

The Victims of Drug Trafficking from A Transitional Justice Approach

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ABSTRACT: Transitional Justice is a legal and political approach employed in societies that have experienced violent conflicts, often stemming from authoritarian regimes, to address severe human rights violations committed during such periods. Its objective is to promote reconciliation and peacebuilding through a combination of legal and non-legal measures. This article argues that this approach is suitable for victims of drug trafficking, particularly in Mexico, and identifies the outstanding tasks related to restitution and reconciliation.

KEYWORDS. Transitional Justice, Drug Trafficking, victims, Mexico.

1. INTRODUCTION

How do we respond to, repair, and take responsibility for the human rights violations committed decades or even centuries ago by our ancestors against other peoples, or by the ancestors of other peoples against us, whose consequences have been decisive in terms of integral development and the weakening of the relational fabric of our current societies? This question opens the door to the notion of 'Transitional Justice' (TJ).

TJ is a legal and political approach used in societies that have experienced violent conflicts, often caused by authoritarian regimes, to address serious human rights violations committed during those periods. Its goal is to promote *reconciliation* and *peacebuilding* through a combination of legal measures (such as trials, verdicts, specialized courts) and non-legal measures (truth commissions, reparations to victims, memory symbols or museums, institutional reforms, preventive education). As Naomi Roht-Arriaza (2006, p. 2) points out, these measures are associated with a set of practices, mechanisms, and concerns that arise after a period of conflict, civil unrest, or repression in order to restore peace in a society.

This approach recognizes that, in many cases, traditional criminal prosecution of all human rights violations may be impractical or counterproductive (Goldstone, 1998, pp. 9-10),¹ especially in contexts where there is widespread impunity, a lack of institutional capacity, or deep social division. Therefore, TJ seeks to balance accountability for past violations with the need to foster a peaceful, hopeful, and reconciled future (Godwin Phelps, 2022).

As Martha Minow (1998) analyzes very well, there are a couple of purposes driving social responses to collective violence: *justice* and *truth*. However, justice demands accountability, and the institutions responsible for this in some countries often prevent or ignore the truth. She also proposes another pair of purposes that complement the former: *vengeance* and *forgiveness*.

Misunderstood vengeance would lead to horrific excesses that would only escalate violence and demand more revenge in return from those who are now aggressors turned victims. But well-understood vengeance means avenging the offense received, reclaiming the status of dignity and rights one holds, stopping the unjust aggressor's evil, similar to how Thomas Aquinas understood the virtue of *vindictio* (S. T., II-II, q.108). A concrete way to understand this vindictive action properly is through 'retribution', always restricted by the intervention of a third party applying the principles of proportionality and individual rights. The retributive dimension does not seek punishment to deter future cases, but rather to denounce past wrongs; through retribution, the community reaffirms the truth about the victim's worth and dignity by inflicting a publicly visible punishment on the wrongdoer.

On the other hand, forgiveness does not replace justice or punishment but marks a change in how the offended party feels about the person who committed the offense. Forgiveness cannot be granted by the State on behalf of the victims; it is a power held by the victim and not a right to be invoked. In this sense, it fulfills a more therapeutic function for the victim than for the perpetrator, although it grants the latter an implicit recognition of their dignity and of still being part of the community to which the victim also belongs. Furthermore, forgiveness plays a fundamental role in restorative processes to bring peace and build an inclusive society that does not get trapped in the past but helps move beyond it.

¹ He states that in the aftermath of mass violence, the ideal of full justice —trial, culpability, and punishment of the perpetrator— is not achievable because there are too many victims and perpetrators.

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Moreover, if we carefully analyze what the UN has developed since the 1990s around ‘transitional justice’—for example, in the speeches of Kofi Annan and Ban Ki-moon—three key ideas emerge that are integral to such justice: ensuring *accountability*, rendering *justice*, and achieving *reconciliation* (UN Security Council, 2011). Of course, laws and courts have much to contribute, but we also recognize that there are institutions, processes, and civil society projects that add to or even catalyze the third of these goals, without which the TJ project is incomplete and risks exacerbating social resentment and rancor.

