

Containing Large-Scale Criminal Violence Through Internationalized Prosecution: How the Collaboration Between the CICIG and Guatemala's Law Enforcement Contributed to a Sustained Reduction in the Murder Rate

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Abstract

How do post-conflict societies contain large-scale criminal violence when state security forces that committed atrocities during a civil war remain unpunished and become key players in the criminal underworld? This article explores the impact on violence reduction of internationalized prosecution (IP): cooperation agreements between an international organization and a country's public prosecutors to dismantle state-criminal networks through judicial action. We assess the IP process by which the United Nations–sponsored International Commission Against Impunity in Guatemala (CICIG) and Guatemala's law enforcement dismantled over 70 criminal

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structures led by death squads and the civil war military establishment. Using synthetic control models, we estimate that Guatemala's IP process plausibly prevented the occurrence of between 20,000 and 30,000 homicides, from 2008 until 2019. Case studies show how IP contributed to violence reduction by removing criminal structures and deterring both state-criminal collusion and the state's use of iron-fist militarized policies against crime.

Keywords

large-scale criminal violence, state-criminal structures, internationalized prosecution, International Commission Against Impunity in Guatemala, Guatemala

One of the most surprising developments in countries that transition from authoritarian rule to democracy and in societies overcoming civil war is the outbreak of major waves of large-scale criminal violence (Arias and Goldstein, 2010; Cruz, 2011; Yashar, 2018). In several Latin American countries, criminal wars—armed conflicts by which states fight organized criminal groups (OCGs) and OCGs fight among themselves for control over illicit economies and territories—have emerged as one of the most lethal types of conflict in the world today, surpassing the death toll of the typical civil war of the second half of the 20th century (Lessing, 2017; Trejo & Ley, 2020). While students in the social sciences have recognized this phenomenon and are beginning to explain its main drivers, we know little about the policies by which governments and societies can contain large-scale criminal violence and build self-sustaining peace.

In this article, we investigate a remarkable reduction of large-scale criminal violence that took place in Guatemala between 2008 and 2019. After transitioning to democracy in 1986 and signing a peace agreement that ended a 36-year civil war in 1996, Guatemala experienced a dramatic outbreak of criminal wars and large-scale criminal violence and by 2008 had become one of the world's deadliest countries with a homicide rate of 46.7 murders per 100,000 population (Brockett, 2019; Cruz, 2011). In the next decade, however, Guatemala experienced a sustained decline in the murder rate, reaching 25 murders per 100,000 in 2019. A substantial and sustained reduction in large-scale criminal violence in such a short period of time is surprising because in most cases, a dramatic reduction is followed by a major relapse (Cruz & Durán-Martínez, 2016).

Sociologists have long suggested that improvements in socioeconomic conditions that foster *community cohesion* (e.g., reduction in poverty, inequality, lop-sided demographic structures, proportion of mono-parental households, and education deficits) can drive homicide rates down

(Sampson, 1993). Political economists have argued that changes in criminal markets that inhibit *criminal competition* can reduce murder rates (Reuter, 2009). Security scholars have claimed that changes in state security policies, favoring *conditional crackdowns* on OCGs (Lessing, 2017) or even direct negotiations (Cruz & Durán-Martínez, 2016) instead of military confrontation, can contain large-scale criminal violence. Students of democracy have held that institutional reforms that confer greater *judicial independence* from executive power and introduce greater *internal and external civilian controls over the police and the military* may stimulate the use of judicial strategies, rather than military ones, to dismantle OCGs and reduce criminal violence (González, 2020; Yashar, 2018).

Guatemala's major reduction in large-scale criminal violence is theoretically puzzling. None of the socioeconomic drivers typically associated with criminal violence underwent any significant change as the country's homicide rate steadily declined between 2008 and 2019. Moreover, the decline of the murder rate began in 2008 at a time when Mexican drug cartels—including the Zetas and the Sinaloa Cartel—made a decisive move into Guatemala and engaged in deadly territorial battles over the control of drug trafficking routes (Dudley, 2011). And Guatemala had previously experienced a dramatic increase in criminal violence in the early 2000s, even though the country had introduced a series of legal reforms intended to equip the Public Prosecutor's Office (Ministerio Público, MP) and the National Police to effectively confront OCGs through new tools of investigation and prosecution.

We suggest that an ambitious process of internationalized prosecution (IP)—by which the United Nations–sponsored International Commission Against Impunity in Guatemala (CICIG) working together with teams of Guatemalan special prosecutors and the police dismantled over 70 criminal structures from 2008 to 2019—contributed in decisive ways to containing large-scale criminal violence and to the sustained reduction of Guatemala's murder rate. Operating under Guatemalan law, this international-domestic partnership dismantled multiple state-criminal networks of elite members of the military, the police, and death squads who had been at the forefront of the counterinsurgency campaign that led to genocide during the civil war and had morphed into the criminal underworld after the war to become leading actors in the production of large-scale criminal violence (Peacock & Beltrán, 2003).

Internationalized prosecution is a strategy of joint cooperation between an international organization and a host country to investigate and prosecute state security forces that have 1) colluded with OCGs to create powerful criminal structures, 2) established tight controls over illicit economies through force and widespread human rights violations, and 3) gained control over ordinary institutions of justice to secure impunity. IP is most prevalent in post-conflict societies in which security forces that committed atrocities in autocracy and/or civil war remained intact, morphed in the criminal underworld, and

maintained the power to derail investigations. As [Matanock \(2014\)](#) suggests, IP is “a partial governance delegation agreement” in which local prosecutors acting under their country’s laws are responsible for investigation and prosecution but have the direct support of international actors who play a key technical advisory role in prosecutorial activities, transfer new capacities, and provide them with “soft” security.

Building on the literature on criminal violence, we identify two pathways by which IP can contribute to violence reduction. First, by focusing on dismantling state-criminal networks, rather than killing or arresting criminal bosses, IP contributes to the *removal* of OCGs and to the reduction of competition in multiple criminal markets, driving homicide rates down. Second, by investigating and prosecuting members of the security forces for the unlawful use of state coercive power, IP can be a powerful *deterrent* of state-criminal collusion and of the use of state coercive power either to defend OCGs or to militarily fight them through iron-fist policies. By breaking state impunity, IP can induce behavioral changes in how state specialists in violence use coercive power, contributing to important reductions in the murder rate.

To assess IP’s impact on Guatemala’s striking reduction in homicide rates during the CICIG’s 12-year tenure, from 2008 to 2019, and to empirically unravel the mechanics of this process, we adopt a multi-method research strategy that combines 1) synthetic control methods (SCMs) to quantify the IP violence reduction effect; 2) a sequential analysis of the rise of key actors, institutional reforms, and key accountability shocks behind violence reduction; and 3) case studies of how the IP process proceeded in dismantling criminal structures in three illicit economies and why this drove murder rates down. Rather than focus on one single piece of evidence, our three-pronged strategy allows us to understand IP’s likely impact on Guatemala’s declining murder rate and to trace the process and mechanisms through which it happened.

First, we rely on SCM to evaluate IP’s net impact on the trajectory of Guatemala’s homicide rate against a counterfactual scenario in which the country would have had no access to an IP process. Results show that IP contributed in significant ways to slowing down Guatemala’s rising murder rate: had Guatemala not adopted the CICIG, the country would have experienced between 35 and 51% more homicides than it actually did from 2008 until 2019. The gap between Guatemala’s murder rate (with the CICIG) and its counterfactual (without the CICIG) shows that over the course of 12 years the IP process helped prevent between 20,000 and 30,000 murders. Violence reduction was not immediate; it began only after the CICIG had contributed to develop the domestic institutional and human infrastructure to dismantle state-criminal structures. We also assess the CICIG’s impact on human rights violations and find that IP also contributed to slow down state repression.

Second, to anchor the SCM findings historically, we present a timeline of the sequential development of the anti-impunity coalition in Guatemala's law enforcement agencies, the approval of the institutional reforms that empowered them to work with the CICIG in dismantling powerful criminal structures, and the corresponding decline in murder rates and human rights violations.

Lastly, we use three case studies to assess how IP contributed to Guatemala's sustained reduction in homicide rates by dismantling criminal structures in key areas, including 1) drug trafficking; 2) *sicariato* (murder-by-hire); and 3) military administrative corruption.

In the first case study, we show how Guatemala removed the Zetas—the powerful Mexican private militia that sought to take control over Guatemala's drug trafficking industry—through judicial action. Unlike Mexico's militarized strategy of leadership decapitation, which resulted in a dramatic increase in competition and violence, the CICIG and the MP prevented a bloodshed by dismantling the Zetas' linkages with military, police, political, and economic elites. In the second study, we assess the CICIG's key co-prosecutorial role in dismantling most of the *sicariato* structures working for drug traffickers and landowners and serving as the clandestine armed branch for the police and the penitentiary system in social cleansing campaigns against youth gangs, ordinary criminals, and community leaders. In the third study, we assess how the CICIG and the MP dismantled multiple administrative corruption schemes led by the top leaders of the civil war military establishment—including former and incumbent presidents and ministers—who used their positions of power for personal financial gain. Ending impunity for these high-profile figures became a powerful deterrent against the abuse of state coercive power and the use of counterproductive militarized iron-fist policies to fight drug cartels and street gangs.

