

# BACK FROM THE BRINK

## Evaluating Progress in Colombia, 1999–2007

A Report of the Americas Program  
Center for Strategic and International Studies

**Authors**

Peter DeShazo  
Tanya Primiani  
Phillip McLean

**Foreword**

John J. Hamre

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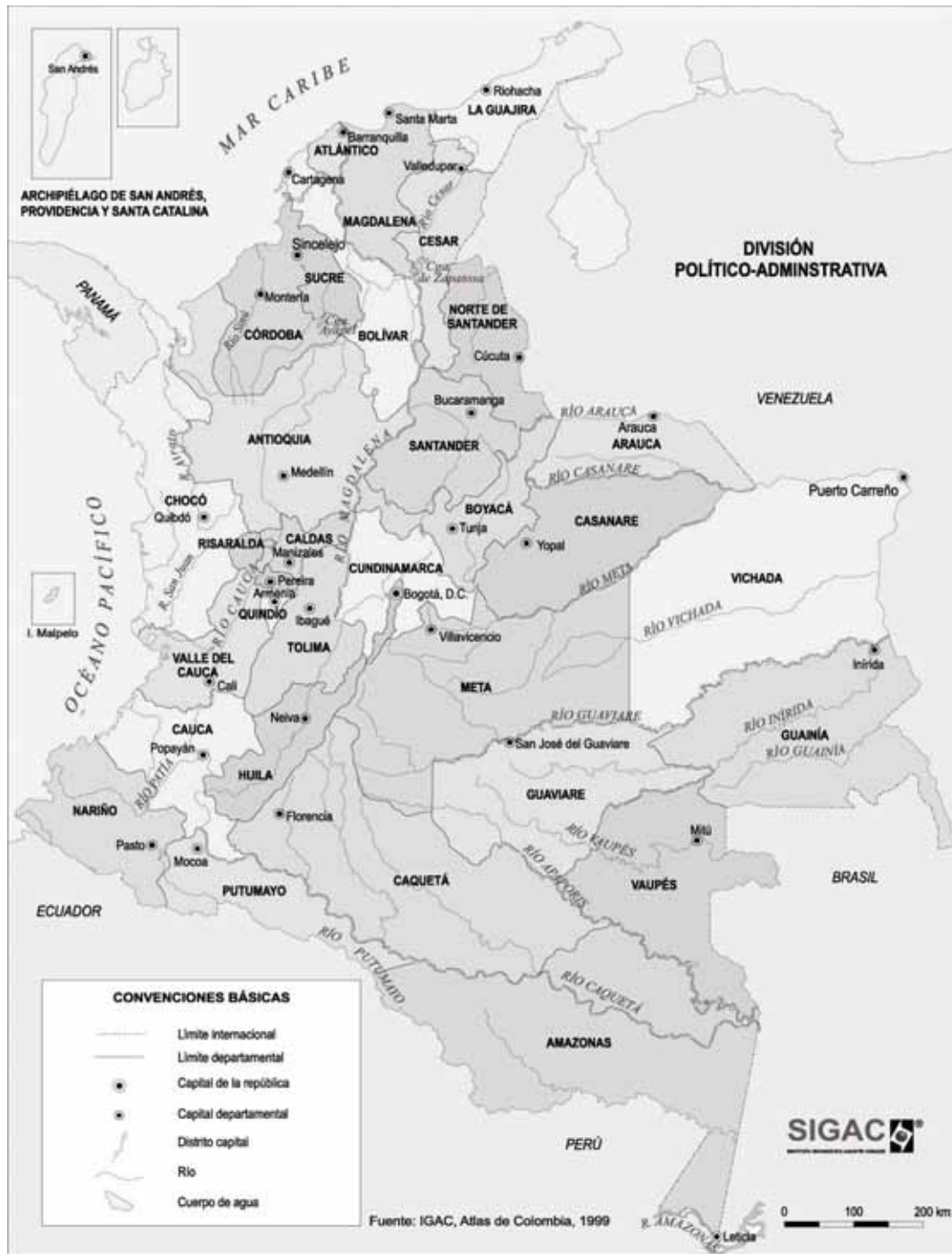
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# Foreword

*John J. Hamre*

Colombia is important to the United States. It is one of our best friends in Latin America, a longstanding democracy with which we have close economic and strategically important bilateral ties. While, in a less positive vein, we are also linked to Colombia through the unfortunate relationship of major consumer to leading supplier of cocaine, that factor also highlights the importance of cooperation between our countries.

It is no secret that Colombia is beset by difficult problems. Illegal armed groups and powerful drug gangs, often working together, continue to challenge the rule of law in parts of the country. The presence of these violent elements fuels other problems: crime, human rights abuses, poverty, and a weakening of governance. Taken out of the context of Colombia's history, these challenges might be seen as nearly insurmountable.

In fact, however, Colombia's current situation represents a major improvement over what it had been only eight years ago. During the 1990s, a confluence of highly negative factors threatened to drag the country down. By 1999, Colombia's stability was at stake, with guerrillas and paramilitaries threatening to overwhelm the weakened capabilities of the state, violence spiraling out of control, and the economy in free fall.

Colombia's emergence from this grave crisis constitutes a success story. It is, however, a story that is not well known, despite the fact that billions of dollars in military and economic assistance from the United States helped bring Colombia "back from the brink." Successful foreign policy initiatives normally have no shortage of executive branch or congressional leaders claiming authorship but, curiously, not in the case of Colombia. Despite strong bipartisan support for an emergency supplemental package for "Plan Colombia" approved during the Clinton administration in 2000 and vigorously continued during the Bush administration, assistance to Colombia, as well as approval of a trade promotion agreement with Colombia signed late last year, is now a topic of considerable debate.

This report by the CSIS Americas Program provides a timely and useful point of reference in understanding the difficult issues at stake in Colombia and the U.S.-Colombia relationship. It analyzes the factors that took Colombia to the verge of unraveling in the late 1990s and how the country began to make its way back from instability. Then the report evaluates the impressive progress made between 1999 and 2007 across a broad spectrum of difficult issues, as well as the thorny problems that persist. A basic premise of the report is that developments in Colombia must be examined in light of the context in which they occurred.

Throughout, the report benefitted from the broad Colombia experience of the authors, both in and out of government, and their non-polemic approach to the issues.

Colombia is a complex country that defies facile explanations and tired stereotypes. It is also a country of vital interest to the United States and therefore deserving of serious attention. Our bilateral relationship with Colombia, based on a tradition of friendship and a shared commitment to democracy and regional security, is an asset of great value. This report endeavors to provide a balanced evaluation of the factors shaping Colombia's current reality and in understanding the challenges ahead for this important country.

# Preface

This report was prepared by the Americas Program of the Center for Strategic and International Studies (CSIS). It is based on research, consultations, and interviews conducted by the Americas Program team and the authors in the United States and during a visit to Bogotá, Medellín, and Cúcuta from October 7 to October 13, 2007.

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# Executive Summary

Colombia in 1999 was facing serious threats from illegal armed groups and the unraveling of state authority. Eight years later, the country is back from that brink. The Colombian government and people, with strong support from the United States, first halted the downward cycle and then made important progress in addressing the deep-seated problems that threatened stability and democratic governance. The influence of illegal armed groups has been rolled back, the presence of the state broadly expanded, levels of violence and criminality sharply reduced, the observance of human rights improved, standards of governance enhanced, and the economy set in a very positive direction. Notwithstanding this success, difficult problems related to a longstanding tradition of weak government remain. But the magnitude of these still-unresolved challenges does not detract from the significance of Colombia's gains since 1999.

For decades one of Latin America's more stable democracies and successful economies, Colombia by the 1990s had entered a period of sustained crisis. A confluence of factors drove this decline, above all a dramatic reversal in the balance of power between state security forces and the emerging strength of the leftist Revolutionary Armed Forces of Colombia (FARC) and Army of National Liberation (ELN) insurgencies and rival "self-defense" forces that had morphed into paramilitary armies.

Fueled by explosive growth of the narcotics business, the guerrillas and paramilitaries controlled large areas of the country, perpetrating acts of violence and human rights abuses on a wide scale. Colombia's long-neglected armed forces and police appeared incapable of stemming the tide, to the point where both the guerrillas and the Colombian people themselves began to sense for the first time that the insurgents might win. As government effectiveness sank, the corrupting influence of the paramilitaries expanded. Colombia's economy suffered its deepest decline since the Great Depression, while levels of murder, kidnapping, extortion, and economic sabotage spiraled upward. Hundreds of thousands of Colombians left the country in the wake of these difficulties.

Colombia's progress since 1999 has been impressive.

## Major Accomplishments

- *Extending state authority.* Colombia has made great progress in extending the rule of law and legitimate authority in its national territory. The balance of power has shifted in favor of the state. For the first time there is a legitimate state presence in all of Colombia's 1,099 municipalities. The guerrillas have been driven out of many areas that they previously dominated and their military capability sapped by the resurgence of state security forces. The roads they once controlled and the energy infrastructure they threatened have reverted to public use. Nearly all paramilitary forces have been demobilized as

fighting units. These advances have fostered gains in other areas: crime, human rights, narcotics, and the economy.

- *Reducing levels of violence.* Murders, kidnappings, massacres, and other violent crimes in Colombia have declined sharply as the power and activity of insurgents and paramilitaries weakened and as security forces were strengthened.
- *Improving the observance of human rights.* The record of human rights observance has significantly improved, although there are still serious problems, including reported abuses by the armed forces and police. Levels of human rights and humanitarian law abuses have been closely associated with the activity of illegal armed groups. Progress in curbing the power of the paramilitaries and guerrillas has resulted in better observance of human rights, including a notable decline in violence against members of trade unions and forced displacement of persons.
- *Advancing the peace process.* Colombia achieved the demobilization of more than 30,000 paramilitary fighters, as well as thousands of deserters from the guerrillas. However controversial the circumstances under which demobilization took place, it is no coincidence that, as paramilitaries demobilized, levels of violence and human rights abuses in Colombia dropped significantly.
- *Checking the reach of drug trafficking.* The original goal of Plan Colombia to reduce coca cultivation by 50 percent has not been met. There is evidence, however, that the anti-drug campaign has disrupted the flow of drug profits to the guerrillas and other armed groups. It has also greatly reduced the production of opium poppy.
- *Enhancing governance.* With the extension of legitimate state authority and increased government spending, substantial improvements are being made in the delivery of judicial services. Participation in elections is on the rise. According to international measurements, there has been notable progress in countering corruption.
- *Growing the economy.* Colombia has made a strong recovery from its low point in 1999, with impressive rates of growth, reduced unemployment, increased levels of investment, expanded trade, lower inflation, and a surge in investor confidence. These gains are closely linked to improved security and, in turn, help create more jobs in the legitimate economy as an alternative to illegal pursuits.
- *Providing social services.* Since 1999, Colombia has made much progress in reducing poverty and providing access to health care and education to its poorest citizens.

### Difficult Challenges Remain

The positive effect of the above accomplishments can be reversed if forward momentum is not sustained. Colombia's ills are deeply imbedded in a tradition of

weak state authority. They can be corrected only by long-term effort, with an emphasis on the strengthening of key institutions.

- *More progress is needed in consolidating legitimate state authority*, especially in rural areas. This requires a continued effort to extend judicial and civil services to more remote areas of the country.
- *The rule of law needs further strengthening*. The presence of illegal armed groups, combined with weak state authority and an underfunded judiciary in the past resulted in widespread impunity for crimes and human rights abuses. The state must dedicate substantially more resources to the judicial sector and to law enforcement in order to attend to past crimes, as well as improve current judicial services. Continued judicial independence should be encouraged.
- *Still greater attention is needed on human rights*. Although the situation has improved, serious human rights abuses persist, most still associated with the civil conflict but some linked to state actors, even though this does not reflect official policy. The government of Colombia must redouble its efforts to ensure the observation of basic human rights and to prosecute abuses.
- *The effectiveness of the paramilitary demobilization remains in play*. Taking more than 30,000 fighters off the books is positive, but the success of the process will depend on a yet to be proven capability to ensure punishment for confessed criminals, investigate past abuses, provide reparations to victims, confiscate economic assets; and successfully reintegrate former paramilitaries back into society. Any resurgence of former paramilitaries as narco-criminals must be dealt with strongly by law enforcement.
- *The search for peace must continue*. There will be no military victory over the FARC or ELN guerrillas. If the armed conflict is to end, it will come through a political negotiation, although this will not happen as long as the FARC holds any hope of prevailing over the government.
- *Narcotics remain a difficult problem*. World demand for cocaine remains high. Drug money continues to fuel violence and crime in Colombia, and illegal narcotics pose a challenge to the rule of law. As Colombia carries out its counter-drug activities, special attention must be paid to establishing more effective state control over coca-growing areas and providing opportunities for licit employment.
- *Poverty levels are high*. While poverty and unemployment have been substantially reduced, they are still high and disproportionately affect certain populations, such as indigenous peoples and Afro-Colombians.

## The U.S. Role

U.S. assistance played a positive role in support of Colombia's progress since 1999. Its contribution to Plan Colombia in 2000 and subsequent years, achieved through bipartisan consensus in Congress, was a foreign policy success. Given the challenges still facing Colombia and the important stake the United States has in

Colombia's security, stability, and prosperity, such assistance, as well as other factors in the overall bilateral relationship between the two countries, including the importance of strong economic and commercial ties, should continue to be an important consideration for U.S. policymakers.



# Back from the Brink

## Evaluating Progress in Colombia, 1999–2007

*Peter DeShazo, Tanya Primiani, and Phillip McLean*

### Introduction

Colombia has pulled back from the brink of a general unraveling. Eight years ago, it was beset by illegal armed groups that threatened the exercise of legitimate government authority. The country was locked in a downward cycle of violence, with guerrilla and paramilitary armies fueled by the profits from the drug trade tilting the balance of power in their favor. In the process, the Colombian people suffered from widespread abuse of basic human rights, as rates of murder, kidnapping, forced displacement, and other abuses soared. The economy plummeted into recession, driving up unemployment and exacerbating already high levels of poverty. Democratic institutions in Colombia were at risk.

That Colombia avoided what many feared would be a continued downward slide into greater instability in and of itself constitutes an accomplishment. But the government and people of Colombia in the past eight years have done more than avoid disaster: they have rolled back the influence of the paramilitaries and insurgents, established a state presence in every municipality of the country for the first time in history, sharply reversed levels of violence and criminality, improved the observance of human rights, enhanced the capacity of the state to govern more democratically, and set the economy moving in a very positive direction.

That is not to say that very grave problems do not persist. Friends and critics of Colombia alike—domestic and international—all recognize the magnitude of the problems still confronting the country, issues that would be considered a serious challenge to democratic government anywhere in the world. But Colombia's progress in the face of daunting odds has been impressive and is a cause for optimism in the struggles ahead.

Colombia is a country of vital importance to the United States. The size of Texas and California combined, it occupies a strategic corner of the South American continent that links North and Central America, the Caribbean, the

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Andean ridge, and Brazil. With 43 million people, Colombia is the third most populous nation in Latin America after Brazil and Mexico. It is the fifth-largest U.S. trade partner in the Western Hemisphere. While estimates vary, perhaps 1 million Colombians reside in the United States.

U.S.-Colombian relations have been traditionally close. Colombia sent a battalion of troops to fight alongside the United States during the Korean War. During the Alliance for Progress years, Colombia received large amounts of U.S. assistance and was considered a success story in terms of socioeconomic progress. Colombia maintained its two-party democracy during the 1970s and 1980s when many other countries in the region lapsed into military dictatorship.

Bilateral ties remain strong. Since 1998 Colombia has been the largest recipient of U.S. aid in the Western Hemisphere. U.S. support for “Plan Colombia,” the Colombian government’s blueprint for promoting security, development, and respect for human rights, began as a bipartisan initiative during the Clinton administration that continued into the presidency of George W. Bush. This assistance has played an important part in helping reverse Colombia’s deteriorating situation.

On November 22, 2006, the United States and Colombia signed a bilateral Trade Promotion Agreement (commonly referred to as a “free trade agreement”) to further strengthen economic ties.

At present, support for Colombia is a topic of debate in the United States, with critics of the Colombian government’s human rights record calling for a reduction or curtailment of U.S. assistance and non-ratification of the Trade Promotion Agreement.

The United States must give careful consideration to its relationship with Colombia. While there has been substantial progress in terms of security, governance, and the economy in past years, many of the underlying causes of violence and instability in Colombia remain in place. Colombia’s gains—while impressive—cannot be taken for granted and backsliding could occur. Beyond the important material advantages to Colombia of continued U.S. security and economic assistance and the positive effect that such assistance has generated, the U.S.-Colombia bilateral friendship constitutes a powerful symbol of shared interest in democracy and regional stability.

This report examines Colombia’s record in reversing the instability and economic distress that dragged the country down during the 1990s. It will trace the formulation and approval of Plan Colombia during the administration of President Andrés Pastrana and the subsequent policies of President Alvaro Uribe. The report evaluates Colombia’s progress in key areas from 1999, the year Plan Colombia was launched, to the present. It explains developments in light of Colombia’s history and the complex mixture of variables in play. Progress and problems on issues such as human rights, democratic governance, narcotics, and security must be considered within the framework of the overall Colombian environment to be better understood. Finally, the report outlines key challenges

ahead—and there are many. The resulting picture is one of steady advances as well as persistent shortcomings.

## At the Brink: Colombia in the 1990s

### *A Tradition of Violence*

Colombia is a country long beset by violence. The bloody civil conflict termed the “War of a Thousand Days” between 1899 and 1902 pitted the Liberal and Conservative parties against each other on a national scale, leaving deep political scars that were re-opened during “*La Violencia*” from 1948 to the mid-1950s. These conflicts between armed adherents of Colombia’s two major parties played out in countless clashes, most of them in small towns and rural areas, leaving hundreds of thousands of casualties in their wake. A plethora of factors drove the violence, ranging from the traditional struggle in Colombian history between federalism and central authority, to religious factors, party loyalty, local politics, economic advantage, and personal vendettas. Following a rare period of military rule, the Liberals and Conservatives entered into the “National Front” coalition agreement which allowed them to alternate in the presidency between 1958 and 1974 and return the country to a semblance of internal peace.

Despite scant public support for Marxist political organizations, a number of leftist guerrilla groups began taking shape in Colombia during the 1960s. The most successful over time has been the Revolutionary Armed Forces of Colombia (FARC), founded in 1964 and dedicated to rural insurgency. Soon thereafter, pro-Castro university students founded the Army of National Liberation (ELN) and several other insurgent groups also sprouted up. The Colombian army nearly eliminated the ELN by the mid-1970s and kept the FARC on the defensive in isolated rural areas. During these years, rural landowners and local communities formed “self-defense” groups against the guerrillas, units that would become the precursors to the paramilitary forces of later decades.

Colombia received considerable amounts of U.S. assistance under the Alliance for Progress program of the 1960s, a time of substantial economic expansion. During the 1970s, Colombia’s GDP rose by an average annual rate of 5.8 percent, with large increases in productivity and progress in reducing poverty. Colombia’s prosperity and political stability during this period contrasted starkly with the wave of military coups that toppled nearly all of the democratic governments in Latin America. While Colombia’s GDP growth slowed to an average of 3.4 percent during the 1980s, it nonetheless far outperformed most other Latin American economies during this so-called lost decade.<sup>1</sup>

### *Downward Spiral*

Legitimate state authority in Colombia came under severe challenge during the 1980s from criminal, guerrilla and paramilitary groups, all fueled by profits from

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<sup>1</sup> Mauricio Cárdenas, “Economic Growth in Colombia: A Reversal of ‘Fortune’?” (working paper no. 36, Fedesarrollo, Bogotá, February 2007).



narcotics, kidnapping, and extortion. The precipitous rise of the Medellín drug cartel in the early 1980s fostered a parallel growth in local paramilitary organizations in key regions of the country to contest the FARC for control in these areas. A new guerrilla group, the M-19, carried out a series of dramatic attacks against the government, culminating with the bloody takeover of the Supreme Court in Bogotá in 1985. A vicious cycle of violence ensued, with paramilitaries pitted against the FARC, the Colombian armed forces fighting the leftist insurgents, and the Medellín cartel waging an all-out war against the Colombian government. Although a deal was eventually arrived at with the M-19, efforts by successive Colombian presidents to reach a peace agreement with the FARC failed and paramilitary and cartel gunmen decimated the ranks of the FARC's political ally, the Patriotic Union. Government forces, with U.S. support, eventually dismantled the Medellín cartel and the successor Cali cartel in the mid-1990s, although smaller, decentralized criminal drug gangs quickly picked up the pieces of their business. While government efforts prevented the Medellín and Cali cartels from establishing themselves as “narco states” within the country, the drug mafias took a heavy toll on effective governance by large-scale bribery of Colombian officials, intimidation of the judiciary, and assassination of opponents. Revelations of narco contributions to his 1994 campaign hounded President Ernesto Samper throughout his administration (1994–1998) and Colombia was decertified for U.S. aid in 1996–1997.<sup>2</sup>

The pace of Colombia's decline went into high gear in the mid-1990s when the country evolved from a processing and transshipment point of cocaine to the world's primary producer of coca leaf. Several factors prompted this development: successful eradication efforts in Peru and Bolivia that cut deeply into coca cultivation, the effectiveness of the air bridge denial program that intercepted drug shipments from Peru into Colombia, and the traffickers' ability to maximize profit and reduce supply risk by growing the raw material domestically. Coca cultivation subsequently skyrocketed, from some 51,000 hectares in 1995 to more than 101,000 in 1998 and to 122,000 in 1999, according to U.S. government estimates at the time.<sup>3</sup>

By 1999, Colombia was supplying some 80 percent of global cocaine production, an estimated 520 metric tons, providing over 90 percent of the cocaine consumed in the United States in the year 2001. During the 1990s, Colombian drug dealers began moving heroin produced from domestically grown

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<sup>2</sup> See Nina M. Serafino, *Colombia: Conditions and U.S. Policy Options* (Washington, D.C.: Congressional Research Service, February 12, 2001); Bruce Bagley, “Drug Trafficking, Political Violence and U.S. Policy in Colombia in the 1990s” (working paper, “Colombia in Context” series, Center for Latin American Studies, University of California, Berkeley, February 7, 2001); Jennifer S. Holmes et al., “Drugs, Violence, and Development in Colombia: A Department-Level Analysis,” *Latin American Politics and Society* 38, no. 3 (fall 2006); Angel Rabasa and Peter Chalk, *Colombian Labyrinth: The Synergy of Drugs and Insurgency and Its Implications for Regional Stability* (Santa Monica, Calif.: RAND, 2001); Gabriela Marcella and Donald E. Schulz, “War and Peace in Colombia,” *Washington Quarterly* 22 (Summer 1999); and Michael Shifter, “Colombia on the Brink,” *Foreign Affairs* 78, no. 4 (July/August 1999).

