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## **COLOMBIA AND ITS NEIGHBOURS: EARLY WARNING ANALYSIS**

**A Writenet Report by Natalia Springer  
commissioned by United Nations High Commissioner for Refugees,  
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## Acronyms

AUC	Autodefensas Unidas de Colombia – United Self-Defence Forces of Colombia
ELN	Ejército de Liberación Nacional – National Liberation Army
EU	European Union
FARC	Fuerzas Armadas Revolucionarias de Colombia – Revolutionary Armed Forces of Colombia
IDP	Internally Displaced Person
OAS	Organization of American States
SIVAM	Sistema de Vigilância da Amazônia – System for Vigilance in the Amazonas
UN	United Nations
US(A)	United States (of America)
USAID	United States Agency for International Development
VAT	Value Added Tax

## **Executive Summary**

For more than 40 years, Colombia has been ravaged by internal war, making it the country in the Western hemisphere where human rights and international humanitarian law are most gravely and persistently violated. The State is confronted with three major irregular armed actors, which came into existence in response to State absence and failure: the FARC and the ELN insurgents and the right-wing AUC coalition of paramilitary factions. These groups have grown dramatically over the last decade and their increasingly barbarous actions have generated more than 2 million internally displaced people, as well as more than 130,000 Colombian refugees in neighbouring countries.

The State has successively lost control over large parts of the rural areas which are effectively under the sway of the illegal armies. Several efforts at peace negotiations were unsuccessful and the current government of Alvaro Uribe has initiated an offensive policy to attack the insurgents and negotiate the demobilization of the paramilitaries. Although several key indicators of political violence fell sharply last year, the policy has been criticized both as authoritarian and as short-sighted, because it neglects socio-economic root factors of the violence. Some have also doubted its effectiveness, arguing that the guerrilla has not been substantially weakened so far.

Continuous low intensity warfare has brought suffering and hardship for many social groups. Civilians fall victim to mines, forced displacement, indiscriminate attacks, hostage taking and acts of terrorism perpetuated by the armed groups. Especially vulnerable are women, children and ethnic minorities. The vast majority of IDPs are women and children, and most are left with little, if any outside support. They are also frequently employed as combatants by the irregular armed actors. It is estimated that 25 per cent of illegal fighters are below eighteen years of age. Indigenous and Afro-Colombian communities suffer disproportionately from the armed conflict, leading to the conclusion that illegal armed actors are conducting a systematic campaign of extermination against Colombian minorities, which is largely ignored by the government but which may lead to the irreversible destruction of these cultures.

In the most likely scenario for Colombia's future development, the dramatic social and humanitarian situation will remain unchanged. State funding for national security will continue to have priority over humanitarian concerns, because the former is seen as crucial for President Uribe's re-election prospects. The government's security policy will continue to put pressure on the guerrillas, but also generate a growing number of human rights violations perpetrated by State agents. The FARC may start a new military campaign in the near future, which could include some urban terrorist acts, but will mostly concentrate on consolidating its rural territories and recuperate terrain lost to the AUC. The majority of AUC blocs will negotiate demobilization agreements favourable to their interests which consolidate the warlords' political and economic power in the regions. Other paramilitary factions will become increasingly indistinguishable from common criminals. Colombia's neighbours, while increasingly affected, will not be capable of mounting a concerted strategy to respond to the crisis, leaving the field once again to the United States. The future of US policy will hinge on the outcome of the presidential elections in November. The security situation is bound to remain volatile, with the added risk that armed robberies, kidnappings and contract killings may increase dramatically as ex-combatants are transformed into common criminals. Massive displacement will inevitably continue, although possibly at somewhat lower levels.

# 1 Historical and Political Background

For more than 40 years, Colombia has been ravaged by internal war. Historically weak, the State has lacked national integration and complete jurisdiction over its territory. A high degree of regional autonomy led to a political system where rivalling elites had to find mutual accommodation, as none was sufficiently strong to decisively defeat the other. Frequent periods of prolonged violence, among them the “War of 1,000 Days” (1899-1902), the era of “La Violencia” (1948-1965) and the current armed insurgency, can be seen as ultimately fruitless efforts to establish a unified national polity by force. In the early 1980s, the guerrilla conflict grew substantially more complex and violent with the appearance of drug trafficking cartels and counter-insurgent paramilitary groups, which started using terror tactics against the civilian population. The guerrilla conflict initially had an ideological basis and was directed against social exclusion and economic inequality, but today these political motivations appear discredited by the insurgents’ heavy involvement in various criminal activities, among them drug trafficking, arms smuggling, abduction for ransom and large-scale extortion.

In spite of the armed conflict, the country has experienced long periods of economic growth and political stability. This Colombian “paradox” finally collapsed under the strain of economic crisis, the increasing importance of the drug trade and the territorial fragmentation of the conflict. In the 1990s, the government faced mounting difficulties in containing the guerrilla and lost control of large portions of the rural areas. Several administrations tried to solve the conflict by negotiation, but were only able to conclude peace agreements with some minor insurgent groups. The most serious such effort led to the adoption of a new constitution in 1991, but the two largest guerrillas, the Fuerzas Armadas Revolucionarias de Colombia (FARC – Revolutionary Armed Forces of Colombia) and the Ejército de Liberación Nacional (ELN – National Liberation Army), stayed outside of the process.

Civil society organized massive marches and demonstrations against the ongoing violence and in favour of peace in the cities, but the failed peace processes left the humanitarian crisis even worse. During the period of negotiations, irregular armed groups had grown in size, economic resources, territorial presence and military capacity. Drug money infiltrated in ever larger quantities into the operations of these illegal armies. Repeated massacres and other atrocities illustrated the growing degradation of the confrontation, and internal displacement rose to record levels. Both guerrilla groups and paramilitaries took advantage of the absence of State security forces, and seized control of strategic border zones, thereby increasingly affecting Colombia’s neighbours.

Efforts at negotiation, with UN and other international mediation, continued during the presidency of Andrés Pastrana (1998-2002), but three years of negotiations with the FARC failed to achieve even agreement on a ceasefire.

Pastrana’s successor, Alvaro Uribe, opted for a strategy of confrontation and introduced a number of measures to re-establish effective control over the country, several of which were later declared unconstitutional. The government imposed a State of Emergency, increased military and police deployment, intensified coca eradication and infrastructure protection, expanded police powers and recruited citizens as government informers and peasant militias. Uribe’s hard-line policies found only limited support in Europe, but have been strongly supported by the US administration of President George W. Bush. In November 2002, the

paramilitary groups declared a unilateral cease-fire with the intention of entering into negotiations with the government. A first agreement was signed in July 2003, and demobilization talks are continuing amid numerous obstacles. During 2003, the guerrillas which are apparently undergoing a process of restructuring, reduced their attacks. Colombia's neighbours have been reluctant to respond positively to Uribe's pleas for more counter-insurgency cooperation.

## **2 Review of the Political and Security Situation**

### **2.1 Political Situation**

There are three major irregular armed actors in Colombia. The FARC and the ELN are insurgent organizations founded in the mid-1960s. The FARC grew out of communist self-defence units whose combatants chiefly originate from the peasantry, while the ELN was inspired by the Cuban revolution and recruited students, clergy and industrial workers. The paramilitaries are irregular counter-insurgency forces created in the early 1980s by cattle ranchers and drug lords with the collaboration of some Army members, whose basic strategy is the systematic use of massacres and displacement to create a social void around the guerrillas. Being forced to restructure after the collapse of the drug cartels, most paramilitaries came together in 1997 to form the Autodefensas Unidas de Colombia (AUC - United Self-Defence Forces of Colombia), a loose confederation of blocs under a national command. Guerrilla and paramilitaries have grown in size and territorial presence over the last decade. It is estimated that the FARC have between 16,000 and 20,000 combatants, the ELN has approximately 5,000 guerrillas and the AUC claim to have about 15,000 men under arms, although it is impossible to verify these numbers independently.