The article is structured in five sections. Drawing on Guatemala's experience, we first explain what IP is and how it works. We then outline a theory of IP that discusses the context in which countries request it and why it can contribute to violence reduction. In the third section, we present our quantitative findings, and in the fourth section, we explain how the IP process unfolded historically and through case studies explain the mechanics of violence reduction. In the conclusion, we discuss IP's contribution to peace building in post-conflict societies and how dismantling state-criminal networks through judicial action can be a viable alternative to war.

What Is Internationalized Prosecution? Using Guatemala and the International Commission Against Impunity in Guatemala as Analytic Building Blocks

Internationalized prosecution is a strategy of joint cooperation between an international organization and a host country's domestic institutions, mainly

the Prosecutor's Office and the National Police, to investigate and prosecute cases of state-criminal collusion, human rights violations, and white-collar corruption. It belongs to the family of "governance delegation agreements," whereby an international treaty grants an external actor legal authority within a host state (Matanock, 2014). As such, IP is substantively different from interventions or international trusteeships (Lake & Fariss, 2014) in that it requires the initiative and consent of the host country to grant authority to an external actor. Although similar in structure, IP is also substantively distinct from hybrid tribunals (Dickinson, 2003) in that it focuses on the development of prosecutorial and investigative capacities, rather than on the adjudication of disputes.

Approved by a voluntary contractual agreement between the UN and the Guatemalan government in December 2006 and ratified by Guatemala's Congress in August 2007, the CICIG was created as an independent international entity that operated under Guatemalan law and whose mandate was to 1) "support," "assist," and "cooperate" with the state of Guatemala in dismantling the CIACS (or Illegal Security Groups and Clandestine Security Organizations, that Guatemala's military junta sponsored to conduct the counterinsurgency and genocidal campaigns during the civil war and which survived the peace agreement and morphed the criminal underworld) and 2) combat the impunity that allowed the CIACS to control illicit economies through corruption and gross human rights violations (United Nations, 2006).

The CICIG's hybrid nature was the contingent outcome of a complex political negotiation. As in other international treaties (Simmons, 2009), the resulting IP arrangement in Guatemala reflected domestic social and political preferences. On one side, in the context of the proliferation of the CIACS and high murder rates, Guatemalan human rights NGOs demanded a new UN intervention to assist the country in containing post-conflict criminal violence (Peacock & Beltrán, 2003). They initially favored an international model in which foreign prosecutors would be granted extraordinary investigative and prosecutorial powers to dismantle criminal structures because they believed Guatemala's judicial institutions had been captured by the CIACS. On the opposite side, Guatemalan political elites—under UN pressure and military pressure at home—preferred a hybrid model. As Nery Rodenas, director of the Human Rights Office of the Archdiocese of Guatemala (ODHAG), explained to us, elites strongly believed that in a hybrid model "they could neutralize the activities of the CICIG using their traditional controls over the MP, the police, and the courts."¹

Despite the UN's long collaboration with Guatemala's human rights community, UN officials favored a hybrid model, rather than a pure international intervention, because it was more consistent with UN principles. As expressed in multiple official documents, the UN strongly favored an approach to rule of law assistance in which "process leadership and decision-

making [remained] in the hands of national stakeholders” (United Nations, 2008). In the end, a compromise prevailed: NGOs conceded to a hybrid model and in exchange elites agreed that the CICIG could act as co-prosecutor in special cases. Crucially, the agreement prevented the CICIG from prosecuting crimes committed during the civil war; its mandate included only post-conflict corruption, criminality, and human rights violations.

Situating the International Commission Against Impunity in Guatemala in the Broad Landscape of Prosecution

To appreciate the novelty of Guatemala’s IP process under the CICIG, we need to place it within the broader landscape of prosecution. Table 1 identifies the dominant models of criminal prosecution. Following Sikkink (2011), we distinguish three types of prosecution depending on who prosecutes: exogenous (international actors), endogenous (domestic actors), and hybrid (joint international and domestic actors or *internationalized*). And following Peacock and Beltrán (2003), we distinguish four mandates depending on the charges for prosecution: corruption, criminality, and gross human rights violations as separate phenomena, plus the intersection of these.

Who Prosecutes? *Exogenous interventions* generally focus on prosecution for international crimes (e.g., crimes against humanity, war crimes, and genocide) in countries where state leaders fail to recognize the atrocities and to bring the perpetrators to justice. For example, the International Criminal Court (ICC) only intervenes when sovereign states fail to prosecute perpetrators for atrocities (Roht-Arriaza, 2005). Before the ICC, following the influential Nuremberg Trials, a number of ad-hoc international tribunals were set up by the UN and/or third parties to prosecute and sentence state leaders responsible for genocide or war crimes (e.g., Slobodan Milošević) (Sikkink, 2011). Other forms of exogenous prosecution include extraditions from a home country to a foreign country, as has been the case in extraditions of dictators for gross human rights violations (e.g., Spain’s request to extradite Chilean dictator General Augusto Pinochet; see Roht-Arriaza, 2005) or for organized criminal activities (e.g., the extradition of drug lords from Colombia and Mexico to the United States; see Lessing, 2017). Domestic prosecutors and courts play a marginal role, and judicial investigations and sanctions are primarily in the hands of foreign actors.

Endogenous prosecution for corruption (e.g., white-collar corruption in Brazil), criminality (e.g., drug trafficking in Mexico), and human rights violations (e.g., Peru) have been mainly subjects of domestic law. These are cases in which local public prosecutors conduct investigations, prosecute the cases, and the courts sanction individual perpetrators. While prosecutors may rely on international rulings that enable prosecution (González-Ocantos,

Table 1. Different Models of Prosecution by Source of Intervention and Mandate.

	Corruption	Criminality	Gross Human Rights Viol.	Corruption/ Criminality/ Gross Human Rights Violations
Exogenous				
International prosecution (e.g., UN)			ICC Ad-hoc international tribunals	
Foreign prosecution (e.g., US; Spain)		Extradition of drug lords to US (Carlos Lehder/ Colombia)	Extradition of dictators or military officials to Spain (General Pinochet/ Chile)	
Endogenous				
Domestic prosecution	Brazil (Lava Jato)	Mexico (Drug Lords)	Peru (President Fujimori)	
Hybrid				
Internationalized prosecution (joint internat. org., e.g., UN or OAS, and domestic prosecutor)	MACCIH CICIES			CICIG

ICC = International Criminal Court; MACCIH = International Mission against Corruption in Honduras; OAS = Organization of American States; CICIES = International Commission Against Impunity in El Salvador.

2016), the investigation, prosecution, and sentencing are exclusively domestic processes in which international actors play no direct role.

Hybrid prosecution entails the joint cooperation of international organizations (e.g., the UN or the OAS) and a country's law enforcement authorities to investigate and prosecute members of criminal structures (CICIG) or networks of white-collar corruption (MACCIH in Honduras or CICIES in El Salvador). Unlike exogenous prosecution, in which domestic institutions play a marginal role and international actors operate under international norms or under the law of a foreign country, in IP processes the leading actors are

domestic prosecutors and judges. International actors can train, protect, insulate, and empower domestic law enforcement agents, but domestic actors operating under national laws lead judicial processes. In the CICIG's case, the UN-appointed personnel played an advisory role, accompanied domestic prosecutors, and sometimes took on co-prosecutorial roles, but Guatemalan prosecutors always made the final calls. The CICIG had no involvement in the courts. Its mandate was circumscribed to investigation and prosecution, unlike the hybrid tribunals of Timor Leste and Sierra Leone, in which foreign and domestic judges were involved in jointly trying and sentencing perpetrators through ad-hoc tribunals. Although CICIG personnel worked hand in hand with Guatemalan law enforcement to investigate and prosecute members of state-criminal networks, Guatemala's courts had the final say on adjudicating criminal responsibilities.

Who Is the Object of Internationalized Prosecution? A key innovation in Guatemala's IP model was that the CICIG and its domestic partners did not exclusively focus on individual criminals but on *criminal structures*. Instead of thinking about perpetrators of state violence, corrupt state officials, or criminal lords as isolated actors, the IP model considered them as individuals connected through networks of corruption, criminality, and human rights violations.

The concept of clandestine criminal structures in Guatemala was first discussed in the Catholic-sponsored truth commission—Guatemala's Historical Memory Project, or REMHI, led by ODHAG and Bishop Juan Gerardi—which focused on atrocities committed during the civil war. In accounting for hundreds of massacres in which entire Mayan villages were wiped out, the REMHI report identified the methodic work of clandestine death squads (Beristain, 1998). As illustrated in Figure 1, the CIACS were death squads formed by former members of elite military forces (*Kaibiles*) who were under the direct supervision of the highest echelons of the military and the secret service (Vela Castañeda, 2014). REMHI not only demonstrated the existence of these clandestine structures linked to the formal security apparatus but named some of their leading members. In retaliation, Gerardi was brutally assassinated a few hours after the public release of the report in 1998.

