

## Alternative Development, Economic Interests and Paramilitaries in Urabá

By Moritz Tenthoff

*The following document analyses how the Forest Warden Families Programme and the Productive Projects of the Presidential Programme Against Illegal Crops in Colombia have been used to legalise paramilitary structures and implement mega agro-industrial projects in the Uraba Region.*

The Uraba region is located in northeastern Colombia on the border with Panama and is made up of 17 municipalities in the department of Choco and Antioquia. In Antioquia, the Uraba region extends toward the border with Panama, including the Gulf of Uraba into which the Atrato River flows. The region includes the municipalities of Arboletes, San Juan de Urabá, San Pedro de Urabá, Necoclí, Turbo, Apartadó, Carepa, Chigorodó, Mutatá, Dabeiba, Murindó and Vigía del Fuerte. In Choco, the Uraba region is made up of the zone known as Lower Atrato, which includes the municipalities of Riosucio, Unguía, Acandí, Carmen del Darién and up until 2007 Belén de Bajirá, which now forms part of the Antioquia part of Uraba.

The area is known for its natural resources of minerals, oil, lumber as well as its water, fertile land, and extensive biodiversity. Uraba also acts as the bridge between South America and Central America and has access to the Pacific Ocean and the Caribbean Sea, and therefore offers unprecedented economic and strategic military opportunities. In the National Development Plan (NDP) of the successive Uribe governments of 2002 and 2006, Uraba has been considered a priority zone.

### RECOMMENDATIONS

- Until there is a strict monitoring of the funds earmarked for Programmes in the framework of the battle against drugs in Uraba, different international donors should impose a moratorium on the resources to the Colombian government.
- Involved donors and international organisations should examine the practice of the Presidency Programmes against Illegal Crops in Uraba – Forest Warden Programmes and Productive Projects – from their origins as a requirement to continue the international aid that is earmarked for them. They should also examine the ownership of the land where the projects are developed and determine who are the true beneficiaries of the Programme.
- Peasant farmers or communities linked to these Programmes should not be obliged to collaborate with the public forces. This not only increases the situation of risk that these people are living through by converting them into supporting actors in the conflict but also represents an infraction of International Humanitarian Law.
- The Productive Projects they seek to develop in the collective lands of indigenous and Afro-Colombian peoples must be consulted with them previously as stipulated in Law 70 of the ILO 169 Agreement. When there are denouncements about presumed ties to the paramilitary movement, international support should be frozen until there are control and follow-up mechanisms about the use of these resources.

In order to facilitate the exploitation and export of its diverse natural resources the NDP advocates the expansion of regional infrastructure. This includes river integration plans such as the Arquimedes Plan and the Atrato-Truando inter-oceanic channel, an international port in Turbo, the Panamerican Highway and an energy grid.

The Free Trade Agreement (FTA) that the Colombian government is currently negotiating with the United States, along with approaches to the Asia-Pacific Economic Cooperation Forum (APEC) and negotiations in the framework of the Andean Community of Nations (CAN) with the European Union, recognise the strategic role that Uraba plays in Colombia's economic liberalisation. In this context, the Colombian government is pushing agro-industrial development and an infrastructure that fails to take into consideration the characteristics of the zone's ecosystem. It seeks to take advantage, for example, of the fertile zone of Uraba, which still shelters hundreds of thousands of hectares of tropical jungle, for the development of agro-industries such as teakwood, rubber, cacao, palm oil, bananas and extensive cattle farming.

Since the 1980s, Uraba has also been one of the main maritime ports for the illegal exportation of drugs and the illegal import of arms and chemical supplies, used in drug trafficking. Money from drug trafficking and contraband has been laundered and invested in the area in profitable sectors such as agro-industry, ranching and tourism. Uraba went from being a marginal and scarcely populated zone to a place that brought together land settlers, multinational companies and armed groups. Social organisations, unions and left wing parties on the one hand and diverse insurgent groups on the other constituted an obstacle for the economic interests of the ranching sector and land-holders, groups of drug traffickers and the State itself. Since the 1990s, the convergence of interests among

this final group has led to the creation and support for paramilitary groups in the zone.

### **El Urabá: cradle of the agro-industrial paramilitary project**

Paramilitary activity in general is a phenomenon that dates back a long way in Colombia's history. The common denominator of the contemporary paramilitary movement has been collaboration with the public forces, its connections to powerful economic groups in the region, its counter-insurgency discourse and the violence it has wielded against the civilian population.

Uraba in Antioquia is one of the cradles of the modern day paramilitary movement. In 1996, the so-called Peasant Farmer Self-Defence Patrols of Cordoba and Uraba (ACCU, for its initials in Spanish) under the command of Carlos Castaño and in open collaboration with the Colombian army<sup>i</sup>, entered Uraba in Antioquia giving rise to what was known as the "pacification" of Uraba. Municipal leadership was brought under its control at the cost of dozens of massacres of the civilian and peasant-farmer population, forced displacements and the political killings of councillors, mayors and member of left-wing political parties.

The expansion of the paramilitary project took on strength with the formation of the Colombian Self-Defence Units (AUC, for its initials in Spanish) in 1997. From that date up to today, paramilitary control extended throughout nearly all of Uraba, above all in the agro-industrial banana, palm oil and lumber zones and in tourism areas, with some presence of insurgents in the more isolated parts of the mountains and jungle.

National and international companies like Chiquita and Coca Cola, along with lumber, palm and ranching companies have taken advantage of the military power of the AUC in Uraba in order to defend and promote their economic interests in the zone. Several

of these companies are now facing criminal processes, accused of having ties to paramilitary groups<sup>ii</sup>.

