Waging War:
U.S. Policy Toward Colombia

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ABSTRACT

Until the end of 1996, U.S. policy toward Colombia was dominated and driven by a single issue: counternarcotics. Over the last year, U.S. policy toward Colombia has undergone important changes as the U.S.’s bilateral agenda with Colombia has expanded due to growing concern with the threat posed by Colombian guerrillas, now seen by U.S. officials as the primary national security risk in the hemisphere. At the same time, more and more U.S. policymakers became convinced that the “decertification” approach had run its course: Not only was it failing to achieve the desired U.S. objective of continued Colombian compliance with U.S. counternarcotics demands, but it was exacerbating Colombia’s growing economic crisis, thereby threatening other U.S. interests. The election of Andrés Pastrana as President of Colombia greatly facilitated the trend toward a broader bilateral agenda. U.S. officials now speak of a “comprehensive” policy toward Colombia, which includes not only counternarcotics cooperation, but also support for economic growth, human rights, democracy and peace. Yet as U.S. objectives in Colombia have multiplied, so have the incoherencies of U.S. policy. The U.S. government has failed to sort out these objectives, prioritize them and recognize when they are at odds.

The Clinton administration maintains that the number one U.S. priority in Colombia continues to be the counternarcotics program. Toward that end, the U.S. government is providing over $100 million a year to the Colombian security forces --including all branches of the armed forces and the antinarcotics police. However, administration officials admit that the line between counternarcotics and counterinsurgency efforts in Colombia is blurry at best, and that in at least some areas of the country, this assistance indirectly supports counterinsurgency activities. Saber-rattling by hard-liners in the U.S. Congress, convinced that a “narco-guerrilla” victory in Colombia is at hand, has fueled discussion of a greater U.S. involvement in the Colombian counterinsurgency effort. In fact, the U.S. military is extensively engaged in training and other activities in Colombia, some of which are explicitly oriented toward combating the insurgents. Thus, as confusion reigns in Washington over U.S. policy toward Colombia, U.S. forces are already headed down the slippery slope of greater involvement in the hemisphere’s most brutal counterinsurgency campaign -- precisely when the U.S. government should be supporting the Pastrana administration’s efforts to reach a negotiated settlement to the decades-long conflict.
Waging War: U.S. Policy Toward Colombia

U.S. policy toward Colombia has undergone important changes over the last year, as the guerrilla threat in Colombia has emerged as the top national security concern in the hemisphere for U.S. policymakers and as the Clinton administration seeks to broaden the U.S.’s bilateral agenda beyond a narrow focus on drug trafficking. Yet as U.S. objectives in Colombia have multiplied, so have the incoherencies of U.S. policy. The U.S. government has failed to sort out these objectives, prioritize them and recognize when they are at odds.

Until recently, counternarcotics concerns have dominated the bilateral agenda, with the aerial coca eradication program as the centerpiece of the U.S. assistance program. Well-founded allegations that drug money made its way into the campaign coffers of former President Ernesto Samper led to strained relations and contributed to the “decertification” of the Colombian government in 1996 and 1997 for failing to cooperate effectively with U.S. counternarcotics programs. U.S. aid and trade programs were curtailed. As the Clinton administration distanced itself from the civilian elected government, however, it sought closer relations with the Colombian armed forces and police. In announcing the decertification of Colombia in early 1997, U.S. Secretary of State Madeline Albright stated that the U.S. government would seek to reinforce the efforts of the Colombian police and military, the U.S. government’s perceived allies on the ground. By fiscal year 1997, the Colombian security forces (the armed forces and the counternarcotics police) were receiving more than $100 million a year in U.S. aid, more than any other country in the Western Hemisphere.

Previous support to the Colombian army was cut off by the U.S. Congress on human rights grounds and because it was being used for counterinsurgency rather than counternarcotics purposes. This time however, the Colombian army was deeply worried about the growing influence of the Colombian guerrillas in the southern coca-growing regions of the country. U.S. support for coca eradication programs in that area dove-tailed with the Colombian military’s counterinsurgency objectives. The Colombian military high command used the “narco-guerrilla” threat to bolster requests for more U.S. aid -- aid that proved to be just as applicable to counterinsurgency as to counternarcotics efforts. Information slowly leaked out indicating that the Pentagon is in fact carrying out counterinsurgency training in Colombia. In theory and in practice, the U.S. counternarcotics war has become inextricably intertwined with the Colombian counterinsurgency campaign.

By the end of 1997, political support among U.S. policy-makers for a more direct U.S.

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1 The certification process was enacted by the U.S. Congress in 1986. Each year, the administration must produce a list of major drug-producing or drug-transit counties, which are then rated for their antinarcotics efforts. Unless granted a “national security waiver,” countries that are not certified face mandatory sanctions, including suspension of all U.S. assistance (with the exception of humanitarian aid and antinarcotics assistance), “no” votes on loans by the multilateral development institutions and possible trade sanctions.
role in the Colombian counterinsurgency effort had grown considerably, although publicly U.S. officials continued to maintain that assistance was only being provided for counternarcotics purposes. Colombian guerrilla activity around the October 1997 municipal elections received widespread coverage in the mainstream U.S. media. That combined with a series of military victories on the part of the Revolutionary Armed Forces of Colombia (FARC) sparked significant concern in Washington. Growing U.S. recognition of the insurgent threat turned Colombia into a top national security priority and the role of the U.S. government in combating the guerillas, or “narco-guerrillas” for some, became an issue of heated discussion among U.S. policymakers and in the U.S. press.

On the one hand, U.S. officials began to acknowledge the devastating impact of political violence -- an issue that U.S.-based human rights groups insisted on for years. The statistics on political violence and human rights violations in Colombia speak for themselves. Political killings fluctuate between 3,000 to 4,000 a year, with over 70 percent attributed to right-wing paramilitary groups and their military allies. Another 300 to 400 are disappeared each year, and over one million Colombian’s have joined the ranks of the internally displaced. According to Colombia’s Permanent Committee for the Defense of Human Rights, in 1997 alone there were 185 politically-motivated massacres (defined as the collective killing of four or more individuals) that took the lives of 1,042 Colombians.  