Echoing the jurisprudence of the Inter-American Court of Human Rights (Haldemann, 2017, p. 28), it can be said that there are four fundamental obligations of States concerning serious human rights violations: 1) the obligation to investigate such violations; 2) the obligation to prosecute, judge, and punish the perpetrators; 3) the obligation to provide victims with effective remedies and reparations for the harm they have suffered; 4) the obligation to take appropriate measures to prevent the recurrence of such violations. These four obligations correspond to four rights for individuals: 1) the right to truth; 2) the right to justice; 3) the right to reparation; 4) the right to guarantees of non-recurrence. In the literature on TJ, these four principles are known as *the four pillars* of TJ and are often simplified by associating them with the main objective of each obligation-right: truth, justice, reparation, and non-recurrence.

That said, the TJ approach is not free of criticism. For some scholars, characterizing justice as “transitional” implies that it is not fully justice but a degraded form of it, as it involves mechanisms of non-accountability, concealment, impunity, or the continued control of authoritarian regimes now under the guise of a transitional policy. However, for classical theorists like Ruti G. Teitel (2000), the proper treatment of TJ must be framed when governments involved in serious human rights violations are succeeded by a regime more inclined toward human rights. Therefore, TJ is associated with political changes and, as such, can confront criminals from previous repressive regimes.

Due to the above, and to generate a more appropriate judgment of TJ, some like Olsen, Payne, and Reiter (2010) have classified the empirical approaches experienced in different parts of the world into four types, all with different effects: a) *maximalist* approach: promotes the moral, legal, and political imperative of prosecuting past human rights violations²; b) *minimalist* approach: also considered consequentialist, emphasizes the danger of trials and advocates for amnesties to ensure peace and democratic transition³; c) *moderate* approach: values truth commissions over other mechanisms to meet the demand for accountability while simultaneously recognizing the political constraints that prevent trials, as undertaking them would mobilize anti-democratic forces that would hinder the democratic transition sought. Truth commissions would occupy a middle ground between trials and amnesties⁴; d) *holistic* approach: which results from a combination of the previous three and, to some extent, proves more effective as it adapts to the complexity of the context.

It is worth keeping in mind a dual perspective, as noted by Gabriel Ignacio Gómez (2013): the distinction between ‘top-down’ and ‘bottom-up’ perspectives in TJ and human rights. The ‘top-down’ view addresses the relationship between politics and law from a fundamentally institutional perspective that emphasizes the design of public policies, legal frameworks, and the role of political elites. It is a perspective that, on the one hand, acknowledges the existence of heinous crimes and the generation of enormous suffering for humanity and, on the other, suggests institutionalized proposals at national and international levels to judge those responsible for serious human rights violations. The ‘bottom-up’ perspective focuses on the participation of non-state actors in the political design and implementation of TJ mechanisms and on non-formal conflict resolution practices in local spaces. This approach provides theoretical tools to understand the social embedding of TJ mechanisms, as well as the existence of diverse practices, including non-institutional ones, in conflict resolution during periods of transition. With this dual perspective, tasks and responsibilities can be recognized, knowing that the thirst for justice and the promotion of peace cannot come solely from the upper vector that usually stems from institutional or governmental initiatives, nor solely from the lower one, the result of civil society’s work, but from both.

The *International Center for Transitional Justice* offers a fairly comprehensive approach that can serve as a final summary: TJ involves people coming together to confront the legacies of severe atrocities or to end recurrent cycles of violent conflict by developing a variety of responses. These responses may include reforms to the legal and political systems and institutions that govern a society, as well as mechanisms for discovering the truth about what happened and why, and to determine the fate of those who were forcibly detained or disappeared. They may include judicial and extrajudicial processes such as national or international

² Let us consider the ‘Convention on the Prevention and Punishment of the Crime of Genocide’ (UN, 1948); the ‘International Covenant on Civil and Political Rights’ (UN, 1966); the ‘Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment’ (UN, 1984); the ‘European Convention for the Protection of Human Rights and Fundamental Freedoms’ (2010); the ‘American Convention on Human Rights (or Pact of San José)’ (1969); or even the stance of the European Court of Human Rights or the Inter-American Court of Human Rights, for whom the effective prosecution and punishment of human rights crimes are the only means to ensure the protection of the rights enshrined in such international treaties.

