturity influenced its governmental development. Being farther away from the Captaincy of Guatemala, Costa Rica had greater autonomy to develop its government early on, circumstances that in turn provided it with greater experience and efficiency to govern itself after its independence. Finally, contrary to the experience of other colonies, even after independence, the conservatives and liberal factions that emerged in Costa Rica during colonial times mostly stuck to civility.⁶⁴

In 1821, after independence, Costa Rica gradually began to develop an open electoral system that over the years allowed it to evolve into a more democratic government.⁶⁵ In the opinion of Costa Rican historian Iván Molina, the electoral practices of the seven decades after independence were more systematic than competitive. Achieving a democratic result was considered more of a possibility than a guarantee; however, this period lay the foundations for attaining total democracy.⁶⁶ The following decades, with a more prominent institutional and structural development, allowed the electoral system to be more specialized and to meet the demands of society.⁶⁷ Molina also highlights that during this period, three processes that influenced modern democracy stand out. First, there were brief periods in which the country was governed without a constitution.⁶⁸ Second, there was the prevalence of electoral practices at the legislative and municipal levels, even in times of authoritarian presidentialism. Lastly, despite the economic restrictions on the

⁶³ Booth, *Costa Rica*, 2018, 35.

⁶⁴ Booth, 35.

⁶⁵ William Furlong, "La Democracia Costarricense: Desarrollo Continuo a Pesar de Las Ambigüedades e Impedimentos," *Anuario de Estudios Centroamericanos* 20, no. 2 (December 31, 1969): 2, <https://revistas.ucr.ac.cr/index.php/anuario/article/view/3235>.

⁶⁶ Iván Molina Jiménez, "La democracia costarricense: una propuesta de periodización y reconceptualización (1821-1948)," *Revista de Filosofía* (2004): 51.

⁶⁷ Molina Jiménez, 52.

⁶⁸ During this period, various restrictions were established regarding the age, marital status, professional degree, and economic status of Costa Rican men.

right to vote enacted by the constitutions of 1841 to 1848 for first degree commissions, the electoral system remained in operation on the premise of male suffrage.⁶⁹

Contrary to the experience of most Latin American countries, in Costa Rica, the presence of authoritarianism had less strength.⁷⁰ Although Costa Rica has not escaped authoritarian regimes, military presence, and electoral fraud, democratically elected rulers have predominated the country's history since its independence.⁷¹ In the almost 200 years of independence, Costa Rica has had a total of forty-eight rulers, of which less than 15% qualify as dictators.⁷² As a result of the coup d'état of the government of Alfredo González Flores, the dictatorship of the Tinoco brothers (1917–1919) took place, being one of the most recognized dictatorships in the country's history.⁷³ Led by Federico Tinoco Granados as president and his brother José Tinoco Granados as minister of war, their dictatorship represents a highly repressive period of social upheaval and was plagued by human rights violations.⁷⁴ After the Tinoco brothers' dictatorship, the country experienced a final violent uprising with the 1948 Revolution, which was motivated by allegations of fraud in the presidential election of the same year. Ironically, an undemocratic event like the revolution gave way to the political changes that determined modern Costa Rican democracy.

Following the consolidation of Costa Rica's democratic state in the mid-20th century, its political system has stood out as an exception in the Latin American political landscape. The 1948 Revolution lasted only 44 days, but the conflict was the product of a decade of tensions and ideological clashes, woven mainly among economic crises, political

⁶⁹ Molina Jiménez, "La democracia costarricense: una propuesta de periodización y reconceptualización (1821-1948)," 54.

⁷⁰ Molina Jiménez, 52.

⁷¹ Furlong, "La Democracia Costarricense: Desarrollo Continuo a Pesar de Las Ambigüedades e Impedimentos," 2.

⁷² Furlong, 3.

⁷³ Programa Estado de la Nación, "La larga transición hacia la democracia en Costa Rica," Auditoria Ciudadana sobre la Calidad de la Democracia, 2001, 110.

⁷⁴ Barahona Riera Macarena and Mora Chinchilla Carolina, "Cien años de las luchas sociales contra la dictadura de Federico Tinoco: memoria y derechos políticos. Al maestro Marcelino García Flamenco," *REVISTA DE DERECHO ELECTORAL*, 2006, 122–23, https://doi.org/10.35242/RDE_2020_29_7.

repression, social conflicts, and electoral fraud. Faced with these events, Costa Rican society questioned the capacity of its institutions and the political model that governed them, which is why, in the early 1940s, the first protests against the government of Dr. Rafael Angel Calderón Guardia (1940–1944) began to take place.⁷⁵

One of the main precursors of the social revolt was the central figure of the Social Democratic Party, led by José María Figueres Ferrer, better known as “Don Pepe.” As part of the alliance opposing Calderón’s government, Figueres initiated a movement to form a rebel army that confronted the opposition during the revolution. Finally, on March 12, 1948, Don Pepe and his “Ejército de Liberación Nacional”⁷⁶ officially started the 1948 Revolution. This conflict counts as the most tragic outbreak of political violence the country has ever experienced to date and created a more consolidated society and politics.⁷⁷

Once the 1948 Revolution was over, Figueres Ferrer promoted the establishment of the Founding Junta of the Second Republic, intending to provide the country with a renewed institutional and political system. Led by Figueres, on May 8, 1948, the so-called Founding Junta of the Second Republic began to govern Costa Rica, thereby rising above the social and economic circumstances, and focusing its axis on democratic values. During these 18 months, the Founding Board of the Second Republic sought the peaceful reconstruction of the country, for which it promoted more than 800 decree-laws that would later be ratified by the Constituent Assembly.⁷⁸ The ratification lay down the new legal and institutional foundations of Costa Rica, generating a movement of change for the

⁷⁵ David Díaz, “La Invención Del Populismo En Costa Rica: Caudillismo, Comunismo, Catolicismo y Reforma Social, 1940–1942,” *A Contracorriente: Una Revista de Estudios Latinoamericanos* 11, no. 2 (January 2014): 343.

⁷⁶ National Liberation Army.

⁷⁷ Iván Molina y Steven Palmer, *Historia de Costa Rica: breve, actualizada y con ilustraciones* (Editorial UCR, 2007), 27.

⁷⁸ Registro Nacional de Costa Rica, “Entrada Descriptiva con la Aplicación de la Norma Internacional,” Accessed April 16, 2021. https://www.archivonacional.go.cr/web/fondos/isadg_junta_fundadora_seg_rep%20.docx.

strengthening of democracy, as well as providing a greater social and economic balance.⁷⁹ The central objective of the Constituent Assembly was to enact a new constitution.⁸⁰

On November 7, 1949, Costa Rica's Political Constitution of 1949 was approved and promulgated. The same constitution governs Costa Rica until today and is the base on which the entire legal system of the country rests. One day, after the promulgation of the 1949 Constitution, the Founding Board of the Second Republic transferred presidential power to Otilio Ulate.⁸¹ This event marks the beginning of Costa Rica as a polyarchic state, which brought great political, economic, and social changes in the second half of the 20th century. Between 1949 and 1975, the institutional and political liquidation of any form of an authoritarian regime and the establishment of the Costa Rican polyarchy took place. The granted powers to the Legislative Assembly, through the constitution, made it the strongest in Latin America, being a tool of the constituents to prevent the abuse of presidential power.⁸²

The Costa Rican polyarchy was a unique political model in the Central American region during this period, where most of the countries were living under hegemonic and authoritarian political models (see Figure 8). According to the concept of polyarchy, coined by Robert Dahl, this form of government is an absolute democratic regime, in the ideal sense, which gives a voice to its citizens and ensures that their needs are met equitably; therefore, Dahl identifies polyarchy as the political regime that put democratic ideals into practice, but it is imperfect since it has failed to guarantee equal representation of all citizens.⁸³ Following Dahl's concept, Costa Rica progressively fulfilled all the conditions

⁷⁹ Fabrice Edouard Lehoucq, "Class Conflict, Political Crisis and the Breakdown of Democratic Practices in Costa Rica: Reassessing the Origins of the 1948 Civil War," *Journal of Latin American Studies* 23, n.º 1 (1991): 3.

⁸⁰ John Bell, *Crisis in Costa Rica: The 1948 Revolution* (Austin: University of Texas Press, 2014), 156.

⁸¹ Lehoucq, "Class Conflict, Political Crisis and the Breakdown of Democratic Practices in Costa Rica," 38.

⁸² John Booth, *Costa Rica: Quest For Democracy* (New York: Routledge, 2018), 59.

⁸³ Robert Alan Dahl, *Polyarchy: Participation and Opposition* (New Haven, CT: Yale University Press, 1973), 8.

to become a polyarchy.⁸⁴ Also, in line with Dahl's requisites, by 1975 Costa Rica's political system reached an absolute democratic regime, by eliminating the second paragraph of article 98 of the Political Constitution, prohibiting the formation or operation of "anti-democratic" parties. The elimination of this paragraph opened the possibility for any citizen to run for a public office, regardless of their political ideology.⁸⁵

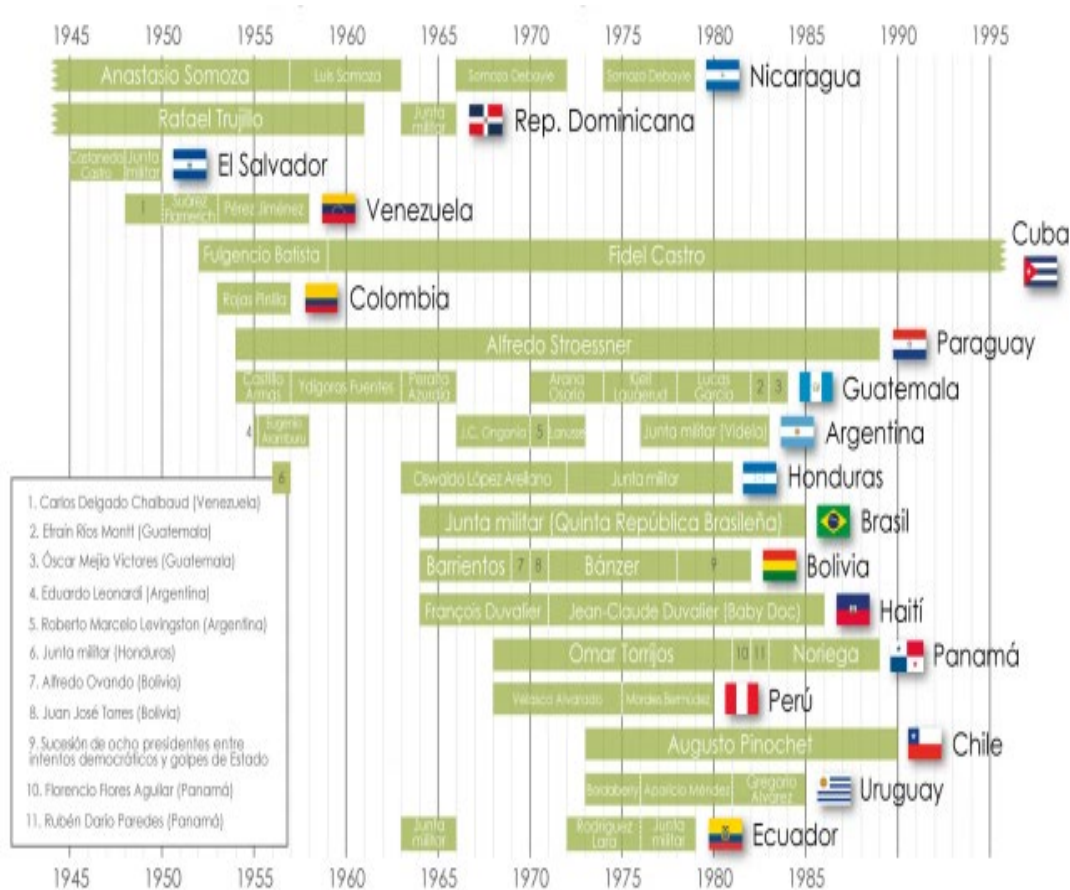


Figure 8. Dictators in Latin America in the Second Half of the 20th Century.⁸⁶

⁸⁴ Dahl, *Polyarchy*.

⁸⁵ Programa Estado de la Nación, "La larga transición hacia la democracia en Costa Rica," 1.

⁸⁶ "Las dictaduras en América Latina desde 1945," El Orden Mundial - EOM, accessed April 16, 2021, <https://elordenmundial.com/mapas/dictaduras-en-america-latina/>.

Additionally, two factors played a major role in the Costa Rican democratic process: the abolition of the army and the limitation of the scope of the Executive Power.⁸⁷ Article 12 of the Political Constitution of 1949 granted Costa Rica one of its most notable characteristics worldwide:

The army as a permanent institution is proscribed. For vigilance and the preservation of public order, there will be the necessary police forces. Only through continental agreement for the national defense may military forces be organized; in either case they shall always be subordinate to the civil power; they may not deliberate or make manifestations or declarations in individual or collective form.⁸⁸

Costa Rica thus became the first country in the world to abolish its army and would automatically stand out among Latin American countries, which at the time were struggling with authoritarian regimes. Even though the Costa Rican army historically had no major power and had been in decline since the 1920s, its abolition made it impossible for coups d'état to develop in the country's political dynamics.⁸⁹ In addition to bringing political stability and being a symbol of political will to create a civil society without armies, the abolition of the army allowed Costa Rica to redirect its resources and invested in areas such as education, health, and infrastructure (see Figure 9).⁹⁰ Also, as a long term causal effect to the army's relinquishment and redistribution of public spending, Costa Rica experienced an average annual GDP growth rate of 2.44% from 1951 to 2010; previously (1920–1949) the annual rate averaged 1.31% per year.

