



## I. INSTITUTIONAL BUILDING / NATIONAL ANTI-DRUG STRATEGY

The National Anti-Drug Plan adopted in 1998 and discussed in the previous evaluation expired in August 2002. In November, the new administration of President Alvaro Uribe Vélez presented the National Development Plan 2002-2006 to the national and international community.<sup>(1)</sup> Combatting drug trafficking and organized crime is a Government priority which falls under the objective "Providing Democratic Security". The aim is to combat drug trafficking through a step by step approach to identify the different phases involved in these crimes and obtain greater integration and efficacy in its actions.

The total amount devoted to the fight against drugs in 2000 was obtained from the institutions and agencies involved. The approved and executed budget was US\$301,414,781, which is 1.2465% of the total Government budget. It should be noted that Colombia provided a breakdown of allocations of the aforementioned amount for demand reduction (3.04%), supply reduction (71.64%), alternative development (3.33%), and control measures (22%). The government also earmarked US\$570,000 for activities related to the environmental impact of illicit crops executed by entities under the Ministry of the Environment.

### BUDGET EARMARKED FOR THE FIGHT AGAINST DRUGS (2000)

Area	Budget Approved by Government for Fight Against Drugs US\$	International Anti-drug Resources US\$	Total Expenditure Fight Against Drugs US\$	*(A)	*(B)	*(C)
Demand Reduction	9,182,734	349,660	9,532,394	96.3%	3.7%	0.0379%
Supply Reduction	215,933,462	49,822,950	265,756,412	81.2%	18.8%	0.8910%
Alternative Development	10,039,006	6,165,807	16,204,813	62.0%	38.0%	0.0414%
Control Measures	66,259,579	2,050,000	68,309,579	96.9%	3.1%	0.2762%
<b>Totals</b>	<b>301,414,781</b>	<b>58,388,417</b>	<b>359,803,198</b>	<b>83.8%</b>	<b>16.2%</b>	<b>1.2465%</b>

\*(A) Percentage of approved budget from national resources

\*(B) Percentage of approved budget from international resources

\*(C) Percentage of total Government budget

The information on international resources for the fight against drugs is taken from the study "International Assistance for the Fight Against Drugs in Colombia 1990-2000," conducted by the National Narcotics Office (DNE). In 2000, the amount earmarked for the fight against drugs was US\$359.8 million. The Government of Colombia provided 83.8% of this amount, and cooperation resources provided 16.2%.

In 2001, the cost for Colombia of the fight against drugs was US\$225.9 million. Of this total, US\$17 million were assigned to alternative development, US\$160 million to the reduction of illicit drug supply, US\$9.6 million to demand reduction and US\$39.3 million to control measures.

The DNE, under the Ministry of Justice and Law, is responsible for coordinating execution of policies on this topic. Regionally, the DNE coordinates with the Departmental Narcotics Councils and the Regional Committees to Prevent Drug Use through the Presidential Program against Drug

<sup>1</sup> According to the present administration, changes in strategies and institutional structures will be reflected in the next MEM evaluation report.



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Abuse (RUMBOS), and the Regional Technical Units for them to implement the anti-drug policy. By official decree, the DNE was also assigned the function of macro coordination of the development and implementation of government policies on controlling, preventing, and suppressing narcotics and psychotropic substances.<sup>(2)</sup>

Colombia indicated that the central coordinating authority has an independent budget with the following sources of funding for 2001: government allocation (33.9%), self-financing (50.8%) and other international cooperation resources (15.3%). Interestingly, a budget of US\$5,001,931 was earmarked for 2001, which is approximately 25% higher than the previous year's budget.<sup>(3)</sup> Nonetheless, the authorities themselves acknowledge that even with government and cooperation resources, the DNE needs more resources to fulfill its functions.

The DNE raises funds from the issuance of certificates attesting to an absence of reports of narcotics trafficking, fines collected from persons convicted of drug trafficking, and the investment of confiscated drug trafficking proceeds, allocated by the National Council on Narcotics.

The DNE is the government entity that organizes, compiles, and coordinates drug-related statistics and other information. For its part, the RUMBOS Program, under the Ministry of Education, uses the Inter-American Uniform Drug Use Data System (SIDUC) to collect, analyze, and report statistics on drug consumption and to incorporate them into the Colombian Observatory on the Use of Psychoactive Substances (OCCSP). The DNE also uses the Uniform Statistical System on Control of the Supply Area (CICDAT) to collect and report statistics in this area. Colombia reports drug-related statistics annually to the International Narcotics Control Board (INCB) and the United Nations Drug Control Programme (UNDCP), to which it sends its annual reports and questionnaire. The DNE has published drug-related statistics and analyses regularly, which are included in a wide-ranging bibliography available nationwide.

Regarding assessment of the effectiveness of data collection, there is improved coordination between the Military Forces and National Police; and in 2001, the DNE began interfacing with the institutions responsible for the anti-drug policy. The institutions sign an inter-agency cooperation agreement, which includes training of the user officials and information handling obligations among others.

The obstacles the country has encountered in collecting and analyzing statistics are in the area of demand reduction, where the information sources are not organized and do not have the infrastructure to collect high-quality data.

Colombia has not ratified the Inter-American Convention on Mutual Assistance in Criminal Matters. However, its internal ratification procedure has led to the adoption of Act No. 636 of January 2001. The Constitutional Court declared the abovementioned Act approved through sentence C-974 of September 2001.

On March 5, 2002, the President of the Republic of Colombia signed Act 737, approving the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA). The Constitutional Court declared the abovementioned Act approved through sentence C-974 of September 2001.

With respect to the United Nations Convention against Transnational Organized Crime and its three protocols, Colombia has signed the Convention and the Protocol to Prevent, Suppress and

2 In the new administration, the National Council on Narcotics is responsible for the preparation and coordination of policies and related activities. Policies are executed by the various ministries and entities which assist the National Council on Narcotics. Drug prevention policy is now carried out by the National Education Ministry, based on the prevention guidelines included in the RUMBOS program.

3 The budget referred to is that of the DNE, which executes drug policy in the area of extinguishment of title and management of forfeited assets and coordinates certain activities in the area of drug eradication, trafficking control and demand reduction.



Punish Trafficking in Persons, Especially Women and Children; it has not signed the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition, since the Government of Colombia reports that it has instruments that are more far-reaching and comprehensive than the provisions of the international treaties. On October 12, 2001, the Ministry of Foreign Relations presented to the Congress of the Republic Draft Law and Purposes Article 134/2001 for the adoption of the Convention and the Protocol on Trafficking in Persons. On June 20, 2002, it was approved by a plenary session of the Senate of the Republic. At present, Draft Law 286/2002 is being processed for approval by the House of Representatives.

## **RECOMMENDATIONS:**

- 1. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS.**
- 2. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS (CIFTA).**
- 3. RATIFY THE UN CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS THREE PROTOCOLS.**
- 4. TAKE MEASURES TO IMPROVE ITS STATISTICAL SYSTEMS IN THE AREA OF DRUG DEMAND REDUCTION, SO AS TO BETTER DEAL WITH CONSUMPTION PATTERNS IN THE COUNTRY.**

## **II. DEMAND REDUCTION**

The Presidential Program against Drug Abuse (RUMBOS)<sup>(4)</sup> was set up in 1988 with the express purpose of coordinating the design, implementation, dissemination, monitoring, and evaluation of the comprehensive national drug prevention policy by promoting intersectoral efforts and encouraging society to become actively involved in understanding, preventing, and controlling the problem. Committees were created to work in prevention, and to provide leadership in local demand reduction initiatives. As of July 2002, the Program had 27 departmental committees and 347 municipal committees of this type.