The investigation and prosecution of Gerardi's murderers, and the parallel judicial investigation of the 1990 murder of anthropologist Myrna Mack, a staunch indigenous rights' defender, confirmed the existence of these clandestine networks that connected death squads with the military, the Office of the President, and the criminal underworld. After the peace agreement, the CIACS took a central role in the development of clandestine networks of state officials, military and police officers, and elected politicians that became key players in the criminal underworld (Peacock & Beltrán, 2003). These criminal

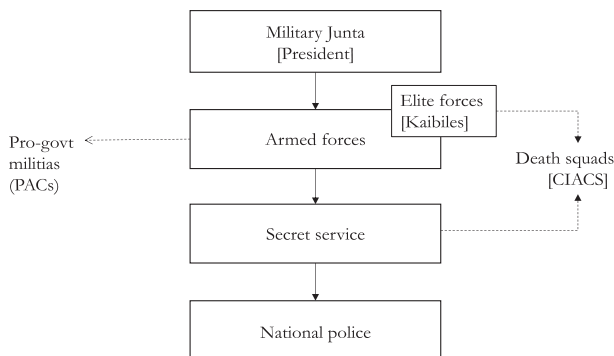


Figure 1. Guatemala's security apparatus in dictatorship and civil war.

structures proliferated after the war and entered into intense battles for the control over multiple illicit economies. As Judge Yassmín Barrios, who led the trials of Colonel Byron Lima for the assassination of Gerardi, General Ríos Montt for genocide, and President Pérez Molina for grand corruption, put it: “Members of the armed forces [who committed atrocities during the civil war] did not go away; they morphed into new criminal structures and engaged in extortion, drug trafficking, and human smuggling.”

Figure 2 provides a stylized illustration of the criminal structures that connected death squads and members of the army and police with corrupt government officials and OCGs.

While Guatemala's leading human rights organizations recognized the separate existence of independent networks of white-collar corruption (a), ordinary crime (b), and state human rights violations (c), their focus was on the actors, associations, and violations that took place at the intersections. They were concerned with the space where the spheres intersected, giving rise to powerful state-criminal networks: zone d, where state officials and mayors were on the payrolls of families of traffickers and transnational drug cartels, or where state officials directly led criminal industries; zone e, where high-ranking members of the military and police and the CIACS colluded with state officials in running corruption rings; zone f, where top security officials and the CIACS in collusion with OCGs committed gross human rights violations; and zone g, where high-ranking military and police officers and the CIACS colluded with OCGs and under the protection of state officials engaged in major illicit activities and killed anyone who opposed them. The intersections not only generated more violent contexts but created powerful shadow structures that were difficult to dismantle because they were led or protected by the very state agents who were in charge of investigation and prosecution.

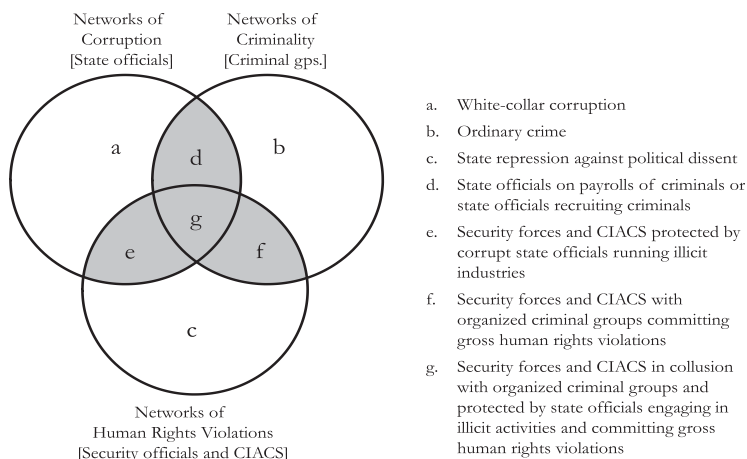


Figure 2. State-criminal structures in Guatemala.

The CICIG's mandate was to assist and support Guatemala's law enforcement institutions in dismantling the criminal structures in zones **d**, **e**, **f**, and **g**.

How Did the International Commission Against Impunity in Guatemala Operate?

To fulfill its mandate, the CICIG operated on a two-level game: it assisted and cooperated with Guatemala's law enforcement institutions to investigate and prosecute members of state-criminal structures, and at the same time it promoted the legal changes that equipped the Guatemalan judicial system with the institutional means to dismantle these criminal networks.

Led by a commissioner appointed by the UN secretary-general, the CICIG had three commissioners: Carlos Castresana (Spain, 2007–2010), Francisco Dall'Anese (Costa Rica, 2010–2013), and Iván Velásquez (Colombia, 2013–2019).² They worked with a multinational team of prosecutors, paralegals, investigators, administrators, and security personnel that fluctuated between 150 and 200 employees; 20–50% of them were Guatemalans. Internally, investigation and prosecution were the CICIG's main organizational units.

Figure 3 shows how IP worked. The CICIG played a central role introducing a *new paradigm of investigation and prosecution*. Following principles of strategic litigation and macro-criminality, this new approach promoted the identification and prosecution of members of state-criminal structures (rather than isolated individuals); patterns of inter-related crimes and human rights violations (rather than isolated crimes); and the development

of interdisciplinary teams of police investigators and specialized prosecutors (rather than isolated law enforcement agents) that through the use of intelligence and scientific methods dismantled entire criminal structures (rather than only the criminal bosses).

To undertake this joint task, the CICIG *identified and trained their co-partners in the MP and the police* and crucially contributed to the development of a powerful anti-impunity coalition. The commission promoted major legal changes to equip and train Guatemalan agents in novel methods of investigation (macro-criminality, wiretapping, context analysis, network analysis, data science, and forensic science) and prosecution (strategic litigation, surveillance, undercover agents, plea bargain agreements, and witness protection). And it encouraged the development of special prosecutors (e.g., anti-impunity, human rights, and organized crime) and specialized units with like-minded officials to increase *inter-institutional coordination* and help the MP and the police overcome information asymmetries inherent to the dismantling of clandestine criminal structures. Through public *exposure and vetting*, the CICIG sought to change the domestic balance of power in Guatemala's law enforcement agencies: to weaken the pro-impunity coalition in the MP, the police, and the courts, and empower the anti-impunity crusaders. The CICIG's presence provided "soft" (symbolic) *protection and insulation* to everyone involved in dismantling powerful state-criminal structures.

Over the course of 12 years, the CICIG, the MP, and the police identified and investigated over 70 criminal structures and led over 120 investigations, which resulted in more than 1540 individual accusations and 400 sentences—including incumbent and former presidents, ministers, and other high-ranking government and military officials and mayors—and in the removal of 1700

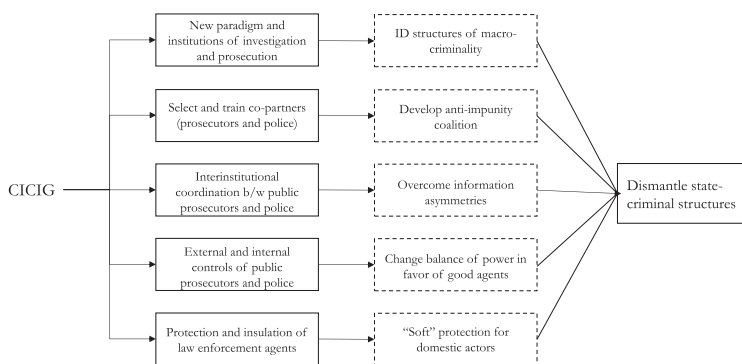


Figure 3. Internationalized prosecution under the CICIG in Guatemala.

police officers and over 50 public prosecutors, who had played a key role in the everyday operations of criminal structures (CICIG, 2019; Open Society, 2016).

A Theory of Internationalized Prosecution

Scholars of criminal violence have identified opportunities for violence reduction in the adoption of policies that 1) improve community cohesion (Sampson, 1993); 2) reduce criminal competition (Reuter, 2009); 3) increase state presence in communities via public goods provision (Neumayer, 2003); 4) undermine state complicity with OCGs through institutional reforms (Yashar, 2018); and 5) discourage the use of the iron-fist policies (Lessing, 2017) and promote conditional negotiations (Cruz & Durán-Martínez, 2016).

We claim that IP can be an additional mechanism of violence reduction that complements, rather than substitutes for, other mechanisms. IP can contain violence by affecting competition in criminal markets (2), deterring state complicity with criminals (4), and preventing the use of iron-fist policies (5). To understand how this may happen, we need to first explain the contexts in which the demand for IP is likely to emerge, the production of violence in these contexts, why IP is better suited than international or domestic interventions, and how IP contributes to violence reduction.

Scope and Context

A societal demand for IP is most likely to emerge in countries that have transitioned from authoritarian rule to democracy, or from civil war to peace, without properly addressing their repressive history through robust transitional justice processes (Trejo et al., 2018) or major security sector reforms (Cruz, 2011). In these illiberal democracies, authoritarian state security forces become key players in the criminal underworld, in the production of violence, and in the outbreak of multiple criminal wars.

Consider the cases of authoritarian regimes with long histories of internal armed conflicts in which state leaders offer a blank check to the military, the police, and the secret service to brutally repress political dissidents and even develop clandestine armed groups to safeguard the regime. In exchange for their service, autocrats provide these state specialists in violence with impunity for gross human rights violations and nurture their loyalty by allowing them to engage in and profit from illicit economies (Trejo & Ley, 2020). When these countries transition from authoritarian rule to democracy, or from war to peace, without properly dismantling these state-criminal networks, authoritarian state specialists in violence become leading players in illicit economies and in the production of large-scale criminal violence.

