

AMMUNITION IN COLOMBIA. GENERAL REGULATORY ASPECTS

MUNICIONES EN COLOMBIA. ASPECTOS GENERALES NORMATIVOS

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Abstract

This research studies the regulation, management and current situation of arms and ammunition in Colombia, both at a technical and legal level at the national level in order to provide a critical view of the permanent discussions about the carrying of them by civil (legal or illegal) and infractions of International Humanitarian Law that are committed within armed conflicts. An important part of the information that is exposed was

obtained through petition rights to entities such as INDUMIL, the National Police and the Foreign Ministry of Colombia.

This investigation concludes that in Colombia, despite the signing of the peace agreement (2016), the number of illegal firearms circulations continues to grow, as well as the numbers of violent deaths with impunity that occur in more measured in countries affected by armed conflicts like ours. In addition, although the states have a detailed record of the sales and purchases, they make of ammunition and firearms, they keep them under reserve on the grounds of safeguarding national security, a situation that allows illegal diversions to occur easily. weapons that can end up in the hands of armed actors outside the law.

Finally, it is recommended to increase the controls for the identification in the ballistic fingerprint, and the markings that allow progress in the judicial investigations.

Keywords: Ammunition, firearms, arms trade, armed conflict, International Humanitarian Law, peace agreement.

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Resumen

La presente investigación estudia reglamentación, manejo y actualidad de las armas y municiones en Colombia, tanto a nivel técnico como jurídico, con el fin de aportar una mirada crítica a propósito de las permanentes discusiones en torno al porte de las mismas por parte de civiles (lícito o ilícito) y de las infracciones al Derecho Internacional Humanitario y los Derechos Humanos que se cometen con al interior de los conflictos armados. Parte importante de la información que se expone se obtuvo mediante derechos de petición a entidades como INDUMIL, Policía Nacional y la Cancillería de Colombia.

Con la presente investigación se concluye que, en Colombia, a pesar de la firma del acuerdo de paz (2016), la cifra de circulación de armas de fuego sigue en crecimiento de manera ilegal, así como las cifras de muertes violentas con impunidad que se presentan en más medida en países afectados por conflictos armados como el nuestro. Además, si bien los estados tienen un detallado registro de las ventas y compras que hacen de las municiones y armas de fuego, las mantienen bajo reserva con el

argumento de la salvaguarda de la seguridad nacional, situación que permite que se presenten fácilmente desvíos ilegales de armas que pueden ir a parar a manos de actores armados al margen de la ley.

Finalmente, se recomienda aumentar los controles para la identificación en la huella balística y las marcaciones que permitan avanzar en las investigaciones judiciales.

Palabras clave: Municiones, armas de fuego, comercio de armas, conflicto armado, Derechos Humanos y Derecho Internacional Humanitario, Acuerdo de paz.

The design and manufacture of ammunition has changed the destinies of wars in the world, and those who have access to those that are more effective are those who have the advantage over their adversaries but should not cause superfluous harm or unnecessary suffering when used, as a fundamental part of the prohibitions on methods and means of warfare. Increasingly, the military industry invests in power, precision and quantity, which is why States strengthen their arsenal with increasingly effective weapons, in the presence of real or hypothetical threats from other States, or the growing internal presence of organized crime.

On the other hand, the organized armed groups in the country, not having their own technical industry, demand a large quantity of ammunition acquired illegally across the different land and sea borders from the stock left over from armed conflicts and persistent regional tensions⁴, such as Central

4 In the report submitted in 2013 by the Escola de Cultura de Pau, it was said:

Tension is considered to be that situation in which the pursuit of certain objectives or the non-satisfaction of certain demands raised by various actors entail high levels of political, social or military mobilization and/or a use of violence with an intensity that does not reach that of an armed conflict, which may include confrontations, repression, coups, attacks or other attacks, and which could escalate into an armed conflict in certain circumstances. The tensions are normally linked to: a) demands for self-determination and self-government, or identity aspirations; b) opposition to the political, economic, social or ideological system of a State, or to the internal or international policy of a Government, which in both cases motivates the struggle to access or erode power; or c) control of resources or territory. (2019, p.73).

America⁵, Eastern Europe, among others⁶. Routes for the illegal access of weapons were identified in the country, this is evidenced in the deliveries, seizure and abandonment of weapons; the characteristics of these allow to see the possible origins, manufacture and sources of access, for which more than 2 million circulate according to data from the National Police.

Regarding the national and international legislation in force, in this document the most important on the subject were grouped in a slow political development on the approval of norms, but that has been significant in the application: there is still much to implement and to make them effective, but the results show progress. This was demonstrated in the 2019 report on cluster munitions in which Colombia signed its commitment not to manufacture, design or import these elements⁷, as well as ratification of the Ottawa convention that preceded this one on anti-personnel mines in which it was included as one. One of the commitments in the peace process is the clearance

of mined areas between the parties, but this link also lacks the ratification of Protocol V on explosive remnants of war.

As a first advance in the matter, a short but meticulous work was done as a starting point to broaden the investigation in the matter: the illegal border access routes for the entry of ammunition with georeferencing and statistics, illegal groups, etc., were identified. It was established how the loss of ammunition is recorded, whether by the Armed Forces as well as by Private Security or individuals, and what would be the next technological advances for crime prevention, tracking, and controls.

Methodological Notes

To address the issue of ammunition in Colombia, legislation, learning and best practices were investigated, for which information was accessed through petition rights and public information contained in the different State institutions, such as Legal Medicine, Industry Military (hereinafter INDUMIL), the Foreign Ministry, the National Police, the Ministry of Defense, among others, and some interviews that were sent by email to people who work in arms control, who were part of peace processes.

The information on ammunition at the official level is technical and includes those belonging to the State through INDUMIL, in addition, the analysis was included under the parameters of International Humanitarian Law (hereinafter IHL) and data collection on the various types was used. of manufactured and imported ammunition, with special emphasis on the caliber and type of

5 De León-Escribano (2011) points out that:

One of the most relevant cases in the Central American region, and on which there is an OAS report released in January 2003, is the diversion of Nicaraguan weapons to the United Self-Defense Forces of Colombia (AUC). It concludes that this was possible "due to the negligent acts of various government officials and private companies, and the deliberate and criminal acts of various private arms dealers in the region. (p. 84)

6 Aguirre (2011) points out that:

Arms trafficking from Central America was controlled for many years by Colombian trafficker Ethalson Giovanni Mejía. During the first decade of the 21st century, Mejía was the main link in Central America for the FARC's 14th and 16th fronts to obtain weapons. Mejía was assassinated by a hitman a few meters from his house, in the south of Tegucigalpa, in July 2007. (p. 44)

7 Colombia still has cluster munitions based on art. 3 of the Convention, which allows the use as training activities or as countermeasures to protect troops and weapons equipment (Cluster Munition Coalition, 2019).

marking that provides traceability when uniting the sources and the supply chain of ammunition circulating in conflict situations.

The sources used were of a normative and institutional nature and were reviewed in official documents of governmental and non-governmental organizations, the national press, secondary sources and other materials that allowed the development of this text; As it is a subject that has not been studied much at the academic level, this document is comparable to the tip of an iceberg in terms of the information that may be collected in the future.

The justification for carrying out this research work is found in its novelty and its relevance since it is an update work on ammunition in our country, controls, types, purchase and sale. Likewise, it stands out for being a temporary issue given that Colombia has suffered from an internal armed conflict for almost half a century, and, in light of the comparative experience, it can provide elements to identify the weaknesses and strengths of the Colombian case, to evaluate the mechanisms implemented and to foresee possible successes or failures in present and future public policies.

An explanatory qualitative methodology was used that, through a basic descriptive and bibliographical process, allowed describing the content of this topic based on the review of primary and secondary sources thanks to the information collected from the different state entities. For the above, the research focused on the following guiding questions:

- a. What is the legislation on ammunition in Colombia?
- b. What types of ammunition are there? What are your controls? What are your gaps?
- c. What are the learnings that we can find in the control of ammunition?
- d. What would be the best control practices and the challenges regarding the effects of ammunition in Colombia?

To answer these questions, the study of the legislation began in order to contextualize not only its legality, but also its relationship with the Colombian armed conflict, with special emphasis on prevention actions and best practices. Likewise, official figures from Indumil and national statistics were used.

Brief Context

Colombia is a country located in South America, in the northwestern zone, it has 1,141,748 km² of continental surface, added the marine and submarine waters, the extension is 2,070,408 km², sharing land borders with Panama, Venezuela, Peru, Ecuador, Brazil and sea with the Dominican Republic, Costa Rica, Nicaragua, Honduras, Jamaica. It is also the only country in South America surrounded by 2 seas: the Caribbean Sea and the Pacific Ocean (Library Luis Ángel Arango, 2005). The country is divided into 32 departments, 1,130 municipalities, and its capital is Bogotá, D.C.; administratively, it contemplates the figures of municipalities, indigenous territories, regions and provinces (DANE, 2019).

Its estimated population is 48,258,494

million inhabitants (DANE, 2018, para. 1), with 51.2% women and 48.8% men, “although most live in urban areas, there is a significant number of peasants and there are also indigenous communities” (Hernández, 2005, p. 34). In 2015, DANE reported 10.62% of people of African descent.

Now, regarding the Defense budget for the year 2016, it was US\$4,916,946,842 million, the variation between the years 2010-2016 was -20% (Donadio, Klepak, Kussrow, Pabón & Rial, 2017, p. 1). As for the personnel assigned to this sector, in 2017 there were 245,089 members of the Armed Forces, including 201,365 in the army (with only 3.8% of women as officers and non-commissioned officers) (Donadio et al., 2017, p. 31), 31,061 in the Navy, 12,663 in the Air Force (p. 3), while the National Police registered a number of 184,000 troops by the end of 2016 (p. 10).

In the search for democracy and civil liberties, independence from Spain was declared in the country on July 20, 1810, although it was recognized until August 7, 1819, after an intense battle between the Republican troops against the royalists⁸ (Zambrano, 2010)(Ocampo, 2019), used muskets by the royalists⁸, and carbines by the republican troops (Camacho, 2018), in addition, there are records of an armistice treaty (Castaño, 2012, p. 338) or regularization of the war between Spain and Colombia, called the Treaty of Trujillo, signed in Venezuela on November 26, 1820⁹ (Burba-

⁸ The Musket “is characterized by being loaded by the barrel, and because the firing mechanism can be a matchlock or flint” (Canal Trece, 2019, p. 14), they also had rifles and carbines. While the liberating soldiers, they carried homemade weapons with some other weapons acquired abroad.

⁹ See text of the Armistice Treaty: <https://tinyurl.com/yyyyt2ma4>

no, 2019). On the other hand, the tensions between peasants and the Armed Forces, which originated from the agrarian struggles of the 20th century, the country has suffered several decades of violence (Molano, 2015), and then the political tensions of the 40s gave rise to the armed conflict that we know today (Ríos, 2017).

This evidences the constant violence that has been experienced in the territory, and in the case that concerns us, the acquisition of weapons as the essential tool to obtain the military advantage. Thus, constant access to ammunition for small arms is vital for armed conflicts, this is particularly true in conflicts involving armed groups that depend on small arms as their main tools of war, a characteristic that has accompanied the Colombian conflict.

Later, as the country transformed into a Democratic Republic, it would also have an increasingly organized military organization; This implied a political centralization and a professionalization of the Armed Forces, which included the acquisition of increasingly efficient weapons.

