

## **Drug smuggling case study: Los Rastrojos**

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Smuggling is common in many international trade sectors. It can involve wholly illegal commodities<sup>1</sup>, such as cocaine or exotic species of animals; or legal goods that can only be imported with permits and/or payment of tariffs, such as CFC-containing gases or diamonds. Mere tariff evasion, for example through under-specifying the quantity or value of a shipment subject to tariff, though generating the same fiscal effect, is an operationally distinct phenomenon.

For those interested in the prevention of smuggling of radiological/nuclear materials (RN hereafter) a central question is whether there is a generic smuggling capacity or whether organizations and individuals specialize. We take for granted that there is specialization by routes; few individuals or organizations that smuggle across the Mexican border into the United States are also competent to smuggle from Colombia into Panama, let alone from Greece to Italy. The potential dimensions of specialization, besides the obvious geographic dimension, are at least three: characteristics of the import market, bulkiness, technical elements.

Import markets: A smuggler wishing to diversify will need to be able to make contacts with those willing to purchase other kinds of illegal imports. Are the buyers to whom he currently sells also involved in other criminal activities? If the customers of drug smugglers are drug dealers who have minimal connection to other criminal activities or to shady legitimate businesses, then taking on another product line may not be feasible. Alternatively, if the smuggling organization engages in a range of other illegal activities, it may be able to use them to enter related smuggling sectors.

Bulkiness: The skills required to smuggle small quantities of heroin or cocaine (e.g. 750 gm in body packing) are different from those for, say, multi-ton shipments of armaments. A smuggler may be able to recruit low-skill immigrants to carry contraband across a border or on a plane but

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<sup>1</sup> Metaphorically one can think of smuggling in services, for example of prohibited agreements between lenders in one country and borrowers in another. For the moment we exclude those as not relevant to the domain of NR smuggling.

lack the contacts needed to get an unauthorized shipment aboard, and later off-loaded from, a container vessel.

Technical elements: Smuggling people involves different modes of transportation, concealment and documentation from drug or weapons smuggling. For example, humans need to have access to air, food and water; armaments don't. The skilled smuggler of exotic plants, with a corrupt US Department of Agriculture inspector in his pocket may have none of the resources needed to bring in complex equipment that involves falsifying Department of Commerce certification.

Whether these are important barriers to diversification by smugglers cannot be determined by *a priori* reasoning. Instead, we need to observe the actual behavior of smuggling organizations.

Drug trafficking is the most significant criminal smuggling activity in Central America, perhaps globally as well. Globally the revenue figure (import level) is in the tens of billions of dollars.<sup>2</sup> Though not ubiquitous, many borders regularly serve as sites for smuggling, particularly of heroin, which is consumed in more parts of the world than cocaine.

Responsible estimates of the total valued added for smuggling through Central America are in the order of several billion dollars per annum, making it a significant economic activity for the region.<sup>3</sup> Though a regular topic of media reports, there are few scholarly studies of drug smuggling as an ongoing criminal enterprise. Decker and Chapman (2008) interviewed 34 high level smugglers in US federal prisons. They were all involved in (broadly defined) Central American smuggling, from Colombia through Mexico. Decker and Chapman, like most scholars before them (e.g. Reuter and Haaga, 1989; Matrix Knowledge Group, 2007), emphasized the relatively decentralized nature of the smuggling business and its opportunistic nature.

The Cali and Medellin cartels were the most prominent drug smuggling organizations in recent history. Though routinely referred to as "cartels" they lacked market power and were actually syndicates, regular collaborations of the principal traffickers associated with the two cities, a point made to Michael Kenney by Colombian traffickers he interviewed (Kenney, 2007).

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<sup>2</sup> The United Nations Office on Drugs and Crime throughout the period 1990-2010 has cited international trade estimates of about \$100 billion annually for cocaine, heroin and marijuana aggregated (UNODC, 2005). Other analysts suggest a substantially smaller value, perhaps one third of the UNODC figure (Kilmer and Pacula, 2009)

<sup>3</sup> The only study specific to Central America reported that in recent years "the value added of cocaine traveling the length of Central America from Colombia to Guatemala is equal to roughly \$12,000 per kilo, or nearly \$7 billion per year. This is equivalent to 5 percent of the region's GDP." DeMombynes (2010; p.9) There is a great deal of uncertainty around both the price and quantity figures used in these calculations.

Kenney describes in detail the process of adaptation of these smuggling groups and some of their smaller successors.