Implementation of a national demand reduction strategy is moving ahead in Colombia, in fulfillment of its commitment to place demand reduction at the top of the national agenda. To that end, an attempt has been made to strengthen the RUMBOS program by issuing provisions that assign it precise responsibilities, functions, and budget. To that end, a bill has been introduced in the Congress of the Republic, now in its final stages of enactment, which will ensure the institutionalization of RUMBOS as a government program, thereby consolidating interagency coordination in the planning, execution, and follow-up of the Strategy.

A lack of resources earmarked for social reintegration and aftercare for drug dependents was noted in the central coordinating authority's budgets for 2000-2001. However, Colombia reports that, for the first time, in 2002, the budget allocated to demand reduction includes an item for

<sup>4</sup> The present administration reports that the RUMBOS program has been assigned to the Ministry of Education and its offices related to the treatment of drug dependents, originally to be developed in coordination with the Ministry of Health, have now been directly assigned to the Ministry of Health.



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social reintegration, of 18% of total resources assigned to this area. Also to be noted is a substantial increase in 2002 in allocations for drug treatment and rehabilitation areas.

Colombia has a long history of decentralizing drug abuse prevention. Programs reach 27 of the country's 32 departments, problems of public order being the reason why programs do not reach 100%.

The Colombian Family Welfare Institute is implementing projects targeting street children and juvenile offenders, seeking both to rehabilitate them in connection with psychoactive substances use and their social reintegration. In addition, IDIPROM, a Bogotá federal district entity created over 30 years ago by agreement with the Council of Bogotá, is working with a specific method targeting street children. It currently has 29 centers in the capital to handle different problems encountered by street children. There are different private nongovernmental organizations working in this area, including Juventud Unida, with 25 centers in the country.

From 2002 to 2005, the National Penitentiary and Prison Institute (INPEC) will be implementing the Drug Addiction Prevention Program (FORJAR), whose objective is comprehensive prevention of psychoactive substance abuse in 17 detention centers. Total program coverage is 23,509 beneficiaries, distributed as follows: 18,643 in primary prevention; 2,100 in secondary prevention; 215 in tertiary prevention; and 2,551 prison officers. The program's phases are: pre-reception; reception, therapeutic community; and social reintegration.

Although Colombia has no experience in the area of workplace prevention programs, in 2002, a series of activities have been launched in fulfillment of the recommendation made by the MEM in the First Evaluation Round 1999-2000. At present, a manual on prevention of workplace psychoactive substance abuse is being drafted, which was tested on two occasions: first, the international seminar on prevention of drugs in the workplace, held July 4-5, 2002, with the participation of experts from 13 countries, mainly of the Hemisphere, and representatives of national unions and public and private enterprise; and second, in prevention activities launched with civil aviation authorities and the Superintendency of Banks.

Colombia has not conducted evaluations of the impact of prevention programs, as may be seen in the Report on Implementation of the Recommendations of the First Evaluation Round 2001. The country formulated an evaluative research policy in 2001, which will be defined in detail when the manual on prevention of workplace psychoactive substance abuse has been completed, and which will provide implementation guidelines. With a view to effective implementation, in 2001, training of officials commenced on evaluation strategies, and the prevention committees nationwide were required to include them in their operations plans.

Additionally, in conjunction with the Ministry of Health, Colombia has promoted initiatives to regulate and evaluate the operation of treatment centers, with a view to raising the quality of health services offered to persons with psychoactive substance use-related problems. Colombian Ministry of Health Resolution No. 196 of February 2002 contains technical, scientific, and administrative provisions for the operation of these care, treatment, and rehabilitation centers.

The country indicates that research and evaluation have become one of the fundamental thematic areas of the RUMBOS Program, as it has been possible to ascertain developments and trends in psychoactive substance use and to determine the effectiveness of prevention strategies implemented. Among studies conducted that have contributed to a better understanding of the problem are research on violence and drug use which discuss the relationship between these two factors and gangs, intrafamily violence, and satanic sects. In addition, a study has been conducted of the co-dependency phenomenon as a clinical condition among family members of drug users and



non-drug users. Also conducted was a study on drug use by injection, and the risks associated with HIV/AIDS infection, Hepatitis B and C: parts 1 and 2 in Bogotá, as part of the Second Phase of the Multi-Center Study of the World Health Organization, among others.

Colombia reports that it does not have a current database or reliable records providing data on treatment centers. However, the RUMBOS Program, with Inter-American Development Bank (IDB) support, is implementing a project headed by the Ministry of Health to develop an updated national directory of treatment centers in the country. Clearly, this lack of data on such centers needs to be corrected in the short term, and a network for early detection and case referral implemented. The information provided does not discuss the number of patients handled. The country does not have precise information in this area at the national level, as only partial data is available, gathered by SIDUC in a small number of treatment centers.

Colombia has infrastructure for the dissemination of information on all manifestations of the drug problem to the national and international communities, comprising: Web pages, libraries, educational institutions, printed materials, the media, and informational events. Among innovative or successful means of disseminating drug-related information to the country and of providing a comprehensive overview thereof are training and refresher workshops, which benefit officials nationwide from the various institutions working on the different manifestations of the drug problem in the country.

Nine universities in the country offer prevention and/or treatment programs or courses in the general curricula in different disciplines, thereby demonstrating concern at university level to train professionals on drug-related topics.

Colombia provides an estimate of the prevalence and incidence of drug use in the school population by taking a representative sample of youth ages 10 to 24. This yields interesting data that will make it possible in the future to compare life, annual, and monthly drug use prevalences. In addition, a survey was conducted using a method similar to that used in 1999, in order to include out-of-school youth. It is thus possible to compare the results of the 1999 and 2001 surveys. An important achievement in the 2001 survey is inclusion of a survey based on a representative sample whose results may be generalized to the Colombian student population as a whole. The information contributed by the survey of youth ages 10 to 24 yields figures on the average age of first use of alcohol (12.8 years), tobacco (13.7 years), and other drugs. It is hoped that Colombia will continue its effort to have elements of comparison in this sector of the population as well as in the general population.



### Prevalence and New Cases of Psychoactive Substance Use, 2001

Substance	Lifetime Prevalence	Prevalence Past Year	Prevalence Past Month	New Cases Past Year
ALCOHOL	83.8	78.3	44.7	24.0
Secondary:	81.7	76.2	40.3	27.7
University	94.6	89.7	67.1	5.1
TOBACCO	37.5	30.3	17.2	13.2
Secondary:	35.4	29.1	15.4	14.3
University	48.6	36.3	26.1	7.7
MARIJUANA	8.9	6.2	2.4	3.3
Secondary:	7.6	5.8	2.2	3.4
University	15.5	8.4	3.6	3.2
COCAINE	4.5	3.0	1.0	1.8
Secondary:	4.2	3.0	1.0	1.9
University	6.3	2.7	0.9	1.3
BASUCO	1.2	0.8	0.2	0.4
Secondary:	1.2	0.8	0.2	0.4
University	1.2	0.5	0.1	0.2
INHALANTS	2.2	1.4	0.4	0.9
Secondary:	2.4	1.6	0.4	1.0
University	1.3	0.5	0.1	0.3
ECSTASY	2.2	1.7	0.6	1.1
Secondary:	2.0	1.6	0.5	1.1
University	3.2	2.2	0.8	1.4
MUSHROOMS	1.3	0.8	0.2	0.5
Secondary:	1.1	0.8	0.2	0.5
University	2.1	1.0	0.2	0.6
ACIDS	0.7	0.5	0.1	0.3
Secondary:	0.6	0.4	0.1	0.3
University	1.4	0.8	0.2	0.6
TRANQUILIZERS	2.4	1.7	0.6	1.0
Secondary:	2.1	1.6	0.6	1.0
University	4.2	2.2	0.8	1.1
AMPHETAMINES	1.1	0.6	0.1	0.4
Secondary:	1.0	0.6	0.1	0.4
University	1.4	0.6	0.2	0.3
HEROIN	1.1	0.6	0.1	0.3
Secondary:	0.9	0.6	0.1	0.3
University	1.6	0.6	0.1	0.2

Source: Presidential "RUMBOS" Program

The psychoactive substances most used by young people are legal. Among illegal substances, marijuana and cocaine are in first place. Current use (annual prevalence) of ecstasy and tranquilizers is higher when compared with that of the other substances, for which prevalence is low. Generally, a significant percentage of the present use of these substances involves new users.