On the other hand, this also led to increasing calls by hard-liners for U.S. intervention. In the words of Rep. Dan Burton in Congressional hearings on March 31, 1998:

“I’ve been told by our sources, by my sources, that the entire country is in jeopardy of being lost. The entire northern tier of South America could be lost to narco-guerrillas and traffickers, and that would be horrible for the United States, not only the United States, but the entire Western Hemisphere.”

From the hard-liners like Rep. Burton to more moderate officials concerned about the FARC’s military strength, support for some form of U.S. involvement to stem the guerrilla insurgency began to take hold.

At the same time, more and more U.S. officials became convinced that the decertification approach had run its course: not only was it failing to achieve the desired U.S. objective of Colombian compliance with U.S. counternarcotics demands, but it was exacerbating Colombia’s growing economic crisis. Undecided until the last minute, on Feb. 26, 1998 U.S. officials granted the Colombian government a “national security waiver,” thereby avoiding a third decertification.  


3 It is important to note, however, that a full certification was not granted, because, in the words of one U.S. official, “the Colombian government leadership did not effectively root out
U.S. officials began to speak of broadening the bilateral agenda. In a May 1998 meeting, a high-level U.S. official listed U.S. priorities in Colombia as: combating drugs, getting the economy back on track, and promoting human rights, democracy and peace. An inter-agency working group was set up to sort through the different policy priorities and to develop a set of policy proposals to be presented to the next Colombian president.

A New Era in U.S.-Colombian Relations?

To the relief of many U.S. officials, Andrés Pastrana, won the June 1998 presidential elections. The U.S. and Colombian press announced a new era in U.S.-Colombian relations, and the honeymoon began. A day after his election as President of Colombia, Andrés Pastrana declared, “The agenda with the U.S. cannot just be drugs. We have to open it to include peace, human rights and trade issues.” In a clear sign of support, President Clinton agreed to meet with Pastrana prior to his inauguration, and they announced a state visit to take place in late October 1998. In his first meeting at the White House, President Pastrana sought U.S. support for a peace process to resolve the country’s civil conflict -- a campaign initiative with broad-based support from many sectors of Colombian society, tired of decades of political violence, and the international community. He also proposed the creation of a “Marshall Plan” for Colombia in order to implement the economic and social programs necessary for such a process to move forward.

President Clinton spoke of a “comprehensive” policy toward Colombia, which included counternarcotics cooperation, promoting the rule of law and human rights, and support for a peace process. Shortly thereafter, in an August 7, 1998 letter to Pastrana, Clinton promised support for alternative development, justice sector reform and promotion of human rights, and programs for the internally displaced. Most emphatically, he noted that “I intend to consult with the Congress, as soon as possible, with a view to providing the Colombian police and military with additional training and equipment.”

In practice, however, this “comprehensive” approach results in a confused and often contradictory policy. The administration’s inter-agency process has failed to lead to a clear set of priorities; nor does it recognize the conflicts inherent in its differing objectives. Lacking a coherent alternative to Congressional hard-liners, the administration often buckles under Congressional pressure for ever-tougher drug war policies, regardless of their impact on human

narcocorruption and vigorously implement new counternarcotics legislation.” Presentation by State Department official Gerald Gallucci at a conference on Colombia held at the Johns Hopkins University on April 1, 1998.

4 Personal interview, 31 May 1998.

rights or democracy. As noted by scholars Cynthia Arnson and Andrés Franco:

“U.S. policymakers throughout the executive branch and Congress have yet to decide whether or not the key to defeating narcotrafficking is defeating (not containing) the guerrillas; whether human rights is enhanced by increasing the firepower of the Colombian armed forces; whether the guerrillas and the drug trade are any more intimately linked than the paramilitaries and narcotraffickers; whether aerial spraying of coca crops in the name of source reduction helps or hurts the guerrilla cause; or whether efforts to reverse the tide of the war will lead toward, rather than away from the bargaining table.”

Two points, however, remain clear: counternarcotics cooperation remains at the top of the U.S. agenda, and the United States continues to wield significant influence in exerting cooperation through the certification process. Despite the limited certification granted to Colombia in 1998, the broadened agenda, and the victory of President Pastrana, the U.S. government presented a demarche to the Colombian government last June laying out its expectations in order for Colombia to be certified in 1999. These include: implementation of an integral anti-drug strategy; increased aerial eradication activities and cooperation with U.S. pilots; increased economic support from the Colombian government for eradication activities and other antinarcotics efforts; strengthened investigations and prosecutions of narcotrafficking-related corruption; application of extradition, including of drug kingpins presently imprisoned in Colombia so that they can stand trial in the United States; stronger anti-drug legislation; and reform of the prison system for drug cases. Apparently, not even Pastrana can look forward to a respite from U.S. pressure in order to stay in the good graces of the U.S. government.

Hence, it is far from clear how long the honeymoon period will last. While there is a new attitude in Washington toward the Colombian government, tensions are likely to increase as the certification decision nears and as peace initiatives advance. While Clinton administration officials have clearly offered their support for peace initiatives -- and have provided funding for some interesting projects to advance the process -- they have also made it clear that they are not willing to allow for any changes in the coca eradication program in order for that process to move forward. Serious conflict could erupt if a peace process advances and the Pastrana government opts to suspend the aerial eradication program or other counternarcotics efforts in some areas of the country, seen by some Colombian analysts and officials as a pre-requisite to advance peace in the FARC-dominated areas of the Guaviare, Putumayo and Caquetá departments and parts of Meta. According to the U.S. Drug Czar, retired General Barry McCaffrey, eradication remains


“the central aspect of U.S. counternarcotics thinking. That can’t be taken off the table.”

