

## COLOMBIA: Drugs & Security

# On the problems of confusing drug policy and security policy

Perhaps one of the most tragic consequences of associating the 'war on drugs' with the 'war on terrorism' in a country like Colombia is that the failure of the former could end with the failure of the latter.

Despite officials' fantastic manipulation of figures from anti-drug campaigns, the failure of the war on drugs is a fact that only those at the highest levels of government — in both Colombia and the United States — continue to deny. Apart from them, there is no longer any academic institution, think tank, department of official drug policy experts, etc., in the northern or southern hemisphere that has not presented convincing arguments. 'The worst blind person is the one who refuses to see,' as an old Spanish proverb says. This blindness has a high cost, not only financially, but in terms of human, social and economic development in the region.

When talking about security in the country, Colombian officials present figures that seem quite positive at first glance. But those numbers, which appear to demonstrate the triumph of the Uribe administration's so-called democratic security policy, conceal a sinister reality.

As the next meeting of Colombia's Donor Group, scheduled for February 3/4 in Cartagena, approaches, it is worthwhile to take a look at the drug and security situation in the country. In making their contributions, donor countries should consider what the investment of US\$3 billion during these past four years (of Plan Colombia) has meant. Despite that investment, the country has registered only a relative decrease in the number of hectares under coca cultivation; hundreds of thousands of internally displaced people; a few crop substitution plans, most of which are

### Recommendations

#### To Europe

- Play a more visible role to distance EU position from the U.S. military approach.
- Ensure embedding of Alternative Development projects in a national policy to prevent the risk that they will be sprayed or affected by military operations.
- Evaluate the functioning of the Peace Laboratories before implementing expansion to other regions. Local officials and civil society in the areas must be properly consulted before decisions are made about EU-funded projects.
- Do not shift funds that were allocated for displaced people to support programmes for demobilising and reinserting paramilitaries; any support to that process should be conditioned on the rights to truth, justice and reparations.
- Seek a more active role in facilitating channels of communication between the government and the insurgents; the solution to Colombia's armed conflict will be found through dialogue only.

#### To the Uribe administration

- Adopt a legal framework consistent with international commitments and the right of victims to truth, justice and reparations for the process of disarmament, demobilisation and reinsertion of the illegal armed groups.
- Recognise that illicit crops also reflect deeper social and economic problems that require a solution other than force. In that context, strengthen programmes that focus on gradual, consensus-based manual eradication and alternative livelihoods.
- Stop the chemical War on Drugs given the harmful effects of aerial spraying.
- Strengthen local institutions with an effective state presence that is not limited to the military sphere.

#### To the United States

- Instead of pouring gasoline -bullets and glyphosate- on a country already in flames, refocus attention on the underlying causes of coca and opium production: the endemic poverty, marginalisation and social exclusion.
- A sustained, long-term commitment aimed at correcting those problems would have better results.

not yet showing results; enormous environmental contamination and associated health problems because of the expansion of illicit crop areas and aerial spraying; and the massive movement of troops into the jungle in an effort that the government hopes will eliminate, with a single stroke, a 40-year-old insurgency and all drug production in the area.

During a U.S. congressional report on Plan Colombia in June 2004, Democratic Rep. Dennis Kucinich of Ohio stated that 'Plan Colombia is a \$3.2 billion failed foreign operation.' These four years will go down in donation history as the waste of a gigantic investment. Let's hope the same will not be said of the next four.

### **On the 'success' of current drug policy**

The most recent results of anti-narcotics campaigns (aerial eradication, confiscation) have been analysed and examined over the past six months by various entities and groups of independent experts, who basically agree on essential points that we summarise as follows:

