



DEADLY TRADE

How European and Israeli arms exports are accelerating violence in Mexico



December 2020

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Introduction

Weapons companies based in Europe and Israel exported more than 238,000 firearms to Mexico for use by state and local police between 2006 and 2018.¹ Both state violence and homicides have increased dramatically during the period of these gun sales to police. The weapons were sold to police in every one of Mexico's 32 states. The vast majority of these weapons – more than 95% – were classified as for “military use” under Mexican law, which sharply restricts legal gun sales to civilians.²

These weapons transfers did not lead to greater security for the Mexican population. Mexico experienced more than 276,000 murders from 2006 through 2019. The discovery of mass graves in Mexico has become common: authorities have reported 3,631 since 2006.³ Some 73 thousand people are registered as missing in Mexico, more than 56,000 disappeared in the last decade.⁴ As of November 2020, more than 37,000 bodies remain unidentified.⁵ The violence has forcibly displaced more than 346,945 people since 2006.⁶

Firearm killings are the type of homicide that has grown the most since 2007⁷, in both men and women, constituting 70.8% of all homicides in the first half of 2020.⁸ Six out of every ten women murdered in 2018 were killed with a firearm – an average of five women a day being shot to death.⁹

Weapons
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1. Database of firearms sold to police in Mexico, 2006-2018, compiled by Stop US Arms to Mexico from documents released by SEDENA, Folio 0000700176018. Hereafter referenced as “Firearms Mexico Police Database” and accessible at stopusarmstomexico.org/police-firearms-database.
2. This report uses the term “firearms” and “small arms” interchangeably. According to the UN working definition “‘small arms and light weapons’ mean any man-portable lethal weapon that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive, excluding antique small arms and light weapons or their replicas”. Whereas “small arms” such as self-loading pistols or assault rifles are designed for individual use, “light weapons” are weapons designed for use by two or three persons serving as a crew, although some may be carried and used by a single person. They include heavy machine guns, portable anti-tank guns or recoilless rifles. Former UN Secretary General Kofi Annan once emphasized that “in terms of the carnage they cause, small arms, indeed, could well be described as ‘weapons of mass destruction’”. United Nations, *Small Arms review conference*, (NY, 2006), <https://www.un.org/events/smallarms2006/faq.html>. See also the definition used by Small Arms Survey, *Definitions of Small Arms and Light Weapons*, www.smallarmssurvey.org/weapons-and-markets/definitions.html.
3. Comisión Nacional de Búsqueda, *Informe sobre fosas clandestinas y registro nacional de personas desaparecidas o no localizadas*, January 6, 2020, <https://www.gob.mx/cnb/documentos/informe-sobre-fosas-clandestinas-y-registro-nacional-de-personas-desaparecidas-o-no-localizadas-enero-2020>.
4. Comisión Nacional de Búsqueda, *Búsqueda, identificación y registro de personas desaparecidas* (corte al 13 de julio) July 13, 2020, https://www.gob.mx/cms/uploads/attachment/file/563137/Presentacio_n_informe_Comisio_n_Nacional_de_Bu_squeda.pdf
5. C., Birngruber, F., Holz, & M., Murck, “Nombre y rostro para personas fallecidas sin identificar (I de II),” *NEXOS*, July 8, 2020, <https://seguridad.nexos.com.mx/?p=2184>.
6. Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, *Episodios de desplazamiento interno forzado masivo en México*. Informe 2019. (México: CMDPDH, 2020).
7. Estefanía Vela Barba, “Las armas con las que matan a las mujeres,” *Animal Político*, November 25, 2019, <https://www.animalpolitico.com/blog-de-intersecta/las-armas-con-las-que-matan-a-las-mujeres/>.
8. Arturo Angel, “Nuevo récord de violencia: primer semestre de 2020 dejó 17 mil 982 asesinatos; violencia subió en 11 estados,” *Animal político*, July 21, 2020, <https://www.animalpolitico.com/2020/07/record-violencia-semester-2020-asesinatos/> “Década violenta en México: más de 200,000 homicidios y un asesinato cada 23 minutos,” *Infobae*, January 1, 2020, <https://www.infobae.com/america/mexico/2020/01/01/decada-violenta-en-mexico-mas-de-200000-homicidios-y-un-asesinato-cada-23-minutos>
9. Estefanía Vela, *Op. cit.*

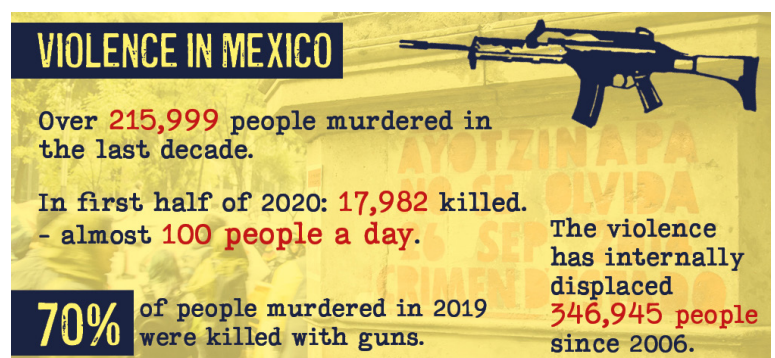
Mexico's firearm homicide rate has exploded to more than six times what it was in 2006: to more than 19 homicides per 100,000 people. That is more than 24,000 gun homicides in 2019 - the highest since Mexico began keeping records in 1997 - and at a pace that continued in 2020.¹⁰ In 2018, of the estimated 18.9 million crimes committed in Mexico where the victim was present, perpetrators carried a firearm in almost one in three cases.¹¹

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Proponents often seek to justify sales of weapons to police in Mexico as “necessary” to fight violent crime. But Mexicans have less confidence in police than residents in nearly every other country in the world surveyed by Transparency International.¹² Security has not improved with the transfer of law enforcement authorities to the Mexican Army and the militarized National Guard, either.

It is important to note that when it comes to human rights violations, firearms are used as tools to facilitate the commission of arbitrary executions, torture, forced disappearances, sexual assault and forced displacement. Meaning that human rights violations may imply the misuse of firearms by security forces. Thus, the State ought to ensure the proper use of firearms by law enforcement officials in order to guarantee the right to life and security of the people.¹³

Local police agencies in Mexico have carried out gross human rights violations, including many forced disappearances. To mention a few examples: In Coahuila 2011, about 300 people were disappeared and killed by the Zetas cartel in a revenge action. The cartel ordered the municipal police not to intervene. Known as The Allende Massacre (named after the municipality of Allende), the event took place over five days and involved three other nearby municipalities. Although residents made many calls for help, not a single local or state authority responded.¹⁴



10. “Datos Abiertos de Incidencia Delictiva”, Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública, <https://www.gob.mx/sesnsp/acciones-y-programas/datos-abiertos-de-incidencia-delictiva>.

11. Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública (ENVIPE 2019) https://www.inegi.org.mx/contenidos/programas/envipe/2019/doc/envipe2019_presentacion_nacional.pdf

12. Transparency International, *Global Corruption Barometers*, <https://www.transparency.org/en/gcb>.

13. See Frey, Barbara, “Due Diligence to Prevent Foreseeable Harm: The International Human Rights Agenda on Civilian Gun Violence,” *Washington University Journal of Law & Policy*. (2019) Volume 60.

14. Sergio Aguayo & Jacobo Dayán. *El Yugo Zeta. Norte de Coahuila, 2010 - 2011*, (México, El Colegio de México, 2018)

In Veracruz, at least 202 people were disappeared by state police officers during the term of now indicted former governor Javier Duarte,¹⁵ and similar events have been documented in states such as Nuevo León¹⁶ and Zacatecas.¹⁷

Mexico's National Human Rights Commission issued 204 rulings for serious violations of human rights from January 2007 to June 2017 - a period when Mexico waged an intensive "war on drugs." It found the military (Army and Navy) responsible in more than three quarters (148) of these rulings. 34,920 investigations were initiated at the federal and state levels for torture by state agents between 2006 and 2019.¹⁸ Of these, courts issued sentences for only 43 cases, and even fewer convictions (18 at federal level).¹⁹

This involvement of state forces in serious human rights violations, as well as the collusion between police and other state officials with organized crime, make European and Israeli arms exports to Mexico extremely problematic, not only from an ethical perspective, but also from a legal one. The new findings presented here clearly show how these arms transfers violate the European Common Position, a legal framework created to subject the arms trade to a set of minimal ethical criteria.



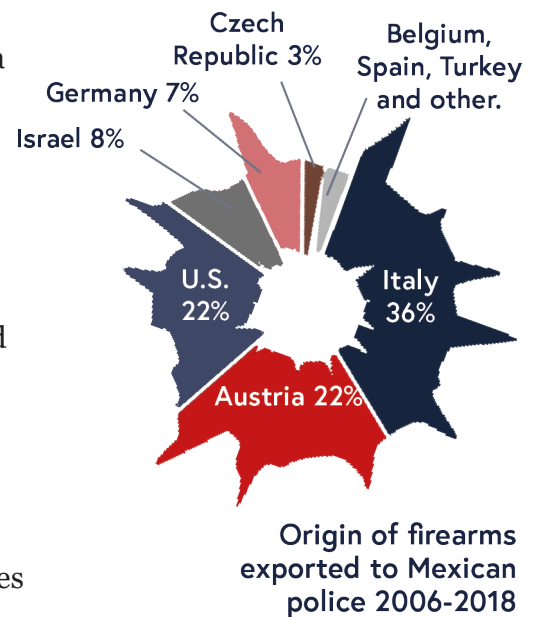
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15. Angel, A. & Ureste, M., "Investigan más de 200 desapariciones forzadas por policías de Javier Duarte en Veracruz," *Animal Político* (February 9, 2018) <https://www.animalpolitico.com/2018/02/duarte-veracruz-desaparicion-forzada/>.
16. Observatorio sobre Desapariciones e Impunidad, "Informe sobre Desapariciones en el Estado de Nuevo León con información de Cadhac," (México, Flasco-México, UNAM-ILJ, Universidad de Minnesota y Universidad de Oxford, 2017), https://www.flasco.edu.mx/sites/default/files/observatorio_-_informe_nuevo_leon.pdf.
17. Comisión Nacional de los Derechos Humanos. *Recomendación 42/2014*, September 24, 2014, https://www.cndh.org.mx/sites/default/files/doc/Recomendaciones/2014/REC_2014_042.pdf.
18. FGR, information requests Folio: 0001700145720. Local prosecutor offices, information request folios: Aguascalientes 00099120; Baja California 00166520; Campeche 0100113320; Chiapas 00149720; Chihuahua 017522020; Ciudad de México 0113000072920; Coahuila 00148020; Colima 00061720; Durango 00103920; Estado de México 0000312941; Guanajuato 00416020; Guerrero 00092120; Jalisco 01391420; Michoacán 00212720; Morelos 00160020; Nuevo León 00322920; Oaxaca 00148920; Puebla 00362420; Querétaro 00135220; Quintana Roo 00148320; San Luis Potosí 00223120; Sinaloa 00271620; Sonora 00209920; Tabasco 00245720; Tamaulipas 00179620; Veracruz 00495820; Yucatán 00503620; Zacatecas 00100320.
19. Council of the Federal Judiciary, information request Folio: 0001700145720. Information requests to state courts: Baja California Sur, folio:00170320; Coahuila, folio:00098920; Estado de México, folio:0000310715; Guanajuato, folio:00301020; Nayarit, folio:00048620; Nuevo León, folio:00270620; Sinaloa, folio:00313320; Sonora, folio:00630520; Tamaulipas, folio:00193220; Veracruz, folio:00522020; Zacatecas, folio:00110920.

