



## Humanitarian Agenda 2015 Colombia Country Study

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*Humanitarian Agenda 2015 (HA 2015)* is a policy research project aimed at equipping the humanitarian enterprise to more effectively address emerging challenges around four major themes: universality, terrorism and counter terrorism, coherence, and security.

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### Overview

Colombia is experiencing a serious humanitarian and human rights crisis, much of it inseparable from the country's decades-long internal armed conflict between left-wing guerrillas and the Colombian state, in sometime association with right-wing paramilitary forces. About ten percent of the nation's 44 million people have been displaced once or more often by the strife, many of them now without identity papers or formal titles to their lands.<sup>1</sup> An estimated half of the displaced are children under the age of eighteen; there are also some 7,000 child soldiers, with recruitment continuing. Colombia's indigenous population, about two percent of the population, has been particularly affected: twelve of ninety-one indigenous groups are facing extinction for reasons related to the conflict, including "the murders of their leaders, massacres, threats, blockades, and forced displacement."<sup>2</sup> The human rights situation overall is "characterized by a series of grave violations linked to civil and political rights and by unresolved challenges in terms of economic, social and cultural rights."<sup>3</sup>

Indeed, pervasive poverty and chronic underdevelopment underlie conflict-related deprivation and depredation. In 2005, fully two-thirds of the Colombian population lived in poverty, half of them in conditions of extreme poverty.<sup>4</sup> Poverty is particularly pronounced among the



country's Afro-Colombian minority, many of them concentrated in the Atlantic and Pacific coastal regions. UNDP's 2005 Human Development Report ranks Colombia 69th of 177 countries according to indicators of social and economic development. This ranking places Colombia in the "medium" human development group, behind countries (in order of descending rank) such as Argentina, Chile, Costa Rica, Cuba, Mexico, and Brazil but ahead of Venezuela, Peru, Ecuador, Paraguay, Nicaragua, and Haiti. The ranking suggests that Colombia has significant resources of its own that can be brought to bear on its own humanitarian crisis.



CIA World Factbook

This case study on Colombia was undertaken as part of a larger research initiative, *The Humanitarian Agenda 2015: Principles, Power, and Perceptions* (HA 2015), which seeks to analyze the major challenges facing the humanitarian enterprise during the coming decade. The experience of Colombia sheds light on all four themes of the HA 2015 research. First, with respect to universality, Colombia sees itself as part and parcel of the western world. There is broad resonance between Colombian religious and civil traditions and the global humanitarian ethos, laws, and institutions. This comfortable fit exists despite the general unwillingness of key Colombian political authorities to acknowledge the presence of internal armed conflict, which would be to accept the applicability of international

humanitarian law. In a larger sense, however, the authorities do not question the framework of international norms by which Colombian policies and practices are judged.

The focus group and individual interviews conducted for this study concentrated on terrorism, understood as “violence or the threat of violence against ordinary civilians, against their life, their property, their well-being. [Terrorism] is a means to attain a political goal which allegedly could not be attained by ordinary, lawful means, within the context of the established constitutional order.”<sup>5</sup> A broadly held consensus emerged that what might be called “small ‘t’ terrorism” was tearing apart the human, social, economic, and political fabric of Colombian society while introducing major complications into the functioning of international and domestic humanitarian and human rights organizations. At the same time, alleged connections to an overarching global war on terrorism (“capital ‘T’ terrorism”) were found to be overdrawn. Although there are myriad interactions between Colombia and Latin America, the United States, and the wider world, terrorism does not provide the central axis for them. While the Colombian authorities, who see their nation involved in a life-and-death struggle for survival, perceive advantages in framing local challenges by reference to the global war, these benefits are, in broader compass, significantly outweighed by the damages to the humanitarian enterprise resulting from the inclusion of Colombia within the “global war on terrorism” framework. To many of those interviewed in Colombia, the government’s preoccupation with terrorism seems diversionary to the task of overcoming long-standing economic and social inequalities.

Although lack of effective state presence is an underlying factor in the conflict, Colombia prides itself on being a well established democracy, with an elected president, vice president, and legislature, a system of checks and balances, and a rich and complex array of institutional viewpoints and power centers. Yet anomalies abound. The contextualization by the Uribe and Bush administrations of the conflict within a global war on terrorism distorts a clear understanding of what is transpiring and skews policy responses. Humanitarian and human rights groups are forbidden from having contact with the armed non-state actors, though they encounter them routinely at roadblocks and elsewhere in their daily rounds. Capital “T” terrorism is, in short, less an objective reality than a name people give to violence that makes them uncomfortable.

As for the third theme, coherence, the prevailing political framework promoted by the United States government in the form of Plan

Colombia and embraced by the Colombian authorities in its own “democratic security” policy provides an uneasy fit for international assistance and protection activities and a point of tension between the US and other donors. While a UN political or peacekeeping framework might arguably have provided a more comfortable home for such international activities, UN organizations themselves evidence considerable difficulty in functioning as a system and in advancing a common strategy in response to challenges such as preserving humanitarian access to contested areas and relating to the demobilization and reintegration of the paramilitaries. With humanitarian and human rights activities placed within the prevailing political framework and portrayed as extensions of it, the resulting politicization has minimized the contribution of such activities to the construction of peace.

Finally, with regard to security, there has been by most accounts an overall reduction in the incidence of specific forms of violence in late 2005 and early 2006 from the withering levels of the preceding five years. Yet a climate of fear still pervades many sectors of society and there were, at the time of the research visit, still numerous incidents taking place, including killings and harassment of leaders of civil society organizations. The impacts of continuing instability on humanitarian organizations included reduced profile and outreach and, in some areas, suspension of programs altogether. As of March 2006, eight of thirty-two Colombia's provinces had been closed to humanitarian operations for reasons of security. “It is still dangerous to talk about human rights in this country,” observed one respected commentator. Chilling indignities and daily insecurities of many of Colombia's rural and displaced poor stood in sharp contrast with more upbeat appraisals by the Colombian and US authorities.

### Methodology

The research on Colombia involved desk study in late 2005 and early 2006, two rounds of interviews in Washington, DC, in November 2005 and January 2006, and an intensive two-week period in Colombia in February–March 2006. The in-country time included visits to, and “town meetings” with, communities of the displaced and municipal and regional officials in the Atlantic Coast provinces of Cordoba, Bolivar, and Sucre. The researcher participated as an observer in a delegation of Protestant religious leaders from the US Midwest visiting, under the sponsorship of the NGO Lutheran World Relief, “peace sanctuary churches” in the Atlantic Coast region.

Conversations in the rural areas were followed by interviews in Bogotá with host and donor government officials, civil society organizations,

international and Colombian humanitarian and human rights groups, and Colombian and US military personnel. Some of the discussions in Bogotá, including one with Colombia's vice president, involved the delegation as a whole. Most, however, were conducted by the researcher on his own. He also met with focus groups in the capital including donor government officials, humanitarian organizations, human rights groups, and UN agencies. Interviews and conversations with some 300 persons during the fortnight, combined with discussions with persons in Washington and elsewhere, helped generate the data presented and analyzed below. Interviews conducted in Spanish relied on interpreters. Given the sensitivity of the issues, most interviews were conducted off the record and, with some exceptions, their contents are conveyed here without attribution. These necessary ground rules are themselves a barometer of the delicacy of the issues. As with the other country studies, emphasis is placed on the perceptions of interviewees on issues of principle and power as they affect the humanitarian enterprise.

### Acknowledgments

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### Universality

The Colombian state and civil society view themselves as firmly situated within, and proud exemplars of, western political and religious culture. The current debate about humanitarian action and the responsibilities and accountabilities of the state is grounded in the language of western concepts and jurisprudence. Colombian civil society is by all accounts one of the most variegated and vibrant in the southern hemisphere. However, the free and open exchange of ideas is one of the casualties of five decades of conflict. A network of informers, put in place by the government to discourage and monitor support for left-wing guerrilla groups, is seen by political analysts and humanitarian and human rights personnel as undermining public discourse. Constraints notwithstanding, there is no doubt about the rootedness of Colombian traditions in the West.

Western religious traditions loom particularly large in Colombian polity and society. The Catholic Church, which has over the centuries played a major public and official role in Colombian life, is entrusted with

facilitating discussions taking place in Cuba between the government and the Ejercito de Liberacion Nacional (ELN) guerrilla group. The Church has also been involved in discussions regarding demobilization of right-wing paramilitaries. Evangelical churches, known for their historic pietism and lack of social engagement, have of late become seized with issues of conflict and peace, assisting the displaced and becoming national as well as local forces for justice and reconciliation. The inclusion of religious freedom in the constitution of 1991 laid the groundwork for greater respect by the state for religious diversity, which is only beginning to be achieved.

For the Catholic hierarchy and the evangelical community alike, faith-based views have represented a vital entry point into the world of more universal values. Evangelical congregations that have declared themselves peace sanctuary churches have done so in part to remind the armed actors of their responsibilities under international humanitarian law not to harm religious structures or facilities and those seeking shelter in them. Other groups have established, with mixed results, zones of peace, extracting agreement from the armed actors not to intervene or interfere within those borders.<sup>6</sup> Government leaders take a dim view of the use of terms such as sanctuaries, peace communities, and humanitarian space, frowning on the initiatives of civil society organizations to carve out preserves free from the conflict.<sup>7</sup> In fact, while international norms and values are widely shared, there is a fierce struggle over their application in the public square. Yet even in criticizing the activities of humanitarian and human rights groups, as noted in the discussion of Terrorism below, the authorities affirm their own fidelity to international norms.



A project signboard in the resettlement community of Nueva Esperanza (New Hope) in Cordoba Province, indicating the various agencies cooperating in the resettlement effort.

Photo: Nils Dybvig

The churches express a clear preference for a Christian approach to the humanitarian agenda, based in part on a biblically rooted understanding of their faith. Commenting on the special role of the churches in the return of the displaced to their homes, one religious leader in the Atlantic coast region observed that “People’s spirituality is a fundamental part of their cultural identity.” Yet leaders in church-related aid organizations are quite prepared to seek allies in other traditions and institutions. Some speak of enlisting secular entities in their work. “I wear my OAS T-shirt,” explains one church-related community organizer who is involved in an initiative by the Organization of American States to train local leaders in adjudication

skills to offset the lack of a functioning state judiciary. “But there are times when I need to put the shoes of the church on my feet.” Colombia’s Vice President himself has expressed the state’s willingness to work with anybody and everybody from religious and secular organizations alike—he mentioned Islamic groups in particular—in the interest of getting reconstruction moving.

Interviewed in focus group meetings of humanitarian and human rights organizations, participants contextualized their own activities in specific relation to established international norms and traditions. Both sets of groups examined the liabilities created by the Colombian government’s refusal to acknowledge the presence of internal armed conflict at levels which would trigger its responsibilities under international humanitarian and human rights law. Some members of the Colombian human rights community expressed concern that high-profile disregard by the United States, Colombia’s major international patron, for provisions of international law—treatment of prisoners arrested in the “war on terror” and rejection of new instruments such as the International Criminal Court and the International Treaty to Ban Landmines were cited as examples—was putting human rights activities in Colombia at risk. US disregard of the applicability of the normative global framework was seen as providing cover for the Uribe administration to invoke national security arguments in restricting Colombian civil liberties.

Once again, agreement on universal values did not produce unanimity regarding their application. The Colombian administration is anxious to portray itself as upholder and defender of internationally recognized human rights. “There is no country in the world,” President Uribe has observed, “that, confronted by the challenge of terrorism such as Colombia’s, has guaranteed as has Colombia the full array of liberties.”<sup>8</sup> For their part, civil society organizations, secular and religious alike, affirm the sanctity of human life in a hostile environment. After decades of withering violence and with social structures perceived as having one law for the rich and another for the poor, Colombia seems to many of the dispossessed “a land where life is without value.” The assistance and protection work of Colombian organizations, supported by outside partners, affirms, often against all apparent odds, that life is worth living. Colombian civil society looks to UN organizations, international NGOs, and donor governments to anchor and support universal values, the point of the fulcrum for holding the Colombian government itself accountable.

The applicability of global values is sustained and nurtured by a variety of links between Colombian institutions and outside actors. These

include the “accompaniment” of local and national leaders by allies from abroad,<sup>9</sup> and “hermanamiento,” the process by which Colombian groups “become brothers” with international counterparts. The delegation of church leaders that traveled in the Atlantic Coast region in February 2006 accompanied their counterparts at meetings with municipal and regional authorities to reinforce local demands for improved security and accelerated resettlement. The delegation also flagged local priorities in a meeting with Colombian Vice President Santos, who agreed to step up the pace of security, resettlement, and social services. Citizen pressure is geared toward turning into reality the government’s rhetorical commitment to making state structures more responsive. In such meetings, local Colombian civil society actors take care to balance the initiative-taking role of private sector institutions with insistence that the state meet its own non-derogable responsibilities.

The picture of the Colombian state that emerges is an ambiguous one. On the one hand, the state uses its authority and acts forcefully when it deems it necessary. On the other, it has acknowledged difficulty delivering essential human services and orchestrating effective relationships with the international community. The resulting tension was the subject of comment by the Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons in a report on his visit of June 2006. “Colombia is a country with commendable legislation and a far-reaching policy framework on internal displacement,” wrote Dr. Walter Kälin. “However, there is a clear gap affecting the human rights of many among the up to 3 million displaced persons between what the law says and what is implemented at the regional and local level.”<sup>10</sup>

There was other evidence that Colombian laws and policies did not measure up fully to international norms. The 2006 report of the UN High Commissioner for Human Rights observes that “In spite of its references to the rights to truth, justice and reparation for the victims, the norms of the [Justice and Peace law which provides the framework for paramilitary demobilization] do not succeed in being compatible with international principles.”<sup>11</sup> Human rights groups insist that human rights be respected and that accountability for past abuses be built into demobilization policies.<sup>12</sup> In a judgment that corroborated the concerns of human rights groups and of the UN High Commissioner and demonstrated both the force of universality and the variegation of the Colombian state, Colombia’s highest court ruled unconstitutional “crucial provisions in a law governing the disarming of death squad fighters, ending generous concessions that have shielded warlords from serious punishment for their crimes.”<sup>13</sup>

**“Elusive peace has long chased war in Colombia, where today three wars commingle in a seamless web: a war on insurgency, a war on drugs, and a war on terrorism. Each can guise as the others, as passions and interests dictate.”**

**—James C. Jones, “U.S. Policy and Peace in Colombia: Lost in a Tangle of Wars,” Feb. 6, 2006 [unpublished]**

While it was not possible in the present research to interview the non-state armed actors on the right or left, one study of the paramilitaries has observed that “the AUC is very eager to engage with humanitarian organizations, and it understands the political benefit it can draw from better humanitarian behaviour.” While the study encourages humanitarians to frame discussions of abuses with reference to “the numerous public statements they [the AUC] have made in favour of humanitarian principles,” it notes that the impact of the agencies on paramilitary behavior has been “limited.”<sup>14</sup> For their part, the guerrillas have not embraced their obligations under international law. A FARC secretariat official is quoted as saying, “International humanitarian law and its additional protocols were signed by nations and governments. . . . We were not in that discussion nor did we ever discuss this issue with anyone officially.”<sup>15</sup>

For all of the flaunting of international norms on the ground, however, the obstacles to fuller compliance are not conceptual or cultural but instead political. While many Colombians in government and civil society found the challenges faced their nation to be distinctive or even unique, the possibility that Colombia and Colombians should somehow be relieved of obligations to meet international standards did not receive serious consideration, even by those who resisted outside international pressure.