- One of the current policy's main objectives, to reduce the amount of drugs leaving Colombia for the United States by attacking the source, has not been achieved. Cocaine and heroin prices are lower than ever, and the number of users has not decreased significantly.
- At a U.S. congressional hearing, Robert Charles, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, said, "*We are undermining the narcotics industry.*" In fact, however, the economic (and military) power of drug-trafficking groups is still enormous, as is their ability to permeate and control society at all levels. The profit margin from drugs remains so large that the industry will continue to flourish in Colombia even with increased crackdowns inside and outside the country. The drug supply has remained steady and now reflects a fragmented business structure. The new organizations are smaller and less visible, making them more difficult to detect and break up. The extradition of kingpins — like the recent case of the head of the Cali cartel — makes headlines, but does not represent a setback to drug exporters.
- Aerial spraying and the promise of alternative development do not convince peasant farmers that it is useless to grow coca. Given the extreme poverty, malnutrition and neglect in which millions of Colombians live, they cannot be expected to stop taking advantage of coca's profitability.
- The costs of spraying are steadily increasing, and spraying has harmful effects on health and the food supply. Alberto Rueda, former adviser to the Colombian Ministry of the Interior and Justice, said, "*As an adviser, I could verify that in the National Institute of Health there is no epidemiological monitoring to determine the consequences for the groups or population where it is applied.*" This is a particularly serious statement, as the Colombian government insists that the glyphosate being sprayed is safe. Rueda also said, "*... It is absurd that \$100 million dollars (the budget of the Ministry of the Interior and Justice) is dedicated to reducing 15,000 hectares in a year through aerial spraying.*"<sup>1</sup>
- There is a risk that any progress, not just in eradication but also in security, will be merely ephemeral if it is not supported by a long-range strategy.
- New indicators are needed to measure and evaluate progress in anti-drug policies — indicators consistent with the objective of reducing consumption and availability of drugs in consumer countries. The measurement of the policy's success or failure cannot be established with annual results, but must be viewed in the context of medium- and long-range dynamics. While a total of 132,817 hectares of coca were sprayed in 2003, according to UNDOC

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1. Drug expert Alberto Rueda recently resigned as adviser to the Ministry of the Interior and Justice because of his disagreement with drug policy. Memorandum from Alberto Rueda to the Colombian government: Colombia must prove that the sacrifice of its best sons has not been in vane in the fight against drug trafficking. <http://www.ciponline.org/colombia/041019rued.pdf>

figures,<sup>2</sup> there was a decrease of only 11,731 hectares, not counting the 4,000 hectares eradicated manually. To reduce the total by one hectare, therefore, 11 hectares were sprayed. In the paradoxical case of the department of Nariño, twice the number of existing hectares were sprayed, and the area under cultivation increased by 17 percent.<sup>3</sup>

### 'Narcoterrorism'

Hollywood tends to make sequels to its most successful movies. In the same tradition, the Bush administration has taken the first steps toward what could be called Plan Colombia II. This was confirmed by George Bush's short but significant visit last November 22. As many people have feared, the United States is becoming increasingly involved in the Colombian conflict. There are no longer just millions of dollars at stake; the number of U.S. contractors serving in Colombia has also doubled.

If implemented, the second part of Plan Colombia will almost certainly reflect the same imbalance between military and social components as its predecessor. U.S. military aid to Latin America has increased by 24 percent since September 11, 2001, an increase that has been justified under the banner of the 'war on terrorism.'<sup>4</sup> In Colombia, the U.S. mission shifted from an exclusively anti-drug focus to anti-terrorist or counterinsurgency action, a qualitative change that made it possible to introduce the concept of *narcoterrorism*.

The adoption of a model that merges drugs and security is perhaps the most distinctive aspect of the Uribe administration. As the UNDP's Human Development Report 2003<sup>5</sup> states, under Uribe the country shifted from having an armed conflict to being the victim of a terrorist threat that feeds on drugs. In focusing its efforts on attacking the FARC militarily, the government ignores social and economic issues, as well as the historical and political roots of the conflict. And although Washington's myopia is unable to distinguish between the FARC and al-Qaida, something more sensible could be expected of the Uribe administration.

One of the most serious consequences of the expansion of the military deployment under the banner of narcoterrorism is the implicit message that the war on drugs can only be won by force. It also assumes that an Army presence in areas where it had never been before — penetration of the jungle under 'Plan Patriot' — is in itself an alternative to illicit crops and business. The military presence becomes the state presence. It is, however, a presence whose sustainability is still in doubt. Plan Patriot was also implemented without any humanitarian contingency plans or explicit human rights components to protect people in the areas where confrontations occur.