In the Tulapa zone, which forms part of the municipalities of Necocli and Turbo, “the undeniable fact has been confirmed that there was a group of people who organised the Self-defence patrols... [who] as a result removed the owners of the land and the animals, who did not belong to the emerging organisation. The organisers kept the land of the dispossessed as war trophies [...] therefore it is established that there was a group of people who, through prior agreement, organized the AUCC and the AUC, who in their thirst for wealth used the *criminal method of forced displacement of the population*, as the main form of attack and accumulation of wealth... This type of offence is known as *collusion for aggravated crime*, which has led to endless deaths, as well as the countless displacement of the population, caused, particularly between 1994-1997, in the Tulapa region...”<sup>iii</sup>

One of the motors of the paramilitary movement in the country has been access to and control over large tracts of land. In the armed conflict of the past six decades there are no exact figures about the total amount of land that has been accumulated through violence. However, according to the Attorney General, paramilitary forces were responsible for stealing 7 million hectares as of 1997.<sup>iv</sup> In order to do this, in the past 10 years alone, close to 4 million people have been forcibly removed from their land.<sup>v</sup> It is difficult to find exact figures in terms of expropriation of land in Uraba. In the zone known as Tulapa, which includes 32 districts from the municipalities of Turbo and Necocli “the total amount of stolen land is ...17,000 hectares and 2,640 hectares... I think that the owners (of investments Tulipa) are Mr. SALVATORE MANCUSO AND THE DECEASED CARLOS CASTANO, Mr. Guido Vargas was their commission agent.”<sup>vi</sup>

The boom that has taken place in the past 10 years in the agro-industrial sector, the oil industry, mining and infrastructure, demonstrates a clear link between paramilitary violence and the “development” of a national economy. The social and armed conflict has gone hand in hand with an agrarian reform reversal [concentration of land ownership] at a national level, promoted by the national government and national and international business people and implemented by paramilitary groups in collaboration with public forces.

### **Toward the legitimisation of the paramilitary strategy**

In 2002, shortly after the first government of Alvaro Uribe was installed, several commanders from the AUC, including Vicente Castaño and Salvatore Mancuso publicly declared that they controlled 35 per cent of the National Parliament, while the political, social and economic control of some regions such as the Atlantic Coast and the Uraba zone was 100 per cent. In this context of paramilitary dominion, the AUC unilaterally decreed a cease-fire in December 2002 in order to begin negotiating a possible military demobilisation.

The demobilisation process brokered between the government and the AUC ended at the end of 2005 when the Uribe government declared the end of the paramilitary groups. However, between the alleged cease-fires in 2002 to the beginning of 2006, the same paramilitary groups murdered an average 600 people per year.<sup>vii</sup> Several Colombian human rights organisations denounced in 2007 the existence of 87 “new” paramilitary groups, including “Aguilas Negras” (Black Eagles) as the group is known that operates in Uraba.<sup>viii</sup>

At the same time, the process to integrate the AUC into society has been accompanied by an open intensification of military actions on the part of public forces. There has been an increase in large-scale detentions.

According to a report from the International Human Rights Federation (FIDH) on extra-judicial executions and forced disappearances, the military has murdered more than 1,000 civilians since 2002.<sup>ix</sup> The so-called “Democratic Security” policy has been characterised by the militarisation of society, the persecution and criminalisation of social organisations and the integration of paramilitaries into political, social and military spheres in the country.

The political, economic and social consolidation of the AUC through the demobilisation process is demonstrated in the proposals that the paramilitary forces took to the negotiating table in Santa Fe de Ralito on 29 November 2002. According to some analysts, the AUC were willing to dismantle (part) of their military structures, but not to surrender the economic, social and political power they had garnered since 1997.

The AUC also demands that the State protect the population, the productive infrastructure, national and foreign investment in territories with paramilitary influence... it proposes eradicating illegal crops and beginning a process of economic renewal with the help of the international community and multi-lateral credit bodies.<sup>x</sup>

The AUC, which since 2001 has been present in the region known as the *Elmer Cardenas Block* (BEC), under the command of “El Aleman” (The German) has maintained political, economic and military control of the majority of Uraba since 1986. The BEC was one of the few blocks that did not participate in the negotiating table between the AUC and the government in 2002 and began its own negotiation with the Colombian government in October 2005. One of the demands of the government in the negotiations was the support for its Social Alternative Project (PASO, for its initials in Spanish), since 2006 named the Regional System to Construct Peace.

The Social Alternative Project, or PASO, is a series of agrarian projects of an associative-community nature and a business profile. The Regional System to Construct Peace is a broad social reintegration strategy ... these are Programmes carried out and funded by the former combatants themselves (they will contribute 80% of the humanitarian subsidy they are granted by the government), the president and International Aid Agencies.<sup>xi</sup>

The economic liberalisation and the agro-industrial development of the zone the BEC has promoted before, during and after the demobilisation is the same that successive governments have been seeking in the zone since the beginning of the 1990s. From the outset, an important component of PASO has been the promotion of palm oil crops and agro-industry in the zone. The aim of its proposal is to change the focus of the BEC from military control to a social, political and economic control that has the institutional support of the Colombian government, the business sector and the international aid community. Meanwhile, the armed wing of the paramilitary movement continued to exist in Uraba, no longer under the name of BEC, but rather the “Águilas Negras” under the command of “El Aleman's” brother (Daniel Rendón), according to reports from communities and human rights organisations in the area. The close collaboration of this group with some high government officials is illustrative, as was recently revealed by the media. The August 22 edition of *Cambio* had access to more than 120 telephone conversations that directly linked Daniel Rendon with the attorney general of Antioquia, the metropolitan police commander of Medellín and the sectional director of the Attorney general's office of Cordoba.<sup>xii</sup> The aforementioned officials are currently being investigated.

The integration of paramilitaries into society has not only received significant economic contributions from the government, business sector and the international aid

community but has also been favoured by constitutional changes and new decrees. Among these, the Rural Development Statute stands out, legislation that adapts agrarian legislation and the territorial configuration of the country to the proposed FTA with the United States and to the 975 Justice and Peace Law.

The Rural Development Statute of 2006 has created a juridical framework under which it has been possible to legalise the theft of millions of hectares on the part of paramilitary groups across the nation. The statute makes it possible to validate private titles (that date back 10 years when carried out between two people before a notary). For example in 2007 the law recognises the validity of a land title held by a paramilitary element that obtained land in 1997. In practice, this means that land stolen up to 1998 can legally pass to paramilitary elements.

The 2005 Justice and Peace Law, which diverse human rights organisations have called a law of impunity and forgetting, has regulated the process to integrate the AUC and has not demanded that paramilitary elements inform about their belongings or assets, nor has it obligated them to surrender them.<sup>xiii</sup> Moreover, they have given protection to relatives and friends who have acted as front men for the stolen land, granting them legal immunity.<sup>xiv</sup>

In mid-2007, there were more than 30,000 demobilised people from the AUC at a national level; 30 per cent of them located in the department of Antioquia. In Uraba, around 2,500 demobilisations from the AUC were legalised between 2004 and 2006, whilst at the same time hundreds of paramilitary elements from other parts of the country entered the region. Some of them remained armed. Others continued exercising direct control over drug trafficking while many others began to work on productive projects that have been developed in the framework of different Programmes, including the

alternative development Programmes in the battle against drugs.