⁸⁷ Programa Estado de la Nación, "La larga transición hacia la democracia en Costa Rica," 121.

⁸⁸ "Constitución Política de Costa Rica." Political Database of the Americas, Georgetown University. Accessed February 9, 2021. <https://pdba.georgetown.edu/Parties/CostaRica/Leyes/constitucion.pdf>.

⁸⁹ Figueres-Ferrer, *El espíritu del 48* (Editorial Costa Rica, 1987), 345.

⁹⁰ Alejandro Abarca and Surayabi Ramirez, "A Farewell to Arms: The Long Run Developmental Effects of Costa Rica's Army Abolishment," October 2018, 25., 17. <https://odd.ucr.ac.cr/sites/default/files/Papers/A-farewell-to-arms.pdf>.

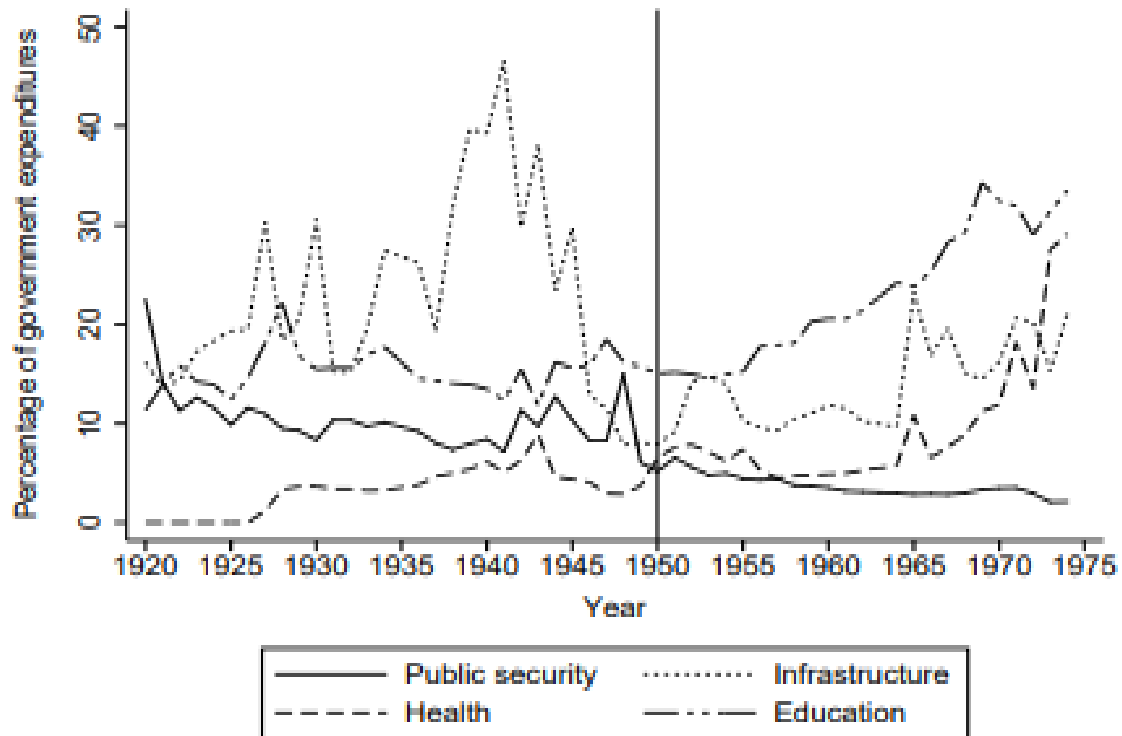


Figure 9. Costa Rican Government Expenditures, 1920–1974.⁹¹

The second determining factor for Costa Rican democratic stability was the limitation of the Executive Branch powers, which were modified by the 1949 Constitution. Along with guaranteeing the political and functional independence of the Judicial Branch, the 1949 Constitution imposed a system of counterweights to the Executive Branch, which consequently gave greater political stability to the country.

Among the most relevant changes were the creation of the office of the Comptroller General of the Republic, whose objective is to oversee the legality of the administrative acts of the public sector, the creation of a decentralized sector of autonomous institutions with administrative independence, and the elimination of the power of the President to appoint or remove public officials through the creation of the Civil Service Regime. Plus,

⁹¹Source: Abarca and Ramirez, 17.

the Executive Branch became a collegiate body, which means that the President and the appointee ministers must sign the decrees issued.⁹²

Though presidential regimes are common in most of Latin America, the Costa Rican regime also differs from its counterparts in elements such as the high level of citizens' rights and the mechanisms to guarantee their protection. These factors add to the polyarchic background and the extensive political, legal, and administrative controls that weigh on the Executive Branch.⁹³ That said, the consolidation of the rule of law and the balance in the structures of the State collaborated to bolster and stabilize the Costa Rican democratic system. Over the years these circumstances have allowed Costa Rica to continue taking steps towards the development of mechanisms and institutions that guarantee its status as a full democracy, a status in which elements such as human rights, freedom, and fair and free elections are fundamental.

Legislative efforts to consolidate Costa Rica's democratic status, combined with the absence of armies, generated a strong culture of peace among Costa Ricans. Even though Costa Rica is immersed in a geopolitical space overwhelmed by a history of coups, wars, poverty, and violence, Costa Rica's political development allowed it to alienate itself more successfully from the frameworks of violence experienced in the rest of Central America.⁹⁴ Eventually, a strong sense of respect for the democratic path and civil rights permeated society and generated a pacifist identity. Democratic stability and a culture of peace also provided less space for the development of political and social unrest, the opposite from the violent experiences that have troubled neighboring nations to this day. Peacefulness in Costa Rica has transcended its borders and has become one of the country's most recognized qualities worldwide. As an illustration, the Global Peace Index (GPI) in 2020, published by the Institute for Economics and Peace, found that despite a regional

⁹² Programa Estado de la Nación, "La larga transición hacia la democracia en Costa Rica," 121–22.

⁹³ Jorge Vargas Cullell, Luis Rosero Bixby, and Mitchell A. Seligson, *La cultura política de la democracia en Costa Rica: 2006* (San José, C.R: Centro Centroamericano de Población (CCP) de la Univ. de Costa Rica, 2006), 2–3.

⁹⁴ Ronald Rivera Alfaro, "Disertaciones Sobre La Cultura de Paz En Costa Rica," *Revista Latinoamericana de Derechos Humanos* 31, no. 2 (October 6, 2020), <https://doi.org/10.15359/rldh.31-2.3>.

deterioration of 1.2% in the peace ranking, Costa Rica remains the most peaceful country in Central America and the Caribbean and number 32 worldwide (see Table 1).⁹⁵

Table 1. Global Peace Index Ranking 2020, Central America and Caribbean.⁹⁶

Regional Rank	Country	Overall Score	Score change	Overall Rank
1	Costa Rica	1.691	-0.015	32
2	Panama	1.875	0.071	56
3	Dominican Republic	1.992	-0.049	76
4	Jamaica	2.041	0.013	80
5	Cuba	2.074	0.001	86
6	Trinidad and Tobago	2.078	-0.016	88
7	Haiti	2.211	0.11	111
7	El Salvador	2.243	0.008	113
9	Guatemala	2.267	-0.011	115
10	Honduras	2.288	-0.073	119
11	Nicaragua	2.553	0.215	135
12	Mexico	2.572	0.058	137
REGIONAL AVERAGE		2.157	0.028	

⁹⁵Institute for Economics and Peace, “Global Peace Index (GPI) 2020 Measuring Peace in a Complex World,” 2020, 14, https://visionofhumanity.org/wp-content/uploads/2020/10/GPI_2020_web.pdf.

⁹⁶ Institute for Economics and Peace, 14.

Notwithstanding the efforts and advances of neighboring nations in terms of democratic developments, Costa Rica's democratic culture allows it to remain an example among democratic systems. Yet, given the worldwide decline of democratic indexes, Costa Rican democracy faces the challenge of evolving and adapting to the realities of its time to meet the needs of its citizens. In the end, democracies will be as durable as their citizens allow them to be, especially if their living conditions are met.

C. ECONOMIC AND SOCIAL DEVELOPMENT

Costa Rica's early colonial economy did not differ greatly from the rest of Central America. The lack of mineral wealth and the geographic dimension led the Central American countries to have economies substantially dependent on trade; therefore, it led them to specialize in agricultural exports such as coffee and bananas.⁹⁷ After the arrival of Independence in 1821, Costa Rica endorsed policies to promote the coffee-growing and exporting practices adopted in the colony. Among the new policies that allowed the coffee industry to flourish were the concession of land and the distribution of coffee plants to farmers interested in its production. The early 19th century brought a coffee boom to Costa Rica that boosted the economic and social growth of the country; hence the "Golden Bean" became one of the main economic engines of Costa Rica.⁹⁸

The commercial relationship with England was a key part in catapulting the success of Costa Rican coffee exports. England's interest in the trans-isthmian route and in the acquisition of goods in Central America led it to discover the quality of Costa Rican coffee, for which they were willing to pay more if necessary.⁹⁹ Meanwhile, the abuses of power over land distribution in countries such as El Salvador and Guatemala delayed the development of their coffee industry, which consequently benefited Costa Rica's

⁹⁷ Booth, *Costa Rica*, 2018, 26.

⁹⁸ Booth, 36.

⁹⁹ Lisa Rausch, "The Coffeeness of Costa Rica" (master's thesis, University of Kansas, January 1, 2005), 25–26.

monoculture economy and allowed Costa Rican coffee to have a better position in the commercial market and its production to occupy the focus of the authorities and elites.¹⁰⁰

The consolidation of the agro-export economy based on coffee started a process of transformation in the social classes, institutions, and infrastructure of the country. The emerging coffee grower elite, in addition to having high participation in political life, financed new producers and traders, which led to circumstances that eventually triggered the creation of the first banks in the 1860s and the proliferation of new industries, such as the banana enclave.¹⁰¹ However, the economic recession of the coffee market at the end of the 19th century, together with the crises in exports and imports, fiscal deficit, and inflation at the beginning of the 20th century, developed a strong political polarization that led to the 1948 revolution in Costa Rica.¹⁰² Yet, by comparison, Costa Rica had better living and economic conditions overall, with a per capita income twice that of the rest of Central America.¹⁰³

Following the 1948 Revolution, and with the new political system in place, Costa Rica began to go through a strong process of social inclusion, which led to an improvement in the living conditions of the population. From the beginning of the second half of the 20th century, social inequality in the country decreased, as a larger part of the population benefited from the economic and social development that was taking place. Through universal social policies, increased public social spending, and high rates of economic growth, the country was able to ensure that most of its population achieved the conditions of citizen empowerment. These imposed reforms promoted economic and social development never seen before in Costa Rica. The income per capita experienced an important growth, the poverty level dropped by 50%, and the people with access to the social security system grew exponentially, in turn leading to an improvement in mortality rates.¹⁰⁴

¹⁰⁰ Rausch, 28–219.

¹⁰¹ Programa Estado de la Nación, “La larga transición hacia la democracia en Costa Rica,” 105.

¹⁰² Programa Estado de la Nación, 119.

¹⁰³ Programa Estado de la Nación, 123.

¹⁰⁴ Programa Estado de la Nación, 125.

As noted above, with the abolition of the army, there was a substantial saving of economic resources, which could be allocated to more productive sectors that were more important for the country's development model.¹⁰⁵ During the first three decades following the abolition of the army, spending on infrastructure, health and education increased from 2.6% to 13.4% of Costa Rica's GDP. The creation of the Costa Rican Electricity Institute was among the most significant institutional changes, increasing electricity generation and coverage by 15 times compared to the first half of the 20th century. Education-wise, from 1920 to 1949, total government spending on education represented 15%, and by 1969 it reached almost 35% of total spending. The dynamics of reallocation of spending allowed the country to go from 884 primary schools in 1949 to 2,610 schools by 1974, thus significantly reducing illiteracy rates.¹⁰⁶

On top of resource investment, the Political Constitution guarantees that no less than 6% of the GDP be invested in education and establishes mandatory and free preschool and general basic education.¹⁰⁷ Therefore, access to education became universal and Costa Rica became one of the most literate countries in Latin America. By 2018, 97.9% of Costa Ricans over 15 years old can read and write. In comparison, Guatemala, Panama, and Nicaragua have public expenditures on education below 4% and register literacy levels of 81.5%, 87.2%, and 95.4%, respectively (see Figure 10).¹⁰⁸

¹⁰⁵ Abarca and Ramirez, "A Farewell to Arms: The Long Run Developmental Effects of Costa Rica's Army Abolishment," 17.

¹⁰⁶ Abarca and Ramirez, 18.

