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Colombia: Conditions and U.S. Policy Options

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Summary

With the civil conflict in Colombia worsening, in many analysts' perception, some policymakers are again questioning the wisdom and scope of U.S. policy and assistance toward that country. In July 2000, the 106th Congress decided to provide some \$860 million in funding for Colombia as part of the \$1.3 billion "Plan Colombia" supplemental funding for FY2000 and FY2001 counternarcotics and related efforts primarily in the Andean region. Some foreign observers, U.S. policymakers, and analysts hold this U.S. assistance package responsible in part for escalating violence. The package included funding for the training and equipping of Colombian Army counternarcotics battalions to undertake counternarcotics fumigation missions in two provinces where coca production has spread rapidly since 1995. Although the funding was strictly for counternarcotics and related purposes, the Clinton Administration's stated intent was to cut a major source of revenue to the leftist guerrillas battling the government, who reportedly earn tens if not hundreds of millions of dollars per year from taxing coca production and distribution. The guerrillas have cited that fumigation of crops that began in Putumayo in December 2000 as a rationale for blockading access to that province during late 2000, and for suspending peace talks with the government of Colombian president Andres Pastrana.

As the 107th Congress begins, the situation appears ever more difficult for the peaceful settlement of the decades-old conflict with leftist guerrillas that President Pastrana made a priority when his Administration took office in August 1998. With Pastrana ineligible to run again in the upcoming 2002 presidential elections, with the balance of power between the Colombian military and the two guerrilla groups stalemated at best, and with the Pastrana Administration unable to curb the massacres committed by paramilitary groups, who operate with some level of assistance from members of the military, the likelihood of a peaceful settlement appears to be waning. A February 2001 attempt by President Pastrana to restart negotiations through face-to-face talks with guerrilla leader Manuel Marulanda yielded an agreement to resume negotiations and create mechanisms to facilitate them.

The threat to the political and economic stability of not only Colombia, but also of its neighbors, from rapid growth of Colombia's leftist guerrilla groups and paramilitary organizations has also become a source of widespread concern to U.S. policymakers within the past two years. Although the two major guerrilla groups have operated since the mid-1960s, they expanded operations to the point where they influence or control local governments in over half the country's 1,000 municipalities, and have displayed increased strength through widespread actions and attacks on major military targets. President Pastrana's attempts to achieve a negotiated settlement to the guerrilla conflict are complicated not only by the relatively strong position of the guerrillas, but also by the massacres of suspected guerrilla sympathizers committed by paramilitary groups, and by the ineffectiveness, human rights abuse, and links with the paramilitaries of the Colombian military. Because the United States has a variety of interests in Colombia, which provides some 90% of the cocaine consumed in the United States and an increasing amount of heroin, there is broad agreement that the United States should be engaged there. There is no consensus, however, on the appropriate policy and type of assistance.

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Introduction

With the civil conflict in Colombia worsening, in many analysts' perception, some policymakers are again questioning the wisdom and scope of U.S. policy and assistance toward that country. In July 2000, the 106th Congress decided to provide some \$860 million in funding for Colombia as part of the \$1.3 billion "Plan Colombia" supplemental funding for FY2000 and FY2001 counternarcotics and related efforts primarily in the Andean region.

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This is the context for debate over future U.S. policy toward Colombia, in particular whether the current levels of U.S. assistance are sufficient, and whether U.S. assistance to the Colombia military is desirable. This report first discusses U.S. interests in Colombia. It then provides information on Colombia's current conflict, with sections on the guerrillas, the paramilitaries, and President Pastrana's efforts to deal with the conflict through the peace process, and the reform and rehabilitation of the Colombian military. The last section discusses possible policy options.

This report does not contain detailed information on U.S. assistance to Colombia and on the Plan Colombia package. This information can be found in CRS Report RL30541, *Colombia: U.S. Assistance and Current Legislation*.

U.S. Interests in Colombia and Congressional Concerns

The United States' longstanding and, thus far, dominant interest in curbing the production and shipment of illegal narcotics from Colombia has been joined, and some would argue supplanted, by other important U.S. interests and concerns in the new situation in Colombia. Developing a coherent U.S. policy to further these interests — strengthening counternarcotics efforts, supporting Colombia's weak democracy and eroded economy, maintaining U.S. economic ties, and preventing regional instability — while addressing Congressional humanitarian concerns has proven to be a difficult task. In part, the difficulty is due to the problem of addressing sometimes conflicting interests simultaneously, and to the lack of agreement on priorities among these interests, as reflected in the section on U.S. Options, below.

Combat Illegal Narcotics Production and Trafficking. The continuing metamorphosis of Colombia's drug problem presents new counternarcotics challenges for Colombia and the United States. Colombia's switch from a primary exporter of marijuana to a major distributor of cocaine in the early 1980s marked a new era in Colombian life and in U.S.-Colombian relations. Some Colombian analysts have viewed the rise of drug trafficking in Colombia as the result of many intangible factors, including "weakening of religious values, secularisation [sic], the desire for enrichment, the toleration of corruption, the use of violence and the absence of penal sanctions..."¹ Colombian attempts to deal with the cocaine problem have resulted in the deaths of many thousands of its citizens, including policemen, judges, and political leaders.

From the early 1980s, Colombia and the United States cooperated in a campaign to deal with the cocaine trafficking of the Medellin and Cali cartels.² With the demise of these cartels by the mid-1990s, there was hope that Colombia's drug trafficking

¹ Jorge Orlando Melo. *The Drug Trade, Politics and the Economy: The Colombian Experience*, in Elizabeth Joyce and Carlos Malamud, eds., *Latin America and the Multinational Drug Trade*. New York: St. Martin's Press, 1998. p. 65.

² The Medellin cartel became prominent in the early 1980s, as cocaine replaced marijuana as Colombia's primary illegal export and Colombia became the source of most of the world's supply. It attempted to force the government to desist from counternarcotics efforts, largely through assassinations and bombings. In the 1980s and early 1990s, hundreds of policemen, judges, and journalists, as well as four presidential candidates were killed, and the Medellin cartel was believed responsible for many of the killings. The cartel's leader, Pablo Escobar, was killed by security forces after escaping from jail in December 1993. Other cartel leaders were arrested; in 1996, Escobar's No. 2 man, Jorge Luis Ochoa, and Ochoa's two brothers, Juan David and Fabio, were released.

The Cali cartel operated differently, insinuating itself into elite social and political circles, and depending largely on corruption rather than violence to achieve its ends. Much more sophisticated than the Medellin cartel, Cali cartel shipped large quantities of cocaine to the United States and invented sophisticated money-laundering schemes. At the height of its power earlier in the 1990s, the Cali cartel earned annual revenues of \$7 billion, according to the U.S. Drug Enforcement Administration (DEA). The cartel's activity reportedly declined after the June 1995 arrest of cartel leader Gilberto Rodriguez Orejuela, and the subsequent arrest of the remaining top leaders by September 1996.

problem would be ameliorated. Instead, the problem has, many argue, become more difficult to deal with than before.

For one, the large Medellin and Cali cartels have been replaced by smaller, independent traffickers and splinters from the Cali cartel. As of mid-1998, the Colombian police had counted some 43 independent trafficking groups, about half of them based in the Antioquia Department, of which Medellin is the capital, and the others in the northern Cauca Valley, around Cali. Several groups of independent cocaine traffickers from the northern Cauca Valley have expanded their activities through the sale of cheap, high quality heroin. (Heroin became a significant export from Colombia after 1990, when substantial opium poppy cultivation in Colombia was first reported, and Colombian traffickers are now the largest suppliers of heroin to the eastern United States.) The rise of independent traffickers has complicated efforts to reduce trafficking, according to some analysts. Because they adopt conservative lifestyles, and work in groups of 10 to 20, using small legitimate businesses as fronts, independent traffickers are hard to identify.

In addition, since the mid-1990s, coca leaf and opium poppy production has expanded in Colombia. Less than a decade ago, Colombian traffickers flew semi-processed coca base from Bolivia and Peru into Colombia, where laboratories processed it into cocaine, which was then exported by the trafficking cartels. In 1999, however, according to the General Accounting Office (GAO), as coca cultivation decreased in Bolivia and Peru, Colombia surpassed both countries in acreage under cultivation, dedicating 50% more to such cultivation than in 1998, despite eradication spraying. Figures from the State Department's International Narcotics Control Strategy Report, 1999, of March 2000, show Colombian coca cultivation had grown from over 126,000 acres in 1995 to 251,000 acres in 1998, to 302,600 acres in 1999. The estimated potential cocaine production reportedly increased from 230 to 520 metric tons over the same period.³ Although last year's cultivation figures are still being tallied, a continued expansion of the cultivation of illegal narcotics cultivation in Colombia is expected for 2000. According to 2001 figures, Colombia now supplies some 90% of the cocaine consumed in the United States, and 75% of the heroin consumed on the U.S. East Coast.

Support Colombia's Democracy and Human Rights. For much of this century, the United States has had close relations with Colombia, and often looked to Colombia for diplomatic support in international affairs. In the interest of sustaining this relationship, the United States has played an activist, some would say interventionist, role in buttressing Colombia's political institutions in the face of drug corruption. Although differences over the appropriate methods to deal with Colombia's drug problem have soured or impeded relations with recent Colombian administrations, most notably with that of President Pastrana's predecessor, Ernesto Samper, relations under the Pastrana Administration have returned to the traditional, close mode. Some analysts argue that the United States should now help sustain Colombia's friendly democracy by providing aid to confront its new challenge: the

³ U.S. Department of State. Bureau for International Narcotics and Law Enforcement Affairs. International Narcotics Control Strategy Report, 1999. Released March 2000. [http://www.state.gov/www/global/narcotics_law/1999_narc_report/samer99_part3.html].

recent intensification of the guerrilla conflict which erodes the Colombian government's legitimacy by bringing into question its ability to provide security to its citizens. Some analysts have also argued that democracy's survival itself is in jeopardy, as the guerrilla groups are relatively stronger than the Colombian military. Some argue that the leftist guerrillas may be able to topple the government if the imbalance persists; others that democracy will succumb to guerrilla influence as they leave citizens no choice but to collaborate as they squeeze the government militarily, or to paramilitary influence as the fearful citizens turn to a hardline, authoritarian solution to the guerrilla conflict.

The many weaknesses of Colombian democracy are regarded by many as contributing to the very problems the country faces. Historical precedents and a lingering oligarchic system are often cited: many link the current political violence to the 1957 "National Front" political settlement (see below), which resolved the country's political problems at the elite level, but did virtually nothing to address the country's widespread social problems or to bring the majority of the population into the political system. Many also blame the intransigence of economic interests and a lack of political will in several successive governments for the failure of subsequent attempts at agrarian reform and other rural improvements which would have extended a central government presence to the countryside, and incorporated it into the democratic system. More recently, drug corruption is seen as not only a product of a weak democracy, but also as a cause of its continuing decline, and a complicating factor in any attempts to strengthen democratic institutions.

Support Colombia's Economy. The Pastrana Administration's political problems have been compounded by an economic crisis unprecedented in Colombia in recent decades. For several decades, Colombia's economy was consistently one of the most successful in the hemisphere, with sustained annual growth rates averaging just under 5%, and a negligible public sector deficit. However, declining prices in the late 1990s for coffee and oil, two of Colombia's major exports, exacerbated the country's economic problems, as did the growing guerrilla insurgency. (Colombian experts estimate that the conflict costs the country 3-4% of growth per year.⁴)

Upon his inauguration in 1998, President Pastrana inherited an economy that was deteriorating by most major indices. In 1999, Colombia's Gross Domestic Product (GDP) contracted for the first time in over 50 years, shrinking 4.5%, while unemployment in Colombia's seven major metropolitan areas rose sharply from lows under 10% in the early 1990s, to about 18 percent at the end of 1999. State spending expanded beginning in the early to mid-1990s, with a corresponding increase in the public sector deficit. At the same time, the country's foreign debt jumped in 1999 to \$36 billion, some 41.3% of GDP, up from 34% of GDP in 1998 (some 57% of this was owed by the public sector).

⁴ Congressional testimony of Deputy Assistant Secretary of State for Western Hemisphere Affairs, John P. Leonard, before the Senate Subcommittee on the Western Hemisphere, Peace Corps, Narcotics, and Terrorism, March 24, 1999, who cited 3%, and John Otis, Economy in Colombia on the Rebound, *The Houston Chronicle*, Dec. 21, 2000, who cited 3-4%.

During 2000, the economy posted a recovery in some respects, with GDP growing about 3% to almost \$82 billion, but this was largely attributed to sizable revenues from Colombia's high-grade oil, which provides some 30% of Colombia's export earnings and 15% of state revenues. Reportedly, some Colombian government officials are optimistic that growth may continue at a rate of 3.8% in 2001, others estimate growth at 3%. However, a Colombian business group estimates that a growth rate of at least 3.2% is necessary to maintain an urban unemployment rate at the level of the 19.7% reached in 2000. Another concern for Colombians is the high 35% rate of unemployment among youths aged 18-24. On the more positive side, the 2000 rate of inflation is slightly above the 10% rate for 1999, but it is still lower than rates earlier in the decade. In addition, Colombia met targets for 2000 set in its 1999 agreement with the International Monetary Fund (IMF), including GDP growth, inflation, international reserves, and fiscal balance, although it failed to meet the targets for structural reform.