The high social, environmental and economic costs of the implementation of the anti-narcoterrorist strategy are the responsibility of the U.S. and Colombian governments. The armed groups, meanwhile, are responsible for the effects, in those same areas, of the ties between the drug economy and the war. Each follows its own script, with the communities caught in the middle. Although generally invisible, they are the most affected by the actions of the various groups. The war is the main factor aggravating the humanitarian crisis and displacement, the loss of food security (exacerbated by aerial spraying), and the weakening of the communities' social organization and prospects for the future.<sup>6</sup>

As part of the war on terrorism, alternative development has been linked to the fight against terrorism, with no attention to the social and economic causes of the situation. And while it is

2. *Colombia, Coca Cultivation Survey 2003*, United Nations Office on Drugs and Crime (UNODC), Vienna June 2004.

3. '*Política antidrogas en Colombia... lejos del 'éxito'*,' Ricardo Vargas Meza, La Esquina Regional, September-October 2004.

4. *September's Shadow, Post-9/11 US-Latin America Relations*, By Lisa Haugaard, Sean Garcia, Philip Schmid and Mavis Anderson, The Latin America Working Group Education Fund, September 2004, Washington DC.

5. Solutions to Escape the Conflict's Impasse, Human Development Report 2003, UNDP, [http://indh.pnud.org.co/index\\_.plx?f=1103710112](http://indh.pnud.org.co/index_.plx?f=1103710112)

6. Ricardo Vargas, *Drugs and Armed Conflict in Colombia*, in: M. Jelsma, T. Kramer, P. Vervest (editors), 'Opium and Conflict in Burma/Myanmar,' Silksworm Publisher, Chiang Mai, Thailand, April 2005.

true that minimal security conditions are needed in a region to ensure progress in development plans, it is also true that 'security' comes not only from military might, but from development on other fronts, such as justice, education and infrastructure.

The militarization of the country will not do away with illicit crops or drug trafficking, nor will it put an end to the armed conflict, even when the FARC draw back<sup>7</sup> and officials present charts and statistics showing a decrease in violence and kidnappings. Colombia is a country armed to the teeth. The introduction of more weapons, trained personnel, tanks and warplanes will only prolong a conflict in which, we repeat, the civilian population is the first victim.

Weapons are not the most appropriate way to resolve the complex social and economic problems afflicting the country, nor will they lead to the democratic practices and peace necessary to build up society. The UNDP document mentioned above is explicit in stating that in Colombia, the main enemy is the war, which is no longer peripheral, but is increasingly at centre stage, gaining ground and bringing human development to a standstill. The country's first task should be to defeat the war. Any investment that escalates the war will be a step backward in resolving the conflict.

While the Colombian insurgency has functional links to various levels of the drug circuit, with organised drug-trafficking groups for both the supply of raw materials and the facilitation of routes or the supply of processed substances for export,<sup>8</sup> it is equally true that the militarization of the strategy for combating 'narcoterrorism' has enabled new drug-trafficking sectors to become stronger, taking political and economic advantage of the focus on the armed insurgent groups.

***The predominant military approach to 'narcoterrorism' has several problems: it fails to recognise the complex factors underlying both the drug problem and the violence; it assumes that the drug problem can be solved by force and that the armed conflict can be resolved by intensifying the conflict – that is, more war on war; and it has facilitated the consolidation of conventional drug-trafficking structures.***

At the same time, the sluggishness of the process of confiscating drug traffickers' property and the lack of clarity about the use of confiscated property is an obstacle to the creation of conditions that would make Colombia a less desirable location for drug trafficking. There are currently no mechanisms for transparently establishing the responsibility of drug trafficking (and of the armed groups that have participated in this process) in the grad-

ual and violent expropriation of lands from indigenous, Afro-Colombian and peasant communities in Colombia.

### **Paramilitaries and drug trafficking**

The strategy for combating 'narcoterrorism' is particularly problematic in Colombia because of the inconsistent way in which it is applied: while officials see the insurgent groups as drug traffickers, refusing to admit any political dimension, they ignore drug trafficking by paramilitary groups, highlighting their counterinsurgent nature – that is, their political motivation. As a result, the strategy is aimed only at the former, although the paramilitaries' long, intrinsic relationship with drug trafficking is no secret.