### **El Uraba: drug trafficking zone, but not an illegal crop zone**

Rather than an area where illegal crops are produced, Uraba has been a drug trafficking corridor since the 1970s. The Gulf of Uraba and the ports of Turbo, Necoclí y Arboletes have been some of the main transit points for cocaine traffic out of Colombia.

According to the UN Integrated Illicit Crop Monitoring System (SIMCI) coca crops have essentially disappeared from the Uraba since 2005.

Control over the illegal production, processing and transport of narcotics from the Uraba zone has been almost entirely in the hands of the AUC for the past 10 years. In 2003 the BEC administered around 700 hectares of coca crops in their area of influence, specifically in the municipalities of Turbo, Necoclí, San Pedro de Urabá and in Tierralta (Córdoba). They also controlled the cocaine supply corridors to the ocean<sup>xv</sup>. After the de-mobilisation of the BEC in 2006, Daniel Rendón, the brother of "El Alemán" continues to maintain control over the routes, increasing his territorial dominion and incorporating the old structures of the so-called "Envigado Office"<sup>xvi</sup>, which currently operates under the name of "Los Paisas."

If we look at the coca census since 2000 it is noteworthy that based on national and departmental records, Uraba could not be considered an important production zone. In 2001 there was an increase but the registry barely reached 395 hectares, 0.27 per cent of national production that totalled 144,807 hectares that year<sup>xvii</sup>. If we believe these statistics, in 2002 not a single coca bush was planted in the zone and in 2003 there was a total of 238 hectares, above all due to production in the municipalities of Necoclí and Turbo.

Department	Town	2000	2001	2002	2003	2004	2005	2006	2007
Antioquia	Carepa					2			
	Dabeiba	14	40						
	Mutata		1			8	1		
	Necocli				78	1			
	San Pedro de Uraba				9				
	Turbo				151	21			
	Vigia del Fuerte					3			
Choco	Riosucio		354						
Cordoba	Tierralta	13	322	178	399	669	1124	389	414

(Coca crop area controlled by BEC in Uraba and Cordoba (SIMCI-UNODC)) - - Source SIMCI-ONU

The increase in coca production in 2003 compared with 2002 seems to have been a direct strategy by the AUC to obtain access to international aid funds in the battle against drugs. This hypothesis is based on three points:

- An increase in illegal crops in 2003 took place in the municipalities of Necocli and Turbo, at the time under the total control of the AUC.
- At the end of the same year, funds from the Forest Warden Families Programme began to reach the municipalities.
- The agreements between the AUC and the government during talks in Santa Fe de Ralito sought the legalisation of the paramilitary project and funding to consolidate and strengthen productive products promoted by the government and the AUC in the region.

Even though official figures report that coca crops essentially disappeared from the Uraba between 2004 and 2007, the anti-drugs board reported the eradication of nearly 450 hectares of crops between 2005 to April 2008.<sup>xviii</sup> The increase in illegal coca crops in the municipality of Tierralta (Cordoba) is also noteworthy. Between 2002 and 2005 the coca crop area increased from 178 to 1,124 hectares, which made it possible to deduce that despite the application of four

years of presidential Programmes against illegal crops (PCI), the crops did not diminish but just moved to a neighbouring zone. The manual eradication that was carried out, according to data from the Anti-Drugs Police, in the municipality of Tierralta between 2006 and 2007 led to a reappearance of crops in Uraba.<sup>xix</sup> After a period of relative calm in Uraba in which the BEC had managed to obtain access to funds from the anti-drugs Programme and consolidate its economic and political power in the zone, the reintegrated members had returned to their previous work linked to drug trafficking and violent practices, including forced disappearance and selective assassination.

#### **Anti-narcotic strategies in Uraba: a cocktail of eradication and development**

The Presidential Agency for Social Action and International Aid is the entity that channels national and international resources to implement all social Programmes that come under the Presidency of the Republic, including the Presidential Programme against Illegal Crops or PCI. The PCI manages three Programmes that emerged with the National Economic and Social Policy Council edict – CONPES 3218 in March 2003, and which

“contribute to consolidating the Democratic Security objective of the 2006-2010 National Development Plan”.<sup>xx</sup> In other words, to consolidating the military achievements of the Democratic Security policy in the social sphere.

The three Programmes that the PCI coordinates: Forest Warden Families, Productive Projects and Mobile Groups of Manual Eradication (GME) – have as principal objectives the manual eradication of illegal crops and the promotion of alternative development. The GME practice forced eradication in areas where it is difficult to implement alternative development projects. The Productive Projects promote agro-industrial projects that, according to the government, constitute a sustainable and alternative economic source. The Forest Warden Family Programme offers a synthesis of the two previous Programmes, combining manual eradication with the implementation of productive projects. The Forest Warden Families and Productive Projects are presented by the government as part of a voluntary eradication Programme, in contrast with the GME that openly promote forced eradication.

The processes to eradicate illegal crops in the Uraba have not included air spraying and have been reduced to manual eradication that began, according to data from the Colombian Narcotics Board, in 2004. The work of the GME, together with the aerial eradication have constituted part of the "stick" in the battle against drugs. The GME operate as hit squads that are "based on the use of force and a security structure that compromises police forces."<sup>xxi</sup> The fact that there are civilians working alongside the police in the GME violates the right of these civilians to remain on the margin of the conflict, placing them on the side of one of the armed groups, in this case the public forces. In many regions, diverse human rights organisations have denounced the

participation of demobilised forces of the AUC in the GME.