Mexican drug trafficking organizations now attract a good deal of attention (see for example the papers in Olson, Shirk and Selee, 2010). They are of particular interest because they are the ones now responsible for most of the actual entries of illegal drugs into the United States. They, have largely supplanted the Colombian traffickers who now sell cocaine to them rather than hiring Mexican organizations as agents, the common arrangement through the mid-1990s.

The goal of this paper is to describe in detail the operation of a drug smuggling organization in order to help assess the potential of such organizations to move into another, more sophisticated smuggling activity. The actual assessment of that potential requires specification of the other activity, in this RN smuggling. Here we merely provide the components for such an assessment. We are interested in the skills that the organization displays, the breadth of its activities, its capacity to adapt to a changing environment, its durability and its managerial competence.

The case study is of the most significant drug trafficking organization currently operating in Colombia, Los Rastrojos. This group was chosen for the case study for three principal reasons (1) It is the single largest drug smuggling organization in Colombia<sup>4</sup>; if there are organizations capable of undertaking a new challenge such as RN smuggling, it is those that have a broad array of capabilities and size is a plausible proxy for that. (2) It has survived for almost a decade, during a period in which many other smuggling organizations have failed, as the result of law enforcement pressures and/or competition. (3) There is relatively more information on it compared to other smuggling gangs.

This account draws on the usual mix of journalistic and government reports, including information from an OAS oversight commission and a study of the post-reconciliation drug industry by the International Crisis Group (2007) . It also draws on eight interviews by Daniel Rico in the summer of 2011 with a number of intelligence and enforcement officials in Colombia. Quotes from the interviews are only translated approximations of the actual words but summarize the ideas expressed by the interview subject.

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<sup>4</sup> This statement, based on both official documents and non-governmental reports, excludes FARC, which is a larger organization but with political as well as purely criminal activities. See Table 1 below.

Though these sources provide a great deal of interesting information, there remain many significant gaps. Particularly noteworthy for this project is the dearth of detail about the smuggling activities themselves.

*Beginnings of Los Rastrojos*

/the dismantling of the Cali and Medellin groups in the early 1990s was followed by a period in which cocaine trafficking was conducted by small, essentially anonymous criminal gangs. Starting around 1998, there emerged right-leaning paramilitary groups (under the loose heading of the AUC [United Self-Defense Forces of Colombia]) that eventually came to depend on drug revenues for most of their income<sup>5</sup>. They battled the longstanding guerilla groups FARC and ELN for control of various elements of the drug trade. In 2002, there began lengthy negotiations for the integration of the right-leaning paramilitary groups back into society. This has been a long term process, still being monitored by the OAS<sup>6</sup>, but certainly has resulted in a sharp reduction in the level of violence in the country and the elimination of the AUC as a political actor.

Since 2002 there emerged a set of purely criminal organizations loosely labeled BACRIM ("bandas criminales"). Their relationship to the AUC is a matter of intense speculation. The government has found it convenient to treat the member organizations of BACRIM as purely criminal, thus confirming the success of the demobilization effort. Other observers are skeptical and the weight of the evidence is that many of the BACRIM leaders were previously with the paramilitaries. The National Commission for Reparation and Reconciliation estimates that about 15% of the paramilitaries joined the BACRIM.<sup>7</sup>

The International Crisis Group (2007), reporting four years ago, in describing Los Rastrojos provides a sense of the long tangled history of these drug smuggling organizations and their relationship to the paramilitary:

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<sup>5</sup> The ICG (2007, p4) reports that Castano, the AUC leader, admitted that in 2000 70% of the paramilitary income came from drugs.

<sup>6</sup> The only one of the fifteen reports of the oversight group available in English is OAS (2007).

<sup>7</sup> Police: BACRIMs Main Threat to Colombian Security, 26 January 2011 <http://insightcrime.org/insight-latest-news/item/476-police-BACRIM-main-threat-for-colombian-security>

Los Rastrojos are the armed wing of an NDVC [Norte del Valle drug cartel] faction...NDVC is the successor of the Cali Cartel, and many of its leaders began under the Cali drug-trafficking organization of the Rodríguez Orejuela brothers, Gilberto and Miguel, who are now in a U.S. prison. The NDVC fragmented after the death of its leader, Orlando Henao, in 1998, with [Wilbur Alira] Varela and another clan leader, Diego Montoya (“Don Diego”), who created a private army (the “Machos”), fighting an all-out turf war. During the Santa Fe de Ralito negotiations, the NDVC tried to integrate the Rastrojos and the Machos into the AUC to portray them as paramilitary rather than criminal but the government rejected the move after harsh criticism. (p.12)

Restrepo and Arias (2010) characterize Los Rastrojos as “the private armies of the defunct Cartel de Norte Valle” (p3) which they describe as a “narco-paramilitary group.” In their account, Los Rastrojos had tried to buy the “franchise” of the paramilitary in order to obtain the benefits of the Justice and Peace process.