## Terrorism

### Historical Context: The Actors

The forty-year old Colombian conflict involves three major armed actors: left-wing guerrillas, right-wing paramilitaries, and the Colombian state. The guerrilla movement had its origins during a civil war period called La Violencia (1948–1965). Today’s two major left-wing insurgents date from the mid-Sixties: the Exército de Liberación Nacional (ELN), which drew inspiration from Cuba and attracted a following among Colombian intellectual and religious circles, and the Fuerzas Armadas Revolucionarias de Colombia (FARC), a predominantly rural movement with origins in self-defense groups formed by small farmers. If a commitment to social justice figured prominently in the early ideology particularly of the ELN, the quest for economic and political power has come to dominate the motivations of the guerrillas in more recent years. The strategies and strengths of each of the groups has evolved over time. For a period in the Eighties, the FARC observed a cease-fire and ran candidates for political office. It moved into armed opposition following the assassination of a number of leaders of its political party, the Union Patriota.<sup>16</sup>

The government is currently pursuing peace negotiations with the ELN in Havana through the Colombian High Commissioner for Peace and facilitated by the national Catholic Church with involvement from France, Norway, Switzerland, and Spain. The most recent efforts at peace talks with the FARC were suspended in 2002. Over time, the FARC and, to a lesser extent, the ELN have alienated much of their popular support. Many civil society organizations that had supported aspects of FARC's vision have distanced themselves from its tactics. The FARC's estimated 16,000-20,000 members make it one of the largest guerrilla forces in the world; the ELN has an estimated 4,000-6,000 in its ranks.<sup>17</sup> In 2006, the FARC was thought to be holding more than one hundred hostages, including a number of prominent Colombians and three US military contractors.

The roots of right-wing armed paramilitary groups, the second set of armed actors, lie in the efforts of large land owners and businessmen during the late 1970s to defend themselves from the guerrillas and to advance their interests in the absence of state presence and protection in rural areas. Like the guerrillas, the paramilitaries recruited from among the many unemployed youth in the countryside and small towns. In 1997 some twenty individual Self-Defense Forces (SDF) joined together to form an alliance called the Autodefensas Unidas de Colombia (AUC). They currently number about 20,000.<sup>18</sup> In recent years, paramilitaries have increased their influence in the electoral process, claiming control over a large number of seats and politicians in the national legislature.

Both the FARC and the AUC over time have come to rely on illicit drugs to underwrite their activities. "In the course of the 1980's and especially during the 1990's, the expansion of the illicit drug economy and the appearance of drug-linked criminal organizations offered a new set of means and motives for illegal armed actors in the conflict."<sup>19</sup> The proceeds from such activities have been lucrative. "The street price of a single kilo of cocaine in New York—roughly \$110,000—buys a month's worth of salaries for 250 fighters, or 180 AK-47 semi-automatic rifles, or 120 satellite phones, or full camouflage uniforms for 1,000 men."<sup>20</sup> In the words of a ranking US military official, "narcotics and terrorist activities are inextricably intertwined."<sup>21</sup>

The Colombian state is the third major armed actor in the conflict. Its forces include the Army (Ejercito Nacional), Navy (Armada Nacional, includes Marines and Coast Guard), Air Force (Fuerza Aerea Colombiana), national guard, and the national police (Policia Nacional). Total personnel are reported by the Colombian authorities to be

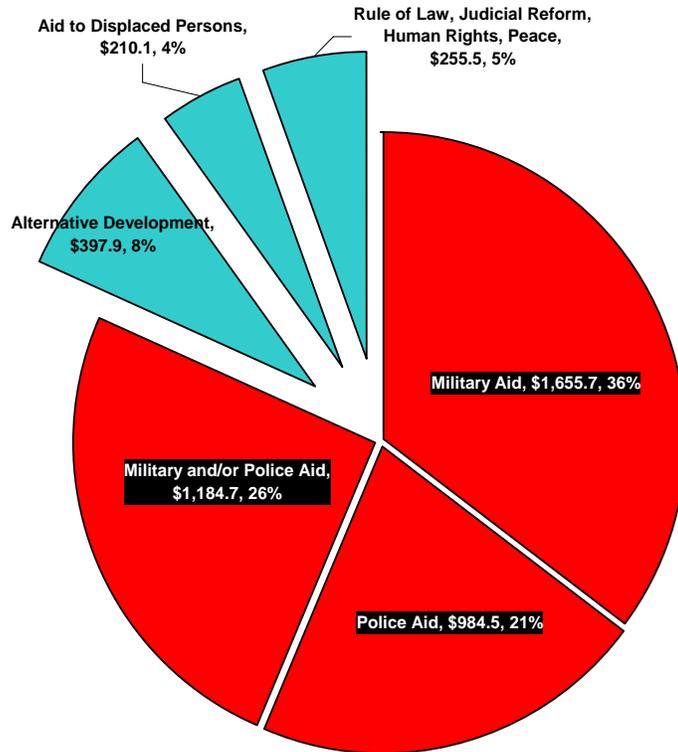
246,559 members of the armed forces and 123,235 in the national police.<sup>22</sup> US military support to Colombia in the form of military hardware, training and technical assistance is valued at \$602.6 million in 2006. In response to the US concern that Colombia was not adequately sharing the burden of funding its security needs, the Colombian authorities increased defense expenditures by 15.6% from 2005-2006.<sup>23</sup> A 2003 Gallup poll found that “the vast majority of the population as a whole supports Colombian institutions generally and the armed forces and the police in particular, and shows almost complete opposition to the guerrillas and the paramilitaries.”<sup>24</sup>

The state is of course also the primary political actor, with a succession of presidents seeking an end to the conflict through various mixes of political and military pressure and strategies, ranging from ceding control over certain territories to the insurgents to waging all-out war against them. The previous president, Andrés Pastrana Arango, who served four years beginning in August 1998, sought a negotiated end to the conflict. His successor, Álvaro Uribe Vélez, elected president in August 2002 and re-elected in May 2006, is committed to a program of “democratic security,”<sup>25</sup> which seeks the military defeat of the FARC and limits civil liberties in the interest of national security.<sup>26</sup> Meanwhile, the conflict drags on.<sup>27</sup>

If there is no doubt about the state’s attitudes toward its armed adversaries on the left, with whom it is at war, its relations with right-wing paramilitaries have been more opaque. For many years, the paramilitaries have functioned as direct or indirect extensions of the state apparatus, although in recent years the Uribe government has taken steps to distance the state from them.<sup>28</sup> Terrorism has been state-sponsored as well as a tactic of the non-state actors. Under the Justice and Peace law adopted in June 2005, members of the paramilitary may give up their weapons and rejoin society, although with negligible accountability for the abuses committed as paramilitaries. As of early 2006, some 30,000 had turned in their weapons and were re-entering civil society, some taking up law-abiding, others illicit pursuits.<sup>29</sup> A number of human rights groups oppose the demobilization arrangements for offering “immunity from prosecution for paramilitaries at the expense of justice for the victims of AUC violence.”<sup>30</sup> The “peace” arrangements in place with the paramilitaries, an armed faction that had never declared war against the state, leave unaffected (and still under arms) FARC and ELN guerrillas. The overturning of portions of this law by the state’s constitutional court in May 2006 has rendered the future of the demobilization and peace processes uncertain.

Figure 1: US Aid to Colombia 2000-2006<sup>31</sup>

### U.S. Aid to Colombia 2000-2006



Source: Center for International Policy

Colombian officials describe Plan Colombia as “an integrated strategy to meet the most pressing challenges confronting Colombia today—promoting the peace process, combating the narcotics industry, reviving the Colombian economy, and strengthening the democratic pillars of Colombian society.” Initially proposed by President Pastrana in 1999 but given a much more pervasive security persona during consultations with the Clinton administration, the \$7.5 billion “Marshall Plan” attracted \$1 billion in US assistance, largely military, in 2000, making Colombia the third largest recipient of US aid. In 2001 its activities were expanded and folded into the Andean Counter-drug Initiative. In 2002, following the events of 9/11 and the election of President Uribe, Plan Colombia placed an even heavier emphasis on Colombian national security, adding counter-insurgency to its counter-narcotics objectives. In the view of the US State Department, “The total US interagency assistance package will help Colombia address the broad range of complex and inter-related challenges it faces—its efforts to fight the illicit drug trade, to increase the rule of law, to protect human rights, to expand economic development, to institute judicial reform, and to foster peace.”<sup>32</sup>

### The Problematization of the Conflict

Recent armed conflict in Colombia has Cold War, post-Cold War, and post 9/11 phases and features. During the Cold War, the conflict was widely viewed as a subset of the larger global struggle between democracy and communism, with the US providing strong political, military, and financial support to a succession of democratically elected Colombian administrations. Support for Colombia against its insurgents was cut from the same cloth as US support for conservative governments in El Salvador and Guatemala—and its support of the efforts of the Contras to topple the Sandinista regime in Nicaragua.<sup>33</sup>

With the winding down of the Cold War, funding for guerrilla activities in Colombia from communist states in eastern Europe dried up. The Cold War paradigm was also adjusted: the rationale of assisting an ally to do battle against a Marxist insurgency gave way to a perceived US national security interest in combating traffic in narcotics. Once again, US support had political, military, and financial elements. Reflecting concern about narco-trafficking, the US, a single day before the attack on the World Trade Center, added the AUC to its list of foreign terrorist groups, which already included the FARC and the ELN. Inclusion of the paramilitaries on the terrorist list ensured greater equity in approach by the US, although, as with the Colombian government itself, there remained pronounced differences in dealings with groups on the right and the left.

Since 9/11, the lens through which Colombia's internal armed conflict has shifted from narco-trafficking to "narco-terrorism." President Uribe has framed Colombia's struggle as a battle between the state and terrorist elements, drawing connections with what are perceived to be similar assaults on law and order in the Middle East and Central Asia.<sup>34</sup> The Bush administration itself has depicted Colombia as a nation on the frontlines of a global war against terrorism: that is, as an example of terrorism with a capital "T". In fact, in the days following the terrorist attacks on New York and Washington and in advance of US retaliation against al-Qaeda in Afghanistan, senior US policy-makers mulled over the possibility of making Colombia's guerrillas a front in that wider war.<sup>35</sup> "History has taught us," the commander of the US Southern Command told the Congress as recently as March 2006, "that terrorist organizations such as al-Qaeda seek safe havens in the many ungoverned areas in this region."<sup>36</sup>

The evolving perception of the conflict in Colombia was part of a wider change in the prism through which the US viewed the world and its own national security. There was nothing new about "small 't' terrorism" in Colombia or elsewhere. As notes a comment by a

**“For the purposes of the [U.S.] Executive Order, ‘terrorism’ is defined to be an activity that (1) involves a violent act or an act dangerous to human life, property, or infrastructure; and (2) appears to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.”**

**—President George W. Bush**

Canadian NGO consortium offering a wider perspective on the reality of terrorism, “Terrorism as a specific and explicit tactic on the part of politically motivated individuals or organizations (including the state) has been around for hundreds of years and at best represents a very small element in the context of violent conflict.”<sup>37</sup> The new element post 9/11 was the linking of endemic violence, a fact of life for generations of Colombians, with a wider reality of capital “T” terrorism, with global proportions and portent. A recurring perception expressed in individual and focus group interviews conducted for this study was that capital “T” terrorism, imposed atop the small “t” terrorism with which Colombians are familiar, does violence to understanding what is really taking place. Indeed, the indiscriminate use of the GWOT label by the Uribe administration and its major patron in Washington is widely viewed as demeaning the terrible conditions under which people have been living for decades.

The conflation of conflicts—against an insurgency, against drug traffickers and other criminal elements, and against terrorists—has allowed emphasis at any given moment on whichever aspect has suited the perceived political needs of Colombia or the United States. At a time when support for counter-insurgency efforts was hard to sell politically, combating narco-trafficking and then, post 9/11, narco-terrorism provided more attractive packaging.<sup>38</sup> The opportunism of the packaging in its most recent form has been facilitated by the reality that “Terrorism” is not a legal notion. It is much more a combination of policy goals, propaganda and violent acts—an amalgam of measures to achieve an objective. In a nutshell, however, terrorism is criminal behavior. Conversely, “war on terrorism” is the sum total of all forms of action taken to combat terrorists.”<sup>39</sup>

Beginning in 2002, the US government’s “executive branch foreign assistance justifications began to underscore the war on terrorism as the top foreign aid priority, highlighting amounts of US assistance to 28 “Frontline” states in the terrorism war—countries that cooperated with the United States in the war on terrorism or faced terrorist threats themselves.”<sup>40</sup> Also in 2002, reflecting the impact of 9/11 on foreign policy, US legislation authorized the use of counter-narcotics funding for counter-terrorist purposes.<sup>41</sup> Colombia was the only country for whom this expanded scope was authorized. In the same year, the US deployed a contingent of Green Berets to protect US interests in a Colombian oil pipeline.

For its part, Colombia has embraced the global war on terrorism and its role in it. In the immediate aftermath of 9/11, then-President Andrés Pastrana Arango sought “to maintain some kind of distinction

**“[T]he notion of ‘war’ against terrorism is a political slogan—comparable to the ‘war’ against poverty or the ‘war’ against AIDS.”**

**—Hans-Peter Gasser**

between ‘insurgent’ and ‘terrorist,’” but the two were soon conflated and those challenging the Colombian state were portrayed as terrorists.<sup>42</sup> President Álvaro Uribe Vélez has made the conflict in Colombia’s part and parcel of the US-led global war against terrorism, differentiating his regime from others in the region by promptly backing the US-led war in Iraq.

The democratic security policy of the Uribe presidency is seen by many of those interviewed as akin to US policies articulated by President George W. Bush and reflected in the USA Patriot Act. Policies in both nations are premised on the existence of terrorism as a global reality and include a heavy emphasis on military—as distinct from law enforcement—approaches to combating it. Also prominent is the downgrading of civil liberties and applicable international law and a mentality that conceives of issues largely in “for us or against us” terms. Other global and regional connections confirm that Colombia is playing on an international stage. Colombia is a staunch US economic ally, committed to supporting the US push for a Free Trade Zone. Recent victories by the left in Venezuela and elsewhere in the region are being closely watched in Bogotá and Washington alike for signs of the growing isolation of conservative regimes. Leaders of the paramilitaries have reportedly been trained by and/or in Israel.