Where Weapons used by Mexican Police Come From

More than half of firearms sold to Mexican police from 2006 to 2018 came from just two weapons companies: Italy-based Beretta and Austria-based Glock. Beretta sold 108,660 weapons to state and local police during the period, including more than 25,000 rifles and other long guns, while Glock sold 68,319 pistols. Since 2006, Mexican police have also obtained weapons from Israel (24,280 firearms), Germany (22,221), Czech Republic (7,904), Turkey (4,168), Belgium (1,063), and smaller numbers from Spain, Finland, and Switzerland.²⁰ Taken together, European and Israeli firms exported enough firearms for nearly every Mexican state and municipal police officer in 2006-2018.²¹



The Mexican Army holds sole legal authority to import firearms into Mexico, and to transfer firearms to police agencies, private security companies, and private individuals.²² It also manufactures firearms for its own use, issues licenses for both institutional and individual acquisition and possession of firearms, and maintains a registry of legal firearms. No other nation in the world concentrates so much authority for the acquisition, distribution and control of small arms in a single military institution.



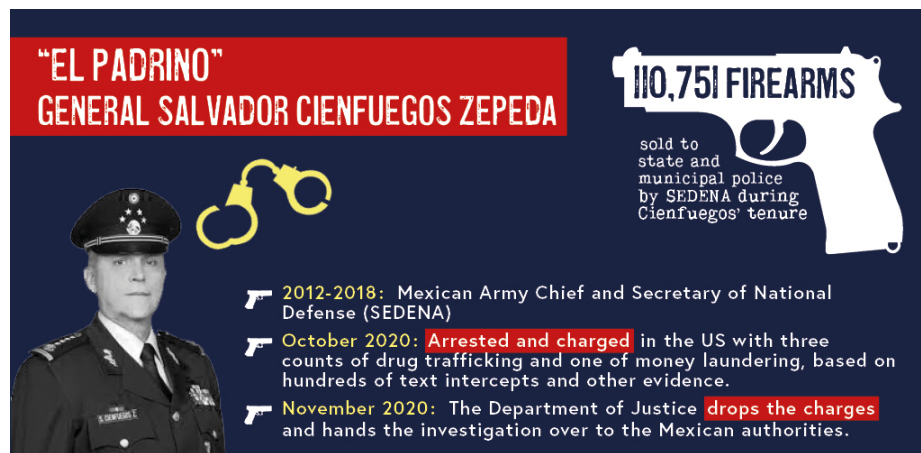
20. Firearms Mexico Police Database. *Op. Cit.*

21. Mexico had 255,866 police officers in 2019 (129,120 state police and 126,746 municipal police). Gobierno de México, "Situación de eventos delictivos y policías por Entidad Federativa durante la presente administración" July 16, 2019, <https://lasillarotarm.blob.core.windows.net/docs/2019/08/13/cpmsituaciondelitosypoliciasxent13ago19.pdf>.

22. One exception is the authority of the Mexican Navy to import firearms for its own use.

The risks of this arrangement were manifest in 2019, when former SEDENA commander General Salvador Cienfuegos was indicted in the United States on three counts of drug trafficking and one count of money laundering. Evidence presented based on hundreds of text message intercepts indicated that General Cienfuegos was linked to a drug cartel in the state of Nayarit and was known as “El Padrino” (“The Godfather”). The U.S. Justice Department’s decision to turn over the Cienfuegos investigation to Mexican authorities reflected no change in that evidence.²³ During Cienfuegos’ term as head of SEDENA from 2012 to 2018, SEDENA sold 110,751 firearms to state and local police.²⁴

More than half of firearms sold to Mexican police from 2006 to 2018 came from just two weapons companies: Beretta and Glock.



Most of the major European and Israeli firearms companies have also established gun manufacturing in the United States, including Beretta, Glock, FN Herstal, Sig Sauer, I.W.I., Ceska Zbrojovka, Heckler & Koch, and Walther. These companies sell to the enormous U.S. civilian and police markets, but they are also able to take advantage of U.S. weapons exports laws that are weaker than Europe’s.²⁵ Several European firms, including Glock, Beretta, and especially Sig Sauer, have exported firearms to Mexico from the United States. In addition, many thousands of weapons produced by European companies that are sold to individuals on the U.S. retail market are then trafficked over the border into Mexico.

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23. U.S. Department of Justice, “Sensitive and important foreign policy considerations outweigh the government’s interest in pursuing prosecution,” November 17, 2020, Criminal Docket No. 19-366 (CBA).

24. Firearms Mexico Police Database. *Op. Cit.*

25. In March 2020, the Trump administration in the United States transferred authority for licensing and oversight of all firearms exports, including for semi-automatic assault rifles, from the State Department to the Commerce Department, where exports are governed by different rules and do not require notification to Congress. Industry sources estimated the rule change would lead to an increase of 30% in firearms exports. During 2020, US handgun exports have grown dramatically. See John Lindsay-Poland, “U.S. Gun Exports Have Spiked During the Pandemic,” *Inkstick*, September 9, 2020, <https://inkstickmedia.com/us-gun-exports-have-spiked-during-the-pandemic>.

Research methodology

The findings in this report are based on a year-long compilation and review of more than 9,000 pages of receipts and end use certificates for weapons transfers to state and local Mexican police obtained from the Mexican Defense Secretariat (Mexico's Army, known by its acronym, SEDENA) by Stop US Arms to Mexico, a project of the human rights organization Global Exchange. Stop US Arms obtained the documents through formal information requests to the Army, which is responsible for all legal firearms imports into and transfers within Mexico. Weapons transfers to federal military and police agencies are less transparently documented, but we report on these to the extent documentation was available.

The Mexican army submits end user certificates to companies that seek to export firearms to Mexico from European countries and Israel. Mexico is also required to submit end use certificates to the U.S. State Department for U.S.-exported firearms. Stop US Arms to Mexico requested and obtained 1,282 pages of end use certificates, including 890 submitted to the U.S. State Department, for firearms exports for use by Mexican police from 2008 through 2019. However, the number of firearms reported in the end use certificates in 2008-2018 represent just 44,293 firearms from European and Israel-based firms, less than one quarter of 205,395 firearms from these firms that receipts show were transferred to Mexican police during the same period. For example, receipts show 28,156 Beretta weapons sold to Mexican police in 2014-2018, and Arms Trade Treaty (ATT) reports for 2017 and 2018 indicate large numbers of Beretta weapons exported from Italy to Mexico for military use. Yet Mexico submitted no end use certificates for the importation of Beretta weapons between May 2013 and the end of 2019.

Italian weapons

Used by police in all 32 states in Mexico

For many years, Italian small arms manufacturers have made Italy among the top three gun exporting countries in the world, with amounts exceeding US\$600 million per year.²⁶ So it is not surprising that, after the United States, Italian small arms are the most widespread in Mexico. Weapons that are “made in Italy” are also widespread in the US as they have been adopted by the US military. The Mexican gun market is also saturated with “Italian” products that are manufactured or distributed by the US branches of major Italian companies, such as the Beretta Group and Fiocchi Munizioni.

Weapons that are manufactured in Italy and are destined for the civilian market – including police agencies – don’t need specific authorization, and can be shipped from Italy with simple administrative documentation which does not include any end-user certification. In the period of 2007-2019, Italian companies introduced a veritable river of weapons to the Mexican market, with a yearly average of ten thousand pistols and revolvers and 1,100 rifles. There is evidence that during the first half of 2020 – when the Covid-19 pandemic hit northern Italy hard –, the Beretta Group significantly increased firearms sales to Mexico.²⁷

Weapons manufactured in Italy that are intended for foreign military use must be authorized in Italy by a special office of the Ministry of Foreign Affairs. End-user certificates are required but not published. Italian authorities grant permission for firearms sales to foreign entities and state agencies, whose status is confirmed by supposedly reliable intermediaries (banks, foreign trade insurance companies, freight forwarders, etc.). Authorization is only denied to countries listed by the UN and EU as subject to an international embargo - even though Italian law requires that they be denied to all countries at war, or where human rights are seriously violated or weapons can be used against the civilian population.

Single authorizations can also be given, lasting several years, as in the case of the supply of 10,000 spare parts for S&W caliber Beretta semi-automatic pistols in 2018-2019, or the supply of 260 Benelli rifles from 2015 to 2017.

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with amounts
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per year.

26. See United Nations. “UN Comtrade Database”, HS code 93: *Arms and ammunition; parts and accessories thereof* (excluding bombs and military weapons).

27. See Portale del commercio con l'estero, “Italian international trade database,” http://www.coeweb.istat.it/tavole_predefinite.html.