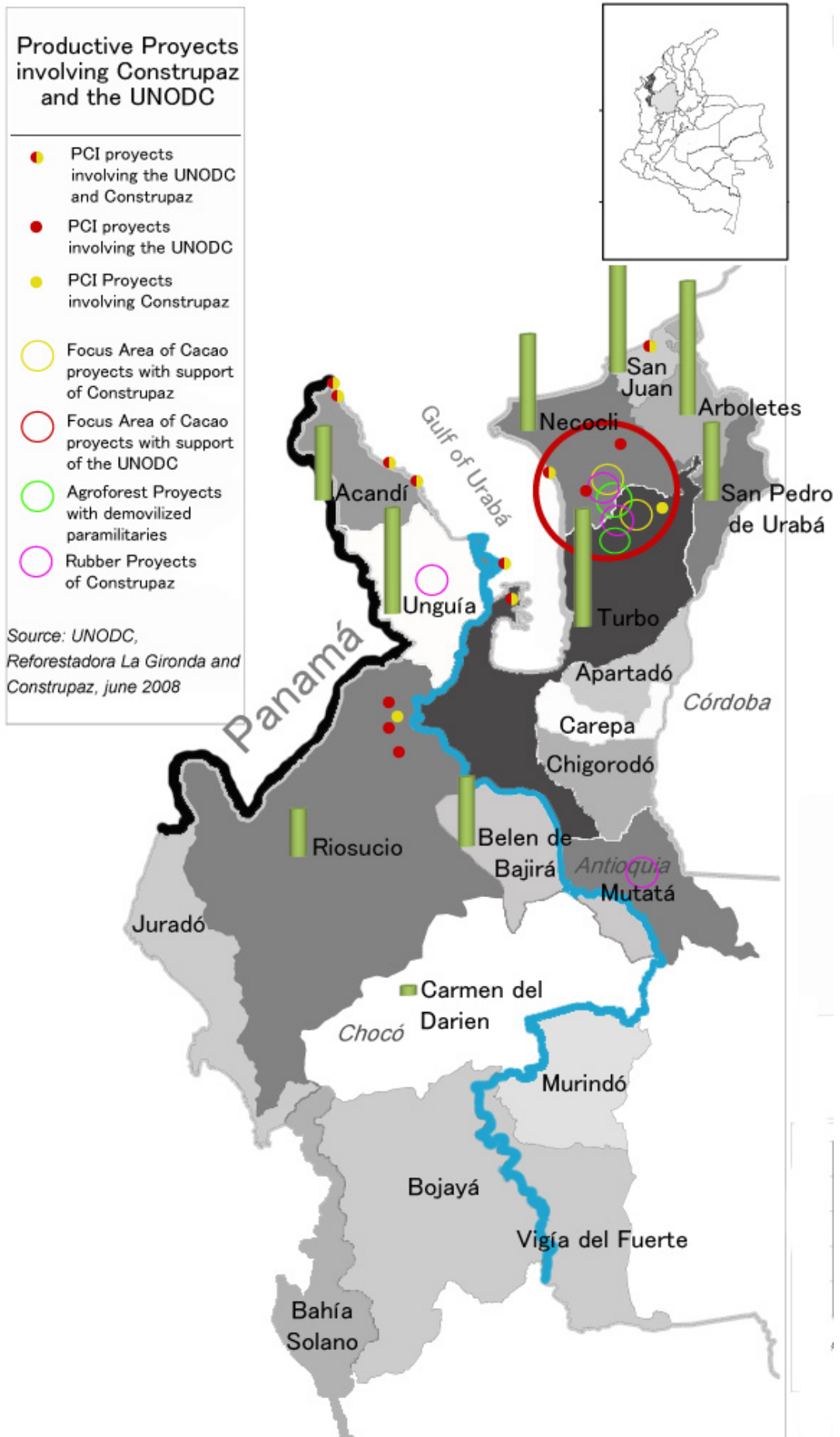
#### *Forest Warden Families Programme*

The Programme Warden Families Programme proposed a symbiosis of alternative development and manual eradication. According to the official description of this Programme, the priority regions for the Programme are those where there is a presence of illegal crops and those that have territories with an agro-forestry, agro-industrial and commercial usage. The part of the Programme that seeks manual “voluntary” eradication makes the beneficiary families responsible for ensuring their fields and those of their neighbours are free of illegal crops. This mutual social control dynamic has led to tensions and mistrust within the communities benefiting from the Programme.

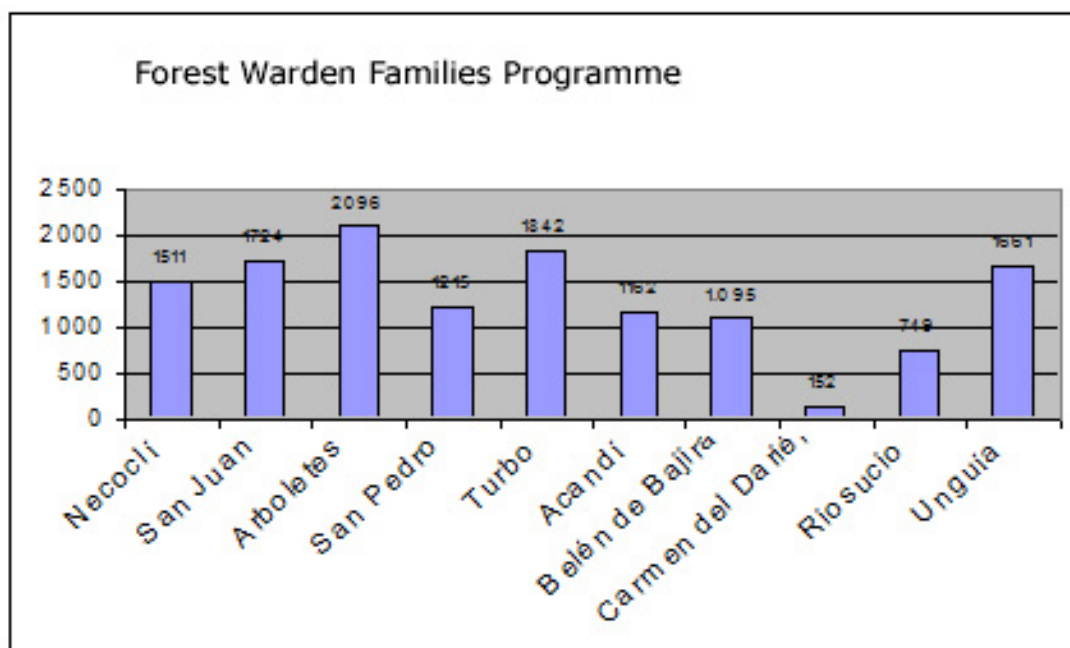
“The government has been approaching some local community councils, in order to implement the alternative Forest Warden Families Programme, failing to recognise their cosmo-vision, breaking up the organisational unity and the territorial integrity of the afro-descendent peoples and with this, putting the people who make up the Black communities in the Bajo Atrato zone in an extremely vulnerable position.”<sup>xxii</sup>