Colombia is reportedly the only country in Latin America which describes itself as engaged in a war on terrorism. Asked about the fit between Colombian terrorism and the global variety, however, Colombian officials acknowledge—with a smile, a laugh, or a blush, as the case may be—that the connection is something of a stretch. Skeptics in Colombian civil society speak circumspectly of the “so-called” or “supposed” war on terrorism. An international NGO on the scene since 1994 observes that in its experience, “the situation involving terrorism has remained basically the same through all these years,” although the NGO shuns the use of the word terrorism because of its emotive and political aura. What serves as an all-purpose explanation for some is thus avoided by others. A seasoned analyst of Colombia concurs. “The level of violence hasn’t changed, but the violence has been given a new name, which makes everything more complicated.” A human rights investigator and advocate who chronicles the details of terrorism as practiced by Colombia’s armed actors, reaches a categorical conclusion: “there are no global terrorists in Colombia.”<sup>43</sup>

Judging from town meetings and individual and group interviews, many Colombians consider the country’s connection to any wider war something of a marriage of political convenience. That terrorism is a

domestic reality, however, is beyond doubt. Armed groups on the left and right operate even within the capital city as well as in Colombian universities. Virtually everyone in the country is said to have experienced a terrorist act personally or knows someone who has. President Uribe's father was killed by the FARC and Vice President Santos himself was held hostage.<sup>44</sup> The consensus among those interviewed in Colombia, however, is that the problem in Colombia is that of armed groups and drug traffickers wreaking havoc on civilians, not that of terrorists of global reach subverting a democratic state. In fact, when one NGO asked people in the Barrancabermeja region in a 2005 survey to identify the major sources of the violence, internal armed conflict emerged as the major cause (66.7%) as contrasted with terrorism (13.3%) and narco-trafficking and criminal elements (6.7% each).<sup>45</sup>

Such conflicting views about a global terrorism connection mirror divided opinions among US officials. One interviewee in the US Southern Command, which includes Colombia, disavows any connection. US policy and interests in Colombia, he maintains, are free-standing and independent of any global conflict or construct. There is no funding from the Defense Department's global terrorism "pot" in Plan Colombia, he says. Others in the Department see US interests in Colombia as part and parcel of US' global anti-terrorism objectives. Drug and criminal networks are potential if not actually funders of Islamic terrorism, they say. There have also been reports of "rumours" of plans "to create a FARC 'International Command,' allying FARC with foreign insurgent groups."<sup>46</sup>

One State Department official, interviewed in Washington, cast more fundamental doubt on the idea of a global war on terrorism itself, which is global only in a very specialized sense. If you help individual countries—Colombia, the Philippines, Indonesia, and so on—to battle home-grown terrorists, pretty soon you're engaged in a global war, she observes. AID officials in Bogotá point out that Plan Colombia predated the "global war on terrorism," as terrorism in Colombia itself predates both Plan Colombia and any global war. Yet post 9/11, they say, the specific has merged with the general. Thus in the view of the Clinton and Bush administrations, the US has been supporting Colombia in that nation's own war on terrorism while leading the larger fight as well.

Congressional sentiment is also divided, with some members of Congress more energized by reducing the influx of illicit Colombian drugs than by equipping the Colombian military to do battle against terrorism.<sup>47</sup> On Capitol Hill, conservatives have emphasized the

importance of stemming the drug trade, using counter-insurgency tactics if necessary, while liberals have sought to condition military aid on the observance of human rights by the Colombian military in its counter-drug activities. Being perceived as “tough on drugs” may have more political mileage in some quarters than being “tough on terrorism” or, for that matter, “tough on human rights abuses.” In any event, there is no shortage of political opportunism in how the conflict is framed, whether in Colombia, the US, or elsewhere.

The conflict in Colombia has been an ongoing source of tension in Colombia’s relations with the wider world. In a reversal of Colombian government policy under his four predecessors and of his own early approach, President Uribe has chosen not to acknowledge the presence of internal armed conflict, as urged by the international community. According to a declaration from a London Meeting on International Support for Colombia on July 10, 2003, “All government representatives present reaffirmed their strong political support for the Colombian Government in its efforts to address threats to democracy, terrorism, illegal drugs, human rights and international humanitarian law violations and the serious humanitarian crisis.” In coordinating follow-up to the London meeting and to a subsequent session in Cartagena Feb. 3-4, 2005, however, the Colombian authorities insisted on problematizing the conflict as a function of terrorists and criminals rather than insurgents. They were reportedly motivated by a desire to avoid elevating the status of the guerrillas and associating their country with failed or failing states. The idea of Colombia as a South American Somalia was particularly repugnant.

The application of the nomenclature of terrorism to the conflict has become the official Colombian description of the conflict taking place. This strikes some as odd, including the donor government official who puzzles over what is to be gained for Colombia from stressing the global terrorism connection when US concerns about narcotics will guarantee the highest possible aid levels with or without the terrorist linkage. A UN official who managed drug eradication efforts in Afghanistan and has witnessed al-Qaeda tactics first-hand is also puzzled, seeing, beneath the rhetoric of Colombia as a frontline state in a global war on terrorism, at most “a very local war on terrorism.”

In sum, there are multiple dimensions to the conflict in Colombia. The concept of small “t” terrorism fits the violence that is taking place in Colombia, as long as applied to state as well as non-state actors. Capital “T” terrorism does not fit the present circumstances. While the appellation may serve certain purposes in Bogotá and Washington, it distorts perceptions of events and distracts from a clear perception of

what is taking place. The use of the terrorism label also has had wide-ranging repercussions not only on public discourse in Colombia and abroad but also on the activities of humanitarian and human rights groups. These will be examined shortly.

### The Human Toll

Ample documentation is available on the impacts of small “t” terrorism on the human condition and civil society. Perhaps the most detailed compilation comes from a Colombian NGO, the Centro de Recursos para el Analisis de Conflictos (CERAC). Based on a review of data from governmental and non-governmental sources over a 15-year period, CERAC attributes 47,420 casualties directly to the conflict, “representing an average of 3,161 casualties annually, including 2,127 killings.” The total number of homicides peaked at 28,837 in 2002. The CERAC study suggests that few casualties were attributable to the paramilitaries pre-1996 as they were initially “more involved in drug trafficking than in anti-insurgent warfare.”<sup>48</sup> The increase in civilian casualties in 1997 and thereafter “was probably connected to the fierce rivalries between the paramilitaries and the guerrillas, with both groups targeting civilian ‘infrastructure’ thought to be supporting the other group.”<sup>49</sup>

The human toll of the conflict is also illuminated by annual reports by the US Department of State and the UN High Commissioner for Human Rights. The United States government’s review of 2006 documents violations by all parties to the conflict in the form of political and unlawful killings, forced disappearances, torture, arbitrary arrest and detention, and other abuses of international humanitarian law. Yet the report presents the trends as overall positive. “Although serious problems remained, the government’s respect for human rights continued to improve,” particularly in such categories as massacres, killings of labor leaders, and forced displacements.

The annual UN human rights review covers much of the same terrain. Drawing on more extensive travel and monitoring, however, the UN sees the trends as more worrisome and is more prescriptive and hortatory about what needs to be done. “A number of indicators of violence at the national level continued to show a downward trend,” it acknowledges. “At the same time, absolute figures on homicides, massacres and kidnappings are still very high.”<sup>50</sup> The UN report raises fundamental questions about the extent to which members of the Colombian security forces are implicated in the activities of the paramilitaries, the inadequacies of the demobilization process, and the special vulnerability of the country’s Afro-Colombian minority as well as the indigenous (i.e., tribal) population.<sup>51</sup> Clearly the issue in not

simply the number of incidents but the active prosecution of targeted human rights violations by the justice system.

Beyond patent humanitarian hardship and flagrant abuses of human rights, some analysts have pointed to a special cruelty in the Colombian context. One human rights lawyer maintains that the “grotesqueness” of the many violations make it particularly difficult to build on the otherwise encouraging threshold of human dignity affirmed in the 1991 constitution. “Massacres have always taken place,” he notes, but since the 1980’s mutilation of corpses has on occasion followed the killings.<sup>52</sup> In this context, the disparities between the government’s treatment of the victimizers now being demobilized, on the one hand, and of the displaced whom they have victimized, on the other, become pertinent. But here again, easy generalizations may be misleading. As one interviewee pointed out, “Everyone in Colombia is a victim, and many are victimizers as well.”

The practice of terrorism by armed groups on the left and right and by the Colombian state has undoubtedly taken its toll on the fabric of Colombian society. It has created a crisis of world-class humanitarian and human rights proportions. In terms of the extent of internal displacement, UNHCR reports that Colombia in 2005 overtook Sudan as the country with the largest number of internally displaced persons.<sup>53</sup> Displacement has been caused not only by the internal armed actors but also by the aerial spraying of coca and poppy crops by the United States.<sup>54</sup> Some 75% of all labor union assassinations globally take place in Colombia. “It is easier to create a guerrilla than a labor union,” one human rights advocate says sardonically. Colombia might also lead the global list in violence against religious leaders, were such a list kept. One private count, said to be conservative, puts the toll of assassinations of Protestant pastors in 2003 alone at forty five, in a country where Protestants represent some five percent of the population. Neither insurgents of the left or right have a monopoly on violence, although each has its distinctive practices. Overall, “Civilian deaths in recent years have occurred primarily in events involving the paramilitaries and secondarily in events with guerrilla participation.”<sup>55</sup>

In reviewing the human toll of terrorism, the impacts of state terrorism must also be examined. By most accounts, the Colombian state in recent years has been a partner in the mayhem by supporting or acquiescing in the policies of the paramilitaries. The State Department human rights report notes evidence that even in 2005 “tacit nonaggression pacts between local military officers and paramilitary groups existed in several regions.”<sup>56</sup> The UN human rights report complains of “little progress in sanctioning links between public

**“The country’s 41-year internal armed conflict, involving government forces, a right-wing paramilitary movement, and two leftist insurgent groups, continued. The conflict and the narcotics trafficking that both fueled and prospered from it were the central causes of violations of human rights and international humanitarian law.”**

**—U.S. Department of State**

servants and paramilitaries and effectively dismantling paramilitarism.”<sup>57</sup> An OAS review speaks of “indications in the past of operational convergence of paramilitary groups and the official security forces, if not of open or covert political endorsement of the paramilitary activities.”<sup>58</sup> Those forces are also implicated by military tactics that contravene international law and by their own links to the paramilitaries.

While the concept of state terrorism and its application to Colombia is a subject of dispute in some quarters, the levels of US military assistance, including funding, equipment, and training, and its gradual broadening of focus over the years from counter-narcotics to counter-terrorism and counter-insurgency enmesh the US deeply in the activities of Colombian forces. US political support of the Colombian state more broadly implicates it in questionable activities by Colombian civilian officials. At the same time, the US government is credited with having encouraged greater respect for human rights within the ranks of the military.<sup>59</sup> Not only the US embassy but also the Southern Command has weighed in against the scapegoating of international NGOs by the Uribe administration described below. Interpretation of some data also credits Plan Colombia with a diminution of paramilitary violence.<sup>60</sup> Interviewed for this study, Colombian military officers embraced the concept of human rights and spoke positively about its acceptance within their ranks.<sup>61</sup> The private sector has also been implicated in terrorist practices, most recently with the murder of union leaders in which Coca Cola’s Colombian subsidiary was allegedly involved.<sup>62</sup>

### Positive Impacts from the Preoccupation with Terrorism

From interviews and other data emerge several generally positive impacts from the preoccupation with terrorism, capital “T” or small “t” as the case may be. First, as a result of 9/11, Colombians themselves came to take the terrorism they were experiencing more seriously. The attacks in New York and Washington conveyed a certain importance to what Colombia had been experiencing for years. “The world began to understand,” explains one Colombian military officer earnestly, “that the Colombian state was struggling against a serious terrorist threat.” A montage that appeared shortly after Sept. 11, 2001, in the leading Bogotá newspaper juxtaposed the World Trade Center in flames with photos of left-wing guerilla violence in Colombia. However, the situation in Colombia was quickly upstaged by events at the global level.

Second, framing the violence as terrorist in nature has generated additional attention to Colombia and its struggles. While overall levels

of US aid to Colombia have remained quite stable since before 9/11, the objective served by the funds has broadened over time to include counter-terrorism as well as counter-narcotics. A proposal for Fiscal Year 2007 to broaden the purposes further still to allow Colombia to use US aid to defend itself from international aggression has not been adopted by the Congress.<sup>63</sup> Modest US Defense Department “humanitarian” funding has increased tenfold during the years 2003-2006, as noted below. More profile for such a country, however, is not necessarily an unalloyed positive. Increased attention can represent a constraint rather than a boost to mounting effective programs, as pointed out in an earlier study with respect to Afghanistan.<sup>64</sup>

Third, there has also been a positive aspect from the Uribe “democratic security” policy, announced in 2002 to advance anti-terrorism goals. The articulation of the purpose of security as the protection of the civilian population and the acceptance of the government’s responsibility to provide protection has worked its way, observers note, into the doctrine and activities of the Colombian military. Some consider this evolution as positive, even while believing that the policy itself has proved neither democratic nor security-producing. The “hearts and minds” activities of the Colombian military among civilian populations and, for that matter, of the US military are themselves also open to question, as discussed below.

Fourth, CERAC analysts read their data as associating current Colombian policies and programs with improvement in the quality of life of the civilian population. Their analysis of more than 20,000 incidents over a 16-year period leads them to speak of “incomplete but nonetheless unmistakable evidence that the Uribe government has had significant success in fighting the guerrillas while reducing civilian deaths.” They credit increased state presence in towns and small cities and the demobilization process itself with reduced paramilitary violence, conceding at the same time that their focus on killings and injuries does not track changes in the general climate of respect for broad-spectrum human rights. A more recent CERAC study of disarmament, demobilization, and reintegration (DDR) of the paramilitaries credits the process with having saved an estimated 1400-2800 lives. The DDR program, it says, merits active support from the international community.<sup>65</sup>

Other analysts have a more negative interpretation of events, linking the reduction to a tighter hold by the paramilitaries in their areas of control and seeing no progress in the war with the guerrillas or durable improvement in rights, whether economic, social, and cultural or civil and political. News analysis of the re-election of President Uribe in May

2006 with some 60% of the votes credit his victory in large part to “a hardline stance against the guerrillas . . . [forcing] the rebels out of Colombia’s towns and cities and back into the countryside, thereby bringing peace to most Colombians’ everyday lives.”<sup>66</sup> Uribe’s political challengers criticized his conduct of the peace process and his perceived neglect of human needs issues.

Finally, responding to terrorism has energized Colombian civil society, stimulating and emboldening local leadership. One cannot but be impressed with the extent to which Colombian organizations have studied the conflict and contextualized their work strategically in relation to it. “This is a conflict zone,” explained a leader of development efforts in Sucre province, “and everyone is watching us: the government, the army, the paramilitary. This is an opportunity to show all of them a different model.” More than 80 NGOs, many of them Colombian, are said to be involved on IDP issues alone.

The claim is not that Colombian civil society would not have risen to a challenge other than that of terrorism or that civil society did not pay an exceedingly high price for the violence of recent years. It is rather to suggest that when faced with intimidation and violence, many Colombian organizations and individuals have responded with discernment and courage, discovering what an embattled leader describes as “a silver lining.”<sup>67</sup> This modest positive, however, needs to be kept in perspective. As one NGO pointed out, the current flourishing of civil society is a reaction not to the challenges of the five years since 9/11 but to a quarter-century of repression that preceded the turn of the millennium. Others with a lengthy perspective on events see far more vitality in Colombian civil society pre-2001-2002, emphasizing that over the years civil society has been decimated in some sectors and geographical areas to such an extent that no silver linings can offset the losses. Indeed it has been at great risk and with serious consequences that civil society has mobilized in support of the alternatives to the counter-terrorism policies contained in Plan Colombia and the Uribe democratic security policy.