The group was formed in 2002, as the armed wing of one of the leaders (Varela) contending for control of the NDVC. The first person to recruit members to the new organization was Diego Pérez Henao, alias Diego Rastrojo, giving the group its name. When it tried to enter into the paramilitary negotiations with the government in 2004, it took the name Rondas Campesinas Populares or Popular Peasant Patrols (RCP). Internal fighting led to the murder of Varela in 2008, but his armed wing remained a powerful player in the drugs, extortion and kidnapping businesses.<sup>8</sup>

Since 2008 it has been led by two brothers Javiet Antono Calle Serna and Luis Enrique Calle Serna. Luis Enrique was formerly prominent in the NDVC. The leadership group includes two other figures associated with the paramilitary; they now run the “military” aspects of Los Rastrojos.<sup>9</sup> Javier Antonio Calle Serna may be in charge of money laundering operations.

### *Activities*

The organization apparently exports very large quantities of cocaine. In December 2010, Colombian police seized 6 tons of cocaine in the port of Buenaventura which it believed was the property of the organization. Los Rastrojos also was connected to a seizure of \$27 million in US

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<sup>8</sup> “Rastrojos” <http://insightcrime.org/criminal-groups/colombia/rastrojos/item/63-rastrojos-profile>

<sup>9</sup> Indicative of their importance, the Calle Serna Brothers are in the highest level of the rewards program of the Colombian Authorities (US\$5.000.000). This information is given in “most wanted” police rewards. Information about the leaders and the conflicts inside the first level members of Los Rastrojos and other BACRIM comes from Semana Magazine reports (<http://www.semana.com/nacion/calento-valle/154587-3.aspx>).

currency on a ship coming from Mexico, believed to be payments from Mexico's Sinaloa cartel.<sup>10</sup> In 2011, the State Department, designating Luis Calle Serna as a drug kingpin with a \$5 million reward for information leading to his arrest, asserted that "Calle-Serna's Drug Trafficking Organization (DTO) most likely is responsible since 2008 for obtaining and importing over 30,000 kilograms of cocaine from Colombia into Mexico destined for the United States."<sup>11</sup> Ten tons per annum is about 4% of the US cocaine market but still seems a modest figure against the six tons reported in that single 2010 seizure.<sup>12</sup>

As the name of its predecessor organization [Norte de Valle] suggests, Los Rastrojos was for some years regionally focused, operating in the Pacific coast region of Colombia. Since 2008 it has expanded into other regions previously dominated by one of its rivals, Los Urabenos, particularly in the Caribbean coast (the department of Antioquia).<sup>13</sup> This is consistent with the continued growth of Los Rastrojos.

Estimates of membership of criminal organizations are notoriously unreliable<sup>14</sup> and indeed conceptually flawed when the organization, like Los Rastrojos, is not highly centralized. As a Colombian national security officer noted in an interview, "It is not an easy task to define who is a member of Los Rastrojos: the individual that provides the cars and transportation for the commanders is a supplier but is not a member of the structure. We also found that smaller organizations use the name to commit extortions, but when we conducted investigations we found that they have no relationship with the structure; they are only using the "bad will"

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<sup>10</sup> "Police Arrest Link between Colombia's Rastrojos and the Sinaloa Cartel" Jan 14, 2011

<http://insightcrime.org/insight-latest-news/item/429-rastrojos-and-sinaloa-broker-arrested>

<sup>11</sup> "Narcotics Reward Program: Luis Enrique Calle Serna" <http://www.state.gov/p/inl/narc/rewards/168508.htm>

<sup>12</sup> The explanation may lie in the fact that the organization provides smuggling services to others; the State Department figure perhaps refers just to the quantities that Los Rastrojos itself provides.

