

Criminal economy

Economía criminal

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ABSTRACT

In Mexico, drug trafficking is no longer the main source of income for criminal organizations, as the increase in the production, distribution, and consumption of synthetic narcotics, such as opioids or amphetamines, has displaced plant-based drugs such as marijuana or opium gum obtained from poppy flowers from the market. as well as the legalization of cannabis in different states of the United States of America. This business seems to be starting to become unsustainable for the Mexican cartels, which soon moved into a more lucrative business. Organized crime has diversified its criminal activities, mainly through extortion through the collection of derecho de piso or "criminal tax" from all types of businesses. In this way, criminal groups have found in extortion not only a way to regulate everything that can produce capital, but also to recover the profits that the decline in the trafficking of plant-based drugs left them after the increase in the consumption and trafficking of synthetic drugs. Currently, the term organized crime has been used to refer to groups of people who are dedicated to trafficking drugs, people, kidnappings, murders, among other crimes. In addition, it has diversified its operations, venturing into legal businesses to operate them illegally. Organized crime continues to advance in extortion and disappearances, there is a trend in the disappearance of men to force them to join organized crime and in the case of women to take them to the trafficking market. Extortion and disappearances are two indicators where there is a 45% increase in complaints. Criminal groups have disrupted the food supply chain, increasing the prices of basic products such as tomatoes, serrano peppers, lemons, corn and avocados. In addition, it has ventured into fishing, transportation and other sectors, generating millions of dollars in losses and affecting the daily lives of Mexicans, with an increase in violence and insecurity. All these activities in the illegal field that are related to the financing of organized crime structures with high economic profitability and with links to different types of violence and corruption, is what is called the criminal economy.

Keywords: Organized crime, Synthetic drugs, Extortion, Floor rights or criminal tax, Disappearances, Criminal economy.

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INTRODUCTION

Eduardo Guerrero, director of the data and analysis platform for security, organized crime and social conflict in Mexico, Lantia Intelligence, commented that organized crime continues to advance and, although there is a decrease in the case of intentional homicides, "violence has intensified in cases of extortion and disappearances."

Extortion and disappearances are two indicators where there is a 45% increase in complaints.

The expert indicated that on this platform they have detected that there is a trend in disappearances of women to take them to the trafficking market; They even see a defined profile: light brunette women, slim, big eyes, and long black hair.

Meanwhile, in the case of men, they tend to be tall and robust people, and it is estimated that it is to force them to join organized crime as hitmen. (Quintana E. & Kourchenko L., 2024)

According to Guerrero Gutiérrez (2024), during the government of Andrés Manuel López Obrador, violence has stagnated at historically high levels and, in addition, the country has experienced a severe epidemic of face-to-face extortion (colloquially known as the "collection of the right to a floor"). According to official figures, which must be taken with a grain of salt, since the black figure⁴ in this crime is 98%, extortion has grown 45% during the first five years of this administration. The alarming rise in extortion has gone hand in hand with an astonishing territorial expansion of organized crime; an expansion that has not only had a devastating effect on a large number of local economies, but has also begun to undermine the health of Mexico's main institutional creature of the last half century: the democratic regime.

According to intelligence and security experts, reporting is not easy. This is due in part to the collusion of certain elements within justice institutions with criminal groups, as it generates in victims fear of reporting the possibility of reprisals.

Nationwide, the black figure in the case of extortion is 97.4%, according to the National Survey of Victimization and Perception of Public Security (ENVIPE). (INEGI, 2023)

The black figure can be close to 99%, a microuniverse of crimes is reported in relation to what really exists. People, on the one hand, do not report because they know that there is no capacity for investigation and fear inhibits them from reporting; At the same time, more and more people are doing this because the risk is very low.

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⁴ According to the National Institute of Statistics and Geography (INEGI, 2022), the black figure represents all "criminal acts that are not reported to the Public Prosecutor's Office or that are not the subject of a prior investigation and therefore do not appear in any statistics." With the new criminal justice system, crimes for which an investigation file has not been opened are added to the definition of a black number.