Trouble is already brewing. On September 16, 1998 anti-drug legislation was approved by the U.S. House of Representatives which includes language calling for a suspension of all U.S. counternarcotics assistance to Colombia, if that country halts counternarcotics operations in a planned demilitarization zone encompassing five municipalities in Caquetá. Colombian officials have provided differing accounts to the press as to what anti-drug operations are in fact presently taking place in the region. According to the Colombian Minister of Defense, there is no aerial eradication occurring in the area to be demilitarized, which contains only 10,000 hectares of coca. However, Colombian anti-narcotics police chief Col. Leonardo Gallego claims that aerial eradication programs would not be affected, but other military-style assaults on cocaine laboratories and airstrips would likely be discontinued. Pastrana administration officials uniformly warned, however, that if passed by the full Congress, the threat to suspend aid could seriously jeopardize the peace process. While questioning the overall legislation, a U.S. State Department spokesperson said, “We are for the peace process, but not at the expense of counternarcotics operations.” While the legislation still awaits Senate approval and may not become law, it sends a chilling message to the Colombian government and broad sectors of Colombian civil society advocating for a negotiated settlement to the decades-long conflict.

The “Narco-Guerrilla” Threat

This position was advocated by Rep. Ben Gilman, Chairman of the House International Relations Committee, and Rep. Bill McCollum, two of the most ardent supporters of U.S. military and police aid for Colombia. In an April 2, 1998 statement, Gilman boldly exclaimed, “The frightening possibilities of a ‘narco-state’ just three hours by plane from Miami can no longer be dismissed.” Subsequently, in an August 5, 1998 statement, Rep. Gilman laid out the basis for the narco-guerrilla theory -- that the Colombian guerrillas have lost their political ideology and have evolved into bands of common criminals engaged in an illicit industry -- and warned of his opposition to the establishment of a demilitarized zone in Colombia:

“An outline of the principal coca and opium poppy growing areas in Colombia, and an outline of the principal areas of strength and presence of the guerrilla reveals a stark correlation. Virtually all of the guerrilla fronts in these drug producing regions are an integral part of the drug business. Despite their denials, there is no


question that these guerrillas facilitate and profit from the drug trade. By guarding coca and opium fields, cocaine labs and airstrips, these insurgent groups have evolved into an essential part of the drug production business...as Colombia searches for peace, establishing demilitarized zones that exclude anti-drug operations would be too high a price to pay. This would effectively allow drugs to be cultivated and produced freely, and ‘peace’ at the price of a ‘free narco production zone’ would be a ‘Faustian Bargain’ that would seriously damage our bilateral relationship with Colombia.”

Rep. Gilman and others cite statistics that the FARC rakes in $60 million a month from the drug trade. According to General McCaffrey, the FARC devotes two-thirds of its forces to guarding or transporting drugs laboratories and may have as much as $1 billion in reserves from the drug trade. General McCaffrey is also skeptical of the guerrillas’ real motivation for engaging in dialogue on peace:

“They are after demilitarization, they are after a cessation of aerial eradication -- that’s the only way to get at coca production and opium production -- and the FARC wants that stopped...Of course the danger is all they are after is consolidation of their gains prior to the next phase of their movement...If you look at their actions...it’s almost as if their dominant focus is to maintain money-making criminal activity.”11

The narco-guerrilla myth is not shared by all U.S. officials; yet even so, more limited guerrilla involvement in the drug trade is sufficient justification for many U.S. officials for supporting the simultaneous pursuit of counternarcotics and counterinsurgency objectives. No one disputes that the FARC gains significant resources from protecting coca growers in southern Colombia and facilitates shipment of coca and cocaine. The FARC has virtual territorial control of vast areas where coca plantations thrive in the departments of Guaviare, Putumayo and Caquetá and parts of Meta, providing it with a very important and steady source of income that allows it to advance militarily and maintain a steady flow of recruits.

But even the Drug Enforcement Administration (DEA) admits, in a study carried out at the request of former U.S. Ambassador to Colombia Myles Frechette, that neither the FARC nor the smaller National Liberation Army (ELN) are engaged in international drug trafficking.12 Rather, the guerrillas are one of many actors -- including elements of the armed forces and right-wing paramilitary groups -- involved in the lucrative drug trade. Moreover, no evidence has been presented that members of the FARC are enriching themselves personally through the drug trade. On the contrary, the drug money finances its war machine. Its goal continues to be to seek control


12 Personal interview with Ambassador Myles Frechette, 15 November 1996.
of the Colombian state in order to carry out radical reforms of the Colombian government, society and economy. According to U.S. analyst Michael Shifter, “Despite such changes in their goals, operations and size, both the FARC and ELN should be recognized and dealt with as fundamentally political, increasingly pragmatic, actors that are seeking to advance their concrete interests of greater control and power.” The political will of the guerrillas to enter into serious peace negotiations is far from clear -- but not because of their desire to remain engaged in the lucrative drug business.

As noted, however, drug money has allowed the FARC to become a formidable military force. The FARC now accounts for approximately 80 percent of all guerrilla fronts and estimates of its troop strength range from 10,000 to 15,000. It operates in about 700 of Colombia’s 1,071 municipalities. The smaller ELN is estimated to have from 5,000 to 7,000 troops, but has suffered severe blows inflicted by paramilitary groups in its traditional stronghold along the Magdalena corridor and is seen as in a relatively weaker military position. The FARC has staged a series of startling military victories over the last two years, including the virtual destruction of an elite counterinsurgency unit of the Colombian army in March of this year and the August 1998 raid on the town of Miraflores and the leveling of the antinarcotics base there.

Fears of the FARC’s military might are not unfounded. They are often, however, exaggerated. The U.S. media regularly reports that the guerrillas control more than half of the national territory. While it is true that the guerrillas are present in more than half of the country, the amount under guerrilla control is significantly less. Another questionable myth popular in official Washington is that the Colombian guerrillas could win the war against the Colombian state in the near future. Earlier this year, the Defense Intelligence Agency (DIA) sounded alarm bells in a confidential report leaked to the press which proclaimed that a FARC victory was feasible within five years. According to one individual who reviewed the DIA report, it made no mention of right-wing paramilitary groups in Colombia and the serious blow that these organizations have inflicted on the guerrillas, particularly in the northern part of the country. As noted, paramilitary groups have significantly weakened the ELN. They have also wrest control from the FARC of its traditional strong-hold in Urabá, a strategic corridor for arms smuggling along the border with Panama. The paramilitaries are now contesting the FARC’s southern strong-hold, as will be described in more detail below. In other words, the paramilitaries may be succeeding where the Colombian military has failed. The impact of paramilitary violence on the guerrillas is central to understanding the Colombian conflict, but is an issue rarely mentioned in Washington.