Active throughout the national territory, at the same time these actors have established consolidated geographical strongholds. The FARC control most of the sparsely populated South and Southeast (Putumayo, Caquetá, Guaviare and Meta), which is also the centre of Colombian coca production. The ELN has traditionally been strong in Arauca, Santander, and Bolivar, where most known petroleum reserves are found. The AUC have taken over the Northeast (Cordoba, Magdalena Medio, Uraba), where they have amassed extensive land holdings through expulsion and extortion. Although mostly lacking in popular support, each combatant group caters to a civilian constituency. The FARC protect many coca farmers, the ELN cooperates with local communities in the oil production zones and the AUC has a policy of resettling their supporters in their zones of influence. Attacks on civilians and criminal activities have severely damaged the domestic and international prestige of these actors, which are now listed as terrorist organizations by the EU and the US.

The FARC have now largely gone underground to restructure and avoid the offensive carried out by the security forces into traditional zones of guerrilla influence, which tries to capture or kill prominent members of their leadership. Trying to regain the political initiative, the FARC occasionally call for a prisoner exchange, but refuse talks about a ceasefire or peace. Since the government has equally rejected negotiations on the guerrillas' terms, the opening of serious peace talks is highly unlikely for the remainder of President Uribe's term. There are currently speculations about the possible death of supreme FARC Commander Manuel Marulanda and subsequent conflicts between the military and the political wing in the guerrilla's leadership.<sup>1</sup> Aside from being an unsubstantiated rumour, Marulanda's eventual

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<sup>1</sup> Lara, P., La hora final de Tirofijo, *Revista Dinners*, 17 February 2004; Alfonso Cano lidera las FARC, *El Nuevo Herald* [Miami], 30 May 2004

death would not create a major crisis for the quite consolidated organization of the FARC, unlike the case of the ELN, which was severely affected by the death of its political leader Manuel Perez in 1998. Even under new leadership, the FARC would still pursue their political and military goals and the low-intensity conflict would continue.

The ELN is currently experiencing internal difficulties and growing military pressure from the paramilitaries and the public security forces. This crisis should be regarded with caution, however, since the ELN has in the past shown itself very unpredictable and prone to irrational and highly destructive behaviour when under pressure. It is doubtful whether the group's recently expressed interest in peace talks (currently facilitated by Mexico) is serious, since neither the government nor the guerrilla has suggested any fundamental departure from their so far irreconcilable differences. However, the opportunity offered by such talks should not be rejected lightly, even if it is highly probable that both the government and the ELN are looking to exploit the occasion for short-term political and strategic advantage. Talks would at least maintain an open channel of communication, and increase the chances of preventing unilateral escalation of the confrontation as well as allowing the constructive involvement of regional actors.

The paramilitaries committed themselves to full disarmament and demobilization by 2005 in the Ralito Accord of July 2003. This timetable looks increasingly unrealistic.<sup>2</sup> The undefeated AUC started pursuing disarmament with the belief that it opened an opportunity to enter Colombia's legitimate political establishment. The disappeared Carlos Castaño and the current AUC leader, Salvatore Mancuso, have long harboured ambitions for public office. Recent events like the controversial appearance of an unrepentant Mancuso before Congress show how the paramilitaries are rapidly becoming an accepted part of Colombia's political landscape. As there is no effective impartial verification of their demobilization and they are protected from government sanctions in their "concentration zones", they can repeatedly violate their official ceasefire with impunity. From a position of strength, the paramilitary commanders boldly pursue their goals: transforming their armed clandestine groups into legal political parties, receiving an amnesty for their multiple atrocities, avoiding extradition and legalizing the vast land holdings they have acquired during the war.

President Uribe has invested considerable political capital in these talks, but appears without a clear plan. It looks as if the AUC are dictating the agenda of the negotiations. The government will try to keep the process alive, even if that means abandoning the rule of law or Colombia's international obligations. It is even possible that Uribe defies the explicit wishes of the United States and concludes a demobilization accord with the paramilitary commanders in exchange for a non-extradition guarantee. The talks will probably conclude with some kind of agreement, which will be favourable to the AUC's interests, dismantling most of their military structure and scrapping obvious connections with criminal activities, but leaving their political and strategic project intact.

Since becoming president in August 2002, Uribe has largely ignored Congress and existing political parties in his drive to implement his political and economic agenda. In the name of the war on terror, important features of the Constitution of 1991 have been curtailed by

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<sup>2</sup> International Crisis Group, *Demobilising the Paramilitaries in Colombia: An Achievable Goal?* Bogotá; Brussels, 5 August 2004

legislation restricting civil liberties, among them the “Anti-terrorist Statute”<sup>3</sup> which grants extensive new powers to the police and armed forces. However, on 31 August 2004, the Constitutional Court declared the Anti-terrorist Statute void on formal grounds. The Uribe government immediately announced that it would reintroduce the measure.<sup>4</sup>

When Congress refused to authorize a constitutional reform bill, Uribe took the unusual step of organizing a referendum in October 2003. This created considerable ill-will among legislators who felt personally threatened by the referendum’s proposal to reduce the number of seats in Congress. When the referendum failed, the president was compelled to seek support from lawmakers to enact tough economic reforms, including unpopular tax raises. The administration has had hardly any success on economic reform and recently failed to get its nominee for the Constitutional Court appointed.<sup>5</sup> Apparently, Uribe’s supporters in Congress are increasingly unhappy and will try to extract more concessions from the government in exchange for their votes. The dynamics in Congress will affect the amnesty bill for demobilized combatants, which was rejected in its original form on the grounds that it would permit generalized impunity, and which will be discussed again in an amended version later this year. Another proposed reform would abolish the constitutional prohibition on the president standing for election for a second four-year term. President Uribe has public approval rates of around 70 per cent and will try to get congressional backing for this proposal.

It is difficult to assess how the president’s eventual re-election possibilities will affect the development of the armed conflict. Various scenarios are possible. The FARC and the ELN might adopt a strict survival strategy, reaffirming their policy of not negotiating with the government and remaining underground. They might try to gain time by signalling their desire to enter ceasefire negotiations with the government. Recent developments seem to indicate that the FARC are effectively aiming to initiate talks on a prisoner exchange with the government.<sup>6</sup> However, it is also possible that they could launch a major terrorist offensive in the months or weeks preceding the elections in an attempt to prove the government’s success stories wrong and affect the outcome at the polls.

The United States has provided US\$ 3.2 billion in assistance to Colombia over the past five years, 80 per cent of which has been in the form of military and police aid.<sup>7</sup> Long-term US interests in Colombia include curtailing cocaine production, securing oil exports and preventing the conflict from spilling over into neighbouring countries. The US Congress has placed the various aid programmes under strict oversight and surrounded by conditions. After the terrorist attacks on the USA of 11 September 2001, many in the Colombian elite saw an opportunity to force some concessions from the US government in return for entering the antiterrorist alliance, especially a freer hand against the insurgents. The Bush administration

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<sup>3</sup> United Nations Country Team in Colombia, *UN Humanitarian Situation Room - Colombia Report December 2003*, Bogotá, 31 December 2003

<sup>4</sup> Corte Constitucional tumbó Estatuto Antiterrorista por vicios de procedimiento en plenaria de la Cámara, *El Tiempo* [Bogotá], 31 August 2004

<sup>5</sup> Congreso: ¿Nueva derrota para el gobierno? Sierra, nuevo magistrado de la Constitucional, *El Tiempo* [Bogotá], 4 August 2004

<sup>6</sup> Gobierno califica de positivas las declaraciones de las Farc sobre intercambio humanitario, *El Tiempo* [Bogotá], 6 September 2004

<sup>7</sup> Center for International Policy, Colombia Program, *US Aid to Colombia Since 1997: Summary Tables*, Washington, 2004, <http://www.ciponline.org/colombia/aidtable.htm> [accessed September 2004]



has financially and politically underwritten this Colombian initiative, but closely monitors cooperation on drugs trafficking. Concern about the possibility of impunity as well as the human rights record of the Colombian armed forces have also been expressed, repeatedly so by Secretary of State Colin Powell.

