



Punishment, wars and extreme violence in Eastern Europe and Eurasia: A view from Latin America

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Abstract

In thinking about crime and punishment in Eastern Europe and Eurasia this piece considers perspectives from Latin America. It starts by considering Latin American responses to Russia's war against Ukraine. The paper shows the inability of Latin American states to unite in opposition to Russia's invasion. It then reflects on both the lessons that informal practices in Eastern Europe and Eurasia can hold for Latin America and on the potential relevance of Latin American experiences for countries in Eastern Europe. In seeking to identify parallels between these regions the paper pays special attention to colonial legacies. The piece then turns to prison trends in both regions and draws attention to the maxi-prison model increasingly in vogue in Latin America. There follows a brief discussion of the impact of neo-liberal economies on corruption and repression trends in both regions. The final paragraphs turn to the broader questions of human rights in the regions.

Key words

War, violence, punishment, prisons, drugs, human rights

Resumen

Al reflexionar sobre el crimen y el castigo en Europa del Este y Eurasia, este artículo analiza las perspectivas desde América Latina. Comienza examinando las respuestas latinoamericanas a la guerra de Rusia contra Ucrania. El artículo pone de

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manifiesto la incapacidad de los Estados latinoamericanos para unirse en oposición a la invasión rusa. A continuación, reflexiona tanto sobre las lecciones que las prácticas informales de Europa del Este y Eurasia pueden aportar a América Latina como sobre la posible relevancia de las experiencias latinoamericanas para los países de Europa del Este. En su intento por identificar paralelismos entre estas regiones, el artículo presta especial atención a los legados coloniales. A continuación, el artículo se centra en las tendencias penitenciarias de ambas regiones y destaca el modelo de «maxiprisiones», cada vez más en boga en América Latina. A continuación, se ofrece un breve análisis del impacto de las economías neoliberales en las tendencias de corrupción y represión en ambas regiones. Los párrafos finales abordan cuestiones más amplias relacionadas con los derechos humanos en las regiones.

Palabras clave

Guerra, violencia, castigo, prisiones, drogas, derechos humanos

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Epilogue — Punishment, wars and extreme violence in Eastern Europe and Eurasia: A view from Latin America

The contributors to this special issue of the *Oñati Socio-Legal Series* examine various aspects of penal systems, prison order and governance, patterns and experiences of oppression and extreme violence as well as efforts at penal and prison reform in the Eastern European region. Combining a history of the region with critical analyses of these themes and issues, the contributors offer a wide range of perspectives. They resonate well beyond the confines of Eastern Europe and Eurasia.

Drawing on the notion of the *Global East* this collection of essays aims to situate the countries formerly occupied by the Soviet Union firmly within broader Southernizing and Decolonizing trends in criminology and socio-legal scholarship. As the authors remind us, criminologists, area studies experts and post-colonial scholars have tended to overlook the experience of colonialism in Eastern Europe and Eurasia. This, however, did not go unnoticed in wider studies of international politics. Scholars like Lawrence Freedman and Adam Roberts saw the end of the Cold War and the collapse of Soviet control over Eastern Europe as the continuation of the much larger process of post-World War II decolonization: it was in fact considered as a culmination of the global decolonization wave (Freedman 1992, Roberts 2010). For them there was no doubt that by 1989, with the end of communist rule in Eastern Europe, the Soviet empire had ceased to exist. Thus, when in 2014 and more so when on 24 February 2022 Vladimir Putin embarked on a full-scale war against Ukraine, these actions were unambiguously seen by these and other scholars, including Timothy Snyder, as a clear example of colonial warfare (The Economist 2022, Snyder 2022). For Vladimir Putin, Ukraine's independence and separation from Russia was simply "unnatural" (Freedman 2022, 361).