At the end of 2003, in Antioquia Uraba more than 3,000 families from the municipalities of Necocli and Turbo launched the Forest Warden Families Programme at a regional level in the same area of Tulapa where the paramilitary Mancuso seized more than 17,000 hectares through the “Tulapa Horizonte” Programme. This project receives money from PCI, Incuagro<sup>xxiii</sup> and the Kellogg Foundation<sup>xxiv</sup> and has technical support from the Community Association of Uraba and Cordoba (ASOCOMUN). However, the Programme not only includes Forest Warden Families but also seeks to include around 10,000 people from 72 communities

## Productive Projects and Forests Warden Families in the Urabá







in chains of production projects though “manuals on community living.. which are permanently used as a mechanism of social control and community management,” and a reforestation Programme in the highlands of Yoki involving 1,600 hectares.<sup>xxv</sup>

Private business has connected to the Private-Public Community Partnership Model in the following manner: a new generation of business people in Colombia, in solidarity with peasant farmers have begun to share the financial capital represented in land and money, giving up part of the land so that peasant farmers can build dignified lives and can develop productive projects, both in terms of food security, as well as farming projects in order to establish productive chains.<sup>xxvi</sup>

Based on the experiences of Necocli and Turbo, families from other municipalities in Uraba also joined the Programme between 2003 and 2008. These municipalities are: Belén de Bajirá, Riosucio, Unguía, Carmen del Darién and Acandí in the department of Chocó, and Arboletes, San Juan de Urabá and San Pedro de Urabá in the department of Antioquia. The total number of Forest Warden Families is close to 5,000 families in Uraba in Choco and around 8.500 families in Uraba in Antioquia, which represents just over 15 per cent of the total Forest Warden

Families nationwide<sup>xxvii</sup>. As a result, Uraba has the most coverage in the country. In some municipalities like Unguía and Acandí, more than 10 per cent of the population is linked to the Programme. All of the municipalities where the Forest Warden Families Programme is carried out in Uraba have been under the total control of the Bloque Elmer Cardenas (BEC) in the past 10 years.

The agro-industrial mega projects that are developed in the framework of economic liberalisation and in the PASO of BEC, such as the teak, cacao and palm plantations have found an easy means of funding in the Forest Warden Families Programme. As of June 2007 around 140 million euros had been provided for the Forest Warden Programme, of which 20 million went to the Uraba region<sup>xxviii</sup>. The funds are channeled, among others, through *Acción Social* and come from the United States Agency for International Development (USAID), from the Embassies of Italy and Japan, and from the regional government of Madrid, Spain.<sup>xxix</sup> With these funds, families have created hundreds of organisations, cooperatives and associations to manage agro-industrial projects and in Uraba have purchased around 10,000 hectares of land<sup>xxx</sup>. Together with the land purchased within the

Programme, there is also land that has been legalised by the Colombian Institute for Rural Development, INCODER, for the beneficiary families and the land they already held the titles for. In total, families in Uraba in Choco have more than 684,000 hectares<sup>xxxii</sup> and in Uraba in Antioquia, more than 145,000.<sup>xxxiii</sup>

Exact data about the amount of land that was purchased and legalised in the Forest Warden Families Programme, land that belonged to peasant farmers or to communities and was usurped by the paramilitaries of the AUC, is difficult to establish due to the use of third parties, or because the land was obtained in a legal sale under pressure, as was the case in the Tulapa zone.

“Someone called us who identified himself as GUIDO VARGAS. He said he was speaking in the name of the AUC and we had to sell the land to the AUC because it belonged to them and that they had taken it away from the guerrillas and they were paying \$40.000 and they would not be responsible for the lives of the people who did not sell the land and we could not go back to the land because coming after them were the “head breakers” [armed thugs] and so we had to sell.”<sup>xxxiii</sup>

According to an official from Corpouraba, an institution that carries out technical accompaniment for the Forest Warden Families, land titling in the zone is very weak. *In terms of the land that is used within the Forest Warden Families we don't ask who it belonged too, who it belongs too or who it will belong too... we just carry out technical accompaniment.*<sup>xxxiv</sup> With these words, the Corpouraba Organisation has become an accomplice to the legalisation of land usurped in the zone.

According to reports presented by communities and human rights organisations, many of the organisations, associations and cooperatives that have been created or linked to the Forest Warden

Families Programme in Uraba have direct links to the paramilitary movement. Among these are Cordesvida, Corporacion Tierra Prometida, ASOCOMUN as well as Teresa Castaño who is linked both to the expropriation of land in Tulapa as well as the Association of Small Producers of Belen de Bajira, of which she is the legal representative. The vast majority of these cooperatives and associations, after entering the Forest Warden Families Programme, have also been associated with the

### *Productive Projects Programme*

According to *Acción Social*, the criteria to select the zones where Productive Projects will be developed in the framework of the battle against drugs are, among others:

- Zones included in the agriculture frontier of the country defined by the Ministry of Agriculture and Rural Development.
- The need to strengthen processes that have begun with other investments.
- That the production process be based on the needs of the market.

These criteria do not take into account the beneficiary population, but rather are based on the interests of the business people and businesses that seek to strengthen their agro-industries. The implementation of these programmes, which in theory have precise objectives inscribed within the goals of Alternative Development and the eradication of illegal crops, end up in this way benefiting economic interests that are closely linked to the paramilitary movement.

In mid-2007 the Programme covered more than 87,000 hectares at a national level, involving nearly 50,000 families. Of the 13,976 hectares of productive projects that were the subject of an *Accion Social* census, palm oil crops constitute 45 per cent. The remaining land has been used for rubber plants, cacao, and coffee and forestry species. In terms of employment generation, while

the palm oil is the crop that occupies the largest amount of territory it does not even represent 6 per cent of the work that is generated through the project. This is clear evidence that these productive projects, at least in Uraba are placing priority on the market rather than employment generation.

In Uraba, in the same municipalities where the Forest Warden Families Programme is present more than 100 Productive Projects have been implemented within the framework of a concept of development that is adapted to the perspective of the FTA and PASO. It has sought to strengthen and encourage the production of thousands of hectares of teak, cacao, rubber, extensive ranching, palm oil, bananas and ecotourism.

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The Tulapa region stands out as the zone where the most productive projects are being developed. Two reforesters, El Indio and La Gironda, have direct funding from the Forest Warden Families Programme through Gironda Forest Warden. They also receive funding support from Multifruits S.A. and the Cooperative Construpaz<sup>xxxv</sup>. This final group was funded by paramilitary leader *El Alemán* –currently in prison – and groups together former BEC combatants. The re-foresters seek to plant 6,000 hectares of teak in the zone.