Currently, the appearance, effectiveness and type of weapons has advanced. Currently, the ammunition manufactured in the country is, among others, for revolvers in .38” SPL calibers, which is the one in current use, the nominal weight of the pellet is 25 g for 20 caliber, 28 g for 12 caliber, 16 and 32 g.” (Indumil, sf, par. 1) and .32” L, for 7.65x51mm and 9mm (M882) NATO caliber pistols and for 9mm NATO

caliber submachine gun, 7.62x51mm caliber chained ammunition, for rifle and machine gun, Linked ammunition caliber 5.56x45mm-Type SS109 for rifle and machine gun, ammunition for shotgun-caliber 12 "Pijao (Indumil, sf).

The Colombian State, after several successful and unsuccessful attempts at peace processes with some armed groups (LIMPAL Colombia, 2018) and the constant fight against drug trafficking, came together with civil society to a constituent that would guarantee the permanence of the democracy and rights, being the result of this process the Political Constitution of 1991 (National Constituent Assembly, 1991), a document that has been amended some 46 times (Revista Semana, 2017, para. 1), in which the manufacture of weapons, is maintained as a state monopoly (art. 223).

In accordance with the above, Vargas points out that (2007)

What seems evident in this quick tour of the slow path towards the professionalization of the Colombian Armed Forces is that the response to current threats seems to have guided the action. Although a State has the right and the duty to strengthen its military capacity, as a dissuasive factor both internally and against hypothetical external threats, this does not imply giving up the political dimension. For this reason, the search for security, in a case like the Colombian, rightly puts diplomacy first in the international arena, and internally, the negotiated solution of conflicts. (p.2).

Ammunition in Colombia

The arms monopoly

The 1991 Constitution in article 223 creates a "state monopoly on all weapons and

that the carrying or possession by individuals depends on the State granting the corresponding permit" (Constitutional Court, Sentence C-296, 1995, p. 11). Like other States around the world, Colombia saw the need to have a military industry capable of promoting national security and building conventional warfare weapons that would stand out among other war powers. This state monopoly created by the Constitution is managed by Indumil in Colombia, it represents the military power, the use and trade of firearms, and among others, the manufacture of explosive devices.

There are several regulations in Colombia for the carrying of weapons; this bearing and its permits correspond to the State. Article 223 of the Political Constitution of 1991 establishes who can manufacture or import weapons into the national customs territory. Also, Decree 2535 of 1993 (Presidency of the Republic, 1993) makes it clear that the members of the national security agencies and other official armed bodies, of a permanent nature, created or authorized by law, are the only ones who may carry weapons. under the control of the State, only if they comply with the principles and procedures established by law.

Likewise, the Government, through Decree 2362 of December 24, 2018 (Presidency of the Republic, 2018), ordered that the issuance of permits to carry firearms in the country be suspended from January 1, 2019, and the December 31 of the same year. The Decree reiterates what was expressed by the Constitutional Court on the carrying of weapons:

(...) according to existing statistics, it is possible to maintain that the carrying of weapons promotes violence, aggravates the consequences of social conflicts and introduces a factor of inequality in relations between individuals that is often used to strengthen economic powers, political or social. That is why permits to carry weapons can only take place in exceptional cases, that is, when all other possibilities of legitimate defense that the legal system contemplates for citizens have been ruled out. (p.1)

In this context, it is established that "... since these permits are suspended, only those who obtain a special permit will be able to carry a weapon." (Ministry of Defense, n.d., para. 1).

International Ammunition Legislation

For Ardila and Pinedo (2013), international cooperation mechanisms in the fight against arms, ammunition, and explosives trafficking, both regionally and internationally, have led the country to develop tools to improve operational control capacity and legal¹⁰.

For the researcher Mejía (2008) the Armed Forces have a high standard in compliance with international legislation on

weapons in the conduct of hostilities, in an asymmetric and irregular armed conflict. But, regarding ammunition, he emphasized that the humanitarian incidence opened the debate regarding the use of cartridges in weapons, specifically for rifles or machine guns "caliber 7.62x51 mm (nato) mm or the 7.62x39 mm used, among others, by H&K G-3 rifles of German origin" (p. 46), FAL of "Belgian origin; AK-47, of Russian origin, and the entire variety of the family, including the AK 103 and 104, such as those recently acquired by the Venezuelan security forces" (p. 46), to be replaced by the caliber 5.56 x 45 mm. Despite this and as a conclusion, says the author, it is to have the advantage over the enemy in order to leave him out of the combat scene under the rules of IHL and he emphasized:

The firearms used by the Armed Forces of Colombia, within the armed conflict, with full application and follow-up of the Protocol II of Geneva of the year 1977, are basically located from the point of view of the international law of armed conflicts, as conventional weapons. (Mejia, 2008, p. 51).

¹⁰ Among these mechanisms, the following stand out:

The action program to prevent, combat and eliminate the illicit trade in small and light weapons in all its aspects, in force since 2001 and signed within the framework of the United Nations Organization; the "Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials" (CIFTA), in force since 1997 and contemplated in the institutional framework of the OAS; "Decision 552 of the Andean Council approving the Andean Plan for the prevention, combat and eradication of illicit trafficking in small arms and light weapons in all its aspects", in force since 2003 and "Decision 7/98 of the Council of the Common Market, which approves the Joint Mechanism for the registration of buyers and sellers of firearms, ammunition, explosives and other related materials, in force since 1998. (Ardila & Pinedo, 2013, pp. 311-312)

Illustration 1: International Laws Approved on Ammunition.**INTERNATIONAL LAW / APPROVED ON AMMUNITION**

| | |
|----------------------|--|
| LAW 540 1999 | Inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials. |
| LAW 737 2002 | Inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, CIFTA. |
| LAW 1604 2012 | Convention on Cluster Munitions |
| Law 737, 2002 | Inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related |
| LAW 469, 1998 | The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980 |
| PROTOCOLS | <p>Protocol I. On Non-detectable Fragments, adopted on 10th 1980 adopted at the convention.</p> <p>Protocol II. On prohibitions or restrictions on the use of mines, booby traps and other devices, amended on 3rd May 1996, Geneva.</p> <p>Protocol III. On Prohibitions or Restrictions on the Use of Incendiary Weapons adopted on 10th October at the convention.</p> <p>Additional protocol, considered as IV, on blinding laser weapons,</p> |

Source: Own elaboration based on the Colombian Foreign Ministry (2019).

On the other hand, Law 1782 of 2016, which approved the Arms Trade Treaty, was declared unenforceable by the Constitutional Court due to procedural errors originating in the Senate of the Republic (Constitutional Court, Sentence 047, 2017), this means that a process must be started again in Congress, since it had taken more

than two years and the work that had been done from civil society to make it a fact, on the Palermo Convention¹¹ that includes the Protocol against the manufacture and the illicit trafficking of firearms, their parts and components and ammunition (UN, 2005) and that complements the United Nations Convention against Transnational Organized Crime (UN, 2004); the State did not adhere due to a concept of the Ministry of Defense (Cancillería de Colombia, 2019).

¹¹ Among these mechanisms, the following stand out:

The action program to prevent, combat and eliminate the illicit trade in small and light weapons in all its aspects, in force since 2001 and signed within the framework of the United Nations Organization; the "Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials" (CIFTA), in force since 1997 and contemplated in the institutional framework of the OAS; "Decision 552 of the Andean Council approving the Andean Plan for the prevention, combat and eradication of illicit trafficking in small arms and light weapons in all its aspects", in force since 2003 and "Decision 7/98 of the Council of the Common Market, which approves the Joint Mechanism for the registration of buyers and sellers of firearms, ammunition, explosives and other related materials, in force since 1998. (Ardila & Pinedo, 2013, pp. 311-312)

Illustration 2: International instruments on disarmament in which Colombia is not a party.

INTERNATIONAL INSTRUMENTS ON DISSARMAMENT IN WHICH COLOMBIA IS NOT PART OF

Treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof (1971).

Inter-American convention on transparency in the acquisition of conventional weapons.

Protocol V to the convention on certain conventional weapons in 1980, related to explosive remnants of war, 2003.

Treaty on the prohibition of nuclear weapons in 2017.

Treaty on the prohibition of weapons (TCA).

COLOMBIA HAS
NOT RATIFICATED
THEM

Source: Own elaboration based on the Colombian Foreign Ministry (2019).

Ammunition Marking

The United Nations Regional Center for Peace, Disarmament and Development in Latin America and the Caribbean (hereinafter UNLIREC), whose main function is to translate the commitments of the Member States in the area of disarmament, carried out a diagnosis on the marking of ammunition in the region and, given the importance of this issue, separated it into several aspects, namely: diversion, theft, illicit trafficking and taking preventive measures to improve investigations in these cases (UNLIREC, 2018).

The organization added that a thorough process in ammunition manufacture and import is essential and included proper record keeping along with retrievable markings; These marks must not only be on the vanilla, but also on the cartridge and on the

packaging in each process of transportation, sale and storage. Everything should be clear, easy to read, and follow the same pattern. This is how he put it:

On the packaging, for ammunition destined for the armed forces or other law enforcement agencies, it is the most common best practice to mark the manufacturer's identification, type and/or caliber, quantity in the package, year of production, and batch code. For military ammunition, NATO so-called STANAG (standardization agreement) is the closest standard to a global norm 19; the document that guides these requirements is STANAG 2953 or AOP-2(c) (Allied Munitions Publication), The Identification of Munitions.

This standard, for calibers up to 20mm, requires packages that include: the symbol for the nature of the projectile (tracer, ball, armor-piercing, etc.); amount of ammunition; caliber; packaged configuration lot number; and the NATO design mark (a cross within a circle). (UNLIREC, 2018, pp. 19-20).

UNLIREC (2018), adds that it is important that the country be a member of the CIP—the Permanent International Commission—something legally binding for the Small Arms Test, which is required for all NATO members. There he stated:

In Colombia, which years ago was considered a “pioneer country in the marking of firearms, ammunition and explosives”, a nickname that is less adept at present for its ammunition, the brands for ammunition for civilian and military markets are different. INDUMIL’s 5.56 x 45mm ammunition includes codes for producer (“IM”), year of production (4 digits), and lot (4 digits), while its “self-defense” ammunition in various calibers includes the caliber specification (38, 32 or 7.65mm) and producer (“INDUMIL”). Since military calibers are marked in batches of 25,000 rounds, tracking is optimized for law enforcement ammunition; However, civilian ammunition only has lot markings on packages, not cartridges. More than a decade ago, these marks allowed for a very high-resolution rate of trace requests (98%, although this also included firearms and explosives) and were considered innovative and “high standards”. The same analysis noted that the lack of markings on civilian ammunition was due to “high costs to buyers” and “a difficult political decision”, a position that, it is argued, is likely outdated today. (UNLIREC, 2018, p. 27).

In consideration of this, Indumil responded about the marking of personal defense ammunition (caliber .38, 32, 7) that the previous ones are marked with the caliber and the manufacturer, as well as the ammunition for shotgun caliber 12, 16 and 20:

During the ammunition manufacturing process, a special marking is established on the casing of the ammunition, in the case of 9 mm caliber ammunition the batch and year of manufacture are marked, in the case of 5.56 mm caliber ammunition in the same way, the manufacturing

batch, the year and the initials of the Military Industry are stamped on the shorts.

The other ammunition manufactured by Indumil has a marking on the bottom with which it is identified and in this way traceability of the cartridges is generated.

