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ARMS TRACING

Perspectives on control, traffic and use of illegal weapons in Colombia

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Bogotá, November 2009



KINGDOM OF BELGIUM
Federal public service
Foreign Affairs,
Foreign Trade and
Development Cooperation



A R M S T R A C I N G

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Presentation

Small arms traffic is a costly and longstanding problem in Colombia. It is therefore paradoxical that despite its importance and longevity, very few studies have addressed the subject.¹ This report sheds light on the traffic of illegal arms and diversion of legal arms towards illegality. To this end, existing information was combined with innovative quantitative analysis, using data from 9,883 of the 18,051 weapons surrendered by the AUC between 2003 and 2006, as well as from 101 weapons seized by Colombian authorities from other illegal armed groups.

This report was conceived with a dual purpose. First, in light of information already available and the cooperation of Colombian authorities, the report aims to provide some novel insight on this insufficiently studied phenomenon. Second, it puts forth some recommendations to improve government strategies in dealing with this problem, both for Colombian authorities and for the governments of the European Union and other countries. The study also hopes to make a contribution to the international academic debate on arms trafficking, inasmuch as it incorporates a volume of quantitative analysis that other countries would have difficulty replicating.

The project was conducted by the Security and Defense Studies team from Fundación Ideas para la Paz (FIP), with guidance from An Vranckx, Researcher with the Conflict Research Group at the University of Ghent and Associate Researcher with the United Nations University Center for Comparative Regional Integration Studies (UNU-CRIS). Work for the project took place between June 2008 and September 2009, and was made possible thanks to funding from the Belgian Government.

The effort would not have borne fruit without the generous collaboration of several Colombian Government entities, including the National Defense Ministry, the Foreign Relations Ministry, the Administrative Department of Security (DAS) and the National Police. It also received the kind assistance of the United Nations Office on Drugs and Crime (UNODC) and the Organization of American States Mission to Support the Peace Process in Colombia (OAS/MAPP).

Project researchers thank Colombian Government officials, representatives of international organizations, and other sources who prefer not to be identified, for their assistance and time, without whose support this initiative would not have been possible. As always, any errors of fact or interpretation are the sole responsibility of the researchers and do not represent the official position or policies of the above-mentioned organizations or governments.

ENDNOTES

- ¹ The extent of publications on arms trafficking in Colombia consists of two studies by the RAND Corporation and the United Nations Office on Drugs and Crime in 2003 and 2006, respectively, and a series of brief standalone reports by independent researchers, of which the texts by Restrepo and Aguirre for the Small Arms Survey, are outstanding.

Chapter 1

LIGHT WEAPONS IN COLOMBIA

Small arms play a major role in violent deaths in Colombia. Historically, nearly four out of every five homicides committed in the country involve firearms, and this trend has persisted despite the notable drop in the homicide rate in recent years. Whereas in 2002 there were 28,534 homicides, in 2008 this figure fell to 15,251—the lowest number seen in 30 years. Nonetheless, the proportion of homicides perpetrated with firearms only fell from 84.1% to 70.9% over the same period.

Table 1.1: Total homicides and homicides involving firearms, 2002-2008

YEAR	TOTAL HOMICIDES	HOMICIDES BY FIREARM	PERCENTAGE
2002	28.534	24.003	84.1%
2003	22.199	18.433	83.0%
2004	18.888	14.545	77.0%
2005	17.331	12.040	69.5%
2006	16.274	11.655	71.6%
2007	16.269	11.604	71.3%
2008	15.251	10.820	70.9%

(Figures from the National Forensic Sciences Institute)

The high rate of firearm use in violent deaths can easily be seen in terms of homicides, and just as clearly in deaths associated with the armed conflict. As such, they have been the common denominator in massacres perpetrated by all illegal armed groups, where some 80% of the victims have been murdered with firearms. This contrasts with the relatively low use of small arms in cases of assault, suicide, and petty crime.¹

In light of these facts, Colombia’s interest in the role of small arms in daily violence and the armed conflict has been growing. In recent years, different government and civil society organizations have launched initiatives aimed at controlling the possession and use of these weapons, through a series of activities that have ranged from voluntary disarmament campaigns to tighter restrictions on carrying weapons, spot-check operations, and confiscation.

Despite these important initiatives, sound public policy and effective social controls must be based on a good understanding of the problem at hand, and in this sense it must be acknowledged that the national debate on small arms has been biased and fraught with misunderstandings and fragmented information. For this reason, a comprehensive look at the issue of small arms and light weapons in Colombia must begin with an accurate description of the situation.

This section of the report serves this purpose, as it considers Colombia’s legal provisions on the matter, reviews the channels through which small arms enter the country, discusses the estimated stocks of legal weapons, and goes over the limited information available on illegal weapons in the country.

The State Monopoly on the Import, Possession and Trade of Small Arms

Under Colombian law, the State has a monopoly on issuing permits and trading in firearms. This monopoly, established under article 223 of the Constitution, grants exclusive rights to the State to import, manufacture, and possess firearms. As such, the State makes conditional concessions for the possession and carrying of arms by individuals who meet certain requirements, as put forth in Decree 2535 of 1993.²

Pursuant to this constitutional provision, Colombia’s Military Industry – Indumil, serves as the State’s sole authorized agency for the manufacture and trade in military supplies, and is the entity responsible for importing and producing firearms in Colombia. This takes place in two ways: the import and manufacture of weapons for exclusive use by the security forces, and the import, production, and sale of weapons for civilian use, including weapons for self-defense, sporting arms, and collectibles.

To supply its security forces, Colombia produces and purchases military weapons, including assault rifles, automatic and semiautomatic guns, pistols, revolvers, mortars, missiles, and other weapons for military use. Besides importing the supplies required by the Military Forces and National Police, throughout its history Indumil has also produced different types of weapons and ammunition, under license from foreign companies.

This mode of production, relatively common among Latin American countries, has served both to reduce procurement costs and to boost local industrial capacity, so as to reduce dependencies on foreign suppliers and maintain some strategic autonomy.³ In Colombia, the search for self-sufficiency in light weapons production began in earnest in the late 90’s, and was driven by the virtual embargo imposed by a number of its traditional suppliers, who voiced their concerns over the human rights situation in the country.

Such was the case of the German company Heckler & Koch. During the 1960s and early 1970s, H&K had sold 55,000 G3 rifles, 3,121 MP5 submachine guns, and 1,500 HK21 machine guns to Colombia. In 1975, H&K issued Colombia a license to assemble and repair these weapons lo-

cally, thereby extending the G3’s lifespan at a comparatively a low cost.⁴ However, amid increasing European allegations regarding Human Rights and International Humanitarian Law violations in Colombia, the future reliability of European arms suppliers was put in question.

Colombia’s military industry adapted to these adverse circumstances, developing mechanisms to supply the troops with weapons from other origins. As a result of this, Colombia turned to the Israeli Galil as its standard-issue assault rifle, initially importing it and later moving towards its licensed production. Currently Indumil produces about 30,000 Galil rifles per year, as well as 40mm MK-1 multiple grenade launchers. Improvements to the manufacturing process and the gradual expansion of production capacity have enabled Indumil to meet the needs of Colombia’s security forces and even to export Galil rifles to Israel.⁵

In terms of weapons for civilian use, Indumil imports and markets submachine guns, pistols, shotguns, and rifles. Indumil also locally manufactures different models of Llama revolvers under license from the Spanish parent company. These weapons are sold to individuals and corporations on the Colombian market, provided that they meet established legal requirements for permits for possession and carrying permits.

Table 1.2 Weapons and countries of origin for civilian products imported by Indumil

TYPE OF WEAPON	COUNTRY OF ORIGIN	MODEL
Sub-machine guns	Israel	Mini Uzi
	Czech Republic	CZ Skorpion model
Pistols	Germany	Walther
	Czech Republic	CZ Browning 75d Compact model CZ Browning 83 model CZ 75 automatic
	Israel	Jericho PSL Jericho PL Jericho PBL
Carabine	Germany	Walther
Revolvers	Spain	Llama Martial Model Llama Cassidy 4" Model Llama Cassidy 3" Model Llama Scorpio Model
Shotguns	United States	Mossberg
	Turkey	Hatsan Arms Pistol Grip Hatsan Arms Folding Stocks
	Italy	Fabara

((Information from the Indumil website and Jane’s Infantry Weapons 2009-2010)

Indumil has a sophisticated system for registering, marking, and tracing both imported weapons and those produced locally. Products for the exclusive use of the security forces and weapons sold to civilians must both undergo a process that includes being engraved with the letters “IM,” the year of manufacture, and a unique serial number on different parts of the weapon, so that it is possible to identify them even in cases of cannibalization.⁶

In addition to its engraving processes, in recent years laser markings have been added, the details of which are classified to ensure their effectiveness for tracing operations. These measures, unparalleled among Latin American arms manufacturers, are the result of the industry’s continuous adaptation to counter the illegal armed groups’ repeated attempts to obtain weapons and ammunition. These systems also allow for speedy and effective tracing of legal arms when necessary.⁷

In addition to Indumil's own control mechanisms, the Arms Trade Control Department - DCCA, a division of the Military Forces General Command, is in charge of studying and issuing permits to own and carry weapons for civilian use, and it has its own information system. Known as the Unified Automated National Weapons Archive, the system records the type, brand, caliber, and serial number of each weapon, and the identity of the person authorized to own it or carry it, as the case may be.⁸

Based on these information systems, legal arms in Colombia numbered just under 1.3 million in 2006, this being the number of weapons legally imported, manufactured, and registered with the corresponding authority: the Directorate of Armaments for each of the forces in the case of the State security forces, or the Arms Trade Control Department in the case of civilians and other government agencies. Of these, 634,000 were in the hands of State forces and the remaining 662,000 were in private hands, both private individuals and corporations. The distribution of these weapons among the different categories of users is illustrated in more detail below:⁹

Table 1.3: Distribution of small arms and light weapons in Colombia

State	Security forces	Army	299.980
		Naval	41.186
		Air force	9.523
		Police	258.500
	Total Security Force		609.189
	Other agencies	DAS	11.894
		INPEC	9.380
		Prosecutor General's Office	3.055
		DIAN	561
		Attorney General's Office	182
Total Other Agencies		25.072	
Private ownership	Individuals	Private individuals	567.959
		Collectors	7.865
		Sportsmen	4.559
	Total individuals		580.383
	Companies	Private Security Services	82.283
	Total Companies		82.283
Total State		634.261	
Total Individual		662.666	
Overall Total		1.296.927	

(Figures from the Arms Trade Control Department reported by the United Nations Office on Drugs and Crime, 2006)

Two aspects stand out in this distribution of legal weapons. First, the fact that although Colombian law conceives of possession of firearms by individuals as a temporary dispensation made by the State, the number of legal weapons in private hands exceeds the total arms owned by the State. Second, the fact that fewer than 340,000 of the weapons registered in the Unified National Archive had up-to-date permits in 2006. Thus, of the 580,000 weapons in the hands of individuals, only 40% had permits in effect, and of the nearly 83,000 weapons in the hands of corporations, the proportion with up-to-date permits was 66%.¹⁰

This large number of privately-owned weapons with expired permits is continuously at risk of slipping into illegality. Thus, given that an expired permit is grounds for permanent confiscation. This provides no incentive for their owners to come forward and legalize their situation, particularly in light of stiff penalties for weapons with expired permits. These circumstances create conditions in which it is likely that original owners whose permits have expired would allow their weapons to go into the black market.¹¹

Illegal Arms: Information Gaps and Associated Risks

The transfer of legal weapons to the black market highlights the necessity of looking into the issue of illegal weapons in Colombia, possibly the most complex aspect of this problem. Despite their importance, however, the trade and use of illegal weapons is a matter riddled with more questions than answers.

A first unknown has to do with the size of the illegal weapons market in the country. Some studies point to the existence of three to four illegal arms for every legal one in circulation.¹² These estimates, which some experts feel are inflated, cannot be corroborated or disproved empirically, given that there is no national registry of illegal weapons, thereby making it impossible to monitor the phenomenon regularly.

It is worth mentioning that Colombian authorities acknowledge the need for a system to collect, update, and analyze information on illegal weapons, to supplement the Unified National Archive. Beyond this acknowledgement, however, putting such a system in place is likely to take years, because of disagreements among the authorities regarding its design and management, as well as because of the financial and technical difficulties that developing a system of this kind would entail.¹³

A second question has to do with the impact that illegal arms have on society. Even if there are no official figures on

their number, public officials and independent analysts both agree that most of the guns used in homicides and acts of violence in Colombia are illegal.¹⁴ To explain this observation, some studies point to a sort of “unintended effect” of the mechanisms that regulate the legal arms market, the strengthening of which has increasingly forced illegal armed groups and criminals to rely on the illegal market for their supplies.¹⁵

A third unknown has to do with the origin of illegal weapons. Since Indumil manufactures weapons, and the permits have expired for a large proportion of private owners, it is expected that some of the illegal weapons are of local origin. This proportion would grow, albeit marginally, if we were to take into account homemade and handcrafted weapons, a topic that warrants a more in-depth look in itself.¹⁶ At the same time, the only published estimate concerning the percentage of foreign-made arms in the black market indicates that 75% of the illegal arms in Colombia come from abroad.¹⁷ For some specific styles of weapons, such as assault rifles, the percentage appears to be much higher.¹⁸

A final serious concern is related to the possession of illegal weapons. As was mentioned above, it is assumed that some of these are in the hands of ordinary citizens, who acquired them legally and do not use them for illicit purposes, but whose permits to own and carry weapons have expired. Another facet of the problem has to do with illegally-acquired weapons belonging to ordinary citizens and petty criminals, who may not use them safe for extreme circumstances, but whose business boosts demand on the black market. The last segment, and perhaps the most troubling one, has to do with weapons in the hands of illegal armed groups and organized crime syndicates, whose nature implies the extensive use of armed violence, making them the main clients for illegal arms in the black market.

The information available to corroborate these concerns is patchy and anecdotal. Some press reports put together official estimates and research on the best-known cases of trafficking, but this does not allow an in-depth examination of the situation.¹⁹ Additionally, some officials and institutions directly involved in combating arms trafficking occasionally publish papers on the subject, but this is still a nascent effort.²⁰

The unreliability of official information and in-depth studies on illegal weapons in Colombia is not due, however, to a lack of raw material. From 2000 to 2007, Colombian authorities seized 449,962 weapons, and statistical records of seizures exist since 1970.²¹ These weapons, seized in different parts of the country in military, law enforcement, and intelligence operations, as well as those voluntarily surrendered by demobilized fighters –both individually and col-

lectively-, are a valuable research resource which has not been tapped to date.

Without a doubt, there are barriers that have prevented the use of this information. Its dispersion among different agencies, the lack of an automated system, the variety of the weapons found in warehouses, and the legal considerations stemming from chain-of-custody procedures, are but a few of the difficulties faced by researchers. However, none of these factors constitutes an insurmountable obstacle, and careful analysis of that information seems very promising.

Project Objectives and Approach

In light of the opportunities for analysis that this large sample of illegal weapons represents, the project’s research team focused its work on the collection, systematization, and analysis of weapons confiscated by different government agencies. Clearly, under the scope of the project it would not be possible to cover all the illegal weapons in the custody of the State, a universe of data on which precise information does not exist, and that could cover several hundreds of thousands of records.²² As such, work was done along four lines, as explained below.

First, we reviewed all the literature, official documents, and press reports about illegal arms trafficking in Colombia during the past decade. Second, work meetings were held to share information with experts, officials and representatives of Colombian intelligence agencies. Third, visits were made to physically inspect and record survey data on 101 weapons held in the warehouses of the Arms Trade Control Department, the National Police Criminal Investigation Directorate, and the Metropolitan Police Criminal Investigation Division in Bogotá. Finally, a sample of 9,851 of the 18,051 weapons surrendered by the Colombian United Self-Defense Groups (AUC) between 2003 and 2006, was used to develop a database for quantitative analysis.