From 2007 to 2019, the Beretta Group supplied the Mexican military – in different models and calibers, and including huge stocks of spare parts and accessories – 26,150 automatic assault rifles, 18,685 semi-automatic handguns, 1,775 long guns and 303 sniper rifles. In the last decade alone, Beretta’s sales to Mexico generated revenues of at least US\$26.8 million.²⁸

In 2018, a new entry arrived on the Mexican military market: Prima Armi (based in Turin), a small company that was authorized to re-sell M4-type 5.56x45 assault rifles imported from Switzerland and the United States, for an amount exceeding US\$500,000.

In particular, the Beretta Group can use its multinational and multi-brand structure to avoid the controls and limitations of national legislation. Finished weapons, spare parts and accessories that arrive in Mexico start from two main Italian plants – Brescia (Beretta brand) and Urbino (Benelli) – and from plants based in Finland (Sako), Turkey (Stoeger) and in the United States (Beretta and Benelli USA in Maryland and Tennessee). According to recent bills of lading, the main supply chain starts from Brescia (northern Italy), travels by truck to the German port of Bremerhaven, then by vessel to the port of Norfolk (VA), then by land to Maryland and finally to North American destinations.²⁹

Beretta weapons have been used by police in several Mexican states in multiple serious human rights violations. These include the forced disappearance of 43 student teachers from the Ayotzinapa Normal School in September 2014, with participation of Iguala, Guerrero municipal police, who had 73 Beretta assault rifles (SC 70/90).³⁰

Beretta weapons also arrive on the illegal market. Of the 61,242 illegal firearms recovered by the Mexican army from 2010 to May 2020 for which a manufacturer was identified, 2,744 were Italian, mostly Beretta pistols.³¹

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28. *Methodological note.* Data used in this paragraph comes from two main sources: a) national and international statistics on foreign trade, which include any type of light weapons and ammunition at the level of two-digit commodity codes (see HS code 93); and b) annual government reports, which concern only the export-import of military material. Italian law distinguishes between ‘common firearms’ and ‘military weapons’ according to technical criteria; in particular, automatic weapons are intended only for armed forces. Common firearms (semi-automatic / bolt-action, hunting / sporting and short / long guns) that are usually considered ‘civilian weapons’ can become military weapons if intended for military forces. However, weapons intended for police forces are considered ‘civilian’ weapons. Since Italian law does not require end-user certificates or post-shipment inspections of exported military material, it is possible that military weapons manufactured in Italy and sold to the Mexican armed forces are then delivered to Mexican police forces, through the National Secretariat of Defense (SEDENA).

29. Data about Beretta supply chain are published (for a fee) by both the US Bureau of Census and business data providers (i.e. PIERIS/Ihs, Panjiva/S&P Global etc.).

30. SEDENA, Licencia Oficial Colectiva 110, November 8, 2013, part of the Ayotzinapa judicial case record.

31. Dataset of firearms recovered by Mexican army, based on SEDENA responses to information requests, Folios: 0000700057819, 0000700001619, 0000700079717, 0000700283519, 0000700154320. SEDENA recovered another 58,723 firearms for which the manufacturer was not identified. Other Mexican agencies also recover illegal firearms, including the Navy, National Guard, Prosecutor General’s Office, Customs Agency, and state law enforcement agencies, but SEDENA recovers more firearms than all other agencies.

Jalisco:

Beretta has sold more firearms to police in Jalisco - 12,558 since 2006 - than to police any other Mexican state, although receipts did not identify the police agency or municipality that were end users for more than 7,300 of these. However, 251 Beretta pistols and assault rifles were sold to municipal police in Tlajomulco, Jalisco between 2009 and 2018. After a series of protests against deadly police violence that took place in Jalisco in the month of June 2020, another person was killed on July 30.³² A young man of 27 was shot in the head, reportedly by four Tlajomulco municipal police officers. According to the victim's sister, the officers forcibly entered her home in the Buenavista neighborhood, beat her - even though she was pregnant -, and shot her brother, identified as Omar, in front of their mother. The officers were arrested and brought before the State Prosecutor.³³

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Chihuahua:

In 2007-2008, Beretta sold at least 1,044 firearms to the State Security Secretariat (SSE, state police) in the northern border state of Chihuahua.³⁴ On October 27, 2020, 15-year-old Jennifer Amador was killed by Chihuahua SSE agents who entered her home in Chihuahua City during a birthday party for one of her younger brothers.³⁵

The search of the Amador house was the result of a failed anti-drug operation that was intended to raid a drug dealer's house. The judge in the case stated that "police can't just shoot blindly" and instructed prosecutors to continue their investigation and present evidence against the police.

State police who participated in the operation have been arrested.³⁶

Oaxaca:

Nearly 1,000 Beretta firearms were sold to police in Oaxaca in 2009-2018, including at least ten pistols to Acatlán municipal police in 2016.³⁷

32. Alejandro Puerto, "Violencia policial en Jalisco," *Tierra Adentro*, <https://www.tierraadentro.cultura.gob.mx/violencia-policial-en-jalisco/>

33. "Policías presuntamente asesinan a joven con un balazo en la cabeza en Tlajomulco, Jalisco," *El Debate*, July 30, 2020, <https://www.debate.com.mx/guadalajara/Policias-presuntamente-asesinan-a-joven-con-un-balazo-en-la-cabeza-en-Tlajomulco-Jalisco-20200730-0311.html>; Reza, G., "Jalisco: detienen a cuatro policías por asesinar a un joven en Tlajomulco," *Proceso*, July, 30 2020, <https://www.proceso.com.mx/deportes/2020/7/30/jalisco-detienen-cuatro-policias-por-asesinar-un-joven-en-tlajomulco-246988.html>

34. Firearms Mexico Police Database, *Op. Cit.*

35. Holguín, R. "De fiesta de cumpleaños a la muerte de Jennifer Amador," *El Heraldo de Chihuahua*, October 30, 2020, <https://www.elheraldodechihuahua.com.mx/local/de-fiesta-de-cumpleanos-a-la-muerte-de-jennifer-noticias-de-chihuahua-violencia-muertes-5952996.html>

36. Fierro, P., "Vinculan a proceso a policías por homicidio de Jennifer," *Puente Libre.mx*, November 3, 2020, http://puentelibre.mx/noticia/vinculan_a_proceso_a_policias_por_homicidio_de_jennifer/.

37. Firearms Mexico Police Database, *Op. Cit.* Receipts did not indicate end users within Oaxaca for 766 - more than three quarters - of Beretta firearms transferred to police in the state.

On June 9, 2020, an Acatlán police officer shot and killed Alexander “Chander” López during a protest. Witnesses with López said they were approaching a shop when a municipal police car cut them off for no reason. “My cousin managed to evade the patrol car, but he hit the motorcycle’s back tire. And from nowhere, one of the officers started firing whatever he could hit, shooting to kill.”³⁸

Tamaulipas:

Beretta sold 320 weapons to Tamaulipas state police in 2007-2008 (more than 1,200 firearms were purchased by unspecified police agencies in the state in 2008-2013). On February 8, 2020, Tamaulipas state police killed 23-year-old Juan Daniel Ortiz Martínez, who was hit by at least 50 bullets. In a video of the episode, dozens of high-caliber gunshots can be heard fired at a stationary pickup truck. The victim’s mother reported that she was on the phone with her son and could hear him pleading for his life.³⁹

End use certificate submitted by Mexican army for 489 Beretta firearms destined for police in three Mexican states in 2013, including Nayarit. Then-army chief Salvador Cienfuegos was accused of collaborating with a cartel in Nayarit.

SECRETARÍA DE LA DEFENSA NACIONAL
DIR. GRAL. IND. MIL.

2013, Año de la Lealtad Institucional y Centenario del Ejército Mexicano.

DIRECCIÓN GENERAL DE INDUSTRIA MILITAR
DIRECCIÓN DE COMERCIALIZACIÓN DE ARMAMENTO Y MUNICIONES
SECCIÓN DEPARTAMENTO OPERATIVO
MESA UNIDAD DE CONTRATOS
HOLDR OFICIO DCAM-2452/2013
EXPEDIENTE CONTRATO 126/2013

ASUNTO: Constancia de Usuario Final
Campo Militar No.1-D, Lomas de Tecamechcalco, Naucalpan de Juárez, Edo. de Méx., a 9 de Mayo de 2013.

FABBRICA D' ARMI PIETRO BERETTA S.P.A.
PIETRO BERETTA 18,
25063 GARDONE VAL TROMPIA,
BRESCIA ITALIA.

Se hace constar que los artículos que adelante se detallan, amparados mediante el Contrato de Bienes de Importación de Adquisición No. 126/2013, serán destinados para su venta a los Gobiernos Constitucionales de Aguascalientes, Nayarit y Quintana Roo que cuentan con la autorización de la Secretaría de la Defensa Nacional, en términos de la Ley Federal de Armas de Fuego y Explosivos; así mismo se informa que por ningún motivo serán reexportados a un tercer país sin el acuerdo previo de Italia.

PARTIDA	CANTIDAD	DESCRIPCIÓN
1.	490	PISTOLA
2.	59	PISTOLA
3.	23	PISTOLA
4.	4	PISTOLA
5.	3	PISTOLA

SUFRAGIO EFECTIVO. NO REELECCIÓN
EL DIRECTOR GENERAL DE INDUSTRIA MILITAR
GRAL. DIV. D.E.M.

38. Ureste, M. “Alexander, el adolescente que soñaba con ser futbolista profesional, y que policías mataron “por accidente,” *Animal Político*. Jun 11, 2020, <https://www.animalpolitico.com/2020/06/alexander-perfil-adolescente-futbolista-policias-mataron/>.
39. “Por equivocación, policías de Tamaulipas mataron a un ingeniero de 23 años; su familia pide justicia,” *Infobae*, February 9, 2020, <https://www.infobae.com/americamexico/2020/02/09/por-equivocacion-policias-de-tamaulipas-mataron-de-un-ingeniero-de-23-anos-su-familia-pide-justicia/>; “Exigen justicia para joven abatido por policías de Tamaulipas,” *La Jornada*, February 8, 2020, <https://www.jornada.com.mx/ultimas/estados/2020/02/08/exigen-justicia-para-joven-abatido-por-policias-de-tamaulipas-3697.html>.