In 2014 as in 2022, Putin sought to validate Moscow's legally unjustified military action against Ukraine in the language of International Law. Not only is it impossible to underplay the unlawfulness of military action against another state's territorial integrity, but the acts committed by Russia in the course of the war which amount to war crimes are also indisputable. Yet, one of the surprises is how China and countries from the South, including from Latin America, that are overtly so jealous of sovereignty and territorial integrity have remained on the fence about Ukraine.

Although the Russian invasion of Ukraine and its conduct of the war have been clearly against key international norms long cherished by Latin American countries, some of their responses to this war have been as erratic as perplexing. Mexico was at the time sitting on the Security Council as an elected member for the sixth time. As in 2002-2003, in its 2021-2023 turn, coincided with a major war. Although Mexico's initial priorities centred around the advancement of International Law, the promotion of mediation and the peaceful settlement of disputes and the protection of civilians, the outbreak of war in Ukraine radically altered the stage (López Obrador 2025).

During the tense two weeks that preceded the invasion, when strong signals –from US intelligence to Macron-Putin "long-table meeting" –indicated an imminent Russian invasion of Ukraine, Mexico pleaded for the respect of Ukraine's sovereignty, its political independence and territorial integrity. Mexican diplomats at the UN, whether in New York or in Geneva consistently condemned the signals of war, its outbreak and illegal

and inhuman conduct. In doing so they continued to call attention to Russia's violation of the UN Charter. References to the prohibition of the threat or use of force in international relations, to respect for the territorial integrity and political independence of States and non-intervention in their internal affairs have also been recurrent. Yet, by limiting their role to calling for a peaceful resolution Mexican diplomats seemed to underestimate an aggression against a sovereign state, and to opt instead for a pacifist position.

On 17 February 2022, when Russia had already concentrated 170-190 thousand troops in and near Ukraine, and Antony Blinken, US Secretary of State, warned of Russia's imminent invasion of Ukraine, Mexico's Representative to the UN again made an appeal to Russia and Ukraine as if they were equally responsible for the crisis (Walker 2023). Both parties were asked to "reduce tensions" and to make the necessary space for a negotiated political solution in which dialogue and diplomacy and de-escalation could prevail. With military maneuvers already resulting in a massive flow of refugees, Mexico's Minister of Foreign Affairs, Juan Ramón de la Fuente, again called on both Russia and Ukraine to allow humanitarian access (Redacción El Universal 2022a).

By 21st February 2022, Mexico's response to Russia's military deployments 15 km from the border with Ukraine and to Putin's simultaneous recognition of the independence of Luhansk and Donetsk again urged the parties to abstain from actions that could escalate the crisis and to allow for the return of diplomacy and dialogue. But with war approaching, this time the Mexican ambassador called on Russia to abide by its recent pledge not to invade Ukraine (Misión Permanente 2022, Redacción El Universal 2022e).

When in the days that followed the start of hostilities the General Assembly voted on 2nd March 2022 a resolution condemning both the Russian aggression on Ukraine, its attacks on civilian facilities, including residences, schools and hospitals, and Moscow's decision to increase the readiness of its nuclear forces, two leading regional countries, Brazil and Mexico, decided to abstain rather than support this resolution (A/RES/ES-11/1). But on 4 March of that year—when the number of refugees fleeing the war in Ukraine had already surpassed 660, 000, creating Europe's largest refugee crisis since World War II—Brazil and Mexico, together with Argentina, Honduras and Paraguay joined other 27 countries at the UN Human Rights Council in a strong condemnation of Russia's aggression against Ukraine. At that point Brazil and Mexico, together with the other 30 countries supporting the resolution, did not hesitate to condemn Moscow's violations of human rights law and international humanitarian law in the conduct of the war.²

If Russian invasion forced Mexican diplomats in New York and Geneva to fully acknowledge and act on it, this was not necessarily the case with Mexico's then President Manuel Andrés López Obrador (AMLO) or his party MORENA. While Mexican diplomats sponsored and voted in favour of resolutions at the UN Security Council, the UN Human Rights Council and the UN General Assembly, in his daily morning press conferences the Mexican president continued referring to the past invasions of Mexico and his government's commitment to sovereignty and non-intervention. He also ducked referring or condemning the Russian invasion. In the following weeks Mexican

