

Colombia Update

Can More War Bring Peace?

THIS IS THE QUESTION that Colombia's armed actors appear to be answering in the affirmative, as each side's indiscriminate attacks and targeted assassinations have stepped up throughout 2002, after the final collapse of the peace talks (Feb. 20), the election of Alvaro Uribe Vélez as president (May 26), and his subsequent inauguration (Aug. 7). This issue has no article specifically covering the end of the peace talks with the FARC and ELN, even though studying the peace initiatives under Pastrana will be crucial for eventually getting talks back on track. And there is no article devoted to the elections, notwithstanding the very interesting reconfiguration of Colombian politics with the swift withering if not disappearance of the Conservative party, the split within the Liberal party, and the rise of a third political force in the Polo Democrático, which came together in late March when Frente Social y Político presidential candidate Lucho Garzón was endorsed by several independents elected to Congress in March.

Human rights groups are justifiably worried that the escalation of political violence will only worsen. On his first full day in office, August 8, President Uribe traveled to Valledupar to inaugurate a citizen informants program that threatens to draw civilians further into the armed conflict. On August 12 he declared a state of emergency (see p. 21).

Recent weeks have also seen rampant violence and criminality spread to ever-larger areas of Colombia. Some acts of political violence reported herein have hit home for members of the Colombia Human Rights Network, as a cousin of a member of Colombia Vive (Boston) was killed in Barragán, Valle (see p. 19); and indigenous leader Aldemar Pinzón, with whom a student and CHRN member worked this past summer in Cauca, was killed just days after her departure (see p. 24). Riosucio, Chocó, was once again the scene of massive displacement in early August, when over 3,000 people had to flee their homes because of the encroaching armed conflict. CODHES issued its report on forced displacement, and found that 2,700,000 persons have been displaced since 1985. For more, see <www.codhes.org.co>.

Against all evidence, on September 9 the U.S. State Department certified that the Colombian Armed Forces are making progress on three human rights criteria, a condition for receiving more U.S. military aid. Amnesty International, Human Rights Watch, and the Washington Office on Latin America have published a joint report critiquing the State Department action. It is available at their web sites (www.aiusa.org, www.hrw.org, and www.wola.org). The Environmental Protection Agency also submitted a report on the health impacts of fumigation (see pp. 10-12) to the State Department in August, as required by Congress.

As always, this issue of Colombia Update is inadequate to reflect the full extent of the human drama in Colombia. Much of the news is grim, with so many reports of killings, forced displacement, and social and economic injustice. So, we need to look to the uplifting work being done on behalf of down-trodden and excluded groups by organizations such as Planeta Paz, which helps provide support to dozens of grass-roots groups throughout Colombia. Visit Planeta Paz at <www.planetapaz.org>. We are also inspired by people like Marino Córdoba, president of the Association of Displaced Afro-Colombians and also a member of the Colombia Human Rights Committee of Washington, who in extensive speaking tours last year and this has won special recognition for the communities of Chocó and made known his own community of Riosucio, one of the first victimized by forced displacement in 1996. On August 6, Marino received a proclamation, from the mayor of Durham, North Carolina, of "solidarity with the Afro-Colombian people..." that calls on "our U.S. Congress to stand in unity with the majority of the Colombian people who are desperately seeking peace, with social justice for all people in Colombia."

Finally, please note the Fall 2002 speaking tour coordinated by the US Office on Colombia, the Summer 2003 delegation to Chocó, and the September 26-27 Colombia Mobilization. Support efforts in your area to educate about Colombia and to work for a just U.S. policy! ❖

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Colombian Trade Unionists Face Daunting Difficulties

The following is taken from a report presented on behalf of the Central Unitaria de Trabajadores (CUT), the Confederación General de Trabajadores Democráticos (CGTD), and the Confederación de Trabajadores de Colombia (CTC) – Colombia's three main trade union federations – for the consideration of the 90th International Labor Conference, held in Geneva in June 2002. Its purpose is to cast light on the main characteristics of the crisis and the serious worsening in the exercise of the freedom of association and the serious situation of human rights and humanitarian law. The report was prepared with the assistance of the Comisión Colombiana de Juristas, and translated into English by the Colombia Human Rights Committee. The report in its entirety runs approximately 18 pages. It will soon be available at the Colombia Human Rights Network website, <www.igc.org/colhrnet>.

Obstacles to the freedom of association, the right to organize and join unions, and the right to collective bargaining

The situation of violence against those who dare organize in trade unions, and the absolute impunity that covers up the masterminds and direct perpetrators of human rights violations has made the exercise of the freedom of association difficult to the point of being rendered null in several sectors of labor and in some regions.

In addition to direct attacks against them, another problem in Colombia is the generation of public opinion adverse to trade unions. In Colombia, it is commonplace for high-level government officials to make public statements blaming the unions for the economic crises of firms and even of the State. The Ministry of Labor has historically demonstrated an ommissive attitude in the face of the annihilation of trade unions, and even has the power to declare strikes illegal.

Anti-union incentives are sometimes used by employers to give favorable treatment to those who do not belong to any trade union. This constitutes clear interference by the employers in the right to collective bargaining. There has also been an abuse of freedom of enterprise that has aimed at keeping the unions from growing, without the State exercising adequate control. One method includes frequent massive-layoffs of labor unionists, supposedly out of economic considerations.

There have been legal difficulties as well. This includes the harassment of the creation of new unions, and the legalization of employer interference in the registration of unions and the registration of their boards of directors. In addition labor judges refuse to apply labor conventions as a source of law, despite the constitutional case-law on the subject in Colombia.

Human Rights Violations Due to Political Violence

From June 2001 to May 2002, on average more than one unionist was a victim of human rights violations every two days due to political violence. This means 418 union member victims in all. Of these victims, 175 were killed and nine were disappeared; 32 were victims of attacks on life; 156 received death threats; there four cases of arbitrary detention and 38 cases of kidnapping. Fifty-six unionists were forcibly displaced in 2001.

One particular case of forced disappearance occurred on November 26, 2001. In Abriaquí (Antioquia), Jhon Jaime Salas Cardona, official delegate of the Asociación de Institutores de Antioquia (Adida), representative of the teachers before the municipal board of education, and member of the Red de Solidaridad de Abriaquí, and promoter of the project for the improvement of education in the municipality, was disappeared by members of an unidentified armed group. The perpetrators broke into his residence and forcibly took him. To date, there is no news of his whereabouts.

In violations of the right to life committed against unionists in which the presumed perpetrator is known, 83 deaths of unionists (44.63%) were attributed to State agents, by omission, tolerance, acquiescence, or support

for the violations perpetrated by paramilitary groups. The guerrillas were the presumed perpetrators of 19 deaths (10.67%).

Once the initial offenses have been perpetrated, the extreme rate of impunity in these cases makes it difficult to ever attain justice. Of the 376 criminal investigations into violations of the right to life of unionists between August 1986 and April 2002, a full 321 remain in the preliminary stage of investigation, while there have been guilty verdicts in only five cases.

Conclusions and Recommendations

Over the last 10 years, the situation of trade union rights in Colombia has steadily deteriorated, and has become increasingly grim. Changes are needed in order to protect the lives and work of trade unionists. Of the numerous suggestions made, the majority focus directly on governmental responsibility and conclude that the State should:

- * Adopt effective measures aimed at reducing the high levels of impunity.
- * Express their real commitment in the international forums, to guarantees for the exercise of the freedom of association, the right to form and join unions, and the right to collective bargaining, and to promoting social and labor policies, especially employment and consensus-building.
- * Apply directly and without regulation, to the ILO conventions ratified by Colombia.
- * Comply with the many recommendations of the Committee of Experts on the Application of Conventions and Recommendations, assigning the determination of the lawfulness of strikes to an independent organ such as the labor courts, and removing it from the Ministry of Labor.
- * Fully implement the recommendations made by the inter-governmental organs for the protection of human rights.
- * Strengthen the Ministry of Interior's protection program and develop effective policies for protecting the life and integrity of unionists.

- * Strengthen the Inter-institutional Commission of Workers, endowing it with sufficient resources for its operation, and displaying political will to carry out effective measures to protect the human rights of Colombian unionists and to fight impunity.
- * Take measures to remove from their positions those State officers who have ties with the paramilitary groups.
- * Put an end to the hostile attitude, in some state security agencies, towards social leaders and human rights defenders, many of whom are considered supposed enemies of internal state security, and, therefore, as possible collaborators and/or participants in the activities of the guerrilla groups.
- * Pressure officers to refrain from making public statements and declarations blaming the unions for the economic crises of companies and of the State. ❖

Troops from Third Army Brigade Raid Home of CUT Human Rights Secretary

ON AUGUST 16, 2002, at night, troops from the Third Brigade of the Colombian Army violently raided the home of Jesús González, secretary for human rights of the CUT, Colombia's largest trade union federation. The government alleged it was looking for "subversive propaganda" and weapons. In a letter to the authorities denouncing the incident, González stated, "I demand of the President Alvaro Uribe Vélez, Commander of the Military Forces Gen. Jorge Enrique Mora Rangel, Third Brigade Commander Gen. Francisco René Pedraza, and Attorney General Luis Camilo Osorio, if there is a judicial proceeding against me, for being a trade union leader and a human rights defender, that I should be so informed, and if that is the case, I should be brought before the courts. Surely being a human rights defender and trade union leader in Colombia suffices for them to treat me like a criminal, or worse, which is what I have constantly suffered at your hands. This is not the first time my home has been raided, and I have also been the victim of direct assaults by official forces. ❖"

PRIVATIZATION IN COLOMBIA:

Corruption and Waste, Unemployment and Poverty

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IN THE EARLY 1990s, PRESIDENT CÉSAR GAVIRIA agreed to resolve Colombia's debt crisis in favor of the international financial institutions (IFIs) and private banks, setting in motion a process of social and economic decline in the country that continues into the present. In 1999 the Colombian economy contracted by five percent. Per capita income has declined nearly 30 percent over the past four years and in 2001, debt service consumed 41 percent of Colombia's annual budget and open unemployment hit 22 percent. Throughout the decade, the Inter-American Development Bank (IDB) promoted the privatization of public infrastructure as a means of addressing the central government's budget problems, and by the end of Gaviria's term 113,000 public sector jobs had been cut. The Samper government broadened these policies after 1995, and in 1999, President Pastrana was obliged to sign Colombia's first IMF agreement, initiating a more intense program of privatization, fiscal austerity, and the massive dismissal of public sector workers, in violation of international labor conventions protecting the right of association and collective bargaining.

Affiliates of PSI in Colombia have monitored the implementation of IDB assistance in promoting privatization, as well as IDB projects apparently designed to mitigate the worst social consequences of the policy. The results are summarized below:

IDB Loan 927/OC-CO - Support of the Privatization and Concessioning of Infrastructure. Loan Amount: US\$ 12.5 million.

In energy infrastructure, the IDB was to provide technical assistance in the sale of the assets of CORELCA, Electranta and Electrolima, all public facilities for electricity generation, transmission and distribution.

The transactions involving CORELCA and Electranta resulted in:

- * The bankruptcy of the plants;
- * The loss of 2,100 unionized jobs at the two plants.
- * A national financial scandal and a judgement against the government for US\$ 61 million in favor of a U.S. multinational corporation (Sithe Energy).

The transactions involving Electrolima resulted in:

- * The bankruptcy of the plant, which before concession to a private contractor generated a profit paid into national revenues;
- * The impending loss of indemnities and pensions for laid off workers, as auditors have claimed that the bankrupt company cannot meet its financial obligations.
- * A scandal and cost overruns in the amount of US\$ 19 million, US\$ 11 million of which were appropriated by the private contractor, who now lives abroad and cannot be located.

Similarly, the proposed privatization of the municipal enterprise EMCALI, involved the manipulation of a profitable enterprise's debt profile by corrupt managers and the illicit removal of assets in order to make the company appear bankrupt. This was accompanied by an intense campaign to force unionized workers into early retirement. The IDB financed short-term training for these workers in finding another job or in developing small

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enterprises through two local NGOs, but the local economy has been contracting so that other formal sector jobs do not exist and small enterprises consistently fail.

