

"Mapping environmental crime in the Amazon Basin": Introduction to the series

The "Mapping environmental crime in the Amazon Basin" case study series seeks to understand the contemporary dynamics of environmental crime in the Amazon Basin and generate policy recommendations for key-stakeholders involved in combating environmental crime at the regional and domestic levels.

The Amazon Basin sprawls across eight countries (Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Suriname, and Venezuela) and one territory (French Guiana). While the research and policy communities have progressively developed a sounding understanding of deforestation and degradation dynamics in the region and the ways in which economic actors exploit forest resources under different state authorisation regimes, this series sheds light on a less explored dimension of the phenomenon: the role played by illicit actors and economies in fueling deforestation in recent years.

Rather than considering the continuous socioenvironmental impact of authorised and/or licit economic activities on the Amazon forest and its peoples as unimportant, this series of four studies draws an even more complex picture. It reveals the spatial and temporal dynamics of specific categories of environmental crime and their relations to legal economies as well as to other types of crimes and social violence, the underlying political economy of criminal markets, and the organizational characteristics of crime groups and their collusion with government bodies. It also highlights the record of past and current measures to disrupt and dismantle criminal networks that have diversified into environmental crime across the Amazon Basin.

The four studies further expose how licit and illicit actors interact and fuel environmental crime and degradation in a time of climate emergency as well as of accelerated sociopolitical change across the region. They show a mix of increased governmental attention and action to combat environmental crime in recent years, mainly to reduce deforestation and illegal mining, as well as the weakening of environmental protections and land regulations, in which political and economic elites are either complicit in or oblivious to the destruction of the Amazon forest.

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The Roots of Environmental Crime in the Colombian Amazon

This present study on Colombia was led by InSight Crime. The findings and analysis are based on desk-top research, fieldwork in the city of Leticia (Amazonas, Colombia) and phone interviews conducted between 2019 and 2021 with experts in environmental crime, government officials, members of local communities, and members of international organizations.

The report provides a snapshot of the complex web of actors (state and non-state) and relationships fueling environmental crime in the Colombian Amazon in the last decade. Rather than finalized diagnosis and policy responses, the study leaves open a series of new questions and intervention opportunities. This includes the challenges faced by domestic and regional actors to deal with increasing records of illegal coca plantations in Colombia and their strategic interlink with illegal gold mining as an increasingly modus operandi of diversifying criminal economies with lower risks and higher profitability. These transnational dynamics of environmental crime in Colombia (and across all Amazonian states) call for more and stronger regional cooperation.

The study also illustrates the importance of the climate-security nexus in Colombia. While not explicitly discussing the Colombian Peace Process, it reinforces recent alerts from the global scientific community exhorting its implementation and, more specifically, of the environmental-related agreements to protect the Amazon Basin. It shows, moreover, that the road to achieving sustainable peace in Colombia and the one to accomplishing the Paris Agreement are increasingly intertwined. Such a nexus is and will remain a strategic issue for Colombia that needs refined and continuous regional research and policy attention in the coming years.

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THE ROOTS OF ENVIRONMENTAL CRIME IN THE COLOMBIAN AMAZON

Executive Summary*

Emerging from almost six decades of civil conflict, the world's number one cocaine producer has paid scant attention to environmental crime. Yet Colombia is one of the most biodiverse nations on earth, boasting everything from tropical rainforests and deserts to open savannas and mountainous ecosystems. The country is also the site of a wide range of environmental crimes, many of which go unreported.

Southeastern Colombia forms part of the Amazon basin, and its lush jungles have never been controlled by the central government, but rather been the refuge and preserve of nonstate armed groups (NSAGs). The country is home to some 60 million hectares of forest, meaning over half of its overall territory is covered in trees.² Colombia has the third-largest forested areas in South America, trailing only Brazil and Peru. It also boasts the fifth-largest primary forest area of the continent, much of which lies in the Amazonian Basin.³

While this troubled Andean nation battles a wide array of pandemic and insecurity-related challenges, the prevalence of environmental crime and its relevance to some of the most powerful criminal groups in the country as a source of income, is becoming apparent. The Colombian government is now aware of the growing importance of environmental crime and has designated it a threat to national security.⁴ However, this designation has yet to translate into a coherent and consistent policy to tackle the many facets of environmental crime.

For decades one of the most powerful warring factions in Colombia, the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia – FARC) acted as a de facto guardian to much of the country's virgin jungle in the south of the country, which it used to hide from enemies during combat.⁵

^{*} This document was produced by InSight Crime in partnership with the Igarapé Institute. The findings and analysis are based on desk-top research, fieldwork carried out by the InSight Crime team in the city of Leticia in Amazonas, Colombia, in June 2019, and telephone interviews conducted between September 2020 and June 2021. More than 40 people were interviewed, including experts in environmental crime, government officials, members of international organizations, and members of local communities. Some were kept anonymous for their own protection.

With the FARC demobilization in 2016. deforestation accelerated to record levels. In 2017, a record high of 219,973 hectares were deforested in Colombia, up 23 percent from the previous year.⁶ This marked a significant leap from the 120,933 hectares of forest cleared in 2013, when Colombia's Institute of Hydrology, Meteorology and Environmental Studies (Instituto de Hidrología, Meteorología y Estudios Ambientales - IDEAM) charged with managing technical and scientific data on the environment, began producing its annual deforestation monitoring report.7 Today, it is the FARC elements that left the peace process, referred to as ex-FARC Mafia by InSight Crime. that are now the most active participants in environment crime in the Amazon region, present not only in Colombia, but into the neighboring Amazonas state in Venezuela.8

While environmental crime is not always driven by serious organized crime in Colombia, due to the presence of sophisticated drug trafficking criminal networks and NSAGs, the involvement of these actors is prevalent. This means that environment crime forms part of a wider criminal portfolio for these actors. Some of these, including NSAGs, have defied a US-backed government for more than five decades, and are therefore extremely hard to fight. Thus, the resilience and scale of environment crime is high. while the government's range of options to fight it has proven, so far, limited. Facing a barrage of criminal threats, environmental crime is far down the list of government and security force priorities, and the legal tools to tackle these illegal activities are often rudimentary and little used.

Deforestation has many different motors and has been cutting deeper and deeper into Colombia's Amazon. Alongside logging, one of the main drivers is illegal mining, mainly that of gold, which is concentrated on alluvial deposits and follows many of Colombia's waterways, spreading mercury and associated social and health-related challenges in its wake. Alluvial gold mining in the nation has been on the rise. Data from the United Nations Office on

Drugs and Crime (UNODC) published in late 2020 revealed that while alluvial gold mining – both legal and illegal – affected some 92,046 hectares in 2018, this figure rose to 98,028 in 2019. In 2016, just 83,620 hectares were affected by the activity. The UNODC added that two thirds of all alluvial gold mining in Colombia is illegal. Some of this activity has affected the Amazonian departments of Amazonas, Guainía, Caquetá, Putumayo, Vaupés and Guaviare.

The ever-present narcotics trade, mainly built around cocaine, together with poppy and marijuana plantations, has seen forest cut and drug crops sown. In 2019, over 33,000 hectares of coca crops were sown across Colombia's Amazon region. This marked a decline from 2018's figure of around 43,287 hectares but showed illicit crop cultivation is still a principal driver of deforestation in the region.

On the other hand, chemicals used to transform coca leaves into cocaine, such as gasoline, potassium permanganate and sulfuric acid are poisoning land and the water supply. ¹⁵ Based on current production levels and degradation data from 2013, ¹⁶ the projected total degradation of organic matter - carbon-based compounds found within natural and engineered, terrestrial, and aquatic environments - today would equate to 269 tons. ¹⁷

The illegal trafficking in animals is also becoming industrial scale. Over 50,000 registered animal species live in Colombia, making it the second most biologically diverse country in the world, according to its Ministry of Environment and Sustainable Development (Minambiente). Much of this is concentrated in the Amazon region, found among thick jungles of the departments of Amazonas, Caquetá, Guaviare, Putumayo, Vaupés and Guainía. 19

For analytical purposes, the study of the actors behind the three categories of environment crimes considered in this paper, deforestation, mining and animal trafficking, will be divided into four layers: criminal networks and entrepreneurs, NSAGS, the labor force and legal actors.

Criminal networks and entrepreneurs sit at the top of the chain, financing and orchestrating environmental crimes from start to end. They possess the most influence and economic power in a given activity and often act from the shadows as "invisibles." Meanwhile, NSAGs work with criminal networks and entrepreneurs to oversee the operation of criminal economies driving deforestation in the region. They include guerrilla groups and networks descended from paramilitary groups, that are primarily funded by illicit activities.

Local people making up a "labor force" are paid little to provide manual labor for basic tasks like cutting or burning trees, and wield the least amount of influence in a given supply chain.

Finally, facilitators/legal actors, who may be corrupt state authorities or legally registered enterprises, grease the wheels of environmental crime through irregular or illegal acts.

Almost all different facets of environmental crime also rely heavily on corruption, including that of security forces, local officials, environmental officials, and then border and customs agents.

Colombia is the nation where the intersection between environmental crime and world class criminal structures is strongest. There are few quick fixes here, as criminal groups have defied the government for half a century, and in the Amazon region are more predatory, in environmental terms, than ever before. This challenge is heightened by how, in many cases, those orchestrating environmental crimes work from the shadows as "invisibles," using corruption to their advantage.

In the long to medium term, efforts should be made to ensure local communities have incentives to ignore the temptations of getting involved in environmental crime. Anti-corruption efforts should be prioritized to combat networks dedicated to timber trafficking, land grabbing, illegal mining and wildlife trafficking. Alongside this, periodic technical training for environmental police, prosecutors and judges should be provided to combat such activities. Finally, greater cooperation with international agencies, other countries and the private sector should be sought to fight environmental crime in Colombia's Amazon region.

"Colombia is the nation where the intersection between environmental crime and world class criminal structures is strongest."

Actors Glossary

Acacio Medina Front	A non-state armed group made up of ex-FARC dissidents led by Géner García Molina, alias "John 40," with a firm presence in the departments of Vichada and Guainía. ²⁰		
Appropriators	National, regional or local economic or political elites who finance and orchestrate land grabbing from the shadows. Appropriators pay non-state armed groups and local people to help them illicitly claim protected land.		
Autonomous Regional Corporations for Sustainable Development (CARs)	Overseen by Colombia's Ministry of the Environment, CARs are public, regional bodies that are responsible for administering the use of natural resources in their area of jurisdiction and promoting sustainable development nationwide.		
Brokers	Middlemen who contact local hunters to buy live species and animal parts on behalf of criminal networks and entrepreneurs dedicated to wildlife trafficking.		
Clearers	Local people employed to cut and burn trees to make way for land grabbing and coca cultivation.		
Cocaleros (Coca Farmers)	Small-scale coca growers, who may also be involved in processing coca leaf into base paste.		
Corporation for The Sustainable Development of the Southern Amazon (Corporación para el Desarrollo Sostenible del Sur de la Amazonia – Corpoamazonia)	A decentralized, regional environmental body charged with managing and monitoring the Amazon region's natural resources in Colombia. One of the nation's Autonomous Regional Corporations for Sustainable Development, overseen by the Ministry of the Environment.		
Criminal Networks/Entrepreneurs	Loose networks and individuals financing and orchestrating environmental crimes from start to end. They wield the most influence and economic power in a given activity and often act from the shadows as "invisibles." They may not control territory and are not necessarily recognized as a named criminal structure.		
Corteros (Cutters)	Local people paid to fell trees on behalf of timber traffickers.		
Ex-FARC 1st Front	The most important of the non-state armed groups comprised of former FARC dissidents. It has succeeded in creating alliances with other criminal groups, especially around its operation base of southeastern Colombia, as well as along the borders with Venezuela, Brazil and		

Ecuador. Present in all Amazonian departments of Colombia.²¹

Ex-FARC 7th Front	A non-state armed group made up of former FARC dissidents with a strong presence in the departments Meta, Guaviare and Caquetá.	
Ex-FARC 16th Front	A non-state armed group made up of former FARC dissidents present in the department of Vichada.	
Ex-FARC 48th Front	A non-state armed group made up of former FARC dissidents with a firm presence in the department of Putumayo. Allied with La Constru as part of a new group called "Los Comandos de la Fronteira (Border Command). ²²	
Ex-FARC 62nd Front	A non-state armed group made up of former FARC dissidents, present in the department of Caquetá.	
Ex-FARC Amazon Front	A non-state armed group made up of former FARC dissidents present in Colombia's Amazon region. Allied with the ex-FARC 1st Front.	
Exporters	Businessmen who use legal fronts to illegally sell fauna or animal products, and to traffic animals out of the region. Usually political or economic elites.	
Facilitators/Legal Actors	Individuals or networks which use corruption to ensure the smooth operation of environmental crimes. Often public officials or state authorities charged with safeguarding natural resources.	
Fixers	Intermediary entrepreneurs who coordinate the illicit transport and sale of timber, often through social media platforms.	
Gasteros (Spenders)	See "Patrones."	
Hunters	Local people paid to hunt or capture wildlife coveted by criminal networks.	
Intermediary Landholders	Individuals employed by appropriators and non-state armed groups to occupy illegally claimed land, care for cattle and sow crops on the territory.	
Invisibles	Political or economic elites who orchestrate and finance a given environmental crime from the shadows. They may be in public office or act as legitimate businessmen alongside their illicit endeavours.	
La Constru	A one-time debt collection agency that has emerged as the principal drug trafficking organization in Colombia's southwestern department of Putumayo. Allied with the ex-FARC 48th Front as part of a new group called Los Comandos de la Frontera.	