Israeli Weapons

In Veracruz, Tamaulipas, Guerrero states in Mexico

Over the past two decades, Israel has exported hundreds of millions of Euros worth of military equipment to Mexico, including various types of drones, naval battle ships and missiles. These arms exports don't stop with military or heavy military equipment, but also include small arms, many of them later transferred to police forces.

Between 2006 and 2018, Israel Weapons Industries (I.W.I.) sold 23,772 small arms, valued at approximately 34 million Euros, to Mexico for use by state and municipal police forces. 16,442 of these weapons were Galil or Tavor assault rifles – fully and semi-automatic military grade assault rifles used by Mexican police everywhere from Mexico City, to Guanajuato (2,766 arms) and Guerrero (2,039 firearms). In Veracruz, state police allegedly carried out death squad operations in 2013 and 2014 that killed at least 15 people, mostly youths.⁴⁰ I.W.I. sold 1,199 rifles to state police in Veracruz during 2011-2014.⁴¹

Beyond the use of these arms by police, many of them have ended up in the hands of cartels. Over 2,600 of these assault rifles were delivered to Tamaulipas, Guerrero, and Jalisco, states that account for 60% of illegal weapons confiscations in Mexico. Of the approximately 61,000 illegal firearms recovered by the Mexican army from 2010 to May 2020 for which the manufacturer was identified, 41 were I.W.I. weapons (including 12 in Michoacan, 3 each in Veracruz and Guerrero, and 6 in Tamaulipas).⁴² Israeli-Mexican military relations go back to the 1970's with sales of Israeli Arava aircrafts.⁴³

By 1994, during the Zapatista uprising, Israel was training Mexican forces in tactics developed by the Israeli military during the suppression of the Palestinian uprising – the First Intifada. Israel was just introducing the checkpoint system in the West Bank and Gaza as its main tactic for social control, a policy that started spreading like wildfire throughout Chiapas, Mexico.⁴⁴

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Guerrero,
and Jalisco
- states that
account for
60%
of illegal
weapons
confiscations
in Mexico.

40. Associated Press, "Mexican police allegedly used near death-squad tactics," *Daily News*, February 28, 2018, <https://www.nydailynews.com/newswires/news/world/mexican-police-allegedly-death-squad-tactics-article-1.3846863>.

41. Firearms Mexico Police Database, *Op. Cit.*

42. See note 31.

43. SIPRI, "Transfers of major weapons: Deals with deliveries or orders made for 1960 to 1980," *SIPRI Arms Transfers Database*, Information generated May 18, 2020.

44. Zapatista autonomous municipalities, "The resistance of the indigenous communities in response to the war in Chiapas," 1998, http://www.struggle.ws/mexico/comment/auto_munc_nov98.html.



Photo: Marina San Martin

March in Mexico City, 8 March 2020

Since 2005, Galil and Tavor rifles have been manufactured by Israeli Weapons Industry (IWI) – a privately owned Israeli light weapons manufacturer. The Galil was used by the Israeli military throughout the 70’s and 80’s, and is still sold and used across the world. Over the past few years, it was sold for Duterte’s “war on drugs” in the Philippines, used by Haitian police against protestors, and by South Sudan forces during ethnic cleansing.⁴⁵ The Tavor is also operational in South Sudan and was used by Indian police accused of severe human rights abuses in Kashmir.⁴⁶ In addition, it is one of the main assault rifles used by the Israeli military - including against Palestinian protests in Gaza in recent years, leading to the maiming and killing of hundreds of protestors.⁴⁷

Mexican police forces also acquired 7,398 Jericho pistols, and several semi-automatic Uzi’s, Negev sniper rifles and others. In 2019, the Mexican government also approved the sale of Jericho pistols to civilians.⁴⁸

The Tavor is one of the main assault rifles used by the Israeli military - including against Palestinian protests in Gaza, leading to the maiming and killing of hundreds of protestors.

45. Judah Ari Gross, “As South Sudan bloodies itself, Israeli arms sales questioned,” *The Times of Israel*, August 20, 2015, <https://www.timesofisrael.com/as-south-sudan-bloodies-itself-israeli-arms-sales-questioned>.

46. Usaid Siddiqui, “Israelis appeal against training of India police accused of abuse,” *Al-Jazeera*, September 25, 2020, <https://www.aljazeera.com/news/2020/9/25/israelis-appeal-against-training-of-india>.

47. “Six Months On: Gaza’s Great March Of Return,” *Amnesty International*, December 2018, <https://www.amnesty.org/en/latest/campaigns/2018/10/gaza-great-march-of-return/>.

48. “7 weapons that the Mexican Government approved ownership for self-defense,” *Yucatan Times*, April 2, 2019, <https://www.theyucantimes.com/2019/04/7-weapons-that-the-mexican-government-approved-ownership-for-self-defense/>.

Belgian Weapons

Used by the army, police and cartels

Although the Belgian arms industry produces a wide range of military equipment, Mexico is almost exclusively buying small arms from Belgium: more than 98 percent of all military export licenses in the last decade concern firearms or firearms munitions.⁴⁹ In this category, Belgium has licensed more exports to Mexico than any other European state: 102 million euros worth of firearms have been licensed since 2008.⁵⁰ In the case of Belgium, this principally involves one company: FN Herstal, fully owned by the Walloon government since 1997.

SEDENA reported imports of 8,367 FN weapons from Belgium between 2008 and 2019. The army is the biggest end user, especially of MINIMI-machine guns (4,197 weapons) and 0.50 caliber heavy machine guns, such as the M2HB (748 weapons).⁵¹ However, Mexican police also purchased 1,064 Belgian firearms between 2009 and 2013. These were mainly two models: the FN Five-seven (436 weapons) and the P90 (365 weapons), which in Mexico are almost exclusively destined for police use.⁵²

Of particular concern is that End Use Certificates, disclosed by SEDENA on request, only mention 847 weapons destined for police use. These certificates are meant to implement Article 5 of the EU Common Position of 2008: “Export licenses shall be granted only on the basis of reliable prior knowledge of end use in the country of final destination”. In these certificates, requested by the national governments of EU member-states before granting licenses, SEDENA declares who will be the final user of the imported arms. The consulted documents suggest that more than 200 firearms ended up in the hands of the police without the approval of the Walloon government, thus violating the end use certificate.⁵³

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49. European Network Against Arms Trade, ENAAT browser, <http://enaat.org/eu-export-browser/licence.en.html>, based on Flemish, Walloon and Brussels annual reports on arms trade.

50. *Ibid.*

51. Arms Trade Treaty, *Annual Reports*, <https://thearmstradetreaty.org/annual-reports.html>; United Nations Register of Conventional Arms, <https://www.unroca.org/>

52. Firearms Mexico Police Database, *Op. Cit.*

53. Comparison Firearms Mexico Police Database with End Use Certificates released by SEDENA in response to information request, Folio: 0000700065520.

Police and military violence

With 644 guns, police in Jalisco have received the most Belgian firearms by far. Belgium exported 11 FN-weapons, destined for the municipal police of Tlajomulco.

Operations by the Mexican army – the biggest recipient of Belgian firearms – have not diminished the structural violence in Mexico. States where the Mexican army participates in armed confrontations have experienced increased homicide rates.⁵⁴ Although Mexico is not in an internal armed conflict, a total of 4,588 civilians have lost their lives in clashes with the military. A calculation of the current military-civilian death ratio shows a disturbing number: for every one soldier killed during a confrontation, 17 civilians lose their lives.⁵⁵

States where the Mexican army participates in armed confrontations have experienced increased homicide rates.

FN weapons are highly popular among cartels

In addition to being the main recipient of FN weapons for police, Jalisco is also one of the states where most guns were reported stolen or lost by police: at least 794 weapons between 2009 and 2016.⁵⁶ Some of these guns were diverted: SEDENA reported that it recovered 180 FN weapons at crime scenes throughout the country. The top three models were the FN Five-seveN (59 arms); FN P90 (33 arms); and FN P9 (27 arms) - the same top three models as those received by the police.

4,588 civilians have lost their lives in clashes with the military.

Its ability to pierce bullet-proof vests from a distance of 200 meters explains the interest of Mexican police in the FN Five-seveN. But for the same reasons, it is widely used by organized crime, and is nicknamed the “mata policia” (“cop-killer”). One of its most notorious owners was Arellano Felix, former leader of the Tijuana Cartel. When he was arrested in 2008 after a fierce battle with the Mexican army, photos and official statements demonstrated his possession of a “cop-killer”.⁵⁷ The Gulf Cartel,⁵⁸ Los Zetas⁵⁹ and the Cartel de Jalisco Nueva Generacion (CJNG) are also known to make use of FN-weapons.

54. Lindsay-Poland, et. al., *Gross Human Rights Abuses – The legal and illegal gun trade to Mexico*, (México, CMDPDH and Stop US Arms to Mexico, 2018) <http://www.cmdpdh.org/publicaciones-pdf/cmdpdh-the-legal-and-illegal-gun-trade-to-mexico.pdf>.

55. SEDENA, responses to information requests, Folios: 0000700180720 and 0000700179520.

56. Lindsay-Poland, et. al., *Gross Human Rights Abuses – The legal and illegal gun trade to Mexico*, Op. Cit.

57. “EU arms export” <https://euarms.com/weapon/1nGkZQrgzDgLhdZeVTGoeK>.

58. “Armas de Ejército del EU, en manos de narco mexicano,” *El Siglo del Torreón*, January 24, 2008, <https://www.elsiglodetorreon.com.mx/noticia/326771.armas-del-ejercito-de-eu-en-manos-del-narco-mexicano.html>.