The behavior of private capital in the cases examined shows that in the late 1990s, the macroeconomic and security situation in the country, together with a climate of corruption and opportunism, ensured that only the most predatory and unscrupulous private sector elements were attracted to the privatization deals promoted by the national government and the IDB. Neither the government nor the IDB took steps to protect national resources from these interests. On the contrary, the IDB program exposed workers to violation of their labor and human rights, and ongoing waves of job loss.

At the same time that the privatization loan was implemented, the IDB approved Loan 889/OC-CO, the Red de Solidaridad Social (Social Solidarity Network), for US\$ 250 million, to supplement a government allocation to the Network of US\$ 895 million.

The Network was to complement government funding for short-term, minimal assistance to the very poor through low-paid, low-skilled public works projects administered by NGOs. The Program presumably would address growing problems of unemployment and poverty, even as IDB-sponsored programs continued to eliminate tens of thousands of formal sector jobs in public services.

Interviews with project personnel in the IDB office in Bogotá showed that the quality of the Red de Solidaridad projects was poor and that the work provided under Loan 889 undermined existing labor standards, particularly minimum wage laws. The loan appeared to be designed to test mechanisms for the more extensive and cheaper outsourcing of basic public services, and the further withdrawal of acquired labor rights from public sector workers. IDB officials also reported a vicious circle of circumstances in project execution: In many cases local NGOs could not access IDB funds because, when the government counterpart would not or could not contribute, IDB funds were also withheld. Access to government funds was a common problem, because such a large percentage of the central government's budget was encumbered by the national debt.

With respect to public sector unions, then, the IDB is operating in violation of three sets of legal restraints upon its activities:

- International Labor Organization Convention 151, specifically protecting the collective bargaining rights of public sector workers;
- The Articles of Agreement of the IDB, which prohibit interference into the political affairs of member States.
- The constitutional rights of Colombian workers under Article 53 of the Colombian Constitution. ❖

“Bees” fly from Maine to Andes for Activist Art Project



Cropped section from the “Free Trade Area of the Americas” poster.

REPRESENTATIVES FROM THE Beehive Design Collective, an art-activist collective based in Eastern Maine, went to Colombia and Ecuador in February and March of 2002 to get firsthand information about Plan Colombia and its relation to the Free Trade Area of the Americas. During these two months, a multitude of conversations helped to inform the imagery of this graphics campaign. This collaborative process aimed to create anti-copyright materials for use by organizers in both the North and South, in their efforts to discuss these complicated issues in the multi-lingual and accessible format of pictures. This sharing of experiences culminated in an intricate anti-war poster that is currently being used as an educational tool throughout the Americas. Look for a more in-depth article about the Beehive's work in the next issue of Colombia Update. Meanwhile, take a peek at www.beehivecollective.org for more information. ❖

Resources from Escuela Nacional Sindical

THE ESCUELA NACIONAL SINDICAL IS A MEDELLÍN-BASED organization that supports labor organizing throughout Colombia. This year ENS celebrates its 20th anniversary. Two ENS publications are worthy of special mention. “The Structural Adjustment Process in Colombia and Its Impact on Workers” is available through the Global Policy Network, 1660 L. St. NW, Suite 1200, Washington, DC 20036, tel. 202-533-2555. The document can also be obtained, in English and Spanish, at <http://gpn.org>. In addition, ENS has prepared a “partial report” on killings and persecution of Colombian unionists, “Aumentan los homicidios y la persecución contra sindicalistas en Colombia,” dated August 23, 2002, which can be found at www.igc.org/colhrnet.

Colombia Update wishes to take this opportunity to congratulate ENS for 20 years of dedication to social justice.

Colombia after September 11: *View from Washington*

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FOR A WHILE AFTER SEPTEMBER 11, it felt as though "Plan Colombia" never happened. In the wake of the tragedy, U.S. policy toward Colombia went on autopilot.

In fact, the September attacks had come at a time when the policy was nearing some sort of change. The Bush administration had been continuing the "Plan Colombia" policy inherited from its predecessor: generous military and police aid, limited at least on paper to counter-narcotics efforts like fumigation and busting drug smuggling. During the summer of 2001, though, the Bush people acknowledged that their approach to Colombia was under "review," as officials debated whether to start allowing Colombia's armed forces to use their hundreds of millions of dollars per year not just against drugs, but against the guerrillas and presumably the paramilitaries as well.

In short, the new leadership was thinking about crossing the famous "line" between counter-narcotics and counter-insurgency. Since nearly all of Colombia's \$1.35 billion in military and police aid between 2000 and 2002 was appropriated through counter-drug aid programs, the Foreign Assistance Act limits its use to counter-drug missions. Many participants in the new administration's review saw that as too restrictive. Assistant Secretary of Defense Peter Rodman told reporters in August 2001 that officials were making "agonizing decisions" about whether the United States' interests in Colombia are "just narcotics, or is there some wider stake we may have in the survival of a friendly democratic government." Colin Powell's suddenly canceled September 11 visit to Bogotá was seen as a key part of this policy review.

During the lull after the attacks, some officials - State Department Counter-terrorism Coordinator Francis Taylor, Sen. Bob Graham (D-Florida), U.S. Ambassador Anne Patterson - sought to portray Colombia as a potential new front in the global war on terror, even comparing the FARC to Al Qaeda. But few picked up their rallying cries. In the nation's papers during the end of 2001, Colombia was relegated to the back pages.

Colombia's profile rose rather suddenly in mid-January, though, when the peace talks with the FARC passed through their second-to-last crisis. As troops massed on the border of the demilitarized zone where talks were taking place - and as hard-line presidential candidate Alvaro Uribe suddenly rose to first place in opinion polls - Colombia returned to the front pages. In Washington, the January 15 Washington Post reported, the crisis "sent senior U.S. officials into urgent weekend discussions over what one called 'authorizations and resources' - what the United States was equipped and allowed to do under law and congressional restrictions in aiding the Colombian military."

On February 4 the Bush administration, its key Latin America policy nominees now confirmed by Congress, made clear the direction it wanted to take. Its 2003 foreign aid request called not just for an expansion of the drug war (a second counter-narcotics brigade, the fumigation of 200,000 hectares a year by 2003), but something completely new: aid to help Colombia's army protect an oil pipeline.

The 2003 "Foreign Operations" request currently before Congress calls for \$98 million in Foreign Military Financing (FMF, the main non-drug military-aid program, which Colombia saw very little of during the 1990s). The money will provide training, intelligence, and twelve Huey helicopters to help the Colombian Army's 18th Brigade and perhaps a new 5th Mobile

Brigade. The units will protect the Caño Limón-Coveñas pipeline, which runs from oil-rich Arauca department in northeastern Colombia to the Caribbean coast. The pipeline is owned by a joint venture between Colombia's government oil company, Spain's Repsol, and (in a 44 percent share) Occidental Petroleum of Los Angeles. It has been a very frequent target of guerrilla sabotage: while the ELN, which has been present in the zone since the 1980s, bombed the tube occasionally to extort money, the FARC, which arrived in the nineties, has hit it often enough to make oil-pumping impossible. (As of August 2002, the Senate Appropriations Committee had approved this request, though it reduced the amount to \$88 million. The House of Representatives has yet to take up the 2003 foreign aid bill.)

The proposed aid is a major change: the first significant non-drug military aid to Colombia since the Cold War. It could also be the first step along a very long road: Ambassador Patterson told Colombia's El Tiempo newspaper in February that 300 infrastructure sites in Colombia are strategically important to the United States. Meanwhile the brigade would be protecting a pipeline that, when operational, pumps about 35 million barrels per year, adding up to \$3 per barrel in costs to U.S. taxpayers - though Occidental currently pays security costs of about 50 cents per barrel, according to the Wall Street Journal. Further concerns arise from the very recent arrival of paramilitaries to Arauca. Beginning in December 2001, the AUC began systematically killing people in two towns about 100 miles to the southeast of the pipeline, Tame and Cravo Norte.

Momentum for explicitly anti-guerrilla military aid picked up after the FARC peace process ended on February 20. In early March, the House of Representatives passed - by voice vote, with few in attendance - a non-binding resolution calling on the Bush administration to request anti-terror aid for Colombia.

The response came on March 21 as part of a much larger request for "emergency supplemental" funding to carry out the anti-terror war in 2002. The \$30 billion federal budget request included \$35 million for Colombia's security forces (to benefit kidnapping units and rural police stations, and to jump-start the pipeline pro-

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gram). The proposed bill language also contained a bombshell that made clear that the administration's "review process" had ended. In one sentence, the request called for allowing all counter-drug aid - past, present and future - to go to a "unified campaign" against drugs, terrorists, or "any other threats" to Colombia's national security. The request asks Congress for permission to "cross the line" and embrace counter-insurgency in Colombia.

Administration officials have shown no indication that they know how far they are willing to go with this strategy. Clearly, it could escalate enormously. If Plan Colombia, with its hundreds of millions of dollars and hundreds of troops and contractors, was making little difference against drugs - witness the 25 percent rise in coca production from 2000 to 2001 that the State Department documented in March - what would be needed even to make a dent in 40,000 guerrillas and paramilitaries? With Colombia's wealthy paying neither for social needs nor for a war effort (10.1 percent of GDP collected as taxes, compared to 20.1 percent in the United States, and 1.9 percent going to the military, compared to over 20 percent for the United States during World War II), and excluding high-school graduates from service in combat units, could even a billion dollars per year make a difference in the direction of the conflict in a country fifty-three times larger than El Salvador?

In April, the Republican leadership of the House International Relations Committee tried to separate out the "unified campaign" language as a stand-alone bill. On April 24, the day before the Committee was to meet to write the legislation, it held a hearing to highlight the findings of an investigation that staff thought would place Colombia firmly on the front lines of the "war on terror." Their argument - that the FARC had "global reach" because three likely IRA members had traveled to the demilitarized zone in mid-2001 - was met with a wave of ridicule from Democratic and even some Republican members of the committee. The committee did not meet the next day to write a separate bill.

On May 1, the Bush administration gave another indication of its priorities in Colombia. The 2002 foreign aid law had prohibited any military aid until the State Department could certify to Congress that Colombia's armed forces were suspending officers under investigation for human rights crimes, cooperating with civilian investigations, and actively de-linking from - and fighting - paramilitaries. (Unlike similar conditions in the "Plan Colombia" aid package, these did not come with a "waiver" option allowing aid to flow even if Colombia's military failed to meet them.) Some policymakers must have sought to have these conditions taken seriously - the certification decision was not issued until nearly four months after Congress passed the 2002 aid law and, by several accounts, a week or two after all military-aid money had run out. The May 1 decision, certifying Colombia's performance on all three counts, was met with derision by all major human rights groups, who pointed out that it lacked any solid evidence of improved human rights performance. "The Colombian government has rebuffed benchmarks provided by the U.S. government to demonstrate meaningful human rights progress," read a press release from Amnesty International, Human Rights Watch, and the Washington Office on Latin America.

On May 23 the House passed the supplemental appropriations legislation with Colombia mission-expansion language included, at least for fiscal



2002 (though the foot is now in the door to maintain the broader mission in future years). An amendment to cut out this language, introduced by Reps. Jim McGovern (D-MA) and Ike Skelton (D-MO), failed by a largely party-line vote of 192-225. One week later, observers were treated to the spectacle of hard-line Bush State Department official Otto Reich in Bogotá for meetings with hard-line Colombian president-elect Álvaro Uribe. The bill passed the Senate in July with no debate on its relatively small Colombia component, and President Bush signed it into law at the end of the month.

