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Colombia: Background and U.S. Relations

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Summary

Colombia is the third-most-populous country in Latin America, with roughly 47 million inhabitants. A key U.S. ally in the region, Colombia has endured an internal armed conflict for half a century. Drug trafficking has fueled the violence by funding both left-wing and right-wing armed groups. In the late 1990s, some analysts feared Colombia would become a failed state. The Colombian government defied that prediction, however, at least partly by closely cooperating with the United States through a security strategy known as Plan Colombia.

Focused initially on counternarcotics, and later counterterrorism, Plan Colombia laid the foundation for a strategic partnership that has broadened to include sustainable development, human rights, trade, regional security, and many other areas of cooperation. The evolution of the partnership took place in tandem with increasing Colombian investment in its own security programs. Colombia succeeded in reestablishing government control over much of its territory, reducing poverty and homicide rates, and making significant progress in combatting drug trafficking and terrorism. The government's long-term strategy has moved from a policy of defeating insurgents in combat and consolidating its gains with its "whole-of-government" approach, to a new stage of preparing for the post-conflict period. Despite significant gains in citizen security and economic stability in Colombia, some observers continue to raise concerns about human rights conditions in the country.

Current President Juan Manuel Santos, first elected in 2010, launched peace talks in 2012 with the Revolutionary Armed Forces of Colombia (FARC), the country's main leftist insurgent group and Latin America's oldest, largest, and best financed guerrilla organization. Although previous negotiations with the FARC had failed, this effort has endured. The FARC-government talks, which opened in Norway, have continued in Cuba for 30 rounds. As of November 2014, the negotiators have resolved three topics on a six-point agenda. Remaining issues include victims' reparations, disarmament and transitional justice, and how the final agreement will be approved, verified, and implemented. In November 2014, the talks were temporarily suspended by the Santos government when the FARC captured a Colombian general and two others. Santos had stated that the talks would not resume until the captives were released, which occurred in late November.

President Santos won reelection in a closely fought runoff race in June 2014 by making completion of peace talks his central campaign promise. Colombia held legislative and presidential elections in March and May 2014, which concluded with the June presidential runoff. Former President Álvaro Uribe (2002-2010), who opposes the peace talks and is a fierce critic of President Santos, started a new opposition party, the right-leaning Democratic Center. Uribe ran for and won a seat in the Colombian Senate leading his party to a strong showing in both houses of Congress. Many observers saw the presidential elections as a referendum on the peace talks. At his inauguration in August 2014, Santos declared Peace, Equality and Education to be the three pillars of his second term.

President Santos has continued the market-oriented, economic policies of prior administrations. During his first term, the U.S. Congress approved the U.S.-Colombia Free Trade Agreement, which went into force in April 2012. The United States is Colombia's top trade partner. Colombia has become an increasingly attractive location for foreign direct investment (FDI), which reached nearly \$17 billion in 2013. Although the Colombian economy is forecast to grow by 5% in 2014,

the country still suffers from uneven development, with both high levels of rural poverty and concentrated land ownership that have continued to fuel the conflict noted above.

Relations between Colombia and the United States have generally been strong. Between FY2000 and FY2014, the U.S. Congress appropriated more than \$9.5 billion to fund Plan Colombia and its follow-on programs. If a peace accord is concluded, U.S. policy makers may consider whether and how the composition of U.S. assistance might change to support Colombia in building a lasting and sustainable peace. Members of Congress may ask whether aid should increase or be distributed differently. U.S. policy makers may determine that the peace process needs support for land restitution, aid to victims, and to fully bring government into formerly lawless areas. Colombia might also need assistance to meet other peace accord commitments. The Obama Administration is requesting approximately \$281 million in foreign assistance for Colombia in FY2015, a decline of an estimated \$44 million below what was provided in FY2014. The foreign operations bills in the House (H.R. 5013) and the Senate (S. 2499) appear to either fully fund or somewhat exceed the request.

This report analyzes the political and economic conditions in Colombia and examines major issues in U.S.-Colombian relations that are of interest to Congress. See also CRS Report R42982, *Peace Talks in Colombia*, by June S. Beittel.

Contents

Political and Economic Situation.....	1
Political Background and Colombia’s Internal Conflict.....	1
Roots of the Conflict	2
The Uribe Administration (2002-2010).....	3
The Santos Government (2010-2014)	5
Santos’s 2014 Reelection	8
Economic Background and Current Conditions.....	10
The Current Security Environment.....	13
Peace Talks	14
Ongoing Domestic Challenges: Human Rights Issues	16
Extrajudicial Executions and “False Positives”	17
Human Rights Defenders and Journalists	18
Violence and Labor	20
Internal Displacement	21
Regional Relations and Security.....	23
Colombia’s Role in Training Security Personnel Abroad	24
U.S. Relations and Policy	27
Plan Colombia and Its Follow-on Strategies	28
National Consolidation Plan and Beyond	30
Funding	31
Counternarcotics Efforts.....	33
Human Rights Conditions on U.S. Assistance	36
U.S.-Colombia Economic Relations.....	38
Outlook	39

Figures

Figure 1. Map of Colombia.....	2
Figure 2. Colombian-Trained Foreign Security Forces (2010-2013)	26

Tables

Table 1. U.S. Assistance for Plan Colombia and its Follow-on Strategies, FY2000-FY2015.....	32
--	----

Appendixes

Appendix. Selected Online Human Rights Reporting on Colombia	41
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Contacts

Author Contact Information..... 41

Political and Economic Situation

Political Background and Colombia's Internal Conflict

Colombia, one of the oldest democracies in the Western Hemisphere, has been plagued by a multi-sided civil conflict that has persisted for more than half a century. According to a report presented to the Colombian government in July 2013 by the National Center for Historical Memory—the result of a five-year effort to document the violence—nearly 220,000 Colombians died in the armed conflict through 2012, 81% of them civilians.¹ The report also provides statistics quantifying the scale of the conflict, which has taken a huge toll on Colombian society: more than 23,000 selective assassinations between 1981-2012; internal displacement of some 4.7 million Colombians with more than 6.6 million hectares of land usurped; 27,000 kidnappings between 1970-2010; and more than 10,000 deaths or amputees from anti-personnel land mines laid primarily by Colombia's main insurgent guerrilla group, the Revolutionary Armed Forces of Colombia (FARC).

While the violence has scarred Colombia, the country has also achieved a significant turnaround. Once considered a likely candidate to become a failed state, Colombia has in the past decade overcome much of the violence that once clouded its future. For example, between 2002 and 2012, Colombia saw an 89% decrease in kidnappings and a 48% reduction in homicides.² Coupled with success in lowering violence, Colombia has opened its economy and promoted trade, investment, and growth. Despite residual violence particularly in rural areas that can affect Colombia's extractive industries, Colombia has become one of Latin America's most attractive locations for investment. The Colombian economy grew by 4.3% in 2013 and is projected to grow by 5% in 2014, one of the highest rates in the region. Another development may influence those projections. In October 2012, the Colombian government opened formal peace talks with the FARC, the country's oldest, largest and best financed guerrilla organization. The FARC-government talks have produced agreement on three key issues in a six-point negotiating agenda, raising hopes that the two-year-old negotiations will eventually bring an end to the conflict.

Colombia at a Glance

Population: 47 million

Ethnic Composition: Mestizo (mixed heritage, 58%); White (20%); Mulatto (mixed black and white ancestry, 14%); Black (4%); Mixed black and indigenous (3%); and Indigenous (1%)

Area: 1,138,910 sq. km., slightly less than twice the size of Texas

GDP: \$378 billion (2013)

Per Capita Income: \$7,826 (2013)

Literacy: 93.6% (2011)

Life Expectancy: 73.8 (2012)

Sources: World Bank; CIA, *The World Factbook*

¹ *Basta Ya! Colombia: Memorias de Guerra y Dignidad*, accessed on Center for Historical Memory website at <http://www.centrodehistoriamemoriahisotrica.gov.co>.