With this type of marking, complemented by what is described in number 7 of this document, the traceability of the cartridges is guaranteed in case it is necessary to identify the origin of a cartridge. (INDUMIL, 2019, p. 2).

and added:

Personal defense ammunition (caliber .38, 32, 7.65 mm) is marked with the caliber and manufacturer, as well as ammunition for 12, 16 and 20 caliber shotguns (INDUMIL, 2017, p. 1).

Now, regarding the actions to control factory-produced cartridges, the following has been implemented:

Packaging: The packaging of ammunition of different calibers is done manually in folding cardboard boxes. **Cardboard box marking:** It is identified by lithography that includes the INDUMIL logo and the caliber of the packed ammunition. Additionally, for traceability, a sticker is included with the product code, batch number, consecutive number of the box, date of loading and quantity. The following image shows the box of Cal. 9mm ammunition as an example.

Vanilla Marking: Identified by bas-relief marking on the cartridge head with the caliber of the ammunition, Lot Number, The Initials IM of the Military Industry and year of manufacture. The following image shows the marking of the vanilla Cal. 9mm base as an example:

Illustration 3: Vanilla Marking.



Source: Indumil (2017)¹².

Packaging box marking: There are two packaging options for delivery to the customer:

Wooden box: The number of boxes packed depends on the caliber.

For traceability of the packaging boxes, a sticker with the product code, Lot Number, is included; consecutive of the box, Consecutive the first and last box of the order, number of cartridges and QR code. (INDUMIL, 2017, p. 1)

Legal gaps

In 2016, the green party in Colombia formulates Bill 170 of 2016 before the Chamber (first debate before reaching Congress), on the control of firearms and the identification of bullets. By which the National Ballistic Identification Registry System of firearms circulating in the national territory is established and other provisions are issued¹³. (Green Par-

ty, 2016) (including small arms and light weapons). Bill 170 currently has a first and second debate in the Chamber, so it is expected that it will soon reach Congress for approval, signature by the president and the study of constitutionality by the Constitutional Court.

It is recommended that this type of projects not be issued without due observance of international regulations on the matter in which the United Nations has made substantial progress in the matter despite the fact that the Convention against Illicit Traffic has not been approved., the TCA or the Protocol on firearms; it can be included in said projects and comply with the normative integration without waiting for the new legislative process.

For the researcher Aguirre (2019), in the legislative issue it is important to incorporate and make effective the cooperation agreements and adapt the laws, in this regard she expressed:

Regarding the registry of weapons, ammunition and users, including:

¹² Ammunition for revolver in .38" SPL and .32" L calibers, for 7.65mm and 9mm NATO caliber pistols and for 9mm NATO caliber submachine gun.

¹³ Available at: <https://tinyurl.com/yypk2jl> Text of the first debate: <https://tinyurl.com/y5axkaeu>

- a. Development of registration and marking systems for weapons and ammunition in the hands of State forces, including access controls (entry and exit) to stocks and inventory management. The registry must include all firearms, parts, components, accessories and ammunition.
- b. Integration of weapons and ammunition tracking record systems to be able to identify who has them in their possession, including individualized systematization protocols at the agent level. This will facilitate investigations of misused weapons associated with diversion and crime.
- c. Implementation of ballistic registration systems to implement comparative ballistics on all weapons held by State forces.

(The above applies almost the same for private security companies)

For civilians:

- a. Marking and weapons and ammunition in the hands of civilians.
- b. Implementation of ballistic registration systems to implement comparative ballistics on all weapons held by civilians.
- c. Development of monitoring systems for weapons in the hands of civilians, the use of specialized technologies that allow the periodic updating of the databases corresponding to the owners of firearms, including updated virtual registries. This is a powerful tool to prevent diversion, as well as to facilitate investigations of misused weapons associated with crimes.

For example, in Honduras an amnesty is being carried out:

The update of the Weapons Law (2017) was accompanied by an amnesty with the aim of registering weapons for commercial use that did not have the documentation, which has been in force from August 2017 to December 2018. The owners of weapons had to go to the National Registry of Weapons and ballistics to legalize their situation (El Herald, 2018). One of the most revolutionary measures is the requirement of no less than four bullets, cartridges and projectiles, which are used by the Ballistics Laboratory to carry out analyzes and comparisons in the event of committing a crime with a firearm (ballistic registration with IBIS) (La Tribuna, 2017).

At the legislative level, first implement everything indicated in international agreements, mainly PoA and CIFTA with respect to all stockpile management criteria and especially marking and tracing. INDUMIL and the Department of Arms Control and Trade must be more open and ensure compliance with the mandates.

In general, there should be progress in national legislation, which in its main articles refers to decree 2535 of 1993. New legislation is necessary, involving both control advances (for example, marking and tracking methods) and new traffic methods (including, for example, internet purchases). At a technical level, I suggest that all international protocols such as International Small Arms Control Standards (ISACS) be followed. (Aguirre, 2019, pp. 2-5)

According to the above, Congress must have access to excellent technical support with the application of laws on arms control, in order to fully contribute in these areas that have affected the lives of the civilian population, for which it is proposed that some minimums be met in their performance with adequate information on the existing risk to the life and integrity of the victim, the scope of the State's responsibility for crimes that should be prevented and in conditions of reasonable avoidance¹⁴.

Learnings: Ammunition in Armed Violence

Deaths and Injuries

In Colombia, in recent years, the situation of deaths from firearm projectiles has varied, and this is because in the last 8 years the rate has decreased since the beginning of the Peace Agreement, showing itself as the greatest affected by these deaths, in relation to the sex of the victim, the male sex. The incidence of violence occurs per 100,000 inhabitants according to figures from the National Department of Statistics (hereinafter DANE).

For example, according to the official report of last year 2018 of the National Institute of Legal Medicine and Forensic Sciences (hereinafter INMLCF) carried out "25,807 autopsies due to violent death, with 47.0% (12,130) homicides" (Medicina Legal, 2019, p.73) Regarding the year 2017 there is a total of 25,381 deaths: 11,373 are homicides, and compared in the last 9 years it is as follows:

¹⁴ See also I/A Court HR Case of the Pueblo Bello Massacre. Judgment of January 31, 2006. In this sense, the court follows the jurisprudence of the European Court, which states:

Not every alleged risk to life imposes on the authorities the conventional obligation to take operational measures to prevent that risk from materializing. For the positive obligation to arise, it must be established that at the time of the facts the authorities knew, or should have known, of the existence of a real and immediate risk to the life of an identified individual or some individuals with respect to criminal acts of third parties, and that such authorities failed to take steps within the scope of their powers that could reasonably be expected to prevent harm. (Series C, No. 140 para. 123 and 124, Cited by Abramovich, 2013, p. 167)

Table 1: Homicides, cases and rates per 100,000 inhabitants 2009-2017.

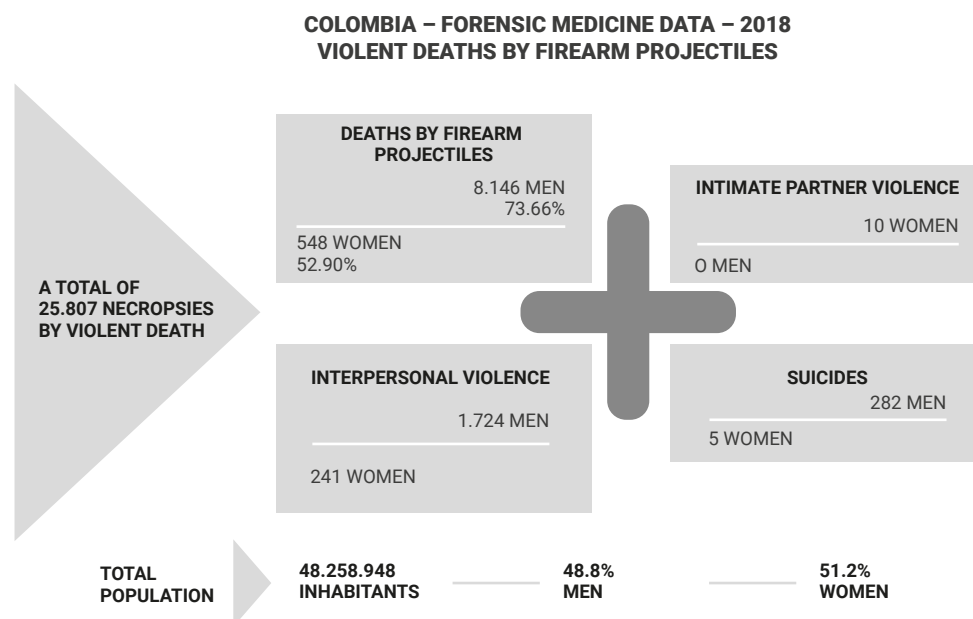
| Year | Total | Woman | Man |
|------|--------|-------|------|
| 2017 | 11.373 | 4.0 | 42.5 |
| 2016 | 17.717 | 4.0 | 43.7 |
| 2015 | 11.585 | 4.0 | 44.6 |
| 2014 | 12.626 | 4.8 | 48.6 |
| 2013 | 14.294 | 4.9 | 56.4 |
| 2012 | 15.727 | 5.6 | 62.2 |
| 2011 | 26.554 | 6.1 | 66.6 |
| 2010 | 17.459 | 6.3 | 71.3 |
| 2009 | 17.717 | 6.7 | 72.8 |

Source: Legal Medicine, (2019, p. 73).

Now, the departments that presented the most violent deaths during 2018 “were: Arauca (106.73), Putumayo (91.64), Valle del Cauca (83.01), Quindío (79.12) and Norte de Santander. (72.78)” (Forensic Medicine, 2019. p. 19). In the same sense, the following are the cities with the highest figures reported: “Puerto Carreño-Vichada (164.43), Quibdó-Chocó (104.13), Mocoa-Putumayo

(83.39), Cali-Valle del Cauca (78.53) and Arauca-Arauca (76.09); The five municipalities that presented the highest rates were: Guayabetal-Cundinamarca (420.93), Ituango-Antioquia (359.60), Tibú-Norte de Santander (359.31), Pajarito-Boyacá (323.62) and Mallama -Nariño (300.05)”. (Forensic Medicine, 2019, p. 20).

Illustration 4: Figures of violent deaths, firearm projectile 2018.



Source: Legal Medicine (2019, p. 9).

According to the figures reported, the following is the order in which the use of the different types of causal mechanism occurs most frequently:

The causal mechanism that occurs most in lethal violence is the firearm projectile; as the cause of 548 murders in women, corresponding to 52.90%, and 8,146 homicides in men corresponding to 73.66%.

The second most used causal mechanism to kill both women and men is the sharp knife, with percentages of 24.13% and 18.04% respectively.

In third place, in the case of women, are the mechanisms that generate suffocation with 9.94%, 103 cases. In the case of men, there is the forceful mechanism with 2.85%, 315 cases. (Legal Medicine, 2019, p. 9)

In conclusion, for the entity, the dynamics of rapprochement during the conflict had been positive for the civilian population affected by firearms; Similarly, until 2016 the reduction in homicides was evident, at the beginning of the dialogues, going from 11,585 in 2015” (p. 3) to 5,627 in 2016-2017¹⁵ (Medicina Legal, 2017, p. 22), however, this changed as evidenced by the following study:

After nine years of continuous decrease, both in the number of cases and in the homicide rate, the year 2018 presented an increase in these, returning to figures close to those presented in the year 2014. The positive effects on lethal violence evidenced during the negotiation of the peace agreements with the FARC and the first year of their implementation seem to have ceased. New and old armed groups, as well as dissidents from the FARC, are today invigorating the armed conflict.

