



Colombia Forum

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Colombia Forum is an independent source of information and is compiled using a variety of sources in English and Spanish, including mainstream and alternative press, reports from NGOs and the United Nations, and primary sources. It aims to give space to voices not normally heard in the media and provide analyses of under-represented populations. It is distributed by the ABColombia Group. The contents do not necessarily reflect the opinion of the members of the Group.

Advisory Committee:
Mike Simpson
Madeline Church
Neil Jeffery
James Lupton
Bianca Bauer

To be included on the mailing list, please contact Colombia Forum
Email:
colombiaforum@abcgroup.globalnet.co.uk
Tel: 020-7523-2199
Address: POBox 100 London SE1 7RT

Introduction

Possibly, the most notable change seen in the first nine months of the Uribe administration has been the way in which the Government of Colombia (GoC) has been effectively welcomed into the community of nations, and been given almost unqualified support for its anti-terrorism agenda by regional and global inter-governmental bodies, while at the same time pursuing national policy that threatens to severely undermine existing human rights safeguards.

While Spain has, for the first time, provided military aid to Colombia, it is the new governments in Brazil and Ecuador that are holding the door partially open to a possible negotiated solution, by resisting calls to classify the FARC as terrorists. Urban bombing attributed to the FARC has undermined the latter's claim to be against terrorism, and provoked the US once more into boosting political and military support for the GoC.

With high support ratings at home and abroad, the GoC is pushing for new Anti-Terrorism legislation, which will both curb the freedom of the press and reintroduce police powers for the military (ruled unconstitutional by the Constitutional Court when proposed last year). The GoC seems, confusingly to outside observers, to be committed to both the highly complicated Referendum project and a political reform project, which includes some of the same items.

It has also issued Decree 128, providing a support package for demobilised fighters from illegal armed groups and potential blanket impunity. The new Peasant Soldier structure is being deployed across the country, with claims of forced recruitment by the military of indigenous youngsters, and a Bill to enable civilians to carry automatic weapons is being reintroduced. This in a context in which NGOs and social organisations yet again find themselves targeted as being enemies of the state, by an administration seemingly intolerant of any criticism or opposition.

In this issue we summarise the successes the Uribe administration has notched up in its international campaign against terrorism, we provide more detail on the talks with the paramilitaries and the surrounding legislative context, we give you an update on the Referendum project and the National Development Plan, we show the systematic nature of attacks on social organisations and human rights despite repeated UN recommendations calling for their recognition and protection, and we give you a brief introduction into the Catatumbo region.

Colombia on the international stage – Anti-terrorism dominates the agenda

Despite the fact that Colombia no longer has a seat on the Security Council of the UN, the Uribe administration has succeeded in placing the Colombian conflict squarely in the international fight against terrorism. It has consistently invoked Resolution 1373 of the Security Council to justify its internal security policies, and back up its call for even more military aid. In the past three months it has achieved the following resolutions or statements from the Organisation of American States (OAS), Central American governments, the European Union and the Security Council of the UN:

Panama Declaration 11/2/03 – signed by all Central American countries and Argentina.

OAS Resolution 837 (1354/03) 12/2/03 condemns terrorist acts in Colombia.

Presidency of European Union, 12/2/03, Declaration against terrorism.

UN Security Council Res. 1465 (2003) 13/2/03, against terrorism.

Uribe has also been vocal in supporting the US and UK in the war on Iraq, and has even called for troops to be deployed off the Colombian coast on their return from the front. Uribe has personally pushed all neighbouring states to declare the FARC-EP a terrorist organisation. Under United Nations Antiterrorism Resolution 1373 such a classification enables freezing of bank accounts, prohibition of financing, and denial of refuge. However Brazil, Ecuador, and Venezuela all rejected President Uribe's request in March. Commentators see this move by Colombia's neighbours as an attempt to keep the door open for acting as mediators in any future peace talks. Urban bombings attributed to the FARC-EP have left many dead and further polarised the war, peace activists supporting continuing efforts to bring parties to the negotiating table are regularly pilloried and accused of being guerrilla apologists and supporters.

The GoC has received military aid from Spain for the first time, 100 annual grants for military training, and satellite intelligence equipment (although this has since been recalled). As the Minister of Defence proudly announced, 'it is the first time that Europe is prepared to give us military aid. Aznar's government understands that in order for Colombia to defeat terrorism we need not just political but also military support.' The US Administration and Congress appear to have retreated significantly from their stance on human rights conditions, and have upped the military aid budget considerably (see US section).