Guerrilla kidnaping of U.S. citizens further fuels these concerns, as have the recent military victories by the FARC described above. While not everyone would agree with the DIA’s dire warnings, there is a deep concern among U.S. policy-makers that the Colombian military is losing the battle to the FARC. There is also growing concern that the Colombian conflict threatens its neighboring countries and has therefore become a regional national security threat.

According to General Charles E. Wilhelm, head of the U.S. Southern Command, this situation has “created security emergencies for each of the five nations with which Colombia shares a common border.”

According to Arnson and Franco, “Guerrilla excursions into neighboring Venezuela, meanwhile, have destabilized the border, raising the specter of threats to oil fields crucial to U.S. supplies.” They go on to say: “Perversely but perhaps not surprisingly, a near consensus holds in Washington that for a peace process to bear fruit, the guerrillas must be stopped or even rolled back.”

Even for many U.S. policymakers open to the idea of a peace process as a means of resolving the Colombian conflict, the correlation of forces is not yet at the right place for negotiations to proceed with the support of official Washington: the guerrillas are too strong and the military too weak. The latter have come under considerable scrutiny for the string of military defeats suffered since 1996, particularly the FARC’s August 1998 offensive, and the increasing number of soldiers held by the guerrillas as prisoners of war. General Wilhelm summed the situation up in Congressional hearings on March 31, 1998:

“Although senior officials of the government of Colombia have sought to establish a peace process, few believe they’re in a strong enough position to reach any acceptable accords...the weak performance of the military gives the government little leverage in their attempts to reach a negotiated settlement with the insurgents.”

In the same hearing, General Wilhelm painted a dismal picture of the Colombian armed forces:

“As we see it, the primary vulnerability of the Colombian armed forces is their inability to see threats, followed closely by their lack of competence in assessing and engaging them...the combat deficiencies of the Colombian armed forces reside primarily in seven areas: direct attack capabilities, night operations, communications systems, intelligence systems, the ability to operate in rivers and coastal regions, and the ability to sustain their forces once committed.”

Not surprisingly, General Wilhelm concluded that in the short-term the Colombian armed forces need “intensified assistance in intelligence collection and analysis, command and control, operational level planning, small-unit training, and aviation maintenance” and proposed further assessment of the physical infrastructure and equipment needs. In other words, significantly more military aid, training and support from the United States and other governments will be needed to allow the Colombian military to gain the upper hand over the insurgents -- or at least level the playing field before negotiations proceed. Off-the-record, many U.S. officials point to the role that


15 Arnson and Franco, op. cit.
the U.S. government played in El Salvador, where they conclude that U.S. assistance prevented a guerilla victory and enhanced the Salvadoran military’s position for eventual talks, as an approach to be taken in Colombia.

The Escalation of U.S. Security Assistance

Already, Colombia receives more U.S. security assistance than any other country in the Western Hemisphere, with aid levels reminiscent of U.S. involvement in El Salvador in the mid-1980s. According to Clinton administration officials, that assistance is provided solely for counternarcotics programs. However, even they admit that the line between counternarcotics and counterinsurgency is blurred at best in regions like the Colombian Guaviare. More broadly, however, “many skills and weapons are applicable to both activities, and no Colombian military units are dedicated exclusively to counter-drug missions,” according to Adam Isacson, who carried out extensive research of U.S. aid to Colombia from 1996 to 1998. Moreover, the U.S. Southern Command is carrying out a range of training and assistance programs that go well beyond counternarcotics support. According to an investigation undertaken by Diana Jean Schemo and Tim Golden of The New York Times:

“Government documents and interviews with dozens of officials here indicate that the separation Washington has tried to make between those two campaigns -- one against drug trafficking, the other against the guerrillas -- is breaking down. Officials say more United States training and equipment are going to shore up basic deficiencies in the tactics, mobility and firepower of the Colombian military, rather than for operations directed at the drug trade.”

U.S. security assistance to Colombia is disbursed through a range of programs, most of which are managed either by the U.S. State Department or by the Defense Department (DOD). Direct assistance, channeled via the State Department, more than quadrupled from fiscal year (FY) 1996 to FY1997, and for the first time in several years the U.S. is providing direct support to the Colombian army, despite its abysmal human rights record. As was bluntly stated in an August 1, 1997 press release from the Office of National Drug Control Policy, “It is anticipated that the U.S. government will provide more than $100 million worth of equipment and training to assist drug eradication and interdiction efforts of the Colombian armed forces and police this year.” Arms sales to the Colombian military also increased significantly from 1995 to 1997, from $21.9 million to $75 million, and the Colombian government has reportedly floated the idea of purchasing sophisticated AH-1W Super Cobra attack helicopters -- a proposal that appears to have Pentagon backing.

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16 Isacson, op. cit.
The FY1997 aid package included $30 million in direct antinarcotics assistance provided through the FY1997 foreign aid bill, $40 million in Defense Department equipment and training provided through a 506(a)(2) drawdown (announced by the administration in September 1996, but to be provided in FY1997), and another $30 million in military assistance released through a 614 waiver issued by President Clinton in consultation with Members of Congress. The waiver releases military assistance approved prior to the 1996 decertification, which was then suspended as a result of that action. The approximately $100 million in assistance to the Colombian security forces in 1997 alone (not including sales) stands in stark contrast to the $273 million in development assistance allocated for all of Latin America and the Caribbean that year.

The Colombian antinarcotics police continue to be the primary recipients of this aid; nonetheless, significant resources are now allocated for the Colombian armed forces, including riverine boats and aircraft, spare parts for helicopters and boats, weapons, and training. U.S. aid programmed for the Colombian army includes communications gear, land navigation gear and troop field equipment, bulletproof vests and flack jackets, shop and tool kits for UH-60 helicopters, and technical training. The army also benefited from approval by the Clinton administration in September 1996 of the sale to the Colombian armed forces of 12 armed Blackhawk helicopters, seven of which were ultimately purchased. The Washington Office on Latin America (WOLA) and other human rights groups objected to the sale because of the widespread practice of strafing hamlets with helicopter gunfire during counterinsurgency operations.

