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Report from the Commission to the European Parliament and the Council

On the fulfilment by Colombia of the relevant criteria in view of the negotiation of a visa waiver agreement between the European Union and Colombia

{COM(2014) 665 final}

1. INTRODUCTION

1.1. Structure and methodology

This document provides the factual data for the assessment presented in the Report from the Commission to the European Parliament and the Council on the fulfilment by Colombia of the relevant criteria in view of the negotiation of a visa waiver agreement between the European Union and Colombia. This report was prepared in accordance with the requirements of European Parliament and Council Regulation 509/2014¹.

After a short introduction with the most important indicators concerning Colombia, there are three main chapters, some of them containing subchapters:

- Chapter 2 – Migration and mobility: this chapter includes data on Schengen visas, regular and irregular migration, asylum and the security of Colombian travel documents;
- Chapter 3 – Crime and security: this chapter includes information on organised crime, drug production and trafficking, trafficking on human beings and other criminal activities;
- Chapter 4 - Economic considerations: this chapter presents data on EU-Colombia trade and on tourist flows from Colombia to the EU.

In view of the preparation of the assessment, the Commission requested and received contributions from three EU agencies: EASO, Europol and Frontex. The EU Delegation in Colombia provided a comprehensive report on EU—Colombia relations. Spain, as the Member State most concerned by migration from Colombia, provided additional information. Colombian authorities showed a high degree of willingness to cooperate with the Commission during the preparation of the assessment.

Eurostat data have been used throughout this document and especially in chapter 2. In this document, whenever ‘EU totals’ or ‘EU Member States totals’ are presented, they exclude, unless the contrary is stated, the United Kingdom and Ireland as these two countries do not participate in the EU’s common visa policy and the assessment does not cover the impact of Schengen visa liberalisation with Colombia on them. Whenever ‘EU+ totals’ are presented, these include also data for the four Schengen associated countries (Iceland, Liechtenstein, Norway and Switzerland).

1.2. Basic facts about Colombia

Colombia is a republic presided since 2010 by Juan Manuel Santos Calderón, who was re-elected on 15 June 2014. Colombia covers a surface of 1 141 748 square kilometres (about twice the size of France) with almost 47 million inhabitants (similar to Spain). The size of its economy in 2013 was estimated by the World Bank to be USD 378,1 billion, thus placed as the 32nd biggest economy of the world. The GNI (PPP) per capita was USD 11 340, similar to Peru’s. The GDP has had an average growth of 4.7% over the last ten years and it is estimated it will grow by 4.3% for 2014. This growth has translated in a reduction of the percentage of population living under the poverty line from 47% in 2007 to 33% in 2012. Other macroeconomic indicators confirm the stability of Colombia’s economy: fiscal deficit of 2.3% of GDP, an inflation of 2.6% and an unemployment rate of 9.9%.

¹ OJ L 149, 20.05.2014, p. 67

2. MIGRATION AND MOBILITY

In this chapter, each subchapter will present data on recent trends and describe the current situation.

2.1. Short-stay Schengen visas

The number of Schengen visas issued in Colombia grew significantly in the last four years². While in 2010 the number of visas issued was 84 781, in 2013 the figure was 121 019, i.e. an increase of 42.7%. Importantly, the refusal rate for visa applications in Colombia fell from 11.2% in 2010 to 4.8% in 2013 (the average global refusal rate in 2013 was also 4.8%). The share of multiple entry visas on the total number of issued visas increased, from 31.7% in 2010 to 40.9% in 2013 (the global average was 44.9% in 2013). Spain has traditionally been the Schengen State issuing most short-stay visas in Colombia. In 2013 it issued 70 988 such visas (58.6% of the total), followed by France (15 999, i.e. 13.2% of total) and Germany (10 537, i.e. 8.7% of total).

Interestingly, the U.S. “B” visa refusal rates for Colombians (“B” visas are for non-immigrants for business and personal travel) also more than halved between 2010 and 2013 fiscal years, from 30.7% to 10.4%. Moreover, in 2012 the U.S. began issuing 10-year visas to Colombians. In this context, it is relevant to note that the total number of short-stay Schengen C-visas issued in 2013 in Colombia only constituted about 27.4% of the total number of non-immigrant visas issued to Colombians by the United States³.

Finally, it is important to note that since mid-2013 no Schengen State imposes airport transit visas to Colombians.