### Negative Impacts of Terrorism

The positive impacts of terrorism and counter-terrorism on Colombian society have been far outweighed by the negative impacts. These include the polarizing effects on public discourse, the extent of the humanitarian havoc wrought, the frustrations created for humanitarian organizations, and the bias injected in favor of military rather than political solutions. Each of these will be reviewed in turn.

**“One donor [government] explained that funding could only be secured if the [humanitarian] organization ‘guaranteed that funds would in no way benefit the armed group’. The same donor also recognized, however, that humanitarian action in many contexts, including in Colombia, cannot be carried out without some level of contacts with armed groups, whether or not they are labeled terrorist organizations.”**

**—Centre for Humanitarian Dialogue**

First, the polarizing effect of the nomenclature. The terrorism debate has divided the universe into those perceived to be “for” or “against,” stifling serious debate about the nature of the problem and the best ways to address it. “Before 9/11, the guerrillas were recognized as political counterparts to the state, with whom dialogue is possible,” explains one Colombian analyst. “After 9/11, the government of Colombia, the state, and other sectors tended to stigmatize the guerrillas and the paramilitaries, but much more the guerrillas.” In fact, one of the reasons that the Uribe administration has resisted acknowledging the presence of internal armed conflict is the boost it fears that might give to the guerrilla movements.

Pursuing the point, a Colombian grassroots activist observes that when the authorities declare the FARC, the ELN, and the paramilitaries “terrorists,” they deprive themselves of the ability to dialogue with them. “The emphasis is then on eliminating the enemy rather than on discussing with them.” “Terrorism” is used as a joker in a card game, he suggests, trumping all else. “The government uses the term to label the FARC as the enemy. The guerrillas use it against the government. The use of the term has done a lot of damage. It works against everyone.”

From President Uribe on down—some of the president’s speeches have themselves set the tone—the debate about terrorism in Colombia tends to be carried on with stereotypes and bombast rather than with comity and nuance. Reflecting that perilous landscape, a Colombian Red Cross representative spoke warily in a public gathering of “the public order and security situation in which we find ourselves.” Others commenting in public on the humanitarian situation speak so elliptically that it is difficult for outsiders to decode their meaning. A combination of finger-pointing and circumspection thus reduces the possibility of finding common ground on analysis and solutions. Circumlocution is also at variance with the humanitarian ethos, which puts a premium on transparency.

So charged is the terrain that the Uribe government at one point floated highly restrictive ground rules governing the activities of international assistance and protection organizations. These forbid contact with illegal armed groups because such relationships were said to put people’s lives at risk. They were also portrayed as discrediting the state’s efforts to address the problem, giving “violent people a means to strengthen their capacity to intimidate the civilian population and the state authorities.” The document discouraged the use of the term “non-state actors” and such concepts as peace and humanitarian space and

action, forbidding all project activities which directly or indirectly benefit the illegal armed groups.<sup>68</sup>

While the authorities in the end decided against imposing the strictures described, they did prohibit interaction with terrorist groups, reserving these for the state alone. The Uribe administration imposed a total ban on such contacts, replacing the somewhat more permissive approach that had existed earlier. Dialogue between the government itself and the FARC was interrupted in February 2002, reflecting the message from the 9/11 experience that there are some forces which simply can't be negotiated with. The government volunteered its own choice of a hard line approach to dealing with terrorists as an example of what the US itself was facing.<sup>69</sup>

One of the consequences of the polarized debate in Colombia was the implicit license given to forces which, in the name of security, were anxious to reduce space for dialogue and dissent. For one human rights investigator working on her book manuscript on human rights issues in Colombia at the time of the terrorist attacks on New York and Washington, the difference was palpable. "[T]he pages I completed after that day still feel to me different from the rest."<sup>70</sup> In the immediate aftermath of 9/11, a similar retrenchment took place around the world—Russian policy toward Chechnya was one example, US policy toward the wiretapping of its own citizens another—as governments readjusted the balance between civil liberties and national security.<sup>71</sup>

Many of those interviewed believe that the debate about terrorism and counter-terrorism represents a smokescreen to divert public attention from the real issues underlying the social turmoil. These include widespread poverty and lack of economic opportunity, the disenfranchisement of those living in impoverished and predominantly rural areas, and the absence of a capable state as a deliverer of social programs and as a force for order and accountability. "The supposed war on terror," says one human rights advocate, "distorts the nature of the armed conflict and conceals what is really happening in Colombian society." Another adds that it weakens the influence of social movements and thus "frustrates the possibility of a negotiated solution to the conflict."

A small businessman who had fled the country to escape violence at the hands of the paramilitaries expressed in an interview his opinion that the pursuit of the war on terror was an American power grab designed to deprive Colombians of their rights and resources. The war destabilizes society to the benefit of the elites, he explained, whose interests are also reinforced by the Free Trade Agreement. The

widespread unpopularity of the Agreement in rural areas suggests that the entrepreneur was speaking for more than himself. In fact, many Colombians are thought to believe that US involvement reflects its own security and economic interests rather than any serious concern for their own welfare. In short, framing the conflict as driven by terrorism may reduce the possibility of its resolution.

While the concept of a wider war on terrorism has been useful to the government in justifying a shift from using US support for combating drugs to using it to counteract subversive elements, many Colombians view the concept of a war on terrorism as an alien construct,

superimposed on local reality. “All that is being done by the government here in Colombia is being done by reason of the war on terrorism,” notes one religious leader speaking off the record. “That is pure sophistry. The reality is quite different. The reality is that the armed groups want to establish territorial control.” The fact that this view is expressed by people who have felt the full force of terror at the hands on internal armed groups and the state makes the sentiment all the more telling.



**Abandoned homes in Chinulito, Sucre Province, an area under the control of the guerrillas and still unsafe for the community to return.**

**Photo: Nils Dybvig**

What is really taking place beneath the debate about defeating the guerrillas, explained one long-term student of the drug trade, is that the power of the paramilitaries, who are ostensibly being demobilized, is being replaced by the advancing hold of organized crime and the

infiltration of the national and local political processes by rightwing elements. The UN human rights report sounds a similar alarm. Rather than wresting control from the paramilitaries and restoring it to the state, the UN report observes, demobilization has been accompanied by “progressive penetration and control by paramilitaries over municipal and departmental administrations in various regions of the country, as well as over illicit economic activities.”<sup>72</sup> The UN Representative for IDPs noted that “the lack of respect for the civilian character of the affected communities and their neutrality by the armed actors, as well as attempts to control land and populations for various purposes can be identified as being at the core of the problem.”<sup>73</sup> Policies being pursued under cover of terrorism may well be laying the groundwork for a worsening humanitarian and human rights crisis.

Colombia has a rich diversity of opinion within the government itself. Mid-level staff in the ombudsman's office, the semi-independent Defensorio del Pueblo established under the 1991 constitution, are quite blunt: "The response by the state and society [to the humanitarian crisis] in most cases has been late, insufficient, and unarticulated among institutions." The ombudsman's office also believes that the administration is unwise to fail to acknowledge the reality of internal armed conflict. (One source indicates that the ELN made its entrance into peace talks contingent, among other things, on the government suspending its public denials of the existence of such conflict, a commitment it has reportedly kept.) Similarly, the Constitutional Court, which in mid-May 2006 had overruled key aspects of the government demobilization and reintegration plan, had earlier concluded that the failure of the authorities to meet the needs of IDPs represented an "unconstitutional state of affairs."

Second, terrorist and counter-terrorist strategies and tactics have wrought humanitarian havoc among Colombian civilians. "In a low-intensity civil war such as ours that is marked by scattered violence," explains a well-known Colombian analyst, "the main victims are the civilian population, which is caught in the crossfire between opposing armed groups and in the fight with the Colombian armed forces as well. This results in the unraveling of communities and the weakening of social institutions." The damage is evident in the rural communities in the Atlantic Coast region visited for this study. The inhabitants of once-stable farming communities are now sheltering in makeshift accommodations, their locations of origin still too insecure for them to return and aid agencies reluctant to encourage them to do so. In one particularly dramatic example in May 2006, some 2200 persons decided to return to the Policarpio region, despite recent clashes that had killed 15 people. Having failed to persuade them not to return, UNHCR and several other aid and rights groups reluctantly agreed to accompany them, facilitating their dialogue with the authorities and seeking to help ensure that their protection and assistance needs were met.<sup>74</sup>

The Colombian conflict has assumed different dynamics in different regions, reflecting the armed groups, the local terrain, and the military and political objectives at particular stages in the struggle. In a broad sense, "The conflict in Colombia is related to drugs," notes a knowledgeable Colombian. "Most of the humanitarian problems arise in the regions where drugs are produced and traded." A map showing the political economy and military strategy of the war would doubtless confirm the converging location of human extremity as well. "The illicit

crops are a source of the humanitarian crisis, which originates in displacement caused by violence in the places of origin” confirms a UN official. “The violence itself reflects the desire to control the source of illicit funds.”

The State Department human rights report delineates the impacts of the strategies and tactics of both sets of armed groups. During 2005, “Paramilitaries continued to forcibly displace civilians resident along key drug and weapons transit corridors or suspected of harboring sympathies for the guerrillas.” As for the guerrillas themselves, “Many FARC atrocities were related directly to drug trafficking activities. . . . Guerrillas forcibly displaced peasants to clear key drug and weapons transit routes and remove potential government of paramilitary collaborators from strategic zones.”<sup>75</sup> On occasion, members of the government’s security forces themselves have restricted the movement of people and goods—for example, in an effort to interrupt guerrilla supply lines—increasing civilian vulnerability.<sup>76</sup>

In a conventional war, most civilians would be displaced a time or two. In Colombia, the average IDP has reportedly been uprooted four or five times. Not only has the countryside changed hands back and forth between armed groups; the groups have often engaged in fresh acts of intimidation in order to solidify their control. The issue is not a matter of collateral damage sustained by civilian populations incidental to military maneuvers; it is the conscious targeting of civilians. One NGO survey of perceptions of the conflict noted the widely held view that “crimes of war constitute part of the war strategy of the armed groups. . . . All the armed actors commit war crimes, especially against the civilian population.”<sup>77</sup>

As of mid-2005, some 5,420 persons were reportedly in captivity.<sup>78</sup> In November 2005, the FARC were reported to have kidnapped 115 persons, the ELN 62.<sup>79</sup> Politically motivated kidnappings were used by the guerrillas “to discredit the government or pressure it into a ‘humanitarian exchange.’”<sup>80</sup> Several interviewees expressed the view that the government’s well-publicized efforts to win the release of such hostages had pre-empted concern about broader humanitarian challenges such as the plight of the displaced. Yet while it may have been something of a misnomer to make the hoped-for exchange the focal point of the public’s “humanitarian” attention, there is nothing to suggest that in the absence of public fixation on the freeing of the hostages, more momentum could have been generated on other more central humanitarian issues such as the tactics of the armed groups or the needs of the displaced.

Third, terrorism and efforts to counter it have frustrated the activities of assistance and protection agencies. A crisis perceived as involving internal armed conflict—more plainly, war—is fundamentally different from a confrontation between the state and a small group of terrorists or bandits. The former triggers the provisions of international humanitarian law, creates humanitarian space for traditional assistance and protection activities, and opens up a role for UN facilitation and mediation. The latter invokes the military and police powers of the state to maintain public order and seeks outside assistance to shore up security.

In taking the latter route, the Colombian government has circumscribed the functioning of international humanitarian and human rights organizations. “If you don’t recognize the conflict,” points out one senior Colombian aid professional, “how can you find room for humanitarian issues and groups?” The Colombian approach is at variance with the current international consensus regarding the responsibilities of state authorities in countries experiencing conflicts. “It is generally accepted today,” writes one specialist, “that internal conflicts with a high intensity of violence cannot remain beyond the reach of international law protecting persons from the effects of hostilities.”<sup>81</sup>

The prohibition against dealings with the armed non-state actors thus puts the Colombian authorities on collision course with humanitarian and human rights organizations. The possibility of establishing and maintaining space in which such groups may carry out their recognized functions is greatly reduced. “Human rights advocates seek to establish a civil society that is independent of the state and the armed actors,” explains one lawyer to a focus group convened for this study. “Our work is strengthened by reference to international standards and conventions.” Yet in a state that sees itself engaged in a battle with a terrorist threat for its own survival, advocacy of fundamentals such as the protection of the person, or the rights of prisoners of war, or the rule of law may seem suspect.

The challenges faced by the agencies in protecting humanitarian space go well beyond the policies of the authorities to the actions of the paramilitaries and guerrillas. “The armed actors come in and play with our programs,” said one donor government official with evident exasperation. She had in mind pressure imposed on would-be beneficiaries against registration for aid activities as well as the outright expropriation of program benefits. Both actions were part of a strategy by the armed actors designed to promote insecurity and tighten their own control. The State Department confirms that “The

FARC and ELN discouraged IDPs from registering with the government through force, intimidation, and disinformation, and guerrilla agents sometimes masqueraded as IDPs to sow doubt and discontent among IDPs.<sup>82</sup>

Reactions of the agencies to such threats to the integrity of their functioning varied. “The fact that we are being manipulated,” observes WFP’s Colombia representative Peter F. Goossens, “is nothing new. The question is, “To what degree?” The problem of manipulation here in Colombia,” he observed of his fourteenth country posting, “is relatively minor.” His perspective is a valuable reminder that terrorism and counter-terrorism are not the only political-military strategies that wreak havoc with humanitarian work. Assistance and protection work in settings of internal armed conflict unrelated to terrorism are often faced with manipulation by the parties as well.

Most humanitarian and human rights groups, however, are finding the terrain in Colombia far more problematic than their WFP colleague concedes. With respect to the recurring problem of humanitarian access, the violence and insecurity bred of terrorism—and often an objective of it—increase the difficulties of obtaining and sustaining access. “The most complicated work is with displaced persons,” notes one religious leader, “a delicate and cautious task given the views of the armed actors.” In one instance, his church people had to cross seven illegal checkpoints before reaching the displaced whom they hoped to assist.

Examples of manipulation abound. Following an incident in which a WFP truck and its contents had been hijacked by the ELN, WFP suspended some of its school feeding programs in the area. The guerrillas left a note explaining that they needed the food for their troops. At the time of the research visit, the FARC had given notice that humanitarian and human rights groups were not welcome in a specified area in northeast Colombia. Such interference creates not only instability and interruptions in programming but confusion in needs assessment. While the government places the IDP population at about 1.8–1.9 million, actual displacement according to other estimates could involve as many as 2.5–3.0 million persons.<sup>83</sup>

The terrorism landscape has also had a chilling effect on the advocacy dimension of humanitarian work. “We are in a very difficult context,” notes one church leader. “Appealing to the authorities to stop displacement is more risky than tending to the displaced.” However, it is also indispensable in the circumstances. “The war has been like a tidal wave,” notes a Colombian professor, “inundating everybody.” For

the churches, the precipitating factor in their involvement in humanitarian activities was “the urgent need to survive the conflict.” “Many churches opted to maintain a low profile and thus chose to feed the poor rather than speak out against human rights violations,” concluded one internal study. Yet as Caritas Española points out, advocacy remains a necessary dimension of humanitarian and human rights work in war zones. “For a society that seeks to live in peace and under the rule of law, the punishment of war crimes is necessary.”<sup>84</sup> Accountability requires engaging with highly political issues, albeit from a humanitarian vantage point.