Producing Large-Scale Criminal Violence

Large-scale violence and the outbreak of criminal wars in post-authoritarian and post-conflict societies are intimately tied to the survival of authoritarian state specialists in violence. Those who defect to the criminal underworld and become leaders of private militias for narcos and traffickers often engage in bitter turf wars. As scholars of criminal violence have shown, the proliferation of private armies stimulates *criminal competition*, the outbreak of multiple turf wars, and the dramatic escalation of murder rates (Trejo & Ley, 2020). Those state specialists in violence who stay in the state security sector crucially contribute to the perpetuation of counterinsurgent repressive practices and their transformation into iron-fist policies used against political dissidents, social movement leaders, and members of street gangs (Cruz, 2011). As Flores-Macías (2018) shows, the use of iron-fist policies is counterproductive: not only do OCGs and street gangs enter into arms races and escalate violence to repel the state, but by upsetting the criminal balance of power unconditional crackdowns open opportunities for more intense turf wars among OCGs.

Demanding and Consenting to IP

Demands for extraordinary justice often originate in human rights movements and families of victims (Sikkink, 2011) and become more effective when they have a history of engagement with international organizations. This pressure from below may emerge when existing security and justice institutions are incapable of providing justice and deterring violence and human rights violations and when most of them are complicit with OCGs, rendering domestic criminal prosecution ineffective. Movements demand IP when they know from their everyday engagements with state authorities that there are few law enforcement agents willing to fight for accountability and that those who are willing lack the technical expertise, legal instruments, and power to break state impunity. These movements' goal is that international organizations—through an IP process—transfer technical capacities to local anti-impunity agents; reduce the ability of members of state-criminal structures to capture, subvert, and boycott the functioning of prosecutorial action; and change the domestic balance of power between anti- and pro-impunity actors.

Complicit state authorities will in principle reject any international involvement in prosecutorial activities that may implicate them but will concede when domestic and international pressure becomes too powerful and when they miscalculate the IP efficacy—when state elites believe that IP will not produce groundbreaking changes in criminal investigation and prosecution because they can manipulate domestic institutions and thus subvert the process and use it in their favor. Existing research suggests that treaty ratification is a relatively cheap decision that signals commitment to an

international norm (Hathaway, 2002; Nielsen & Simmons, 2015). Because it is a low-cost opportunity and state agents overestimate their ability to circumvent IP, its adoption can be used “to offset pressure for real change” (Hathaway, 2002: 1935).

Why Internationalized Prosecution Contributes to the Reduction of Criminal Violence

Because IP is invoked in countries with complicit states, in which state-criminal structures are at the center of the production of violence and impunity, international commissions such as the CICIG focus on empowering domestic prosecutors and police agents to dismantle networks of state-criminal collusion. When this works, as Figure 4 shows, it contributes to violence reduction through two mechanisms: removal and deterrence.

Removal. The removal of an entire criminal structure reduces criminal competition. As students of organized crime have shown, reductions in competition for turf are associated with lower levels of violence (Yashar, 2018). To grasp the relative efficacy of removing criminal structures, consider the contrast with the kingpin strategy—a prominent policy in the iron-fist policy toolkit by which the head of a cartel or an OCG is removed. As the literature shows, removing the kingpin often leads to internal power struggles, fragmentation, competition, and outbursts of violence (Calderón et al., 2015). In contrast, a strategy based on dismantling criminal structures would investigate, prosecute, and sentence the cartel boss as well as the security, political, judicial, and financial partners without which the cartel

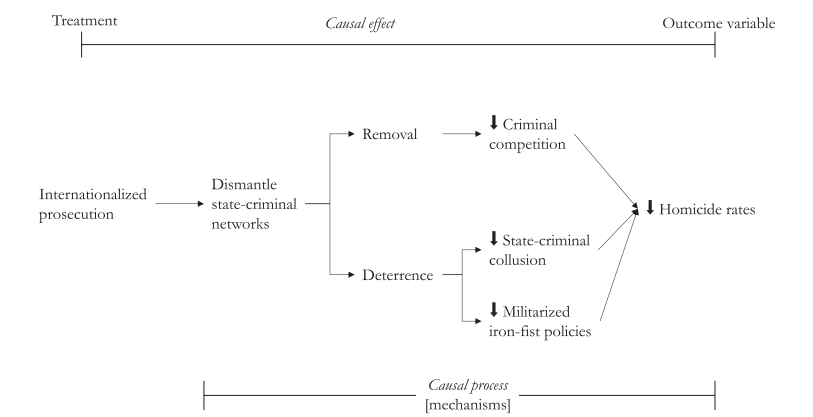


Figure 4. The causal impact of internationalized prosecution on criminal violence.

cannot properly function. By dismantling powerful narco structures, competition declines, turf wars become less common, and murder rates decline.

Deterrence. By dismantling state-criminal structures and sentencing state specialists in violence and members of clandestine security forces, IP becomes a powerful deterrent against the abuse of state coercive power. The public prosecution and sentencing expose state agents involved in criminal structures, break state impunity, and force state security forces to update their beliefs about the probability of getting caught, ultimately driving the levels of violence down. Effective prosecution of perpetrators of gross human rights violations that results in long sentences (Trejo et al., 2018) or imprisonment of high-ranking officials (Dancy et al., 2019) can produce lower levels of human rights violations and criminal violence.

The violence reduction effect of deterrence works through two pathways. First, fewer state specialists in violence are likely to defect to private militias or become *sicarios* for OCGs, and fewer of those who stay in government will be able to provide state protection to private militias that commit atrocities. Second, the dismantlement of state-criminal collusion can curb violence by reducing the presence and influence of state specialist in violence in the formulation of security policies. Existing research suggests that in countries where the military has a preponderant role in decision-making, political repression becomes more common and widespread (Flores-Macías, 2018). As impunity declines, state specialists in violence will have less leeway in the adoption of militarized iron-fist policies to fight crime.

In the next section, we quantitatively assess the IP violence reduction effect in Guatemala and subsequently use qualitative evidence to assess the mechanics of this process.

Quantitative Evidence

Empirical Strategy

One of the main challenges we face in assessing the IP impact on criminal violence is the dearth of comparable cases to that of the CICIG. Because we are unable to conduct large-N cross-national statistical analyses, we engage in a counterfactual analysis of Guatemala's long-term trajectory of the murder rate. We are interested in understanding the potential trajectory of criminal violence in Guatemala in the absence of the CICIG and the IP process. To do so, we use the synthetic control method (SCM), a technique that estimates the effect of a treatment on an outcome by comparing a treated unit against its counterfactual (Abadie et al., 2015).³ SCM operates on the assumption that the pre-intervention characteristics of any treated unit can be more accurately approximated by multiple untreated units than by a single unit. Hence, a

synthetic control is defined as “a weighted average of the units in the donor pool” (Abadie et al., 2015). Given a sample of units (e.g., countries), there is one “treated unit” that has been exposed to an intervention of interest (e.g., a new government program or an international intervention), while the remaining untreated units constitute the “donor pool,” or a set of potential comparison units.

Since we are interested in understanding whether the CICIG and the IP process had any effect on the evolution of violence, we compare Guatemala’s long-term trajectory of homicide rates against a weighted combination of other Latin American countries. Although the CICIG was ratified by Guatemala’s Congress in August 2007, we use 2008, when the CICIG began operations, as the IP initial year. The SCM requires that we restrict the donor pool to countries that in the pre-intervention period resemble Guatemala as much as possible on a number of dimensions that are relevant to the prevalence of homicide rates. It is also important to exclude countries that might have been affected by idiosyncratic shocks or by similar internationalized processes. The weighted average of these countries constitutes our counterfactual case, which we will refer to as *Synthetic Guatemala*. The net impact of the CICIG intervention will be the difference in the annual homicide rate in Guatemala and *Synthetic Guatemala* during the post-intervention period.

Building Synthetic Guatemala

Building the synthetic control requires a series of *predictors* of the outcome variable (criminal violence) and *units* (countries) of the donor pool.⁴ The SCM’s main goal is to choose a series of covariates and units capable of producing a counterfactual that most clearly resembles the pre-treatment (criminal violence) trajectory of the treated unit.

In choosing a series of predictors of Guatemala’s homicide rates, we drew on the cross-national literature on criminal violence (Neumayer, 2003; Rivera, 2016) and included GDP per capita; GDP growth; school enrollment in primary education; income inequality; infant mortality rate; and lagged homicide rates. While this is not an exhaustive list of predictors, as we discuss below, these covariates do a good job of reproducing Guatemala’s trajectory of homicide rates during the pre-intervention period. And let us reiterate: the goal of the SCM is to choose a series of covariates that reproduce *Synthetic Guatemala’s* violence trajectory prior to the CICIG intervention.

Data for our outcome variable, homicide rates per 100,000 population, comes from the World Health Organization and its regional chapter, the Pan American Health Organization⁵—the most comprehensive and systematic source of homicide data in Latin America. Although datasets based on health records and death certificates—such as the PAHO series—may underestimate homicides in some cases, they are more reliable than those based on police

records (Yashar, 2018). Data for our covariates come from the World Bank,⁶ the Standardized World Income Inequality Database, and Varieties of Democracy (V-Dem).⁷ Appendix B summarizes descriptive statistics for all variables.

Once we have selected our predictors of homicide rates, we need to define the units of the donor pool. As we have noted, an important requirement of the SCM is to restrict the donor pool to units that resemble the treated unit as much as possible during the pre-intervention period. In our case, this means selecting a set of Latin American countries that reproduce Guatemala's trajectory of violence between 2002 and 2007, that is, *prior* to the CICIG intervention and the launching of the IP process.