Uribe's legislative agenda – security continues as number one priority

On the domestic front, the GoC has now extended the State of Internal Commotion for as long as is legally possible (though these were declared unconstitutional by the Constitutional court in April), and is seeking to quickly pass an Anti-Terrorist Statute that would make many of its provisions permanent. A particularly controversial issue for human rights lawyers and defenders is the unwavering commitment to give judicial police powers to the Armed Forces, something already ruled unconstitutional by the Constitutional Court and contrary to international law. As many human rights NGOs report, the Army is already making use of de facto police powers, using prosecutors and judicial officials to accompany them on controversial raids on offices and houses of union members, popular organisations and NGOs. At the same time voices in the media and press have expressed serious concerns about articles that seek to restrict press freedom, and legislate for 'patriotism' as the first duty of any reporter.

The GoC has published its National Development Plan (required by law from an incoming administration) that leaves no doubt that the 'security' part of the 'democratic security' agenda is the priority. Many analysts consider that it is based on a limited and flawed diagnosis of the national context and crisis, failing to identify or challenge the root causes. Democratic security is the central axis for all policy. It increases resources for the military, and deepens the militarisation of society through informer networks and peasant soldiers, while strengthening a concept of the 'duty' of all Colombians to cooperate with the State, by which it means that opposition is unpatriotic. Despite Uribe's anti-corruption campaign, the Plan proposes to combat political corruption and clientelism, while leaving intact the political regime that sustains it. The basic tenets of Plan Colombia are consolidated, in particular a zero-tolerance approach to coca cultivation and drug use. The Plan takes a paternalistic approach to the serious social crises of unemployment, and under-investment. It fails to offer a meaningful response to the chronic displacement crisis, focusing instead upon what appear to be return programmes linked to an apparent strategy to employ them in activities to supply forest products to the international market. The GoC is urging the international community to allocate financial resources to aspects of the Plan, a strategy that is meeting with some scepticism from the European community (see Europe below)

Referendum – will enough people vote?

Another controversial new policy is the Referendum project. This is the first time since the introduction of the new Constitution in 1991 that a referendum has been seriously proposed.

What started as an anti-corruption promise in the Uribe election campaign has become an unwieldy 19-point text that is almost incomprehensible to the average Colombian.

The text is full of abstract and technical language and each question takes up half a page. The GoC estimates that each voter will need at least half an hour to cast his or her vote.

That is if they don't use the block Yes or No vote option contained in the last question.

Indeed, this is where much of the controversy comes in. The Referendum covers a wide range of distinct and unrelated issues, from the reduction in the size of the Congress to criminalizing personal drug use, and includes significant labour policy such as a freeze on state wages, and reduction in pension entitlements (although not for members of the Armed Forces). It proposes abolition of auditors responsible for local expenditure oversight ("*contralores*") and the removal of human rights protection mechanisms in the form of *personerías* (which it claims are costly and inefficient) in cities with a population above 100,000, while extending the term of office of those locally elected officials currently in post by a year. One of the more controversial items for the human rights community is the issue of opening up several seats in Congress for representatives of illegal armed groups that are involved in a peace process. In the current circumstances, this means representation for the AUC. A blanket Yes or No vote to such a diversity of issues may well be unconstitutional, and many feel is certainly anti-democratic.

The block vote is anti-democratic not just because of the diversity of issues, but also given the length of the text, it pressurises voters to say yes or no to all of it. The Referendum contains 19 items for response, when in reality each item covers an average of seven diverse themes not necessarily related to one another. It is in reality more than 100 questions camouflaged in a deceptive manner. (*Camilo Gonzalez, REFORMA POLITICA VRS REFERENDO, Marzo 2003*)

The text of the referendum has been referred to the Constitutional Court. Given that this is the first time a Referendum has been called, the Court has no legal precedents to work from. It has to rule on the issue of whether such diverse themes can be unified in one

document, and on whether correct procedure was followed in Congress. For instance, the increase in the governance period for Mayors and Governors, and penalisation of personal drug use, are issues that have never been debated. The *personerías* item was passed by the Lower House, but was struck out in plenary debate in the Senate, and then reintroduced in the Conciliation Commission between the two Houses. These legal niceties are threatening to hold up the project for some time, an outcome the GoC wishes to avoid.

However, an opinion poll published 31/3 in *Semana* magazine suggests that the real problem with the Referendum is the indifference and ignorance of those expected to vote for it. In order to pass, a minimum of 25% of the electoral roll must vote in favour, approx. 6 million Colombians. Yet 95% of Colombians have not read the text, 75% know little or nothing about the subject, 55% don't know what it is for, 72% don't know when it is happening, and 47% will probably or definitely not vote.

While *Semana* encourages the GoC to make this referendum a vote of confidence in Uribe, Colombia's largest unions (CUT, CTC, GGTD), popular organisations, and various independent politicians have embarked on a campaign that asks people to abstain from voting in the referendum. Calling this strategy Active Abstention, they are seeking to avoid the negative connotations the concept of abstention normally implies: indifference, ignorance and apathy. An educational campaign will tour 32 of Colombia's cities, hoping to train 3,200 people on the implications the referendum may have and on why people should abstain. The Campaign has generated fierce criticism and open threats from the AUC. Carlos Castaño has called opposition "subversive", adding that leaders of the Campaign to Abstain are "targets that have to be eliminated".