¹⁵ Despite being restricted the sale and carrying of firearms, with these they caused the greatest number of homicides in both sexes.

Men continue to be the main victims of this type of violence. If we establish a relationship between the sociopolitical dynamics of the country with the homicide figures, we could infer the link between the homicide of men and the deaths caused by the armed conflict. On the other hand, we can think that violent deaths in women are determined by dynamics different from those of the conflict, which is why homicides of men decreased notably in previous years while those of women remained stable; and, however, in some territories of the country this does not seem to be the case. (Medicina Legal, 2017, p. 69)

Costs

Colombia manufactures different types of ammunition, these are the main ones, Cal 32 L ammunition: used in personal defense weapons, especially revolvers. Cal 38L ammunition: used in personal defense weapons, especially revolvers. Cal 9 mm ammunition: used in personal defense weapons, especially semi-automatic pistols and submachine guns.

For the year 2006-2016, the following ammunition was manufactured by Indumil:

Table 2: Production Ammunition 2006-2016.

| Line | | | Product | |
|------------|------------|---------|--------------|-----------|
| Ammunition | War | linked | Self Defense | Shotgun |
| 2006 | 33.164.435 | - | 5.663.800 | 2.829.150 |
| 2007 | 45.378.725 | - | 6.947.850 | 2.389.900 |
| 2008 | 39.753.435 | - | 8.715.254 | 2.773.500 |
| 2009 | 33.953.185 | - | 10.643.900 | 3.558.800 |
| 2010 | 48.929.805 | - | 5.799.950 | 2.774.225 |
| 2011 | 33.079.354 | 900.090 | 13.657.800 | 2.455.675 |
| 2012 | 7.162.190 | - | 2.990.950 | 2.993.175 |
| 2013 | 12.386.920 | - | 1.651.850 | 2.549.800 |
| 2014 | 14.866.625 | - | 4.663.600 | 2.431.100 |
| 2015 | 31.128.637 | - | 2.366.550 | 3.196.755 |
| 2016 | 18.761.887 | - | 4.078.363 | 5.498.275 |

Source: INDUMIL, (2017a, p. 3).

Table 3: Quantity of ammunition produced in Colombia 2010-2019. 32L caliber.

| Year | Quantity Produced Cal 32L ammunition | Total |
|------|---|----------------|
| 2010 | 19.050 | 19.050 |
| 2011 | 151.550 | 151.550 |
| 2012 | 73.850 | 73.850 |
| 2013 | 50.250 | 50.250 |
| 2014 | 55.000 | 55.000 |
| 2015 | 84.400 | 84.400 |
| 2016 | 98.300 | 98.300 |
| 2017 | 73.125 | 73.125 |
| 2018 | 108.750 | 108.750 |
| 2019 | 0 | 0 |
| | Total | 714.275 |

Source: INDUMIL (2019, p. 2).

Table 4: Total ammunition produced in Colombia 2010-2019. 38L caliber.

| Quantity Produced - Cal 38L ammunition | | | |
|--|------------------|------------------|-------------------|
| Year | Normal | Factor 132 | Total |
| 2010 | 200 | 101.600 | 101.800 |
| 2011 | 1.458.800 | 101.850 | 1.560.650 |
| 2012 | 1.265.350 | 152.150 | 1.417.500 |
| 2013 | 795.950 | 290.500 | 1.086.450 |
| 2014 | 1.272.950 | 249.350 | 1.522.300 |
| 2015 | 1.197.400 | 213.050 | 1.410.450 |
| 2016 | 1.247.350 | 207.000 | 1.454.350 |
| 2017 | 1.135.650 | 359.400 | 1.495.050 |
| 2018 | 1.183.850 | 174.850 | 1.258.700 |
| 2019 | 0 | 0 | 0 |
| Total | 9.557.500 | 1.849.750 | 11.407.250 |

Source: INDUMIL (2019, pp. 2-3).

Table 5: Total ammunition produced in Colombia 2010-2019. 9mm caliber.

| Quantity Produced - 9mm caliber ammunition | | | |
|--|-------------------|------------------|----------------|
| Year | Normal | Factor 132 | subsonic |
| 2010 | 5.552.000 | 167.000 | 436.950 |
| 2011 | 11.741.000 | 154.900 | 0 |
| 2012 | 1.299.600 | 153.750 | 0 |
| 2013 | 61.150 | 354.000 | 0 |
| 2014 | 2.383.100 | 481.850 | 0 |
| 2015 | 600.000 | 102.050 | 0 |
| 2016 | 1.578.300 | 643.500 | 0 |
| 2017 | 2.102.562 | 362.800 | 0 |
| 2018 | 593.836 | 0 | 0 |
| 2019 | 0 | 0 | 0 |
| Total | 25.911.548 | 2.419.850 | 436.950 |

Source: INDUMIL (2019, p. 3).

Table 6: Total ammunition produced in Colombia 2010-2019. 5.56 mm caliber.

| Quantity Produced - 5.56 mm caliber ammunition | | | |
|--|--------------------|------------------|--------------------|
| Year | Normal | Blank | Total |
| 2010 | 48.341.730 | 403.200 | 48.744.930 |
| 2011 | 32.542.934 | 1.441.510 | 33.984.444 |
| 2012 | 7.162.190 | 0 | 7.162.190 |
| 2013 | 12.291.090 | 0 | 12.291.090 |
| 2014 | 14.8666.625 | 0 | 14.8666.625 |
| 2015 | 31.128.637 | 0 | 31.128.637 |
| 2016 | 18.761.887 | 0 | 18.761.887 |
| 2017 | 4.457.905 | 0 | 4.457.905 |
| 2018 | 3.999.194 | 114.767 | 4.113.951 |
| 2019 | 1.674.945 | 0 | 1.674.945 |
| Total | 175.227.137 | 1.959.467 | 177.186.604 |

Source: INDUMIL (2019, p. 3).

The company exports 5.56 and 9mm ammunition and does not have a top 10 ammunition buyer abroad (confidentiality agreements are alleged). However, ammunition has been sold to South American countries, both for the public and private markets.

The ammunition is marked on the base of the vanilla by a low-relief stamping process during manufacture, the marking for ammunition of war (caliber 5.56 mm, 9 mm), there the manufacturer, year and batch of manufacture are contemplated. Self-defense ammunition (.38, 32, 7.65mm caliber) is marked with caliber and manufacturer, as is 12-, 16-, and 20-gauge shotgun ammunition. In addition, the company noted non-disclosure agreements: "With those buyers of Indumil products, confidentiality agreements have been signed that do not allow the industry to disclose information beyond what is delivered" (INDUMIL, 2019, p. 4).

Confiscations and Ammunition Trafficking

The Armed Forces in Colombia have seized different types of weapons and ammunition. For Vásquez, the control over arms trafficking exceeds the capacities of the

States, emphasizing that: "Small arms and light weapons are instruments for achieving objectives of criminal organizations that, due to their illegal nature, are dynamic actors of the black market of this type of artifacts" (Vásquez, sf, p. 24).

Consequently, illegal trafficking has a complex tracking of illegal trade routes, and it is even more so in renting, since tracking and the number of crimes committed by different criminals with the same weapons is difficult. An example of this is the different news about confiscations in the national territory, in which, if the number of weapons circulating in the country has not yet been calculated exactly, the amount corresponding to ammunition is not exact either:

During the joint action, a house in the San Martín neighborhood was searched, resulting in the seizure of 7 suppliers for a Glock pistol of 30 cartridges each, 1 supplier for 20 9 mm cartridges, 3 suppliers for a Galil 7.62 mm caliber rifle, 2 suppliers for Galil rifle caliber 5.56 mm, 45 cartridges caliber 7.62 x 39.70 mm, 70 cartridges caliber 5.56 mm and 1 buttstock for M-16, the seized material was placed under the orders of the competent authority. (Armada de Colombia, n.d., para. 1)

Although the trend has been to ban the use of 7.62x51mm or 7.62x39mm caliber ammunition, instead of 5.56x45, due to humanitarian effects (Mejía, 2008, pp. 45-46), this latter ammunition apparently does not it has the expected effectiveness (Meneses, 2018), but they are all used by the parties to the conflict¹⁶.

In the development of crimes, arrests for manufacturing, trafficking, carrying or possession of firearms, accessories, parts or ammunition, in 2016 was 14,712, of which,

¹⁶ For the year 2018:

In a joint operation between the CTI of the Attorney General's Office and the Sijin of the National Police in the village of Guatemala, in Miranda (Cauca), a cove was located that hid artisanal mines and ammunition. The elements found and seized are: 91 50-point caliber cartridges, 442 7.62-caliber cartridges and four homemade devices with 2.5 kilos of R1 type explosive. (Office of the Attorney General of the Nation, 2018, para. 1)

by gender, in 2016-2017 it presents with greater incidence in men captured for this crime, with 14,315-13,955 respectively. In women, a figure of 768 and 757 was presented in the same years. The ammunition seized for the year 2016 was 209,746, rifle 99,989, pistol 25,539 and shotgun as the highest number of ammunitions by type of firearm (includes ammunition found inside seized weapons)¹⁷.

According to data from the National Police, for the crime of manufacturing, trafficking and carrying weapons, ammunition for restricted use, for the exclusive use of the armed forces or explosives (National Police, 2018, p.105), there were 896 crimes registered in the year 2017, with Antioquia being the highest with 251, followed by Bogotá with 94, Valle with 81, Atlántico with 36 and Cauca with 30, the lowest number of captures occurred in Casanare with 4 and Arauca with 3¹⁸ (Tamayo & Norza, 2018, p. 67).

Now, for the crime of manufacturing, trafficking, carrying, or possessing firearms, accessories, parts or ammunition, the National Police reported 18,507 registered crimes in 2017, the department reported with the highest number of these crimes was Atlántico. with 2,467, then Valle del Cauca with 1,826, followed by Santander with 1,483 and Antioquia with 1,430. The departments with the

fewest arrests were San Andrés with 2 and Vaupés with 6 (National Police, 2018, p. 116).

Of the arrests registered in 2017 for the crime of manufacturing, trafficking, carrying or possession of firearms, accessories, parts or ammunition, of the total of 14,580, Valle obtained the highest record with 1,848 arrests, Bogotá, DC, with 1,773, Atlántico with 1,592 and Antioquia with 1,318. The crime of manufacturing, trafficking and carrying weapons, ammunition for restricted use, for the exclusive use of the armed forces or explosives, recorded 545 arrests, of which Antioquia has the largest number with 148 cases, Bogotá, DC, 121, Valle 36 and Atlántico 31 (National Police, 2018, p. 155).

The National Police includes the ammunition seized within the firearms. The total number of weapons was 354,446, among them are: revolver for pistol, shotgun, carbine, machine gun and submachine gun for rifle which, in its majority, were ammunition for rifle 230,437, for shotgun 35,162, carbine 32,501, pistol 31,008, revolver 21,970, machine gun or submachine gun 1,407 (National Police, 2018, p. 174).

On the other hand, within the anti-narcotics activity, the ammunition as elements seized and immobilized in 2016 were 1,091, belonging to 160 weapons of different caliber, and in 2017, 3,169 of 97 weapons of different caliber were found. which found more ammunition was Nariño with 2,485, Antioquia, 215, Caldas 136, Valle 122 (National Police, 2018, p. 177).

¹⁷ See National Police, 2017, p. 25, 96, 122 and 125.