<sup>3</sup> Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 3; Bagley, “Drug Trafficking, Political Violence and U.S. Policy in Colombia in the 1990s,” p. 3.

opium poppies into the United States and by 2001 were supplying some 75 percent of consumption on the East Coast.<sup>4</sup> According to U.S. government estimates, illegal drugs generated income of around \$4 billion in Colombia in 1998, 5 percent of GDP at the time, enriching the drug gangs, paramilitaries, and guerrillas who were heavily engaged in the narcotics business.

### *The Guerrillas: FARC and ELN*

For decades, the FARC has relied on Colombia's difficult geography and the presence of vast, sparsely-settled tropical lowlands as an environment in which to maintain itself. During the 1970s, it survived periodic pressure from the Colombian army by fading deeper into the countryside, living off of the proceeds of kidnapping and extortion. The vast percentage of FARC fighters were—and continue to be—peasants, some of whom were pressed into guerrilla service. By the 1980s, the FARC had acquired a more coherent structure based on “fronts,” operating more or less independently in given areas and combat “columns” consisting of several companies, along with part-time militias and support staff.<sup>5</sup>

Taking advantage of periodic ceasefires arranged with the Colombian government and the growing economic opportunities presented by the drug business for smuggling, protection, transport fees, and “taxes,” the FARC grew substantially in number, from about 3,600 regular combatants (not including part-time militias and supporters) in 32 fronts in 1986 to 7,000 in 60 fronts in 1995 and to as many as 10,000 in 1998.<sup>6</sup> At its high point in 1999–2001, the FARC order of battle would grow to some 17,000 fighters.<sup>7</sup> Windfall income from the drug business allowed the FARC to substantially improve the quantity and quality of its weaponry, which rivaled and then surpassed that available to the Colombian army. The goal of the FARC established early on was to increase its zone of operation, successfully engaging the Colombian armed forces on an ever-larger scale, until it could envelop Bogotá itself, threatening the existence of the central government.

The Army of National Liberation (ELN), nearly put out of action by government forces in the 1970s, sprang back to life in the early 1980s. Largely concentrated in the northeastern region of the country, the ELN drew its sustenance from extortion. By 1996, the ELN numbered some 3,000 fighters and had gained considerable strategic influence over the production and flow of oil through several departments.<sup>8</sup>

The guerrilla movement in Colombia during the 1990s was an overwhelmingly rural affair, with little presence in urban areas. This reflected the inability of the FARC, ELN and other insurgent groups to develop a support base among potential sympathizers in the cities but also the government's lack of

<sup>4</sup> Rabasa and Chalk, *Colombian Labyrinth*, p. 11; Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 3.

<sup>5</sup> Rabasa and Chalk, *Colombian Labyrinth*, p. 25.

<sup>6</sup> Rabasa and Chalk, *Colombian Labyrinth*, p. 26; Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 9.

<sup>7</sup> Sergio Jaramillo, vice minister of defense, interviewed in Bogotá, October 10, 2007.

<sup>8</sup> Rabasa and Chalk, *Colombian Labyrinth*, p. 30.

authority or even presence in vast rural areas of the country, where guerrillas could be nourished by the drug trade. With the guerrillas' targeting of U.S. citizens and interests and their often brutal actions, the United States designated the FARC and ELN as Foreign Terrorist Organizations in 1997.

### *Paramilitaries*

The paramilitary phenomenon in Colombia is both a direct consequence of weak state authority and a major factor in undermining democratic governance. It has deep roots in local strongmen dictating justice in rural areas of Colombia. Early manifestations of paramilitarism stemmed from a 1968 decree that allowed for the creation of civil defense forces to defend property against guerrilla incursions.<sup>9</sup> Both private landowners and drug traffickers formed such "self-defense" groups, with links to the narcotics mafias consolidating as the Medellín cartel gathered strength. As the link to criminal activity grew, the Colombian government outlawed self-defense forces in 1987, but this had little effect on the rise of paramilitary influence. In the early 1990s, paramilitary bands organized in Córdoba department (Colombian province or state) and the Urabá region of Antioquia had some success contesting the FARC for power in those areas, and in 1997, a former Medellín cartel operative, Carlos Castaño, announced the formation of the United Self-Defense Forces of Colombia (AUC) in an attempt to bring central coordination to paramilitary groups over a wider territory, although the paramilitary phenomenon remained in essence decentralized.

By the late 1990s, paramilitary groups had major influence over local political life in areas of Antioquia, Córdoba, Sucre, Santander, Norte de Santander, the Middle Magdalena oil patch, and many of the tropical lowland departments, with perhaps 8,000 well-equipped fighters. Like the FARC, the paramilitaries became closely involved in the drug industry, often fighting the FARC for control of lucrative coca fields and trafficking routes but sometimes cooperating with them. The paramilitaries also unleashed a wave of violence against persons thought to be in league with their enemies, committing human rights abuses on a wide scale. Like the drug mafias, the paramilitaries corrupted local officials and counted supporters within Colombia's political establishment, as well as in the armed forces and police. The AUC was designated a Foreign Terrorist Organization by the United States in 2001.

### *The Crisis Stage*

By 1999, a confluence of destabilizing factors: drugs, illegal armed groups, weak public security, official corruption, spiraling violence, and a severe economic downturn all pointed toward a dramatic loss of state authority. The longstanding stalemate with the guerrillas was broken, with power seemingly shifting to the side of the FARC. Beginning in 1996, FARC forces began to engage and defeat

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<sup>9</sup> Holmes, et al., "Drugs, Violence, and Development in Colombia: A Department-Level Analysis," pp. 48, 3; Rabasa and Chalk, *Colombian Labyrinth*, p. 53; International Crisis Group, "Colombia's New Armed Groups," *Latin America Report*, no. 20 (Bogotá/Brussels: International Crisis Group, May 10, 2007), p. 3; Bagley, "Drug Trafficking, Political Violence and U.S. Policy in Colombia in the 1990s," p. 8; Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 12.

ever-larger units of the Colombian army, overrunning and capturing police stations and military bases, and even threatening major towns in remote departments, killing and capturing hundreds of soldiers. Colombia's long-neglected military numbered only 20,000 professional soldiers in 1998 (of a total armed forces of 155,000, most of them poorly trained conscripts) and by one estimate could put only 30,000 combat troops in the field to face the guerrillas.<sup>10</sup> With only 20 helicopters in their air fleet, Colombia's armed forces had little mobility. In 1995, with much larger gains by the insurgents still ahead, 58 percent of all municipalities in Colombia contained a guerrilla presence, compared with 17 percent a decade earlier and a full quarter of municipalities had no police presence whatsoever.<sup>11</sup> The ELN contributed to the government's woes by ramping up its attacks on the important Caño Limón-Coveñas oil pipeline and electricity towers, depriving Colombia's hard-hit economy of needed income and causing blackouts in key Colombian cities.

As the guerrillas strengthened their attacks against the Colombian army, the paramilitaries sought to weaken FARC and ELN support by slaughtering unarmed civilians in massacres such as those at Mapiripán, Barrancabermeja, and La Gabarra in the late 1990s. Evidence of collusion between paramilitaries and the armed forces increased during this period. Paramilitary and guerrilla violence drove thousands of mainly rural people from their homes and land each year. At the end of 1999, some 1.8 million persons, large numbers of them women and children, were displaced.<sup>12</sup> Levels of crime remained sky high, with murder rates averaging 62.2 per 100,000 during 1995-1999 and with some 3,200 cases of kidnapping in 1999, the worst year to that time in Colombia's history.<sup>13</sup> In 1999, some 50 percent more murders occurred in Colombia than in the United States, with a population 6.5 times larger. Local government came under severe pressure as both the guerrillas and paramilitaries enriched themselves by theft of official resources and extortion and regularly assassinated local officials and political candidates. Nearly two-thirds of respondents to a Gallup poll conducted in July 1999 answered affirmatively to the question: "Do you think it is possible that one day the Colombian guerrillas will take power by force?"<sup>14</sup>

Colombia's economy slumped under the weight of the turmoil, with GDP in 1999 falling by 4.2 percent, the worst year the economy had experienced since the Great Depression. Unemployment topped 18 percent in 1999, poverty levels rose by some seven points to 57.5 percent between 1995 and 1999, and the country's

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<sup>10</sup> Ministerio de Defensa, República de Colombia, "Logros de la Política de Consolidación de la Seguridad Democrática," Bogotá, September 2007; Marcella and Schulz, "War and Peace in Colombia," p. 223.

<sup>11</sup> Rabasa and Chalk, *Colombian Labyrinth*, p. 50; Andres Solimano ed., *Colombia: Essays on Conflict, Peace, and Development* (Washington, D.C.: World Bank, December 2000), p. 14.

<sup>12</sup> Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 7.

<sup>13</sup> Centro Nacional de Datos, Fondeliberdad, Ministerio de Defensa Nacional, República de Colombia, "Cifras Extorsion," June 30, 2007, [http://www.antisecuestro.gov.co/documentos/7\\_16\\_2007\\_4\\_58\\_07\\_PM\\_CifrasHistoricas.pdf](http://www.antisecuestro.gov.co/documentos/7_16_2007_4_58_07_PM_CifrasHistoricas.pdf); Bagley, "Drug Trafficking, Political Violence and U.S. Policy in Colombia in the 1990s," p. 11.

<sup>14</sup> Invamer Gallup Colombia, "Gallup Poll 57," Medellín, February 2007, p. 100.

foreign debt spiked from 34 percent of GDP in 1998 to 41.3 percent in 1999.<sup>15</sup> In the face of insecurity, some 800,000 Colombians, many of them well educated, left the country between 1995 and 1999.<sup>16</sup>

Neighboring countries began to feel the effects of violence in Colombia as the armed conflict took on an increasing regional dimension. FARC units frequently violated national borders, especially in remote areas such as the Darién in Panama, to rest and refit. Weapons smuggled into Colombia from Central America, Venezuela, Ecuador and Peru kept the paramilitaries and guerrillas well-supplied with field grade equipment.<sup>17</sup>

### *Hitting Bottom: The “Despeje”*

Colombia has a long history of violence but also a record of taking major steps to secure peace. The bloody conflict of “*La Violencia*” starting in 1948 ended with a national vote that established the power-sharing agreement between Liberals and Conservatives that lasted until 1974 and greatly reduced political violence. President Belisario Betancur (1982–1986) sought without success to engage the increasingly stronger guerrillas with dialogue and social programs. His two successors, Virgilio Barco (1986–1990) and César Gaviria (1990–1994) made a more significant political offer—the complete re-writing of Colombia’s one hundred year-old constitution, luring the urban-based M-19 and some smaller rural guerrilla bands to lay down their arms. Pressure from the FARC and the ELN, however, only increased.

In June 1998, Andrés Pastrana was elected president of Colombia in a runoff vote in which he received just over 50 percent support. Pastrana, at the head of a coalition of Conservatives, dissident Liberals and independents, had vowed during the campaign to work toward a negotiated peace with the guerrillas. A short time after his election, he met with FARC chief “Manuel Marulanda” and, to facilitate the peace process, approved the establishment of a demilitarized zone (“*zona de despeje*”) comprising five municipalities in Meta and Caquetá departments from which Colombian armed forces were withdrawn. The FARC zone covered some 42,000 square kilometers. Put into a U.S. perspective, the size of the *Despeje* as a proportion of Colombia’s national territory was the equivalent of all of New England, New York, New Jersey, Maryland, and Delaware in the United States. While the *Despeje* was to be in effect originally for only 90 days, President Pastrana extended the life of the zone 11 more times, spanning a period of 28 months.<sup>18</sup>

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<sup>15</sup> See Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 4. See also Michael Shifter et al., *Toward Greater Peace and Security in Colombia: Forging a Constructive U.S. Policy* (New York: Council on Foreign Relations and the Inter-American Dialogue, 2000), p. 9, where the authors claimed 20 percent unemployment. Poverty figure from Presidencia de la República de Colombia, *Informe al Congreso 2007*, Bogotá, p. 59.

<sup>16</sup> Shifter et al., *Toward Greater Peace and Security in Colombia*, p. 9.

<sup>17</sup> Rabasa and Chalk, *Colombian Labyrinth*, p. 35.

<sup>18</sup> For a chronology of the *Despeje*, see International Crisis Group, “Colombia’s Elusive Quest for Peace,” *Latin America Report*, no. 1 (Bogotá/Brussels: International Crisis Group, March 26, 2002), pp. 34–40.

During the course of the “peace process” with the Pastrana government, the FARC used the *Despeje* for stationing thousands of troops, conducting military training, growing coca and hiding kidnapping victims as well as for a command center in conducting military operations elsewhere in Colombia.<sup>19</sup> In May 1999, Minister of Defense Rodrigo Lloreda resigned in protest over the ample terms offered the FARC through the *Despeje* deal. In part due to dissatisfaction with the creation of the *Despeje*, Pastrana’s approval rating plummeted from 42 percent soon after taking office in August 1998 to 22 percent at the end of 1999.<sup>20</sup> Finally in February 2002, after multiple efforts to reach a peace settlement with the FARC and in the face of continued guerrilla provocations, Pastrana called the process to an end and ordered Colombian forces to retake what had become a state within a state. The *Despeje* experience reflected the point to which legitimate government authority in Colombia had fallen in 1999 and from which it had to emerge in order to avoid collapse.

## The Turnaround: Plan Colombia

The seeds for Colombia’s turnaround were laid during the most challenging days of the Pastrana administration. In September 1999, the president announced an ambitious “Plan for Peace, Prosperity, and the Strengthening of the State” commonly referred to as “Plan Colombia.”<sup>21</sup> The plan laid out comprehensive, strategic objectives to be accomplished over a six year period, including an overarching goal to “reduce the cultivation, processing and distribution of narcotics by 50 percent.” Key objectives included counter-drug efforts, with a special focus on coca eradication in the Putumayo region; strengthening the judiciary and fighting corruption; neutralizing the drug economy; strengthening the armed forces and police, protecting citizens from violence and promoting human rights; providing alternative development opportunities to coca cultivation; bolstering the economy; and improving governance. Pastrana also pledged to continue negotiating with the insurgents. The price tag for Plan Colombia was \$7.5 billion, \$4 billion to be provided by Colombia and \$3.5 billion requested from foreign assistance, including from the United States.

### *The United States Responds to Colombia’s Crisis*

During the 1980s, the U.S. government provided modest levels of counter-drug support to Colombia as the Medellín cartel moved cocaine into the United States on an increasingly larger scale and by the early 1990s, drugs dominated the

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<sup>19</sup> Cynthia Arnson et al., “Colombia’s Peace Processes: Multiple Negotiations, Multiple Actors,” *Latin American Program Special Report* (Washington, D.C.: Woodrow Wilson International Center for Scholars, December 2006), p. 9; Román D. Ortiz and Nicolás Urrutia, “A Long Road to Victory, Developing Counterinsurgency Strategy in Colombia,” in ed. James J.F. Forest, *Countering Terrorism and Insurgency in the 21st Century*, vol. 3 (Westport, Conn.: Praeger, 2007), p. 325.

<sup>20</sup> Invaer Gallup Colombia, “Gallup Poll 58,” Medellín, April 2007, p. 18.

<sup>21</sup> “Plan Colombia: Plan for Peace, Prosperity, and the Strengthening of the State,” Peace Agreements Digital Collection, U.S. Institute of Peace, [http://www.usip.org/library/pa/colombia/adddoc/plan\\_colombia\\_101999.html](http://www.usip.org/library/pa/colombia/adddoc/plan_colombia_101999.html).

bilateral agenda from the U.S. viewpoint. The United States substantially reduced support during much of the Samper administration (1994–1998) as a result of the narcotics decertification, a factor in weakening the government of Colombia's ability to respond to the security crisis at the beginning of the Pastrana administration.<sup>22</sup> With the departure from office of the discredited Samper and in the face of Colombia's rapidly deteriorating security crisis, the United States more than doubled its aid to Colombia in 1999, the bulk of it going to counter-narcotics efforts.

Given the grave threat to Colombia's stability, the Clinton administration concluded that there was an immediate need for considerably higher levels of U.S. support and it consulted with the Colombian government and with Congressional leadership on the development of Plan Colombia. With bipartisan backing, Congress approved an emergency supplemental appropriation (P.L. 106-246) in July 2000 providing some \$1.3 billion in assistance to Colombia and to other countries in the Andean Region (Ecuador, Bolivia, Peru). Colombia's share amounted to approximately \$860 million, about \$632 million of it aimed at improving the capabilities of the armed forces and police to conduct counter-narcotics activities, including the standing-up of two counternarcotics battalions in the Colombian army and equipping them with 16 UH-60 (Black Hawk) and 30 UH-1H Huey transport helicopters.

The support package also included substantial resources for alternative economic development (\$59 million), assistance for displaced persons (\$48 million) human rights (\$54 million), and the administration of justice (\$66 million).<sup>23</sup> Congress placed a number of certification requirements in the legislation regarding human rights violators in the Colombian armed forces, punishment of collusion with paramilitaries, and progress against drug production. It also put a limit on the number of U.S. military personnel assigned to Colombia in association with Plan Colombia at 500 and capped civilian personnel at 300, levels that were subsequently increased by Congress in 2004 to 800 and 600, respectively. In August 2002, Congress broadened the authorities under Plan Colombia to allow U.S. funds to be used to support Colombian efforts against terrorist organizations (the FARC, ELN, and AUC).

### *Pastrana's Legacy*

Plan Colombia implied a comprehensive approach toward resolving Colombia's deep-seated problems and Pastrana continued to negotiate with the FARC and

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<sup>22</sup> Statistics on levels of U.S. support to Colombia for the 1995–1999 period vary widely among sources. The Congressional Research Service, citing all U.S. government sources, claims a total of \$155 million in 1998, up from \$48.1 million in 1996; see Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 33. The Center for International Policy gives \$114.8 million as the number for total U.S. aid in 1998, citing U.S. government statistics; see "U.S. Aid to Colombia Since 1997: Summary Tables," <http://www.ciponline.org/colombia/aidtable.htm>. The Council on Foreign Relations/Inter-American Dialogue lists \$289 million as the 1998 figure but names no source; see Michael Shifter et al., *Toward Greater Peace and Security in Colombia*.

<sup>23</sup> Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 25; Rabasa and Chalk, *Colombian Labyrinth*, p. 63.

ELN while simultaneously conducting a vigorous counter-drug strategy that ran counter to the strategic and economic interests of the guerrillas. He also had to contend with a paramilitary movement that continued to expand in size and influence, with persistent links to the Colombian armed forces. The familiar trend of the 1990s—increases in the numbers of guerrilla and paramilitary forces and rising coca production moving in tandem—continued into 2001, with an estimated 169,000 hectares of coca under cultivation.<sup>24</sup> Guerrillas and paramilitaries alike continued to feast off the legitimate Colombian economy. The paramilitary gangs siphoned off \$106 million in profits for themselves by perforating gasoline pipelines during 2002, according to one source.<sup>25</sup> In 2001, the ELN dynamited the Caño Limón pipeline in Arauca Department 170 times, cutting off the flow of oil from that field to the Caribbean coast for six months, depriving the government of needed income and creating an ecological catastrophe.<sup>26</sup> Colombia's economy continued to limp along, growing slowly in 2000 and 2001. Pastrana reached the end of his term in July 2002 with a 21 percent approval rating.