With respect to new users, first use of substances such as inhalants, cocaine, marijuana, and, especially, alcohol and tobacco is much more common among secondary school students than among university students. Higher numbers of new users among university students are seen only for ecstasy and acids. For the other low-prevalence substances, such as heroin, amphetamines, tranquilizers, and mushrooms, no significant differences are seen in the percentage of new cases by educational level.

Alcohol and tobacco use is found to be high among youths, with the age of first use steadily declining. The proportion of female to male users tends to be equal in the case of legal substances but drops considerably in the case of illegal substances. Although use is significantly higher among university students, first use occurs at secondary school age. First use of almost all substances occurs before age 20, and often before age 15.



National statistics confirm drug use not quantified in previous studies, particularly in the case of heroin and ecstasy. The survey also provided data on the proportion of drug use by region, with three distinct categories: low use, mostly in the Atlantic Coast cities; high use, mostly in the coffee belt cities and Medellín; and moderate use, involving cities in various parts of the country.

Colombia does not have an estimate of the percentage of high school students who perceive drug use as being harmful to their health and well-being. This data is essential for evaluating early warning and detection programs – a fundamental instrument for the success of demand reduction programs.

The National Institute of Legal Medicine and Forensic Sciences, through the National Reference Center on Violence, among other functions maintains records of drug use-associated violent deaths. In 2001, 95% of units reporting provided the following information:

### DRUG USE-ASSOCIATED VIOLENT DEATHS IN 2001

	Men	Women	Total	Partic. %
Alcohol	6,302	470	6,772	87.5%
Cocaine	543	41	584	7.5%
Marijuana	320	11	331	4.3%
Opiates	9	0	9	0.1%
Benzodiazepines	39	3	42	0.5%
Amphetamines	0	1	1	0.01%
<b>TOTAL:</b>	<b>7,213</b>	<b>526</b>	<b>7,739</b>	<b>100%</b>

### RECOMMENDATIONS:

1. ENSURE THE INSTITUTIONALIZATION AND EXPANSION OF THE DEMAND REDUCTION PROGRAM, THROUGH THE APPROVAL OF THE CORRESPONDING LEGISLATION.
2. FINALIZE AND IMPLEMENT THE MANUAL ON PREVENTION PROGRAM EVALUATION.
3. IMPLEMENT A RECORD-KEEPING SYSTEM ON PATIENTS HANDLED TO SUPPLEMENT EFFORTS MADE BY THE RUMBOS PROGRAM AND THE INTER-AMERICAN DEVELOPMENT BANK (IDB) TO DEVELOP A NATIONAL DIRECTORY OF TREATMENT CENTERS.
4. CONDUCT STUDIES ON STUDENTS WHO PERCEIVE DRUG USE AS HARMFUL IN ORDER TO PROVIDE SUPPORT TO PREVENTION PROGRAMS TARGETING THIS POPULATION.
5. INCREASE INSTITUTIONAL COVERAGE OF WORKPLACE PREVENTION PROGRAMS.

## III. SUPPLY REDUCTION

### A. Drug Production and Alternative Development

The area planted and potential production capacity of raw materials and drugs by plant type (coca and poppy) fell from 2000 to 2001. The Integrated System for Illicit Crop Monitoring (SIMCI), whose methodology has been accepted by national and international organizations, reported a fall in the cultivation of certain illicit crops from 2000 to 2001. Measurements of area of coca cultivation in 2001, show a drop of 18,482 has. as compared with the area recorded in the immediately preceding year. Hectares under poppy cultivation fell by 2,227, and area of



marijuana cultivation remained constant. Lastly Colombia reports that it cannot provide figures for 2002, as the annual coca survey is conducted at the beginning of the year, and figures for 2002 will therefore appear in early 2003.

#### TOTAL AREA PLANTED TO ILLICIT CROPS

Cultivated Area		
PLANT	2000	2001
Marijuana	1,550 has.	1,550 has.
Coca	163,289 has.	144,807 has.
Poppy	6,500 has.	4,273 has.

#### POTENTIAL CAPACITY OF RAW MATERIAL

Potential Production of Raw Material		
DROG	2000	2001
Marijuana	1,550 tons.	1,550 tons.
Coca leaf	816,445 tons.	724,035 tons.
Opium rubber	260 tons.	171 tons.

#### POTENTIAL ANNUAL DRUG PRODUCTION CAPACITY BY TYPE OF PLANT

Potential Drug Production		
DROG	2000	2001
Marijuana	1,550 tons.	1,550 tons.
Cocaine	947 tons.	840 tons.
Heroin	13 tons.	8.5 tons.

Parameters used to calculate production potential are as follows: one hectare of coca leaf produces an average of 1,500 kgs. per harvest, multiplied by four harvests per year. One hectare of poppy produces an average of 20 kgs. of opium rubber per harvest, multiplied by two harvests per year, equivalent to 1 kg. of heroin per harvest.

The total area of illicit crops used for drug production eradicated or abandoned in 2000-2001 is differentiated by type of eradication. There was considerably more eradication of coca leaf by fumigation (from 57,998 has. to 94,152 has., equivalent to 55.7%), but manual eradication fell, of both cannabis (from 130.01 has. to 8.01 has.) and coca plants (3,486 has. to 1,745 has.). Fumigation of poppy was also markedly lower in 2001 (from 9,190 has. to 2,267 has.), but manual eradication rose (from 72 has. to 319 has.). The reduction in aerial fumigation of poppy crops resulted from lack of airplanes, as these were concentrated on eradicating coca crops, owing to their extent.

Colombia is implementing a series of alternative development programs to supplement law enforcement actions, as well as to provide new lawful production opportunities. In addition to programs aimed at recovering fragile areas and areas of environmental importance, indigenous peoples, and improving infrastructure for rural development, Colombia is conducting agricultural, agro-industrial, fisheries, forestry, and livestock programs.





In 2000, there were 101 alternative development projects, while in 2001, 121 are reported. National and foreign investment rose from \$13,970 million Colombian pesos in 2000 to \$151,898.28 million Colombian pesos in 2001, equivalent to US\$6,691,638 and US\$66,047,590 respectively.

In all, 37,551 families benefited from alternative development programs; the area of legal cultivation rose by 14,978 has; with 34,083 farmers involved in the programs.

Alternative development projects are conducted in the framework of the National Alternative Development Plan (PNDA) and are subject to a very comprehensive evaluation method, which includes a series of indicators. The data they yield will be available shortly and will assist in illustrating the true impact on Colombian society of such alternative programs, particularly in rural areas of the country.