<sup>13</sup> "Colombian cartels merge into only two" August 2, 2011 <http://americasforum.com/content/colombian-cartels-merge-only-two>

<sup>14</sup> For example, the government consistently estimates the total BACRIM membership around 4,000 while NGOs believe the number is closer to 7,000. Even the governmental National Commission on Reparations and Reconciliation estimated the figure to be 6,000 in late 2010. [http://docs.google.com/viewer?a=v&q=cache:7Tg9TYtMi2MJ:www.lawg.org/storage/documents/Colombia/Colombia\\_human\\_rights\\_trends\\_March\\_2011.pdf+number+of+BACRIM+members&hl=en&gl=uk&pid=bl&srcid=ADGEESi-fVXWHku57P9K-i\\_o-POH6XLhZJBWEJuSONlY7yjKK2kf8yrnh\\_CVW9qsO1f\\_UnNIUaNYoflqpBtKxZnFmdqerkC94aLEQ-F-7OyA-bKV\\_3LVlaPv2ngH\\_OcalmOrLAZ46Ba&sig=AHIEtbRiSZO-XmiOdZ06yVbBwCO7lgzZkQ](http://docs.google.com/viewer?a=v&q=cache:7Tg9TYtMi2MJ:www.lawg.org/storage/documents/Colombia/Colombia_human_rights_trends_March_2011.pdf+number+of+BACRIM+members&hl=en&gl=uk&pid=bl&srcid=ADGEESi-fVXWHku57P9K-i_o-POH6XLhZJBWEJuSONlY7yjKK2kf8yrnh_CVW9qsO1f_UnNIUaNYoflqpBtKxZnFmdqerkC94aLEQ-F-7OyA-bKV_3LVlaPv2ngH_OcalmOrLAZ46Ba&sig=AHIEtbRiSZO-XmiOdZ06yVbBwCO7lgzZkQ) We use the official figures throughout, predominantly for consistency.

reputation for extortive purposes. The name had become a ‘trademark’, sometimes paid for and sometimes not.<sup>15</sup>

With that caveat in mind, figures for Los Rastrojos membership in recent years have been quite variable but the group consistently is identified as having more members than any of the other exiting DTOs and possible as much as 50% of the BACRIM total. Table 1 provides current figures for the membership, showing its distribution across departments within Colombia. Publicly available data only reports the distribution in three categories: L (low; <50), M (medium 51-200) and H (high: >200). The term “membership” covers two sets of operatives: structural members, who work exclusively for the group and others who work for Los Rastrojos but have other criminal and legitimate activities as well.

The national security officer also described the distribution of the organization across levels. “Almost 10% of the members, as commanders, don’t get a salary; they obtain a share of the profits. Another 20% , called “points” provide information and vigilance but have a marginal role, 40% are in rural structures (the most visible part of the organization) and 30% are the urban members.”

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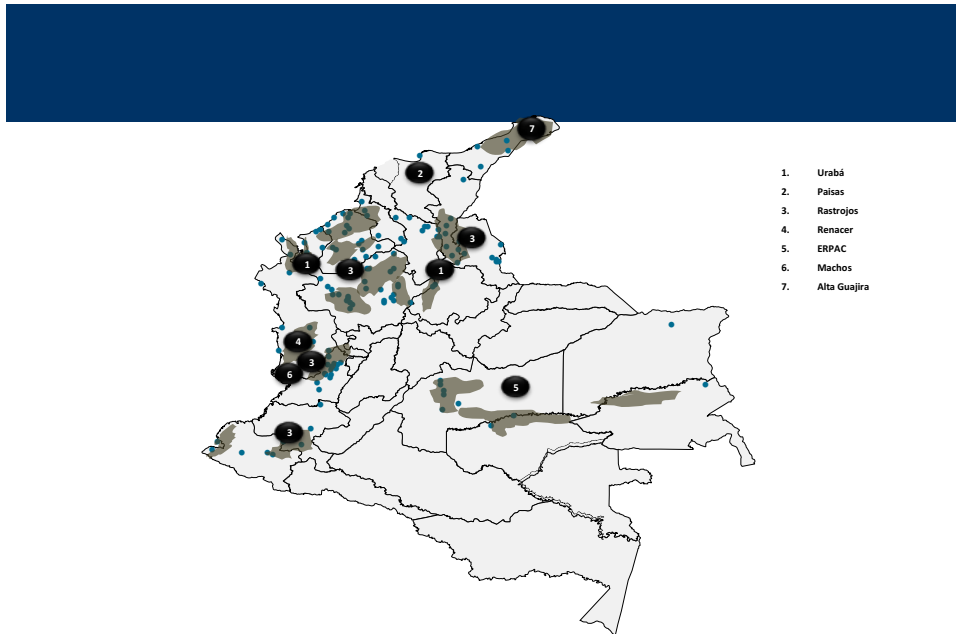
<sup>15</sup> From the same interview: “It sounds simple but to estimate the real size of the organization and the areas of influence is a very complex task.”