Notwithstanding Colombia's dire straits in 2002, President Pastrana had laid the seed for his nation's recovery. The dragged-out and ultimately unsuccessful peace talks with the FARC cost Pastrana much political capital, but helped underscore to world opinion what many Colombians knew all along—that the FARC would not negotiate seriously if it had the upper hand on the government. Pastrana also came to the conclusion, as reflected by Plan Colombia, that strengthening government forces would be essential if progress was to be made in human rights, security, rule of law, or economic development. He therefore doubled Colombia's traditionally low levels of defense spending to 3.6 percent of GDP during his time in office and turned to the United States for help in professionalizing the armed forces and the police. The positive effect of these steps would not be fully apparent until several years later, when they were reinforced by the efforts of President Uribe. At the same time, Pastrana relieved a number of army generals and other officers suspected of ties with paramilitaries and signed a decree paving the way to the dismissal of hundreds of officers and noncoms for human rights abuses and corruption.<sup>27</sup>

## Alvaro Uribe and “Democratic Security”

The election of Alvaro Uribe as president in May 2002 injected a new dynamic into the process of strengthening legitimate state authority in Colombia. A former

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<sup>24</sup> Cynthia Arnson, ed., “The Social and Economic Dimensions of Conflict and Peace in Colombia,” *Latin American Program Special Report* (Washington, D.C.: Woodrow Wilson International Center for Scholars, October 2004), p. 8, table 10b; Connie Veillette, *Plan Colombia: A Progress Report* (Washington, D.C.: Congressional Research Service, January 11, 2006), p. 8.

<sup>25</sup> International Crisis Group, “Colombia's New Armed Groups,” p. 4.

<sup>26</sup> Phillip McLean, “Colombia,” in *Energy Cooperation in the Western Hemisphere: Benefits and Impediments*, ed. Sidney Weintraub (Washington, D.C.: CSIS, 2007), p. 199.

<sup>27</sup> Rabasa and Chalk, *Colombian Labyrinth*, p. 58; Serafino, *Colombia: Conditions and U.S. Policy Options*, p. 22.



Liberal Party senator and regional leader from the Department of Antioquia, Uribe campaigned at the head of a coalition backed by Conservatives, dissident Liberals and independents, garnering 53 percent of the vote in the first round of the election and thereby avoiding a second round runoff, the first candidate to win outright since Colombia's new constitution took effect in 1991. While Uribe's campaign platform promised a broad-based approach to social and economic issues, his vow to improve the strength and effectiveness of the armed forces and police in combating the guerrillas and paramilitaries came to be seen as the central element of his image and appeal.<sup>28</sup>

### *Early Progress*

The new president would have to move simultaneously on both the security and economic fronts, implying a tough balancing act between increased spending and fiscal responsibility. The Colombian people hungered for signs of progress and Uribe's popularity would be short-lived if he did not produce results. More importantly, national stability was still in the balance.

Uribe moved quickly to broaden the policies of his predecessor to strengthen the armed forces and police and reassert state control over more national territory. One of his first steps was to impose a special tax on the wealthiest Colombians and businesses that raised more than \$1 billion as an additional supplement to the defense budget over a period of years. This allowed him to increase the size of the armed forces and police and improve their equipment and pay. He also created what would become a 21,000-member locally recruited security force ("Soldados de mi Pueblo") in rural areas to increase the state presence and free up professional soldiers for combat duty.<sup>29</sup>

These early steps presaged the announcement in June 2003 of the "Policy for Defense and Democratic Security," the cornerstone of Uribe's long-term plan to establish state control over national territory.<sup>30</sup> The Democratic Security plan called for better coordination of security entities in order to fight "terrorism" (the insurgents and paramilitaries) and crime, counter illegal drugs, better protect border areas, and fight corruption. While short on operational detail, the document was an important statement of purpose and point of reference for future action. It also underscored the important link between democracy and security, stating consistently that the overarching goal is to "reinforce and guarantee the rule of law in all our national territory."

Within a very short period of time, President Uribe's efforts in improving overall security began to show progress. The Colombian army increasingly took to the offensive against the guerrillas and—significantly—began operations

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<sup>28</sup> Nina M. Serafino, *Colombia: The Uribe Administration and Congressional Concerns* (Washington, D.C.: Congressional Research Service, June 14, 2002), p. 4.

<sup>29</sup> International Crisis Group, "Tougher Challenges Ahead for Colombia's Uribe," *Latin America Report*, no. 11 (Bogotá/Brussels: International Crisis Group, October 20, 2006), p. 2; Connie Veillette, *Colombia: Issues for Congress* (Washington, D.C.: Congressional Research Service, January 19, 2005), p. 6.

<sup>30</sup> Ministerio de Defensa, "Política de Defensa y Seguridad Democrática," Bogotá, 2003.

against the paramilitaries.<sup>31</sup> Large numbers of FARC, ELN and paramilitary fighters were killed, wounded and captured and the rate of desertions rose quickly. By one estimate, the illegal armed groups suffered total losses of some 8,641 fighters, about 25 percent of their total strength, during Uribe's first year in office.<sup>32</sup> The number of FARC, ELN, and paramilitary attacks tailed off dramatically in 2003 as these forces went onto the defensive, resulting in far fewer civilian deaths.<sup>33</sup> Army and police elements established greater control over roads and energy infrastructure and by 2004 a police presence was established in every municipality of Colombia.<sup>34</sup> Murders, kidnappings and human rights abuses decreased substantially.

The administration began experiencing success on the counter-drug side as well. Large-scale aerial eradication with U.S. support resulted in substantial decreases in overall coca cultivation, by 15 percent in 2002 and 21 percent in 2003, according to the State Department, and by 47 percent from 2000 to 2003, according to the United Nations Office on Drugs and Crime.<sup>35</sup> Poppy production also declined.

In 2003 the Colombian armed forces initiated a multistage offensive against the FARC termed "*Plan Patriota*." The first stage of the operation took place in the Department of Cundinamarca (near Bogotá) and successfully broke what had been in earlier years a steady encroachment by the FARC around the capital. A subsequent campaign under "*Plan Patriota*" in the southern department of Caquetá, however, made little headway.

### *Paramilitary Demobilization*

By mid-2003, the government and those paramilitary groups that claimed to make up the United Self-Defense Forces of Colombia (AUC) had begun talks about a possible demobilization. From the government's viewpoint, a disbandment of paramilitary structures would be a major achievement that would potentially eliminate a source of violence and human rights abuses, disrupt criminal activities, and undercut the drug industry, while scoring a major political victory for Uribe. The paramilitaries, for their part, were for the first time being subjected to military pressure from the Colombian government. A negotiated deal while they could still bargain from a position of power made more sense for those paramilitaries hopeful of preserving as much of their property and political influence as possible. Negotiations began in July, and in August Uribe submitted to Congress the draft of an "alternative sentencing law" governing the terms of

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<sup>31</sup> Jorge A. Restrepo and Michael Spagat, "The Colombia Conflict, Where Is it Heading?" (PowerPoint presentation, Centro de Recursos para el Estudio de Conflictos, Bogotá, November 2005); International Crisis Group, "Colombia: President Uribe's Democratic Security Policy," *Latin America Report*, no. 6 (Bogotá/Brussels: International Crisis Group, November 13, 2003); International Crisis Group, "Tougher Challenges Ahead for Colombia's Uribe"; Veillette, *Colombia: Issues for Congress*.

<sup>32</sup> International Crisis Group, "Colombia: President Uribe's Democratic Security Policy," p. 7.

<sup>33</sup> Restrepo and Spagat, "The Colombia Conflict, Where Is it Heading?"

<sup>34</sup> International Crisis Group, "Tougher Challenges Ahead for Colombia's Uribe," p. 2.

<sup>35</sup> Veillette, *Colombia: Issues for Congress*, p. 12.

demobilization. Strong domestic and international criticism of the leniency of the terms of the bill and its lack of transparency caused the administration to quickly pull it back for revision.

Although the AUC had agreed to a ceasefire as the peace negotiations proceeded, violence and drug trafficking by the paramilitaries continued, prompting Uribe in April 2004 to issue an ultimatum pledging to use military force against them unless they agreed to be concentrated in a 142 square mile zone in Córdoba Department where they would demobilize under the verification of a mission established by the Organization of American States (OAS).<sup>36</sup> AUC leadership agreed to these terms and in the latter part of 2004 five paramilitary groups totaling some 2,500 fighters turned in their weapons.<sup>37</sup>

In July 2005, a revised demobilization law that had been under discussion for more than a year was approved by the Colombian Congress. This “Justice and Peace Law” (JPL) from the beginning has been controversial. It was intended to achieve a balance between rapid demobilization and some degree of punishment for those responsible. The paramilitaries were still strong, several with small standing armies, but there was little support in any corner for affording them a deal anything like that given the M-19 guerrilla group a dozen years before. The struggle in the Congress over the bill featured conflicting efforts by several important members seeking to soften the terms in favor of the paramilitary commanders (some of whose suspected ties with the paramilitaries were later confirmed), and others insisting on credible punishment for the terrible crimes committed by the paramilitaries with Uribe’s Peace Commissioner trying to keep the peace process moving.

Unlike any other mechanism for reintegrating illegally armed groups in Latin America or elsewhere, the JPL was not an amnesty but instead stipulated criminal penalties (with reduced sentence limitations) for those who admitted to having committed grave crimes. The new law did not take effect for another year until it was approved by the Constitutional Court, which made clear that benefits under the law would only be given to leaders who fully confessed to their wrong-doing and made their assets available for victim compensation. The pace of paramilitary demobilization quickened in the second half of 2005 and into 2006, with 32,000 fighters and support infrastructure eventually removed from the armed conflict.<sup>38</sup>

Having obtained a constitutional amendment allowing for an incumbent president to succeed himself, Uribe was elected to a second term in June 2006 by a landslide, receiving 62 percent of the vote compared to 22 percent for his nearest competitor. His second term in office has been marked by continued progress on many of the key issues outlined in the following pages. It has also been rocked by the so-called *parapolítica* scandal, revelations of ties between some Uribe supporters in Congress and several important members of his

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<sup>36</sup> William B. Wood, “The Peace Process with the AUC in Colombia” (presentation at the Woodrow Wilson International Center for Scholars, Washington, D.C., June 28, 2004).

<sup>37</sup> International Crisis Group, “Colombia: Towards Peace and Justice?” *Latin America Report*, no. 16 (Bogotá/Brussels: International Crisis Group, March 14, 2006), appendix B.

<sup>38</sup> International Crisis Group, “Colombia’s New Armed Groups,” p. 1.

administration and the former paramilitaries. Accusations of such links began surfacing in 2005, with testimony provided by demobilized paramilitary leaders and evidence collected from the paramilitaries leading to arrests and trials. At present, more than a dozen former legislators are in jail, along with 4 department governors and dozens of other figures, with more investigations and indictments certain to follow. Uribe's opponents have signaled these charges as indication of an even wider-spread phenomenon of collusion between pro-Uribe forces and paramilitaries and drug traffickers. Given Colombia's history, the *parapolítica* affair is not surprising. Drug traffickers and paramilitary criminals constituted a rising middle class in many parts of rural Colombia and in small towns. They used their new wealth to buy political influence at a time when their power was on the rise and when the legitimate institutions of government appeared incapable of stopping them. Just as the JPL is leading to greater understanding of the entire paramilitary phenomenon, so it is exposing the corruption and political links that it engendered. The charges underscore the remarkable independence that Colombia's newly reformed judiciary is exercising.

## What the Record Shows: 1999–2007

An examination of key factors related to security, human rights, narcotics, governance, the economy, and social conditions since the launching of Plan Colombia in 1999 reveals the clear progress Colombia has made as well as underscoring some persistent problems.

### Security

Some of Colombia's most impressive and important accomplishments took place in areas related to national and personal security. Progress on security provided the underpinning for gains on other key variables: respect for human rights, the peace process, economic development, counter-drug action and governance.

#### *Extension of State Authority*

Colombia has made great progress in extending and strengthening law and order since the advent of Plan Colombia in 1999. This was the key variable in pulling the country back from the brink of the disintegration of public institutions. President Pastrana's efforts to augment the size and resources of the armed forces and police toward the end of his administration were further enhanced by President Uribe, whose "Democratic Security Policy" gave priority to assertion of legitimate government control over national territory. Total security sector budget allocations rose to 5.2 percent of GDP in 2003 from the low levels of the 1990s.<sup>39</sup> In dollar terms, total spending on defense increased from \$4.6 billion in 2003 to \$6.9 billion in 2006, an increase of 50 percent with an increasingly smaller

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<sup>39</sup> Ministerio de Defensa, República de Colombia, "Logros de la Política de Consolidación de la Seguridad Democrática," Bogotá, September 2007, p. 67.

percentage provided by the United States.<sup>40</sup> This allowed for a major buildup of the armed forces and police, the former increasing in numbers by 68 percent between 1999 and 2007, reaching almost 260,000 and the latter by 37 percent during the same period, totaling 136,000.<sup>41</sup>

Significantly, the number of professional soldiers in the army increased from 20,000 in 1998 to 78,000 in 2007. Important new military units were created since 2002, including 2 divisions, 6 brigades, 12 new mobile brigades, 6 mountain battalions that were particularly effective in sealing off FARC areas, special anti-terrorist urban units, 3 anti-kidnapping units (GAULAS), and commando units. Likewise the police brought new units online, including rural “*carabintero*” squads, a 2,400 strong highway patrol to guard key roadways and anti-kidnapping units. The armed forces acquired 27 more helicopters, 25 Super Tucano aircraft, and command-and-control craft. This new equipment, along with the major upgrades made with funds from Plan Colombia, enhanced the operational capacity of the armed forces and police. Allotments for defense and security further increased by 27 percent in the 2008 budget over 2007, further strengthened by the effect of another special tax assessment charged to Colombia’s wealthiest citizens and businesses to support the security budget during 2006–2010.

The results of these enhancements soon began to be felt. The armed forces took to the offensive against the FARC, ELN and paramilitaries with considerable success. Guerrilla combat deaths at the hands of the armed forces rose precipitously during the 2001–2004 period, with almost three times more guerrillas killed in 2003 than 1999.<sup>42</sup> In 2003, some 133 percent more paramilitaries and narco-traffickers were captured than the previous year, and 85 percent more guerrillas.<sup>43</sup> Desertions from the FARC and ELN and paramilitaries more than doubled between 2002 and 2004, with some 10,000 guerrillas and their supporters breaking ranks from 2002 to 2007, including an increasing number of seasoned veterans.<sup>44</sup> By 2004, the FARC had lost its offensive momentum, and the paramilitaries were seeking to demobilize. The FARC’s current order of battle troop strength is an estimated 10,000, down 40 percent from its peak.<sup>45</sup>

As a result of Plan Colombia and Uribe’s Democratic Security initiative, authorities extended greater control over Colombia’s road system and economic infrastructure. Highway traffic between major cities increased by 64 percent between 2003 and 2006, while the number of thefts and piracy of transport

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<sup>40</sup> Ministerio de Defensa, República de Colombia, “Logros y Retos de la Política de Defensa y Seguridad Democrática,” (PowerPoint presentation, March 2006), p. 9.

<sup>41</sup> Ministerio de Defensa, República de Colombia, “Logros de la Política de Consolidación de la Seguridad Democrática,” Bogotá, September 2007.

<sup>42</sup> Restrepo and Spagat, “The Colombia Conflict, Where is it Heading?”

<sup>43</sup> Ministerio de Defensa, República de Colombia, “Logros de la Política de Consolidación de la Seguridad Democrática,” Bogotá, September 2007, pp. 43–45.

<sup>44</sup> *Ibid.*, p. 52.

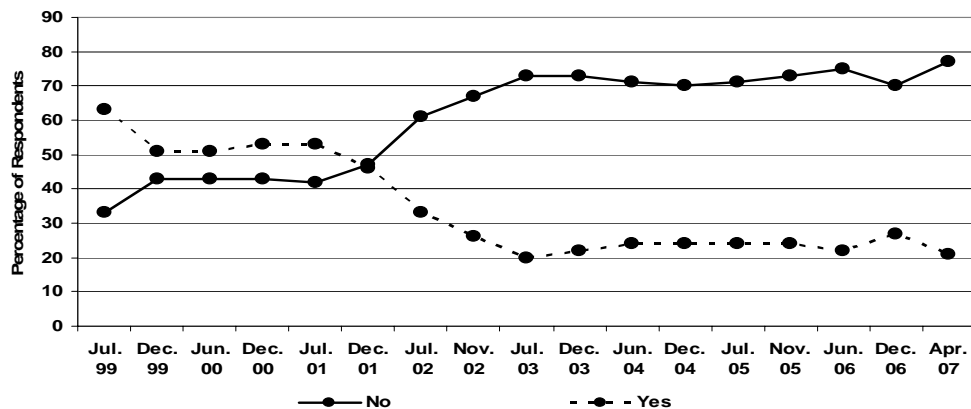
<sup>45</sup> Sergio Jaramillo, vice minister of defense, interviewed in Bogotá, October 10, 2007.

vehicles nationwide declined by 54 percent during the same period.<sup>46</sup> Attacks on electricity towers, mainly committed by guerrillas, also declined from 483 in 2002 to only 76 during the first eight months of 2007 and only 39 bombings of oil pipelines were recorded during the first eight months of 2007 compared with a peak of 184 in 2003.<sup>47</sup>

The demobilization of paramilitaries that took place incrementally from 2003 to 2007 also expanded government control over areas of national territory while improving overall security conditions. Reducing the paramilitaries as a combatant force and removing thousands of weapons from the field constituted an important accomplishment, however controversial the process itself was seen to be.

The Colombian people recognized the improvement, and from the first year of the Uribe administration until now, a steady 70 percent of public opinion discounts the idea of a military victory by the guerrillas.<sup>48</sup> During the entire 2000–2007 period, public opinion maintained an overwhelming favorable view of the armed forces, never dipping below 64 percent but largely maintained in the range of the high 70s and lower 80s—currently at 78 percent.<sup>49</sup> In striking contrast with citizen responses in most other Latin American countries, a steady two-thirds of Colombians (or more) have a favorable impression of the police.<sup>50</sup> From the time he took office, Uribe’s approval rating has never dropped below 65 percent.<sup>51</sup>

Figure 1. Public Perception of Potential Guerilla Victory, 1999–2007



Source: Invamer Gallup, “Gallup Poll 57,” Medellín, February 2007, p. 100.

<sup>46</sup> Ministerio de Transporte de Colombia; National Police Statistics; Ministerio de Defensa, República de Colombia, “Logros de la Política de Consolidación de la Seguridad Democrática,” p. 29.

<sup>47</sup> Ministerio de Defensa, República de Colombia, “Logros de la Política de Consolidación de la Seguridad Democrática,” pp. 17–18.

<sup>48</sup> Invamer Gallup Colombia, “Gallup Poll 57,” Medellín, February 2007, p. 100.

<sup>49</sup> Invamer Gallup Colombia, “Gallup Poll 58,” Medellín, April 2007, p. 79.

<sup>50</sup> *Ibid.*, p. 80.

<sup>51</sup> *Ibid.*, p. 18.

### *Violence and Crime*

Trends in violence in Colombia also reflect the success of Plan Colombia and Democratic Security in strengthening legitimate state authority. Violence in Colombia is a multi-faceted and complex phenomenon. The line between political and criminal violence is often blurred, but there has traditionally been plenty of both types to go around. A confluence of factors, however, appears to explain fluctuations in rates of violence: the strength of the armed forces and police; a weakening of the FARC and ELN, the paramilitary demobilization and the rate and nature of clashes between government forces and illegally armed groups.

The increase in clashes between paramilitaries and guerrillas from 1997 to 2000 led to a large spike in the killing of civilians, especially at the hands of paramilitaries, and then a rapid decline from 2001 to 2004.<sup>52</sup> This same trend appears in the total number of homicides and homicide rate in Colombia from 1999 to 2006, producing a dramatic drop in total murders of nearly 40 percent between 2002 and 2006. Colombia had for years been the kidnapping capital of the world and the decline of nearly 80 percent from 2000 to 2006 reflected both the waning power of illegal armed groups and much more effective law enforcement against criminals. That said, there are an estimated 3,000 persons still in the hands of kidnapers, 765 of them held by the FARC under intolerable conditions.<sup>53</sup>

The number of massacres and persons killed in massacres (defined normally as 4 or more associated deaths) rose precipitously from 1997 to 2001, closely associated with increased paramilitary activity, and dropped just as dramatically after that year. While rates of extortion and vehicle theft also declined during this period, levels of other types of common crime (theft, burglary) remained largely unchanged.