Talks with Paramilitaries – towards amnesty and legalisation?

On March 21 the GoC and AUC issued a joint press-release. This is the first joint statement formally acknowledging talks between the two and reiterating that the exploratory phase of talks will continue. In it, both signatories call again for the International Community and Colombian society to support the process more actively and openly.

This call for support is a clear indicator that the GoC is not getting the international, or even the national backing that, perhaps naively, it expected would be

forthcoming when the AUC signed a ceasefire on Dec. 1 2002.

The UN and EU governments are currently not prepared to be formally involved and appear to have sent the message that they will not support a process that deepens impunity and sanctions the retention of illegally-acquired land. The US-based Center for International Policy has insisted that any formal US support should be hedged by the following conditions:

All paramilitary groups must participate in the negotiations.

The definition of "cease-fire" must include non-battlefield violence.

Ex-paramilitaries must not be "recycled" into any state security structure.

Ex-paramilitaries cannot keep what they have stolen or gained illegally.

(See Peace talks with the Paramilitaries: four conditions for U.S. Support, 10 Dec 2002. <http://www.ciponline.org/colombia/02121001.htm>)

The first two of these conditions have clearly not been met since the Dec 1 cease-fire. The Elmer Cardenas bloc and the Metro Bloc, have already withdrawn or distanced themselves from the talks. The Elmer Cardenas bloc, known to be very close to Carlos Castaño, has 1500 armed men operating in Antioquia, Panama and Chocó and is the bloc with greatest military power. The Metro Bloc operates in the urban centre of Medellín. These are the two blocs who are expanding both militarily and territorially at the moment. They were also the two groups that founded the ACCU, Castaño's power base. Antioquia and Chocó are areas of vital strategic importance for arms imports, control of routes to the interior, and drugs cultivation. The Elmer Cardenas bloc controls the arms imports for the extreme armed right and has accumulated a great deal of wealth from property stolen from the displaced population in the region over the last seven years. This bloc is assumed to be responsible for recent incursions on the Panama border, leaving five indigenous leaders dead, and provoking large-scale displacement. It is also implicated in the recent kidnapping of three journalists. Such divisions raise serious questions about how far this process can go, especially if the arms import and drug export routes remain controlled by paramilitary forces.

According to the Director of the UN Human Rights Office, the paramilitaries have violated their cease-fire repeatedly since December. The cease-fire, such as it is, does not appear to include non-battlefield violence. The fact that not all blocs are participating in

the talks makes monitoring any cease-fire a slippery affair, if not an impossible task. Simply tracking reports in the press and following the UN special missions, for example to Arauca, shows how attacks on the civilian population by paramilitary groups continue across the strategic conflict zones. There are continued reports of selective killings of civilians and extended social control measures in city areas controlled by paramilitary forces, such as Barrancabermeja and Medellín. A worrying new trend is rapes and sexual abuse of women, as a way of exercising control over families and the private sphere of the home.

Recent government policy does not indicate that paramilitarism will be taken any more seriously. The Peasant Soldier structure, and that of the informer networks, when taken in conjunction with Decree 128, referendum proposals to 'reserve' seats for members of illegal armed groups, and proposals to make high calibre weapons available to civilians, suggest that paramilitaries could be amnestied, recycled into security structures, and given political representation. Few believe that there is any political will to reverse the 'counter-agrarian reform' undertaken by paramilitary forces over the last few years, through forced displacement and whole-sale theft of prime land.

There are serious concerns about what appears to be support for impunity from the GoC and allied congressional representatives. The joint Minister of Interior and Justice, Fernando Londoño, has made no secret of his commitment to overcoming any legal obstacles to reinsertion.

Decree 128 (2003) issued in January offers a package of measures for any member of an illegal armed group who wishes to demobilise. It sets out very detailed proposals for reintegration. The kind of specific economic and humanitarian support such individuals will receive contrasts sharply with policy in place for those forcibly displaced by those same armed actors. While the displaced population are offered three months emergency support, and few economic opportunities, let alone compensation for stolen property or the murder of family members, the reinsertion programme offers two years of economic support, including training, job opportunities, health cover and even life insurance. They also benefit from a variety of economic incentives for information leading to captures, or weapons dumps, or simply handing over arms. Such economic and social benefits end when the two years are up, or the person suddenly leaves the programme. Most worrying, it provides an extensive programme of amnesties and pardons, for those who have not previously been processed or sentenced for crimes that cannot carry an amnesty

according to Colombian or international law. This effectively means that all those willingly deserting and demobilising can expect an amnesty, as so few people in Colombia have ever been accused of such crimes, let alone tried for them (see attached detail on Decree 128).