In addition, there is a 99.8% impunity rate for the crime of extortion. (Findings, 2022)

One of the most common extortion crimes in Mexico is the cobro de piso, known as derecho de piso, which is an "illegal tax" that is charged by organized crime to tenants, affecting thousands of businesses and companies in the country.

Article 390 of the Federal Penal Code (2023) defines the crime of extortion as follows:

"Anyone who, without right, compels another to give, do, refrain from doing or tolerate something, obtaining a profit for himself or for another or causing someone a pecuniary damage, shall be imprisoned from two to eight years and fined from forty to one hundred and sixty days."

This means that forcing a person to cover a fee with threats is extortion, and this is what is known as floor collection.

Over the years, this form of extortion has increased considerably, whereby business owners of all types are required to pay a fee illegally, under threat and extortion.

The right of piso occurs when criminals or criminal groups show up at businesses to demand that the owners of the place pay a certain amount of money from time to time in exchange for protection for both the owner who is being extorted and the establishment.

The floor charge is then an offer of protection against a threat of harm to the owner or the business. In this modality, the extortionist can use violence if the collection fee is not paid, through homicide, kidnapping or burning of the business.

The collection of flats is then characterized by establishing an unequal exchange relationship between a victim and a perpetrator, since the extortionist receives a fee in exchange for protecting the victim and this protection is imposed.

When extortion occurs only once: one person tricks or threatens another person to make the victim, the victim, pay an amount and the affected person receives nothing in return. Even an extortionist may have little ability to carry out a threat, but uses the violent context to his advantage, this is the case of telephone extortion, e.g.

On the other hand, in cases of flat collection, the victim and the perpetrator have an ongoing tax relationship: the offender collects a fee every week or month and makes visits to his "client" to collect; Sometimes the rules change and the quota goes up or its periodicity is shortened, among other things. (Martínez Trujillo, 2021)

According to data from the National Institute of Statistics and Geography (INEGI), in 2021 829 thousand extortion crimes were registered in businesses, of which 44.8% correspond to the collection of flats.



Although there is no exact figure, according to some merchants who have been victims of floor or floor rights, the amount to be paid for this extortion ranges from \$500 to \$5,000 per week.

"Right now, an average of 500 pesos per week is being charged for the floor (...). That is to say, a small medium-sized business would be paying between 2,000 pesos per month, which means giving them 25% of the profits earned." (Pardo, E., 2023)

A merchant or businessman may refuse to pay and run the risk of the threat becoming a reality, but in a context of high violence and uncertainty it is a scenario that few would choose.

Another alternative would be to go out of business, move, or become an employee. This choice can be made by businesses of a certain size and line of business, especially those that are in a position to move their company from one place to another, despite the fact that this change is imposed.

Of course, the aggressor could follow his victim anywhere to make good on his threat. However, it would be very costly, particularly because it would have to carry out violence in a territory where it does not necessarily have the conditions to do so, such as support from local criminal networks or public authorities.

GOALS AND OBJECTIVES

The main objective of this investigation is to raise awareness of how organized crime has diversified its illicit activities, including extortion of companies and forced disappearances, after the easy and fast production of synthetic drugs increased, in addition to the legalization of marijuana consumption in some states of the United States. what their modus operandi is and what proposals have been made in Mexico to combat them.

This work is justified because in our country it is a latent issue that deserves an exhaustive and in-depth investigation, since the consequences are very serious, especially the resurgence in violence, the increase in insecurity and the loss of confidence of investors to establish their companies that generate jobs.

MATERIALS AND METHODS

The main sources of information for this research are documents such as codes in force in Mexico, reports, reports, interviews, executive summaries, books and magazines that talk about illicit activities, national and local newspapers that on numerous occasions and very frequently



present articles denouncing this type of crime, as well as official websites such as INEGI⁵, as well as studies that experts have carried out on the subject.

Therefore, this work is considered to be documentary and descriptive.

RESULTS

"During the six years of Vicente Fox's government (2000-2006) there were 60,280 murders. In Felipe Calderón (2006-2012), there were 120,463. In Enrique Peña's (2012-2018), 156,066. In López Obrador's there are more than 178,000.