2.2. Legal migration

2.2.1. Stock

According to Eurostat data on resident population by citizenship⁴, on 1 January 2013 there were 279 160 Colombian citizens residing in the EU+⁵. 79.9% of them (223 141) resided in Spain, followed by Italy (6.7%, 18 652 residents), Germany (4.5%, 12 529 residents), France (3.9%, 10 782 residents) and Switzerland (1.6%, 4 382 residents). Spain has provided additional data⁶ for the situation on 1 January 2014, when the number of Colombian residents decreased by 23% to 172 368. If the revised Spanish data are combined with the Eurostat data

² The source of all the data in this subchapter is the DG HOME compilation of Schengen visa statistic for the years 2010 to 2013, which can be found at the bottom of this page: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm

³ In fiscal year 2013 the U.S. issued 441 865 “B” non-immigrant visas to Colombians (“B” visas are for business and personal travel); 121 019 Schengen C visas were issued in Colombia in the year 2013.

⁴ Source: Eurostat [migr_pop1ctz] data collection

⁵ France, Greece, Cyprus, Lithuania, Luxembourg and Malta did not provide data on resident population but provided data on valid residence permits valid at the end of the year. The figures for valid permits at the end of 2012 for Colombians in these Member States have therefore been used to calculate the EU+ total.

⁶ See <http://www.ine.es/prensa/np854.pdf>

for the rest of the Member States, and assuming the population remained more or less stable in the other Member States on 1 January 2014, the resident population of Colombians in the EU today can be estimated to be around 230 000, with slightly less than 75% of them in Spain.

These data confirm that the most important Colombian community in the EU resides in Spain. Spain received significant flows of both regular and irregular Colombian migrants in the late 1990s and early 2000s. Colombia was one of the main source countries of Latin American emigrants to Spain over this period, together with Peru, Ecuador and Bolivia. About 100 000 Colombians who had arrived and/or stayed irregularly were regularised in four regularisation processes between 2000 and 2005⁷. Between 2005 and 2013, almost 170 000 Colombians acquired Spanish citizenship⁸. The recent significant decrease in the Colombian resident population can be attributed to both the acquisition of Spanish citizenship and the return of many Colombians to their country of origin due to the hardship caused by the economic crisis that hit Spain and in particular the immigrant populations.

While migration from Colombia to the EU is significant, the United States remains the favourite destination for Colombian citizens moving abroad: currently, 34.6% of Colombian migrants live in the United States⁹. The United States are likely to remain the most attractive destination due to important pull factors such as geographic proximity, economic opportunities and the presence of large and well-integrated Colombian diaspora communities.

2.2.2. Flows

According to Eurostat data on residence permits¹⁰, the number of residence permits valid for more than six months issued to Colombians by the EU Member States has decreased by around two thirds between 2008 (when 49 504 permits were issued) and 2013 (16 920 permits). While the vast majority of those permits were issued by Spain, its share has decreased over time, from 84% of the total in 2008 to 58% in 2013. France issued 12.4% of permits to Colombians in 2013, Italy 9.4% and Germany 9%.

Of the 16 920 permits valid for more than six months issued in 2013, 45% were issued for family formation or reunification, 28% for study reasons, 19.7% for reasons related to a remunerated activity and 7.3% for other reasons. 11 903 of those permits were issued with a validity of one year or more. This can be compared with data from the U.S., where about 20 000 Colombians received permanent residence annually in the period 2010-2012¹¹.

2.3. Irregular migration

By its very nature, irregular migration is difficult to record and it would be impossible to present in this report a precise number of Colombian irregular migrants entering and/or

⁷ Source : Spanish Ministry of employment and social affairs

⁸ Source : Spanish Ministry of employment and social affairs

⁹ Source : IOM Colombia Migration Profile (September 2013)

¹⁰ Source : Eurostat [migr_resfirst] data collection

¹¹ Source : U.S. 2012 Yearbook of Immigration Statistics.
http://www.dhs.gov/sites/default/files/publications/ois_yb_2012.pdf

present in the EU+. However, certain indicators may provide a useful insight into trends and destinations.

The first of such indicators concerns refusals of entry. The total number of refusals of entry¹² issued to Colombians in the EU+ in 2013 was 305, out of which 28% were issued by Spain, 26.2% by France, 13.1% by Germany and 9.8% by the Netherlands. In 2008, 845 refusals of entry were issued in the EU+ to Colombians, meaning a decrease in refusals since then of 64%. Given the geographical distance between Colombia and the EU, the vast majority of all refusals of entry were issued at air borders.

Frontex reported that when comparing refusals with regular passenger flow data from Colombia to Spain, it is clear that the abuse rate is quite low with one refusal of entry issued per roughly every 2 800 passengers. For comparison, Hungary refused entry to one Serbian national per every 471 passengers during 2013. The same ratio stood at 1:900 prior to visa liberalisation for Serbia. Also according to Frontex, many of the refused Colombians during 2013 were young women, possibly indicating a link with illegal domestic work or even trafficking of human beings (Frontex had no additional information in this regard).