² Testimony of William Duncan, Director of Andean Affairs, Bureau of Western Hemisphere Affairs, U.S. Department of State before the Tom Lantos Human Rights Commission, October 24, 2013. Transcript available at http://tlhrc.house.gov/docs/transcripts/2013_10_24_Colombia/Transcript.pdf.

Roots of the Conflict

The roots of the present conflict predate the formal founding of the FARC in 1964 as the FARC had its beginnings in the peasant self-defense groups of the 1940s and 1950s. Colombian political life has long suffered from polarization and violence. In the late 19th century and a good part of the 20th century the elite Liberal and Conservative parties dominated Colombian political life.

Figure I. Map of Colombia



Source: CRS.

Violence and competition between the parties erupted in a period of extreme violence in Colombia, known as *La Violencia*, set off in 1948 by the assassination of Liberal presidential candidate Jorge Gaitán. The violence continued for the next decade. After a brief military rule (1953-1958), the Liberal and Conservative parties agreed to the creation of a form of coalition governing, known as the National Front. Under the arrangement, the presidency of the country alternated between Conservatives and Liberals, each holding office in turn for four-year intervals. This form of government persisted for 16 years (1958-1974). The power sharing formula did not resolve the tension between the two historic parties and many leftist insurgent groups arose in Colombia including the FARC, launched in 1964, and the smaller National Liberation Army (ELN), formed the following year. The FARC and ELN conducted kidnappings, committed serious human rights violations, and carried out a campaign of terrorist activities to pursue their goal of unseating the central government in Bogotá.

Rightist paramilitary groups had formed in the 1980s when wealthy ranchers and farmers, including drug traffickers, hired armed groups to protect them from the kidnapping and extortion plots of the FARC and the ELN. In the 1990s, most of the paramilitary groups formed an umbrella organization, the United-Self Defense Forces of Colombia (AUC). The AUC massacred and assassinated suspected insurgent supporters and directly engaged the FARC and ELN in military battles. The Colombian military has long been accused of close collaboration with the AUC, from ignoring their activities to active support for them. The AUC became increasingly engaged in drug trafficking. In the late 1990s and early 2000s, the U.S. government designated the FARC, the ELN, and the AUC Foreign Terrorist Organizations (FTOs).³ The AUC was formally dissolved in a demobilization between 2003 and 2006 when many of its leaders stepped down, but former paramilitaries joined armed groups that continued to participate in the lucrative drug trade and commit other crimes and human rights abuses. (See also, “Current Security Environment” below.)

The Uribe Administration (2002-2010)

The inability of Colombia’s two dominant parties to address the root causes of violence in the country led to the election of an independent, Álvaro Uribe, in the presidential contest of 2002. Uribe, who served two terms, came to office with promises to take on the violent leftist guerrillas, address the paramilitary problem, and combat illegal drug trafficking that had grown exponentially in Colombia. During the 1990s, Colombia had become the region and the world’s largest producer of cocaine. (For more background on the Colombian illicit drug trade, see “U.S. Relations and Policy” and “Counternarcotics Efforts” sections below.)

At President Uribe’s 2002 inauguration, the FARC showered the event with mortar fire signaling the group’s displeasure at the election of a hardliner who believed a military victory over the Marxist rebels was possible. The FARC was reportedly at the apogee of their strength, numbering an estimated 16,000 to 20,000 fighters under arms. Peace negotiations with the FARC under the prior Pastrana Administration (1998-2002) had ended in failure; the FARC had used a vast demilitarized zone granted to the guerrillas by the government to regroup and strengthen itself, launching terror attacks and increasing the cultivation of coca. Many analysts noting the FARC’s strength throughout the country feared that the Colombian state might fail. During this time,

³ For additional background on the FTOs in Colombia and their evolution as part of the multi-sided conflict, see CRS Report R42982, *Peace Talks in Colombia*.

opinion polling indicated that some Colombians thought the FARC might at some point successfully take power.⁴

In his first term (2002-2006), President Uribe sought to shore up and expand the country's military, seeking to reverse the armed forces' losses by aggressively combating the FARC. He entered into peace negotiations with the AUC, striking an agreement with the paramilitaries in 2003 to demobilize. Uribe's predecessor, President Andrés Pastrana, had refused to negotiate with the AUC, but Uribe promoted the process and urged the country to back a controversial Justice and Peace Law that went into effect in July 2005 and provided a framework for the AUC demobilization. By mid-2006, some 31,000 AUC paramilitary forces had demobilized. Combined with the stepped up counternarcotic efforts of the Uribe Administration and increasing military victories against the FARC's irregular forces, the AUC demobilization helped to bring down violence, although a high level of human rights violations still plagued the country.⁵ Uribe became widely popular for the effectiveness of his security policies, a strategy he called "Democratic Security." Colombians approved a referendum to amend their constitution in 2005 to permit Uribe to run for a second term. He ran and won reelection with strong majorities in both houses of Congress, giving President Uribe a strong mandate to continue to consolidate Democratic Security in his second term.

Between 2002 and 2008, according to the U.S. State Department, Colombia made progress in domestic security by lowering its homicide rate by 40%, reducing kidnappings by 83%, and preventing terrorist attacks, which declined by 76%. Police regained a presence in all of Colombia's municipalities (counties) as many had previously been ousted by guerrilla forces.⁶ However, human rights organizations criticized the tactics of the Uribe government for abuses and several scandals.

In the battle with the FARC, 2008 was a banner year. In March 2008, the Colombian military bombed the camp of FARC's second-in-command, Raul Reyes (located inside Ecuador a short distance from the border), killing him and 25 others. Also in March, another member of FARC's ruling seven-member secretariat was murdered by his security guard. In May, the FARC announced that their supreme leader and founder, Manuel Marulanda, had died of a heart attack. The simultaneous deaths of three of the seven most important FARC leaders were a significant blow to the organization. In July 2008, the Colombian government dramatically rescued 15 long-time FARC hostages, including three U.S. defense contractors who had been held since 2003 and Colombian Senator and former presidential candidate Ingrid Bentancourt. The widely acclaimed, bloodless rescue further undermined FARC morale.⁷

Uribe's success and reputation, however, were marred by several scandals. They included the "parapolitics" scandal in 2006 that exposed links between politicians, especially prominent

⁴ Peter DeShazo, Johanna Mendelson Forman, and Phillip McLean, *Countering Threats to Security and Stability in a Failing State: Lessons from Colombia*, Center for Strategic & International Studies, Washington, DC, September 2009.

⁵ Many Colombians have expressed disappointment in the AUC demobilization which they criticize for failing to provide adequate punishments for perpetrators and adequate reparations to victims of paramilitary violence. It has also been seen as incomplete because those who did not demobilize or those who re-mobilized into criminal gangs have left a legacy of criminality. For a concise history of the AUC, see "AUC Profile," *InSight Crime: Organized Crime in the Americas*, at <http://www.insightcrime.org/colombia-organized-crime-news/auc-profile>.

⁶ U.S. Department of State, "Charting Colombia's Progress," March 2008.

⁷ The rescue operation received U.S. assistance and support. See, Juan Forero, "In Colombia Jungle Ruse, U.S. Played A Quiet Role; Ambassador Spotlights Years of Aid, Training," *Washington Post*, July 9, 2008.

members of the national legislature and paramilitaries. As of early 2014, more than 55 current and former members of the Colombian Congress have been convicted of conspiring with paramilitaries.⁸ Subsequent scandals that came to light during Uribe's tenure included the "False Positive" murders allegedly carried out by the military (primarily the army) in which innocent civilians were murdered and then dressed to look like guerilla fighters to increase the military's rebel body count. In 2009, the media revealed another scandal of illegal wiretapping and other surveillance by the government intelligence agency, the Department of Administrative Security (DAS), to discredit journalists, members of the judiciary, and political opponents of the Uribe government. In early 2012, the tarnished national intelligence agency was replaced by Uribe's successor with a considerably streamlined National Intelligence Directorate (NDI). (Also see "Ongoing Domestic Challenges: Human Rights Issues" section below.)