Difficulties notwithstanding, various sectors of civil society have increased their ability to function in polarized settings. There is some evidence to suggest that the armed actors have come to respect the churches. Some evangelical congregations, including “historic peace churches,” have refused to provide any youth for service in any of the armed groups, rallying around those pressured by the state to enlist. When a group of the displaced established the settlement of Nueva Esperanza in Cordoba province in 2000, the churches pressed the government on housing rights and social service needs, only to be ignored. Three years later, the government built 34 housing units at the group’s request. There were other signs of growing capacity among civil society organizations. “This community has survived,” noted a civil society leader regarding an organization of the displaced, “because it has learned to negotiate with those with arms.”<sup>85</sup> “Being the church,” observed one community organizer, “we are somewhat free to move around. We’ve retained a certain kind of neutrality in relation to the armed groups.” A FARC official is said to have observed grudgingly that wherever the guerrillas went, they encountered church-related activists.

Constraints on programming have come not only from Colombia’s government and armed non-state actors but also from Colombia’s major international patron. In the immediate aftermath of 9/11, President Bush issued Executive Order 13224, prohibiting transactions “with individuals and organizations deemed by the Executive Branch to be associated with terrorism,” including those providing financial and in-kind support and material and technical assistance. In 2002, the Treasury Department issued draft anti-terrorism financing guidelines for US NGOs applicable to funds provided by the US government and also to funds raised from the American public. Although the post 9/11 strictures, including the USA Patriot Act itself,<sup>86</sup> tightened up certain provisions already in place at the time of the terrorist attacks on New York and Washington, the NGO effort to comment on the draft guidelines led this time around to a major “sector-wide reexamination.”

After extensive discussions among themselves and with US officials, the NGO community requested that Treasury's draft guidelines be rescinded.

The NGOs found the proposed guidelines "onerous and potentially harmful" to their work as well as unlikely to advance the government's acknowledged interest in preventing terrorism. The group recommended that a set of eight principles of international charity be substituted and adopted instead. These sought to protect humanitarian mandates from the information-gathering and reporting responsibilities the government sought to impose on aid agencies. Prominent among the principles is the affirmation that charitable organizations are "non-governmental entities that are not agents for enforcement of US or foreign laws or the policies reflected in them." NGOs also criticized the Executive Branch and senior administration officials for "sweeping statements" that overstate "the prevalence of terrorist abuse of US charitable organizations." Organizations engaged in humanitarian work in Colombia, where the guerrillas and the paramilitaries were on the US list of "foreign terrorist organizations," pursued these discussions simultaneously in the politicized atmosphere of Washington.<sup>87</sup> Reflecting 9/11 concerns, the administration closed down three US-based NGOs on grounds of suspicion of assisting terrorists; the Senate Finance Committee sought the records of 25 Muslim charities for special scrutiny.<sup>88</sup>

In addition to constricting humanitarian action, US legislation and policy has also arguably constrained the US government's ability to pursue its own interests in Colombia. The US has been unable to play a constructive role in the demobilization of the AUC paramilitaries, whom the US considers a foreign terrorist organization.<sup>89</sup> State and Justice Department officials in Washington were reported in January 2006 to have settled their differences by agreeing that terrorists who turned in weapons and renounced terrorism would no longer be considered terrorists and could therefore be assisted by the US in their reintegration into society. However, AID officials in Bogotá in February 2006 were still keeping their distance from the demobilization, limiting US involvement to the more modest objective of support for former child combatants. Some NGOs expressed the hope that such would remain their posture, believing that a more active AID role in demobilization would further politicize US assistance. US legislation forbidding dealings with terrorists is reported also to have complicated negotiations of the release of three US military contractors seized by the FARC, a major stated goal of US Colombia policy, as noted elsewhere.

In this polarized climate, US officials, like their Colombian counterparts, have had difficulty maintaining their objectivity. Their status as preeminent patron—“cheerleaders” for the Bogotá authorities, in the derisive words of an official of another donor government—affects their reading of the situation. In interviews in Washington and Bogotá, US officials expressed sympathy for the Uribe view that some human rights actors have their own hidden political agendas. “NGOs exist to promote an issue or an opinion,” observed one State Department human rights specialist in Bogotá, noting that doing so may put them on “collision course” with the country’s authorities who, she believes, have been statesmanlike and restrained in dealing with the always jostling and sometimes unprofessional NGOs. Highly publicized activities by two Danish NGOs several years ago to raise money for the FARC on the international scene fueled the perception of NGO partiality. In the spring of 2006, the Colombian government charged a Swiss NGO and the Swiss government with supporting the FARC, a charge the Swiss government roundly denied.<sup>90</sup>

Mainstream NGOs vigorously challenge the view that the Colombian government displayed “no animosity” toward NGOs given its highly publicized questioning of the neutrality of named groups such as Amnesty International, Human Rights Watch, and Peace Brigades International.<sup>91</sup> Speeches by President Uribe in September 2003, for example, describing human rights groups as “serving terrorism” and referring to donor governments as “sponsors of terrorists’ defenders” were viewed at the time by aid workers as likely to trigger “a new wave of death threats and assassinations.” While no killings are known to have resulted, “death threats against and government-initiated legal proceedings against human rights defenders . . . increased.”<sup>92</sup> The linkages between counter-terrorist rhetoric and civilian and agency insecurity are explored in the Security section below.

The perceptions gap between the authorities and civil society groups is intimated in the text of the State Department report itself. The report expresses the view that “A wide variety of domestic and international human rights groups generally operated without [Colombian] government restriction . . . Although government officials generally were cooperative and responsive to their views, NGOs claimed that high-level criticisms put them at risk for retaliation by illegal armed groups.”<sup>93</sup> The formulation appears to position US authorities on the side of the government of Colombia in its reading of the partisan agendas of NGOs.

International organization responses to such Colombian government criticism have varied. Two agencies that felt compromised by

government allegations of partiality got the authorities to reaffirm their formal permission to be present in the country. Many groups have sought to understand more fully the political dynamics at work. “By demanding solutions here based on the protection of human rights,” explained one international NGO in a measured response to recurring charges that humanitarian and human rights work is politicized, “we are labeled as political opponents of the regime and subjected to armed attacks. Yet most NGOs have simply sought to protect victims and help the displaced.” Another focus group participant offered a more bristling rejoinder. “What the United States describes as ‘an orientation to the left’ [on the part of international NGOs] is really a commitment to the victims,” she says. “If the US turns [our] commitment to empowerment into a partisan political stance, that is its problem and not ours.”<sup>94</sup>

Finally, terrorism has elicited a governmental response in largely military-security terms. The response of the Colombian authorities has had the effect of increasing the military presence of the state at precisely the time when the civilian functions of government have, in the minds of many, needed strengthening. While there is debate on the numbers, US funding for Colombia is roughly eighty percent (or even more) in the form of military aid as against twenty percent (or even less) for human security. (Some US officials insist that the split is 70/30 or even 65/35.<sup>95</sup>) Whatever the ratio, many humanitarian and human rights agency officials—as well as members of Colombian civil society—lament the “imbalance.” By contrast, one UN official notes that at “only” twenty percent of total US aid, the soft-side assistance—some \$700 million over five years—makes Plan Colombia still the largest single source of such aid. One US military official even credits a dollar of aid invested in human security projects as far more beneficial than a comparable dollar expended on military security.

As elaborated in the following section on coherence, different readings of the nature of Colombian violence and the appropriate response have driven a wedge between the US and other donors. While the European Union has also declared the paramilitaries and guerrillas to be terrorists, its policies and programs in Colombia are less oriented to the military defeat of terrorism. The EU has kept its distance from the US’ Plan Colombia and Colombia’s own Plan Patriota, a stance that has led to frequent recriminations among donors. US officials defend the acknowledged imbalance in the aid package with the assertion that “other governments didn’t come through with their commitments on the humanitarian side,” commitments that such donors deny ever having made. “We are not part of the marriage,” EU officials say acerbically of US/Colombia ties when asked why they are not cooperating more fully.

The Canadian government has positioned itself between the United States and the EU. It has not pronounced itself on Plan Colombia *per se*, though it supports the Plan's human security goals. Its focus instead has been on human rights monitoring and advocacy, seeking to be even-handed in its criticism of whatever quarter. It has also taken a carefully calibrated stance between the Colombian government and Colombian civil society, a position that has been welcomed by humanitarian and human rights groups. At a time when US government policies and personnel in Colombia are embattled and isolated—and, as will be seen in the final section of this country study, insecure—Canadian diplomats believe that they enjoy a privileged position. “It is very useful to be Canadian in Colombia,” one says.

As of early 2006, Europeans and Canadian donors appeared to be stepping up their levels of involvement. While continuing to have reservations about the peace process, they are more supportive of it as “the only game in town.” Despite the evident flaws in the demobilization program, they were showing signs of expanding involvement in it. The October 2005 report commissioned by the embassies of The Netherlands and Sweden which recommends strengthening the OAS verification and support mission may become a vehicle for expanded donor involvement.<sup>96</sup>

### Coherence

Colombia's conflict has yet to involve a UN political or peacekeeping framework. In fact, UN presence in Colombia at present seems diffuse and confused. The Secretary-General had made his good offices available to help the Colombian authorities negotiate an end to the conflict, with special emissaries Jan Egeland and James LeMoyné engaged during the years 1999–2005. After their departures and, for that matter, also when they were present, UN agencies generally went their separate ways, functioning, in the words of one UN agency head, as a federation rather than as a system. One observer credits the UN with making a solid effort to serve as a balancing point between armed actors on the left and right. A more critical observer, representing the disappointment of her multilaterally inclined government, said, “It is unclear what the UN system as a whole is trying to accomplish in Colombia.”

The 22 individual UN agencies and programs operating in Colombia offer a mind-boggling array of activities: OHCHR with hard-hitting annual critiques of human rights violations, the Office of Drugs and Crime with on-the-ground monitoring of coca eradication country-wide, WFP with food deliveries to guerrilla- and paramilitary-controlled areas,

**“The ‘war on terrorism’ will never be won unless human security is extended and strengthened. Today’s security strategies suffer from an overdeveloped military response and underdeveloped human security response.”**

**—UN Development Program**

UNICEF pressing concerns about child soldiers, and so on. Given the political buffeting which the UN necessarily takes in Colombia, it might benefit from a more tightly knit institutional framework. Its longevity might also be better ensured if it is viewed as offering a package rather than a series of a la carte items. When one agency’s personnel are kidnapped, as were two WFP staff by the FARC in February 2006, the UN system as a whole could present a common front. The unpopularity of the UN’s human rights advocacy among the paramilitaries could be tempered by the unpopularity of its Office of Drugs staff on the beat in FARC areas.

The perceived independence of the UN might also benefit from greater coherence. The persona of a single, unified entity in Colombia could help counter the perception of some of those interviewed that, as in Afghanistan and Iraq, the world body is first and foremost a tool of the United States. Its effectiveness, too, might increase as a result of the kind of guidance that the UN Department of Political Affairs could provide to all elements of the system. “We all wear blue jackets with the UN symbol, although each of us has the specific logo of our individual agencies,” explains one UN staff person. “For the Colombian people, we are all representing the United Nations.”

The formulation with the government of a “humanitarian action plan” served as a vehicle for confirming Colombia’s acceptance of the UN system’s presence and for improving coordination among UN agencies. Following the aforementioned London meeting of donors in July 2003, a planning process led by the UN Resident Coordinator/Humanitarian Coordinator and facilitated by OCHA sought agreement on a concerted approach to Colombian and UN agency roles and division of labor. However, the plan, readied for approval in June 2004, was never accepted. The Colombian authorities resisted acknowledging the presence of an internal armed conflict, while the UN agencies insisted on urging the authorities to meet their responsibilities under international human rights and humanitarian law. “We didn’t let the issue go,” recalls one senior UN official, “but they didn’t budge either.” Meanwhile, lack of agreement among the agencies themselves on priorities in dealing with the government, particularly on the importance of human rights relative to other priorities, contributed to the unraveling of the plan. In the absence of an agreement with the authorities, the UN remained on a short tether, its political and humanitarian representatives not authorized to deal with the internal armed actors even on humanitarian issues and OCHA not authorized to issue a consolidated appeal to donors for resources to fund international activities.

What difference would UN system-wide coherence make? With respect to vexed issues such as demobilization and reintegration, for instance, UN agencies might chart a common course. With an eye to protecting access and operating space, the UN system might seek permission from the government to deal on such matters with the armed actors, a function currently restricted to the ICRC, the Catholic Church, and the Colombian High Commissioner for Peace. Whereas individual UN agencies might feel the need to agree to accept being barred by the armed groups from certain “no go” areas, the system as a whole might have more clout. This is not to say that steps taken by the UN system to ensure coherence would not meet resistance from individual UN agencies, jealous of their own imperatives. As earlier research confirms, the problems which occurred in Colombia—that of interagency coordination and that of dealing with non-state armed actors—are structural ones for the UN system as a whole.<sup>97</sup>

In the absence of a UN political or peacebuilding schema, the applicable framework for humanitarian and human rights activity came instead from Plan Colombia, a bilateral construct developed by the Pastrana and Uribe presidencies with heavy input from the Clinton and Bush administrations. Plan Colombia raises some of the same issues as do the multilateral frameworks reviewed elsewhere in this study in places such as Afghanistan, Burundi, Liberia, and the Sudan. Views of the Plan run deep and are highly politicized, both in capitol and countryside. The core issue for purposes of this review is the approach taken to situating humanitarian and other human security assistance in the relation to political-military objectives. The data and perceptions shared in interviews suggest that Plan Colombia has some positive features but from an overall perspective does not address local needs effectively.<sup>98</sup>

On the positive side, Plan Colombia includes some \$130 million annually for five years in funds for what may be broadly termed “human security.” Some of these funds—for example, those for rural road repairs—are welcomed by the displaced who are anxious to return to their communities of origin.<sup>99</sup> There is also considerable support for the Plan’s funding for human rights activities, implemented through the government ombudsman’s office and through NGOs. Yet many in rural areas do not support the broader outlines or division of resources in Plan Colombia. Some express the view that the Plan was a construct imposed by the Clinton administration that pre-empted a more far-sighted and human security-oriented approach envisioned by President Pastrana on the basis of which he had received an electoral majority and framed his presidency. The view that Plan Colombia and the associated Free Trade Agreement represents a power grab by the US

working hand-in-glove with the Colombian elite has already been noted.

Widespread support among Colombians for reducing illegal drug trade is accompanied by widespread disenchantment with the whole-scale aerial spraying of coca and poppy crops, using pesticides hazardous to human health. Such activities are implicated in the creation of internally displaced populations, and, by some accounts, also of refugees. For both groups, the absence of realistic alternative economic opportunities for small-scale growers is a serious shortcoming. Alternative agricultural options are available on only one acre for every six from which coca cultivation has been eradicated. If aerial spraying of Colombian fields where the drug is produced is an appropriate strategy, asks one critic caustically, why not bomb New York and Washington where it is consumed?