The Productive Projects administered by Construpaz are an emblematic example of how international aid, in the case of the United Nations, legalises and funds through Productive Projects, rehabilitated members of the BEC in agro-industrial projects which

were supposedly conceived to compensate the victims of violence. The cooperative also works, among others, in two rubber plant productive projects in Necocli and Unguia, which are operated by the UN Office On Drugs and Crime (UNODC), and get USAID funds. In both productive projects there are 100 families (90 of them from demobilized forces and 10 displaced) working 400 hectares for each project. The demobilised paramilitaries bring and manage the resources and the land while the displaced provide the labour. These projects have been presented by Construpaz as a type of compensation to the victims of the AUC. In practice, the projects are a mix of PCI Productive Programmes with programmes to attend the displaced population together with programmes for rehabilitated members of the AUC.

We also emphasise the existence of two rubber projects in the municipality of Necocli, in Tulapa, where the funds and beneficiary families from the Forest Warden Families Programme are directly linked to the Productive Projects for the rehabilitated paramilitaries from the AUC and the displaced population. Caucho San Pedro receives 50 per cent of its funding from Construpaz and another 50 per cent from two cooperatives that have emerged from the Forest Warden Families Programme and each contribute 25 per cent.

As well as mixing funds and beneficiaries from different programmes the Productive Project has also sought to legalise stolen land. The objective of the association is to plant 500 hectares of rubber in land that was conceded in usufruct by the Ranching Fund of Cordoba (300 hectares) and Construpaz (200 hectares).

This same Ranching Fund is linked to the theft of 17,000 hectares in the Tulapa zone. “Mr Guido (Vargas) told me we had to sell the land to the Monteria ranching fund... and because of that you couldn't go there because the AUC would kill me and just take

the land so it was better to sell it for any price.”<sup>xxxvi</sup> The former president of the Cordoba Ranching Fund, Benito Osorio<sup>xxxvii</sup> has been detained in 2008 for ties to the paramilitary.

### **Negative impact of the PCI in Uraba**

#### *Regarding the environment*

In a speech on October 3, 2007, in reference to the Forest Warden Families Programme President Uribe said “This is a programme that I think should have the support of the entire world and the world should look at it and expand it. I think it is an essential strategy against global warming.”<sup>xxxviii</sup>

One of the obstacles for indiscriminate exploitation in Uraba is the existence of humid forests in the Darien protected by UNESCO, an entity that considers them to be patrimony of humanity because of their wealth of flora and fauna. However, there are several productive projects within the government's anti-drug strategy that involve agro-industrial mega projects in protected territories. An emblematic case is Multifruits S.A., a company that the Permanent Peoples' Tribunal<sup>xxxix</sup> judged to be responsible for “crimes against natural resources and the environment: damage in natural resources (Art. 331 of the Penal Code), invasion of areas of special ecological importance (337 of the P.C.), and illicit use of natural renewable resources (328 C.P.)<sup>xl</sup>. It is contradictory that the same Forest Warden Families Programme that claims to recover and protect the jungle uses it to convert humid forests and small peasant farms into what has been called green deserts of thousands of hectares of a single crop.

Regarding the environment and the natural resources, the Alexander Von Humboldt Biological Resources Research Institute indicated that “it is important to recall that palm plantations are not forests, they are uniform ecosystems that substitute natural ecosystems and their biodiversity. This

usually results in a negative social and environmental impact: decreases the production of water, modifies the structure and composition of the soils, alters the abundance and composition of species of fauna and flora, means that the foundation for the sustenance of the native population is lost and in some cases results in the displacement of Black, indigenous and peasant farmer communities from the zone.”<sup>xli</sup>

Aside from the environmental impact of the same agro-industrial projects, the development of the extractive infrastructure that accompanies it also contributes to the destruction of the environment. This is what is happening with the mega projects we mentioned earlier such as the International Port of Turbo, the Panamerican Highway, the Atrato-Truando Channel and the energy grid.

#### *Regarding the collective rights of indigenous and Afro-Colombian communities*

There are more than 100 indigenous and Afro-Colombian people living in Uraba who are the ancestral owners of hundreds of thousands of hectares of land. These territories have a collective title and therefore cannot be seized, cannot be limited and are inalienable and are protected by Agreement 169 of the International Labour Organisation (ILO) and by Law 70 of 1993.<sup>xlii</sup> In 2005, affected communities from Jiguamiandó and Curvaradó went before the ILO regarding the impact of the palm and in 2006 the ILO Commission of Exports ruled on the case.

Since 2001 the perpetration of human rights violations against these communities has been related to the advance of extensive crops of palm oil or African palm and ranching projects, which have developed despite the existence of collective titles for these lands.<sup>xliii</sup>

Law 70 of 1993 and the ILO 169 Agreement enshrine prior consultation in law when public or private investment could have an impact in the community. All the programmes to combat drug trafficking must be consulted with communities prior to being implemented in collective territories. However, there are several Productive Projects that operate against the will of ancestral communities, such as the case of the projects that involve the company Multfruits S.A. in the Cacarica<sup>xliv</sup> Basin and palm oil crops in the Curvarado Basin, which are found in the municipalities of Riosucio and Carmen del Darien.

*Regarding the recommendations from the Inter-American Human Rights Court and Commission, the Ombudsman and the Constitutional Court*

The Inter-American Human Rights Commission and Court have respectively granted provisional and cautionary protection measures to Afro-Colombian communities from Jiguamiandó, Curvaradó and Cacarica. At the same time, in 2005 the Ombudsman published Ombudsman Resolution 39, strengthening the statement from the National Attorney General who banned any expansion of palm oil crops in the Jiguamiandó, and Curvaradó basin. In the collective territories of those communities, however, several agro-industrial projects have been developed, including palm oil crops, that seem to have a direct link to the programmes that are developed in the framework of the battle against drugs.

The Constitutional Court expedited sentence T-025 2004 to respond to the forced displacement crisis wracking the country. This sentence, which is a strong pronouncement about the responsibilities of the state regarding individuals affected by violence and the social crisis, establishes that the land of the displaced must be protected.

Regarding the request to protect the land, property and possessions abandoned by the displaced, the Court orders the Social Solidarity Network, as coordinator of the policy to attend to the displaced population and as administrator of the System to Register the Displaced Population, to include information related to the rural plots they possess or own, specifying the title of the mentioned goods and the basic characteristics of the property so that based on that information it is possible to apply the procedure and protection mechanisms of those goods as specified in Decree 2007 of 2001.<sup>xlv</sup>

Despite this, in the Productive Projects Programmes and the Forest Warden Families Programme, agro-industrial projects are developed and promoted by the abusers on land that belongs to the displaced population. This denies the right of the population to return to their land and leaves in total impunity those who provoked the displacement.