First results in the table below for 2001, applying the evaluation and follow-up methodology, illustrate the organizational structuring of a follow-up and evaluation entity under the Office of the Assistant Director for Projects Division and Management Unit, together with 413 site visits made to projects with their distribution by department and component:

#### VISITS TO NATIONAL ALTERNATIVE DEVELOPMENT PLAN PROJECTS EVALUATION AND FOLLOW-UP

Department	Regional Production Projects	Institutional And Community Strengthening	Technology And Production	Recovery Of Fragile Areas	Infrastructure	Support For Indigenous Peoples	Total
BOLIVAR	-	3	3	-	-	-	6
CAUCA	-	-	1	-	2	2	5
CAQUETA	48	3	20	2	10	5	88
GUAVIARE	20	-	15	10	15	-	60
GUAINIA- VICHADA	-	-	3	-	-	2	5
HUILA	40	4	4	7	26	4	85
META	6	4	-	-	6	-	16
NARIÑO	-	-	2	-	1	2	5
PUTUMAYO	58	6	36	-	15	13	128
TOLIMA	8	-	3	-	4	-	15
<b>TOTAL</b>	<b>180</b>	<b>20</b>	<b>87</b>	<b>19</b>	<b>79</b>	<b>28</b>	<b>413</b>

The country has encountered difficulties marketing products from alternative development programs, due to the precarious road and storage infrastructure, lack of price and market data, high middleman costs, and poor post-harvest management.



## B. Supply Reduction and Control of Pharmaceutical Products/Chemical Substances

The number of illicit drug laboratories destroyed in Colombia in 2000 was 644, and 1,573 in 2001, as detailed in the following table:

NUMBER OF ILLICIT LABORATORIES DESTROYED				
	1999	2000	2001	2002 (p)
Cocaine	115	220	1,085	114
Cocaine base	158	405	470	1,098
Heroin	10	13	6	3
Morphine	1	0	0	0
Synthetic drugs	0	0	1	1
Potassium permanganate	0	6	10	0
Ammonia	0	0	1	1
<b>Totals</b>	<b>284</b>	<b>644</b>	<b>1,573</b>	<b>1,226</b>

(p) preliminary figures to 15 Nov 2002

Source: SIDCO – Drug Information System of Colombia

Dismantling drug production infrastructure is a challenge for state security and defense entities as, in the conditions of insecurity in which staff conduct such operations, laboratory destruction must be carried out rapidly, making it impossible to determine production capacity. It is therefore also important to recognize the extent of efforts made by law enforcement to conduct these raids in areas often under the control of lawless groups. Authorities cannot give accurate estimates of their production potential, although an increase of 144% (from 644 in the year 2000 to 1,573 in 2001) in the number of laboratories destroyed was recorded.

The National Narcotics Fund (FNE) is the entity with responsibility for administrative control in preventing the diversion of pharmaceuticals. For its part, the Office of the Prosecutor General of the Nation has investigation and prosecutorial functions in cases of the diversion of pharmaceuticals.

Ministry of Health Resolution No. 6980/91 provides for the control of all substances listed in the Conventions. Although the importation of lysergic acid, piperonal, and piperidine is sporadic, they are controlled.

The country has the controls necessary to meet its responsibility to regulate controlled chemical substances, with the exception of prior notifications. Colombia recognizes the difficulties it faces in implementing the pertinent provisions in remote areas of its territory. However, it reiterates its commitment to maintain effective control of the illicit entry and diversion of precursor chemicals and essential chemical substances.

It should also be emphasized that the penalties for illicit trafficking in controlled chemical substances were stepped up. On the other hand, there continue to be serious problems in exercising more efficient control of the chemical substances used to process illicit drugs, owing to the following factors, inter alia: Colombia's border is 9,242 km long, with extensive jungle areas and numerous rivers linking it with neighboring countries, used for open smuggling of substances. It also informed there was insufficient coordination among control authorities in border areas, and the list of controlled chemical substances has not been harmonized with the lists of neighboring countries, which impedes control, particularly in customs transit areas. The country reported that there are not enough technical personnel to conduct monitoring visits to the 3,500 companies that use controlled chemical substances.



Colombia has developed a series of mechanisms for effective exchange of operational information and for the necessary collaboration among the competent authorities regarding controlled chemical substances. The most effective way to ensure the operation of the different available mechanisms is to conduct joint national and international raids to confiscate controlled substances or to detect front companies created specifically to divert substances. The authorities also nullify or refuse background certificates attesting to an absence of reports of narcotics trafficking issued to natural and artificial persons who handle controlled substances and who are suspected, based on substantiated information, of illegal activity. Nonetheless, it is considered important for the country to update information systems and increase their capacity so that activity in exchanging information is carried out effectively and in real time.

In terms of pharmaceuticals, Colombia indicates a series of technical and legal obstacles to effective control of the use and distribution of such products by health professionals. It recognizes certain laxness that prevents the competent authority from monitoring the registration of health professionals authorized to prescribe these drugs, which makes it easier to present falsified prescriptions in pharmacies.<sup>5</sup> The sanctions for such conduct are administrative and are imposed by the District Health Secretariats in each department. The country indicated that it could not fulfill this responsibility, because it does not have a unified database of health professionals authorized to prescribe drugs, and there are no mechanisms for effective enforcement of existing regulations.

To achieve effective exchanges of information among competent national authorities responsible for controlling pharmaceutical products, Colombia has an interagency information system that it uses to lay the groundwork for this horizontal and vertical communication. However, the available information makes it clear that this system needs to be improved to effectively prevent the diversion of those products.

There are penal and administrative provisions for the imposition of sanctions for the diversion of pharmaceuticals and controlled chemical substances in accordance with international conventions. However, it may be seen from application of the provisions, that it is not possible to ascertain in a timely fashion the number of administrative sanctions, as they are imposed by the District Health Secretariats in the 32 departments, which have still not been linked by an information system. The sanctions applied are: warnings, successively larger fines, seizure of pharmaceutical products or controlled chemical substances, suspension or revocation of permits or licenses, and temporary or permanent closure of the establishment.

The country is in the process of implementing the pre-export notification mechanism for controlled chemical substances exported from Colombia. At present, when the DNE learns of a shipment abroad, it requests information from its counterparts on the legitimacy of the transaction; on that basis, the shipment is either approved or rejected.

The DNE, the Colombian authority responsible for responding to pre-export notifications for controlled chemical substances, notes in its report that, in 2000 and 2001, Colombia received 107 pre-export notifications for controlled chemical substances, and responded to 103, or 96%. Among the 103 replies, eight were refusals, or 7.8%. The DNE, up to October 2002, had received 74 pre-export notifications for controlled chemical substances, and replied to 100%, with no refusals.

Colombia reports in the following comparative table for 2000-2002 on the number of seizures and quantity of controlled chemical substance seized.

5 The National Narcotics Fund prepared a "Reference Manual on the Role of Healthcare Professionals in the Prevention and Detection of the Misuse and Diversion of Pharmaceuticals into Illicit Channels", presented to the CICAD Expert Group on Pharmaceutical Products, October 2002, Washington D.C.