Another important indicator is the number of third country nationals found to be in an irregular migratory situation¹³. Data show that the number of Colombians found to be in an irregular migratory situation in the EU+ has steadily decreased in recent years, though remains still significant in 2013 at 3 080. The figure for 2011 was 4 195, there was therefore a 27% decrease over the last two years. In 2013, most apprehensions (78.6%) took place in Spain, followed by Germany (9%) and France (6.8%). In 2011 the percentages had been 82% in Spain, 6.4% in France and 4.6% in Germany.

The 3 080 apprehended Colombians represented 0.8% of the total number of apprehensions of irregular migrants in the EU+ in 2013, which was 388 010. This puts Colombia in 31st place in the ranking of most important source countries of irregular migrants, as measured by this indicator. Neighbouring Brazil, a country whose citizens enjoy visa-free access to the Schengen area, is placed 21st in this ranking, with 5 575 apprehensions¹⁴.

The number of return decisions¹⁵ issued to Colombians has more or less halved since 2009, reflecting the diminished flows of Colombian irregular migrants to the EU+: from 4 555 decisions in 2009 to 2 375 in 2013 – still not an insignificant level. Spain was the Member State issuing the most return decisions to Colombians: 3 590 in 2009 and 1 635 in 2013; followed by France and the Netherlands, with 230 and 215 decisions issued respectively in 2013.

¹² Source: Eurostat [migr_eirfs] data collection

¹³ Source: Eurostat [migr_eipre] data collection

¹⁴ It must however be kept in mind that the population of Brazil is roughly 200 million, compared to 47 million for Colombia

¹⁵ Source: Eurostat [migr_eiord] data collection

The number of effected returns to a third country¹⁶ of Colombians following an order to leave has been stable and has oscillated between 1 000 and 1 100 every year since 2009 (except in 2010 when the figure was 400). Spain¹⁷ returned the vast majority of Colombians: between 800 and 900 every year (except in 2010 when it only returned 175). In 2013 the Netherlands returned 85 and France 65 Colombians respectively.

A comparison between the data on return decisions issued and effected returns (the so-called 'return ratio') may indicate whether the return of Colombians having received a return decision is carried out smoothly or whether difficulties exist. The return ratio was very low in 2010 (9.5%) but since then it has improved markedly (26.9% in 2011, 31.5% in 2012 and 46.1% in 2013). Therefore, last year the return ratio for Colombians was higher than the average return ratio worldwide (36.6%) though it should still further improve.

2.4. Asylum

The number of applications made by Colombian asylum-seekers in the EU+ in 2013 was 310¹⁸, the lowest figure in two decades. Since 2006, when the figure of asylum-seekers stood at 2 910, every year has seen a decrease in the number of applications, with less than 500 applications annually since 2010. Spain was until 2009 the main destination country in the EU+ for Colombian applicants, but since 2010 France receives the highest number of asylum applications from Colombians (90 in 2013; 60 in Spain). The share of Colombian applications on the total number of applications in EU+ was about 0.1% in 2013, down from 0.4% in 2008.

First instance decisions issued to Colombian applicants since 2008 in the EU+ were mainly negative, however in relative terms the recognition rate (comprising a grant of either refugee status, subsidiary protection status or a national protection status) of Colombian applicants has increased from 8% in 2008 to 26% in 2013. This has occurred at the same time as a drop in the overall numbers of applications and thus decisions issued at first instance from 1 800 in 2008 to 310 in 2013. Of the positive decisions, a relatively high proportion granted refugee status (65% of the 715 positive decisions issued to Colombians from 2008 to 2013).

Some 405 Colombians were resettled in 2013 in three EU+ States: Sweden (210), Denmark (130) and Norway (65); this is actually more than the number that applied for asylum in the EU+.

2.5. Security of Colombian travel documents and document fraud involving Colombians

Colombia, as State party of the 1944 Chicago Convention, is obliged to comply with the provisions of the International Organization of Civil Aviation. In particular, it must comply with ICAO document 9303, which lays down the technical and security features which must be followed for the issuance of travel documents.

¹⁶ Source: Eurostat [migr_eirtn] data collection

¹⁷ Spain and Colombia implement a bilateral migration agreement since 2001 that contains readmission provisions: http://www.boe.es/diario_boe/txt.php?id=BOE-A-2001-12853

¹⁸ Source of all the data in this subchapter : Eurostat [migr_asyappctza] and [migr_asydcfst] data collections

Colombia implements a system for issuing passports in conformity with ICAO document 9303 since 2010. The process consists of the following steps: registration of application, capture of biometric data, authorization of the document by means of digitalized signature, printing and delivery process with fingerprint validation.