Plan Colombia is also criticized for being poorly informed by Colombian history and unfocused on the root causes of the conflict. Analysts point out that in the past century and a half, there have been upwards of a hundred conflicts—and almost as many peace processes. “The armed actors come and go,” notes one local observer. “Other groups by other names will arise, reflecting deep and unaddressed inequities and iniquities.” A number of those interviewed expressed the view that the United States is alienating potential friends and allies and perhaps undercutting its own chances of success by the single-mindedness and the narrowness of its focus on military security. Several hope for a turn-about in US policy. “The world must see that the US is more than war and bombs but also humanity and justice,” pleads one civil society leader. If the relative importance of activities is reflected in the numbers of US officials who manage them, the presence of 14 Colombia-based expatriate AID staff as contrasted with some 520 US military personnel is revealing.

As noted earlier, Plan Colombia has also been a point of tension between the US and other donor governments. US officials frequently deflect questions about the disproportionate allocation of resources between “soft side,” or human security, assistance and the “hard side,” or military aid, with the observation that while the US was prepared to take on the “heavy lifting” in Colombia, other donors had refused to underwrite programs to address human security needs. Although the US now seems prepared for other donors to contribute to Colombian reconstruction on their own terms, there remain pronounced differences of viewpoint about the sequencing of justice and peace and the relative resources available for each. The EC, which has been

sharply critical of the US approach, has not made the eradication of illegal drugs a precondition for funding aid projects in a given area.

Among Colombians interviewed, particularly those affected by conflict and those working with them, weariness borne of fifty-plus years of violence is pervasive. "People want a political solution to the war," notes



**A town meeting in Zambrano, Bolivar Province, where demobilized soldiers are returning to an already poor community that lacks the capacity to support them.**

**Photo: Nils Dybvig**

one local analyst, which will necessarily include elements of accountability and restitution. "What is peace?," asked a woman who has lived through the conflict. "It is going to sleep at night without hunger or fear." Government authorities take the view that peace must precede justice, with priority for demobilization and reintegration of the armed actors into the frayed social fabric therefore taking precedence over meeting the needs of the displaced. US policy as articulated by the embassy in Bogotá associates itself firmly with Colombian government view that the war must end before issues such as justice, accountability of the armed actors, restitution, and reconciliation can be addressed.<sup>100</sup>

Meeting with a US delegation of religious representatives in February 2006,

Colombia's Vice President Santos acknowledged the "unfairness" of a situation in which attention to victimizers takes precedence over the needs of victims. However, he presented the established approach as driven by national security considerations, noting that Colombia has about twice as many paramilitary soldiers to demobilize and reintegrate as existed in all of Central America in the 1980's. The problem, he conceded, was huge and the government hasn't yet received the outside aid needed.

As for justice, the formal process will begin only in July 2006, when the first reparations to victims will be made. A 12-person reconciliation commission, of whom only five members are from the government (two others will be representatives of the victims), will get underway once the government has named the panel. Local judges will start meting out penalties to members of the paramilitaries. NGOs, some still harboring reservations about governmental commitment or capacity to provide the requisite security, will be the workhorses of reintegration of the

displaced. Some 25,000 families had returned to places of origin in 2005; the goal is 30,000 for 2006: a small beginning given a displaced population of some 2,000,000—3,000,000. Japan has pledged to supply a total of \$100 million in fifty communities.

If those are the broad outlines of postwar policy and planning, the view from the local level is anything but sanguine. The disparity in assistance available in the same communities to paramilitaries and those whom they had displaced was already creating tensions that underscored the need for not only assistance to the victims but some element of accountability on the part of the victimizers. Tensions were particularly evident in the town of Tierralta in rural Cordoba province, where paramilitaries had wrested control from the FARC in the 1980's, early in the process of establishing themselves as a military force. At the time of the interviews, newly demobilized men were settling into an area where, with the blessing or acquiescence of the Colombian armed forces, they had conducted massacres, kidnappings, shakedowns, land encroachment, and expulsions. It was difficult to see how society might be reknit in the absence of some accountability for past crimes. The peace that was upstaging justice also involved arrangements between the government and the self-defense forces, the state's ally in the conflict, but not guerrilla groups who were the declared belligerents in the conflict. "There is no justice from the government, only from God," said one local person more with resignation than with bitterness.

The overriding desire of the displaced was for "a return with dignity." Included in the concept were the essentials of voluntariness, security, and sustainability. Such a return would be comprised of entire families (not just men) to homes that would shelter them, schools in which their children would be educated, economies that could support their labors, and land that would again be legally recognized as theirs. The displaced resisted a return forced by the lack of space and opportunities in cities to which they had fled or by the fact that their children were viewed as a corrupting influence in the local schools. "Peace on this land," one of their leaders explained, "requires the instruments of justice and funding for human security undertakings by the communities." Until such elements were in place, people in communities like her own were caught "between the sword and the wall," that is, unable to return yet uncomfortable to stay.

Providing reconstruction and development assistance in conflicted rural areas is, if anything, more complex than providing relief. "It is not easy to work for the development of communities in the midst of armed conflict," noted the head of a Colombian NGO, "but that's what we're betting on." The choice of development projects took the conflict into

account. “We weren’t able to work in the countryside,” noted one young man, “so we decided to found a bakery” in their town. A substantial reforestation project, funded through an association of displaced farmers by the government for 500 hectares of land which 50 families would cultivate, was unable to proceed over FARC objections. The farmers had to settle for food crops, bee keeping, and a fish farm that would be less visible and less tempting—but also less widely beneficial. Civil society groups were also careful that such efforts be approached as models for reconstruction rather than pre-empting or substituting for the necessary role of the state.

The fact that armed actors were resettling in the very communities against which they had committed violence was a recipe for tension. The situation was made more explosive by the fact that many of the cities and towns involved had more military than civil infrastructure, with courts and other accountability mechanisms still lacking. “Everyone knows someone,” says the mayor of Zambrano, a still-heavily militarized area along the Magdalena River in Bolivar Province, “who has tried to return [to their lands] and was forced to come back here.” Many families had been displaced since the mid-Eighties as first the guerrillas and then the paramilitaries took control of the land and of drug and illegal arms routes. People in Zambrano have still-vivid memories of the use of a donkey bomb to blow up city hall, the mining of roads and fields, the impressment of youth, the exodus of business people, and widespread administrative corruption.

Interviews with Colombian and US military forces suggest the perceived links between the prevailing political frameworks and military actors and objectives. Colombian officers interviewed describe “great progress” made in military training in the human rights at all levels, with some 30,000 troops receiving regular training. “A culture of human rights” is being nurtured, they said with evident pride. The military now says it accepts its obligation to protect civilians, although its priority for the moment is on the newly demobilized paramilitaries and the protection of demobilized areas from guerrilla attacks. “This is the only government in the world,” observes one Colombian military officer with a bit of overstatement, “which is facilitating the work of the United Nations and 500 NGOs during an active war.” The upbeat assertions of the military fail to reassure human rights monitors and advocates.

The US military’s support for Colombian government objectives is channeled through the Centro de Coordinacion de Acción Integral (CCAI) in the office of the Colombian presidency. CCAI an interagency effort comprised of 13 government ministries and offices as permanent members and another 16 government entities in liaison status. An

inclusive, government-wide entity, CCAI seeks to “guarantee [the] State’s legitimacy, governance and presence in strategic zones recovered by the [Colombian] armed forces,” in part through civic action projects by Colombian troops. Funding from the US Defense Department, which works with and through CCAI, for such activities has increased from \$300,000 in 2003 to \$2 million in 2006. Recent activities have included building a warehouse for humanitarian supplies in a paramilitary-dominated area and constructing libraries, clinics, schools, and daycare centers in guerrilla-controlled areas.

Such activities are undertaken as part of Colombian and US counterinsurgency strategy. “Plan Colombia is military-led, with the [Colombian] army and police in the lead” explains one US military official. “However, health, education, and welfare officials need to be on the next helicopter in.” AID officials see their own work in similar terms: “The military in the morning, AID in the afternoon.” Southcom personnel stress that civic action work is carried out by Colombian troops, often working with local contractors. Security for the protection of civic action activities, where needed, is provided by US Special Forces.

US military forces give their Colombian counterparts high marks for both human rights protection and assistance activities. “The Colombian military have got the message,” notes one US military advisor, “that human rights is part of their training and part of the way they approach the conflict.” Yet the hearts and minds activities of both militaries position assistance and protection work as extensions of the prevailing Colombian/US strategy for combating terrorism.

The government’s anti-terrorism framework also provides the rubric within which the state underwrites and manages humanitarian action and also seeks to enlist civil society in its efforts. Participating in General Assembly debate in 2005 on the protection of civilians in armed conflict, Colombia’s ambassador to the UN made the following comment:

. . . the tendency to incorporate humanitarian assistance in the UN’s political and military missions jeopardises its basic principles. Confidence building among civil population as well as work with the authorities need a joint co-ordination between the State and the humanitarian organisations. We believe that the example of the International Committee of the Red Cross must be the rule and not the exception in any humanitarian situation.<sup>101</sup>

While her affirmation of the principled approach taken by the ICRC is significant, her statement in other respects runs counter to the views of organizations which believe that humanitarian principles fare better when associated with multilateral rather than bilateral frameworks.

In sum, many persons interviewed expressed nervousness about the blurring of lines between the humanitarian and the political. One observer noted that “The term humanitarian is manipulated by everyone.” Moreover, the interviewee continued, “human rights is no longer a good tool to promote peace. It is too manipulated.” While peace is an issue with undeniable humanitarian benefits, efforts to build a negotiated settlement on the foundation of humanitarian concern seemed unlikely to prove successful. A more coherent UN political framework and/or a more human security-oriented Plan Colombia might make a significant difference.

### Security

There is general consensus, both in the Atlantic Coast region and in the capital, that the security situation has improved over the violence that characterized the years 2000-2005. This view exists both among those who have experienced violence and also among the wider public. Middle-class Colombians are once again able to travel safely between cities (although not at night) and the government is again actively promoting international tourism. Such improvements figured in the May 2006 reelection campaign and reelection of President Álvaro Uribe Vélez.

In the years during which the conflict deepened, the security of aid workers, human rights organizers, and labor leaders became increasingly precarious. The downturn in the violence reported at about the time of the interviews is widely viewed as temporary. “Now is a time of calm,” says one leader, reflecting perhaps the beginnings of demobilization and the continuing presence of still-armed actors. He views the lull as temporary because he believes that Uribe policies are over the longer haul likely to make the conflict worse. There is a general sense that the hiatus is in part due to the fact that the paramilitaries, in the run-up to the March 2006 congressional elections, were anxious not to embarrass the government. Conversely, the FARC have committed numerous atrocities (including, during the time of the research visit, the killing in cold blood of eight municipal councilors in a southern town), ostensibly to demonstrate that the Uribe policy of democratic security had failed.<sup>102</sup> The FARC had also let it be known that international organizations were not welcome in territory it controlled in northeastern Colombia. Conferring among

themselves about how to respond, few agency staff seemed prepared to insist on access.

As of early 2006, the situation remains fragile. “The conditions of (continuing) war render security for civilians impossible,” noted one Colombian academic. During the time of the research visit, the news was circulating that two church leaders in Barranquilla had been placed on death lists. One had earlier been released from jail following a six-month stay after a judge dismissed the charges, based on informer-supplied information, of planting a bomb for the FARC. Certainly the security situation in many rural areas did not encourage communities to return. In rural Sucre province, families that had fled in 2000 from the Macayepo area were well organized and poised to return. Yet the control of the area by guerrillas, the existence of mined roads as well as the virtually total destruction of homes and infrastructure meant that only four of 371 displaced families had ventured back—and then, only the men.

For all of the vulnerability of Colombian civil society leaders and followers, UN agencies view their own operations as reasonably secure. Among its largest operations in complex emergencies anywhere in the world, notes one UN official, the UN in Colombia has had a paucity of serious security incidents. Both the FARC and the paramilitaries, he says, generally respect the neutrality of UN organizations. The UN security office has never declared levels of 3, 4 or 5 (that is, heightened) insecurity. The situation could change, of course.

The displaced themselves see security as comprised in large measure of their ability to resume their lives in safety and dignity. Their emphasis is on sustainable return: that is, on conditions that would support families going back to their communities together, with schools for the children, homes and health services, and roads to allow the marketing of crops. As staging areas for eventual returns, churches in the Montes de Maria area had purchased two farms to provide food and income during the “meanwhile” until security improves. Church members were meeting with provincial authorities in an effort to accelerate government action to ensure the requisite security for resettlement.

Government authorities conceded the obvious kinks in the return of the displaced. Officials at the municipal and province levels blamed delays on the absence of resources available from the capital, while those in Bogotá noted the shortage of reconstruction resources available from international donors. In a meeting with a U.S. religious delegation, Vice President Santos himself acknowledged his frustration but offered to follow through on complaints with authorities closer to

the action, or, as the case might be, inaction. He subsequently contacted the group to mention steps taken.

Several studies have attempted not only to monitor security incidents but also to analyze their causes. One such review examines security incidents involving a sample of 850 congregations during the fifteen-years beginning in 1991, when Colombia's new constitution established religious freedom and equality for all religious groups. The congregations were mostly Protestant, representing a small minority of believers in a traditionally Roman Catholic country but also a segment of society that had grown rapidly during this period. A number of individuals and congregations were specifically targeted by the armed groups, as were, for that matter, some associated with the Catholic Church, despite the fact that it was more well established and more closely identified with the state.

Despite the killings of pastors and lay leaders from the evangelical churches—a development that contributed to fundamental changes in their theology and practice—the study questioned the assumption that people were targeted specifically because of their faith. It reached a more nuanced conclusion: that they were vulnerable because of actions perceived as political taken in response to religious convictions. One such incident involved a pastor who refused to pay a “tax” levied by one of the armed actors. Having questioned the practice from the pulpit, he was assassinated. Another pastor in a conflicted area spoke of “spiritual warfare,” which one of the armed groups took to be directed at it. The survey concludes not that the church should cease to minister to the increasing numbers of displaced or to abandon its advocacy activities but rather that its leaders should receive more intensive training in how to function with discretion (“prudenzia”) in such settings.

The views of President Uribe, expressed forcefully and publicly on a number of occasions, that human rights groups were FARC sympathizers, were widely seen by human rights and humanitarian organizations as providing license to right-wing armed actors to harass and kill activists. As noted earlier, in speeches on Sept. 8 and 11, 2003, he spoke of human rights groups as “serving terrorism” and referred to donor governments as “sponsors of terrorists” defenders.”<sup>103</sup> For its part, the FARC makes no secret of its view that aid personnel active in paramilitary-controlled areas were promoting their adversary's cause, and the reverse was true for the paramilitaries. One incident dramatized how tangled the perceptions have become. Several human rights workers kidnapped by the FARC for activities on behalf of people

in areas controlled by paramilitaries were, following their release, detained by the paramilitaries on suspicion of FARC sympathies!