Controlled Chemical Substances Number of Seizures and Quantities Seized							
	2000	2001	2002(p)	Unit	2000	2001	2002(p)
Butyl acetate	3	5		Gl	124.00	3,458.00	
Ethyl acetate	13	15	7	Gl	20,120.40	6,152.85	4,019.06
Isopropyl acetate	1			Gl	875.00		
Acetone	127	128	91	Gl	236,214.00	408,626.34	440,793.71
Hydrochloric acid	91	79	48	Gl	16,460.63	33,522.75	32,498.25
Sulphuric acid	188	303	216	Gl	52,946.92	63,910.90	59,784.71
Motor fuel	50	124	124	Gl	85,931.32	91,535.00	171,374.25
Isopropyl alcohol	10	17	7	Gl	1,833.00	4,335.00	3,430.00
Ammonium	74	150	99	Gl	40,734.41	27,083.84	93,448.30
Acetic anhydride	10	6	3	Gl	75.12	2,868.00	96.00
Butanol	2	1		Gl	2,363.20	10.00	
Chloroform	2	1		Gl	385.00	0.26	
Solvent 1	19	34	28	Gl	30,778.80	115,143.00	47,042.50
Solvent 2	1	1	2	Gl	1,009.00	1,485.00	13,900.00
Ethyl ether	25	27	15	Gl	17,887.50	14,264.00	19,150.00
Gasoline	258	478	485	Gl	273,416.00	532,008.00	528,653.00
Hexane	2		2	Gl	1,188.00		4,425.00
Kerosene	13	53	42	Gl	24,004.00	42,224.00	45,768.00
MEK	24	10	3	Gl	18,285.00	2,820.00	772.35
Methanol	4	5	3	Gl	3,727.00	782.20	1,351.95
Potassium permanganate	11	20	16	Gl	5,527.00	12,965.00	3,278.00
Thinner	35	43	41	Gl	20,649.00	26,639.00	43,411.00
Toluene	6	1	1	Gl	3,515.50	5.00	1,650.00
Sodium carbonate	42	44	23	Kg	248,136.40	59,520.98	53,319.00
Sulphuric Acid			1	Kg			160.00
Grey cement	161	356	317	Kg	197,645.50	497,256.51	889,352.50
Potassium permanganate	105	141	131	Kg	61,798.31	50,186.45	81,021.68
Urea ammonium	87	268	254	Kg	37,994.50	226,394.00	303,110.56
<b>Totals</b>	<b>1,354</b>	<b>2,310</b>	<b>1,959</b>		<b>858,049.80 gl</b>	<b>1,389,838.14 gl</b>	<b>1,514,846.08 gl</b>
					<b>545,574.71 kg</b>	<b>833,357.94 kg</b>	<b>1,326,963.74 kg</b>

(p) Preliminary figures as of November 15, 2002

Source: SIDCO – Drug Information System of Colombia

In 2001, seizure figures rose for most chemical inputs used to extract and refine narcotics as compared with 1999-2000. For liquid inputs, a 41% increase over 2000 was observed. The country also indicated that it normally uses neutralization, incineration, or sale to dispose of these substances. The substances that are not disposed of are given to State entities for use, such as universities, high schools, prosecutors' offices, town halls, departmental governments, military bases, police command posts, and the Colombian oil company (ECOPETROL).



**RECOMMENDATIONS:**

1. INCREASE CAPACITY TO CONDUCT JOINT OPERATIONS, EXCHANGE INFORMATION IN REAL TIME, AND BORDER CONTROLS WITH A VIEW TO MORE EFFECTIVE PREVENTION OF THE DIVERSION OF CONTROLLED CHEMICAL SUBSTANCES TO ILLICIT PURPOSES.
2. STEP UP IMPLEMENTATION OF THE PRE-EXPORT NOTIFICATION MECHANISM FOR CONTROLLED CHEMICAL SUBSTANCES.
3. CREATE A UNIFIED DATABASE ON HEALTH PROFESSIONALS AUTHORIZED TO PRESCRIBE CONTROLLED MEDICINES.

**IV. CONTROL MEASURES**

**A. Illicit Drug Trafficking**

Colombia reports that illicit cocaine is trafficked using maritime routes and methods, primarily due to the considerable advantages of sea transport, mainly the feasibility of transporting large quantities of illicit drugs. Routes have varied among different countries of the Hemisphere, used as bridges to the United States and Europe. The effectiveness of the Colombian Air Force in stopping night flights has forced drug traffickers to carry out such activities via lawful daytime flights. This is manifest in the number of landings and takeoffs from local airfields, where it is difficult for police to maintain a presence. Seizures of synthetic drugs (158,498 ecstasy pills) are a warning and suggest that prevention and control action should be taken in this area by authorities.

The comparative tables show a significant increase in the number of seizures by Colombia in 2000-2001. The volumes intercepted also jumped significantly in some categories. In Colombia, current provisions stipulate that illicit drugs seized must be destroyed in the presence of the competent authority and the Attorney General’s Office.

**NUMBER OF DRUG SEIZURES CARRIED OUT BY LAW ENFORCEMENT AGENCIES**

Type of Drug	NUMBER OF DRUG SEIZURES		
	2000	2001	2002(p)
Opium	11	7	
Poppy Seeds	3	13	4
Morphine	24	20	6
Heroin	232	244	155
Coca Leaf	150	273	198
Coca Paste	17	14	8
Cocaine Base	926	1,086	603
Cocaine Hydrochloride	837	1,071	555
Basuco (residues or impurities)	238	902	893
Leaf Cannabis (grass)	644	1,404	1,567
Cannabis Resin (hashish)		1	
Hashish Oil (liquid cannabis)	1		
Cannabis Seed	7	10	21
Amphetamine/methamphetamine	1		
MDMA (Ecstasy)		16	19
Others (specify):			
Latex	32	2	5
Morphine	27	2	
Coca leaf being processed	63	151	92
Cocaine base being processed	45	18	6
Cocaine being processed	18	59	9
Coca seed	8	185	114

(p) Preliminary figures as of November 15, 2002.  
 Source: Drug Information System of Colombia – SIDCO



### QUANTITIES OF DRUGS SEIZED BY LAW ENFORCEMENT AGENCIES

Type of Drug	Unit of Measure	Quantity Seized		
		2000	2001	2002 <sup>(p)</sup>
Opium	Kg	2.09	3.74	88.68
Poppy Seeds	Kg	17.00	42.85	29.53
Morphine	Kg	106.39	47.39	12.36
Heroin	Kg	567.20	791.59	546.87
Coca Leaf	Kg	897,911.50	583,165.07	324,623.81
Coca Paste	Kg	118.49	52.50	932.34
Cocaine Base	Kg	16,820.84	16,573.34	22,898.15
Cocaine Hydrochloride	Kg	87,268.84	57,235.76	85,898.15
Basuco (residues or impurities)	Kg	797.79	1,223.74	1,504.22
Leaf Cannabis (grass)	Kg	75,172.83	85,745.89	58,819.88
Cannabis Resin (hashish)	Kg		0.20	
Hashish Oil (liquid cannabis)	Gl	10.00		
Cannabis Seed	Kg	220.35	11.31	527.99
Amphetamine/methamphetamine	Kg	83.00		
MDMA (Ecstasy)	Units		19,142	158,498
Others (specify):				
Latex	Gl	10,290.00	8.00	
Morphine	Gl	9,171.00	5.98	
Coca leaf being processed	Gl	29,771.00	139,167.00	57,228.20
Cocaine base being processed	Gl	2,803.50	2,180.00	1,966.00
Cocaine being processed	Gl	14.54	9,666.06	2,245.00
Coca seed	Kg		98,916.92	22,416.82

(p) Preliminary figures as of November 15, 2002.  
Source: Drug Information System of Colombia – SIDCO

The country provides statistics that show progress in the period 2000-2001, reporting a 50% increase in the number of persons arrested for illicit drug trafficking. The country indicated a high number of arrests (10,130 in 2000 and 15,868 in 2001), with figures for concluded processes totalling 12,313 in the year 2000 and 8,562 in 2001. In 2000, 9,109 persons were convicted for illicit drug trafficking and 5,906 in 2001. For the year 2002, Colombia has classified judicial statistics in accordance with crimes included in the new Penal Code. In the period January to August, 1,410 persons were convicted specifically for illicit drug trafficking.

