

HOW U.S. GUNS SOLD TO MEXICO END UP WITH SECURITY FORCES ACCUSED OF CRIME AND HUMAN RIGHTS ABUSES

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Photo: Rashide Frias/AFP/Getty Images

In a room full of weapons industry representatives in Washington, D.C., in February, one by one, people stood to introduce themselves. They had come together as part of the Defense Trade Advisory Group, which advises the State Department about how to make it easier to export U.S. weapons around the world. On the docket for the day was a proposal for something called “batch filing,” which would allow weapon companies to submit multiple applications for export licenses at a time.

Many of companies present had a particularly large stake in Mexico: There were representatives from Lockheed Martin, which sends Black Hawk helicopters to Mexico, and from Textron, which owns Bell helicopters, also purchased by Mexico’s military. There was someone from Nammo Talley, from which the Mexican military bought more than 2,000 weapons in 2016 for a little over \$8.3 million.

So when the time came for public comment on the proposal, Antonio Tizapa stood. Tizapa's son Jorge Antonio was one of 43 students from a teachers college in Ayotzinapa in the Mexican state of Guerrero, who were attacked and forcibly disappeared in 2014. The local police implicated in the students' disappearance were armed with U.S.-produced Colt assault rifles.

The chair, Bill Wade of the Pentagon contractor L3 Technologies, clearly did not want Tizapa to say anything. "We're really pressed for time, unless you have a question," Wade said. Tizapa had planned to speak in Spanish through an interpreter, but, faced with the chair's hostility, he spoke directly in English.

"My name is Antonio, I am the father of one of the 43 disappeared students in Mexico," he said. "Because the police used weapons, my son disappeared 40 months ago. He is my son. Please, don't send more weapons to Mexico. I am looking for my son. There are not just 43, it's more."

After Tizapa spoke, Wade moved on to the next comment without missing a beat or acknowledging his appeal in any way.

The Trump administration is set to make it easier for guns to flow to forces like those that disappeared Tizapa's son. As part of an "Arms Transfer Initiative" aimed at boosting all U.S. weapons sales, the administration will likely soon announce policies that would ease the rules by which the United States sends guns and munitions abroad. Under the new regime, oversight of export licenses is expected to move from the State Department to the Commerce Department, and many fear there will be less scrutiny with regards to human rights and national security concerns.

Mexico has already been a major beneficiary of easy U.S. arms exports. Since 2007, Mexico and the United States have undertaken a joint security strategy aimed at battling cartels and controlling narco trafficking and other illicit activities. That strategy has coincided



Antonio Tizapa, father of Jorge Antonio Tizapa, poses for a photo at City University of New York on March 18, 2015. The 47-year-old Mexican immigrant last saw his son, who was among the students that disappeared in 2014 in Ayotzinapa, when the boy was 5 years old. Photo: Claudia Torrens



Three members of the Mexican army keep watch in the residential Anahuac neighborhood in Monterrey, Nuevo León state, Mexico on Feb. 5, 2012, after clashes between a group of gunmen and Mexican army. Photo: Julio Cesar Aguilar/AFP/Getty Images

with an enormous increase in firearms sales from the U.S. to Mexico.

Recent Mexican and U.S. government data analyzed by The Intercept shows that legal U.S. gun and explosives exports to Mexico are higher than ever, and that the guns are flowing to all levels of the Mexican security and police apparatus. Legal U.S. firearm and ammunition exports to Mexico between 2015 and

2017 amounted to almost \$123 million, according to U.S. Census Bureau trade records – more than a dozen times what they were between 2002 and 2004. Last year, four times such exports went to Mexico than to any other Latin American nation. But if the aim of firearms sales to Mexico is to abate criminal violence, it has failed dramatically. Homicide victims in 2017 in Mexico surpassed 29,000, the highest on record.

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The exponential growth in sales to Mexico has not been accompanied by controls to track where the guns go or to ensure that they do not land in the hands of police or military units that are credibly alleged to have committed gross human rights abuses or colluded with criminal groups – the very groups that security forces are being armed to combat. Legally exported U.S. firearms have been used in massacres, disappearances, and by security forces that collude with criminal groups in Mexico on a broad scale.