Despite the controversy surrounding these scandals, President Uribe remained popular and his supporters urged him to run for a third term in 2010. Another referendum was proposed to alter the constitution to allow a third term, however it was turned down by the Colombian Constitutional Court in February 2010.

The Santos Government (2010-2014)

Once it became clear that President Uribe was constitutionally ineligible to run for a third term, Juan Manuel Santos of the pro-Uribe National Unity party (or Party of the U) quickly consolidated his preeminence in the presidential campaign. Legislative elections for all the seats in Colombia's bicameral Congress took place in March 2010, and the results seemed to favor the Santos candidacy. The U Party and the Conservative party won the most seats which indicated strong support for a continuation of Uribe's policies such as the Democratic Security strategy. Santos, who had recently served in the Uribe Administration as minister of defense, campaigned on a continuation of the Uribe government approaches to security and economic opening. He included the addition of political, economic and social reforms, a policy he named "Democratic Prosperity." In the May 2010 presidential race, Santos took almost twice as many votes as his nearest competitor, Antanas Mockus of the centrist Green Party, but he did not win a majority (50% of the votes cast). This result required a runoff between Santos and Mockus in June 2010.

Juan Manuel Santos

- Born in 1951, Santos comes from a well-known political family in Colombia that previously owned the leading newspaper *El Tiempo* where he worked briefly as a journalist.
- His great uncle, Eduardo Santos, from the Liberal Party, served as president (1938-1942).
- Santos is trained as an economist and studied at the University of Kansas, Harvard University, and the London School of Economics.
- He served as defense minister under President Uribe from 2006 to 2009, and in previous governments as finance minister and minister of trade.
- As Uribe's defense minister, Santos oversaw some of the most significant action against the FARC guerrillas, including the 2008 bombing raid inside Ecuador that killed a senior FARC commander and the July 2008 rescue of 15 high-profile FARC hostages, including three U.S. defense contractors.

Santos won the runoff in a landslide with 69% of the vote. He had built a coalition of "national unity" that contained all the major parties. The ruling coalition included the center-right National Unity and Conservative parties, the centrist Radical Change Party, and the center-left Liberal

⁸ Human Rights Watch, Colombia Chapter, *World Report 2014*, January 21, 2014.

party. (In July 2011, the Green Party joined the governing coalition resulting in an overwhelming majority of Congress, close to 90%, in the government coalition.⁹)

President Santos said at his first inauguration on August 7, 2010, that he planned to follow in the path of President Uribe, but that the door to peace talks with armed rebels was not locked.¹⁰ Under President Uribe, relations with both neighboring Ecuador and Venezuela had been significantly strained and Colombia had become somewhat isolated. The new administration, however, quickly reestablished diplomatic ties with both governments. Relations with Ecuador became closer and cooperation on cross-border issues improved. Venezuela also increased its counternarcotics and counterterrorism cooperation with the Santos government and repaired economic relations that had deteriorated sharply by a conflict between President Uribe and then-Venezuelan President Hugo Chávez. (Uribe publically accused Chávez of harboring FARC and ELN forces on Venezuelan territory.)

In his first two years in office, President Santos reorganized the executive branch, eliminating the scandal-tainted intelligence agency, the Department of Administrative Security (DAS), and reorganizing three executive-level ministries into six. He achieved some significant legislative victories and launched several reforms including a fiscal reform and a plan to redistribute royalties from land and mineral development. He built on the market opening strategies of the Uribe Administration and secured a free-trade agreement with the United States, Colombia's largest trade partner, which went into effect in May 2012. To address U.S. congressional concerns about labor relations in Colombia, including the issue of violence against labor union members, the United States and Colombia agreed to an "Action Plan Related to Labor Rights" (Labor Action Plan) in April 2011. Many of the steps proscribed by the plan were completed in 2011 while the U.S. Congress was considering the trade agreement.

Significantly, the Santos government maintained a vigorous security strategy and struck hard at the FARC's top leadership. In September 2010, the Colombian military killed the FARC's top military commander, Victor Julio Suárez (known as "Mono Jojoy"), in a bombing raid on his camp in central Colombia. In a November 2011 bombing raid, the Colombian security forces tracked down and killed the FARC's supreme leader, Guillermo Leon Saenz, (aka "Alfonso Cano"). He was replaced by Rodrigo Londoño Echeverri (known as "Timoleón Jiménez" or "Timochenko"), the group's current supreme leader. As of late 2013, the Santos government reported that it had taken down 47 of FARC's mid and top-tier leaders, along with two members of the ruling secretariat.¹¹

The Santos Administration reoriented the Colombian government's stance toward the internal armed conflict with a number of reforms that it proposed to the Colombian Congress. The first, signed by President Santos in June 2011, is the Victims' and Land Restitution Law (Victims' Law), to provide comprehensive reparations to an estimated 4 to 5 million victims of the conflict. Reparations under the Victims' Law include monetary compensation, psycho-social support and

⁹ For example, in July 2011, 89 senators out of 102 were part of the government's national unity coalition. However, in late September 2013, the Green Party (renamed the Green Alliance) broke away from the ruling coalition, although it sometimes continued to vote with the government.

¹⁰ President Santos said in his inaugural speech, "The door to talks is not locked." See Juan Forero, "Colombia Opens Door for Talks with FARC Rebels," *Washington Post*, August 11, 2010.

¹¹ President Santos remarks at the National Press Club on December 3, 2013. For more on government activity dismantling FARC cells and leadership, see CRS Report RS21049, *Latin America: Terrorism Issues*, by Mark P. Sullivan and June S. Beittel.

other aid for victims, and the return of millions of hectares of stolen land to the displaced.¹² The law is intended to process an estimated 360,000 land restitution cases. The government estimates over its 10-year time frame the Victims' Law will cost about \$32 billion to carry out.¹³ The government's implementation of this complex law began in early 2012, and it has received mixed reviews.¹⁴ The Victims' Law, while not a land reform measure, tackled issues of land distribution including the restitution of stolen property to victims of displacement. Given the centrality of land issues to the rural peasant-based FARC, passage of the Victims' Law was a strong indicator of the government's shared interest in addressing land and agrarian issues.

In June 2012, another government initiative—the Peace Framework Law, also known as the Legal Framework for Peace—was approved by the Colombian Congress. This constitutional amendment provides a structure for transitional justice that could sustain a peace process if the Congress passes enacting legislation.¹⁵ The passage of this controversial legislation before the peace talks were announced signaled there was political support for a peace process. (In August 2013, the Colombian Constitutional Court ruled that the Peace Framework Law was constitutional. In response to another challenge, the Court again upheld the law in August 2014 establishing that demobilized guerrillas who had not committed crimes against humanity could eventually run for political office.¹⁶)

However, another reform proposed by the Santos Administration had a different orientation and outcome. It proposed constitutional change to expand the jurisdiction of military courts and was approved by the Colombian Congress in late December 2012 by a wide margin despite controversy.¹⁷ Human rights groups criticized the legislation's apparent shift in the jurisdiction over serious human rights crimes allegedly committed by Colombia's public security forces from the civilian to the military justice system.¹⁸ Human rights groups argue this increases the likelihood of impunity (lack of prosecution) for such crimes.¹⁹ The military justice reform could

¹² The Victims Law covers harms against victims that date back to 1985, and land restitution for acts that happened after 1991.

¹³ Embassy of Colombia, "Victims and Land Restitution Law: Addressing the Impact of Colombia's Internal Armed Conflict," Fact Sheet, January 2013.

¹⁴ For example, the limitations of the law's implementation, particularly of land restitution efforts, are analyzed in the following report. Lisa Haugaard, Zoraida Castillo, and Winifred Tate, et al., *Far from the Promised Land: Land Restitution on Colombia's Caribbean Coast*, Lutheran World Relief and Latin America Working Group Education Fund, November 2013.