Colombia's relations with its neighbours have been troubled over the last few years. The widening and increasingly brutal conflict has started to directly affect neighbouring Venezuela, Ecuador, Panama, and to a lesser extent also Brazil and Peru. The 9,000 km of Colombian land and sea borders are abandoned and uncontrolled and facilitate refugee movements, drugs and arms smuggling and incursions by regular and irregular forces. Neighbours blame Colombia for not doing enough to contain the conflict, but also worry about the growing militarization, the environmental impact of chemical coca eradication and the increasing US influence in Colombia. The Colombian government, on the other hand, is increasingly irritated by the country's neighbours' seeming passivity or even tacit tolerance (in the case of Venezuela) in the face of heightened irregular armed activities in the border zones.<sup>8</sup> The whole Andean region is characterized by growing political and economical instability with Colombia at its epicentre. Each of the countries is preoccupied with its own domestic problems, and no policy-maker appears so far to have understood that common challenges like armed conflict, cross-border crime, economic crises and ungovernability require comprehensive and cooperative strategies.<sup>9</sup>

## 2.2 Human Rights Situation

There is no country in the Western hemisphere where human rights and international humanitarian law are more seriously and persistently violated than in Colombia. In the past decade an estimated 40,000 individuals fell victim to political assassination, and more than 2 million people were displaced from their homes. Between 1996 and 2003 on average 3,000 people were kidnapped each year. All sides in the conflict violate the most basic norms of humanitarian law by committing or tolerating systematic atrocities against civilians. The human rights situation has been critical for a number of years, and the right to life, to physical integrity, to freedom and due process, to independence and impartiality of justice, to respect for privacy and the home, as well as the fundamental freedoms of movement, residence, opinion and expression, as well as political rights, are violated frequently and with impunity.<sup>10</sup>

After rising continuously for many years, some key indicators of political violence fell sharply last year, but as preceding years saw record figures, today's reduced numbers still fall above the long-time average.<sup>11</sup> The year 2003 saw more than 3,000 political murders, while at least 600 persons "disappeared" and around 2,200 were kidnapped. There are significant regional variations. The majority of confrontations and human rights violations take place in Colombia's rural areas. Strategically located departments like Nariño, Cauca, Arauca, Chocó,

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<sup>8</sup> Malamud, C., *El complejo proceso para la paz en Colombia: Las difíciles relaciones de Colombia con sus vecinos*, Madrid: Real Instituto Elcano der Estudios Internacionales y Estratégicos, October 2003

<sup>9</sup> International Crisis Group, *Colombia and its Neighbours: The Tentacles of Instability*, Brussels; Bogotá, 8 April 2003

<sup>10</sup> United Nations, Commission on Human Rights, Report of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Colombia, E/CN.4/2004/13, 17 February 2004

<sup>11</sup> Restrepo, J. and Spagat, M., *The Colombia Conflict: Uribe's First 17 Months*, University of London, Department of Economics, March 2004 (unpublished paper)

Huila, Antioquia and Putumayo as well as Magdalena Medio and Catatumbo regions are especially hard hit by attacks on the civilian population, sabotage of infrastructure, and road blocks.

The ubiquitous political and drug-related violence severely restricts free expression and the freedom to organize. Human rights defenders and journalists are frequently murdered. Harassment and violence against non-violent political opposition and trade unionists is commonplace. No government has so far been able to accomplish a significant and sustainable pacification of the countryside or provide a genuine guarantee of its citizens' rights, be it for lack of resources or for lack of commitment.

International observers are receiving growing numbers of complaints of arbitrary or illegal detentions, forced disappearances, extra-judicial executions and torture, where public servants have been directly responsible. There are also credible reports of abuses in connection with the increasingly common tactic of mass arrests, which are frequently based on poor or manipulated information, some provided by secret informants. The judicial system is unable to deal with these violations adequately, leading to an impunity rate for violent crime, which lies above 95 per cent.<sup>12</sup> Impunity is aggravated by well founded accusations that Attorney General Luis Camilo Osorio is undermining or blocking the investigation of major cases of human rights violations.<sup>13</sup> All these factors are encouraging the common perception among military and paramilitary forces that human rights abuses are an acceptable form of warfare.

Colombia is a party to the Ottawa Convention on land mines<sup>14</sup> and has undertaken mine stockpile destruction, but the use of home-made anti-personnel mines and other explosive devices by irregular armed actors has increased considerably. In 2002 a total of 638 mine incidents were reported. The number of reported mine and unexploded ordnance casualties more than doubled from 216 in 2001 to 530 in 2002. There are 960 mined areas registered, which affect all but two of Colombia's 32 departments. Estimates assume that at least 100,000 mines are laid out all over the country, making minefields a serious security risk and a major obstacle to reconstruction. Antioquia is the most seriously affected department, followed by Santander, Bolivar, Norte de Santander, Caqueta and Arauca.<sup>15</sup>

Due to Colombia's geography, combatants rely almost exclusively on small arms and light weapons. Illegal arms trafficking continues to increase among guerrillas, paramilitaries and private citizens, effectively creating an internal "arms race". FARC and ELN buy weapons to attack the government, causing the AUC to step up its own acquisition initiatives to counter the guerrillas, which in turn results in heightened violence and prompts many citizens to purchase guns for personal protection. The ceasefire declared by the AUC has not broken this

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<sup>12</sup> United Nations, Commission on Human Rights, Report ...

<sup>13</sup> Human Rights Watch, *Colombia: A Wrong Turn - the Record of the Colombian Attorney General's Office*, New York, November 2002; Human Rights Watch, *Colombia: Prosecution Problems Persist*, New York, 11 March 2004 (press release)

<sup>14</sup> Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, Ottawa, 1997

<sup>15</sup> International Campaign to Ban Landmines, *Landmine Monitor Report 2003*, New York, 2003

dynamic, as several recent large weapons seizures from the paramilitaries confirm.<sup>16</sup> Common criminals also have almost unlimited access to guns and assault weapons. Estimated totals of civilian guns in circulation vary widely, between 4.2 million and 10.2 million. These figures do not include military-issue weapons, which number hundreds of thousands. Official initiatives to withdraw guns from circulation are totally inadequate and marred by corruption.<sup>17</sup>

Given the insecurity and lack of economic prospects, increasing numbers of Colombians are choosing to emigrate, mostly to the United States, but also to other destinations. It is estimated that approximately one million Colombians have abandoned their country during the last six years in search of better opportunities. A total of more than four million people born in Colombia live outside the country, equivalent to about 10 per cent of the population.<sup>18</sup>

In many departments, the armed dispute over control of territory and resources, including illicit drugs cultivation, produces a continuous exodus of civilians, mainly from rural to urban areas. It has long been recognized that forced displacement of the civilian population is employed as a deliberate strategy by insurgents and paramilitaries alike in their efforts to assert control over territory.<sup>19</sup> After the disastrous year 2002, when a record 412,000 people were displaced, the level of new displacement decreased in 2003. However, most recent figures show a new surge in the first six months of 2004.<sup>20</sup> The cumulative number of IDPs continues to grow, as security conditions generally prevent people from returning to their communities of origin, and consecutive or intra-urban displacement of already displaced people is spreading. Many IDPs do not register with the authorities out of fear for their safety. Armed actors are also increasingly resorting to the tactic of completely blocking access to contested villages, which leaves affected civilians no possible escape route.