Many analysts believe that the troubled legal economy not only deprives the government of the funds needed for rural development programs to attract rural inhabitants away from coca cultivation and the insurgency, but also drives many desperate Colombians into the cultivation and trafficking of illegal narcotics,⁵ into the illegal armies of the left and right, or into migration from Colombia. Among these Colombians are the increasing number of unemployed, and the million or so internally displaced persons.⁶ Some fear that the poor economy may increase the significance of the drug trade to Colombia's economy. According to a 1998 estimate, income from illegal narcotics brought some \$4 billion to Colombia, or 5%, of the country's Gross Domestic Product (GDP) that year; according to an estimate cited in January 2001, drug income may be \$20 billion.⁷

Maintain U.S. Trade and Investment. Economic problems and the continuing guerrilla conflict have economic effects on foreign businessmen trading with Colombia and on foreign investors. Colombia is the United States' seventh largest oil supplier, and its fourth largest trading partner in Latin America.⁸ U.S. firms

⁵ As of 1997, 54% of Colombia's rural inhabitants lived in poverty, and more than half of those inhabitants (29% of all rural inhabitants) lived in extreme poverty. In urban areas, 39% of the inhabitants lived in poverty, and 15% lived in extreme poverty. United Nations. Economic Commission for Latin America and the Caribbean. *Panorama Social: 1998*. LC/G.2050-P. April 1999. p. 19.

⁶ For more information on the displaced persons in Colombia, see CRS Report RL30314, *Colombia: Human Rights Conditions and U.S. Concerns*.

⁷ The \$4 billion cite was a preliminary figure for 1998, from estimates being prepared by the Colombian government. Larry Rohter. Colombia Adjusts Economic Figures to Include Its Drug Crops. *The New York Times*. June 27, 1999; the \$20 billion figure was cited in Shrugging Off Colombia's Anguish, *The Toronto Star*, January 12, 2001.

⁸ Colombia, in 1999, supplied some 5.1% of the United States' oil imports. (Venezuela, the United States' largest foreign oil supplier that year, provided some 14.4% of U.S. imports.) Colombia is the United States' fourth largest trading partner in Latin America after Mexico, Brazil, and Venezuela, with \$9.8 billion in two way trade in 1999 (down from \$11 billion in 1998). In 1999, Colombia was the United States' 30th largest export market, buying some

(continued...)

have provided some 40% of Colombia's foreign direct investment, of which petroleum investments are an important part. (According to a December 2000 news report, U.S. direct investment totals some \$8 billion in Colombia, and about 120 U.S. firms operate there.⁹) Within the past decade, oil companies have discovered and begun exploitation of significant petroleum reserves in Colombia; estimates of potential reserves suggest that the country may be an important source of petroleum for the United States in the future. The partnership of British Petroleum and Amoco has the largest foreign petroleum investment in Colombia. Another U.S. firm, Occidental Petroleum, has the second largest investment. (U.S. environmental and indigenous rights groups have protested proposed drilling by Occidental Petroleum on lands claimed by the U'wa Colombian indigenous group as their ancestral territory.¹⁰ Foreign traders and investors claim that the need to provide additional security on their own significantly increases the cost of doing business in Colombia. Although profits are large enough for many companies to absorb these costs, the lack of security is viewed as discouraging further trade and investment. According to some reports, Colombia received very little foreign investment in 1999 and 2000.

Prevent Regional Instability. The spillover effects of the continued insurgency on Colombia's five neighbors is transforming Colombia's internal conflict into a regional problem. Colombian guerrillas have regularly crossed the borders into Panama and Venezuela, using adjacent areas as safehavens and to conduct criminal activities. Guerrillas reportedly have attacked Venezuelan security forces.¹¹ In 1995, guerrillas attacked Ecuadoran military and police units; more recently they have harassed Ecuadoran truck drivers in Colombia. In addition, U.S. officials blamed the The Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, or FARC) for the September 1999 kidnapping of 12 foreigners in Ecuador.¹² Paramilitary forces reportedly have pursued guerrillas across the border into Panama and Venezuela; in September 1999 paramilitary leader Carlos Castaño declared that Panamanian National Guardsmen who supported Colombian guerrillas were "military targets" and accused Venezuelan President Hugo Chavez of backing

⁸ (...continued)

3.6 billion in U.S. products (down from 26th in 1998 and 1997). In 1999, Colombia was the 27th largest supplier of U.S. imports with \$6.3 billion in exports to the United States (up from \$4.7 billion in 1998.) The United States is Colombia's major trading partner. U.S. exports to Colombia constituted 41.5% of all Colombian imports in 1997, and Colombian exports to the United States that year were 38% of all Colombian exports. U.S. exports to Colombia include vehicles, agricultural products, electrical power generators and other machinery, chemicals and plastics. U.S. imports of Colombian goods include petroleum, coffee, cut flowers, semiprecious stones, sugar, and tropical fruits.

⁹ John Otis. Economy in Colombia on rebound. *The Houston Chronicle*. Dec. 21, 2000.

¹⁰ John Otis. Death in a Hot Zone: How three American activists were killed in Colombian Drama of Rebels, Oil, Indians. *The Houston Chronicle*. October 3, 1999. p. A1.

¹¹ Gabriel Marcella and Donald Schulz. *Colombia's Three Wars: U.S. Strategy at the Crossroads*. Carlisle Barracks, Pa.: U.S. Army War College Strategic Studies Institute, March 5, 1999, pp. 19-20. [<http://carlisle-.army.mil/usassi/ssipubs/pubs99/3wars/3wars.htm>].

¹² For more on the effects of the Colombia situation on Ecuador, see CRS Report RS20494, *Ecuador: International Narcotics Control Issues*.

the guerrillas. Refugees from Colombia's conflict have also crossed the borders into Panama and Venezuela, seeking safety. (Although many apparently return, some reportedly do so unwillingly.) The continuation of such incidents in 2000 have led to growing concerns about the threats to Colombia's neighbors from growing instability and lawlessness in border areas. Because much of Colombia's borders with Brazil, Ecuador, Peru and Venezuela lies in the largely unpopulated Amazon Basin, some analysts also anticipate an increase in drug trafficking and arms smuggling, as well as an increase in border crossings by groups of people fleeing conflict.

Displacement of Civilians. A growing humanitarian concern has been the large number of persons displaced by the violence in Colombia. As the guerrilla and paramilitary offensives have extended throughout the country, increasing numbers of civilians, mostly poor peasant farmers from remote rural areas, have been forced to flee to escape the rising tide of violence. Entire towns with thousands of citizens have been abandoned by a populace terrified by massacres or threats of massacres. Over one million people are estimated to have been displaced since 1985, according to refugee organizations. In the last few years, more and more cases of massive displacements have occurred: according to the U.S. Committee on Refugees, some 130,000 Colombians were displaced in 1995, 180,000 in 1996, and 250,000 in 1997, 350,000 in 1998; 288,000 in 1999, and an estimated 200,000 in 2000, for a total current displaced population of about two million.¹³ Analysts on the committee, and elsewhere, point out, however, that it is difficult to know how many people displaced in previous years now consider themselves resettled.

According to a Colombian non-governmental organization that maintains a data bank on the displaced, 33% of those displaced between 1995 and 1997 blamed paramilitaries for their displacement, 28% held the guerrillas responsible, and 10% blamed the armed forces. The rest blamed more than one party or did not know whom to blame for their displacement.¹⁴

Some communities have expressed their neutrality in the conflict and declared themselves to be "peace communities." Nevertheless, throughout 1998, there were reports that paramilitaries and the FARC had killed members of these communities, according to Amnesty International.¹⁵

Defense of U.S. Citizens. The United States has an interest in clarifying the status of three disappeared Americans and in bringing to justice their kidnappers and the killers of three other Americans. The United States has information that the

¹³ Gallón, Gustavo. The Challenge of Avoiding Colombia's Extinction. *Colombia Update*. Spring/Summer 1998, p. 3. Gallón is the director of the Colombia Commission of Jurists.

¹⁴ *Country Report: Colombia*. U.S. Committee on Refugees. [No date given.] [http://www.refugees.org/world/countryrpt/amer_carib/colombia.htm], and information provided in February 2000. A massive displacement of civilians occurred in early 1998 in the Choco department, near the Panamanian border, which illustrates how the interaction of all parties has interacted to displace rural populations. There, civilians were subjected to sustained attacks by the ACCU paramilitary organizations, aerial bombardments by the army, and reprisal killings by the FARC.

¹⁵ *Amnesty International Report 1998: Colombia*. *op. cit.*

FARC was responsible for the kidnapping of three American missionaries from the New Tribes Mission — David Mankins, Mark Rich, and Richard Tennenoff — on January 31, 1993.¹⁶ (Their current whereabouts is unknown.) The FARC has admitted that on March 4, 1999, one of its members killed three American environmental and indigenous rights workers — Terence Freitas, Ingrid Washinawatok, and Laheenae Gay — who had been visiting the U'wa indigenous group in Colombia. U.S. policymakers doubt that responsibility ends with the soldier that FARC leaders identified as the killer. In mid-February, 2000, President Pastrana reportedly stated that the Colombian government would not extradite to the United States a captured FARC regional commander, German Briceño, whom the United States accuses of ordering the three killed.

Colombian Democracy and the Current Conflict

Many observers have viewed Colombian democracy as a paradox. Because of its stable two-party system and regular elections, Colombia was long considered one of Latin America's model democracies. Yet, for decades, it has been rent by almost continuous violence.

Since the 1960s, Colombia's two political parties — the Conservatives and the Liberals—have peacefully transferred power to one another through elections. This two-party system evolved from the political settlement of a widespread, armed civil conflict, which began in the 1940s, that pitted adherents of the Liberal Party against those of the Conservative Party. In 1957, the two political parties agreed to form a coalition “National Front” government, which shared power and regularly alternated the presidency from 1958 through 1974. That political settlement established peace, at least in the urban areas, putting an end to the period known as “*La Violencia*,” in which an estimated 200,000 partisans and others died.

Yet, conflict continued in the rural areas, where peasant armies joined with leftist guerrillas to gain or retain possession of land. Colombia's counterinsurgency campaign of the 1960s destroyed the nine “independent republics” established by the peasants, several of which were controlled by the Communist Party, but never entirely defeated the guerrillas. Another unfortunate legacy, according to some analysts, was a climate of political intolerance throughout the country.

In subsequent decades, violence remained a prominent feature of Colombian life. The rise of the Medellín cocaine cartel in the 1980s brought high levels of drug-related violence until its demise in the early 1990s. Since then, Colombia continues to have a high rate of murder committed in the context of criminal acts, and political violence carried out by paramilitary groups and the leftist guerrillas, largely in rural areas.¹⁷ Until the guerrillas began operating close to Bogotá in the last two years,

¹⁶ Jacobs, Andrew. 3 Kidnapped Americans Killed: Colombian Rebels Are Suspected. *The New York Times*. March 6, 1999.

¹⁷ For analysis and theories of the possible causes of Colombian violence, see the Berquist, (continued...)

however, the conflict between the paramilitary groups and the guerrillas went largely unnoticed in Colombia's urban centers, where some 75% of Colombians live.

Even as he campaigned as the Conservative party candidate for the 1998 election, President Pastrana decided that he must not only curb drug trafficking, but, like other Presidents before him, make an attempt to end political violence by bringing the guerrillas into the political system through negotiations. This task requires him not only to meet the military and political challenges presented by the guerrillas, but also to deal with the paramilitary presence.

The Guerrilla Challenge

While Colombia's guerrilla groups have operated almost continuously and generally unimpeded in rural areas for over 50 years, they have not, in recent decades, controlled and operated in the expanse of territory that they now do, nor fought with such intensity. The two main groups — The Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, or FARC) and the National Liberation Army (*Ejército de Liberación Nacional*, or ELN)—now reportedly control or influence local governments in 40% to 50% of Colombian territory, all of it in rural areas. They not only attack police and military forces, but regularly attack civilian populations, commit massacres and extrajudicial killings, collect war taxes, compel citizens into their ranks, force farmers to grow illicit crops, and regulate travel, commerce, and other activities. The ELN routinely bombs oil pipelines. The great majority of the kidnappings committed in Colombia are attributed to the guerrilla groups.