The SICEP (*Sistema de Control y Expedición de Pasaportes*) is a centralized web-based system, which enables an on-line check of the passport issuance status and is managed at the headquarters of the Ministry of Foreign Affairs (MFA). The SICEP has control over the whole process of issuing passports, from the initial application to delivery. Moreover, the system keeps track of the revenues generated by the collection of duties and fees related to the issuance of passports and monitors the inventory of documents. The issuing offices of the MFA are equipped with electronic devices for the capture of biometric data of the applicants. The SICEP is moreover connected with a database which allows the automatic verification of any legal and judicial impediments of applicants to travel.

The Colombian passport has a Mechanically Readable Zone, whose information is contained in two text lines of OCR- B (Optical Code Recognition) of 44 characters each, which are printed on a polycarbonate data page. The passport's MRZ contains personal information of the holder as well as of the issuing State or Organization. It also contains areas of fixed dimensions that meet the specifications of ICAO document 9303.

The safety features consist of a sheet of polycarbonate that is the page containing the data, the covers are made of a synthetic material developed especially for binding passports. The printing of the texts and all materials used on the covers are resistant to the temperatures reached during the manufacturing of the passports.

Additionally, the paper documents are made up of high strength material and the printing is performed using laser etched security features used to verify the pre-printed information. The processing of passports is subject to quality control and verification procedures in accordance with international quality standards.

Colombia follows very closely the document assembling structure set out by ICAO in Document 9303 and provides quite an extensive amount of details about the production, application and issuance processes, namely regarding (the quotes are directly extracted from the Colombian contribution):

- **The quality control at the production facilities** – *"The plant where the passports are printed and finished has the highest security and the people working in the production process are subjected to a thorough security screening."*
- **The protection against theft and misuse of authentic blank documents** – *"Blank documents are kept locked on the premises of the printing plant and the following steps are enforced: Physical security with controlled areas; complete audit trail and Closed Circuit Television."*
- **The capture of biometric information** - *[...] three types of biometric identification systems, of a physiological nature, are considered: Facial Recognition (mandatory); Fingerprint (optional) and Iris Recognition (optional)";*
- **Centralized personalization** – *"The personalization process is carried out in a secure and controlled environment that has appropriate security measures to prevent unauthorized access to the facility";*

- **Distribution and delivery** – *"The passport booklets are dispatched from the personalization centre in security vehicles to the offices of the Ministry and the corresponding relevant Governorates. On the premises of the Ministry and in the Governorates the passport is delivered to the applicant, only after his identity has been verified. This verification is done by a biometric matching of the fingerprint captured during the application process. This prevents passport books being delivered to anyone other than the applicant as well as the possibility that a person can possess more than one passport with a different identity."*

According to Frontex, Colombian nationals were detected in extremely low numbers for document fraud. Data from the European Document Fraud Risk Analysis Network indicate that there were only 20 Colombians linked to 45 cases during 2013. These figures are negligible on the overall European level given that they represented less than 0,5% of roughly 10 000 reported cases of document fraud during 2013. Document fraudsters from Colombia were detected mostly on entry to the EU from a third country, usually from Colombia. Colombians were predominantly using documents from Spain and several South American countries whose citizens do not require visas to enter the Schengen area.

There were only 12 cases of Colombian fraudulent travel documents detected by EU+ States during 2013.

3. SECURITY AND CRIME

This chapter is largely based on the contribution provided by Europol¹⁹. It looks into the different criminal activities where Colombian organised crime groups (OCGs) are active.

The structure of organised crime in Colombia changed radically over the past 10 years. The demobilisation of AUC paramilitary groups (United Self-Defence Forces of Colombia) between 2003 and 2006 led to the formation of new criminal gangs deeply rooted in drug trafficking: the Emerging Criminal Bands (BACRIM) who, according to the Colombian government, overtook the FARC (Revolutionary Armed Forces of Colombia) and ELN (National Liberation Army) as a national security threat since 2011.

Colombian OCGs only maintain a limited presence in the EU. Latin American OCGs favour the Iberian Peninsula as their base of operations due to cultural, language and historical ties. Here, they are particularly involved in the cocaine trade and laundering of criminal proceeds.

3.1. Drugs trafficking

Colombia, Peru and Bolivia continue to be the primary sources of the cocaine consumed in the EU and the rest of the world. The FARC (Revolutionary Armed Forces of Colombia - People's Army) continues to control key Colombian cocaine production and trafficking zones servicing markets in Europe²⁰.

¹⁹ This chapter covers also UK and Ireland.