¹⁸ Tamayo and Norza point out that:

A total of 23,865 firearms were also seized, with the highest numbers corresponding to revolvers (9,443), pistols (4,975) and shotguns (8,638). In relation to the above, 354,446 pieces of ammunition were also seized, of which 230,437 were for rifle-type weapons, the largest seizure in this type of weapon. (2018, p. 67)

Best Practices Identified

The best practices that could be identified are divided into: i) legislative aspects, ii) harmony between international regulations and internal incorporation, iii) effective application, iv) systematization and identification, v) use of technological tools, vi) permanent dialogue with civil society and training, vi) expand the political agenda for the application of public policies that improve the lives of people affected by firearms.

In legislative aspects, Colombia has made progress towards updating its regulations, but it is necessary to incorporate the international instruments on disarmament to which Colombia is not a party: this requires that it become an important issue between the Foreign Ministry, the Ministry of Defense, and Congress; likewise, the harmonization of regulations and their effectiveness throughout the territory, especially due to the high rates of deaths observed in the analysis of legal medicine.

19 For the year 2014, an investment of \$850 million was made by the Municipal Administration of Sincelejo to provide the Ballistics Investigation Technical Corps of the Nation's General Prosecutor's Office, Sucre, the Ballistics Comparison System (SCB). "These teams will facilitate the investigations on the vanilla found in places where a murder has occurred and will help speed up the results of these, and then be able to advance in the capture of the perpetrators of murders," explained the mayor of Sincelejo, Jairo Fernández Quessep. According to members of the Technical Investigation Corps, Sincelejo is the fifth city in the country to acquire this kind of technology in criminal investigation equipment. Currently, only Bogotá, Cali, Cúcuta and Medellín have this type of laboratory. The technical and technological equipment for the development of criminal investigation processes consists of a digital motorized multizoom microscope with a server for the SCG-SIG ballistic comparison system, composed of a Z16APO reference motorized digital microscope with ZXY freedom of movement, a motorized tray with reference 443001, HPZ230 high-performance desktop computer with 8 GB RAM, 42-inch LED-style TV with video accelerator card; and a comparison macrocope for ballistics composed of a motorized digital macrocope reference DMFSC with freedom of movement in ZXY, high performance desktop computer HPZ 230 of 8 GM with RAM memory, motorized table reference 4403001 and color laser printer. (El Universal, 2014, para. 1-3)

20 Interview conducted for this research.

Regarding technological tools¹⁹, Álvaro Jiménez, director of the Colombian Campaign Against Mines, emphasized that "... it is necessary because it is necessary for the development of criminal investigation"²⁰ (Jiménez, 2019, p. 3); In the same way, preventive measures must be taken, and the marking systems that include all the elements of an ammunition, such as the cartridge, must be improved. Jiménez added that, of the ammunition seized by the authorities, "control in the warehouses must be improved. of the judicial system and to this must be added the market and sale of weapons that exists in the streets" (Jiménez, 2019, p. 3).

Consequently, based on the analysis carried out on security and the creation of action strategies, it is found that these are part of the construction towards stability within which the State, in the exercise of its work, must focus its efforts for the formulation of provisions focused on mitigating arms and ammunition trafficking (Ardila & Pinedo, 2013).

Control

Illicit ammunition trafficking is a problem that usually occurs in customs and border areas, where state authority is absent or deficient, also due to situations of violence or armed conflict. of the rights to petition about the controls to prevent the diversion of weapons, as in the case of the Department of Control of the Trade in Arms, Ammunition and Explosives, who stated that it has a system of rules that govern this control and is regulated in such a way that the traceability of the information from the request of the appointment to acquire the weapon, until

the delivery, be it in a proper way, this includes criminal background checks and fingerprint identification.

For their part, the Fiscal and Customs Police, in their work in the Transnational Crimes Investigative Unit, has identified the *modus operandi* of the illegal entry of firearms, their parts and ammunition, as well as national or foreign persons who hide them in different metallic objects “such as kitchenettes, sound equipment, microwave ovens, televisions, vacuum cleaners, exercise machines, lamps, among others” (National Police. Fiscal and Customs Police Management Directorate, 2019, p. 3), or they are sent *encomienda* type and assembled at their final destination, and when identified, they pass into the hands of the Prosecutor’s Office.

Added to this, in the Military Industry in Colombia there is a system for marking weapons and ammunition; Thus, the ammunition is marked on the base of the *vanilla* by a low relief stamping process during manufacture, the marking for war ammunition (caliber 5.56 mm, 9 mm) contemplates the manufacturer, year and batch of manufac-

ture. Personal defense ammunition (caliber .38, 32, 7.65 mm) is marked with the caliber and manufacturer, as well as ammunition for 12, 16 and 20 caliber shotguns (National Police. Tax and Customs Police Management Directorate, 2019).

Importation

From a commercial point of view, weapons are also considered a product, which is why they have a tariff heading in the DIAN Customs Tariff ²¹(DIAN, s.f.). However, this consignment and all those of a similar nature require a prior license, which means that they require a series of requirements in order to enter the national customs territory. Since Colombia imports most of its weapons from countries with which it has an established trade agreement, this reduces tariffs and taxes on all these products. It is here where the DIAN and the military forces fulfill the function of regulating this weaponry²².

²¹Tariff codes for firearms and ammunition. Section XIX. Chapter 93:

Code 9301-9307, Weapons of war, except revolvers, pistols and bladed weapons, Revolvers and pistols, except those of headings 93.03 or 93.04, as well as other firearms and similar devices that use the deflagration of gunpowder (for example: weapons hunting, muzzle-loading weapons, rocket-launching pistols and other devices designed solely to launch signal rockets, blank pistols and revolvers, butcher pistols, spear guns), Other weapons (for example: long weapons and spring-loaded pistols, compressed air or gas, batons), except those of heading 93.07, Bombs, grenades, torpedoes, mines, missiles, cartridges and other ammunition and projectiles, and parts thereof, including slugs, pellets and wads for cartridges, etc. (DIAN, s.f., p. 1)

²² See in *El Tiempo* (2000). See also *Portafolio* (2017).

Table 6: Ammunition imported from 2006-2016

| Ammunition Type | Year | Quantity | Total |
|---|-----------|--------------------|-----------|
| Caliber 0.22 High Speed | 2006-2016 | - | 6.969.139 |
| Caliber 0.22 Standard | 2006-2016 | - | 4.232.207 |
| Caliber.38 | 2006-2016 | - | 17.500 |
| Caliber 0.40 inches. | 2006-2016 | - | 18.150 |
| Caliber 3.57 | 2006-2016 | - | 134.950 |
| Caliber 32 | 2006-2016 | - | 20.345 |
| Caliber 38 | 2006-2016 | - | 20.345 |
| Caliber 9 mm | 2006-2016 | - | 208.430 |
| Caliber 6.35 | 2006-2016 | - | 262.725 |
| Caliber.50 | 2006 | 1306 thousands | - |
| Caliber.50 y 7.62 | 2007 | 562.230 Units | - |
| Caliber 22L. y 22 Short | 2008 | 474.810 Units | - |
| Caliber 22L., Caliber 28, Caliber 410, Caliber 6.65, Caliber 3.57 | 2009 | 48.000 Units | - |
| Caliber 28 y 410 | 2009 | 866 Units | - |
| Caliber 22L., Caliber 6.35, Caliber 3.57, Short Caliber 22 | 2010 | 860.250 Units | - |
| Caliber 5.56 | 2011 | 1.440. thousands | - |
| Caliber.50mm, Caliber 22L., Caliber 9mm | 2011 | 379.150 Units | - |
| Caliber 22L., Caliber 28, Caliber 410, Caliber 6.35, 3.57 mm | 2012 | 674.000 Units | - |
| Caliber 9mm | 2015 | 4.107.18 thousands | - |
| Caliber 9mm, Caliber.40 S&W, Caliber 44 Magnum, Caliber 308, Caliber 30-06, Caliber 5.56 mm, Caliber 7.62 mm, Calibre .357, Caliber 38SPL., Caliber 9mm | 2015 | 4.521.340 Units | - |
| Caliber 12, Caliber 22L., Caliber 40 S&W, Caliber 6.35 mm, Caliber 9mm, Caliber 7.65 mm, Caliber 38, Caliber 45 auto, Caliber 3.57mm | 2016 | 3.551.500 Units | - |

Source: INDUMIL (2017b, p. 4)

In 2014, the country acquired some tactical trucks, which the National Navy showed at a rally in the South of Bolívar, known as the Montes de María Social Rally, the NavistarDefense 7000 MV tactical trucks, which toured the consolidation zone affected by groups armed illegal (Infodefensa.com, 2014), the following are the characteristics of these trucks:

This is an ideal truck for off-road missions, either to carry heavy loads or as an armored personnel carrier. The GTT 7000-MV offers an off-road payload capacity of 5 tons and features a machine gun mount, which can handle heavy caliber weapons (0.50 BMG). The GTT has removable seats on its cargo deck to transport up to 20 soldiers or cargo, including ISO (Isothermal) containers. (Webinfomil, 2012, par. 4).

However, in 2016, arms imports and exports totaled US\$31.8 million, and according to DANE, “the accumulated imports of arms and ammunition, as well as their parts and accessories, from January to October last year totaled US\$29.6 million. At the same time, ProColombia statistics affirm that, in this period, exports were made for US2.8 million” (Portfolio, 2017, para. 2). It is interesting to note that these figures have decreased since 2013, “imports for that year were US\$73.169 million, a figure that rose in 2014 to US\$119.2 million and, in 2015, it was US\$71.1 million” (Portfolio, 2017, para.

6). The biggest buyers of these weapons are the United States and Israel, who have increased their war arsenal against countries weakened by conflict. For UNLIREC:

UNCOMTRADE²³ shows that between 2014 and 2016 almost all countries in Latin America and the Caribbean (27 nations) imported some ammunition, although many did so at small levels. However, the following countries imported and reported at least US\$1 million worth of ammunition during this period: Argentina (US\$9.5 million), Brazil (US\$21.3 million), Chile (US\$10 million), Colombia (US\$8.4 million), Costa Rica (US\$2.8 million), Dominican Republic (US\$1.36 million), Ecuador (US\$1.1 million), El Salvador (US\$2 million), Guatemala (US\$7.4 million), Mexico (US\$39.4 million), Peru (US\$4.9 million), and Uruguay (US\$1.36 million). Here, discrepancies are often considerable from reported imports to export reports. For example, in the same period, Venezuela did not report any imports, but export reports from third party countries show that Venezuela received at least US\$4 million worth of ammunition. (UNLIREC, 2018, p. 8).

In 2019, Colombia received from the United States, in the process of importing, twelve HMMWV M1151-A1 tactical ground mobility vehicles (*High Mobility Multipurpose Wheeled Vehicle*) assigned to the Colombian Navy, two of them are M1097 A2, ambulance version. The National Navy emphasized:

The twelve tactical vehicles, manufactured by the company AM General of the United States, are high-mobility multipurpose vehicles designed for use in extreme conditions, which will strengthen the security, command, control, troop transport and supply capacity of the Army Mobility Battalion. Marine Corps No.1. (National Navy, 2019, par. 3)

The M1151-A1 are equipped with a weapons station with armored side plates with a 360° turn for carrying different types of

²³ United Nations Comtrade Database.

weapons, such as the Mk 19 Mod 3 automatic grenade launcher, the Browning machine gun, 50 M60 and M240 7.62 mm machine guns, and M249 5.56mm. The Integrated Armor Package (IAP) is comprised of underbody armor, tilting armor, lower windshield deflector armor, and energy-absorbing seats (Army Recognition, n.d.).