Current Strengths and Actions. The guerrillas have gained great strength in recent years. Since the early 1990s, their numbers reportedly have increased substantially (some analysts calculate as much as fourfold) and they have dramatically increased their revenues from kidnapping and involvement in drug trafficking. The larger of the two forces, the FARC, has 10,000-15,000 regular troops according to U.S. estimates in 2000, and apparently can also activate other supporters for military actions when desired. (A January 2001 report of the Colombian Defense Ministry stated that FARC has 16,492 members.) This is a substantial increase from 1998, when U.S. officials estimated FARC strength at 7,000-10,000 troops. At 3,000-6,000, the estimated size of the ELN has not changed since 1998. (The Colombian defense ministry report cited 4,533 as the number of ELN members.)

Guerrilla troops are well clothed and equipped (even better than Colombian soldiers), and paid salaries and pensions, according to U.S. officials and other analysts. Most analysts argue that the FARC and ELN guerrillas have been highly disciplined soldiers, although some believe that their discipline is attributable to fear of punishment rather than loyalty to their organization. There are some recent indications, however, that traditional discipline has broken down. According to Colombian intelligence reports, the FARC, in mid-1999, was equipped with five

¹⁷ (...continued)

Chernick, and Thoumi works cited in the Bibliography.

Cessna aircraft, four reconnaissance helicopters, and one medical evacuation helicopter.¹⁸

The degree to which the guerrillas enjoy popular support among the inhabitants of the areas in which they operate, is a matter of debate. In the areas that they control or where their influence is strong, the guerrillas provide many of the public services of a government, or negotiate with the elected government to undertake certain projects. This may earn them loyalty and active support. (According to one report, the FARC has created a clandestine political party, the Bolivarian Movement for a New Colombia, “which actively co-governs in areas of guerrilla influence.”¹⁹) On the other hand, observers report that the inhabitants have no alternative but to render the obedience that the guerrillas demand. Reports from the “demilitarized zone” created by the Pastrana Administration in November 1998 at the outset of the peace talks and controlled by the guerrillas indicate that at least some inhabitants resent the guerrillas’ arbitrary and at times brutal rule. As part of the peace process, the Pastrana Administration has recognized the FARC as a legitimate political force, although a Colombian involved in the previous administration’s peace efforts described the guerrillas as “quite weak in political terms.”²⁰

The Military Situation. Over 1998 and 1999, the guerrillas launched extensive attacks, persuading many analysts that they were a more capable armed force than the Colombian military. In the days before President Pastrana’s August 1998 inauguration, they launched a nationwide offensive, in which at least 130 people were killed and dozens of policemen and soldiers were taken prisoner. They also destroyed a major military base, Miraflores, in the Guaviare province. In addition, they attacked 40 other installations, including police stations and oil facilities, in over half the country’s 32 provinces.²¹ Since then, the guerrillas have carried out several other attacks on significant military targets. On July 8, 1999, the FARC attacked an army camp of some 70 soldiers near the village of Gutierrez, 27 miles southeast of Bogotá, and then, over the next three days, carried out at least 24 attacks in nine states. Although over 60 military troops and policemen were killed, the Colombian army claimed to have halted the offensive by killing more than 200 guerrillas in several areas.²² (This, for some analysts, marked a turning point in the army’s capacity to counter the guerrillas.) In September 2000, the FARC established a blockade of roads

¹⁸ Jineth Bedoya Lima. *The Air Power of the Guerrillas and “Paras”*. From *Semana*, July 5, 1999, as translated by the Foreign Broadcast Information Service (FBIS), Document # FTS19990707000040.

¹⁹ Arturo Alape. *The Possibilities for Peace*, in *NACLA Report on the Americas*, March/April 1998. p. 36.

²⁰ Remarks by Daniel Garcia-Peña during a May 1998 conference organized by the Latin American Program of the Woodrow Wilson Center, as published by the center in *Peace and Human Rights in Colombia in Comparative Perspective*, a Special Edition of *Noticias*, December 1998. Garcia-Peña was at that time Colombia’s High Commissioner for Peace.

²¹ Laura Brooks. *Debacle in Colombia Shows Rebel Strength*. *The Washington Post*. August 6, 1998.

²² Tim Johnson. *Colombia says it halted guerrillas, killing 200*. *The Miami Herald*. July 12, 1999.

in Putumayo province, preventing the transport of food and supplies to and throughout the province; not until November did the Colombian army manage to deliver tons of food to the province's main city, Puerto Asis.

The guerrillas have not yet, however, launched attacks in urban areas, although one Colombian government agency claims that the guerrillas have formed urban militias in the country's main cities which create public disturbances, kidnap people, and extort money.²³ Guerrilla activities have increasingly affected urban life, however, as ELN sabotage of the electrical power system in late 1999 and early 2000 has caused numerous blackouts in highly populated areas, including the cities of Bogotá and Medellín. In addition, the FARC has been active around Colombia's major cities, establishing roadblocks where those traveling are screened and sometimes kidnapped.

Guerrilla Participation in the Illegal Drug Industry. Both the FARC and the ELN allegedly fund their operations, at least in part, from income generated by their involvement in the illegal drug industry. (The FARC, at least, has been involved since the early part of the cocaine boom in the late 1970s and early 1980s.²⁴) U.S. officials estimate that some two-thirds of the FARC fronts and one-third of the ELN fronts have some involvement with illegal narcotics.²⁵ Their major involvement includes protecting crops, laboratories, storage facilities, and airfields from government anti-narcotics efforts, and collecting "taxes" from those who benefit from that protection. According to some sources, some guerrilla fronts are also increasingly engaged in marijuana, cocaine, and heroin production and sales,²⁶ although Administration analysts state that such production is small. In testimony before Congress in February 2000, the DEA claimed that its most recent reporting showed that some FARC units in southern Colombia "are indeed directly involved in drug trafficking activities, such as controlling local cocaine base markets" and also alleged that some insurgent units assisted drug traffickers with transportation and

²³ Security Agency Says Urban Militias Gaining Strength. *El Espectador* (Internet Version), May 14, 1999, as translated by the Foreign Broadcast Information Service (FBIS), Document # FTS10009515001028. A July 1999 poll conducted in four Colombian cities (Bogotá, Cali, Medellín, and Barranquilla) found, however, that many urban dwellers have negative views of the guerrillas, with 79% believing they aid and abet narcotraffickers, 93% believing they violate human rights, and 78% believing the FARC is not committed to reaching a peace agreement (79% in the case of the ELN). From a summary "Colombians Voice Overwhelming Pessimism," prepared by USIA's Office of Research and Media Reaction (M-150-99), August 4, 1999, of a Gallup poll. There was no information on opinions concerning the guerrillas' political, social, and economic positions.

²⁴ Alfredo Molano, "Violence and Land Colonization," in Charles Bergquist, Ricardo Peñaranda, and Gonzalo Sánchez, eds. *Violence in Colombia: the Contemporary Crisis in Historical Perspective*. Wilmington, DE: SR Books, 1992. pp. 210-216.

²⁵ Department of Defense briefing, August 1998.

²⁶ James L. Zackrison and Eileen Bailey. *Colombian Sovereignty Under Siege*. National Defense University Strategic Forum, No. 112, May 1997. p. 3. (From the web version at [<http://www.ndu.edu/inss/strforum/forum112.html>].)

storage of cocaine and marijuana in Colombia.²⁷ Part of the expansion of the coca cultivation reported in June 1999 by the GAO has appeared in two areas, the San Lucas mountains and the department of Norte de Santander, which are under ELN control, indicating a possible rise in ELN involvement in drug trafficking.²⁸ The guerrillas deny any involvement in drug trafficking.

Estimates of annual guerrilla income from drug trafficking have varied widely. A 1997 report of the Institute for National Strategic Studies (INSS) covered the higher end of the range. It stated that the guerrillas had gained half of their estimated \$500 million to \$1.5 billion annual income from involvement in the drug trade. Of this income, the INSS report estimated that \$20 million was used to purchase weapons and other military equipment and the rest was “invested in land, transportation businesses, and a well-managed portfolio.”²⁹ More recent accounts have generally quoted a range of \$400 - \$600 million. (This is about 10%-15% of Colombia’s total annual estimated \$4 billion income from illegal narcotics activities.) However, a September 1999 news report cited a “secret assessment by American intelligence” which estimated a range of only \$30 to \$100 million.³⁰ The alleged income from drug trafficking may not be the guerrilla’s greatest source of income, however; recent Colombian government estimates indicate that, in 1997 and 1998, the FARC and ELN earned twice as much from kidnapping and “robbery” [i.e., presumably meaning extortion] as they did from drugs, and a little less from kidnapping than from drugs.³¹

The “Paramilitary” Presence³²

The many illegal privately armed rightist groups involved in political violence — including killings, abductions, and intimidation — have come to be regarded as a sizeable military presence in Colombia. Known in the United States as “paramilitary” groups and in Colombia also as “self-defense” groups, their primary targets are guerrillas, and suspected guerrilla supporters and sympathizers. In addition, they

²⁷ See DEA testimony of February 25, 2000, at [<http://www.usdoj.gov/dea/pubs/cngrtest/ct022500.htm>].

²⁸ Juanita Darling. U.S. Is Losing War on Drugs in Colombia. Los Angeles Times. August 8, 1999. p. 1.

²⁹ Colombian Sovereignty Under Siege, op.cit. p. 1.

³⁰ Tim Golden and Steven Lee Myers. U.S. Plans Big Aid Package to Rally a Reeling Colombia. *The New York Times*. September 15, 1999. p. A12.

³¹ *Joint Study Sums Up FARC, ELN Earnings*. From El Tiempo, May 17, 1999, as translated by FBIS, Document # FTS19990517001601. The study was prepared by Colombia’s National Planning Department and the Colombian Army.

³² Sources for this section include: Human Rights Watch. *Colombia’s Killer Networks: The Military-Paramilitary Partnership and the United States*. New York: Human Rights Watch, November 1996; Amnesty International. Colombia: Paramilitaries, “Disappearance” and Impunity. Document No. AMR 23/39/1998, June 1998. [<http://www.amnesty.org/ailib/aipub/1998/AMR/22303998.htm>]; Guy Gugliotta and Jeff Leen. *Kings of Cocaine: Inside the Medellin Cartel*. New York: Simon and Schuster, 1989; and Human Rights Watch. *War without Quarter: Colombia and International Humanitarian Law, 1998*. [<http://www.hrw.org/reports98/colombia>].

target those suspected of helping the guerrillas, however unwillingly. They have been responsible, according to human rights groups, for the greatest number of extrajudicial killings and forced disappearances since 1995; a January 2001 report of the Colombian defense ministry cited these groups as responsible for some 56% of all massacres committed in Colombia between 1995-2000, compared to 44% committed by the guerrillas. (Human rights groups have attributed a much larger proportion of massacres to the paramilitaries.) They also demand “war taxes” from individuals, and threaten with death those who refuse to pay.

These groups — which range in size from small, rural self-defense groups to large forces — evolved from two types of anti-guerrilla organizations. One was the civilian “self-defense” groups originally organized by the Colombian military. Although the latest of these were the “*Convivir*” civilian rural defense organizations, created in 1994, the Colombian military had earlier organized such groups as part of its 1960s counterinsurgency campaign.³³ Other private armed forces were organized by drug traffickers. In 1981, over 200 drug traffickers contributed funds and men to form the “Death to Kidnappers” (*Muerte a Secuestradores* or MAS) group which vowed to end ransom kidnappings by killing guerrillas. Illegally armed groups subsequently proliferated, with funding from drug traffickers and large landowners, and the participation of small landowners. All have sought to protect themselves against the kidnappings for ransom and extortion of “war taxes” by the guerrillas, to destroy the guerrilla base, and to silence political figures who opposed them. By one account, as of mid-1999, the paramilitary groups controlled over 15% of Colombian territory.³⁴ In 1999, U.S. officials estimated their numbers at 5,000 - 7,000; however in March 2000, the head of the largest organization (see next paragraph) said his force numbers 11,200.³⁵ A January 2001 report of the Colombian defense ministry cited 8,000 as the number of members of paramilitary groups.

The largest organization is the United Self-Defense Groups of Colombia (*Autodefensas Unidas de Colombia* or AUC). It was created in 1995 to consolidate at least seven “self-defense” groups operating in northern and central Colombia under one organizational structure, with the goal of gaining both military strength and

³³ See: Human Rights Watch, November 1996, op. cit., pp. 10-16. Human Rights Watch describes the use of civilians for counterinsurgency tasks as consistent with “a well-developed U.S. cold war strategy.” The U.S. military provided advice and training for the Colombian counterinsurgency campaign in the 1960s. For information on the legal basis for paramilitary groups in the 1960s see: Washington Office On Latin America. i pp. 78-83; for information on the *Convivir* groups, see: Organization of American States, Inter-American Commission on Human Rights. Third Report of the Human Rights Situation in Colombia. OEA/Ser.L/V/II.102, Doc. 9, rev.1, February 26, 1999. pp. 22-23, 27; and War Without Quarter, op.cit. pp 88-99. The Colombian government ceased authorizing the creation of new groups in July 1998; as of December 28, 1999, of the 414 licensed groups, 20 still had licenses in force. The others, according to information provided by Colombian government, no longer had licenses and had ceased operations.