On this basis, a broad body of information was compiled, and efforts were made to record some of the knowledge and expertise of public officials who, despite their ample experience in the fight against illegal weapons, have not had the opportunity to document their experiences for the benefit of future specialists. The information gathered over the course of the project allows some preliminary answers to the aforementioned questions, and serves to propose new veins of inquiry. What similarities exist in terms of the types and origins of the legal and illegal weapons that are circulating in the country? What can be inferred about the transfer of weapons from State security forces to illegal armed

groups? What patterns may be revealed on the dynamics of weapons procurement by the AUC?

The following pages seek to address these questions based on the aforementioned information. At any rate, a series of preliminary results serve to confirm researchers' suspicions and to give impetus to the study. First, weapons surrendered by the AUC underlined this illegal group's notorious firepower: over 70% of the surrendered arms were rifles and machine guns. Second, surveyed weapons came predominantly from international sources: more than 97% of these came from different parts of North America, Asia, the Middle East, and Europe.

Finally, in terms of the places of origin, the percentage of weapons coming from Europe was striking in the sample: 4,883 weapons. This is paradoxical when one considers that Colombia has not produced European weapons under license and that several EU countries, in response to the Code of Conduct on the export of these products, have refrained from selling arms to Colombia precisely because of the fear that these might fall into the hands of illegal groups and be used for human rights violations. The fact that an illegal armed group labeled a terrorist organization by Colombia and the European Union managed to obtain 27% of its arms from countries that have imposed a "de facto embargo" on the Colombian State, is an interesting finding, worthy of more detailed study.

ENDNOTES

- ¹ United Nations Office on Drugs and Crime – UNODC. *Violencia, Crimen y Tráfico Ilegal de Armas en Colombia*, Bogotá, UNODC, p.12-14.
- ² Decree 2335 of 1993 is regulated by Decree 1809 of 1994 and complemented by Decree 356 of 1994. These laws set forth the conditions under which individuals and juridical persons may own and carry weapons in Colombia.
- ³ Pachón Pinzón, Rocío. *La industria de armas en Colombia: entre la búsqueda de autosuficiencia y de sostenibilidad*. Fundación Seguridad y Democracia. Bogotá, 2009. p.3.
- ⁴ The nature of these licenses was confirmed by Indumil staff. Likewise, according to Jane's Infantry Weapons 2009-2010, the only Latin American country that was licensed to manufacture Heckler & Koch weapons was Mexico.
- ⁵ The number of Galil rifles manufactured varies from year to year, according to the needs of the defense sector. In 2004 production reached a peak of 38,500 rifles, whereas in 2008 the number was 30,571 units. It is worth mentioning that Indumil is currently the only international producer of Galil rifles, and the company has become the supplier to the Israeli Defense Forces. See: Industria Militar, *Informe de Gestión*, Bogotá, Imprenta Nacional, 2008, p. 20.

- ⁶ Cannibalization refers to the process by which the different components of a weapon are used to repair or build another weapon. In Colombian this phenomenon has been observed in many of the weapons seized from members of illegal armed groups and even from common criminals.
- ⁷ According to official figures, 98% of the tracing requests sent to Indumil are resolved satisfactorily (See: Aguirre, Catherine y Restrepo. Jorge. "Marcaje y rastreo de munición: Indumil en Colombia". *En la Mira*, 2006. p. 3.), and the system makes it possible for the manufacturer to identify any of its products within six hours, once the request has been received (See: UNODC, 2006, op. cit, p.75).
- ⁸ Bello Montes, Catalina, "El control de las armas ligeras: retos y desafíos para el nuevo milenio," *Revista Criminalidad*, Bogotá, Imprenta Nacional, 2005, Vol.III, p. 10.
- ⁹ A certain amount of controversy exists over the reliability of the figures cited in the report "Violencia, Crimen y Tráfico Ilegal de Armas en Colombia," published by the United Nations Office on Drugs and Crime in 2006. Without downplaying the critiques of its shortcomings, the report remains the most important source of public information on small arms in the country, and as such the research team used it extensively. Also, it should be noted that given the impossibility of obtaining up-to-date figures on the number of guns registered in the country with primary information from the Arms Trade Control Department, the authors decided to refer to the UNODC figures on the total number of weapons held by each public and private agency.
- ¹⁰ UNODC, 2006, op. cit, p.48.
- ¹¹ *Ibid*, p.47.
- ¹² Cragin, Kim and Hoffman, Bruce. *Arms Trafficking and Colombia*. Santa Monica, RAND Corporation, 2003. xvii.
- ¹³ The National Coordination Committee To Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (TIA Committee), established in 2007, included the creation of an information system with these characteristics in its plan of action for 2009. Both the design and the securing of funding resources for the project are running late in terms of the proposed timetable.
- ¹⁴ The director of the Arms Trade Control Department originally expressed this view to the project's researchers in late 2008, during the initial stage of the project, and it was subsequently repeated by different public officials and independent researchers who were contacted in the pursuit of the work.
- ¹⁵ Aguirre and Restrepo, 2006, op. cit, p.3.
- ¹⁶ During its deliberations in 2009, the TIA Committee proposed the need for a thorough study of homemade and handcrafted weapons. At the time of writing this report, the state of progress on that study was not known.
- ¹⁷ Cragin and Hoffman, 2003, op. cit, xvii.
- ¹⁸ All of the 1,647 rifles that Colombian authorities seized in 2008 were foreign-made. See: Center for Antiexplosives Information and Weapons Tracing (CIARA), "Armas incautadas en Colombia," *Revista CIARA*, Bogotá, 1998, No. 2, p. 31

- 19 See, for example, Gloria Helena Rey, "Tráfico de armas: combustible para el incendio," *El Tiempo*, Lecturas Dominicales, 16 May 2004.
- 20 The National Police is the State agency with the most experience in this sort of dissemination mechanism, both in its annual yearbook "Criminalidad," as well as through the new periodical by the Center for Anti-explosives Information and Weapons Tracing (CIARA), whose third issue should be published in December 2009.
- 21 *Revista CIARA*, Bogotá, No. 2, p. 31
- 22 Based on information discussed with officials at different agencies, it is estimated that this figure could be between 250,000 and 350,000 weapons, but the lack of a unified national registry makes it impossible to corroborate or disprove this estimate.

Chapter 2

ARMS TRAFFICKING AND THE ILLEGAL ARMED GROUPS IN COLOMBIA

Since the late 20th century, Colombia's illegal armed groups have played an active role in two illegal markets with international scope: drug trafficking and arms trafficking. Recognizing the social impact and the symbiosis between these two phenomena, Colombian authorities have shown interest in fighting them, even when the international cooperation resources to combat arms trafficking are incompatible with those designed to fight drug trafficking. To illustrate the public policy challenges posed by arms trafficking in Colombia, pages that follow provide a brief summary of the background, trends and prospects for this problem.

Arms Trafficking in an Ongoing Conflict

During the past two decades, the dynamics of arms trafficking in Colombia have been affected by a combination of three factors. First, the persistence of Colombia's armed conflict has made the country one of the few constant destinations for illegal weapons in Latin America since the end of the Cold War. Second, the growing wealth and power of the illegal armed groups have spurred a notable increase in the weapons black market in the late 20th century. Third, with the security concerns that have buffeted Colombia since the early 1990s, the legal arms market grew considerably, creating opportunities for siphoning and channeling legal weapons to illegal ends.

Arms Trafficking in the Post-Cold War Period

During the Cold War, the proliferation of illegal armed groups of different ideologies created significant demand for light weapons in Latin America. Thus, the rise of the guerrilla and paramilitary groups from the Southern Cone to Mexico during the second half of the 20th century was accompanied by large flows of automatic weapons into Latin American countries, especially assault rifles. These arms transfers varied significantly in terms of their countries of origin, time periods, types of weapons, and the actors involved, and as such, it is hard to make broad generalizations. Amid this diversity, the wars in Central America during the 1970s and 1980s occupy a special place.¹

In this sense, Soviet-backing for the Sandinista regime and U.S. cooperation with the governments of Guatemala and El Salvador, and its support for the Contras in Nicaragua, contributed to a remarkable concentration of light weapons in the Central American republics in the late 1980s.² Following a series of peace accords that led to the demobilization of the different guerrilla groups and forced drastic reductions to State security forces in the early 1990s, the procedures for controlling the stockpiles were

inadequate, and some of these weapons were appropriated by illegal agents who were able to put them up for sale on the black market.³

Beyond Central America, involvement in arms trafficking was mixed in other regions of Latin America at the end of last century. Thus, one group of countries that was little affected by this phenomenon was Argentina, Bolivia, Chile, and Uruguay. Here, given the virtual absence of guerrillas and organized crime syndicates of any size, these countries lacked the relevant internal markets for arms trafficking, even though on some occasions their governments were involved in illegal arms sales to other countries in the region.⁴ A second group consists of countries that, although they did not face guerrilla groups in the 1990s, had to deal with organized crime, and as such, a black market existed for light weapons in Brazil, Mexico, and Paraguay.

The final group is where most of the arms trafficking activity took place, and these countries include Colombia, Ecuador, Peru, and Venezuela, to differing degrees. Colombia and Peru had the most demand, in that armed groups and powerful criminal organizations existed in both countries.⁵

The other two, Ecuador and Venezuela, despite not having large internal markets for arms, were strategically located to supply the demands of the neighboring countries black markets. On the one hand, they share extensive jungle borders that are porous and difficult for the destination countries to control.⁶ On the other, their military forces are small but relatively well-equipped, thus providing opportunities for siphoning from the State-owned stockpiles, usually in collusion with corrupt officials.⁷

This scenario underwent some changes in the early 1990s, as the internal security situation in Peru stabilized while the Colombian situation became more complex. Parallel to the demobilization of the Peruvian guerrillas, Colombia experienced rapid growth among its illegal armed groups. On the one hand, after declining to participate in the peace negotiations that the government held with other guerrilla groups in the early 1990s, both the FARC and the ELN launched ambitious fortification plans. On the other hand, under the umbrella of the AUC, a number of paramilitary groups that had been disparate, united and were strengthened.

These circumstances, combined with the inability of the State security forces to exert decisive control over the entire national territory, gave way to a full scale confrontation between illegal groups that pushed the demand for weapons to unprecedented levels. In this sense, at the end of the 20th century, Colombia ranked as the only country in Latin America with a significant and growing demand for light weapons.

Growing Demand on the Black Market

Different people are implicated in the weapons black market in Colombia, from ordinary citizens who purchased guns legally but whose permits have lapsed, to powerful illegal armed groups and organized crime syndicates. In this sense, the black market for light weapons in Colombia is not the exclusive domain of the guerrillas and the drug cartels, although these play a determining role in shaping the black market, basically for two reasons.

First, whereas ordinary citizens and common criminals who buy weapons on the black market generally prefer small arms, the illegal armed groups tend to go for assault rifles and, in general, automatic weapons that give them greater firepower.⁸ Second, ordinary citizens and common criminals usually purchase small quantities, rarely exceeding one weapon per transaction, whereas the illegal armed groups make significantly larger transactions that can range from a dozen to several thousand weapons in one deal.⁹

For this reason, a look at the history of arms trafficking in Colombia must include a review of the patterns of strengthening that the different illegal armed groups employed in the late 20th and early 21st centuries.

The FARC used a strategy of splitting its fronts that enabled the guerrilla organization to multiply its geographical presence, transforming the eight fronts it had in 1980 to almost 45 fronts by 1990, and increasing its manpower from 2,000 men to nearly 10,000 men.¹⁰ Of these new structures, six were in the vicinity of the border with Venezuela and four were in the border area with Ecuador, which enabled the FARC to use a number of overland and river routes for its trafficking operations.¹¹

In the case of the ELN, this group managed to multiply the mere three fronts it had in 1980 with close to 250 men, into 21 fronts with about 2,000 men in 1990, of which six of these were located near the border with Venezuela and one was in the vicinity of the border with Ecuador.¹²

The opening of the land and river routes facilitated trafficking operations by sea, to the extent that both organizations set up armed units on Colombia's coast. In the case of the FARC, three new fronts were deployed in departments on the coast, two on the Caribbean and one on the Pacific coast.¹³ The ELN went even further, with three fronts on the Caribbean and the same number on the Pacific coast.¹⁴

This growth trend in terms of the guerrillas' manpower and geographical presence, continued during the 1990s, albeit at a somewhat lower rate. Thus, the FARC added approximately 20 rural fronts to their organization between 1990 and 1998, totaling close to 16,000 men, while the ELN added a dozen fronts, reaching around 3,000 combatants.¹⁵ In terms of territorial coverage, the FARC located five

of the new fronts in border regions: one at the Venezuelan border, two on the Caribbean, one on the Pacific, and one at the border with Ecuador. The ELN located an equal number of fronts in the border areas, although its distribution focused more clearly on Venezuela and the Pacific coast.¹⁶

In any case, although the guerrillas' growth rate was not the same in the 1990s as it was during the previous decade, their aggressiveness and commitment to take the offensive increased markedly. In this regard, between 1990 and the end of the decade, attacks on towns and the security forces increased dramatically, from approximately 2,500 cases to just over 3,600.¹⁷ Similarly, while lower profile operations like ambushes declined during the second half of the 1980s and the following decade, higher profile operations such as combat between the Military Forces and the guerrillas grew markedly, revealing the illegal groups' great skill and willingness to engage with the State troops.¹⁸

The guerrillas' growth and resolve to take the offensive ratcheted up the demand for illegal weapons, which represented a major milestone in the history of arms trafficking in Colombia. The most notorious example of this situation was the FARC's purchase of 10,000 Jordanian AKM-MPiKM rifles, in a deal involving Peruvian security adviser Vladimiro Montesinos, Lebanese arms dealer Sarkis Soghanalian, and the Russian military attaché in Lima.¹⁹ Major arms trafficking acquisitions were routinely supplemented with deals for smaller quantities of weapons by stealing these from State forces, purchasing them from corrupt officials from neighboring countries, and even accepting ransom payments in kind.²⁰

While the guerrillas were bolstering their power, different self-defense groups were springing up around the country, laying the foundations for the organization that later became known as the AUC. Unlike the guerrillas, who experienced their phase of greatest growth in the late 1980s, the AUC grew during the 1990s. Thus, whereas between 1986 and 1990 the AUC added about 1,700 men to their ranks, between 1990 and the end of the century, an additional 6,300 men joined them.²¹

Similar to the guerrillas, this growth made it possible for the AUC to take a noticeably more aggressive stance, so that whereas in 1995 direct clashes between the self-defense groups and the guerrillas were practically non-existent, by 2000 this figure was around 80 clashes, and by 2001 it was approaching 100.²² In this sense, the strengthening process that the AUC undertook during the 1990s enabled this group to become a relevant armed actor in Colombia's security situation, ready to fight the guerrillas and capable of doing so.

While the guerrillas were becoming major players in the international black market for illegal weapons, the AUC also

engaged in large scale trafficking. In July 1999 a ship that had sailed from the port of Varna docked in Buenaventura and unloaded 7,640 AK-47 and M1A1 rifles from the Bulgarian Arsenal Company. The guns were loaded onto trucks without attracting the attention of the authorities, and they were later found in the hands of the AUC. This operation was supplemented with 3,000 AK-47 rifles from the Nicaraguan Police, which the AUC purchased from Ori Zoller and Shimon Yelinek, two Israeli citizens with a long history as intermediaries in arms deals.²³

A Legal Market and Growing Armed Forces

To the extent that security conditions deteriorated during the 1980s and 1990s, increasingly the State, private citizens, and legally registered security companies acquired more weapons.