To the homicides must be added the disappeared, presumably dead for the most part, disappeared by their murderers.

According to the international site Statist, between January 2006 and September 2023, 95,900 missing or missing people were counted in Mexico, of which more than 70% were young men, under 40 years of age.

Half of the disappearances were registered in the last five years, during the current government." (Aguilar Camín, 2024)

Researchers led by Rafael Prieto Curiel, Gian Maria Campedelli and Alejandro Hope shared a mathematical model on cartel recruitment and losses published in the journal Science, which revealed that drug cartels recruit around 175,000 people in Mexico, making them the country's fifth-largest employer. above companies such as Pemex or Oxxo, and only surpassed by FEMSA (Coca Cola bottler), Walmart, Manpower and América Móvil.

Of the 175,000 active cartel members, approximately 17.9% of them belong to the Jalisco New Generation Cartel (CJNG), 8.9% are part of the Sinaloa Cartel has 8.9% of the members, followed by the Nueva Familia Michoacana with 6.2%, the Northeast Cartel with 4.5%, the Tepito Union with 3.5% and the remaining 59% of cartel members line up in smaller groups.

For the Science article, the researchers analyzed statistics on incarceration and victims between 2012 and 2022 to arrive at their estimate. They found that Mexican cartels must recruit between 350 and 370 people each week, either voluntarily or forcibly, to replenish ranks depleted by losses from arrests and killings.

This research points out that salaries are the main cause of cartels being able to recruit large numbers of people to work for them, as they are significantly higher than those in other labor sectors; which compensate for the risks of dying due to armed clashes due to disputes with other criminal groups and authorities, as well as the high probability of being imprisoned.

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⁵ National Institute of Statistics, Geography and Informatics.



According to information from a former hitman, organized crime offers different salaries to its members based on the criminal hierarchy. At the lowest level are the sicarios, falcones (vigilantes) and drug dealers, who have a range of between 30,000 and 50,000 pesos per month, while plaza bosses or ringleaders would earn between 500,000 and one million pesos per month.

Although, since they are new recruits, the payment would be 8,000 pesos per month for performing the work of hitmen and hawks for guarding production fields or laboratories.

These jobs include both full-time and casual employees and their ranks include farmworkers who grow poppies, gunmen who guard methamphetamine and fentanyl labs, and kingpins who run global smuggling rings.

"Forced recruitment is the system most used by the cartels, and one of the most painful for the families of the disappeared.

If cartel recruitments were halved, by 2027 they would be 11% smaller in size. "Mathematically, therefore, a preventive strategy is much more successful than a traditional reactive strategy," Prieto explained. This positive view is counterbalanced by a much worse one. If the cartels continue at the same rate of recruitment and violence, by 2027 there could be 40% more deaths and organizations would grow by 26%.

The study is defined as the first to estimate in figures "the black box" that drug trafficking represents, since it is very difficult to quantify its power and know its mechanisms due to its economic, social and political importance and its opacity throughout the Mexican territory. (Vaquero Simancas, 2023)

One of the main drivers of criminal violence in Mexico is the trafficking of synthetic drugs, but other criminal economies also play a significant role.

Extortion and drug dealing have grown rapidly in recent years, with violence escalating due to disputes between groups dedicated to micro-trafficking and control of local plazas, while extortionists and kidnappers legitimize their threats through violence and murder.

The growth of these criminal economies occurred in response to the collapse of others. Mexico's marijuana economy experienced a substantial contraction following the legalization of weed in several U.S. states, forcing criminal organizations that traditionally trafficked the alkaloid to diversify their criminal portfolios in search of new revenue.

The existence of a criminal economy in one area can lead to the proliferation of others.

In Guanajuato, "huachicoleo" (or gasoline theft) gave rise to multiple criminal groups, such as the Santa Rosa de Lima Cartel. But from the beginning, the huachicolero groups have



ventured into other crimes to diversify their portfolio. Guanajuato is now the most active local drug market in the country. (Doherty, 2023)

Zacatecas is the eighth state in Mexico with a territory almost the size of Jalisco and larger than Michoacán, it has only one and a half million inhabitants, settled in 58 municipalities, each with a municipal seat and an endless number of small and medium-sized ranches, except for the large cities such as Zacatecas, Fresnillo, Guadalupe and Jerez that are at the center of the highway networks of strategic relevance to bring drugs to the border north, especially to Texas.