²⁰ Europol Threat assessment 2013 Cocaine and heroin trafficking to and in the EU

According to the most recent EU Drugs Market Report²¹ issued by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and Europol, in 2010 the global acreage of coca bush cultivation was estimated, depending on the source, to lie between 149 200 (UNODC) and 187 500 hectares (US State Department). Although both UN and US sources reported moderately decreasing trends in total coca cultivation in the 2006–2010 period, they diverged regarding the coca acreages of Colombia and Peru. Whereas the UN estimated the area under coca cultivation in Colombia to be between 57 000 and 62 000 hectares, the US estimate was almost twice as high at 100 000 hectares. Conversely, in Peru the UN estimated that approximately 61 200 hectares was under coca cultivation in 2010 while the US estimated 53 000 hectares. The two sources agreed, however, in estimating that Bolivia had the third largest area under coca, estimated at 31 000 hectares by the UN and 34 500 hectares by the United States.

Andean aggregate potential production of pure cocaine was estimated in 2010 at between 788 and 1 060 tonnes by the UNODC and at 850 tonnes by the United States. Both estimates fall within the 800–1 000 tonnes range reported over the last decade, reflecting a stable situation.

According to the EMCDDA²², cocaine remains the most commonly used illicit stimulant drug in Europe, although most users are found in a small number of western EU countries. An estimated 14.1 million European adults (15–64 years) have ever used the drug; 3.1 million in the last year. Recent data suggest declining use of cocaine, with 11 out of 12 countries running surveys between 2011 and 2013 reporting falls in prevalence among young adults (15–34 years).

The Colombian authorities reported that, according to the United Nations, in 2012 Colombia had the most significant reduction of illicit coca crops on record and showed a 10% decrease in cocaine production.

The Iberian Peninsula, particularly Spain, is the main entry point for cocaine arriving to Europe. Linguistic ties and the presence of a large community of Colombians in Spain attract Colombian OCGs. However, there has been an unprecedented diversification of trafficking routes prior to the arrival of cocaine in the EU. This is linked to a decline in the prominence of Colombia as a departure point for the drug and an increase in importance of other Latin American countries such as Argentina, Brazil, Venezuela, Chile, Peru, Suriname and Ecuador.

In north-western Europe, the Netherlands and Belgium are key entry and redistribution points for cocaine. Cocaine entering the EU via the Netherlands is destined primarily for the German and UK markets, and, to a lesser extent, France and Italy. The ports of Antwerp and Rotterdam continue to receive large volumes of drugs. Significant amounts of cocaine are also directly imported to France, Germany, Italy and UK.

In recent years, substantial seizures, mostly in containers, have been made in south-eastern Europe, at Black Sea ports and in the Balkans. This indicates that these regions are becoming important entry points for cocaine. Cocaine is also increasingly trafficked via Croatian ports.

²¹ Available at: http://www.emcdda.europa.eu/attachements.cfm/att_194336_EN_TD3112366ENC.pdf

²² *European Drug Report 2014: Trends and developments* available at: <http://www.emcdda.europa.eu/news/2014/3>

Recent seizures in Latvia, Estonia and Lithuania demonstrate that ports in the Baltic states are used both as entry points to the EU and as transit hubs for further distribution towards developing markets in Eastern Europe, such as the Russian Federation. There is also evidence of maritime transportation of cocaine to ports in Ukraine and the Russian Federation.

The bulk amount of cocaine is imported by sea, usually in multi-ton loads. Large quantities are transported in containers on legal commercial routes; this has become the preferred smuggling method for cocaine in recent years. As part of these shipments, cocaine from South America is concealed among a wide variety of goods, such as tropical fruits (bananas, pineapples), canned foods, wooden boards, and frozen fish. Some OCGs have infiltrated or even own plantations for exotic fruits, packaging facilities and export companies, which they abuse as front companies to traffic cocaine to the EU.

Air transportation remains important for the smuggling of smaller amounts on a regular basis using air couriers and air freight. Colombia reported the arrests of 100 Colombian cocaine couriers in 2013. The large majority was heading to Spain with drugs concealed in their luggage. Postal and fast parcel services appear to have a growing significance for the smuggling of cocaine.

Despite a relative decline in influence, Colombian groups continue to play a key role in the supply of cocaine for the European market. They have settled in the EU to organise and facilitate their operations, and cooperate with many European groups including Italian and Spanish criminal organisations. Many Italian OCGs have strong links to Colombia and are heavily represented in this country. Colombians are the largest group of foreign nationals investigated for cocaine trafficking in Spain.

Colombia has recently noted an emerging production and distribution of synthetic drugs in the country. Synthetic drug production is controlled by established OCGs that have been involved in cocaine trafficking for many years. This development indicates a shift towards poly-drug trafficking by groups that were previously exclusively involved in the production and trafficking of cocaine.

3.2. Euro counterfeiting

Several print shops producing counterfeit euro have been dismantled in Colombia. In Colombia, at least 20 illegal print shops were dismantled, and more than EUR 26 million counterfeit notes seized, since 2006. The latest print shop discovered was dismantled on 12 March 2014 in Bogotá, Colombia²³. Europol has supported numerous investigations of euro counterfeiting in Colombia.