Labor Force

Local people who get roped into environmental crime through a lack of economic alternatives or because they are threatened by local criminal groups. They provide the manual labor for basic tasks such as logging, and planting coca crops. They may be employees – but not necessarily members – of criminal networks and non-state armed groups, or they may be contractors or independent workers who interact with the criminal actors that operate further up the supply chain. They are frequently more representative of informal workers than criminals.

Miners

Local people or migrants who extract minerals for very low pay, often on behalf of criminal networks.

Monteros (Trackers)

Local people employed to source and identify coveted species of wood on behalf of timber traffickers.

Non-state armed groups (NSAGs)

Clearly defined, organized criminal associations, including militia and guerrilla groups that are primarily funded by illicit activities. An NSAG usually has a known name, defined leadership, territorial control and identifiable membership. NSAGs are often formed of former FARC dissidents in Colombia's Amazon. In an environmental crime context, they often collaborate with other criminal networks, using violence and military capacity to their advantage.

Patrones

Bosses who orchestrate and finance either illegal logging or illegal mining. Also known as "gasteros" (spenders) or "apoderados" (enablers).

Raspachines (Coca Harvesters)

Local workers who gather coca leaves, typically for low pay.

of Colombia (Fuerzas Armadas Revolucionarias de Colombia – FARC)

The most important guerrilla group in the Western Hemisphere which operated across the Colombia in search of resources to fund their insurgency. They agreed to end their 52-year war against the Colombian government in August 2016, as part of a peace process that began in 2012.²³

Suppliers

Entrepreneurs working to supply the necessary tools for an illegal activity to occur (i.e. chainsaws to cut down trees ahead of land grabbing; trucks to move illegally felled timber).

Transporters

Individuals or small groups who move illegally captured wildlife or illicitly obtained natural resources from one place to the next.

Deforestation in Colombia's Amazon: Outlining the Problem

Deforestation is the most visible face of environmental crime in Colombia's Amazon. From around 2016, the region's forests registered accelerating encroachment and destruction. According to IDEAM, in 2013 just 120,933 hectares of forest were destroyed when the agency began producing its annual deforestation monitoring report.²⁴ However, in 2017 a record high of 219,973 hectares were deforested in Colombia, up 23 percent from 2016.²⁵

Since then, deforestation rates stabilized, dipping to 197,159 hectares cleared in 2018, and just under 158,894 hectares lost the following year. However, in 2020, this figure rose again by 8 percent, as 171,685 hectares of forest were destroyed. The country's Amazon continues to be targeted by those profiting from illegal logging, land grabbing and illicit crop cultivation. Between 2012 and 2017, in just the Amazonian departments of Caquetá, Putumayo and Amazonas, 359,223 cubic meters of trees were destroyed. Expression of the stability of the

Four of the departments most consistently affected by deforestation in Colombia (Caquetá, Meta, Guaviare and Putumayo) are located in its Amazon, which is home to 66 percent of the nation's forests. While in 2018, 138,176 hectares of forest were destroyed across the region, the following year this fell to 98,256 hectares. In 2020, this figure rose again as 109,302 hectares were lost. Between July and September of 2020, 60 per cent of total deforestation affecting Colombia was concentrated in its Amazon

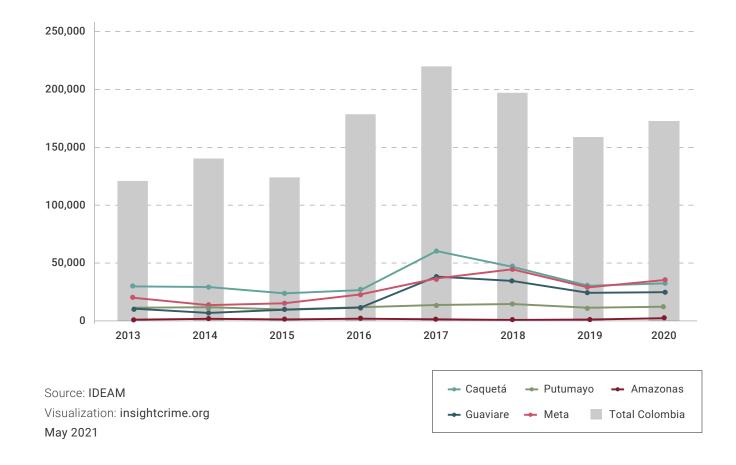
region.²⁹ Meta alone lost 35,556 hectares of forest in 2020, closely followed by Caquetá, where some 32,522 hectares were lost.³⁰

Soaring deforestation in the country's Amazonian departments from 2016 onward can be at least partly explained by the FARC withdrawing from the region's jungles, the result of a peace agreement signed with the government.³¹ While this has not been the sole factor behind increased deforestation, it is significant. Prior to 2016, guerrilla fighters actively discouraged activities leading to the destruction of forests, the habitat in which they hid, and which provided a strategic advantage to the guerrilla army.³²

"Between July and September of 2020, 60 per cent of total deforestation affecting Colombia was concentrated in its Amazon region."

Deforestation Rates (ha)

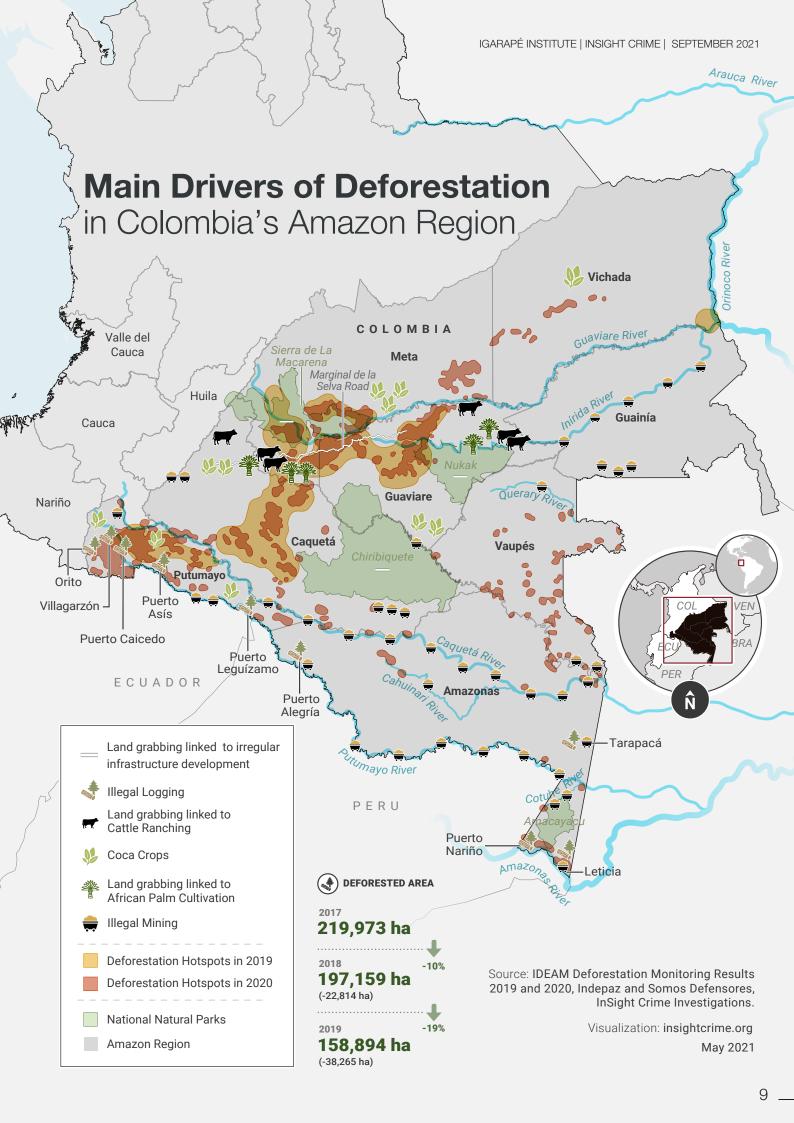
in Colombia 2013 - 2020



From 2016, however, guerrilla troops began to withdraw, opening up protected territories across the Amazon region, like Tinigua National Natural Park, to cattle ranchers and a new wave of settlers who were able to move in as conflict in the region decreased.³³ In some cases, former FARC dissidents who refused to demobilize shifted into illegal logging and land grabbing to supplement income made from the drug trade.³⁴ Such activities continue to fuel deforestation.

Main motors of deforestation

IDEAM recognizes seven motors of total deforestation in Colombia. These include: i) "praderización," or clearing land for pastures, ii) irregular infrastructure development; iii) the expansion of agricultural activities into prohibited areas; iv) extensive cattle farming; v) illicit crop cultivation; vi) illegal logging and vii) illegal mining. Each driver of deforestation recognized by IDEAM - aside from illegal logging and mining - maintains strong links to land grabbing.



Land grabbing

Land grabbing typically consists of the purchase or leasing of large areas of land by outside entities like governments or corporations, often to facilitate food production.³⁷ While in some cases the activity uses legal loopholes, it is often simply illegal. In Colombia's Amazon region, land grabbing principally targets territories inalienably owned by the State (forest reserves, national parks, Indigenous reserves), that cannot be legally appropriated in any way.38 The departments of Meta, Guaviare and Caquetá have been those principally affected by this activity, with Tinigua National Park, the Yarí savannas and the Nukak National Natural Reserve all facing constant encroachment.

The activity unfolds through three stages: clearing, occupation and commercialization.

The clearing stage usually begins once a road has been cut in a strategic location, like the 138-kilometer illegal track connecting the Amazonian municipalities of Calamar and Miraflores, in Guaviare, for example.³⁹ Local people cut and burn flora in a designated protected area nearby. Often, multiple chainsaws are used simultaneously to clear tracks through the Amazonian forest.⁴⁰

Then, the illegally claimed land is occupied, or productive activities are set up on it. New homes are established in national parks like Tinigua, 41 cattle are reared in Indigenous reserves and African palm oil is cultivated in protected forest reserves to prove the land is being "occupied." 42 Alternatively, coca crops are cultivated on the territory, as has been the case within the Nukak Makú Indigenous Reservation. 43 Once proven that the land has been worked on for a certain period of time, ownership can be claimed. 44 When an initially illicit claim is legalized, the land is often sold on. 45

Illegal Crop Cultivation

Meanwhile, illegal crop cultivation in the Amazonian departments of Vichada, Putumayo, Guaviare and Caquetá, feed international cocaine pipelines. The cultivation and processing of such crops is having a detrimental environmental impact across the region as toxic precursor chemicals used to process the drugs, pollute rivers and swathes of forest are cleared to make way for coca plantations.

Forest on protected land is cut and burned by local people employed by local illegal groups to make fields. Ex-FARC dissidents led by Miguel Botache Santillana, alias "Gentil Duarte," have reportedly been paying families based in Tinigua National Park up to five million pesos (just over \$1,400) per hectare to carve out fields for coca cultivation. Then, dissidents order local people to sow coca, as has been the case in Tinigua.

When harvested, coca leaves are then transported to nearby, rudimentary processing laboratories spread across Colombia's Amazon. These facilities are known as "cocinas" (kitchens), where coca leaf is processed into coca base, the raw material necessary for cocaine production. In 2020, 267 labs of this kind were intercepted by authorities across the Amazonian department of Caquetá. ⁴⁹ On site, toxic chemicals including gasoline and sulfuric acid used for processing are typically seized by authorities. ⁵⁰

Illegal Logging

Much like coca cultivation and land grabbing, illegal logging is rampant in protected areas. Loggers loot expanses of forest in Indigenous territories, national parks and peasant collectives across Putumayo, Amazonas and Caquetá. ⁵¹ They seek out everything from low-grade softwoods, such as Cow tree wood (Couma macrocarpa) and Virola plywood (Licania spp) to scarce, lucrative dark species, like Cedar (Cedrus) and Tornillo wood (Cedrelinga cateniformis). ⁵²

These activities contribute to 10 percent of Colombia's overall deforestation,⁵³ stokes biodiversity loss, and is the principal driver of forest degradation,⁵⁴ the effects of which are increasingly visible in the Amazon region.⁵⁵

It unfolds through three stages: extraction, transportation, and transformation. First, members of local communities chop down trees, most notably in forests located in the departments of Amazonas and Putumayo.

The activity occurs where the Putumayo and Cotuhé Rivers meet in Amazonas; in the municipality of Puerto Nariño, on the northern shore of the Amazon River and in the municipality of Puerto Alegría in western Amazonas. Illegal logging has also been detected in borderland zones of the department, including in the municipality of

Tarapacá in southeastern Amazonas, close to the Colombia-Brazil border and in the city of Leticia, at Colombia's Tri-Border Area with Brazil and Peru. Protected areas like the Amacayacu National Natural Park in southeastern Amazonas have also served as extraction points.