### *Stiff Challenges Remain*

While Colombia's successes have been impressive, especially as seen through the optic of life in large cities, much remains to be done to create a peaceful society. The FARC has been pushed back away from major cities and towns. Nonetheless, it still fields a considerable military capability that requires a counterpart containment effort from the armed forces and police. The government may have a presence in all municipalities, but the FARC remains ensconced in many areas within the rural lowland regions of the country, with particular strength in the confluence of the center/south Departments of Tolima, Meta, and Guaviare and in the western Department of Nariño, where its drug-trafficking activities have been vertically integrated to include export of product.<sup>54</sup> The ELN, on the other hand, is militarily and politically weak and should be a prime candidate for eventual demobilization.

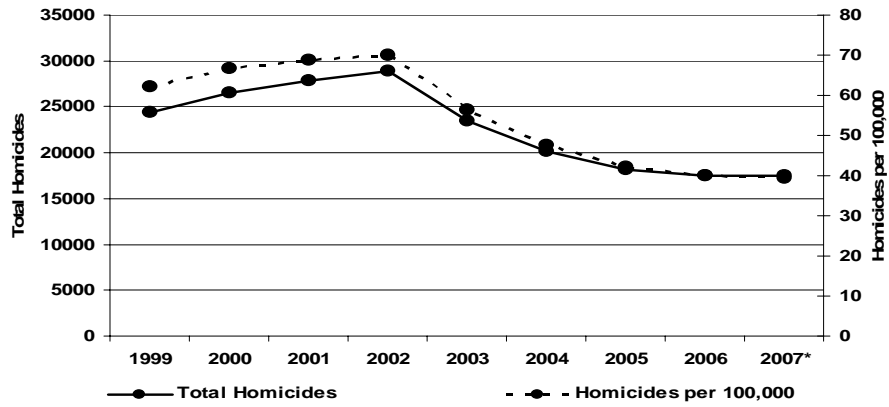
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<sup>52</sup> Andrés Ballesteros et al., "The Work of Amnesty International and Human Rights Watch: Evidence from Colombia," Centro de Recursos para el Análisis de Conflictos, Bogotá, February 1, 2007, p. 36.

<sup>53</sup> Fundación País Libre, "Estadísticas del secuestro A. 2006," p. 4.

<sup>54</sup> Sergio Jaramillo, vice minister of defense, interviewed in Bogotá, October 10, 2007.

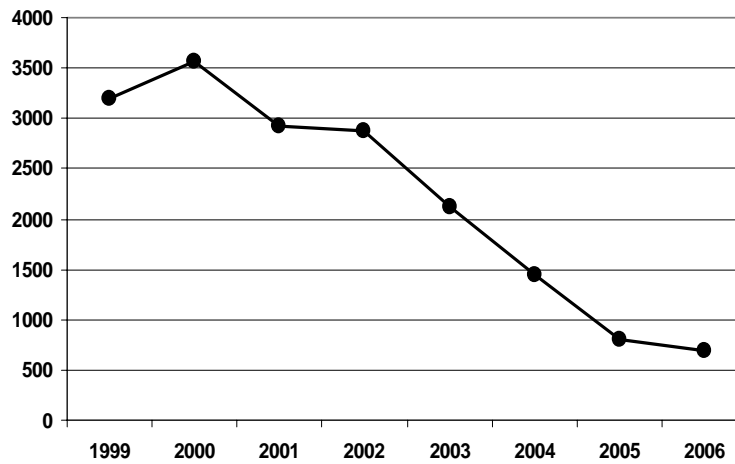
Figure 2. Total Homicides and Rate of Homicides in Colombia by Year, 1999–2006



\*2007 Homicides projected from figure as of August 31, 2007.

Sources: Policia Nacional de Colombia; Homicides per 100,000 calculated using U.S. Census Bureau population statistics.

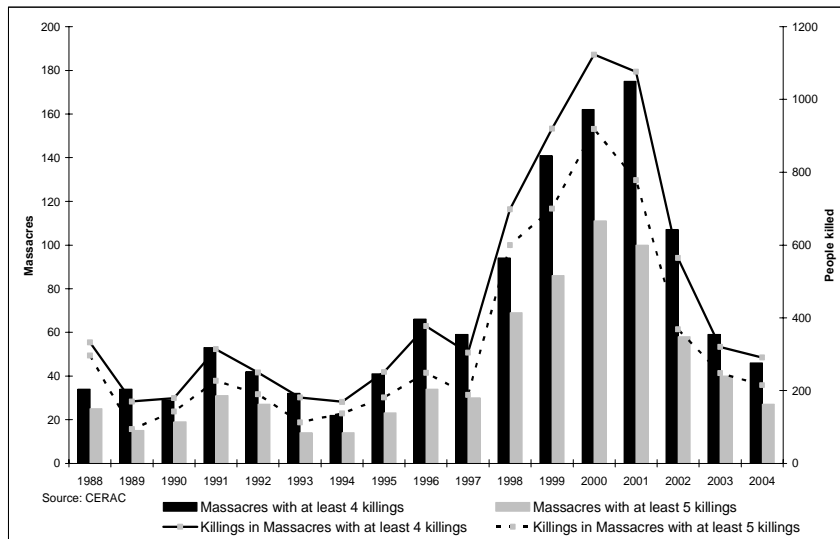
Figure 3. Total Kidnappings in Colombia, 2000–2006



Source: Ministerio de Defensa, Fondelibertad.



Figure 4. Massacres: Number of People Killed, 1988–2004



Source: CERAC.

The paramilitary fighting forces were almost entirely demobilized under the terms of the Justice and Peace Law, but some remnants show signs of transformation into criminal gangs tightly linked to drug trafficking. Moreover, while they no longer hold sway over large pieces of national turf and are not a military threat, some former paramilitaries continue to exercise political power at local levels and, as criminal elements, pose a challenge to the rule of law in Colombia. Although the size of the drug economy has been scaled back and the income flow from drugs to the FARC and criminal gangs disrupted, the narcotics business will continue to fuel illegal armed groups and violence in Colombia as long as Colombia has a role supplying an unchanged total global demand for drugs.

## The Peace Process

### *Negotiating with the FARC and ELN*

Andrés Pastrana came to office in 1998 determined to go the extra mile to bring the conflict with guerrillas to an end. He therefore acceded to the FARC's demand for a demilitarized zone—the *Despeje*—and put his personal prestige on the line in attempting to negotiate directly with FARC leadership. His approach to the ELN was more traditional, with rounds of negotiations quietly taking place in Havana and with groups of “friendly” countries and the Catholic Church offering facilitating help. Talks between the government and the FARC never advanced to any degree of coherence and, in light of continued FARC hostilities, Pastrana ordered Colombian troops to occupy the *Despeje* in February 2002. By early 2002 talks in Havana between the ELN and the government seemed to have come close to reaching a “Comprehensive Agreement on a Truce, Ceasefire, and Cession of Hostilities” with the ELN, but this agreement was never signed.

On the night of his election in 2002, Álvaro Uribe surprised his supporters by declaring that a peace process with the guerrillas would be one of his principal objectives but in the following months made it clear that the personal security of Colombians and the extension of legitimate state authority—the Democratic Security program—would be his higher priority. One of Uribe’s earliest appointments was Luis Carlos Restrepo as a “High Commissioner for Peace,” who established the goal of demobilizing paramilitary forces as his first order of business. During his first four months on the job, however, Restrepo held four meetings with the ELN in Havana, but the ELN’s high command broke off contact before the end of the year and talks did not resume again until June 2004. This time, with support from the Mexican government, the parties came together for a nine month-long series of encounters and exchanges, often public, that paralleled the experience of the Pastrana administration. In 2005 the ELN rejected Mexico as a mediator because of a vote against Cuba at the United Nations but the Mexican mediator concluded that the ELN was never ready to make a firm commitment to halt killing and kidnapping.<sup>55</sup> The FARC may have played a role in making the ELN reluctant to proceed. Restrepo, for his part, never broke off communication with the ELN and in 2006 the government freed ELN spokesman Francisco Galán from prison in order to help facilitate ongoing talks in Havana. A current round of meetings concluded in August 2007, with encouraging public but pessimistic private appraisals from both sides. As 2007 draws to a close, it appears the next round of contacts with the ELN will take place in Caracas.

It is also Caracas where there currently appears to be the best chance of discussion between the FARC and the Uribe government. Overall, there have been few direct contacts between the two sides since Uribe took office, with each new step toward talks halted, often following bloody FARC attacks, such as the bombing of the *El Nopal* social club in Bogotá exactly six months after Uribe’s inauguration.

A “Group of Friends” (Spain, Switzerland, and France) has sought to play a helpful role in dealing with the FARC, focused on “humanitarian exchange” of captured FARC fighters and hostages held by the FARC. Of the thousands of Colombians and foreigners the FARC has kidnapped over the years, it has now declared 45 to be “political hostages,” including the French/Colombian national (and former presidential candidate) Ingrid Betancourt and three U.S. citizen contractors who were captured by the FARC in 2003. Last year the “Friends” thought they were close to getting the two sides to agree on a site where talks could begin, but the FARC insisted on a large area where it could be in charge of security during peace negotiations—a return in the government’s view to the *Despeje* idea. This the Uribe government has rejected out-of-hand. The government for its part insists on a pledge that any FARC fighters released will not take up arms again. Newly elected French president Nicolas Sarkozy has made the release of Ingrid Betancourt a high priority and has strongly pressured

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<sup>55</sup> Andrés Valencia, “The Peace Process in Colombia with the ELN: The Role of Mexico,” *Latin American Program Special Report* (Washington, D.C.: Woodrow Wilson International Center for Scholars, March 2006), p. 17.

the Uribe government on this issue. In response, Uribe released 200 FARC fighters and a high ranking operative of the FARC as a gesture of good faith but nothing came of his response. At present, a new attempt at reestablishing talks with the FARC is underway, brokered by Venezuelan president Hugo Chávez.

### *The Paramilitaries: Still a Challenge*

The demobilization of more than 30,000 paramilitary fighters and support infrastructure continues to be a major topic of debate in Colombia and internationally. From the start efforts were made to give the demobilization process credibility. In 2003, the secretary general of the Organization of American States (OAS), César Gaviria, a former Colombian president, offered help. The Peace Process Support Mission of the OAS (MAPP-OEA), now staffed by 50 experts in seven regional offices, has been present at each paramilitary surrender ceremony and receives high praise for its continued monitoring of the multiple peace initiatives now underway.

The key challenge was to achieve a compromise between the urgent priority of breaking up formations of dangerous armed fighters and a desire for justice and accountability. A major hurdle was the characteristically Colombian problem of keeping the paramilitaries engaged in the peace process without allowing them to come away from it with the recognized political role that they craved. Colombia has a tradition of providing impunity and ultimately a political role to violent groups. The worst atrocities attributed to drug kingpin Pablo Escobar (murder of four presidential candidates and the downing of an airplane and its 104 passengers) were due to his belief that as a powerful person with a strong local support base he deserved political representation. Ultimately he was not successful, but M-19 guerrillas, responsible for the destruction of the Palace of Justice and the death of half the Supreme Court, were. Some of that group's members still serve in congress. Yet, despite that history, the weight of Colombian and international opinion was against any such generous treatment for paramilitary groups, guilty of many massacres and tied to criminal enterprises.

The Justice and Peace Law (JPL) of 2005, the legal mechanism for engaging the paramilitaries in a peace process, was controversial from the start. The challenge involved in implementing the JPL and the “reinsertion” of demobilized paramilitaries was unprecedented, and the task of dealing with its implications is enormous. Most attention has focused on treatment given to the paramilitary leaders. The process of taking testimony from them has opened the door to a flood of new information regarding past crimes, requiring a plethora of follow-up investigations, including the location and examination of gravesites where multiple killings took place and the location of ill-gotten gains of paramilitary leaders. A special Justice and Peace Unit within the Office of the Attorney General charged with conducting the investigation and prosecution of cases under the JPL has received increased levels of resources but still struggles to keep up with the case load.

Initially the job of dealing with the groups of the “foot soldiers” and their supporters in paramilitary units was left to the minister of interior. But when

headway slowed in returning paramilitary “soldiers” to normal lives, Uribe created a high commissioner for economic and social reintegration of armed groups (ACR) and appointed a dynamic business executive to head it. The ACR claims that, at present, 95 percent of all demobilized persons have been entered into the system, with most receiving some sort of health or education benefit, although funding for the ACR is still inadequate and its reach limited.<sup>56</sup> The great majority of beneficiaries of this program are uneducated, with scant employment prospects in the licit economy. The degree to which the program succeeds in helping them become useful citizens will constitute a key measurement for judging the overall effect of the demobilization process.<sup>57</sup>

The JPL also created a National Commission for Reparation and Reconciliation (CNRR) with a mandate to track progress in the investigation of paramilitary abuses, to provide information on these processes to victims, to monitor efforts at asset forfeiture and reparations for victims, and to verify compliance with the demobilization process. The commission is composed of government and civil society representatives, including representation from victims’ organizations.<sup>58</sup> It has begun organizing regional offices and commissions to bring reconciliation closer to affected communities.

It is still too early to pass judgment on the effectiveness of the JPL and the paramilitary demobilization. Nevertheless, the military potential of the component organizations of the AUC has clearly been removed and demobilization has resulted in a drastic decline in overall levels of violence and human rights abuses country wide. More than 50 top paramilitary leaders are locked up in a maximum security prison, something they never expected when they began negotiating with the government, and appear to have lost much of their influence. The bulk of the demobilized rank and file have been entered into the government’s system to help them be reinserted into a legal lifestyle, but the jury is out on how successful this effort will in the end be. Likewise, the extent to which the JPL will be able with its limited resources to provide restitution of goods and compensation to victims is yet to be determined.

While the paramilitary movement as it existed up until 2006 is dead, there is considerable concern that former “mid-level commanders” (*mandos médios*) from the ranks of the paramilitaries are leading an effort to reconstitute themselves into criminal bands.<sup>59</sup> These groups may number 3,000 to 5,000 strong and are

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<sup>56</sup> Alta Consejería para la Reintegración, Republica de Colombia, “Reintegración: El camino hacia la paz,” Cifras y datos, August 2007.

<sup>57</sup> The task of dealing with deserters from the FARC—now some 7,000 total—was given to the Ministry of Defense. Increasingly, ACR “service centers” are being to serve individual guerrilla deserters as well as groups of paramilitaries.

<sup>58</sup> See the commission’s Web site for reports on its activities, with detailed tracking of legal cases, <http://www.cnrr.org.co>.

<sup>59</sup> This observation has been made by the Organization of American States (OAS): “*Séptimo Informe Trimestral del Secretario General al Consejo Permanente Sobre la Misión de Apoyo al Proceso de Paz en Colombia*,” August 30, 2006; by CNRR: “*Disidentes, rearmados, y emergentes: Bandas Criminales o tercera generación paramilitar*,” August 2007; by International Crisis Group, “Colombia’s New Armed Groups,” May 10, 2007; and by NGOs, such as Fundación Seguridad y Democracia, “El Rearme Paramilitar,” *Informe Especial*, 2007.

concentrated in areas of former paramilitary strength. At this point they are drug traffickers, not counter-guerrilla fighters or political actors. According to the International Crisis Group, “aware that the emergence of the new groups could undermine AUC demobilization and the JPL process, Uribe has assigned high priority to fighting them,” using police and *carabinero* units.<sup>60</sup> A fundamental question is the extent to which the peace process has dissolved the political power of the paramilitary “capos.”

## Human Rights

### *A Near-Empty to a Half-Full Glass*

The situation of human rights and international humanitarian law in Colombia is serious but following a generally positive trend line. Reporting on Colombia from a wide variety of sources concurs that grave problems persist, among them extrajudicial killings, kidnapping and hostage taking, forced disappearances, recruitment of child soldiers, incidents of torture, involuntary displacement, overcrowded prisons and widespread suffering caused by landmines. These reports frequently preface their analysis of human rights in Colombia with a discussion of the internal armed conflict, underscoring the link between guerrilla and paramilitary violence and human rights abuses.<sup>61</sup> While other factors have influenced Colombia’s record on human rights, such as traditional weaknesses in the Colombian judiciary and law enforcement, the driving force behind so many of the gravest abuses of human rights has been violence from the illegal armed groups and the inability of the state to impose the rule of law more effectively.

With dramatic downturns in levels of violence (homicides, kidnappings, massacres, and paramilitary and guerrilla attacks) and strengthened security in Colombia registered between 2002 and 2004 and consolidated in subsequent years, the overall human rights situation has also improved.<sup>62</sup> Snapshot examinations of the human rights situation in Colombia often do not reflect that progress has been made under very difficult circumstances. For example, some 2.5 million to 3.0 million persons have been displaced in Colombia in the past decade and a half, with a large increase noted during the 1999–2002 period, when confrontations peaked between the guerrillas, paramilitaries, and government

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<sup>60</sup> International Crisis Group, “Colombia’s New Armed Groups.”

<sup>61</sup> See Inter-American Commission on Human Rights (IACHR), *Annual Report of the Inter-American Commission on Human Rights* (Washington, D.C.: IACHR, 2006), chapter IV: “Human Rights Developments in the Region: Colombia,” points 5–12; Bureau of Democracy, Human Rights, and Labor, “Country Reports on Human Rights Practices, 2006: Colombia,” U.S. Department of State, Washington, D.C., p. 1; UN High Commissioner for Human Rights (UNHCR), “Report of the High Commissioner for Human Rights on the situation of human rights in Colombia,” Geneva/Bogotá, March 2007; International Crisis Group, “Colombia’s Humanitarian Crisis,” *Latin America Report*, no. 4 (Bogotá/Brussels: International Crisis Group, July 9, 2003), p. 1; Jean Pierre Schaerer, “The Social and Economic Dimensions of Conflict and Peace in Colombia” (presentation at the Woodrow Wilson International Center for Scholars, Washington, D.C., October 2004), p. 13.

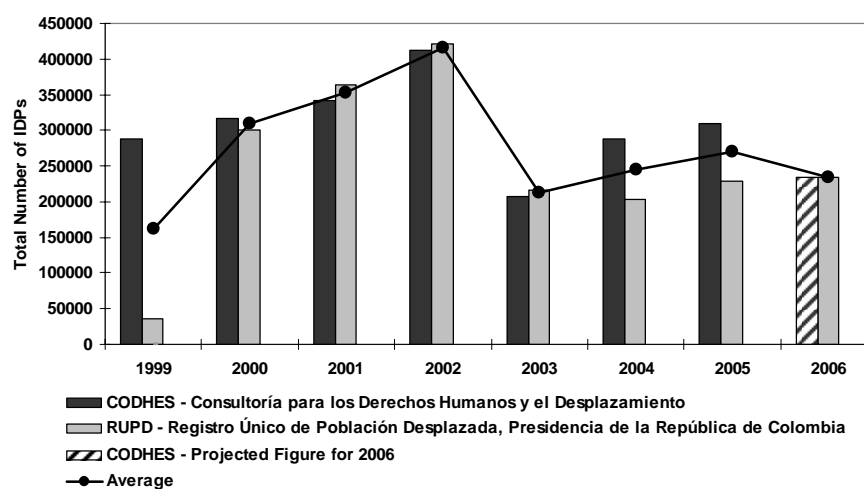
<sup>62</sup> State Department reports began to reflect this trend in 2003; the UN Commission on Human Rights reports in 2004.

forces. Levels of displacement subsequently fell as the government extended its authority and levels of violence dropped, although more than 200,000 were displaced in 2006. The 2006 report of the UN High Commissioner on Refugees praised the Colombian government for allocating “substantially more resources” to the displacement crisis, improving protection of displaced persons and launching a project to prevent the displacement of Afro-Colombian and indigenous populations.<sup>63</sup>

Nonetheless, Colombia’s large numbers of displaced persons face a precarious existence and are in need of considerable assistance, especially vulnerable Afro-Colombian and indigenous minorities.

Similarly, the Inter-American Commission on Human Rights has applauded efforts of the Colombian government to improve protection of human rights workers, trade unionists, journalists, and social leaders.<sup>64</sup> The Protection Program of the Ministry of the Interior and Justice spent some \$34 million during 2006 to provide security protection for some 6,000 such individuals. Between 2004 and 2007, the budget for this program increased by approximately 150 percent.<sup>65</sup>

Figure 5. Internally Displaced Persons (IDPs) in Colombia, 1999–2006



Sources: Consultoría para los Derechos Humanos y el Desplazamiento (CODHES); Registro Único de Población Desplazada (RUPD), Agencia de Presidencial para la Acción Social y la Cooperación Internacional, Colombia.