³⁴ Doug Farah. U.S. Ready to Boost Aid to Troubled Colombia. *Washington Post*. August 24, 1999. p. A12.

³⁵ Tim Johnson. Paramilitary Chief Hopeful about Colombian Peace Talks. *Miami Herald*. March 3, 1999.

political recognition. (The term “paramilitary groups” is now most often used to refer to illegal forces carrying out active anti-guerrilla campaigns, the most important of which is the AUC.) The largest AUC group is the Peasant Self-Defense Groups of Córdoba and Urabá (*Autodefensas Campesinas de Córdoba and Urabá/ACCU*), with more than 2,000 members trained and armed, and other supporters who will engage in specific actions.³⁶ The founder and head of the AUC (also a leader of the ACCU), Carlos Castaño, has stated that the AUC’s purpose is to force the guerrillas to negotiate.³⁷ His forces reportedly are well-paid. (According to some analysts, they have been able to attract fighters away from both the Colombian military and the guerrillas.) As of mid-1999, the AUC/ACCU forces reportedly possessed “over 30” aircraft, including 11 Cessnas, four cargo planes, and “an entire fleet of reconnaissance helicopters.”³⁸

Castaño’s political standing among the population in the areas where his forces are strong is a topic of debate. He told one human rights observer that he has hired sociologists, anthropologists, and agronomists “to come up with solutions to Colombia’s problems” and that the ACCU “sponsors grade schools, cooperatives, land reform, and agricultural credits.”³⁹ Castaño has acknowledged ordering killings of those he believes are guerrilla sympathizers, and his forces are feared in many towns. Yet, reportedly he has gained a popular following in some areas, such as *Norte de Santander*, where “people tend to believe that with their arrival the paramilitaries are not only going to restore peace to the region, but will bolster it economically.”⁴⁰

Relationship with Drug Trafficking. Some of these paramilitary groups are alleged to have, or have acknowledged, continued links to or involvement in drug trafficking, but there are no official estimates on the amount of income they receive from the drug industry, nor the type or extent of their participation in it. In 1999, the Inter-American Commission on Human Rights opined that “In general, these groups have moved away from their connection with the drug trade, although paramilitary attacks against judicial officials investigating drug crimes demonstrates that a connection still exists in at least some cases.”⁴¹ In April 1998, a Colombian government agency alleged that Castaño is a leading drug boss in the Medellín area;⁴² in 1997 and 1998, the U.S. Drug Enforcement Administration (DEA) alleged him to

³⁶ *War without Quarter*, op.cit. p. 108.

³⁷ Interview with Carlos Castaño by Maria Cristina Caballero, *Cambio 16*, December 15, 22, and 29, 1997, as translated and posted on the International Consortium of Investigative Journalists (ICIJ) website. Entitled “This War Can’t Go On Any Longer,” the interview can be accessed at [<http://www.icij.org>] under “Investigative Reports.”

³⁸ *The Air Power of the Guerrillas and “Paras,”* op.cit.

³⁹ Robin Kirk. A meeting with Paramilitary Leader Carlos Castaño, in *NACLA Report on the Americas*, March/April 1998. p. 31.

⁴⁰ Maria Jimenez Duzan. Castaño, the Liberator. From *El Espectador*, June 17, 1999, as translated by FBIS, Document #FTS199063001514.

⁴¹ *Third Report of the Human Rights Situation in Colombia*, op.cit., p. 23.

⁴² Latin American Regional Reports—Andean Group. June 23, 1998.

be a “major cocaine trafficker” in testimony before Congress. In 2000, the DEA alleged in testimony that the Castaño organization “and possibly other paramilitary groups, appear to be directly involved in processing cocaine. At least one of these paramilitary groups appears to be involved in exporting cocaine from Colombia.”⁴³

Castaño has acknowledged that the AUC collects substantial taxes from coca producers, and funding from traffickers. (He has cited the amount of the tax on coca producers as 40% of proceeds in one interview, 60% in another.) In an interview reproduced in early 2000 on the now-defunct AUC “Pais Libre” website, he denied that the AUC exports cocaine, stating that “we are not narcotraffickers.” At the same time, however, he stated that the AUC finances about 70% of its operations from “narcotrafficking and narcotraffickers.”⁴⁴

Human Rights Controversy

Although all parties to the Colombian conflict have been guilty of gross violations of human rights over the past several years, it is generally agreed that the incidence of human rights abuses committed by members of the Colombia military has decreased to a few percentage points of total violations. The current controversy over human rights focuses on the degree to which the paramilitaries have become the principal violators of human rights and the degree to which the Colombian army is complicit in its violations. Human rights organizations that keep statistics have documented increases over the past five years in extrajudicial killings and massacres committed by paramilitary groups, as well as a rise in kidnappings committed by the guerrillas.⁴⁵

Colombia’s military forces have a long record of human rights abuse, including extrajudicial killings, forced disappearances, and torture. However, their record has improved somewhat in recent years. The State Department noted in its three most recent reports on the status of human rights in Colombia (covering 1997, 1998, and 1999)⁴⁶ that the number of violations committed by the Colombian security forces

⁴³ See DEA’s Congressional testimony of July 16, 1997, March 12, 1998, and February 25, 2000, at [<http://www.usdoj.gov/pubs/cngrtest>].

⁴⁴ [<http://www.colombialibre.org/entrivis.htm>], page 15 of 28. This website is no longer functioning.

⁴⁵ Statistics, however, are not comprehensive, and year-to-year comparisons are not highly reliable. The numbers of human rights violations for which perpetrators were not identified tends to be high, and was even higher in the mid-1990s. Also the methods and sources used to gather statistics are not uniform among the groups that collect them, and have changed somewhat over the years. There are several groups which keep statistics on human rights violations. Official Colombian sources include the Colombian government’s own Human Rights Ombudsman, and as of late the Colombian military itself. Non-governmental organizations include the Colombian Commission of Jurists (CCJ), the Free Country Foundation (Fundación País Libre), and the CINEP (the Spanish acronym of the organization whose statistics are used in the annual State Department reports on human rights, translated by State Department as the Center for Investigations and Popular Research).

⁴⁶ Colombia Country Report for Human Rights Practices for 1997, 1998, and 1999. The (continued...)

appears to have decreased. In the first nine months of 1997 all 80 of the politically-motivated extrajudicial killings committed by Colombian security forces were committed by members of the Army, particularly of the 20th Intelligence Brigade. The brigade was disbanded in May 1998, and the army prohibited its successor, the Army Military Intelligence Center, from directly undertaking armed operations. The State Department cited figures attributing 21 of the extrajudicial killings in the first nine months of 1998 to security forces, a substantial decrease, and 24 of those in the same period in 1999 to security forces.

Some 2,000 - 3,000 politically-motivated murders and extrajudicial killings were believed to be committed in most of those years, although the perpetrator in most cases are never identified. The paramilitaries are widely believed to be responsible for most of such killings over the past few years, although the Colombian security forces have recently disputed that belief. Of those where perpetrator were identified during the first 9 months of 1999, the State Department human rights report cites figures from a Colombian non-governmental organization, CINEP, attributing, besides the 24 committed by security forces, some 814 to paramilitary forces and 269 to guerrillas. It also cites different figures from the Colombian Defense Ministry, which lists the paramilitaries as responsible for 743 of these killings, and the guerrillas for 908.

The guerrillas are cited as responsible for most of the kidnappings which take place in Colombia. Figures collected by País Libre, and cited in the State Department human rights report for 1999, showed that of 2,945 kidnappings committed during 1999, some 1,645 were committed by the FARC (728), the ELN (695), and a number of other guerrilla groups (122). These figures include 136 cases of police and military troops captured in combat, and about 50 mayors. País Libre attributed 103 kidnappings in 1999 to paramilitary forces, 300 to common criminals, and 6 to family members. It was not able to identify the perpetrators of some 891 cases.

While the military's gross human rights violations, such as extrajudicial killings, have declined, the continued ties of military officers, particularly army officers, to paramilitary groups have been a source of concern. Many international organizations and human rights groups have found evidence of widespread and continuing links between security forces and paramilitary groups. They have accused members of the military of tolerating the activities of paramilitary groups where they do not actively support them.⁴⁷

⁴⁶ (...continued)

1999 report, issued on February 25, 2000, is available at [http://www.state.gov/www/global/human_rights/1999_hrp_report/colombia.html]. Previous editions are also available through the State Department website.

⁴⁷ In a 1999 report, the United Nations Commissioner for Human Rights stated that the security forces' action against paramilitary groups was "occasional and not in proportion to the participation of these groups in serious violations of human rights." She also noted that the Prosecutor General's office could not take action against the paramilitaries based on its knowledge of the location of many paramilitary meeting and training sites because it lacked the support of the police and army. United Nations. Economic and Social Council. Report (continued...)

A February 2000 report of the human rights community concerning such links, by Human Rights Watch, cited incidents of collaboration between security forces and three Colombian Army brigades (the Third, based in Cali, the Fourth, based in Medellin, and the Thirteenth, based in Bogota). Most saliently, it accused members of the Third Brigade of organizing the “Calima Front” with active duty, retired, and reserve Third Brigade personnel and members of the ACCU, and providing it with weapons and intelligence, in response to the May 1999 seizure of 140 people attending mass at a Cali church. It cited Colombian government investigators investigations listing “hundreds of cellular telephone and beeper communications between known paramilitaries and Fourth Brigade officers,” including two lieutenant colonels, three majors, and one lieutenant. In discussing human rights abuses committed by members of the Thirteenth Brigade, particularly intimidation of human rights workers, the report cites the intimidation and killings of government investigators looking into paramilitary activities. At least some of the later is alleged to be carried out by contract killers hired by Carlos Castaño working with their own intelligence and intelligence provided by Thirteenth brigade intelligence personnel. These threats and killings were cited as insurmountable impediments to continuing government investigations.⁴⁸

In response, the Commander of the Colombian Military Forces, Fernando Tapias Stahelin, stated that the Human Rights Watch report “fails to speak the truth, because it is inexact” and accused it of being politically motivated in order to block or obstruct U.S. assistance. It cited the fact that the report relied on data provided by Colombian government investigators as evidence that “investigations on alleged human rights violations are being conducted” and of “an effective action of the State.” He also provided data that the military forces had arrested 289 members of paramilitary groups since 1997, 116 of them in 1999 and 38 in 2000, and killed 87 in the same time frame, 26 in 1999. (The data indicated that police forces had arrested 403 paramilitaries since 1997, 170 in 1999 and 48 in 2000, and killed 53, 7 in 1999 and 25 in 2000.)⁴⁹ General Tapias’ response repeated earlier statements made by the Colombia Vice President Gustavo Bell.

In early 2001, human rights groups found not only an increase in paramilitary activities in 2000, but that Colombian army links with the paramilitary persisted, and that the Colombian military continues to “pay, promote, and support personnel who have been credibly linked to [human rights] violations...” In addition, they claim that

⁴⁷ (...continued)

of the United Nations High Commissioner for Human Rights on the Office in Colombia. E/CN.4/1998/8. March 16, 1999. Point. 36. The report states that many of the members of the prosecutor general’s office who were murdered in 1998 were investigating paramilitary groups, and that several other prosecutors investigating paramilitary groups or security forces were forced to quit their jobs or flee the country. See point 58. [<http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/ff030ceede968d518025675900303d8b?Opendocument>].

⁴⁸ Human Rights Watch. Americas Division. “The Ties That Bind: Colombia and Military-Paramilitary Links.” February 2000, Vol. 12, No. 1 (B). [<http://www.hrw.org/reports/2000/colombia/>].

⁴⁹ Copy of a letter of March 1, 2000, provided by the Embassy of Colombia.

“many paramilitary bases remain fixed and well-known, yet authorities do nothing to dismantle them or prevent them from being used to commit crimes, or arrest those responsible.”⁵⁰

(For background on the human rights situation in Colombia and further references through mid-1999, see CRS Report RL30314, *Colombia: Human Rights Conditions and U.S. Concerns*, of September 21, 1999.)

The Pastrana Administration’s Response

Since he assumed office in August 1998, President Pastrana has continued efforts to deal with drug trafficking, and has pursued efforts to make peace. A major component of these efforts was the so-called “Plan Colombia,” presented to the U.S. Congress in September 1999, which called for some \$3.5 billion in assistance from international financial institutions and other countries on top of a \$4 billion Colombian budget. In the counternarcotics area, “Plan Colombia” called for (1) reducing by 50% the cultivation, processing, and distribution of illegal drugs over the next six years, (2) the increased interdiction of illegal drugs in the air, on land and on Colombian waterways, (3) the expansion of eradication and fumigation programs; (4) seizure of resources used in the production and distribution of illegal drugs, and (5) cooperation with other governments to halt the import into Colombia of illegal arms and chemicals used in processing. Other measures included: (1) the promotion of alternative agricultural and economic activities in rural areas, and other rural development projects; (2) the improvement of health care, education, and social services for the “most vulnerable” Colombians, (3) military reform; (4) economic reform; and (5) reforms to improve the judicial system and protect human rights.