As Uribe takes office, the reasons for pessimism are legion. The new president is at work setting up a network of civilian informants, some of whom may be armed, while his cabinet members call for revising the constitution to declare a state of siege. The paramilitaries claim to have installed their supporters in 35 percent of congressional seats during March legislative elections and are promising to double in size over the next year. The FARC continues to show a chilling disregard for human life and a vastly improved ability to operate in urban areas, while it has decimated local governments throughout the country with a campaign of death threats. The FARC and the Colombian government appear to be farther from negotiations than they have been in years. Meanwhile, the Colombian government prosecutor's office, for years a persistent (if threatened and underfinanced) pursuer of human rights violators, is under a new management that appears uninterested in investigating military-paramilitary collaboration. And the "Plan Colombia" helicopters are finishing their delivery from U.S. factories, while pilots complete their training at U.S. military schools. Large-scale fumigation has begun in the violent, impoverished Putumayo region, while U.S. officials - openly gleeful at the arrival of Colombia's get-tough new president - are considering the military assistance they will next request from Congress.

Things may get much worse for the Colombian people in the coming months - it is sickening to contemplate, but violence levels could multiply in the short term. U.S. based activism - especially a strong focus on Congress as it debates the 2003 foreign-aid bill - will be more urgent than ever. ❖

Appeal by the National Congress of Peace and Country to Colombia and the World

The Congreso Nacional de Paz y País was held in early May in Bogotá, organized by a broad group of Colombian organizations, particularly the peace coalition Paz Colombia. The meeting included the participation of approximately 2,000 Colombians and 200 persons from other countries, including representatives of the Colombia Human Rights Network. Following is the communiqué that was issued at the end of the three days.

AS SPOKESPERSONS FOR A LARGE PART of Colombian civil society, gathered in the Congreso Nacional de Paz y País, on May 9, 10, and 11, 2002, in Bogotá, we make this appeal to the nation and the international community.

The long history of violence in Colombia, and the latest barbaric acts, show that the war is neither viable or human, economically or politically. There is no alternative to a negotiated political solution to the conflict. Today it is imperative to get down to specifics in the dialogue with the National Liberation Army (ELN) [which was broken off by the government in late May] and to attain the conditions for re-establishing the dialogue with the FARC. A lasting peace is possible only with an in-depth transformation of the social order, redistributing income and putting a halt to the exaggerated enrichment of a few. Peace comes from changing the living conditions of the working majority in the city and in the rural areas. Social democracy will allow for collective participation beyond electoral contests.

Peace is not just the end of the armed confrontation, it means overcoming the causes of the confrontation. The end of the armed conflict should create new paths to democracy, social justice, and the end of impunity. The basis of peace is a thoroughgoing reform of the current socioeconomic structure, taking up the proposal of the social movements for agrarian, urban, and social reform, with a coherent economic and political model that breaks down the neoliberal dogma. Resisting the war is a project of hope for Colombian society that contributes, from the local communities and from the regions, to defending the rights of all.

We call on the social and political actors of Colombia and the international community to take up the task of building a new and real peace process in Colombia. Society demands that the insurgency play a role in the construction of a new political order, and demands that the establishment engage in the political and social transformations, mindful of the following basic considerations:

1. Immediate and unilateral commitments by the official forces and the insurgency to abide by international humanitarian law.
2. Immediate decisions by the government and the ELN to accomplish the proposed full bilateral truce.
3. Recouping the agenda agreed upon by the government and the FARC, and defining a new timetable, on the basis of a commitment by the parties not to walk away from the table until a final peace agreement is signed.
4. Agreement to make it possible for a country, or several countries, to serve as sites for contacts between the government and the FARC, with international facilitation and monitoring.
5. Creating spaces for dialogue and exchange between the negotiating parties and several civil society groups to make known the proposals and initiatives of the social sectors who do not participate in the armed conflict yet suffer its consequences.
6. The peace dialogues undertaken by local and regional authorities are essential for attaining peace. The central government should view them

- in a positive light, providing full guarantees and assuming leadership in fostering them.
7. Discussing a model truce or end of hostilities as a step prior to the process taking place in Colombian territory, monitored by civil society, and with the facilitation of the international community.
8. Peace needs the clear and convinced participation of the Armed Forces in the context of a national and state policy of peace.
9. Building peace requires the visible and decisive participation of women.
10. It is urgent that scenarios for dialogue and consensus-building between the government and the social sectors be established, to seek solutions to Colombia's profound social and economic crisis.

The Congress demands that the State forces, insurgent groups, and paramilitaries guarantee human rights and humanitarian provisions. None can make excuses for its own conduct in violation of international humanitarian law provisions by arguing that it's an irregular war, or by referring to the barbaric acts of the others. The State, as Senator Edward Kennedy of the United States has urged, should effectively combat the illegal "self-defense" groups, definitively break all ties with the paramilitaries, end impunity, and bring to the regular justice system the officials implicated in human rights violations.

We call for immediate measures to promote democratic reforms. We propose an inclusive political and social reform to end discrimination based on social class, ethnic group, gender, generation, or sexual orientation. We propose the immediate end of social hostilities; a change in the economic development model in favor of an alternative democratic model with equity and social justice in work, education, health, and social security. The rural communities, the peasants, and food sovereignty need to be made a national priority and goal. We propose an agrarian reform with peasant reserves, regional life plans, and protection and development of national production. We reject the current prohibitionist drug

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Colombia Human Rights Network

The Colombia Human Rights Network formed in October 1990 to pool the efforts of Colombia committees of volunteers throughout the United States. For more information, visit the CHRN web site, www.igc.org/colhrnet, and contact the CHRN member nearest you:

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Colombia Human Rights Committee

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policy based on fumigation, and we demand an antidrug policy to replace Plan Colombia, which violates our national sovereignty, exacerbates the war, has high humanitarian costs, especially for the indigenous and poor peasant communities, and destroys the ecological capital to a point of no return. We are for unified actions by the social sectors, trade unions, political organizations, and civil society organizations interested in a solution to the social crisis.

We request and welcome all forms of international cooperation that contribute to a political solution to the Colombian conflict based on the principle of national sovereignty. Therefore, along with Madame Danielle Mitterrand we say that the terrorist lists drawn up in the United States are not acceptable. The pronouncements by the international community should affirm the need for a political solution and the facilitating role of the international organizations. The joint effort to bring the International Criminal Court into force and setting in motion its action against crimes against humanity is of the utmost importance.

We welcome the affirmation of sovereignty, of autonomous citizen power, and the process of renewal that is being felt throughout the country, and which includes the interest in pursuing economic, social, political, and institutional reforms, so as to make possible the profound changes the nation needs. We create new possibilities for building ties and unity in the movement. Peace in Colombia is possible because millions of us are making a commitment to life, democracy, and social justice.

Summer 2003 *Delegation to look into Afro-Colombians Under Fire*

Witness for Peace and the Colombia Human Rights Committee (D.C.) will be co-organizing a delegation from the United States to Bogotá and Chocó in Summer 2003.

Interested? for an application and more information, contact:

Roxanne Hanson
202-588-1471

[<roxanne@witnessforpeace.org>](mailto:roxanne@witnessforpeace.org)

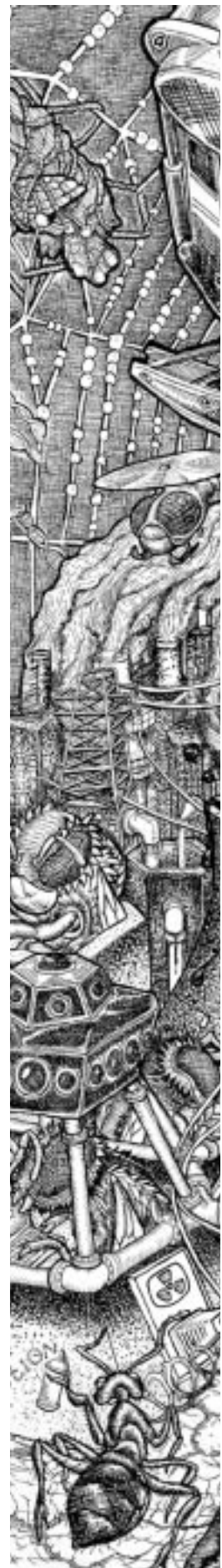
Colombia Ratifies International Criminal Court, but War Crimes OK for 7 Years

IN ONE OF THE FINAL ACTS OF THE PASTRANA ADMINISTRATION, Colombian ambassador to the United Nations Alfonso Valdivieso deposited the instrument of ratification of the Rome Statute, the international treaty that creates the International Criminal Court (ICC). Yet in so doing it invoked a reservation according to which Colombia will not recognize the jurisdiction of the new international tribunal over any war crimes committed in Colombia or by Colombians for the next seven years. The reservation, deposited on August 5, was not made public in Colombia until late August, and has stirred a national debate. On September 2, Inspector-General (Procurador) Edgardo Maya, echoing the sentiments of several members of the Colombian Congress and non-governmental human rights organizations, have called on the Uribe administration to withdraw the reservation. The government, however, has said it will not do so.

Also in August, Bush administration envoys began to press the Colombian government to sign a bilateral agreement to assure immunity before the ICC for U.S. citizens involved in crimes against humanity or war crimes, or any other violations of human rights or international humanitarian law. In late August the Comisión Colombiana de Juristas directed a letter to President Uribe in which it made four key points regarding the U.S. proposal:

- As grounds for entering into the proposed agreement, the U.S. has referred to Article 98(2) of the Rome Statute, which allows States Party to sign agreements to ensure that their citizens are tried in their respective countries. By definition, such agreements can only be entered into by States Party and are meant to prevent impunity. Yet the agreement proposed by the United States is aimed at ensuring impunity and would be signed with a country that is not a State Party to the Rome Statute. Thus, if Colombia accepted the U.S. proposal, it would be acting in bad faith and undermining the object and purpose of the treaty, in violation of Articles 18 and 31 of the Vienna Convention on the Law of Treaties.
- If Colombia were to sign the proposed agreement, it would be acting against its duty to cooperate with the United Nations (Articles 55 and 56 of the UN Charter) and with the International Criminal Court (Article 87 of the Rome Statute), and could be sanctioned by the Assembly of States Party, or by the UN Security Council.
- In a recent session of the UN Security Council (July 10, 2002), Colombia argued that the U.S. petition to grant immunity to its personnel currently engaged in Bosnia-Herzegovina undermined the Rome Statute and hence international justice, and that the application of the Statute can never lead to the acceptance of conduct violative of human life and dignity. This position, which we fully support, must be maintained. By rejecting the U.S. proposal in the same way that it rejected a similar one in the Security Council, Colombia can reiterate its unconditional support for the International Criminal Court.
- Impunity in Colombia is alarming, and the U.S. proposal would only aggravate the country's human rights crisis. Concretely, the signing of an agreement such as the one mentioned between the U.S. and Colombia would be tantamount to authorizing any U.S. citizen to commit genocide or war crimes in our country and not be punished for it.

The position of the Uribe administration, exempting war crimes committed in Colombia from the jurisdiction of the ICC at a time when such crimes continued to be committed on a regular basis, and when the Colombian justice system continuously fails to punish such crimes, and the position of the Bush administration, seeking to assure that no U.S. personnel will be held accountable for the wanton disregard for human life typical of the violence in Colombia and at a time when the United States is becoming more deeply engaged in the conflict, both shock the conscience. The least we can do is voice our strong condemnation of such positions, which are aimed at insulating such conduct – no matter who the perpetrator, Colombian armed forces, their paramilitary allies, their U.S. allies, or their guerrilla enemies – from international accountability; and continue working to get the political systems of both Colombia and the United States to be more respectful of the purpose for which the International Criminal Court has been created. ❖



Activists Press Environmental Protection Agency on Fumigation

Following is a letter sent by several indigenous and environmental organizations to Christine T. Whitman, Administrator, U.S. Environmental Protection Agency, in anticipation of consultations between the U.S. Environmental Protection Agency and the U.S. Department of State on conditions for the aerial eradication program in Colombia, as required in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act (2002). The letter, which conveys concerns about the U.S. policy and practice of fumigating crops grown in Colombia that are used to produce illicit drugs, was sent after a delegation of six Colombians from Putumayo, Nariño, Valle del Cauca, and Amazonas met with about two dozen EPA officials in March 2002. The letter was sent with a request that EPA publicly respond to controversial questions regarding the aerial eradication program, and that EPA ensure that the consultation process with the State Department is transparent and provides adequate opportunities for public input and public access to information. The EPA provided its report on the aerial spraying program to the State Department on August 20; as this issue of Colombia Update was going to press in early September, the State Department was in turn submitting the report to Congress, but it had yet to be released to the public.