³ For some scholars, the cases of Namibia and Mozambique are considered success stories where amnesty enabled a transition to peace.

⁴ In Mexico, for example, there is a final report presented in 2024 by the ‘Commission for Access to Truth, Historical Clarification, and the Promotion of Justice for Serious Human Rights Violations Committed from 1965 to 1990’.

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criminal prosecutions to hold perpetrators accountable. They may also include initiatives to provide reparations to victims in multiple forms, such as financial compensation, pensions, restitution of property or civil and political rights, access to healthcare or education, and the recognition and memory of the victims and the abuses they suffered. The implementation of these responses, whether individually or in combination, helps a society move from conflict to sustainable peace, from authoritarianism to democracy, from a legacy of massive human rights abuses to respect for human rights, and from a culture of impunity to one where citizens are treated with dignity.

2. TRANSITIONAL JUSTICE IS NOT A ‘CATCH-ALL’ APPROACH

Most theorists limit the scope of TJ to “serious violations” of human rights, but, what do we mean by “serious violations”?

On the one hand, there are the genocides of the 20th century: such as the killing of 50,000 Herero and 10,000 Nama in what is now Namibia by German military forces between 1904 and 1907; the massacre of over a million Armenians by the Ottoman Turkish Empire between 1915 and 1917; the imprisonment and internment of millions of political enemies and prisoners of war in the gulags from 1930 to 1950 by orders of Stalin; more than 6 million Jews killed by the Nazi army, as well as the deaths of over 10 million Slavs, prisoners of war, ethnic minorities, the mentally disabled, and homosexuals; the bombings of civilians in Hamburg and Dresden in 1943 by the Allies, as well as the deaths of thousands of civilians from the atomic bombs dropped on Hiroshima and Nagasaki by the United States. A significant event in this context is the *apartheid* regime of South Africa (1948-1994), implemented by the National Party since it came to power. To these well-known events, we can add other mass killings, torture, and massacres, such as those in China (1959-1961), Bangladesh (1971), Cambodia (1975), the Indonesian occupation of East Timor (1975-1999), the Srebrenica massacre by the Serbian army against Bosnian Muslims (1992-1995), the Rwandan genocide (1994), and the Darfur genocide (2003).

Latin America has not been exempt from this history of serious human rights violations. Consider, for example, the military dictatorships of the Southern Cone (1960 to 1980), where military regimes in Chile, Argentina, Uruguay, Paraguay, and Brazil implemented systematic repression measures against their opponents, including forced disappearances, torture, murder, imprisonment without trials, and extrajudicial executions. The total number of victims at the hands of these regimes is estimated to be in the hundreds of thousands. The “Condor Plan” is a clear example of the alliance between these dictatorships to annihilate their opponents throughout the region.

The civil war in Guatemala, which lasted more than 30 years (1960-1996), is estimated to have caused the deaths of between 100,000 and 200,000 people at the hands of the army, many of them indigenous Mayans accused of supporting the guerrillas. Something similar happened in El Salvador, where death squads committed extrajudicial killings, torture, and forced disappearances amid the civil war between the government and the Farabundo Martí National Liberation Front (1979-1992). A smaller number of killings occurred during the Tlatelolco massacre in Mexico in 1968, which is nevertheless a clear example of repression against student movements opposed to the government.

There are cases like Colombia and Peru, where many civilians were massacred not exclusively by the army but also by paramilitary groups and guerrillas in the context of a conflict between the government and these armed factions. Displacements, torture, killings, and kidnappings were also caused by guerrilla groups opposing the government.

This brief overview leads us to a first conclusion: not all major and serious human rights violations are State crimes perpetrated by repressive governments. There are also violations stemming from ethnic rivalries, religious motives, or guerrilla warfare. However, in all cases, States have an obligation to provide reparations to victims⁵, in addition to the duties of investigating, punishing, and preventing future crimes.