Items purchased include:

STX-250t or OPV-80 model ships ordered from South Korea and Germany; transport aircraft such as those requested from Brazil (model KC-390) or France (ATR-42), or the different models of helicopters acquired from the United States, such as the references Bell-206/OH-58 or also S-70/UH-60L. (Portfolio, 2017, para. 13)

In the customs, of the total number of weapons entering the country, different seizures of firearms and ammunition have been carried out, the DIAN, and the Fiscal and Customs Police (POLFA), comment that the merchandise is hidden in the containers, and it is hidden among electrical appliances and electronic equipment: "A total of 580 parts of firearms, short and long range, and 3,600 units of caliber 25, 7.65, 380 and 357 Magnum ammunition were seized, coming from Port Everglades, United States" (DIAN, 2018, par. 3). When said material is iden-

tified, it is made available to the Attorney General's Office so that it can accuse those involved for the crimes committed²⁴.

In decree 2535 of 1993 (Presidency of the Republic, 1993), the national government establishes the responsibilities of the Ministry of Defense in Articles 57 and 58, delimiting that all exports and imports of weapons, ammunition and explosives must have the consent and the endorsement of this ministry, serving as a conduit for entry into the national customs territory.

Private sector

For private sector companies that request weapons, the Ministry of Defense responded that they are governed by Decree 2535 of 1993 and Decree 1809 of 1994, and also have a control entity: the Superintendence of Surveillance and Private Security. In addition, before the Arms, Ammunition and Explosives Trade Control Department of the General Command of the Armed Forces, companies must register to request permits and complete the process (Ministry of Defense. Arms, Ammunition and Explosives Trade Control Department, 2019); For the purchase of ammunition, the process is supplied before INDUMIL.

Challenges: A Look at Ammunition Left in the Peace Agreement

In Colombia, according to Naranjo (Revista Dinero, 2018), the authorities seized a total of 78,744 firearms between 2015 and 2017; meanwhile, the FARC-EP left 8,994 weapons for destruction, of which, according to an agreement, they were It would

²⁴ "It is important to highlight those firearms and their components can only be imported by the National Government, through the Ministry of National Defense, in accordance with the provisions of Article 57, import and export of weapons, ammunition and explosives of Decree No. 2535 of 1993" (360 Radio, 2018, para. 5).

make a detailed inventory on registration and identification, but the corresponding serials would not be delivered. The foregoing would indicate that there would be no information on the routes, origin and entry into the country.

Now, according to this article, more than 2.5 million weapons circulate in the country; These weapons, according to several investigations, are also rented and the number of ammunitions that transits illegally in the territories and its demand is not known with certainty.

It is urgent that the work of seizures and voluntary surrender of weapons be continued, that laws that arm the civilian population is not promoted, given that the figures for homicides have decreased due to the end of the conflict with the FARC-EP, but the figures for Legal Medicine have increased. Likewise, the armed conflict persists in the cities by the insurgency, dissidents, and other illegal groups in what the ICRC called “five armed conflicts”²⁵ (Oquendo, 2019) (Semana, 2019), which is a differentiation of the current illegal armed groups involved in the conflict against the State.

This vision of the ICRC must be observed not as a rigorous analysis of IHL under article 3 common to the Geneva Conventions of 1949²⁶, but as the armed conflict of a non-international nature (Henckaert & Doswald-Beck, 2007), which is also far from the analysis of the formation of the States; To say something else is to disregard Colombia as a unitary state with sovereign powers, and the very role of the ICRC in its legal support in cases of IHL and in whatever is necessary in humanitarian assistance (Vice-presidency of the Republic, 2010, pp.115- 116).

It is then that in the territories (and from the experience of the organization) some armed groups have been identified, but this is not a permanent conflict, nor are all the conflictive relationships that are found, for the Ombudsman, in just the Pacific Coast: 17 armed groups have been identified, including the ELN, the Gaitanista Self-Defense Forces and the FARC dissidents (Ombudsman, 2019), or the armed groups that are present in the cities, “such as ELN cells, dissidents of the Farc and groups of the Gaitanista Self-Defense Forces of Colombia” (Radio Nacional de Colombia, 2019, para. 3). It is important to highlight that, although the vision seems limited, this is of great importance because they are related to strategic corridors of drug trafficking, arms trafficking, smuggling and the violent extraction of income, especially from illegal mining, disappearances, homicides, and other acts. violent that undergo transformations in the armed groups through the years.

25 According to the ICRC, the five internal armed conflicts that the Colombian State faces are against the Organized Armed Groups (GAO); the National Liberation Army (ELN); the Popular Liberation Army (EPL); the Gaitanista Self-Defense Forces of Colombia (AGC) and the former structures of the Eastern Bloc of the Farc (ICRC, 2018, para. 3). See also: El Espectador (2019).

26 See: Henckaert & Doswald-Beck (2007).

For the Pau School, the American continent “was the scene of a single armed conflict, that of Colombia. America concentrated, therefore, 3% of the cases of armed conflict in 2018 worldwide” (Escola de Cultura de Pau UAB, 2019, p. 31) with the armed actors “Government, ELN, FARC (dissidents), EPL and paramilitary groups” (p. 13). He added that the Memory and Conflict Observatory of the National Center for Historical Memory documented that “...as a result of the armed conflict, between 1958 and July 2018, 262,197 people had died” (p. 51).

To briefly explain what it consisted of, after the signing of the Final Agreement, the FARC militias settled in different places called village zones, there they would be located while they delivered the weapons and were characterized. This means that they arrived there with their weapons and

ammunition which would be deposited in small armories for the UN²⁷ to carry out its destruction process. In the content of the Final Agreement (National Government and FARC-EP, 2016, p. 57) there is the protocol for laying down arms, in the part on ammunition, in which the following points are explained: 1. Identification. 2. Registration. 3. Collection. 4. Storage. 5. Final Disposal of Weapons²⁸; however, numerals 1, 3²⁹, are not related to the information on the origin of the weapon, only that, once the weapon is delivered, it is given an identification and a new registration. According to the High Commissioner for Peace, the consolidated figure was quantified as follows: “1,765,862 ammunition of different calibers of light weapons. 4,370 mortar ammunition, among which 81 mm, 60 mm and rockets are identified” (Semana, 2017, paragraph 14). And he added:

The Mission has received information from the Colombian Ministry of Defense that, during the period between November 24, 2016, and August 31, 2017, the Public Force has seized 351 caches that belonged to the FARC-EP, having found the following material: 141,809 ammunition. (UN OCHA, 2017, p. 7).

With the laying down of arms, the type of weapons that the group possessed was evidenced, but according to the framework of the implementation of the Final Agreement between the Colombian government, the FARC-EP (Gómez, 2017) and the process of monitoring the laying down of arms³⁰, ceasefire and hostilities the serials would not be delivered, this would indicate that there would be no information on the routes, ori-

27 International Component Monitoring and Verification Mechanism (CI-MM&V).

28 Numbering outside the text.

29 Record:

It consists of the technical procedure of consigning the quantity and type of weapons received from the FARC-EP by the CI-MM&V. Identification: corresponds to the technical procedure that allows the FARC-EP weapons to be characterized by the CI-MM&V. This procedure is done only with the individual weapons carried by the members of the FARC-EP inside the camps. (National Government & FARC-EP, Final Agreement, 2026, p. 66)

30 In this regard it was said:

The report of the UN Mission, adding up the entire process, accounts for 1,765,862 ammunition of different calibers of light weapons; 38,255 kilograms of various explosives; 51,911 meters of detonating cord and slow fuse; 11,015 hand grenades and 40 mm; 3,528 antipersonnel mines; 46,288 starters-stocks; and 4,370 mortar ammunition, including 81 mm, 60 mm and rockets. As explained by the Mission, of the total number of weapons accounted for is 1,817 pistols and 170 revolvers; of long weapons: 6,177 assault rifles, 28 precision rifles, 6 shotguns, 13 submachine guns, 274 machine gunners. (Colprensa, 2017, par. 8)

gin and entry into the country³¹. In this way, the FARC-EP, according to the mission, had weapons of different manufactures, including those manufactured by Indumil, from Russian-made AK-47s, American-made Barrett rifles, and Galil ACE rifles, which Indumil has been producing since 2010, Israeli-made Galil rifles with folding stock, Belgian-made FAL rifles, Russian rockets arrived from Peru, South African grenade launchers (El Tiempo, 2017), among them, “6177 assault rifles, 28 precision rifles, 274 machine guns, 13 submachine guns, 6 shotguns, 1,817 pistols, 170 revolvers, 268 mortars, 12 rocket launchers and 229 grenade launchers”³² (Criollo, 2018, para. 6). For some experts,

31 In this regard it was said:

In this step, the Government and the FARC agreed not to provide information on the serial number of the weapons, which among other things means that their origin and how they entered the country will not be known. Each weapon, whether it is a revolver, pistol, carbine, rifle, submachine gun or machine gun, has an identification number in which the test mark can be found, a symbol that serves to identify the nationality of the manufacturer, the importer, the manufacturer itself, and the caliber. (Monsalve, 2017, para. 6)

Retired Army officers, who preferred not to give their identity, affirm that the serial number of the weapons is like a person's identity number. With that number there are a series of entities at the international level that are in charge of identifying its origin, if it was in other conflicts, as well as if there is any illegal group involved. “It is evident that in this case the FARC do this because they do not want to stick the knife in, because with the serial it would be possible to establish where and how this weaponry came to the country.”

32 In the case of the FARC, there were 10,015 guerrillas registered (Criollo, 2018).

33 In this regard, Carrillo (2017) says: “In 1999, the FARC, together with former Peruvian intelligence chief Vladimiro Montesinos, managed to bring 10,000 thousand AK-47 rifles into the national territory. These weapons, purchased in Jordan, were parachuted from a Russian plane with British crew” (p. 4).

this registry has a preponderant value for tracking weapons. In the case of the weapons delivered by Vladimiro Montesinos, the following was evidenced³³:

Another of the findings of the investigation indicates that, among the war material delivered by the self-defense groups, there were several Jordanian-made AKM MpiKM rifles “that were stolen from the FARC by that structure after combat, a fact that can be noted when contrasting the serial numbers found on AUC weapons, with those seized from the FARC in the Jordan case.

The Jordan thing, according to the authorities, involved the purchase of a shipment of 10,000 rifles by the FARC in an operation that involved (among other people) the Peruvian security adviser Vladimiro Montesinos, the Lebanese arms dealer Sarkis Soghanalian, and the Russian military attaché in Lima.

In this arms search, 7,640 AK-47 M1A1 rifles from the Bulgarian Arsenal Kazanlak factory were also located, which entered through the port of Buenaventura and ended up in the hands of the AUC, as well as 3,000 AK-47s from the Nicaraguan police, bought by the same illegal group through Israeli citizens, Ori Zoller and Shimon Yelinek.

Regarding this investigation, María Victoria Llorente, director of the Fundación Ideas para la Paz, affirms that a serious process with the weapons that are delivered can be of the utmost importance to be able to resolve many doubts, “unfortunately not in judicial processes, but to know everything related to traffic networks”. (Week, 2004, par. 15-20).