The Colombians who came to Washington in March included Fabio Trujillo, secretary of agriculture and environment, Nariño; Dyva Revelo, epidemiologist, Putumayo health department; Eder Sánchez, leader of small farmers' organization ANUC, Putumayo; Elsa Nivia, agricultural engineer and Director of Pesticide Action Network Colombia (RAPALMIRA), Valle del Cauca; Fabio Larrarte (Murui Muinana) President of the Association of Indigenous Communities of Leguizamo and Upper Reserve of Putumayo (ACILAPP); and José Soria (Yagua) General Secretary of the Organization of Indigenous Peoples of the Colombian Amazon. Their work in Washington was coordinated by the Amazon Alliance, the Latin America Working Group, and the Robert F. Kennedy Center for Human Rights.

Re: Upcoming consultation of the Environmental Protection Agency with the U.S. Department of State regarding the environmental and social impacts of U.S. financed aerial eradication of coca crops in Colombia.

Dear Administrator Whitman:

In light of upcoming consultations between the U.S. Environmental Protection Agency and the U.S. Department of State regarding conditions for the aerial eradication program in Colombia, as required in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act (2002) (FY 2002 Foreign Aid Act), we write to express our appreciation for recent efforts taken by the Office of International Affairs to promote an open exchange of information with those

affected and concerned by this program. We request that EPA publicly respond to controversial questions regarding the aerial eradication program, and that EPA ensure that the consultation process with the State Department is transparent and provides adequate opportunities for public input and public access to information.

In the FY2002 Foreign Aid Act, Congress expressly provided that the funds appropriated be used for the procurement of chemicals for aerial coca fumigation only if the U.S. Department of State determines, after consultation with the Administrator of EPA and other federal agencies, that the following conditions are satisfied:

(1) aerial coca fumigation is being carried out in accordance with regulatory controls required by the Environmental Protection Agency as labeled for use in the United States, and after consultation with the Colombian Government to ensure that the fumigation is in accordance with Colombian laws;

(2) the chemicals used in the aerial fumigation of coca, in the manner in which they are being applied, do not pose unreasonable risks or adverse effects to humans or the environment; and

(3) procedures are available to evaluate claims of local citizens that their health was harmed or their licit agricultural crops were damaged by such aerial coca fumigation, and to provide fair compensation for meritorious claims

In response to a request from the International Subcommittee of the National Environmental Justice Advisory Council and the Amazon Alliance, the Office of International Affairs hosted a meeting on March 21, 2002 with a Colombian delegation to discuss their concerns about human rights violations and environmental harms resulting from the aerial eradication program. The meeting was attended by representatives from the Office of Prevention, Pesticides, and Toxic Substances, the Office of Environmental Justice, and the Office of Water... The delegation discussed evidence that the spraying has caused significant health and environmental impacts, including eye, respiratory, skin and gastrointestinal ailments, the destruction of thousands of acres of subsistence food crops, poisoning of livestock, and the contamination of water supplies. They described how the aerial spraying has contributed to the massive displacement of families in Putumayo, and explained that the population affected is primarily low-income, with poor nutrition and limited access to health care. They explained how the welfare of indigenous communities is particularly at risk since their health and cultures are closely tied to the land and their territories have been sprayed repeatedly, violating their territorial autonomy and internationally acknowledged rights to self-determination. The speakers also confirmed that the spraying is displacing large scale coca cultivators into new areas, exacerbating deforestation in the region and spreading the chemical contamination from coca processing into new areas....

Affected communities have not been informed about the composition of the herbicide to which they are being exposed, the location and time of spraying, or measures they can take to avoid or respond to exposure. Information about the herbicide used in the spraying, provided by EPA in response to a FOIA request, is contrary to that obtained from the U.S. State Department and the Colombian National Police. It also appears that neither the U.S. government nor the Colombian government has performed an adequate assessment of the potential human health and environmental impacts of the formulated spray mixture under exposure conditions experienced in Colombia. Faced with incomplete and conflicting information, many questions remain unanswered....

The gravity of the potential consequences makes it imperative that government agencies engage the affected communities and the public in an ongoing and formal dialogue. When consulted by the U.S. Department of State regarding the chemical procurement provision in the FY2002 Foreign Aid Act, EPA should ensure that the process is transparent and provides an adequate opportunity for public involvement and access to information. Ideally EPA would provide the public with notice of and an opportunity to comment on the consultation, and allow the public quick and easy access to the information upon which EPA relies for the consultation. Without direct input from affected communities and from concerned scientists, it will be difficult for EPA to assess environmental and health impacts with the rigor that would be expected in any domestic investigation. An open and participatory consultation process would ensure better protection of critical environmental resources and fulfill EPA's commitment to meaningful public involvement in environmental decision-making as outlined in EPA's Draft Public Involvement Policy. Such actions would also demonstrate EPA's commitment to the fair treatment and meaningful involvement of all people regardless of race, culture, or income with respect to the implementation and enforcement of environmental laws, as indicated in the August 2001 Administrative memo reaffirming EPA's commitment to environmental justice....

It is critical that EPA consider the full extent of application conditions, exposure scenarios, the adequacy of existing environmental and health impact assessments, reported health complaints and damages from the spraying, compliance with environmental management plans, and the implementation of monitoring and contingency plans. To this end, we ask that EPA closely evaluate and

Fumigation Continues Amidst Widespread Killings in Putumayo

REPORTS FROM COMMUNITIES and the press in July and August indicate that unprecedented fumigation has been taking place in Putumayo more or less since the inauguration of President Uribe, without drawing any distinction between industrial plantations and small crops grown for subsistence, and without respecting manual eradication agreements that small farmers in the region have entered into with the government.

According to July 10 communiqué by the Organización Zonal Indígena del Putumayo, which represents 13 different indigenous peoples of Putumayo, "the Colombian government is announcing massive and constant fumigation of illicitly-used coca crops in Putumayo to begin July 28." The indigenous communities reiterated, "we reject the crops for illicit use, but likewise we reject the violent methods used to combat them."

On September 4, the New York Times reported: "With the approval of Colombia's new president, Alvaro Uribe, the American plan calls for more crop dusters operating more hours and with none of the restrictions that officials say hampered spraying programs in the past.... [T]here is no pretext that small farmers will not be hit." Yet this program has had virtually no impact on the illegal drug business. According to Klaus Nyholm of the United Nations Drug Control Program, "Fumigation has an effect, but we would argue it's an effect of displacement." In other words, the program is continuing to have a two-step nefarious impact on the environment: poisoning the population and land in the areas sprayed, and promoting the deforestation and contamination that are concomitant to expanded coca cultivation elsewhere in the Amazon basin.

Nor has the U.S. program done anything to address the ever-worsening human rights and humanitarian situation in Putumayo. According to an Associated Press story filed in Puerto Asis on August 31, "Paramilitary death squads roam the region freely, killing suspected rebel collaborators or anyone else who gets in their way.... Even the presence in town of a U.S.-based counternarcotics battalion has had no effect. Planes and U.S.-donated Blackhawk helicopters regularly fly along the horizon on their way to fumigate the coca fields.... The area is becoming one of the world's deadliest places, with 128 reported homicides this year, hospital records say.... That's a ratio of 450 homicides per 100,000 people. In the United States, the ratio last year was 5.5 per 100,000." FARC guerrilla forces in the rural areas are also reported to commit killings in the areas they control.

The tragic situation in Putumayo suggests that U.S. policy is fundamentally ill-conceived. The spraying limits the supply of coca leaf, keeping up prices. Cocaine continues to flow unabated to the United States and elsewhere. Therefore the main beneficiaries of this policy are the entrepreneurs of the illegal drug trade and the narrow bureaucratic interests seeking to expand their budgets. U.S. policy-makers continue to fail to grasp the social dynamics driving the drug trade, and display indifference, at best, to the fact that they are providing millions of dollars in assistance to official forces that continue to share responsibility for the expanding political violence. For the indigenous and small farmers of Putumayo, this waste of our tax dollars is a form of cruel and unusual punishment for the crime of being poor. ❖

continued on the bottom of page 12

respond to the signatories of this letter, the public, and members of Congress regarding controversial points that were raised at the meeting on March 21.... Our concerns include but are not limited to:

- Incomplete and contradictory information on the ingredients of the herbicide formulation(s) being used, and the proportion in which these ingredients are mixed;
- Absence of an adequate assessment of potential health and environmental impacts of the herbicide formulation(s) (including all undisclosed or "inert" ingredients) and the manner in which it is applied in Colombia;
- Environmental justice implications of this program, which affects many marginalized ethnic and socio-economic sectors;
- Impacts on children's health, given their known susceptibilities and vulnerabilities to environmental toxicants
- Flawed health studies that are cited by the Department of State as proof that the aerial spraying program for coca eradication does not cause human health harms;
- Use of herbicides in Colombia in a manner that would violate U.S. EPA label requirements for safe use of the herbicide in the U.S.;
- Substantial evidence of damage to non-target sites, including food crops and pasture, indicating that the spraying is being carried out without sufficient land use information, and that mechanisms to control drift are not being applied consistently or may be inadequate;
- Irregularities in the recently approved U.S. EPA label requirements for one of the herbicides used; and
- Claims about the environmental toxicity of the herbicide formulation(s) that are made in the absence of adequate baseline data on tropical species, and are largely based on studies in temperate ecosystems that focus on glyphosate alone....

The letter was signed by representatives of: Amazon Alliance; Organization of Indigenous Peoples of the Colombian Amazon; Indigenous Environmental Network; Institute for Science and Interdisciplinary Studies; Inter-American Association for Environmental Defense; International Indian Treaty Council; National Congress of American Indians; Pesticide Action Network; Physicians for Social Responsibility; Science and Environmental Health Network; World Wildlife Fund.

For the full text of this letter, or more information, contact Amazon Alliance at 202-785-3334, betsy@amazonalliance.org, or www.amazonalliance.org. ❖

Alert on EPA Fumigation Report:

Contact members of Congress – especially members of the appropriations committees in the House and Senate – calling for close scrutiny of this report, hearings on the aerial spraying program, and greater openness. It is feared that the EPA may not have had the breadth and depth of independent expertise required to prepare a study that would satisfy the congressional mandate.

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On the Road to Yopal:

A Tale of Violence and Impunity Today

The following communication was sent by the author to the Colombian news media, government offices, and human rights organizations. It was forwarded to Colombia Update in early September. The letter speaks for itself.

Bogotá, September 2002

Dear Sirs:

COMMUNICATIONS MEDIA, GOVERNMENT OFFICES, HUMAN RIGHTS ORGANIZATIONS,

It has been my custom, like any well-off Colombian, to enjoy, along with my family, scenic areas in Colombia, especially in Casanare and Boyacá, specifically the Bogotá-Yopal-Bogotá route; and particularly because I have close friendships in this region.

It was precisely along this route August 17 to 19, 2002, that I had the disgraceful experience of learning of and experiencing with the residents of the municipalities of Yopal, Aguazul, Tauramena, Monterrey, Villanueva, Sabanalarga, Aguacalara, San Luis de Gaceno, Santa María, Macanal, Garagoa, and Guateque, the following abuses and crimes that are committed daily, under a veil of fear, ignorance and state complicity through the official forces, the army and Police, and the mayors of these places.

The truth and verification of everything that I set forth below is based on my own experiences and the stories told by the residents of these places; all are stories which, with an in-depth investigation, can be verified.