On the other hand, we must clarify the potential ambiguity of the expression “serious violations of human rights.” What should we understand by “serious”? Is it a qualitative criterion that implies only serious crimes like homicide? Or is it a quantitative criterion that involves large populations affected? If this is not entirely clear, the TJ approach could be invoked for almost any crime or injustice suffered, even on an individual level or for workplace discrimination, sexual harassment, etc. As Stephen Peté and Max du Plessis (2007) point out, when we say “serious violations,” what exactly are we referring to? How do we delimit and differentiate this sector of abuses and crimes from the rest? They, like other authors, refer to Theo van Boven’s proposal to include in this semantic field: genocide, slavery, summary or arbitrary executions, torture and cruel or inhumane punishments, forced disappearances, arbitrary and forced detentions, forced deportation of people, and systematic discrimination, primarily racial and

⁵ Regula Ludi (2006) examines the reparation schemes developed in response to the Nazi genocide. Despite the differences, certain ideas about compensation, reparations, and the construction of collective memory —without allowing the status of “victim” to be erased by dominant interpretations— can be applied to the case of victims of the war on drugs.

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sexual (1993). This list more or less coincides with what is stated by the Rome Statute of the International Criminal Court in three crimes: a) Genocide; b) Crimes against humanity⁶; c) War crimes.

With this clarification, we can reach a second conclusion: the TJ approach is not a “catch-all” framework that can be applied indiscriminately to any situation. We can assume that “serious violations” do not allow for arbitrary interpretations and are sufficiently described by the International Criminal Court and the UN, without, of course, falling into formalist reductionism or conceptual narrowness⁷.

3. IS TRANSITIONAL JUSTICE AN APPROPRIATE APPROACH FOR THE VICTIMS OF DRUG TRAFFICKING IN MEXICO?

To better connect with the previous section, I bring up an important discussion that Salvador Cubero (2021) held regarding whether drug trafficking could be considered a crime against humanity according to the Rome Statute, and under what circumstances. There it is stated there that the growing danger and power of criminal organizations dedicated to drug trafficking in some regions allow acts of drug trafficking to be considered crimes against humanity in the Rome Statute [ER]. However, since the specific activity of illicit drug trafficking is not explicitly included among the various categories of acts described in the article (...), attention should, instead, be paid to other acts carried out by them, such as murder, kidnapping, sexual slavery or forced prostitution.

I believe that the high levels of violence experienced in many Latin American countries, as well as the severe migration problem the region is facing (Rodríguez, 2022), have been caused in no small part by the relationship with the production of drugs for consumers in the United States and Europe (United Nations, 2023). In fact, many countries have experienced the following sequence: they went from being cultivation countries to transit countries or distribution countries and ended up, in addition to the previous stages, becoming drug-consuming countries. Of course, this has had terrible consequences: violence, insecurity, job loss, children and young people out of school, environmental degradation, loss of investments, etc. The direct and indirect consequences are incalculable in all areas.

If we carefully analyze the phenomenon of drug trafficking, several parties emerge as co-responsible for the problem: a) criminal organizations, b) the consuming nations that, in a way, have fostered the “vocation” of certain countries to produce drugs⁸, and c) the governments of the producing nations, soaked in corruption, impunity, collusion with organized crime (Nieto, 2018), and characterized by their lack of interest in the problems faced by civil society. I will give two examples where this symbiosis is evident: The history of opium cultivation in Mexico began around the mid-19th century due to the demand for morphine in the United States during the Civil War, which increased in the first half of the 20th century due to the two World Wars (Fernández & Smith, 2022). After World War II and due to difficulties in commercialization from Asia, Mexico became the producer for North American consumption of alkaloids and derivatives of poppy: morphine, codeine, papaverine, tabarine, narcotine, and, of course, heroin. In just thirty years—by 1976—the state of Sinaloa was supplying 70% of the heroin consumed in the United States. The same can be said regarding the increase in marijuana demand after the Vietnam War and the corresponding increase in production in Mexico (Fernández, 2021). We know the story didn’t end there: the current demand for fentanyl, a synthetic drug one hundred times more potent than morphine, has triggered a fierce war among drug cartels for its distribution and sale. The collaboration of Mexican authorities with drug cartels has reached such extremes that the former Secretary of National Security, Genaro García Luna, was found guilty of criminal conspiracy and for receiving multimillion-dollar bribes from the drug cartels (Neumeister & Attanasio, 2024).