² Only Eritrea and the Russian Federation voted against this resolution and 13 member states abstained. The latter included Armenia, Bolivia (Plurinational State of), Cameroon, China, Cuba, Gabon, India, Kazakhstan, Namibia, Pakistan, Sudan, Uzbekistan and Venezuela (Bolivarian Republic of). See A/HRC/RES/49-1.

diplomats joined their voices in condemnation of the war. With France, Mexico sponsored a resolution on its humanitarian consequences, and on 6 May 2022, together with Norway, helped propell a Presidential Statement of the Security Council conveying strong support for the UN Secretary-General's efforts in the search for a peaceful solution to the war in Ukraine.³ On 12 May with other 33 member states Mexico supported the creation of a special commission within the Human Rights Council to investigate crimes perpetrated against civilians in the war on Ukraine.

Not only did Morena welcomed a Group of Russian-Mexico Friends in the Chamber of Deputies, where they held a vast majority, as the Mexican-French Humanitarian resolution was adopted, but AMLO's decision to avoid answering questions about the invasion of Ukraine arouse suspicion of his sympathies towards Moscow.⁴ Since the start of the war, Ukraine's Ambassador to Mexico, Oksana Dramarétska, acknowledged Mexico's support for her country's territorial integrity, but had also lamented the reluctance of the AMLO administration to unequivocally condemn Russia's aggression (García 2022). Although at first, Mexico's Foreign Secretary, Marcelo Ebrard, promptly responded with a statement condemning the use of force and the Russian invasion, a few days later he left no doubt of Mexico's conditional support for Ukraine (Redacción El Universal 2022b). Mexico would continue condemning the invasion, highlighting the prohibition of the use of force and calling for a peaceful solution, but Ebrard also made clear that Mexico would not join initiatives that called for sanctions on Russia (López Obrador 2022). Soon after it became clear that Mexico would also abstain from initiatives aimed at Russia's expulsion from international organizations. Unsurprisingly, Putin's government welcomed these decisions. On 6 March 2022, Víktor Koronelli, Russian Ambassador to Mexico celebrated Mexico's reluctance to join the call for sanctions and the cordiality of Mexico-Russian relations (Redacción El Universal 2022c).

In early April 2022, Mexico, together with Brazil, again changed course. By then, the scale of the human rights and humanitarian crises triggered by Russia's full invasion of Ukraine was behind a call to suspend Russia from the Human Rights Council and a vote conducted in the General Assembly on 7 April 2022. By then, patent evidence of atrocities and war crimes being committed by Russian forces against Ukrainian civilians was not enough to persuade Brazil and Mexico to support this motion. Together with El Salvador and half a dozen Caribbean nations Brazil and Mexico again decided to abstain (A/RES/ES/11/3, UN News 2022).

In an effort to explain Mexico's ambiguous position, Juan Ramón de la Fuente, Mexico's Representative to the UN reiterated that Russia's invasion was in clear violation of International Law and the UN Charter and that serious human rights violations should be investigated. At the same time though, he questioned the rationale of expelling a

³ See UN Security Council Presidential Statements (https://www.securitycouncilreport.org/un_documents_type/security-council-presidential-statements/page/2), *Statement by the President (S/PRST/2022/3)*.

⁴ General Assembly resolution A/RES/ES-11/2, titled "Humanitarian consequences of aggression against Ukraine" co-authored by France and Mexico and co-sponsored by 96 member states, deplored the humanitarian consequences of Russia's hostilities against Ukraine and demanded that Russia withdraw all of its military forces from Ukraine within its internationally recognised borders. Security Council: *Chronology of events, Ukraine, February 2014-April 2024* (<https://www.securitycouncilreport.org/chronology/ukraine.php>), Redacción La Jornada 2022.

member from the Council. In his view the ultimate goal should be to take to justice those responsible for serious human rights violations and war crimes, rather than to expel a member from an inter-governmental body of the UN (Marcial Pérez 2022). With the same arguments Mexico, along with other seven members of the Organization of American States, including Brazil, abstained in a vote that sought to suspend Russia's status as a permanent observer of the OAS (Redacción El Universal 2022d).