Serious problems persist, however, including extra-judicial killings by security forces, which the UN says have increased from 2005 to 2006, impunity for perpetrators of past human rights abuses and other crimes, and arbitrary

<sup>63</sup> UNHCR, *Global Report, 2006* (Geneva/ Bogotá: UNHCR, June 2007), p. 476.

<sup>64</sup> IACHR, *Annual Report of the Inter-American Commission on Human Rights*, chapter IV: “Human Rights Developments in the Region: Colombia,” p. 5.

<sup>65</sup> Ministerio del Interior y de Justicia, Dirección de Derechos Humanos, *Presupuesto Ejecutado*, 2006.

detention.<sup>66</sup> These are not reflective of official government policy—on the contrary the Colombian government is making determined efforts at improving the observance of human rights, including increased human and fiscal resources for the Human Rights Unit of the Attorney General (Fiscal General) responsible for the investigation and prosecution of abuses of human rights. Many abuses, however, are likely to continue to occur as long as the civil conflict goes unresolved, including the terrible toll on innocent persons taken by the land mines used indiscriminately by the FARC and ELN.<sup>67</sup> By improving the administration of justice, the country is on the right track. The challenge ahead is to make that authority more effective in defending the rights of all Colombians.

### *Violence against Labor Unionists*

Considerable attention has been paid to the murder of trade unionists in Colombia, as well as to other abuses against organized workers. It is useful to examine these abuses in the context of trends in overall violence on the national scale. The database of the *Escuela Nacional Sindical* (ENS), an independent labor organization in Medellín, is the key source of statistics cited by U.S., Colombian, and international labor and human rights organizations in tracking such abuses. According to the ENS, some 2,245 labor union members have been murdered in Colombia since 1991.<sup>68</sup> Trends in the evolution of trade union homicides tracks closely with overall murders in Colombia, rising steeply, according to ENS figures, during the mid/late 1990s (with 275 in 1996, the worst year on record) falling somewhat in 1997–98, rising again during 1999–2002 and then falling precipitously thereafter (see figure 6). According to the ENS, total abuses against trade unionists (classified by ENS as killings, arbitrary arrest, forced displacement, death threats, kidnappings, harassment, forced disappearances, attacks) showed a somewhat different trend, also rising steeply during the mid/late 1990s, falling overall between 1999 and 2002, rising again in 2002–2004 and then falling in 2004–2006.

In its annual report covering 2005, the ENS stated: “the general decrease in the principal indices of violence against unionized workers constitutes one of the most positive factors in 2005...the year with the least amount of anti-union violence in the last five years. For the ENS this fact constitutes advancement in

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<sup>66</sup> Bureau of Democracy, Human Rights, and Labor, “Country Reports on Human Rights Practices, 2006: Colombia”; UNHCR, *Global Report, 2006*, “Colombia,”

<sup>67</sup> Human Rights Watch (HRW), *Maiming the People: Guerilla Use of Antipersonnel Landmines and Other Indiscriminate Weapons in Colombia* (New York, HRW, July 2007).

<sup>68</sup> National trade union membership was estimated to be from 830,000 to 850,000 in 2006. All figures provided by the ENS and include unionized teachers. Figures from *Escuela Nacional Sindical* (ENS) annual reports, 2004 to 2006, and cited in Amnesty International, “Colombia: Killings, arbitrary detentions, and death threats—the reality of trade unionism in Colombia,” London, 2007, p. 8. Amnesty International cites ENS figures for overall union membership at 831,000 in 2007. The Solidarity Center of the AFL-CIO claims 856,000 for membership in 2006, citing ENS; see Solidarity Center, *Justice For All: The Struggle for Worker Rights in Colombia* (Washington, D.C.: Solidarity Center, May 2006), p. 11.

human rights.”<sup>69</sup> This positive trend continued in 2006 and the homicide rate for 2007 is on track to be by far the lowest in the past two decades, with 25 murders reported as of mid-October 2007 by the ENS.

While the downward trend in murders of trade unionists since 2002 and in overall abuses since 2004 is unmistakable, reasons for the trend are less clear, largely because information identifying the perpetrators or providing greater detail on these homicides is generally lacking. In its report covering 2004, for example, the ENS claimed that paramilitaries were “presumed responsible” for 7 percent of murders and state authorities for less than 3 percent, with the remaining 90 percent of cases with “no information” or “no identification.”<sup>70</sup> The 2006 report of the ENS names paramilitaries as presumed responsible for 9 of the 72 murders, guerrillas for 7, the state for 2, employers for 1 and 53 cases, nearly three-quarters of the total, in the “no information/no data” categories.<sup>71</sup> According to ENS statistics, during the past 21 years paramilitaries were deemed responsible for 62 percent of all killings of trade unionists in the minority of cases for which an alleged perpetrator was identified and guerrillas for 31.3 percent, adding up to 93.3 percent of the total, with the Colombian armed forces presumed responsible for 4.2 percent.<sup>72</sup>

To the limited extent that sufficient information is available to draw any presumed conclusions, there appears to be a direct relationship between greater (and lesser) levels of activity by illegal armed groups and violence against trade unionists. The subsequent decline in violence against labor unionists since 2002 therefore suggests yet another positive outcome stemming from the government’s success in rolling back the power of the FARC and paramilitaries.

In its annual reports for 2004 to 2006, the ENS mentions cases of specific abuses and threats against trade unionists that are related to their union activities or—in the case of the recent increase in violence against unionized teachers—because in small towns they are considered important political and social figures.<sup>73</sup> In the 23 percent of cases of abuses against union members for which there is sufficient information to determine “presumed responsibility” between 2004 and 2006 (504 cases), the ENS claimed representatives of the

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<sup>69</sup> Juan Bernardo Rosado Duque et al., *And the Shadows Are Coming That Already Have a Name...and Those Who Forgive Are Also Coming: Report on Human Rights Violations against Colombian Unionists in the Year 2005*, Report on Human Rights Violations No. 16 (Medellín: ENS Human Rights and Labor Rights Unit, April 2006), p. 9.

<sup>70</sup> Juan Bernardo Rosado and Guillermo Correa, *Esta noche tibia de la muerte primavera: Report on Human Rights Violations against Colombian Unionists in the Year 2004*, Report on Human Rights Violations No. 15 (Medellín: ENS Human Rights and Labor Rights Unit, May 2005), p. 33.

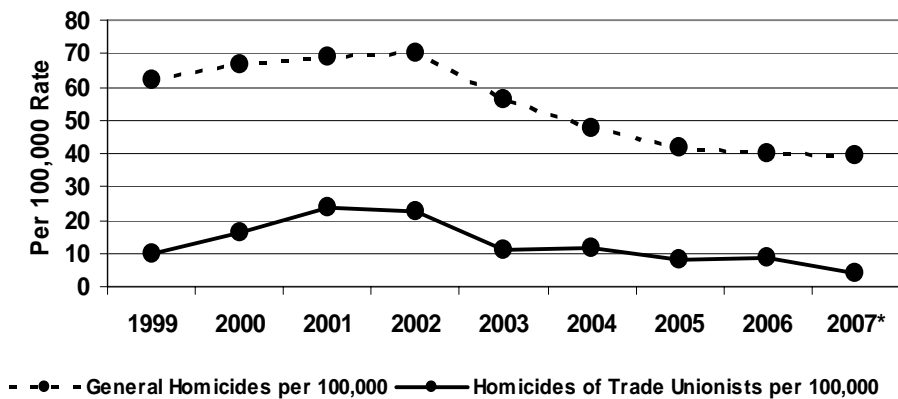
<sup>71</sup> Elver Herrera Arenas and Leidy San Juan, *Y un grito de muerte desgarró el encantamiento: Report on Human Rights Violations against Colombian Unionists in the Year 2006*, Report on Human Rights Violations No. 18 (Medellín: ENS Human Rights and Labor Rights Unit, July 2007), p. 41.

<sup>72</sup> Maria McFarland Sanchez-Moreno, “Congressional Testimony on Violence against Trade Unionists and Human Rights in Colombia” (testimony before the U.S. House of Representatives Committee on Foreign Affairs, June 28, 2007).

<sup>73</sup> Arenas Elver and San Juan, *Y un grito de muerte desgarró el encantamiento*, p. 6.



Figure 6. Homicide Rates of General Population and of Trade Unionists in Colombia, 1999–2007



\* 2007 homicides of trade unionists projected from figure as of October 15, 2007; 2007 general homicides projected from figure as of August 31, 2007.

Sources: General homicides statistics from the Policía Nacional de Colombia; homicides of trade unionists from the Escuela Nacional Sindical; general homicides per 100,000 calculated using population statistics from the U.S. Census Bureau; homicides of trade unionists per 100,000 calculated using constant figure of 831,000 total trade unionists in Colombia as reported by Amnesty International citing the Escuela Nacional Sindical on July 3, 2007.

government to be the alleged perpetrators of 193 in total, the yearly number falling to 21 alleged abuses in 2006, or 5.5 percent of total abuses identified that year.<sup>74</sup> In the minority of cases where a presumed perpetrator is identified or those cases taking place in the midst of union organizing, strikes, or other activities, there is often indication that union members are targeted, not random, victims of violence.

Labor and human rights organizations have signaled that a very low percentage of abuses against labor union members have been investigated and brought to a judicial conclusion. A 2006 report by the International Confederation of Free Trade Unions stated that “the vast majority of violations—over 90 percent of reported cases, remain unpunished and many murder cases are not investigated.”<sup>75</sup> This tracks with the overall inefficiency of Colombia’s judiciary, especially during the years when levels of violence were spinning out of control. Between 1997 and 1999, for example, only one in three cases of homicide in Colombia reached the penal courts and of these only 5 percent resulted in a guilty verdict.<sup>76</sup> Colombia’s resource poor and often intimidated judiciary was swamped

<sup>74</sup> Ibid., p. 29.

<sup>75</sup> International Confederation of Free Trade Unions (ICFTU), “Colombia: Annual Survey of Violations of Trade Union Rights (2006),” Brussels, <http://www.icftu.org/displaydocument.asp?Index=991223865&Language=EN>.

<sup>76</sup> Alfredo Fuentes, “Reforma judicial en Colombia: Progreso en 15 años,” in Peter DeShazo, *Anticorruption Efforts in Latin America: Lessons Learned*, Policy Papers on the Americas, Vol. XVIII, Study 2 (Washington, D.C.: CSIS, September 2006).

by the wave of violence during the 1990s, the result being widespread impunity for crimes and abuses.

However, a new unit under the direction of the attorney general, staffed by 13 prosecutors and 75 investigators, is now dedicated to prosecuting homicides of labor union members, focusing on 187 “priority cases” agreed to in consultation with the International Labor Office and the trade unions themselves. This unit is projected to file formal charges in 27 cases during the course of 2007 with a projected 18 convictions rendered.<sup>77</sup> Colombia’s change to an accusatorial system of criminal justice procedure will further speed up prosecutions.

The Protection Program of the Ministry of the Interior and Justice provided special security protection to some 1,500 trade unionists in 2006 at a cost of about \$11 million.<sup>78</sup> None of the persons enrolled in this program was killed.

## Narcotics

Narcotics money is the most significant force driving violence in Colombia.<sup>79</sup> Other factors are certainly important, including poverty, inequality and a history of a weak state. From the late 1970s on, however, the rise of the illegal drug business tracks closely with Colombia’s deterioration from a country that had been moving in a positive social and economic direction to one headed toward disintegration. The narcotics-fueled violence eventually affected how society functioned and how the economy performed.

### *Coca, Cocaine, and Heroin: Measuring Progress*

Plan Colombia called for a decrease in coca cultivation by 50 percent in 6 years. That goal has not been met. At the time of the approval of support for Plan Colombia in 2000, the United States estimated that there were 136,000 hectares of coca being grown in Colombia, reflecting the steep spike in production that occurred during the 1990s. This figure rose to 170,000 hectares in 2001. As aerial spraying assets provided by the United States swung into high gear, production estimates dropped sharply in areas surveyed between 2001 and 2004, to about 114,000 hectares, indicating considerable progress in meeting Plan Colombia goals. However, U.S. government analysts decided that the surveys on which these numbers were based did not cover enough of the remote geography of the country and using a new methodology in the 2005 survey, estimated cultivation levels at 144,000, a figure that grew to 157,000 in the 2006 estimate. The U.S. government considers these figures to be highly reliable.

While these figures are discouraging, previous estimates would probably have been much higher using the methodology currently in place, taking into account

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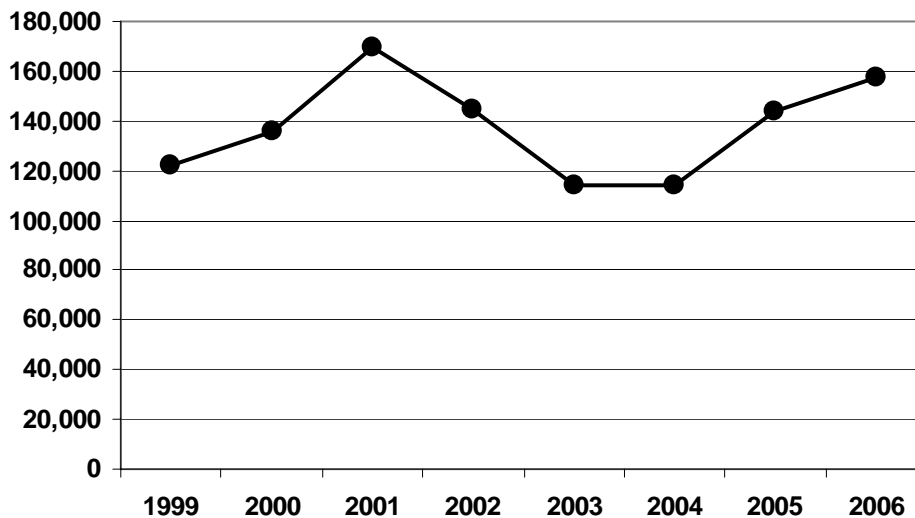
<sup>77</sup> Mario Iguarán, interview, October 14, 2007; UNHCR, “Report of the High Commissioner for Human Rights on the situation of human rights in Colombia”; Fiscalía General, *Proyecto Especial OIT: Unidad Nacional de Derechos Humanos*, Lima, September 30, 2007.

<sup>78</sup> Ministerio del Interior y de Justicia, Dirección de Derechos Humanos, “Presupuesto Ejecutado 2006.”

<sup>79</sup> Marcelo Guigale et al., *Colombia: The Economic Foundation of Peace* (Washington, D.C.: World Bank, 2003), p. 43.

large preexisting cultivations that were not surveyed at the time. Either way, however, considerable new planting of coca has taken place, given sustained high levels of spraying from 2002 on. The Vienna-based United Nations Office on Drugs and Crime (UNODC) does a separate survey in cooperation with the Colombian government based on a different methodology. The UNODC figures show a precipitous decline in coca production from an even higher peak in 2000, with only 78,000 hectares under cultivation in 2006.<sup>80</sup>

Figure 7. Estimated Year-end Coca Cultivation, Colombia



Sources: Estimated coca cultivation from Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report* (Washington, D.C.: U.S. Department of State, 2007).

Opponents of aerial spraying have frequently pointed to alleged health and environmental concerns regarding the herbicide used in Colombia—glyphosate—and the surfactant that makes the herbicide cling to the coca leaf. In fact, glyphosate is the most widely used herbicide in the world, precisely because of its benign characteristics. In 2005, the Organization of American States conducted an environmental and human health assessment of the aerial spray program in Colombia with experts from Canada, Spain, Brazil, the United Kingdom, and Mexico. They concluded that the risks to human health from the use of glyphosate and the surfactant were “minimal...essentially negligible” with risks to the environment “small in most circumstances,” and risks to natural wildlife “negligible.”<sup>81</sup> A genuine threat to the environment, however, stems from the large-scale deforestation caused by slash-and-burn land clearing to make way for

<sup>80</sup> UN Office on Drug Control and Crime, press release, October 3, 2007.

<sup>81</sup> Keith R. Solomon et al., “Environmental and Human Health Assessment of the Aerial Spray Program of Coca and Poppy Control in Colombia,” Inter-American Drug Abuse Control Commission (CICAD) of the OAS, Washington, D.C., March 31, 2005, pp. 90–91.

coca fields and by the tons of ethyl, ether, acetone, and hydrochloric acid, byproducts in cocaine processing, dumped into Colombia's rivers and streams from the clandestine labs each year.<sup>82</sup>

A more significant question about spraying involves its effectiveness in halting the cultivation and production of drugs. Large areas of Colombia are off limits to aerial spraying, including indigenous reservations, forest preserves, national parks and some border areas. Cultivators have moved into all of these zones knowing that they are protected from the spray planes and in general, production has shifted from large-scale plantations vulnerable from the sky to smaller-scale production.

Manual eradication is an obvious and different approach. It is also a more dangerous one. Fifty-seven police and contract eradicators lost their lives last year in the stepped up effort by the Colombian government to increase manual eradication. In excess of 50,000 hectares of plantings will be pulled up manually in 2007, although the Colombian government continues to support aerial spraying—including establishing an additional spray unit fully funded and managed by the Colombian government alone.

While by U.S. measurement the production of coca leaf has been at best scaled back only modestly, opium poppy cultivation has been reduced to only about a quarter of production in 1999.<sup>83</sup> Seizures by Colombian authorities of cocaine base rose by more than 400 percent between 1999 and 2005, with a similar increase in the number of clandestine drug labs destroyed.<sup>84</sup>

### *Narcotics, the Economy, and Security*

Years ago, many, perhaps most, Colombians hoped the narcotics plague would somehow solve itself when the United States finally dealt with its drug consumption problem. But the more sober view—as represented by the continued high popularity ratings of Álvaro Uribe—is that the country must overcome the illegal armed groups and criminal gangs that run and profit from the drug business. Law enforcement gets more public respect as police become more effective and professional. Extradition, once so unpopular, is now a common tool in counterdrug efforts—with more than 400 persons extradited by Colombia to the United States in the past four years.<sup>85</sup> With more resources dedicated to law enforcement and the courts, Colombia's judicial system may be more successful in countering the narcotics business.

There are also encouraging signs that the overall economic effect of drug trafficking may be on the wane, both because Colombia's licit economy is larger and stronger and because aerial and manual eradication and more effective law

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<sup>82</sup> U.S. Department of State, "The Andes under Siege: Environmental Consequences of the Drug Trade," Washington, D.C., July 2001.

<sup>83</sup> Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report* (Washington, D.C.: U.S. Department of State, 2007).

<sup>84</sup> *Ibid.*

<sup>85</sup> Anne Patterson, statement before Subcommittee on the Western Hemisphere, House Committee on Foreign Affairs, April 24, 2007, p. 31.

enforcement against trafficking have disrupted the market and deprived the FARC and drug traffickers of hundreds of millions of dollars in additional income.<sup>86</sup> In the 1980s, drugs accounted for an estimated 3 percent of GDP, a figure that has shrunk to about 0.5 percent in 2006.<sup>87</sup> A larger licit economy will in turn be more resilient to the distortions caused by drug profits and provide greater sources of employment for those who would be lured into the drug business.

Unless more is done to reduce drug cultivation, thwart the activities of the narcotics gangs, and deprive the guerrillas of access to drug profits, however, drugs will continue to fuel violence and corruption in Colombia. As part of a comprehensive approach to helping Colombia, the United States and Europe need to do more to reduce their consumption of cocaine.

## Governance

Democracy in Colombia has proven resilient to the severe challenges imposed on it by guerrillas, paramilitaries, and drug mafias, but many aspects of democratic governance remain weak. The increased state presence in many small towns and rural areas of Colombia previously dominated by the FARC, ELN, and paramilitaries, while augmenting the reach of legitimate state authority, also puts pressure on the Colombian government to provide the resources to make that presence effective. Using a long established arm of the presidential office, Accion Social, the Uribe administration is seeking to build up a central government presence in the many long neglected rural communities, many which now for the first time have at least a police presence. The director of that office has a presidential mandate to channel multi-agency support to 11 zones covering nearly 2 million people around the country considered especially vulnerable to a resurgence of illegally armed groups.

Polling in Colombia by the Chilean firm Latinobarómetro demonstrates how sorely democracy was tested by the armed conflict and by the severe economic downturn of 1999. Going into the crisis years of 1997–2001, a strong majority of Colombians answered affirmatively to the statement: “Democracy is preferable to any other form of government.” This affirmative response plummeted to 36 percent in 2001 but subsequently rebounded to 53 percent in 2006, still below the average for all of Latin America.<sup>88</sup> However, Colombia stood out in terms of positive evaluation of the institutions of government in 2006: second overall in Latin America in terms of approval of government, second in confidence in the president, fourth in confidence in Congress, and fourth in approval of the judiciary.

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<sup>86</sup> Office of National Drug Control Policy press release, June 4, 2007.