The second example is Colombia. Although coca cultivation is ancient, it was around 1970 that the demand for cocaine increased in the United States. The fact that coca cultivation offered more profitable prices to farmers compared to traditional crops like coffee or corn was exploited by criminal groups that saw a lucrative opportunity to supply the North American market, taking advantage of the needs of their compatriots. The Medellín cartel, led by Pablo Escobar, and the Cali cartel dominated production and trafficking, of course, thanks to bribery and corruption within government, police, and even military authorities. The current cocaine

⁶ Among these, the Statute lists in its Article 7, §1: Murder, extermination, enslavement, deportation, torture, rape, enforced disappearance, the crime of apartheid and other inhuman acts of a similar character that intentionally cause great suffering or serious injury to body or mental or physical health.

⁷ Dustin Sharp (2018), like other authors, criticizes the narrowness of the dominant concepts of peace, justice, and violence in most Transitional Justice narratives, as they conceive of peace from a neoliberal perspective, reduce justice to legal trials for atrocities, and understand violence solely in its physical form, ignoring other modalities of its manifestation.

⁸ For Peter Dale Scott (2000) there are three levels to understanding the phenomenon of drug trafficking: the first is the ‘demand side,’ which relates to consumers, mainly in wealthy countries. The second is the ‘supply side,’ which refers to the production and distribution of drugs, particularly in disadvantaged communities, where there is collusion between governments and drug traffickers. The third is the ‘protected connection between intelligence agencies and drugs,’ as within the U.S. government bureaucracy itself, intelligence agencies and special warfare elements have recurrently exploited drug traffickers and their corrupt political allies for anti-communist or anti-subversive operations. There is a recurring pattern of CIA collaboration with intelligence and security networks that are allied with major drug traffickers, rather than working against them.

market generates revenues of 88 billion dollars a year, and Colombia alone supplies 50% of the world's cocaine, with the United States and Europe representing 84% of that market. The “war on drugs” launched in the 1980s, with the support of the U.S. government, unleashed a crisis of violence throughout the country, as guerrillas like the FARC and ELN were largely funded by drug trafficking. Between the victims of internal armed conflicts, cartel-related killings, and forced displacements, the victims number in the hundreds of thousands (Tocora, 2022).

Salvador Cubero's argument for charging drug traffickers with crimes against humanity involved adding other types of activities, such as murder, kidnapping, slavery, etc., to the contextual elements. Our hypothesis is that such activities are indeed prevalent, and in abundance. To confirm that the TJ approach is justly applicable to these victims, we must acknowledge some of the terrible consequences of drug production and trafficking, which have resulted in thousands of victims, thousands of deaths, and thousands of displaced persons due to the corruption and collusion of governments with drug cartels, enabling them to systematically violate the human rights of entire populations.

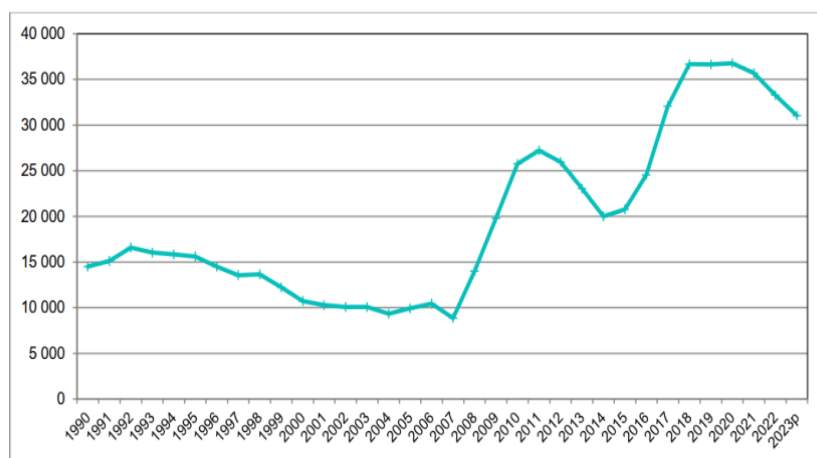
299,000

Internal Displacements ^① (2008 - 2023)