As for Putumayo, illegal logging has affected a number of sites that sit along the Putumayo River. These sites have been found in the city of Puerto Asís, located on the river's west bank, in southwestern Putumayo; the municipality of Puerto Caicedo and the municipality of Puerto Leguízamo, on its north bank, close to the department's southern border with Peru. The activity has also affected the municipality of Orito, north of the Colombia-Ecuador border, and the municipality of Villagarzón, in northwestern Putumayo.⁵⁶



Some 186 species of timber extracted from Colombia's Amazon are sold both legally and illegally. However, nine coveted species represent half of all wood traded when measured in terms of its volume. The three main types of timber traded are Tornillo wood or "Achapo" (Cedrelina catenaeformis), Virola or "Sangre toro" (Virola sebifera) and Cow tree wood or "Perillo" (Couma macrocarpa).⁵⁷

Main Timber Species Extracted in Colombia's Amazon 2012 - 2017

Common Name	Scientific Name	Gross Volume in Cubic Meters	Gross Volume in %
Tornillo Wood	Cedrelinga catenaeformis	29,450.8	8.2%
Virola	Virola sebifera, Virola sp.	28,428.0	7.9%
Cow Tree Wood	Couma macrocarpam	24,197.3	6.7%
Sweetwood/Nectandra	Nectandra sp.	18,542.9	5.1%
Laurel Wood	Ocotea sp.	18,221.0	5.0%
Inga Marginata Wood	Inga marginata, Inga sp.	17,962.1	5.0%
Heartwood	CHymenaea oblongifolia, Dialium guianensis	17,768.2	4.9%
Bitterwood	Simarouba amara	16,879.3	4.7%
Caimo	Pouteria sp.	15,181.1	4.2%
Arenillo	Qualea acuminate, Erisma uncinatum	11,123.0	3.1%

Source: Environmental Investigation Agency, 2019

Visualization: insightcrime.org

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Through the use of transit permits, known as salvoconductos, or "safe conducts," the wood makes its way to collection hubs first in the Amazon region, and then in Colombia's largest cities, traveling either overland or onboard vessels traversing the Amazon and Putumayo rivers. ⁵⁸

The main timber products exported out of the country are planks and sawn tropical wood. This occurs in spite of national regulations prohibiting the export of timber that has not passed through secondary processing plants.⁶⁷

Finally, the timber is sent on to primary sawmills and secondary transformation plants where its illicit Amazonian origins are concealed. In primary sawmills, timber is sawn into boards, beams and planks. Otherwise, in secondary processing plants, it is carved into a final product – like wooden tables or chairs - ready to be sold on legally.⁵⁹

"When timber enters sawmills, it is practically impossible to determine its illegal origin," according to Rubén Darío Moreno, a forestry expert at the department of Risaralda's Autonomous Regional Corporation for Sustainable Development, a public body charged with managing the use of natural resources, including wood. "From that point onward, illegally sourced timber is considered as legal wood."

Timber illegally sourced from Colombia's Amazon finds its way on to legal domestic and international markets, where it is used in construction or sold in the form of furniture. ⁶¹ High-end species are particularly sought after, in that they are more durable and resistant to fungal and insect attacks. ⁶²

More than 90 percent of wood sourced in Colombia is used domestically, although a small percentage supplies international markets. ⁶³ In such cases, the wood is taken to ports such as Buenaventura on the Pacific Coast. ⁶⁴ From there it is transported to the United States, India and to China, ⁶⁵ the world's largest timber importer. ⁶⁶

"Through the use of transit permits, known as salvoconductos the wood makes its way to collection hubs in the Amazon region and Colombia's largest cities."

Hiding in the Shadows? The Actors Feeding Deforestation

At each stage, environmental crimes like land grabbing, coca cultivation and illegal logging count on the participation of a number of actors. Groups and individuals with diverse motives are involved, from the local farmer cutting down trees in his neighbor's yard to the wealthy governor financing forest clearance in national parks. Not all environmental crime stoking deforestation in Colombia's Amazon is driven by organized crime groups. Nonetheless, organized crime has undeniably been a promoter of such activity.

The actors involved can be broken down into four principal categories: criminal networks/entrepreneurs; Non-State Armed Groups (NSAGs); labor force; and facilitators/legal actors.



Source: InSight Crime Investigations
Visualization: insightcrime.org

July 2021

Criminal Networks/Entrepreneurs

Criminal networks and entrepreneurs typically sit at the top of the chain, financing and orchestrating illegal logging and land grabbing, from start to finish. They wield the most influence and economic power in a given activity and often act from the shadows as "invisibles." Such actors typically form loose networks dedicated to criminal activities. They may not control territory and are not necessarily recognized as a named criminal structure. The figures at the top of these networks finance and orchestrate the operation of a given criminal activity at various different stages.

Land grabbing in protected areas of Colombia's Amazon region is principally financed and orchestrated by invisible criminal entrepreneurs called "appropriators." In some cases, mayors, governors and government officials may take on this role. In 2019, the former governor of Guaviare, Nebio Echeverry Cadavid, a large-scale landowner and two other "businessmen" were accused of land grabbing in the department, allegedly pressuring peasant families to sell their land ahead of using such territory for palm oil cultivation.68 Such actors are typically national, regional or local economic or political elites who oversee land grabbing from urban areas like Bogotá, Bucaramanga and Arauca. 69 They employ a range of actors based close to the land they want to appropriate in Colombia's Amazonian departments.

Working in collaboration with appropriators are other kinds of entrepreneurs, including suppliers and intermediary landholders, who facilitate the clearing and illegal occupation of protected territories. Suppliers provide chainsaws and other tools necessary to clear and occupy swathes of Amazonian forest. They also provide cattle used to occupy the land. Intermediary landholders are employed by appropriators as well as non-state armed groups, to occupy illegally claimed land, care for cattle and sow crops on the territory.⁷⁰

Meanwhile, local intermediaries that communities in Colombia's Amazon region called "patrones" (bosses) - also known as gasteros (spenders) - orchestrate illegal logging. Such actors finance the illicit activity and facilitate the sale of timber.⁷¹

To launder illicitly sourced timber, ⁷² patrones obtain forest permits issued by Autonomous Regional Corporations for Sustainable Development (CARs), which are overseen by Minambiente. ⁷³ CARs are public, regional bodies that are responsible for administering the use of natural resources in their area of jurisdiction, and promoting sustainable development nationwide. ⁷⁴ The Corporation for Sustainable Development of the South of the Amazon (Corpoamazonia) is charged with carrying out these functions in the Amazon region.

Using "proper" documentation, even if it contains false information, is the key to laundering illegally sourced timber. "CAR officials sell (forest) management plans to the bosses. These plans are required to fell timber," said a forestry expert. "The patrones also use cloned forest management plans or download plans from other countries from the internet."

Otherwise, René López Camacho, a professor and forestry expert at the District University of Francisco José de Caldas (Universidad Distrital Francisco José de Caldas) explained how patrones work beyond the limits of legally obtained forest permits. They order others to extract coveted species not recognized by the documentation, in zones that are off limits to loggers and in quantities far exceeding those permitted.⁷⁶

According to Ruben Moreno "since there are no mechanisms to track timber, patrones easily violate restrictions laid out by permits." As such, they are able to continue disguising the illicit origin of wood from the moment it is cut. After "laundering" illicitly felled timber, patrones sell wood to wholesalers based at distribution and processing centers in the Amazon, such as the

southern municipality of Puerto Asís, in Putumayo, and in larger cities like Bogotá, Cali and Medellín.⁷⁸ The patrones manage timber trafficking at every stage making them the most important – and influential - actors in the trade.

Working alongside patrones are other intermediary actors known as "fixers," or entrepreneurs who principally coordinate shipments and sales of timber through social media platforms like WhatsApp. "Some timber transactions are handled via this application." said César Rey, an expert in Colombia's forestry sector. "A client writes to the intermediary [the fixer that he needs a certain amount of tornillo wood, for example, and he [the fixer] is in charge of obtaining it throughout the region ".79 Fixers then oversee the onward transport of wood illegally sourced from Colombia's Amazon. They use transit permits to move timber through regions and in volumes that are not authorized by these permits.80 Inside trucks, illegal wood is mixed with legally sourced timber as it is moved.

"The patrones manage timber trafficking at every stage making them the most important – and influential actors in the trade."

Non-state armed groups (NSAGs)

In an environmental crime context, NSAGs work with criminal networks and entrepreneurs to oversee the operation of criminal economies driving deforestation in Colombia's Amazon region. NSAGs are clearly defined, organized criminal associations, including militia and guerrilla groups, that are primarily funded by illicit activities. Such groups have four defining features: a known name, a defined leadership, territorial control and identifiable membership. These groups include former FARC dissidents and descendants of paramilitary groups. Where Colombia's Amazon is concerned, NSAGs are largely made up of former FARC dissidents who use violence and military capacity to their advantage.

Ex-FARC dissidents of the 1st and 7th Fronts are based in Guaviare, southern Meta and Caquetá, and orchestrate land grabbing in Colombia's Amazon.⁸¹ Such groups typically use violence and threats to claim and occupy protected zones on behalf of wealthy appropriators, in exchange for a fee.⁸²



NSAGs are also behind coca cultivation and processing in the region. The Acacio Medina Front and ex-FARC 16th Front led by Géner García Molina, alias "John 40" (Vichada); ex-FARC 1st led by Néstor Gregorio Vera Fernández, alias "Ivan Mordisco"; ex-FARC 7th Front, led by Gentil Duarte (Guaviare and Caquetá): the ex-FARC 62nd Front (Caquetá): the 1st Front (Putumayo) oversees each stage of coca production from the coca leaf's cultivation to its processing, and the later sale of base paste.83 La Constru, a network descended from right-wing paramilitary groups, also maintains a heavy presence in Putumavo, after having allied with the ex-FARC 48th Front and formed a new organization called Los Comandos de la Frontera.84 These actors connect the small-scale farmers growing coca crops in an impoverished municipality of Colombia's Amazon to national and international markets for cocaine. But, as in other activities driving deforestation, it is the non-state armed groups that profit most.

NSAGs like the ex-FARC Mafia's 1st and 48th Fronts do not appear to be directly involved in illegal logging in the region. They do, however, charge a fee for wood to be transported through territories they control. A timber trafficking researcher for Neotropical Primate Conservation (NPC), an organization dedicated to the conservation of primates and their habitats, observed how "rivers and roads are controlled by illegal groups, so to move wood [via river or road] a kind of toll must be paid to the group that controls the territory."85

These NSAGs also provide security services to ensure the smooth transit of timber shipments out of the region, especially when drugs are concealed inside. 86 According to a forestry expert from an international organization, timber is a perfect hiding place for the cocaine NSAGs want to transport, as it is heavy, difficult to maneuver and hard to inspect. 87

Labor Force

Members of criminal networks and NSAGs rarely provide the physical labor necessary for environmental crimes to occur. They often employ or threaten local people into doing this. Socio-economically disadvantaged local people, making up a "labor force," get roped into environmental crime in Colombia's Amazon through a lack of economic alternatives or because they are threatened by local criminal groups. They sit at the bottom rung of the supply chain of each activity and provide the manual labor for basic tasks such as logging, as well as planting and harvesting coca crops. They may be employees - but not necessarily members – of criminal networks and armed groups, or they may be contractors or independent workers who interact with the criminal actors that operate further up the supply chain.

The labor force is frequently constituted of informal workers rather than criminals. They may also be victims of criminal actors as forced labor, or suffering human trafficking and extortion. At the lowest rung of the chain for land grabbing are the "clearers," local people employed to clear forest. They provide the manual labor for land grabbing to occur. Clearers often act under threat or out of economic necessity. They are paid by NSAGs or appropriators to cut and burn forest, ahead of a protected zone's illegal occupation.⁸⁸

Cocaleros (coca farmers) and raspachines (harvesters) either work independently or on behalf of NSAGs, often within protected territories like Tinigua National Park. ⁸⁹ Farmers who form part of local labor forces may also process their coca into "base" which can then be transformed into crystallized cocaine, either individually or by pooling their harvests, often under the watch of NSAGs. ⁹⁰

Meanwhile, timber trafficking relies on the manual labor of monteros (trackers) and corteros (cutters), who are usually locals and Indigenous people in charge of sourcing, identifying and chopping coveted species of wood across Colombia's Amazon.⁹¹ Although their activities are illicit, these actors are not criminals. They fell trees on behalf of criminal networks, often under deplorable working conditions. It is important to note that local people might also cut down forest in nearby areas for economic subsistence.⁹²

The labor force is the actors that earns the least in all of the environmental crime activities, but is at greatest risk of being captured by authorities.⁹³ This trend translates across to other activities like illegal mining.

"The labor force is the actors that earns the least in all of the environmental crime activities, but is at greatest risk of being captured by authorities."

Facilitators/Legal Actors

Facilitators/legal actors are individuals and networks which use corruption to ensure the smooth operation of environmental crimes. They may be state authorities or legally registered enterprises. The role of facilitators/legal actors in these crimes will be explored later in this report, in its corruption section.