¹⁰⁷ Asamblea Legislativa de la República de Costa Rica, "Constitución Política de Costa Rica," November 7, 1949, 10, <https://pdpa.georgetown.edu/Parties/CostaRica/Leyes/constitucion.pdf>.

¹⁰⁸ "Education Expenditures," The World Factbook, accessed February 20, 2021, <https://www.cia.gov/the-world-factbook/field/education-expenditures>; "Literacy - The World Factbook," accessed February 20, 2021, <https://www.cia.gov/the-world-factbook/field/literacy>.

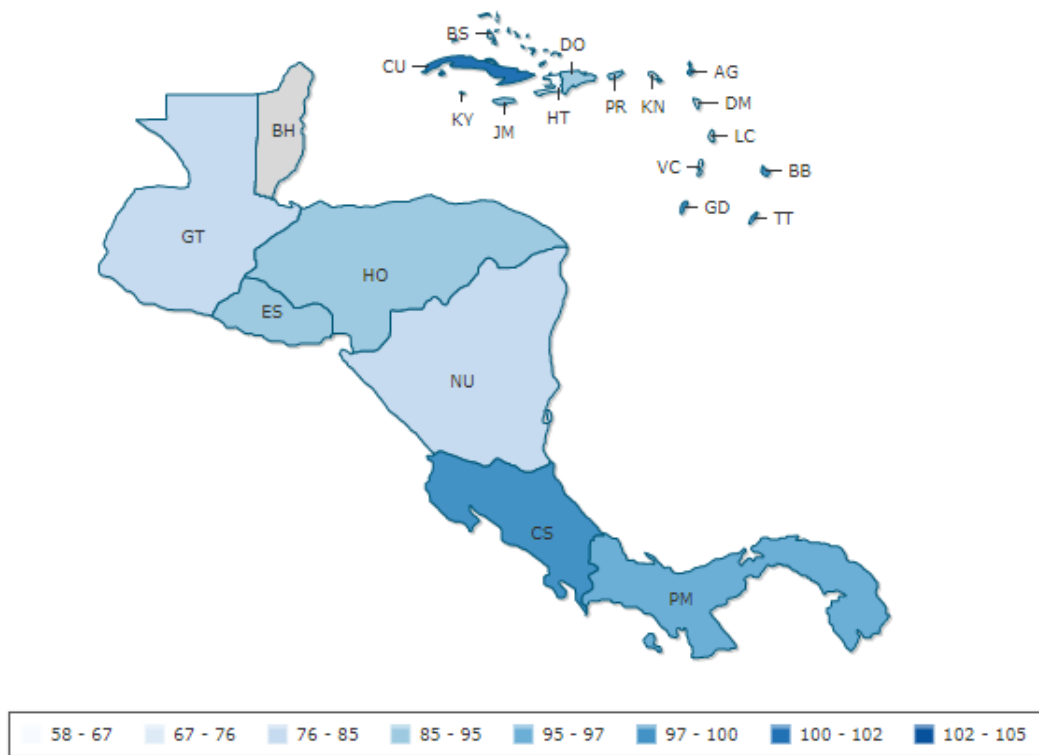


Figure 10. Central America and The Caribbean Literacy Percentages.¹⁰⁹

Even though the United Nations Human Development Index (HDI) highlights Costa Rica among the highest levels for its quality of life and policies, it warns of the challenges the country faces in areas such as poverty and unemployment.¹¹⁰ Likewise, as pointed out by the CIA's World Factbook, Costa Rica has enjoyed stable economic growth since 2010 and has even managed to expand its portfolio of export goods and tourism services. Nonetheless, the poverty level has been above 20% in the last 20 years, and the growth of public debt and the fiscal deficit weaken the government's finances and the country's economic stability.¹¹¹ In this scenario, Costa Rica is lagging behind the

¹⁰⁹Source: "Literacy by Country - Thematic Map - Central America & the Caribbean," IndexMundi, accessed April 16, 2021, <https://www.indexmundi.com/map/?v=39&r=ca&l=en>.

¹¹⁰ "Costa Rica como el país que más mejora en nuevo Índice Global de Desarrollo Humano ajustado por Presiones planetarias," UNDP, accessed February 21, 2021, <https://www.cr.undp.org/content/costarica/es/home/presscenter/pressreleases/2020/costa-rica-como-el-pais-que-mas-mejora-a-nivel-mundial-en-nuevo-.html>.

¹¹¹ "Costa Rica," The World Factbook, accessed February 21, 2021, <https://www.cia.gov/the-world-factbook/countries/costa-rica/#economy>.

economies of Guatemala and Panama, which by 2019 recorded an average GDP growth of 3.6%.

Among the range of causes pointed out for undermining the country's economy are an irresponsible increase in public spending, low levels of competitiveness, drug trafficking, corruption, and growing levels of insecurity.¹¹² The growing levels of insecurity besides affecting the security of the social collective, directly threatens the image of a peaceful, safe, and paradisiacal nation that promotes tourism in the country. Tourism is an important engine for Costa Rica's economy and the generation of jobs; for example, in 2016 alone, the tourism industry generated 211,000 direct jobs and had a contribution of 6.3% of the GDP. To gauge the importance of the tourism industry's contributions, in the same period, the banana industry only contributed 1.1% of GDP.¹¹³

The U.S. State Department's decision to modify the travel advisory category for Costa Rica reflects the increase in crime rates in the country. According to U.S. authorities, the level of danger faced by tourists when visiting Costa Rica went from category 1, which instructs travelers to take normal precautions, to category 2, which warns that they should take extra caution if they decide to visit the country.¹¹⁴ The sum of these circumstances has created social unrest, where citizens demand more efficiency from their governments and provide greater economic harmony to the country. Failing to take positive actions jeopardizes the citizenry's support of the government; consequently, jeopardizes the current democratic system, a democracy that has contributed to Costa Rica's exceptional title.

¹¹² Bernal Monge, "La crisis política, social y económica que vive Costa Rica," Seminario Universidad, October 14, 2020, <https://semanariouniversidad.com/opinion/la-crisis-politica-social-y-economica-que-vive-costa-rica/>.

¹¹³ "Industria Turística Aporta 6,3% Del PIB a La Economía de Costa Rica," Instituto Costarricense de Turismo, accessed February 21, 2021, <https://www.ict.go.cr/es/noticias-destacadas-2/1358-industria-tur%C3%ADstica-aporta-6,3-del-pib-a-la-econom%C3%ADa-de-costa-rica.html>.

¹¹⁴ "Costa Rica Travel Advisory," U.S. Department of State, accessed February 21, 2021, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/costa-rica-travel-advisory.html>.

III. DRUG TRAFFICKING THREAT: DEMOCRACY AT STAKE

“Corruption is an insidious plague that has a wide range of
corrosive effects on societies.”

—Kofi A. Annan, United Nations Convention against Corruption

Drug trafficking represents a constant threat to the state and the society it represents.¹¹⁵ In its struggle to expand and survive, drug trafficking seeks to insert itself into the social fabric of a nation, and corruption is one of its tools. Therefore, drug trafficking expansion, in addition to threatening the security and health of a country, jeopardizes its governance, particularly when it comes to democracy.

In its quest to expand its markets and fight opposition from the authorities, drug traffickers seek to permeate and form relationships with state structures. In turn, political power offers drug traffickers spaces to circumvent the law and guarantee security for their illicit activities. This collusion between the interests of political power and drug trafficking weakens state institutions and democracy, creating uncertainty among the population and its legislators, calling governance into question.¹¹⁶ This chapter describes the wake of drug trafficking in the Costa Rican state and its impact on its democracy and institutions. Both factors are fundamental towards Costa Rica’s exceptional quality.

A. NARCO-POLITICS

Drug trafficking and related activities are a latent threat to a nation’s political system. Kofi Annan began the forward of the United Nations Convention against Corruption with the words “Corruption is an insidious plague that has a wide range of corrosive effects on societies,” hinting at the vulnerability of countries to this

¹¹⁵ Adriana Rossi, “Narcotráfico y seguridad en América Latina,” *BCR Institutional Magazine*, June 2014., 51.

¹¹⁶ Rossi, 50.

phenomenon.¹¹⁷ Among the corrosive effects referred to by Kofi Annan is the capacity of corruption to undermine democracy and the rule of law.¹¹⁸

Although the phenomenon of corruption is not exclusive to criminal organizations, the illicit nature of criminal organizations such as drug trafficking networks leads them to use corruption as a mechanism to fight against legality. With almost inestimable annual revenues, bribes and corruption are just one more item on the payroll of criminal organizations. Drug traffickers have the means to afford corruption at all levels regardless of territorial boundaries, as long as they can expand their operations and resist opposition from the authorities (see Figure 11).¹¹⁹ The economic flexibility and power that drug traffickers possess allow them to corrupt and form a symbiosis with a country's political sphere. Meanwhile, this complicity with the political scheme offers drug traffickers the opportunity to cut corners with the law in pursuit of their "business" objectives.

¹¹⁷ United Nations, "United Nations Convention Against Corruption," Pub. L. No. Treaty Series 2349, 65 (2003), iii.

¹¹⁸ United Nations, iii.

¹¹⁹ Rossi, "Narcotráfico y seguridad en América Latina," 50.

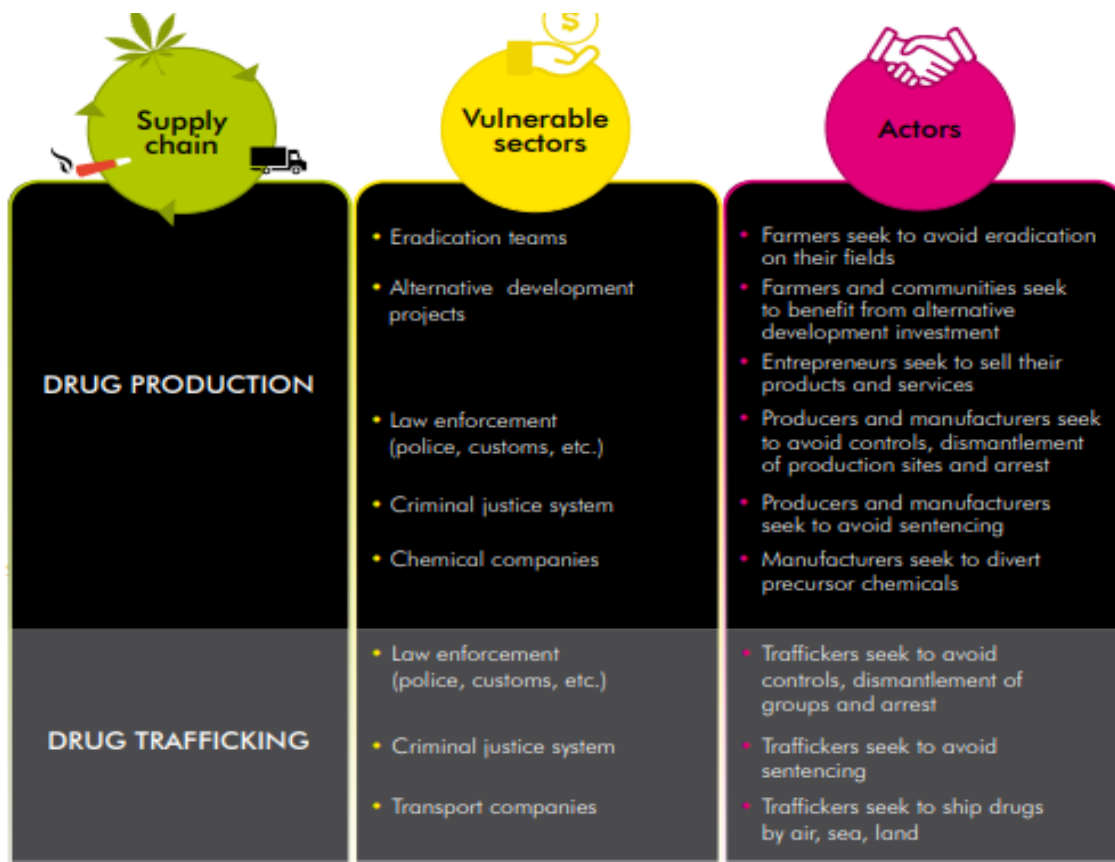


Figure 11. Sectors Vulnerable to Corruption.¹²⁰

The political scene in Costa Rica has not escaped the corruption that accompanied the expansion of drug trafficking in the country. The first signs of drug trafficking infiltration among the Costa Rican political class date back to 1985, with the arrest of drug trafficker Caro Quintero.¹²¹ In April 1985, inside his mansion called “La Quinta,” Costa Rican authorities arrested Rafael Caro Quintero, a Mexican drug lord and co-founder of the Guadalajara Cartel. At the time of his arrest, Quintero was on the run from Mexican authorities after being charged with the murder of a Drug Enforcement Administration (DEA) agent.¹²²

¹²⁰ Source: United Nations Office on Drugs and Crime, *World Drug Report 2017*, 32.

¹²¹ Muñoz, “Narcotráfico, Democracia y Soberanía Nacional en Costa Rica,” 36.

¹²² U.S. Department of State, “Rafael Caro-Quintero,” United States Department of State, accessed March 22, 2021, <https://www.state.gov/narcotics-rewards-program-target-information-wanted/caro-quintero-rafael/>.