392,000

Internally displaced people (IDPs) ^① (As of end of 2023)

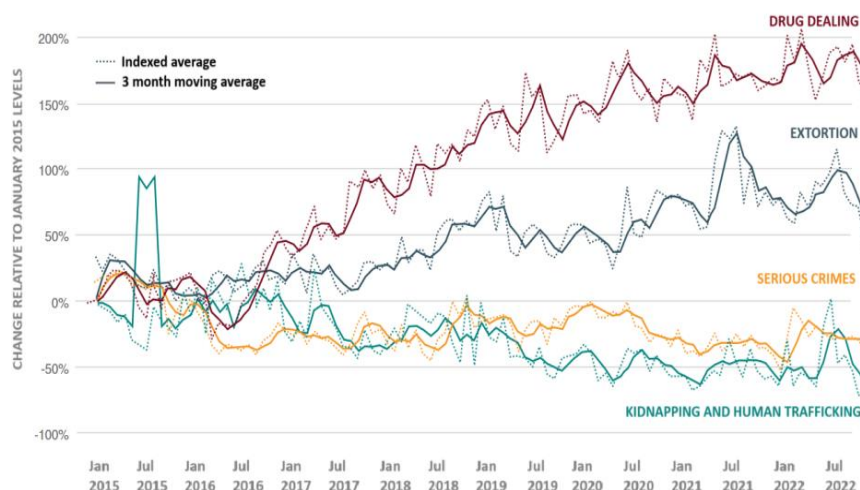
Homicide count nationwide (1990–2023). Source: INEGI



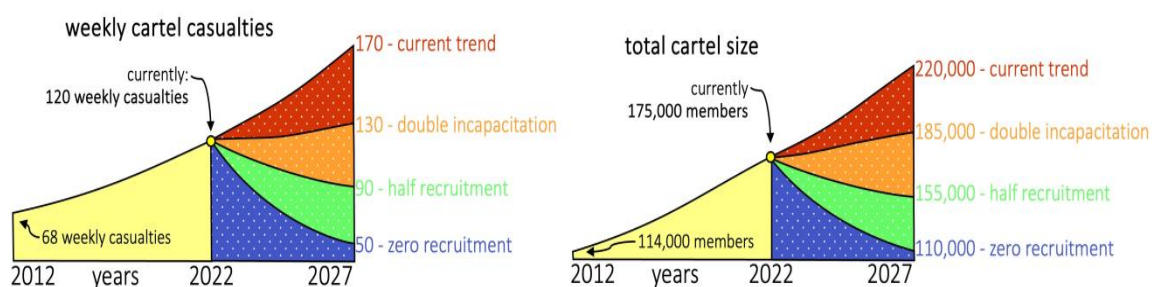
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Indexed Monthly Change in Organized Crime Offenses (2015-2022). Source: SESNSP



An study by Rafael Prieto, Gian Maria Campedelli, and Alejandro Hope, published by the *Complexity Science Hub* in Vienna, shows that drug cartels are among the largest employers in the country, with between 160,000 and 180,000 members, recruiting at least 350 people a week. These authors create predictive models and see that increasing the number of arrests would increase the number of homicides and even incentivize further recruitment of members. Conversely, preventive policies aimed at discouraging recruitment could bring many benefits:



Finally, there are studies showing that the routes used by Central American migrants passing through Mexico on their way to the United States are almost identical to the drug trafficking routes, which makes migrants—especially minors—easy prey for cartels, as they are used as forced labor in drug cultivation or as “mules” to transport drugs (Furlong, 2022).