<b>Estimated membership of Los Rastrojos by department, 2011</b>		
<b>DEPARTAMENTO</b>	<b>Municipalities Under influence</b>	<b>TOTAL</b>
<b>PUTUMAYO</b>	<b>6</b>	<b>L</b>
<b>CAUCA</b>	<b>5</b>	<b>M</b>
<b>NARIÑO</b>	<b>15</b>	<b>H</b>
<b>CÓRDOBA</b>	<b>11</b>	<b>H</b>
<b>ANTIOQUIA</b>	<b>15</b>	<b>H</b>
<b>NORTE DE SANTANDER</b>	<b>7</b>	<b>H</b>
<b>SANTANDER</b>	<b>4</b>	<b>M</b>
<b>CHOCÓ</b>	<b>11</b>	<b>M</b>
<b>MAGDALENA</b>	<b>1</b>	<b>L</b>
<b>ATLÁNTICO</b>	<b>7</b>	<b>L</b>
<b>BOLIVAR</b>	<b>2</b>	<b>L</b>
<b>VALLE DEL CAUCA</b>	<b>10</b>	<b>H</b>
<b>CESAR</b>	<b>11</b>	<b>L</b>
<b>TOTALES</b>	<b>105</b>	<b>2061</b>

**Table 1**

As shown in Table 1, the gang operates in 13 departments and 105 municipalities but in 6 of them it is only very thinly present, with no more than 60 operatives. No single department dominates. The geography, though, is important; as indicated in Map 1, Los Rastrojos groups are clustered in three areas: 1. Cordoba and Antioquia; this corridor connects the cocaine production areas with Uraba and Panama; 2. The Catatumbo on the border with Venezuela; and 3. Nariño, Valle and Cauca along the border with Ecuador and the Pacific coast.





**2011: Distribution of membership of 7 BACRIM gangs across 149 municipalities)**

**Map 1**

A distinctive feature of the organization is that it is involved in all stages of cocaine production and distribution to Mexico. Another distinctive feature is its effort to stick to its core competence, the management of criminal activity, rather than direct participation in the drug trade, in particular the upstream activities of growing and processing. Thus it does not itself run processing facilities but ensures the provision of capital and precursors that allows for smooth operation by others.

The small first-level leadership (just four names are listed) directs only part of the activities of the regional branches.<sup>16</sup> The regional commanders are required by the national leadership to provide cocaine for export; the smuggling itself is carried out by the national managers, who work for the national leaders. Each regional commander has the right to choose with whom to ally and with whom to compete. Similarly, the other criminal activities of the regional groups are not subject to national review. There are two levels below the regional leadership, though

<sup>16</sup> “The Rastrojos and Urabeños have different routes and structures. The Rastrojos are a loose affiliation of drug traffickers, organized crime syndicates, and common criminals. They act as a franchise, and the Calle Serna brothers do not pretend to have control over all those that call themselves Rastrojos. Indeed many of the elements that make up the Rastrojos are partners to the Calle Serna brothers, and require persuasion, not threats, in order to cooperate.” Colombia’s criminal networks consolidate around two forces” August 1, 2011 <http://axcessnews.com/index.php/articles/show?id=21926>

perhaps only one in the very small regions with fewer than 60 members. The lowest level is organized by municipality and is responsible for the growing of coca and collection of coca base. The third level co-operates with the regional command on production itself. The production of cocaine is handled by the second and third level groups.

The organization, like all its competitors and predecessors, has a fearsome reputation for use of violence for instrumental purposes. Government officials believe that more recently the national leadership of Los Rastrojos has attempted to restrain the regional organizations from undertaking massacres, a common occurrence in the past; the injunction may include all high-profile violent activities. The leadership reasoning is that these attract unnecessary government attention. To reinforce this message, financial fines are levied on regions where such events occur, involving a reduction in the share of cocaine revenues returned to the regional leadership.

The July 2011 killing of a prominent regional commander, Angel Jesus Pacheco, also known as “Sebastian”, by his own gang may reflect this strategic decision by the leadership, since Sebastian had been accused of a massacre of 10 villagers in March 2011; the peasants had refused to pay licensing fees for growing coca.<sup>17</sup> On the other hand, the two who committed the killing of Sebastian have turned themselves in to authorities and provided documented evidence of payments to corrupt government officials, including military personnel, for protection of cocaine related activities.<sup>18</sup> Further indicative of the complexity of interpreting these events, it has also been rumored that Sebastian was operating his own drug smuggling operation.

Not much is known about the smuggling operations themselves. The use of semi-submersibles, submarine-like ships that are very difficult to detect on radar has become increasingly common; they can carry up to 10 tons and easily dump the cargo at the bottom of the sea. The first one was seized in 1993 and by the end of 2010 a total of 54 had been seized; 20 of those seizures occurred in 2010.<sup>19</sup> Los Rastrojos is suspected of using such craft.