The arrest of Caro Quintero raised suspicions among Costa Rican authorities, who questioned who had facilitated the Mexican drug lord's entry and stay in the country. These doubts led to the creation of the first legislative commission on drug trafficking, dedicated to investigating the evidence that pointed to links with the drug lord's network.¹²³ Finally, the special commission's investigation corroborated the existence of relationships between high-ranking politicians and the drug trafficker. These officials allegedly facilitated the entry of Quintero and his entourage into Costa Rica.¹²⁴ Although his involvement has not been confirmed, the press speculated that former Costa Rican President Daniel Oduber was the higher authority who made it possible for the drug trafficker to enter the country.¹²⁵

Author and historian Mercedes Muñoz recognizes that the Quintero case awakened interest in the links between politicians and drug trafficking; however, Muñoz states that it was not until 1987, because of the "Alem case," that the issue generated greater interest due to its electoral implications.¹²⁶ As a result of a series of reports in the Costa Rican newspaper *La Nación*, the first case of money laundering in the country at the hands of Ricardo Alem León became known. During this period, Alem, besides being Costa Rica's representative before the Central American Bank for Economic Integration, was one of the heads of the National Liberation Political Party during the electoral campaign of the pre-candidate Rolando Araya. Alem's actions, facilitated by his political position, not only sunk Araya's political pretensions but also tarnished the image of the political party.¹²⁷ Besides laundering money from Colombian drug cartels, it was later proven that Alem was also the local leader of an international drug trafficking network.¹²⁸

¹²³ Luis Bolaños Pérez, "El estado costarricense frente al narcotráfico: el caso del Plan Nacional sobre Drogas, 2006–2011," 2013, 61, <http://repositorio.sibdi.ucr.ac.cr:8080/jspui/handle/123456789/2365>.

¹²⁴ Costa Rica Asamblea Legislativa Comisión Especial Nombrada para Investigar los Hechos Denunciados sobre Narcotráfico, *Segundo informe de la Comisión sobre Narcotráfico* (Costa Rica: Editorial Universidad Estatal a Distancia, 1989), 73.

¹²⁵ Deborah Tyroler, "Costa Rican Political Campaigns Allegedly Financed by Drug Money: Summary Of Recent Developments," University of New Mexico Digital Repository, 1989., 3. <https://digitalrepository.unm.edu/noticen/3247>.

¹²⁶ Muñoz, "Narcotráfico, Democracia y Soberanía Nacional en Costa Rica," 36.

¹²⁷ Muñoz, 37.

¹²⁸ "El Caso Alem," *Nacion*, accessed March 23, 2021, http://www.nacion.com/ln_ee/1995/abril/21/pagina04.html.

The press accusations, coupled with Costa Rican speculation, led to the designation of a second special commission on drug trafficking by the Legislative Assembly.¹²⁹ The commission's reports confirmed once again the nexus between drug trafficking networks and the Costa Rican political sphere.¹³⁰ Among the accusations were political personalities of the decade, such as judicial officials, deputies, magistrates, presidential candidates, the minister of security, and the former president of the Republic, Daniel Oduber. The commission's findings were overwhelming and changed public opinion of political figures and parties since it confirmed the irruption of drug trafficking in the three branches of government. On the findings, Muñoz noted, "In other words, by mid-1989 it was already public and notorious that narco-politics had set its nets in the Costa Rican political arena."¹³¹ Consequently, the credibility of Costa Ricans in the political class, political parties, and state powers decreased.

While these events impacted the Costa Rican political climate in the following years, drug-related corruption cases did not diminish. The nineties brought new cases of narco-politics. By 1997, the names of former President Rafael Angel Calderon Fournier and then-presidential candidate Miguel Angel Rodriguez were negatively associated with Mexican businessman Carlos Hank Gonzalez. By then, the DEA was investigating Hank for drug trafficking and money laundering.¹³² For Calderón, it was the second time he was associated with campaign contributions from drug money. During his presidential candidacy in the late 1980s for the Social Christian Unity Party, Rafael Angel Calderon was accused of receiving campaign contributions from Panamanian General Manuel Antonio Noriega Moreno, who was known for his ties to the drug trade.¹³³ Attempting to sway the outcome of elections is one of the activities of criminal organizations in order to

¹²⁹ Bolaños Pérez, "El estado costarricense frente al narcotráfico," 62.

¹³⁰ Costa Rica Asamblea Legislativa Comisión Especial Nombrada para Investigar los Hechos Denunciados sobre Narcotráfico, *Segundo informe de la Comisión sobre Narcotráfico*.

¹³¹ Muñoz, "Narcotráfico, Democracia y Soberanía Nacional en Costa Rica," 39.

¹³² Muñoz, 38–40.

¹³³ Tyroler, "Costa Rican Political Campaigns Allegedly Financed By Drug Money: Summary Of Recent Developments," 2.

secure their alliances. By definition, this activity is highly corrupt and threatens the state by interfering in its democratic processes.¹³⁴

In the new century, scandals and links between politicians and drug trafficking continue to grow hand-in-hand with drug trafficking. In 2013, President Laura Chinchilla made headlines accompanied by the phrase “Narco-avioneta” (narco-jet). Chinchilla was accused of making two free international trips in an aircraft owned by Colombian Gabriel Morales Fallón, who is in turn associated with Colombian drug trafficker Carlos Ramírez Abadía, alias “Chupeta.”¹³⁵ These flights raised suspicions of her possible involvement with criminal networks. Despite the fact that the former president was emphatic in not having any link to either of the two subjects, Chinchilla’s political credibility was affected, along with the public’s confidence in her government.

More recently, a report by the Organized Crime Section of the Judicial Investigation Organization (OIJ) indicates that drug trafficking has permeated the courts in the city of Golfito in Costa Rica. As a result of the investigation carried out by this section during 2019 and 2020, a judge and a judicial technician were arrested after evidence was found of their alleged links to drug trafficking.¹³⁶ On December 2020, the OIJ arrested a second judge and a Costa Rican police officer, alongside 16 other people, for allegedly working for an international drug network.¹³⁷ These cases, far from creating accusations or fact affirmations, showcase the spiral of corruption cases associated with drug trafficking in lower and higher levels of power, which cyclically monopolize Costa Rican media and public opinion.

¹³⁴ United Nations, “The Drug Problem and Organized Crime, Illicit Financial Flows, Corruption and Terrorism,” in *World Drug Report 2017* (New York: UN, 2017), 30, <https://doi.org/10.18356/550b8369-en>.

¹³⁵ “‘Narco-Jet Deliberate Plot Against Me’: Chinchilla,” *InSight Crime* (blog), March 27, 2017, <https://insightcrime.org/news/brief/narco-jet-could-be-deliberate-plot-against-me-chinchilla/>.

¹³⁶ Teletica, “Informe del OIJ señala que narcotráfico se infiltró en Tribunales de Golfito,” accessed March 25, 2021, https://www.teletica.com/nacional/informe-del-oij-senala-que-narcotrafico-se-infiltra-en-tribunales-de-golfito_277081.

¹³⁷ Katie Jones, “Why Courtroom Corruption Has Costa Rica Concerned,” *InSight Crime*, January 6, 2021, <https://insightcrime.org/news/analysis/courtroom-corruption-costa-rica/>.

As drug trafficking grows, so does corruption and its effects. Total drug seizures in recent years have increased in Costa Rica, reaching all-time highs in 2020 with the seizure of more than 19 tons of cocaine.¹³⁸ Unfortunately, the increase in drug trafficking in the territory is accompanied by an increase in corruption. Based on statistics from Costa Rica's Deputy Prosecutor's Office for Probity, Transparency and Anti-Corruption, between 2015 and 2020, complaints of corruption in the public service sector have increased fivefold. As stated by Attorney General Emilia Navas, most of the cases prosecuted "are of a very complex nature and have a very high impact on the country's development."¹³⁹

Drug trafficking and corruption feed off each other, becoming more deeply rooted in a country's institutions. The UNODC World Drug Report 2017 describes the symbiosis between the two illegal activities in simple terms: "Corruption facilitates the production and trafficking of illegal drugs and this, in turn, benefits corruption."¹⁴⁰ Thus, UNODC shows the vulnerability of the democratic system to the corrosive force of drug trafficking at all levels of governance, especially if conditions of political instability develop that generate a power vacuum in favor of drug traffickers.¹⁴¹

When it comes to corruption, as shown by the 2020 Corruption Perception Index (CPI) compiled by Transparency International, so far Costa Rica remains among the least corrupt countries in Latin America (see Figure 12).¹⁴² Yet, the CPI report results show that since its 2018 drop in the ranking, Costa Rica has not made significant progress in the fight against corruption. Plus, as the 2020 International Narcotics Control Strategy Report warns, "The growing presence of transnational criminal organizations and rising corruption

¹³⁸ Valle, "Record Cocaine Seizures for Costa Rica."

¹³⁹ Ministerio Público de Costa Rica, "Casos de Corrupción Se Incrementaron En Cinco Veces Desde El 2015.," September 4, 2020, <https://ministeriopublico.poder-judicial.go.cr/index.php/medios-informativos/noticias-institucionales/item/236-casos-de-corrupcion-se-incrementaron-en-cinco-veces-desde-el-2015>.

¹⁴⁰ United Nations, "The Drug Problem and Organized Crime, Illicit Financial Flows, Corruption and Terrorism," 30.

¹⁴¹ Charity Samantha Vo, "Drug Trafficking and Community Welfare in Costa Rica," *Global Social Welfare* 5, no. 1 (March 2018): 60, <https://doi.org/10.1007/s40609-016-0067-z>.

¹⁴² Transparency International, "Corruption Perception Index 2020" (Transparency International), 2, accessed March 26, 2021, https://images.transparencycdn.org/images/CPI2020_Report_EN_0802-WEB-1.pdf.

in all security services is a chief concern.”¹⁴³ In other words, the U.S. Department of State draws attention to the latent threat of drug trafficking to which the country is exposed through the growth of drug trafficking networks.



Figure 12. Corruption Perception Index 2020.¹⁴⁴

To tackle corruption, the country has also implemented public policies to promote government transparency, accountability, and access to public information. These public policies add up to the regulations of Law No. 8422 against Corruption and Illicit

¹⁴³ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, “International Narcotics Control Strategy Report, 2020,” 125.

¹⁴⁴Source: “Corruption Perceptions Index 2020 for Costa Rica,” Transparency International, accessed April 16, 2021, <https://www.transparency.org/en/cpi/2020>.

Enrichment in the Public Service and the Law No. 9699 Responsibility of Legal Persons on Domestic Bribery, International Bribery, and Other Crimes.¹⁴⁵ With these policies, the hope is to combat impunity and corruption and to minimize the effects that corruption generates, such as the weakening of institutions and law enforcement bodies, as well as the questioning of their capacity to contain crime.¹⁴⁶ All in all, corruption has the effect of weakening political systems, particularly democratic ones, which is why it is important to contain it.

B. DRUG MONEY

The United Nations Office on Drugs and Crime notes “the illicit drug trade fuels corruption that weakens institutions, erodes public confidence in the rule of law, and in some cases, leads to political instability and unrest.”¹⁴⁷ Beyond corruption, the expansion of drug trafficking undercuts democracy through its intrusion into a nation’s economy. Organized crime activities are lucrative in nature; however, due to the illegal nature of their enterprise, they need to introduce their profits into a nation’s economic flows.

Money laundering, or the legitimization of capital, forms an integral part of the drug traffickers agenda to legitimize their profits. Article b.1 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances refers to money laundering:

The conversion or transfer of property, knowing that such property is derived from any offence or offences established in accordance with subparagraph a) of this paragraph, or from an act of participation in such offence or offences, for the purpose of concealing or disguising the illicit origin of the property or of assisting any person who is involved in the

¹⁴⁵ Andrés Araya Montezuma, “Bribery in Costa Rica,” Medium, September 23, 2019, <https://voices.transparency.org/bribery-in-costa-rica-advancing-on-to-do-list-bde58af005d9>.

¹⁴⁶ United Nations, “The Drug Problem and Organized Crime, Illicit Financial Flows, Corruption and Terrorism,” 31.