As Mohamed ElBaradei, Ruth Dreifuss, and Elhadj As Sy have argued: “Transitional Justice must not forget the victims of the war on drugs” (2024). for example, in the case of Colombia, the Truth Commission helped address the reality of how repressive drug policies contributed to violence, conflicts, and numerous human rights violations. This Commission showed that: a) for decades, drug trafficking directly financed armed groups; b) the blind repression of production and trafficking has contributed to profits and power remaining in the hands of criminals; this repression has focused on small producers, consumers, and low-level traffickers, without holding drug enforcement authorities clearly accountable for their actions; and c) if the goal is to seek truth or reconciliation, the harmful impact of militarizing the response to drug trafficking and production cannot be ignored. A similar process is necessary in Mexico.

4. FINAL REFLECTION: IMAGINING FUTURES

Sometimes, the obvious goes unnoticed. In our case, we must not forget that the TJ approach indeed seeks *justice*, and in this sense, truth is its condition of possibility. However, it also seeks *peace*, a different future, and social reconciliation, where creativity and imagination play a crucial role. The past must be repaired to change the course of the future; otherwise, what kind of transition are we talking about? As former UN High Commissioner for Human Rights, Louise Arbour (2008), stated, TJ *must go beyond crimes and abuses*, addressing the violations that rights violations that pre-dated the conflict and *caused or contributed* to it.

The war on drugs, in just a decade, has claimed 350,000 lives, not to mention the countless invisible victims and those yet unaccounted for, the displaced, the substantial economic losses, the divided families, kidnappings, and the ongoing state of alert and anxiety experienced by much of the population due to insecurity.

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Drug lords recruit countless young people, even children, who are vulnerable due to a lack of opportunities and education. These young people are the ones dying daily, fighting over territory with other cartels or falling at the hands of the army and police. Military casualties also number in the hundreds. Like so many others, this war is fratricidal.

Frank Haldemann (2017) presents several interesting characteristics that offer a more realistic view of TJ and can serve as a guide for public policy design and action in the specific case of Mexico. I will highlight four of his ideas that are particularly relevant:

a) *Focus more on what is politically feasible than on good intentions*: Given its current situation, Mexico cannot expect a “happy ending” fairy tale; it urgently needs an end to the violence and insecurity affecting the population.

b) *Conflicts do not always end with a perfect, reasoned, and consensual conclusion*: The current government should not be trapped in trying to please everyone, and civil society should not expect a perfect consensus.

c) *A realistic view of politics is context-dependent*: The current context, for example, calls for the involvement of international judges and courts, external prosecutors, and independent investigative agencies to help evaluate cases and review files. While there is drug consumption in Mexico, Mexicans must understand that the deaths from the war on drugs are driven by drug consumption in the United States and Europe. It is impossible to stop the bloodshed without addressing the demand for narcotics. The United States, in particular, must acknowledge its co-responsibility for the state of affairs in Latin America. Drug consumers must be made aware, through strong campaigns (similar to the “blood diamonds” campaign in Sierra Leone), of the human toll behind the white powder and the colored pills.

d) *Beware of simplistic dichotomies*: One such dichotomy is criminalizing drugs instead of addressing them from a public health perspective, which would offer more advantages in educating the population, providing employment alternatives, etc.

Based on the above, I believe that there are at least three areas in which Mexico can apply practices and mechanisms derived from the TJ approach, considering its current circumstances and with a realistic focus:

a) *Trials for a few, amnesty for many*: To combat the climate of impunity reigning in Mexico, it is vital to prosecute, arrest, and try major drug lords and the politicians who helped them in exchange for large bribes. In this sense, it would be counterproductive to apply amnesties or “amnesiac pardons” to cartel members (Uprimny, 2006), but it is worth considering solutions that grant amnesty to the many young people who were used and who are the ones filling the prisons (Sarkin, 2018), while focusing prosecutorial efforts on corrupt politicians and drug lords, who could be tried for crimes against humanity with the help of the Inter-American Court. The fiscal and judicial assistance provided by countries like the United States is essential, as Mexico’s judiciary is also marred by complicity and corruption with the cartels.