In terms of the latter, Colombia went from having 763 companies in the field of private security in 1994, to close to 3,510 companies 13 years later. It should be clarified, however, that not all of these companies have permits to use weapons in their operations, only armed security companies, cash transport companies, armed cooperatives, and security departments may receive these permits. In 2007 these totaled 56.1% of the registered security companies, meaning about 1,883 companies.²⁴ In any case, as was mentioned previously, homicide with firearms in Colombia have traditionally been more linked to the actions of armed groups and organized crime, than perpetrated by individuals or companies whose weapons were acquired legally.²⁵

At the same time, the growth of the Military Forces meant a significant increase in legal demand for arms. This was particularly clear in the case of assault rifles and side arms, to the extent that the country went from having about 90,000 armed troops in 1990 to about 280,000 at present, of whom 232,000 are in the Army.²⁶ Most of this demand was met with Galil rifles produced by Indumil, and supplemented with some special imports and equipment donated by other countries through international cooperation agreements.²⁷

The National Police also contributed to the demand for assault rifles and side arms, although to a lesser degree than the Military Forces. Thus, after the costly learning experience of the 1990s, when a large number of police stations and patrols were caught without sufficient firepower to defend themselves from attacks by illegal armed groups in rural areas, the Police decided to equip their units with Galil rifles and imported weapons.²⁸ This decision was made while the institution was increasing its manpower rapidly, to its current number of 146,000 men.²⁹

This growth of the State arsenal does not appear to have been accompanied by a corresponding increase in illegal

violence committed with State-owned weapons. This may be observed in the decrease in the number of the charges brought against the security forces for human rights abuses in the past decade. Whereas in 1995 the oversight agencies reported 3,000 cases of abuses perpetrated against civilians and attributed to the security forces, by 1998 this figure had fallen to 1,680 cases, with only 241 cases reported in 2008.³⁰

Patterns and Trends in Arms Trafficking

From Stealing to Buying

The new century brought a number of changes to the way that the illegal armed groups in Colombia acquired their weapons. In the late 1990s the guerrillas were getting their weapons in three main ways. The first and most traditional way was by stealing weapons by ambushing small security force patrols, which was an acquisitions strategy with significant symbolic repercussions and relatively easy as a tactic.³¹

The second way, more recent in historical terms but no less effective for that reason, has been to buy small quantities of weapons on the transnational black market, especially across the land borders with neighboring countries. In this approach, although no single deal has much impact on the guerrillas' stocks, the cumulative effect over time adds up impressively. This phenomenon explains the frequency with which weapons confiscated from Colombian guerrilla groups are discovered to have come from Ecuadorian, Peruvian, and Venezuelan stocks.³²

The third way is by buying in bulk. This is much more recent, and it is possible that this only came into effect in the late 1990s, when financial resources and international drug trafficking ties enabled the FARC to position itself as a major player in the international black market for arms. Using this method, the abovementioned deal was made to purchase 10,000 rifles, an operation that was unprecedented in the country and, apparently, the only deal of this magnitude that this guerrilla group carried out.

As is mentioned above, these three ways of acquiring weapons are not mutually exclusive, and in recent decades the guerrillas have employed these simultaneously. This makes it possible to explain why the security forces have seized such a wide variety of weapons from the FARC, among them Russian AK-47s, Hungarian AKMs, East German MpiKMs, and Belgian FAL M63s and M61T1s.³³

In this sense, among the weapons commonly used by the guerrillas, the apparently low proportion of weapons stolen from State forces is striking. Two main reasons could

explain this, at least in terms of recent years. First, the strengthening of the State forces seems to have reduced the guerrillas' ability to carry out successful ambushes, and second, this reduction in opportunities for acquiring weapons by stealing them from the State forces has meant that the weapons already in the hands of the guerrillas are seeing more use and possibly becoming worn out. In light of the foregoing, it would seem that transnational deals for small quantities has become the prevalent method by which the guerrillas are procuring their supplies at present.³⁴

In terms of the former AUC, they appear to have procured weapons using three basic methods. The first method, markedly different from what was mentioned above, was to acquire small quantities of weapons through corrupt contacts in the State security forces. On this subject it is worth mentioning that fighters who demobilized as part of the Justice and Peace process have given testimony that implicates active and retired security officials, but both the number of accusations and the quantities of weapons at stake suggest that this was not a systematic practice.³⁵ As such, the low incidence of Galil rifles in the AUC arsenal is notable; there were 167 Galil rifles out of 13,038 rifles that were surrendered.³⁶

The other two strategies that the AUC used to acquire weapons were similar to those used by the guerrillas. One was transnational purchases of small quantities of weapons, making use of the land and maritime borders where their units were operating. Also, as was mentioned previously, the AUC made at least two major purchases of weapons on the international black market.

As with the guerrillas, these three ways of acquiring weapons were not mutually exclusive, and would most likely have been used simultaneously. This would explain the findings of very different weapons such as US-made Colt Match Target, M-16, AR-15, and Winchester M-14 rifles, Bulgarian AK-47 and M1A1s, Russian AK-47s, Hungarian AMD-65s, and Russian PKM machine guns in the hands of that illegal organization.³⁷

Standardization and Sophistication

As the mechanisms for supplying the illegal armed groups have changed over time, there have also been changes in their criteria for acquiring weapons. On the one hand, both the guerrillas and the AUC showed a growing interest in standardizing their arsenals in the late 1990s. On the other hand, the guerrillas, and more specifically the FARC, have been trying to acquire more sophisticated military equipment since the beginning of this century, in order to counteract the increased strength of the State security forces.

In terms of standardization, as the number of fighters in the ranks of the illegal armed groups was growing, the difficulties inherent to equipping units with disparate weapons became increasingly apparent. Thus, they were motivated to make each group's arsenals more uniform, in an effect to facilitate logistical supplies and to increase interoperability among different groups.

In this regard, given the coexistence of different caliber weapons in their ranks in the late 1990s, mainly U.S. NATO 5.56 caliber weapons, and to a lesser degree Soviet-made 7.62x39 weapons, the AUC made their large purchases at the start of the century not only to equip their growing numbers of men, but also to standardize their weaponry. As such, the acquisition of different models of AK-47s made it possible for the AUC to equip a significant number of their men with a standard weapon. In any case, it is worth mentioning that this standardization process was never finished, because the major international acquisitions of the time do not appear to have surpassed a total of 11,000 rifles.

As for the guerrillas, the FARC pursued a similar process, although they did so a few years earlier than the AUC. Thus, the purchase of 10,000 Jordanian MpiKMs manufactured in the former East Germany sought to equip the growing number of guerrilla fighters, while seeking to make 7.62x39 their standard. Like the AUC, however, the process was not completed because the quantity of weapons that made it into the country was not enough to outfit all of the FARC groups. Paradoxically, the ELN's small size appears to have been an advantage in this standardization process, because the group was able to equip its troops almost exclusively with 7.62x39 weapons, especially AKM and MpiKM rifles.³⁸

It should be noted that the armed groups' preference for 7.62x39 caliber weapons is somewhat paradoxical. Although various kinds of surplus Soviet weapons were available on the black market at the end of century, neither Colombia nor its neighbors manufactured the necessary caliber ammunition. In this sense, even though availability and low price may have been factors that favored the acquisition of 7.62x39 weapons, the difficulties in obtaining ammunition were significant.³⁹ Several analysts point to possible changes in this scenario as the result of the recent opening of a factory to manufacture that caliber of ammunition in Venezuela.

With regard to procuring more sophisticated light weapons, the FARC has done considerably better than other armed groups, as three recent examples demonstrate. First, the seizure of a large quantity of night scopes, designed to counter the Military Forces' capacity for nighttime operations.⁴⁰ Second, the purchase and adaptation of sniper rifles whose use has become relatively common in certain zones.⁴¹

Third, the acquisition of heavier armaments, like the AT-4 anti-tank rockets that Sweden originally sold to Venezuela, of which several examples have been discovered recently.⁴² This combination of equipment demonstrates that the FARC not only continues its efforts to improve its military sophistication, but that it has managed to sustain and make use of its networks of contacts and suppliers, despite increasing pressure by the State.

Drugs and Weapons

Drug trafficking has become an increasingly important element in terms of the illegal armed groups' involvement in international arms trafficking. In this sense, to the degree that the armed groups became involved in drug trafficking, both the guerrillas and the paramilitaries came into contact with international organized crime networks with which they previously had no ties.⁴³ Thus, by establishing relations with international organized crime syndicates and kingpins, their ties transcended the Andean milieu, literally opened up a new world of opportunities for the illegal armed groups in terms of arms trafficking.

Second, in recent years increasingly the same tactics used in drug trafficking have been employed for receiving weapons, by air, land, and sea. This takes place in two different ways. One, given that the means of transport, the routes, and the cargo are illegal, there is no incentive to limit operations to transporting a single kind of merchandise. Two, although the transport services and the routes may be legal, weapons or drugs might be hidden in the cargo, and the skills developed in camouflaging one kind of product may be used to disguise another.⁴⁴

Third, as the illegal armed groups began to consolidate their control of the drug business, narcotics went from being exclusively a means of paying for weapons shipments to become a commonly accepted currency. Thus, recent years have seen a shift in strategies for arms purchases, in which deals involve not only international traffickers who expect cash payments, but also international drug trafficking organizations that accept these illegal substances in exchange for supplying weapons to Colombian groups.⁴⁵ In light of this combination of factors, in recent years the distance between arms trafficking and the drug trade in Colombia has shrunk, until they have transformed into overlapping phenomena.

Future Prospects

The longevity of the armed conflict and the remarkable capacity of the illegal armed groups to adapt and mutate makes it highly likely that arms trafficking to Colombia will

persist in the short and medium term. Because of this, a number of concerns exist as to how this phenomenon will evolve in the coming years, and the inherent consequences both for Colombian society and for the other countries of the region. Specifically, two issues deserve particular attention: the effectiveness of the mechanisms for the surrender and confiscation of weapons, and the emergence of new actors on the national and regional scene.

New Actors, New Risks

The emergence of new players on the regional scene entails a number of risks in terms of arms trafficking, both inside Colombia and from abroad to the country.

At one level, the rise of criminal gangs at the service of drug trafficking, commonly called BACRIM (emerging criminal gangs), has created a new demand for light weapons. On the one hand, these groups have recovered the weapons previously used by the AUC, locating their caches and making use of the weapons found there. On the other hand, they have turned to the international black market, either by taking advantage of the old contacts and trafficking networks that the AUC used, or by establishing new business relations with international traffickers. In any case, it appears to be clear that during the few years that these emerging gangs have been operating, they have carried out international arms deals, feeding the demand for illegal weapons in Colombia.⁴⁶

At a second level, the international reach of a number of foreign criminal organizations dedicated to drug trafficking has created new partnerships for Colombia's armed groups in the Latin American context. Thus the Mexican cartels' geographical proximity to the United States and their proven ability to obtain large quantities of weapons have made them potential suppliers of arms at lower cost and with greater reliability than other international agents.⁴⁷ A similar risk is posed by Central American gangs and small cartels, whose access to old weapons surpluses in their respective countries has been demonstrated.⁴⁸

At a third level, the increased presence in Latin America of non-traditional States that are willing to sell sophisticated weapons without much by way of restrictions or controls implies an additional risk of channeling to the black market. This mode includes the purchase of 100,000 AK-103 rifles for Venezuela's Armed Forces, an amount that exceeds the 40,000 men in that country's forces, the construction of a factory to manufacture 7.62x39 caliber ammunition, and the acquisition of an unspecified number of Igla-S anti-aircraft missiles, whose eventual channeling to Colombian armed groups would have dire consequences for the government forces air divisions.

From this point of view, the fact that State forces in the Andean countries received new weapons, does not mean that these were immediately channeled to Colombia's illegal armed groups, but nonetheless the legacy of trafficking in small quantities from neighboring countries to the Colombian border entails a series of potential risks.

ENDNOTES

- ¹ Cragin, Kim y Hoffman, Bruce 2003, *Arms Trafficking and Colombia*. Santa Monica, RAND Corporation, pp. 25-27.
- ² Throughout its involvement in the Central American conflicts, the United States endeavored to convey the impression that it was not providing weapons to the governments and allied movement. For this reason, on several occasions US support was provided in the guise of Soviet weapons, procured with the help of third countries. See: Lucy Mathiak and Lora Lumpe, 2000, *Government Gun-running to Guerrillas*, in Lora Lumpe (ed.), *Running Guns: The Global Black Market in Small Arms*, London: Zed Books, pp. 54-80, cited by An Vranckx, "Arms brokering control in the Americas," *Disarmament Forum*, 2009, No. 3, pp. 24-26.
- ³ Over the years, the weapons surrendered by the different guerrilla groups in demobilization processes in Central America, have turned up in the hands of other illegal armed groups in Latin America. An Vranckx, p. 26.
- ⁴ Contrary to international regulations, Argentina and Chile secretly sold weapons to Ecuador and Peru during the Cenepa War in 1995. Currently both countries have brought lawsuits against the officials responsible for the deals.
- ⁵ In Peru it is estimated that the Shining Path guerrillas reached 23,000 men and the Tupac Amaru Revolutionary Movement had between 1,000 and 1,500 men. In Colombia it is estimated that the FARC and ELN guerrillas had 18,000 and 6,000 men, respectively, whereas the AUC reached around 14,000. These figures are based on intelligence estimates and, as such, their accuracy has been disputed.
- ⁶ Colombia has 6,342 km of land border, of which 2,219 km border with Venezuela and 586 km border with Ecuador.
- ⁷ Colombian authorities have regularly seized from the illegal armed groups war supplies with the seals and identifying marks of the Peruvian, Ecuadorian, and Venezuelan security forces. Based on an analysis done as part of this research, of the weapons surrendered by the AUC, weapons of Venezuelan origin amply surpassed those of the other two countries. See chapters 5 and 6.
- ⁸ Small arms, essentially revolvers and handguns, constitute less than 19% of the total arms analyzed for this report.
- ⁹ Although in Colombia cases have been discovered of trafficking up to 10,000 weapons, it is estimated that most arms deals involve between 15 and 20 units per shipment. See: UNODC, 2006, *Violencia, Crimen y Tráfico Ilegal de Armas en Colombia*, Bogotá p.30
- ¹⁰ Camilo Echandía, 2006, *Dos décadas de escalamiento del conflicto armado en Colombia 1986-2006*, Bogotá, Universidad Externado de Colombia, p. 24, p.55.
- ¹¹ *Ibid.*, p.25, p.55.
- ¹² *Ibid.*, pp. 59-60.
- ¹³ *Ibid.*, p. 56.
- ¹⁴ *Ibid.*, p. 60.
- ¹⁵ *Ibid.*, pp. 54, 60.
- ¹⁶ *Ibid.*, pp. 56, 60.
- ¹⁷ *Ibid.*, p. 75.
- ¹⁸ During the 1990s, no fewer than 500 clashes between the guerrillas and the Army were recorded per year, reaching a high of 1,300 incidents in 2000. This contrasts with ambushes, which went from 1,000 incidents annually in the 1990s to practically null at the start of the new century. See: Echandía, 2006 p. 75.
- ¹⁹ An Vranckx, 2009, p. 27.
- ²⁰ *Ibid.*, p. 26.
- ²¹ Echandía, 2006, p. 69.
- ²² *Ibid.*, p. 71.
- ²³ An Vranckx, 2009, p. 29.
- ²⁴ Superintendency for Private Surveillance and Security, 2008. *Informe de gestión Octubre 2006 - Octubre 2008*.
- ²⁵ According to the SIEDCO System at the National Police's Criminalistic Investigation Center, of homicides in which the weapons were recovered, the ratio of firearms without permits to firearms with permits is 3 to 1.
- ²⁶ National Defense Ministry, 2009, *Logros de la Política de Consolidación de la Seguridad Democrática - PCSD*, Bogotá, pp. 81-82. These figures include the civilian personnel who work for each of the forces.
- ²⁷ The most telling example of this is the indeterminate number of M-4 and M-16 rifles that the United States donated to some military and police units as part of Plan Colombia, especially those involved in counternarcotics operations.
- ²⁸ These imports have included, among others, MK-19 grenade launchers, Neguev 5.56x45 caliber machineguns, M-240B, M-249, M-60, and M-60 E3 machineguns, M-4 rifles, and more recently IWI Tavor rifles.
- ²⁹ National Defense Ministry, 2009, p. 81.
- ³⁰ This figure includes reports and complaints about human rights violations made before the Attorney General's Office of the Nation. Presidency of the Republic, 2009, *Fuerza Pública y violaciones a los Derechos Humanos*, Bogotá.
- ³¹ By way of example, a unit from the FARC Western Command reported in January 2009 that following an ambush of a military patrol on 24 January, they collected three rifles of different calibers with six magazines and 200 shells, six vests, two campaign kits, one M-26 grenade, and six MGL grenades.
- ³² Interview with Colombian intelligence officials. Bogotá, March 2009.
- ³³ UNODC. 2006, pp. 26-27.
- ³⁴ Different intelligence sources and Military Forces operating units interviewed for this project coincided in this statement, especially concern-

ing the border regions with Ecuador and Venezuela. Nonetheless, the lack of a unified national registry of the weapons seized from the illegal armed groups makes the empirical verification of this belief impossible.