¹⁵ Leftist rebels under the framework who demobilize could become eligible for reduced or suspended sentences for crimes committed during the course of the conflict, although perpetrators of the most serious crimes (crimes against humanity and war crimes) would be fully prosecuted. The law once implemented could provide for suspended sentences or alternative sentences for confessing to one's crimes and acknowledging responsibility, providing reparations to victims, and releasing hostages and child soldiers. It also allows for combatants who have not been convicted of crimes against humanity to stand for election. See U.S. State Department, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2013*, Country Report on Colombia, March 2014.

¹⁶ "Dejan Intacto Marco Legal para La Paz," *El Espectador*, August 6, 2014.

¹⁷ Implementing legislation was passed by the Colombian Congress in June 2013.

¹⁸ Under the law, Colombia's military justice system would try all violations of international humanitarian law with seven exceptions, including sexual violence, forced disappearance and extrajudicial killings. The law narrows the definition of extrajudicial killings, according to Human Rights Watch and other critics, raising the likelihood that such crimes as False Positive killings would be tried by military judges.

¹⁹ See, for example, Jose Miguel Vivanco, "Colombia: Military Justice Law a Blow to Human Rights," *Human Rights Watch*, June 18, 2013, available at <http://www.hrw.org>. See also "Impunity Feared in Colombia Military Justice Law," *Associated Press*, October 13, 2013.

have important implications for the future treatment of the Colombian Armed Forces who have fought the FARC, and who may be alleged to have violated international humanitarian law (including war crimes) in a potential post-conflict environment. Many human rights groups and international jurists identified the new military justice law as a human rights setback for Colombia.²⁰ President Santos, a proponent of the military justice reform, denied that there would be impunity for crimes committed by Colombian security forces under the law. However, in a review of the constitutional amendment, the Colombian Constitutional Court struck down the law over procedural issues in October 2013. The Santos government's Ministry of Defense has since reintroduced a similar bill on expanding jurisdiction of the military justice system and it has neared passage by the Colombian Congress as of early November 2014.²¹

In August 2012, President Santos announced he had opened exploratory peace talks with the FARC and subsequently launched formal peace negotiations in October 2012 in Norway. The countries of Norway, Cuba, Venezuela, and Chile each has an international support role to the talks, with Norway and Cuba serving as peace talk hosts and "guarantors." Following the formal opening in Norway, the actual negotiations began a month later in mid-November 2012 in Cuba where the FARC-government talks have been ongoing since that time. The peace talks became the signature policy of the Santos government. Former President Uribe who became a vocal critic of the Santos presidency soon after his one-time protege took office, conducted a war of words against the President over social media during much of his first term. He became an ardent opponent of the peace talks from the outset and accused his successor of caving to terrorists by engaging the FARC.

Santos's 2014 Reelection

The 2014 national elections in Colombia came at a unique moment for the country: in the midst of extended peace negotiations with the FARC. Many analysts saw the elections as a referendum on the peace process.

Former President Uribe had launched the right-leaning Democratic Center party to oppose President Santos and his policies. The party nominated Óscar Iván Zuluaga, a little-known former finance minister in the Uribe government, as its presidential candidate. On March 9, 2014, Colombians elected the 102-member Senate and the 166-member Chamber of Representatives to four-year terms. In the legislative elections, the Democratic Center party won the most seats in the Colombian Senate behind the President's own party, the National Unity party, or "U" Party.

Because of extensive challenges, the final seat count in both houses of Congress was not certified by the national electoral authority (Consejo Nacional Electoral, CNE) until shortly before the new congress was seated in July. The Democratic Center party won 20 seats in the Senate, and 19 in the Chamber of Representatives.²² Former President Uribe, constitutionally barred for running for

²⁰ Ibid.

²¹ The bill passed through two of the four needed debates in the Colombian Congress as of early September 2014. See, Maria Camila Rincón Ortega, "Los Peros a la Reforma de la Justicia Militar," *El Espectador*, August 27, 2014. Human Rights Watch has objections to the newer law as it did to the former one that was struck down by the Colombian Constitutional Court. See José Miguel Vivanco, "Letter to Minister Pinzon about Military Jurisdiction," July 8, 2014; José Miguel Vivanco and Max Schoening, "Colombia's Compromise with Murder," *New York Times*, November 12, 2014.

²² CNE final results provided to CRS by an official at the Colombian Embassy, July 22, 2014.

a third presidential term, won a seat in the Colombian Senate. Uribe's presence in the Senate is likely to bring his fierce criticism of the peace process and related Santos policies into the congressional debate. In other legislative results, the ruling coalition, which now contains the President's center-right "U" Party, the Liberal Party, and the centrist Radical Change Party, held on to a majority in the Chamber of Representatives.²³ However, although it secured 47 of the 102 seats, the ruling coalition lacks a majority in the more powerful Senate. Achieving a working majority in the Senate will require building coalitions, either with leftist parties who backed Santos in the runoff, or parties on the right, such as the Conservative Party, which is reportedly divided between supporters of Uribe and supporters of Santos.²⁴

In the first round of the presidential vote held on May 25, 2014, Zuluaga shook up the five candidate race by beating the incumbent president by nearly 4 percentage points. The vote was Zuluaga 29.3% to Santos 25.7%, with right, left, and center candidates closely trailing.²⁵ The electoral season was one of the most peaceful in recent times. The FARC called a unilateral truce for the May 25 election and extended it to the runoff race, held three weeks later. Seeking votes for his signature issue of completing the peace talks, President Santos moved to the left to gain additional support. Zuluaga was endorsed by the Conservative party candidate, following his agreement to move from a position opposing the peace talks to one of continuing the process but with stringent conditions. In the brief period between the first and second round, the Santos campaign successfully made the vote about the candidates' different perspectives on security and continuing the FARC-government peace talks. Few other factors sharply distinguished the two candidates: both Santos and Zuluaga come from Colombia's political elite, held key ministerial portfolios in Uribe's government, and espoused similar center-right views on free trade and the economy.

The first round vote on May 25, 2014, was marked by high absenteeism (nearly 60% of the electorate) and a significant number who voted a blank ballot, suggesting voter disillusionment with the candidates. The campaigns of both leading candidates were struck by scandal. A top advisor to the Santos campaign was accused of accepting a large bribe from drug traffickers, and he stepped down denying the charges. Zuluaga's campaign manager stepped down after it was revealed that the candidate met with an alleged hacker of the secret communications of the negotiating teams at the peace talks.²⁶ The resignations of Zuluaga's campaign manager and a top campaign advisor to President Santos influenced perceptions of the presidential race.²⁷ In the final vote, a still high level of voter abstention (about 52%) with another 4% casting blank ballots suggested that voter disillusionment with the candidates and their campaigns remained a factor.

²³ For much of his first term, President Santos has received the backing of nearly 90% of the Congress in a "national unity" coalition.

²⁴ In Santos's first term, the Conservative party was part of the ruling coalition. Now it is divided in its support of the Santos Administration.

²⁵ The right (Conservative) and left (Alternative Democratic Pole) candidates each received more than 15% of the vote and the center Green Alliance followed with 8.3% of the vote.

²⁶ Jim Wyss, "Tight Polls and Blossoming Scandals Agitate a Once Dull Colombian Presidential Race," *Miami Herald*, May 21, 2014; "New Spying Scandal Shakes up Colombia Election Campaign," *LatinNews Daily Report*, May 7, 2014; "Hacker Preso por 'Sabotear proceso de Paz' Busca Acuerdo con Fiscalía," *El Tiempo*, May 6, 2014.