This inconsistency in the implementation of the anti-narcoterrorism strategy leads, in the end, to serious contradictions on the part of its main instigator, the U.S. government. If the AUC are on the State Department's list of (narco)terrorist organizations, and several of its main leaders, such as Mr. Mancuso, were cited in 2000 by the U.S. attorney general for exporting cocaine to the United States, how can the U.S. Department of Justice have approved funds

<sup>7</sup> The *Fundación Seguridad y Democracia* published a study suggesting that the FARC's current strategy of retreat seeks to avoid open confrontation with the armed forces in order to wear them down.

<http://www.seguridadydemocracia.org/monitordeseguridad/observatorio/observatorioII.pdf>

<sup>8</sup> Ricardo Vargas, op cit.

(US\$3 million) to help demobilise the members of the AUC? Isn't that a clear violation of U.S. laws prohibiting assistance to terrorist groups?

The celerity with which the demobilisation of the paramilitaries has occurred seems not only to have caught the Colombian government — which still lacks a judicial framework for ensuring appropriate enforcement of the law — by surprise, but it also has forced Washington to improvise. Colombia undoubtedly needs funds for the reinsertion into society of peasants who were former combatants in the self-defence forces, but the United States should make the prior imposition of justice a condition for their use. It is as though USAID (the U.S. development agency that will provide the funds, if they are approved) administered funds for subsidizing the small-time drug traffickers who lost their jobs when the Cali cartel collapsed.

***The peace of the 'paras'*** – One does not need an particularly in-depth analysis of Colombia at the start of 2005 to understand that in a country in which almost everyone is losing in the conflict, if anyone has won something — much — it is the paramilitaries, and with them Colombian drug trafficking. Those groups have benefited from the privatization of the use of force, which has made it possible to evict not just guerrillas, but also the civilian population from strategic areas so that the paramilitaries could occupy them. As winners in the conflict, it is not surprising that paramilitary groups (and the drug traffickers who have joined forces with them to take advantage of the process) are now interested in peace, which will enable them to legitimise their economic interests and consolidate themselves as regional forces in the political order and security framework.

The demobilisation of the 'paras' is not, in itself, in question. On the contrary, as we have indicated, in a country as armed as Colombia, the removal of any weapons and combatants from the conflict will somehow contribute to bringing peace to the country. But Colombia must be aware of the nature of the peace that the paramilitaries are now negotiating, so as to demand appropriate concessions from them.

Colombia is now a 'paramilitarised' country. Significant regions of Colombian territory are in the hands of paramilitaries. According to statistics from CODHES, between 1997 and 2003, the 'paras' acquired 5 million hectares of land through blackmail, violent expropriation from the owners or displacement of the local population.<sup>9</sup>

Directly or indirectly, paramilitary organisations have economic, political and judicial dominion over significant regions of Colombia. Using terror, they have managed to infiltrate and take control of the strings of local governments, hand-picked officials, corrupted institutions and even appropriated public resources. In many of their areas of influence, according to the Colombian press, self-defence forces have managed to establish a 'para-state' within the state, where officials in strategic positions have been put in place by the self-defence forces, either with money or by intimidation.

According to calculations done in 2003 by the Colombian controller general, which are part of a study of the agrarian 'narcoreform,' 4 million hectares of the most productive land — 48 per cent of the country's total — are in the hands of drug traffickers, making the country a 'narco-estate.' A significant part of that territory is in the hands of paramilitaries who are now on the road to legality through the peace process.

One typical case is the Catatumbo region, where the Catatumbo Bloc of the Self-Defence Forces is lord and master of the land. The much-publicised demobilisation of that bloc last November, which officials declared was the end of an era, has merely legitimised and ensured the continuity of what has been going on for the past several decades, but under a new guise. The old adage applies: the more things change, the more they stay the same.

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9. Consultation on Human Rights and Displacement, CODHES. According to Harvey Danilo Suárez, executive director of CODHES, the departments most affected by the expropriation of lands are Tolima, Putumayo, Choco, Antioquia, Caquetá, Cauca, Norte de Santander, Guaviare, Cesar and Bolívar, <http://www.codhes.org.co/>

Throughout 2004, various independent analysts, as well as the Colombian press, repeatedly called attention to the consolidation of the paramilitaries in various areas where the Colombian Army had regained control. That phenomenon largely explains the improvement in security figures during the past two years of the Uribe administration. The decrease in the rates of violence and murder in departments and zones that have a strong paramilitary presence may be related more to the demobilisation of these groups than to the effective rule of law. One example is the case of Comuna 13 of Medellín, where the decrease in the murder rate is associated with the demobilisation of the Cacique Nutibara Bloc after its members took social, economic and political control of the area. Paramilitarism has not left Medellín; it has merely taken on a new form.