³⁵ Perhaps the case that has received the most attention in this sense is the accusation that Luis Adrián Palacio Londoño, a demobilized fighter from the AUC Minero Bloc, made in August 2008 against General Mario Montoya Uribe. According to Palacio Londoño, in April 2002 Montoya, then commander of Army Brigade 4 based in Medellín, sent the self-defense groups a vehicle with six AK-47s and one M-16 rifle. General Montoya, now retired, has denied the accusations.

³⁶ Presidency of the Republic, 2008, "Relación del armamento entregado por las autodefensas durante el proceso de paz", available online at <http://web.presidencia.gov.co/sp/2007/diciembre/14/08142007.html>

³⁷ UNODC, 2006, p. 26.

³⁸ Ibid. p.29.

³⁹ Vranckx, An, 2009, p.28.

⁴⁰ Interview with Colombian intelligence officials. Bogotá, March 2009.

⁴¹ As well as being used by the security forces directly, sniper rifles have also been used to intimidate and murder campesinos who work with the mobile coca eradication groups in certain zones that have symbolic importance for the FARC, such as La Macarena National Park.

⁴² Jane's Intelligence Weekly, *Colombia seizes rocket launchers from FARC*, 22 July 2009, p.3.

⁴³ See, Román D. Ortiz, "Insurgent strategies in the Post-Cold War: The case of the Revolutionary Armed Forces of Colombia," *Studies in Conflict and Terrorism*, Volume 25, Issue 2, April 2002, pp. 127-143.

⁴⁴ Interviews with personnel from the Investigative Police and the Coast Guard, in November 2008 in Bogotá, and April 2009, in Cartagena, respectively.

⁴⁵ Interview with personnel from the Police Intelligence Directorate (DI-POL). Bogotá, May 2009.

⁴⁶ Interview with Intelligence and Investigative Police personnel. Bogotá, March and May 2009, respectively.

⁴⁷ Jane's Intelligence Review, *A to Z of crime. Mexico's Zetas Expand Operations*, March 2009, pp. 44-49.

⁴⁸ Garzon, Juan Carlos. *Mafia y Co. La red criminal en México, Brasil y Colombia*, Editorial Planeta, 2008. pp. 106-138.

Chapter 3

THE COLOMBIAN STATE RESPONSE TO ARMS TRAFFICKING

The persistence and lethality of arms trafficking have led the Colombian authorities to take numerous actions to address this phenomenon. Several of these measures have made the country a leader in this field, both in Latin America and internationally.¹ Nonetheless, Colombia is still perceived as a critical juncture for the networks of gunrunners that operate in the Andean region and the Caribbean.² In light of this paradoxical situation, this chapter outlines both the progress that has been made, as well as the main stumbling blocks in the efforts by the Colombian State to fight arms trafficking.

International Instruments and National Laws

In parity with other countries of the Americas, for over a decade Colombia has implemented a pioneering series of regional instruments to control proliferation and arms trafficking. Part of this includes the 1997 adoption of the Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA).³ This convention made the Organization of American States the first regional organization in the world to adopt a scheme of this kind, and it has been supplemented with various instruments since its inception.⁴

Colombia's commitment to this subject is widely recognized at the international level. In 2001, then Deputy Foreign Minister Camilo Reyes Rodríguez chaired the United Nations conference that resulted in the Programme of Action To Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Their Aspects. It has kept up this leading role over time, in that Colombia sponsors, along with other countries, the Resolution on the Illicit Trade in Small Arms and Light Weapons in all its Aspects which is presented annually to the General Assembly.⁵

All this has been complemented by fostering subregional initiatives, among which the Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its Aspects, adopted by the Andean Community of Nations in 2003, is outstanding. Commonly known as Decision 552, the plan embraces the main elements of existing international instruments and goes further in several areas to improve its implementation, including the recording and dissemination of official statistics, promoting studies on the subject, and involving civil society in the debates on public policy.

The role of the Colombian State in promoting international instruments to combat arms trafficking is based on

the legislation that has been in place in the country since the early 1990s. Decree 2535 of 1993, supplemented by Decree 1809 of 1994, established strict regulations for controlling small arms in the country. In this sense, it specified that possession and carrying of weapons are not inherent rights of the citizens, as in other countries in the hemisphere, but rather a privilege granted by the State, which is subject to rules.⁶

Since that time, Colombia has been developing its gun control legislation in a relatively continuous manner, complementing, clarifying, and updating the internal regulations in accordance with the country's changing security situation, new technological possibilities, and new consensus reached by the international community. Examples of this are the regular updating of the Indumil procedures manual for identification markings,⁷ as well as the inclusion of arms trafficking as a crime in the Criminal Code and its complementary regulations.⁸

This has resulted in an extensive body of regulations that are in accordance with the commitments that the country has made. Indeed, in some respects, Colombian laws and industry standards surpass international standards. Thus, the fact that production records have been kept for Llama revolvers since 1991, and for Galil rifles since 1996, exceeds the 10 years specified in the United Nations Protocol.⁹ In the same way, several of the techniques for marking weapons and ammunition manufactured in the country go beyond the international requirements and are unequaled in the region.¹⁰

Although Colombian laws and the signing of international instruments are evidence of the efforts made by the State to fight arms trafficking, the way that this phenomenon evolves necessitates the continuous development of policies, in response to new situations. A recent example was the passage of Law 1142 of 2007 that increased prison sentences for persons involved in these activities, and eliminated the possibility of release from custody or serving the sentence under house arrest, responding in this way to the recommendation made in the 2006 UNODC study.¹¹

In this process of adapting the laws, some aspects remain that merit further customization. The same UNODC study, for example, noted the need for greater clarity concerning the policies and procedures that determine the purpose and use of weapons that have been seized and confiscated.¹² So far as the authors have been able to determine, Colombia has not made decisions in this regard in the past two years. It is important, therefore, to give continuity to the legislative efforts that have consolidated gun control as a State policy in Colombia, both domestically and internationally.

Division of Responsibility Among Organizations

The abovementioned efforts at regulation have been accompanied by the creation of new mechanisms for creating policies and strengthening the State's ability to enforce regulations, investigate, and fight arms trafficking. In terms of the definition of policies, the most recent development is the creation of the National Coordination Committee To Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, commonly known as the TIA Committee. This collegiate established in December 2006, regularly meets with government authorities to develop national policy on arms trafficking.¹³

The committee includes the Ministries of the Interior and Justice, Foreign Affairs, Defense, Trade, Industry and Tourism, the Administrative Department of Security (DAS), the Armed Forces General Command, the National Police, the National Customs and Tax Directorate (DIAN), and the Military Industry of Colombia (Indumil). Its functions include designing and implementing the National Plan To Prevent, Combat, and Eradicate Arms Trafficking, whose final version was approved in March 2009, after 22 meetings.¹⁴

Both the creation of the committee and the approval of the national plan constitute significant progress in coordinating State efforts to combat arms trafficking. However, the committee does not seem to be keeping pace with the number of policy decisions and actions taken to date.¹⁵ It is notable that almost three years after its creation, the committee has not yet been able to implement the national plan, because of a shortfall in budgetary resources and the persistent difficulties of the consensual decision-making process.

In terms of the latter, it has been noted that the fact that the Arms Trade Control Department chairs the committee's Technical Secretariat might be responsible for some of the difficulties that have arisen so far. Even though the Arms Trade Control Department is not the only agency with extensive technical expertise in weapons, its delegates are of a considerably higher rank than the officials from the other agencies, which sometimes hinders the discussions.¹⁶

At the same time there is a kind of power struggle going on between the Arms Trade Control Department and the other agencies, because given that the department has the best capacity to monitor statistical information on seized illegal weapons, this gives it an advantage over some agencies that are superior in rank but that do not have functional authority over the department. These two factors, coupled with the minor role that many of the other agencies on the committee play in controlling the arms trade, make the Arms

Trade Control Department especially influential in decision-making. This also, in turn, makes it possible for the department to block initiatives and work proposals, even when the majority of other participants are in favor of these.¹⁷

Beyond defining policies, the security forces, customs authorities and investigative agencies are the main force for fighting arms trafficking. The operating units of the Military Forces, National Police and the Administrative Department of Security (DAS), as well as the Technical Investigation Corps (CTI) of the Prosecutor General's Office, and the National Customs and Tax Directorate (DIAN), carry out operations to detect, seize, and investigate the weapons of the illegal armed groups and organized crime.

All these agencies have been grown in strength significantly over the past decade, in that they have been given both legislative authority and budgetary support that have provided them with new tools to fulfill their duties. Of course, these processes have favored some agencies more than others, for reasons that range from differences in institutional prestige to the possibilities of receiving funds from international cooperation. But beyond these differences, the fact is that the capacity of all the institutional actors has grown over the past decade.

Among these various institutions, it is worth highlighting the role of the Interagency Antiterrorism Group (GIAT), a working group that was formally created in 1995 by Temporary Directive No. 4955 of the National Defense Ministry. The GIAT is made up of intelligence and operations experts from the National Police, the National Army and the Administrative Department of Security (DAS), where its offices are located. The main objective of the group is to combat arms trafficking in Colombia, and in doing so it records weapons seized, collects information on arms from different State security agencies, and maintains a database of over 35,000 weapons seized in anti-trafficking operations.¹⁸

At the same time, the GIAT is authorized to investigate, do analyses on modes of operation by arms traffickers, issue technical bulletins on trafficking to be distributed to State security agencies, and develop tracing procedures aimed at dismantling arms trafficking networks. As such, the GIAT is the technical and operational coordinating body with the most experience combating arms trafficking in Colombia, and some of its staff have over 15 years of experience in this field, which is undoubtedly a significant strength.

Despite its long history, the GIAT suffers from three chronic difficulties, which to some extent reflect the structural weaknesses of the Administrative Department of Security as a whole. First, the GIAT has a small number of agents that serve the group exclusively, and therefore their ability to handle all investigations into arms trafficking is limited.¹⁹

At the same time the small number of staff assigned to the GIAT prevents them from being present and taking charge of all the cases, while demand for them is high.

Second, variability in the promotion plans for DAS detectives means that the GIAT is subject to a high turnover rate in its staff, which means that the group's ability to give continuity to its accumulated expertise is reduced. This is particularly costly in such a highly specialized field as the identification, tracing, and investigation of arms trafficking, because the knowledge required for these tasks is extensive and built over long periods of time. In this regard, the announcement of the dissolution of the DAS in late 2009 makes it necessary to establish appropriate mechanisms for the transfer of this information and expertise from the DAS to the agency (agencies) that will take over the GIAT's functions.

Third, as a civilian security agency that is noticeably smaller than the country's other security forces, the DAS has not received the same level of political and budgetary support as the National Police or the Military Forces.²⁰ Thus, although in recent years the department's budget has been increased, the truth is that for several years developing the DAS's potential for growth has been burdened by substantial budget deficits, which has meant that its technical capacities have often lagged behind those of other agencies.

It is worth mentioning the work of another agency that is more recent than the GIAT, the Center for Antiexplosives Information and Weapons Tracing (CIARA) created in 2006. The CIARA, under the auspices of the National Police Criminal Investigation Directorate, unites experts and resources from the Police with support from the Military Forces, the DAS, the CTI, the Military Industry, and the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). In this way, the CIARA combines the labors of identification and tracing of weapons, with prevention and management of incidents involving explosive devices.

The main difference between the CIARA and the GIAT lies in the amount of international cooperation that accompanied its creation, in that the ATF played a decisive role in shaping the CIARA, whereas the GIAT was the result of a purely internal process. Thus, the ATF has provided a number of opportunities to the CIARA, such as its participation in the International Network of Bomb Data Centers, a technical communication platform that unites experts from several countries to share operational information in a more expeditious manner than is usually the case through the traditional channels such as the Interpol.²¹

In this regard, since its creation the CIARA has had a number of strengths and weaknesses. In terms of the former, being a division of the National Police has allowed the

CIARA to surmount several of the GIAT's chronic weaknesses, in that the Police not only have much more human and technical resources than the DAS, and this has also made it possible to establish more numerous and stable international cooperation channels than the DAS.²²

This does not mean that the CIARA does not face obstacles; two in particular are worth mentioning. First, although the National Police force has grown rapidly in recent years, the national government has placed many demands on its mission, so much so that its human and technical resources are insufficient. Thus, although the CIARA has half a dozen trained experts, the demands on them are so numerous that they find it difficult to complete all of their work.

Secondly, the CIARA's main weakness is due to the friction and institutional reserve that has marked the relationship between the Military Forces and the National Police. In this sense, although the CIARA was conceived as a forum for inter-agency work which should involve all the State security agencies, this has not materialized due to the reluctance of the National Police and the Military Forces, especially the Army, to engage in joint work. Thus, although the CIARA's design and level of technical expertise are relevant, the lack of sufficient Police staff and the absence of agents from other security agencies have hindered it in the performance of its functions.

Seizures and Storage

Pressure by the security forces and the process of negotiations with the illegal armed groups resulted in a long series of disarmament and seizures of illegal weapons. In this sense, as well as the 31,671 AUC fighters who demobilized between 2003 and 2006, another 17,187 individuals demobilized between 2003 and 2008.²³ This process, while making it possible to remove a large number of weapons from circulation in recent years, has required constant attention from the authorities to prevent the weapons surrendered and seized from re-entering the black market.

First, in terms of the surrender and seizures of small quantities of weapons, there have been difficulties in the work of systematically identifying and storing the weapons. This occurs because of factors already mentioned, including the fact that the warehouses are scattered throughout the country, along with a lack of unified national records, the risk of misidentification, and substituting weapons.²⁴ All of these imply opportunities for administrative errors, and even the unauthorized removal of weapons from storage.

Second, in terms of the massive surrender of arms during the collective demobilizations, concerns have been raised

that not all of the weapons were handed in, and that those that were surrendered were in disuse. These concerns were raised publicly during the demobilization of the AUC, in that the figure of 31,671 demobilized fighters did not seem commensurate with 18,051 weapons surrendered. From this perspective, it has been suggested that several AUC structures hid a significant part of their arsenals to be recovered in the future, if they either became disappointed with the reintegration process, or with the intention to re-organize in the future.²⁵ In any case, by way of comparison, it is worth mentioning that the proportion of weapons surrendered by the AUC is greater than what was delivered in demobilization experiences in several Central American countries.