Major cities have become dangerous territories competed by crime that are difficult to control due to their size, as they are strategically crucial where different organized crime groups coexist and compete, including the Sinaloa Cartel and the Jalisco New Generation Cartel (CJNG).

"Each of these two major actors has relatively small organizations as allies, such as the Northwest Cartel, the Taliban or the Gulf Cartel, and has control of a territory adjacent to Zacatecas: Durango, by the Sinaloa Cartel; Jaisco and Nayarit, on the part of the CJNG." (Lomnitz, 2023)

In Zacatecas there are two authorities: the formal one of the government and the real one of organized crime.

The cartels don't make a living from drug trafficking, but from extorting society.

"Fresnillo, which is at the heart of this war, reported in 2022 the closure of 1,600 medium and small businesses – out of a total of almost 4,000 – abandoned by their owners with losses of about 10,000 jobs, due to the extortion pressures they faced." (Lomnitz, 2023)

Two out of every five businesses closed in that city, with tortilla shops, bakeries, taquerias and grocery stores being the most affected, that is: "small businesses, which are usually required to pay fees of between 10,000 thousand and 20,000 pesos per month." (Martinez, 2023)

In the municipality of Sombrerete, a city of 20,000 people controlled by the Sinaloa cartel, only the cartel can sell cigarettes or beer; bean producers must pay 1,000 pesos per ton; cattle buyers, 400 pesos per animal.

Organized crime runs local prostitution, stealing trailers on the highway, and forcing farmers to sell their produce within their municipality to collect for transactions.

In many municipalities, organized crime charges for the patron saint festivities of towns and parishes, where they have a monopoly on the sale of beer.

Everyone knows that if they don't pay, they will be raped, kidnapped or killed.



The social presence of crime has become normalized. "They don't take care of themselves anymore, they don't cover their faces, we all know who they are." (Lomnitz, 2023)

In the disappearance of people who are either being kidnapped to swell the ranks of some group, or are being disappeared to weaken an opposing cartel. The patterns of disappearances have some characteristic features, such as the entry of hitmen into private homes to disappear members of a family or the nighttime attack on several houses on the same block or neighborhood to kidnap a significant number of young people, presumably to recruit them and take them to military training camps and turn them into professional assassins trained by former Mexican soldiers. Salvadorans, Hondurans, Guatemalans, Peruvians and the United States.

The compulsory recruitment of young people is associated with the displacement of entire families who leave their villages in search of refuge. "In 14 communities in the mountains of the municipality of Jerez, 4,000 displaced people have been registered. Many of those families fled "because the cartel had come in to steal all the young people, presumably to recruit them for training camps." (Aguilar Camín, H., 2023)

There is talk of camps that have hundreds of recruits, according to Lomnitz (2023). "I've heard of one in Jerez, where there were around 300 people training. I've heard of another one in Monte Escobedo, of 500 recruits." Smaller camps closer to cities are also mentioned.

Boot camps may be related at one point to disappearances.

DISCUSSION

The Global Initiative Against Transnational Organized Crime (GI-TOC) ranks Mexico as the world leader in "Criminal Markets" out of a list of 193 countries in crimes such as human trafficking, financial fraud, piracy trade, drug sales and floor collection.

This organization exposes the reach that criminal groups have in Latin America's secondlargest economy, with a worrying upward trend in Mexico.

In this index, Mexico leads the list, followed by Burma, Iran, Nigeria and Colombia. It also reveals the penetration of organized crime into economies, highlighting the high incidence of illegal charges for protection, human trafficking, trade in synthetic drugs, cocaine, heroin and cannabis (marijuana).