¹⁴⁷ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, “International Narcotics Control Strategy Report, 2020,” 19.

commission of such an offence or offences to evade the legal consequences of his actions.¹⁴⁸

Furthermore, the United Nations identifies placement, layering, and integration as the three stages of the money laundering process within an economy (see Figure 13). Likewise, worldwide the United Nations estimates the amount of money laundered annually in the world may be as high as \$2 trillion (USD).¹⁴⁹

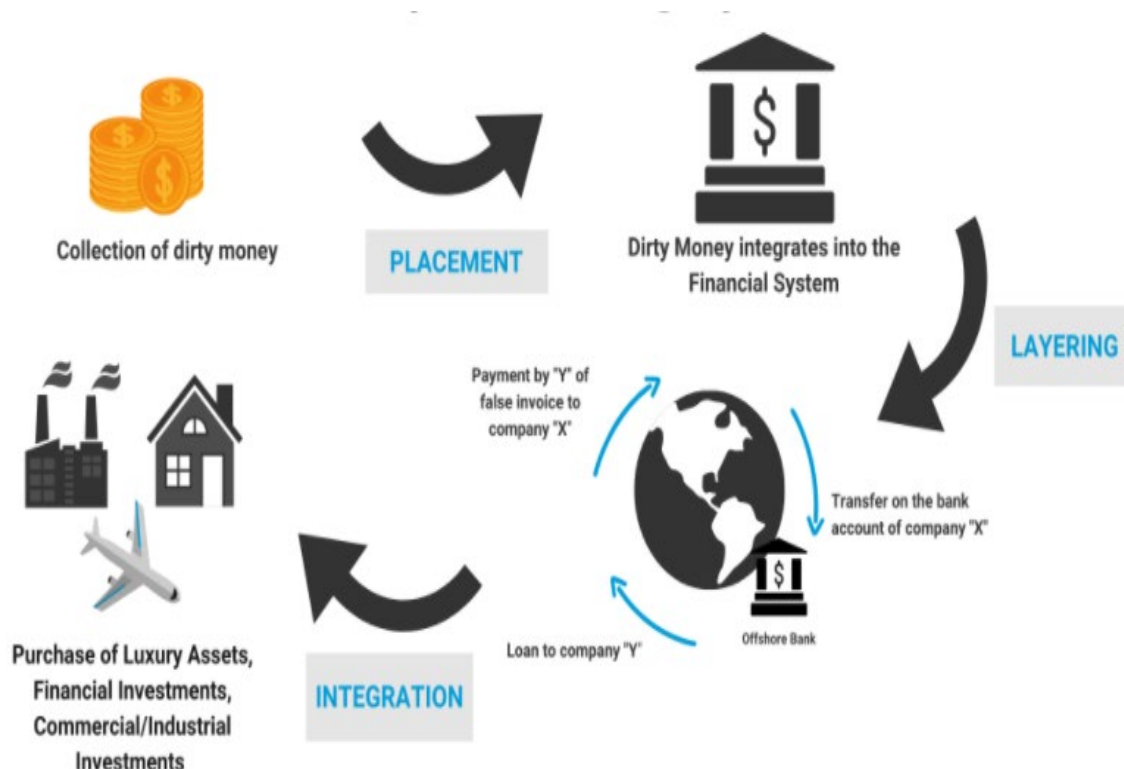


Figure 13. Money Laundering Cycle.¹⁵⁰

¹⁴⁸ “United Nation Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,” 3, accessed April 6, 2021, https://www.unodc.org/pdf/convention_1988_en.pdf.

¹⁴⁹ “Money Laundering Overview,” United Nations Office on Drugs and Crime, accessed April 3, 2021, [//www.unodc.org/unodc/en/money-laundering/overview.html](https://www.unodc.org/unodc/en/money-laundering/overview.html).

¹⁵⁰ Source: “Money Laundering Overview,” United Nations Office on Drugs and Crime, accessed April 16, 2021, [//www.unodc.org/unodc/en/money-laundering/overview.html](https://www.unodc.org/unodc/en/money-laundering/overview.html).

Acquisitions of luxury goods, investment in real estate or money-generating businesses such as casinos, hotels, or restaurants, as well as investment in offshore centers, are some of the most common practices in the integration phase. With the aim of facilitating this and the rest of the stages in the money laundering process, professionals such as accountants and lawyers are part of the structure of drug trafficking networks.¹⁵¹

The Financial Intelligence Unit (UIF) of the Costa Rican Drug Institute identified at least 34 typologies in the country used for money laundering between 2018 and 2019. These typologies are the product of cases detected, through investigations and suspicious transaction reports (STR) generated by various national and international entities, but mostly by the banking sector. Some of the typologies include loans and extortion, remittances, and international transfers of high volume and without links to the sender, financing of political parties, sports betting, and the proliferation of retail businesses.¹⁵² Moreover, UIF records for 2020 reported a total of 550 suspicious transactions for a total time of \$347,927,652, representing an increase of 20% in relation to the reports of 2019. Of the 550 cases registered, 226 were sent to the Public Prosecutor's Office to generate the opening of a criminal case and determine whether there is an illicit origin of the money flow.¹⁵³

Under the Foreign Assistance Act of 1961 statutes, those countries “whose financial institutions engage in currency transactions involving significant amounts of proceeds from international narcotics trafficking” will be considered major money laundering countries.¹⁵⁴ Following this concept, the 2020 Money Laundering volume of the 2020 International Narcotics Control Strategy Report included Costa Rica in this category list of

¹⁵¹ United Nations, “The Drug Problem and Organized Crime, Illicit Financial Flows, Corruption and Terrorism,” 27.

¹⁵² ICD, “Recopilación de 34 Tipologías LA/FT,” 2019, https://www.icd.go.cr/portalicd/images/docs/uif/doc_interes/acerca_uif/Tipologias_LA-FTparaweb2018-2019.pdf.

¹⁵³ ICD, “Monitoreo Del Sistema ALA/CFT 2020” (ICD), 3–5, accessed April 4, 2021, <http://www.icd.go.cr/portalicd/images/docs/uif/estadisticas/ROS/Enero a Diciembre 2020.pdf>

¹⁵⁴ Committee on International Relations and Committee on Foreign Relations, “Legislation on Foreign Relations Through 2002” (Washington, DC: U.S. Government Printing Office, July 2003), 177.

major money laundering countries.¹⁵⁵ While the report also recognizes Costa Rica's efforts and cooperation to prevent this criminal modality, it warns of the legal vacuums and lack of control mechanisms fostered by the current legislation. These vacuums attract organized crime by offering them an advantage for money laundering. For instance, it mentions the high flow of migrants and tourists crossing borders as vulnerable points for money smuggling.¹⁵⁶

Costa Rica is not yet considered a financial hub or tax haven, but when money laundering is inserted into a country, it has a detrimental effect on its economy, security, and society. Some of the negative effects of money laundering activities are its potential to destabilize the integrity of financial institutions and affect currencies and interest rates.¹⁵⁷ John McDowell argues money laundering also affects state coffers through tax evasion and tax fraud, impacting the government's ability to respond to the needs of the nation. Direct impact on the national budget has implications for institutions, social security, and the quality of life in general. Additionally, the detrimental economic and social conditions of the country can also discourage foreign investment, negatively impacting production, and employment rates.

Money laundering also serves as a fuel for corruption which, as mentioned above, is a tool for drug trafficking and the maintenance of its operations. Hence, money laundering and corruption have become a vital process to nurture the operations of drug traffickers, increasing their power across a nation. As the hand of drug trafficking grows in society, government expenditures in areas such as security and health must be bolstered, destabilizing public spending.¹⁵⁸ In short, drug trafficking and its related activities have an overwhelming potential to undermine the stability of a political system. Therefore,

¹⁵⁵ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, "International Narcotics Control Strategy Report, 2020: Washington, D.C., March 2020," Money Laundering 2 (March 2020): 14.

¹⁵⁶ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, 84–86.

¹⁵⁷ John McDowell, "The Consequences of Money Laundering and Financial Crime" 6, no. 2 (May 2001): 6–8.

¹⁵⁸ McDowell, 6–8.

Costa Rican democracy is fragile in the face of the growth of drug trafficking and its influence.

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IV. DRUG TRAFFICKING THREAT: DRUG, VIOLENCE AND CAPABILITIES

One of the more striking features of the global community today is that a large number of people around the world feel increasingly “insecure.”

—Hugo Frühling, Joseph Tulchin, and Heather Golding,
Crime and Violence in Latin America

When compared to its sister Central American nations, Costa Rica has stood out for having a tradition of peace, security, and non-violence. In his Nobel Peace Prize acceptance speech, former President Oscar Arias Sanchez extolled Costa Rica’s pacifist character by proclaiming “When you decided to honor me with this prize, you decided to honor a country of peace, you decided to honor Costa Rica.”¹⁵⁹ Unfortunately, the growing organized crime and violence throughout Central America threaten Costa Rica’s peaceful image.

For many years Costa Rica served only as a transshipment point for drug cartels; still, the continued expansion of drug trafficking operations has transformed this reality. As acknowledged by the Bureau of International Narcotics and Law Enforcement Affairs, “the drug trade in Costa Rica has morphed into a proliferation of illegal air tracks, warehousing operations, land smuggling networks, tainted fishing vessels, and suspect shipping container traffic.”¹⁶⁰

Drug trafficking proliferation in the country has also brought about an increase in violence rates and levels of insecurity. This chapter focuses on analyzing the evolution of drug trafficking in Costa Rica and its trail of violence, as well as the state’s response and capacities to combat drug trafficking.

¹⁵⁹ Oscar Arias Sánchez, “Acceptance Speech-The Nobel Peace Prize 1987,” Nobel Prize Organization, accessed April 10, 2021, <https://www.nobelprize.org/prizes/peace/1987/arias/acceptance-speech/>.

¹⁶⁰ “Bureau of International Narcotics and Law Enforcement Affairs: Costa Rica Summary,” *United States Department of State* (blog), accessed April 10, 2021, <https://www.state.gov/bureau-of-international-narcotics-and-law-enforcement-affairs-work-by-country/costa-rica-summary/>.

A. DRUG TRAFFICKING AND CRIME INCREASE

Geographically located between the main producers and consumers of drugs, Central America is vulnerable to the war on drugs.¹⁶¹ According to Bruce Bagley, Latin American political leaders point out that if Americans did not demand a high production of drugs for their consumption, drug trafficking would not dominate Latin America.¹⁶² While drug use is not a phenomenon exclusive to the United States, Bagley acknowledges that for decades, the U.S. has been one of the world's leading drug consumers. An echo of this view is the UNODC's 2020 report on drug use, which highlights the United States and Western and Central Europe as the main markets for cocaine consumption with a prevalence of 2.1% and 1.4%, respectively (see Figure 14).¹⁶³ The report also estimated the former had 5.5 million cocaine users in 2018 alone.

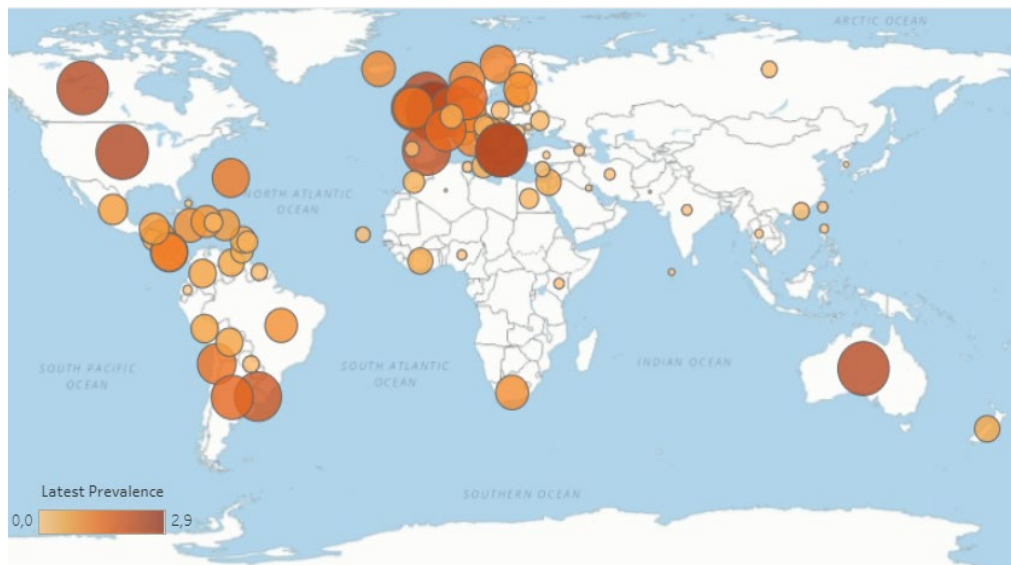


Figure 14. World Annual Prevalence of Cocaine Use¹⁶⁴

¹⁶¹ United Nations Office on Drugs and Crime, *Crime and Development in Central America*, 11.

¹⁶² Bagley, "The Evolution of Drug Trafficking and Organized Crime in Latin America," 1–2.

¹⁶³ United Nations Office on Drugs and Crime, *World Drug Report 2020*, Booklet on Drug Use (United Nations Publication, 2020).

¹⁶⁴ Source: UNODC, "Prevalence-general," UNODC Data, accessed April 23, 2021, <https://dataunodc.un.org/data/drugs/Prevalence-general>.

Former President Richard Nixon declared illegal drugs as the number one public enemy of the United States, in light of the evident increase in drug use in the country.¹⁶⁵ Since then, U.S. anti-drug policies have focused on reducing international drug trafficking to North America, seeking to affect the availability and demand for drugs in U.S. territory. This strategy combats drug trafficking domestically, but also assists foreign governments with interdiction strategies and dismantling criminal organizations.¹⁶⁶ For example, the United States provides monetary and military aid to South America with the aim of eradicating or reducing cocaine production in the region, given its position as the world's leading supplier.¹⁶⁷ The United States also supports the Mexican government in the control and mitigation of drug cartels and the violence generated by them.