To select the countries of the donor pool, we use lagged values of homicide rates, often the most important predictor of future homicides, as the key criterion for including and excluding countries for the donor pool. Using lagged values of the outcome variable to select the donor pool is a common practice in SCM modeling (Abadie et al., 2015). Concretely, we estimate the percentage change in homicide rates for 17 Latin American countries, between 2000 and 2008, and choose those units which, like Guatemala, experienced a significant upward trend in the levels of violence.

In so choosing, as shown in Appendix B.4, we go from 17 to seven countries in the donor pool: Honduras, Panama, Venezuela, Dominican Republic, Costa Rica, Nicaragua, and Bolivia. Like Guatemala, these countries experienced a substantive increase in violence prior to 2008 and, moreover, are fairly similar in their pre-treatment trajectories of the other covariates.⁸

We excluded El Salvador and Uruguay from the donor pool because the change in homicides during this period is close to zero. We also excluded Mexico because the country experienced a major idiosyncratic shock in 2007, when the Mexican government launched a War on Drugs against the country's main cartels, triggering multiple state-cartel and inter-cartel conflicts that resulted in a sudden increase of lethal violence and in the relocation and/or expansion of cartel operations to new regions within Mexico and abroad (including Guatemala). The dramatic increase in violence in Mexico was not part of a secular trend but the result of a transitory shock caused by the government crackdown on the cartels.

Results from the SCM, reported in Appendix C.1, show the contribution of each covariate and country to the construction of *Synthetic Guatemala*. The results show that lagged homicide rates are the most important predictor and that Panama and Venezuela are the most relevant countries. In the Appendix, we explain that it is not uncommon in SC modeling that a few predictors and units define the counterfactual case.⁹ Crucially, results reported in Appendix C.1 also show the resemblance between the mean values for all predictors of

Synthetic Guatemala and those of Guatemala, suggesting that we have a good counterfactual to assess the likely IP impact on violence reduction.

Main Results

Our central finding, depicted in [Figure 5](#), suggests that the IP process had a sustained effect on the reduction of Guatemala's murder rate. The plot shows the evolution of the homicide rate in Guatemala (the solid line) and *Synthetic Guatemala* (the dashed line) for the 2002–2019 period. From 2002 until 2008, Guatemala and its counterfactual experienced a fairly similar upward trajectory in the homicide rate. However, after the CICIG began operations in 2008, the two cases diverge. Guatemala experienced a steady decline in the murder rate from a peak of 47.2 homicides per 100,000 population in 2009 to 25 by 2019. In contrast, in *Synthetic Guatemala*, which depicts what Guatemala would have looked like in the absence of the CICIG, the murder rate increased and reached its highest point in 2012 with 60 homicides per 100,000 population. A sizeable gap between Guatemala and its counterfactual remains until the commission's final year in 2019, marked by a substantive end-point difference of 21 homicides per 100,000 population.

Robustness Tests

While the empirical results provide important initial evidence that the IP process contributed to a sustained reduction of criminal violence, we confront two potential challenges: confounders and uncertainty around point predictions.

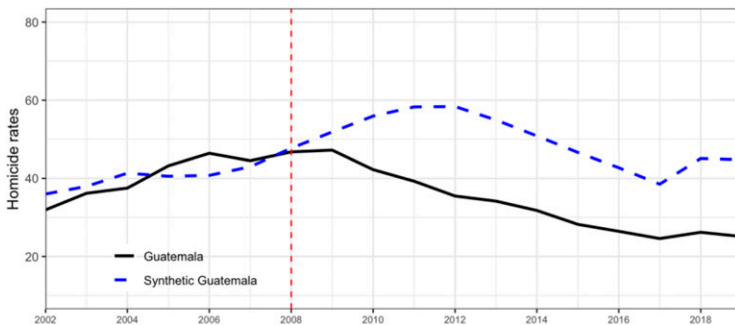


Figure 5. Homicide rates in Guatemala (treated) and *Synthetic Guatemala*, 2002–2019.

Confounders. To show that our findings are not the result of random chance, we ran a series of tests. First, we conducted a permutation test, whereby we constructed a synthetic control for every country in the donor pool, including Guatemala. Figure 6 plots the gaps for homicide rates between each country in the donor pool and its synthetic control: lines closer to zero indicate a smaller effect, while those farther away from zero indicate larger effects of the intervention on the outcome. We exclude Honduras because it had a pre-CICIG gap, Mean Squared Prediction Error (MSPE), of more than twice the MSPE of Guatemala. This strict cutoff limits the analysis to those units of the donor pool that have a good pre-treatment model fit. Even after doing so, Figure 6 shows that the largest and most consistent effect of CICIG's intervention and of the IP process took place in Guatemala, after 2008, and not in the other countries from the donor pool.

We also calculated the ratio between post-CICIG and pre-CICIG Root Mean Square Prediction Error (RMSPE) for Guatemala and all the countries in the donor pool. The RMSPE captures the lack of fit between a particular country and its synthetic control, both before and after the intervention. One should expect a large post-intervention RMSPE (e.g., growing gap between unit x and its synthetic control caused by the intervention) and a small pre-intervention RMSPE (e.g., tighter gap between unit x and its synthetic control). The larger the ratio of post- and pre-intervention RMSPE, the more confident we can be that the observed effect is substantive and not driven by chance. As indicated in Figure 7, Guatemala has the largest RMSPE ratio among all countries from the donor pool and the post-CICIG gap is five times larger than its pre-CICIG gap. Moreover, the probability of randomly picking a country with a ratio as high as Guatemala's would only be about $1/8 = 0.125$.¹⁰

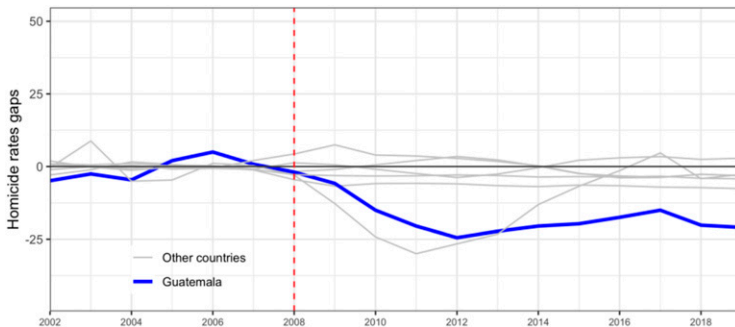


Figure 6. Permutation test: Homicide gaps in Guatemala versus all countries.

Uncertainty Over Time. While results show that the CICIG and the IP process contributed to an overall reduction of violence, we quantify uncertainty to determine whether the effect is statistically significant in individual years. Following Cattaneo et al. (2021), we calculate prediction intervals for the post-intervention period, when Guatemala and its counterfactual begin to diverge. In Figure 8, we plot *Synthetic Guatemala* with 90% coverage probability based on quantile regression. As the figure shows, the CICIG contributed to a statistically significant reduction in the murder rate in most of the post-intervention period, except in the first 2 years when the prediction intervals of the counterfactual overlap with the observed homicide rate.¹¹ In the qualitative section, we provide a sequential analysis that explains variation over time and accounts for the negligible violence reduction effect in the early years of the IP process.

Estimating the Magnitude of the Internationalized Prosecution Effect

To assess the substantive IP effect on the homicide rate, we estimate the murders that could have happened but, as a result of the collaboration between the CICIG and Guatemala’s law enforcement, did not. To do so, we calculate the homicide gaps (*Synthetic homicides – Actual homicides*) in Guatemala for each individual post-treatment year, normalize it by 100,000 population, and

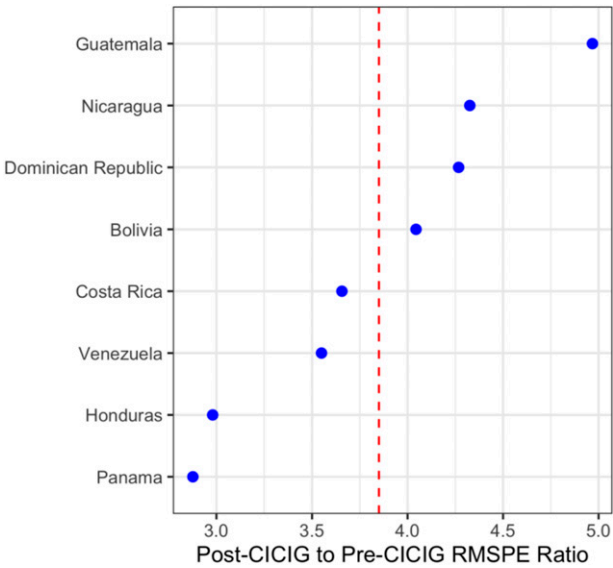


Figure 7. Ratio of post-CICIG RMSPE to pre-CICIG RMSPE.

take the sum of all values from 2008 to 2019. This provides a rough estimate of the number of deaths that the IP plausibly precluded. As Figure 9 shows, IP prevented an average of 2606 deaths per year and a total number of 31,279 deaths between 2008 and 2019.