The global acceptance of the euro as a stable currency with low exposure to inflation is prompting the emergence of an increasing number of print shops counterfeiting euro

²³ A total face value of counterfeit EUR 609 600, USD 900 000, 347 million counterfeit Colombian pesos (value EUR 121 900), uncut sheets of counterfeit euro banknotes, in EUR 50 and EUR 500 denominations, 41 fake Colombian ID cards and five counterfeit U.S. visas, printers and computer equipment, guillotine cutters, plus other material for producing counterfeit currency and documents, rolls of imitation security thread, holographic foils, clichés and specialist paper were seized

banknotes outside of the euro area, specifically with a concentration in South America. The enlargement of the euro area may create new opportunities for OCGs.

3.3. Organised property crime

Colombian (and Peruvian) citizens have been involved in distraction thefts at jewellery fairs and banks in various countries within the EU (Austria, Belgium, Germany, France, Spain, Italy, Finland, Denmark, Norway and the Czech Republic). These mobile organised crime groups (MOCGs) typically consist of around 10 persons, operate with clearly divided tasks and rarely use violence or weapons. It is difficult to establish the identities of the members of these groups due to their undocumented status or use of fraudulently obtained documents, sourced in other South American countries.

3.4. Facilitation of irregular migration

Currently, Colombia is not an important source country for facilitated irregular immigration into the EU. A visa waiver would provide opportunities for legal travel to the EU for short stays. This will make the use of facilitation services into the EU redundant and consequently an increase in the number of facilitated irregular migrants from Colombia is not expected. While a visa-free regime would eliminate the need for facilitation into the EU, migrants may use facilitation services offered by OCGs to legalise long-term stay in the EU. Irregular migrants from Colombia could make use of these services with the expectation of being able to gain access to social benefits in EU destination countries. *Modi operandi* for the legalisation of stay include the use of fraudulent documents, marriages of convenience and the misuse of student visas.

Nationals of other South American countries are less likely to make use of visa-exempt Peruvian or Colombian passports as most of the countries of the region already benefit from visa-free regimes with the EU. Only nationals of Bolivia, Ecuador, Guyana and Surinam would still require visas if visa liberalisation becomes effective with Peru and Colombia.

3.5. Trafficking in human beings

Colombia is a source, transit and destination country for the trafficking in human beings (THB).

Labour exploitation is particularly prevalent in the mining and agriculture industries while sexual exploitation of women is concentrated in urban areas and around mining centres. Child begging and the sexual exploitation of children, including child sex tourism, remains a problem in main urban areas and centres of tourism. OCGs employ a number of *modi operandi* to recruit victims including deceptive employment and education offers.

Colombian victims are trafficked internationally to other South-American countries, the Caribbean, Asia and Western Europe²⁴. Spain recently reported several cases of trafficking in human beings for sexual exploitation orchestrated by Colombian members of large multi-

²⁴ US Department of State Trafficking in Persons Report 2013, accessed at <http://www.state.gov/j/tip/rls/tiprpt/>

national OCGs. A network trafficking women to Europe and Asia for sexual and labour exploitation and even organ trafficking was dismantled in Colombia in October 2013²⁵.

Most victims of THB identified in the EU are EU nationals. However, Colombia was listed among the major non-EU countries of origin for victims identified in the EU in 2010²⁶. Colombian victims currently do not figure among the top nationalities for Europol cases.

3.6. Cybercrime: payment card fraud

Colombian OCGs active in the EU are involved in payment card fraud through skimming, credit card forgery and credit card fraud at points of sale (POS Fraud). Colombian authorities have also reported a growing trade in data stolen through phishing and the use of malware.

One OCG reported by Spain had divided its activities among specialised cells active in different Member States. This OCG used ATM and POS skimmers to obtain card data which then allowed the forging of credit cards. Once forged, the cards were used for ATM and POS fraud in Colombia and Peru.

3.7. Money laundering

OCGs exploit the ability to transfer funds immediately in order to conceal their criminal profits among the millions of legitimate financial transactions conducted on a daily basis.

Money Service Businesses (MSBs) and Informal Value Transfer Systems (IVTS), also known as Alternative Remittance Systems (ARS), continue to facilitate the laundering of substantial sums of money. Colombian OCGs frequently make use of such systems to transfer the proceeds of their criminal activities back to their country of origin. They often conceal their identity by using other people's names or internet cafés. Additionally, cash is transported to South America via cash couriers or concealed in freight. Investments in real estate and commercial companies in South America are frequently used to launder money.

It is believed that some of the proceeds generated from the trafficking of drugs by Latin American OCGs were used or are still being used to finance the FARC²⁷.