Although all his predecessors since 1982 have attempted to negotiate an end to the guerrilla war, President Pastrana perceived that the possibility of success was much greater in 1998 because of a widespread popular demand for peace, and the new involvement of Colombian business and civic groups in the peace process. His peace efforts are three-pronged: (1) to pursue peace talks with the guerrilla groups, (2) to make the army a more effective force, and (3) to secure international economic support, military assistance, and aid for a program of social and political reform.

Initiation of the Peace Process with the FARC.⁵¹ As a first step in the peace process, President Pastrana responded to FARC’s request to create a demilitarized zone and ordered the withdrawal of security forces from five municipalities for 90 days, commencing November 6, 1998. (The five municipalities, which cover some 16,000-17,000 square miles — somewhat over twice the size of Massachusetts — are Mesetas, Vista Hermosa, La Uribe, La Macarena, and San Vicente del Caguán, primarily in the departments of Meta and Caquetá. Some 80,000-90,000 people live in the area.) His stated intent was to create a climate of

⁵⁰ Colombia Human Rights Certification II, January 2001, by Amnesty International, Human Rights Watch, and the Washington Office on Latin America. The report is available on the websites of these organizations.

⁵¹ See Appendix B for background on the FARC and ELN, and on their negotiations with previous Colombian administrations.

trust in which guerrilla leaders and government representatives could establish a negotiating agenda.

On January 7, 1999, President Pastrana traveled to the demilitarized zone to meet with guerrilla leaders as talks began. Talks over an agenda soon broke down, however, when the guerrillas accused the government of breaking its agreement to remove all security forces from the demilitarized zone by leaving a small 130-man caretaker military guard at the base in San Vicente del Caguán. They also asked that the government dismantle the paramilitary groups. Subsequently, the Pastrana Administration removed the caretaker contingent and, in February, extended the “demilitarized” status for the five municipalities through May 7. Government and FARC negotiators resumed talks on the agenda on April 21.

President Pastrana has stated that his objective is to incorporate the guerrillas into Colombia’s current political system with appropriate social and institutional reforms to ensure “peace with social justice” and to eradicate the roots of the conflict. In his Administration’s 10-point proposal for an agenda at the start of the January talks, the government called for unconditional respect for human rights (with specific mention of an end to kidnappings), an analysis of Colombia’s social and economic structure to achieve reforms aimed at reducing poverty and income disparities, political and state reforms to deepen democracy and build a new legal state, and the eradication of drug trafficking accomplished through crop substitution and legal and institutional reforms.⁵² The FARC’s agenda proposal called for far ranging political, economic, and military reforms. (See Appendix C for a synopsis of the FARC proposal.) On May 6, 1999, the Colombian government and the FARC agreed upon a 12-point agenda for negotiations. Negotiations were initially scheduled to begin in July 1999, but were delayed over issues involving a verification commission. In November 1999, government and FARC negotiations began discussions on procedural issues.

Progress of the Peace Process in 2000 and 2001. On January 8, 2000, government and FARC negotiators agreed on the procedures for negotiations. They also agreed to begin talks with the topics of economic and social structures, the development of a coherent agrarian policy, and the exploitation and conservation of natural resources, and to devote six months to these topics. In February 2000, FARC and government negotiators traveled together to meet for 25 days with European leaders and experts in six countries and the Vatican as a prelude to negotiations.⁵³ Public hearings related to economic and social structures began April 9 in the village of Los Pozos, in the demilitarized zone, which appears to have been extended indefinitely. As of early May, the FARC appeared ready to discuss a possible cease-fire as negotiations progressed. FARC also announced that it was prepared to institute its own judicial system in San Vicente de Caguán, a major town in the demilitarized zone, and that it would force all individuals and corporations worth more than one million dollars to pay it a “peace tax.” According to some reports, FARC is also seeking belligerent status. On November 9, FARC broke off talks,

⁵² These points were summarized from the document as it appeared in *El Espectador* (Internet Version), on January 12, 1999, and translated by FBIS, Document #FTS19990112001695.

⁵³ The countries were Norway, Sweden, Italy, Spain, Switzerland and France.

citing the U.S. Plan Colombia legislation which called for the fumigation of crops in the southern provinces of Putumayo and Caquetá, and demanding that the government clarify its position on the paramilitaries after a November 6 meeting of the Interior Minister with paramilitary chief Carlos Castano to obtain the release of four kidnapped congressmen.

On February 11 and 12, 2001, President Pastrana traveled to the demilitarized zone to discuss the breakdown of talks with FARC leader Manuel Marulanda. The outcome thus far was an agreement to resume negotiations and a thirteen point document signed by the two creating a new commission to monitor talks and inviting observers from friendly countries and international organizations to an informational meeting on March 8. It also contains a statement that FARC “does not oppose the programs for manual eradication and illicit crop substitution” with the caveat that it be done with the agreement of affected communities.

Progress in Peace Talks with the ELN. The Pastrana Administration’s continued efforts to initiate negotiations with the ELN within in the context of tripartite talks among the ELN, and representatives from the government and from civil society appeared to be coming to fruition in late April 2000. Progress to that point had been halting. In May 1999, after the ELN kidnapped parishioners attending church in Calí, the Pastrana Administration had announced that it was breaking off all contacts with the ELN, but subsequently contacts resumed. The government has refused, however, various ELN requests to demilitarize areas in northern Colombia as a site for civil society consultations and talks. The latest refusal came when the ELN asked at the end of 1999 for the demilitarization of an area where, reportedly, followers of Carlos Castaño have weakened the ELN. News reports indicated that objections from military officers and from the mayors of the municipalities in the area prompted the Pastrana Administration’s refusal.⁵⁴ In late 1999, the ELN commenced an active campaign to blow up electric facilities.

On April 24, 2000, President Pastrana announced that the government and the ELN had reached an agreement in principle concerning the demilitarization of three municipalities – San Pablo, Cantagallo, and Yondo – in the oil production region of central Colombia along the Magdalena River to facilitate talks with the ELN. Although details of the agreement appear to be still worked out, Colombian government officials indicated that security forces would not relinquish total control of the areas along the river. Reportedly, some residents of the area, where paramilitary forces also operate, have protested the planned withdrawal of security forces. This zone has yet to be established, however.

Criticisms of and Prospects for a Negotiated Settlement. President Pastrana has been criticized by many Colombians for the slowness with which the peace process has proceeded and the concessions that he has made to the guerrillas. In May 1999, Colombian Defense Minister Rodrigo Lloreda resigned and 16 army generals offered their resignations, criticizing Pastrana for excessive concessions to the guerrillas and the continued extension of the demilitarized zone. President

⁵⁴ El Otro Despeje. Semana.com. January 14, 2000.
[<http://www.216.35.197.109/923/actualidad/ZZZUIBGI63C.asp>].

Pastrana defends his efforts to secure “not peace at any price, but a genuine peace which will strengthen our democracy, maintain territorial integrity, and offer to each Colombian a fair place in our future.”⁵⁵

Many analysts foresee a lengthy negotiation process that may not be concluded during the Pastrana Administration. Colombian analysts acknowledge that Colombians themselves do not understand the varied and complicated local and regional relationships among drug traffickers, guerrillas, paramilitaries, local elites, public officials, military officers and troops, and local populations, including coca growers, that may well make an agreement difficult to conclude, and subsequently to implement. However, the procedures adopted in January 2000 for negotiations with the FARC allow for the implementation of agreements on individual topics as they occur.

Military Reform and Rehabilitation. The Pastrana Administration has attempted to improve the poor performance of Colombia’s military (a 121,000-man Army, 15,000-man Navy, and 7,500-man Air Force) on the battlefield. It also has dismissed several army officers who are believed to have supported or tolerated human rights abuses by paramilitary forces.

Efforts to Improve Military Performance. Analysts have advanced several explanations for the military’s failure to confront the guerrillas during the last several years, and its general inability to perform effectively when it has tried to engage in combat. Some analysts have perceived the problem as a lack of will and desire to engage the guerrillas. Others have viewed it as a lack of certain basic military tools, such as good intelligence and a coherent military strategy, and still others have believed that officers and troops lack the training, skills, and equipment to do the job. Some also have argued that the military is stretched too thin because it devotes a large number of soldiers to guarding installations⁵⁶ and performing administrative duties, and it exempts (by law) conscripts with a high school education from combat. The military is also seen as seriously underfunded by some analysts who have criticized the government for failing to provide the military with adequate training and resources to conduct an effective counterinsurgency campaign. As of 1999, the Colombian government was spending about \$3 billion annually on its security forces, according to U.S. officials, an amount some analysts judged to be insufficient to pursue a successful counterinsurgency campaign.

⁵⁵ Statements before the U.N. General Assembly, September 30, 1999. Text supplied by the Colombian Embassy in Washington, D.C.

⁵⁶ The Heritage Foundation, in an early 1999 publication, stated that 55,000 Army soldiers “are committed to protecting urban centers, oil fields, and other key installations,” while 30,000 are being used for counter-insurgency operations. “Because it is stretched so thin, the army has established small company and platoon-sized posts wherever possible, but this has enabled the rebels to achieve local numerical superiority, a situation that is exacerbated by the lack of equipment for small Colombian units.” *Tread Cautiously in Colombia’s Civil War*, by John P. Sweeney. The Heritage Foundation Background, No. 1264, March 25, 1999. [<http://www.heritage.org/library/backgrounder/bg1264es.html>].

General Fernando Tapias Stahelin, the commander-in-chief of the armed forces since the beginning of the Pastrana Administration, has undertaken reforms to correct the army's weaknesses. Among them are a reorganization of the armed forces to replace conscripts with professional soldiers and to make more soldiers available for fighting, an improvement of intelligence services, the development of a military strategy, and coordination of the activities of the three armed service branches. The military's effective response to the July 1999 guerrilla offensive and its August 1999 seizure of two FARC encampments 60 miles from Bogotá has raised some hopes that its performance may continue to improve. Some analysts attribute such improvements in the army's performance to a reorganization of the Colombian intelligence apparatus, and to a U.S. decision, as of March 1999, to share more intelligence with a police and military counternarcotics task force. (See Appendix A for more information on U.S. assistance and restrictions on assistance.)

Efforts to Improve Respect for Human Rights. The Pastrana Administration has taken several steps to foster respect for human rights within the military. Upon taking office, the Administration installed a new military leadership that seemed more sensitive to human rights concerns, according to State Department officials. On April 10, 1999, President Pastrana retired two of the army generals, Rito Alejo del Rio and Fernando Millan Perez, who had been under investigation by the Prosecutor General's office, apparently for involvement with paramilitary groups. Eleven days later, the former commander of the 20th Brigade, retired Col. Bernardo Ruiz, was arrested and charged with arranging the 1995 assassination of Alvaro Gomez Hurtado, a former Ambassador to the United States who had been prominent in Conservative party politics. In August 1999, Colombia's attorney general, whose office has investigated numerous cases of alleged support for paramilitary groups, ordered dishonorable discharges for an army captain and two lieutenants, who had failed to halt a May 1998 paramilitary massacre in Barrancabermeja. On September 2, 1999, President Pastrana retired Gen. Alberto Bravo Silva, commander of the Army's 5th Brigade. Although no reason was given for Bravo's forced retirement, soldiers of his command had done nothing to stop paramilitary groups who had killed at least 36 people.

As of early 2001, the last report of the Clinton Administration on the military's human rights performance and other human rights issues stated that much progress had been made, but that more remained to be done. Human rights groups found that assessment too optimistic (see section on the Human Rights Controversy, above).

Securing International Assistance. Since he announced his peace initiative, President Pastrana has sought domestic and international funding to support it. Initially, he sought to create a development fund, to be administered by business and civic representatives, that would provide financing for economic infrastructure and jobs in guerrilla areas once a peace agreement was concluded. Little was forthcoming, however. On September 17, 1999, he outlined a new \$7.5 billion three-year plan to bring peace to Colombia. Of this, Pastrana seeks \$3.5 billion in international assistance, about half to be used to strengthen and restructure the military and to combat drug trafficking. The Colombian government stated that it had previously budgeted \$4 billion for the effort, and had received \$750 million from

international financial institutions for social programs.⁵⁷ As of November 2000, the Colombian Embassy stated that it had received some \$200 million from European countries, although apparently much greater funding is under consideration as of February 2001.