According to *El Espectador* a recent meeting between a group of 12 parliamentarians, and Salvatore Mancuso, military leader of the AUC, touched on this subject. Asked if they thought a law on amnesties and pardons would be possible, the response was apparently unanimous: 'If the negotiations are serious and there is real will for peace, then the Congress wouldn't have any opposing arguments, on the condition that this includes demobilisation.' While such a position does not have unanimous support in Congress, the fact that elected representatives are not ruling it out is worrying for the future of human rights and reconciliation in the country.

Finally, there is still no public agenda to shed light upon the issues under discussion. The nearest the general public gets to information about what is on the table are well-sourced press reports in *El Tiempo* and *El Espectador*.

According to *El Tiempo* there is a timetable for negotiations with the AUC. Three phases - Exploratory, Concentration, and Demobilisation / Reinsertion - take the process to the end of the year. In the Exploratory phase they are discussing coca-growing, weapons, and drug-trafficking. The Concentration phase would concentrate AUC fighters in a previously agreed area, possibly Urabá, with clear rules. The Demobilisation and Reinsertion phase would take place in the last half of the year.

According to the press release, the process has not moved beyond the exploratory phase. Yet while there has been little obvious progress since the last edition, there are enough legislative manoeuvres to provoke serious questions about the high potential for impunity.

Drugs – Plan Colombia continues, spraying intensifies

The Uribe administration, with the full support of the US, is if anything more determined to spray its way out of the continuing drug production and trafficking problem than was Pastrana's government. Using the US-term 'zero tolerance', the GoC intends to target all areas where coca is being cultivated, spraying four times in the course of the year, with little or no leeway for those small producers seeking to switch gradually from coca cultivation to legal crops. It is

simultaneously increasing the concentration of the herbicide glyphosate used for spraying, from 8 litres per hectare to 10.4 litres per hectare.

On February 27 the White House announced that Colombia's coca cultivation decreased for the first time since aerial spraying expanded three years ago, reducing the cultivated area by 15 percent in 2002. According to US figures, planes sprayed 300,000 acres planted with coca in 2002 and reduced the cultivated area from 420,000 to 357,000 acres. This is in sharp contrast to the figures for 2001 that showed an increase in coca production despite the fumigation efforts. Several U.S. NGOs have challenged the recent statistics. The Latin American Working Group (LAWG) stated that the estimates are "not designed to measure the replanting of coca in areas outside of the target areas that were fumigated". The White House has acknowledged that coca production had risen in Bolivia and Peru, though they reported the increase at only 8 percent, less than the 15 percent reduction in Colombia.

Colombia's Human Rights Ombudsman, Eduardo Cifuentes, has confirmed he will contest the Colombian Government's decision to increase the concentration of glyphosate. Mr. Cifuentes asserted that the higher concentrations are dangerous to human health and the environment and violate the Colombian Constitution. Governors from Nariño, Bolivar, Tolima, Antioquia and Amazonas have strongly criticised the fumigation campaign, arguing that poverty forces more than 250,000 families a year to move to other areas where they continue to grow illegal crops. They are calling for the manual eradication of illicit crops. Meanwhile, Ecuadorian Foreign Minister Nina Pacari has requested the Colombian Government to stop its fumigation programme on the border with Ecuador.

The contradictions in international drug policy as a whole continue to be felt most keenly by those at the weakest end of the drugs chain – the small growers and small users – and Colombia's drug policy reinforces the worst effects of repressive interdiction measures. Proposals to impose severe penalties on those possessing drugs for personal use are contained in the referendum. Success is measured by numbers of hectares sprayed and rendered inactive, while alternative development initiatives are poorly thought out and suffer from the inherent contradictions of a primarily repressive drugs agenda. As the Trans National Institute (TNI) states in its evaluation of international drug policy (see An Agenda for Vienna: Change of Course):

Supply reduction efforts in producing countries have created great harms [sic] to individuals and to society at large, intensifying internal conflicts, corruption, human rights

violations, destruction of livelihoods and environmental degradation. ... The most vulnerable along the illicit drugs chain - drug consumers on the one end and small farmers and indigenous communities involved in the cultivation of illicit crops on the other - have suffered disproportionately the negative consequences of drug control policies. (p21)

US Policy – Retreat on human rights, as aid increases again

Following a recommendation by US Ambassador to Colombia Anne Patterson to withdraw funding to an elite Colombian air force unit (see CF31), the U.S. State Department suspended U.S. assistance to the Colombian First Air Command on January 14th. State Department spokesperson Richard Boucher added that there is a need for the military in Colombia to be more transparent, open and just, and confirmed that the State Department believed that the unit had stalled investigations into a 1998 bombing that killed 17 civilians in Santo Domingo, Arauca. The move was seen by some as an attempt to respond to concerns in the U.S. Congress and amongst U.S. NGOs about continuing human rights violations by the Colombian military. While this decision is symbolically important it does not affect this year's level of US assistance, as the unit in question has not been a major recipient of U.S. assistance.