How Guns Flow from the Military to Local and State Police

The Mexican military is the only legal importer of firearms into Mexico. In turn, the Mexican army is the only legal distributor of guns within the country; personal possession of firearms is highly restricted, with a single military-run retail store for gun sales in Mexico City. Aside from the weapons that the military acquires for its own forces, most legally imported guns in Mexico are sold to state and local police forces. More than half of the 305,086 guns sold by the Mexican Secretariat of National Defense – which includes the army and air force and is known by its Spanish acronym SEDENA – from 2010 through 2016 were sold to police, according to documents released by SEDENA in response to a public records request.

Since criminal organizations arm themselves with U.S. assault weapons illegally trafficked from the U.S. retail market, legal exports to police and the military are part of a deadly arms race with these organizations. More than 20,000 firearms obtained by Mexican state and federal police went missing or were stolen from 2006 to 2017, according to SEDENA data. More than 7,000 of the weapons went missing from police in Mexico City and Mexico state. In the state of Guerrero, the number of guns gone missing or stolen between 2010 and 2016 amounts to nearly one-fifth of the firearms police acquired in the state during the same period.

There is also evidence that firearms legally imported from the United States have been used in some of the worst human rights violations in Mexico in recent years. The local police who attacked the 43 Ayotzinapa students were armed with AR6530 rifles, a model variant of the AR-15, legally supplied through licensed shipments from Colt, according to documents in the judicial record.

An investigation by Mexico's National Human Rights Commission found that Federal Police, who carried out the massacre of 22 persons in Tanhuato, Michoacán, in 2015, killed five of them with Dillon Aero guns mounted on Black Hawk helicopters. The Dillon guns fire some 125 rounds per second, and Mexico obtained 16 of them for the army in 2013, for just over \$1 million, and then another 12 in 2015, according to Mexico's most recent Arms Trade Treaty report.



A customer validates his purchase with a soldier before exiting the country's lone gun store in Mexico City on July 15, 2016. Photo: Nick Wagner/AP

These are unusual cases, in that we know which weapons were involved. Most homicides in Mexico – including those carried out by state forces – are never investigated, so there is no judicial record identifying the firearms that were used. But the volume of U.S. firearms going to Mexico, combined with the well-established record of police and military forces colluding with organized crime and committing gross human rights violations, means that U.S. guns are certainly at the scene of many more crimes.

The example of U.S. gun producer Sig Sauer is instructive as to how guns move from the military to police. In April 2015, the U.S. State Department issued a \$266 million license to Sig Sauer: \$265 million for gun sales, and \$1 million for other equipment and technical support to the Mexican navy, defense ministry, interior ministry, and federal and state police forces. That year, Mexico imported 3,060 rifles, 3,819 pistols, and 505 machine guns produced by Sig Sauer's New Hampshire production facilities. The license also permits the Mexican navy to assemble Sig Sauer MPX submachine guns, capable of firing 850 rounds a minute, from "kits" made of parts produced by the company. All told, as of January, \$29.3 million in guns and gun parts had been exported from Sig Sauer and other New Hampshire manufacturers to Mexico since April 2015, according to Census Bureau trade records – meaning that Sig Sauer has at least \$235 million left in sales to make before its license expires in 2024.

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On its end, since 2014, the Mexican military has sold 1,400 U.S.-produced Sig Sauer firearms to police in 18 Mexican states, including states where there is an extensive record of collusion with organized crime, such as Tamaulipas, Michoacán, and Chihuahua, SEDENA records show. State authorities also distribute these weapons to local police; in the state of Mexico, for example, Sig Sauer weapons were sold to police in five municipalities, while Colt weapons went to three other municipalities, as well as state police, according to a state police document.

According to data recently released by the Mexican military, other U.S. gun producers that have exported thousands of firearms each to Mexico for use by the police or private individuals include: Colt, Bushmaster, Mossberg, Smith & Wesson, DS Arms, Remington, and Browning. The Mexican military has also purchased military weapons from U.S. producers Nammo Talley, Barrett Firearms, and Knight Armament Company since 2014. In Veracruz, the police responsible for at least 15 death squad murders purchased, since 2013, at least 674 firearms exported by three U.S. arms companies: Colt, Bushmaster, and Combined Systems, according to the Veracruz public security secretariat. Local police in Veracruz also obtained weapons from Sig Sauer and Connecticut-based Mossberg.