1. Selective assassinations by persons who say they are “pájaros,” or the ill-named paramilitaries, or self-defense groups, of Casanare and Boyacá.
2. Forced disappearances.
3. Expropriation of farms and cattle.
4. Theft of vehicles.
5. Extortion of merchants, large, medium, and small.
6. Financing with the trafficking of NARCOTICS.
7. Direct participation of the members of the Military Forces, as their ranks include former members of the military, active-duty army informants, of all ranks, from both the National Police and the Army. And by omission, for even though these criminals move about daily with weapons not authorized for use by anyone other than the military forces, the National Police and Army do not intervene.
8. Permanent checkpoint at the place called El Secreto, along the Upía river, OF WHICH I WAS A VICTIM on Monday, August 19.
9. Forced recruitment. The residents state that they have camps and training bases at the SANTA TERESA POLICE STATION - San Luis de Gaceno.
10. Pressure on the local authorities who in the face of intimidation must yield to their demands and who, out of fear or complacency, do not report them.

Finally, I must be clear, in the area that I visit there is no knowledge of any guerrilla presence, only common criminals. For this reason, I call for, as do all the residents, the direct intervention of the State, to bring back to that region characterized by tourism, farming, and ranching, the peace that its citizens lost due to the presence of these persons. This state intervention should come directly from Bogotá, because the departmental and municipal authorities are subordinated and acting in collusion with them. IT IS URGENT TO ESTABLISH THE NETWORK OF CITIZEN INFORMANTS IN THE REGION.

Cordial greetings,

Camilo Manrique

P.S. For my personal security I am not citing my identification document.

Colombia: The U'wa, Oil, and Militarization

by Charles H. Roberts, member of Colombia Human Rights Committee of Washington, D.C., translator and lawyer, and co-editor of Colombia Update since 1989.

The following is excerpted from "U'wa vs. la Oxy: Voracious Multinationals and Indigenous Rights," which appeared in CovertAction Quarterly, No. 73, Summer 2002. The author would like to acknowledge the U'wa Defense Project for its assistance in preparing the article.

In May 2002, Occidental announced it was returning the oil drilling license it had been issued to Ecopetrol, the state oil company. "There may be oil there, but not enough to be commercial," said company spokesman Larry Meriague.

Now, the latest battle in this war of understanding is taking shape over the Bush Administration's plans, announced in mid-February, to earmark \$98 million in military aid to "pipeline defense": The money would go to training and equipment for the Colombian Army's 18th Brigade, entrusted with defending the Caño Limón-Coveñas oil pipeline, also operated by Occidental, which has been attacked almost a thousand times by guerrilla forces since opened in 1986. In fact, Occidental has already been collaborating with the Colombian Army, including in an incident in which 11 adults and seven children were killed in December 1998 in the village of Santo Domingo, Arauca. It may be that recent revelations about that incident may have contributed to Occidental's apparent decision to reduce its involvement in Colombia.

The U'wa: Traditional Defenders of the Earth

Almost 5,000 U'wa live in the tropical cloud forest of north-eastern Colombia. Their ancestral territory falls within what today are the five departments of Arauca, Boyacá, Santander, Santander del Norte, and Casanare; the U'wa lands are by the border with Venezuela. Of the 82 indigenous communities in Colombia, the U'wa are known for being among the most traditional.

One of the central tenets of U'wa philosophy is the need for harmony between human beings and nature, and it is this belief that has led to the ongoing preservation of the cloud forest environment in which they live. As traditional leader Berito KuwarU'wa explains: "For us, there will be no betrayal of our mother earth, or of her sons who are our brothers. Neither will we betray the pride of our ancestors because our land is sacred and everything in it is sacred."

Neutrality for Life

The U'wa struggle unfolds in the larger context of the 38-year armed conflict that has pitted guerrilla forces against the Colombian government forces and the paramilitary groups that support the government. The U'wa, like other Indigenous peoples and local communities throughout Colombia, have had to contend with all of the armed actors, each of which seeks to assert territorial control as part of its military strategy, and to maintain neutrality vis-a-vis each of them. In January 2000, for example, when guerrillas from the National Liberation Army (ELN: Ejército Nacional de Liberación) threw Occidental equipment off a cliff (four backhoes, four caterpillars, and six containers), the U'wa declared that they "don't agree with the

actions of the ELN to destroy the machinery and equipment of the transnational oil company OXY, since actions like these only make the conflict worse."

International solidarity for the U'wa took a tragic turn in March 1999, when Terry Freitas, a biologist and founder of the U'wa Defense Working Group in 1996, along with U.S. Indigenous leaders Ingrid Washinawatok and Lahe'ena'e Gay, were murdered after visiting the U'wa. The killings, carried out by the Revolutionary Armed Forces of Colombia (FARC), the larger of the two main guerrilla forces, evidenced the guerrilla movement's lack of interest in if not hostility to the Indigenous rights movement, and highlighted the challenge of asserting territorial claims amidst a war in which the competing armed factions are vying for territorial control. Accordingly, the Indigenous peoples of Colombia have had a special interest in the success of the peace initiative pursued by President Pastrana from 1998 until the project of peace with the FARC was ended last February 20. Like other actors in Colombian civil society, the Indigenous peoples have complained at the failure of the peace process to include a space for them, as their interests are not represented by the government or any of the other warring parties.

The February 2001 proposal by the Bush Administration to expand U.S. military involvement in Colombia to include protection for the Caño Limón-Coveñas pipeline, operated by Occidental Petroleum (Oxy), and running through the U'wa ancestral territory, is the latest threat the U'wa face. Specifically, the Administration is asking Congress to approve \$98 million for fiscal year 2003 to train troops and provide 12 helicopters specifically for the protection of this one pipeline. The 18th Army Brigade, which would receive the support, has been found to be responsible for egregious human rights violations.

In a particularly emblematic case, the 18th Brigade was found responsible for killing 17 people, including 7 children, in the village of Santo Domingo (Tame municipality, department of Arauca) on December 14, 1998. The massacre, initially investigated by Colombian civilian prosecutors, and since then bogged down in the military courts, was the subject of an international "opinion" tribunal held in Chicago in December 2000 (for the arguments and findings, see <http://www.law.northwestern.edu/depts/clinic/ihr/issues/colombia_us.htm>). On January 24, 2002, peasant leader Angel Trifilo Riveros Chaparro, one of the witnesses at the Chicago tribunal, was assassinated, along with Mario González Ruiz and Heliberto Delgado, by 12 heavily armed men, who had at the very least the support of military units under the 18th Brigade, according to a communiqué issued by a coalition of social organizations in the Arauca. According to the same communiqué, the 18th and 16th Brigades, charged with protecting the oil pipeline, have been

directly involved in paramilitary activities, including massacres at La Cabuya and Santo Domingo in November and December 1998, respectively; and military operations in 1999 and 2000, announcing that the paramilitaries were coming.

Information from the Colombian investigations in what happened at Santo Domingo on December 13, 1998 recently reported in the Los Angeles Times suggests that Occidental, the Colombian Army, and the U.S. military presence in Colombia have already been working to protect the pipeline and to plan attacks on the FARC in the region. The LAT reported on March 17, 2002, that according to the Colombian court records, "the

Finally, the LAT reported: "AirScan officials deny involvement in the incident, saying their plane was used only to survey Occidental's oil pipeline, and the company is not accused of any illegal activity. Occidental officials say they routinely supply nonlethal equipment for military operations in northeastern Colombian but they could neither confirm nor deny their role on the day of the explosion."

According to U'wa leader Roberto Pérez, "We see Plan Colombia as an all-out invasion by the United States." The U'wa sent 10 representatives to the city of Arauca in early February to join in protests opposing the US\$ 98 million aid plan, and

"We are born as children of the earth... That is something none can change.
Each time a species becomes extinguished, mankind becomes closer to his own extinction...
The future grows darker with every drop of oil that [is spilled] in our clear rivers...
destiny grows more deadly with every drop of pesticide that [is deposited].
Our rivers are not just rivers, they are messengers... perhaps before greed takes root... [we]
will be able to see the wonder of the world and the greatness of the universe that extends
beyond the diameter of a coin. This is our testimony."

- Berito Kuwar'Uwa, President of the U'wa Traditional Authorities, 1997

U.S. government helped initiative military operations around Santo Domingo that day, and two private American companies helped plan and support them." The LAT article reports four key findings:

- The events leading to the battle outside Santo Domingo and the explosion began when a U.S. government surveillance plane detected an aircraft allegedly carrying weapons for the guerrillas. In doing so, the plane may have violated rules that restrict American activities in Colombia to counter-narcotic operations.
- Los Angeles-based Occidental Petroleum, which runs an oil complex 30 miles north of Santo Domingo, provided crucial assistance to the operation. It supplied, directly or through contractors, troop transportation, planning facilities and fuel to Colombian military aircraft, including the helicopter crew accused of dropping the bomb.
- AirScan Inc., a private U.S. company owned by former Air Force commandos, helped plan and provided surveillance for the attack around Santo Domingo using a high-tech monitoring plane. The U.S. Coast Guard is investigating whether the plane was flown by a U.S. military pilot on active duty. Company employees even suggested targets to the Colombian helicopter crew that dropped the bomb.
- In a violation of U.S. guidelines, the U.S. military later provided training to the pilot accused of dropping the bomb, even after a Colombian prosecutor had charged him with aggravated homicide and causing personal injury in the Santo Domingo operation.

opposing the increased presence of paramilitary groups in the region. Based on their experience and world view, the U'wa have sought to keep all armed actors out of their territory, as the presence of large groups of soldiers, be they guerrillas, army or paramilitaries, brings the encroachment of outsiders, not to mention death and the subsequent massive displacement of communities from lands coveted by the warring parties. They have specifically condemned various actions by the FARC, the ELN, and the Army and paramilitary forces...

Please contact the U'wa Defense Project to provide support to the U'wa community, or for more information about the work of UDP, at amigas@mindspring.com or call (510) 524-7027. In full consultation with the U'wa Traditional Authorities, U'wa Defense Project (UDP) provides legal, community development, advocacy, and research support to the Colombian Indigenous U'wa people as they strive for self-determination over their lives and culture through defense of their ancestral territory and environment, bringing their knowledge about ecological and people-centered development into the global debate.

This article was excerpted from CovertAction Quarterly Number 73, Summer 2002. CovertAction Quarterly, 1500 Massachusetts Avenue NW, Suite 732, Washington DC, 20005, USA. Annual subscriptions: U.S./Mexico: \$22; Canada: \$30; All Other: \$35 (two-year subscription rates also available). The issue of CovertAction Quarterly containing the full text of the article with footnotes is available from CovertAction Quarterly for \$8 (U.S./Mexico); \$10 (all other). ❖

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"Africa in the Midst of Latin America"

by Barbara Gerlach

As our ecumenical delegation arrived July 3 in Quibdó, the capital city of Chocó, our hosts greeted us with, "Welcome to Africa in the middle of Latin America!" Afro-Colombians comprise 25%-30% of the population of Colombia and about 90% of those living in Chocó. They have been disproportionately hard-hit by the violence and account for more than half of the 2.7 million displaced over the past decade, and of the 204,000 displaced in the first six months of 2002.

Our orientation to the beauty and tragedy of this region began with a presentation by the Center for Afro-Colombian Studies, which has been building an ethnic history of the region since 1985....

Barbara Gerlach, co-chair of the Colombia Human Rights Committee, coordinated an Ecumenical Delegation of 35 people representing 6 Protestant denominations to Colombia from June 26-July 8, 2002. It was co-sponsored by Witness for Peace, Justapaz/Colombia Mennonite Church and the United Church of Christ. The full text of this article can be found at <www.igc.org/colhrnet>. ❖

Status of Press Freedom in Colombia

by Ignacio Gómez G.
Bogotá, July 2002

Más que hablar de cómo hacer periodismo en medio del conflicto, yo prefiero hablar del conflicto por el cual estamos ad portas de la muerte del periodismo en el futuro inmediato. Una organización de periodistas entra en su crisis de la madurez cuando un porcentaje notable de sus asociados está sin empleo. Con más realismo que cinismo, podría proponerse un cambio de nombre hacia el de una organización de ex periodistas....