The 'disarmament' and 'demobilisation' of the 'paras' does not necessarily mean the deparamilitarisation of the country, and unless the necessary measures are taken, the peace of the 'paras' could result in exactly the opposite: the consolidation of paramilitarisation. The foundation for a true end to the paramilitarisation of society, the economy and politics must be laid on a framework of truth, justice and reparations in which land use and ownership are among the main issues. The paramilitary advance, which has resulted in an agrarian counter-reform, threatens to return Colombia to its feudal past, distancing it from modern hopes for pluralism and democracy.

**Legal framework** – The Self-Defence Forces have been taking advantage of the legal vacuum in which the demobilisations have occurred to accelerate these processes without having to answer to a judicial system (which does not exist) for their crimes. The Uribe administration has not been transparent in its process of dialogue with the AUC; to neutralise that lack of transparency, it has taken advantage of the effect of headlines about the turning in of weapons and the announcement of the return of certain lands. The Inter-American Commission on Human Rights (IACHR) has made it clear that if the Self-Defence Forces' crimes go unpunished, the Uribe administration will be seen as a co-conspirator.

In addition, as various civil society organizations, the UNHCR and the Colombian press have reported, in contrast to the rapid acquisition of resources for the process involving the Self-Defence Forces, the government has shown neither any hurry nor much ability to resolve serious social issues such as assistance to displaced persons who are victims of the war. The issue of displacement has not even been addressed in Santa Fe de Ralito, where negotiations are under way.

So far, the government has ignored the legal proposal for reparations for victims and treatment of those responsible for atrocities. The proposal has come from certain sectors of the Colombian Congress — including some loyal to Uribe — with a deadline of March 2005 for presenting a legal framework. The legislators' plan is explicit about unpardonable crimes and includes confession as an indispensable requirement for obtaining judicial concessions. The Uribe administration, however, seems more interested in increasing its influence, adopting legal decisions that give the executive branch the power to deign the judicial framework for judging the Self-Defence Forces.

All signs point to 2005 as a re-election year. Uribe seems to want to continue betting on the heavy-handed approach that won him the presidency in 2002. The sudden extradition to the U.S. of FARC leader 'Simón Trinidad' — despite its anti-constitutional nature — clearly underscores the government's political use of extradition. Uribe is counting on the national and international discrediting that has plagued the FARC in recent years because of its many kidnappings and massacres of civilians and hopes to win points with this symbolic action against the insurgent group.

## **Conclusion and Recommendations**

Linking the drug problem to the security problem, regardless of the arguments used to justify it, represents the reaffirmation of a flawed policy that is now operating on an even broader scale. Although it is not highly visible now, the consequences of moving the international war

on terrorism to Colombia's mountains and jungle will only increase the high, senseless costs that the Colombian nation has been paying for years.

The next meeting of the Donor Group in Cartagena should take into account the real experience — rather than the manipulation of numbers — of the war on narcoterrorism over the past four years, as well as the state of the country as a result of that war and the various processes under way, such as the one involving the paramilitaries.

Finally, it should be noted that the meeting on February 3 and 4 will be held in Cartagena, the Colombian city with one of the highest levels of poverty. The extreme poverty of large marginal areas of the city, where most of the residents are people who have been displaced from the interior of the country, is comparable only to the most disadvantaged African countries — a situation that would have been unthinkable a decade ago.

### **Recommendations to Europe**

– This is an excellent opportunity to begin playing a more visible role in an effort to modify, insofar as possible, approaches that have not worked in the past. We highlight the European Union Council's request, made at the most recent meeting on Colombia, held in December, that Colombian officials move quickly to adopt a broad legal framework — consistent with international commitments and the right of victims to truth, justice and reparations — for the process of disarmament, demobilisation and reinsertion into society of the illegal armed groups.

- Although Europe has tried to distance its position from the military approach spearheaded by the United States over the past four years, it has nevertheless failed to take a stronger role in the face of the U.S. stance. It is not surprising that in referring to European aid, Robert Charles, the U.S. assistant secretary of state for international narcotics and law enforcement affairs, spoke of '... our efforts to promote European aid,' making it sound as though the US\$120 million that the European Union donated to Colombia in 2003 had somehow resulted from U.S. efforts to foster European cooperation with Colombia.