59. “EU arms export” <https://euarms.com/weapon/g9cpEZkziX10ouCuogd84>

The fact that weapons sold to state forces might be used against them, was made clear again in June 2020, when the CJNG made an attempt on the life of police chief Omar Garcia Harfuch in Mexico City. On the scene of the attack, perpetrated by 28 heavily armed men, several assault rifles were retrieved, under which also the FN SCAR 17s.⁶⁰

Journalists are also victims of gun violence: Jaime Guadalupe was murdered by an unidentified gunman on his way to work on 3 March 2013k, reportedly because he had taken a photograph of a member of a criminal organization. The gunman used a FN Five-seven. In addition to being a journalist, he was also the director of the online news portal Ojinaga Noticias, which was shut down shortly after he was assassinated.⁶¹

Belgian grants biggest export-licenses at the peak of homicide rates in Mexico

FN firearms end up on all sides of armed violence in Mexico, and they are used against cartel members as well as journalists, state forces and civilians. It is clear that the system of end-use control is seriously flawed. Continuing to export in this context will only lead to more deaths.

In view of this reality, it is extremely worrying that at the 2011 peak of homicide rates in Mexico, and during the steep rise in 2017, Belgium licensed the largest values of firearms exports to Mexico: 40 and 27 million euros, respectively.

At the 2011 peak of homicide rates in Mexico, and during the steep rise in 2017, Belgium licensed the largest values of firearms to Mexico.



60. Luis Pablo Beauregard & Carmen Morán Breña, "El Cartel Jalisco desafía al Gobierno de México con un atentado contra el jefe de policía de la capital," *El País*, June 26, 2020, <https://elpais.com/internacional/2020-06-26/el-jefe-de-la-policia-de-ciudad-de-mexico-sufre-un-atentado.html>

61. "Jaime Guadalupe González Domínguez, Mexican Journalist," <https://peoplepill.com/people/jaime-guadalupe-gonzalez-dominguez/>

Czech Weapons

In Oaxaca, Michoacán, Veracruz, and Jalisco

Although the Czech Republic is not among the world's biggest weapons producers and exporters, it has a long tradition of selling weapons to dictatorial regimes and countries with ongoing armed conflicts. According to the Stockholm International Peace and Research Institute, the Czech Republic is 21st among the world's largest arms exporting countries.⁶² In 2019, the total value of exported weapons and military materiel reached 619 million euros, with Indonesia as the biggest importer.⁶³ The Czech military industry has a long tradition with origins in pre-WWI times. The arms race during the Cold War presented the golden era for the industry, with a steep decline after the dissolution of the Soviet Union. The existence of large stockpiles of now redundant weapons and ammunition, however, led to a large volume of arms sales and the establishment of private arms companies.

Today, the industry employs an estimated 24,000 people, with companies that managed to recover from the downfall after 1989 and the subsequent opening of the Czech economy to the free market. Some of the most important companies are Česká Zbrojovka (small arms), Sellier & Bellot (ammunition), Czechoslovak Group (heavy machinery reparation and production), AERO Vodochody (subsonic jets) or ERA (air surveillance systems).

Exporting to human rights-abusing regimes

The Czech Republic too often exports weapons to dictatorial regimes or countries infamous for their poor human rights records. Among its largest customers are Egypt, Turkey, Nigeria, United Arab Emirates, Vietnam, and Saudi Arabia (the largest customer of Czech weapons in 2014). In 2017, modern Czech howitzers and rocket launchers were exported to Azerbaijan, in circumstances that are still unclear, in violation of the OECD arms embargo.⁶⁴

62. Wezeman, Pieter D., Aude Fleurant, Alexandra Kuimova, Diego Lopes Da Silva, Nan Tian, & Siemon T. Wezeman, "Trends in International Arms Transfers, 2019," *SIPRI Fact Sheet*, March 2020, https://www.sipri.org/sites/default/files/2020-03/fs_2003_at_2019.pdf.

63. Ministerstvo průmyslu a obchodu, "Výroční Zpráva o Kontrole Vývozu Vojenského Materiálu, Ručních Zbraní pro Civilní Použití a Zboží a Technologii Dvojiho Užití v ČR Za Rok 2019," Výroční zpráva MPO ČR. (Licenční zpráva MPO ČR: Ministerstvo průmyslu a obchodu), July 21, 2020, <https://www.mpo.cz/cz/zahranicni-obchod/licennci-sprava/o-licennci-sprave/vyrocní-zpravy-o-kontrolé-vývozu-vojenského-materialu--rucnich-zbrani-pro-civilní-použití-a-zboží-a-technologii-dvojiho-uziti-v-cr--255848/>.

64. Šimák, Jakub, and Matej Gašparovič, "Czech Weapons in Azerbaijan: How a Chassis Turned into a Howitzer," *Investigace*. Eu. September 24, 2019, <https://www.investigace.eu/czech-weapons-in-azerbaijan-how-a-chassis-turned-into-a-howitzer/>.

Česká Zbrojovka is one of the “traditional” Czech small arms manufacturers founded before the Second World War. The company claims that it belongs to the ten largest small arms manufacturers in the world and exports weapons to almost 100 countries.⁶⁵ In 2013 and 2014, the company exported between 50,000 and 130,000 handguns (numbers published in the media vary) and thousands more submachine guns to the Egyptian junta, despite the ongoing brutal crackdown on human rights in the country.⁶⁶ In this case, the government and media framed the deal as a “contribution to the war on terror.”

Another notable scandal surfaced in 2018 when The New York Times reported that “90 percent of the weapons found at wildlife crime scenes in South Africa and in Mozambique”⁶⁷ were manufactured by CZ. The company has faced criticism recently because of the allegedly low quality of its assault rifles, which led the Czech army to get rid of rifles bought only four years ago.⁶⁸ Interestingly, it is the same model rifle - CZ 805 BREN - that Mexican police acquired in 2014.

There is not as much information available from Czech sources about the nature of Czech arms exports to Mexico. Official data from the Czech Ministry of Industry and Trade shows that the value of weapons and military materiel exported to Mexico in the last ten years reached 21 million euros. The trade peaked in 2014 when mostly small arms were exported, valued at 7.1 million euros.

According to Mexican army data, Czech companies sold 7,904 firearms to Mexico for use by state and local police - the sixth largest exporting country for police firearms.

In some Mexican states, the amount of Czech weapons is even more significant:

- ♦ In **Oaxaca**, police acquired more weapons from the Czech Republic than from any other country: 2,505 9mm handguns, primarily between 2008 and 2011.

The Czech Republic exported at least **€21m** in weapons and military equipment to Mexico in the last decade.

Czech companies sold **7,904** firearms to Mexico for use by state and local police

65. Otto, Pavel, “Příběh Firmy Česká Zbrojovka: Kde Se Rodí Pistole | E15.Cz.,” E15.Cz, December 28, 2016. <https://www.e15.cz/byznys/obchod-a-sluzby/pribeh-firmy-ceska-zbrojovka-kde-se-rodí-pistole-1311359>

66. Grohmann, Jan, “Egypt získá 129 000 českých pistolí CZ 75 P-07 Duty,” ArmádníNoviny.cz, July 18, 2014, <http://www.armadinoviny.cz/129-000-ceskych-pistoli-pro-egypt.html>; Grohman, Jan, “Speciální divize mexické policie získá české zbraně,” Armádní noviny, September 2, 2014, <https://www.armadinoviny.cz/specialni-divize-mexicke-policie-ziska-ceske-zbrane.html>.

67. Nixon, Ron. 2018. “How Did Rifles With an American Stamp End Up in the Hands of African Poachers?” *The New York Times*, December 25, 2018. <https://www.nytimes.com/2018/12/25/us/politics/rhinos-poachers-south-africa-czub.html>.

68. Gazdík, Jan, “Zbrojení za miliardy: U české pušky BREN se ukazuje problematičnost armádních zakázek | Aktuálně.cz,” Aktuálně.cz, November 12, 2020, <https://zpravy.aktualne.cz/domaci/zbrojeni-za-miliardy-je-puska-bren-prikladem-nehospodarnosti/r~c232329a0ede11eb9d470cc47ab5f122/>.

- ◇ In **Michoacán**, police obtained 1,494 CZ 9mm handguns from 2009 to 2011.
- ◇ In **Veracruz**, police supplemented purchases of 710 CZ 9mm pistols in 2006-2012 with the acquisition of 15 CZ submachine guns in 2013.⁶⁹
- ◇ In **Jalisco**, Tlajomulco municipal police implicated in an alleged extrajudicial murder in July 2020, obtained 104 CZ weapons in 2009.⁷⁰

In 2014, Czech media reported that Česká Zbrojovka secured a contract to equip an elite Mexican police unit in the new “División de Gendarmería,” of the Federal Police, with 2,600 assault rifles (CZ 805 BREN) and 5,000 handguns (CZ P-09). This sale appears to be confirmed by end use certificates that SEDENA submitted to CZ in 2014 for the purchase of 7,679 CZ firearms destined for the Federal Police and state police in Zacateca and Morelos.⁷¹ The story was framed in the media as a Czech contribution to the fight against drug cartels.⁷² In addition, Mexico’s Arms Trade Treaty report for 2015 listed the purchase of 4,614 CZ rifles and pistols (but did not specify a use or user).⁷³ National Gendarmerie officers on April 6, 2016 arbitrarily detained and tortured a 17-year-old adolescent. The events were documented by the National Human Rights Commission, which issued a report on the events.⁷⁴

69. Firearms Mexico Police Database, *Op. Cit.*

70. “Policías presuntamente asesinan a joven con un balazo en la cabeza en Tlajomulco, Jalisco,” *Op. Cit.*; Reza, G., “Jalisco: detienen a cuatro policías por asesinar a un joven en Tlajomulco,” *Op. Cit.*

71. SEDENA, End Use Certificates for Licenses 002/2014 and 106/2014, submitted February 1, 2014 and April 21, 2014, respectively, obtained through information request, Folio: 000700065520.

72. Grohmann, J, “Speciální divize mexické policie získá české zbraně,” *Armádní noviny*, September 2, 2014, <https://www.armadinoviny.cz/specialni-divize-mexicke-policie-ziska-ceske-zbrane.html>.

73. Arms Trade Treaty, “México ANNUAL REPORT ON EXPORTS AND IMPORTS OF CONVENTIONAL ARMS, IN ACCORDANCE WITH ARTICLE 13(3) OF THE ARMS TRADE TREATY” ATT/CSP1/2015/WP.4/Rev.2, August 27, 2015, <https://thearmstradetreaty.org/download/6dd080de-b0b4-385b-a880-61e6286523e4>.