Some civil society groups view the hard-line approach of the Uribe government to negotiations with the guerrillas as increasing their own vulnerability. In one statement in February 2006, the president was quoted as saying, “It is time for final victory . . . Several generations lost by uncertainty and bloodshed are demanding it.”<sup>104</sup> A respected private analyst estimates that five times the current level of expenditures on the military would be needed to solidify the military’s hold over the countryside.

The perception of the embassies in Bogotá is that the situation in March 2006 is overall more secure than in recent years. In the case of the US—and the view extends from its heavily fortified embassy in Bogotá to the State Department and White House in Washington, DC—the improvement is viewed as a validation of the US-backed Uribe government and Plan Colombia. At the same time, few donor agencies—Canada is one exception—make it their business to travel regularly to the hinterlands and assess the situation first-hand for themselves. As a result, there is some doubt about the reliability and currency of the data on which some security-related decisions are made.

Participants in focus groups were asked whether Colombian aid and rights organizations were more vulnerable than their international counterparts. Many of those interviewed assumed that to be the case, although there is no data spanning both types of organizations that allows for quantitative comparisons of risk. One international NGO felt that the nationality of the organization didn’t make much difference. For the most part, however, expatriate personnel expressed the view that they were safer than their national counterparts, though by no means immune. The work of a number of NGOs is premised on the special need for Colombian groups and individuals to be accompanied in their day-to-day work. “They can kill a local doctor or nurse and nobody cares,” said one analyst. “Demanding solutions that respect human rights here in Colombia,” notes one lawyer who works with a victim’s group, “we’re labeled as political opponents and subject to armed attacks.” The hope, however, is that insecurity shared is insecurity reduced.

Are Colombian human rights groups more vulnerable than their humanitarian assistance counterparts? Perceptions are diverse and difficult to summarize. One human rights lawyer commented, “Human rights groups are more stigmatized here than humanitarian groups, though the gap is narrowing.” In his view, as assistance providers do

more in the cause of protecting the rights of civilians, they become more suspect and more vulnerable. Another lawyer notes that a time when war weariness abounds, “By insisting on human rights, advocates are seen as throwing up an obstacle to peace.” In reality, he concludes, rather than delaying a settlement of the conflict, “human rights is the foundation of peace.”

As in other such settings, there have been tensions between humanitarian and human rights NGOs. These have been particularly evident regarding the issue of impunity in the paramilitary demobilization and the supportability of the peace process. Agencies have differed on the question of whether assistance to those being demobilized should precede, accompany, or follow their re-entry into society, with aid organizations making a case for some transitional assistance on an urgent basis and human rights groups feeling that the issue of accountability for abuses needs attention first. Many human rights groups discourage US government funding of demobilization, while some humanitarian organizations would support such funding under certain specified conditions.

To what extent does association with the US government’s agenda and activities increase the vulnerability of aid organizations? No definitive data emerged from this study, although there was circumstantial evidence to suggest a connection. Several NGOs have refused to accept AID funding; another first accepted such funding and then reversed itself. AID has reportedly had difficulty locating international NGO collaborators and explains that as a rule it does not disclose the identity of its partner organizations, citing the security of staff as its major concern. UNHCR on occasion has refused to take US government funding, but whether staff security concerns figured in the decision was not evident.

Some international and some Colombian NGOs have accepted EC but not US funding. One US-based NGO takes the precaution as a matter of policy of administering its Colombia program from a nearby country and using no American staff people in Colombia, a strategy which it takes pain to publicize. Some UN officials interviewed felt that any perceived link to the United States increased the insecurity of UN operations. On the other hand, one knowledgeable Colombian was emphatic in his view that the UN did not suffer from any perceived link to US. Several NGOs include in job interviews of potential local staff questions about their political views, their appraisal of the conflict, and their connections (if any) to the Colombian state policy.

**Under the stated objective of fighting drugs, the U.S. has armed, trained, and advised Colombia's military despite its disastrous human rights record. Strengthened by years of U.S. support, the Colombian military and its paramilitary partners instead have waged a war against guerrillas and their suspected supporters in civil society, including members of legal political parties, trade unionists, community activists, and human rights monitors.**

**—Human Rights Watch**

US NGOs, meeting in Washington as part of the consultation process mentioned earlier to discuss the difficulties posed for them by the US Treasury guidelines on funding terrorists, were emphatic about the perceived linkages between security and their perceived independence, or lack of independence, from US policy:

An organization's ability to deliver charitable programs effectively will be compromised if its relationship to the community is not part of the security approach [that it adopts]. The gravest risk to this relationship is association with a political position, a partisan entity or a particular US or foreign government action. While an organization may itself give the community no reason to perceive its workers as anything but independent, governments may engage in practices that have the unintended effect of increasing the risk to its workers.<sup>105</sup>

This observation, taken from the NGO commentary on NGO "principles of international charity," doubtless reflects agency experience in Colombia as well as in Afghanistan and Iraq, from which some of its other examples appear to be drawn.

The insecurity of journalists in Colombia is an instructive microcosm of what assistance and protection personnel face. The latest annual UN human rights report notes an increase in threats to and exile of journalists in 2005, with attacks coming from both sets of internal armed groups and also from "public servants." "Due to intimidating actions, many journalists refrained from traveling to certain locations, preferring to report only official figures, or they simply did not report certain events, or even abandoned their profession."<sup>106</sup> Self-censorship undercut the access of the public to knowledge of what was taking place. Intimidation has also caused humanitarian groups to circumscribe their activities, thereby depriving the public of an understanding of what is taking place and denying those in need protection and succor. A similar conundrum has constrained the work of the OAS verification and monitoring commission. "Security impediments may in certain cases hinder effective verification," concludes a report. "The verification officers work with basic security rules that cannot be sidestepped."<sup>107</sup>

The issues of the use of armed security guards to protect aid premises and of military escorts to accompany humanitarian personnel and activities did not figure prominently in the interviews. However, a number of organizations are known to keep their distance from the military as a matter of policy and it seems that only a few turn to the US or Colombian military for such assistance. One observer notes that

human rights groups tend to accept the need to use armored vehicles but insist on choosing their own drivers and on keeping the vehicles unarmed. PBI staff wear recognizable uniforms and travel only in clearly marked vehicles.

In sum, security emerges as a major preoccupation of the humanitarian and human rights communities and of the civilian populations they seek to assist and protect. In Colombia and elsewhere, many such organizations have someone in-house charged with monitoring security issues or have access to outside advice and counsel on the evolving situation. In the final analysis, as one NGO put it, local factors seem the most critical ingredient in security or insecurity. These include the nature of the armed groups encountered (whether drug-, war-, or petty crime-related), the military strategy and tactics of the armed group at the time, the stress level in the area, the perception of the activities of humanitarian actors, the level of the interlocutor utilized for engaging the group, and the relative importance to the group of international norms and world and local public opinion.

## Conclusions

1. The conflict in Colombia is one in which armed groups of the left and right, in collaboration with drug traffickers, wreak havoc on civilians. It is not one in which terrorists of global reach are seeking to subvert a democratic state. In fact, references to a global war on terrorism have introduced a distorting and distracting element into discussion, analysis, and action.
2. Rather than being incidental to the conflict, violence against civilians has been a conscious instrument of the belligerents, leftist guerrillas and rightwing paramilitaries alike. The Colombian state is also implicated by virtue of its political and military policies and by its association with right-wing groups, as is the US government as a result of its substantial financial and political support for the Colombian state.
3. The violence has created a humanitarian and human rights crisis of major proportions while also complicating the response of the Colombian state, civil society, and the international community. The armed actors have failed to observe international norms; the government's general prohibition against dealings with the non-state armed actors has placed an added burden on the humanitarian endeavor.
4. Approached as the object of a "war," terrorism has put pressure on humanitarian organizations to choose sides to the detriment of their perceived even-handedness. The politicized landscape for humanitarian action in Colombia has produced heightened

difficulty in maintaining core principles such as neutrality, impartiality, and independence. Allegations of political agendas have increased the vulnerability and insecurity of humanitarian and human rights staff, expatriate and local.

5. The vitality of Colombian civil society and the diversity of Colombian governmental structures have been sorely tested—and in some respects strengthened—by the crisis. Social and political institutions affirm the universality of humanitarian and human rights norms and values, although respect for those values has often been a matter of contention in interpretation and implementation.
6. Despite efforts to do so, the United Nations has failed to provide a coherent framework for international humanitarian and human rights activities or to play an effective diplomatic role in easing or ending the conflict. Plan Colombia, supported by the US and Colombia, with its heavily bilateral and security orientation proved divisive for other donors and problematic for humanitarian and human rights organizations.

## Recommendations

1. Functioning in politicized and conflicted settings such as Colombia's requires consummate professionalism on the part of all international actors: donor governments, humanitarian and human rights organizations, and international diplomatic personnel. In view of the mutual suspicion of agendas, greater discipline on everyone's part is of the essence.
2. The host political authorities should exercise restraint, avoiding the temptation to impugn the integrity of humanitarian and human rights actors in their promotion of perceived national security objectives. Acceptance of international norms and obligations will in the long term serve the authorities well.
3. Greater efforts are needed to insulate humanitarian action from the politicization associated with terrorism and efforts to counteract it. Humanitarian action in a time of terrorism is not a contradiction in terms; for their part, counter-terrorism strategies need to respect humanitarian norms.
4. While not diminishing the importance of addressing the problems posed by terrorism and terrorists, approaching the challenge as one of law enforcement rather than war would arguably ease many of the identified points of friction with humanitarian action. Framing the concept with greater precision would have advantages on the political as well as the humanitarian side as well.

5. The “social contract” which permits international humanitarian access to Colombia’s civilian population has been eroded in recent years. Its revitalization is urgently needed in order for assistance and protection work to go forward. The United Nations appears best positioned to undertake this task, although many actors need to be involved.
6. There is a clear and growing need for robust international structures to combat terrorism based on international norms. For the United States in particular, this will require as dedicated a commitment to strengthening the effectiveness of the United Nations system as it has made toward prosecution of the war on terrorism.
7. Challenges faced by Colombia in conflict resolution, poverty alleviation, state capacity and presence, and accountability—issues that underlie the current struggle with terrorism—require concerted international strategies and division of labor. The domination of the debate and the interaction by the United States has impeded a concerted and balanced international response.
8. The responsiveness of local Colombian institutions to humanitarian and human rights challenges is a function of the health of Colombian civil society. The international community has a clear interest in supporting civil society institutions and leadership as an investment in an end to the conflict and to durable social reconstruction.

## Notes

- <sup>1</sup> UNHCR, "Emergency campaign brings sense of identity for hundreds of Colombians forced to flee violence," Reliefweb, May 15, 2006.
- <sup>2</sup> OCHA, "UN Emergency Relief Coordinator concerned by situation of Colombian indigenous people," Reliefweb, May 5, 2006.
- <sup>3</sup> "Report of the UN High Commissioner for Human Rights on the Situation of Human Rights in Colombia," Economic and Social Council ECH4/2006, January 20, 2006, page 3.
- <sup>4</sup> UNICEF, "Colombia Donor Update," Reliefweb April 19, 2006.
- <sup>5</sup> Hans-Peter Gasser, "Acts of terror, 'terrorism' and international humanitarian law," *International Red Cross Review*, Vol. 84, Sept. 2002, 7. Gasser's definition has six elements, of which these are the major ones.
- <sup>6</sup> See, for example, Christopher Mitchell and Sara Ramirez, "Local Peace Communities in Colombia," in Virginia M. Bouvier, ed., *Colombia: Peace in a Time of War*, (Washington, DC: US Institute of Peace Press, forthcoming).
- <sup>7</sup> An example is provided in Presidencia de la Republica, Alto Comisionada para La Paz, "Lineaminetos para el enfoque de los proyectos de cooperación internacional" [undated].
- <sup>8</sup> The President's speech is reprinted in full in *El Tiempo*, Sept. 8, 2003, under the headline, "El presidente de la Republica Álvaro Uribe Vélez ataca a las ONG de Derechos Humanos en Colombia" [The President of the Republic Álvaro Uribe Vélez attacks NGOs on the subject of human rights in Colombia].
- <sup>9</sup> "International protective accompaniment" is the physical accompaniment by international personnel of activists, organizations or communities who are threatened with politically motivated attack. Lizzie Brock, Protection through Diplomacy in Colombia, in Larry Minear and Hazel Smith, eds., *Humanitarian Diplomacy: Practitioners and Their Craft* (Tokyo : UN University Press, 2006 forthcoming).
- <sup>10</sup> Press release dated June 26, 2006, 1.
- <sup>11</sup> "Report of the High Commissioner for Human Rights on the situation of human rights in Colombia," UN Economic and Social Council, E/CN.4/2006/009, January 20, 2006, 4. The report of the Representative of the UN Secretary-General on the Human Rights of IDPS commended the Court on its decision.
- <sup>12</sup> One recommendation from a recent report speaks to the situation in Colombia: "Human rights provisions in peace agreements should be consistent with international human rights standards and should provide appropriate mechanisms to implement and enforce them." International Council on Human Rights Policy, *Negotiating Justice, Human Rights and Peace Agreements* (Geneva, 2006, 11).
- <sup>13</sup> Juan Forero, "Court Overrules Parts of Law Shielding Colombia's Warlords," *New York Times*, May 20, 2006.
- <sup>14</sup> Centre for Humanitarian Dialogue, "Humanitarian engagement with armed groups : The Colombian paramilitaries," Case Study Volume 1. No. 2 (Geneva, 2003), 32.
- <sup>15</sup> Quoted in Isacson, Adam. "Was failure avoidable? Learning from Colombia's 1998-2002 peace process" The Dante B. Fascell North-South Center, Working Paper Series, WP14, March 2003.
- <sup>16</sup> The FARC's website is at <http://www.redresistencia.org>
- <sup>17</sup> Jorge A. Restrepo and Michael Spagat, "Colombia's Tipping Point?," *Survival* vol. 27, no. 2, Summer 2005, 134. The article provides useful information on the origins and evolution of the non-state armed actors.
- <sup>18</sup> "AUC itself estimates that it has authority over about 90% of the paramilitary forces within Colombia, with the remainder being independent factions. It is estimated that it has more than 20,000 militants." Source: [http://en.wikipedia.org/wiki/Autodefensas\\_Unidas\\_de\\_Colombia](http://en.wikipedia.org/wiki/Autodefensas_Unidas_de_Colombia) (visited 4/13/06).

<sup>19</sup> Kees Koonings and Kjell-Åke Nordquist, "Peace process, paramilitary CDDR and internacional support for the MAPP/OEA verification and support mission in Colombia," Oct. 3, 2005, 12. [a joint assessment commissioned by the Embassies of the Netherlands and Sweden]

<sup>20</sup> Robin Kirk, *More terrible than death: Massacres, drugs, and America's War in Colombia*. New York: Public Affairs, 2004, xvii.

<sup>21</sup> General Bantz J. Craddock, U.S. Army Commander, U.S. Southern Command, "Posture Statement," Senate Armed Services Committee, March 14, 2006, 8.

<sup>22</sup> Ministry of Defense, [http://alpha.mindefensa.gov.co/descargas2/anexos/2649\\_Longros\\_y\\_Retos\\_de\\_la\\_Politica\\_de\\_Defensa-y-Seguridad.pdf](http://alpha.mindefensa.gov.co/descargas2/anexos/2649_Longros_y_Retos_de_la_Politica_de_Defensa-y-Seguridad.pdf) [April 2006]

<sup>23</sup> Craddock, op.cit., 7.