The flagrancy with which Russia invaded Ukraine and has resorted to brute uses of force is no doubt indicative of the pressures facing International Law's authority. This is a process of erosion that is in no way separate from politics. The explanations are certainly not far to seek, but when rules and norms are time and again ignored with impunity, uncertainty reigns. Clearly, by failing to unequivocally condemn Russian actions against Ukraine Brazil and Mexico, and many other countries from the South, chose not to invoke International Law and a rules-based order. Like China, these countries have often made clear their interest in hard notions of sovereignty and territorial integrity, "but not so much in Ukraine" (Kinstler 2025). If global norms can only be effectively upheld collectively, more than the failure of International Law what we are witnessing is the failure of international politics.

Evidently, invoking these fundamental rules would not have limited Russian actions or controlled Putin's behaviour. But by signalling that International Law could be inconsistently applied, countries like China, Brazil and Mexico have in fact contributed to its erosion and to lowering the cost of unlawful behaviour: in other words, to the rise of a new order of spheres of influence where powers increasingly rule without much legal restraint (Bâli and Moyn 2026, Weller 2026).

Reluctant to recognise these risks Latin American countries would soon wake up to a renewed period of neo-colonial upheaval. US attacks on small boats off the coasts of Venezuela, Colombia, Mexico and Trinidad and Tobago; Trump's threats on Canada and Panama; and Washington's invasion of Venezuela are all testimony of a new age of empire in the Americas (Snyder 2025, Abrams *et al.* 2025, Chávez 2025).

If the invasion of Ukraine opened a new chapter on debates on imperial and colonial wars and the future of International Law, Russia's war on Ukraine has also brought to the fore important questions about imperial legacies in punishment, subjugation, imprisonment and repression. These are precisely some of the themes addressed by the contributors to this volume. Conceptually, the articles here shed a good deal of light on the relevance of punishment and society scholarship from Eastern Europe and Eurasia for Southern criminology debates. They also show how just how blind these debates have been to the experiences of countries that were and have been subjected to various systems of imperial and colonial rule. Empirically, the articles set out to investigate punishment and social dynamics affecting Eastern European and Eurasia countries today. The issues covered range from the war on Ukraine to prison systems and penal reform, corporate neo-liberal corruption and the politics of gender recognition in the post-Soviet region, to the display of extreme violence in Nagorno-Karabakh. The articles on the war on Ukraine explore its role as a tool for regime legitimation and social integration, as well as the devastating trauma and social problems that have come with the war. The articles on prisons and prison reform in Kazakhstan, Kyrgyzstan, China, Moldova, Estonia, Georgia and Latvia have in common an emphasis on the importance

of the lingering legacy of the Soviet model of punishment and collectivism, while drawing attention to factors such as openness, foreign donor involvement, civil society participation and ideological entrenchment to explain the different trajectories followed by these countries. If the war on Ukraine and Soviet colonial legacies of current repressive tendencies cannot be left out, neither can the harmful and violent effects of the region's subordinate integration into the global capitalist economy. What is at issue here is the way in which informal practices and repressive legacies have been put at the service of state-corporate pacts in Eastern European and Eurasian countries.

What lessons do these experiences hold for Latin America and what is the relevance of Latin America for Eastern Europe and Eurasia? First and most obvious, Latin America has not been totally free of these Soviet penal legacies and experiences. Soviet penal influences and ideas of penal re-education and collective working were welcomed in Fidel Castro's Cuba and subsequently in Nicaragua's carceral system (Central Intelligence Agency 1984, Neier 1988, Yordanov 2020, Piacentini and Slade 2024). Yet it is surprising how little we, in Latin America, know about the experiences of control, punishment and extreme violence in these countries.