74. CNDH, Recommendation 8/2017, March 16, 2017, http://informe.cndh.org.mx/uploads/menu/30088/Rec_2017_008.pdf.

German weapons

Small arms exports to Mexico

In recent years, Germany has regularly been among the five largest exporters of small arms globally.⁷⁵ The German government approved licenses to export small arms and light weapons to Mexico, despite German guidelines for decisions on arms exports that give particular weight to respect for human rights in the country of destination and of end-use.⁷⁶ Since 2000, the German government repeatedly approved the export to Mexico of small arms and light weapons such as rifles and carbines, revolvers, pistols, sub-machine guns, assault rifles and related parts and supplies as well as portable anti-tank weapons.⁷⁷

The documents obtained from SEDENA show that since 2006, 3,098 Walther pistols and 19,123 Heckler & Koch firearms (e.g. pistols, assault rifles, machine guns, launchers) were sent to different Mexican states.⁷⁸ Between 2006 and 2009, Heckler & Koch exported more than 10,000 G36 assault rifles and spare parts to Mexico.⁷⁹ The rifles were destined for police units in different Mexican states. Due to human rights concerns, four states (Guerrero, Jalisco, Chiapas and Chihuahua) were not supposed to be supplied with weapons. However, since 2010, journalists, human rights and peace activists revealed that nearly half of all exported G36s ended up in exactly these states. This ultimately led to the criminal conviction in 2019 of former H&K employees due to illegal arms exports.

Since the end of 2010 it has become increasingly difficult to export small arms to Mexico from Germany.⁸⁰

Between 2006
and 2009,
Heckler &
Koch exported
more than
10,000
G36 assault
rifles and
spare parts to
Mexico.

75. Small Arms Survey 2009-2019, "Annual Export and Import Data," that cover the years 2006-2016, <http://www.smallarmssurvey.org/weapons-and-markets/transfers/authorized-trade.html>

76. "Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and other Military Equipment," (in German) https://www.bmwi.de/Redaktion/DE/Downloads/P-R/politische-grundsaeetze-fuer-den-export-von-kriegswaffen-und-sonstigen-ruestungsguetern.pdf?__blob=publicationFile&v=4.

77. German annual arms export reports (2000-2019). For an overview see: https://www.waffenexporte.org/wp-content/uploads/2019/08/Waffen-Ex_Mexiko.pdf.

78. Firearms Mexico Police Database.

79. German annual arms export reports 2006-2009 and Deutscher Bundestag, "Schriftliche Fragen mit den in der Woche vom 16. Februar 2015 eingegangenen Antworten der Bundesregierung," February 20, 2015, p. 13-17 <http://dipbt.bundestag.de/doc/btd/18/040/1804044.pdf>.

80. See parliamentary question: Deutscher Bundestag, "Schriftliche Fragen mit den in der Woche vom 28. September 2015 eingegangenen Antworten der Bundesregierung," October 2, 2015, p. 2, <http://dipbt.bundestag.de/dip21/btd/18/062/1806235.pdf>.

German small arms exports licenses have been denied because of the risk of diversion and Mexico's internal situation.⁸¹ But there are also exemptions. For example, in 2018, Mexico's Arms Trade Treaty report indicates the importation of 4,114 portable anti-tank weapons from Germany.⁸² Moreover, Mexico reported to the UN Register on Conventional Arms the importation of 1,447 Walther .22 pistols in 2012 and 2013 from Germany.⁸³

Heckler & Koch: Illegal G36 exports to Mexico

In 2010, journalists and activists confirmed that Mexican police in violence-afflicted states had used G36 assault rifles, despite an exclusion of these states in the end-use agreement. German activist Jürgen Grässlin and his lawyer Holger Rothbauer also filed a criminal complaint. It took nearly 9 years for this criminal complaint to lead to the conviction of former H&K employees. The trial revealed that nearly half of the exported G36s ended up in those four states which the German government regarded as ill-suited recipients.⁸⁴ The company itself could not be held criminally liable, because there is no corporate criminal law in Germany. However, the court ordered Heckler & Koch to pay a fine equal to the entire revenue from the illegal Mexico sales - about 3.7 million euros. H&K and other parties to the proceedings appealed the decision, and the case will go to Germany's Federal Court of Justice.

Nearly
50%
of exported
G36 assault
rifles ended up
in four states
the German
government
regarded as
"ill-suited"
recipients.

Peace activists, human rights defenders and critical journalists created enough pressure to bring Heckler & Koch to trial. The trial and media coverage around it significantly increased public awareness of such irresponsible exports.⁸⁵

81. German annual arms export reports (e.g. 2011, 2014, 2015, 2018) report on denials with reference to criterion 3 (Internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts) and 7 (Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions) of the EU Common Position defining common rules governing control of exports of military technology and equipment. COUNCIL COMMON POSITION 2008/944/CFSP, "defining common rules governing control of exports of military technology and equipment," December 8, 2008, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02008E0944-20190917&from=EN>.

82. It is worth noticing that there is contradicting reporting concerning this transfer. The German Arms Trade Treaty report (2018) only indicates the export of 1467 "recoilless rifles". Vogel, Wolf-Dieter, 7.12.2020, "2.647 Raketenwerfer gesucht", <https://taz.de/Waffenexporte-nach-Mexiko/!5736474/> "INFORME ANUAL SOBRE LAS EXPORTACIONES Y LAS IMPORTACIONES DE ARMAS CONVENCIONALES, SEGÚN EL ARTÍCULO 13(3) DEL TRATADO SOBRE EL COMERCIO DE ARMAS, 2018" <https://thearmstradetreaty.org/download/f92a67f8-ac61-391f-be56-7be4foa01fe6>; parliamentary question: Deutscher Bundestag, "auf die Kleine Anfrage der Abgeordneten Sevim Dağdelen, Heike Hänsel, Christine Buchholz, weiterer Abgeordneter und der Fraktion DIE LINKE. – Drucksache 19/5994" December 12, 2018, <https://www.waffenexporte.org/wp-content/uploads/2019/06/18.12.12-Antwort-KA-Export-von-Klein-und-Leichtwaffen-in-2018-Die-Linke.pdf>.

83. Portable anti-tank weapons can be classified as light weapons. While the term "small arms" often includes both, small arms and light weapons, in the international debate, it can be assumed that the German government might not consider the shipment as an export of small arms to Mexico. This assumption is underpinned by the fact that light weapons are not included in the definition that Germany uses for its small arms export statistics. The Walther .22 pistols are also not covered by the German small arms definition but are treated only as other firearms. UNROCA, <https://www.unroca.org>.

84. Van Aken, Jan, "Der Heckler & Koch-Prozess: Eine Zusammenfassung," *Rosa Luxemburg Stiftung*, February 2019, <https://www.rosalux.de/publikation/id/39861/der-heckler-koch-prozess-eine-zusammenfassung?cHash=5c7f47a9f5fa4f421744ee1bdb2ba24>.

85. See the two movies and documentaries by Daniel Harrich, broadcast on German television in 2015 and 2020.

But the trial had two central weaknesses:

German licensing authorities were not held responsible, and the human consequences of these illegal exports were not considered at any time during the trial. The licensing authorities allowed the export of G36 rifles to Mexico on the basis of end-use certificates that listed only Mexican states considered “unproblematic”. The process revealed that, instead of exercising control, some officials even informed Heckler & Koch which states to remove from the end-use certificates in order to make the export possible.⁸⁶

The Heckler & Koch case clearly shows that the idea of limiting the end-use of exported assault rifles regionally within Mexico by approving only certain states as end users and excluding others did not work. Receipts obtained from SEDENA show that Walther pistols went to Chihuahua and Jalisco between 2006 and 2009, at the same time as these states were excluded for the end use of G36 exports.⁸⁷ Given the human rights situation, Mexico should not have received any German small arms at all.

Ayotzinapa: Fatal consequences of arms transfers

One case which shows the fatal consequences of these scandalous arms transfers is the Ayotzinapa case. Police forces in Iguala, Guerrero used G-36 rifles in the attack on students of the Ayotzinapa Normal School in September 2014. According to official export permits, these arms should have never been in Guerrero, but such consequences were never taken into account during the trial. The court rejected the request of the European Center for Constitutional and Human Rights to access the case files on behalf of relatives of Aldo Gutiérrez from Ayotzinapa, a student who was hit by a bullet during the attack and is still in a coma today.⁸⁸ Several NGO activities and the presence during the trial of Leonel Gutiérrez, Aldo’s brother, and of human rights lawyer Sofía de Robina from Centro ProDH, ensured that the connection between German arms exports and their fatal consequences in Mexico would not be forgotten.⁸⁹

86. Van Aken, Jan & Ellinger, Andreas, “Berichte vom Heckler & Koch-Prozess,” <https://www.rosalux.de/waffenexporte/prozessberichte>

87. Firearms Mexico Police Database, *Op. Cit.*

88. “Brutal Police Operation in Mexico: Responsibility of German Arms Manufacturer Heckler & Koch,” *ECCHR*, <https://www.ecchr.eu/en/case/brutal-police-operation-in-mexico-responsibility-of-german-arms-manufacturer-heckler-koch/>.

89. Deutsche Menschenrechtskoordination Mexiko, “Ayotzinapa en Alemania,” October 5, 2018, <https://www.youtube.com/watch?v=UqJaGLMNSXo&feature=youtu.be>



Photo: Ohne Rüstung Leben

Vigil at the beginning of the Heckler & Koch trial.

Since the end of 2010, Germany has adopted a policy that mostly stops small arms exports to Mexico.⁹⁰ However, the credibility of this step is undermined by the aforementioned exemptions. The German government must also address the internationalization strategy of German weapons manufacturers such as Sig Sauer. Despite the closure of its German production site, the profits from questionable arms transfers still flow to German owners.

90. Evidence strongly suggests that the Heckler & Koch and Sig Sauer cases and the corresponding awareness for small arms exports have contributed to the government's new guideline in 2019 not to export small arms, in principle, to third states outside of the EU, NATO and NATO-equivalent states. However, the guideline allows exemptions, and light weapons and other firearms are excluded. The case of Sig Sauer also shows that exports to non-third states like the US are problematic.