²⁵ Case presented during the 82nd Interpol General Assembly held in Cartagena de Indias on 21-24 October 2013. Source: Le Nouvel Observateur 23.10.2013, Colombie: réseau de traite humaine vers l'Europe et l'Asie démantelé, accessed at <http://tempsreel.nouvelobs.com/monde/20131023.AFP9781/colombie-reseau-de-traite-humaine-vers-l-europe-et-l-asie-demantele.html>

²⁶ European Commission, Eurostat, Trafficking in human beings, 2013, accessed at http://ec.europa.eu/anti-trafficking/download.action;jsessionid=LT0sT7LcJd1lr5mt19GSgcXCv8nds2vfVh0YyRp8DxWT10j1QyRq!1914918917?nodePath=/Publications/Trafficking+in+Human+beings+-+DGHome-Eurostat_EN.pdf&fileName=Trafficking+in+Human+beings+-+DGHome-Eurostat_EN.pdf&fileType=pdf

²⁷ Spain indicts criminal group accused of financing FARC', accessed at <http://www.insightcime.org>

3.8. Trafficking of firearms

In 2009, the number of illicit firearms in Colombia was estimated to range between 800 000 and 2.4 million²⁸.

A significant proportion of the weapons surrendered by the AUC between 2003 and 2008 were manufactured in Europe, originating primarily from Bulgaria, Romania, Belgium and Germany. The presence of these firearms provides a strong indication that firearms were trafficked from Europe to Colombia in the past²⁹.

Colombian OCGs and the FARC use their contacts and networks for cocaine trafficking to engage with OCGs involved in the trafficking of firearms and explosives. In the case of the FARC, the organisation's International Committee is responsible for establishing such cooperation with other groups.

Only one MS recently reported the involvement of Colombian individuals in firearms trafficking. In this case, Colombian nationals cooperated with OCGs in the UK and were involved in the trafficking of firearms from Belgium and the Netherlands to the UK.

3.9. Terrorism

There is only limited information available on the activities of terrorist groups originating from Colombia (FARC-Revolutionary Armed Forces of Colombia and ELN – National Liberation Army) in the EU. The FARC have been known to seek political, financial and technical support abroad. Both organisations are since 2002 listed as terrorist organisations by the European Union under the meaning of Regulation 2580/2001³⁰.

As a destination market for cocaine, EU MS are an important source of revenue for the FARC. In addition, the International Committee of the FARC has developed several initiatives aimed at raising political and social support for their ideology and activities in EU MS. The FARC-associated Anncol News Agency based in Sweden and its website is a prominent example of such activities in the EU. Despite clear links with the FARC and the arrest and conviction of its founder and editor in 2011 (although the individual in question was released some months later after being acquitted by an Appeal Court), this propaganda outlet is still in operation. Open sources indicate that the FARC maintains links to NGOs and citizen groups in the UK, Belgium, the Netherlands, Italy, Denmark, Norway and Germany³¹. However, the threat posed by FARC to the EU has been assessed as low.

²⁸ Small Arm Survey working paper 7, 2009, Surplus Arms in South America: A Survey, accessed at <http://www.smallarmssurvey.org/fileadmin/docs/F-Working-papers/SAS-WP7-Surplus-Arms-in-South-America.pdf>

²⁹ N. Urrutia, M.Ortega, G. Andrade, A. Vranckx, Arms Tracing : Perspectives on control, traffic and use of illegal weapons in Colombia, 2009, accessed at <http://www.ideaspaz.org/publications/posts/82>

³⁰ Council Implementing Regulation (EU) No 125/2014 of 10 February 2014 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulation (EU) No 714/2013 OJ L 40

³¹ Press reports of 2009 on content of computers seized during offensive against Raul Reyes (Ecuador, 2008). Source: Revista Semana 05.01.2009, The world of the FARC (part 1: Europe), accessed at <http://www.semana.com/international/print-edition/articulo/the-world-of-the-farc-part-i-europe/98823-3>

While the existence of such platforms and connections may not have a direct impact on the security of affected MS, they still provide opportunities for financing and recruitment of EU citizens for these causes, even if these organisations are listed as ‘terrorist’ – financing them or recruiting for them are illegal under EU law.

Finally, it has been acknowledged that the EU-based terrorist groups, Euskadi ta Askatasuna, Basque Fatherland and Liberty (ETA) and Irish Republican Army (IRA) have provided technical support to the FARC through trainings on the use and fabrication of explosive devices.

4. ECONOMIC CONSIDERATIONS

4.1. Colombian economy and trade – main indicators

The box below provides an overview of the main indicators concerning Colombia’s economy and trade relations, in particular with the EU³².