“Plan Colombia” Enacted and U.S. Policy Options

In mid-2000, the 106th Congress significantly broadened the scope of U.S. assistance to Colombia with the passage the “Plan Colombia,” \$1,289 billion in emergency supplemental appropriations contained in the conference version of the Military Construction appropriations bill for FY2001. (For a description of previous U.S. assistance, and tables on U.S. assistance since 1989, see Appendix A.) The conference report was passed by the House on June 29 and by the Senate on June 30, and signed into law on July 12 (P.L. 106-246). The centerpiece of the program was the “Push into Southern Colombia” program, which involved the training and equipping of two new army counternarcotics battalions (in addition to one which the United States had already trained), and the provision of helicopters to transport them. These battalions began operations in the southern province of Putumayo in December 2000. The Plan also provided funding for the Colombian National Police, interdiction efforts, human rights, governance and the peace process.

In the months after the July 2000 approval of Plan Colombia, Congressional concerns have been raised in three areas. The first is whether Plan Colombia as passed by Congress is being implemented in a timely and adequate fashion; a related question is whether it is fully implementable within a reasonable period of time. A third is whether Plan Colombia programs and funding is sufficient to achieve Plan Colombia’s objectives.

The first two questions were addressed in an **October 2000 General Accounting Office (GAO) report**, which noted “long-standing” problems in planning and implementing assistance to Colombia, and several difficulties in the implementation of Plan Colombia. Among its findings, the GAO reported that

- ! the total cost and activities required to meet the plan’s goals are unknown,
- ! U.S. agencies were still developing comprehensive implementation plans as of October,
- ! many programs would not be fully in place until late 2001 because of the need to manufacture and deliver equipment, and to find and place staff in Colombia to manage the programs,
- ! additional funds would be needed to continue running equipment,

⁵⁷ Larry Rohter. Plan to Strengthen Colombia Nudges U.S. for \$3.5 Billion. *The New York Times*. September 18, 1999. p. A5.

! the State Department still needed to address issues related to the operations of U.S. provided helicopters.⁵⁸

All three questions will be the subject of Congressional debate and scrutiny in 2001.

⁵⁸ U.S. General Accounting Office. *Drug Control: U.S. Assistance to Colombia Will Take Years to Produce Results*. GAO-01-26. October 2000. This report can be accessed through [<http://www.gao.gov>].

**Table 1. "Plan Colombia" Funding
Contained in FY2001 Military Construction Appropriations
(P.L. 106-246, H.R. 4425)**

Category	P.L. 106-246 Funding
COLOMBIA	
Push Into Southern Colombia Program:	403.7
Assistance for the Colombian National Police (CNP) (Does not include DEA support for CNP, which is cited below, under U.S. agencies)	115.6
Interdiction: Support for Colombian Efforts	113.0
Economic and Alternative Development/Employment	58.5
Assistance for Displaced Persons	47.5
Human Rights	53.5
Administration of Justice/Rule of Law/Other Governance	65.5
Peace Process	3.0
Colombia Subtotal*	860.3
SUPPORT FOR U.S. AGENCIES' PROGRAMS IN OR RELATED TO COLOMBIA AND THE ANDEAN REGION	
Interdiction and Related Support	132.3
Forward Operating Locations	116.5
U.S. Programs Subtotal	248.8
SUPPORT FOR COLOMBIA'S NEIGHBORS/ANDEAN REGION	
Regional Counternarcotics/Interdiction	55.0
Bolivia	25.0
Ecuador	12.0
Elsewhere	18.0
KMAX Helicopters	32.0
Regional Alternative Development	93.0
Bolivia	85.0
Ecuador	8.0
Regional Subtotal*	180.0
TOTALS*	1,289.0

* Subtotals and totals may not add due to rounding.

U.S. Policy Options

Colombia's current dilemmas have led to a wide range of opinion about the desirability of altering current U.S. policy and desirability of increasing or restricting the uses of further aid. Many see the focus of Plan Colombia on counternarcotics efforts as too limited, and argue that assistance should be amply increased in other areas. There is little agreement, however, as to which areas are of the highest priority, and whether military assistance of the sort that is currently provided for counternarcotics efforts, such as intelligence and training, should also be provided for both counterinsurgency purposes.

Broaden U.S. Policy to Provide Multi-faceted Aid, and Deemphasize Counternarcotics Efforts. Many analysts argue that the United States should substantially broaden the scope of funding that it provides to include support for economic, social and political reform, and encourage international donors to contribute aid. Even before the 2000 Plan Colombia debate, these analysts had attributed Colombian production of illegal narcotics and the armed violence in large part to institutional and socioeconomic weaknesses, which they argue must be addressed, and note that substantial U.S. assistance for interdiction and eradication has not lead to a decrease in supply.⁵⁹ While those who agree with this conclusion have different views on the desirability of aid to the police and military and on its appropriate levels, many view Plan Colombia and its focus on counternarcotics as an impediment to a resolution of the Colombian crisis. Some argue that it can only exacerbate the guerrilla conflict. The central dilemma of U.S. policy they identify is that increasing counternarcotics efforts “will push more campesinos into the arms of anyone who can help them,” including paramilitary groups and the insurgents.⁶⁰ Thus, many suggest that counternarcotics may have to take second place in promoting peace.⁶¹

As the 107th Congress begins, the most extensive argumentation for this position is a document jointly published by the Council on Foreign Relations and the Inter-American Dialogue.⁶² Noting the “decay and deterioration” of Colombia's political

⁵⁹ According to two analysts from the U.S. Army War College, “While military power is essential, it is not sufficient. Indeed, militarizing the effort may be a good indicator of continued failure.” Donald Shultz and Gabriel Marcella, *Colombia's Three Wars: U.S. Strategy at the Crossroads*, op.cit.

⁶⁰ Many Colombian peasants who were earning a subsistence living undertook coca cultivation, beginning in the 1970s, as a means to avoid ruin, according to some analysts, and perhaps even to accumulate the capital necessary to enter more lucrative legitimate agricultural enterprises, such as cattle raising and commercial farming. See: *Violence and Colombia*, op.cit.

⁶¹ See not only Shultz and Marcella, op.cit., but also Michael Shifter, *Colombia's Security Predicament and Opportunities for Peace: Guidelines for U.S. Policy*, Inter-American Dialogue Policy Brief. [<http://www.thedialogue.org>].

⁶² Bob Graham and Brent Scowcroft, co-chairs; Michael Shifter, project director. *Toward Greater Peace and Security in Colombia: Forging a Constructive U.S. Policy*. Report of an (continued...)

institutions, this report finds that the “principal, overall challenge for U.S. policy in Colombia is to fashion a broader, strategic, longer-term concept” that would blend military, economic, political, diplomatic, and social elements in a comprehensive, long-term approach to Colombia’s problems. Although the report does not contain detailed project proposals, it suggests a framework that progress should be “tracked” in five areas: (1) professionalization of the armed forces, reflected not only in its capabilities, but also in its human rights performance and severance of ties to the paramilitaries; improvements of the judicial system, mobilization of key sectors of Colombia’s civil society for institutional reform and conflict resolution; “progress in reversing growth in coca and heroin poppy, developing a strategy aimed at the laboratories, and moving forward with extraditions, when appropriate; and advances by the Colombian government in mobilizing regional and international support” for its strategy as reflected in Plan Colombia.

The CFR-IAD report places primary emphasis on the security dimension. There is no consensus as to which dimension of a broad policy should be accorded priority, however, and what the effects would be of different orderings of those priorities. Others would argue for placing the emphasis elsewhere; the following summarizes opinions on the importance of other sectors and the need for security.

Support for Political Institutions and Human Rights. Virtually all analysts cite a need for the United States to help strengthen and reform Colombia’s political institutions and to promote the observance of human rights. As does the CFR-IAD report, many argue that Colombia’s failed institutions, with their lack of authority and presence throughout the Colombia state, are at the root of Colombia’s drug and guerrilla problems. They point to the problem as a crisis of state authority and many argue that its legitimacy has been eroded not only by the guerrilla conflict, but by the spread of paramilitary groups and their usurpation of the state’s monopoly on violence.

Institutional reform and respect for human rights are seen as vital to resolving both problems. Those most cited are a deepening of the decade-long judicial reform program, the severing of all ties between the army and paramilitary forces, reforms of the security forces including an end to all impunity for members suspected of committing human rights abuses themselves and complicity in the violations of paramilitary forces. Control of the paramilitaries is viewed as essential not only to re-establish the authority of the state, but also to decrease the paramilitary kidnappings and killings that are viewed as an impediment to negotiations with guerrillas. Some say that, given Colombian history (see the discussion on the guerrilla movements in Appendix B), it is understandable that guerrillas would rather risk dying on the battlefield than risk being slain as demobilized soldiers. Some analysts also cite the paramilitary links to members of the army and to drug traffickers as a threat to the institutional integrity and honesty of the army.

⁶² (...continued)

Independent Task Force Sponsored by the Council on Foreign Relations and the Inter-American Dialogue. This report can be accessed through either organization’s website. [<http://www.cfr.org>] or [<http://www.thedialogue.org>]

However, many see U.S. support as, at best, playing a supporting role, and argue that such assistance will be of little use without a prior demonstration from the Colombian elite of its commitment to carry out reforms. Some doubt that the Colombian elite as a whole possesses the necessary will to do so, some believe that corruption is so endemic that it may prove an insurmountable obstacle to reform. Some also fear that the problems of Colombian democracy are so complex that U.S. aid will at best provide a palliative, and do little to resolve them, and may instead provide a rationale for the United States to overlook the Colombia government's weak performance in this area.

Support for the Economy and Alternative Development. The poor state of the economy, particularly the rural economy, is seen as fueling both drug production and enrollments in the guerrilla and paramilitary armies. Several steps are advanced by which the United States could help ameliorate economic problems.

Many argue that the United States should support the Colombian government in devising and implementing an agrarian reform and an extensive array of rural development programs which will provide peasants with land and the ability to work it profitably. Alternative development projects could not only attract potential recruits away from the guerrillas and paramilitaries, but for the purpose of peace negotiations could demonstrate to the guerrillas that (1) the government is willing to make significant socioeconomic reforms, and (2) they would be capable of earning a livelihood if they demobilized. These projects would include the development of the necessary infrastructure, such as roads and communications systems.

In the long run, these analysts argue, a peace settlement and rural development will do more to curb the production and trafficking of illegal narcotics than will continuing current eradication and other police and military counternarcotics efforts that deprive rural inhabitants of their livelihoods. Others who favor alternative development argue, however, that it must be carried out in conjunction with eradication efforts, because coca profits are so high that growers must be offered both incentives and disincentives if they are to replace coca plants.

As an incentive for Colombia to diversify its economy, some analysts also recommend that the United States extend the Andean Trade Preference Act (ATPA), which provides duty-free access to U.S. markets for many Colombian products. Currently, it will expire in 2001. (For a discussion of the effects of the ATPA, see CRS Report RL30790, *The Andean Trade Preference Act: Background and Issues for Reauthorization.*)

Many question whether alternative development, or any other form of economic support, can prosper when the country is in a state of war. Some argue that Colombia cannot carry out development projects in conflict zones because the guerrillas will either tax or destroy the projects and threaten or kill those who participate. Others, however, point out that small development projects funded by international and church organizations have been undertaken in Putumayo, a few of which reportedly were fumigated in the December 2000-January 2001 eradication actions. Some analysts also worry that the increases in kidnappings and FARC threats to kidnap business people is contributing to the "brain drain" of Colombians and depressing domestic investment, which will undercut the Colombian economy over the long-run.

Some Colombians suggest that the United States might help devise systems to protect Colombians against kidnapping as one means of stabilizing the economy.

Increased Diplomatic Efforts on Behalf of the Peace Process. Given the difficulties of pursuing political and economic reforms in the midst of war, some analysts argue that increased international attention and support must be given to the peace process, even during times when it appears that no progress is being made. Although the Clinton Administration desisted from contacts with the FARC upon Congressional protests, many urge the Bush Administration to pursue direct contact with the guerrillas as a means to persuade them that the United States' objective in Colombia is to curb drug production and trafficking, and that the United States would not be hostile to political and economic reforms that would broaden democracy. In addition, some hope that a demonstrated U.S. interest in the peace process will overcome the perception in Europe that the United States strategy in Colombia is focused on the military, and encourage European nations to increase their contributions to Colombia for economic and political reforms.

The Security Dimension and U.S. Assistance to the Military and Police. The incipient debate over the appropriate amount and type of U.S. assistance to the Colombian military centers on the issue of whether any political and economic reforms can take hold while the country is in a state of war. At issue is whether the current level of support, all directed at counternarcotics efforts, is sufficient to achieve U.S. objectives.

Those arguing for increased and broadened assistance to the military reflect several different concerns. In advocating Plan Colombia, the Clinton Administration and other proponents of that approach argued that a primary obstacle to the peace process was the guerrillas' ability to bring in substantial funds from their participation in the illegal narcotics trade. They were concerned that unless efforts were undertaken to cut funding from that source, the best negotiated outcome might force the Colombian government to accept a large degree of guerrilla authority and autonomy in rural areas where they operated, in effect dismantling the Colombian state, and where they could continue to grow and process coca unimpeded. Some doubted that that guerrillas would have any interest in negotiating seriously at all unless the revenues they receive from taxing and other involvement in the drug trade are cut.