How European and Israeli Arms Companies Use the United States

Sig Sauer: German small arms manufacturer and the strategy of internationalization

Another important German gun manufacturer, Sig Sauer, operates internationally and has subsidiaries in Germany, Switzerland, and the US that are 100% owned by L&O Sig Sauer Holding based in Germany. Sig Sauer announced the closure of its production site in Germany by the end of 2020. Meanwhile, Sig Sauer is expanding its production of arms in the US, where the political environment is friendlier towards arms exports than Germany. In 2014, it significantly increased the production capacity of its New Hampshire (US) facility, and in March 2015 obtained a license to export up to US\$265 million of firearms to the Mexican Navy, including a license for Mexico to manufacture firearms.⁹¹ From then until the end of 2017, Sig Sauer shipped more than \$23 million worth of gun parts from the US to Mexico.⁹² From 2011 through 2019, Sig Sauer sold at least 13,174 firearms for use by police in Mexico.⁹³ In April 2020, Sig Sauer exported 50,000 pistols to Mexico from the US for use by the newly formed National Guard, part of Sig Sauer's global expansion of weapons exports during the pandemic.⁹⁴ Thus, exports that would not have been allowed from Germany can be handled by Sig Sauer Inc. in the US (although L&O Sig Sauer Holding in Germany continues to profit from sales by Sig Sauer Inc.).

In 2015, Sig Sauer obtained a license to export up to **\$265m** of firearms to the Mexican Navy, including a license for Mexico to manufacture firearms.

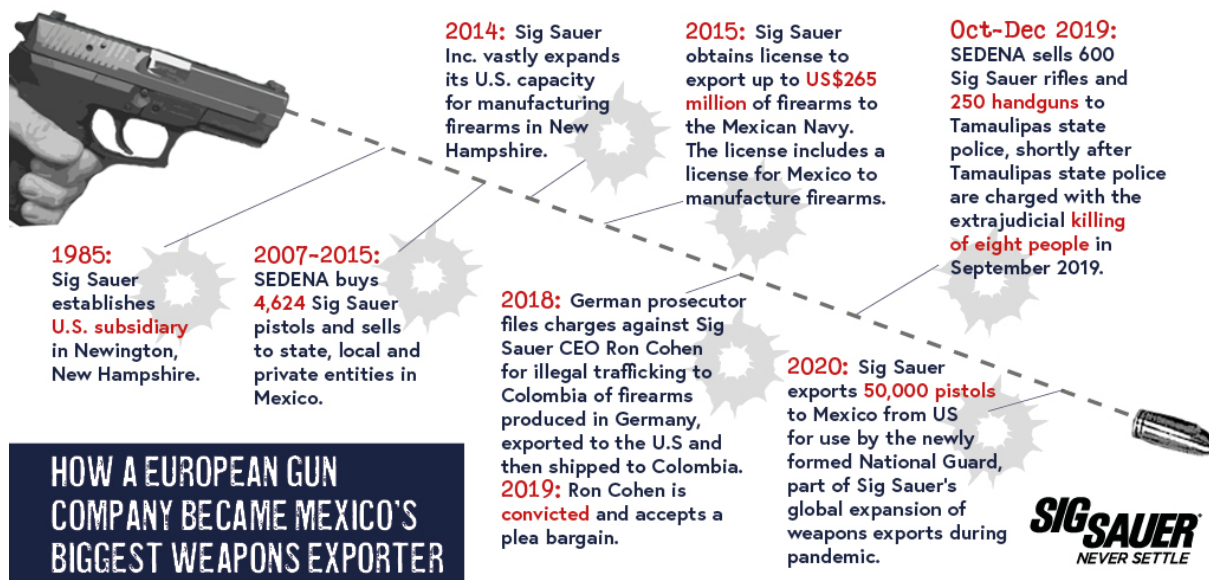
The connection between Sig Sauer Germany and Sig Sauer US has drawn attention to the possibility of illegal arms exports. As long as weapons are developed and produced in the United States, Sig Sauer US does not need a German export license. Otherwise, Sig Sauer needs German approval for re-export. In 2014, German attorney Holger Rothbauer filed a complaint concerning illegal exports of Sig Sauer pistols to Colombia.

91. U.S. State Department, letter, January 18, 2017, <https://www.afsc.org/sites/default/files/documents/State%20Dept%20End%20Use%20Controls%20Mexico%2018%20Jan%202017.pdf>.

92. U.S. Census Bureau data, <https://usatrade.census.gov/>

93. Firearms Mexico Police Database, *Op. Cit.*

94. Jorge Medellín, "Aceleran la entrega de armas y equipo para la Guardia Nacional," *Estado Mayor*, April 25, 2020, <https://www.estadomayor.mx/97424>.



In 2019, Sig Sauer executives from Germany and the US were convicted for the illegal export of thousands of pistols that were delivered from Germany to the US subsidiary and from there illegally to Colombia. Similar to the case of Heckler & Koch, the court levied a fine on the company for the entire value of the illegal exports – around 11 million euros. The company has appealed the case to Germany’s Federal Court of Justice.⁹⁵

Sig Sauer is currently confronted with a comprehensive criminal complaint in Germany. In April 2020, Holger Rothbauer filed another lawsuit against the company on behalf of the German-wide campaign “Aktion Aufschrei – Stoppt den Waffenhandel!” (“Action outcry – Stop the arms trade”). There is suspicion that weapons and weapon parts produced or developed in Germany were illegally exported via the US to Colombia, Nicaragua, and Mexico.⁹⁶ The complaint is substantially based on findings of the German documentary “Lethal Exports 2” by Daniel Harrich, who showed Sig Sauer pistols in Mexico imprinted with “Frame made in Germany.” In addition, documents suggest that Sig Sauer Inc. exported licenses for the production in Mexico of weapon models that were originally developed in Germany. German authorities only approved the license to produce in the US; a technology transfer to Mexico was not covered.⁹⁷

95. Ohne Rüstung Leben, “Was uns Sicherheit gibt” Informationen 173 | 2020-3, p. 8-9, https://www.ohne-ruestung-leben.de/fileadmin/user_upload/zeitung/orl-info-173.pdf.

96. Interview with Holger Rothbauer in Ohne Rüstung Leben Informationen: Ohne Rüstung Leben, “Eine Frage der Glaubwürdigkeit,” Informationen 174 | 2020-4, p. 3-4, https://www.ohne-ruestung-leben.de/fileadmin/user_upload/zeitung/orl-info-174.pdf.

97. Harrich, Daniel “Lethal Exports: Arms Industry Leaders in the Dock,” Documentary, 2020

According to SEDENA documents, more than a thousand US-produced Sig Sauer rifles were sold for use by police in the state of Tamaulipas between 2014 and May 2019.⁹⁸ In September 2019, Tamaulipas state police extrajudicially killed eight people in Valles de Anahuác, a neighborhood in Nuevo Laredo just over the border from Texas. The United Nations is investigating, and police were charged but have not been tried for the killings.⁹⁹ Yet, shortly after those events, SEDENA sold 600 more Sig Sauer rifles and 250 Sig Sauer handguns to Tamaulipas state police.

Sig Sauer sold 110 assault rifles and 58 pistols to city police in Morelia, Michoacán in 2015.¹⁰⁰ On August 12, 2020, Morelia city police killed Julio César Chagolla Salcedo. A young man with a mental disability, Chagolla had mistaken another house with his own, according to family members, and police confused him with a burglar, shooting him eight times, although they were aware of his disability and that he did not represent a danger.¹⁰¹

Other European and Israeli arms companies have also established operations in the United States:

Austria: Austria-based Glock produces hundreds of thousands of pistols annually at its plant in the state of Georgia,¹⁰² and in February 2016 obtained a license to export more than 11,000 pistols from the United States to Mexico for police and military use.¹⁰³ Glock also exports pistols from its facilities in Uruguay and Slovakia.

Israel: I.W.I. has a U.S. manufacturing facility in Middletown, Pennsylvania, and in 2012 SEDENA submitted an end use certificate to the U.S. State Department to export 1,010 Galil assault rifles manufactured by I.W.I. to Mexico, at a value of US\$1.7 million.¹⁰⁴

98. Firearms Mexico Police Database, *Op. Cit.*

99. Zerega, G., “Los falsos positivos de Tamaulipas”, *El País*, September 24, 2019, https://elpais.com/internacional/2019/09/23/mexico/1569271112_031672.html; Rodríguez, C., “Nuevo Laredo police arrested for extra-judicial killing of suspected cartel members,” *Houston Chronicle*, November 20, 2019, <https://www.houstonchronicle.com/local/crime/article/Nuevo-Laredo-officers-arrested-for-extra-judicial-14849271.php>.

100. Morelia police also purchased 417 Glock pistols in 2018. Firearms Mexico Police Database. *Op. Cit.*

101. “Investigan a policías de Morelia por matar a joven con enfermedad mental,” *UnoTv*, August 14, 2020, <https://www.unotv.com/estados/michoacan/morelia-policias-matan-a-joven-con-enfermedad-mental-fge-investiga/>; “Matan policías de Morelia a un hombre con discapacidad” *La Jornada*, August 14, 2020, <https://www.jornada.com.mx/2020/08/14/estados/027n4est>.

102. Glock produced 247,546 pistols in 2018. U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, *Annual Firearms Manufacturing and Export Report*, 2018, <https://www.atf.gov/file/142946/download>.

103. Department of State, “FY 15-16 Foreign Military Sales and Direct Commercial Sales Congressional Notifications for Mexico” September 2016, <https://www.afsc.org/document/fy-2015-16-arms-sales-congressional-notifications-mexico>. Mexico’s Arms Trade Treaty (ATT) report for 2016 lists 9,146 Glock pistols imported during the year, but shows Austria as the exporting country.

104. DSP83 form submitted by SEDENA, February 7, 2012, contained in response to information request, Folio: 0000700065520.