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<sup>17</sup> <http://www.drugs-forum.com/forum/showthread.php?t=165142> It might also have been of significance that Sebastian had been an important figure in Los Rastrojos' competitor Los Paisas and had only joined Los Rastrojos in 2010, bringing a large contingent of that gang with him. Trust is a rare asset in these relationships.

<sup>18</sup> Within two weeks of the killing of Sebastian and the turning over of the payroll information, seven police officers and three soldiers were arrested. “North Colombian soldiers arrested for drug ties” August 4, 2011 <http://colombiareports.com/colombia-news/news/18092-anti-narcotics-agents-arrest-members-of-military-and-police-in-northern-colombia.html>

<sup>19</sup> “Colombian Navy seizes submarine meant for carrying drugs” 18 February 2011 <http://feeds.bignewsnetwork.com/?sid=602814>

Los Rastrojos' principal ally is the Sinaloa Cartel, which is a business partner, not just a buyer. The Sinaloa cartel invests in protecting its main supplier, for example, when the Rastrojos were in a major conflict with the Urabeños (another BACRIM), Sinaloa provided direct support with regards to money, guns and logistics (Colombia National Police interview).

All sources, both documentary and interview-based, assume that Los Rastrojos is involved in a wide variety of other criminal activities. For example, there have been reports since 2010 of both FARC and BACRIM (including Los Rastrojos) extorting the rapidly expanding gold mining industry, which is largely populated by micro-enterprises.<sup>20</sup> However there is a dearth of specifics on their other activities, except those involving manipulation of corrupt authorities, described below. The gangs and FARC extort both legitimate and criminal entrepreneurs in the areas they control. In contrast to their predecessor organizations, Los Rastrojos is active in domestic drug retailing. They also participate in the siphoning of oil from Colombian pipelines, as well as the smuggling of contraband gasoline from Ecuador. In Medellin, the regional leader has been a principal actor in the pirate CD market.

#### *Relations with political actors*

Despite its paramilitary origins, Los Rastrojos has built working relationships with both FARC and ELN.<sup>21</sup> As noted above, these alliance decisions have been made at the regional rather than national level. Thus some units have fought FARC, as indicated by a February 2011 report of a clash between the two organizations in which 15 people were killed.<sup>22</sup> An Army intelligence officer speculated as to why the relationship was co-operative in only some areas: "In Cauca the FARC is strong enough to conduct the narcotics business without Los Rastrojos, so they don't want them around; the FARC decided to cooperate with other BACRIM that are enemies of Los Rastrojos." Under this interpretation, the decisions about alliances lie with the FARC. However even this observer offered a counter-example, where it appeared to be the gang that initiated the

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<sup>20</sup>"In Colombia, New Gold Rush Deepens Old Conflict" *New York Times* March 3, 2011

[http://www.nytimes.com/2011/03/04/world/americas/04colombia.html?pagewanted=2&\\_r=1&hp](http://www.nytimes.com/2011/03/04/world/americas/04colombia.html?pagewanted=2&_r=1&hp)

<sup>21</sup> "Now the Rastrojos and the ELN have agreements, in the interests of the drug trade, in the departments of Antioquia, Cauca, Valle del Cauca, Choco, Norte de Santander and Nariño. The Rastrojos have also managed to secure local agreements with the FARC in Antioquia, Cauca, Valle del Cauca, Putumayo, Nariño and Norte de Santander." <sup>21</sup> "Colombian cartels merge into only two" August 2, 2011

<http://americasforum.com/content/colombian-cartels-merge-only-two>

<sup>22</sup> "15 dead in clash between FARC and Los Rastrojos" 11 February 2011 <http://colombiareports.com/colombia-news/news/14291-15-dead-in-farc-los-rastrojos-clash.html>

relationship: “Two years ago the Urabeños worked with the FARC in the north-west of the country, smuggling cocaine to Central America, but Los Rastrojos offer a better deal for the 58<sup>th</sup> front of the FARC and now both groups are fighting against the Urabeños.”

The FARC sells Los Rastrojos cocaine base; it also provides protection for the processing labs. In exchange, Los Rastrojos provide other raw materials for the production process, especially gasoline that is a critical factor for the FARC; Los Rastrojos owns gasoline stations and trucks for gasoline transportation (interview with Navy official).