Colombia has striven to make significant progress in operational information exchange and collaboration among national authorities. In this regard, criminal organizations devoted to illicitly trafficking drugs, firearms, and controlled chemical substances were successfully dismantled. Among the most important operations, the country reported some conducted with Argentina, Chile, the United States, Europe, Peru, and Ecuador.

It is interesting to underscore that Colombian authorities state their willingness to exchange statistical data and results of seizures, procedures, and protocols for technical, scientific, and judicial elements. That willingness has enabled the country to make progress that could serve as an example at the hemispheric level.

Colombia accords great importance to judicial cooperation to investigate and prosecute drug traffickers. In this regard, the comparative table for 2000-2001 on the quantity of requests for cooperation made by the country under international agreements (88 in 2000 and 92 in 2001) and the number of replies obtained (47 in 2000 and 20 in 2001) shows a low level of cooperation from countries that were asked for support, while the Colombian authorities reported that of the requests they received (94 in 2000 and 76 in 2001) they responded to a high percentage of them (81 in 2000 and 36 in 2001).



There is stark contrast between the number of extradition requests made by Colombia to other states and the number it received. The Colombian authorities have only had to make such requests on two occasions, which were not acceded to, while other countries have submitted 53 requests to Colombia for consideration; Colombia granted most of the requests (34), except those that lacking sufficient legal grounds and hence could not be processed. During 2002 (November 14th), Colombian authorities requested the extradition of 3 persons to other states, while Colombia has conceded a total of 59 extraditions to different countries.

Colombia has laws that criminalize offenses in accordance with the Inter-American Convention Against Corruption. For example, the Consolidated Disciplinary Code, Law No. 734 of 2002 was approved, which contains stricter, more specific provisions than those that previously existed elsewhere on the topic, particularly the Penal Code, Law No. 599 of 2000. It did not indicate if any public officials have been convicted of corruption offenses related to illicit drug trafficking. Nor does it have information on civil servants convicted of illicit drug trafficking offenses, although the Higher Judiciary Council is implementing new forms for compiling statistics. CICAD considers this information important, in the interest of a more complete evaluation.

## **B. Firearms and Ammunition**

Colombia has several entities responsible for controlling movements of firearms and ammunition, and for preventing their diversion. Among them is Department for Control of Trade in Firearms, Ammunition, and Explosives of the Armed Forces General Command, Ministry of National Defense, which has a database, the "Systematized National Archive," in which it keeps records of procurements of firearms by individuals within the national territory. In addition, the Interagency Anti-Terrorism Analysis Group (GIAT) has personnel specializing in military intelligence, explosives, weapons, and criminology.

Colombia has legal and regulatory provisions that define illicit trafficking in firearms and ammunition as an offense. Such provisions establish sanctions for noncompliance.

The National Penitentiary and Prison Institute (INPEC) of Colombia reports an increase in numbers of persons arrested in connection with illicit trafficking in firearms between 2000 (481) and 2001 (750). It also reports that the number of persons prosecuted was the same as the number arrested. In 2001, 95 persons were convicted for illicit trafficking in weapons and ammunition, representing 17% of the total individuals prosecuted. The country states that the information provided is incomplete, being that provided by the National Penitentiary and Prison Institute (INPEC), which recorded individuals held in prison for illicit arms trafficking. This information is being compiled throughout the national territory by the Office of the Attorney General. CICAD considers this information important, in the interest of a more complete evaluation.

As stated in the Report on Implementation of Recommendations of the First Evaluation Round 2001, the country has begun to break down the information contained in the "crimes against public security" category of the Higher Judiciary Council's information system. The country reports that this broad category will be broken down into variables such as: "manufacture, trafficking, and carrying firearms or ammunition" and "manufacture, trafficking, and carrying firearms and ammunition of exclusive military use." A form was recently designed to compile such information, which has been distributed to the specialized criminal courts. Information began to be collected in March 2002.

The information provided on the scope of legal provisions establishing administrative controls to prevent the diversion of firearms and ammunition does not include any sanctions for failure to comply with the provision on importation of such materials, except for the diversion of ammunition, where the sanction of forfeiture is established. Sanctions for noncompliance in this area should be



more stringent. In contrast to other countries, under Article 223 of the National Constitution, the Colombian state has a monopoly on the manufacture, import, marketing, and distribution of firearms. For that reason, there are no provisions imposing sanctions.

The information provided by the competent authorities on quantities of firearms and ammunition confiscated in connection with illicit trafficking in the 2000-2001 period reflects an increase in confiscated firearms and ammunition. Similarly, a higher number of arrests in connection with this illicit market is also recorded.

#### QUANTITIES OF ILLICITLY TRAFFICKED FIREARMS CONFISCATED BY TYPE

Type of Firearms	Quantity of Firearms Confiscated		
	2000	2001	2002 (p)
Rifles	1,323	1,556	1,525
Machine-guns	6	6	127
Carbines	156	209	119
Shotguns	7,803	8,129	5,237
Revolvers	25,789	26,905	17,983
Pistols	8,577	9,584	7,823
Sub-machine gun		97	108
Grenades		2,201	2,993
Other arms		2,518	8,298
<b>Total</b>	<b>43,654</b>	<b>51,205</b>	<b>44,213</b>

(p) Preliminary figures as of November 15, 2002  
Source: The Interagency Anti-Terrorism Analysis Group (GIAT)

#### QUANTITIES OF ILLICITLY TRAFFICKED AMMUNITION CONFISCATED BY TYPE

Type of Ammunition	Quantity of Ammunition Confiscated		
	2000	2001	2002 (p)
Revolver	89,796	98,736	72,352
Pistol	76,041	85,865	49,372
Shotgun	50,315	35,866	27,043
Carbine	1,554	3,305	779
Machine-gun	3,952	5,637	25,581
Rifle	122,809	61,928	66,324
Other ammunition	408,913	485,033	448,026
<b>Total</b>	<b>753,380</b>	<b>776,370</b>	<b>689,477</b>

(p) Preliminary figures as of November 15, 2002  
Source: The Interagency Anti-Terrorism Analysis Group (GIAT)

Colombia has a database containing records by date, description, and serial or lot number on firearms and ammunition imported to the country. For firearms, computerized records are kept for up to 20 years. Colombia also has a Drug Data System (SIDCO), able to provide information on numbers of firearms seized and the number of drug trafficking-related raids carried out since 1998.

For control of firearms and ammunition, the country has several national entities with responsibility for information exchange and collaboration with counterpart entities in other countries. The country thus reports that, via entities such as the National Police, National Army, Administrative Security Department (DAS); Judicial Police Headquarters of the National Police (DIJIN); and the Intelligence Office of the National Navy, information is shared on buyers, importers, and final consignees of firearms seized within Colombian territory, tracing of firearms to obtain data on sellers and consignees of firearms diverted to the black market, routing, identification of ordnance seized, and





countries used as final consignees. They point in particular to mechanisms for collaboration with the National Tracing Center in the U.S., and to contact established via INTERPOL with 178 countries. National security and control entities also effect information exchanges in fulfillment of commitments made under agreements signed with different countries. This also takes place among, for example, neighborhood committees, mixed committees, and binational border committees (Combifron).