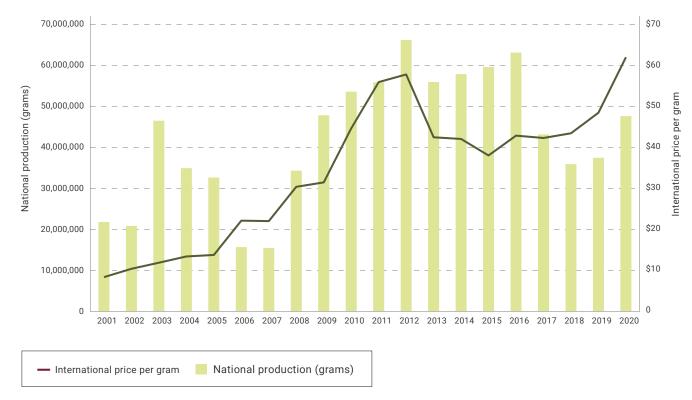
Exploring Illegal Mining in Colombia's Amazon

As gold prices have skyrocketed, criminal groups once solely dedicated to the trafficking of drugs and arms have moved into illegal mining. The activity has become one of the most lucrative criminal economies in Colombia. While just under 30 grams of gold raked in over \$2,000 in August 2020, the same amount of cocaine fetched less than \$1,250 in Miami. Sold is not only more valuable than cocaine but easier to launder, with a fraction of the risk involved in trafficking drugs.

Illegal gold mining has been a major source of income for NSAGs in Colombia since the late 1990s, when the Central Bolivar Bloc (Bloque Central Bolívar - BCB) of the United Self Defense Forces of Colombia (Autodefensas Unidas de Colombia – AUC),⁹⁷ a right-wing paramilitary force, started to profit from extracting the mineral in the departments of Bolívar and Antioquia.⁹⁸

This was replicated by the FARC and the guerrilla National Liberation Army (Ejército de Liberación Nacional - ELN) which have also got involved into illegal mining across Colombia.⁹⁹

Colombian Gold Production 2001 – 2020



Sources: Colombia's Mining and Energy Planning Unit (UPME) and Gold Price

Visualization: insightcrime.org

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In the early 2000s, under the first administration of President Alvaro Uribe (2002-2006), the government pushed for mining titles to be granted nationwide, in what was known as "the mining locomotive." This was aimed at large, multinational mining conglomerates, who were granted concessions in areas dominated by NSAGs. This meant they were unable to operate freely. 101 Simultaneously, illegal mining overseen by these very NSAGs enjoyed explosive growth, often accompanied by violence and environmental destruction. 102 Since then, illegal gold mining has only become more important nationwide. According to UNODC, illicit mining operations now cover more than 64,000 hectares of land across Colombia. From these, 37,138 hectares exist without permits. The remaining 27,589 are located in indigenous community territories; in areas where a mining contract has been requested; and in zones that are still in the process of becoming special reserve areas for mining. Given that these zones are still in the process of being approved to be used for mining, any type of exploitation there is illicit. 103

Today, illegal mining in the Amazon region is dominated by NSAGs, largely made up of ex-FARC dissidents. The FARC's Amazon Front, officially demobilized in 2016, in alliance with the 1st Front, continue to oversee illegal mining along the Caquetá and Vaupés rivers. ¹⁰⁴ Military officials based in the Amazonian city of Leticia revealed that in these areas the ex-FARC Amazonas Front exerts a great deal of control over local communities. According to the officials, dissidents give local people two stark options: be recruited as fighters or become illegal miners. ¹⁰⁵

In 2019, Colombia's department of Amazonas did not report any gold had been mined, while Putumayo saw 2,652 grams of the precious metal extracted. The same year, some 135,319 grams of gold were sourced from Guainía. The 2020, close to 100 illegal gold mining sites were found along the Caquetá, Putumayo and Cotuhé rivers, according to the Amazon Geo-Referenced Socio-Environmental Information Network, a consortium of civil society organizations that seek to promote sustainability across the Amazon. 108

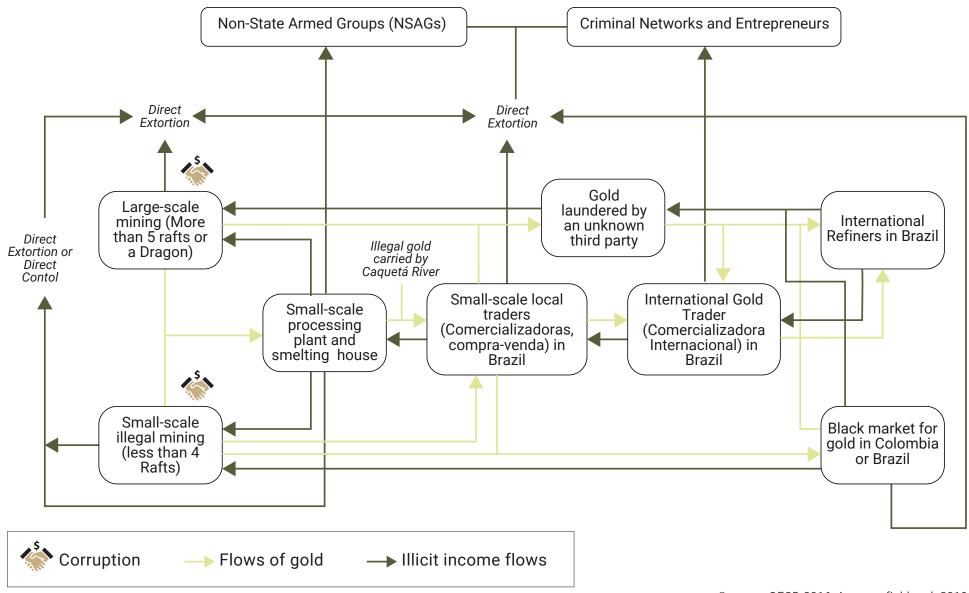
Along these waterways, toxic mercury used to separate gold from sediment contaminates water sources and poisons wildlife. ¹⁰⁹ Meanwhile, dredges degrade soils once rich in minerals, and stoke river sedimentation across the region. Despite the damage caused, mining in Colombia's Amazon is little studied, with most published investigations focusing on how this activity takes shape across other parts of the country, including the departments of Antioquia, Chocó, Cauca, Santander, and Bolívar. ¹¹⁰

Colombia's Treasure Trove: How Illegal Mining Works in Colombia's Amazon

Illegal mining operations devastating Colombia's Amazon unfold in three principal stages: extraction; transportation and transformation/commercialization. Mineral extraction across Colombia's Amazon is not homogenous and varies from department to department, and even from site to site. In 2019, World Wildlife Fund (WWF) revealed "the majority of mining activities in the Colombian Amazon have focused on removing alluvial sediments with dredges and mini-dredges, with the exception of informal vein mining in low altitude elevations in the Guyana Shield in southern Guainía and Vaupés."

Equally, more than just gold is mined in the region. Coltan – which is typically used in the manufacture of electronic devices such as phones and batteries – is also extracted from Colombia's Amazonian departments. However, in most departments, gold receives the most attention given its high value. Primarily, gold is extracted from riverbeds. Unlike in the departments of Antioquia and Chocó, illegal mining in Colombia's Amazon does not usually take place on land, but almost exclusively targets rivers. As a result, mining operations in the region are not limited by departmental borders, as miners move along rivers in their search for gold. 113

The Amazon's Illegal Gold Mining Chain



Sources: OECD 2016, Amazon fieldwork 2019

Visualization: insightcrime.org

Gold mining in Colombia's Amazon region is not usually carried out using heavy machinery like backhoe diggers that are present in other parts of the country, as these require solid ground on which to operate. Instead, handmade mining rafts are used. Miners sit on floating wooden bases, using motorized hoses to extract up to 40 grams of gold from Amazonian riverbeds per day. 114 Meanwhile, dredges (or mini dredges) remove silt and other materials from riverbeds and riverbanks, as fragments of the metal are sought out. These machines are more likely to attract the attention of the authorities than rafts but have greater yields of the precious metal. 115

And "dragons" are perhaps the most important machines used to extract gold. ¹¹⁶ These are devices built on wooden planks with multistory platforms, on top of which dredges can be found. Dragons increase the overall amount of gold that can be extracted, causing greater degradation than that wreaked by using a dredge alone. ¹¹⁷ Such equipment has been detected across Colombia's department of Amazonas, having been used to dig into a number of rivers, including the Caquetá, Puré, Cahuinarí, Querarí, Putumayo and Cotuhé. ¹¹⁸



A dragon in the Quito River, department of Chocó, Colombia. Source: Revista Semana

Having collated data on incidences of illegal mining along each of these rivers, the Amazon Geo-Referenced Socio-Environmental Information Network detected most sites along the Caquetá River in 2020. ¹¹⁹ According to the organization, there are at least 67 illegal mining sites along the Caquetá River, stretching from the cusp of Colombia's border with Brazil in Amazonas, to the departments of Putumayo and Caquetá. ¹²⁰

Each extraction point typically has between one and eight machines. One raft sucking up 40 grams of gold per day can accumulate over 14 kilograms in a year, which make between \$150,000 and \$200,000 when sold on locally. 121 Army officials claim that dragons used in these rivers are principally brought in from Brazil. They can reportedly have "up to three floors."122 "They are rafts six times the size of a room [of approximately four meters by three meters squared] with several floors and dozens of miners aboard," the officials confirmed. 123 From these machines, mercury is used to separate gold from river sediment, yielding an amalgam that, after use, is dumped back into the river. 124



Once the gold is extracted, it then needs to be moved onward. Illicit gold is often smuggled via the Caquetá River to Tefé in Brazil, a route also used to traffic marijuana and cocaine. Military officials based in Colombia's Amazon said that the Caquetá River is used to move marihuana from the southwestern department of Cauca. They added that cocaine leaving Putumayo is trafficked along the Putumayo River. The officials also explained that the distance between the Caquetá River and city of Leticia coupled with a lack of established land routes, means illegal gold is transported out of the Amazon region by air, making it difficult for authorities to catch it in transit.¹²⁵

This gold often finds its way to the hands of "legal" export companies. In 2015, the "Goldex S.A scandal" saw one of Colombia's largest exporters of the metal accused of laundering both illegally sourced gold and over \$1 billion of what was likely drug trafficking proceeds. 126 Goldex reported gold purchases from supposedly legitimate suppliers, who were actually artisanal miners registered under false names, as well as the names of homeless individuals, or the deceased. 127 Goldex used shell companies to buy the illegal gold and pass it off as being legally sourced. With this, Goldex exported the precious metal to international markets in the United States, Europe and the Middle East. 128

From Criminal Networks to Local Communities

A whole host of actors are involved in illegal mining operations relentlessly extracting minerals from Colombia's Amazon. Those that make the greatest profits usually never set foot on Amazonian soil, but rather handle the sales of gold from their luxury houses in the urban centers. Actors working in the trade can be divided into four principal categories, much like illegal logging and land grabbing. They are criminal networks/entrepreneurs, NSAGs, the labor force, and facilitators/legal actors. The role of facilitators/legal actors in mining will be explored later in the corruption section.

<u>Criminal Networks and</u> <u>Entrepreneurs</u>

The principal actors driving illicit mining in Colombia's Amazon today are the patrones, the criminal entrepreneurs or leaders of criminal networks. They have the financial capacity to buy high-cost machinery and often have contact with NSAGs operating in the relevant areas. 129 Patrones effectively direct and initiate operations, coordinating illicit mining enterprises from start to finish. They hire local miners and operatives; oversee the establishment of new mines; work through subsistence miners to 'legalize' illegal gold and ally with international traders to sell it. 130 Where illegal mining in Colombia's Amazon is concerned - especially that taking place along the Caquetá River and in the departments of Amazonas and Caquetá - most patrones appear to be of Brazilian origin.¹³¹ Evidence suggests they principally use Tefé - a Brazilian border town - as their base of operations. 132

Non-State Armed Groups

Today illegal mining has become a major source of income for NSAGs in Colombia as the price of gold has skyrocketed. On top of its ability to bring in multi-million-dollar profits, the activity has also been used by such groups to launder proceeds from other illicit economies, like drug trafficking. 133 The involvement of such organizations in illegal mining dates back to the 1990s, with paramilitary groups extorting small-scale miners and buying mines. 134 As World Wildlife Fund (WWF) noted in 2019, "the infiltration of criminal influences in gold production chains in the Amazon is undeniable. yet this is a relatively recent development (approximately since 2000) and its real scope is still unknown ".135

NSAGs are predominantly involved in the extraction phase, at which point which they collect extortion fees from small-scale miners. Such groups allow miners to extract gold from Amazonian rivers so long as they pay "taxes."

NSAGs charge extortion fees for machinery, mercury, and gasoline to enter illegal mining sites, according to an army official in the city of Leticia, Amazonas. In some cases, flat taxes are paid by miners simply to be able to operate in a territory controlled by an NSAG. In other cases, a percentage is added on to the standard fee per each piece of machinery brought into the territory. These taxes may be paid in gold itself, rather than cash. 137

Some NSAGs have taken a more direct interest in the gold buried in the region's rivers, overseeing mining operations themselves. As WWF reported in 2019, "since the 2000s, illegal armed groups like the FARC, the ELN, and paramilitary groups have adopted gold mining as a source for income, complementing other illegal activities like extortion and coca trafficking ".138 Such groups include the ex-FARC 1st Front and the Amazon Front.139

Labor Force

Local miners or Indigenous people based close to mining sites are usually hired to extract gold from the riverbed, often working 12-hour shifts. 140 They sit at the bottom of the chain, receive the lowest financial reward from the activity and often work under the close watch of NSAGs.