General Carlos Ospina, Commander of the Colombian Army, while visiting the Pentagon in late January to receive an award from the National Defence University in Washington, DC, strongly denied that the Colombian military was responsible for massacres and other abuses. General Ospina emphasised that civilian and military investigations into the Santo Domingo massacre would soon clear the military. Ospina even went to the point of questioning the motives of U.S. human rights organisations in raising these concerns by claiming that, "the FARC has political friends outside Colombia and they try to show us as abusers... Honest people around the world know that we are serving our people well."

In an additional move, in early November, the US stripped Colombian Navy Rear Admiral Rodrigo Quiñones of his visa after reports that he was involved in drug trafficking and human rights violations. Human Rights Watch (HRW) had previously released a report, accusing him of involvement in the Chengue massacre in January 2001. A few days later Quiñones resigned as Colombia's military attaché to Israel, but denied all charges. He has not been formally charged.

Congressional Update

In early 2003 Congress approved an omnibus spending bill that included approximately half a billion dollars in military aid for Colombia, through both State Department and the Department of Defence budgets. The fumigation conditions were retained but the human rights conditions were weakened considerably. 75% of the 2003 aid is no longer subject to any certification process and can therefore be released prior to a determination by the Secretary of State on whether the Colombian government and army have fulfilled various human rights conditions as laid down by Congress. The remaining 25% is to be released in two instalments each of 12.5% after two separate certification processes are completed, one in the first half of the year and the second in the last six months.

On March 25 President Bush sent a request to Congress for supplemental funding “to cover military operations, relief and reconstruction in Iraq, and on-going operations in the global war on terrorism.” The request included an estimated \$104 million for Colombia, which would bring total U.S. military and police aid in 2003 to over \$600 million. Of the \$104 million, \$34 million will go towards drug interdiction and counter-drug activities, another \$34 million to support extension of police authority, and an estimated \$36-\$37 million would be included in ‘foreign military financing.’ On April 3 Representatives Jim McGovern (D-Maryland), Ike Skelton (D-Missouri) and Rosa DeLauro (D-Connecticut) offered an amendment to this supplemental funding bill to eliminate \$61 million of the \$105 million (104??) in aid to Colombian security forces and transfer the funds to a Department of Homeland Security program. Though the amendment was narrowly defeated by a vote of 216 to 209, it was extremely significant, because for the first time more than 200 Members of Congress voted against military aid to Colombia. It was hailed by many NGOs as a clear expression of Congress’ concern about the Colombian armed forces’ human rights record and on-going links between military and paramilitary structures. Rep. McGovern argued that military aid to Colombia should be reduced because “links between the Colombian armed forces and the paramilitaries remain unchanged”.

On February 3rd President Bush delivered his budget proposal for FY 2004 to Congress. The foreign aid request includes \$681 million for Colombia, divided

between \$531 million for military and police assistance programs and \$150 million to economic and social assistance programs. This is approximately \$110 million more than the 2003 budget request. There is an additional unspecified amount requested for Colombia through the Department of Defence’s budget.

FARC captures US personnel

On February 13 a U.S. government plane crashed after its engine failed in the Caquetá province. The aircraft, apparently on an anti-drug operation and carrying four American contractors working for the Pentagon and a member of the Colombian military, went down in a FARC-controlled area. Colombian officials reported that two bodies, the Colombian and one American, were found with fatal gunshot wounds near the crash site. Thousands of Colombian troops with support from U.S. Special Forces were deployed to the area to search for the missing Americans. The FARC subsequently declared the people in their power “prisoners of war,” and confirmed that they would only be turned over as part of a larger exchange with the Colombian Government for some of the 3,000 guerrillas in Colombian prisons. This marks the first time Colombia’s guerrillas have captured Americans on government business. A further three Pentagon employees, all U.S. citizens, died when their plane crashed on March 25 in southern Colombia as they were searching for the hostages. The cost to the U.S. of the search operation has been estimated at more than \$500,000 per week, with approximately 7,000 Colombian soldiers and dozens of U.S. military personnel and FBI investigators combing the southern jungles.

Despite the increase in U.S. operational forces in Colombia, U.S. officials were at pains to stress that this did not constitute an increase in U.S. involvement in Colombia. On March 5th Under-Secretary of State Marc Grossman reiterated in Bogotá “We are not looking for ways to put more people in here. This is a Colombian problem that Colombians must solve.” Some U.S. officials have even talked openly of the need for an “exit strategy” or “endgame”, although increased military assistance tells a different story. Vice President of Colombia, Francisco Santos, said in response: “An exit strategy now is a disaster strategy. The only sure thing is that without U.S. help we will not win”.

The EU’s Policy on Colombia – More Donor Meetings?