With an approximate cost of \$1 trillion dollars, the fact is that the War on Drugs—declared more than 40 years ago—has not succeeded in reducing drug trafficking into the United States and abroad.¹⁶⁸ Instead, prohibitionist and control policies have been counterproductive to the ends they were to serve. Simple proof of the failure of policies, as mentioned above, is the leading position of the United States in relation to drug use. Associated with the increase in drug use, the escalation of drug overdose deaths is also noticeable (see Figure 15).¹⁶⁹ Christopher Coyne and Abigail Hall summarize this failure with strongly worded opinions “The U.S. War on Drugs...is a prime example of disastrous policy, naked self-interest, and repeated ignorance on the part of elected officials and other policymakers. From its inception, the drug war has repeatedly led to waste, fraud, corruption, violence, and death.”¹⁷⁰

¹⁶⁵ Kendall Parker, “The U.S. War on Drugs in Latin America: What Is the Method to the Madness?.” Research Paper, University of Mary Washington, 2018., 1–2. https://scholar.umw.edu/cgi/viewcontent.cgi?article=1238&context=student_research.

¹⁶⁶ Christopher J Coyne and Abigail R. Hall, “Four Decades and Counting: The Continued Failure of the War on Drugs,” Analysis No. 811 (Washington, DC: Cato Institute, April 12, 2017), 12–13.

¹⁶⁷ Stella M. Rouse and Moises Arce, “The Drug-Laden Balloon: U.S. Military Assistance and Coca Production in the Central Andes,” *Social Science Quarterly* 87, no. 3 (September 2006): 540–41, <https://doi.org/10.1111/j.1540-6237.2006.00395.x>.

¹⁶⁸ Coyne and Hall, “Four Decades and Counting: The Continued Failure of the War on Drugs,” 3.

¹⁶⁹ National Institute on Drug Abuse, “Overdose Death Rates,” National Institute on Drug Abuse, January 29, 2021, <https://www.drugabuse.gov/drug-topics/trends-statistics/overdose-death-rates>.

¹⁷⁰ Coyne and Hall, “Four Decades and Counting: The Continued Failure of the War on Drugs,” 2.

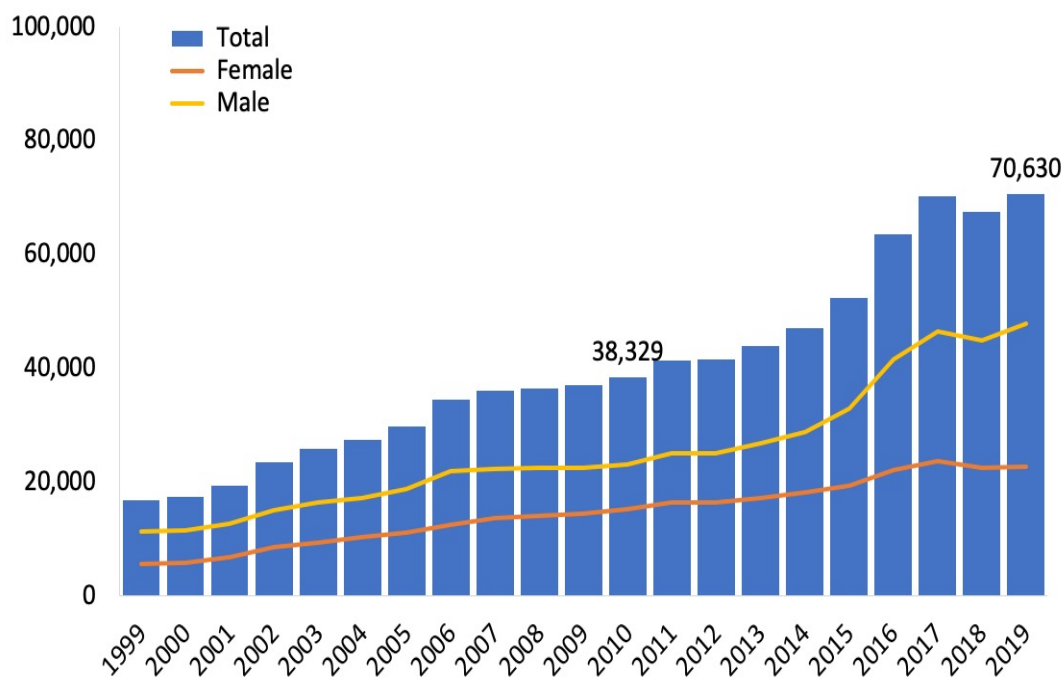


Figure 15. U.S. Drug-Involved Overdose Deaths 1999–2019¹⁷¹

The failure of the U.S. War on Drugs did not stop at its American borders. On the contrary, it is accused of having a spillover effect on drug trafficking in Latin America.¹⁷² For example, the policies of fumigation and eradication of cocaine plantations in Colombia led to the proliferation of coca leaf cultivation in Bolivia and Peru. In Mexico, the oppression of drug cartels has encouraged the displacement of their operations to Central America.¹⁷³ Such phenomena linked to the illegal drug trade are popularly known in the literature as the “balloon effect” and the “cockroach/diaspora effect.”¹⁷⁴

¹⁷¹ Source: <https://www.drugabuse.gov/drug-topics/trends-statistics/overdose-death-rates>

¹⁷² Garzón and Bailey, “Displacement Effects of Supply-Reduction Policies in Latin America,” 482–83.

¹⁷³ Ernesto Cortes and Demalui Amighetti, “Seguridad, Crimen Organizado y Narcotráfico En Costa Rica: Desaciertos Políticos y Retos de Reforma,” *Friedrich-Ebert-Stiftung*, 2015, 136.

¹⁷⁴ Garzón and Bailey, “Displacement Effects of Supply-Reduction Policies in Latin America,” 482.

The “balloon effect” refers to the displacement effect generated by authorities imposing pressure on criminal activities at a specific point.¹⁷⁵ Stella Rouse and Moises Arce summarize it as “As the analogy to a balloon implies, government and law enforcement efforts represent the ‘squeezing’ of a balloon; showing an immediate effect in contracting the balloon walls, but creating an increase in illegal activity at the ends of the balloon, that is, areas that are not being extensively targeted by law enforcement.”¹⁷⁶ The cockroach/diaspora effect is seen as the migration of criminal structures to different locations, as a survival strategy for their operations to avoid detection by the authorities.¹⁷⁷

Juan Garzón and John Bailey also identify the “butterfly effect” and the “short-sheet effect” as part of the phenomena of displacement of drug trafficking to Latin America.¹⁷⁸ The “butterfly effect” is described as the repercussion of an action taken in an area or country other than the one in which it was carried out. The “short-sheet effect” is the result of the budgetary limitations of the countries for the attention of priorities. The authors explain that budgetary constraints force countries with limited resources to follow the anti-drug policies of countries with greater resources, resulting in the need for cooperation between the United States and Latin America in the fight against drug trafficking.¹⁷⁹ The four phenomena are also associated with the potential for secondary negative effects such as the increase in drug consumption, the emergence of local drug markets, the expansion of corruption, and the spread of violence, among others (see Table 2).

¹⁷⁵ Garzón and Bailey, 483.

¹⁷⁶ Rouse and Arce, “The Drug-Laden Balloon,” 542.

¹⁷⁷ Garzón and Bailey, “Displacement Effects of Supply-Reduction Policies in Latin America,” 484–85.

¹⁷⁸ Garzón and Bailey, 483.

¹⁷⁹ Garzón and Bailey, 484–85.

Table 2. Impacts of the Supply-reduction Strategy: Effect, Changes, and Costs¹⁸⁰

<i>Effect</i>	<i>Change</i>	<i>Evidence</i>	<i>Potential and real cost</i>
(A) Balloon effect	Displacement of routes (and final consumption market)	Strong	- Increased consumption in producing and transit countries
	Displacement of production	Strong	- Violence related to disputes over emerging routes
	Displacement of consumption	Moderate	- Growth of local retail markets
(B) Cockroach/diaspora effect	Displacement of criminal organizations	Moderate	- Expansion of criminal activities and corruption
	Spillovers of violence	Tentative	- Diversification of criminal activities (e.g., predatory crimes)
	Expansion of transnational organized to "new" zones	Tentative	- Diffusion of violence and crime to new territories
	Fragmentation as a result of the government enforcement and inter-gang disputes	Strong	- Institutional instability
(C) Butterfly Effect	Scarcity of drugs in transit countries as result of government intervention in producer countries	Tentative	- Diffusion of violence and crime to new territories
	Increases of violence in other countries as a result of government interventions in producer and transit countries	Moderate	- Institutional instability - Interdiction crackdowns by one country may affect others
(D) Short-sheet effect	Relocation of resources from one region to another	Strong	- Supply-reduction policy bias: International cooperation oriented to reducing drug supply, instead of addressing the needs of the recipient country
	Changes of preferences and relocation into new areas	Moderate	- Loss of independence and autonomy to allocate national resources

¹⁸⁰ Source: Garzón and Bailey, 494.

Until the 1980s, Costa Rica was not a land of great relevance for drug cartels, yet U.S. anti-drug policy changed this panorama.¹⁸¹ Central America is no longer just a passage route for drug traffickers, but a strategic location for their illicit activities. The effects of the U.S., Mexican, and South American anti-drug efforts have led to a shift in drug trafficking routes, pushing them to areas of less resistance for their operations. As noted by former U.S. President Barack Obama, “As Mexico and Colombia continue to apply pressure on drug traffickers, the countries of Central America are increasingly targeted for trafficking of cocaine and other drugs primarily destined for the United States.”¹⁸² The expansion of drug trafficking in Central America has not spared Costa Rica; instead, it is at the heart of the new illegal drug trafficking routes, by air, sea, and land (see Figure 16).

¹⁸¹ Muñoz, “Narcotráfico, Democracia y Soberanía Nacional en Costa Rica,” 34.

¹⁸² General Secretariat of Central American Integration System, “Drug Trafficking: Central America’s Dark Shadow,” Central American Integration System, August 19, 2011, https://www.sica.int/noticias/drug-trafficking-central-america-s-dark-shadow_2_62306.html.



Figure 16. Drug Trafficking Routes Detected by Costa Rican Authorities.¹⁸³

The transformation of Costa Rica as a pivotal location for drug cartels has placed it on the U.S. blacklist as a major drug transit country.¹⁸⁴ According to section 706 Foreign Relations Authorization Act, Fiscal Year 2003, since 2009 Costa Rica has qualified as a drug-transit country “that is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States; or through which are transported such drugs or substances.”¹⁸⁵ The large flow of drugs along Costa Rica’s coasts and territory is also reflected in the frequency and size of seizures; for

¹⁸³ Source: Unidad de Inteligencia Financiera, “Evaluación Nacional de Riesgos de Legitimación de Capitales, Financiamiento al Terrorismo y La Proliferación 2021” (Instituto Costarricense sobre Drogas, 2021), 13.

¹⁸⁴ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, “International Narcotics Control Strategy Report, 2019,” 6.

¹⁸⁵ U.S. Department of State, “Major Illicit Drug Producing, Drug-Transit, Significant Source, Precursor Chemical, and Money Laundering Countries,” U.S. Department of State, 2017, //2009-2017.state.gov/j/inl/rls/nrcrpt/2015/vol1/238913.htm.

example, in 1990 cocaine seizures totaled 848 kilos, a much lower figure compared to the 31,132 kilos of cocaine seized in 2019.¹⁸⁶ In 2020, Costa Rica reached historical records with the seizure of 56.7 tons of cocaine and 14.4 tons of marijuana. These numbers represent an increase of 54% in relation to the total seizures reported during 2019.¹⁸⁷

Not only has Costa Rica's role been transformed by the increased flow of drugs into its territory, but also by the proliferation of drug trafficking networks, warehouses, and illegal airstrips, among other illegal operations.¹⁸⁸ Based on statistics from the Costa Rican Drug Control Police (PCD), by 2018, there were already around 127 legal airstrips and 83 clandestine airstrips used by drug traffickers for loading and unloading drugs, or as a refueling point for aircraft.¹⁸⁹ Likewise, for this same year, the PCD reported the disruption of 144 drug trafficking networks, followed by 121 organizations during 2019, of which 19 corresponded to international organizations.¹⁹⁰ These numbers, in addition to showing the work of the authorities, reveal the extent and speed with which these criminal organizations are spreading in the country.

Whereas in previous decades, the major source of crime in Costa Rica was associated with property crimes, the globalization of organized crime has become the driving force behind the country's crime rate.¹⁹¹ The explosion of criminal organizations presents a challenge to Costa Rican authorities, not only because of their illegal operations but also because of the violence that accompanies them. Marcelo Bergman argues that one of the biggest threats posed by drug trafficking is the "diversification of criminals involved

¹⁸⁶ ICD, "Droga Decomisada Por Año Según Tipo de Droga," February 11, 2020, <https://www.icd.go.cr/portalicd/index.php/estad-drogadecomisada/estad-drogadecomisada-tipo>.

¹⁸⁷ EFE, "Costa Rica hizo decomiso «histórico» de 71 toneladas de droga durante 2020," *Proceso Digital* (blog), December 30, 2020, <https://proceso.hn/costa-rica-hizo-decomiso-historico-de-71-toneladas-de-droga-durante-2020/>.

¹⁸⁸ "Bureau of International Narcotics and Law Enforcement Affairs."

¹⁸⁹ Unidad de Inteligencia Financiera, "Evaluación Nacional de Riesgos de Legitimación de Capitales, Financiamiento al Terrorismo y La Proliferación 2021," 18.

¹⁹⁰ Unidad de Inteligencia Financiera, 24.