The gang is well armed but reluctant to attack the government. “Los Rastrojos had a big arsenal of rifles and munitions that they have decided not to use against the army or the police, for strategic reasons. They know fighting is a costly activity, and they let the FARC attack our forces. In the last year we have had nearly a dozen military confrontations with Rastrojos, but those attacks are the exception rather than the rule” (interview with Army intelligence analyst).

Los Rastrojos is deeply involved in corruption. Its corrupt activities are aimed primarily at local rather than national government officials. The purpose of the corruption seems to be less the protection of drug trafficking activities, at least directly, than obtaining access to government contracts and facilities for money laundering. However, the organization has not completely neglected national influence; for example, in the 2010 national elections, it was accused of intimidating some voters and paying others in the department of Narino.<sup>23</sup>

The organization has also taken over or created some NGOs that it has used for two purposes. First, they serve the purpose of money laundering, since their revenue sources are difficult to track and their income is not subject to tax. Second, the NGOs themselves can be used as a way of handling corrupt government contracts, particularly at the local level.

#### *Evolution of the Colombian drug industry.*

Since at least 2006, there has been marked consolidation in the Colombian cocaine industry. At the end of the most important steps of the Peace and Justice process in 2006, when over 30,000 paramilitaries had been demobilized in one way or another, there were approximately 30 distinct trafficking groups. At the end of 2010 there were six or seven; the path over time is given in Figure 1. Los Rastrojos and Los Paisas are much larger than any of the other four. Indeed, Los

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<sup>23</sup>“Los Rastrojos influences Colombia elections” 13 April 2010 <http://insightcrime.org/insight-latest-news/item/476-police-BACRIM-main-threat-for-colombian-security>

Rastrojos itself may have had as much as half of the total membership, but again we note the unreliability of membership estimates.

Figure 1 also presents data that may partially account for that consolidation. It suggests at least a moderate level of enforcement by the government. Arrest risks for members seem high. The cumulative total of member arrests by 2010 was almost 3,000. Total membership over that period cannot be accurately calculated, as there is both exit and entry, but assuming that the half life of membership is two years, there may have been as many as 8,000 members over the period 2005-2010. That would suggest approximately a three in eight arrest probability over the same period. However, it is important to note that perhaps half of those arrested are released within a few weeks; there are members of BACRIM who have been arrested four times in two years. This is often the result of the ineffectiveness of the judicial system (interview with Ministry of Defense official). An Army intelligence analyst commented more specifically “One year ago over 50% of the captured members of the BACRIM were acquitted by the local judges. We decided to move all the legal processes to the central level in Bogota. In 2011, 100% of the captures remain in jail.”

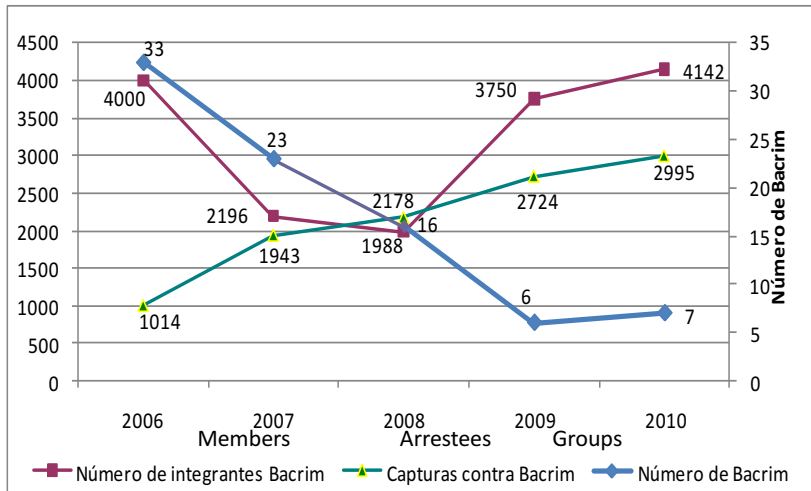
The year 2011, more or less the beginning of a new presidential administration, that of Juan Manuel Santos, has seen an intensification of enforcement in other respects as well. The national police claimed that they arrested 740 members of BACRIM in the first 100 days, of whom 247 were members of Los Rastrojos.<sup>24</sup> Supposedly, these included someone described as the “leader” of the gang but the name is not one that appears in other accounts of the leadership.

More specific figures are available on the number of leadership arrests. The government claims that 61 first or second level commanders in all BACRIM gangs have been arrested in the period 2006-2011. What is not available is a figure for the number of first and second level commanders that would make the denominator for a risk calculation.