Given the magnitude of the humanitarian crisis, there is still no effective structural response by the State. According to the government's own information, 114,939 households of the total 301,260 officially registered since 1994 as displaced have not received any kind of humanitarian aid.<sup>21</sup> The number of Colombian refugees in neighbouring countries has also

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<sup>16</sup> Incautan en Colombia armas procedentes de Nicaragua, *El Nuevo Herald* [Miami], 26 July 2004; Caen cuatro toneladas de explosivo Anfo de los paramilitares en la Sierra Nevada de Santa Marta, *El Tiempo* [Bogotá], 4 August 2004

<sup>17</sup> See Cragin, K. and Hoffman, B., *Arms Trafficking and Colombia*, Santa Monica: RAND, 2003; Graduate Institute of International Studies Geneva, Small Arms Survey, *Small Arms Survey 2004: Rights at Risk*, Oxford: Oxford University Press 2004; Colombia, *Reporte nacional de la implementación del Programa de acción de las Naciones unidas para prevenir, combatir y erradicar el tráfico ilícito de armas pequeñas y ligeras en todos sus aspectos*, Bogotá, 30 April 2003, <http://disarmament.un.org:8080/cab/nationalreports/2002/colombia.pdf> [accessed September 2003]

<sup>18</sup> González, C., *Remesas en Colombia: desarrollo y marco legal*, Bogotá: Organización Internacional para las Migraciones, 2004

<sup>19</sup> Deng, F., Ponencia del Representante Especial de las Naciones Unidas para los Desplazados Interno, in, United Nations High Commissioner for Refugees and Consultoria para los derechos humanos, *Desplazamiento forzado interno en Colombia*, Bogotá, 2001

<sup>20</sup> Consultoria para los derechos humanos, *Crece el desplazamiento en las zonas neurálgicas de la seguridad democrática*, Bogotá, 6 September 2004

<sup>21</sup> Según ACNUR, el desplazamiento forzado en Colombia disminuyó, *El Espectador* [Bogotá], 11 August 2004

increased dramatically and is now estimated to total at least 130,000 (since 1995), of whom 70,000 are in Ecuador, 50,000 in Venezuela and 10,000 in Panama.<sup>22</sup>

### 3 Review of Early Warning Indicators and Factors

#### 3.1 Socio-economic Conditions - IDP Livelihoods

Colombia has a population of 44.2 million (2003 estimate) and a very great diversity of natural resources suggesting considerable economic potential, but social inequality and exclusion have long characterized the country's development. According to UN figures, 8.2 per cent of the population live on an income of less than one US dollar per day, while 22.6 per cent have less than two US dollar per day. In 2003 an estimated 64.8 per cent of the population lived below the national poverty line, up from 50.3 per cent in 1997. Colombia is one of the most unequal countries in the world, where the richest 10 per cent of the population receive 46.5 per cent of national income.<sup>23</sup> In 2004 Colombia occupied position 73 in the UN's Human Development Index, down from 68 in 2000.<sup>24</sup>

The armed conflict contributes to the social deterioration by destroying Colombia's human, physical, natural, and social capital. Estimates put the human capital cost of assassinations at four per cent of annual GDP, while damage to the environment and infrastructure amount to at least another two per cent.<sup>25</sup> Colombia has one of the most serious deforestation problems in the world, as much of the rain forest is destroyed by coca production and aerial eradication spraying. Trust between different social groups is virtually absent and studies have shown that inequality plays a large part in creating such a state of affairs.<sup>26</sup> After the very grave crisis of 1999, the economy is slowly recuperating, reaching 3.79 per cent growth in 2003, but the effects of economic growth never reach the poor sectors of the population. Officially recorded unemployment stands at 14.7 per cent, but this does not include the informal sector.<sup>27</sup> The level of the national debt is showing signs of getting out of control with increasing military spending, and the government has announced a plan to introduce a new general four per cent value added tax (VAT), applicable to all currently exempt basic household goods.<sup>28</sup> Such a tax would hit the poorest sections of the population especially hard and make their already difficult circumstances even more complicated.

Displaced people are among the most vulnerable and marginalized communities in Colombia. The one and a half million people who have been displaced over the last ten years are not only economically disadvantaged but also socially stigmatized and discriminated against. It tends to be assumed – erroneously – that those who have suffered displacement have done so

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<sup>22</sup> Consultoria para los derechos humanos, *Vecinos en el borde de la crisis*, Boletín informativo, No. 49, Bogotá, 2004

<sup>23</sup> World Bank, *Inequality in Latin America & the Caribbean: Breaking with History?*, Washington, 2003

<sup>24</sup> United Nations Development Programme, *Human Development Report 2004: Cultural Liberty in Today's Diverse World*, New York, 2004

<sup>25</sup> Solimano, A. (Ed.), *Colombia: Essays on Conflict, Peace, and Development*, Washington: World Bank, 2000.

<sup>26</sup> Cardenas, J. C., "En Vos Confio": An Experimental Exploration on the Micro-Foundations of Trust, Reciprocity and Social Distance in Colombia, Bogota: Javeriana University, 2003 (unpublished paper)

<sup>27</sup> University of Medellin, Centro de Investigaciones Económicas, Administrativas y Contables, *Coyuntura Económica de Colombia*, Medellin, June 2004

<sup>28</sup> Colombia's Economy: The Price of Re-election, *The Economist* [London], 5 August 2004

because of their sympathy for one or other of the illegal armed actors, and this frequently leads to renewed persecution in the receiving communities. IDP livelihoods are extremely precarious and IDP households are lacking in practically all respects: 80 per cent have insufficient access to nutritional foods, 63.5 per cent live in inadequate housing, only 22 per cent receive medical attention, and only 33 per cent possess identification papers, while 25 per cent of IDP families cannot afford primary school for their children and 52 per cent do not send their children to secondary school.<sup>29</sup> None of these conditions has changed substantially over the last few years and in spite of the decrease in the number of newly displaced persons, it is not likely that they will improve in the near future.

### **3.2 Strength and Weakness of the State in Colombia and Its Neighbours**

The Uribe administration has reduced the multiple dimensions of Colombia's human rights and humanitarian emergency to a purely military confrontation. According to this view, violence can be brought under control by strengthening the repressive apparatus and unrelentingly combating the insurgents. The existence of a two-sided armed conflict is denied, and the confrontation framed in terms of a "war on terrorism". This permits the limitation of the bill of rights and the affirmation that international humanitarian law does not apply. As several key violence indicators have in fact been reduced, the government claims success. However, the human rights situation in conflict areas such as the government-declared "rehabilitation and consolidation zones" has actually worsened.<sup>30</sup>

Even if the strategy has achieved some limited results, this approach overlooks the fact that sustainable pacification requires improvements to the civilian and welfare presence of the State in neglected communities. The Uribe administration has not been successful in translating military "conquests" into tangible improvements of the human security of society's most vulnerable sectors. As State welfare spending has been substantially redirected and military and police recruits mainly come from disadvantaged sectors, the poor end up paying the largest share of the cost of the security policy. State weakness is even manifest in the security sector (there are 850,000 private security guards),<sup>31</sup> but especially apparent in the social welfare field. Attention to most urgent IDP needs is insufficient and too little public funding is available to cope with the magnitude of the problem. It is unlikely that the necessity and urgency of taking action is unknown to the government, which has received numerous recommendations from international experts and organizations. The Constitutional Court has adopted several rulings protecting the rights of the displaced population. Numerous regulations and government decrees on the matter exist, but these have not been put into practice, suggesting that what is lacking is the political will to really regard the humanitarian needs of IDPs as a public priority. Given the current administration's single-minded focus on military security, it is hard to see a policy shift coming from inside the bureaucracy.