During the last few months, the Colombian Government has been urging the EU yet again to get more involved in Colombia. It is seeking support for the dialogue process with the paramilitaries, and

greater financial commitment through its National Development Plan (NDP).

The central pillar of the NDP is the 'Democratic Security' strategy, the Government's strategy to combat terrorism (see above). However, in its presentation to European governments and to EU ambassadors, the GoC seems keen to get EU backing for a controversial forestry and logging programme, which it claims is a return programme for IDPs and a manual coca eradication / alternative development programme.

The GoC hopes to finance 50,000 families in 13 zones to the tune of US\$1,500 - US\$2,000 a year to 'care for and grow trees for commercial purposes'. A collective contract with the community is envisaged, meaning collective responsibility for first of all eradicating coca, and not replanting. Any single individual replanting coca would effectively annul the entire community contract. Following certification of being 'clean', the community would receive technical advice, and up to four years subsidy, to grow African Palm, rubber, or other export products.

Alongside this, the NDP contains proposal for forming musical groups to help prevent violence, and funding for public libraries.

Many European sources have made it clear that none of these projects appears to take the magnitude of the humanitarian crisis seriously. While statements made by members of the Uribe administration indicate that the Colombian government is hoping to convince the EU that Colombia's central problem is terrorism, and that the EU should re-orientate its cooperation policy accordingly, Colombia is still seen by the EU as a country with enormous structural inequalities and a serious human rights crisis. Despite the fact that European Governments included the FARC-EP and the AUC in the list of terrorist organisations, the EU is also sticking to its vision of a negotiated peace as the only sustainable solution to the armed conflict and is maintaining close contact with the UN Secretary General's Peace Envoy, James Lemoyne.

However, Colombia's importance in the EU's foreign policy declined significantly due to the crisis and later war in Iraq, and the divisions within the EU, caused by the Iraq crisis, may well affect EU policy on Colombia. The GoC, United Kingdom, and Spain are keen to promote another round of Donor Country meetings, in an echo of the Plan Colombia days, with a round of meetings planned for July in London and autumn in Spain or Italy. Yet the majority of the money pledged through the European Commission for Colombia in 2000 is yet to be spent, and many are still reluctant to channel it through government-controlled structures.

Despite repeated requests, the EU has significantly kept its distance from the Colombian Government's dialogue with paramilitary groups. Many governments are seriously concerned about the potential for impunity, and for illegally-acquired land to end up permanently in paramilitary hands. Given the wealth of evidence collected by NGOs on links between the Colombian Army and the paramilitaries, any amnesty for members of illegal groups would inevitably compromise any hope of ending military impunity.

Human Rights – another year of deterioration

Climate of hostility – NGOs and social organisations raided and harassed

Under the new security measures, there has been a significant increase in judicial measures being implemented to restrict and contain criticism by national NGOs and unions. There have been numerous raids by security services on NGO offices, and unexplained robberies of computerised data are on the rise. Members of NGOs and unions are being arrested and held, accused of rebellion or subversive activities.

This increasing abuse of power is corroborated in the report by the UN Commissioner for Human Rights, which notes "a significant increase in reports of violations attributed directly to members of the Security Forces, as compared to the year 2001. Several of these acts were committed pursuant to the new Government's security policy and in particular to enforce the norms adopted under the state of internal commotion declared in August. Some were carried out with the participation or authorisation of members of the Office of the Attorney-General."

Members of the Uribe administration, and his closest advisors, continue to accuse respected NGOs publicly of having links to the guerrilla, or working to further their aims. The Joint Justice and Interior Minister recently launched a book accusing a variety of peace networks and NGOs of receiving funding or being linked to the guerrilla. Senator Enrique Gómez Hurtado (close to the administration and father of the bill to increase availability of high calibre weapons to civilians), of the National Salvation Movement, has publicly and repeatedly accused the Colombian Commission of Jurists of being the judicial arm of the FARC. Pedro Juan Moreno, one of Uribe's closest allies, and an advocate of establishing a Central Intelligence Bureau, said recently in an interview in *Cromos* magazine (30/3/03):

"We have to investigate all NGOs to uncover their links with the guerrilla....".

We have to investigate them all because they are the people who have destroyed this country. Many of them are left-wing. These are the mechanisms that the violent subversives invented in order to position themselves.'

Despite repeated requests from NGOs to the President to use Decree 007 (signed by President Pastrana in 1999) to discipline public servants and officials for attacking and discrediting NGOs in this way, there has so far been no response.