*Deviation of funds*

The productive projects that are presented within the framework of the anti-drug strategy for the displaced population and for the reintegration of paramilitary forces are mixed regarding the management of their resources. The funds destined for anti-drug Programmes or for the displaced population are eventually used for productive projects benefiting those who have been re-integrated from the AUC. This confusion of funds and programmes makes it difficult to control the destiny of resources from international aid.

“Families that participate in the Forest Warden Families Programme have denounced that they have been tricked, that they have been forcibly stripped of their payments of 600 pesos, 40 percent of which was for the CORDESVIDA Programme, in which Afro-Colombians, mestizos and demobilised people participate, with no

clarity in terms of the destiny and use of these resources.”<sup>xlvi</sup>

At the same time there are several denouncements from families who participate in collective savings programmes with the Forest Warden Families Programme who are not clear on what their resources are being used for. In December 2006 the weekly *Semana* warned about the possibility that these productive projects were using illegitimate capital and the clientele-based networks of the paramilitary bosses. The risk is that these projects, rather than representing a development opportunity for the regions and the redistribution of wealth, ended up contributing a greater concentration of land in the hands of former paramilitary bosses.<sup>xlvii</sup>

#### *Regarding International Humanitarian Law (IHL)*

The way the Forest Warden Families Programme has been designed leads to complete internal social control within the communities, as the members of a community are committed to mutually controlling each other and even those who do not form part of the Programme in terms of illegal crops. The work as an informer within the Forest Warden Families Programme can go beyond what is limited to illegal crops, as illustrated by this quotation from President Uribe: “General Montoya, do me a favour and convert each of these 753 families (forest warden) into cooperators with the Public Force. Is there a problem with this? So that you are not mistreated by guerrillas nor by paramilitaries, join and cooperate with the Public Forces and may the soldiers and police treat you with kindness, gentleness and with patriotic affection.”<sup>xlviii</sup>

In Uraba, the families that form part of the Forest Warden Families, in order to have access to the benefits of the Programme, must join networks of informants. This is a

requirement of the government programme. The families who participate in the Forestry Warden Families in the municipality of San Pedro de Uraba, for example, had to request the protection of the public forces in 2006 for supposed threats from the FARC. The police then offered to install a network of radio bases in the affected communities.<sup>xlix</sup> Turning the civil population into informers for the public force is a clear violation of the principal of difference, consecrated in the third article of the Geneva Protocols. In the same way, the Mobile Groups of manual Eradication also constituted an open infraction of the IHL as the groups mix the civil population with members of the Police and the demobilized from the AUC.

#### **Conclusions**

The project against illegal crops implemented by the Colombian government in the Uraba has served to benefit members of the AUC who have managed to legalise thousands of hectares of land stolen from peasant farmers, indigenous people and Afro-Colombians. The Forest Warden Families Programme in Uraba is being developed on land that was obtained through blood and fire. Behind many of the Productive Projects lie the interests of the paramilitary movement that has taken advantage of the circumstances to present the projects as a type of reparation for the victims. The peasants and members of the usurped communities have been forced to work as peons in the land that previously belonged to them. In this context, the possibilities for truth, justice and reparation promised to the victims of paramilitary violence will be difficult to achieve in the case of Uraba.

Colombia’s economic liberalisation and the bid for free trade agreements have been accompanied by a counter-agrarian reform promoted by the government and business groups. In many regions of Colombia, such as Uraba, they have had the collaboration of

paramilitary groups and the action of the public forces. In the framework of the battle against drugs, the international community is funding agro-industrial projects that hide their own economic interests. A clear example of this is the case of palm oil in the agro-fuel boom. This crop constitutes more than half of the productive projects in the framework of the PCI.

The Productive Projects and the Forest Warden Families Programmes in a region like Uraba have no impact on the production of narcotics at a national level. In the case of Uraba it is evident that the objective is not the eradication of crops for illegal use but rather the strengthening of agro-industrial proposals for this region. At the same time and in a paradoxical manner groups linked to drug trafficking have promoted new illegal crops in the zone that do not participate in the Programme in order to have access to resources from the PCI Programmes.