<sup>87</sup> There has been a constant stream of quality economic studies measuring the size and impact of the narcotics business on the Colombian economy beginning with Carlos Cabelero and Roberto Huinquito in 1978. Robert Steiner did a number of studies in the late 1990s, including one that showed the decline of narcotics entering the economy expressed as GDP percentage. Ricardo Rocha used the same methodology to make the 2005 estimate in *Narcotráfico en Colombia: Economía y Violencia*, ed. Alfredo Rangel et al. (Bogotá: Fundación Seguridad y Democracia, 2005).

<sup>88</sup> Latinobarómetro, “Informe Latinobarómetro 2006,” Santiago, December 2006, p. 72.

### *Local Elections: Growing Participation*

Success in rolling back the power of the paramilitaries and FARC has opened the door to broader political participation at the local level. Elections took place in all 1,099 Colombian *municipios* on October 28, 2007, as opposed to last local election in 2003, when many municipalities were still in FARC hands. The number of candidates inscribed to run in 2007 increased by almost 12 percent over 2003, with 3.6 million new voters registered, an increase of 55 percent since the 2003 election.<sup>89</sup> Some 532,000 poll watchers observed the vote, which was carried out under tight security, given the fact that some 26 candidates for local office were murdered, many of them by the FARC, in the run-up to the election, although this figure represents a decline of more than 50 percent from 1997 levels.<sup>90</sup>

### *Administration of Justice*

The Constitution of 1991 opened the door to broad changes in the administration of justice in Colombia and to a strengthening of judicial review. One key change was to establish an independent Constitutional Court with powers to review executive and legislative decisions on issues of constitutionality, giving it considerable influence over policymaking.<sup>91</sup> The process of judicial review was further broadened to individual cases by a mechanism called *acción de tutela* by which any person who feels that his fundamental rights have been threatened or who was dissatisfied with services provided by a government entity can petition any judge directly, without the need for a lawyer, for redress. Public use of this mechanism increased dramatically, from 79 *tutelas* per 100,000 inhabitants in 1996 to 540 per 100,000 in 2005.<sup>92</sup>

While the *tutelas* provided direct access to the justice system for citizens, they also put an additional strain on a poorly funded and backlogged legal system. Still laboring under a traditional inquisitorial procedure for criminal cases, Colombia's courts were overwhelmed by the surge in criminal and political violence during the late 1990s, with over a million cases carried over from year to year, resulting in widespread impunity.<sup>93</sup> In 2004, Congress passed laws establishing an accusatorial system of criminal procedure, with oral, public trials and with the Attorney General's Office (Fiscalía General) responsible for prosecuting and investigating cases. These changes also allowed for much more effective criminal investigation, plea bargaining, and far greater transparency. The new system was

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<sup>89</sup> Maria Isabel Nieto Jaramillo, "Las Elecciones Municipales Octubre 2007: Seguridad, Partidos Políticos y Concejos Municipales" (paper presented at Georgetown University, Washington, D.C., September 27, 2007); Fundación Seguridad y Democracia, "Las Elecciones Menos Violentas en 10 Años," October 2007, p. 2.

<sup>90</sup> "Renuncias en Cocorná tras muerte de los candidatos," *El Colombiano*, October 12, 2007.

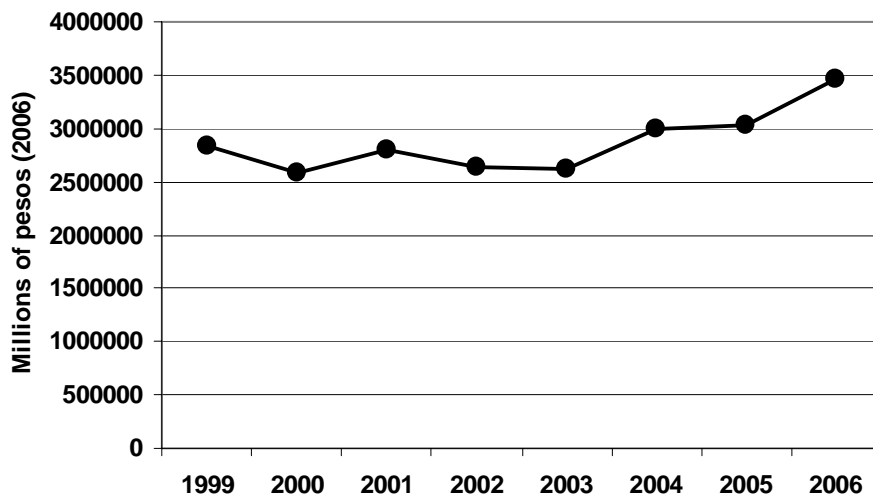
<sup>91</sup> See Mauricio Cárdenas et al., "Political Institutions and Policy Outcomes in Colombia: The Effects of the 1991 Constitution" (working paper no. 28, Fedesarrollo, Bogotá, January 2005); and Manuel José Cepeda Espinosa, "Judicial Defense of the Constitution," in *Strengths of Colombia*, ed. Fernando Cepeda Ulloa (Washington, D.C.: Inter-American Development Bank, 2006), p. 161.

<sup>92</sup> Fuentes, "Reforma judicial en Colombia: Progreso en 15 años," in DeShazo, *Judicial Reform in Latin America*.

<sup>93</sup> *Ibid.*

phased in regionally beginning in 2005 and is to be completed by 2008. The Colombian government increased funding for the judicial sector (including the Fiscalía) by some 32 percent in real terms between 2003 and 2006 in order to meet these new legal demands. Early results of the new accusatorial system have been very positive, with an average reduction of some 80 percent in the time required to resolve criminal cases and a far higher conviction rate than under the old system.<sup>94</sup>

Figure 8. Expenditures in the Justice Sector



Source: Ministerio de Hacienda y Crédito Público, Departamento Nacional de Planeación.

Calculations: Departamento Nacional de Planeación, Dirección Justicia y Seguridad.

In an effort to provide legal services to a broader public, alternative dispute resolution services have been created, including conciliation facilitators (*conciliador en equidad*) and justices of the peace under the guidance of the Ministry of the Interior and Justice. From 2004 to 2007, the number of persons trained for these tasks rose by 77 percent to 4,783 country-wide.<sup>95</sup> In addition, the U.S. Agency for International Development (USAID) has funded the creation of 44 *Casas de Justicia*, multi-agency service centers providing community access to formal and informal justice services located in urban and rural areas of the country which have since their inception have handled more than 5 million requests for services.<sup>96</sup>

<sup>94</sup> U.S. Department of Justice, “Assistance Program in Colombia: Justice Sector Reform Program,” fact sheet,” 2007.

<sup>95</sup> Ministerio del Interior y Justicia, “Garantizar una justicia eficiente,” *Visión Colombia 2019*, Bogotá, 2006.

<sup>96</sup> U.S. Agency for International Development (USAID), “Colombia, National Justice House Program,” fact sheet, Washington, D.C., March 2007.

These improvements in the administration of justice have resulted in more efficient delivery of legal services to Colombians. Given the considerable strains under which the judiciary labors due to still high rates of violence and crime, and the need to deal with past criminality of illegal armed groups, these new mechanisms will continue to be strongly tested. The degree to which the government provides increased resources and support to the country's judicial system, including the *Fiscalía*, will have a profound impact on the protection of civil and human rights, as well as on citizen security.

### *Corruption*

Both Plan Colombia and President Uribe's Democratic Security policy named combating corruption as a key objective. While official corruption had long been a problem confronting effective governance in Colombia, the explosion of the drug economy beginning in the 1980s added a new and highly negative ingredient to the mix. Although the Constitution of 1991 laid out new judicial mechanisms, the scandals surrounding the 1994 election, which involved charges of narcotics-related influence in the presidential race, created doubts about the legitimacy of the subsequent Samper administration and lowered respect for the law.

According to well-regarded international standards of measurement, Colombia's record on corruption has improved substantially during the 1999–2007 period. By the Worldwide Governance Indicators of the World Bank, this improvement tracks closely with a similar positive trend in government effectiveness (see figure 9). In the case of corruption, the positive trend begins in 1998, picking up strength with a very pronounced uptick from 2002 to 2004, a period when the Government Effectiveness Index also rises strongly. Transparency International's (TI) Transparency Perception Index from 1999 to 2006 also presents a very positive trend. In 1999, the index listed Colombia at 2.9 on a scale of 1 (highest corruption) to 10 (lowest corruption), 11th overall among Latin American nations. TI's 2006 Index shows Colombia rising a full point to 3.9, now fifth-best among the Latin cohorts, the largest improvement of any Latin American country except Uruguay during that period. Some 65 percent of Colombians surveyed in February 2007 approved of the manner in which President Uribe was handling corruption.<sup>97</sup>

The recent "*parapolítico*" scandals that have resulted in the arrest of dozens of national legislators and other officials indicate that drug corruption and influence peddling reaches high levels. Importantly, however, the Colombian courts are going after "big fish," a positive sign in the struggle to combat corruption. Colombia's decentralized political system, with significant fiscal resources assigned to local government, requires special attention in preventing corruption. At the national level, bribery is not a widespread problem, but influence trafficking remains a common practice, as in many other Latin American

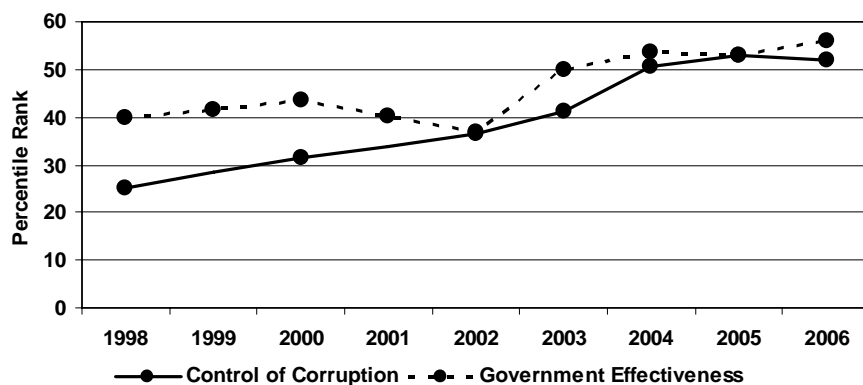
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<sup>97</sup> Invalmer Gallup Colombia, "Gallup Poll 57," Medellín, February 2007, p. 20.



countries.<sup>98</sup> Colombia's overall record on fighting corruption is nonetheless positive.

Figure 9. Governance Indicators for Colombia



Source: World Bank, "Governance Matters 2007: Worldwide Governance Indicators," 1998, 2000, 2002–2006, Washington, D.C.

## The Colombian Economy

During the late 1990s, Colombia's financial system experienced a period of stress, characterized by the failure of several banks and other financial institutions, as well as by the severe deterioration of the whole system's financial health. The situation was exacerbated by the violent conflict and in 1999 the country's GDP fell by 4.2 percent, the first contraction in output since the 1930s.<sup>99</sup> Since then, Colombia has successfully turned its economy around through a combination of fiscal reforms, public debt management, reduction of inflation, and strengthening of the financial system. The policies that have been adopted since 1999, supported by three successive IMF arrangements,<sup>100</sup> have placed the country on a path of sustainable growth while reducing poverty and unemployment. Colombia's economy has also benefited from high commodity prices and a dramatic improvement in the security situation.

Colombia's fundamentals are strong. The country's \$130-billion economy grew at 6.8 percent in 2006, the highest rate in 28 years and two points faster than the Latin American average. Colombia has reduced its inflation rate from 16.7 percent in 1998 to 4.5 in 2006. Economic growth has reduced unemployment,

<sup>98</sup> Peter DeShazo, *Anticorruption Efforts in Latin America: Lessons Learned*, Policy Papers on the Americas, Vol. XVIII, Study 2 (Washington, D.C.: CSIS, September 2006), pp. 4–5.

<sup>99</sup> José D. Uribe and Hernando Vargas, "Financial Reform, Crisis and Consolidation in Colombia" (paper prepared for the Preparatory Workshop for the Madrid Seminar of the Eurosystem and Latin American Central Banks, March 21–22, 2002), p. 9.

<sup>100</sup> After seven years of IMF economic programs, Colombia exited formal IMF support in November 2006.

which dipped from 18 percent in 1999 to 12 percent in 2006.<sup>101</sup> The external sector is led by sustained growth in exports and capital inflows while net international reserves stood at \$15 billion in 2006 (covering 6.6 months of imports). Nevertheless, the external current account deficit was 1.6 percent of GDP in 2006 and public-debt to GDP ratio stood at 45 percent.<sup>102</sup>

### *Structural Reforms*

The 1991 Colombian Constitution created embedded rigidities by constitutionalizing certain components of fiscal policy such as pensions, fiscal transfers to local governments for education and health, and public sector wages. Revenue earmarking and mandatory expenditures amount to about 80 percent of all government outlays. Monetary policy, in contrast, formally delegated to the independent central bank, Banco de la República has proven to be adaptable to economic shocks.<sup>103</sup>

Since 1999, a series of structural reforms have been passed by the Colombian Congress. On the tax side, there has been an effort, albeit insufficient, to raise revenues in order to finance larger expenditures. There has been an increasing reliance on the VAT and financial transaction taxes, and several early reforms, including rate increases, boosted overall tax revenues from 17 percent of GDP in 2000 to about 21 percent of GDP in 2006.<sup>104</sup> However, more recent attempts at deeper tax reform have failed. Studies show that Colombia's tax system remains inefficient and distortive and that reducing distortions and broadening the system's base would be important to incite more private investment while protecting revenue collection.

Three pension reforms have been approved since 2002, raising contributions, trimming some benefits, and eliminating special regimes, including for teachers and the military. This reduced the actuarial deficit of the pension system from 200 percent of GDP in 2000 to 148 percent of GDP in 2005.<sup>105</sup>

Reforms in fiscal decentralization delinked intergovernmental transfers to local and regional governments from current revenues and set spending and borrowing limits on territorial governments in order to avoid a significant widening of the deficit of the central administration and preserving the credibility of fiscal policy.

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<sup>101</sup> Roben Farzad, "Extreme Investigating: Inside Colombia," *BusinessWeek*, May 28, 2007.

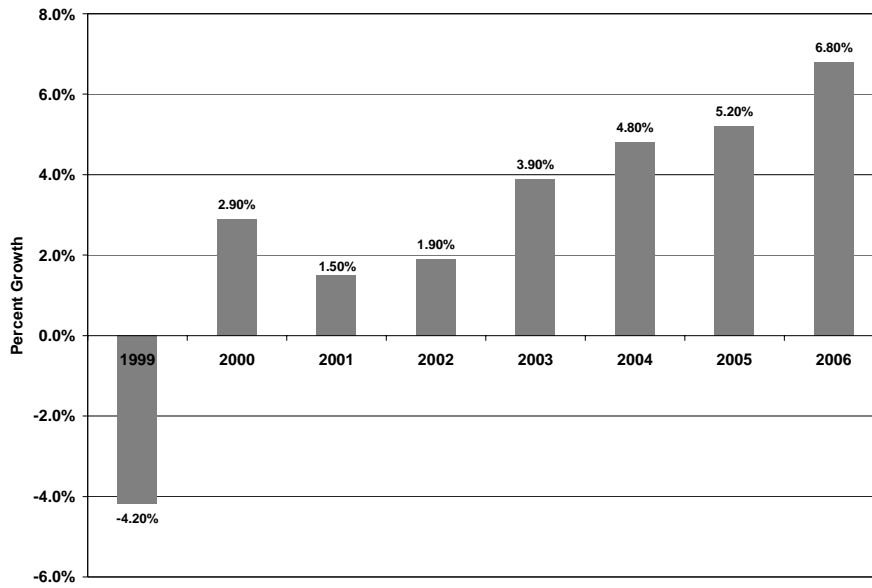
<sup>102</sup> IMF, "World Economic Outlook, Globalization and Inequality," IMF World Economic and Financial Surveys, October 2007; and Colombian Central Bank statistics.

<sup>103</sup> Mauricio Cárdenas et al., "Political Institutions and Policy Outcomes in Colombia: The Effects of the 1991 Constitution" (working paper no. 28, Fedesarrollo, Bogotá, January 2005), pp. 5–8.

<sup>104</sup> Lisandro Abrego and Robert Rennhack, "Reform, Better Security Help Colombia," IMF, Washington, D.C., January 29, 2007.

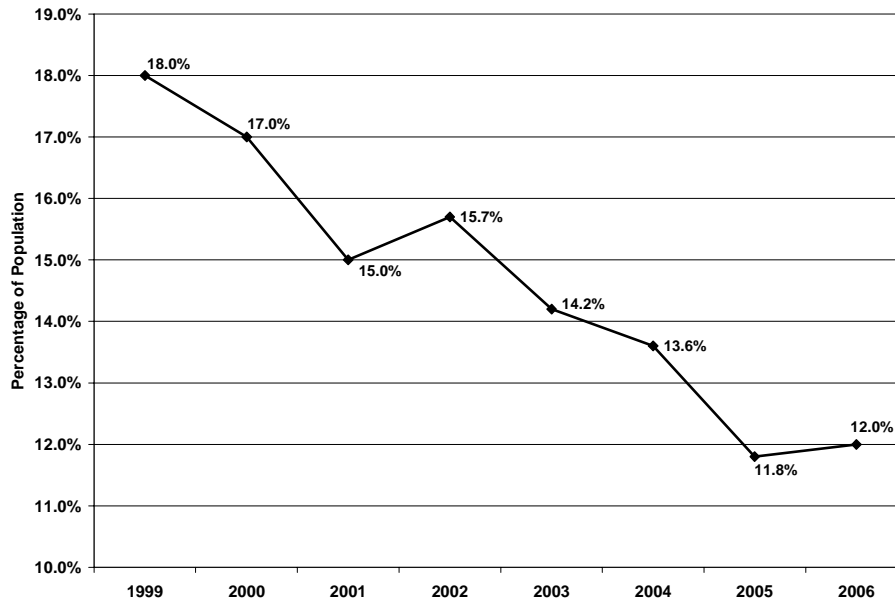
<sup>105</sup> *Ibid.*

Figure 10. GDP Growth in Colombia, 1999–2006



Source: DANE (Departamento Administrativo Nacional de Estadísticas).

Figure 11. Colombia's Unemployment Rate, 1999–2006



Source: DANE (Departamento Administrativo Nacional de Estadísticas).

### *Fiscal Policy*

The Colombian government emerged from the 1999 economic and financial crisis with a relatively heavy debt load. Public debt in absolute terms has increased in recent years, but the debt-to-GDP ratio has declined to from a high of 60 percent in 2002 to around 45 percent in 2006 and the government's goal is to reduce it to 40 percent by 2010. Since 2004, Colombia's active liability management system has reduced financing costs, diversified funding sources, lengthened the maturity of debt, lowered foreign exchange rate exposure, and enhanced liquidity in the domestic bond market, lessening the country's vulnerability to economic shocks. The country has never defaulted on its debt.

Aided by the fiscal reforms and increased oil prices, the combined public sector deficit was reduced from 5.5 percent of GDP in 1999 to 0.8 percent of GDP in 2006 with a primary surplus of 3.6 percent, up from a 1.2 percent deficit in 1999.<sup>106</sup> The central government played an important role in this improvement, reducing its deficit from 6.1 percent in 2002 to 4.1 percent in 2006 thanks to higher tax receipts, lower interest payments and higher oil prices.<sup>107</sup>

### *Exchange Rate Policy*

The recent wave of foreign investments prompted by high oil prices, improvements in security and market-friendly economic policies, combined with rapid GDP growth, is exerting inflationary pressures. The latest inflation figures (5.22 percent in August) remain slightly elevated, and in its latest quarterly inflation report, the central bank admits that it is likely to miss its inflation target for the year (3.5 to 4.5 percent).

Rising inflows of foreign exchange are also strengthening the peso (11 percent since January this year), which now stands at Ps2,000 : U.S.\$1 (from Ps2,239 : U.S.\$1 at end 2006), reducing the incentive to bring in short-term capital as interest rates rose.<sup>108</sup> With the strong currency cutting into profits, export growth slowed to 12 percent in the first quarter of 2007 from 15 percent in 2006 and Uribe set aside \$106 million this summer for subsidies and loans to exporters struggling with the rising peso.<sup>109</sup>

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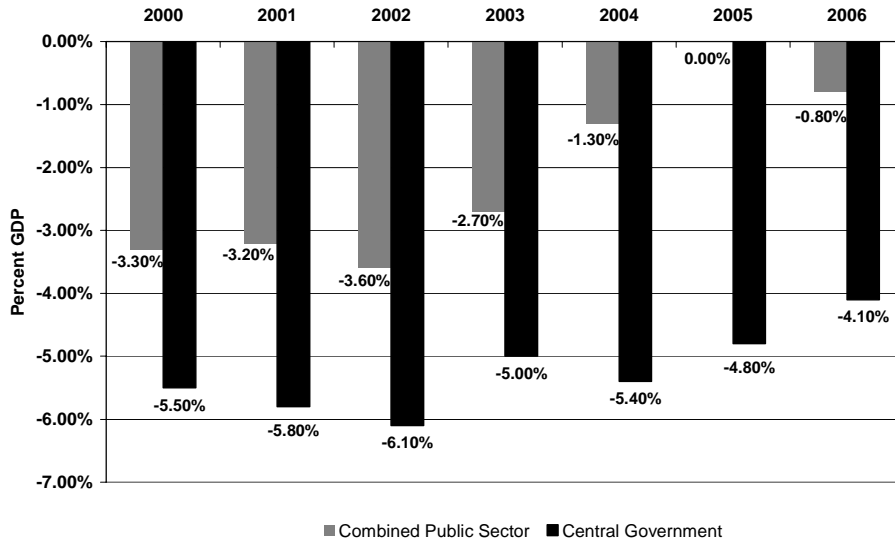
<sup>106</sup> Ministerio de Hacienda y Crédito Público.