The countries most affected by the influx of Colombian refugees, Ecuador, Venezuela and Panama, present different political pictures and also differ widely in their response to the refugee challenge. Ecuador is a country characterized by a very severe economic and social

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<sup>29</sup> Global IDP Project, *Country Report: Colombia*, Geneva, February 2004, <http://www.db.idpproject.org/Sites/idpSurvey.nsf/wCountries/Colombia> [accessed September 2004]

<sup>30</sup> Colombia, Procuraduría General de la Nación, *Informe especial sobre la Zona de Rehabilitación de Arauca*, Bogotá, 10 June 2003; Amnesty International, *Colombia: A Laboratory of War: Repression and Violence in Arauca*, London, 20 April 2004

<sup>31</sup> Center for Strategic and International Studies, *Security Threats Faced by Latin America: A Conference Report*, Washington, 29 June 2004

crisis, a restless indigenous movement, and high political instability. President Lucio Gutierrez, elected in 2002, is a former army colonel who participated in the military coup which brought down the democratic government of Jamil Mahuad in 2000. He has no parliamentary majority and must move very carefully not to alienate powerful business interests. Ecuador, which has received the largest number of Colombian refugees in the last six years, has been very open until recently and tried hard to cope as best as possible with the situation. Some more restrictive measures have now been introduced.

Venezuela, which shares the longest boundary with Colombia, is also in the midst of a political crisis. Deadlock between the government of President Hugo Chavez and the bitterly hostile opposition forces has already led to a failed coup attempt and a recall referendum against the president, which was won this August by Chavez. Reinforced, the president called for national unity and better relations with the US, which is a major buyer of Venezuelan oil. Chavez has repeatedly clashed with senior Colombian officials, who have accused Venezuela of clandestine support for the FARC. The government has not given Colombian refugees a high priority, due partly to the fact that in the course of the country's oil boom, about 1.4 million Colombians have moved to live and work in Venezuela where they often suffer discrimination and abuse. Chavez keeps fighting for political survival, with little else on his mind, but recent legislation on granting temporary protection to Colombians has begun to be implemented.

Panama is politically stable, but its informal tolerance of Colombian refugees appears to be coming to an end. According to reports, Panamanian police is stepping up its campaign against illegal residents and several hundred have been repatriated, often against their own will. Primary aid, food and shelter provision and health care are completely inadequate.

### **3.3 Public Discourse, Ideological Stances**

The Colombian government has a policy of continuously feeding the country's mass media with statistics of guerrilla casualties and other reports about operational successes by the security forces. This information is hard to verify independently and generates the impression that the insurgency is close to defeat. At the same time, there is hardly any objective reporting on human rights violations by State agents. Self-censorship and bias in the media is only one part of the campaign which the government wages to sustain its hard-line image and high popularity. President Uribe has consciously opted for using the label "terrorists" when referring to the insurgency, and has lobbied hard for other countries officially to categorize the FARC and ELN as "terrorist organizations".

At the same time, the government remains highly sensitive to criticism. Public questioning of the president's strategy is hardly tolerated, and expressions of legitimate dissent are viewed with suspicion and intolerance. Uribe has accused human rights NGOs of being "terrorist collaborators", and criticized Amnesty International for showing "with actions and words" that "it wants terrorism to triumph" in Colombia. Vice President Santos dismissed a recent letter signed by 23 US Senators, including John Kerry and John Edwards, asking President Uribe for full and speedy implementation of the UN's human rights recommendations, as "electoral politics". Such declarations which come on top of many similar ones by regional and national officials, contribute to a general polarization of society and indirectly prepare the ground for more abuses and atrocities. The FARC have likewise done nothing to de-escalate the verbal confrontation, calling Uribe a "dictator" who is waging a "fascist crusade against the Colombian people". Each side maintains its uncompromising ideological posture, systematically demonizing the other. There exists no willingness to retract or signal some

recognition of the other as a valid interlocutor, which would be a requirement for starting any kind of talks between the warring parties.

### **3.4 Effects of Guerrilla and Counter-guerrilla Activity**

As already mentioned, the military is currently undertaking large-scale counter-insurgency operations in various parts of the country. One of these offensives is the “Patriot Plan” which was initiated in late 2003 and consists of 17,000 troops and special forces which were deployed to cover an area of approximately 260,000 square km in the departments of Caqueta and Meta. Experts recognize that so far the FARC have not suffered major losses; they are keeping their leadership intact and are engaging in a strategic retreat. However, regional NGOs have warned that large-scale military operations could be very detrimental to the civilian population and provoke mass displacements. Should this happen, neighbouring Ecuador could be directly affected.<sup>32</sup> Various communities are also reporting that they are completely surrounded and that food and medical supplies are blocked.

There are also indications that the FARC may start a strategic offensive of their own, very likely into a territory controlled by the paramilitaries, which would divert attention and possibly manpower from the security forces roaming the guerrilla’s heartland. FARC actions over the last few months including car bomb attacks (Andinópolis), ambushes of military patrols (Bota del Cauca, centre of Valle, road from Pitalito to Mocoa), assaults on towns (La Llanada, La Salina, Samaná, Ricaute, Cumbitara, Sotomayor, Mallana), massacres (La Gabarra, San Carlos) and forced displacement (Cocorná) show a pattern of escalating hostilities which might announce a coming FARC offensive.

The AUC does not appear to be very keen on starting major combat operations against the guerrilla just now, when their negotiations with the government are in a delicate phase, although there are reports of frequent armed clashes between different paramilitary formations, e.g. between the Centauros Block and the Autodefensas Campesinas del Casanare. Should the army continue the “Patriot Plan” and the FARC mount a large new offensive of coordinated strikes, the humanitarian fallout would be considerable.

### **3.5 Influence of External Players**

Venezuela’s referendum was unable to resolve the deep political crisis which has affected the country for several years now. Tensions keep simmering, the opposition is unreconciled and the risk remains that Venezuela’s democratic institutions could collapse. After obtaining over 59 per cent of the referendum vote, and international recognition for his renewed mandate until February 2007, President Hugo Chavez promised that he would accelerate reforms aimed at distributing Venezuela’s resources more fairly. If Chavez makes good this promise and implements tougher agrarian and social reforms, which will naturally hurt the wealthier segments of society that also form the backbone of hard-line political opposition against the president, Venezuela is heading for further political storms in the near future. The country remains extremely polarized, although an outbreak of civil war appears highly unlikely.<sup>33</sup>

The total lack of political consensus in Venezuela also affects the conduct of the country’s foreign policy. There is no unanimity with regard to Venezuela’s role in the Colombian

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<sup>32</sup> Inter Press Service News Agency, Colombia: Plan Patriota empieza a salir de la sombra, Bogotá, 25 June 2004.

<sup>33</sup> International Crisis Group, *Venezuela: Headed Towards Civil War?* Quito; Brussels, 10 May 2004

conflict, with Chavez declaring “neutrality” and the opposition leaning more towards the policies followed by the US and Colombian governments. Venezuela’s declaration of “neutrality” represents a clear rejection of the Uribe government’s view that there is no internal armed conflict, but that it is only conducting counter-terrorist operations. According to the precepts of international law, neutrality can only be declared if an armed conflict exists, and both sides are recognized as possessing some amount of legitimacy.<sup>34</sup>

It follows that Venezuela’s influence on Colombia’s conflict will remain severely limited. The Chavez government will be tied up with its domestic problems, and try to keep Colombia’s troubles outside of its borders. In so far as the Colombian conflict has already established a foothold on Venezuelan territory (especially in the frontier regions), local Venezuelan officials have been reported to reach pragmatic understandings with Colombia’s irregular armed actors.<sup>35</sup> In exchange for non-interference, these groups are apparently so far refraining from striking on Venezuelan territory.