For some analysts however, the counternarcotics assistance does not go far enough if the intent is to weaken the guerrillas and strengthen the Colombian government's hand politically and militarily. For one, some analysts believe that even if the guerrillas were deprived of much of the revenues from drug trafficking, they would be able to sustain their force and military effort from revenues from other sources. In addition, some argue that the military equation must also be balanced on the government side, and that the Colombian military needs further training and other assistance if it is to perform effectively enough to provide an incentive for the guerrillas to negotiate. Further, some express concern that the absence of security makes it impossible for the Colombian government to establish a more permanent and positive state presence throughout the country, and provide the needed services and environment that will ameliorate some of the socio-economic causes of the war.

Thus, many have called for U.S. assistance for the “professionalization” of the Colombian army. For some, this term means aiding military institutional reforms, including the types of reforms that would promote human rights, and improving performance of such military tasks as intelligence gathering and analysis. For others, the term means that the United States should also provide training, more intelligence, and doctrine, logistics, and other types of support applicable to counterinsurgency, to enable the Colombian military to perform more effectively in counterinsurgency operations.⁶³ All draw the line at direct U.S. battlefield involvement, however: one such analyst urged Congress to place limits on any military assistance to ensure that U.S. soldiers do not “participate in battles between the Colombian army and drug-trafficking rebels.”⁶⁴

Return Counternarcotics Funding to the Colombian National Police. Soon after the passage of the “Plan Colombia” legislation, some Members argued that Congress had been mistaken in its decision through that legislation to shift the bulk of aid for counternarcotics purposes from the counterdrug unit of the Colombian National Police to the Colombian army. Through FY1999, Congress directed most of the funding provided to Colombian security forces for counternarcotics efforts to the 2,000-man counterdrug force. This included assistance for helicopters that enabled the CNP to raids drug labs and eradicate coca fields. In developing the Plan Colombia legislation, the Clinton Administration and others argued that military forces were needed to provide security for police forces to carry out such activities in the guerrilla-dominated areas of Putumayo and Caqueta. Thus, the bulk of the helicopter and other counter-drug assistance went to the army.

In November 2000, Rep. Benjamin A. Gilman, then Chairman of the House International Relations Committee, stated that this policy, and his support for it, had been a mistake. In a letter to the head of the Office of National Drug Control Policy (ONDCP), Rep. Gilman called for a “mid-course correction” because “our policy has caused needless anxiety in Europe” and “even greater concern among some Andean nations.” Further, he wrote, that “it is evident that the Colombian army is incapable of controlling” the Putumayo area “now or anytime soon,” leading to an indeterminate delay in drug efforts. The funding could be better used by the Colombian police, he argued, to cover the entire country. In early January, Rep. Gilman lauded the CNP’s record eradication of 56,000 hectares of coca and 9,200 hectares of opium poppy in 2000, without the loss of one police officer’s life, attributing it to the U.S. provision of appropriately equipped Black Hawk and Huey II helicopters. Some analysts point

⁶³ In a U.S. Army War College paper published in March 2000, retired U.S. Ambassador David Passage suggested that the United States should provide the military with: development of a strategy to deal with the guerrillas and paramilitaries; training and doctrine for small unit operations, joint operations, and night combat operations; improvements in the collection, evaluation, and dissemination of usable operational intelligence; development of quick reaction capabilities; creation of an airborne strike force, improvement of the military’s ariel medical evacuation capability; dramatic improvement in logistics supply and repair capabilities, in spare parts inventorying and anticipation of need, and in transport capabilities. See: David Passage. *The United States and Colombia: Untying the Gordian Knot*. U.S. Army War College, The Letort Papers series. March 2000.

⁶⁴ *Tread Cautiously in Colombia’s Civil War*, op.cit.

to this success, in contrast to previous years, as evidence that the CNP can operate effectively if given the appropriate equipment.

Suspend or Terminate Aid to the Military. For several years, two schools of thought have undergirded arguments that the United States should terminate all assistance to the military (although not necessarily to the police forces). Some analysts argue that such aid only undermines the peace process and efforts at political and economic reform by strengthening an abusive, inept, and insubordinate army that has no desire to reform or negotiate peace with the guerrillas, and will only block any attempts to reach a reasonable settlement. Other analysts have feared that continued U.S. military assistance will allow the guerrillas to convincingly blame the United States if they pull out of talks. Some also argue that the United States may not be able to function as an “honest broker” in the search for an acceptable peace settlement if it is providing military aid, especially if that aid is used for or linked to counterinsurgency purposes.

As debate commences in the 107th Congress, human rights groups and other advocates of suspending or terminating military aid on the grounds that the Colombian government and military have not made sufficient progress in terminating and punishing military human rights violations, particularly those committed as a result of links with paramilitary forces. They view an effective commitment by the Colombian government to human rights as the key to a peaceful resolution of the conflict, particularly because the guerrillas are unlikely to negotiate if they view their security as threatened by an uncontrolled military and paramilitary groups.

Continue the Current Policy and Levels of Support. Some would argue that continuing U.S. support for Colombia at its current levels is the most appropriate U.S. policy. They point out that current Plan Colombia assistance was intended to be just the first tranche of support for a multi-year plan for support to the army and police for counternarcotics efforts throughout the country, which eventually will give those forces the capacity to meet Plan Colombia counternarcotics goals. Further, they see any expansion of U.S. support for the military as crossing a line that would make it difficult to maintain U.S. public support for current levels of aid to Colombia and to secure any European assistance to Colombia. Some would also argue that greater attention to the U.S. dimension of Colombia’s problems, including greater efforts at domestic demand reduction and control of money laundering, would have a greater long-term effect on Colombia’s problems than increased aid.

Appendix A. Past and Current U.S. Assistance to Colombia

Table 2. U.S. Assistance to Colombia, FY1999-FY2001
(Obligations and authorizations, \$ millions)

Category of Foreign Aid or Other Assistance to Colombian Programs	FY1999	FY2000 Regular Approps.	Plan Colombia Aid (P.L. 106-246) FY2000	FY2001 Reg. Approps.	Plan Colombia Aid (P.L. 106-246) FY2001
<i>State Department/INC account^a</i>	205.9	50.0	768.5	48.0	
<i>State Department INC Air Wing</i>	30.0	31.3		28.0	
<i>Agency for International Development (AID)^b</i>	13.3	4.0		4.0	
<i>International Military Education and Training (IMET)</i>	0.9	0.9		1.0	
<i>Foreign Military Financing/Grant</i>	— ^c	—		—	
Administration of Justice (AOJ)	1.8	—		—	
Department of Defense/Section 1004	35.9	68.7	NA	49.8	NA
Department of Defense/Overlapping Sections 1004/124	NA	1.6	NA	1.8	NA
Department of Defense/Section 1033 account or projects funded under Section 1033-type authority	13.6	7.2		8.1	NA
Department of Defense/Section 506 Drawdown authorized	58.1	None		None thus far	
Other Section 506 Drawdown (i.e., Departments of Transportation, Justice, State, and the Treasury) authorized	14.5				
TOTALS	374.0	163.7	768.5	140.7	114.2
Related Spending: Department of Defense/ Section 124	14.4	11.1	13.0	14.4	0.0

Sources: General Accounting Office (GAO -01-26), Department of State, Congressional Budget Justification for Foreign Operations for FY2001; U.S. Agency for International Development Budget Justification for FY2001, Annex IV; and information provided by Department of State and Department of Defense officials. This chart includes direct U.S. foreign assistance (i.e., the categories usually counted as U.S. foreign aid, which are in italics), as well as the costs of goods and services provided to Colombia from other U.S. government programs supporting counternarcotics efforts in Colombia. The United States also provides a small amount of DOD Excess Defense Articles (EDA) to Colombia. Other funds are spent in Colombia on counternarcotics and other activities that are considered part of U.S. programs: for instance, the Drug Enforcement Administration (DEA) spends its own funds on joint operations in Colombia. Figures on FY2000 and FY2001 State Department INC funding provided January 10-11, 2001. Figures on FY2000 and FY2001 DOD funding provided January 12, 2001. DOD Sections 124, 1004, and 1033 funding is taken from regional accounts and the tentative allocations for Colombia can be shifted to respond to developing needs in other areas. (Section 124 covers U.S. operated radar systems in Colombia and elsewhere, and other costs of U.S. detection and monitoring of drug flights.) **NA signifies not available as of the date of this report. More recent data may be found in RL30541.**

^a For FY1999, includes \$173.2 million in Congressionally-mandated supplemental appropriations funding for helicopters, helicopter and aircraft upgrades, radar, and police assistance. FY2000 non-DOD Plan Colombia supplemental funds were all assigned to the State Department INC account; the State Department is transferring them to the other agencies carrying out programs in Colombia with those funds.

^b The AID FY1999 figure includes \$10.0 million in disaster relief funding and \$3.0 million in Economic Support Funds (ESF). AID pipeline funding of \$5.0 million in development funding authorized in previous years was expended in FY1999. The AID FY2000 and FY2001 figures are all ESF. These AID figures do not include funds provided to AID from the INC account.

^c FMF pipeline funding of \$13 million authorized prior to FY1995 and funding available from the FY1995 FMF authorization was intended to be expended from mid-FY1997 through FY1999.

Table 3. U.S. Aid to Colombia FY1989-FY1998

(Obligations and Authorizations, \$ millions)

U.S. AID TO COLOMBIAN PROGRAMS	FY1989	FY1990	FY1991	FY1992	FY1993	FY1994	FY1995	FY1996	FY1997	FY1998
Economic										
<i>USAID grants</i>	–	–	–	–	23.8	0.2	– ^a	–	–	0.5
<i>Food Aid Grants</i>	0.1	0.2	–	–	0.8	–	–	–	–	–
<i>Other</i>	1.0	0.8	0.7	0.6	1.2	1.4	1.3	0.6	–	–
Counternarcotics										
<i>State Department INC</i>	10.0	20.0	20.0	23.4	25.0	20.0	16.0	16.0	33.5	46.3
<i>State Department Air Wing</i>	–	–	–	–	–	–	2.5	6.6	10.9	37.8
Defense Department Section 1033 <i>Riverine Program</i>	–	–	–	–	–	–	–	–	–	2.2
Defense Department Section 1004	–	–	–	–	–	–	–	–	10.3	11.8
Administration of Justice	–	–	–	–	–	–	–	–	1.8	2.0
Military										
<i>IMET</i>	1.5	1.5	2.8	2.3	2.6	0.9	0.6	– ^a	–	0.2
<i>Foreign Military Financing/Grants</i>	–	69.7	27.1	47.0	27.0	7.7	10.0	–	–	–
<i>MAP Merger Funds</i>	7.1	–	–	–	–	–	–	–	–	–
Drawdowns										
Department of Defense	65.0	20.0	–	7.0	–	–	–	14.5	9.4	18.8
TOTAL/U.S. Aid to Colombian Programs	84.7	112.2	50.6	80.3	80.4	30.2	30.4	37.7	66.6	119.6
OTHER ASSISTANCE/SPENDING										
Foreign Military Financing – Loans	–	–	19.9	–	–	–	–	–	–	–
Foreign Military Sales	83.3	3.7	10.2	14.3	12.8	67.2	21.9	9.7	74.5	8.7
Foreign Military Construction Sales	–	–	–	–	1.6	.4	–	.7	.5	–
DOD Section 124 Detection and Monitoring	–	–	–	–	–	–	–	–	33.5	28.7
TOTALS/Other Assistance/Spending	83.3	3.7	30.1	14.3	14.4	67.6	21.9	10.4	108.5	37.4

Source Note: Data is drawn from a number of sources, not all of which are consistent, including various editions of the U.S. Overseas Loans and Grants and Assistance from International Organizations “Green Book”, prepared by the AID budget office, the Foreign Military Sales, Foreign Military Construction Sales, and Military Assistance Facts book, prepared by the Department of Defense Security Cooperation Agency, with data as of September 30, 1998, information provided directly by the departments of State and Defense that are not recorded in these publications, and by the General Accounting Office (GAO) for 1996-1998. (See GAO report GAO-01-26.) Where contradictions existed, GAO data was preferred, and then other printed data was used. In particular, GAO used data on the amounts of DOD drawdown assistance actually delivered in FY1996 through FY1998; other sources show the amount authorized, i.e., \$40.5 million in FY1996, \$14.2 million in FY1997, and \$41.1 million in FY1998. Because of a possible lack of data or inaccuracies, some yearly totals may be understated or overstated, particularly prior to FY1996.

Note: This chart includes direct U.S. foreign assistance (i.e., the categories usually counted as U.S. foreign aid, which are in italics), as well as the costs of goods and services provided to Colombia from other U.S. government programs supporting counternarcotics efforts in Colombia. The United States also provides a small amount of DOD Excess Defense Articles (EDA) to Colombia. Other funds are spent in Colombia on counternarcotics and other activities that are considered part of U.S. programs: for instance, the Drug Enforcement Administration (DEA) spends its own funds on joint operations in Colombia. DOD Section 124 detection and monitoring funds cover U.S. operated radar systems in Colombia and elsewhere, and other costs of U.S. detection and monitoring of drug flights.