Beyond guns, U.S. Census Bureau trade data show that just over \$8.3 million in military explosives were delivered to Mexico from Arizona in September and October 2017, more than in any year in the last decade for all states combined. (In all of 2016, military explosives exported from the entire United States to Mexico amounted to less than \$800,000.) The Census records do not indicate which company exported the explosives. In addition, Milkor USA, based in Tucson, sold M32A1 grenade launchers used by the Mexican military special forces. In 2017, more than \$5 million worth of grenade launchers were exported to Mexico from Texas alone.

The permissive U.S. attitude toward gun exports has prompted several gun producers based in the European Union to beef up production in the United States, thus evading EU restrictions on arms sales to countries with widespread violence or human rights viola-

tions. Sig Sauer, for instance, whose parent company is in Germany, more than quadrupled global exports from the United States between 2009 and 2016, according to data from the Bureau of Alcohol, Tobacco and Firearms. (Germany stopped approving licenses for gun exports to Mexico after 2010.) Beretta (Italy) and Glock (Austria) produce guns in Tennessee and Georgia, respectively, and are the two brands that Mexico has imported in the largest numbers since 2007, per SEDENA records. The State Department in February 2016 issued a license to Glock to export more than 11,000 9mm and .45 caliber pistols from its Smyrna, Georgia, facility for re-sale to Mexican police.



Hundreds of firearms are displayed before being destroyed at the Morelos military headquarters in Tijuana, Mexico, on Aug. 12, 2016. According to the army, thousands of weapons were obtained in several seizures and handed in by citizens during Mexico's firearm exchange program. Photo: Guillermo Arias/AFP/Getty

More Guns, Less Tracking

The State Department is supposed to track end users of U.S. arms exports, to ensure that they don't go missing or end up in the hands of criminal elements – exactly as is feared in the case in Mexico. But the methods for tracking gun shipments have systemic problems, State Department officials admit behind the scenes. And with the Trump administration's proposed changes, the process could be undermined even further.

Officials in the State Department's Directorate of Defense Trade Controls, speaking on background during a meeting last summer, told me that U.S. and Mexican systems for

identifying firearm shipments from the United States to Mexico are incompatible and incapable of talking with each other, making it impossible to track firearm shipments without physical inspections, which happen only occasionally.

In addition, when the State Department Bureau of Human Rights, Democracy and Labor, or DRL, receives firearms exports license applications to review for human rights concerns, approximately 80 percent of the applications show the end user as the military in Mexico City, according to a DRL official in December, who also spoke on background. That's entirely inconsistent with SEDENA's data, which shows that most of more than 305,000 firearms it distributed between 2010 and 2016 went to police and private users outside Mexico City. (Although the U.S. government compiles and releases some records on gun exports, Mexican public records requests have resulted in this more granular look at the end users in Mexico of U.S. guns. But Mexico recently passed an "Internal Security Law," which classifies more military information and may make it harder for the public to access those records.)

When the applications did identify units that would receive the firearms, according to a State Department official who spoke on background in May 2017, DRL did not crosscheck those units with a human rights database known as INVEST, which is designed for screening military and police units nominated for U.S. assistance. A State Department spokesperson said that commercial arms sales are subject to a different process from assistance, "which still takes into account reports of human rights violations, including by foreign security units," but neglecting the INVEST database may help explain how many end users with tarred records received U.S. gun exports.

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The arms industry has long pushed for this change – and won significant changes from the Obama administration easing export restrictions on many types of military equipment. Despite soaring arms sales under Obama, human rights controls remained nominally a priority, but many are concerned that the Trump administration’s overhaul will jettison them. In announcing the Arms Trade Initiative last week, the White House included human rights among the things to be taken into consideration, but it remains to be seen how vetting will actually be applied. A move to Commerce would remove congressional oversight of the licenses, which has in the past led to the cancellation of gun export deals to the Philippines – where armed forces have allegedly carried out thousands of extrajudicial killings – and to Turkey’s presidential guard, after guard members beat up demonstrators in Washington, D.C.

Worried by Trump’s proposal, three U.S. senators wrote last September that firearms exports “should be subject to more – not less – rigorous controls and oversight.”

Given the record under today’s controls, it seems certain that loosening them further will mean that Antonio Tizapa and the tens of thousands of other Mexicans who have lost family members to gun violence will be joined by new victims of U.S.-sourced weaponry.

Top photo: Mexican soldiers patrol during an operation against alleged members of organized crime in Culiacán, Mexico, on Feb. 16, 2018.