Via INTERPOL-Colombia, the responsible national entities have requested tracing from 37 countries. Therefore, rather than comment on shipments, Colombia reports seizures made that are reported through INTERPOL. It has also been able to identify lots of firearms and ammunition sold, for the most part, on the licit market, but diverted for illicit purposes. In 2001, shipments were identified to illegal armed groups within Colombian territory that had apparently been made lawfully, specifically an arms shipment from Jordan.

Colombia does not indicate the number of requests received from other states for information on shipments of firearms and ammunition, made under international agreements. The report also indicates difficulties in obtaining information, which have been overcome owing to many countries' interest in supporting the identification of illicit firearms suppliers and persons who assist in obtaining legal documentation to purchase ordnance and divert it to the international black market.

The country's security agencies report an increase in weapons smuggling into Colombia, benefiting from factors such as the free trade in ordnance among countries, the large number of firearms floating around from the country's past wars and conflicts, foreign and domestic, and other reasons. The country reports that firearms supplied to drug traffickers and other illicit organizations by international criminal organizations expose the institutions, infrastructure, and the country in general to an environment of insecurity and threaten its democracy because of their negative impact on Colombia's current conflict.

### **C. Money Laundering**

In Law 190 of 1995, Colombia criminalized money laundering as a modality of receipt. As of Law 365 of 1997, the offense has been defined separately. In addition, the New Penal Code, Law 599 of 2000 expanded the definition of money laundering to include other types of activity, now including 11 operative verbs and 59 predicate offenses.

In addition, Colombia considers it necessary to establish a mechanism to include, without constant amendment of the definition of money laundering, new offenses within it. This is needed because constant adjustment of legislation to include other money laundering predicate offenses, and the difficulties of legislative technique thereby generated, may suggest ignorance of the principle of no crime or punishment without prior law. Accordingly, Colombia will study the possibility of implementing a formula in keeping with the dynamics of the offense that makes possible its application to new predicate offenses without a need for redefinition of the criminal offense.

In order to prevent money laundering practices in the real estate sector, Colombia is now working to implement coordination and reporting mechanisms between the Registry of Public Instruments, under the Superintendency of Notaries and Records, and anti-money laundering authorities. Similarly, legal prevention and control mechanisms have been extended to include notaries. As part of the process of identifying typologies and sectors affected by illicit proceeds, studies will certainly be made to expand the mechanisms' coverage to professions such as attorneys and accountants. In any case, it is noted that the Colombian penal system includes the offenses of acting as a front man or company, and illicit enrichment, as applied to both government officials and private individuals.



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Colombian legislation (Law 600 of 2000, Penal Procedural Code) provides for secret raids and drug deliveries under surveillance as operational mechanisms designed to prosecute a larger number of members of criminal organizations. This is without prejudice to raids carried out by state security agencies in the course of their duties. It may therefore be inferred that Colombia has developed legal and operational systems to deal with criminal organizations, while maintaining its firm intent to support the strengthening of the National Unit to Terminate Ownership Rights and to Fight Money Laundering, of the Office of the Prosecutor General of the Nation.

Three persons were arrested in Colombia for money laundering in 2000 and eight in 2001. According to information provided, they were tried, and one was convicted in 2000. This data was reported by the National Penitentiary and Prison Institute (INPEC), which provided information on persons in prison for money laundering crimes. These figures appear to be rather modest given the size of the country and the scale of its economic activity.

The data provided below relates to the Office of the Prosecutor General of the Nation, responsible for launching investigations.

<b>OFFICE OF THE PROSECUTOR GENERAL NATIONAL UNIT FOR THE TERMINATION OF OWNERSHIP RIGHTS AND TO FIGHT MONEY LAUNDERING 2000 and 2001</b>				
	<b>2000</b>		<b>2001</b>	
Current investigations in the Unit		245		345
Prior	160		252	
Summary proceedings	85		93	
Persons arrested		132		106
Persons charged			95	
Money laundering			51	
Illicit enrichment			15	
Receipt, Law 190/95			1	
Smuggling			5	
Other offenses			23	
Convictions (Accusatory resolutions)		33		31
Money laundering			18	
Illicit enrichment			5	
Smuggling			2	
Other offenses			6	

The Office of the Prosecutor General reported that for the accumulated period August 2000-2002, 446 persons were arrested for money laundering and 148 accusatory resolutions were issued.

Law enforcement agencies have responsibility for monitoring whether financial institutions and others obliged to report apply the provisions requiring them to report suspicious transactions to the Financial Information and Analysis Unit (FIAU). Also to be noted is the number of investigations carried out in 2000 (245) and in 2001 (345) by the Office of the Prosecutor General of the Nation, together with the number of new prosecutions brought in 2000 (85) and in 2001 (93).

The Bank Superintendency, responsible for monitoring and controlling the financial sector, reported that in 2001 a total of 121 visits were made to entities, where that body reviewed compliance by monitored entities with money laundering prevention and control provisions. In 2001, no sanctions were imposed for failure to comply with those provisions; however, in some cases the reports from



the visits are still being examined and in others the responses to the charges brought are being studied to establish whether the sanctions were warranted.

The institutions subject to Bank Superintendency supervision, monitoring, and control are required to preserve records on money laundering and all supporting documentation for up to 10 years. They are also obliged to provide information obtained in applying money laundering control and prevention mechanisms when the competent authorities so request.

Colombia indicates that information was not available on the total value of property forfeited in money laundering cases. The National Narcotics Office (DNE), under the Ministry of Justice, is the entity responsible for the assets seized and forfeited for illicit drug trafficking offenses. With support from Plan Colombia, the DNE launched a project for the administration of such assets which, in addition to making a physical inventory of the representative items of value in its custody, will make valuations of such assets. With DNE coordination and monitoring, the U.S. marshals contracted Unisys for the development of a project on seized goods, which is known as FARO. Currently, the project is in the software development stage and pending implementation.

The Financial Information and Analysis Unit (FIAU), created by Law 526 of 1999, under the Ministry of Treasury and Public Credit, is the intelligence and financial analysis entity that receives, requests, analyzes, and transmits to the Office of the Prosecutor General of the Nation financial intelligence reports based on reports of suspicious operations that may be related to the offense of money laundering, and that shares available information with counterpart entities abroad.

In the FIAU's two years of operation, 26,963 reports of suspicious operations were received, all of which have been systematized and evaluated. The conclusion drawn from this evaluation was that 13,358 such operations may not be subject to analysis as they do not meet the minimum evidentiary standards, or do not provide pertinent information or information related to money laundering-related offenses. Accordingly, the FIAU is in the process of optimizing and improving the reports of suspicious operations with entities required to report. For the remaining 13,605 reports of suspicious operations, the Unit collected, cross-referenced and analyzed the information. Based on these analyses, 30 financial intelligence reports, associated with 1,160 reports of suspicious operations, were drafted; these were submitted to the competent authorities. Of these financial intelligence reports, 23 were submitted to the Office of the Prosecutor General of the Nation for possible prosecution, and seven were forwarded other authorities to be used in field intelligence work or to inform field intelligence of facts within their areas of competence.

Based on the 23 financial intelligence reports submitted by the UIAF, the Office of the Prosecutor General of the Nation opened 20 preliminary investigations; three are in the hearing phase, and there are convictions in two cases.

With a view to optimizing its system to fight money laundering, Colombia has assigned priority to improving reports of suspicious operations. This qualitative achievement will facilitate the exercise of contrasting the information reported with the number of investigations undertaken by the Office of the Prosecutor General of the Nation. It should be noted that the effectiveness of reports cannot be determined merely by the formula: number of convictions as a percentage of reports. It should be borne in mind that, when the decision has been taken to open an investigation, the number of cases in summary proceedings, the entry of information of suspicious transactions into the backlog of cases for which evidence must be accumulated, and the definition of concurrence of multiple offenses determine which will be followed up. As a statistical mechanism enabling an initial assessment to be made, the Higher Judiciary Council is implementing a system that gathers data on the number of sentences handed down for each offense, rather than by title or chapter of the Penal Code, as was previously done.