Third, the durability of light arms makes it possible for these to survive remarkably well over time, especially when kept in relatively acceptable storage conditions. For this reason, it is preferable to destroy the arsenals seized after they have been properly identified for legal purposes, rather than storing the weapons for long periods of time. In this sense, without disparaging the Colombian State's commitment melting down the weapons, in which 131,181 weapons were destroyed between 2002 and 2008,²⁶ the volume of weapons that remains in storage constitutes a constant risk, especially given their possible cannibalization to manufacture homemade weapons.

ENDNOTES

- ¹ For a review of the role that Colombia has played in promoting international legislation on the subject, see: United Nations Office on Drugs and Crime (UNODC), 2006, *Violencia, Crimen y Tráfico Ilegal de Armas en Colombia*, Bogotá, UNODC, pp. 95-108.
- ² Stohl, Rachel and Tuttle, Doug, "The Small Arms Trade in Latin America", NACLA Report on the Americas, March-April 2008, p.15.
- ³ The convention was adopted on 14 December 1997, and it went into effect in July 1998.
- ⁴ Vranckx, 2009, p. 25.
- ⁵ The other countries that back this annual initiative are Japan and South Africa. See: Foreign Relations Ministry, 2008, *Informe de aplicación en Colombia del Programa de Acción de las Naciones Unidas para Prevenir, Combatir y Eliminar el Tráfico Ilícito de Armas Pequeñas y Ligeras en Todos sus Aspectos*, p. 5.
- ⁶ UNODC, 2006, pp. 103-104.
- ⁷ It should be mentioned that nowadays all of Indumil's processes, including the regular review of its procedures manuals, have received ISO 9000 and 9001 certification.
- ⁸ The import, traffic, manufacture, transport, storage, distribution, sale, supply, repair, and carrying of illegal weapons are considered criminal offenses in articles 365 and 366 of Law 599 of 2000 (Criminal Code),

modified by articles 38 and 55 of Law 1142 of 2007. Foreign Relations Ministry, p. 14.

- ⁹ UNODC, 2006, p. 106.
- ¹⁰ Restrepo and Aguirre, p. 3.
- ¹¹ UNODC, 2006, p.108 and Foreign Relations Ministry, 2008, p. 15.
- ¹² UNODC, 2006, p. 108.
- ¹³ Decree 4508 of 2006.
- ¹⁴ The committee's other functions are: a) oversee the fulfillment of the international commitments, b) develop policies, c) promote investigation and monitor arms trafficking, d) serve as the official source of information for other national coordination committees, e) cooperate with experts and representatives of civil society, f) promote the unification of the databases on arms trafficking, and g) verify compliance with administrative and legal measures.
- ¹⁵ As of September 2009, the committee had met at least 26 times.
- ¹⁶ The National Police delegates to the committee also have considerable technical expertise in weaponry, but they are usually lower ranking than the Arms Trade Control Department delegates.
- ¹⁷ During the project, the researchers had the opportunity to attend two Interagency Terrorism Group (GIAT) meetings, from which they derived the opinions expressed here.
- ¹⁸ Interviews with GIAT officials. Bogota, September 2009.
- ¹⁹ At the time of writing this report, this Group was conformed by three agents from the Administrative Department of Security and some others from the Army.
- ²⁰ See, for example, Fundación Ideas para la Paz, *Siguiendo el conflicto No. 42 ¿Qué hacer con el DAS?*, 7 April 2006.
- ²¹ *Revista CIARA*, No. 2, December 2008, pp. 36-37.
- ²² The CIARA has received significant support from the ATF Office in Colombia, in assistance on investigations, and in education and training, equipment, and technological aid. See: *CIARA, Policía y ATF: trabajando por una América más segura*, *Revista CIARA*, No. 1, December 2007, p. 8-9.
- ²³ National Defense Ministry, 2009, *Logros de la Política de Consolidación de la Seguridad Democrática - PCSD*, Bogotá, p. 47.
- ²⁴ Former intelligence agents interviewed during the project indicated that weapons that had supposedly been confiscated and even destroyed by the authorities had occasionally been found in the hands of different illegal actors.
- ²⁵ See, for example, Camilo Gonzalez Posso, 2006, "Desmovilización de las AUC - Altas y bajas del proceso," at http://www.semana.com/documentos/Doc-1307_2006815.doc
- ²⁶ Arms Trade Control Department.

Chapter 4

LIGHT WEAPONS SURRENDERED BY THE AUC

As mentioned in Chapter 1 of the report, Colombia has a number of sources of information that represent considerable potential for studying trafficking in light weapons. Ranging from statistics dating back to the early 1970s, to the collective demobilizations by the illegal armed groups, and the weapons surrendered by individual combatants, the country has at its disposal a wealth of primary and secondary information that other nations in conflict would be hard pressed to produce.

Despite this potential, only tentative use has been made of this information, and to date no in-depth quantitative study has been done on the basis of this data. The following pages are a first step in this direction, based on an analysis of nearly 10,000 weapons surrendered by the United Self-Defense Groups of Colombia (AUC) as part of the demobilization process. This analysis is supplemented with findings derived from fieldwork and information recorded on hundreds of weapons that are stored in the warehouses of the National Police Investigations Directorate and the Metropolitan Police of Bogota.¹

The AUC Demobilization and the Selection of the Sample

The United Self-Defense Groups of Colombia demobilized 31,671 combatants between 2003 and 2006, who turned over 18,051 weapons and weapon parts. The agencies that received the weapons were the Colombian Commissioner for Peace, the Military Forces General Command, the National Police, the Administrative Department of Security (DAS) and the Prosecutor General's Office, accompanied by the Organization of American States. The surrendered weapons were destroyed in a smelting process at the National Steel corporation on 13 December 2007.²

Some observers have expressed concerns about the process of surrendering of arms, citing two basic issues. First, the number of weapons handed over per person, 0.58, has been interpreted as an indication that the AUC did not surrender all of their weapons.³ This perception has been reinforced by the discovery in recent years of the group's caches of weapons. Second, the relative newness of some of the weapons surrendered indicated that at least some groups were still making purchases on the black market, even during the negotiations with the government.⁴

Keeping these concerns in mind, the number of weapons surrendered by the AUC does not seem so low when considered in comparative terms. As such, 0.58 weapons/man far exceeds the number of weapons handed over in the demobilizations of Colombian guerrilla groups in the

early 1990s, which yielded an average of 0.38/man.⁵ In regional terms, this is a higher rate than seen in other Latin American experiences, such as the 0.50 weapons/man that the Guatemalan National Revolutionary Unit surrendered.⁶ Finally, if the figures are broken down into weapons surrendered by each group, it may be seen that in several cases AUC groups surrendered 0.9 weapons/man.⁷ As such, the weapons handed over by the AUC constitute a broad and representative sample of the arms acquired by this illegal organization.

In light of this information, the project's research team examined a sample of 9,883 AUC weapons, equivalent to 54,6% of all the weapons handed over by the group. This sample was made up of two sets of information. On the one hand, all the European weapons surrendered by the AUC (4,883 weapons), and, on the other hand, a control group of 4,968 weapons from the rest of the world. The sample was differentiated because the research team was especially interested in analyzing the dynamics of European arms trafficking to Colombia's illegal armed groups, as explained in chapter 1.

This process served to develop a database with information on the manufacturers, types, models, countries of origin, serial numbers, calibers, and particular markings of weapons surrendered by each AUC structure. This information was used to develop the core of the analysis that follows. This was done using information contained in the forms that officials of the Colombian security forces filled out during the 38 demobilizations that took place between 3 December 2003 and 15 August 2006.⁸ This work was made possible thanks to the cooperation of the Office of the Vice President and the Administrative Department of Security - DAS, whose officials provided all the support requested by the research team.

General Characteristics of the Weapons Surrendered

A preliminary review of the sample of 9,851 weapons surrendered by the AUC reveals the illegal group's preference for long arms. As shown in Figure 4.1, the main weapons used by the paramilitaries were rifles (71.62%), followed by revolvers and pistols (15.3%). Likewise, it is worth noting that weapons surrendered indicate that the AUC had considerable firepower, in that the weapons surrendered included different types of commercial grenade launchers (110 units), rocket launchers (24 units), and a significant number of handmade grenades (229).

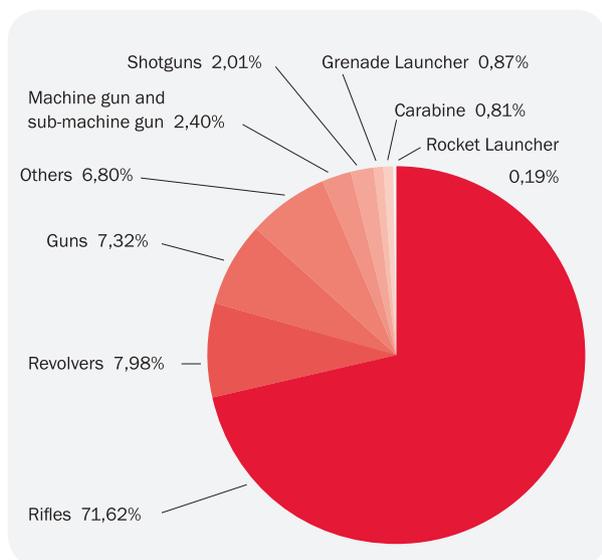


Figure 4.1: Weapons surrendered by the AUC.

Given these characteristics of the weapons surrendered by the AUC, it is quite clear that this demobilization -even if partial and not without its problems-, was a significant step forward in building peace in Colombia.

In another vein, the review of the countries of origin of the weapons surrendered indicates very few Colombian-made weapons in the AUC arsenal. The firearms manufactured in Colombia account for 2.48% of the sample, and it is estimated that these would account for about 3.5% of the total (Table 4.1).⁹ Along the same line, few weapons were found from the countries that supply arms to Colombia's security forces, such as Israel and the United States, whose arms account for 18.38% of the sample and probably about 25% of the total.

COUNTRY	SAMPLE	% SAMPLE +	TOTAL (E.)	% TOTAL (E.)
Austria	131	1,32%	131	0,73%
Serbia	145	1,46%	363	2,01%
Israel	146	1,47%	365	2,02%
Spain	157	1,58%	157	0,87%
Poland	202	2,03%	505	2,80%
Italy	237	2,38%	237	1,31%
Colombia	247	2,48%	618	3,42%
Romania	361	3,63%	361	5,00%
China	416	4,18%	1.040	5,76%
Hungary	418	4,20%	418	2,32%
Germany	587	5,90%	587	3,25%
Belgium	720	7,23%	720	3,99%
North Korea	725	7,28%	1.813	10,04%
Rusia	1.324	13,30%	3.310	18,34%
United States	1.683	16,91%	4.208	23,31%
Bulgaria	1.848	18,57%	1.848	10,24%
Others	605	6,08%	1.372	4,69%
Total	9.952	100%	18.051	100%

Table 4.1: Countries of origin of the weapons surrendered by the AUC.¹⁰

In contrast with the above, there is a considerable presence of weapons from countries that either never legally sold small arms to Colombia's agencies, or that have not done so for several years. Among these are Bulgaria, China, and North Korea in the former category, and Austria, Spain, Italy, Germany, and Belgium, in the latter. This reinforces the hypothesis that most of the AUC's weapons came from the black market, enabling the group to acquire weapons that were not available to the Colombian security forces.

It is also useful to break down the types of weapons from each country. Assault rifles were the most predominant weapons observed in the sample: accounting for 99.7% of the Bulgarian weapons and 94.9% of the Russian weapons. In contrast, Colombian-made weapons were mostly pistols and revolvers (76.9%), and only 6.1% were assault rifles manufactured under license by Indumil.

Figure 4.2 illustrates the prevalence of rifles among the weapons most used by the AUC, especially the AK-47 M1A1, AKM, and AK-47 models. This reiterates that several of the most commonly found models are not used by Colombia's security forces and came from countries that have never legally sold arms to Colombia. Examples of these are the Serbian M97 and the Bulgarian AK-47 M1A1. Also notable are

the weapons made in countries that have not sold arms to the Colombian State for years, such as the Belgian Browning High Power (P35).

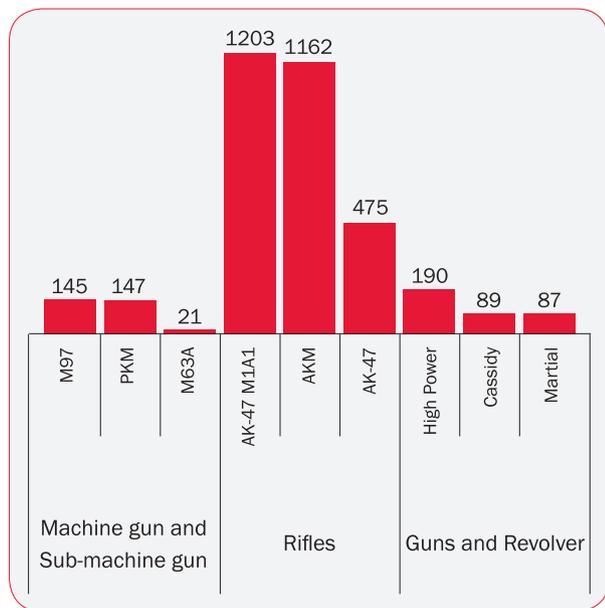


Figure 4.2: Most common models of weapons surrendered by the AUC.

In general, while many pistols and revolvers came from Colombia and the United States (Llama, Colt, Smith & Wesson, and Ruger), the most commonly seen model is of European origin, the Belgian Browning High Power. Currently, the standard model for this pistol (model 1935) is manufactured by Fabrique Nationale d'Armes de Guerre SA, Herstal (FN-Herstal SA) - and by the Military Factory "Fray Luis Beltrán" in Argentina, under license. Although the Argentine model is very similar to Belgian design, there are noticeable differences in the weapon's dimensions. However, the Mk 2 and Mk 3 models, the latest in the High Power line, are not licensed for production outside of Belgium.¹¹ FN Herstal SA sells these weapons directly to its customers (countries or individuals). Regarding the weapons encountered in the sample, available information suggests that these weapons were purchased by Venezuelan customers, and were then diverted to Colombia. To support this hypothesis, according to the NISAT database, between 1990 and 2001, the Belgian government awarded 14 licenses for the sale of small arms to Venezuela¹².

In terms of assault rifles, 52% of the models included in the sample were European, followed by three other countries: North Korea (44.35%), USA (37.22%) and Russia (22.43%). In other words, European weapons, though not accounting for most of the weapons found in the sample,

were the most commonly found models of both pistols and assault rifles.

European Weapons Surrendered by the AUC

Regarding exclusively weapons of European origin, 4,883 weapons in the sample were found to have been produced in Europe or under manufacturing license from European countries. These account for 65.71% of the machine guns and submachine guns, 51.31% of rifles, and 44.15% of pistols and revolvers. Figure 4.3 illustrates the percentage of weapons by country of origin within this group. It is interesting to note that the Bulgarian arms stand out compared with other countries, with a total of 1,851 specimens.¹³

Although a distant second from Bulgaria, Belgium accounts for a total of 407 rifles, of which 97.2% are different variants of the FAL model. Belgium also accounts for 273 Browning High Power pistols. Third are German weapons, specially those from former East Germany, and which include different models of Kalashnikov rifles, as the AKM, and the AK-47, and the AKM MPiKM. Several of latter ones seem to have been obtained from combats with FARC, as becomes apparent when contrasting the serial numbers of weapons found in the hands of the AUC with those seized from FARC in the Jordan case.¹⁴

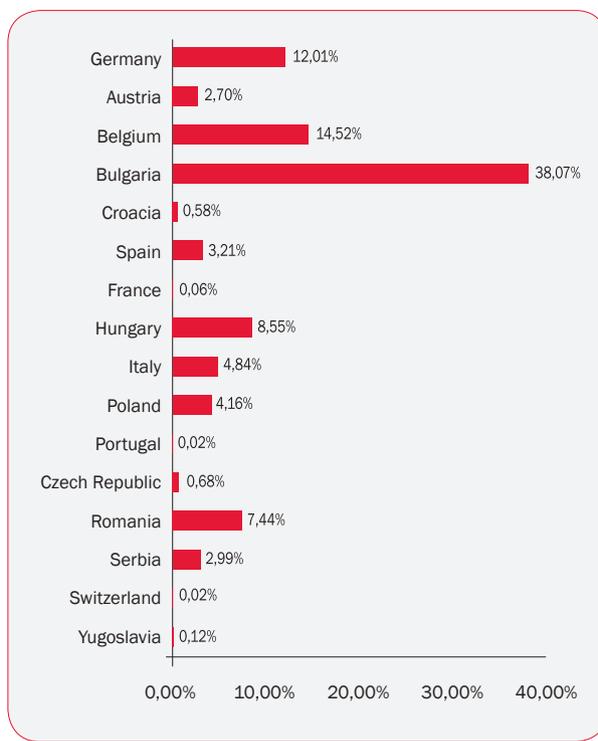


Figure 4.3: Percentage of European weapons in the sample by country

As the chart shows, there are substantial differences between the countries. As such, 38.07% of the weapons are from Bulgaria, 14.52% from Belgium, and 12.01% from Germany, while the percentages of arms of Portuguese or Czech origin do not exceed 1%.