²⁷ "Colombia: Spying Scandal Rumbles On," *LatinNews Daily Report*, May 8, 2014. The scope of the so-called peace talk hacker scandal continues to broaden as new accusations are emerging of widespread hacking by the accused, Andrés Sepúlveda, on behalf of the Democratic Center party. See Jim Wyss, "Detained Colombia Hacker Outlines Alleged Political Plot Against Peace Process," *Miami Herald*, August 25, 2014.

At the conclusion of the electoral season, President Santos won reelection to a second term in a heated runoff race on June 15, 2014. The runoff vote indicated that the parties in the ruling coalition backing the incumbent President managed to mobilize more voters from their areas of support like Colombia's Caribbean region. In addition, Santos received the peace vote of the leftist parties. According to some observers, President Santos may owe a political debt to the Left which boosted his turnout in Bogotá and elsewhere.²⁸ Santos defeated his opponent by 51% to 45%, winning what appears to be a mandate to continue the peace talks although nearly half the population voted for Zuluaga, who strongly criticized the terms of the talks underway in Cuba. Santos's victory in the June runoff represented a broad coalition in favor of peace. However, his second-place finish in the first round, and the voter apathy evident in the relatively low election turnout, could also have demonstrated voters' lukewarm view of the Santos Administration's first term. Some of the issues of national concern include persistent corruption, public fears about rising crime and insecurity, health care, agricultural policy, and other domestic issues, and an inability to implement the President's programs and reforms.

In his inaugural address on August 7, 2014, President Santos declared three pillars for his second term: peace, equality, and education. His clear top priority was to conclude the peace negotiations. He celebrated progress but warned the FARC that Colombia's patience to bring the process to a timely end was not "infinite."²⁹ A few days later, he announced changes to his cabinet, appointing four entirely new ministers and reshuffling others in his 16-member Cabinet for Peace. He followed his cabinet announcements with the appointment of a new group of presidential advisors, who will hold ministerial rank, and advise the administration on "post conflict" policies and programs and other issues. The prominent former head of Colombia's National Police, retired General Óscar Naranjo, was appointed to lead the so-called super ministry on post conflict, human rights, and security (he currently is a member of the government's negotiating team at the peace talks). Other special advisors will consult on government and the private sector, and communications.³⁰

Economic Background and Current Conditions

Colombia's economy, with a nominal Gross Domestic Product (GDP) of \$378 billion in 2013, was the fourth-largest in Latin America after Brazil, Mexico, and Argentina. Some observers have predicted that Colombia will emerge as the third-largest economy in the region in 2014, passing Argentina.³¹ The World Bank characterizes Colombia as an upper-middle-income country with a per capita income of \$7,826 in 2013.³² The Colombian economy has experienced strong growth since the depth of the global economic recession in 2009. In recent years (2010-2014), annual

²⁸ "Las Siete Grandes Conclusiones de la Victoria de Santos," *La Silla Vacía*, June 16, 2014; Christopher Lee, "Santos' Reelection Puts Colombia's Left in Spotlight," *World Politics Review*, July 1, 2014.

²⁹ Jim Wyss, "Santos Pledges Peace, Equality, Education in Second Term," *Miami Herald*, August 7, 2014; "Santos Presents Three Pillars for his Second Term," *LatinNews Daily Report*, August 8, 2014.

³⁰ "Colombia: Óscar Naranjo Appointed 'Post Conflict' Super Minister," *LatinNews Daily Report*, August 15, 2014; "Colombian Report Examines Hurdles to be Faced by New 'Super Ministers,'" *BBC Monitoring Americas*, September 15, 2014.

³¹ See, for example, Patricia Rey Mallén, "Colombia Surpasses Argentina As Latin America's Third-Largest Economy Due To Inflation, Currency Changes, GDP Growth," *International Business Times*, March 25, 2014.

³² World Development Indicators, The World Bank, International Bank for Reconstruction and Development (IBRD) and International Development Association, at <http://data.worldbank.org/>.

growth has averaged above 4%. The country's GDP grew by 4.3% in 2013 and is projected to expand by 5.0% in 2014.³³

Nevertheless, for decades, high rates of poverty and income inequality have contributed to social upheaval in Colombia. The poverty rate was slightly above 45% in 2005 but declined to just below 33% in 2012.³⁴ Concentrated land ownership and rural poverty remain problems, with rural poverty levels running about 11% higher than the national level. Colombia is often described as a country bifurcated between metropolitan areas with a developed, middle-income economy, and some rural areas that are poor, conflict-ridden, and weakly governed. The fruits of the growing economy have not been shared equally with this ungoverned, largely rural "periphery." Land ownership is highly concentrated with 1.2% of the population owning 52% of the land.³⁵ While inequality has declined, it is still very high. The Gini coefficient, which measures income inequality on a scale from zero to one, is at .539, placing Colombia as the seventh most unequal country in Latin America, (number 19 most unequal in the world).³⁶

Addressing inequality and promoting more equitable growth has been an aspiration of the Santos Administration, which labelled its economic reform agenda for 2010-2014 "Prosperity for All" and declared "equality" as one of three tenets to shape its current term. Unemployment, which historically has been above 10%, fell to a low of 9.6% in 2013 fulfilling a campaign promise President Santos made for his first term. Many Colombians still work in the informal economy, however, with almost 50% of the workforce employed in the informal sector at the end of 2013.³⁷ Approximately 4% of the Colombian workforce is unionized.

Under the Santos government, domestic spending has increased, particularly with public and private investment in large scale infrastructure projects and housing construction. Domestic spending has also been spurred by the effort to restore victims of the civil conflict as the government implements the ambitious Victims' Law.

Security improvements and a more stable economy have drawn increased foreign direct investment (FDI), making Colombia one of Latin America's most attractive locations for investors. In 2006, Colombia received about \$6.5 billion in FDI which has grown to a record \$16.8 billion in 2013, largely in the oil, manufacturing, and mining sectors. In 2013, it ranked the fourth-largest destination for FDI in Latin America after Brazil, Mexico, and Chile.³⁸

The Santos Administration has overseen a continued opening of the economy and a diversification of its foreign economic relations. Colombia has secured free-trade agreements (FTAs) with the European Union, Canada, and the United States and has regional trade agreements with most countries in Latin America.³⁹ It has also signed FTAs with some countries

³³ Country Report: Colombia, *Economist Intelligence Unit (EIU)*, August 2014.

³⁴ In 2012, the extreme poverty rates or indigence was 10.4%, still relatively high for the region. The statistics cited are from Colombia's National Administrative Department of Statistics (DANE), as reported in the U.N. Economic Commission for Latin America and Caribbean's (ECLAC), *Social Panorama of Latin America*, April, 2014.

³⁵ U.N. Development Program, *Colombia Rural: Razones para la Esperanza, Informe Nacional de Desarrollo Humano 2011*, Bogotá, Colombia, September 2011.

³⁶ See USAID/Colombia, *Country Development Cooperation Strategy 2014-2018, A Path To Peace*, June 13, 2014.

³⁷ U.S. Department of State, "2014 Investment Climate Statement-Colombia," June 2014.

³⁸ U.S. Department of State, "Investment Climate Statement 2014: Colombia," June 2014, at <http://www.state.gov/e/eb/rls/othr/ics/2014/226933.htm>.

³⁹ For example, Colombia has regional agreements with the Northern Triangle of Central America (Guatemala, (continued...))

in Asia in recent years and has actively sought to deepen those trade ties. Colombia is a founding member of the Pacific Alliance along with other free-trade-oriented countries of Mexico, Chile, and Peru. That trade integration arrangement formed in 2011 to deepen trade relations within the region and with Asia, eliminated tariffs on 92% of the goods traded within the Alliance in February 2014.⁴⁰ In addition to dropping tariffs, the Alliance members are organizing trade promotion activities, facilitating the movement of tourists and business people between the member countries, integrating their stock markets, and opening joint embassies.⁴¹ At the most recent summit of the four-year-old Alliance in June 2014, members decided to initiate a dialogue with other trading blocs in the region, such as the more inward-focused Common Market of the South (Mercosur). The United States has observer status with the Alliance, along with 29 other countries that have also sought observer status. Two countries, Panama and Costa Rica, are candidates for full membership.