Note that this estimate ($N = 31,279$) is significantly greater than the one reported by the ICG (2018) ($N = 3279$). This difference is partly explained by the time period under analysis: whereas the ICG analyzed the 2007–2014 period, we looked into 2008–2019. This means that our analysis includes *five additional years* when the CICIG and the IP process made not only large but sustained gains. If we use the same time period as the ICG report (2007–2014), our estimate would be smaller ($N = 16,270$). The remaining difference between the two studies results from different modeling decisions about

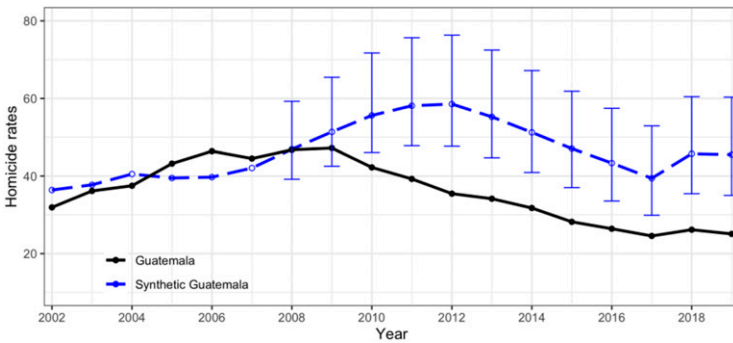


Figure 8. Prediction intervals for the homicide rate.

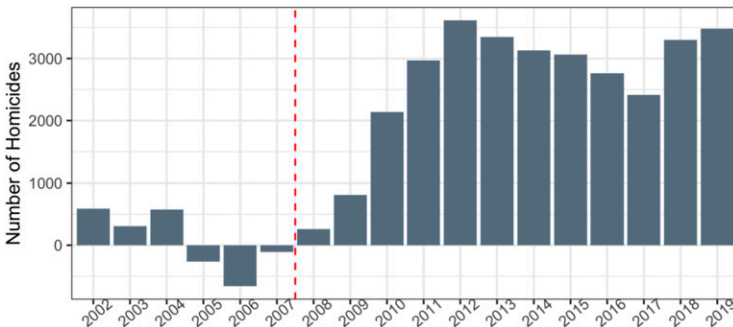


Figure 9. Estimated number of lives saved by internationalized prosecution in Guatemala.

predictors and the units of the donor pool but mainly from the use of different techniques to estimate the murders prevented. The ICG report calculates this number by using a difference-in-differences estimator and multiplying the resulting coefficient (-2.77 normalized by 100,000 population) by Guatemala's population and taking the sum. Because the diff-in-diff estimator provides an average effect of the entire post-treatment period, it does not capture the fluctuations of violence in each particular year. In contrast, the "homicide gaps" approach we use accounts for periods where the reduction of violence was modest (e.g., years 2008–2009) and those in which it was quite remarkable (e.g., years 2012–2014 and 2018–2019).¹²

Because the diff-in-diff approach by construction computes a lower estimate than the homicide gaps approach, we use it to estimate a lower bound. Results from a diff-in-diff model reported in [Appendix C.6](#) suggest that the IP process plausibly prevented around 20,138 murders between 2008 and 2019.

Using the diff-in-diff and the homicide gaps approaches as lower and upper bounds, we can more conservatively say that the IP process contributed to saving between 20,138 and 31,279 lives. While between 2008 and 2019 Guatemala recorded 60,970 homicides, our lower and upper bound estimates suggest that in the absence of the IP process the country would have experienced somewhere between 81,108 and 92,249 homicides,¹³ that is, between 35 and 51% more homicides than it actually did. This large effect should not be surprising, given the major overhaul of Guatemala's judicial and security institutions and practices that took place as part of the IP process. As the criminal violence literature suggests, developing effective and accountable rule of law agents and institutions, capable of dismantling powerful criminal structures, can have major violence reduction effects.

Empirical Implications

If dismantling state-criminal structures deters the unlawful use of state coercion, then an IP process should also constrain the state's abuse of coercive power. We examine whether the IP process had an impact on state-sanctioned political repression. We use [Fariss et al. \(2020\)](#) measure of state repression, a continuous indicator capturing respect for physical integrity rights. We reverse the scale such that larger values indicate greater human rights abuses.

We use the SCM to measure the post-intervention evolution of human rights violations against a counterfactual scenario in which Guatemala had not adopted the CICIG. In [Appendix D.1](#), we discuss the predictors and countries we used to build this new *Synthetic Guatemala*.

[Figure 10](#) shows the graphical representation of our results. The figure reveals an important decline in human rights violations as a result of the IP process. It also shows a substantive divergence in the extent of state repression and human rights violations between Guatemala and its counterfactual after

the CICIG intervention. The figure suggests that had Guatemala not adopted an IP process, the country would have experienced much higher human rights violations in the 2010s. The plot, which also shows 90% prediction intervals, suggests that the IP impact on human rights respect began in 2010 and in previous years had no discernible effect.¹⁴ This finding confirms that the IP violence reduction effect took a few years to materialize.

Qualitative Evidence

Sequential Analysis

Although we show that the CICIG and the IP process contributed to Guatemala's steady decline in homicide rates, our findings suggest that its impact was moderate during its first 2 years (2008–2009) and then had a large and sustained effect until the CICIG closed in 2019. The observed violence reduction time lag is intimately tied to the hybrid nature of IP—effects are not immediate because developing the *domestic* infrastructure and investigative and judicial capacities to dismantle state-criminal structures is a slow, incremental, cumulative, and contentious process.

Figure 11 provides a timeline of the IP process during the CICIG's 12-year tenure. It identifies crucial events in the development of the legal and human infrastructure for IP, some of the most emblematic anti-impunity shocks associated with the IP process, and the members of the IP anti-impunity coalition (ordinary font) and of the pro-impunity front (*italics*).

As the figure shows, Guatemala's presidents and legislatures renewed the commission's 2-year tenure five times (bold numbers), but President Morales did not request renewal after 2019. From 2008 until 2012, CICIG

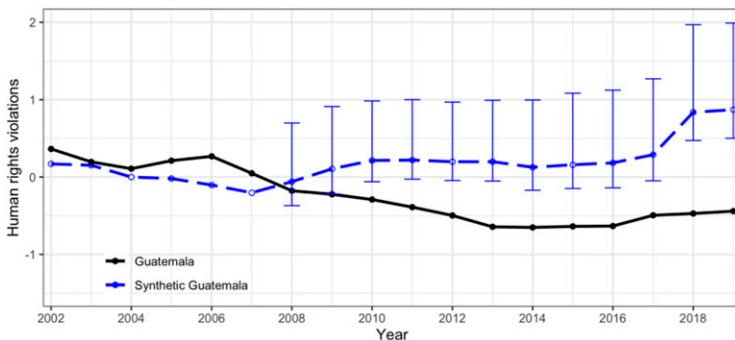


Figure 10. Human rights violations in Guatemala (treated) and *Synthetic Guatemala*, 2002–2019.

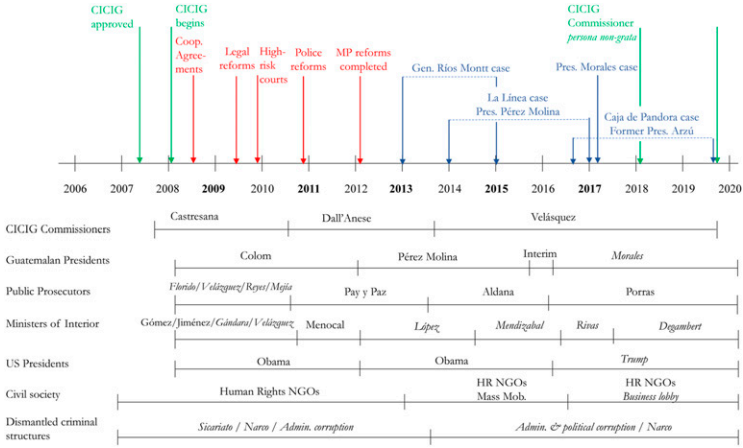


Figure 11. The timeline of internationalized prosecution in Guatemala, 2008–2019.

commissioners Castresana and Dall’Anese focused on establishing the institutional and human infrastructure and the cooperation agreements with the MP and the Ministry of Interior (MI) and the police. Although the CICIG had full support from President Colom—the first social democrat to be elected president and the first one with no links to the military establishment—and from the international community (most notably US President Barack Obama), the MP, MI, and the police initially resisted the CICIG’s paradigmatic shift. With the active engagement of Guatemala’s powerful human rights community, Castresana was able to request the removal of multiple prosecutors and ministers of interior until the president appointed two anti-impunity champions: Prosecutor Claudia Paz y Paz and Minister Carlos Menocal. Under their tenure, the MP and the police became strong CICIG partners, and by 2012 the IP model was fully adopted and implemented.¹⁵ Having the right people, equipped with the proper knowledge, legal tools, and procedures, and enjoying the CICIG’s “soft” institutional protection was key to dismantling criminal structures. As human rights defender Helen Mack explains: “it was only when the new methods of investigation were in place, and a number of MP special prosecutors working with the CICIG began dismantling criminal structures, that the homicide rates started to decline.”

In the IP two-level game, as institutional reforms were underway, CICIG personnel served as co-prosecutors with the MP in dismantling *sicariato* and *narco* structures, many of which were led by the CIACS. But the actual dismantling was never immediate because high-risk tribunals (created in 2009 as special courts for high-risk crimes) took months if not years to issue final

sentences. While investigations and prosecution can have a deterrent effect on the murderous actions of state specialists in violence, the most significant impact happens when members of criminal structures receive sentences and are removed behind bars (Sikkink, 2011).