However, the cases of Serbia, Yugoslavia and Switzerland are of particular interest for several reasons. First, Serb weapons (model M97) found during the project are made by the Zastava factory, which survived after the breakup of Yugoslavia, and became Serbian. Serbia is both a candidate for membership of the European Union and a member of the European Council and the Organization for Economic Cooperation and Development.

The case of former Yugoslav weapons is interesting as well. Heckler and Koch MP5 sub-machine guns, began to be produced in Enfield, England, being then called EN MP5. Through the serial numbers and bench-test markings, researchers established that the weapons surrendered by the AUC belonged to a shipment originally sold to the Yugoslavian police through England, to avoid the restrictions imposed by the German government on H&K. These weapons ended in Colombia, but it was impossible to determine the approximate date on which they arrived to the country.

Finally, although the percentage is not significant, there are weapons of Swiss origin. Although Switzerland is not a member of the European Union, it is part of the European Association for Free Trade. And it is at least paradoxical that armament of a country renowned for its official neutrality, with several organizations dedicated to the pursuit of peace based on its territory, finished in the hands of illegal groups in a country with a conflict like Colombia.

The European weapons selected for the sample reflect the same trend in terms of the above-mentioned kinds. Assault rifles (3,617 units) and handguns (895 units) were the most common weapons handed over by the AUC, as illustrated in Figure 4.4.

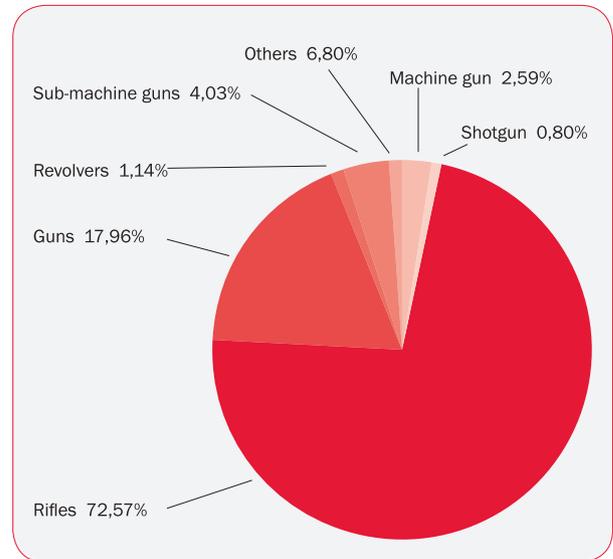


Figure 4.4: Types of European weapons surrendered by the AUC.

Comparing the type of weapon with the caliber (Figure 4.5), it may be seen that a high percentage of the weapons are models that are exclusively for military use, such as rifles, machine guns, submachine guns and some calibers of restricted use (9mm, .223, 5.56 x45mm, 7.62mm, and 7.56x39mm). This reinforces the hypothesis that the European weapons acquired by the AUC came mainly from black market trafficking networks, given that the weapons of these types that are exported to Colombia are exclusively for the use of the security forces, and these forces use different calibers than the ones that were found.

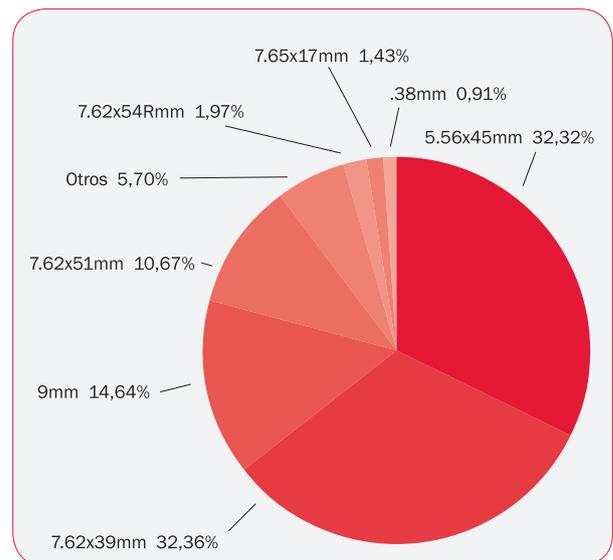


Figure 4.5: Main calibers of the European weapons surrendered by the AUC.

In terms of the manufacturers of the weapons, the different models of Kalashnikov (See Figure 4.2) are notable. First, accounting for 27.52% of the sample, is the AK-47 M1A1. This is a Bulgarian version of the AK-47 produced by the Arsenal Company. As well as this model, Arsenal is the leading manufacturer of European weapons found among the weapons that the AUC surrendered during demobilization, accounting for 36.62% of the total. The second company most frequently seen in the sample is Fabrique Nationale Herstal, on account of the large numbers of Browning High Power pistols. This weapon appears is the only pistol among the most commonly found models, accounting for 4.05% of the total sample of European arms.¹⁵

Moreover, there is a moderate presence in the sample of Hungarian arms, manufactured by two companies: Fejgyver És Gépgyár and state manufacturers, which account for 4.19% and 11.08%, respectively. These manufacturers concentrate their production on the AMD-65 and AKM, both enhanced versions of the AK-47.

With this first glance at the selection of weapons surrendered by the AUC and a closer examination of those from Europe, it is possible to draw some preliminary conclusions. First, it is clear that most of the AUC's rifles were foreign-made. Most of these came from Bulgaria, shipped on the Otterloo, followed by other countries such as Hungary, Germany, and Romania. Second, the low percentage of Colombian and Israel-made weapons indicates a low rate of channeling weapons from State forces to the AUC. Third, evidence of a comparatively high rate of European-made weapons in the hands of the AUC merits taking a deeper look at the possible dynamics of arms trafficking from those countries to Colombia. These ideas are examined in greater detail in the following chapter.

ENDNOTES

- ¹ In this regard it is worth clarifying that: i) the hundred arms consisted of long and short range weapons, and ii) data collection of weapons was as complete as possible, following international standards for the identification of SALW. This includes complete information on the weapon, proof marks, unusual markings, and photographs of all sides and marks in the weapon.
- ² Press Secretary - Presidency of the Republic, "Este viernes fundirán las 18.051 armas que entregaron las AUC," 13 December 2007. Available online at: <http://web.presidencia.gov.co/sp/2007/diciembre/13/08132007.html>
- ³ Muggah, Robert "Excedentes de armas, un riesgo para la paz," *Semana.com*, 5 August 2008. Available online at: http://www.semana.com/wf_ImprimirArticulo.aspx?IdArt=114257

- ⁴ Ibid. Colombian intelligence officials interviewed for this project shared that opinion.
- ⁵ During the different demobilization processes with guerrilla groups, 4,715 former combatants surrendered with 1,785 weapons between 1990 and 1994. Program for Supplementary Care for the Reincorporated Population Present in Bogotá, "Ciudadanos excombatientes: un desafío de reconciliación e inclusión para Bogotá," Bogotá City Government, 2006, p. 5.
- ⁶ Jane's Defense Weekly, "UN Monitors Disarmament in Guatemala", Jane's Defense Weekly, p. 14.
- ⁷ This was the case of groups such as the Libertadores del Sur Bloc that demobilized 689 men and handed over 596 weapons in July 2005, and the Vencedores de Arauca Bloc that demobilized 468 men and surrendered 399 weapons in December that same year, for example.
- ⁸ Some of this information is available in digital format, and some was recorded by the research team, in that only hard copy records existed. All of the information collected and processed by the research team was provided to the Administrative Department of Security (DAS) to be added to its databases, in accordance with the security agreements made between this agency and the Ideas para la Paz Foundation.
- ⁹ To estimate the total number of weapons from non-European countries among the weapons surrendered, the number of non-European weapons found in the sample was multiplied by 2.5. Given the size of the sample of non-European weapons (26% of all weapons surrendered), it is considered that this estimate is representative.
- ¹⁰ In the table, "Others" includes those countries whose arms represent less than 1%, such as: Peru, Venezuela, Argentina, Brasil, Turkey, South Africa, Taiwan, Egypt, Switzerland, France, Yugoslavia, Croacia, Portugal, and the Czech Republic which includes Czechoslovakia, Russia includes the Soviet Union, and Germany includes weapons listed as being from East Germany.
- ¹¹ As indicated by *Jane's Infantry Weapons 2009-2010*, several countries produce similar models of the Browning High Power Standard, High Power Mk 2 and Mk 3. Such is the case of North China Industries Corporation (NORINCO), manufacturer of unauthorized copies of the Standard model, the Mk2 & Mk 3 models. Other countries such as Bulgaria, Hungary and India, produces the 9mm Arcus-94, Model 1A Auto P9 and 9mm pistol models, respectively, which are, ultimately, weapons very similar to the original model, albeit with some changes and / or improvements.
- ¹² Although NISAT provides only aggregated information, it is likely that this model pistol was part of these shipments, as it is Herstal's most popular export pistol. See: *Jane's Infantry Weapons 2009-2010*, p. 12-13
- ¹³ Of these weapons, 1,831 were different variations of the Kalas hnikov AK-47 and AKM models.
- ¹⁴ The research team had access to a large number of Jordanian rifles seized from the FARC, days before being cast.
- ¹⁵ The government has not made any purchase of this pistol for the Colombian security Forces. In the case of private persons, the only way to buy a gun non produced in Colombia, is through INDUMIL, by making a solicitation to this entity.

Chapter 5

ORIGINS, ROUTES AND DISTRIBUTION

he notable presence of European weapons in AUC arsenals begs a number of questions as to how these arrived in Colombia. As illustrated in the previous chapter, Bulgaria is ranked as the main source of European weapons, accounting for 38.07% of the sample, followed by Belgium (14.42%), Germany (12.01%), Hungary (8.55%), and Romania (7.44%).

Two hypotheses emerge to explain how these weapons were brought into the country. On the one hand, there is the possibility that these weapons were part of a few large-scale trafficking shipments, centrally negotiated by AUC commanders and latter distributed to their regional structures. On the other hand, the figures could represent the sum of multiple trafficking operations and the siphoning of small quantities of arms, as one would expect if each AUC unit were responsible for its own arms supply.

This chapter aims to shed light on these questions. It starts by reviewing the countries of origin, types, models, and calibers of weapons surrendered by each of the AUC's regional structures, paying special attention to the most important ones. Then, by way of contrast, we study several clusters of weapons organized according to their countries of manufacture, types, models, and serial numbers, to identify which sets of weapons may have come from the same smuggling operations.

Distribution of European Weapons by Demobilized Structure

A preliminary review of European weapons surrendered by each AUC structure corresponds to the trends observed in chapter 4. In this regard, we note that all the demobilized blocs and fronts handed over different quantities of European weapons, with the fewest European weapons coming from the Chepe Barrera front (3) and the most coming from the Northern Bloc (535).

BLOCS AND FRONTS	NO. SAMPLE	% SAMPLE
Chepe Barrera	3	0,06%
Autodefensas de Córdoba	8	0,16%
Mojana	12	0,25%
Pacífico	13	0,27%
Sudoeste Antioqueño	14	0,29%
Tolima	16	0,33%
Noroccidente Antioqueño	28	0,57%
Cacique Nutibara	34	0,70%
Sinú y San Jorge	53	1,09%
Vichada	57	1,17%
Autodefensas campesinas de Puerto Boyacá	91	1,86%
Héroes de Tolova	95	1,95%
Resistencia Tayrona	97	1,99%
Magdalena Medio	108	2,21%
Meta y Vichada	111	2,27%
Wayu	121	2,48%
Vencedores de Arauca	129	2,64%
Mineros	133	2,72%
Elmer Cardenas	136	2,79%
Catatumbo	143	2,93%
Nordeste Antioqueño	157	3,22%
Héroes de los Montes de María	168	3,44%
Héroes de los Andaquies	176	3,60%
Héroes de Valledupar	183	3,75%
Centauros	191	3,91%
Héroes de Granada	239	4,89%
Héroes del Llano	244	5,00%
Libertadores del Sur	302	6,18%
Central Bolívar	306	6,27%
No information	458	9,38%
Banadero	522	10,69%
Norte	535	10,96%
Total	4883	100%

Table 5.1 Number of weapons per Block

Similar to what was observed in the previous chapter, the distribution of surrendered weapons among their European producer countries is not homogeneous. The overwhelming presence of Bulgarian weapons in almost all the demobilized blocs is consistent with Bulgaria's standing among the sample's countries of origin. Something similar is observed in the case of weapons of Belgian and German origin, which reflects the ranking of both countries in the database.

In considering the most important structures that demobilized, in most cases there is a significant difference between the country of origin that accounts for most European weapons and the next on the list. An example of this is the Bananero Bloc, whose arsenal of European weapons is made up of 68.39% Bulgarian weapons, followed by German (8.81%), and a combination of 11 countries account for the remaining 22.8%. Another example of this is the Central Bolivar Bloc, most of whose European weapons are from Bulgaria (83.01%).

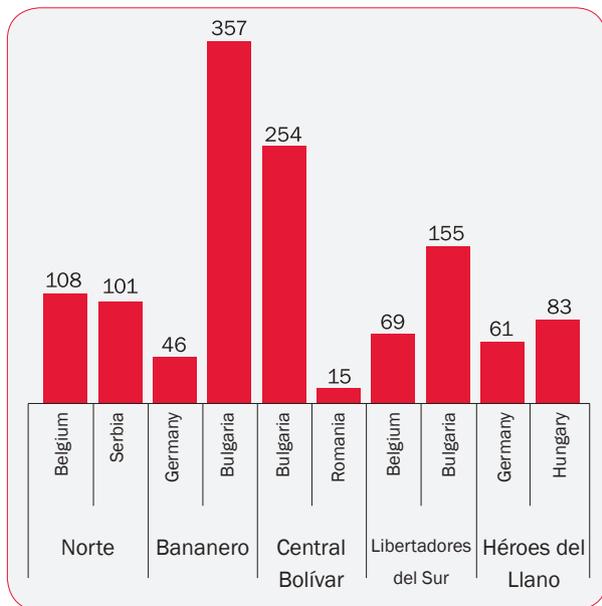


Figure 5.1: Countries of origin most often seen in the European weapons surrendered by the main AUC groups

The AUC's smaller units handed over a far smaller number of European weapons, and these were more evenly distributed among various European countries. The first observation can be attributed to the fact that fewer weapons were surrendered by these blocs and fronts because of their size. The second issue is more interesting, because it would indicate that smaller groups had more difficulties standardizing their weapons. This trend is not without exceptions, however, such as the Héroes de Andaquíes and Héroes de Montes de María Blocs, whose arsenals once again revealed a prevalence of Bulgarian weapons.