Similar levels of assistance are programmed for FY1998, when the Colombian security forces are expected to again receive over $100 million in U.S. assistance.\(^{18}\) Fiscal year 1999 could witness another surge in U.S. assistance to Colombia. In addition to the more than $100 million in State Department and DOD funds already anticipated, legislation recently passed by the U.S. House of Representatives would allocate an additional $177 million in helicopters, planes and other military equipment for Colombia. At the time of this writing, it is not yet clear whether the bill will be passed by the Senate.

In the 1998 foreign aid bill the U.S. Congress also instructed the administration to provide the Colombian police with $36 million for Blackhawk helicopters — a move that led to considerable controversy. Unwilling to cut other funding for Colombia’s coca and poppy eradication programs, the administration chose to gut the budget for alternative development in coca growing regions of Peru and Bolivia. Although it breezed through the certification process, the Bolivian government faced a 75 percent cut in U.S. assistance as a result of the Blackhawks. Moreover, Clinton administration officials pointed out that the Colombian security forces would not have the resources necessary to maintain the planes and repair them if they were shot at by

FARC guerrillas, a likely occurrence. The administration finally struck a deal with the Republican leadership to forgo the Blackhawks and to provide instead six Bell 212 helicopters (three in FY1998 and three in FY1999) to the Colombian police. It pledged to continue upgrading Vietnam-era Huey UH-1H helicopters, and to explore the possibility of sending four Navy surplus TC-4C Gulfstream surveillance aircraft.19

**Congressional Conditionality and Monitoring**

The Blackhawk helicopters are not the only aspect of the aid program that has stirred controversy; key Members of the U.S. Congress have on various occasions further conditioned direct U.S. counternarcotics assistance on human rights grounds. Under congressional pressure, aid to the Colombian army was reprogrammed in FY1994 and was not resumed until FY1997 (assistance to the navy and air force was not affected). In fiscal years 1995 and 1996, legislation appropriating foreign aid explicitly stated that such U.S. counternarcotics assistance could only be provided to security forces if the Secretary of State certified that such assistance was to be used “primarily” for antinarcotics purposes. Throughout this period, the administration continued to refuse to provide information on the units of the Colombian police and armed forces receiving assistance and continued to face criticism for failing to ensure adequate end-use monitoring of antinarcotics assistance, raising concerns that aid could in fact be going to counterinsurgency efforts and/or human rights violators.

In legislation appropriating U.S. foreign assistance for FY1997, language was included that stipulates that no antinarcotics assistance can be “provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence to believe such unit has committed gross violations of human rights unless the Secretary determines...that the government of such country is taking steps to bring the responsible members of the security forces unit to justice.” Commonly referred to as the “Leahy amendment” for its author, Senator Patrick Leahy, a Vermont Democrat, the legislation builds on existing human rights conditionality, primarily Section 502(b) of the Foreign Assistance Act of 1961 as amended, which prohibits the provision of U.S. security assistance “to any country the government of which engages in a consistent pattern of gross violations of human rights.” At the urging of Members of Congress concerned about human rights, the Clinton administration stated that it would apply the Leahy amendment conditionality to all forms of security assistance, including programs managed by DOD (the amendment itself applied only to direct assistance included in the foreign aid bill), and sent strict guidelines to the relevant embassies as to the measures to be adopted to comply with the amendment. The Leahy amendment language was expanded in the FY1998 foreign aid bill to cover all forms of security assistance, and may be strengthened further in FY1999 legislation.

Shortly after the Leahy amendment became law, information was revealed by Human Rights Watch and Amnesty International giving further credence to the need for such conditionality. Documents obtained from the U.S. embassy in Colombia showed that from FY1992 to FY1993, counternarcotics assistance was provided to units of the Colombian armed forces.

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19 U.S. assistance to Bolivia and Peru was largely restored as a result of the agreement.
forces responsible for some of the worst human rights atrocities carried out in the early 1990's; furthermore, much of this aid went to units operating in areas not considered to be key drug trafficking zones. In fact, 13 of the 14 Colombian army battalions implicated in human rights abuses in Amnesty International’s 1994 report on Colombia received U.S. weapons or training. The public revelation of this information may have contributed to the Clinton administration’s decision to seek a formal written agreement with the Colombian government to abide by the Leahy amendment.

The Clinton administration’s insistence on a written agreement was the source of great friction during the first half of 1997. While the Colombian police, navy and air force agreed to the conditionality stipulated in U.S. law, the army adamantly refused to sign. In May 1997, the U.S. Ambassador to Colombia at the time, Myles Frechette, told WOLA that “the Colombian army will not get any equipment based on its attitude so far.” He also admitted that “we will never be able to say for certain how U.S. assistance is being used.”

That same day in Washington, General José Bonett Locarno, then-Commander of the Colombian Army, stated that such “conditionality erodes the dignity of the Colombian army,” noting that as a result the army was not willing to accept U.S. aid. The public dispute should have set off alarm bells in Washington, given the Colombian army’s outright unwillingness to agree to oversight of its operations.

The stalemate, however, was overcome shortly thereafter. Under intense pressure from drug warriors on Capitol Hill -- Rep. Burton went so far as to accuse Ambassador Frechette of “protecting the human rights of the FARC” during Congressional testimony on July 9, 1997 -- and following the removal of the Commander in Chief of the Colombian Armed Forces, General Harold Bedoya (who was replaced by General Bonett), an August 1, 1997 memorandum of understanding was finally signed between the U.S. and Colombian governments in which the Colombian armed forces agreed to accept U.S. conditionality. Yet the agreement also heaps praise on the Colombian military, referring to “the efforts and measures being undertaken by the Colombian military forces to ensure respect for human rights.”