UN High Commissioner for Human Rights and State Department Release Annual Reports

During this period both the UN and the US State Department have published their annual reports on human rights. While both stretch to over 60 pages, there are significant differences in the way the human rights situation in the country is presented. While the State Department report classified the Colombian Government's human rights record as 'poor' and documents cases where "Some members of the security forces collaborated with paramilitary groups that committed serious abuses", it avoids criticism of the considerable numbers of measures introduced by the Uribe administration which undermine protection for human rights. Neither the human rights implications of informers' networks and peasant soldiers, nor the very serious implications for impunity in the talks with Paramilitaries (see Peace talks with Paramilitaries) are addressed. However, the report does highlight impunity as a major contributing factor to human rights violations in Colombia. It also blames armed groups for approximately 6,000 politically motivated assassinations in 2002.

The reduction in paramilitary massacres is held by the US as being significant, without attempting to place this in the wider context of current paramilitary strategy, including increasing selective killings. The UNHCHR report, by contrast, is very specific about a redefinition of paramilitary strategy:

"as part of their efforts to gain legitimacy and reduce the impact of their practices, such as massacres, paramilitary groups preferred selected homicides and death threats, and sent their ranks precise instructions. Paramilitaries extended their operations into new regions in Arauca, the former "demilitarised zone," Guaviare, Cundinamarca, Valle del Cauca, Sucre and Putumayo, among others. Simultaneously, they consolidated their groups in rural and urban zones where they had previously maintained presence. These operations exceeded purely military operations and included extortion and a greater control of the civilian population... through these means, paramilitarism has penetrated the entire social

fabric through the domination of both public and private spheres."

The State Department report provides a generally positive evaluation of progress made on combating paramilitaries, and breaking links between paramilitaries and the Army. This contrasts sharply with the UN report, which clearly states that, "few of the exceptional measures and State security efforts have been oriented toward direct combat against paramilitary groups." It uses the example of a paramilitary base in the municipality of El Guamo, in Montes de Maria, which was reported first by the UN Office in 2000, and is inside the current zone of rehabilitation and consolidation. "[this] has not been the object of military operations and the paramilitaries have even consolidated their presence inside near-by municipalities. The same has happened in other regions of the country."

Many aid agency partners in critical conflict areas consistently report unbroken ties between military and paramilitary groups.

The annual UN Commission on Human Rights sat in March/ April in Geneva. The High Commissioner, in his sixth annual report, made 27 substantive recommendations. The UN Commission on Human Rights concludes in its Chairperson Statement that "it is deeply concerned about the Human Rights situation in Colombia", appealing to the Colombian government not to pursue proposals to grant judicial police powers to the armed forces (see section on Uribe's legislative agenda). The Colombian and international NGOs this year urged the Commission to take more serious action against the GoC, by passing the High Commissioner's report to the General Assembly of the UN. However, this request was not taken up.

Regions in Focus – Catatumbo communities besieged

Over the past year, the municipalities of Ocaña, Convención and Teorama, in the Catatumbo valley (Norte de Santander), have experienced their worst crisis ever. The Catatumbo is a half-forgotten region of north-eastern Colombia on the border with Venezuela, a region that has traditionally been controlled by the ELN. Paramilitary forces recently challenged their dominance. In Dec 2001/Jan 2002 the AUC invaded the northwestern side of the Catatumbo. They occupied the village communities of El Carmen, La Trinidad, Cartagenita, Miraflores subsequently pushing southwards towards the urban centres of Ocaña and Convención. The AUC invasion

unleashed fierce battles between armed actors, with devastating consequences. Today, some of those communities remain abandoned and/or strewn with landmines, which continuously maim and kill.

The AUC has long been interested in occupying the Catatumbo and the paramilitary campaign in Convención and Ocaña is part of an overall strategy to consolidate regional territorial control. In May 1999, paramilitary troops took the municipalities of Tibú and the coca region of La Gabarra. They have exercised tight control over the territory of Lower Catatumbo ever since.

The 2001 invasion resulted in the exodus of at least 15,000 people. The Red de Solidaridad Social (RSS) registered an influx of approx 22,000 internally displaced people into Cúcuta during 2002 most of whom came from the rural zones around La Trinidad. The peasant communities of La Libertad, Cartagenita, Miraflores, El Aserrio have since turned into ghost towns.

With the arrival of the paramilitary, territorial control has changed hands. The AUC have gained a strong presence in the urban centres of Ocaña and Convención. They also control the two major roads leading to the peasant and indigenous communities of the Motilona, a zone with strong guerrilla presence. There is particular concern about the fate of 12,000 people who have been trapped in the Catatumbo National Park since January 2002. Food and medicine blockades, although targeted at the guerrilla, have serious implications for the communities who remain in the region. Given that armed actors make no distinction between combatants and non-combatants, civilians are extremely vulnerable.

In the absence of verifiable information it is extremely difficult to assess the magnitude of the humanitarian crisis provoked by the blockade. It is not known whether communities are totally or partially isolated. While roadblocks were extremely tight until July 2002, they are said to have eased off, meaning that some food and medicine is getting through. Indigenous and peasant leaders are talking about a humanitarian crisis. Many people are suffering from tuberculosis in the absence of medical aid, while others lack basic foods such as salt and sugar, products that are not produced in the region. Schools have been totally destroyed and teachers displaced so many children are not receiving education.