Colombia's economy is largely commodity dependent. Oil and coal accounted for 59% of its exports in 2013 and other mineral exports remain significant such as nickel, gold and emeralds. In recent years, oil exploration and production have increased significantly. Oil production reached slightly above 1 million barrels per day (b/d) in 2013, and is expected to continue to rise gradually. Colombia's dependency on oil revenue makes it vulnerable to changes in world commodity prices. In addition, security remains an issue in the oil and mining sectors as the FARC and ELN insurgents have continued their attacks on energy transportation infrastructure. Such attacks, including bombing of pipelines and attacks on tanker trucks and other energy infrastructure, actually decreased in the first half of 2014, after a sharp rise in 2013. However, the attacks have become more destructive and led to major disruptions affecting production.

The United States is a top destination for Colombia's oil exports. According to the U.S. Energy Information Administration, Colombia exported on average 400,000 b/d of crude oil to the United States between 2011 and 2013. The United States is Colombia's largest trade partner, providing 28% of Colombia's total imports and accounting for 34% of Colombia's total exports in 2013.⁴² (For more, see section "U.S.-Colombia Economic Relations.")

While Colombia is ranked highly for business friendly practices and has a favorable regulatory environment that encourages trade across borders, it is still plagued by persistent corruption and an inability to effectively implement the institutional reforms it has undertaken, particularly in regions where government presence is weak. Nevertheless, Colombia rose to the top position for Latin America in the World Bank's 2015 "Doing Business Report." It ranked 34 out of 189 countries for ease of doing business, just above Peru and displacing Chile from the top position for Latin American countries. The World Bank credits Colombia with greater ease in transferring property and providing other assistance to entrepreneurs that allowed it to significantly improve its ranking this year. According to the U.S. State Department in its analysis of national investment

(...continued)

Honduras, and El Salvador); Mexico; the Common Market of the South (Mercosur), which includes Brazil, Argentina, Paraguay and Venezuela; and Chile.

⁴⁰ Colombian Embassy, "Pacific Alliance Leaders Sign Historic Agreement to Advance Regional Economic Growth, Investment and Job Creation," Press Release, February 18, 2014.

⁴¹ For more background on the Pacific Alliance, see CRS Report R43748, *The Pacific Alliance: A Trade Integration Initiative in Latin America*, by M. Angeles Villarreal.

⁴² For more information on Colombia's trade relations with the United States, see CRS Report RL34470, *The U.S.-Colombia Free Trade Agreement: Background and Issues*, by M. Angeles Villarreal.

climates, Colombia has demonstrated a political commitment to create jobs, develop sound capital markets, and attract investment. Some of the problems in its business environment include weaknesses in its judicial system, an inability to enforce contracts, and continuing problems with counterfeit and pirated products.⁴³

In addition to strengthening Colombia's business-friendly environment, the Santos government has focused on more inclusive growth and formal job creation. However, social protest in 2013 and the first half of 2014, led by farmers and the rural sector, produced strikes and blockades with a frequency that reportedly Colombia had not experienced in decades.⁴⁴ Much of the protest began with agricultural workers opposing Colombia's free-trade policies or the perceived externalities of those policies and the government's lack of support for small-scale farmers. In August 2013, three weeks of unrest started among agricultural workers and grew to a nationwide strike that involved truckers, informal miners, students, health-care workers, and others. Police reportedly fired tear gas at demonstrators, several protesters were killed, and the armed forces were called out to restore order. To end the nationwide protest, the government signed a national agricultural pact with the strikers, eliminating import tariffs on some agricultural inputs and making other guarantees to modernize agriculture and support small farmers.⁴⁵ Later, in May 2014, shortly before the first round of Colombia's presidential elections, strikes by rural workers and farmers again protested that the promises of the agricultural pact had not been fulfilled. Many observers have pointed to the need for long-term and integrated agricultural reform in a country with one of the most unequal patterns of land ownership in the world.⁴⁶

The Current Security Environment

Colombia faces a complex security environment. Illegally armed groups include two violent leftist insurgencies, the FARC and the ELN, and the groups that succeeded the AUC following its demobilization during the Uribe Administration. The FARC, whittled down by the government's military campaign against it, continues to conduct a campaign of terrorist activities during negotiations with the government because the talks have proceeded without a bilateral ceasefire, (although the FARC have urged a ceasefire and at times imposed temporary unilateral ceasefires). The Colombian government currently estimates the FARC has between 8,000 and 9,000 fighters. The ELN, with diminished resources and reduced offensive capability, has declined to fewer than 2,000 fighters. According to the State Department, the FARC and the smaller ELN were responsible for some 830 terrorist incidents in 2013, a decline over the prior year. In 2013 and continuing into 2014, however, there was a sharp increase in infrastructure attacks targeting oil pipelines and other energy infrastructure; attacks on oil pipelines were so extensive that oil output has been affected. The FARC and ELN are also deeply involved in the drug trade, and use extortion, kidnapping and other criminal activities to fund themselves.⁴⁷

⁴³ U.S. Department of State, "Investment Climate Statement 2014: Colombia," June 2014, at <http://www.state.gov/e/eb/rls/othr/ics/2014/226933.htm>.

⁴⁴ "Number of Protests in Colombia Hits Record High in 2013—Survey," *BBC Monitoring Americas*, May 6, 2014.

⁴⁵ Helen Murphy, "Colombian President's Popularity Hits Low after Unrest," *Reuters*, September 4, 2013; Grant Hurst, "Colombian President Reshuffles Cabinet to Reinvigorate Government Ahead of 2014 Election," *IHS Global Insight Daily Analysis*, September 9, 2013; "Protests in Colombia, Unpopular Dismay," *Economist*, September 6, 2013.

⁴⁶ Jim Wyss, "Colombia: Amid a Tightening Election, Santos Faces Farmer Strike," *Miami Herald*, April 30, 2014.

⁴⁷ The FARC has traditionally used kidnapping, but claimed to end the practice in early 2012 in an overture to begin peace negotiations with the government. The FARC has diversified into illegal mining (particularly gold mining), cattle rustling and other illicit businesses. The ELN has focused on extortion and kidnapping business executives from oil, (continued...)

The loosely affiliated national umbrella organization of paramilitaries, the AUC, officially disbanded eight years ago. More than 31,000 AUC members demobilized between 2003 and 2006, and many of the AUC's leaders stepped down. However, many former AUC paramilitaries continued their criminal activities or re-armed and joined criminal groups—known as Bacrim (from the term “criminal bands” in Spanish). Viewed by many observers as successors to the paramilitaries,⁴⁸ the Bacrim are seen by the Colombian government as the biggest threat to security in Colombia today. Human rights groups maintain these successors to the paramilitaries are responsible for widespread abuses against civilians.⁴⁹ The Bacrim are primarily involved in drug trafficking, but also extortion and many other violent crimes.

Some critics maintain that Colombian security forces are indifferent to the prosecution of the Bacrim. Nevertheless, the Santos government has taken an aggressive and coordinated approach to removing key leaders of the Bacrim. Arrests related to these criminal groups rose dramatically from 689 in 2006 to 4,497 in 2012.⁵⁰ According to the government, Colombian authorities have arrested several of the top leaders of the most influential Bacrim organizations, and successfully dismantled several Bacrim syndicates. In 2013, Los Urabeños emerged as the dominant Bacrim. The Urabeños organization is heavily involved in cocaine trafficking as well as arms trafficking, money laundering, extortion, gold mining, human trafficking, gambling, and prostitution.⁵¹ The FARC and ELN have been willing to collaborate with Bacrim groups in defense of drug trafficking and other illicit activities.⁵²

Peace Talks⁵³

Peace talks between the Santos Administration and the FARC formally opened in Norway in October 2012. They moved to Cuba in November 2012, where more than 30 rounds of closed door talks have taken place. A framework agreement, signed by both parties in advance of the formal negotiations, defined a six-point agenda. This agenda included land and rural development; political participation of the FARC; ending the armed conflict and reinsertion of rebel forces into civilian life; illegal drug trafficking and illicit crop cultivation; victims' reparations; and, implementation of the final agreement, including ratification and verification.