No aid was provided to the Colombian army over the course of 1997, and the Clinton administration repeatedly refused to provide information on the status of the aid to U.S.-based human rights groups. In early 1998, officials finally admitted that they had approved assistance for two units of the Colombian army, but were waiting for two members of one unit to be transferred out before releasing funds. Four other units are apparently under consideration to receive assistance. In Congressional testimony on August 5, 1998, Amnesty International representative Carlos Salinas stated that his organization had been told that the two units which have received U.S. aid are the 24th Brigade and the Eastern Unified Command and that they reportedly received

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20 Personal interview. 7 May 1997.

21 Presentation by General Bonett at the National Defense University, 7 May 1997.

22 Galluchi, *op. cit.*
325 M-16 machine guns under the 1997 drawdown authority. However, WOLA has not been able to obtain official confirmation of either the units or the aid provided.

When the August 1997 agreement was signed, Clinton administration officials stated that the aid to the army would be confined to a “box” encompassing the southern coca growing regions, thereby avoiding the area of most intense political violence and conflict between the guerrillas and the paramilitaries in the northern departments of Chocó, Antioquia and the Magdalena corridor through Sucre, Bolívar and Santander. Washington, however, was not heeding the warnings of paramilitary warlord Carlos Castaño. As early as April 1996, he announced that he was moving his powerful paramilitary network into southern Colombia to wrest control of coca production from the FARC. In effect, Washington targeted precisely the area which appears destined to become the next major paramilitary battleground. Already, violence in those areas has increased dramatically, and army units based in the area are implicated two paramilitary massacres.

In July 1997, over 100 heavily armed men in military attire occupied the town of Mapiripán, in the department of Meta, for six days, killing some 30 local residents and virtually emptying the town as people fled in fear. According to press accounts, the paramilitaries first flew into the small San José del Guaviare airport, which does double-duty as the antinarcotics police base, before going on to Meta. The installation, which is under the control of the Colombian army, also serves as an operations base for U.S. civilian contract pilots and other U.S. personnel. According to police chief General Rosso José Serrano, the U.S. embassy’s narcotics assistance section representative was at the base on the day the paramilitaries touched ground.23

The next major paramilitary attack took place from October 18 to 20, 1997, when paramilitaries took over the highly militarized town of Miraflorès, in the heart of the Guaviare department, killing at least four local residents whose names appeared on a list of alleged guerrilla supporters and provoking another exodus. The gunmen did not act alone. Military and antinarcotics police units based in Miraflorès took no action to stop the killings. According to witnesses, when the killing spree ended, army soldiers summoned a private airplane with an army radio and, upon its arrival, boarded the gunmen. (The recent FARC offensive in Miraflorès is likely a response to the paramilitary attack.) The next day, General Barry McCaffrey landed at the nearby Joaquín Paris army base in San José del Guaviare on an official visit to show his support for the Colombian police and soldiers on the ground.

Given the reality of Colombia today, the administration appears to face an impossible task as it seeks to keep blood off its hands while supporting the Colombian security forces -- and insufficient monitoring mechanism make tracking U.S. assistance to ensure that it does not end up in the hands of human rights violators very difficult. Sweeping provisions regarding the U.S. government’s ability to monitor the location and use of the U.S. equipment and assistance provided for antinarcotics efforts are included in the memorandum of understanding. But since the

23 Personal interview, 29 January 1998.
early 1990's, the U.S. government has been repeatedly criticized for failing to ensure effective end-use monitoring of antinarcotics assistance to Colombia; it has yet to track effectively where such assistance ends up. In 1991, the General Accounting Office (GAO), the investigative arm of the U.S. Congress, reported: “The State and Defense Departments had not developed policies or procedures for monitoring counternarcotics assistance to Colombia’s military,” a concern that was reiterated in a February 1997 report.24

In July 1997, the GAO lambasted the U.S. Department of State for failing to provide its investigative team access to documents and information to which it is legally entitled during a review of counternarcotics activities in Colombia:

“...throughout this review, the State Department has delayed us and imposed undue restrictions on our access to documents. The Department has established an elaborate process for considering our document requests by ‘screening’ documents through multiple, time-consuming reviews before they are released to us. And, the State Department has insisted that we review, under restrictive conditions, many of the documents that have been released to us. Moreover, in some cases, the Department has deleted some information from these documents. After several unsuccessful attempts to resolve these problems, we formally notified the Department on June 25, 1997, that our work was being obstructed by delays in obtaining information.”26

The GAO’s accusations raise serious questions as to the transparency and accountability of U.S. antinarcotics efforts in Colombia. If U.S. government agencies are unable to obtain information to which they are legally entitled, it is even less likely that independent organizations and the public at large can do so. The difficulty of obtaining information on which units of the Colombian armed forces are receiving assistance, tracking how that assistance is used, and its impact impeded the ability to assess both the effectiveness and human rights implications of present U.S. policy toward Colombia.

The Pentagon’s Role

U.S. State Department-run programs have proven to be very difficult to monitor;


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however, those run by the Pentagon are completely lacking in transparency. The Congressional monitoring mechanisms that have proven to be only partially effective with regards to direct U.S. assistance to Colombia do not even exist for DOD assistance. As succinctly stated by Carlos Salinas of Amnesty International following a recent fact-finding mission to Colombia:

“We were struck by the adamant refusal to provide any details that would lead to a transparent view of U.S. military activities in Colombia. Of course, the inevitable question that arises is, if indeed nothing wrong is going on there, what is there to hide?”27

Moreover, whereas the Clinton administration pledged to apply the Leahy amendment conditionality to DOD programs, it is increasingly clear that recipients of DOD training and equipment are not screened on human rights grounds.

DOD is engaged in a range of activities in Colombia, including the provision of military hardware through excess defense articles and drawdown authority, training, and intelligence-gathering. The New York Times reported that the U.S. Southern Command may install an intelligence-gathering center in Colombia, to be manned by U.S. personnel.28 Also under consideration, according to senior U.S. officials, is additional military training, enhanced air power through more advanced helicopters, and the provision of more sophisticated intelligence-gathering and communications equipment.