Blockades have destroyed local food markets, while the high numbers of landmines, planted by guerrilla forces to prevent the advance of the AUC have made it extremely difficult as well as unsafe to grow agricultural products. Combat has destroyed local

infrastructures, adding to the crisis. There is an almost total absence of state institutions in the zone, and only sporadic and arbitrary presence of the international community. To date, local government has not responded to the crisis faced by besieged communities, with no effort to evaluate the situation. The extent of landmines is of particular concern. Local military leaders have expressed knowledge of mined areas but they have not come up with a plan to tackle the situation.

In spite of the precarious humanitarian situation, in recent months large numbers of people have returned to the rural zones of La Trinidad. Numerous factors play into the decisions of individuals, families and groups of people to return home without the formal assistance of government officials or humanitarian agencies. Large numbers of IDPs do not even make it onto the government register. Employment opportunities are extremely rare, while many displaced are stigmatised as guerrilla supporters. Given the strong presence of armed actors in the urban centres of Cúcuta, Ocaña and Convención, the physical security of IDPs is constantly being undermined. Threats, disappearances, forced recruitment and inter-urban displacement have become commonplace in urban centres, in particular in the slums.

The Catatumbo's richness in natural resources such as oil and coal is also the reason underpinning its plight. This is particularly true since Colombia adopted neo-liberal policies in the early 1990s. A globalised economy has simultaneously facilitated transnational connections and fuelled war economies. La Gabarra has one of the largest coca fields in Colombia. Coca was introduced during the mid-1990s and has been facilitated by the historic absence of the state. Violent conflict, the subsequent destruction of local markets and forced displacement are phenomena that have produced an army of '*raspachines*' or coca harvesters. The Gabarra has become one of Plan Colombia's main targets for fumigation strategies, which, some argue, may lead to the displacement of coca cultivation from the Lower Catatumbo to the regions around La Trinidad. In this context, the military fears that the unblocking of the region would fuel coca cultivation and drug trafficking in the zone.

The Catatumbo's abundant supply of natural resources coupled with a cheap supply of labour and a favourable geo-strategic position means the region attracts the interest of multinational and national companies eager to extract oil and carbon. Most of these resources lie in the 158,000 square km National Park of the Catatumbo-Bari. Under a 1978 law, the indigenous people of Bari were granted autonomy over this territory, and this has been a block to

multinationals wishing to exploit the zone. In the light of this, many have argued that armed actors are inducing displacement in order for multinational or national companies to be able to exploit these territories.

The Catatumbo shares its borders with Venezuela, an advantage that lends itself to the promotion of cross-border trade. Cocaine can easily be transported across the borders along the Catatumbo river towards Lake Maracaibo from which products leave Latin America for the US and Europe. Ocaña constitutes the door to the Catatumbo, hence the interests of all armed actors to control the city.

An ineffective judicial system constitutes a stumbling block to overcoming or at least alleviating the crisis. Files of human rights complaints are mostly archived and stored away. The invisibility of the humanitarian crisis of blockaded communities is particularly worrying. The general public and government institutions remain oblivious, and grass roots organisations are weak, pressure groups and social movements to highlight the situation. Years of guerrilla and paramilitary strategies of 'sowing fear' have been extremely effective and resulted in the destruction and fragmentation of civil society organisations.

*(This is an edited version of *Blockades and Displacement in the Catatumbo*, Bogota 11/2/03, PROJECT COUNSELLING SERVICE COLOMBIA).*

GLOSSARY

ELN	The National Liberation Army. It is now the second largest active guerrilla group
FARC	The Revolutionary Armed Forces of Colombia
AUC	The United Self-Defence Groups of Colombia. An umbrella for right-wing paramilitary groups.
DMZ	Demilitarised Zone for talks with the FARC
ARI	Andean Regional Initiative
IMF	International Monetary Fund
GNP	Gross National Product
ICRC	International Committee of the Red Cross
M-19	Movimiento 19 de Abril guerrilla group, now disbanded
HRW	US-based NGO, Human Rights Watch
Codhes	Colombia based NGO, Consultancy for Human Rights and Displacement
WOLA	US-based think tank, Washington Office on Latin America
FMF	Foreign Military Financing
GAO	General Accounting Office
NGO	Non-Governmental Organisation
USO	Oil Workers' Union
OFFP	Popular Women's Organisation
Fiscal	Attorney
Fiscalía	Attorney General Office

RESOURCES

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<http://www.state.gov/g/drl/rls/hrrpt/2002/>

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<http://hrw.org/reports/2002/colombia/>

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Bianca Bauer, PROJECT COUNSELLING SERVICE (PCS).

Information in English on issues such as Colombian referendum and the political reform.

Email: bianca@pcs.org.co