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Membership in the Egmont Group enabled the FIAU to promote and streamline the exchange of financial information related to money laundering operations at the international level. The FIAU has signed memoranda of understanding for the exchange of information with its counterparts in Bolivia, Brazil, Costa Rica, France, Panama, Portugal, Spain, and Venezuela.

In the period 2000-2001, Colombia only made requests to the United States for the extradition of nine persons for money laundering; to date none of the requests have been granted.

In 2001, Colombia received eight requests for extradition in money laundering cases; to date it has granted two. The country reports that it has not made any requests to other countries to freeze assets in money laundering cases. In 2001, Colombia received one request to freeze assets from Belgium. According to the information presented, it has not replied to the request. Colombia made six requests to lift bank secrecy in the last two years; only one of those requests has been granted to date. Panama, France, and the United States have presented requests to the Government of Colombia to lift bank secrecy in money laundering cases. Those requests are being processed while awaiting the corresponding banking.

In the years 2001-2002, the FIAU has trained 183 entities, among them currency exchanges, trusts and investment trusts, life and general insurance companies, and banking entities; 250 participants in all attended 23 events. In 2001, 120 prosecutors were trained. Colombia underscores the need for training of judges, and reiterates its commitment to direct efforts to that end. It is interesting to note this effort, which stresses responsibility for preventing money-laundering offenses, which are becoming more sophisticated and modern.

With regard to new trends in money laundering, the country reports that, despite efforts made by the Colombian state to prevent, control, and sanction money laundering-related offenses, drug traffickers and criminal organizations continue to use sectors and economic activities to conceal the proceeds of their crimes, thereby strengthening the structure and operations of their organizations. One method to bring illicit financial resources into the Colombian economy is through technical and open smuggling of goods. In 2001, the National Customs and Duties Office seized goods of a value of COL\$140,747.6 million, equivalent to US\$67,407,874. This method directly harms the clothing, food, beverage, cigarette, and shoe manufacturing sectors, among others, and finished products sectors, such as computer components, appliances, and vehicles.

**RECOMMENDATIONS:**

- 1. CONSOLIDATE THE INFORMATION GATHERING SYSTEM ON CONVICTIONS FOR ILLICIT TRAFFICKING OF FIREARMS AND AMMUNITION.**
- 2. FINALIZE THE PROCESS OF IDENTIFYING TYPOLOGIES AND SECTORS AFFECTED BY ILLICIT PROCEEDS EXPANDING COVERAGE TO PROFESSIONS SUCH AS ATTORNEYS AND ACCOUNTANTS.**
- 3. CARRY OUT VALUATIONS AND INVENTORIES OF ALL PROCEEDS FORFEITED IN CONNECTION WITH ILLICIT DRUG TRAFFICKING-RELATED OFFENSES, AND ESTABLISH THIS AS A PERMANENT PROCESS.**



## V. CONCLUSIONS

The Government has continued to make efforts to strengthen drug control mechanisms. It must be acknowledged that, despite the prevailing adverse conditions which, in some cases, have deteriorated in Colombia, progress has been made.

In this regard, illicit activity with the use of indiscriminate violence by unlawfully armed groups, such as guerrilla forces, illegal groups, and drug traffickers, have generated a climate of insecurity in certain regions, making it particularly difficult for institutional mechanisms available to Colombia in the fight against drugs to function.

Colombia is making interesting contributions in alternative development, especially in the area of evaluation systems. It should, however, be noted that important areas remain that have not received either institutional attention or the resources needed for effective implementation.

The need to ratify the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and the 2000 UN Convention against Transnational Organized Crime and its three protocols is to be underscored, given the juridical effect these instruments could have in strengthening national legislation on the control of the movement of firearms, ammunition, explosives and other related materials. This in turn could eventually have positive repercussions both regionally and internationally.

Although the RUMBOS program has made commendable progress to the extent that its institutionalization as a state program will soon be ensured, it is evident that, in view of the climate propitious to the circulation of drugs, the demand reduction program must be continued and expanded.

Colombia has engaged in constructive dialogue with international authorities involved in the fight against drugs and made a significant contribution to the work of the MEM through its precise answers to questions regarding the Colombian situation.



## **SUMMARY OF RECOMMENDATIONS**

1. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS.
2. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS (CIFTA).
3. RATIFY THE UN CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS THREE PROTOCOLS.
4. TAKE MEASURES TO IMPROVE ITS STATISTICAL SYSTEMS IN THE AREA OF DRUG DEMAND REDUCTION, SO AS TO BETTER DEAL WITH CONSUMPTION PATTERNS IN THE COUNTRY.
5. ENSURE THE INSTITUTIONALIZATION AND EXPANSION OF THE DEMAND REDUCTION PROGRAM, THROUGH THE APPROVAL OF THE CORRESPONDING LEGISLATION.
6. FINALIZE AND IMPLEMENT THE MANUAL ON PREVENTION PROGRAM EVALUATION.
7. IMPLEMENT A RECORD-KEEPING SYSTEM ON PATIENTS HANDLED TO SUPPLEMENT EFFORTS MADE BY THE RUMBOS PROGRAM AND THE INTER-AMERICAN DEVELOPMENT BANK (IDB) TO DEVELOP A NATIONAL DIRECTORY OF TREATMENT CENTERS.
8. CONDUCT STUDIES ON STUDENTS WHO PERCEIVE DRUG USE AS HARMFUL IN ORDER TO PROVIDE SUPPORT TO PREVENTION PROGRAMS TARGETING THIS POPULATION.
9. EXPAND INSTITUTIONAL COVERAGE OF PREVENTION PROGRAMS IN THE WORKPLACE.
10. INCREASE CAPACITY TO CONDUCT JOINT OPERATIONS, EXCHANGE INFORMATION IN REAL TIME, AND BORDER CONTROLS WITH A VIEW TO MORE EFFECTIVE PREVENTION OF THE DIVERSION OF CONTROLLED CHEMICAL SUBSTANCES TO ILLICIT PURPOSES.
11. STEP UP IMPLEMENTATION OF THE PRE-EXPORT NOTIFICATION MECHANISM FOR CONTROLLED CHEMICAL SUBSTANCES, AND STUDY THE POSSIBILITY OF ISSUING PRE-CERTIFICATES OR PRIOR NOTIFICATIONS FOR THE RE-EXPORT OF CONTROLLED CHEMICAL SUBSTANCES.
12. CREATE A UNIFIED DATABASE ON HEALTH PROFESSIONALS AUTHORIZED TO PRESCRIBE CONTROLLED MEDICINES.
13. CONSOLIDATE THE INFORMATION GATHERING SYSTEM ON CONVICTIONS FOR ILLICIT TRAFFICKING OF FIREARMS AND AMMUNITION.
14. FINALIZE THE PROCESS OF IDENTIFYING TYPOLOGIES AND SECTORS AFFECTED BY ILLICIT PROCEEDS EXPANDING COVERAGE TO PROFESSIONS SUCH AS ATTORNEYS AND ACCOUNTANTS.
15. CARRY OUT VALUATIONS AND INVENTORIES OF ALL PROCEEDS FORFEITED IN CONNECTION WITH ILLICIT DRUG TRAFFICKING-RELATED OFFENSES, AND ESTABLISH THIS AS A PERMANENT PROCESS.