<sup>107</sup> Departamento Nacional de Planeación, República de Colombia, "Plan Nacional de Desarrollo, 'Hacia Un Estado Comunitario': Balance de Resultados 2006," Bogotá, March 2007.

<sup>108</sup> IMF, *World Economic Outlook, Globalization and Inequality* (Washington, D.C.: IMF, October 2007).

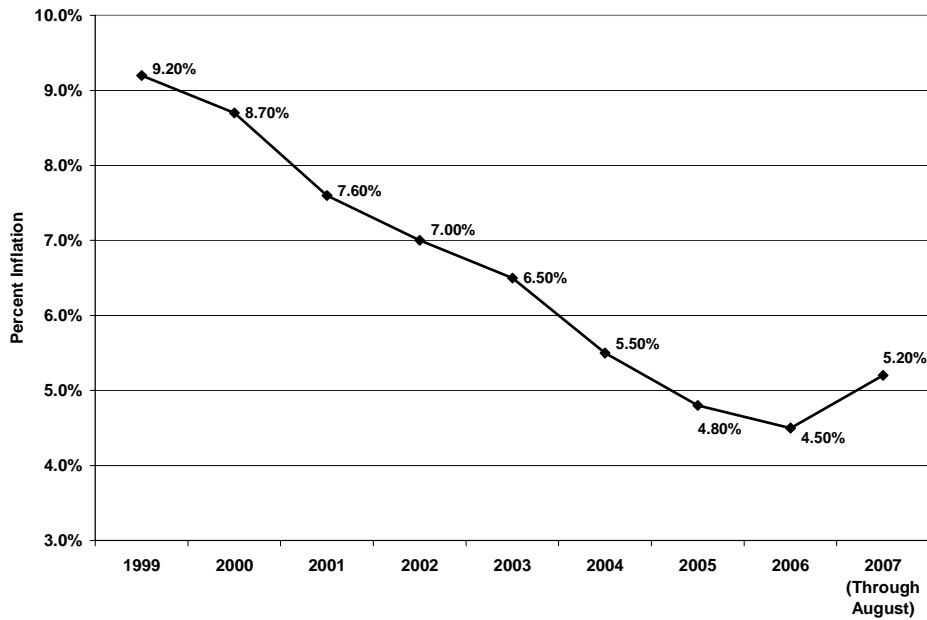
<sup>109</sup> Bo Nielsen and Andrea Jaramillo, "Banks Predict Colombian Peso Is Headed for a Fall," *International Herald Tribune*, June 11, 2007.

Figure 12. Fiscal Balance in Colombia, 2000–2006



Source: Ministerio de Hacienda y Crédito Público.

Figure 13. Inflation in Colombia, 1999–2007

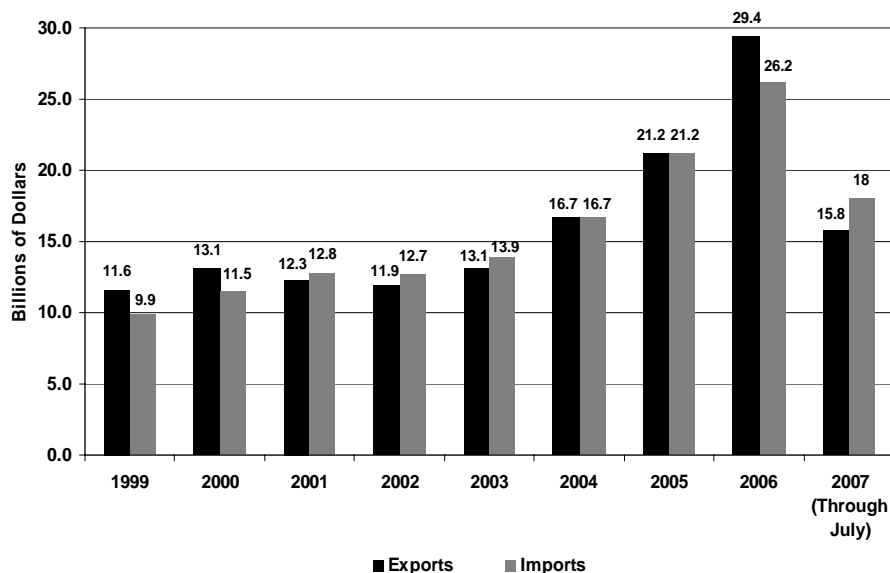


Source: Central Bank of Colombia.

### Trade Sector

Colombia has been opening up its economy to international trade. Between 2002 and 2006, the nominal value of Colombian exports doubled, going from \$11.9 billion in 2002 to \$24.4 billion in 2006. In the January-June 2007 period, exports totaled \$13.2 billion, representing growth of 17.6 percent over the same period one year prior.<sup>110</sup> This is explained by the way traditional and non-traditional exports have performed, particularly exports to Venezuela, which were up by 47 percent. The growth also stems from higher sales of fuel which accounts for 37.2 percent of the country's total exports. Imports also showed strong growth, rising to \$26.2 billion in 2006 and reflecting the good momentum in industrial manufacturing.<sup>111</sup>

Figure 14. Colombian Imports and Exports, 1999–2007



Source: Central Bank of Colombia.

Colombia is an important producer of petroleum, coffee, coal, textiles, and flowers. The main destination markets are the United States (39.6 percent), Venezuela (11.2 percent), and the Andean region (including 6.5 percent to Ecuador). Colombia imports mainly machinery, grains, chemicals, transportation equipment, mineral products, consumer products and metal products. Its major suppliers are the United States (26.5 percent), Mexico (8.3 percent), Brazil (6.5 percent), China (6.3 percent), and Venezuela (5.9 percent). The United States is Colombia's leading trade partner, and Colombia is currently the 29th-largest export market for U.S. goods.<sup>112</sup> Bilateral trade in goods has almost doubled over

<sup>110</sup> Presidency of the Republic of Colombia, "Confidence in Colombia...Moving Forward," presentation of the Communications Office, Bogotá, September 2007.

<sup>111</sup> Minutes of a meeting of the Board of Directors of Banco de la República, August 24, 2007.

<sup>112</sup> U.S. Department of Commerce.

the past decade, from \$9 billion a year in 1996 to approximately \$16 billion in two-way trade in 2006, due in large part to the Andean Trade Preference and Drug Eradication Act (ATPDEA), which provides duty-free access to the U.S. market for approximately 5,600 products.

In November 2006, the United States and Colombia signed a free trade agreement (“Trade Promotion Agreement”), which is now awaiting congressional ratification in the United States. This agreement would provide Colombia with permanent preferential access to the U.S. market by eliminating tariffs and other barriers while opening the Colombian market to U.S. exports. The ATPDEA already offers Colombia’s exports preferential access to the U.S. market and therefore the Trade Promotion Agreement, if approved, is likely to have more effect on imports than on exports. Several recent studies estimate that the agreement will lead to moderately higher real GDP in Colombia, significantly more trade, especially with the United States, and more foreign direct investment, with a slight deterioration in the external current account deficit which in 2006 stood at \$3 billion.<sup>113</sup> The Trade Promotion Agreement is also likely to enhance Colombia’s ongoing internal economic reforms, further increasing incentives for foreign investors.

### *Confidence and Investment*

As a result of the economic and financial crisis, Colombia lost its investment grade rating in 1999. However, in light of the impressive macroeconomic recovery, the approval of important reforms, higher growth prospects, and positive results on the security front, the outlook for Colombia’s long-term foreign debt ratings has improved. After reaching a maximum of 1,096 basis points in 2002, spreads were below 100 basis points between June 15 and 21, 2007, reflecting the increased confidence of foreign investors in the Colombian market.<sup>114</sup> In June of 2007, Standard & Poor’s (S&P), one of the main international risk rating agencies, returned the investment grade for foreign debt rating, upgrading the country from BB+ to BBB- and making Colombia the third Latin American country to obtain this rating, along with Mexico and Chile. Other rating firms have also modified their positions on Colombia, moving it increasingly closer to investment grade. Moody’s for instance, changed the debt rating from negative to stable in March 2006.

Increased confidence has been reflected in higher levels of foreign direct investment and visits by international tourists. In 2006, over 1 million visitors entered the country (almost twice as many as in 2000), spending \$1.5 billion.<sup>115</sup> In 2006, FDI reached \$6.5 billion, more than three times the U.S.\$1.5 received in 1999. During the first trimester of 2007, FDI added up to U.S.\$2.3 billion growing 114 percent compared to the same period in 2006 and the upward trend is expected to continue.

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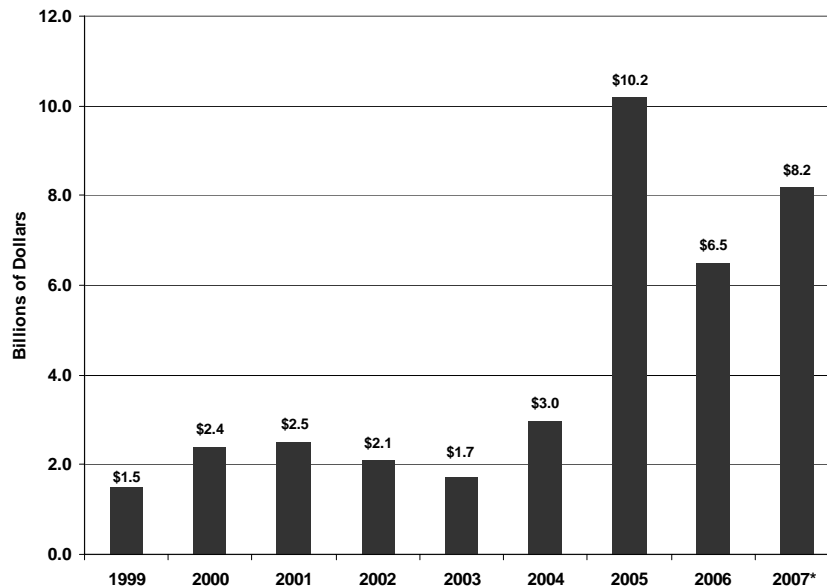
<sup>113</sup> IMF, “Colombia: 2006 Article IV Consultation,” Country Report No. 06/408, Washington, D.C., November 2006, p. 22; and Colombian Central Bank statistics.

<sup>114</sup> Presidencia de la República de Colombia, *Informe al Congreso 2007*, Bogotá.

<sup>115</sup> UN World Tourism Organization and Colombian Ministry of Commerce, Industry and Tourism.

The country's efforts in attracting foreign investment and easing trade restrictions were highlighted in the World Bank's *Doing Business 2008* report, and Colombia was singled out as one of the top 10 reformers of 2006-2007.<sup>116</sup> Colombia's overall ranking for ease of doing business in 2008 was 66 out of the 178 countries surveyed.

Figure 15. Foreign Direct Investment in Colombia, 1999–2007



\* Projected based on results from January through July, 2007.

Source: Central Bank of Colombia.

The World Bank however also points to the armed conflict as an obstacle to a further strengthening of the economy: “The 40-year old conflict constrains economic growth, threatens vital infrastructure, displaces populations, erodes the fabric of society and generates fiscal costs. Violence also hinders the achievement of optimal policy outcomes to address the country’s fundamental development needs.”<sup>117</sup> Despite broad improvements, the security situation in Colombia continues to play a role. It affects economic performance: resources are diverted from productive uses, production costs rise and uncertainty increases, and capital flows are adversely affected.<sup>118</sup> Experts have indicated that the conflict in the past

<sup>116</sup> World Bank, “Doing Business: Top Reformers in 2006/07,” <http://www.doingbusiness.org/features/Reform2007.aspx>.

<sup>117</sup> World Bank, *Colombia 2006–2010: A Window of Opportunity*, Policy Notes presented by the World Bank (Washington, D.C.: World Bank, 2007), p. 7.

<sup>118</sup> Robert Rennhack et al., “Colombia: Selected Issues,” Country Report No. 06/401, IMF, Washington, D.C., November 2006, p. 63.



cost Colombia between 2 and 4 percent of GDP per year.<sup>119</sup> Other studies clearly link drug-trafficking activities with higher crime rates (measured in homicides and kidnappings) and less than optimal growth.<sup>120</sup> Nevertheless, Colombia has made an impressive recovery since the economic and financial turmoil of the late 1990s and successes in reducing violence and controlling the civil conflict have resulted in good macroeconomic fundamentals, higher growth and increased confidence from investors both in Colombia and abroad.

## Social Conditions

While international attention on Colombia has focused largely on security issues, human rights, and macroeconomic conditions, the country's substantial progress on key social issues has been largely overlooked. Since 1999, Colombia has made impressive gains in poverty reduction, education, and health despite the negative effect of the ongoing armed conflict and the need to increase spending on defense and security to address it. By the same token, the notable decreases in levels of violence that began in 2002 and the parallel rekindling of economic growth enhanced the ability of government institutions in Colombia to deliver social services to its poorest citizens. According to the World Bank, Colombia in 2005 exceeded the world average for progress in five out of seven global Millennium Challenge Goals and is on track to meet all national goals but two.<sup>121</sup>

### *Social Spending*

Both Plan Colombia and President Uribe's national development plan have underscored the need to advance human development in Colombia while at the same time bringing more areas of the country under legitimate state authority. The latter plan, approved by the Colombian Congress in June 2003, outlined specific steps for improving security, stimulating economic growth and "building social equity" through efficient social spending.<sup>122</sup>

According to a 2007 World Bank report, Colombia's social spending represents about 40 percent of the national budget, with "broadly redistributive" effects.<sup>123</sup> From 2004 to 2006, approximately 50 percent of the portion of the national budget dedicated to investment was allocated to the social sector and in 2006 the budget for social programs was nearly three times the amount allotted to defense.<sup>124</sup> In the 2008 budget recently approved by Congress, the amount

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<sup>119</sup> Cynthia J. Arnson, "The Social and Economic Dimension of Conflict and Peace in Colombia," p. 4; and Serafino, *Colombia: Conditions and U.S. Policy Options*.

<sup>120</sup> Mauricio Cárdenas, "Economic Growth in Colombia: A Reversal of 'Fortune'?" (working paper no. 36, Fedesarrollo, Bogotá, February 28 2007), pp. 10–12.

<sup>121</sup> World Bank, *Colombia 2006–2010*, p. 3.

<sup>122</sup> Congreso de Colombia, "Ley 812 de 2003 (por la cual se aprueba el Plan Nacional de Desarrollo 2003–2006, hacia un Estado comunitario)," Bogotá, June 27, 2003.

<sup>123</sup> World Bank, *Colombia 2006–2010*, p. 34.

<sup>124</sup> Carolina Soto Losado, "Formulación y Seguimiento del Presupuesto de Inversión en Colombia," Departamento Nacional de Planificación, Bogotá, February 13, 2006, p. 11; U.S. Department of State, "U.S. Assistance to Colombia and Plans to Transfer Responsibilities to Colombia," Report to Congress, March 2006, p. 13.

allocated to departmental and municipal governments from the national budget via the General Participation System (SGP) of tax transfers, 98.4 percent of which is earmarked for education, health and water and sanitation, is alone larger than the total amount budgeted for national defense.<sup>125</sup>

### *Poverty*

Colombia has long suffered from high rates of poverty, both rural and urban. As GDP plummeted in 1999, poverty levels spiked to over 55 percent. These levels improved, at first slowly and then at a more accelerated pace after 2004, dropping to 45.1 percent overall in 2006, with a commensurate decline in extreme poverty.<sup>126</sup> Rural poverty rates remain persistently higher than the overall average—by about 5 points overall and 7 points for extreme poverty—but are nonetheless falling at even a faster rate, according to ECLAC.<sup>127</sup> While Colombia's overall distribution of wealth is among the most unequal in Latin America, it has improved in past years (the GINI coefficient falling from 0.58 in 2002 to 0.54 in 2006). However, especially disadvantaged sectors such as indigenous populations, Afro-Colombians, and displaced persons lag far behind in terms of income and overall poverty levels.

Several government programs reach out to the poorest sectors of the population. One of the most important and fastest-growing is *Familias en Acción*, a conditional cash subsidy for families with children under 18 years of age in the lowest income and lifestyle category begun in rural areas in 2002. The goal of *Familias en Acción* is to improve nutrition and health in infants and small children and encourage school enrollment, as well as empowering women, to whom the subsidy is paid. From the 150,000 families enrolled in 2002, the program has grown to nearly 800,000 in mid-2007, with the goal of bringing participation to 1.5 million in 2008, including expanding the program to 300,000 displaced families.<sup>128</sup> Independent analyses of the results of *Familias en Acción* credit the program for greatly increasing food consumption of poorest families, substantially expanding school attendance by older children and lowering the rates of child labor.<sup>129</sup> Other government programs aimed at Colombia's poorest have also covered millions of children, including the "Child Breakfast" and "Student Restaurant" programs.

<sup>125</sup> Ministerio de Hacienda y Crédito Público, *Presupuesto 2008*, November 1, 2007, [http://www.minhacienda.gov.co/portal/page?\\_pageid=1036,994939&\\_dad=portal30&\\_schema=ORTAL30](http://www.minhacienda.gov.co/portal/page?_pageid=1036,994939&_dad=portal30&_schema=ORTAL30).

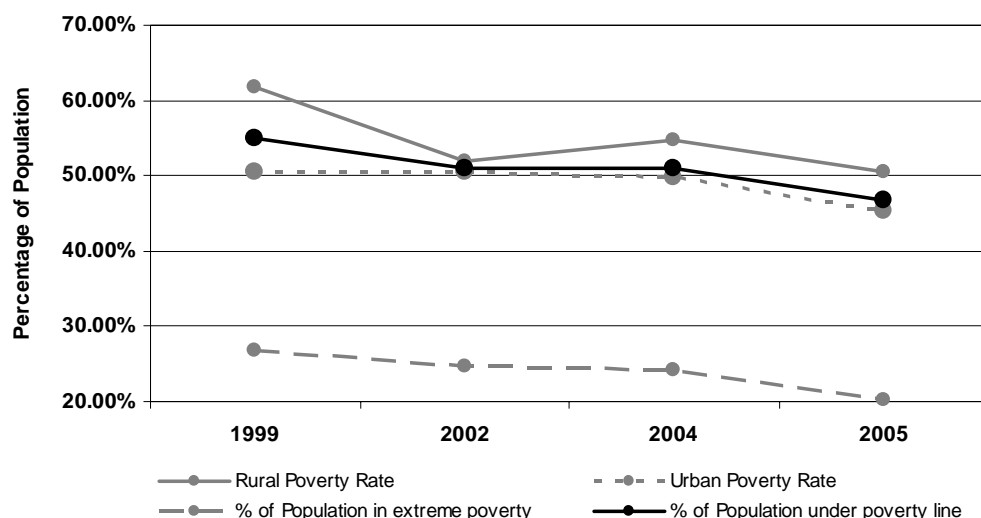
<sup>126</sup> UN Economic Commission for Latin America and the Caribbean (CEPAL), "Estadísticas Sociales," *Anuario estadístico de America Latina y el Caribe, 2006* (Santiago: CEPAL, Marzo 2007), p. 74; Presidencia de la República de Colombia, *Informe al Congreso 2007*, Bogotá, p. 59.

<sup>127</sup> CEPAL, "Estadísticas Sociales," *Anuario estadístico de America Latina y el Caribe, 2006*, p. 74.

<sup>128</sup> Presidencia de la República de Colombia, *Informe al Congreso 2007*, p. 78.

<sup>129</sup> See Institute for Fiscal Studies, "Research: Evaluation of Familias en Accion," [http://www.ifs.org.uk/projects\\_research.php?project\\_id=86](http://www.ifs.org.uk/projects_research.php?project_id=86).

Figure 16. Levels of Poverty in Colombia



Source: CEPAL (Comisión Económica para América Latina y el Caribe), United Nations.