- Europe's public position on Colombia tends to emphasise the fostering of the rule of law, reform of the judicial system, human rights and generally addressing the humanitarian crisis. It has also spoken out in favour of fostering economic aspects, social development and the alleviation of poverty. Europe must be aware that the conditions that have created the current U.S. 'anti-narcoterrorist' policy are not conducive to establishing a favourable climate for such projects. As long as alternative development programmes are not part of a general national policy, the risk remains that they will be sprayed with herbicide or affected by military operations.

- In the specific case of the Peace Laboratories, it would be a good idea to do a serious evaluation of how they have functioned before continuing to implement them in other regions. Even if the model has worked in some places — despite the enormous difficulties and risks they have faced in Magdalena Medio — generalised expansion is not necessarily appropriate. Local officials must be given more manoeuvring room, and there must be discussion with them about the region's specific characteristics before decisions are made about implementing any type of project.

- With regard to the process with the paramilitaries, Europe should not shift funds that were allocated for displaced people to support programmes for demobilising paramilitaries and reinserting them into society. Support for paramilitaries should be conditioned on the Colombian government's adoption of a judicial framework that recognises the victims' rights to truth, justice and reparations.

- Taking the stance that the solution to Colombia's armed conflict will be found through dialogue, Europe could play a more active role in seeking possible channels of communication between the government and the insurgents. Only mediation by a heavyweight like the European Union can ensure the parties' commitment to and seriousness about a peace process.

### Recommendations to the Uribe administration

– The government must admit that illicit crops are not only a source of funding for terrorism, but also reflect deeper social and economic problems that require a solution other than force. In that context, and given the harmful effects of aerial spraying and the increasing unpopularity of that policy, it would be helpful for the current administration — especially now, as it begins a re-election campaign — to strengthen programmes that focus on gradual, consensus-based manual eradication and alternative livelihoods. To do this, it is necessary to take into account local experiences of communities and organisations that are seeking a consensus-based approach to the problem. Colombia is a country of diverse regions. The only model being promoted by the government (Forest Ranger Family or *Familia Guardabosques*) cannot be applied uniformly amid this social, cultural and ecological diversity.

– Strengthen local institutions with an effective state presence that is not limited to the military sphere. The process under way with the paramilitaries must not be simply a matter of apparent disarmament, but must represent true proscription of organised crime groups and corrupt local forces.

### Recommendations to the United States

– The use of force resulted in a decrease of only 11,000 hectares in 2003, along with the destruction of large areas and increased poverty and illness. It is hoped that when U.S. anti-narcotics officials realise that this policy of bullets and glyphosate has failed, they do not want to experiment with more catastrophic solutions, such as the use of other, more potent chemicals, or the oft-mentioned *Fusarium oxysporum* fungus, but examine other, more sustainable ways with fewer negative collateral effects.

– The solution to the Colombian problem does not lie in the use of weapons. Rather than continuing to pour gasoline — more military aid — on a country that is already in flames, the administration in Washington should take into consideration the analysis and conclusions of dozens of studies done in the United States itself by groups of experts and independents, and re-focus its attention on the underlying causes of coca and opium production: the endemic poverty, marginalisation and social exclusion that affects a high percentage of the Colombian population. In terms of income and human development, Colombia is poorer today than it was ten years ago. A sustained, long-term commitment aimed at correcting those problems would have better results.

– A country like Colombia should not be left to the charity of an international donor group, but should be able to assume its own responsibilities. That would be more possible if Colombia were part of a fairer trade framework more appropriate to its situation. It is disturbing that Colombia and other Andean countries have opted for a free trade agreement without taking prior steps to help sectors that will lose out as a result of some of the terms of the trade pact. While the United States has programmes to protect sectors from the negative impacts of trade negotiations with other countries, that is not the case in smaller countries. For that reason, it is almost immoral for the United States to maintain an inflexible position on agriculture, pressuring for bilateral agreements with a country like Colombia, which it claims to be trying to help out of its crisis. Greater generosity –or justice- on the critical issue of agricultural trade and other projects would be the real help that Colombia needs.