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<sup>24</sup> *Colombian National Police score victories in year's first 100 days* 26 April, 2011  
[http://www.infosurhoy.com/cocoon/saii/xhtml/en\\_GB/features/saii/features/main/2011/04/26/feature-01](http://www.infosurhoy.com/cocoon/saii/xhtml/en_GB/features/saii/features/main/2011/04/26/feature-01)

## Official statistics on BACRIM



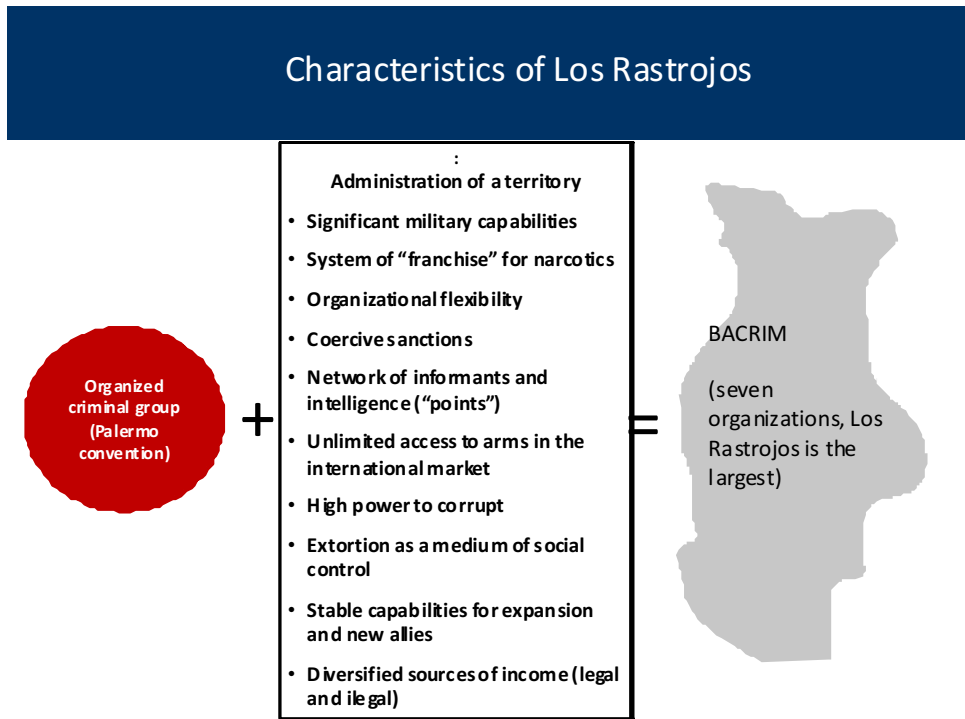
### Concluding Comments

The goal of this case study is to provide an understanding of the capabilities of a major drug smuggling organization to enter into a more sophisticated smuggling activity, namely the insertion into the United States of an R/N device or R/N materials. In this summing up we will not directly address that, which requires drawing on the specifics of R/N smuggling, but will try to assess the capacity of the chosen organization, Los Rastrojos, to move into new smuggling niches.

Figure 2 is a heuristic that tries to capture the distinctive features of Los Rastrojos, while recognizing that it is simply the largest currently of the 6 or 7 BACRIM organizations. It is possible to quibble with some of the entries. For example, the question remains whether any of the income sources are truly legal, as opposed to legal fronts for illegal and/or corrupt activities. The military capabilities may be much less than that of the FARC, even now, or of the AUC before it was disbanded.

What is not in contention though is that the gang has proven strategically nimble. The decision to limit national control to the drug smuggling activities reduces conflict with lower levels, which have the capacity to identify local opportunities about which higher levels will be poorly informed and have limited capacity to exploit. Similarly, the flexibility in its relations with the

guerilla organizations, still dominant in many of the growing areas, suggests clear strategic thinking. The network of corrupt relationships that it has built at the local level, and the ways in which the group exploits that network is also impressive. Finally, if the leadership truly suppresses violence against the general public, it will have accomplished something that no other drug gang has achieved.



**Figure 2**

However there has been minimal information available about the specific smuggling activities of the organization. It ships large quantities of cocaine to Mexico; there are no reports of direct smuggling to the United States. It employs at least two modalities, dedicated planes and semi-submersibles. The only other smuggling activity that is known is the importing of gasoline from Ecuador.

This essay started with three criteria for smuggling flexibility: characteristics of import markets in which it operates, capability to handle bulkier goods and technical sophistication. A preliminary judgment is that at present neither media reports nor Colombian intelligence collection provide much insight on these dimensions. Los Rastrojos has certainly shown a capacity to adapt to new opportunities but so far this evidence has been limited to the domestic context.

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