Panama, which on the face of it is a consolidated democracy, is confronted with very significant challenges in the form of corruption, which threatens to undermine the rule of law. There are high rates of poverty (40 per cent) and social inequality in the country, which especially affect the indigenous people, 95 per cent of whom live in poverty. Panama’s economic crisis finds expression in an unemployment rate of 20 per cent, an 8 per cent decrease in annual exports and a 23 per cent drop in industrial production. Insecurity has grown and crime rates are up by 15 per cent. The last presidential administration of Mireya Moscoso (1999-2004) left office without having been able to achieve any measurable reduction in the proportion of poor people. The situation along the border with Colombia is tense and the Panamanian government has grave concerns about repeated incursions by Colombian irregular armies and penetration by drug trafficking. Some sectors of society have called for the reestablishment of a National Army, which was abolished after the fall of military dictator Noriega in 1989, while others want to bring the US Armed Forces back in, which have left Panama as part of the Canal Zone devolution. The new president, Martin Torrijos, who was elected in May 2004 and inaugurated on 1 September, does not support this position, but has promised an increase in the number and capacity of the country’s security forces.<sup>36</sup> Other promises included a vigorous campaign against rampant corruption and several constitutional reform initiatives, which will take up a large part of the new government’s time and energy.

For the Colombian government the change in Panama is potentially problematic, since President Moscoso has been one of the few firm supporters of Uribe’s policies in the region. A possible indicator of growing distance could be seen in that president-elect Torrijos, who has visited a number of European and Latin American countries since his election, met his next-door neighbour Alvaro Uribe fairly late. It is also telling that the FARC guerrilla have congratulated the new Panamanian president, who they believe will continue the tradition of his deceased father, left-wing nationalist and former strongman of Panama Omar Torrijos (1968-1981).<sup>37</sup> It seems clear that the new administration in Panama will be more detached

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<sup>34</sup> Moir, L., *The Law of Internal Armed Conflict*, Cambridge: Cambridge University Press, 2002

<sup>35</sup> Ellner, S., Venezuela’s Foreign Policy: Defiance South of the Border, *Z Magazine*, November 2000, <http://zena.secureforum.com/Znet/Zmag/nov00ellner.htm> [accessed September 2004]

<sup>36</sup> Royo, N., *Las elecciones en Panama*, Madrid: Real Instituto Elcano, 28 April 2004

<sup>37</sup> Agencia de Noticias Nueva Colombia, Las FARC saludan a Martin Torrijos, 16 May 2004, <http://www.anncol.org/side/547> [accessed September 2004]



from the Colombian government's position, returning the country to the Latin American mainstream regarding the conflict in Colombia: non-interference and protection of what is seen as short-term self-interest.

Ecuador is maybe Colombia's neighbour most affected by the armed conflict. Not only growing numbers of refugees, but also increasing cross-border crime and instability, as well as the environmental fall-out of aerial coca eradication in Colombia have a negative impact on Ecuador.<sup>38</sup> A resurgence of criminal activity in all its forms has been reported, due in large part to international organized crime filtering into Ecuador. During the period from January 2003 to May 2004 the authorities broke up 48 criminal gangs.<sup>39</sup> The humanitarian situation in the border provinces, which are most affected by the influx of Colombian refugees, is extremely poor, and the government in Quito is completely overwhelmed.<sup>40</sup>

Under its current president, Lucio Gutiérrez, who took office in January 2003, Ecuador has made a remarkable turnaround in its policy on the Colombian conflict. While campaigning for office as part of a heterogeneous coalition of indigenous groups, social movements, labour unions and other leftist forces, Gutiérrez announced that he was categorically opposed to Plan Colombia and Ecuador's eventual participation in it, because it would contribute to "unnecessary killing and genocide in Colombia".<sup>41</sup> Once in office, however, Gutiérrez opted to cooperate closely with the US and Colombian governments, and in May 2003 initiated a resolution by the Rio Group urging the United Nations to do more to resolve the Colombian conflict. If the UN were to fail in its mediation efforts, the world should help Colombia to combat the guerrilla, according to Gutiérrez. This unexpected policy shift, in combination with several other decisions which ran completely counter to the president's initially stated objectives, have largely eroded Gutiérrez' popular support. His political allies have mostly abandoned him, his approval ratings stand below 20 per cent, the opposition is collecting signatures for his recall and the army is becoming restless about the impact Plan Colombia is having on the country. Indigenous leaders are organizing renewed protests, similar to those which brought down several of the president's predecessors in the past. It is increasingly likely that president Gutiérrez will not remain in office to the end of his term in 2007.<sup>42</sup>

The majority of Ecuadorians refuse to become actively – far less militarily – involved in Colombia's internal conflict. Some policy makers in Quito are convinced that the government of Alvaro Uribe is actively trying to spread the conflict to its neighbour, by pushing the guerrilla south, aggressively spraying the border areas with coca eradication chemicals, not protecting its own side of the frontier against the crossing of irregular armed actors and pressing the Ecuadorian government to declare the Colombian guerrilla "terrorist groups". Under such extremely volatile circumstances, the government of Lucio Gutiérrez will have to tread very carefully to avoid being toppled by the growing waves of popular discontent, and is highly unlikely to become more actively involved in the conflict. In fact, earlier this year

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<sup>38</sup> Montufar, C. and Whitfield, T. (Eds.), *Turbulencia en los Andes y Plan Colombia*, Quito: Universidad Andina Simon Bolivar, 2002

<sup>39</sup> United Press International, Analysis: Ecuador's Borderless Crime Wave, 23 July 2004

<sup>40</sup> La frontera es huérfana de políticas sociales, *El Comercio* [Quito], 15 March 2004

<sup>41</sup> Quoted in Toro Quincenario, M., Ecuador: Un comedido abre las puertas de Colombia, *Revista Koeyu Latinoamericano* [Caracas], 28 June 2003

<sup>42</sup> Osío Cabrices, R., Ecuador: A Lucio Gutiérrez se le acaba la suerte, *El Nacional* [Caracas], 2 September 2004

Gutiérrez repeatedly denied any intention of supporting US initiatives on Colombia.<sup>43</sup> Ecuador's influence on the course of events in Colombia will therefore remain very much limited, although it will continue to suffer from the impact across its borders.

Brazilian President Luiz Inacio "Lula" da Silva was elected with high popular expectations in 2002. Since then, disenchantment with his rigid fiscal and monetary policies, which limit the possibilities for addressing Brazil's social needs, has set in. The economy contracted in 2003, poverty and unemployment grew, real incomes dropped and total net public debt stands at 57 per cent of GDP (up from 31 per cent in 1998).<sup>44</sup> The Lula government has shifted its position with regard to the conflict in Colombia. Initially it was suspicious of Plan Colombia, and concerned that the close military relationship between the US and Colombian governments could turn into direct US participation in the conflict. Brazil therefore emphasized the country's traditional policy of non-intervention. More recently, President da Silva, who is trying to build up his country's role as a regional power, has come to see the Colombian conflict as a challenge for Latin American crisis management and has developed a more active interest in ending it. This is also due to the spill-over of the conflict. Brazil has become a major market for Colombian drugs, the Brazilian army has skirmished with Colombian guerrillas on the border, and the Brazilian government regards the war in Colombia as a major obstacle to achieving integration of the region's infrastructure. This policy shift has entailed closer cooperation with president Alvaro Uribe, and indirectly with the US. Brazil is sharing intelligence with Colombia from SIVAM, its satellite-based monitoring system for the Amazon region. In September 2003, it also offered to host talks between the United Nations and the guerrillas.<sup>45</sup>

Peru is largely preoccupied by domestic unrest, and the government under President Alejandro Toledo is one of the weakest and with least popular support in the region. Plan Colombia is unpopular and Peruvians see the conflict in their northern neighbour as secondary to their own interests.<sup>46</sup> Peru's border with Colombia is about half as long as Venezuela's and comparatively well secured, due to the Peruvian military forces deployed to the area. Having "exported" most of its coca problem to Colombia in the 1990s, Peru is now trying to keep it out and therefore sees eradication of Colombian coca, which is slowly driving cultivation back into Peru, as a threat to its own success. Until now, Toledo has tried to balance a low profile – for domestic reasons – with pragmatic, on-the-ground security cooperation with Colombia. The country might therefore hesitate to play an active role in a regional response to Colombia's crisis.<sup>47</sup>

The United States has various important interests at stake and consequently also has a large say in what happens in Colombia. It is no secret that the billion-dollar initiative "Plan Colombia", presented by President Pastrana, was planned and written in Washington. Observers have also noted the striking similarity of Uribe's "democratic security strategy" with certain studies and recommendations produced earlier by the US Army War College. American policy in Colombia is essentially made by the Executive Branch, but Congress has

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<sup>43</sup> En vísperas de la visita de Lucio Gutiérrez a Colombia, Ecuador niega plan con E.U. en la frontera, *El Tiempo* [Bogotá], 15 March 2004.