In some cases, members of local communities enter into agreements, either voluntary or under threat, with those orchestrating and financing illicit mining in Colombia's Amazon. As WWF previously noted, 'voluntary or coerced agreements between mine owners, normally from other regions, and Indigenous communities in the mid and Lower-Caquetá River have left local communities at an impasse for how to cope with the expansion of mining in their lands'. ¹⁴¹ This often leads to divisions in the communities, a trend which has been echoed in other parts of the Amazon, including along the Putumayo and Cotuhe rivers. ¹⁴²

Local miners and Indigenous people involved in the trade are no match for the military capacity and power of the NSAGs operating in the region. Brazilian miners pay bribes to former the ex-FARC Mafia in Colombia's Amazon, in exchange for being left to operate in peace.¹⁴³

A Roaring Trade: Wildlife Trafficking in Colombia's Amazon

While not as lucrative as illegal mining, wildlife trafficking is still a multimillion-dollar business. 144 Each day, birds, reptiles, amphibians, felines, and primates are snatched from their natural habitats to be sold on domestic urban markets or to traders halfway across the world. Monkeys are taken from the jungle for experimentation in the interest of science. Sloths become the stars of vacation selfies. And a whole host of other creatures are hunted either to be pets, consumed for supposed potency, for medicines, religious rituals or to feed the vagaries of the fashion trade.

Despite being a highly lucrative business that is transnational in scope, wildlife trafficking has been unable to attract sufficient attention from Colombian authorities more concerned battling drug cartels. "Judges prefer to put someone in jail for drug trafficking or illegal mining than for carrying a parrot in their purse," according to Fernando Trujillo, Scientific Director at the Omacha Foundation (Fundación Omacha), a conservation NGO based in Colombia.¹⁴⁵

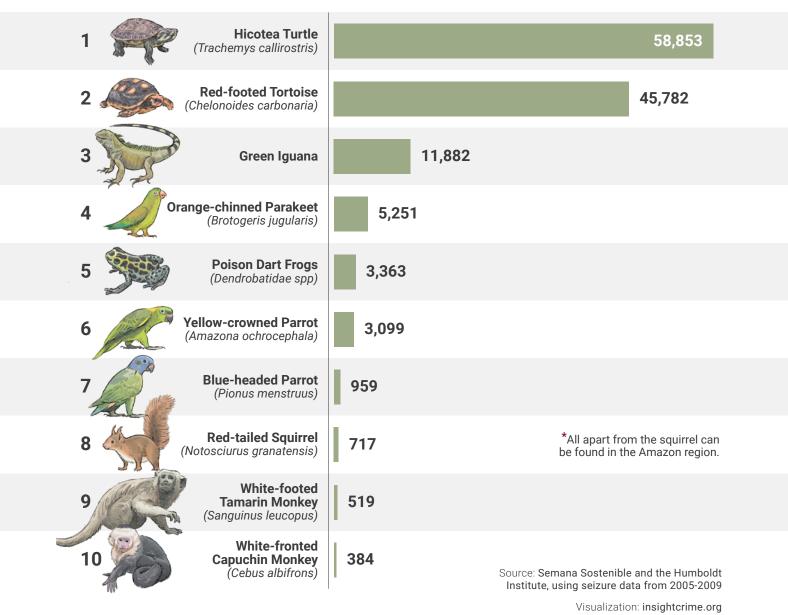
The country's Amazon region is home to a large part of the 50,000 species of fauna present in Colombia. 146 Even though many of these species are protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), this has not

stopped the region from becoming a hub for the illicit capture of wildlife, intended to feed national and international markets.

According to a recent report published by media outlet Semana Sostenible, together with the Humboldt Institute, the 'Top 10' species trafficked in Colombia are as follows: 147 (1) The Hicotea turtle (Trachemys callirostris); (2) Redfooted tortoise (Chelonoides carbonaria); (3) Green iguana (Iguana iguana);

(4) Orange-chinned parakeet (Brotogeris jugularis); (5) Poison dart frogs (Dendrobatidae spp.) (6) Yellow-crowned parrot (Amazona ochrocephala); (7) Blue-headed parrot (Pionus menstruus); (8) Red-tailed squirrel (Notosciurus granatensis); (9) White-footed Tamarin monkey (Sanguinus leucopus); (10) White-fronted Capuchin monkey (Cebus albifrons). All of these can be found in the Colombian Amazon, except for the Red-tailed Squirrel. And traffickers have taken note, as they ransack the region's forests in search of such species.

Top 10 Trafficked Species in Colombia



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Other creatures living across the region have also caught the attention of traffickers. On the edge of the Amazon and the Llanos Orientales region, the Mata-Mata Tortoise (Chelus fimbriata) is trafficked in mass from the department of Vichada to the markets of the Amazonian Tri-Border area connecting the city of Leticia to Peru and Brazil. The turtles are smuggled across the scarcely monitored frontier into Peru, where they are more easily sold.

Other creatures also illegally pass through Colombia's Amazonian Tri-Border without problem. Species of ornamental fish – which are coveted by the international aquarium trade for their curious shapes and attractive colors – are smuggled through the border zone into Colombia. The Zebra pleco (Hypancistrus zebra) and the Xingu River Ray, or white-blotched river stingray, (Potamotrygon leopoldi) are trafficked from Brazil and commercialized through criminal networks and entrepreneurs using front companies.¹⁴⁸

In Colombia's Amazon, the medicinal use and consumption of wild species native to the region is an integral part of daily life for local communities. ¹⁴⁹ But this has opened the door to opportunistic, local trafficking that, despite its lack of organization, contributes to a steady loss of biodiversity. In 2020, WWF reported that 407 species in Colombia are at risk of extinction, many of which are native to the Amazon region. ¹⁵⁰

"Local trafficking, despite its lack of organization, contributes to a steady loss of biodiversity."

Inside Wildlife Trafficking: How It Works

Like illegal logging and illicit crop cultivation, wildlife trafficking affecting Colombia's Amazon unfolds in three principal phases: extraction, transportation/transformation, and commercialization.

First, members of local communities, who know the terrain best, are contacted to hunt down or capture given species of fauna native to Colombia's Amazon.¹⁵¹ In many cases, this stage may be highly opportunistic. If a local person out tending to his crops or walking around the neighborhood happens to come across a creature known to be coveted by traffickers, he may capture it, knowing he will be able to easily sell it profit later.¹⁵²

Then, the creature undergoes a rudimentary "transformation process." If discovered dead, or killed in a capture attempt, the creature may be skinned, or have its fangs and claws removed. Animals like jaguars (Panthera onca) or primate species are examples of creatures that are popular among traffickers for these purposes. Parts that are not useful to the seller are usually thrown away. 153

Then, whether dead or alive, the creature is transported out of the region. As in the illicit timber trade, illegally captured animals are "laundered," or disguised - that is to say the origins of illegally captured species are covered up – through the use of legal documentation filled in with inaccurate data. This is so they can be sold on via legal outlets. For example, a legal breeding farm in Colombia's Amazon might have an offshoot sourcing illicitly captured specimens.¹⁵⁴

Outlets like these use permits they already possess to pass off illegally captured creatures as being legally sourced, according to Claudia Brieva, a professor specializing in the study of wildlife, animal health and wellbeing at the

National University of Colombia (Universidad Nacional de Colombia) and Carlos Andrés Galvis Rizo, chief conservation biologist at Cali Zoo.¹⁵⁵

Finally, the animal (or its parts) are sold. What happens next depends on whether the specimens in question are dead or alive. Clara Lucía Sierra and Giovanni Andrés Ulloa Delgado, two wildlife conservation experts, revealed live species are taken directly to roads or local markets, which are often based in the Amazon region itself. 156

Some animals (or products made from their parts) are then sold at local sales points. 157 Others are taken to the border area in Leticia where they traverse, air, land, or river routes to reach international and domestic markets. 158 They are also acquired by national and international laboratories dedicated to animal testing, breeding farms, or tourist companies, according to Fernando Trujillo. 159

On the other hand, these creatures are marketed via social media platforms such as WhatsApp and Facebook, the scope of which means a turtle living in its Amazonian home one day, can be captured and sold as an exotic pet in an international urban market just weeks later. 160

"Wildlife is marketed via social media platforms, such as Facebook and WhatsApp."

Catching the Catchers: Actors Involved in Wildlife Trafficking

Unlike some other environmental crimes, wildlife trafficking operates in an ambiguous and, at times, poorly organized manner. Although sophisticated criminal networks and traffickers exclusively dedicated to the activity do exist, Colombia's illegal wildlife trade is largely driven by opportunistic trafficking led by local trappers, who are often members of Indigenous or local communities. The actors involved fall into three of our overarching categories: criminal networks/entrepreneurs, the labor force and facilitators/legal actors. The role of facilitators/legal actors in wildlife trafficking will be explored later in this report, in its corruption section.

Criminal Networks/Entrepreneurs

Criminal networks are intermediary structures that sell creatures and animal products on domestic urban markets and internationally. At a domestic level, they use social network platforms such as WhatsApp and Facebook to avoid trading in public places like pet shops where authorities keep a close watch. 161 At an international level, they often smuggle animals in deplorable conditions. Otherwise, criminal entrepreneurs known as "exporters" use legal fronts that can disguise where illegally captured animals have been sourced from. 162

Criminal networks with no legal outlet to work through smuggle creatures using rudimentary means. Animals are transported overseas in deplorable conditions: without oxygen, and in crowded spaces with low temperatures. This causes many creatures to die in transit. 163 Such networks transport live parrots to Brazil, the United States and Spain in among luggage or hidden in the clothing of passengers. 164 Live reptiles are trafficked inside plastic bags and bottles. 165 Meanwhile, marine species are transported dead inside parcels. 166

On the other hand, "exporters" own legal enterprises dedicated to trading fish, other species and their by-products (i.e. skins). They use these to illegally traffic and sell live fauna or animal products. An official who used to work for the National Authority for Aquaculture and Fisheries (Autoridad Nacional de Acuicultura y Pesca - AUNAP), a body responsible for monitoring the legal export of aquatic creatures estimated that exporters "could make up to \$10 million [through setting up just one business venture] without any of the fish they send abroad being tracked." 167

Exporters are often affiliated with, or belong to, political and economic elites. This gives them socio-political influence which benefits their legal and illegal businesses, according to wildlife experts Clara Sierra and Giovanni Delgado. They also maintain connections to the underworld. These ties allow exporters to acquire creatures from criminal networks equipped with the tools and connections to source, capture and transport animals illegally from Colombia's Amazon region. 169

Far from hiding lizards in plastic bottles, exporters smuggle illegally captured species through shipments containing creatures they legally send overseas. To do this, they count on the support of corrupt officials stationed at borders, according to an official at the U.S. Department of the Interior. They corrupt airline workers, customs officials and other members of staff working in airports and ports, the official explained.

Finally, brokers are middlemen who work for criminal networks and entrepreneurs. Sam Shanee, a wildlife trafficking expert at Neotropical Primate Conservation explains that brokers link those orchestrating international wildlife trafficking in its most organized form to local communities hunting coveted creatures in Colombia's Amazon. They contact hunters and transporters, telling them which species criminal entrepreneurs are seeking, along with the quantity they require and details of agreed delivery points. The property of the service of

Brokers are also in charge of overseeing collection centers, meaning they often operate at a regional level. As intermediaries, they also

take charge of bribing the authorities (including environmental agencies or police) who carry out controls on roads or exit points.¹⁷⁵

Through brokers or on their own accord, members of criminal networks smuggle animals through luggage or cargo shipments to lucrative international markets in Asia, Europe, and North America. Although they scarcely transport and sell such creatures in bulk, sometimes they may be required to bribe customs officials or international traders along the way.

Labor Force

Meanwhile, the labor force driving wildlife trafficking in Colombia's Amazon is made up of local hunters and transporters. Such actors may be charged with performing both tasks: hunting/capturing the creatures, and then transporting them to collection points.¹⁷⁸

According to Ángela Maldonado, an ecologist and expert on wildlife trafficking at the Amazonian tri-border, the labor force is often made up of members of local communities, that are largely Indigenous people contacted by corrupt officials at breeding farms and laboratories to hunt specific creatures.¹⁷⁹ Such actors may also be contacted by brokers asking them to capture wildlife on behalf of criminal networks and entrepreneurs.

"Wildlife trafficking and the consumption [of animals] is deeply rooted in Amazonian communities. Whether it is organized or not, hunting fauna for subsistence purposes or to meet illegal ends is part of daily life here in [the department of] Amazonas," noted Maldonado. This is principally because such communities know their territories (and the creatures inhabiting them) better than anybody else. However, it is important to highlight that oftentimes hunters are unaware of the illegal nature of their activities. They often hunt as part of a subsistence lifestyle. They are often not formally, or knowingly linked to, criminal networks.

Case Study: The Ornamental Fish Trade at Colombia's Amazonian Tri-Border

Most news reports exposing wildlife trafficking out of Colombia's Amazon focus on species smuggled overseas to meet high international demand. Monkeys, felines, turtles, alligators and even frogs are the recurring protagonists in wildlife trafficking out of the region.¹⁸¹ However, some affected species largely go unnoticed.

"Ornamental fish" are small aquatic creatures whose striking colors and shapes have attracted collectors all over the world. They are coveted by the international aquarium trade and many species can be sold legally. However, protected species living in the Amazon Basin are often traded illegally. 183

Although recent concrete data is difficult to come by, in 2011 Colombia found itself among the top 15 countries exporting ornamental fish internationally. AUNAP regulates the legal trading of these specimens, as Colombia's main entity charged with fisheries and aquaculture management. The body defines which species can be legally harvested and sets quotas in line with this. AUNAP also seeks to combat illegal ornamental fish trafficking.