Belgium: Although the FN America production site in Columbia, South Carolina has not made any legal arms transfers to Mexico in the last 12 years, a good part of the FN-guns circulating in criminal circuits is likely to have been smuggled from the US. Although it's difficult to trace the origin of a gun once it's diverted, three models are highly likely to be produced in Belgium. Since the FN America web site explicitly states that they don't produce the Five-seveNs, they are bound to be produced in Belgium, even if they take a detour via the US. The P90 and the M2HB machine guns are also more likely to originate in Belgium since they are not commercially available in the US. But since FN America is a daughter enterprise of the Groupe Herstal, which is 100% owned by the Walloon government, it also holds a responsibility for what happens with the US-produced FN-guns.

Other European companies that have established production in the United States, without documented exports to other countries to date, include:

- * **Beretta** (Gallatin, Tennessee),
- * **Heckler & Koch** (Columbus, Georgia),
- * **CZ USA** (Kansas City, Kansas),
- * **Walther** (Fort Smith, Arkansas).



Arms Trade Treaty

Transparency and Reporting

The Arms Trade Treaty (ATT) came into force in December 2014, and is ratified by 113 countries around the world. All European countries and Mexico have ratified the ATT, but the US and Israel have not. All States Parties (SPs) of the ATT are required to submit within a year of ratification an initial report that discloses whether they have systems in place to conduct risk assessments of arms exports, specifically on human rights violations and gender-based violence.¹⁰⁵ States Parties are also required to submit annual reports on their arms exports and imports.

Although some annual reports present very detailed information on exports and imports, including disaggregated information by weapons system, financial value, and whether it is an actual or an authorized export, the level of detail in many reports is incomplete. Control Arms' ATT Monitor, recommends that, "to provide the minimum necessary information needed in order to meaningfully assess a State Party's arms transfers, a publicly available report must, for each transfer: Specify weapon type; provide the number of units or financial

value (preferably both) for each weapon type; clearly name the final exporting/importing country." According to Control Arms, some SPs have fallen short of this threshold because they submit excessive aggregate information on arms transfers or do not provide information on destination country or on their arms imports, both of which make it difficult to meaningfully assess if the State Party is fulfilling its treaty obligations.¹⁰⁶

In addition, Mexico's transparency law requires the military and other executive branch agencies to proactively publish information that is in the public interest.¹⁰⁷ The National Institute for Access to Information (INAI, the federal agency that guarantees such public access) has ruled that SEDENA must respond to public requests for data on the number, characteristics, and cost of firearms sold to police by year, Mexican state and gun manufacturer.¹⁰⁸ (This ruling resulted in the disclosure of firearms receipts used for this report).

105. Arms Trade Treaty, Articles 6, 7.1, and 7.4. For more information, see the ATT Baseline Assessment Project: <http://www.armstrade.info/database/>

106. "ATT Monitor 2020 report," <https://attmonitor.org/the-2020-report/>.

107. Ley General de Transparencia y Acceso a la información, May 4, 2015, http://www.diputados.gob.mx/LeyesBiblio/pdf/LGTAIP_130820.pdf.

108. Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales (INAI), "Resolución RRA 569/19," for information request to SEDENA, Folio: 0000700176018.

European Common Position

The European Common Position on arms export control¹⁰⁹ lists eight criteria against which member states should assess their export licenses. They include, inter alia:

- ◇ Respect for human rights and international humanitarian law in the country of final destination . Accordingly, member states shall “deny an export license if there is a clear risk that the military technology or equipment to be exported might be used for internal repression”.
- ◇ This should also be the case when “an export license for military technology or equipment (...) would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination” .
- ◇ Another criterion is the risk that military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.

As this report has shown, small arms exports to Mexico stand in sharp contradiction to these criteria. Although the Common Position tries to bring coherence to the arms export policies of member states, the huge differences in implementation, scope and enforcement undermine this coherency. Civil society can only take governments to administrative courts in some member states in order to enforce implementation of the Common Position.

In Italy, the Common Position’s ethical criteria do not apply to exports for police use. Since the end of 2010, Germany has adopted a policy that mostly stops small arms exports to Mexico. However, there have been significant exemptions to this policy, such as the export of portable anti-tank weapons in 2018. Moreover European small arms manufacturers such as German-owned Sig Sauer have a strategy to internationalize their production. In spite of the Common Position, all other countries continue to allow the export of small arms to Mexico.

109. EU Common Position defining common rules governing control of exports of military technology and equipment, December 8, 2008, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02008E0944-20190917&from=EN>.

Can companies be held accountable?

The Common Position defines the responsibility of states to make a proper risk assessment at the moment of expediting licenses. But what about the responsibility of the producing companies? In 2021, discussions on a binding legislation on corporate accountability will begin in the EU. This will define the responsibility and accountability of corporations regarding human rights violations linked to their (extra-territorial) business activities, or occurring within the value chain they are part of. This legislation thus turns a negative obligation (not committing human rights violations in our territory) into a positive responsibility (actively preventing the contribution to human rights violations, anywhere). At this moment, arms companies avoid responsibility for human rights violations committed with their weapons, hiding behind the fact that governments licensed their exports. With the proposed corporate accountability framework, companies would also be responsible for assessing the risk of human rights violations committed with their products, even when both the production and/or the violations occur outside of the territory where they are based.

Depending on the outcome of these negotiations, this legislative framework could challenge the documented practice of some European companies to export indirectly via the US, or to shift production to the US for the sake of evading stricter European controls on arms exports. For example, if a US-based subsidiary does not conduct a proper risk assessment of its arms exports to Mexico, and as a result of this the exported arms contribute to serious human rights violations, the Europe-based parent company could be held accountable for it. Whether the reach of this Corporate Accountability framework will be sufficient to have a significant impact on arms producing and exporting companies, is yet to be defined.



Photo: Agir pour la paix

Recommendations

Firearms exports have contributed to Mexico's security and humanitarian disaster.

To governments of all small arms exporting countries:

- * Immediately suspend all licenses for small arms and light weapons exports to Mexico in order to prevent human rights violations and gun violence in Mexico.
- * Until governments suspend small arms exports to Mexico, they should establish and implement end use controls that ensure that exported firearms do not contribute to human rights violations, collusion with criminal organizations, or patterns of increased violence in Mexico. Such controls should include, at a minimum:
 - Development of published criteria that a) exclude all end users that have been implicated in human rights violations or collusion with criminal organizations and b) deny licenses for small arms exports, to specific regions or to the country as a whole, where there is evidence of serious human rights violations, criminal collusion, arms diversion, or lack of controls on end uses.
 - Detailed review of past small arms exports to Mexico and their end users, to evaluate whether, when, how and by whom exported arms have been used to commit crimes.
 - Consistent documentation and reporting to exporting countries of ultimate end users, at the point of export license applications and review, shipment, and post shipment.
 - Regular, unannounced post-shipment inspections by representatives of exporting countries of physical arms and of documentation.
 - Violations of the end-use agreements must be sanctioned by stopping exports to Mexico immediately and holding responsible the officials of exporting countries and of Mexico who are implicated in the violations.
- * Until governments suspend small arms exports to Mexico, all small arms export licenses to Mexico should be exceptions to the rule, requiring affirmative approval by legislative bodies or public justification by government authorities, instead of requiring legislative or judicial action to reverse or deny arms export licenses.

To the government of Mexico:

- * The Mexican government should decentralize the authorities for firearm importation, production, sales, use in public security, and registries for possession and carrying, all of which are currently concentrated in the Army (SEDENA). An important first step would be to establish co-responsibility for Mexico's registry of firearms in a civilian ministry.
- * Permit and establish procedures for representatives of small arms exporting countries to regularly conduct end use inspections of firearms imported to Mexico.
- * Modify the public security strategy to one of a civil and non-military nature, which includes the objective of reducing the importation of weapons.
- * Specify a plan for the withdrawal of the military from law enforcement tasks.
- * Comply with the requirements of proactive transparency and maximum public disclosure in accordance with the General Law of Transparency and Access to Information.
- * Specifically, that SEDENA proactively publish the numbers and types of firearms and munitions in the registries and data it manages for legally possessed firearms, collective licenses, recovered illicit weapons, weapons stolen or missing from state agencies, and exchanges and destruction of firearms.
- * To investigate and hold legally responsible Mexican officials implicated in diversion or other misuse of firearms imported into Mexico.

To European governments:

European weapons are fueling violence and repression in Mexico. Increased military exports and spending don't keep people safe, and the arms industry is profiting from a militarized concept of security. European states should instead address the root causes of insecurity: inequality, injustice and climate change.

- * The EU and its member states should end government-industry relationships that distort policy or represent conflicts of interest.
- * EU member states should enforce the EU Common Position that prohibits export of small arms to nations where there is a clear risk of prolonging violent conflict, use in human rights violations, or diversion to criminal organizations. These conditions clearly exist in Mexico.
- * EU member states should monitor and exercise authority over European companies that manufacture firearms in the United States to ensure that European technology, equipment and parts are not used to export weapons - or the capacity to produce or assemble weapons - to Mexico or to other nations without sufficient policy reviews in the home countries of the small arms companies.
- * To this end, EU member states should use the upcoming negotiations for a European Corporate Accountability framework as an opportunity to legally define the responsibility and liability of parent companies for the human rights or criminal violations linked to the arms manufacturing and exporting business activities of their foreign subsidiaries.
- * Governments of nations that export firearms to Mexico should conduct an in-depth risk analysis of firearms exports to the nation, including lack of transparency and reporting on end users of exports, risks of human rights violations by recipients of firearms, diversion of firearms to criminal and other unauthorized users, security forces collusion with criminal organizations, and increased homicides and femicides.
- * European states that have ratified the ATT should ensure they fulfill on time and complete their annual reporting obligations and make it public.

To the governments of Israel and the United States:

In addition to our recommendations to the governments of all small arms exporting countries, we recommend:

- * Israel and the incoming administration of Joseph Biden should sign the Arms Trade Treaty and begin to implement its reporting requirements.
- * The United States should return firearms export licensing and oversight back to the State Department from the Commerce Department, adequately resource the State Department for that task, and establish criteria restricting firearms exports that are similar to the Leahy Law applied to foreign military and police assistance. Such measures can be taken as executive action by the Biden administration.
- * Israel should carry out end-use tracking of all arms exports, with the aim of implementing restrictions based on human rights criteria.



Photo: Shdowerwler



Stop US Arms to Mexico

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