<sup>44</sup> Green, D. *Lula Plus One: Brazil after One Year of PT Government*, London: CAFOD, 2003

<sup>45</sup> Brazil's Foreign Policy: A Giant Stirs, *The Economist* [London], 10 July 2004

<sup>46</sup> International Crisis Group, *Colombia and its Neighbours...*, p. 19

<sup>47</sup> Sweig, J.E., What Kind of War for Colombia? *Foreign Affairs*, September/October 2002

an important role in its execution, especially through its power of the purse. Respect for human rights and results against drugs trafficking are always important benchmarks for congressional support. Recently, legislators have shown reluctance to authorize President Bush's request to double the maximum US troop level allowed in Colombia, which currently stands at 400.

By presenting extradition requests against leading paramilitary commanders, the US has made clear that any agreement coming out of the negotiations with the AUC will need US approval. Plan Colombia, which comes to an end next year, was essentially a counter-narcotics strategy, later shifted to more direct counter-insurgency financing, but it has not lead to the desired results, as was recently admitted by the head of the US anti-drugs administration.<sup>48</sup> A further problem is that a question mark hangs over the alternative development projects administered by USAID that were supposed to be a key component of Plan Colombia, after they were criticized as inefficient by a public report which called for a thorough revision of US policy and practice on assistance to Colombia.<sup>49</sup>

The UN, the OAS and the EU have become increasingly active as mediators and donors in the Colombian conflict, but their involvement has generally been more cautious. After the breakdown of the Pastrana peace process, a certain fatigue has set in and no major new peace initiative can be expected.<sup>50</sup> International organizations and national NGOs have mounted a number of programmes and initiatives to fill the IDP protection gap, but cannot provide full relief, partly because donor response has been limited. The Humanitarian Action Plan for IDPs launched by the United Nations in November 2002 has only been covered by international donors to about 20 per cent and further commitments appear increasingly less likely as donor attention shifts elsewhere.

### **3.6 Possible Ameliorating Factors**

In Colombia's protracted and brutal multi-faceted conflict, there are some factors that could lead to an improvement in the current humanitarian emergency. Although the government's policy of confrontation is currently supported by a large majority, there is at the same time a high degree of war weariness. Such discontent could very rapidly become a major force again, once the gains from President Uribe's "democratic security strategy" show themselves to be only temporary, which is likely. This may create pressure upon the government to seek a political solution to the conflict with the insurgents. The international environment, which currently is favourable to Uribe's strategy, might also change and Colombia's allies review their current relaxation of human rights standards with regard to counter-insurgency activity.

Colombian civil society has shown itself to be highly resourceful and imaginative, even under difficult circumstances. While mass mobilizations like the Citizen Mandate for Peace in 1997 or the Great Peace March of 2001 have not had a measurable impact on the armed conflict, there are numerous small, community-based initiatives and organizations that work on a micro level to contribute to sustainable pacification. While this will not have a direct effect

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<sup>48</sup> *BBC News*, US Anti-drug Campaign 'Failing', 6 August 2004, <http://news.bbc.co.uk/2/hi/americas/3540686.stm> [accessed September 2004]

<sup>49</sup> United States, General Accounting Office, *Drug Control: U.S. Nonmilitary Assistance to Colombia Is Beginning to Show Intended Results, but Programs Are Not Readily Sustainable*, Washington, 2 July 2004, <http://www.gao.gov/new.items/d04726.pdf> [accessed September 2004]

<sup>50</sup> Centro de Investigación para la Paz, *La Unión Europea y Colombia: un enfoque alternativo*, Madrid, 9 July 2004

on State policy, it nevertheless alleviates the suffering of thousands of people at the community level. For example, the Programme for Development and Peace of the Magdalena Medio, a traditionally very conflict-ridden area of central Colombia, aims at combining conflict resolution, training, economic development, protection of the environment and community building in an integrated approach, funded by the European Union. After the example of Mogotes (Santander), there are also numerous “Zones of Peace”, communities which have declared themselves neutral in the armed conflict and struggle not to let any of the armed actors take up a presence within their territory.<sup>51</sup>

### 3.7 Likelihood of Further Displacement

The irregular forces in Colombia, whether paramilitaries or guerrilla, who are responsible for almost all displacement, will only change their way of conducting operations if they are offered a superior pay-off or face prohibitive costs. As currently neither is available, atrocities will continue, and this will inevitably lead to further displacement. The prospect of incremental alleviation through “humanization of warfare” is quite unlikely, since this would rule out actions designed to terrorize civilians, which in turn would render the fighting forces’ larger strategic objective of seizing absolute control of a territory impossible. The only question, therefore, is how much displacement will occur and where. Future patterns of displacement will generally depend on the specific strategic aims of the combatants and the choices made by the security forces in their efforts to counter them, unfortunately on all sides without much concern for the security of the civilian population in war zones.

Recent patterns were showing a substantial reduction in new displacement, but during the first six months of 2004 numbers have increased once more, by 33.5 per cent, compared with the previous six-month period.<sup>52</sup> The reduction in 2003 appears to have been a purely temporary respite as displacement remains a widely used war strategy. Although the historically principal perpetrators, the paramilitaries, appear to have reduced their operations, having already acquired control over very large tracts of land (3.5 million hectares since 1995, according to some estimates), other forces continue to put pressure on the civilian population in the rural areas. The FARC, who have been responsible for some recent large-scale massacres in Norte de Santander and Antioquia, might be implementing a new strategy aiming to reverse paramilitary gains by terrorizing supposed AUC sympathizers. ELN statements announcing a “humanization of warfare” have so far not been followed by any change on the ground. The ongoing Army operations of “Plan Patriot”, coupled with intensified drug eradication spraying, have also contributed to further displacement in Eastern Antioquia, in Caquetá, Catatumbo and Putumayo. A recent report by the Colombian NGO Consultoria para los derechos humanos (CODHES) has drawn attention to the fact that displacement in the first six months of 2004 intensified particularly in areas where government security forces are conducting large-scale offensives.<sup>53</sup> Areas at high risk of further displacement are the strategic corridors running through the central Andes, through the Urabá region towards Panama, and in the direction of the borders of Ecuador, Brazil and Venezuela.

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<sup>51</sup> Rojas, C., *The People’s Peace Processes in Colombia: A Preliminary Review of Zones of Peace in Mogotes, Samaniego and San Pablo*, Fairfax: George Mason University, 2003

<sup>52</sup> Consultoria para los derechos humanos, *Crece el desplazamiento...*

<sup>53</sup> Ibid.

It is very probable that the tendency observed over the last year of displaced people crossing the frontier into the nearest neighbouring country will continue, especially if there is no nearby large city on the Colombian side, which could provide a place of refuge. Therefore a rise in Colombian asylum applications should be expected.

### 3.8 Groups at Risk

The destructive effects of the violence and armed conflict affect some groups of civil society with special force. Among these vulnerable populations are ethnic minorities as well as women and children. Although the number of killings of union leaders seems to be decreasing, the situation of human rights defenders and labour activists remains extremely difficult.