Beyond their countries of origin, the heterogeneity of European weapons surrendered by the AUC was also reflected in the types of weapons handed over by its different blocs and fronts. As such, there was much variety in the types of weapons of European origin found in the demobilization process. As illustrated in the previous chapter, most of these were assault rifles, followed by pistols.

Figure 5.2 illustrates the distribution of the types of European weapons most commonly found in the larger blocs and fronts. Altogether, these types of weapons accounted for 86.78% of the European weapons handed over by the Bananero Bloc, 96.73% of the Central Bolivar Bloc, 83.44% of the Libertadores del Sur Bloc, and 84.84% of the Héroes del Llano Bloc.

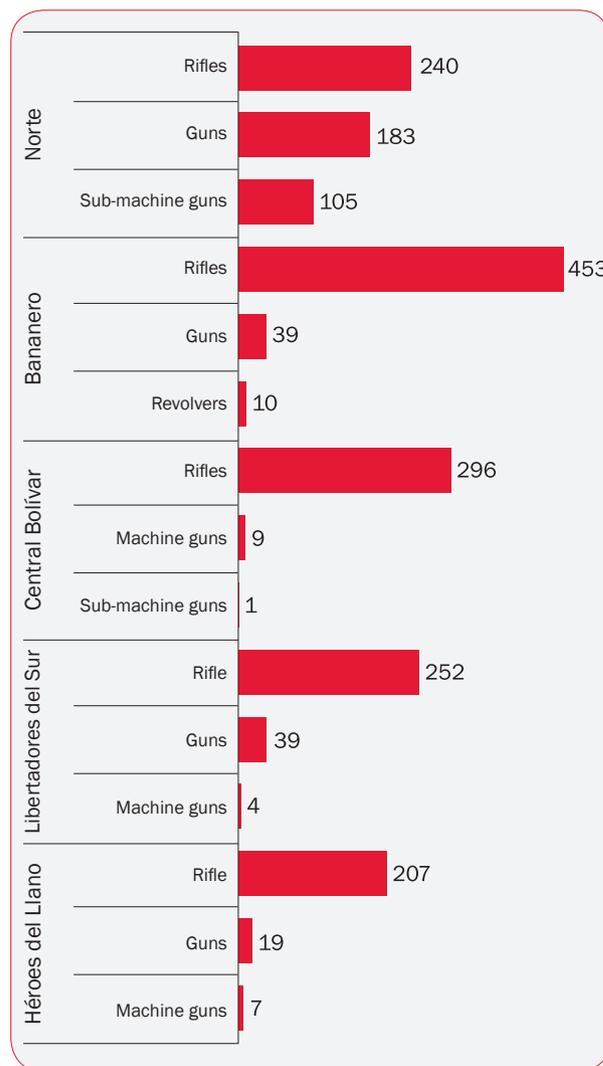


Figure 5.2: Types of European weapons most commonly found among the materials surrendered by the main AUC groups

A case that stands out is that of the Central Bolivar Bloc. All of the European weapons that this bloc handed over were rifles, machine guns, and submachine guns, as illustrated in Table 5.2. This presents an unusual case, if one considers the absence of pistols like the Belgian-made Browning High Power, so commonly found in other AUC structures.

BLOC	TYPE	COUNTRY	CALIBER	NUMBER
Central Bolívar	Rifles	Poland	7.62x54R mm	8
		Romania	7.62x39 mm	1
	Machine guns	Germany	7.62x39 mm	9
			7.62x51 mm	3
		Belgium	7.62x51 mm	5
		Bulgary	5.56x45 mm	244
			7.62x39 mm	10
		Hungary	7.62x39 mm	8
		Poland	7.62x39 mm	3
	Romania	7.62x39 mm	14	
Sub-Machine gun	Germany	9 mm	1	
Total				306

Table 5.2: Types of European weapons surrendered by the Central Bolívar Bloc

Considering the models of the weapons surrendered by the main AUC groups, specifically in terms of assault rifles, the prevalence of the different models of AK-47 is notable, in particular the Bulgarian AK-47 M1A1 and the AK-47S, followed by the AKM MPiKM from former East Germany, and the Hungarian AMD-65, as shown in Figure 5.3.

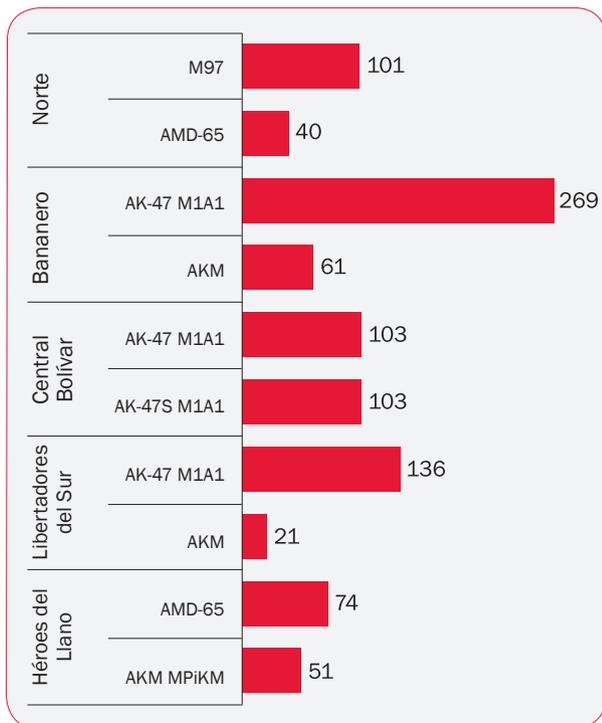


Figure 5.3: Models of European assault rifles most commonly surrendered by the main AUC groups

The above illustrates the prevalence of assault rifles from those countries in the AUC arsenal. It also strengthens

the hypothesis that said organization, or at least its main structures, had a certain amount of bargaining power and the ability to centralize weapons purchases. It should be noted that this situation is not reflected to the same degree in the case of the smaller groups, who handed over much smaller percentages of these models of rifles.

In any case, it is clear that while certain models of assault rifles are widely represented in the sample, their origins are more varied than this classification would suggest. Thus, Table 5.3 illustrates how some of the most common models surrendered by the organization's main blocs and fronts were produced in different countries. The AKM and AKM MPiKM assault rifles are examples of this, as they are very commonly found models that were produced in five countries: Bulgaria, Hungary, Poland, Romania, and the former East Germany.

BLOC/FRONT	COUNTRY	MODEL	NUMBER
Norte	Hungary	AMD-65	40
	Serbia	M97	101
Bananero	Germany	AKM	20
	Bulgaria	AK-47 M1A1	269
		AKM	1
	Hungary	AKM	11
	Poland	AKM	4
Romania	AK-47	25	
Central Bolívar	Bulgaria	AK-47 M1A1	136
	Hungary	AKM	14
Libertadores del Sur	Germany	AK-47	7
	Bulgaria	AK-47 M1A1	136
Héroes del Llano	Hungary	AKM	14
	Germany	AKM MPiKM	50
	Hungary	AKM MPiKM	1
		AMD-65	74

Table 5.3: Models and countries of origin of the most common European assault rifles surrendered by the main AUC groups

Clusters of European Weapons

As shown in chapter 4 and reiterated in the previous pages, a considerable presence of European weapons was found in the arsenals handed over by the AUC. Equally interesting is the fact that European weapons were found in all the demobilized fronts and blocs. Neither of these two observations, however, it is sufficient to determine the mechanisms through which this illegal organization acquired its weapons. So as to better understand this phenomenon, what follows is an outline of the main findings of the cluster analysis mentioned at the beginning of the chapter.

For the purposes of analysis, the 4,883 European weapons in the sample were organized by country of origin, type, model, caliber, and serial number. Using this information, the research team was able to identify 17 clusters, consisting of 696 weapons that might represent a small number of shipments or siphoning incidents. The largest set was made up of 270 Bulgarian AK-47 M1A1s, while the smallest was seven AKM rifles from the same country. Table 5.4 illustrates the make-up of the sets mentioned.

COUNTRY	TYPE	MODEL	NUMBER
Bulgaria	Rifle	Ak-47	32
		AK-47M1	50
		AK-47M1A1	270
		Ak-47S	22
		AK-47 M1A1	44
		AKMS	7
Poland	Rifle	AKM	17
		AKMS	13
		PKM	53
Romania	Rifle	AKM	8
		SAR-1	33
Germany	Rifle	AK-47	32
		MPIKM	31
Italy	Gun	Beretta Cougar 8000	11
Belgium	Gun	Browning High Power	37
		Browning BDA-380	22
Austria	Rifle	Steyr Aug	14

Table 5.4: Clusters of European weapons

A cursory glance at the composition of these clusters reflects some of the trends already found, and this reaffirms the high frequency of Bulgarian, Romanian, Belgian, and German weapons in AUC arsenals. Beyond initial appearances, however, the cluster study serves not only to complement our understanding of the phenomenon, but also to challenge some of the existing beliefs on the AUC's arms trafficking mechanisms.

In this sense, the best-documented studies on the origin of the AUC's Bulgarian weapons indicate that in 1999 the illegal group acquired 7,640 AK-47 M1A1s, of 5.56 caliber. This purchase would have been made directly from the Arsenal factory, using a counterfeit end-user certificate and the cooperation of two low-ranking Colombian Army officers.¹

Given this consensus on the existence of a single shipment of this model of Bulgarian rifles, it is interesting to note that both 5.56 caliber and 7.62 caliber weapons were found in the clusters. Serial numbers also vary widely, ranging from AE395498 in one of the clusters to IM396639 in another. This distance between the serial numbers would suggest that the weapons came from different production lots,

which in turn would suggest the possibility of more than trafficking operation involving Bulgarian AK-47 M1A1s.

Something similar could be said about the Romanian AKM and SAR-1 rifles. In recent years Colombian intelligence agencies have been investigating a Romanian arms trafficking operation in the country, focusing their attention on SAR rifles. This would be reflected in the cluster of 33 SAR-1s found in the sample, which have almost consecutive serial numbers starting with S1733282003, that indicate that they were manufactured in 2003.

In this sense, the discovery of a set of eight 7.56x39 caliber AKMs in the clusters is interesting. This set of weapons, although not very numerous, includes serial numbers that begin with 1985PZ5229 and end with 1985RL7197. The 18 years of difference in manufacture between the SAR-1 and the AKM rifles begs the questions: Did both lots arrive in Colombia at the same time as part of a single transaction, or has Romanian arms trafficking to Colombia been going on for much longer than had been believed?

Even more unusual is the case of the PKM machine guns that are identified as being Polish in the AUC demobilization records. This group of 54 7.62x54R caliber machine guns contains 54 intermittent of serial numbers, of which the oldest is F11741998 and the most recent is F17531999.

This is interesting because, like the Romanian AKM case, no public attention has been paid to this possible instance of international traffic from Poland. Unlike the Romanian AKMs, however, the Polish PKMs are of a far more recent vintage, and as such one would expect to find mention to them in the public record. To the best of the project team's knowledge, this is not the case.

These cases indicate the great analysis potential of a cluster study, as is proposed here. In this sense, the idea would be to broach a new line of study of arms trafficking in Colombia, which certainly could be better done to the extent that more data is available.

Given this potential, we must acknowledge the interpretative limitations of the exercise presented here. The 696 weapons contained in the 17 clusters represent 13.96% of the sample of European weapons examined in the study. Thus, although interesting, this exercise does not allow us to make broad generalizations about the European weapons surrendered by the AUC.

Without losing sight of these limitations, it is also necessary to note that it is very likely that the sample of 4,883 European weapons handed over by the AUC contains more clusters than have been identified in this report. This is because the AUC systematically erased serial numbers, which prevented the research team from fully analyzing 51.34% of the records in the database.

Deleting serial numbers appear to have been a common practice across AUC structures, of which the Norte Bloc seems to have been the least diligent about deleting this information from their weapons (38.67%), while the Héroes de Andaquíes Bloc seems to have been the most effective in this task, removing the serial numbers from 93.81% of the 176 weapons surrendered.

Aside its frequency among demobilized groups, there do not seem to be any specific regional trends concerning this practice. Thus, groups located in far-flung areas such as the Héroes de Tolová (Córdoba), Héroes de Andaquíes (Caquetá), and Héroes de Montes de María (northern region), are among those with the highest rates of deleting serial numbers.

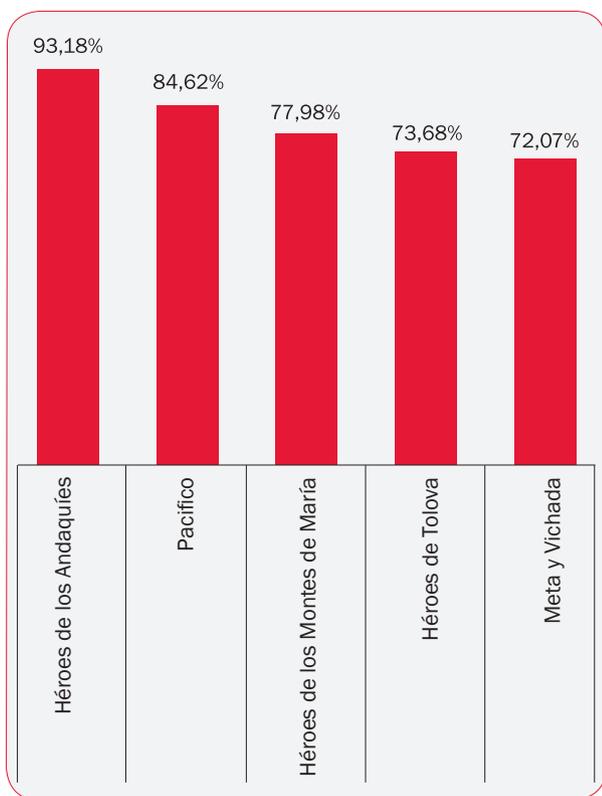


Figure 5.4: Blocs with the highest rates of serial numbers deleted from the weapons surrendered by the AUC

ENDNOTES

¹ Vranckx, p. 29.

Chapter 6

EUROPEAN ARMS EXPORT CONTROLS

The presence of foreign arms in arsenals seized from AUC in Colombia is not by itself an indication that the world's manufacturers of military material export as they please to all countries where they find clients. As states hold a legal monopoly on the use of violence, arms cannot be transferred from one country to another without authorisation from the states involved. Permits must be requested and obtained for exporting any type and quantity of arms to an identifiable end-user in a clearly described country. Authorities deny or grant such permits in referring to local laws, such as the 1976 United States Arms Control Act that allows the sale of US-made arms to foreign governments in the interest of their self-defence, but precludes sales to groups not tied to governments. This export control system also provides a list of governments deemed ineligible for exports.

No such list is presented to European arms exporters, whose arms export permit requests are considered on a case-by-case basis. The (shifting) profile of ineligible clients is drawn in reference to 8 criteria, which include the risk that exported arms aggravate armed tension and serious violations of human rights or infringe upon arms embargoes that the European Union or other organizations set against states embroiled in civil war. These criteria are listed in a Code of Conduct on Arms Exports that European countries adopted in 1998,¹ when formalizing common criteria for arms exports, that some such countries had already defined in their national 'ethical arms export laws'.² Efforts are also made to avoid authorities of one European Union member state grant a permit to export to a country for which another European Union state had previously denied an export permit for a similar product. In the interest of this concerted control regime, authorities of European states inform one another of these denials.