¹⁹¹ ICD and UNODC, "Estrategia País Para El Fortalecimiento Institucional En La Interdicción de Drogas y Precursores Químicos En Costa Rica" (ICD, n.d.), 9, https://www.icd.go.cr/portalicd/images/docs/icd/marco_estrategico/UNODC_ICD_Estrategia/ESTRATEGIA_COSTA_RICA_ICD_UNOCD.pdf.

in the business.”¹⁹² Beyond providing protection and logistical support to cartel operations, the gangs that make up these structures carry out parallel activities with the same levels of violence, such as assaults, robberies, extortive loans, and struggles for territorial control.¹⁹³ In this regard, Bergman warns of the need for countries to take prompt and effective action against drug trafficking and the violence of its operations before its expansion has a higher cost.¹⁹⁴

According to reports from the Judicial Investigation Organism (OIJ), drug trafficking ranked as the most violent crime in the country in 2018 and also as the culprit behind the increase in other crimes such as homicides, extortion, and kidnappings.¹⁹⁵ Although Costa Rica remains one of the least violent countries in Central America, the progressive increase in homicide cases reached record levels during 2017, with a rate of 12.1% of homicides per 100,000 inhabitants, equivalent to a total of 603 cases (see Figure 17).¹⁹⁶ The OIJ, states that the increase in homicide cases in Costa Rica is directly associated with the criminal activities of drug cartels. The “settling of scores” linked to non-payment of merchandise, loss or theft of drugs, and territorial fights, emerge as the most common modality in homicide cases.¹⁹⁷

¹⁹² Marcelo Bergman, *Illegal Drugs, Drug Trafficking and Violence in Latin America* (Cham, Switzerland: Springer International Publishing, 2018), 5, <https://doi.org/10.1007/978-3-319-73153-7>.

¹⁹³ ICD and UNODC, “Estrategia País Para El Fortalecimiento Institucional En La Interdicción de Drogas y Precursores Químicos En Costa Rica,” 44.

¹⁹⁴ Bergman, *Illegal Drugs, Drug Trafficking and Violence in Latin America*, 5.

¹⁹⁵ Unidad de Inteligencia Financiera, “Evaluación Nacional de Riesgos de Legitimación de Capitales, Financiamiento al Terrorismo y La Proliferación 2021,” 11.

¹⁹⁶ Bjorn Kjelstad, “What Is Behind Growing Violence In Costa Rica?,” Crime Magazine, *InSight Crime* (blog), August 16, 2018, <https://insightcrime.org/news/analysis/what-is-driving-increased-violence-costa-rica/>.

¹⁹⁷ Unidad de Inteligencia Financiera, “Evaluación Nacional de Riesgos de Legitimación de Capitales, Financiamiento al Terrorismo y La Proliferación 2021,” 44.

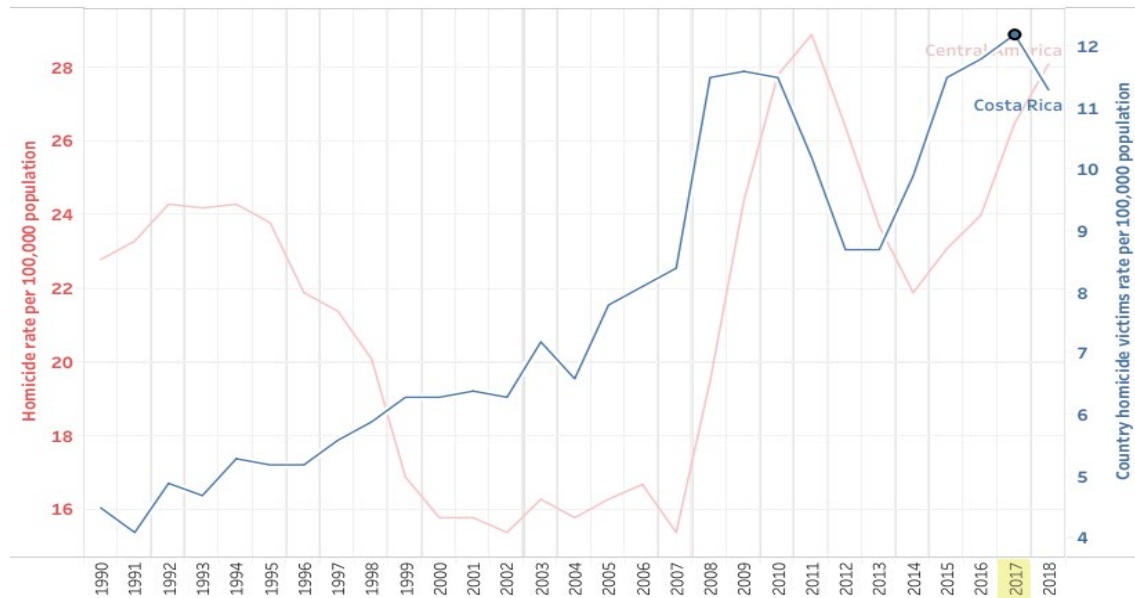


Figure 17. Victims of Intentional Homicide, 1990–2018.¹⁹⁸

Hugo Frühling et al. claim “One of the most striking features of the global community today is that large numbers of people around the world feel increasingly insecure.”¹⁹⁹ The rise of violence in Costa Rica, on top of increasing the feeling of insecurity described by Frühling et al., places the country’s stability at high risk.²⁰⁰ Organized crime and violence have a high potential to weaken the governance of countries, not only because of their direct effects on society but also because of their impact on the national economy. Some of the most perceptible economic damages are the limitation of productivity and development, the loss of investments and jobs, and the redirection of

¹⁹⁸ Source: UNODC, “Homicide Rate,” UNODC Data, accessed April 23, 2021, <https://dataunodc.un.org/content/data/homicide/homicide-rate>.

¹⁹⁹ H.H. Frühling, J.S. Tulchin, and H. Golding, *Crime and Violence in Latin America: Citizen Security, Democracy, and the State*, *Crime and Violence in Latin America: Citizen Security, Democracy, and the State* (Baltimore, MD: Woodrow Wilson Center Press and Johns Hopkins University Press, 2003), 1, <https://books.google.com/books?id=H7Ge7kkOCIkC>.

²⁰⁰ World Bank, “Crime and Violence in Central America: A Development Challenge,” *Sustainable Development Department and Poverty Reduction and Economic Management Unit Latin America and the Caribbean Region*, 2011, ii.

public spending to address crime.²⁰¹ Hence, understanding why the growth of violence has intensified CR's fight against drug trafficking is important.²⁰²

B. STATE AGAINST NARCOTRAFFIC

Drug trafficking expansion and its harmful effects on society and institutions require a state response to combat it. In the case of Costa Rica, the strategies of its fight against drug trafficking revolve around the creation of regulations, institutions, and the formulation of international agreements. The foundations of Costa Rica's fight against drugs date back to the 1970s with the approval of the 1961 Single Convention on Drugs and the 1971 Convention on Psychotropic Substances.²⁰³ These norms' objectives are summarized in the need to combat the illegal use of psychotropic substances, and the need to establish regulations to prevent the illegal trafficking of these substances.²⁰⁴ Additionally, the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances served as the basis for Costa Rica's regulatory framework to punish illegal drug trafficking.²⁰⁵

In compliance with the provisions of the aforementioned conventions, the General Health Law created in 1973 was the first to introduce regulations on the use and production of illegal drugs. Article 127 of this law established the explicit prohibition of the "cultivation, import, export, traffic and use of cannabis, coca, and opium poppy, as well as their seeds when they have germinating capacity."²⁰⁶ Later on, with the increasing activity

²⁰¹ World Bank, 6–8.

²⁰² U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, "International Narcotics Control Strategy Report, 2019," 124.

²⁰³ Cortes and Amighetti, "Seguridad, Crimen Organizado y Narcotráfico En Costa Rica: Desaciertos Políticos y Retos de Reforma," 132.

²⁰⁴ United Nations, "Single Convention on Narcotic Drugs, 1961" (1961), https://www.unodc.org/pdf/convention_1961_en.pdf; United Nations, "Convention on Psychotropic Substances, 1971" (1971), https://www.unodc.org/pdf/convention_1971_en.pdf.

²⁰⁵ United Nations, "United Nation Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988" (1988). https://www.unodc.org/pdf/convention_1988_en.pdf.

²⁰⁶ Asamblea Legislativa de la República de Costa Rica, "Ley General de Salud, No. 5395," November 24, 1973, http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=6581&nValor3=96425&strTipM=TC.

of drug traffickers in the country, Costa Rican Legislative Assembly passed Law No. 7093 in 1988, known as the Law on Narcotic Drugs, Psychotropic Substances, Drugs for Unauthorized Use, and Related Activities.²⁰⁷

In accordance with Article 1, the objective of the Law No. 7093 is “to regulate the prevention, supply, prescription, administration, handling, use, possession, trafficking, and commercialization of narcotic drugs, psychotropic drugs, inhalants, and other drugs and medicines susceptible of producing physical or psychological dependencies, included in the Single Convention.”²⁰⁸ The approval of this law also enabled the Costa Rican government to allocate resources to the fight against drug trafficking.²⁰⁹ Furthermore, with the evolution of drug trafficking in Costa Rica, since its approval in 1988, the law has undergone multiple reforms for the incorporation of new regulations, going from fifty-one articles to one hundred and sixty-six articles in its last version in 2001, under Law No. 8204, which has the same name of its original version.²¹⁰ In 2009, substantive amendments were made to this body of law with the creation of the Law No. 8754 Against Organized Crime, which, in other matters, authorizes the intervention of communications in investigations related to illegal drug trafficking in Article 16.²¹¹

The new legislation on psychotropic substances, beyond regulating illegal drug trafficking, also established the delegation of functions and the creation of institutions to

²⁰⁷ Bolaños Pérez, “El estado costarricense frente al narcotráfico,” 63.

²⁰⁸ Asamblea Legislativa de la República de Costa Rica, “Ley Sobre Estupefacientes, Sustancias Psicotrópicas, Drogas de Uso No Autorizado, Actividades Conexas, Legitimación de Capitales y Financiamiento al Terrorismo,” January 1, 2002, http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=48392&nValor3=93996&strTipM=TC.

²⁰⁹ Claudia Cabezas and León Ulate, “Análisis de La Política Criminal Costarricense Del Uso Lúdico y Microtráfico de Drogas Ilícitas: Impacto En Las Personas Menores de Edad” (Universidad de Costa Rica, 2017), 31.

²¹⁰ Cortes and Amighetti, “Seguridad, Crimen Organizado y Narcotráfico En Costa Rica: Desaciertos Políticos y Retos de Reforma,” 133.

²¹¹ Asamblea Legislativa de la República de Costa Rica, “Ley Contra La Delincuencia Organizada,” July 2009, http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=65903&nValor3=87003&strTipM=TC.

oversee the fulfillment of regulations in this matter.²¹² Thus, at the end of the 1980s and beginning of the 1990s, Costa Rica created the National Drug Council (CONADRO) responsible for planning and dictating drug policies; the Joint Anti-Drug Intelligence Center (CICAD), responsible for repressive matters and public security at the national and international level; and the Institute of Alcoholism and Drug Dependency (IAFA) was delegated the preventive and health aspects.²¹³ With the creation of CONADRO, the first national plans and anti-drug policies were established in the country, which determined the first in the prevention and the fight against drugs. These functions were later assumed by the National Center for Drug Prevention (CENADRO), a center that also became responsible for the custody and administration of goods and money coming from the seizures made under the law of psychotropic drugs.²¹⁴

In 2002, in parallel with aligning with U.S. policies on money laundering and drug trafficking, the new Law No. 8204 created the Costa Rican Drug Institute (ICD).²¹⁵ The law stipulates, *inter alia*, that the ICD assumes the assets and functions performed by CENADRO and CICAD. Therefore, since its entry in force and to date, the ICD is responsible for “coordinating, designing, and implementing policies, plans, and strategies for the prevention of drug use, treatment, rehabilitation, and reintegration of drug addicts, as well as policies, plans, and strategies against illicit drug trafficking, the legitimization of capital derived from drug trafficking, related activities, and serious crimes.”²¹⁶

In the execution of public policies designed by the ICD to combat illicit drug trafficking, Costa Rica’s police forces are a priority for their implementation. As stipulated by Article 16 of the Costa Rican Constitution of 1949, with the permanent proscription of the army, the surveillance and maintenance of the nation’s public order falls on the police

²¹² Asamblea Legislativa de la República de Costa Rica, “Ley Sobre Estupefacientes, Sustancias Psicotrópicas, Drogas de Uso No Autorizado, Actividades Conexas, Legitimación de Capitales y Financiamiento al Terrorismo.”

²¹³ Bolaños Pérez, “El estado costarricense frente al narcotráfico,” 63–64.

²¹⁴ Bolaños Pérez, 67–68.

²¹⁵ Bolaños Pérez, 73.