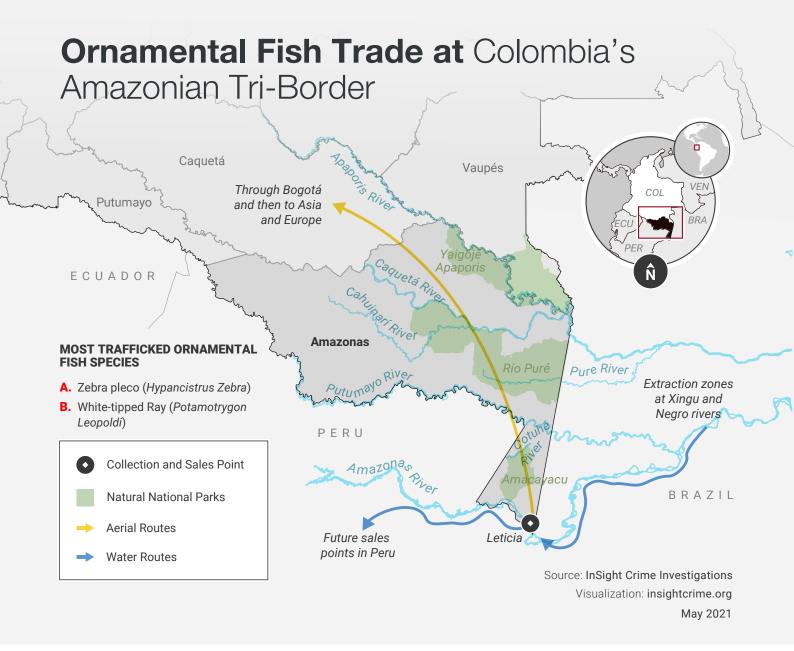
However, actions taken by the agency have not deterred those illegally trading coveted species. A former Colombian fisheries official confirmed that some exporters exceed their quotas (exporting more fish than legally permitted), taking advantage of a lack of AUNAP personnel tasked with monitoring legal shipments. Exporters have also been known to bribe custom officials and AUNAP agents based across the Amazon region, according to the official.¹⁸⁸

In line with this, a lack of state control along Colombia's Amazonian tri-border with Peru and Brazil has made the porous zone a hot spot for ornamental fish trafficking. While in Brazil there are heavy restrictions banning trade in

ornamental fish species including the Zebra pleco, in Peru and Colombia the sale of this species is less restricted. ¹⁹⁰ Listed as a species under "severe threat" by Brazil's Ministry of the Environment (Ministério do Meio Ambiente – MMA) since 2004, to acquire this species is seen as an achievement among international collectors who admire its exotic appearance. ¹⁹¹

Criminal networks dedicated to trafficking ornamental fish out of the Amazon region have exploited a lack of policy articulation between the three countries and scarce controls by environmental authorities and customs to curb the trade, according to an AUNAP official and a former official of this same institution. The official revealed how ornamental fish are caught by members of local communities along the Negro and Xingu rivers in Brazil, then transported by criminal networks to the triborder area with Peru and Colombia. There, the fish are passed off as having been legally harvested in breeding farms.

"Ornamental fish traffickers in the Amazon exploit the lack of policy articulation between the three countries and scarce controls by environmental authorities and customs."



Then, they are transported onward. First, they are sent to airports in the Amazon Basin, like Iquitos Airport in Peru and Leticia Airport in Colombia. 195 Later, specimens are flown to the capital cities of Lima in Peru and Bogotá in Colombia. Finally, they are sent on to their final destinations: Europe, Asia, and North America, where they are sold in the global aquarium trade. 196

Exporters use their legal enterprises to illegally traffic ornamental fish. It is easy for exporters to get around controls that seek to regulate the number of specimens that can be sent abroad. On the one hand, AUNAP personnel and environmental authorities based at ports are not

able to thoroughly check all shipments that are to be exported. ¹⁹⁷ There are simply not enough bodies to check individual fish inside each container prior to shipping.

Most fish are trafficked as newly born hatchlings, so determining quantities and species is practically impossible as some species are just 0.5 millimeters at birth. 198 It is hard to know if those being transported correspond to what "legal" documentation permits. This leaves a very difficult task for the few officials monitoring the trade in transit zones like Leticia. 199

Ornamental fish trafficking registers high levels of impunity. "Such crimes are not simply dismissed by the authorities, rather [authorities know] very little about how to apply the law when impeding these crimes," the US Interior official revealed. 200 AUNAP and environmental authorities cannot open criminal investigations targeting the trade without the support of the Attorney's General Office or the Directorate of Criminal Investigation and Interpol (DIJIN). 201 This leaves environmental authorities with just a handful of administrative tools (such as confiscating exporting permits) that have yielded scarce results in stopping wildlife trafficking. 202



Ornamental fish. Source: Ojo Público.

This lack of capacity is underpinned by how crimes relating to the trade are often dismissed in countries like Colombia and Peru. Biologist Carlos Galvis at Cali Zoo and Professor Claudia Brieva agreed that judges in Colombia prioritize cases related to drug trafficking and illegal mining over wildlife trafficking, which is still very much underappreciated in the nation's Amazon region.²⁰³ "[Judges] don't take stands on wildlife trafficking because they are afraid of losing popularity in communities, or simply because they do not see a parrot being trafficked inside camera film as a reason to send someone to jail," said Fernando Trujillo.²⁰⁴

Ultimately, protected species of ornamental fish trafficked out of Colombia's Amazon region fall victim to criminal networks and corrupt officials joining forces. With a lack of official capacity to monitor the legal trade, porous border zones used as transit points and high international demand for exotic species, ornamental fish trafficking thrives in the Amazon Basin, as authorities in Colombia largely dismiss wildlife crime.²⁰⁵

Corruption at Every Stage: Legal Actors Meet Criminal Networks

From ornamental fish trafficking to land grabbing, corruption greases the wheels of every environmental crime motor, feeding deforestation and biodiversity loss in Colombia's Amazon region. Legal actors (corrupt individuals and networks, often in league with public officials or state authorities), act as facilitators to ensure the smooth operation of illegal logging, illicit coca crop cultivation, land grabbing, illegal mining and wildlife trafficking across the region.

Madeleine Pérez Ojeda, a public prosecutor specializing in environmental crime, shared a presentation detailing her experiences in Colombia's fight against deforestation at an international conference "Experiences in the Fight Against Deforestation." Pérez revealed "legal actors with their double discourses and corrupt ways" have had an even greater influence in driving deforestation across Colombia than illegal groups. 207

"Invisibles" Corrupt the Autonomous Regional Corporations for Sustainable Development (CARs)

As previously mentioned, CARs are decentralized and semi-autonomous bodies in charge of regulating the use of natural resources - like timber - and legal trade in fauna across Colombia. ²⁰⁸ These regional agencies are highly susceptible to corruption. Corrupt agents working for CARs charged with staving off environmental crime across the nation have, instead, stoked timber and wildlife trafficking in some cases. Evidence suggests the Amazon region's CAR – Corpoamazonia – has not escaped this behavior. ²⁰⁹

Corruption Risks Facing CARs at a National Level

At a national level, CARs have been plagued by irregularities. In July 2018, the Attorney General's Office reported it was actively carrying out 256 preliminary inquiries and 43 disciplinary investigations looking into alleged "irregularities" made by CAR officials across the country.²¹⁰ At the time, Attorney General Fernando Carrillo Flórez, publicly expressed his concern around how some CARs had been managing sanctions against environmental crimes and the provision of forestry permits.²¹¹ Since then, investigations into the administration of these agencies have continued, as they have also been accused of irregular hiring practices.²¹²

CARs face a constant threat of being infiltrated by regional economic or political elites, who have a vested interest in looting Colombia. Numerous sources revealed such agencies have become political strongholds permeated by elites with a strong interest in profiting from environmental crime. "Some CARs are linked to the invisibles," an expert on Colombia's forestry sector revealed on the condition of anonymity. "These are senators who represent the region in congress and act as political sponsors who protect environmental crimes." 213

These elites challenge laws attempting to generate greater control over forest use, as well as legislative proposals to combat corruption within the CARs. Bills proposed to increase transparency around the ways CARs operate have repeatedly failed to make it into law. This included Proposal 278 which was presented to the Senate in 2019, in an attempt to change the way CARs were managed.²¹⁴ In 2020, another bill seeking to reform the CARs and eliminate the reelection of CAR directors to mitigate corruption did not make it into law. after the Senate did not approve it.²¹⁵ More recently, in April 2021 Colombia's Lower House of Representatives passed a new proposal through to the Senate, in a revived attempt to reform the CARs.²¹⁶ However, given the long list of previous failed efforts to make such changes, this move is not particularly encouraging.

"Invisible" criminals and interests also facilitate environmental crimes by pushing for irregular hiring practices. This provides an open door through which elites can influence the work of CARs, and continue to profit from environmental crimes. The Attorney General's Office and the Office of the Comptroller General have warned that some CARs act as "political fortresses." 217 Researcher René López Camacho explained how in the CARs, for example, lawyers and veterinarians are hired to monitor forests. Some may not be qualified to carry this work out. "Who gives them that position? A politician, an 'invisible' that benefits from having an ally inside," Camacho explained.218

Corruption Risks Facing Corpoamazonia

Corpoamazonia appears to fit into this pattern of irregular practices. Governors and mayors in office across the Amazon region use their ties to CAR officials to continue clearing forest without consequences. "It is not convenient for governors and mayors in the Amazon region to limit the autonomy of the CARs," according to an academic who specializes in forestry issues. "They [governors and mayors] have large tracts of land, and businesses on these lands. They may be deforesting, but since they are 'friends' with the CAR director, they know that they are not going to be investigated. It is a vicious circle."²¹⁹

An official from Colombia's National Parks Authority, based in the department of Amazonas, claims that the General Directorate of Corpoamazonia maintains very close ties to political clans in the department of Amazonas, including members of the elite Benjumea and Acosta families. ²²⁰ Members of these families have been in and out of public office as mayors and deputies for around three decades. Despite having long wielded political power across Amazonas, members of these families have been implicated in

corruption investigations.²²¹ For example, in 2019, it was revealed that the anti-corruption Attorney General's Office had been sitting on a lawsuit launched two decades earlier against former mayor of Leticia, Jhon Alex Benjumea Moreno, concerning the irregular sale of land during his time in office. Benjumea allegedly sold a nine hectare plot of public land in the capital of Amazonas for a fraction of its value.²²²

The tentacles of the Benjumea family extend far beyond politics and into the realm of wildlife trafficking. Former congressman, Octavio Benjumea Acosta, acts as the legal representative for a wildlife park in Ikozoa (Fundación Ikozoa Bioparque Amazonas) in Leticia. 223 Both the National Parks official and wildlife expert Ángela Maldonado confirmed that in many cases the zoo - in place of other institutions - has received animals seized by Corpoamazonia.²²⁴ This has largely occurred as a result of the relationship enjoyed between the environmental authority and the Benjumea family, according to both sources.²²⁵ Instead of protecting these species, Ikozoa later allegedly sells them on, both sources confirmed.²²⁶

Further down the chain, there is also evidence of corrupt CAR agents on the ground facilitating illegal logging and wildlife trafficking in Colombia's Amazon and beyond. When CAR agents seize illicit shipments of timber belonging to an illegal logger who works in alliance with a "political godfather," this corruption is evident. In such instances, the so-called "godfather" reportedly calls the director of the relevant CAR agency, ordering agents to return the timber to its "owner." 227

On top of this, Ruben Moreno revealed some corrupt CAR officials expedite authorizations permitting the use of natural forests sent by applicants giving them some kind of benefit in return.²²⁸ They deliberately speed up the authorization process, skipping checks to verify information included in the application,

and without making a visit to the territory where the applicant intends to harvest timber.²²⁹ "Logging permits (are given out to) cover territories where there is nothing," said René López Camacho. "There is no verification of whether requests to harvest timber coincide with reality."²³⁰

Prior to 2018, when an online transit permit known as the Salvoconducto Único Nacional en Línea (SUNL), came into force, it was common for corrupt CAR officials to grant blank transit permits to intermediaries (fixers and transporters) who would later fill them out with fraudulent data to move and sell illegally sourced wood.²³¹ Ruben Moreno explained how corrupt CAR officials issue transit permits with false information to benefit intermediaries involved in the timber trade [fixers]. 232 "The official writes down a volume of wood [to be transported] on the permit that is higher than that authorized. Instead of writing 20 meters cubed, he writes that 200 meters cubed can be moved, and with this [illegal] wood is laundered" according to a forestry expert. 233

As for wildlife trafficking, CAR agents under the influence of external actors have been known to turn a blind eve to the illicit trafficking of animals and improper use of species. It is increasingly clear that corrupt officials working for CAR - and other agencies, like the National Authority of Environmental Licences (Autoridad Nacional de Licencias Ambientales – ANLA) and Minambiente - deliberately avoid tracking animals going in and out of zoos or bio parks. largely due to pressure from "invisible" elites.234 Fernando Trujillo said that congressmen have invested in projects to export ornamental fish, which are used a front for wildlife trafficking.²³⁵ As a part of this, politicians put pressure on regional and national environmental authorities to access permits and avoid controls, according to Trujillo.²³⁶

Infiltrating Institutions: From Top to Bottom

As corrupt CAR agents stoke illegal logging and wildlife trafficking across Colombia's Amazon region, officials at other public institutions also facilitate environmental crimes. This largely occurs when political elites in office have a direct financial interest in an activity themselves, or when bribes are paid to officials in exchange for favors.