Until recently, compliance with the Code of Conduct on Arms Exports proceeded on a voluntary basis, even if some European Union member states copied the Code's criteria into their national law,³ and others, such as Germany, were seen to respect that list quite cautiously in their export practices.⁴ By the end of 2008, however, this export control system became legally binding on all 27 European Union member states when these adopted a Common Position on control of exports of military technology and equipment.⁵ The system thereby came to apply to very significant share of the world's small arms and light weapons producing companies, almost half of which are based in Europe.⁶ At a count early in this millennium, Europe exported about 60% of this small arms production to other regions of the world, making it the largest documented exporter of small arms to the Middle East and the Americas.⁷

If this European export control system appears to have failed in avoiding that such small arms and light weapons

were supplied to illegal groups in Colombia, it is not for lack of effort. The system strongly prohibits European authorities grant permits to export arms to those groups in a direct line. The European system could only have permitted transactions with Colombia's authorized arms importer, that is INDUMIL, and in the past decade and a half, European exporters were even denied permits for exports to INDUMIL.⁸ In the few cases where European authorities revealed the grounds for these denials, they referred to a risk they deemed high that 'exported arms could aggravate armed tension and serious violations of human rights' in Colombia. Thus a few hypothesis remain to be explored on how European arms made it to illegal groups in Colombia – included AUC- 'behind the back' of the stringent European arms export regime.

The arms made it to Colombia before the European arms exports control regime was put in place

Clearly, some of the weapons found in the hands of illegal armed groups arrived in Colombia long before the strict European export control system was put in place. Such is the case of G3 assault rifles, sold by Heckler & Koch to the Colombian military before 1967, a very small number of which was found by the research team throughout the study.

That said, information gathered for the project points towards the existence of a sizeable number of weapons produced in the late nineties in countries that, even though not members of the European Union at the time, did not permit weapons sales to non-state organizations. Among these are various cases of arms manufactured in Bulgaria, Hungary, Poland and Romania, countries that did not join the Union until May 2004, but whose national norms on weapons exports should have prevented their arms from reaching the AUC.

Such is the case of the 7,640 AK-47 M1A1 bulgarian assault rifles purchased by said illegal group in 1999 from the Arsenal Kazanlak factory. As has been mentioned elsewhere in this report, in this opportunity – maybe the best-documented case of large-scale traffic attributed to the AUC-, Arsenal was presented with a fake end-user certificate issued under Indumil's name, with the complicity of two low-ranking officers from the Colombian Army.⁹

Said document was used to permit the arms export and their shipment to the Colombian port of Buenaventura without a due verification of the transaction's authenticity by Bulgarian authorities. Considering the weapons and their ammunition were incompatible with the Colombian military's standard arms, a simple verification effort would probably have called attention to the unusual purchase. In

this sense, even though Bulgarian authorities were not subject to the European Code of Conduct's principles and procedures in 1999, their actions in this case proved contrary to their national norms.

The arms were not exported to Colombia in the first place, but arrived there from other countries that managed to buy European

Analysis of manufacturing information and control bench imprints encountered on many seized arms reveals that upon export from Europe, these arms had a different destination than Colombia. From that first export destination, the arms appear to have been re-exported later on. Such re-exports are not usually permitted. Paperwork for requesting an export permit from European authorities typically includes a form on which the end-user declares the goods will not be re-exported unless that end-user were to obtain an explicit authorisation to re-export.

After granting an export permit to a certain destination, authorities have few means to sanction violation of the non-re-export declaration, other than refrain from awarding new permits to export similar goods to the end-user that was proven not to have honoured the non-export clause in the past. Facing the possibility of such sanction, neither the destination country nor the company that supplied the arms would have a large interest in reporting re-exports to the authorities of the exporting country. Any indication that re-export took place could obstruct that importer's supply line in the future. Information on re-exports could also damage the exporting company's commercial interests, as that company could be denied future export permits to supply the same goods to the same end-user. These interests as to reporting re-exports, or lack thereof, explain why the authorities of exporting countries are not guaranteed to be duly informed of re-exports, not even when arms 'disappeared' without apparent involvement of the initial importer: In the case of AT-4 antitank missiles that Sweden sold to Venezuela in the late 1980s, the loss ('robbery') of a significant number of these arms was only reported to have occurred in the mid 1990s after AT-4s were somewhat embarrassingly recovered from the FARC-guerrilla in Colombia.

The European Code of Conduct on Arms Exports refers to this problem in its list of criteria it demands authorities consider when granting export permits. Criterion number 7 on that list indicates export permits must be denied for arms that risk to become deviated from the control of stated and authorized end-users, that is, when the arms risk to get re-exported to a third country, and/or taken away from stated end-users (e.g. a local police force) and put at the disposal of others (e.g. local organized crime syndicates). European

authorities are asked to assess the risk that exported arms may become deviated from the indicated end-user in some foreseeable future, while they are not guaranteed to have information on arms that were re-exported in the past. They may not in all cases be able to make such assessment.

Licensed production contracts obstruct the efficiency of the European arms export control system.

Licensed production arrangements allow local companies to manufacture a specific type of arm – for instance the FN FAL 7,62 mm assault rifle - under a contract with the company that holds the production rights on that type of arm. In the example of the FAL rifle, production rights are held by the Fabrique Nationale d'Armes de Guerre (FN) in Herstal, Belgium.

Manufacturing information and control bench imprints on FN FAL rifles that were seized from illegal groups in Colombia indicates that many of these specimens were sourced by the Venezuelan National Army, for whom the Compañía Anónima Venezolana de Industrias Militares (CAVIM) produced FAL rifles from 1975 onwards. In Ecuador, similar FN material was produced until 1994, after which the country began producing the 'German' Heckler and Koch (HK) rifles. Both FN and HK arms made in Ecuador were later recuperated from armed groups in Colombia.

And yet, European arms exports law cover export of all (parts of) European arms, whether these be fabricated on European soil or produced elsewhere in a licensed production arrangement. In neither case is re-export to other end-users or third countries allowed. Exports to a third country would damage commercial interests of the company that owns the arm's production rights: The company would be left with a smaller export market for its own production and/or fewer opportunities to contract licensed production deals with companies in other countries still. Such re-exports would also constitute a backdoor through which countries can gain access to military equipment and technology while in a situation that, according to European authorities' ethical concerns, makes that access undesirable.

Technically speaking, 'mother companies' can control the destination of arms produced elsewhere when they continue to source some or all components of the arms, which the contracted company merely assembles. In the case of Venezuelan production of FN FAL rifles, the production licence implied that parts were delivered from Belgium. That European country could thus have denied permits to export such parts, if FAL rifles that CAVIM had assembled for the Venezuelan army were shown to be at the disposal of illegal groups in Colombia. Nevertheless, the first such

seizures from Colombian groups early in the millennium, did not stop Belgian authorities to continue granting the FN company permits to export FAL parts to Venezuela until at least 2003.

Some authors who commented on weak controls over licensed production contracts have repeatedly brought up a contract that the Heckler & Koch company was believed to have maintained with Colombia's INDUMIL, for manufacturing the G3 rifle that was put at the disposal of the Colombian armed forces. The German government allegedly terminated that contract around 1993 out of concern over the armed forces were making of these arms in Colombia, in disrespect of human rights. However, this 'demonstration' of how an ethical European arms export regime had shown concern over human rights violations in a particular country, does not hold up to close scrutiny. Colombia, by way of INDUMIL, did in fact import a large quantity of HK G3 rifles from Germany in the period previous to 1967, after which INDUMIL obtained from the German HK company machinery to maintain and repair these arms, and a licence of sorts to execute these repairs. Licensed production of the G3 rifle was never contracted to a Colombian company.¹⁰ The 'German government would have had little to say about Heckler and Koch's contracts at that time, as that company had been sold in 1991 to BAE Systems plc, a British defence, security and aerospace company. Colombia's arrangement with HK was effectively terminated by 1993¹¹, but by decision of the Colombian government to replace most of the G3 arms by Galil rifles that INDUMIL began manufacturing in Colombia under a licensed production contract with the Israeli Military Industry (IMI)¹². As said elsewhere in this report, few of the Galil rifles that INDUMIL produced for the Colombian armed forces were seized from illegal armed groups in Colombia.

the United Nations should negotiate a legally binding 'universal' Arms Trade Treaty.

- ⁶ Estimate by the Graduate Institute of International Relations,
- ⁷ The Graduate Institute of International Relations, *The Small Arms Survey 2003 – Development Denied*, Oxford University Press, 2003, 329p.
- ⁸ Such denials are reported on by the European Union council's annual assessments of implementation of the European arms export regimes, on <http://www.consilium.europa.eu/showPage.aspx?id=1484&lang=en>
- ⁹ Philip Gounev et al. (eds), 2004, *Weapons Under Scrutiny: Implementing Arms Export Controls and Combating Small Arms Proliferation in Bulgaria*, Saferworld, p. 37.
- ¹⁰ Statement by INDUMIL, given to Fundación Ideas para la Paz in the course of this research project. The source required not to be identified.
- ¹¹ According to INDUMIL's website, the Jose Maria Cordova factory, still offers parts and spares in order to attend the needs of the rifles of this type remaining in service in the Armed Forces. See: http://www.indumil.gov.co/?id_c=11&tpl=fabricajmcordova
- ¹² Currently, Israel Military Industries is known as Israel Weapons Industrie (IWI).

ENDNOTES

- ¹ European Union Council, 8675/2/98 Rev 2, 5 June 1998.
- ² Common Criteria for arms exports were agreed on in 1991 and 1992, at European Union Council meetings in Luxembourg and Lisbon.
- ³ Amendment to the Belgian arms export law of 5/8/1991, in effect from July 2003 onwards.
- ⁴ Flemish Peace Institute, *Benchmarking Arms Export Controls: a region and its neighbours*. Brussels: FPI, March 2007.
- ⁵ European Union Council, Common Position 2008/944/CFSP of 8 December 2008, defining common rules governing control of exports of military technology and equipment, Official Journal of the European Union, L 335/99, Acts Adopted under Title V of the European Union Treaty. Some have advocated this arrangement as a model after which

CONCLUSIONS AND RECOMMENDATIONS

As was mentioned early on in the report, small arms traffic in Colombia is a costly and long-standing problem, yet very few studies have addressed the subject. As a result, bias, misunderstandings and lacks of information abound. This report hopes to contribute to a better understanding of the problem, recognizing the obvious limitations involved in tackling such a complex issue in such a short document. With this in mind, the project's key findings are synthesized in the following pages.

Conclusions

There is no doubt as to the lethality associated with small arms in Colombia: 3 out of 4 violent deaths in the country are the result of small arms use, and this share has remained stable even despite the sharp drop in homicide rates observed in recent years. Small arms also play a key role in deaths directly associated with the armed conflict, given illegal armed groups' broad use of small arms.

In this context, the Colombian State has developed a comparatively strict information and control system to oversee the production, purchase and use of legal small arms. These are estimated at nearly 1.3 million nationwide, and include those of the security forces as well as those in the hands of private citizens with special permits to keep and bear arms. Despite their relatively large number, legal arms are estimated to account for a very small share of arms-related deaths.

By comparison, the Colombian State's ability to tackle the illegal arms market is far more limited. This is a cause of concern, as the illegal arms market is not only estimated to be 3 or 4 times larger than the legal market, but it is also the source of most arms-related violence. To be sure, in recent years the Colombian Government has made considerable efforts to confront this issue, but these are still a long way from resolving such a complex problem.

In light of the particular importance of international traffic in supplying the illegal arms black market, a better understanding of its dynamics is a key ingredient for better-informed policy decisions. With this in mind, this report sought to gather whatever little published information exists on small-arms trafficking in Colombia, adding to this body of knowledge a novel analysis based on the review of 9,851 of the 18,051 small arms surrendered by the AUC between 2003 and 2006, as part of the group's demobilization process.

While recognizing its limitations, the project's research team believes the type of analysis proposed herein may prove useful for future studies on the dynamics of arms traf-

ficking, in Colombia and elsewhere. With regard to Colombia, an interesting next step would be to analyze a larger sample of data, possibly drawing on the approximately 500,000 arms seized by the authorities between 2000 and 2008. At any rate, a number of interesting conclusions can be drawn from this study, even if subject to future revisions based on new evidence.

First, based on weapons surrendered by the AUC, it seems clear that Colombian law and the country's fulfillment of its international commitments have resulted in a robust legal framework that has kept illegal armed groups from procuring significant quantities of small arms in the legal market. Combined with Indumil's stringent record-keeping and marking procedures, said framework has forced said groups to turn to the black market to satisfy their small arms needs.

Second, despite Colombia's comparatively well-developed institutional capacity to combat small arms trafficking, the agencies tasked with said mission face various limitations that hinder their effectiveness. This is particularly apparent with regard to the small number of public officials dedicated to said mission, the meager budgetary support they receive from their agencies and the precarious technical cooperation they receive from the international community.

Third, weapons handed over by the AUC raise questions regarding the comprehensiveness of the group's disarmament, but they do not take away from the significance of the demobilization process, by means of which 31,671 men and 18,051 arms were subtracted from the conflict. The weapons' destruction, under UN and OAS oversight, constitutes a significant step forward for peace in Colombia.

Fourth, the volume of foreign-made assault rifles and pistols among the weapons handed over by the AUC questions conventional wisdom regarding the Colombian military's alleged systematic logistical support to said group. Said hypothesis merits further revision if one takes into account the fact that most of the AUC's arms can be traced to countries that have never sold small arms to the Colombian government or, alternatively, have not done so for many years.

Fifth, a surprisingly high share of European-made and European-licensed arms was found among the weapons surrendered by the AUC, including 3,617 assault rifles and 895 pistols produced in countries such as Bulgaria, Hungary, Belgium and Germany. Given the European Union's strict export controls under its Code of Conduct, it is interesting that 27% of the illegal armed group's arms were produced by European manufacturers.

Sixth, beyond their large share in the AUC's overall arsenals, the fact that European arms were handed over by all

of the demobilized structures is noteworthy, even if some fronts appear to have had a much larger numbers of said weapons than others. The most significant case is the notorious Northern Bloc, which surrendered 535 European-made arms, while each of the other 31 structures handed in an average of 152 such arms.

Finally, a review of the serial numbers extracted from the 4,883 European arms surrendered by the AUC allowed project researchers to compile 17 clusters that may be attributed to a similar number of significant traffic operations. If this proves to be the case, it would indicate that small arms trafficking from Europe to Colombia is a far more systematic and diversified practice than has been accepted until now. In light of this, Europe's arms export control system, though strict, has proved unable to block arms trafficking to Colombia.

Recommendations

Considering the findings outlined in this report, the project's research team considers a number of policy recommendations are in order, aimed both at the Colombian Government and at the broader International Community, particularly the European Union.

Recommendations for the Colombian Government

- Continue policy-formulation efforts and support for international initiatives that have earned Colombia international recognition. To this end, the TIA Committee must be strengthened through the active participation of top government officials, so as to expedite decision-making.
- Strengthen existing capacities for investigating and prosecuting arms trafficking cases, through increased budgetary and personnel support. Special attention must be paid to the adequate transfer of information and expertise from GIAT to whichever agencies absorb its functions.
- Put in place a national information system for illegal weapons seized by the various agencies that carry out anti-arms trafficking operations. Said system is already contemplated in the TIA Committee's 2009 Action Plan, but its implementation must not be allowed to slow down, and it must permit direct access from pertinent investigative authorities.

Recommendations for the European Union and the International Community

- Strengthen controls to avoid arms export operations based on counterfeit documents. To this end, the

Union's Code of Conduct and Common Position can be amended to include more robust procedures aimed at verifying the authenticity of purchase requests initiated by states outside the Union.

- Strengthen follow-up mechanisms for weapons sold to countries suspected of diverting them to Colombian illegal armed groups. This should serve to elevate the costs of diversion for countries that have previously violated their commitments to refrain from re-exporting arms.
- Provide Colombian authorities with timely support for ongoing investigations, by means of Interpol and other cooperation mechanisms. Given the nature of the arms-trafficking phenomenon, opportune collaboration is essential to the investigations' prospects for success.