²¹⁶ ICD, “Organización de Instituto Costarricense Sobre Drogas,” accessed April 26, 2021, <https://www.icd.go.cr/portalicd/index.php/51-organizacion>.

forces.²¹⁷ In this sense, under the aegis of the Ministry of Public Security and in accordance with the powers provided by the General Police Law No. 7410, the Public Force, the Air Surveillance Service, the Border Police, the National Coast Guard Service, and the Drug Control Police are active in operations against drug trafficking. With the exception of the other police bodies mentioned previously, the Drug Control Police, created in 1994, has the sole purpose of “preventing punishable acts, contemplated in the legislation on narcotics, psychotropic substances, drugs of unauthorized use and related activities, and cooperating with the repression of these crimes” according to the provisions of the law.²¹⁸

In the fight against drug trafficking at the national level, other institutions that stand out are the Judicial Investigation Organism as an auxiliary organ of the Costa Rican Courts of Justice, and its Narcotics Section, created in 1977 to investigate national and international drug trafficking.²¹⁹ From the Public Prosecutor’s Office, the Drug Trafficking Prosecutor’s Office, created in 1989, supervises, controls, and directs drug trafficking cases, working jointly with the Drug Control Police and the Judicial Investigation Organism.²²⁰ Within this framework of the fight against drugs, the National Intelligence and Security Directorate (DIS) plays a coordinating role at the national and international level in external security matters, working hand in hand with police institutions in the event of a crime threat and as Costa Rica’s representative in the International Anti-Narcotics Network (RIAN).²²¹

Combined with an average annual investment of \$900 million in national security, Costa Rica’s strategies for combating organized crime include international

²¹⁷ Asamblea Legislativa de la República de Costa Rica, “Constitución Política de Costa Rica,” November 7, 1949, <https://pdba.georgetown.edu/Parties/CostaRica/Leyes/constitucion.pdf>.

²¹⁸ Asamblea Legislativa de la República de Costa Rica, “Ley General de Policía N° 7410,” May 22, 1994, http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?nValor1=1&nValor2=66525.

²¹⁹ ICD and UNODC, “Estrategia País Para El Fortalecimiento Institucional En La Interdicción de Drogas y Precursores Químicos En Costa Rica,” 13.

²²⁰ Bolaños Pérez, “El estado costarricense frente al narcotráfico,” 71.

²²¹ ICD and UNODC, “Estrategia País Para El Fortalecimiento Institucional En La Interdicción de Drogas y Precursores Químicos En Costa Rica,” 13.

cooperation.²²² The United Nations (UN) argues that the globalization of organized crime activities has created a need to strengthen all forms of international cooperation.²²³ Furthermore, the UN argues that international cooperation is a necessity to keep pace with the advancements of organized crime. The strength with which drug trafficking expands its activities and the growing interest of drug cartels in Costa Rica's strategic location and geography compels authorities to seek international assistance.²²⁴ In this context, Costa Rica has formed several strategic security alliances with international governments, seeking to intensify efforts to counteract the evolution of organized crime and its harmful effects on society (see Table 3).

²²² Global Security, "Costa Rica - Military Spending," accessed April 29, 2021, <https://www.globalsecurity.org/military/world/centam/cr-budget.htm>.

²²³ United Nations, "Combating Transnational Organized Crime Through Better International Cooperation," April 2015, 1.

²²⁴ ICD and UNODC, "Estrategia País Para El Fortalecimiento Institucional En La Interdicción de Drogas y Precursores Químicos En Costa Rica," 17–18.

Table 3. International Agreements Signed by Costa Rica on Organized Crime

Treaties	Signing Year
United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances	1988
Cooperation Agreement with the United States of Mexico to Combat Drug Trafficking and Drug Dependence	1989
Regional Cooperation Agreement for the Eradication of Illicit Drug Trafficking (OAS)	1990
Agreement with Colombia on the Prevention, Control, Prosecution and Repression of the Abuse of and Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and their Precursors and Specific Chemicals	1991
Agreement with Jamaica to Combat Drug Trafficking and Drug Dependence	1992
Agreement with Chile on the Prevention, Control, Control and Suppression of the Abuse of and Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and their Precursors and Chemicals	1992
Agreement with Argentina on Mutual Legal Assistance against Illicit Drug Trafficking	1992
Framework Treaty for Democratic Security in Central America (SICA)	1995
Agreement between Central America and the Dominican Republic on Drugs and Money Laundering, Prevention and Suppression of Money Laundering Crimes, Illicit Drug Trafficking and Related Offenses	1997
Central American Convention for the Prevention of Money Laundering and the Laundering of Assets related to Illicit Drug Trafficking and Related Offenses (SICA)	1997
Cooperation Agreement for the Fight against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Related Offenses signed with Paraguay	1997
Cooperation Agreement with the United States to Suppress Illicit Drug Trafficking	1998
Agreement with Peru to Combat Drug Abuse, Production and Illicit Trafficking of Drugs	1999
United Nations Convention against Transnational Organized Crime	2001
Agreement with Panama on the Exchange of Financial Information Relating to Money Laundering	2001
Agreement with Argentina on Mutual Legal Assistance against Illicit Drug Trafficking	2008
Cooperation Agreement for Central American Regional Security Initiative (CARSI)	2009
Agreement between Costa Rica, Colombia, and United States to to develop the Sowing Security Strategy	2018
Security Cooperation Agreement with Panama	2018

Through international cooperation alliances, Costa Rica's fight against drug trafficking has benefited not only financially, but also technically. For example, Costa Rica received assistance from the Merida Initiative launched by the administration of former U.S. President George Bush in 2007 to combat drug trafficking.²²⁵ The Merida Initiative, or Plan Merida, with an aid fund of \$1 billion, seeks to provide Mexican, Central America, and Caribbean security forces with opportunities for professionalization, equipment purchases, and intelligence assistance.²²⁶ Under this initiative, in 2010, the U.S. government agreed to provide approximately \$9 million in assistance to Costa Rican security forces.²²⁷

Likewise, through the Central American Regional Security Initiative, the United States financially contributes to Central American countries to reduce crime and violence, as well as to strengthen government institutions.²²⁸ Resulting from these initiatives, Costa Rica has strengthened the level of professionalization of its police forces with training programs and improved the investigative and prosecutorial capabilities of the judiciary.²²⁹ Moreover, economic assistance has enabled the country to purchase and upgrade equipment for its security forces and strengthen its interdiction capabilities with U.S. assistance.²³⁰ In this sense, international cooperation becomes essential for Costa Rica's fight against all forms of organized crime, increasing the chances of success in the strategies implemented to combat it. Kofi Annan's words are accurate in this context, when

²²⁵ Committee on Foreign Relations, "The Merida Initiative: 'Guns, Drug and Friends,'" December 21, 2007, <https://www.govinfo.gov/content/pkg/CPRT-110SPRT39644/html/CPRT-110SPRT39644.htm>.

²²⁶ Todd Turner, "Crisis in Mexico: Assessing the Merida Initiative and Its Impact on US-Mexican Security" (Fort Belvoir, VA: Defense Technical Information Center, April 1, 2009), vi, <https://doi.org/10.21236/ADA539603>.

²²⁷ "Costa Rica Recibe Más Ayuda de EE. UU. En Lucha Contra Narcotráfico," *Nacion*, accessed May 1, 2021, <https://www.nacion.com/sucesos/costa-rica-recibe-mas-ayuda-de-ee-uu-en-lucha-contra-narcotrafico/RUPEJ4ODPJFJVI5SPSEHUQMZOM/story/>.

²²⁸ The White House Office of the Press Secretary, "Fact Sheet: United States Support for Central American Citizen Security," whitehouse.gov, May 4, 2013, <https://obamawhitehouse.archives.gov/the-press-office/2013/05/04/fact-sheet-united-states-support-central-american-citizen-security>.

²²⁹ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, "International Narcotics Control Strategy Report, 2019," 126.

²³⁰ U.S. Department of State and Bureau for International Narcotics and Law Enforcement Affairs, 124.

he stated, “With enhanced international cooperation, we can have a real impact on the ability of international criminals to operate successfully and can help citizens everywhere in their often bitter struggle for safety and dignity in their homes and communities.”²³¹

²³¹ United Nations, “United Nations Convention Against Transnational Organized Crime and the Protocols Thereto” (2004), iv, <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>.

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V. CONCLUSIONS

Costa Rica consolidated exceptionalism through decades of comparison with other nations. The first traits of Costa Rica's exceptional concept date back to colonial times and strengthened with the country's democratic transition. The economic and social progress and setbacks that flooded Costa Rica in the 20th century eventually led to the entrenchment of the democratic state.²³² Yet, the democratic stability achieved does not equate to an absence of conflict, but unlike the rest of Latin America, its democracy held firm, even amid the convulsive Cold War and political pressures.

Consistent with the literature reviewed, economic, social, and political development emerged as the main precursors of Costa Rica's exceptional image. The political evolution that took place in the country after the Revolution of 1948 established new legal mechanisms and the transformation of the structure of the state's powers. Legal changes of this period include the Political Constitution of 1949, which solidified, among other aspects, the electoral system, institutional development, and Costa Rican's civil rights. In turn, the improvement in the quality of life of the average Costa Rican, the abolition of the army, the absence of war, and democratic stability jump up in juxtaposition with the rest of Latin America. These qualities are what give life to and solidify the exceptional character of the Costa Rican reality.

Furthermore, the qualities that have given life to Costa Rica's exceptionalism have succeeded in taking root in the hearts of Ticos and Ticas, making them avid defenders of their "uniqueness" and national identity, as well as its main critics. To maintain its exceptional status, Costa Rica faces the challenge of continuing to evolve and compete to maintain the conditions that differentiate it from the rest of the region.

The information gathered demonstrates that drug trafficking and its trail of criminality defy the characteristics that construct the exceptional Costa Rican identity. The illicit nature of drug trafficking, organizations, and activities have proven to have great

²³² Programa Estado de la Nación, "La Estabilidad Democrática En La Costa Rica Contemporánea.," Auditoria Ciudadana sobre la Calidad de la Democracia, 2001, 136.

disruptive capacity in the democratic, economic, and social stability of a country as their presence increases in the territory.²³³ The 1980s marked the onset of the evolution of drug trafficking in Costa Rica, linked to the effects of U.S. anti-drug policies and the country's geographic location in relation to drug consumers and suppliers. The same period also marks the beginning of the legacy of drug trafficking on the social, institutional, and political stability of the Costa Rican state.

Criminal activities have marked Costa Rica's emergence as a pivotal logistical location for drug trafficking, evidenced by acts such as corruption. Due to the nature of its illicit activities, drug trafficking seeks to expand and legitimize its criminal operations. Inserting itself into state structures and corruption is one of its tools to achieve this. The strength of drug trafficking in Costa Rica has expanded since the 1980s, when the first links between the political class and drug cartels were exposed.

Moreover, as the presence of drug trafficking increases in the country, corruption continues to spread from the highest levels of authority to the lowest, seeding itself more deeply in Costa Rican institutions. The continuous rising of cases in which Costa Rican politicians and authorities have been associated to a greater or lesser extent with drug trafficking has lowered citizens' confidence in their political system and institutions.²³⁴ Although Costa Rica remains among the least corrupt countries in Latin America, the increase in corruption rates not only threatens this status but also weakens the capacity of its institutions and the country's democratic stability.

The illegal drug trade and corruption have also increased the amount of illegal economic activities within the Costa Rican financial system. Following the progressive increase of suspicious economic activities linked to the drug trade, as of 2020, the United States blacklisted Costa Rica as one of the major money laundering countries. This

²³³ Programa de las Naciones Unidas para el Desarrollo and Agencia Española de Cooperación Internacional para el Desarrollo, eds., *Informe regional de desarrollo humano: diagnóstico y propuestas para América Latina. 2013–2014: Seguridad ciudadana con rostro humano* (Buenos Aires: Programa de las Naciones Unidas para el Desarrollo, 2013), 50.

²³⁴ Jorge Vargas Cullell, Luis Rosero Bixby, and Mitchell A. Seligson, *La cultura política de la democracia en Costa Rica: 2006* (San José, C.R: Centro Centroamericano de Población (CCP) de la Univ. de Costa Rica, 2006), 45–46.

qualification adds to the detriment of the country's financial health caused by money laundering, derived from economic losses due to tax evasion and tax fraud. Deteriorating economic conditions in the country may also deter foreign investment, which has a direct impact on the generation of sources of employment. Likewise, the impoverishment of the state economy directly impacts society by destabilizing the national budget and social aids, limiting the state's capacity to act. Therefore, the intrusion of drug trafficking into the Costa Rican economy represents a major threat to its development and stability.

Finally, the spread of drug trafficking networks is one of the most profound threats facing Costa Rica, due to the violence that accompanies their activities. The development of drug trafficking in Costa Rica has placed it on the list of countries with the highest drug transit through its territory; this increase in the flow of drugs by air, sea, and land has also triggered the proliferation of criminal organizations in the country. These criminal networks' positioning has led to an increase in extortion, violence, and homicide rates, with homicide rates associated to a greater extent with territorial struggles within these same networks. Hence, the rise in violence levels undermines society's sense of security and the peaceful image that the Costa Rican state has had for decades. Faced with this scenario, the government is obliged to redirect public expenditures to ensure the containment of crime, reducing the state's capacity to invest in other areas, such as health or education. Despite Costa Rica's lower crime and violence rates compared to the rest of Central America, the advance of drug trafficking and its destructive effects have diminished its exceptionalism and brought it closer to the reality of its neighboring countries.

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