"Mexican criminal groups rely heavily on extortion as a source of income, targeting individuals as well as small, medium, and large businesses. The rate of extortion has increased substantially in some Mexican states, while in others it has decreased. Extortion can also involve private citizens, who falsely claim to belong to criminal groups in order to obtain small extortion



payments. Territorial extortion, known as "cobro de piso," has become a low-cost source of income for criminal groups. The food industry has become an increasingly frequent target, leading to food crises and supply chain disruptions. Extortion continues to be a major problem in almost all Mexican cities, with municipalities in the states of Michoacán, Guanajuato, Zacatecas, Morelos, Nuevo Laredo and Mexico with the highest rates." (GI-TOC, 2023)

Organized crime in Mexico exerts significant territorial control throughout the country and corrupts state institutions through bribery and intimidation.

In addition to drug trafficking, organized crime engages in other criminal activities, such as oil theft, human trafficking, kidnapping, and extortion or collection of property rights, also known as "criminal taxes," with which they obtain billions of dollars a year.

Mexican cartels foment violence across the country, using a variety of firearms, including military-grade weapons, leading to brutal clashes with rival cartels for territorial control and different state public security institutions.

"Weapons for organized crime come to Mexico mainly from the United States, because between 70% and 90% of the guns that appeared at crime scenes in the country were manufactured in the United States. Drug cartels get guns in Texas and Arizona and smuggle them across the border." (Pacheco Ortiz, 2024)

The National Observatory for the Prevention of the Recruitment of Children and Adolescents⁶ by Organized Crime defines recruitment as: "a permanent process of incorporation into organized crime to carry out various illegal activities, through acts of abduction, recruitment, threat, intimidation, abduction, deception, use of force or other forms of coercion, offer of payment or benefits, among others." (ONPRENNA, 2021)

The recruitment of minors may be forced or non-forced. The first of these is that organized crime through forms of physical, psychological, economic violence and/or criminal conduct such as kidnapping, extortion, trafficking and smuggling of minors, threats, blackmail, intimidation and/or physical abuse recruit children and adolescents.

The second is that it occurs without violence and is manifested through deception, manipulation, the offer of employment with immediate remuneration, protection from other criminal groups, gifts, promises to improve economic conditions.

Both forms threaten the dignity and development of children and adolescents.

⁶ According to article 5 of the General Law on the Rights of Children and Adolescents: "Children are those under 12 years of age, and adolescents are persons between 12 years of age and less than 18 years of age. For the purposes of international treaties and the age of majority, children are those under 18 years of age."



Senator Geovanna Bañuelos, coordinator of the Parliamentary Group of the Labor Party, said that "there is no exact figure, but in the country, at least 30,000 minors are part of the ranks of organized crime and estimates indicate that around 250,000 minors are at risk of being recruited by drug trafficking."

With information from the Network for Children's Rights in Mexico (REDIM, 2024), in terms of disappearances since records began, 99,327 people between 0 and 17 years of age have been reported missing as of January 4, 2024.

Of these children and adolescents, 17,233 (17.4%) were still missing as of the same date, 9,218 women and 7,946 men. The remaining 82,094 people between the ages of 0 and 17 were located, although 1.1% of these disappearances (895 cases) correspond to children and adolescents found dead.

CONCLUSION

The Mexican government does not have a comprehensive strategy against organized crime, it has resorted to militarization to combat it but with little success. His efforts to combat corruption and organized crime have been symbolic.

Corruption and complicity between criminal groups and State agents exacerbate impunity for criminals, and State efforts to combat crime and violence throughout the country have been unsuccessful.

The rate of homicides, kidnappings, human trafficking and enforced disappearances remains high and cases of femicide, extortion against merchants with the collection of flats, violence against journalists, among other crimes, have increased.

Political violence has also become prevalent, with criminal groups threatening and assassinating political candidates.

The criminal economy has an impact on the political structure. In Mexico, it has been established that drug trafficking groups have financed political campaigns and it is often referred to as a "narco-state." It is argued that illicit networks have reconfigured political institutions. (Garay Salamanca, 2012)

In Mexico, this situation has become a great challenge for the State, since various cartels have financed political campaigns and would have political control of some City Councils.