According to U.S. embassy officials in Bogotá, on any given day there are between 130 and 250 U.S. military personnel on the ground in Colombia, apart from those stationed permanently in the country, primarily engaged in counternarcotics training and the operation of U.S. radars. The number of CIA and DEA agents in the country is not public information, although both agencies have large and growing programs in Colombia. In addition, an estimated 100 U.S. civilian contractors are in the country employed by Dyncorp and East Inc. to fly spray aircraft and assist with aerial eradication efforts. The large U.S. presence in the country led one FARC leader, Fabián Ramírez in charge of the Bloque Sur, to declare U.S. military personnel as military targets, claiming that they are conducting counterinsurgency operations.

The Pentagon claims that it has no advisers in the country, and that U.S. military personnel are only engaged in training programs. However, General Wilhelm himself claims that he has become a “crucial adviser” to the Colombian high command29 and is assisting with an ambitious

27 Quoted in Robberson, Tod. “U.S. Launches Covert Program to Aid Colombia.” The Dallas Morning News. 19 August 1998.

28 Schemo and Golden, op. cit.

29 Isacson, p. 15.
reorganization of the Colombian armed forces.\textsuperscript{30} Wilhelm appears to take his relationship with his Colombian colleagues very seriously, claiming, “This is not a one night stand. It is a marriage for life.”\textsuperscript{31}

The distinction between U.S. military trainers and advisers may be difficult to discern for many outside observers, and even Pentagon officials themselves admit that their training goes well beyond a counternarcotics focus. In March 1998, \textit{The Dallas Morning News} reported that “as of this week, the United States had 223 military personnel stationed around Colombia to provide training and technical assistance, including counterinsurgency instruction, to the Colombian army and police, said Raul Duany, spokesman for the U.S. Southern Command in Miami.”\textsuperscript{32} U.S. Special Forces operating in small teams carry out training activities. One particular training program appears to be at the heart of DOD counterinsurgency efforts in Colombia. According to \textit{Washington Post} journalists Dana Priest and Doug Farah:

“The training, involving hundreds of U.S. troops each year, has allowed the U.S. military to play a much more direct and autonomous role in Colombia than officials have publicly acknowledged. Small teams of elite American troops have instructed Colombians in light infantry tactics and intelligence gathering for anti-drug operations, and have conducted eight week counterterrorism courses, usually in remote jungle bases where guerrillas and drug traffickers are most active.”\textsuperscript{33}

This training is part of a program called Joint Combined Exchange Training, known as JCET. First authorized in 1991, the JCET program was carried out with virtually no Congressional oversight until recently, when \textit{The Washington Post} investigation of JCET training in countries with serious human rights problems, including Colombia and Indonesia, was published in a three-part series in mid-July 1998, precisely when Congress was debating the defense appropriations bill.

Although Clinton administration officials had pledged to apply the Leahy amendment to all security assistance, including that channeled through DOD, this has not happened in practice. One senior defense official told Priest and Farah, “We’re dealing with combat units, and you can’t tell

\begin{itemize}
\item\textsuperscript{30} Shemo and Golden, \textit{op. cit.}
\item\textsuperscript{31} \textit{Ibid.}
\item\textsuperscript{32} Robberson, Tod. “U.S. Policy on Colombia May Face Revision.” \textit{The Dallas Morning News}, 18 March 1998.
\end{itemize}
the host nation who they can have in a given unit.” In other words, the Pentagon does not vet units it trains for human rights violators. Moreover, DOD does not abide by the “box,” or the area of the country where the administration claims to limit assistance. General Wilhelm told The New York Times, “In terms of geography, the use of resources, I’m personally not aware of any restrictions.”

U.S. military officials and documents provide differing accounts of its training program in Colombia. Defense Department documents obtained by The Washington Post state that “U.S. troops were involved in 10 training exercises in fiscal year 1996 involving 114 U.S. troops.” However, the U.S. Southern Command claims that “there were 28 Special Forces deployments in 1996.” Moreover, DOD claims that 143 U.S. troops were involved in 3 JCET exercises in 1997, whereas the U.S. Southern Command claims that 29 training exercises involving 319 U.S. military personnel took place that year. The lack of accountability and transparency in U.S. military training programs and increasing evidence that human rights violators are likely receiving U.S. support through these programs led the U.S. Senate to adopt human rights conditionality based on the Leahy amendment in the FY1999 defense appropriations bill. If passed into law, the Pentagon would be obligated to take human rights considerations into account when designing and implementing U.S. military training operations.

U.S. Efforts to Promote Human Rights, Democracy and Peace in Colombia

In addition to certain Members of Congress, since 1996 the Clinton administration has spoken out more forcefully on human rights and in support of a peace process in Colombia and has launched a number of interesting initiatives to provide financial support to related programs. These programs pale in comparison to the hefty security assistance package and the two often work at cross-purposes, which further fuels the sense of confusion as to U.S. policy priorities in Colombia. Nonetheless, these initiatives and programs offer an alternative to the present policy focus of strengthening the Colombian security forces to counter the counternarcotics and counterinsurgency threats.

Under the Bush administration and through the first term of the Clinton administration, U.S. officials downplayed human rights concerns in Colombia so as not to jeopardize antinarcotics assistance and cooperation (at the time under greater Congressional scrutiny on human rights grounds). All too often, successive administrations remained silent in the face of both individual atrocities and the continuing deterioration in the human rights situation. Even after

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34 Ibid.
35 Shemo and Golden, op. cit.
36 Priest and Farah, op. cit.
more vocal U.S. criticism of the Colombian security forces’s abysmal human rights record became more commonplace, the administration continued to back down when faced with criticism on Capitol Hill, where key committee and subcommittee chairmen are prone to lavishing praise on the Colombian police and armed forces. (One went so far as to suggest that the former Commander in Chief of the Colombian Armed Forces, General Harold Bedoya, widely implicated in paramilitary activity and human rights violations, should be nominated for a Nobel Peace Prize for his efforts to defeat the narco-guerrillas.) The Clinton administration, fearful of being viewed as “soft on drugs,” has responded to Congressional criticism by steadily increasing financial support for the Colombian security forces. It consistently fails to heed the warnings evident in its own human rights reports.

