

Report Part Title: CONCLUSION

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Heading the list of those at large is Vicente Castaño, the AUC's "diplomat". He worked in the drug trade under his brother Fidel (believed killed in a guerrilla ambush in 1994²⁷⁴), then acted as broker and middleman in drug deals, not just within the AUC but also with cartels.²⁷⁵ U.S. authorities have long considered the Mejia twins to be among Colombia's most prolific traffickers.²⁷⁶ Wilber Varela and Diego Montoya are still at large, leaders of the Norte del Valle cartel (NDVC), a "pure" drug-trafficking organisation, who did not participate in the government-AUC negotiations. Particularly Montoya worked closely with the AUC, living for some time under its protection in the Magdalena Medio.²⁷⁷

The new groups are likely to become stronger thanks to income from drugs and other illicit activities. Depending on their region and the existing criminal networks, their evolution could follow one of two paths: the AUC model, which was successful in controlling territory, population, local elites, drug routes, departure points and urban centres; or the cartel model, which is now primarily clandestine, seeking to fit in with the urban middle classes and with some legitimate businesses, while sub-contracting violence, transportation and distribution. Every new group has the backing of at least one drug-trafficking organisation and in some cases is its military wing.²⁷⁸ What happens to the commanders in Itagüí and how effective the government's "Integral Plan against Criminal Bands" is will determine whether the new groups develop the overt military power and social and economic control of the AUC. The difference could be that they will also be dedicated to fighting the state, perhaps alongside guerrilla elements.

Since the conflict with the FARC and ELN continues, however, some new groups may yet adopt the counter-insurgency stance of their AUC predecessors, acting in the interests of local elites by fighting the rebels. This is likeliest in areas where the state has been unable to project itself. There is some evidence of groups using uniforms and armbands like the AUC and issuing the same kinds of threats against human rights defenders, left-wing activists and community leaders. This is particularly so with ONG in Nariño²⁷⁹ but trade unionists in Santander have received death threats from Black Eagles.²⁸⁰

V. CONCLUSION

Paramilitary demobilisation has altered the landscape of violence and the course of the 43-year conflict. According to the government, one armed actor – the AUC – has been removed, and only the insurgent FARC and ELN remain to be fought by the military. The post-demobilisation emergence of what the Uribe administration calls "criminal gangs" is viewed with concern but the police have been charged with handling them, thus far unsuccessfully. While there are diverging views and rough estimates only on numbers of groups and members, it is clear that the problem has been growing since AUC demobilisation began in late 2003. Since 2006, the OAS has been sounding the alarm. Human rights organisations, the ombudsman's office and Colombian think-tanks have insistently, and perhaps somewhat simplistically, warned that all things paramilitary continue to exist as before, and a new generation is in the making.

The evidence gathered by Crisis Group suggests there is not one but several types of emerging or new illegal armed groups, but their common denominator is participation in criminal activities. It is still too early to tell, however, whether Colombia is witnessing the failure of AUC demobilisation and reinsertion and the resurgence of paramilitaries, or experiencing a reshaping of the criminal world, including the atomisation of actors that had been more or less united under the AUC umbrella. Both scenarios must worry anyone interested in seeing Colombia achieve peace and an end to decades of violence.

The regional evidence presented in this report suggests the variations among the new groups are best explained by (1) the degree to which the demobilisation of individual AUC units was effective, including the severing of links to non-demobilised paramilitaries and the dismantling of command structures; (2) the existence of illegal industries and networks, including the guerrillas, in the regions where demobilisation took place and new groups are emerging; (3) links to local elites and the armed forces; and (4) the general dynamic of the armed conflict, including the struggle over strategic routes and regions.

ONG in Nariño is an example of a new group that has continued acting much as the paramilitaries did. After the less than successful demobilisation of the regionally strong BLS, it is estimated that up to half its former members returned to illegal armed groups. Owing to the strong military presence of both the FARC and ELN in Nariño, ONG is fighting the guerrillas. The main motivation for its "counter-insurgency" activity is clearly control of drug crops and processing facilities as well as the trafficking routes to the Pacific and Ecuador. Government forces engaged in operations against the guerrillas have

²⁷⁴ Mauricio Aranguren Molina, *Mi Confesión Carlos Castaño revela sus secretos* (Bogotá, 2001), p. 17.

²⁷⁵ Jeremy McDermott, "Interview with Rodrigo 00", BBC News, 22 May 2004.

²⁷⁶ "Los narcogemelos", *Semana*, 3 September 2001.

²⁷⁷ Crisis Group interviews, Bogotá, 16 March 2007.

²⁷⁸ Crisis Group interviews, Bogotá, 16 March 2007.

²⁷⁹ Open letter by Bishops Gustavo Girón Higueta, Hernán Alvarado Solano and Fidel León Cadavid Marín, "Comunicado Público de la Diócesis de Tumaco", Tumaco, 26 March 2007.