Conclusions

Arms control civil society groups have denounced the lack of control over arms³⁴ purchases that fuel armed conflicts in less developed countries by promoting instability. The foregoing obstructs the social and economic development of the affected population, including illegal circulation and the deviation of these from incomplete peace processes³⁵. For this reason, different international legal

34 Among them are: Control Arms, Africa Peace Forum, Arias Foundation for Peace and Human Progress, Forum for Environment and Development (ForUM), Oxfam, Parliamentarians for Global Action (PGA), Project Ploughshares, etc.

35 In this regard, Aguirre, Álvarez & Pardo (2015) mention that Asia still has many unresolved armed conflicts, but among those already resolved, but with registered tensions are Cambodia, Nepal and East Timor. First, Cambodia experienced a 32-year civil war (1966-1998) "between the Cambodian People's Party (CPP), the National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC), the National Popular Front of Liberation Khemer (KPNLF) and the Democratic Kampuchea Party (PDK), known as Khemer Rouge" (p. 44). The failures with the handling of weapons in the peace process brought diversions, illegal sales and conservation of the weapons of those who were in the processes.

Also known in Nepal "(as the "People's War", it confronted the Nepal Liberation Army (PLA), the armed wing of the Communist Party with the government security forces)" (p. 45) in a 10-year armed conflict (1996-2006), led to an incomplete delivery of weapons, arsenals were not destroyed, and these weapons were used in military formation.

Third, in East Timor, the more than 30-year armed conflict "between the Armed Forces for the National Liberation of East Timor (FALINTIL), the armed wing of the Revolutionary Front for the Liberation of East Timor (FRETILIN) party, and the party for Portuguese Timorese Democratic Union (UDT)" (p. 46), an incomplete delivery of weapons is also exposed with the obtaining of the arsenal by the military forces, and the rearming of the ex-combatants. Finally, as has been seen, the arms delivery processes in these conflicts were incomplete, this arsenal is still in the hands of the military forces that stored these weapons or in the hands of civilians who did not deliver them, an example of this the long process of the IRA (3 years after the peace process) and "in Croatia there was no total destruction of the weapons collected, there is evidence of rearmament of illegal groups" (IOM USAID, sf) (New York Times, 2005).

It is also important to mention that despite the efforts and control measures, this process was surrounded by inconsistencies that led the High Commissioner for Peace Luis Carlos Restrepo (a fugitive from justice) to answer before the ordinary justice system for the irregularities in the false demobilization call, pointed out by the extradited self-defense chiefs. Among these complaints are procedural benefits, incomplete delivery of weapons, inconsistencies in the delivery of minors, among others (Restrepo, 2013).

instruments have been created so that the States comply with this control, instruments already included in this document.

In recent years, the countries belonging to the United Nations have presented an agenda on disarmament focused on legal trade with the Arms Trade Treaty, but according to civil society there is no clear control over all arms transfers and identification of armaments. The States with the largest sales and purchases do not want to make them public, supported by the argument of safeguarding national security, meanwhile, illegal diversions affect civilians permanently.

The Colombian State has a complete legal basis on arms and ammunition control, and the Military Industry has complied with international regulations on the matter. There are very few laws that have yet to be ratified, and although they seem hardly necessary, it is of vital importance that those that remain in force are complied with, strengthened and increased in effectiveness. In this sense, Colombia seemed to be on the right track with the process of peace due to the resulting decrease in homicides due to the armed conflict, but this has changed: the number of homicides increased again, and the circulation of firearms, despite the efforts, deliveries, confiscations and seizures, continues.

In the case of manufacturing and imports, the country still invests a large amount of its budget in supplying the Armed Forces, this is explained in the constitutional mandate to maintain security, although it is important to consider the technological advances in the matter, Increase the controls for the identification of the ballistic fingerprint and the markings that allow progress in the judicial investigations.

References

- 360 Radio. (6 de mayo de 2018). DIAN y Policía Fiscal y Aduanera incautaron cargamento de armas procedente de Estados Unidos. *360 Radio*. Obtenido de <https://360radio.com.co/dian-y-policia-fiscal-y-aduana-incautaron-cargamento-de-armas-procedente-de-estados-unidos/>
- Abramovich, V. (2013). Responsabilidad estatal por violencia de género: comentarios sobre el caso “Campo Algodonero” en la Corte Interamericana de Derechos Humanos. *Doctrina, Fascículo 10*, 3-17. Obtenido de <https://www.corteidh.or.cr/tablas/r31644.pdf>
- Aguirre Tobón, K. (2011). El tráfico de armas en Colombia: una revisión desde los orígenes a los destinos. *Revista Latinoamericana de Seguridad Ciudadana*(10), 36-59. Obtenido de <https://issuu.com/fiorum/docs/urvio10>
- Aguirre, K. (9 de mayo de 2019). Experta en municiones consultada para esta investigación.
- Aguirre, K., Álvarez, E., & Pardo, D. (2015). *Desarme de las FARC: claves y propuestas para un proceso viable, exitoso y transparente*. Instituto IGARPE. Obtenido de <https://cdn.ideaspaz.org/media/website/document/5605ff09ec154.pdf>
- Alcaldía de Bogotá. (1993-2016). *Documentos para Armas, Municiones, y Explosivos :: Porte, Uso, Tenencia y Transporte*. Obtenido de <https://www.alcaldiabogota.gov.co/sisjur/listados/tematica2.jsp?subtema=29275&cadena=a>
- Ardila Castro, C., & Pinedo Herrera, C. (2013). La Cooperación Internacional para el Control del Tráfico de Armas, Municiones y Explosivos: Un Mecanismo para la Generación de Seguridad Ontológica en Colombia. *Revista de Relaciones Internacionales, Estrategia y Seguridad*, 8(1), 309-326. Obtenido de http://www.scielo.org.co/scielo.php?pid=S1909-30632013000100014&script=sci_abstract&tlng=es
- Armada de Colombia. (s.f.). *Decomisado material bélico en Bolívar*. Obtenido de <https://www.armada.mil.co/eng/node/5891>
- Armada Nacional. (2019). *Estados Unidos aporta a la movilidad táctica de la Armada de Colombia*. Bogotá: 6 de mayo. Obtenido de <http://www.zoominformativo.com/noticia/20190507110510/estados-unidos-aporta-a-la-movilidad-tactica-de-la-armada-de-colombia>
- Army Recognition. (s.f.). *M1151 / M1151A1 HMMWV Humvee Portador de armamento de capacidad ampliada*. Obtenido de https://www.armyrecognition.com/humvee_hmmwv_variants_light_tacticale_vehicle/m1151_m1151a1_humvee_expanded_capacity_armament_carrier_armour_technical_data_sheet_specifications_i.html
- Asamblea Nacional Constituyente. (1991). *Constitución Política de Colombia*.
- Biblioteca Luis Ángel Arango. (2005). *Posición astronómica y geográfica*. Obtenido de <https://web.archive.org/web/20080529134428/http://www.lablaa.org/blaavirtual/ayudade-tareas/geografia/geo54.htm>

- Burbano, K. (21 de agosto de 2019). Legado del bicentenario, el respeto por el enemigo. *El Espectador*. Obtenido de <https://tinyurl.com/yxjg46xo>
- Camacho, L. (2018). Armas utilizadas en la Independencia de Colombia. *Boyacá 7 días*.
- Canal Trece. (2019). *Táctica militar y armas en la Batalla de Boyacá*. Obtenido de <https://tinyurl.com/y24qftb2>
- Cancillería de Colombia. (2019). *Asuntos Políticos Multilaterales. Derecho de Petición S-GDNP-19-016309*. Bogotá: 2 de mayo.
- Cancillería de Colombia. (2019). *Respuesta Derecho de petición. Radicado S-GDNP-19-016309*. 2 de mayo.
- Cancillería de Colombia. (2019). *Respuesta Derecho de petición. Radicado S-GDNP-19-016309*. Bogotá: 2 de mayo.
- Cancillería de Colombia. (2019). *Respuesta Derecho de petición. Radicado S-GDNP-19-016309*. del 2 de mayo.
- Carrillo, E. (24 de diciembre de 2017). La ruta de las balas: Un coronel del Ejército nos habla de las armas ilegales en Colombia. *Pacifista*. Obtenido de <https://pacifista.tv/notas/la-ruta-de-las-balas-un-coronel-del-ejercito-nos-habla-de-las-armas-ilegales-en-colombia/>
- Castaño, L. (2012). Antecedentes del Derecho humanitario bélico en el contexto de la Independencia hispanoamericana (1808-1826). *Revista de Estudios Históricos-Jurídicos*, XXXIV, 323 - 368. Obtenido de <https://tinyurl.com/y3nktzkk>
- CICR. (6 de diciembre de 2018). Cinco conflictos armados en Colombia ¿qué está pasando? Obtenido de <https://www.icrc.org/es/document/cinco-conflictos-armados-en-colombia-que-esta-pasando>
- Cluster Munition Coalition. (2019). *Cluster Munition Monitor* (Vol. 10th Annual Edition). Obtenido de <https://tinyurl.com/y4nwxpsl>
- Colprensa. (22 de septiembre de 2017). ONU concluye proceso de inhabilitación de las 8994 armas entregadas por las Farc. *El país*. Obtenido de <https://www.elpais.com.co/proceso-de-paz/onu-concluye-proceso-de-inhabilitacion-de-las-8994-armas-entregadas-por-las-farc.html>
- Corte Constitucional. (1995). *Sentencia C-296*.
- Corte Constitucional. (2000). *Sentencia C-1137*.
- Corte Constitucional. (2017). *Sentencia C-047*.
- Corte IDH. (2006). *Caso de la Masacre de Pueblo Bello. Sentencia de 31 de enero*.
- Criollo, O. (27 de junio de 2018). Cuatro miradas al desarme de la Farc, un año después de entregarlas a la ONU. *El País*. Obtenido de <https://www.elpais.com.co/proceso-de-paz/cuatro-miradas-al-desarme-de-la-farc-un-ano-despues-de-entregarlas-a-la-onu.html>

- DANE. (2018). *¿Cuántos somos?* Obtenido de <https://tinyurl.com/y4fsagcc>
- DANE. (2019). *DANE en el Bicentenario. Historia de la división político - administrativa y los censos en Colombia*. Obtenido de <https://tinyurl.com/y6s7pfsc>
- De León-Escribano, C. (2011). Tráfico ilícito de armas y municiones: Guatemala y la región centroamericana. *Revista Latinoamericana de Seguridad Ciudadana*(10), 77-92. Obtenido de <https://tinyurl.com/y2f6ms5n>
- Defensoría del Pueblo. (2019). *Se han creado 17 nuevos grupos armados en el Pacífico, alerta el Defensor del Pueblo*. Obtenido de <https://tinyurl.com/y22bahde>
- DIAN. (5 de julio de 2018). DIAN y POLFA propinan golpe al crimen organizado. Obtenido de <https://www.dian.gov.co/Prensa/Paginas/NG-DIAN-y-POLFA-propinan-golpe-al-crimen-organizado.aspx>
- DIAN. (s.f.). *Consulta por estructura arancelaria. Armas, municiones, y sus partes y accesorios*. Obtenido de <https://muisca.dian.gov.co/WebArancel/DefConsultaEstructuraArancelaria.faces>
- Donadio, M., Klepak, H., Kussrow, S., Pabón Ayala, N., & Rial, J. (2017). *Misiones militares y posconflicto: Una mirada regional sobre Colombia*. Red de Seguridad y Defensa de América Latina (RESDAL). Obtenido de <https://tinyurl.com/y3u2dcfq>
- El Espectador. (23 de julio de 2019). Estos son los cinco conflictos que hay en el territorio colombiano, según el CICR. Obtenido de <https://www.elespectador.com/judicial/estos-son-los-cinco-conflictos-que-hay-en-el-territorio-colombiano-segun-el-cicr-article-872304/>
- El Herald. (25 de septiembre de 2018). La Dirección General de Investigaciones requiere modernizar registro de armas. Obtenido de <https://tinyurl.com/y4arqj3w>
- El Tiempo. (2000). *Importación de armas*. Obtenido de <https://www.eltiempo.com/archivo/documento/MAM-1300262>
- El Tiempo. (15 de junio de 2017). El poderío del arsenal entregado por las Farc. *El Tiempo*. Obtenido de <https://www.eltiempo.com/justicia/conflicto-y-narcotrafico/que-tipo-de-armas-entregaron-las-farc-99166>
- El Universal. (28 de mayo de 2014). CTI de la Fiscalía estrena sistema de comparación balística. *El Universal*. Obtenido de <https://www.eluniversal.com.co/regional/sucre/cti-de-la-fiscalia-estrena-sistema-de-comparacion-balistica-160880-FXEU253723>
- Escola de Cultura de Pau UAB. (2019). *¡Alerta 2019! Informe sobre conflictos, derechos humanos y construcción de paz*. Obtenido de <https://tinyurl.com/y3suar3w>
- Fiscalía General de la Nación. (1 de marzo de 2018). *Descubierta caleta con minas artesanales y munición en zona rural de Mi-*