### Health

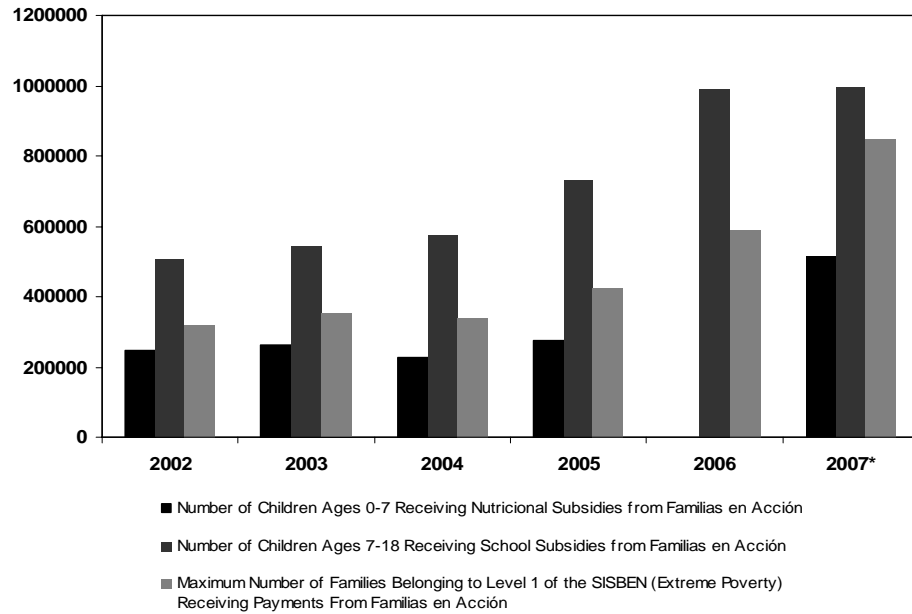
The government of Colombia, at the national level and through its budget transfers to local government, has attained important progress in its health sector.<sup>130</sup> By the end of 2006, more than 20 million Colombians in the two lowest socioeconomic categories received either full (18 million) or partial (1.9 million) health coverage under the General Social Security System.<sup>131</sup> The goal is to bring all 24 million persons in these categories into the system. Long-term indicators demonstrate progress on many important health-related fronts in Colombia. The infant mortality rate has fallen from 30 in the 1995–2000 period to less than 24 at present, 96 percent of births are attended by qualified health staff, child mortality was reduced by 20 percent between 2000 and 2005, and more than 93 percent of the relevant age groups of children now receive immunizations, an increase from 73 percent in 1999. Traditional problems still persist, however, such the high incidence of waterborne disease in rural areas, leading to widespread diarrhea in children, the cause of some 7 percent of child mortality in Colombia.<sup>132</sup>

<sup>130</sup> World Bank, *Colombia 2006-2010*, p. 10.

<sup>131</sup> Presidencia de la República de Colombia, *Informe al Congreso 2007*, p. 71.

<sup>132</sup> All statistics above from World Bank or ECLAC sources.

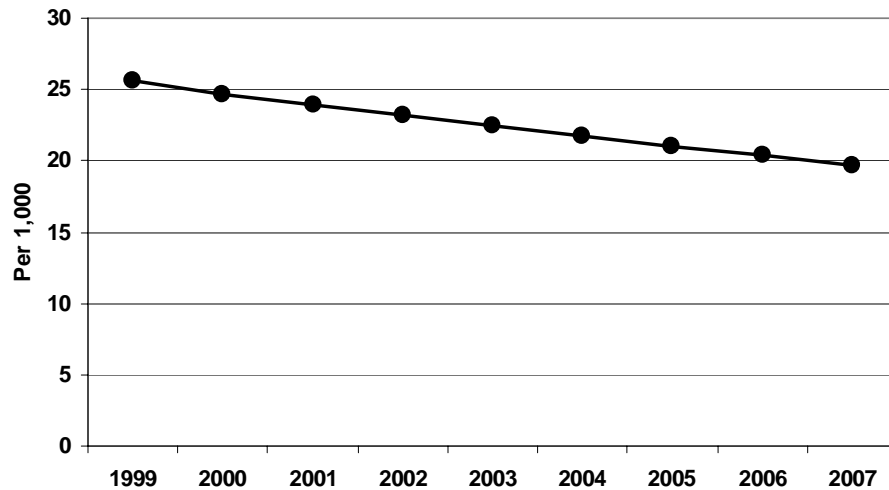
Figure 17. Beneficiaries of *Familias en Acción*



\* Number of children ages 0 to 7 and 7 to 18 receiving school subsidies from Familias en Acción, through August 2007; Maximum Number of Families Belonging to Level 1 of the SISBEN Receiving Payments From Familias en Acción, through March 2007.

Source: "Hechos de Acción Social para Contribuir a la Superación de la Pobreza," Agencia Presidencial para la Acción Social, August 2007.

Figure 18. Infant Mortality Rate (Children under One Year of Age)



Source: USAID Economic and Social Database, statistics derived from U.S. Bureau of Census International Database.

### *Education*

Since 1999, the rate of primary school-age students completing that level of study has risen steadily to nearly 100 percent while secondary school enrollment has also increased. Subsidies from the *Familias en Acción* should be a further stimulus to secondary school attendance, especially in rural areas. Colombia's larger student loan program has "dramatically expanded" higher education enrollment in past years, according to the World Bank and the number of openings in Colombia's trade and technical-level schools increased by a factor of about 3.5 between 2001 and 2006. While these are very positive indicators, according to the World Bank Colombia shares with nearly every other country in Latin America the need to pay far greater attention to the quality of the education it delivers. Colombia's overall spending on education is high by international standards, which should result in a better outcome for students at all levels.<sup>133</sup>

### **The Role of U.S. Assistance**

The United States has provided Colombia with some \$5.7 billion in support since 1999. This assistance played an important part in helping Colombia pull back from the brink of an unraveling of state institutions and in improving the security and well-being of Colombia's citizens.

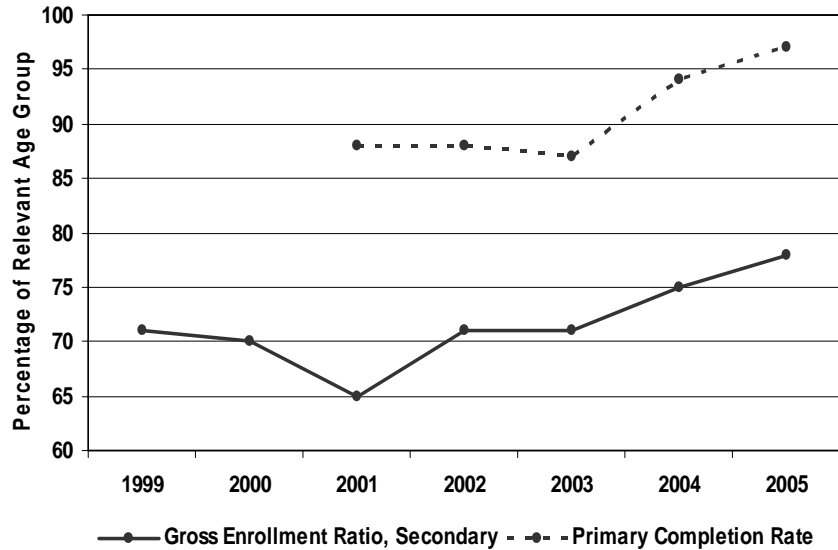
The vital injection of support from the Plan Colombia supplemental in 2000–2001, added to increased spending by the Colombian government, jump started the process of strengthening the armed forces and police and provided important resources for improving governance and the administration of justice. In following years, U.S. support was maintained at substantial levels, with the bulk of funding dedicated to counter-drug activity and security. Congress is currently considering funding for Colombia at reduced levels, in the range of \$710 million to \$680 million.

A key ingredient in U.S. assistance from the very beginning has been air lift support, specifically funding for the purchase of desperately needed helicopters. From 20 or so helicopters available to the Colombian armed forces and police in 1998, the total inventory of helicopters (government of Colombia and Plan Colombia) has risen to some 265 at present. These helicopters have made an enormous difference in counterdrug efforts, in providing mobility to military operations, in the evacuation of wounded soldiers and civilians, and in helping establish legitimate state presence in rural areas by bringing in police, judicial and civil authorities.

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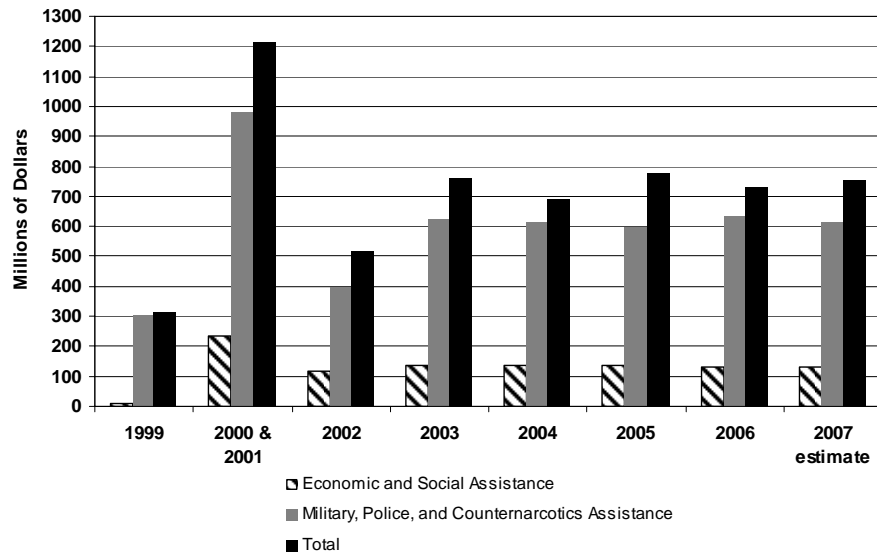
<sup>133</sup> World Bank, *Colombia 2006-2010*, pp. 8–9.

Figure 19. Education Trends in Colombia



Source: UNESCO Institute for Statistics.

Figure 20. U.S. Aid to Colombia since 1999



Source: Center for International Policy, statistics derived from U.S. Department of State.

Mobility will continue to be a core need for the Colombian government as it attempts to win back larger pieces of national territory from the FARC and from criminal elements, with the training of pilots and maintenance of helicopters central to that effort. In this regard, U.S. support remains essential. Likewise, the

ability to conduct aerial eradication of coca will continue to be an important component of the U.S.-Colombian effort against illegal drugs. While the Colombian government sees manual eradication as increasingly important (implying a central role for air and helicopter lift), the capacity to conduct aerial eradication is needed to hold in check a rapid ramp-up of large-scale coca cultivation. Any changes in U.S. support for Colombia must take air mobility into careful consideration.

There are few areas related to security, governance, justice and human rights where U.S. support has not played a role. The rapid decrease in coca cultivation from 2001 to 2004 clearly reflected the importance of U.S. support for aerial spraying. Overall strengthening and professionalization of the Colombian military and police owed much to U.S. help, although the percentage of U.S. support in overall defense and security resources available to the Colombian government has diminished steadily over time from a 1 to 2.6 ratio (U.S. aid/Colombian spending) in 2000–2001 to a 0.4 to 4.5 ratio in 2006.<sup>134</sup> The legal requirement to vet all Colombian military units receiving U.S. support for violators of human rights has had a positive effect in applying higher standards of conduct and ethics in the Colombian armed forces. U.S. assistance continues to play a large role in training Colombian military and police in a wide variety of areas essential to defense and security.

The more than \$1 billion dedicated by the United States to governance and economic and social assistance since Plan Colombia has also generated positive outcomes. More than 80,000 rural families have benefitted from alternative development projects funded by USAID, generating some 53,000 legitimate jobs and more than 100,000 hectares of legitimate crops.<sup>135</sup> USAID funding supported improvements in Colombia's system of administration of justice, building 43 *casas de justicia* in poor areas, training prosecutors, public defenders, police, judges and investigative experts. Other funding supported efforts to strengthen human rights, including the protection of human rights workers, improving witness protection, and investigating past abuses. Likewise, the United States has supported efforts to assist in the process of the demobilization of paramilitaries, in providing services to child soldier deserters from the guerrillas and paramilitaries, to helping ease the plight of displaced persons, and in training anti-kidnapping units of the police.

## Conclusions

Colombia's record in pulling back from the brink of state disintegration in 1999 and its subsequent progress on the security, governance, human rights, economic, and social fronts constitute a success story. While many countries in Latin America have made strides in one or more areas in past decades, few have achieved gains over such a broad range and none in the face of the adverse

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<sup>134</sup> U.S. Department of State, "U.S. Assistance Programs in Colombia and Plans to Transfer Responsibilities to Colombia," Report to Congress, March 2006, p. 13.

<sup>135</sup> *Ibid.*, p. 25.

circumstances confronting Colombia. At the same time, daunting challenges to the well-being of Colombians and to democratic governance remain in place. Colombia must focus its political will and resources both wisely and boldly to address these challenges if progress is to be consolidated at a higher level.

## Achievements

The key achievement since the start of Plan Colombia in 1999 has been Colombia's progress in strengthening legitimate state authority and restoring a much higher degree of security to the daily lives of most Colombians. Without a greatly improved security environment, the many other impressive advancements in the economic, governance, human rights, and social areas would not have been accomplished. Some of the most significant achievements include:

- *Reversing the balance of power between legitimate state authority and illegal, terrorist, and criminal groups.* In the late 1990s, the scales tilted dangerously in favor of the guerrillas, paramilitaries, and drug traffickers. By strengthening and professionalizing the armed forces and police as a result of the application of Plan Colombia and the Policy for Defense and Democratic Security, the state recovered and augmented its authority to govern. The FARC remains a difficult adversary but it is clearly on the defensive, its former military power sapped. The ELN is weak and ripe for demobilization. Nearly all paramilitary groups are now demobilized and no longer pose a military or national political threat. With their demobilization, levels of violence and human rights abuses have dropped significantly.
- *Reducing rates of violence and crime.* The reassertion of state authority is closely linked to the sharp decline in activity by paramilitaries and guerrillas, leading to a dramatic downturn in levels of violence. Colombia's success in curbing massacres, murders, terrorist acts, and kidnappings has saved thousands of lives and restored citizen confidence in legitimate government. As rates of these and other crimes and abuses have fallen, Colombians have resumed more of what could be considered normal lifestyles, stimulating commerce and economic activity.
- *Advancing the observation of human rights.* It is no coincidence that levels of human rights abuses have closely paralleled the rise and fall in activities by the guerrillas and paramilitaries. As the legitimate power of the state became further consolidated and the illegal armed groups moved to the defensive, rates for major human rights abuses began to fall. While there may be debate as to the different variables in play, the trend is undeniable.
- *Checking the political and economic reach of drug trafficking.* While the original eradication goal established in Plan Colombia has not been met, it is a mistake to write off counter-drug efforts since 1999 as a failure. The major declines in coca cultivation achieved between 2001 and 2004 disrupted the narcotics market and prevented hundreds of millions of dollars from further fueling the activities of the FARC, paramilitaries and narcotics gangs. It is currently in vogue to criticize the coca spraying operations conducted by



Colombia with U.S. support, but without them, drug production and profits would have spiraled. Production of opium poppy has been greatly reduced—on a sustained basis—keeping large quantities of heroin off the streets of the United States. Future counter drug efforts must increasingly balance the need for alternative development opportunities in rural areas and keeping coca production in check.

- *Improving governance.* Effective government, when it functioned at all in Colombia before the crisis of the late 1990s, was an urban phenomenon. With the security improvements of past years and increased state resources, important aspects of governance are being strengthened, above all in the judicial area, where progress is vital. Control of corruption, an endemic problem in Colombia, is improving.
- *Expanding the economy.* Events since 1999 conclusively demonstrate the link between improved security, citizen confidence and economic growth. Colombia's strengthening economy is not only creating jobs, reducing poverty, and improving the general welfare, it is also weakening the underpinnings of the drug economy and generating more tax resources for investment. In this regard, the pending Trade Promotion Agreement with the United States provides an important vehicle for future growth and development in Colombia and is a symbol of friendship and shared mutual interest between the two countries.
- *Bettering the lives of Colombians.* Many key social indicators demonstrate progress since 1999 in improving the lives of Colombians, especially the least fortunate.

## Challenges

None of the essential problems that Colombia must confront are new. They have historical roots and are tightly linked to traditional weaknesses in the ability of national and local government to assert legitimate and effective authority. These challenges must be addressed simultaneously, since they are inter-related, and with political determination if progress is to be made. Without further progress, Colombia's impressive gains in past years are in danger of being rolled back. These challenges include:

- *Consolidating legitimate state authority in yet more areas of national territory.* This must be achieved in a manner which coordinates the activities of security forces, at first the military but then the police, as well as an effective judicial and civil presence, including teachers, civil servants, and pertinent health and social service personnel. It requires sustained expenditure by the state not only on security but on other elements of governance. It also requires mobility, especially air lift capability, implying large investment in pilot training and helicopter maintenance. Efforts at manual eradication of coca in rural areas provide a useful platform for expanding multi-faceted state authority.

- *Expanding and improving the rule of law.* This is an essential ingredient. The inability of the Colombian state to enforce the rule of law in its national territory, a factor closely linked to a weak security apparatus and the challenges of the illegal armed groups, in the past had compounded the negative effects of criminal and political violence and led to widespread impunity. Positive changes inherent in the Constitution of 1991 and the migration to an accusatory system for criminal procedure help pave the way for improvements in the administration of justice, but the state must follow up with more resources for the hiring and training of judges, prosecutors, public defenders, forensic investigators, and judicial employees to make justice more accessible, transparent, and responsive to the people.
- *Following through on the paramilitary demobilization process and application of the Justice and Peace Law.* The process of paramilitary demobilization has been a difficult attempt at compromise. The demobilization has put enormous strain on an ill-equipped state, but the ability of government to meet more of the expectations outlined in the Justice and Peace Law will help improve the administration of justice overall. Key challenges include more effective investigation and prosecution of past paramilitary abuses, forfeiture of assets, compensation for victims and continued judicial authority to investigate and prosecute links between paramilitaries and political and military figures. Further revelations of such associations should come as no surprise and should be seen as a positive development. The state must make every effort to promote the successful reinsertion into society of rank-and-file paramilitary elements and the effective punishment under the law of high-ranking leadership and the so-called *mandos medios*. Current indications of a localized resurgence of former paramilitary elements as narco-criminals are cause for concern and must be aggressively dealt with by Colombian law enforcement.
- *Continuing the elusive search for peace.* There will be no “victory” over the ELN or FARC in a military sense. If an end to the armed conflict is brought about, it will come through a political process, although it is almost certain that neither the FARC nor ELN would ever agree to demobilize under the terms of the Justice and Peace Law but would instead demand some sort of amnesty. In the case of the ELN, many of the conditions necessary for this process to be successful are in place. The FARC, however, presents a very different picture. While neutralized militarily, it is not defeated and will not consent to real peace talks until a point is reached where it no longer has any hope of prevailing over the government. That realization will probably come slowly, enhanced by the increasingly tarnished image of the FARC in international circles. For now, the FARC is content to wait out the Uribe government and hope for better future circumstances under which to operate. While the FARC may eventually reach the point of becoming a nonfactor in national affairs, it still poses a threat to governance and the rule of law and holds hundreds of unfortunate hostages.

- *Improving the observance of human rights.* The human rights situation in Colombia has improved but remains a difficult one. Advances in the peace process and a still larger legitimate state presence will promote greater respect for basic rights but the government must also redouble its efforts to protect citizens and vigorously prosecute any state actors accused of human rights abuses. Colombia's independent judiciary must be strengthened.

## U.S. Support for Colombia

- While Colombia's accomplishments since the late 1990s are due primarily to the efforts of the Colombian people, the United States played an important support role. The supplemental aid package to bolster Plan Colombia approved by Congress with bipartisan backing in 2000 provided much-needed funding at a crucial juncture. It helped turn the tide in favor of legitimate state authority, setting the table for improvements in security, human rights, governance, and social and economic development.
- Critics of U.S. support for Plan Colombia argued that the United States risked becoming involved in a dangerous civil conflict, that Colombia would be "another Vietnam," that it was a "slippery slope" of ever-increasing military involvement. Claims were made that aerial spraying of coca fields would only fortify the guerrillas while creating an environmental disaster. None of this has proved true. Instead, U.S. support for Colombia constitutes a foreign policy success story.
- Over time, U.S. assistance has constituted an increasingly smaller share of total resources available to the government of Colombia in meeting the many challenges it confronts. That does not, however, diminish the importance of that assistance with regard to outcome, since much is focused on key activities such as training and human resource development, helicopter and other aircraft operation and maintenance, and targeted inputs in support of justice, governance, and human rights that are essential longer-term investments. Future adjustments in U.S. support must be made carefully with these considerations in mind.
- Support for Colombia is in the national interest of the United States. The U.S. has a continued stake in Colombia's security, stability, and prosperity. The investment made by the United States to help prevent state failure in Colombia, while sizeable in proportion to overall assistance levels in the Western Hemisphere, has been very modest compared with expenditures in crisis areas around the world.

## About the Authors

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