(...continued)

gas, and mining operations.

⁴⁸ According to some analysts, all but one of the major Bacrim have their roots in the AUC. See, Jeremy McDermott, “The BACRIM and Their Position in Colombia’s Underworld,” *InSight Crime, Organized Crime in the Americas*, May 2, 2014.

⁴⁹ See, for example, Human Rights Watch, *World Report 2014: Colombia*, January 21, 2014.

⁵⁰ María Victoria Llorente and Jeremy McDermott, “Colombia’s Lessons for Mexico,” in *One Goal, Two Struggles: Confronting Crime and Violence in Mexico and Colombia*, ed. Cynthia J. Arnsen, Eric L. Olson with Christine Zaino (Woodrow Wilson Center, 2014).

⁵¹ President Obama identified Los Urabeños as a Specially Designated Narcotics Trafficker pursuant to the Foreign Narcotics Kingpin Designation Act in May 2013, and the Treasury Department froze the assets of 17 leaders and criminal associates of Los Urabeños along with six businesses in Colombia pursuant to the Kingpin Act. See U.S. Department of the Treasury, “Treasury Sanctions Los Urabeños Leadership,” July 23, 2014; “The Urabeños—The Criminal Hybrid,” *InSight Crime: Organized Crime in the Americas*, May 2, 2014.

⁵² Jim Wyss, “If Colombia’s Guerrillas Sign a Peace Deal, Will the Guns Go Silent?,” *Miami Herald*, November 13, 2013.

⁵³ For a more detailed discussion of the peace talks, see CRS Report R42982, *Peace Talks in Colombia*, by June S. Beittel.

At the outset, President Santos urged that the peace talks take “months rather than years” to reach an agreement, but his original target date for completion, November 2013, has long passed. To date, the negotiators have announced that their talks have resolved three of the six issues on the agenda: land and rural development (May 2013), the FARC’s political participation after disarmament (November 2013), and illegal drug trafficking (May 2014).

In an effort to protect the talks, details of the agreements were not disclosed, although their outlines were publicized, prior to the release of all the partial agreements in late September 2014. On the topic of illegal drugs, for example, negotiators announced that they had broadly established six areas of agreement: (1) the FARC acknowledged its links to the drug business and committed to ending its involvement; (2) the FARC agreed to assist with demining in rural areas to make drug crop eradication safer; (3) the FARC agreed to cooperate “practically and efficiently” in resolving the illegal drugs problem; (4) the Colombian government agreed to prioritize voluntary drug crop eradication over forced and aerial eradication; (5) the government committed to a crop substitution and alternative development program in line with the rural development accord reached in May 2013, the first topic resolved at the peace talks; and (6) the government agreed to provide public health programs to prevent addiction and to treat drug consumption as a public health problem. All agreements operate under the tenet that nothing is agreed until a final agreement is concluded.⁵⁴

The pace of progress at the talks quickened during the legislative and presidential election campaigns, especially as the presidential second round focused closely on voter support or disillusionment with the Santos government’s peace platform. In early June 2014, negotiators said they had agreed on a framework for the fourth issue to be considered: reparation and justice for victims. On June 10, just five days before the presidential second-round election, the Santos Administration announced it had opened preliminary negotiations with Colombia’s second-largest insurgent group, the ELN.⁵⁵ However, to date, no formal talks with the ELN have begun.

One of the most complex and challenging issues remains: the transitional justice approach for ending the conflict which undergirds the remaining topics of victims’ reparations and how to end the conflict, including reinsertion of rebel forces into civilian life.⁵⁶ Transitional justice means balancing the need to punish violators of the most egregious crimes with the goal of achieving peace through a demobilization of insurgent forces. In the FARC-government negotiations, it will include such thorny issues as jail time or alternative punishment for FARC crimes and the delicate issue of extradition.⁵⁷ The process also needs to determine procedures for enacting the final agreement including ratification, verification and implementation.

Although not a party to the talks, the United States and many countries in the region across the political spectrum have expressed their strong support for bringing the peace process to a

⁵⁴ Drawn from Fact Sheet “Peace Talks Between the Colombian Government and FARC: Agreement on the Third Point Under Discussion Drug Trafficking,” May 2014, provided to CRS by the Colombian Embassy.

⁵⁵ Dan Molinski and Sara Schaefer Munoz, “Colombia Widens Peace Talks Before Vote—Days Before a Tightly Contested Election, President Santos Says His Government Is Negotiating with a Second Guerrilla Group,” *Wall Street Journal*, June 11, 2014; William Neuman, “Colombia Says It Has Begun Peace Talks with Rebels,” *New York Times*, June 11, 2014.

⁵⁶ The terms for “ending the conflict” will encompass disarmament, demobilization, and reintegration (DDR).

⁵⁷ For a discussion of how the issue of extradition might be handled by the negotiators at the FARC-government peace talks, see John Otis, *The FARC and Colombia’s Illegal Drug Trade*, Woodrow Wilson International Center for Scholars, Latin America Program, November 2014.

successful resolution. The Obama Administration has made several statements in support of the peace process, including during the visit of President Santos to Washington, DC, in December 2013 and shortly after President Santos's reelection in June 2014, when Vice President Joe Biden traveled to Colombia and pledged U.S. support.⁵⁸

On September 24, 2014, President Santos announced that the negotiators had agreed to publish the texts of all three partial agreements reached by the two sides. According to a joint FARC-government statement, the 65-pages of text released in Spanish on the peace talks website was done to increase "transparency" and to dispel rumors and misinformation about the contents of the documents. The previously unpublished material had been held back to protect the process, and some observers suggested that the move revealed growing confidence in the maturity of the process and its prospects for yielding a final agreement.⁵⁹

Many factors are likely to influence the outcome of the peace talks with the FARC. Among them are: the public's support for the talks as they continue into their third year after a close and heated election in which nearly half of Colombia's voters expressed pessimism about the talks; the unity or fragmentation of FARC forces (whether or not there is a final peace deal); and the activities of "spoilers" who wish to see the talks fail. Furthermore, there is concern about the timing of formal peace negotiations with Colombia's smaller insurgent group, the ELN.⁶⁰

As conditions have unfolded, analysts have debated the viability and future of the peace process. Some predict that the negotiations are likely to fall apart given the FARC's intransigence and its potential for criminal fragmentation. Others see the significant progress made thus far as pointing toward a successful resolution. Some observers predict that the talks may be concluded in 2015, with efforts to ratify and implement the agreement going well beyond.⁶¹ Others predict a long and slow process given the complexity of the remaining issues to be resolved.

Ongoing Domestic Challenges: Human Rights Issues

Colombia's multi-sided internal conflict over the last half century has generated a lengthy history of human rights abuses. Violence targeting noncombatants, including killing, torture, kidnapping, disappearances, forced displacement, forced recruitment, massacres and sexual violence has been committed by the various actors in the conflict such as the guerillas, the paramilitaries and their successors, and some elements of the Colombian security forces. While it is widely recognized that Colombia's efforts to reduce violence, combat drug trafficking and terrorism, and strengthen

⁵⁸ Frank Bajak, "Biden Firmly Backs Colombia Peace Effort," *Associated Press*, June 18, 2014.

⁵⁹ Luis Jaime Acosta and Julia Symmes, "Colombian Rebels, Government Publish Accords Agreed So Far at Talks," *Reuters*, September 24, 2014; "Colombian Gov't and Farc Take 'The Bull by the Horns,'" *LatinNews Daily Report*, September 25, 2014.