- randa (Cauca)*. Obtenido de <https://tinyurl.com/y65ch3py>
- Gobierno Nacional y FARC-EP. (2016). *Acuerdo final para la terminación del conflicto y la construcción de una paz estable y duradera*.
- Gómez, G. (6 de julio de 2017). Los resultados del primer censo socioeconómico de las Farc. *El Tiempo*. Obtenido de <https://www.elspectador.com/colombia-20/paz-y-memoria/los-resultados-del-primer-censo-socioeconomico-de-las-farc-article/>
- Henckaert, J.-M., & Doswald-Beck, L. (2007). *El Derecho Internacional Humanitario Consuetudinario* (Vol. I). CICR. Obtenido de https://www.icrc.org/es/doc/assets/files/other/icrc_003_pcustom.pdf
- Hernández Romero, A. (2005). *La visibilización estadística de los grupos étnicos colombianos*. DANE. Obtenido de <https://tinyurl.com/y6zdtky2>
- INDUMIL. (2017a). *Respuesta Derecho de Petición No. 01.962.685*. Bogotá: 9 de abril.
- INDUMIL. (2017b). *Respuesta derecho de petición No. 01.912.864*. Bogotá: 18 de abril.
- INDUMIL. (2019). *Respuesta derecho de petición No. 02.162.782*. Bogotá: mayo 7.
- INDUMIL. (s.f.). *Glosario*. Obtenido de <https://www.indumil.gov.co/doc/Preguntas%20Frecuentes/GLOSARIO.pdf>
- Infodefensa.com. (2014). *Colombia despliega sus nuevos camiones Navistar 7000 MV en la primera zona de consolidación*. 20 de julio. Obtenido de <https://tinyurl.com/y42ecz52>
- Jiménez, Á. (6 de junio de 2019). Director Campaña Colombiana Contra Minas. (A. Suárez, Entrevistador)
- La Tribuna. (14 de julio de 2017). *Amnistía contribuirá a mejor control de armas y reducir la impunidad*. Obtenido de <https://tinyurl.com/y2scdu3y>
- LIMPAL Colombia. (2018). *Mujeres por el Desarme +vidas-armas, una mirada al desarme desde la resolución 1325*. LIMPAL Colombia. Obtenido de https://limpalcolombia.org/images/documentos/INFORME_LIMPAL_1325.pdf
- Medicina Legal. (2017). *Forensis*. Obtenido de <https://tinyurl.com/yxf48jmy>
- Medicina Legal. (2019). *Forensis*. Bogotá. junio. Obtenido de <https://tinyurl.com/y5fue8mr>
- Mejía, J. (enero-junio de 2008). Armas de precisión y el respeto al derecho operacional en Colombia. Tiradores escogidos. Garantía de cumplimiento del Derecho Internacional de los Conflictos Armados (DICA). *Prolegómenos. Derechos y Valores*, XI(21), 37-64. Obtenido de <https://www.redalyc.org/pdf/876/87602103.pdf>

- Meneses, E. (23 de septiembre de 2018). *5.56mm, la munición que fracasó en combate*. Obtenido de <https://plumahoplita.com/2018/09/23/5-56mm-la-municion-que-fracaso-en-combate/>
- Ministerio de Defensa. (s.f.). *ABC Suspensión porte de armas*. Obtenido de https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/Prensa/Documentos/ABC_PorteArmas.pdf
- Ministerio de Defensa. Departamento Control Comercio de Armas, Municiones y Explosivos. (2019). *Respuesta derecho de petición Radicado: 01190003038402-MDN-COG-FM-JEMCO-SEMAI-DCCAE-OFJUR*. Bogotá: 24 de abril.
- Molano Bravo, A. (2015). Fragmentos de la Historia Del Conflicto Armado (1920-2010). Obtenido de <http://www.centrode-memoriahistorica.gov.co/descargas/comisionPaz2015/molanoAlfredo.pdf>
- Monsalve, R. (21 de marzo de 2017). De las armas de las Farc no se conocerá su origen. *El Colombiano*. Obtenido de <https://tinyurl.com/yxkt6evl>
- New York Times. (28 de julio de 2005). I.R.A. Renounces Violence in Potentially Profound Shift. NY Times, July 28th 2005. Disponible en: *New York Times*. Obtenido de <http://nyti.ms/1Dcgc2J>
- Ocampo, J. (2019). *Bicentenario: la batalla que cambió la historia*. Revista Semana. Obtenido de <https://tinyurl.com/y57q39jx>
- OCHA ONU. (22 de septiembre de 2017). Misión de la ONU finaliza actividades de inhabilitación del armamento de las FARC-EP. Obtenido de <https://reliefweb.int/report/colombia/misi-n-de-la-onu-finaliza-actividades-de-inhabilitaci-n-del-armamento-de-las-farc-ep>
- OIM USAID. (s.f.). *Desarme y dejación de armas: casos internacionales*. Obtenido de <http://nyti.ms/1Dcgc2J>
- ONU. (2004). *Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional*. Obtenido de <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-s.pdf>
- ONU. (2005). *Protocolo de Armas contra la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones de la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional (Convención de Palermo)*. Obtenido de <https://www.unodc.org/documents/treaties/UNTOC/Publications/A-RES%2055-255/55r255s.pdf>
- ONU. (s.f.). *United Nations Comtrade Database*. Obtenido de <https://tinyurl.com/y6o7qkg2>
- Oquendo, C. (20 de julio de 2019). Hay cinco conflictos armados hoy en Colombia. Obtenido de https://elpais.com/internacional/2019/07/20/colombia/1563649226_997490.html

Partido verde. (2016). *Proyecto de Ley 170 de 2016 Cámara. Por la cual se establece el Sistema Nacional de Registro de Identificación Balística de las armas de fuego que circulen en el territorio nacional y se dictan otras disposiciones.*

Policía Nacional. (2017). *Revista Criminalidad* (Vol. 59 (3)). Obtenido de https://www.policia.gov.co/sites/default/files/revista-criminalidad_59_-3.pdf

Policía Nacional. (2018). Tablas estadísticas de delitos 2017. *Revista Criminalidad*, 60(3), 95-134. Obtenido de https://www.policia.gov.co/sites/default/files/revista-criminalidad_60_-3_0_0.pdf

Portafolio. (2017). *Comercio de armas movió US\$31,8 millones en el 2016*. Obtenido de <https://www.portafolio.co/negocios/millonario-negocio-de-armas-en-colombia-502620>

Presidencia de la República. (1993). *Decreto 2535*.

Presidencia de la República. (2018). *Decreto 2362*.

Radio Nacional de Colombia. (8 de julio de 2019). Alerta por posible presencia de grupos armados en el sur de Bogotá. Obtenido de <https://tinyurl.com/y2efojz9>

Respuesta a derecho de petición No. S-2019-007373 DIREC-ASJUD-1.10 (Policía Nacional. Dirección de Gestión Policía Fiscal y Aduanera 21 de mayo de 2019).

Revista Dinero. (15 de marzo de 2018). Seguridad ¿Es hora de desarmar a la población colombiana? *Revista Dinero*. Obtenido de <https://tinyurl.com/y3vf9sfc>

Ríos Sierra, J. (2017). *Breve Historia del Conflicto Armado en Colombia*. Catarata.

Semana. (19 de enero de 2004). Montesinos vendió fusiles a las Farc con aprobación de la CIA. *Semana*. Obtenido de <https://www.semana.com/noticias/articulo/montesinos-vendio-fusiles-farc-aprobacion-cia/63031-3/>

Semana. (14 de septiembre de 2017). En 26 años, la Constitución se ha modificado 46 veces. *Revista semana*. Obtenido de <https://www.semana.com/pais/articulo/en-26-anos-la-constitucion-se-ha-modificado-46-veces/249982/>

Semana. (7 de agosto de 2017). ONU inicia destrucción de municiones de las FARC. Obtenido de <https://tinyurl.com/y4pvu98e>

Semana. (4 de abril de 2019). CICR sostiene que en Colombia hay cinco conflictos armados internos. *Semana*. Obtenido de <https://www.semana.com/nacion/articulo/cinco-conflictos-armados-internos-en-colombia-informe-del-comite-internacional-de-la-cruz-roja/607732/>

Tamayo Arboleda, F., & Norza Céspedes, E. (2018). Midiendo el crimen: cifras de criminalidad y operatividad policial en Colombia, año 2017. *Revista Criminalidad*,

- 60(3), 49-71. Obtenido de https://www.policia.gov.co/sites/default/files/revista-criminalidad_60_-3_0_0.pdf
- UNLIREC. (2018). *Ammunition Control Practices In Latin America And The Caribbean*. Obtenido de <https://tinyurl.com/y6hmaemu>
- Vargas Velásquez, A. (2007). *La singularidad colombiana: Fuerzas Armadas en seguridad interior*. Obtenido de <https://www.resdal.org/atlas/atlas07-colombia-paper.html>
- Vásquez, J. (s.f.). *Comercio y tráfico de armas pequeñas y ligeras: análisis sistémico de un problema global (Trabajo de grado)*. Universidad Externado de Colombia.
- Verdad Abierta. (6 de febrero de 2013). Luis Carlos Restrepo y los paras: una historia de desencuentros. Obtenido de <https://verdadabierta.com/luis-carlos-restrepo-y-los-paras-una-historia-de-desencuentros/>
- Vicepresidencia de la República. (2010). *Formación especializada en investigación, juzgamiento y sanción de violaciones a los derechos humanos e infracciones al derecho internacional humanitario*. Obtenido de http://historico.derechoshumanos.gov.co/Prensa/Comunicados/2010/Documents/2010/FormacionEspecializadaImpunidad_23feb10.pdf
- Webinfomil. (2012). *Infantería de Marina recibe nuevo lote de vehículos tácticos M1151 HMMWV e international 7000-MV*. Obtenido de <https://www.webinfo-mil.com/2012/11/infanteria-de-marina-recibe-nuevo-lote.html>
- Zambrano, F. (2010). *Las guerras civiles*. Obtenido de <https://tinyurl.com/y423xcdn>