In June three more journalists were murdered in Colombia, which continues to be one of the most dangerous countries for the practice of journalism. Veteran investigative reporter Ignacio Gómez shares insights into what the changing situation in Colombia means for journalism. His paper is posted at <www.igc.org/colhrnet> in Spanish, and will soon be available in English. ❖

UPCOMING EVENTS

Telling the Real Story

Fall Speaking Tour on the Impact of US Policy in Colombia

Organized by US Office on Colombia, in conjunction with Amnesty International, Colombia Human Rights Network, and Colombia Support Network

The US Office on Colombia, in conjunction with Amnesty International, Colombia Human Rights Network, and Colombia Support Network, is organizing a speaking tour for two Colombian human rights defenders for the last week of September and first three weeks of October. Carolina Aldana and Eder Jair Sanchez will visit cities across the United States and give first hand accounts of life and struggle in Colombia today. They will give testimony of the massacre of rural communities and the persecution of civilians by both sides in the war, by paramilitary groups, supported by the Colombian military, and by guerrilla forces. Specifically, their testimony will focus on the impact of US policy on the lives of ordinary Colombians, such as the effects of fumigation in large areas of southern Colombia.

Carolina Aldana works for MINGA, a leading human rights organization in Colombia. She is responsible for research and communications for projects in northwestern Colombia, and leads programs on the peace process and 'civil society strengthening'.

Eder Jair Sanchez, a lawyer, is a leader of the National Association of Peasant Farmers (ANUC) in the southern department of Putumayo. He is currently serving as a delegate to the Departmental Assembly of Putumayo, and the promoter of the Association for Social Pacts for Voluntary Manual Eradication of Illicit Crops in Putumayo.

The US Office on Colombia is coordinating this tour. For further information please contact the US Office on Colombia (202) 232-8090 or <neil_jeffery@usofficeoncolombia.com>.

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DATE: November 24 - December 1, 2002

LOCATION: United States (exact location TBA)

DEADLINE: September 20, 2002 OTHER DATES AND LOCATIONS: For candidates who cannot or are unable to attend the November 2002 US training. DATE: February 2 - 9, 2003 LOCATION: Spain DEADLINE: December 2, 2002 DATE: May 25 - June 1, 2003 LOCATION: Spain DEADLINE: March 25, 2003 DATE: September 21 - 28, 2003 LOCATION: Spain DEADLINE: July 21, 2003 Check out our website at: <http://www.peacebrigades.org>

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(202) 544-3876

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(514) 939-2906

Bojayá Massacre:

Violence Continues to Hit Afro-Colombians

On May 2, 2002, 119 people were killed when the FARC attacked a church in which the victims, and others, had sought refuge from heavy fighting between the FARC and paramilitary forces. The tragedy and ensuing violence led thousands to flee the community. Only in the first days of September did large numbers of families begin to return, mostly from Quibdó, the capital of Chocó, by river, which is the main communication artery. In following weeks, various international delegations visited the region, including one in June with representatives from the United States, Canada, and Ecuador (see <www.hrlawgroup.org>, web site of the International Human Rights Law Group, for the delegation report); and a delegation of staff from the US Congressional Black Caucus in early August, supported by several U.S., Colombian, and British organizations including the U.S. Office on Colombia.

The following statement, issued in late May by Catholic Relief Services and summarizing the incident and the international response, is reprinted with permission of CRS. All armed actors, including the Colombian government, were subject to harsh criticism for the indifference shown to human life in this incident.

ON THURSDAY, MAY 2, 2002, 119 PEOPLE WERE KILLED, including 45 children when a FARC (Revolutionary Armed Forces of Colombia) cylinder mortar struck a rural church in the town of Bellavista, Bojayá, Diocese of Quibdó, Province of Chocó (northwestern Colombia bordering Panama). Hundreds of inhabitants of Bojayá had sought refuge in the church from intensified fighting between paramilitary AUC and FARC forces. Fighting between the AUC and FARC began on May 1, following the incursion of AUC forces into the area on April 21.

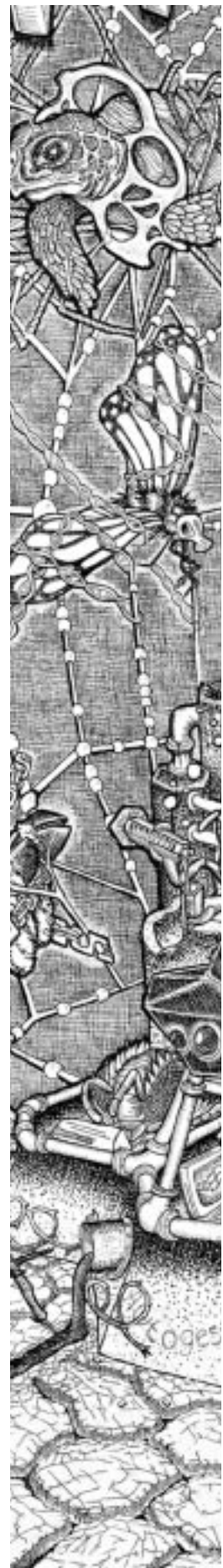
Continued fighting between FARC and AUC (United Self-defense Forces of Colombia) as well as Colombian military actions in Chocó have resulted in increasing numbers of internally displaced. As of May 21, over 2,500 persons have been displaced to the city of Quibdó and an estimated 3,000 persons have been displaced from rural areas to urban area of Murindó, Antioquia. Additional persons (total numbers unknown) have been displaced to the town of Puerto Conto, Antioquia.

On May 7, Colombian military forces initiated actions to retake control of the areas affected by fighting between FARC and AUC in the Provinces of Chocó and Antioquia. The first step of this strategy was an aerial bombing campaign of the rural areas of Napipi and Bojayá in the province of Chocó. The area targeted by the bombing campaign has a civilian population of 3,000 and the bombings have resulted in destruction of property. Two persons have been injured and one civilian was killed. Increased losses of property and lives are feared and bombings have contributed to the displacement of rural communities to secondary urban areas. In the second phase of the military strategy on May 7, 4,000 soldiers arrived in Chocó and took control of the small urban areas in the middle Atrato River region. As part of the Armed Forces' strategy for securing the area, a blockade of movement along the main rivers and roads of the area is in force. This blockade is affecting the ability of organizations to provide aid to the affected civilian populations.

Based on a request by the Colombian government, on May 11 the United Nations sent a mission led by the representative of the High Commissioner for Human Rights (UNHCHR) to Quibdó to investigate the massacre. On May 21, UNHCHR issued the mission report in which it stated that the FARC was directly responsible for the 119 civilian deaths, but also held the AUC and the Colombian government and military accountable for the incident in Bojayá. The report also criticized the Colombian government for ignoring early warnings of an impending tragedy and indicated that the military and the police may have collaborated with paramilitary forces to allow them access to the region before and after the bombing in Bojayá. The report cited evidence that seven boats with 250 paramilitary personnel passed through two police and one army checkpoint without problems. The report also called for the Colombian Government to conduct an independent criminal investigation to determine responsibility for the violence, not only on the part of the irregular armed groups but also on the part of government officials and armed forces.

In addition, both the Diocese of Quibdó and the UNHCHR have reported the presence of AUC forces, dressed in clothing reportedly taken from civilians, in urban zones such as Bellavista and Vig'a del Fuerte. The diocese and other local organizations have reported that shortly after the arrival of Colombian military in the area, AUC fighters in Bellavista

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wounded in the confrontations with the FARC were transported unmolested across the river to the hospital in Vigía del Fuerte. The towns of Bellavista and Vigía del Fuerte and other communities in the area have been almost completely abandoned due to civilian fears that the guerrillas will attack these areas in which the paramilitaries and the military are operating.

Since May 4, the Diocese of Quibdó has had 35 personnel on the ground in the affected rural and secondary urban areas helping to provide aid to the affected families. Because of its credibility and its years of work in the affected area with local Afro and indigenous organizations, the Diocese is one of the few aid agencies that has access to the affected populations in rural areas.

CRS/Colombia has been working with the Diocese of Quibdó through the In Solidarity with Colombia (ISC) program over the last three years. On May 6, via its current project with the Diocese, CRS provided assistance to aid for nearly 3,000 victims, primarily emergency food assistance (oil, rice, lentils, salt). CRS is finalizing an emergency proposal in coordination with the Diocese of Quibdó that will provide aid to over 9,800 displaced persons, principally Afro-Colombians and indigenous, located in and near Bojayá, Bellavista, Vig'a del Fuerte, Puerto Conto, and Murindó, over a six month period. The CRS proposal will complement other initiatives being implemented by the Diocese with support from Caritas Internationalis members, the European Union, UN agencies and other international NGOs. The implementation of this proposal will be closely coordinated with the National Social Pastorate offices and with other government and non-government aid agencies responding to the emergency.

The scale and scope of the crisis and casualties in the region have become more apparent as emergency assistance and humanitarian observers such as the UN reach isolated rural areas. If armed confrontations between the Colombian military, AUC and the FARC continue, up to 20,000 persons could be displaced to urban areas. In late April, the Diocese of Quibdó, the Defensor'a del Pueblo, and the United Nations had alerted the government of the increasing FARC and AUC confrontations and had called for the government to protect the civilian population. The government did not respond until after the Bellavista tragedy. Both the UN and the Vatican have publicly condemned the attack. The UN has declared the bombing of the church "an act of War" and has criticized the Pastrana government for not acting on the early warning alerts produced by the UN. The Vatican expressed its "profound sadness" over the attack.

A. Operating Environment

The affected areas are located along the Atrato River, in the Province of Chocó, an area of tropical rainforest with the highest levels of rainfall in the country.

The province of Chocó is a strategic area for arms trafficking and for coca production and has traditionally been an area occupied by guerilla forces. Since 1997, paramilitary groups have been carrying out a strategy to recover control of the province. This strategy has resulted in escalating violence as guerilla and paramilitary forces struggle for control over the province. In response to the AUC's taking control of the municipalities of Vig'a del Fuerte and Bellavista on April 21, fighting broke out between 600 paramilitaries and 800 FARC on May 1.

B. Affected Populations

Prior to the escalation of violence on May 1, the population had been significantly affected by winter flooding, including the loss of crops and houses, and was receiving support from the Diocese through the CRS funded project. Since April 21, the FARC had put in force a blockade that prevented movement between the city of Quibdó and communities located in the jungle and along the river, preventing the local population's access to non-locally produced food stuffs, gasoline and medicines. With the arrival of the Colombian military, control of the river and road access has been taken over by the military, however, as part of the military strategy a similar blockade has been put into affect. This blockade is limiting the access of aid agencies to the affected population. 45,000 persons are affected by the blockade.

The affected families are principally Afro Colombians and indigenous, the majority of whom are well organized and form part of grass-roots organizations such as the Asociación Campesina Integral (ACIA) and the Organización Indígena Regional (OREWA). Through these organizations, communities have developed strategies to remain outside of the conflict. The affected communities including Bojayá have been receiving support and accompaniment from the Diocese of Quibdó through the CRS supported project "Integrated Support to the Communities of the Diocese of Quibdó Affected by the Violence".

C. Public Information

See CRS web page www.catholicrelief.org for more information and public statements from CRS and the Colombian Church. ❖

In Valle del Cauca:

Paramilitaries Murder Cousin of Colombia Vive Member

The following information has been compiled from reports conveyed by community members in Barragán, Valle del Cauca, to Colombia Vive, of Boston, in late August and early September. Colombia Vive mobilized an urgent action campaign upon learning that 12 young men – one of them a cousin of one of the group's members – were in grave danger after being kidnaped by paramilitary forces. Yet it has now been confirmed that he was murdered, possibly along with the other 11 who were taken.

IN THE WEEK PRIOR TO AUGUST 25, thousands of paramilitaries descended on the small farming village of Barragán, Valle. That week, they stopped two young men traveling on a motorcycle, and asked them to admit they were helping the FARC guerrillas. When the young men denied the accusation, they were tortured and killed. The names of the two young men are not available at this time, but it was reported they worked on a pine tree reforestation project for a coffee farmers' cooperative.