²⁸⁰ "Águilas Negras amenazan a grupo de sindicalistas", *Vanguardia Liberal*, 16 February 2007.

not shown themselves overly concerned with ONG. The situation is exacerbated by the penetration of Nariño by drug-trafficking organisations, in particular the Rastrojos, who seized the opportunity in the immediate post-demobilisation phase to move south and have formed an alliance with ONG.

In La Guajira and on the northern slopes of the Sierra Nevada of Santa Marta, the emerging groups appear to operate with a similar logic. A number of mid-level commanders refused demobilisation and carried on with a reduced, tight-knit group of subordinates. Others rearmed shortly after their units demobilised. Though their numbers are small in relation to the groups of the Northern Bloc (BN) that demobilised in 2005-2006, their capacity to recruit demobilised combatants is high. They operate in a region with lucrative smuggling opportunities for all sorts of commodities, including cocaine and Venezuelan petrol. Other smaller new groups led by rearmed mid-level commanders and adopting the Black Eagles name have emerged in Maicao, a traditional city for contraband activities. Most members of these groups are not Guajira natives and are at loggerheads with the Wayúu ethnic groups that want to regain control of smuggling. The FARC are present between the Sierra Nevada and the Serranía de Perijá range, along the Venezuelan border. The security forces have been unable to consolidate control in the region.

In Norte de Santander the Black Eagle situation is different. The Catatumbo Bloc (BC) never had the almost undisputed reign that the BLS had in Nariño: the AUC and the FARC divided the territory. While the AUC established a strong presence in Cúcuta, this strategic border area was and is home to several other criminal networks, working with members of the local elite and profiting from all sorts of smuggling across the Venezuelan border. The AUC sought not to absorb these criminal organisations but to subordinate them. The BC demobilisation was more effective than that of the BLS in Nariño and the government's "special search unit" has taken strong measures against the Black Eagles.

In consequence, these new groups are operating not as old-style paramilitaries but in ad hoc alliances with other criminal groups, though this has not excluded turf wars. The Black Eagles are not fighting the FARC, which has retaken the Catatumbo region, but they are trying to control Cúcuta's neighbourhoods and some rural areas by intimidating residents. The apparent intention of Vicente Castaño, an AUC commander still on the run, to regain a strategic road in La Gabarra region from the FARC, however, could herald the re-emergence of an old-style paramilitary group in Norte de Santander.

It appears no new armed groups have appeared in Medellín but the mafia-like criminal networks linked to drugs that have existed for decades continue, supposedly still under orders from imprisoned AUC leader "Don Berna". The old paramilitary groups are no longer visible but still exert control. The effectiveness of the demobilisation of the Cacique Nutibara Bloc (BCN) in 2003 has been questioned but the mayor's office has made strong efforts to make reinsertion work. In addition, government security forces expelled guerrilla militias, though seemingly easing the way for paramilitary occupation in the process.

The government's response to the growing threat of new illegal armed groups has been inadequate. Labelling them criminal gangs does not do justice to the complexity of the phenomenon. While there is clearly a strong criminal and drug-trafficking element to all the groups, the abundant evidence gathered by Crisis Group suggests there are different types, requiring a differentiated response. There is certainly a danger old-style paramilitary groups will emerge but also a threat that a new federation of criminal and drug-trafficking organisations could be built, perhaps including some FARC and ELN elements.

A main difficulty in controlling these groups is that the state's presence in many regions is still precarious. While security forces are larger and more active, there are questions about their effectiveness in regaining control of areas formerly controlled by the AUC as well as their commitment to fighting the new armed groups. The government is clearly dedicated to combating them – creation of the "special search unit" in Cúcuta reflects this – but the FARC are the main object of its military strategy and more often than not security forces turn a blind eye on the emerging groups. The situation is exacerbated by officials' lack of resources – and in some places pervasive fear among them – to do their job well. Crisis Group heard many bitter complaints from those in the offices of the attorney general and the ombudsman, including about the lack of cooperation from the security forces in their investigations.

The reinsertion program has had serious shortcomings. While only a minority of members of the new groups are demobilised combatants, and the program is being thoroughly restructured by the high counsellor for reintegration, the government is working against time. As paramilitaries leave the program without jobs, the risk of relapse into criminal activities increases. There is no fast-response, high-impact program that offers rural communities economic options linked to security, infrastructure investment, services and governance.

It is essential to design and implement a comprehensive strategy to confront the emerging groups and criminal organisations. This requires more effective law enforcement,

military action linked to better intelligence and improvements to the reintegration program, in parallel with strengthened governance at the community level that enables the government, in conjunction with civil society and the private sector, to act more effectively – and more rapidly – to address post-demobilisation challenges.

Bogotá/Brussels, 10 May 2007