As Figure 11 suggests, after 2012, when the institutional and human infrastructure for IP was finally in place, the intimate cooperation between the CICIG and Prosecutors Claudia Paz y Paz and Thelma Aldana empowered Guatemala's law enforcement and judicial institutions to break the state's impunity at the highest level of political, military, and economic power.¹⁶ Three cases shook the country's system of structural impunity.

First, General Efraín Ríos Montt, former president of Guatemala during the darkest years of the civil war and a key power broker in democracy (Bateson, 2021), was charged and faced an emblematic trial for ordering the genocidal campaign against Mayan Indians in the 1980s (Burt, 2016). Although the CICIG's mandate prevented it from prosecuting international crimes during the civil war, the MP under Paz y Paz and the high-risk courts—an institution promoted by the CICIG—led the world's first case of a domestic tribunal sentencing a head of state for genocide. Second, in the case of La Línea, the CICIG acted as co-prosecutor and played a central role in the investigation that led to incumbent President Otto Pérez Molina's impeachment and sentencing by a high-risk court for leading a major customs fraud scheme. Pérez Molina had been director of the military secret service during the final years of the civil war. Despite the opposition of Pérez Molina's cabinet, as Figure 11 shows, the international and US support, together with a major nationwide popular mobilization against impunity in 2015, led to Pérez Molina's downfall. And, third, the CICIG acted as co-prosecutor in the Caja de Pandora case, which revealed that former President Álvaro Arzú, at the time Guatemala City's mayor, provided protection to former army colonel and CIACS leader, Byron Lima, who served a life sentence in prison for the assassination of Bishop Gerardi and led important criminal structures from behind bars. Helen Mack, Guatemala's foremost human rights defender, concludes: "there was genocide and corruption in Guatemala."

The dismantling of criminal structures at the highest level of power unequivocally informed military and political elites and their criminal allies that impunity was no longer guaranteed. The trials of Ríos Montt and Pérez Molina and the investigations of Arzú and Lima touched the core of the political-military alliance responsible for genocide and for the morphing of the CIACS into the criminal underworld after the peace agreement. As Guatemala's Ombudsperson Jordán Rodas put it: "The public audiences of President Otto Pérez Molina's trial had a powerful deterrent effect, showing *everyone* that there were external controls." Judge Yassmín Barrios, who sentenced Ríos Montt and Pérez Molina, concludes: "Guatemala experienced an accountability shock that began with the genocide case in 2013 and ended with the

high-profile corruption cases in 2015.” As our statistical findings attest, these were the years when the CICIG had its largest violence reduction effect.

After the election of President Morales, a political outsider who capitalized on Guatemala’s anti-impunity mobilization only to turn against the CICIG when he learned that the commission was investigating his campaign for accepting illicit funds, the CICIG faced a severe pushback that led to its demise and to a major campaign against its domestic allies, particularly the MP’s special prosecutors. As [Figure 11](#) shows, Morales’s prosecutor, Consuelo Porras, and his three ministers of interior, together with an influential lobby of legislators, party leaders, mayors, and business owners—many of whom were under CICIG investigation—built a powerful anti-CICIG coalition. President Donald Trump’s decision to withdraw financial support for the CICIG in exchange for Morales’s strategic endorsement of his foreign policy empowered the Guatemalan president and the pro-impunity coalition to declare CICIG Commissioner Velásquez *persona non grata* and shut down the CICIG.¹⁷

Case Studies

To assess the mechanics of violence reduction associated with the IP process, we focus on three illicit economies that play a crucial role in the production of violence.

Narco Structures: The Zetas. After the Mexican government launched a War on Drugs against the country’s drug cartels in 2007, the Gulf Cartel sought to partially expand operations to Guatemala and sent their private army, the Zetas, to lead Guatemala’s conquest. Composed of defectors from Mexico’s elite military forces who had received special training by the *Kaibiles*—Guatemala’s own elite force, many of whose members led the CIACS—the Zetas took advantage of their military connections to make a rapid and decisive entry in Guatemala ([Dudley, 2011](#)). Allied with CIACS members and local traffickers and landowners, the Zetas recruited high-ranking members of the military, the police, and the penitentiary system and mayors from central, northern, and eastern Guatemala.¹⁸ They sought to subdue rival family clans of traffickers, and in 2008 in a brutal massacre in the department of Zacapa, where 11 people were killed, the Zetas assassinated Juan José León, the boss of an influential clan. In 2011, they engaged in a turf war against rival traffickers and landowners and massacred 27 rural villagers in Petén, and in another event they assassinated a local prosecutor from Alta Verapaz. The fierce competition triggered by the Zeta’s attempt to take full control over Guatemala’s drug trafficking corridors stimulated major turf wars and contributed to Guatemala’s rise in the homicide rate above 40 murders per 100,000 ([Brockett, 2019](#)).

Although in 2012, incoming President Otto Pérez Molina announced his intention to deploy 300 members of the *Kaibiles* to fight the Zetas—very much like in Mexico’s militarized War on Drugs—the adoption of a military campaign never happened. But by 2013, the Zetas had been dismantled and removed from Guatemala. As former minister of interior Francisco Jiménez put it: “We drove the Zetas out of Guatemala without military action.” Judge Yassmín Barrios is clear about how they did it: “We contained the Zetas through judicial action.”

The Zetas were removed from Guatemala through an IP process. In fact, the “Zacapa massacre” was the first case in which the CICIG ever acted as co-prosecutor. A 2-year investigation conducted by the MP and the CICIG was validated in the high-risk courts in 2010 by Judge Barrios and her colleagues, who sentenced 14 members of the Zetas and their Guatemalan allies to penalties ranging from eight to 313 years in prison (CICIG, 2011). Subsequently, in 2012 they sentenced 36 members of the Zetas for the “Petén massacre” to penalties between 2 and 158 years in prison. Other crucial investigations in which the CICIG acted as co-prosecutor led to identifying and dismantling networks of police informants for the Zetas in the National Police and a parallel local police structure in the department of Baja Verapaz. Another investigation led to the arrest and sentence of a deputy director in the national penitentiary system who provided protection for the Zetas and served its leaders for money-laundering activities (CICIG, 2013).

By dismantling the entire Zetas criminal structure in Guatemala, the CICIG and its allies contributed to the reduction of the homicide rate through three mechanisms. First, they removed the most lethal player in the country’s competitive narco wars. As security analyst Oswaldo Samayoa shared with us: “Dismantling these networks...reduced competition and turf wars, driving violence down.” Second, by sentencing not only the Mexican traffickers and the CIACS hitmen but also army colonels, police officers, mayors, and local landowners who were part of the Zetas’ criminal network, the high-risk courts sent a powerful signal to all state officials and private actors that collusion would be severely punished. Third, because the CICIG and Guatemala’s law enforcement authorities went beyond the kingpin strategy and instead dismantled entire criminal structures, the incarceration of the Zetas leaders did not result in a bloodbath—as happened in Mexico—but in the reduction of violence (Brockett, 2019). Finally, as the CICIG contributed to changing the internal balance of power in Guatemala’s law enforcement institutions, in favor of intelligence and prosecution, the adoption of militarized iron-fist policies did not become a dominant strategy, as President Pérez Molina had intended; thus, a bloodbath was prevented from happening.

Sicariato Structures. After the 1996 Peace Agreement, the CIACS morphed into the criminal underworld and took advantage of their comparative advantage in violence and their intimate connections with the military establishment to develop a powerful *sicariato* industry.¹⁹ The CIACS became the armed branch of a variety of private actors engaged in fierce disputes for territorial control, including 1) transnational drug trafficking organizations such as the Zetas and local family clans of traffickers; 2) landowners involved in major land conflicts with rural indigenous communities; 3) transnational corporations engaged in disputes with indigenous communities over the control of natural resources; and (4) business disputes in urban areas. They also served as the clandestine armed branch of the National Police and the penitentiary system for purposes of social cleansing of people they considered to be “undesirables” (e.g., members of youth street gangs, or *maras*; peasant and indigenous leaders; and prison inmates). The CIACS also served as professional killers for high-ranking members of the police in state-gang disputes over the control of criminal markets in which government officials disputed the *maras*’ monopoly of Guatemala City’s extortion industry.

The CICIG and its allies in the MP and the police investigated and prosecuted several prominent cases that led to the dismantling of *sicariato* structures. The assassination of businessman Khalil Musa and his daughter, Marjorie, and the murder of Rodrigo Rosenberg, Marjorie’s partner, of which President Colom had been accused by Rosenberg in a video released posthumously, led the CICIG and the MP to an extensive investigation that exonerated Colom and identified *sicariato* involvement in the murders. They discovered two *sicariato* structures composed of active and former police officials, former members of the military, and private *sicarios* operating in the department of Escuintla and Guatemala City (CICIG, 2010). In separate trials in 2011, nine and then eight members were sentenced to between 8 and 48 years in prison by high-risk tribunals. A joint investigation of the murder of a peasant leader in the department of San Marcos by trafficker Juan Ortiz “Chamale”—a local ally of the Sinaloa Cartel—led to the dismantling of a narco-*sicariato* structure that served landowners and multinational corporations involved in land and natural resources disputes (CICIG, 2011). The CICIG and the MP were also involved in dismantling a similar *sicariato* structure involved in forced displacement of peasant families in Alta Verapaz and another that specialized in the murder of community leaders in Petén.