President Andrés Manuel López Obrador, elected in 2018, strongly denounced the "mafia of power."



Everywhere, the link between the illicit economy and political structures is evident in the financing of electoral campaigns. Some studies carried out by former Directors of the Federal Electoral Institute (IFE) of Mexico, such as Luis Ugalde, are very significant (Ugalde, 2012). Today, illicit financing is considered to far outweigh legal financing.

The current government won the election on an anti-corruption campaign, but has since consolidated power, reducing the transparency and accountability of the state.

Although laws and policies are intended to curb corruption, criminality and impunity persist and the enforcement of federal transparency legislation persists.

Mexico is riddled with corruption embedded in the state, with officials at various levels facilitating organized criminal activities, such as drug trafficking, oil theft (huachicol) and extortion.

Not only does this complicity funnel substantial amounts of illicit proceeds to high-ranking officials, but it also weakens law enforcement agencies, hampering the country's fight against organized crime.

There are also reports that suggest corrupt practices remain within the federal institutions charged with combating organized crime. However, corruption at the local level, such as that between state and municipal officials, remains a more significant concern, due to the lower financial cost of collusion with low-level officials and their deeper knowledge of the territories they govern.

Organized crime has managed to exert remarkable influence on Mexico's democratic process, allegedly doing everything possible to ensure the election and/or re-election of key political allies, including the assassination of politicians perceived as threats.

A reform of Article 390 of the Federal Penal Code in Mexico is proposed, where the penalty for extortion of a flat payment, which was previously two to eight years in prison, is from six to 13 years and from forty to one hundred and sixty days of fine goes from sixty to one hundred and ninety days.

According to the director Eduardo Guerrero, director of the Lantia Intelligence platform, when evaluating the security strategy of the Mexican government, he considered it right that the peace tables are held daily, where federal and state authorities evaluate insecurity.

Something that worked is the establishment of regional coordination tables where there is a daily meeting between federal and local authorities to supervise street crimes, and it seems to me that these meetings have served to put strong pressure on municipal police to keep these crimes contained and not to make a fool of themselves in front of their state and federal bosses.



One recommendation would be to address the problem of organized crime strategically and attack the finances of criminal groups. Well, only in this way can illicit activities be stopped, since by leaving them without money they would not be able to pay hitmen or illegal goods, although in Mexico it is not yet done, although criminals are arrested, as they do not touch their financial structure, they are simply replaced by others to continue operating.

It is also recommended to dilute the links between crime and corruption.

According to Dr. Rafael Prieto Curiel, a postdoctoral researcher at the Complexity Science Hub in Vienna, he has published in the journal Science that the only way to reduce violence in Mexico is to cut off cartel recruitment. Not through the courts or through the prisons. Researchers Gian Maria Campedelli and Alejandro Hope, led by Rafael Prieto Curiel, have combined data on murders, disappearances, incarcerations, and abandonments of criminal organizations between 2012 and 2022 to reach this conclusion.

Increasing education and job opportunities for young men (who make up the majority of recruits) is the only means to thwart the cartels and reduce violence.

In order to have greater transparency regarding the security situation in the country, it is proposed to promote citizen reporting through campaigns and to increase the channels for reporting and improve accompaniment for vulnerable people, since the low percentage of complaints and the high percentage of impunity show that the justice system is not functioning properly.

"Morena's presidential candidate, Claudia Sheinbaum, suggested that, in order to reduce impunity in Mexico, it is necessary to build an intelligence and investigation area, which works in coordination with state prosecutors' offices, and also that the head of the Attorney General's Office (FGR) be part of the security cabinet." I believe that, although there is autonomy for the prosecutor, it would be very good for him to be in the security cabinet, because, in that way, there is coordination in the different cases that allows you to open those files. This process is essential to reduce impunity in the country." The former head of government also acknowledged that in the local prosecutors' offices there is an "alteration" of investigation files that have no results, which is why her proposal is to strengthen these institutions with investigations that contain sufficient evidence and better coordination. (Gómez Leyva, 2024)

Organized crime in the Mexican economy is a challenge that requires comprehensive solutions and the collaboration of all sectors of society.



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