First, when elites working for public institutions have a clear stake in an environmental crime, actions taken to curb it are often scarce. For example, Alejandra María Laina Agudelo, a researcher for the technical team on law enforcement at the Foundation for Conservation and Sustainable Development (Fundación para la Conservación y el Desarrollo Sostenible - FCDS) - a non-governmental organization studying sustainable development and conservation in Colombia - said corrupt officials at government ministries including Minambiente, the Ministry of Transport and Ministry of the Interior have interests in land grabbing across the nation's Amazon region.²³⁷ According to Laina, this explains why scarce action has been taken to combat the activity in recent years.²³⁸ "Systematically they have moved to not doing anything," she claimed. before adding that at the Ministry of the Interior officials "are not doing anything to stop Indigenous communities getting their territories taken away from them."239 She put this lack of activity down to "the politicians involved" in land grabbing.²⁴⁰

In line with this, government officials have also directly facilitated the activity in Amazonian departments, according to Laina.²⁴¹ "Public resources have been invested in illegal roads," Laina claimed, adding that those constructing illegal routes had allegedly "borrowed" machinery used by local and regional governments to do so.²⁴² Once built, such infrastructure paves the way for forest to be cleared more easily, land to be illegally occupied and other environmental crimes to occur.

State officials and authorities have facilitated environmental crimes across the region in exchange for bribes. Rural coca growers in Colombia have revealed they "pay soldiers off to not eradicate their coca crops or only destroy part of them, while registering the eradication as complete." This dynamic is relatively common where the state maintains a weak presence, which is been the case in much of the Amazon region.

Police, army and navy officials based in mining hot spots permit the entry of machinery knowing it will be used for illegal mining.²⁴⁴ They also permit the movement of supplies such as fuel or mercury and illegal miners themselves, in exchange for bribes.²⁴⁵ Similar to their role in stoking coca cultivation, these authorities also avoid carrying out interventions targeting illicit mining when pay-offs are made.²⁴⁶

Meanwhile, police officers at checkpoints along highways and waterways across the region receive bribes to let illegally sourced timber shipments pass through checkpoints. "They only accept bills of 50 thousand pesos (\$13) upward," said a representative of the Amazon Forestry Board (Mesa Forestal de la Amazonía), a roundtable formed to allow the private and public sector to collaborate in bringing order to the forestry sector across the region. He assured that on a trip from the western, coastal city of Buenaventura to Colombia's capital city, Bogotá, "a transporter can reach his destination without any transit permits, if he carries a million pesos (\$300) to bribe the police."

In fact, different forestry experts agreed that to move wood, paying bribes to corrupt police officers and members of the army is a prerequisite. Even when it comes to wood of a legal origin, police try to profit. The Amazon Forestry Board representative explained that approximately four years ago he hired a transporter (truck driver) to take a shipment of legally sourced timber from the department of Amazonas to Bogotá. This transporter charged him 4.5 million pesos (around \$1,200). This

fee included one million pesos (almost \$300) to pay bribes at police highway checkpoints, because "the police wanted paying even if a shipment was legal," the representative revealed. "They can hold up a truck for hours and say that they can only let it move on when the relevant environmental authority arrives to examine [the wood]. Since the transporter cannot wait that long, he decides pay the police a bribe and move on."²⁴⁸

Bribes are also paid to facilitate land grabbing in the region, largely to judges. Alejandra Laina confirmed that judges may be paid to award illicit claims to land where they should not.²⁴⁹ Alejandro Reyes Posada, an expert researcher and consultant who has studied land grabbing extensively, revealed civil judges have historically been the ones who, in an "illegal" way, have given out state-owned land in Colombia. According to Mongabay, the Superintendency of Notaries and Registration (Superintendencia de Notariado y Registro - SNR) reported over 672,000 hectares have been "legalized," thanks to judges, but "presumably they are vacant lands that belong to the nation."250

"To move wood, paying bribes to corrupt police officers and members of the army is a prerequisite. Police try to profit even when the wood comes from a a legal origin."

State Resilience

The presence of corrupt actors who have a vested interest in allowing environmental crime to happen coupled with an overall lack of capacity, resources and political will to combat related activities, is an explosive mix that is destroying Colombia's Amazon. While there are efforts to stiffen resilience to environmental crime in the region, including new legislative frameworks, some demonstrations of political will and leadership on the government's part, and international cooperation, there is still a long way to go.

Legislative Framework

Colombia has a number of laws in place to combat environmental crime in its Penal Code, but legal gaps exist. Environmental regulations have traditionally been focused upon the issuance of permits and licenses for the management and use of natural resources.²⁵¹ However, these have lacked any real bite when it comes to rooting out environmental crime. Low resistance in this sense has presented a window of opportunity for criminal actors who have sought to loot Colombia's Amazon.

Articles 328-339 of the Colombian Penal Code in Law 599 of 2000 lay out the regulations for dealing with environmental crimes in the nation. This law covers the illicit use of natural resources, environmental damage, illegal fishing, mineral exploitation, and other areas.²⁵² However, the framework is general.²⁵³ Existing norms are often mentioned without a detailed explanation of what they entail, leaving room for environmental crime to thrive in Colombia's Amazon with scarce consequences for perpetrators.²⁵⁴ Penalties for breaking these laws range from two to ten years in prison to having to pay a small fine. Despite this, it clearly is not an effective deterrent as environmental crime grows across the region.²⁵⁵

More recently a new bill has been put forward to update legislation on environmental crimes, which will show Colombia is taking the protection of its Amazon and other biodiverse regions more seriously if approved. Congress have been debating this law - which covers environmental crimes of all stripes - during 2021. The bill intends to establish wildlife trafficking as an autonomous crime, to legislate new criminal offences, and strengthen penalties handed down to offenders damaging the environment.²⁵⁶

Likewise, the introduction of the National Policy for the Control of Deforestation and the Sustainable Management of Forests issued by the National Council for Economic and Social Policy (Consejo Nacional de Política Económica y Social - CONPES) in document 4021 of 2019 was a significant step forward.²⁵⁷ The policy aims to reduce deforestation in Colombia by incorporating strategies of sustainable forestry use and promoting preventive and territorial control strategies to minimize illegal activities affecting areas of primary forest.²⁵⁸ However, the strategy falls short in some areas. The action points presented in CONPES 4021 do not correspond directly to identified causes of deforestation or respond to regional contexts. The policy also fails to recognize the different types of actors involved in Colombia's motors of deforestation which are wide-ranging.²⁵⁹

On top of this, traditional Colombian administrative laws have scarcely recognized the scope of CONPES documents, which are effectively non-binding mechanisms.²⁶⁰ This may limit the influence CONPES 4021 has on curbing environmental crime affecting Colombia's Amazon.

Alongside generalized legislation designed to combat environmental crime in Colombia, some regulations have taken important steps to combat specific drivers of deforestation and biodiversity loss in the nation, like wildlife trafficking and illegal mining.

Through Law 17 of January 22, 1981 Colombia approved the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES), signed in Washington in 1973. This was the first normative tool strictly dedicated to combatting the trafficking of wildlife and flora and has been decisive in identifying and protecting threatened species.²⁶¹

As for illegal mining, in 2015 Colombia's National Mining Agency (Agencia Nacional de Minería – ANM) in charge of managing stateowned mineral resources, introduced a new policy which meant all miners and companies wanting to legally trade minerals would have to register themselves with the body's Mineral Sales Registry (Registro Único de Comercializadores de Minerales - RUCOM). 262 Since its establishment, RUCOM has strengthened controls surrounding the legal exploitation of minerals.

Law 1658 of 2013 prohibits the use of mercury in any extractive activity. In 2023, a full ban on the industrial use (production and sale) of mercury will come into effect. The projected ban has been established in line with the international Minamata Convention (ratified by Colombia in 2019) which has sought to stamp out the chemical's use globally. This will make mercury – which is commonly used by small-scale artisanal miners- more difficult to get hold of, potentially pushing the trade into illegal hands.

More specific to illegal logging, the creation of the online transit permit (Salvoconducto Único Nacional en Línea - SUNL) through Resolution 1909 of 2017, has allowed officials to more easily track timber during its transit. However, the implementation of this mechanism continues to face its challenges. In regions with unstable or patchy access to the internet, such as the Amazon, transit permits are still physically printed by Corpoamazonia. This has allowed transporters to photocopy permits and use them more than once. However, the internet is a such, timber continues to be laundered through the use of legal documentation. However, the continues to be such that the continues to the continues to the continues to the continues that the continues to the continues t

Criminal Justice

Colombia's Attorney General's Office has a specialized unit dedicated to organized crime, but the office in charge of environmental crime is currently the Directorate of Human Rights.²⁶⁹ "This has meant that environmental crimes do not receive sufficient attention," according to forestry expert César Rey.²⁷⁰

Meanwhile, Colombia's Financial Information and Analysis Unit (Unidad de Información y Análisis Financiero – UIAF) which is designed to combat money laundering, has not delved into environmental crime. While crimes like illegal mining, wildlife trafficking and illegal logging are intrinsically linked to money laundering, this unit has done very little to focus its efforts on such activities to date, with the exception of mining.²⁷¹

As specialized units have largely failed to take on environmental crime in Colombia, sweeping interventions have been the approach of choice. Interceptions covering multiple departments have been conducted, spurred on by Operation Artemisa, a militarized campaign launched by President Iván Duque Márquez in April 2019 to win back Colombia's forests and combat deforestation.²⁷² Interventions carried out under Operation Artemisa have attempted to root out environmental crime in Colombia's Amazon by making arrests. For example, a string of interventions were carried out across two days in February 2021. As a result, 40 people were captured and charged for their involvement in illegal mining and other activities driving deforestation in Guaviare and Caquetá, among other departments.²⁷³

However, doubts have been raised concerning how far the armed forces involved in Operation Artemisa support their new function. Discontent has been apparent among some soldiers who do not see protecting natural resources and combatting deforestation as a central part of the military's duties.²⁷⁴

On another note, it is important to highlight that when criminal justice has been applied in this way in Colombia's Amazon, those with the least influence in fueling any given environmental crime have typically been captured, particularly when the armed forces are under pressure to show "immediate results." Meanwhile, those financing activities driving deforestation largely remain free and the criminal networks intact.²⁷⁵

Militarized strategies that additionally incorporate economic alternatives for local people – who may engage in illegal logging, mining and coca cultivation due to economic desperation - are those most likely to combat environmental crime in any sustainable way. ²⁷⁶ Such strategies work by showing communities opportunities to break away from these activities, rather than arbitrarily punishing them. Militarized approaches alone appear to have a scarce impact on combatting deforestation. ²⁷⁷

Political Will and Leadership

Follow-through on official proposals to boost the importance of combatting environmental crime as a national priority has been lackluster in Colombia. For example, Colombia's National Security Policy (Política de Defensa y Seguridad - PDS) laid out an attempt to reframe the notion of what "crime" constitutes in Colombia to be more heavily oriented around the environmental impact of criminal activities. ²⁷⁸ The document implied crimes that threatened the environment like drug trafficking should be more heavily focused upon. ²⁷⁹ While marking a radical break in official thinking, this document has been scarcely acted upon, aside from Operation Artemisa.

To tackle illegal mining, the Duque government is currently considering centralizing the gold market and wants Congress to increase penalties surrounding environmental crimes.²⁸⁰ In line with such efforts, a new military unit was created in February 2021 to target illicit mining operations.²⁸¹ The impact of such actions for Colombia's Amazon region remains to be seen.

International Cooperation

Colombia has actively cooperated with other countries, international organizations and international crime-fighting agencies, like Interpol, to combat environmental crimes devastating its Amazon region and other parts of the nation.

The governments of Peru and Colombia have been cooperating for years to monitor and prevent illegal mining and deforestation along the Amazonian border they share. In August 2019, President Duque met with former Peruvian president, Martín Vizcarra, where they signed a joint presidential declaration. He declaration, both parties acknowledged the need to join forces to protect the Amazon Basin, paving the way for greater coordination in combatting environmental crime across the region. Although this declaration remains in force, bilateral agreements and well-publicized meetings occur in relation to it, but there have been few concrete results. ²⁸³

Colombia is also a signatory of the Escazú Agreement, a regional treaty that seeks to deepen the link between environmental protections and human rights in Latin America and the Caribbean. The agreement aims to reduce conflicts that lead to the murders of environmental defenders across the region.²⁸⁴ Although Colombia signed the agreement, it still needs to be ratified by the nation's Congress. If the agreement is not ratified in Colombia, the country will have no commitment to follow its guidelines, even when it comes into force.²⁸⁵

Alongside its work with other nations in the region, Colombia has a history of collaborating with international organizations to combat environmental crime in its Amazon region and beyond. Even prior to becoming a recognized member of the OECD, Colombia worked with the organization to strengthen responsible mineral supply chains through due diligence. In 2018, Colombia's government signed an agreement to take stronger action to

implement OECD Due Diligence Guidance in the country's gold supply chains.²⁸⁶ The nation agreed to "include better background checks in its mining registry, set up a mine monitoring mechanism to assess risks at artisanal mining sites, and support capacity building for industry and the government."²⁸⁷ While this was a promising step, illicit gold has continued to pour out of the nation as the precious metal's price has soared, according to a report on the trade published by Global Financial Integrity in early 2021.²⁸⁸

Specialized agencies in Colombia have also joined forces with international organizations to combat illegal mining. Most recently, it was reported Colombia's National Mining Agency would team up with the Inter-American Development Bank and the United Nations Development Program (UNDP) to provide easier access to loans for small-scale miners who want to improve their processes.²⁸⁹ This collaborative effort will set out to minimize the impact of small-scale mining in Colombia, but its results are yet to be seen.