The human rights situation for indigenous and Afro-Colombian people is especially critical. These communities suffer disproportionately from violations of their economic, social and cultural rights, racial discrimination, poverty and exclusion. The armed conflict only worsens their situation. Four out of ten IDPs in Colombia belong to the Afro-Colombian or indigenous minorities.<sup>54</sup> Selective violence against traditional authorities and leaders is increasing. In 2003, more than 100 indigenous private individuals and office holders were murdered, 50 of whom belonged to the Kankuamo people (Sierra Nevada de Santa Marta). Illegal armed groups also frequently impose a total blockade on indigenous communities, effectively starving its members. A recent study warns that 40 per cent of the approximately 100,000 indigenous people in the Amazon basin have been placed under high or very high risk by the conflict.<sup>55</sup> Colombia's irregular armies target ethnic minorities with special force because their collective land titles and symbiotic relationship with ancestral territory constitute obstacles to the war aims of territorial conquest and exploitation.<sup>56</sup> As a rule, State security forces do not effectively protect these communities. It is hardly an exaggeration to conclude that illegal armed actors are conducting a systematic campaign of extermination against Colombian minorities, which is largely ignored by the government and could lead to the irreversible destruction of these cultures.

Children are not only the victims of mines, forced displacement, indiscriminate attacks and acts of terrorism, but are also the subject of kidnappings. At least 25 per cent of irregular combatants in Colombia are under 18 years of age. Of these, several thousand are younger than 15, the minimum recruitment age permitted under international law. About 80 per cent of children in these fighting forces belong to the FARC or the ELN, the remainder fight for paramilitaries. Although a few have been forced to join at gunpoint, or join out of fear, most sign up for food, status, money or physical protection. These child soldiers are drawn into a culture of violence and robbed of their right to education and normal participation in society.<sup>57</sup>

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<sup>54</sup> Consultoria para los derechos humanos, *Extraños, nómadas y confinados*, Boletín Informativo No. 46, Bogotá, 2003

<sup>55</sup> Asociación Latinoamericana de Derechos Humanos and European Union, *La Agonía del jaguar: Derechos humanos de los pueblos indígenas de la Amazonía colombiana*, Bogotá, 2004

<sup>56</sup> Wouters, M., Ethnic Rights under Threat: The Black Peasant Movement against Armed Groups' Pressure in the Chocó, Colombia, *Bulletin of Latin American Research*, Vol. 20, No. 4, 2001

<sup>57</sup> Human Rights Watch, *You'll Learn Not To Cry: Child Combatants in Colombia*, New York, 2003

Women as a group are also frequently victimized by all sides of the conflict. The widespread and systematic nature of gender-based violence in all its multiple forms has been under-reported. Women have been abducted by armed men, detained for a time in conditions of sexual slavery, raped and made to perform domestic labour. Women civic leaders, who assume coordinating or organizing roles in their communities, face harassment and threats and many have been assassinated. Women have also been targeted for being family members of opposing fighters. Some women have not only been raped, but then sexually mutilated and killed. Women also serve as combatants in the war; it is for instance estimated that up to 40 per cent of FARC soldiers are female. The vast majority of IDPs are women (55 per cent) and children, and most are left with little, if any outside support, with close on 60 per cent of women IDPs unemployed. Displacement erodes traditional family structures, as male family members are killed, disappeared or compelled to seek safety or work elsewhere. This forces women to assume the role of head of household.<sup>58</sup>

## **4 Conclusions**

### **4.1 Most Likely Scenarios and Possible Indicators for Development**

Taking into account the background information and all the socio-economic, political and military risk factors discussed so far, the most probable future course for Colombia will include a great deal of improvisation, with most decisions taken in reaction to events.

In our view, the most likely scenario will include the following elements. The fiscal deficit of the State will oblige the government to privatize public utilities and introduce austerity measures such as new taxes, which augurs ill for economic recovery and even worse for social spending. There is no social relief in sight, because most government money is tied up in national security, where it will stay because President Uribe is unwilling to risk a renewed explosion of violence, which would damage his re-election prospects. Political opposition remains divided but may yet find a unified candidate to stand against Uribe in the presidential elections in 2006. The government's "democratic security strategy" will continue to put pressure on the guerrillas, but also include the darker side of adding to human rights violations perpetuated by State agents.

The FARC will not remain quiet for very much longer and are likely to start a new military campaign in the near future, which could include some urban terrorist acts but will mostly be confined to consolidation of its rural territories and recuperation of some terrain lost to the AUC.

The paramilitary coalition will probably break up. The majority of AUC blocs will negotiate demobilization agreements favourable to their interests, which consolidate these warlords' political and economic power in the regions they control. Other factions will become increasingly indistinguishable from common criminals and bandits.

The ELN will try to use a smokescreen of interest in peace talks to buy time to reorganize, limiting itself mostly to defensive actions.

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<sup>58</sup> United Nations, Commission on Human Rights, Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women: Report of the Special Rapporteur...: Addendum: Mission to Colombia, E/CN.4/2002/83/Add.3, 11 March 2002; World Organization Against Torture, Violence against Women in Colombia: A Report to the Committee Against Torture, in its *Violence against Women*, Geneva, 2003

Colombia's neighbours will remain caught up in their own domestic problems and will not be capable of mounting a concerted strategy to respond to the crisis, even as its regional dimensions become increasingly evident, leaving the field once again to the United States. For the moment, Uribe supporters have the upper hand in Washington, but other US policymakers would prefer to gradually scale down US engagement in Colombia and Uribe's much-touted public security successes could provide an opportunity to do that. A return to a policy of "benign neglect" is unlikely, however. US interests in Colombia, among them critical petroleum reserves, will not permit a unilateral withdrawal.<sup>59</sup> It remains to be seen what kind of financial support Colombia will receive next fiscal year. Much will depend on the result of the US presidential election in November. A victory for Senator John Kerry could bring a new US policy, which may shift assistance away from hard counter-drugs and counter-terror initiatives to more comprehensive regional strategies, which emphasize socio-economic development, good governance and land reform.<sup>60</sup>

#### **4.2 Likely Consequences for the Security Situation**

Under the circumstances sketched above the security situation is bound to remain volatile. The State security forces will remain engaged in re-establishing public order, while the guerrillas will continue to seek to prove that their military capacities remain intact. Either side could unleash intensifying combat in contested territory. The paramilitaries, for their part, have kept their weapons arsenals and will certainly resist FARC or ELN encroachment upon their zones of influence. Internal displacement, atrocities and violence against specially vulnerable groups are bound to remain serious problems. The demobilization or fractionalization of the AUC carries the additional risk that armed robberies, kidnappings and contract killings may increase rapidly as many ex-combatants will transform into common criminals. Landmines, bombs and terrorist attacks all remain serious security threats, especially in the rural areas.

The territorial logic of the Colombian conflict also makes it highly likely that all sides will maintain the common practice of roadblocks and other measures to limit mobility across the different zones of influence. This has potentially serious implications for humanitarian access, which is frequently denied on the grounds that it is providing aid for the "other" side. Accordingly, the total blockade of communities by irregular armed actors, which has been a problem in the past, has not become less likely. Other than this, however, humanitarian workers are not so far subject to specific security threats. It is clear, however, that with the increasing brutalization and slow slide into banditry of armed actors, the overall risk of common crime increases, even as the likelihood of being victimized by political violence may fall.

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<sup>59</sup> Washington Office on Latin America, *Protecting the Pipeline: The U.S. Military Mission Expands*, Colombia Monitor No 3, Washington, May 2003

<sup>60</sup> Sweig, J.E. (Ed.), *Andes 2020: A New Strategy for the Challenges of Colombia and the Region*, New York: Council on Foreign Relations, 2004

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