As seen from Latin America, these articles help us understand both the importance of colonial pressures and legacies behind these experiences, as well as their relationship to their larger economies and societies. The contexts clearly vary between and within these two regions but some broad issues of common relevance can be identified. Whilst largely different in nature, war has not been strange to Latin America, where three US-led wars on drugs, including the more recent wave of attacks on small boats, have brought havoc and destruction, massive civilian casualties, social disintegration, atrocities and extreme violence, and huge economic costs. Like in Ukraine and Russia, in countries in Latin America—certainly in Mexico and Colombia—this particular form of war has propelled a “dirty” form of “togetherness”. It has also produced all types of new social problems, not different from the mental health issues or the militarization of civilian institutions identified by Leonid Kosals in the context of the war on Ukraine. When in 2008 Médecins Sans Frontières (MSF) landed in Mexico to temporarily help with severe floodings they found a country at the peak of its war on drugs. They soon engaged in medical assistance in parts of the country affected by criminal violence, including a mental health programme to persons exposed to extreme violence in the North of the country. MSF has not as yet left Mexico.

A second set of developments that are central to understanding the connections between the war in Ukraine and the wars on drugs in Latin America concern the contribution of Ukraine to Latin American wars on drugs and Latin American contributions to Russia's war on Ukraine. Not only have Colombian and Mexican drug-traffickers excelled in the use of drones; they have actively sought training in drone warfare in Ukraine. Meanwhile, Latin American men, mostly from Cuba, Colombia and Peru, have been and are being aggressively recruited by Russia.⁵

The experiences of war and extreme violence provide another important lens through which to view commonalities between these regions. The analysis of “exhibitionist

⁵ With an estimated 20, 000 recruits, Cuba represents the largest group, followed by 7, 000 Colombians and approximately 600 Peruvian men. See Stacey 2026, Silva Santos 2026.

violence” in the Nagorno-Karabakh conflict by Nona Shahnazarian resonates with the display of extreme violence by drug and criminal groups in Mexico, Colombia and other parts of Latin America. Although the colonial-ethnic and criminal contexts of these conflicts clearly differ, as Shahnazarian reminds us displays of extreme violence, whether in the Caucasus or in Latin America, tend to take place in structured environments and are also intended for specific audiences. Thus, performative violence most often conveys messages, and these can be intended for victims or for members of the perpetrators’ group. Thorough displays of brutal violence and terror perpetrators can seek to foster discipline and cohesion within their own group while simultaneously pressuring adversaries and victims into subordination.

The interesting efforts of Kyrgyzstan, Kazakhstan and Moldova at prison reform sharply contrast with prison trajectories in Latin America. The constructive role played by donors and institutions, including the European Union, the UN and Norway in these efforts at reform contrast with the impact of successive wars on drugs on prison population in Latin America. The positive experience of Kyrgyzstan makes clear that the prospects of success largely depend on the wider synergies developed among donors, authorities and civil society. The harmonization of normative and legal standards, the limits established on pre-trial detention and the creation of National Prevention Mechanisms (NPM) authorizing the unannounced monitoring visits to detention centres contrast with the trends towards massive incarceration and “preventive” imprisonment in Latin America.

With 1.4 million persons behind bars in 2019 Latin America had the fastest growing prison population in the world. In 2024, 32 per cent of the global population in prison was incarcerated in the Americas. According to UNODC, Latin Americans were three times more likely to be held in prison than people in Africa. In terms of rates of prisoners per 100,000 population, with 356 per 100, 000 in 2024—486 in North America, 286 in South America, 258 in Central America and 329 in the Caribbean— the Americas showed much higher rates than those observed in Eastern Europe, where the rate of prisoners per 100,000 population declined from 333 in 2014 to 199 in 2024.⁶