b) *Restoration of relationality*: As Colleen Murphy (2017, p. 119) notes, the problem of TJ is not the same as the problems of criminal justice, corrective justice, or distributive justice as commonly understood. TJ is concerned with the just pursuit of social transformation. The central question of TJ is: what constitutes the just pursuit of social transformation? Widespread structural inequality and the normalization of collective and political wrongdoing make social transformation necessary. The violence endured for decades in Mexico at the hands of organized crime or due to the war against organized crime calls for this social transformation. Social transformation implies relational transformation, as it seeks to respond to the condition of widespread structural inequality. According to Murphy, transformation is best defined in relational terms, that is, as a re-examination of the terms of interaction that structure political relations between citizens and between them and officials; TJ processes aim to promote this. At its core, relational transformation is about establishing relationships based on mutual respect and reciprocity (Murphy, p. 160).

While there are limits in the judicial realm, in the relational sphere, we can be much more creative, as the margins are wider. If the Complexity Science Hub study in Vienna shows that discouraging recruitment would be the most successful way to combat the drug trade, then we should start by offering children and young people an ambitious educational and employment program. We should promote campaigns that visualize a peaceful adult life, far from violence and revenge. Small loans for new ventures, along with mass temporary employment for young people by the government, even with modest wages, could be a good start to disarm drug recruitment. Practices that restore the social fabric through sports and games, art, and recreation have been fundamental in many countries to halt and reduce conflicts. Many NGOs can collaborate on this task, and Mexico must humbly request this “muscle” of strength and support to its advantage.

c) *Culture of reparation*: Many authors point out that the TJ approach is usually invoked when there is a political regime change. Mexico is currently experiencing a government transition, with its leaders promising that the long-term benefits will address the root of social problems. Seizing this opportunity would be crucial to encourage the government to undertake a well-communicated Transitional policy. Mexican citizens must learn to speak to those in power with persuasive rhetoric that earns global solidarity. Alison Brysk (2013) offers an innovative analysis of the politics of persuasion, based on the strategic use of voice, framing, media, protests, and audience connection. Specifically, citizen rhetoric should focus on demanding a “culture of reparation.”

As Luke Moffett (2017, p. 379) notes, the human rights reparations approach is carried out through five types of reparation:

a) *Restitution*, which includes the restoration of property or rights. In this sense, Mexico must set an example by seizing the assets and properties of drug trafficking and returning them to the country’s poorest communities through public works, housing, schools, etc. It is also crucial to restore land to farmers for traditional crops.

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b) *Compensation*, which includes both monetary and non-monetary indemnities to cover the costs and moral damage suffered by victims, either through a lump sum or a pension. A large census of people killed by organized crime must be conducted, and pensions should be provided to the families by the government, which may be significant. This would represent an acknowledgment of government responsibility and give dignity to surviving victims.

c) *Rehabilitation*, which involves physical and mental care, as well as social services, to heal the personal integrity and social functioning of victims. Mexico's healthcare services can provide this care and thereby contribute to the emotional well-being of surviving victims.

d) *Measures of satisfaction*, which include public recognition of the harm suffered by victims and symbolic reparations to reaffirm their dignity. In Mexico, there are conditions for building memorials for the disappeared, museums on the horrors of drug trafficking, public acts of social reconciliation, etc. Let us remember that there can be no justice without "recognition"⁹ and that it is imperative to make victims' voices heard. Furthermore, we must take a step forward to ensure that recognition is not only centered on the individual victim but also on the community, making it more appropriate.

e) *Guarantees of non-repetition*, which are public commitments and reforms by the State to prevent future violations. In this case, Mexico has a long way to go in the field of civic and ethical education, human rights training for the armed forces, but above all in educating "the next generation" of young people and children differently. Realism should also lead us to patience. The violence and insecurity Mexico is experiencing were slowly brewed over 50 years. We cannot expect it to be resolved by magic!

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