Joint CICIG and MP investigations also led to the dismantling of *sicariato* structures in the police. In the “Cleopatra case,” a multinational team of prosecutors discovered that the head of the National Police, Marlene Blanco, led a criminal structure charged with the extrajudicial execution of members of youth gangs that controlled the extortion business of public transportation buses in Guatemala City. This criminal structure sought to eliminate the *maras* and take over the extortion industry. In two trials in 2011, high-risk tribunals

sentenced two and eight members of this network to up to 25 years in prison (CICIG, 2012). Shared investigations of multiple murders in the prison centers of Pavón, El Infiernito, La Cueva, and Zacapa also led the CICIG and the MP to discover and dismantle a powerful *sicariato* structure led by the minister of interior and the director of the National Police that served them for social cleansing operations of inmates, particularly members of *maras*. In different trials, former deputy police chiefs and other officials were sentenced to between 15 and 33 years in prison by high-risk courts. Finally, a CICIG-MP investigation brought down a powerful prison network led by Byron Lima—the murderer of Bishop Gerardi—who, in collusion with the director of the penitentiary system and with the protection of the Guatemala City Mayor Álvaro Arzú, de facto ruled multiple prisons and ran several criminal markets from behind bars. A high-risk court sentenced 19 members of this network to prison. Lima was relocated to a prison outside his control, where he was killed by a rival *sicariato* structure, which the CICIG and the MP eventually dismantled (CICIG, 2014).

The dismantling of multiple *sicariato* networks contributed to violence reduction through three mechanisms. First, the removal of dozens of *sicariato* structures lowered competition in lethal conflicts over the control of drug trafficking routes, land, natural resources, and the streets. Second, by removing death squads from the police and the penitentiary system, the CICIG coalition deterred the use of clandestine forces to fight the *maras* through iron-fist policies—as had happened in El Salvador, where iron-fist policies led to a dramatic escalation of state-gang and inter-gang warfare that turned El Salvador in the world's most deadly country. In fact, as security analyst Oswaldo Samayoa shared with us, under the CICIG Guatemala abandoned the iron-fist policies that Presidents Portillo and Berger had adopted in the 2000s and that had contributed to the rapid escalation of the homicide rate, and followed instead preventive social programs. Finally, as Ombudsman Jonás Rodas put it, the Pavón and Cleopatra cases “sent a clear message to all law enforcement agents that there were external controls.” This “became a powerful deterrent for the police” and demonstrated that employing death squads for security policy would be severely punished.

Military Embezzlement. After dismantling several narco and *sicariato* structures, CICIG—under Commissioner Iván Velásquez—shifted its attention to administrative and political corruption. Although many of the clandestine security structures had been removed, the military establishment continued to abuse its position of power for financial gain. As Judge Miguel Ángel Gálvez, an influential high-risk judge who participated in the trials of General Ríos Montt and President Pérez Molina, explained to us: “When the CICIG began operations they found the military establishment of the civil war at the center of all corruption activities; these were military officers colluded with

economic elites.” Under Castresana the CICIG and the MP co-prosecuted former president Alfonso Portillo and his ministers of defense and finance for embezzlement. Claiming secrecy on grounds of national security, Portillo and his colleagues had deviated millions of Quetzales from the military budget to their private accounts. A decade later, as the La Línea case attested, President Pérez Molina, a leader of the military establishment of the civil war, took over Guatemala’s taxing and customs authorities to run a major fraud scheme. Under Velásquez, the CICIG and the MP prosecuted multiple cases of high-profile administrative corruption in the health sector, the penitentiary system, the transportation system, and political campaigns.

By prosecuting and sentencing high-ranking officials from the civil war military establishment, the IP process set clear boundaries about the use of state coercive power for financial gain. Because these officials were the ultimate bosses of the CIACS, sentencing them for embezzlement had the indirect effect of deterring their future use of clandestine forces to subdue their political and social rivals. As the [CICIG’s, 2015](#) annual report concluded about La Línea case: “These actions demonstrated that *no one is above the law*.” While the CICIG’s anti-impunity shock did affect dynamics of state-criminal collusion in narco and *sicariato* industries, driving murder rates and state repression down, it did not have a similar effect on abating corruption. Velásquez’s strategic decision to double down on dismantling structures of administrative and political corruption backfired and stimulated the rise of a powerful anti-CICIG coalition that brought Guatemala’s IP experience to an abrupt end and subsequently spearheaded a rapid process of democratic backsliding ([Schwartz, 2022](#)).

Conclusion

In this article, we have studied the IP impact on the large and sustained reduction of Guatemala’s homicide rate. We argued that violence reduction did not take place through militarized iron-fist policies but through intelligence and judicial action—via the dismantlement of more than 70 criminal structures, often run by high-ranking members of the military and the police and death squads from the civil war era. By dismantling state-criminal structures, the IP process reduced competition in criminal markets, deterred state-criminal collusion, and tied the state’s repressive hand, driving the murder rate down, and preventing major outbreaks of criminal wars.

Guatemala’s IP experience under the CICIG offers four lessons for post-conflict and post-authoritarian societies.

First, dismantling criminal structures, in which state security agents collude with other government officials and OCGs, can be more effectively done through IP processes than through ordinary justice institutions. Whereas repressive state specialists in violence who are at the center of these networks often have the

power to derail and punish those who investigate them (Cruz, 2011; Yashar, 2018), international actors acting in cooperation with domestic institutions can change the domestic balance of power by training, protecting, and insulating teams of local special prosecutors and police forces to break state impunity.

Second, dismantling state-criminal structures through IP is preferable to purely international/foreign mechanisms because a joint process in which domestic actors are at the center of investigative and prosecutorial actions allows for the transferring of capacities and for the rise of a new generation of domestic law enforcement agents who will lead the long-term development of a democratic rule of law. Guatemala's IP process crucially contributed to developing teams of specialized prosecutors, police, and forensic investigators who worked together with a new generation of judges to break state impunity and who collectively represent the seeds of a democratic state of rights and laws for Guatemala.

Third, Guatemala's experience shows that IP can be a powerful alternative to the militarized iron-fist policies widely used to fight violent drug cartels and youth gangs in Latin America. Not only did Guatemala actually dismantle entire criminal structures, but it also contributed to preventing thousands of homicides by inhibiting the adoption of militarized iron-fist policies. As part of Guatemala's long-term process of transitional justice that began with the 1996 Peace Accords,²⁰ the IP process did contribute in significant ways to the development of the institutional infrastructure and judicial practices for sustainable peace.

Finally, the CICIG's abrupt end and the legal and political backlash against the commission's domestic partners in the MP does raise important questions about the political sustainability of the IP process. Without the CICIG, Guatemala's struggle against impunity has been halted by traditional military and economic elites who control the legislature and a weakly institutionalized, volatile, and personalistic party system (Lehoucq, 2012). Guatemala's experience shows that the effective judicial institutions and practices the CICIG introduced will be self-sustainable only to the extent that a powerful political coalition defends them. Until then, the IP legacy will remain uncertain. But this uncertainty should not obscure a hard fact: Guatemala's IP process under the CICIG contributed to one of the most visible and sustained reductions in large-scale criminal violence in Latin America.

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Supplemental Material

Supplemental material for this article is available online.

Notes

1. For information about all interviews, see [Appendix A](#).
2. This section draws on the CICIG's annual reports and two group interviews with CICIG personnel as of 2019: 1) María Eloísa Quintero, chief of investigation and litigation, Osvaldo Lapuente, senior official, and Gabriela Contreras, adviser to Commissioner Iván Velásquez, and 2) Astrid Escobedo, legal officer, Luis Pineda, political officer, and Ligia del Valle, former paralegal. See [Appendix A](#).
3. For an important study of the CICIG's early impact on violence reduction using SCM, see [International Crisis Group \(2018\)](#). Below, we discuss differences between this report and our findings.
4. Replication materials can be found at [Trejo and Nieto-Matiz \(2022\)](#).
5. <https://www3.paho.org/data/index.php/es/indicadores/visualizacion.html>.
6. <https://data.worldbank.org>.
7. <https://www.v-dem.net/en/data/data/>.
8. See [Appendices B.5 and B.6](#).
9. In [Appendix C.2](#), we try other predictors, including population size and judicial independence, but our results remain unchanged.
10. In [Appendix C.3](#), we ran an *in-space* placebo with Honduras as the treated unit and an *in-time* placebo using 2005 as the treatment year. The former yields the expected placebo effect, whereas the year placebo is not equally conclusive, possibly due to the short pre-treatment period. Although this particular test does not support

our claim about the IP violence reduction effect, the permutation-based placebos, RMSPE ratios, and the quantification of uncertainty (see below) do.

11. See [Appendix C.4](#) for additional tests.
12. See [Appendix C.5](#) for additional information.
13. We added 60,970 (total homicides) to lower (20,138) and upper (31,279) bounds.
14. For placebo tests and additional prediction intervals, see [Appendices D.2–D.5](#).
15. Interview with human rights defender, Anabella Sibrián.
16. Interview with CICIG's chief of investigation and litigation, Eloísa Quintero.
17. Interview with Tomás Pallás, European Union officer.
18. Interview with former minister of interior Francisco Jiménez.
19. Interviews with ODHAG director Nery Rodenas and security analyst Sabino Asturias.
20. Interview with CICIG senior official Osvaldo Puente.

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