## NOTES

- <sup>i</sup> Numerous reports from human rights organizations have indicated the role of the Army's XVII Brigade in operations with the AUC. The Operation
- <sup>ii</sup> The include Multifruits, Chiquita Brands, Maderas del Darién y Urapalma. See the article in the magazine *Revista Semana*, March 17 2007. "Banana para-republic", [www.semana.com/wf\\_InfoArticulo.aspx?idArt=101602](http://www.semana.com/wf_InfoArticulo.aspx?idArt=101602)
- <sup>iii</sup> Attorney General 119, 2304, July 22, 2008.
- <sup>iv</sup> Attorney General, (2006), Preventive Control Project and Monitoring of Public Policies regarding Reinsertion and Demobilization.
- <sup>v</sup> CODHES press bulletin, February 5, 2008. The differences between the official figures are significant as, according to the Colombian government there are barely 2,300,000 displaced,
- <sup>vi</sup> Testimony in the Process N° 3453 located in Attorney 119 of Turbo.
- <sup>vii</sup> Inter-Ecclesial Justice and Peace Commission, March 4, 2006. Parti-sí-pa 112.
- <sup>viii</sup> INDEPAZ, August 21, 2007. New Paramilitary Map. [http://www.indepaz.org.co/index.php?option=com\\_content&task=view&id=537&Itemid=58](http://www.indepaz.org.co/index.php?option=com_content&task=view&id=537&Itemid=58)
- <sup>ix</sup> FIDH, May 1 2004. Report 393/3 "La 'Seguridad Democrática' desconoce los derechos humanos y socava las bases del Estado de Derecho".
- <sup>x</sup> *Noche y Niebla*, December 2004. "Deuda con la Humanidad: paramilitarismo de Estado en Colombia", 1988-2003.
- <sup>xi</sup> *Uraba Hoy* 34, April 15, 2006. "¿Hacia dónde van los hombres del Alemán?"
- <sup>xii</sup> *Revista Cambio*, August 22, 2008. "El Expediente Valencia".
- <sup>xiii</sup> The Constitutional Court declared several paragraphs of Law 975 to be unconstitutional and obliged, through sentence C370-06, among others, a partial restitution of the goods.
- <sup>xiv</sup> Corporación Colectivo de Abogados José Alvear Restrepo, 2006. "Balance del proceso de desmovilización de los paramilitares en Colombia".
- <sup>xv</sup> Observatory of the Presidential Human Rights and IHR, December 2003. Current Panorama of Choco.
- <sup>xvi</sup> Criminal organisation dedicated to drug trafficking and operated from Envigado, south of Medellín. The head of the "Envigado Office" was a well known paramilitary element and drug trafficker Don Berna, now extradited to the USA.
- <sup>xvii</sup> UNODC, June 2007. "Cultivos de Coca, Estadísticas Municipales Censo 2006".
- <sup>xviii</sup> Response to the right to petition the Police Anti-drugs unit, April 18 2008. No 130.
- <sup>xix</sup> This information for the Police for 2007 was not registered by the SIMCI.
- <sup>xx</sup> CONPES 3218, March 3, 2003.
- <sup>xxi</sup> Ricardo Vargas, April 27, 2008. "La Política de la Seguridad Democrática, cultivos ilícitos y los derechos básicos de las comunidades productoras en Colombia". Available in: <http://colombiadrogas.wordpress.com/2008/04/27/la-politica-de-seguridad-democratica-cultivos-ilicitos-y-los-derechos-basicos-de-las-comunidades-productoras-en-colombia/>
- <sup>xxii</sup> ASCOBA, July 25 2006. "Comunicado a la opinión pública frente al programa de desarrollo alternativo familias guardabosques y al proceso de desmovilización que ha propuesto el Bloque Elmer Cárdenas de las ACCU"
- <sup>xxiii</sup> The Agricultural Production and Commercialization Incubator (Incuagro) is a semi-private entity closely linked to Plan Colombia.
- <sup>xxiv</sup> The Kellogg Foundation was created in 1930 by W.K. Kellogg. It has operated in Latin America since the 1940s. In the last six decades it has supported close to 2,000 projects, the majority in Latin America and the Caribbean <http://www.wkkf.org/>
- <sup>xxv</sup> Experience in Social Innovation, Semester 2004-2005, Finalist Project Tulapa Horizonte de Esperanza – Colombia.
- <sup>xxvi</sup> Experiencias en Innovación Social Ciclo 2004-2005, Proyecto Finalista Tulapa Horizonte de Esperanza – Colombia.
- <sup>xxvii</sup> *Acción Social*, June 30 2007, <http://www.accionsocial.gov.co>
- <sup>xxviii</sup> *Acción Social*, June 2007.
- <sup>xxix</sup> Japanese Embassy, Colombia, 2008, <http://www.colombia.embjapan.go.jp/boletines%202008/080325.htm>
- Presidency of the Republic, 2007. <http://www.presidencia.gov.co>
- <sup>xxx</sup> At a national level, one year ago more than 80,000 hectares had been purchased by the families in the programme.
- <sup>xxxi</sup> *Uraba Hoy* 44, September 2006.
- <sup>xxxii</sup> Corporurabá, August 2007, Forest Warden Families extend to two more municipalities in the Uraba region.

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- <sup>xxxiii</sup> Testimony in process N° 3453 in Attorney General 119 of Turbo.
- <sup>xxxiv</sup> March 28, 2008, interview with Harold Enrique Triana Gutiérrez of *Corpourabá* in Apartadó, Antioquia.
- <sup>xxxv</sup> Other funders are Inversiones Ganaderas La Vega, Urateka e Incuagro. Ref. Acción Social y Construpaz, 2006. 'Proyectos Productivos de Construpaz'. Y, 'Reforestadora El Indio y La Gironda', 2007. Presentación Proyectos Forestales Norte de Urabá.
- <sup>xxxvi</sup> Testimony in Process N° 3453 in Fiscal 119 of Turbo.
- <sup>xxxvii</sup> Regarding Benito Osorio and his links with the AUC, look at the article in the magazine *Cambio*. "Amenaza a gobernadora electa de Córdoba y sombras sobre el nombrado provisionalmente", [http://www.cambio.com.co/paiscambio/759/ARTICULO-WEB-NOTA\\_INTERIOR\\_CAMBIO-3922782.html](http://www.cambio.com.co/paiscambio/759/ARTICULO-WEB-NOTA_INTERIOR_CAMBIO-3922782.html)
- <sup>xxxviii</sup> Presidency of the Republic, October 3, 2007. "Familias Guardabosques es una estrategia contra el calentamiento global".
- <sup>xxxix</sup> For information about the Permanent People's Tribunal see:  
[http://www.geopolitica.ws/media\\_files/download/070206ConvocatoriaAudienciaBiodiversidad.pdf](http://www.geopolitica.ws/media_files/download/070206ConvocatoriaAudienciaBiodiversidad.pdf)
- <sup>xl</sup> Acusación contra C.I. Multifruits S.A. en el Tribunal Permanente de los Pueblos, febrero de 2007.
- <sup>xli</sup> Alexander von Humboldt Institute, August 2000. Biosíntesis Boletín No. 21.
- <sup>xlii</sup> Law 70 of 1973 can be consulted in:  
[http://www.secretariasenado.gov.co/leyes/L0070\\_93.HTM](http://www.secretariasenado.gov.co/leyes/L0070_93.HTM)
- <sup>xliii</sup> CEACR, 2006. "Observación individual sobre el Convenio sobre pueblos indígenas y tribales", Document No. (ilolex): 062006COL169.
- <sup>xliv</sup> See this denouncement:  
[www.sinaltrainal.org/index2.php?option=com\\_content&do\\_pdf=1&tid=178](http://www.sinaltrainal.org/index2.php?option=com_content&do_pdf=1&tid=178)
- <sup>xliv</sup> T-025 of the Constitutional Court of 2004. Decree 2007 de 2001 was ratified in T. 821, 2007.
- <sup>xlvi</sup> Inter-Eclesial Justice and Peace Commission, June 28, 2006, "Amenazas a zona humanitaria y zona de reserva".
- <sup>xlvi</sup> *Magazine Semana*, December 8, 2006. "...y de la reinserción qué?"
- <sup>xlvi</sup> President Uribe's speech in 2004:  
<http://www.presidencia.gov.co/sne/2004/febrero/24/17242004.htm>
- <sup>xlvi</sup> September 18, 2006, Minutes of a Corpourabá meeting in San Pedro de Urabá in the framework of the Forest Wander Families Program.

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