On Sunday, August 25, families from Barragán began to call for help. Twelve other young men, including ALEXANDER BERMUDEZ, were detained by the paramilitaries. By September 4, Alexander's body had been received by the family. The paramilitaries told the parish priest they had killed all the young men, but this could not be confirmed, since the other bodies were not returned. The civilians of Barragán are all under great pressure from the presence of the paramilitaries. For example, there is no longer bus transportation to the region since drivers do not feel safe, leaving people still in the region feeling trapped.

Possible connection to the Colombian Army: Previous paramilitary actions in this area, like the massacre of 25 peasant farmers in December of 2000, followed a heavy Army presence. An eyewitness overheard the Army calling the paramilitaries after that massacre to warn them to leave the region since the Army was heading back there. Human Rights Watch has reported on the connections between the Palacé Battalion of the Army's Third Brigade and the paramilitaries of the Calima Front, a paramilitary group set up with Army support. "According to these government investigators as well as eyewitness testimony obtained by Human Rights Watch, the Third Brigade provided the Calima Front with weapons, intelligence, and logistical support and coordinated actions with them." (See: www.hrw.org/reports/2001/colombia/2.3.htm)

Approximately two weeks before these assassinations and disappearances there was heavy Army presence in Barragán. Then the Army pulled out of the region. After the Army had left the paramilitaries began to enter. This may explain why the civilians of Barragán refused an offer from the Army to send troops following the August events, and why the presence of Army troops in the week of September 3 further alarmed the population.

BACKGROUND:

The town of Barragán is located near Cali, Valle del Cauca Department, Colombia. For the past few years there have been reports of increased paramilitary presence in this region, including the towns of Tuluá, Santa Lucía, Alto Frazados, San Rafael La Vernsa, Río Loro, Monte Loro, and Nogales. There are also guerrillas in the region. Paramilitaries have been abusing the civilian population, setting up roadblocks where they confiscate farm products on their way to market, charging extortion of the local farmers, and have killed dozens of people in the last few years. Many people have fled the countryside, arriving in the small city of Tuluá, where they join the population of impoverished displaced persons. An Urgent Action was sent out in June of this year by the Human Rights Network of Southwest Colombia regarding the paramilitary violence in southern Valle and northern Cauca. Paramilitary leader Carlos Castaño has been reported to be buying large

farms in the region, where he maintains hundreds of paramilitary troops.

The economic motives for displacing the civilian population include a proposed hydroelectric project funded by British and Israeli corporations, and a proposed highway to Bogotá through Tolima. In Colombia, massive displacement of the peasant population often accompanies development projects, like the displacement of the Embera Katío indigenous people that has accompanied the building of the URRÁ hydroelectric plant in Córdoba. The Corporation RIO BUGALA-GRANDE has been buying up farms in the central Valle region after peasants abandon them or sell them due to the violence. They are setting up monoculture farms in their place. The farmers of the region tried to stop this trend by forming the organization PARAMOS Y FRAILEJONES. The leaders of this organization are now in grave danger. Community leader ANDRES ROBLEDO was killed in May of this year after trying to organize farmers in the Morales river basin, Monte Loro, Valle. A cooperative dairy farm in Tuluá has also been the target of threats and at least one assassination. Several drivers trying to transport milk from dairy farms to market have been killed by the paramilitaries. The Agriculture Secretary for Tuluá has released figures showing that agriculture in the region has fallen by at least 80%.

The Palacé Battalion of the notorious Third Brigade of the Colombian Army oversees this region, under General PEDRAZA. General PEDRAZA has released statements blaming the violence on disputes over drug crops, but this region has no evidence of drug cultivation and instead is known for dairy production, potatoes, soy, fruits, etc.

WHAT TO DO NEXT:

In response to this action Rep. Barney Frank (D-MA) and Rep. Michael Capuano (D-MA) asked the U.S. Embassy in Colombia to begin an investigation. In addition, the U.N. Office for Human Rights sent a delegation to the area. However, without further pressure this case could end in impunity, like so many previous ones.

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Please continue your calls and letters to the offices of Members of Congress. As a first step we need to ask for a complete investigation into the violence at Barragán, Valle, Colombia. We need to know who is responsible for the killings and the disappearances. Members of Congress should particularly ask why the U.S.-funded Colombian Army is not protecting civilians, and investigate if it is in any way aiding the paramilitaries who seem intent on clearing the farmers out of this region.

Members of Congress may want to work on the investigation with other entities, like the UN High Commissioner for Human Rights Office in Colombia, and the Colombian government's human rights offices including the Human Rights Office of the Attorney General's Office (Fiscalía) and the Ombudsman's Office (Defensoría del Pueblo).

Please note that these two entities are facing severe budget cuts under new President Alvaro Uribe, who has proposed eliminating some of these human rights entities altogether. In addition, a U.S. Congressional delegation to the Barragán/Tuluá region in Valle del Cauca would bring much-needed attention to the desperate situation facing civilians in the midst of the worsening Colombian war. Perhaps members can work on mechanisms for using U.S. aid to Colombia to fund emergency response teams to come to the immediate aid of civilians under attack by the armed actors.

Congressional staff can place calls directly to Bogotá to the Embassy, to the two Human Rights Officers, and to the State Department. Calls from Members of Congress themselves would be even stronger.

Ultimately, the Bush Administration and those Members of Congress who favor expanding the war in Colombia must come face-to-face with the reality of funding an Army that helps paramilitary death squads to violently displace Colombian civilians from their land for political or economic gain. Sadly, what is happening in Barragán is happening in too many places in Colombia. We were not able to act in time to save Blanca's cousin. Maybe we can act in time to stop further paramilitary violence against the other civilians in Barragán. Maybe if enough of us call and write we can re-direct U.S. policy in Colombia so that it supports freedom, human rights and the rule of law, not further violence. ❖

Book Excerpt:

Biografía no autorizada de Alvaro Uribe Vélez: (El Señor de las Sombras)

by Joseph Contreras and Fernando Garavito. This book was published by Editorial Oveja Negra in Bogotá in May 2002. This unique biography of Colombia's controversial new president examines his role as director of the civil aviation authority Aeronáutica Civil in the early 1980s; his time as mayor of Medellín in 1982 (when mayors were still appointed by the President); as governor of Antioquia from 1995 to 1997; and his role as a member of Colombia's Congress and presidential candidate at other times. Colombia Update here presents but one small fragment of these 280 pages of investigative journalism, the first pages of Chapter 4, "El candidato de los paras". The segment has been translated from the Spanish, the only language in which the book has been published. Joseph Contreras is the chief Latin America reporter for Newsweek, where he has worked two decades; Fernando Garavito is a journalist with El Espectador. Biografía no autorizada de Alvaro Uribe Vélez (El Señor de la Sombra) is available from Revistas y Periódicos, 7971 SW 40th St. - Suite 10, Miami, FL 33155, tel. (305) 264-4516, for \$21.95.

The Candidate of the "Paras"

On Saturday, June 10, 1995, a bomb exploded in San Antonio park, in Medellín, killing 29 people and wounding 207. In the face of an incident of this magnitude – an attack on people who enjoying the weekend with their families – the national government ordered a special investigation and promised to have results within 72 hours. The Prosecutor's Office, the Police and the DAS pooled efforts to carry out a joint investigation that would make it possible to determine the criminals' whereabouts. The Catholic Church in the city of Medellín condemned the incident and ordered that the funds collected in a "mass of Christian solidarity" be delivered to the victims and the victims' families. The mayor, Sergio Naranjo, said it was an isolated incident; and the governor of Antioquia, Alvaro Uribe Vélez, called for a state of internal commotion to be decreed. [Translator's note: the 1991 Constitution replaced the "state of emergency" with the "state of internal commotion," which has now been decreed by President Uribe Vélez.]

In response to this unusual intervention by the governor, the mayor, Sergio Naranjo, had to explain that "such a drastic measure would in itself be a destabilizing element," whereas Congressman Benjamín Higuera Rivera rejected the proposal, opining that declaring a state of internal commotion would "open the way for imposing military mayors." [i.e. having elected mayors replaced by military officers appointed by the Executive-Trans.]

That was, of course, exactly what the governor had in mind. One month earlier, on May 10, he had adopted just such a measure in Amalfi, a traditional town in northeastern Antioquia. The townspeople protested: at that time, it was unheard of, and their municipality would be the only one to have a military mayor in Colombia. Yet the governor was unbending.

"How do you want me to control the violence?" he asked the delegation that visited him to request that they not be so punished. "I don't see any other way. You are in the middle of the red zone, and there one finds paramilitaries, the bandits of the ELN, drug trafficking, and common crime."

"But, Mr. Governor," one of the delegates told him, "the only thing that has happened in Amalfi for a long time has been the assassination attempt against the previous mayor, which, fortunately, had no consequences to be lamented."

"But it did," the governor answered. "If that's not serious, how do you characterize the resignation of Mr. Francisco Quintero?"

"But that's not serious enough to warrant you sending us a military officer," another delegate said. "The Army has been effective, and there has been no act of violence for the last month."

"Well, I'm happy about that," the governor forcefully concluded. "But, for me, the situation is indeed serious. And it's more than that. Where a mayor is assassinated due to the problematic public order situation, or forced to resign by an action by the violent ones, I will request the appointment of a military mayor."

Accordingly, a few days later, Juan Francisco Díaz Quiñones, an Army captain, arrived in Amalfi with precise instructions.

"President Samper gave us free rein to put an end to the violence," the governor told him. "The public order situation in that municipality is extremely serious. Threats, blackmail, extortion, and intimidation of the legitimate authorities have provoked serious difficulties for the local administration and have caused the inhabitants to panic."

The captain assented, without saying a word. He considered it an order. And the next day he went out to impose order in a place where, according to the acting mayor, Jesús Iván Marulanda, nothing was going on to justify that decision.

"The last serious news we had in this town," one resident told the TV reporter who visited the area, "was the birth of Fidel Castaño. But don't say that I told you anything of the sort, because they'll kill me."

For Fidel Castaño Gil, the individual who organized the first paramilitary army financed by the drug traffickers, was born in Amalfi. In the story he filed, the reporter just said that "the community and the authorities believe that there are no signs of outright violence nor major incidents that would indicate that the town is surrounded, or that the Army and Police have lost control of the public order situation."

In response to the appointment of the Army officer as mayor, Senator Omar Flórez Vélez characterized the measure as "ineffective and anti-civilian"; while Congressman Manuel Ramiro Velásquez said that the governor and the president had been deceived.

But had the governor been deceived? Based on the measures he took, one could deduce just the opposite. In the face of the wave of violence that hit that part of the region of Urabá that lies in Antioquia [Trans.: Urabá, a geographic region but not a political-administrative unit, straddles the departments of Chocó and Antioquia; this region is usually referred to as Urabá Antioqueña] in 1994, Uribe Vélez, who assumed office as governor on January 1, 1995, participated in a meeting organized by the mayors of the region in Medellín on January 17, 1995. There, the mayors, recently elected, reported that the "Pact of Apartadó" was still holding; the "Pact of Apartadó" was an effort to reach an understanding among the political groups, with a view to seeking a solution to the

Uribe Declares State of Emergency

On August 12, 2002, Colombia's newly elected president, Alvaro Uribe Vélez, declared a state of emergency (estado de conmoción) in order to increase the armed forces' control over Colombia's illegal armed groups, in particular the Revolutionary Armed Forces of Colombia (FARC). The declaration, which will remain in effect for at least 90 days, but which can be extended, will primarily allow the government to raise taxes in order to gather more financial resources for the military. The state of emergency also provides the armed forces greater leeway in carrying out searches, arrests, and seizures.

Although the Colombian president must publicly announce the reasons for this declaration, and this justification must be approved by the Constitutional Court, the measure can be declared by the Colombian executive without congressional endorsement, in cases of "severe disturbance of public order, imminent harm to state institutions, national security and civilians," as noted in *El Tiempo* (August 12). Approval by the Constitutional Court does not guarantee that the state of emergency will not lead to unconstitutional practices. In fact, these measures may mean severe constraints on the exercise of civil rights. The declaration includes restrictions on the freedom of movement, restrictions on radio and television media regarding coverage of specific details of military operations, intercepting private communications by oral or written judicial orders, and holding suspects and searching homes with or without judicial orders.