^a In these years, there was assistance in this category of less than \$50,000.

Appendix B. Overview of the FARC and the ELN⁶⁵

The Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, or FARC) and the National Liberation Army (*Ejército de Liberación Nacional*, or ELN) both trace their roots back to the warfare of the late 1940s, and were formally organized in the mid-1960s. They are the last of several leftist guerrilla groups which have challenged the Colombian government. The others have largely withered or have joined the political process through peace accords. [A third group, the Popular Liberation Army (*Ejército de Liberación Popular*, or ELP), is much smaller and apparently largely inactive.]

The harshness and limitations of life in rural areas are often cited as the contributing greatly to the decisions of peasants and other rural dwellers to join the guerrillas. For generations, political conflict in the rural areas has been fed by high levels of poverty among peasants who have been deprived of their land or adequate resources to farm it. In the 1950s, peasants developed armed movements to defend their land against members of the elite who sought to acquire large estates; some subsequently were incorporated into guerrilla groups during and after the 1960s. Even where peasants managed to retain their land initially, they often were forced to sell and move elsewhere because the soil was depleted or because they could no longer afford to compete with large-scale agriculture.

The FARC was organized in 1966 among peasants living in the remote, isolated mountainous areas largely between Bogota and Cali. There, the Communist Party had organized communities, later dubbed “independent republics,” during the early years of *la violencia* in the late 1940s and the 1950s. The independent republics existed in areas where the national government either had no presence, or its local authorities conceded control to the “republican” leadership. FARC founders, including current leader, Manuel Marulanda Vélez (nicknamed *Tirofijo*, i.e., Sure Shot), of a peasant background, were members of Colombia’s Communist Party Central Committee, and identified with a Soviet Marxist-Leninist ideology. Until the mid-1960s, the Communist Party had advocated “mass struggle” using the constitutional, electoral system rather than armed opposition to gain power. It organized an armed movement, however, in response to the army’s counterinsurgency efforts beginning in 1961, which destroyed the independent republics, and the National Liberation Army’s initiation of armed struggle. Although powerful in its first two years, the FARC was debilitated by 1968, but revitalized during the late 1970s.

The ELN launched operations in early 1965. Its leader was a student who had taken part in the Workers’, Students’ and Peasants’ Movement (MOEC). MOEC militants thought they could bring about armed struggle by rearming and organizing peasant guerrillas. In 1984, the ELN began to take action against international

⁶⁵ This summary draws on several sources, most importantly the Chernick, Eisenstadt, Gott, Hanratty, and Pereyra works cited in the Bibliography, and *War Without Quarter*, op. cit.. See these sources for a fuller account of the complex history of negotiations during the 1980s and 1990s, including the effects on negotiations of drug violence, the opposition of military leaders, and the activities of the M-19 and other guerrilla groups.

petroleum companies operating in Colombia, including the kidnapping of executives, engineers, and other workers, sabotage of pipelines, and extortion of funds. It continues these activities. Unlike all other Colombian guerrilla groups, the ELN has never negotiated independently with the Colombian government; it has only engaged in peace negotiations as part of an alliance with the FARC.

Previous Negotiation Attempts

During the 1980s, the FARC engaged in peace negotiations with successive Colombian administrations, and attempted to join the political process. In March 1984, FARC signed the La Uribe cease-fire agreement in exchange for promises from then-President Belisario Betancour (1982-1986) that his government would present legislation to Congress to improve living conditions for the poor. The accord took effect in May. Although most of the FARC members at that time apparently abandoned armed struggle, some fronts refused to participate. In 1985, those FARC adherents pursuing the political path created the *Union Patriótica* (Patriotic Union or UP), which won 1.4% of the vote in March 1986 congressional elections and 4% in the May 1986 presidential elections. Although the UP distanced itself from the FARC fighting force, its candidates and followers became targets for assassination. (In late 1987, UP leader and its 1986 presidential candidate, Jaime Pardo Leal, was murdered; by 1989, the UP counted several hundred murdered members, and by 1985, some 2,000.) In July 1987, the main FARC organization resumed armed struggle, joining the ELN and four other guerrilla groups in September 1987 in the Simón Bolívar Guerrilla Coordinating Group (CGSB).

Less than two years later, the FARC again attempted to negotiate with the government, but mainly, according to some analysts, because it feared losing political ground to another major CGSB member, the M-19, which had begun to negotiate with the government of Virgilio Barco (1986-1990). In early 1989, the FARC declared a unilateral cease-fire and organized a “commission of notables” which included two former Colombian presidents (one of them Misael Pastrana Borrero, father of the current president) to mediate negotiations with the Barco government. The M-19 laid down its arms in March 1990, forming a political party. During the 1990 presidential election, two former guerrilla candidates were killed: UP candidate Bernardo Jaramillo in March and, in April, Carlos Pizarro, the M-19 guerrilla commander who ran for president on the leftist banner after Jaramillo’s death. Despite their deaths, and those of other guerrillas who had joined the political process, the M-19 gained almost 27% of the vote in December 1990 constituent assembly elections. (The killers were not identified in most cases, but they were presumed to be linked to drug interests and paramilitary groups.)

For the next decade, no progress was made in talks between the government and the FARC and ELN, despite continuing initiatives by both sides. In the early 1990s, President Barco’s attempts at negotiations with the FARC, ELN, and smaller CGSB groups floundered because, according to some analysts, the FARC and ELN leadership continued to believe that a military victory was possible. This conviction, and the continuing murders of demobilized guerrillas, left the FARC and the ELN as the two major holdouts in peace negotiations with the administration of President César Gaviria (1990-1994), during which several smaller guerrilla groups joined the political process through negotiations. By late 1991, the FARC and ELN had begun

a crusade to undermine elections, starting with the municipal elections in October. (It has carried out such tactics in several elections since then.) FARC also began that year to kill demobilized EPL (Ejército Popular de Liberación) guerrillas and its supporters who had formed a political party. Attempts at negotiation by Gaviria's successor, Ernesto Samper (1994-1998), failed to prosper. Among the reasons for the failure, according to some analysts, was that the guerrillas distrusted Samper, who, under pressure from the military, had reneged on promises to create a demilitarized zone to pursue talks. In addition, guerrillas saw no advantage in dealing with a political figure discredited by his acceptance of campaign contributions from drug traffickers.

Appendix C.

FARC's January 1999 Negotiating Agenda

The FARC's "10-point" negotiating agenda,⁶⁶ presented to the government when talks commenced in January 1999 calls for far-reaching political, economic, and military reforms. Statements by FARC leader Manuel Marulanda Vélez ("Tirofijo") in January 1998 concerning that agenda suggested that the guerrillas were still intent on seeking broad change of a socialist nature, which would incorporate the lessons learned from the Soviet, Chinese, Vietnamese and Cuban experiences.⁶⁷ The agenda first called for a political solution to the country's conflict. The other points included:

- ! Political reforms, with a reorganization of various state institutions, including the legislature, the court system, and the attorney general's office, in order to provide "democratic participation at the national, regional, and municipal levels in the decisions that commit the future of society."
- ! Economic reforms, including state investment in "strategic areas of national industry," 50% of the national budget invested in social welfare, a reorganization of the tax system to redistribute wealth, an agrarian reform to redistribute land and agricultural policies which would provide ample credit, technical and marketing assistance to producers.
- ! Changes regarding the security forces, including a revision of military doctrine to base it on defending Colombia's borders rather than on internal control, reduction of the size of the military and its budget, and the separation of the police from the military hierarchy.
- ! Changes in international relations, including a review of military agreements, measures to protect the Colombian economy against international competition, renegotiation of the foreign debt to secure a 10-year moratorium, and "a solution to the phenomenon of production, marketing, and consumption of narcotics and hallucinogens" that would involve "international communities and the commitment of the large powers..."
- ! Renegotiation of "detrimental" contracts signed with multinational companies to exploit natural resources such as petroleum, gas, coal, gold, nickel and emeralds "for the benefit of the regions and the country."

⁶⁶ These points were summarized from the document as it appeared in *El Espectador* (Internet Version), January 12, 1999, and translated by FBIS, Document #FTS19990112001695.

⁶⁷ 'Tirofijo' se destapa. *Semana*. January 18, 1999.

[<http://www.semana.com.co/users/semana/semana99/ene18/nacion.htm>]

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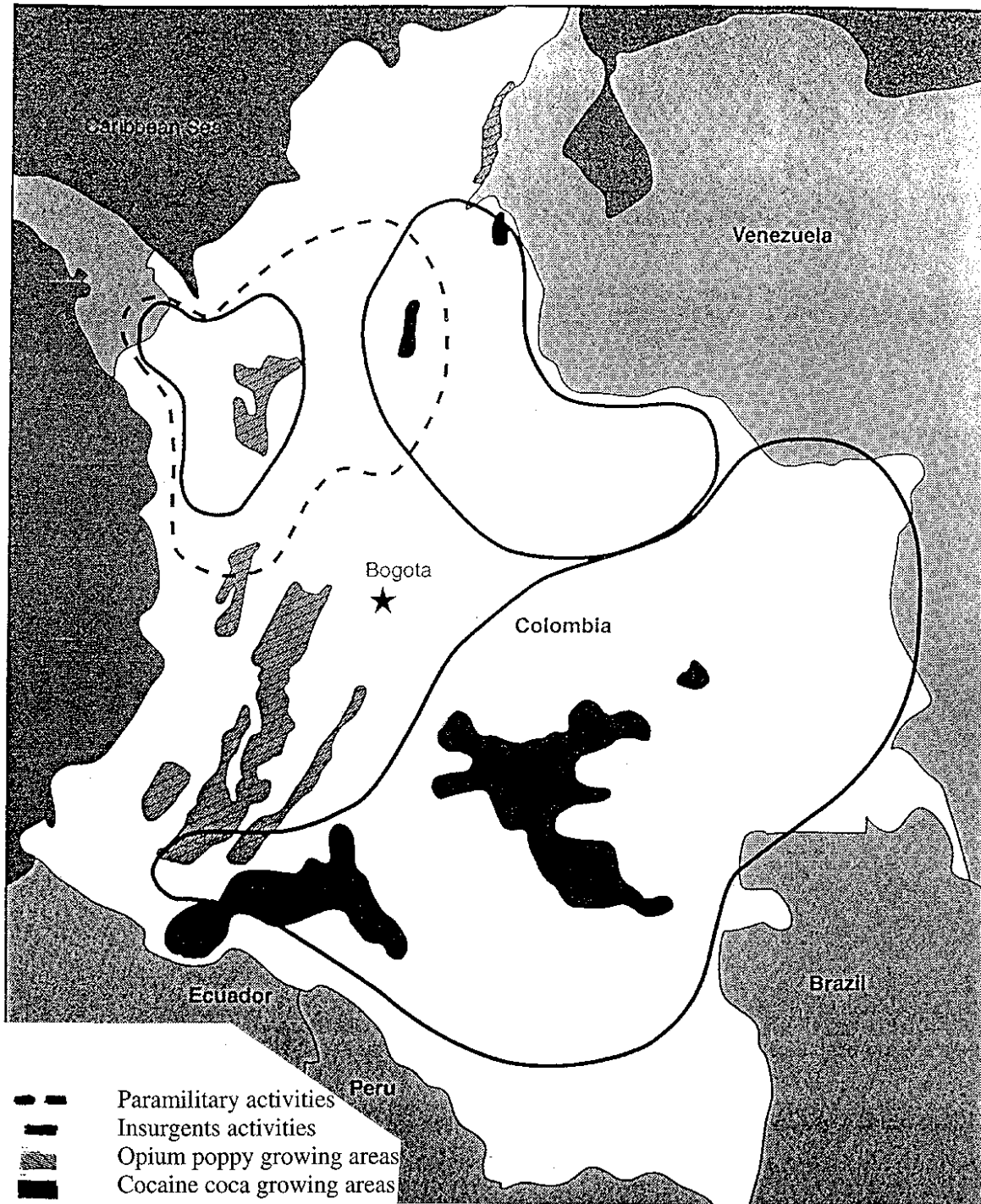
⁶⁸ Sources consulted in addition to those cited in detailed footnotes.

Figure 1. Colombia: Departments and Larger Cities



Map adapted by CRS from Magellan Geographix. Used with permission. Data source: Dennis M. Hanratty and Sandra W. Meditz, eds. Colombia: A Country Study, Washington, D.C.: Department of the Army, 1990, p. xxii.

Figure 2. Areas of Colombian Insurgent, Paramilitary, and Drug-trafficking Activities



Source: U.S. agencies, as published by the General Accounting Office in: *Drug Control: Narcotics Threat from Colombia Continues to Grow*. GAO/NSIAD-99-136, June 1999, p. 8.