<sup>24</sup> Restrepo, Spagat, and Vargas, op.cit., 399.

<sup>25</sup> "Colombia: President Uribe's Democratic Security Policy". Bogotá and Brussels: International Crisis Group, 2003. 5 October 2004. Source:

[http://www.icg.org//library/documents/latin\\_america/06\\_colombia\\_uribe\\_dem\\_security.pdf](http://www.icg.org//library/documents/latin_america/06_colombia_uribe_dem_security.pdf)

<sup>26</sup> The balance between security and civil liberties has also been at the crux of the debate in early 2006 in the United States about extending the USA Patriot Act, initially enacted in the immediate aftermath of 9/11

<sup>27</sup> Many observers anticipate continuation of the present hardline emphasis on military defeat of the guerrillas and a strengthening of US ties, although some expect in a second Uribe term more accommodationist policies toward ending the conflict.

<sup>28</sup> See, for example, Human Rights Watch, *Colombia's Killer Networks: The Military-Paramilitary Partnership and the United States* (New York, Washington, London, Brussels: HRW, 1996).

<sup>29</sup> The number demobilized exceeded earlier estimates by the government of right-wing paramilitaries under arms of some 20,000, calling into question the authenticity of the process.

<sup>30</sup> International Institute for Strategic Studies, "Annual Colombia Update, 2006."

<sup>31</sup> The pie chart is from the Center for International Policy, based on US government figures and used with permission.

<sup>32</sup> The quoted portions are from a U.S. Department of State Fact Sheet, March 14, 2001.

<sup>33</sup> Some analysts express nostalgia for the Cold War days. "The last time the U.S. government committed to a specific strategy toward Latin America," writes Stephen Johnson of the Heritage Foundation, "was during the Reagan Administration in the 1980's." "U.S.-Latin America Ties Need Commitment and Strategy," Executive Summary, Backgrounder No. 1920, March 13, 2006, 11.

<sup>34</sup> Kirk, op.cit., 291.

<sup>35</sup> See Richard A. Clark, *Against All Enemies: Inside America's War on Terror*, (Simon and Shuster, 2004), quoted in "September's Shadow: Post-9/11 U.S.-Latin American Relations," 3.

<sup>36</sup> Craddock, op.cit., 5.

<sup>37</sup> Canadian Council on International Cooperation, commentary on OECD/DAC statement, "A Development Cooperation Lens on Terrorism Prevention," April 2003.

<sup>38</sup> Noting the involvement of the Colombian guerrillas in drug production and trade, former head of the Southern Command General Barry McCaffrey in the period before 9/11 described counter-insurgency and counter-drug operations as "two sides of the same coin." Several interviewees saw the coining of the term "narco-terrorism" as a stratagem by US congressional staff to make the program more politically saleable post 9/11.

<sup>39</sup> Gasser, op.cit., 7-8. Article 51 of Protocol 1 of 1977 to the Geneva Convention of 1949 defines as terrorist those acts "the primary purpose of which is to spread terror among the civilian population."

<sup>40</sup> The 28 countries were Afghanistan, Algeria, Armenia, Azerbaijan, Bangladesh, Colombia, Djibouti, Egypt, Ethiopia, Georgia, Hungary, India, Indonesia, Jordan, Kazakhstan, Kenya, Oman, Pakistan, Philippines, Poland, Russia, Saudi Arabia, Tajikistan, Tunisia, Turkey, Turkmenistan, Uzbekistan, and Yemen.

<sup>41</sup> Congressional Research Service, "Report for Congress: Fiscal Year 2006 Appropriations," Oct. 26, 2005 (updated).

<sup>42</sup> *Columbia Forum Newsletter*, Issue 28, Sept.-Nov. 2001, p. 2.

<sup>43</sup> Kirk, *op.cit.*, 293.

<sup>44</sup> Such events have led to speculation about the influences of the personal experiences of policy-makers on perceptions of the conflicts and prospects for peace.

<sup>45</sup> Caritas Espanola, *Degradación de un Conflicto Armado con Profundas Raíces Sociales y Políticas*, 2005, 9.

<sup>46</sup> International Institute for Strategic Studies, "Annual Colombia Update 2004."

<sup>47</sup> In this context, the limited success of the coca eradication and interdiction efforts may spell trouble for continued high levels of funding for Colombia. See, for example, Indira A. R. Lakshmanan, "[\\$]4b later, drugs still flow in Colombia." *Boston Globe*, May 21, 2006.

<sup>48</sup> Other observers note that the Colombian military accounted for the largest number of homicides pre-1996, only to trade places with the paramilitaries as the major cause of homicides after that date.

<sup>49</sup> Restrepo, Spagat, and Vargas, *op. cit.*, 410. Other analysts suggest that the incidents involving paramilitaries were less numerous early on, when the Colombian security forces were involved, but more numerous later when the paramilitaries functioned as their surrogate.

<sup>50</sup> Report of the UN High Commissioner for Human Rights, *op. cit.*, page 16, para. 22.

<sup>51</sup> The UN Representative on IDPs expressed particular concern regarding "the disproportionate impact of displacement on indigenous and Afro-Colombian communities. It is seriously affect their cultural and land rights." *op.cit.*, 2.

<sup>52</sup> Other observers point out that grotesque brutality has its origins earlier during the period of La Violencia.

<sup>53</sup> UNHCR figure, found at <http://www.unhcr.org/cgi-bin/texis/vtx/statistics>. The Armed Conflict Database of the International Institute for Strategic Studies in its 2005 review puts the number of displaced at 2.5 million.

[acd.iiss.org/armedconflict](http://acd.iiss.org/armedconflict)

<sup>54</sup> Betsy Marsh, "Going to Extremes: The U.S.-funded Aerial Eradiction Program in Colombia, Washington, D.C.: Latin American Working Group, March 2004.

<sup>55</sup> Restrepo-Spagat, *op.cit.*, 141.

<sup>56</sup> U.S. Department of State, Country Reports on Human Rights Practices 2005 : Colombia, Section 1g, Use of Excessive Force and Violations of Humanitarian Law in Internal and External Conflicts.

<sup>57</sup> Report of the UN High Commissioner for Human Rights, *op. cit.*, 6.

<sup>58</sup> Kees Koonings and Kjell-Åke Nordquist, *op. cit.*, 3.

<sup>59</sup> However, members of the US Congress who have promoted the inclusion of such safeguards in foreign assistance legislation are not yet giving the Colombian military a clean bill of health.

<sup>60</sup> Restrepo, Spagat, and Vargas, *op.cit.*, 415

<sup>61</sup> For their part, human rights groups caution that in the Colombia military, "people have the human rights language down very nicely," but the culture itself hasn't much changed.

<sup>62</sup> For an overview of the intersections between business and the conflict, see "Comercio y conflicto," *Fundacion ideas para la paz*, February 2006. For an overview of actions by US advocacy groups to boycott Coca Cola, see <[www.killercoke.com](http://www.killercoke.com)>

<sup>63</sup> "Polemica por gir a ayuda de E.U.," *El Tiempo*, March 4, 2006, p.1.

<sup>64</sup> An AID official was quoted as saying, “The good news is that the State Department has discovered Afghanistan. The bad news is that the State Department has discovered Afghanistan.” Ian Smillie and Larry Minear, “The Quality of Money,” IASC, 2003.

<sup>65</sup> Michael Spagat, “Colombia’s Paramilitary DDR : Quiet and Tentative Success.” [http://www.ceraac.org.co/pdf/UNDP\\_DDR\\_V1.pdf](http://www.ceraac.org.co/pdf/UNDP_DDR_V1.pdf) [posted and visited June 23, 06].

<sup>66</sup> “Profile: Alvaro Uribe Velez,” BBC on-line, May 29, 2006, (visited June 1, 2006)

<sup>67</sup> The profusion of NGOs, genuinely independent and others organized or promoted by the Colombian authorities, is reminiscent of Afghanistan during its own recent time of turmoil.

<sup>68</sup> Presidencia de la Republica, Alto Comisionada para La Paz, op.cit.

<sup>69</sup> Under the current anti-terrorism statute, the government may arrest people without warrants.

<sup>70</sup> Kirk, op. cit., 289.

<sup>71</sup> For a detailed examination of the negative impacts at the global level of counter-terrorism concerns on the rights of civilian populations and on the safety of organizations seeking to defend them, see Neil Hicks and Michael McClintock, eds., “Defending Security: The Right to Defend Rights in an Age of Terrorism,” Human Rights First, 2004.

<sup>72</sup> Report of the UN High Commissioner for Human Rights, op. cit., page 112, para. 14.

<sup>73</sup> Op.cit., 1.

<sup>74</sup> Briefing by Ron Redmond, UNHCR Regional Office for the U.S. and the Caribbean, May 30, 2006.

<sup>75</sup> U.S. Department of State, “Country Reports on Human Rights Practices 2005: Colombia,” op.cit., Section 1g.

<sup>76</sup> Report of the UN High Commissioner for Human Rights, op. cit., pp. 91-2 and 97.

<sup>77</sup> Caritas Espanola, op. cit., 65.

<sup>78</sup> The figures, from the NGO Fundacion Pais Libre, are cited in the UN Human Rights Report, p. 104, para. 28, footnote 73.

<sup>79</sup> Compiled by the NGO Fondelibertad, the figures are cited in the State Department’s Human Rights Report, section 1g..

<sup>80</sup> U.S. Department of State, “Country Reports on Human Rights Practices 2005 : Colombia,” op.cit., Section 1g.

<sup>81</sup> Gasser, op.cit., 14. For a discussion of the widening obligation of governments to exercise sovereignty in a humanitarian fashion, see the work of the International Commission on Intervention and State Sovereignty.

<sup>82</sup> U.S. Department of State, “Country Reports on Human Rights Practices 2005: Colombia,” op.cit., Section 2 d.

<sup>83</sup> Problems of enumeration often occur in complex emergencies. See Jeff Crisp, “The Politics of Numbers,” in Stephen K. Lubkemann, Larry Minear, and Thomas G. Weiss, *Humanitarian Action: Social Science Connections* (Providence, RI: The Watson Institute, 2000), Occasional Paper 37.

<sup>84</sup> Caritas Espanola, op. cit., p. 64.

<sup>85</sup> Others involved prefer to speak of “interacting” with those with arms, in part reflecting the government’s prohibition on negotiations with the armed non-state actors.

<sup>86</sup> See full text of the Patriot Act at: <http://thomas.loc.gov/cgi-bin/bdquery/z?d107:h.r.03162>

<sup>87</sup> Quoted material in these two paragraphs comes from a letter of Feb. 1, 2006 from the US Council on Foundation to the US Treasury’s Office of Terrorist Financing and Financial Crime, and from “Principles of International Charity Developed by the Treasury Guidelines Working Group of Charitable Sector Organizations and Advisors,” March 2005. These documents are available at the Council on Foundation’s website. See also Handbook on Counter-Terrorism: What U.S. Nonprofits and Grantmakers Need to Know, [www.interaction.org](http://www.interaction.org)

<sup>88</sup> As of May 2006, the Treasury Department had not responded to the NGO request of February 2006 that the “Principles” be substituted for the draft Treasury guidelines, which were reissued in draft form in December 2005.

<sup>89</sup> Some advocates took the position that the US was so identified with the Colombian government and the paramilitaries that a constructive role in demobilization and reintegration would have been ill-advised even with more permissive legislation.

<sup>90</sup> "Explicación de Santos," *Nuevo Siglo*, April 25, 2006.

<sup>91</sup> For an analysis of PBI's work in Colombia, see Lizzie Brock's chapter in Larry Minear and Hazel Smith, eds., *Humanitarian Diplomacy: Practitioners and Their Craft*, Tokyo: UN University Press, forthcoming.

<sup>92</sup> Quoted in Philip Cryan, "The War on Human Rights in Colombia," *Counterpunch*, Oct. 11-13, 2003

<<http://www.counterpunch.org/cryan10112003.html>> Presidential Directive 07 prohibits stigmatization of civil society organizations. See UN Human Rights Report, op. cit., p. 95, para. 4.

<sup>93</sup> U.S. Department of State, "Country Reports on Human Rights Practices 2005 : Colombia," op.cit., Section 4, Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights." On the first business day following President Uribe's re-election in May 2006, the State Department certified satisfactory human rights performance by Colombia and unfroze the remaining 25% of U.S. military assistance that was contingent upon such certification.

<sup>94</sup> For a discussion of the issue of politicization in the Central American conflicts of the 1980's and 1990's, see our case study, *Humanitarian Challenges in Central America: Lessons from Recent Armed Conflicts*. Providence, RI: Watson Institute, 1993 Occasional Paper No. 14.

<sup>95</sup> At an early point in the legislative process, the appropriations bill for Fiscal Year 2007 contains 17% economic and 83% other assistance. Center for International Policy website, "Plan Colombia and Beyond," May 21, 2006, visited May 25, 2006.

<sup>96</sup> Kees Koonings and Kjell-Åke Nordquist, op. cit.

<sup>97</sup> For an examination of the experience in other country settings, see Larry Minear, "The Evolving Humanitarian Enterprise," in Thomas G. Weiss, *The United Nations and Civil Wars* (Boulder, CO: Lynne Rienner, 1995), 89-106.

<sup>98</sup> For contrasting appraisals of Plan Colombia, see Stephen Johnson, *Helping Colombia Sustain Progress Toward Peace*, The Heritage Foundation, Backgrounders No. 1887, Oct. 19, 2005, and Adam Isaacson, "Failing Grade: Evaluating the Results of Plan Colombia," *Yale Journal of International Affairs*, Summer/Fall 2005.

<sup>99</sup> WFP and IOM also receive funding under the Plan.

<sup>100</sup> In congressional testimony, the commander of the US Southern Command stated, "Our top priority in Colombia is the safe return of three American hostages, who have now been held captive by the FARC for over three years." General Bantz J. Craddock, Posture Statement, op. cit. 5.

<sup>101</sup> Statement by H.E. Ambassador Maria Angela Holguin Cuellar, Permanent Representative of Colombia to the UN, June 21, 2007, 7.

<sup>102</sup> In a development that surprised many observers, the FARC encouraged people to vote in the May 2006 presidential election but not for President Uribe.

<sup>103</sup> *El Tiempo*, Sept. 8, 2003, op. cit. Also quoted in Philip Cryan, "The War on Human Rights in Colombia," *Counterpunch*, Oct. 11-13, 2003 <<http://www.counterpunch.org/cryan10112003.html>>

<sup>104</sup> "Uribe to Military: Smash Rebellion," *Miami Herald*, Feb. 23, 2006, 12A. "The logic of reforming the war by more war," observed a Colombian researcher in an interview for this study, "doesn't work."

<sup>105</sup> "Principles of International Charity," op. cit., Principle 8, page 11.

<sup>106</sup> The UN Human Rights Report (p. 103, paras. 25-26) references an August 2005 analysis on freedom of expression in Colombia by the Rapporteur for Freedom of Expression of the Inter-American Human Rights Commission.

□ Kees Koonings and Kjell-Åke Nordquist, op. cit., 20.