The complete text of the declaration (in Spanish) is available at <www.viaalterna.com.co>. ❖

conflict. On compiling reports on the most recent events, the authorities confirmed that the zone was infested by common criminals and guerrillas, that the confrontation, in which the protagonists were paramilitaries and members of the FARC and ELN guerrillas in northern Colombia, appeared to be in the first stages of moving into that area, and that there was no let-up in the massacres: there had been two massacres in the few days since January 1, with 11 dead in Turbo and Necoclí, which the authorities attributed to dissidents of the EPL; this information was challenged by the Communist Party and Unión Patriótica. Some of the participants said that the violence had escalated because elections of the leaders of the agricultural workers' union Sindicato Nacional de Trabajadores de la Industria del Agro were approaching, and everyone expressed concern that the first victim in the new round of military confrontations would be the civilian population. It was alleged that massive displacement of the population had begun, to the extent that one could speak of an exodus, and while some denounced the guerrillas, others said that the paramilitaries were the perpetrators of the disorder. Yet in general, an appeal was made for the political pact to become an effective tool for guaranteeing peace and tranquility in the zone.

One day later, in Turbo, the governor presided over a "security council" session, attended by seven of the nine mayors of Urabá Antioqueño, representatives of the Church, and local political figures. The mayor of Apartadó asked for an international presence to monitor the situation in the region, and proposed that a communiqué be issued demanding that all the armed actors agree to a unilateral truce. Everyone was in agreement and they began to work along these lines.

Yet the governor did not want to understand the message from that meeting. For three days later he requested that the national government authorize him to establish an Anti-Extortion and Anti-Kidnaping Unit of the National Police.... ❖

Colombia Mobilization:

Local Day of Action Called for September 27

The National Mobilization on Colombia is calling for a nationwide Local Day of Action on September 27.

After 40 years, the Colombian civil war has ravaged the citizens and economy of the country. It is clear that there is no military solution – and any military victory will be short-lived if the root causes of the conflict are not addressed. We need a negotiated settlement if we want lasting peace. Throwing military aid and equipment at the problem will only escalate the violence. US support for peace talks will be invaluable in bringing about an end to violence against Colombian civilians.

The Colombia Mobilization was formed as a result of the deplorable human rights conditions in Colombia resulting from U.S. military spending in the region. The Mobilization is a national coalition of organizations and individuals working to transform US foreign policy towards Colombia and the Andean region. The Mobilization is committed to nonviolence in actions as well as supporting exclusively nonviolent, negotiated political solutions to the conflict in Colombia. The Mobilization does not support or endorse any armed actor in the Andean region.

Now is the time to act! The US Congress is currently deliberating on foreign operations spending for the coming year. The Bush administration has requested \$98 million to protect oil pipelines, once again favoring corporate interests over human lives. The administration has also advocated for the expansion of US military spending in Colombia to include counter-insurgency efforts, thus dragging the US into an ongoing 40-year conflict with no foreseeable end. The nearly \$2 billion that the US has allocated in the past two years in the name of counter-narcotics has proven grossly ineffective. This ineffective and inhumane use of our tax-dollars must stop! Organize now.

The purpose of the nationwide Local Day of Action is to encourage individuals and groups like you to organize actions in your communities and/or regions. Groups across the country already are planning events to educate the public and media about US military aid, aerial spraying of poison, US training of Latin American soldiers at the SOA/WHISC, and the shift to counterinsurgency policies that are fueling the violence in Colombia, devastating the environment, and displacing tens of thousands in the name of the “war on drugs” and “protecting US oil interests.” Through collective efforts, we will challenge decision makers to transform US policy and corporate practices toward Colombia.

What are you going to do!?!? Start planning now.

For ideas, strategies, resources, to connect with others in your area, and to let others know what you are planning, please visit our website at www.colombiamobilization.org ❖

Colombia Mobilization Phase II, April 2002

The following description is reproduced from the School of the Americas Watch website, <www.soaw.org>. For more information about protests in support of peace and justice in Colombia, and opposed to the traditional U.S. embrace of policies detrimental to human life and destructive of the environment, see also <www.colombiamobilization.org> and click on “Past Colombia Solidarity Actions.”

THE WEEKEND OF APRIL 20TH was a historic weekend in Washington, DC, as over 75,000 people gathered in the name of global justice to speak out against deadly U.S. policies. The Colombia Mobilization took place at a rally on Sunday of that weekend, and a solidarity march and nonviolent direct actions happened on Monday morning. A call to make changes in U.S. foreign policy to Colombia and to close to the US-terrorist training school, the School of the Americas, was demanded by the activists who gathered.

On Monday, nearly 3,000 protesters marched on the Capitol in a peaceful demonstration calling for a new, non-military US policy toward Colombia. Police on motorcycles and horses blockaded the streets near the Capitol. However, the march continued, flowing around the obstacles. After being illegally detained by police for an hour outside Upper Senate Park (the area secured for a permitted demonstration) protesters entered the park, where a final, joyous rally took place in celebration of the day’s victory. ❖



U.N. Mediation?

IN HIS VICTORY SPEECH on election night on May 26, then-President-elect Uribe surprised many by calling for international mediation (understood to mean essentially the United Nations, and maybe others, such as the European and Latin American countries and Canada, whose ambassadors played a key role in trying to save the peace process in January and February 2002) to get peace talks back on track with the Revolutionary Armed Forces of Colombia (FARC). He reiterated this call when inaugurated August 7, yet it was quickly rejected by the FARC.

There is concern on the part of many of the civic groups working for peace in Colombia that Uribe's call for mediation and its rejection by the FARC not be seen as merely going through the steps to then reject any possible peace process. For now, the Uribe administration has said that it has stated its willingness to pursue a peace process with international or U.N. mediation, but not without an international third-party mediator.

Uribe's position has become difficult in the face of pressure from relatives of several dozen politicians and army and police officers held by the FARC. The FARC has called for a prisoner exchange, seeking the release of several FARC members in exchange for the 23 politicians and 47 army and police officers. The relatives have called for direct talks between the government and the FARC to pursue this possibility, yet government officials have repeatedly said that the matter was in the hands of the United Nations. Nonetheless, on Sept. 1, government peace commissioner Luis Carlos Restrepo noted that the U.N. would not mediate talks regarding persons already kidnaped, but instead talks to end the practice of kidnaping. The U.N. representative in Bogotá clarified that this indeed was the case.

For more on civil society concerns that talk of mediation might be used by the Uribe administration to scuttle any possible talks, see "Colombia: Never-Ending War or International Mediation?" at www.codhes.org.co. ❖

Contact the Editorial Board of Your Local Paper

MANY OF THE LEADING NEWSPAPERS in the mainstream press in the United States have taken to editorializing about the situation in Colombia and U.S. policy there a few times a year. While some editorials are quick to support U.S. policy, and seem to ignore their own reporters' articles on Colombia (e.g. Washington Post, Feb. 24, 2002), others are quite critical, apparently calling for an about-face in U.S. policy, which is portrayed as an utter failure (e.g. Chicago Tribune, Feb. 22, 2002). In the above-cited editorial, the Post bunched the paramilitary forces together with the guerrillas, and thereby making it seem that the paramilitaries are somehow fighting the government forces, even though on its news pages the Post consistently reports that the paramilitaries are fighting alongside the government forces, not against them.

According to the Post, Colombia, "an important U.S. ally in Latin America," "needs, and deserves, a decisive change in what has been an unreasonably restricted program of U.S. support. The FARC has tens of thousands of fighters spread across the countryside, many of them engaged in cocaine trafficking as well as the massacre and abduction of civilians. There are also two other large guerrilla organizations, including one of the far-right that, in the name of fighting leftists, traffics in drugs and regularly slaughters innocent villagers and farmers." And further on: "To its credit, the Bush administration has recently begun moving to adjust Colombia policy to reflect its commitment to fighting terrorism after Sept. 11. The Post's conclusion: "This moderate democracy in the heart of the Americas is now fighting for its survival; the United States cannot fail to come to its defense."

The Tribune, in its Feb. 22 editorial, characterized the situation somewhat differently. It noted that the Pastrana government "has made no progress in defanging the paramilitary units that battle the guerrillas, but are responsible for most of the human rights atrocities in the nation. In the four-way conflict, paramilitaries have acted as surrogates of the army in combating the two guerrillas armies, mostly through a reign of terror." The Tribune's conclusions: "More military intervention or aid to Colombia – under any guise – would be a serious blunder." Arguing that instead the U.S. should throw its weight behind a reinvigorated peace process, the Chicago daily ended by noting: "President Bush's attempt to invoke the global war against terrorism rings hollow in this case. The fratricide in Colombia has been going on for decades, and is likely to continue long into the night. The U.S. need play no role in that mess."

Editorial board writers are usually open to meeting with citizen groups, international visitors, and others who may have unique insights into the subjects about which they write. In particular, those readers who have returned from Colombia from a delegation or a lengthier stay should, and local committees who are sponsoring visitors from Colombia, should try to work such appointments into their schedules. Try to get a hold of the paper's latest editorials on the subject, as well as its news coverage, so as to raise specific points. Editorial writers (and the press in general) play a key role in shaping opinion, and policy-makers, especially in Congress, pay attention to local paper's editorial positions on the issues of the day. ❖

Indigenous Leader Aldemar Pinzón Assassinated

ON THE EVENING OF FRIDAY, SEPTEMBER 6, 2002, Aldemar Pinzón, indigenous leader of the Association of Indigenous Cabildos of Northern Cauca (ACIN), was assassinated by two armed masked men in the indigenous territory of Huellas, Cauca. Aldemar was inside his home, at rest with his eight-month-old daughter, Eugenia, when the incident took place. Sadly, not only Aldemar, but also Eugenia, died as a result of gunshots fired by the assailants, whose affiliation to one of the armed groups is strongly suspected but remains unknown at this time.

Aldemar was a long-time indigenous activist, not only for the ACIN, but also in the rest of Cauca. He served several times as governor of his indigenous territory, Huellas. Aldemar had also previously belonged to the coordinating team of the Regional Indigenous Council of Cauca (CRIC), and was presently the coordinator of the Indigenous Jurisdiction Program in the ACIN.

The Association of Indigenous Cabildos of Northern Cauca (ACIN) is a grassroots indigenous organization that oversees the livelihood and well-being of 12 autonomous indigenous territories (known in Spanish as resguardos) in the northern region of the department of Cauca, Colombia. A branch of the larger and older department-wide organization Regional Indigenous Council of Cauca (CRIC), the ACIN was founded in 1994. One of the ACIN's many focuses is to coordinate the investigation of judicial and legal cases in northern Cauca, as established by the special jurisdiction recognized within the 1991 Colombian Constitution for all indigenous territories. The Indigenous Jurisdiction Program of the ACIN was created to successfully incorporate indigenous cultural practices and their forms of administration of justice into the Colombian legal system, as well as to strengthen the development of traditional judicial practices within indigenous territories under the recognition of the Colombian government. The ACIN's Jurisdiction Program is made up of representatives of each of the 12 resguardos and the program coordinator; together on behalf of the organization, they carry out every step in judicial cases involving indigenous community members, from investigating the crime to imposing a penalty. In discharging these legal responsibilities, the ACIN's Judicial Program has been able to process and resolve crimes such as homicides, theft, and others within the indigenous territories.

One of the ACIN's most recent problematic investigations has involved sentencing FARC militants in the assassination of Cristóbal Secue Tombe in June of 2001. A long-time indigenous leader and respected elder within the ACIN and CRIC, Cristóbal, named Master of Wisdom by the UNESCO, was the coordinator of the Judicial Program and one of Cauca's main proponents of special jurisdiction for the indigenous communities of this department. It is assumed he was killed for publicly condemning the FARC in his role as legal coordinator of the ACIN's Jurisdiction Program. Sadly, Aldemar, in replacing Cristóbal in this role, was also assassinated. ❖

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