Updated European Union regulations and international recognition of environmental crime in the region may change the game. Greater green standards and compliance have been pushed for, with businesses increasingly onboard. The European Commission has also committed to publish a legislative proposal in June 2021, which will seek to minimize risks of deforestation and forest degradation associated with products placed on the European Union market.²⁹⁰ The impact such action will have on curbing deforestation in Colombia's Amazon particularly is yet to be seen.

Other international bodies have publicly noted the scale of the problem. In late 2020, Cláudio Maretti, regional vice-chair for South America of the World Commission on Protected Areas of the International Union for Conservation of Nature (IUCN), warned that deforestation in Colombia's Amazon was worse than that in Brazil.²⁹¹ While environmental crime facing the

region has been noted at an international level, little substantial action has been subsequently taken to curb the problem to date.

Civil Society

Despite efforts made with international organizations and other countries to combat environmental crime, Colombia is the most dangerous place in the world to be an environmental defender, according to the most recent data available from Global Witness.²⁹² 64 environmental defenders were killed in Colombia in 2019, making up around a third of total killings recorded globally.²⁹³ Community leaders fight to stave off criminal networks engaged in illegally mining, logging and growing coca both on and around their territories.²⁹⁴ Criminal actors typically respond to this with violence and threats, murdering those who stand in their way in many cases.²⁹⁵ Such defenders are given very little state support and are essentially left alone in efforts to protect the Amazon region and other hot spots of biodiversity from deforestation, degradation and contamination.²⁹⁶

Some initiatives attempting to engage with civil society in the region's fight against environmental crime have shown great promise. Minambiente has collaborated with the Food and Agriculture Organization of the United Nations (FAO) and European Union to promote sustainable forestry practices by local communities since 2018, through a project called "Forestaría Comunitaria," or "Community Forestry." This has been implemented in Putumayo and other departments.²⁹⁷ Social initiatives of this kind aim to provide local people with alternatives to working in illicit economies that have a negative impact on the environment. They also monitor areas that may be encroached upon by criminal actors.

Similarly, formalization processes have brought members of local communities – who might otherwise get involved in illegal mining or illicit crop cultivation - into regulated national economic, social, and political activity.²⁹⁸ To date, formalization has been a particularly strong way to combat deforestation in Colombia, but it is also an area where greater efforts can be made.

The Colombian government has long tried to bring informal miners into the formal economy to promote a more sustainable approach to mineral extraction, including in the Amazon region.²⁹⁹ However, in some cases, small-scale miners have missed registration deadlines, complicating the government's efforts to formalize the sector.³⁰⁰ Such programs limit scope for small-scale actors to act irregularly and effectively give them a set of rules and guidelines they must follow in the formal sector to carry out their work. When followed, these regulations curb environmental damage from artisanal mining and crop cultivation.

Looking ahead, members of Indigenous communities in Colombia's Amazon have advocated for greater formalization efforts to curb environmental crime and deforestation in the region. A member of the Yaguara II Reserve suggested "establishing a firm agricultural frontier, formalizing titles for farmers in the region, providing education and training to change destructive practices, offering health and education guarantees, and working with local associations to reforest and recruit them for environmental control" could be used to combat deforestation in the region.³⁰¹

"Members of Indigenous communities in Colombia's Amazon have advocated for greater formalization efforts to curb environmental crime and deforestation in the region."

Conclusions and Opportunities for Intervention

Despite wide-ranging attempts made to fight environmental crime in the nation, Colombia's Amazon region continues to be looted of its precious minerals, exotic species of timber and endangered creatures. A number of conclusions can be made on the state of environmental crime devastating the region Amazon today.

Criminal networks are branching out – but not all environmental crime in the region is organized

Criminal networks have branched out into illegal mining, logging, wildlife trafficking and land grabbing in Colombia's Amazon with greater vehemence since the FARC demobilized.302 In some cases, former FARC dissidents themselves have been orchestrating such crimes, while overseeing coca cultivation.303 However, not all environmental crime is organized. While their actions may be illegal, members of local communities engaged in illegal logging, sowing coca or capturing parrots out of economic necessity or fear can hardly be dismissed as "criminals." On top of this, activities like wildlife trafficking may unfold chaotically, with locals ensnaring creatures for illegal resale often unaware that they will end up on markets halfway across the world. 304

2. Invisibles are at the root of environmental crime

Those financing and orchestrating illegal logging, mining, wildlife trafficking and land grabbing in Colombia's Amazon region are often "invisible" criminal entrepreneurs who remain off the radar of authorities. While such

actors may never have set foot on Amazonian soil, their access to financial capital, sociopolitical power and connections with underworld figures permit them to oversee environmental crimes on an industrial scale. As labor forces employed to clear trees and extract gold make a meager income, "invisibles" rake in the profits from such activities. From "patrones" coordinating timber trafficking to "appropriators" orchestrating land grabbing, these entrepreneurs work through intermediaries, making them particularly difficult to trace and detain.

3. Corruption greases the wheels of environmental crime

Corrupt "facilitators" play a pivotal role in ensuring natural resources taken out of Colombia's Amazon make it from point A to B smoothly. These "facilitators" may be state officials or authorities trusted with combatting environmental crime. 305 Environmental crimes affecting the region are underpinned by corruption each step of the way. At the extraction stage, police avoid raiding illicit mines when paid off.306 Corrupt judges legalize claims to supposedly protected land across the region, backed up by officials from state institutions and regional governors with an interest in land grabbing.307 Criminal networks and entrepreneurs rely on the support of these facilitators who profit from the destruction of Colombia's Amazon region out of the spotlight.308

4. Authorities routinely fail to root out environmental crime

While some steps have been taken by successive Colombian governments to target environmental crime in the nation's Amazon region, these measures have been largely ineffective. Military interventions – like Operation Artemisa – have disproportionately

targeted poorly-paid labor forces that cut and burn forest, extract gold from riverbeds and sow coca. Meanwhile, the National Security Policy promised to reframe Colombia's notion of crime to be more focused on preserving natural resources, but this has had minimal impact on the ground. Current approaches have ignored solutions likely to wield more sustainable results in protecting Colombia's Amazon region. They have not targeted "invisible" networks financing environmental crimes or taken advantage of the benefits of formalization programs for communities that act as the labor force.

Looking Ahead: Opportunities to Combat Environmental Crimes

If current priorities and policies continue, then deforestation, forest degradation and biodiversity loss will continue across the region.

A breakaway from Colombia's current strategy to target environmental crime will not come in the form of a single quick-fix solution. An integrative approach bringing in law enforcement agencies, local communities and environmental authorities, among other actors, would be a promising step forward in saving Colombia's Amazon region from its ongoing destruction.

Opportunities for intervention

To combat environmental crime in Colombia's Amazon a number of steps can be taken. It is essential to focus on those at the apex of the criminal networks facilitating and fueling environmental crime. In line with this, steps should be taken to work with those at greatest risk of being roped into environmental crime in the region.

Work with local communities.

Organized criminal networks and NSAGs often employ members of local communities in Colombia's Amazon region to cut and burn down swathes of forest. extract gold or hunt animals. Build up a picture of which communities are most susceptible to being targeted by these groups based on geographic location; the presence of NSAGs; socio-economic opportunities available in a given area and other relevant criteria. Make active efforts to support these communities. Focus on building a sustainable, constructive dialogue with them to understand who might be behind environmental crimes affecting the region. Find out what support local people, environmental defenders or community leaders require to combat this.

Work hand in hand with local communities to ensure they have enough incentives to ignore the temptations of getting involved in environmental crime. With the support of international organizations, set up educational programs and build solid civil society institutions to achieve this. Use these tools to reduce criminal governance and territorial control that NSAGs have in the region. Plans such as "Forestaría Comunitaria" as mentioned above, should be promoted to foster sustainable economic development, and improve the living conditions of those living in Amazonian communities.³¹¹

• Prioritize anti-corruption efforts.

Challenge those facilitating environmental crime in the region. Facilitators tasked with combating environmental crimes in the region are often involved in fueling them. Make efforts to increase intelligence around ties between officials at Corpoamazonia and political/economic elites with a stake in environmental crime. Designate greater resources to disband networks counting on the support of authorities. Introduce greater anti-corruption mechanisms within the CARs, particularly Corpoamazonia.

To combat land grabbing, increase background checks around judges involved in cases where a party is attempting to legalize a claim to land on territory previously owned by the state. Create a specialized, independent body of judges who are required to consult in these cases. Ensure the body works under a set of national, standardized guidelines designed to combat land grabbing and deforestation.

Create a "toolbox" of instruments to fight environmental crime. Create a robust toolbox to target environmental crimes of all stripes in the region. This toolbox would include comprehensive tracking systems to trace the movement of natural resources across supply chains (i.e. timber) and databases to flag actors involved in environmental crimes. To combat timber trafficking, introduce tracking mechanisms such as QR codes or robust wood certification programs. Electronic devices, like the "XyloTron,"312 should be used to identify whether timber is legally or illegally harvested. To combat illegal mining, construct a biometric platform to trace the origins of gold. Set up a centralized mining information system that includes data on mining titles, sanctioning processes and where mining is occurring in the Amazon region.

For each environmental crime affecting the region, build a centralized platform listing the actors involved in it. To target land grabbing, a centralized database with information on criminal actors who have a history of, or are actively involved in, appropriating protected territories should be kept. The system should be easily accessible, regularly updated and used by relevant authorities at local, national and international level, as appropriators with an interest in the Amazon Basin pay no attention to departmental or even international borders. Without a centralizing information on actors involved in environmental crime in the Amazon region, criminal actors will continue to operate in the gaps.

• Strengthen the capacity of security forces and the judicial system.

Provide periodic technical training for environmental police, prosecutors and judges. This will enhance monitoring and controls surrounding environmental crimes. Strengthen investigations focused on criminal networks involved in environmental crimes in Colombia's Amazon region.

- "Comprehensive Environmental
 Protection Force." In the Defense and Security Policy PDS 81, protecting national resources is considered a national security interest. It is stated that the Ministry of National Defense will create a "Comprehensive Environmental Protection Force" across 2021 and 2022. This force will counteract NSAGs, while seeking to protect water sources, biodiversity and the environment. Speed up the formation of this force to combat environmental crime in the Amazon region.
- **Create a "Joint Task Force to Combat** Wildlife Trafficking" in the jurisdiction of Corpoamazonia. Members of AUNAP, CAR, the police, the Prosecutor's Office and Minambiente should work together in this force. The force should increase surveillance to prevent crimes related to wildlife trafficking. It should centralize the process of capturing those involved and housing seized species. The force may rely on the cooperation of the Colombian Maritime Authority (Dirección General Marítima Colombiana - DIMAR) which is in charge of executing the government's policy in this area, the army and navy in some cases.

Alongside these steps, the Attorney General's Office should hire experts who have experience tackling environmental crime. Currently prosecutors must rely on the support of CARs, who leak information, do not have properly trained staff, or are unable to provide personnel to assist in a timely manner.³¹⁶ Let prosecutors investigating environmental crime cases in the Amazon region consult experts working for the Attorney General's Office to avoid these problems. These experts may include expert biologists, forestry engineers and zoo technicians and environmental NGOs.

- Improve international cooperation.
 - A strong relationship with the United States, the European Union and the United Nations is key to a successful disruption strategy and the ability to operate internationally. Promote coordination at an international level to fight environmental crime in Colombia's Amazon region. Develop working groups aimed at strengthening inter-institutional coordination for the implementation of administrative sanctioning, police, and criminal and disciplinary processes in relation to illegal drivers of deforestation such as land grabbing, drug crops and illegal logging.

Cooperation with other countries in the Amazon region is also important given how, in many cases, environmental crime is not limited by borders. For example, to target illegal mining, promote joint efforts between the Colombian Armed Forces and Brazilian Security Forces, to capture "patrones" on both sides of the border. While leaders of Amazon countries have spoken openly about combatting environmental crime together in recent years, concrete solutions must be sought and implemented.317 To do this, build intelligence around environmental crimes occurring in Colombia's tri-border area with Brazil and Peru. Minambiente should cooperate with its counterparts in Brazil and Peru much more closely.

Moving forward, working with private sector bodies will be key to combating environmental crime in Colombia's Amazon region. Bring airlines, port authorities and other travel companies onboard to close off routes used by wildlife traffickers, timber

Partner up with the private sector.

- other travel companies onboard to close off routes used by wildlife traffickers, timber traffickers and gold smugglers. Together with the UIAF, work with banks to enhance controls on money laundering linked to environmental crime.
- measures. Modify Article 323 of the Penal Code. 318 Wildlife trafficking, land grabbing and illegal logging should be included as crimes with strong links to money laundering. Strengthen preventative measures to target money laundering linked to environmental crime in the Amazon region and beyond. To do this, build a space for the UIAF; the Criminal Finance Department of the Attorney General's Office of Colombia; and the Financial Action Task Force (FATF) to exchange experiences in dealing with environmental crime.

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