- Colombian GDP has enjoyed during the last four years **annual growth rates over 4%** and is considered to be one of the most dynamic economies in Latin America and the Caribbean.
- Colombia is currently **the third economy** in Latin America and the Caribbean after Brazil and Mexico.
- IMF established the **growth forecast** for Colombian GDP for 2014 and 2015 to be around 4.5%.
- However, Colombia's high dependence on a small base of **commodity exports** leaves the country increasingly exposed to external conditions.
- Colombian foreign trade of goods has **increased 3.5 times** since 2004.
- Colombia has concluded several **Free Trade Agreements** in order to insert itself in the Global Economy (EU, USA, Canada, EFTA, South Korea, Israel, Chile, Andean Community and Central America-5) and is currently negotiating a multilateral **Trade in Services Agreement (“TiSA”)**.
- Colombia's main **export partners** in 2013 were the US (31.8%), the EU-28 (15.8%) and China (8.7%), whereas its main **import partners** were the US (27.6%), China (17.5%) and the EU-28 (13.4%).
- Bilateral trade flows of goods between the **EU-28 and Colombia** have nearly **tripled** since 2004, to reach EUR 7.7 billion of Colombian exports to the EU-28 and EUR 5.8 billion of EU-28 exports to Colombia.
- Annual EU-28 Imports from Colombia have increased **62.4%** in the last 10 years.
- Annual EU-28 Exports to Colombia have increased **67.2%** in the last 10 years.
- EU exports to Colombia in 2013 consisted mostly of **manufactured goods**, notably machinery (18.4%), pharmaceutical products (13.3%), aircrafts (12.2%), electronic equipment (7.6%) and vehicles (5.9%).
- EU imports from Colombia in 2013 were dominated by **primary products**, in particular mineral fuels and oils (77.4%), coffee (6.1%), bananas (5.6%), ferronickel (1.7%) and flowers (1.3%).

³² All data in this section include the UK and Ireland when reference is made to the EU.

- **Net outflows** of Colombian capital grew considerably in 2013, reaching USD 13.6bn, compared with USD 3.3bn in 2012, mainly as a result of direct investment by Colombian companies overseas in areas such as financial services, mining and energy, retail, communications and manufacturing.

According to the data above, Colombia is the EU's fifth trade partner in Latin America and the Caribbean and the main trade partner in the Andean Community. The EU-Colombia Trade Agreement has been applied since August 1, 2013, and trade flows of goods are expected to increase in the upcoming years. Furthermore, Colombia, together with the EU, is amongst the 23 WTO-members that are negotiating a multilateral ambitious Trade in Services Agreement ("TiSA"), which includes a strong "mode 4" component. Visa-free travel for Colombian businesspeople could lead to stronger economic ties between Colombian and European companies, as for instance more frequent participation of Colombian businesspeople in trade fairs in the EU could result in more orders for products produced by European businesses.

4.2. Colombian tourist flows towards the EU

The number of Colombian tourists in the EU+ has been increasing in recent years. According to data provided by the Colombian authorities, between 2008 and 2013 the increase in Colombian tourists' departures for EU+ countries was 27%, i.e. an annual growth of 5%. In 2013 the number of Colombian tourists departing for EU+ countries was 289 191, up from 227 101 in 2008. In 2013 the main destinations were Spain (190 281), France (32 010), Germany (22 784) and Italy (14 734). Not surprisingly, the growth rate of tourist departures to the EU+ countries seems to be closely correlated to the growth of the Colombian GDP (about 4% annually in the last four years).

According to information obtained by the EU Delegation in Bogota, European airlines flying the routes between Colombia and the Schengen area expect an increase in the number of passengers between 10-20% if visa liberalisation becomes a reality. This estimate, similar to the one reported by the Colombian authorities to Frontex (+17%) is mainly based on increases observed in other routes after visa liberalisation.

In any case, tourist flows from Colombia are increasing every year so visa liberalisation would provide a boost to the already increasing tourist flows between Colombia and the EU+. Based on these figures and past and estimated future growth rates, it could be realistic to expect around 400 000 Colombian tourists in 2016 in EU+ countries, assuming that 2016 would be the first full year when visa-free travel would be a reality between Colombia and the Schengen area. This figure could reach almost 500 000 in 2017³³.

³³ Colombian official data available at www.dane.gov.co suggest that the average stay of Colombians travelling abroad is 21 days and that their average expenditure by day (including transport to the place of travel) is about EUR 300 per person. This means that an average Colombian would spend about EUR 6 300 per trip abroad. If 500 000 Colombian tourists visit the EU+ in 2017, this would mean a total expenditure (not all of which would necessarily be spent in EU+ countries, as it would also cover the air transport) of EUR 3,15 billion. This figure is quoted here for reference but is considered to be too high.