Between 2014 and 2024 this rate increased by 28% among Central American countries, mostly driven by El Salvador, while rising by 13% among the South American Republics, particularly Argentina, Brazil and Peru. Not only did the opening of the Centro de Confinamiento del Terrorismo (CECOT) in El Salvador in 2023 lurk beneath these trends; it announced a new and alarming chapter in prison trends in Latin America. Designed as a key element in President Bukele’s aggressive strategy against crime and gang violence, the 40, 000-inmate “super-max” prison was soon filled with thousands of suspected gang members. While emergency legislation effectively suspended constitutional rights, cash rewards have lured people into providing information (true or false) that leads to arrests. Detainees in El Salvador—which now has the world’s highest incarceration rate, by more than twice the next highest country—are then confined in heavily crowded cells, subjected to inhuman punishment and degrading

⁶ According to UNODC, this decline of 41 per cent was driven primarily by a reduction in the number of people in prison in the Russian Federation, which accelerated from 2021 onwards. But the question of prisoners released for war recruitment remains open. See Igarapé Institute 2019, UNODC 2025, 2026, Muggah 2026.

treatment, denied outdoor time and communication and family visits (Magaloni and Díaz Calleros 2025).

Well before Bukele's CECOT model gained traction among some Latin American leaders overcrowded prisons across the region had already become criminal sanctuaries, providing critical infrastructure for recruitment, the drug business, and the projection of power. In Brazil, by the turn of the century, overcrowded and underfunded prisons provided the platform for two criminal organizations, the First Capital Command (Primeiro Comando da Capital – PCC) and the Red Command (Comando Vermelho – CV) to organise, engage in mass recruitment, and venture into the profitable illicit cocaine trade (Newton *et al.* 2026). The recent record of prisons in Ecuador reveals a similar and violent trend.

Given all this, the plans to build mega-prisons announced by Argentina, Costa Rica, Ecuador, Guatemala and Honduras represent a risky proposition. Overcrowded prisons in the region are only one expression of a larger problem, ranging from excessive and growing pre-trial detention, systemic corruption and weak penal institutions, not to mention transnational criminal organizations that have now adapted to confinement and turned it to their advantage. Under these conditions mass prisons could become industrial recruitment and training centres and provide strategic command resources to powerful criminal organizations.

The analysis of manganese mining in Chiatura in Georgia by Konstantine Erivasti reminds us that it is not just colonial legacies that matter in corruption and repressive governance trends. Not to be ignored in the analyses of such trends are the neo-liberal modalities of integration into the global capitalist economy and the associated patterns of accumulation. In Georgia, as in those regions of Latin America where foreign mining has boomed, colonial and authoritarian repressive legacies have helped disciplined labour. In both regions environmental deregulation has provided, in turn, the institutional context for predatory capitalist extraction. What these means is that the incorporation of these regions into the global economy has relied upon “regimes of extreme repression” that have come at a considerable social and environmental costs.

It is impossible to underplay the significance of Yana Kirey-Sitnikova's study of changes in legal gender recognition (LGR) to this broader overview of socio-legal and criminological issues in Eastern Europe and Euroasia. In tracing the course and evolution of legal gender recognition in the Soviet and post-Soviet region the author unveils an enlightened medico-legal approach to these questions. With a 1926 law, *Circulaire* No. 146, the Soviet Union emerged as one of the first countries to explicitly allow changes in a persons' gender and name. Did LGR's evolution from a fundamentally medical-technical issue in the Soviet Union into a broader transnational and trans-activism demand in the post-Soviet region have some bearing on the resulting and more restrictive policy configuration? The analysis suggests that these broader trans-activist demands sparked furious resistance to Western influences and were thus partly responsible for the policy reversal. There is certainly some truth in these arguments. But the reversal also seems inseparable from wider trends which are not necessarily confined to the post-Soviet region, but are part of a broader wave of scepticism about the turn taken by human rights advocacy (Hopgood 2006, 2013).

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