In a departure from previous reports, the 1996 and 1997 U.S. State Department human rights reports on Colombia provide strong and well-documented critiques of Colombia’s human rights crisis, prompting strong rebukes from Colombia’s military high command. The 1996 report refers to the Colombian government’s human rights record as “poor.” Most significantly, the report states:

“The Samper administration has not taken action to curb increased abuses committed by paramilitary groups, verging on a policy of tacit acquiescence...Killings by paramilitary groups increased significantly, often with the alleged complicity of individual soldiers or of entire military units and with the knowledge and tacit approval of senior military officials.”

The relationship between Colombia’s military and right-wing paramilitary groups, and the role that those groups play in the drug trade, receives insufficient attention in Washington. WOLA and other human rights organization maintain that in providing assistance to the Colombian armed forces, the U.S. government is contributing to paramilitary violence and may be indirectly aiding the very drug traffickers it claims to be combating.

The 1997 report reiterates these concerns and also makes a direct reference to death squad activity carried out by the Colombian army’s 20th Intelligence Brigade. U.S. pressure to disband the 20th Brigade finally bore fruit, and in early June 1998 it was officially dissolved. The brigade was considered to be responsible for much of the violence against human rights monitors in Colombia, regularly -- and unjustly -- accused by Colombian military officials of being guerrilla supporters or active members of guerrilla organizations. The U.S. government has also begun revoking visas of military officials implicated in human rights violations -- a practice in the past reserved for those implicated in drug trafficking. Although U.S. officials refuse to comment publicly on visas which have been or are under consideration to be revoked, in mid-1998 General Ivan Ramírez admitted publicly that his U.S. visa had been pulled.

The Clinton administration is also revamping the program of the Agency for International Development (AID) in Colombia. Ineligible for development assistance because of its median income level, Colombia receives little AID support and the limited funding available primarily supports justice sector and environment projects. As part of an overall downsizing initiative, AID announced that these programs were to be phased out by 1999, but in light of political developments in Colombia, AID decided to keep the program in operation until the year 2003.
The AID Director for Latin America, Mark Schneider, proposed in a July 20, 1998 memo to AID Administrator, Brian Atwood, that AID should focus its efforts on alternative development in coca growing regions, promoting human rights protections, and supporting a peace process. AID has been involved in the latter over the last year, and among other activities supported a series of important meetings bringing together participants from Colombia and the United States to engage in dialogue on a possible peace process.

AID has had no significant experience to date, however, in either alternative development or human rights initiatives in Colombia. For years, U.S. officials have refused to even consider economic support for coca growing regions of Colombia, instead maintaining that the Colombian government had the resources necessary to carry out such programs. In the FY1999 foreign aid bill, however, $5 million is allocated for alternative development in Colombia. According to one AID official, an additional $1 million will likely be made available over the next four years -- or $250,000 a year -- for human rights and justice sector initiatives. It is not clear yet how much additional money will be available to support peace efforts. Because of how this funding is allocated, all of it will be channeled to AID through the State Department's drug bureau. Finally, the State Department's Bureau for Population, Refugees and Migration will be providing $2 million to the International Committee of the Red Cross for its work with the internally displaced in Colombia.

Is Peace Possible?

Bluntly stated, in fiscal year 1999 the U.S. government will likely provide at least $100 million in support to the Colombian police and military forces and just over $7 million to support alternative development, human rights, justice sector reform, peace initiatives and programs for the country's internally displaced. Yet the small amounts of funding provided for the latter initiatives may in fact bear more fruit than the entire security assistance package.

Over the last decade, the U.S. government has poured over $800 million into counternarcotics activities in Colombia. Yet over that period, Colombia has become the primary producer of coca, the raw material of cocaine. In just two years, 1996 and 1997 when U.S. aid levels sky-rocketed, coca production increased by more than 50 percent according to the administration's own statistics. Poppy cultivation for opium production, non-existent before, proliferates. U.S. officials note that while Asian countries still dominate the world heroin market, a disproportionate share of heroin sold in the United States originates in Colombia. And there is no indication that any less cocaine is flowing out of Colombia. The Medellín and Cali cartels were badly crippled, only to be replaced by a plethora of smaller drug operations, much more difficult to infiltrate and bring down. On U.S. city streets, the price of cocaine remains steady or drops each year, while purity goes up. As succinctly stated by the U.S. Drug Czar,

“Last year, there was over $100 million in U.S. support for Colombia. It was the

37 Personal interview. 12 August 1998.
dominant (recipient) of U.S. counter-drug aid on the face of the Earth. And in the last two years, we have watched Colombia become the No. 1 grower...of coca and...more than 60 percent of the heroin seizures last year in the United States were of Colombian heroin.”

Moreover, through its counternarcotics efforts and the Pentagon’s military support programs, the U.S. government runs the risk of becoming deeply enmeshed in Colombia’s brutal counterinsurgency effort -- precisely when it should be supporting efforts to reach a negotiated settlement to the decades-long civil conflict. The newly-elected Pastrana administration’s peace initiatives face formidable obstacles, yet there are some reasons for optimism. His efforts are widely supported by Colombian civil society and by the international community, which for the first time has taken a significant interest in promoting a peace process in Colombia. The guerrillas have inflicted serious blows on the Colombian military, but they in turn have been badly bruised by paramilitary groups. Despite the steady flow of recruits to their ranks, the guerrillas have lost significant political support in recent years and that support could wither further if they do not engage in meaningful discussions towards peace. All sides involved in the conflict recognize that there is a popular will for peace in Colombia unlike at any other point in recent history.

The U.S. government should join Colombian and international efforts to promote peace. But it cannot do so half-heartedly. Rhetorical support for peace while the U.S. continues to build up the Colombian security forces will only prolong the conflict. Moreover, it is in Washington’s interests to do so. The Colombian government cannot confront more effectively the problem of illicit drug production as long as political violence and the armed conflict rages across the country. And decades of violence have shown all too clearly that the conflict cannot be won on the battle ground, but only at the negotiating table. The U.S. is sending many mixed messages to the Colombian government and Colombian people -- it should send just one, in support of peace.

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