⁶⁰ ELN has closely monitored the peace talks with the FARC. In early September 2014, ELN's leadership called for a bilateral ceasefire before talks are initiated with their group, asserting that the lack of a mutually agreed ceasefire in the FARC-government talks was contradictory and confusing. ELN Commander Nicolas Bautista stated that since the ELN preparatory talks were announced in June 2014 that the government and ELN negotiating teams had agreed to two points of the negotiating agenda for formal peace talks. Nicolas Bedoya, "ELN Calls for Bilateral Ceasefire in Event of Peace Talks," *Colombia Reports*, September 5, 2014.

⁶¹ See, for example, the Economist Intelligence Unit whose baseline forecast is that the parties are likely to reach a peace deal in 2015. Country Report Colombia, *EIU*, November 2014. The EIU, earlier in the year, had predicted an agreement by the end of 2014 as did several other analysts during the same timeframe. See Adam Isacson, *Ending 50 Years of Conflict: The Challenges Ahead and the U.S. Role in Colombia*, April 2014.

the economy have met with success, many nongovernmental organizations (NGOs) and human rights groups continue to report significant human rights violations. Colombia continues to experience murders and threats of violence against journalists, human rights defenders, labor union members, social activists like land rights leaders, and other at-risk groups. Crimes of violence against women, children, Afro-Colombian and indigenous leaders and other vulnerable groups continue at high rates.

The report by the Center for Historical Memory issued to the Colombian government in July 2013 analyzes the human rights abuses that took place during the past 50 years as a result of the internal conflict. As noted earlier, the report states that of about 220,000 people who died in the conflict 81% of the victims were civilians. It traces those responsible for violations, including the guerrillas (the FARC and ELN), the AUC paramilitaries and successor paramilitary groups, and the Colombian security forces. For example, analyzing nearly 2,000 massacres between 1980 and 2012 documented in the Center's database, the report maintains that 58.9% were committed by paramilitaries, 17.3% by guerrillas, and 7.9% by public security forces. The remaining 14.8%, according to the report, were committed by unidentified armed groups. In addition, the report states that through March 2013 the government has registered more than 25,000 disappearances, 1,754 victims of sexual violence, and more than 6,400 children and adolescents forcibly recruited by armed groups.⁶²

According to the U.S. State Department's annual report on human rights covering 2013, Colombia's most serious human rights abuses were the consequence of "impunity, an inefficient judiciary, forced displacement, corruption, and societal discrimination." The report cited as significant issues: extrajudicial and unlawful killings; slow prosecution of extrajudicial killings; military collaboration with members of illegal armed groups; forced disappearances; overcrowded and insecure prisons; harassment of human rights groups and activists, including lethal violence and death threats; violence against women and girls; and trafficking in persons. In addition to the State Department, numerous sources report regularly on human rights conditions in Colombia. (See **Appendix**.)

The following prominent human rights issues, involving homicides and threats of violence, remain relevant and illustrate the scale of the human rights problem still facing the Colombian government. Each reflects constraints of the Colombian judicial system to effectively prosecute crimes and overcome impunity.

Extrajudicial Executions and "False Positives"

For many years, human rights organizations have raised concerns about extrajudicial executions committed by Colombian security forces, particularly the military. In 2008, it was revealed that several young men from the impoverished community of Soacha—who had been lured from their homes to another part of the country with the promise of employment—had been executed. When discovered, the Soacha murder victims had been disguised as guerrilla fighters in order to inflate military claims of enemy body counts, resulting in the term "False Positives." Following an investigation into the Soacha murders, the military fired 27 soldiers and officers, including three generals, and the commander of the Army resigned. Criminal investigations by the Prosecutor General in Colombia of soldiers and officers who allegedly participated in the Soacha executions

⁶² *Basta Ya! Colombia: Memorias de Guerra y Dignidad*, accessed on Center for Historical Memory website at <http://www.centrodememoriahistorica.gov.co>.

have proceeded quite slowly. Some 48 of the military members who were originally charged with involvement in the Soacha cases have been released due to the expiration of the statute of limitations. While some soldiers have received long sentences, few sergeants or colonels have been successfully prosecuted.⁶³

In 2009, the False Positive phenomena was investigated by the U.N.'s Special Rapporteur on Extrajudicial Executions, who issued a report concluding there was no finding that such killings were sanctioned as official government policy. However, the Special Rapporteur did find, "the sheer number of cases, their geographic spread, and the diversity of military units implicated, indicate that these killings were carried out in a more or less systematic fashion by significant elements within the military."⁶⁴ The majority of the cases occurred after 2000 and between 2004 and 2008, when U.S. assistance levels peaked. In recent years, the number of new cases has declined steeply, but human rights NGOs have reported a few cases in 2012 and 2013.⁶⁵

False Positive homicides are not reported separately from other types of homicides.⁶⁶ Many of the investigations and prosecutions by the Prosecutor General's Office of the roughly 2,400 cases of unlawful killings alleged to have been carried out by Colombian security forces (involving more than 4,000 victims) remain in the preliminary stages. According to Human Rights Watch, as of June 2013, prosecutors in the Human Rights Unit of the Prosecutor General's office have obtained convictions in 189 cases with those convictions covering 605 army members. However, according to Human Rights Watch, the convictions were mostly of soldiers and junior officers. Cases involving higher-ranked officers are often delayed in protracted legal proceedings or are still under investigation.⁶⁷ Some human rights observers maintain that the low number of convictions has resulted in the impression that the security forces enjoy impunity for the crime of extrajudicial execution. The Colombian government has reiterated its commitment to successfully prosecute all human rights cases, and is especially concerned to achieve a just outcome in the False Positive cases. It is significant, however, that the Prosecutor General's office (*Fiscalia*) is independent from the executive.

Human Rights Defenders and Journalists

Although estimates diverge, according to the annual report of *Somos Defensores* ("We are Defenders"), a Colombian NGO that tracks violence against defenders and is cited by the State Department and others, the number of human rights defenders murdered rose in 2013 to 78, up from 69 in 2012. In addition, 366 acts of aggression including threats were directed at human rights defenders.⁶⁸ Human rights activists are generally pleased with the tone of the Santos

⁶³ For example, as of mid-2013, 18 colonels were accused of links to the crimes committed in Soacha, but only two had been convicted. See, U.S. Department of State, *Memorandum of Justification Concerning Human Rights Conditions with Respect to Assistance for the Colombian Armed Forces*, September 11, 2013.

⁶⁴ United Nations, Press Release, "Statement by Professor Philip Alston, UN Special Rapporteur on extrajudicial executions—Mission to Colombia, 8-18 June 2009." Available at <http://www.unhcr.ch/hurricane/hurricane.nsf/view01/C6390E2F247BF1A7C12575D9007732FD?opendocument>.

⁶⁵ Human Rights Watch, Colombia chapter, *World Report 2014*, January 21, 2014.

⁶⁶ According to Human Rights Watch, the False Positive killings attributed to state agents are tried by public prosecutors as "homicide of protected persons," "aggravated homicide," or "homicide." Op cit. José Miguel Vivanco, "Letter to Minister Pinzon about Military Jurisdiction."

⁶⁷ Ibid.

⁶⁸ Human rights defenders include community leaders, land rights activists, indigenous and Afro Colombian leaders, and women's rights defenders.

government's policies and statements on human rights which have frequently denounced attacks, but they have been critical of inadequate prosecution of such crimes. Few, if any, of those accused of making threats and ordering or carrying out assassinations have been prosecuted. According to these activists, perpetrators have little fear of legal consequences. In its semi-annual report covering the first half of 2014, *Somos Defensores* reported that there was a decline of human rights defenders' murders to 30 (a decline of 18% over the first half year of 2013), which they welcomed as a portent of peace. The number of other acts of aggression, however, rose.⁶⁹

Violence against land rights activists has risen sharply with the start of implementation of the Victims' Law in early 2012. A September 2013 report by Human Rights Watch pointing to the rise in violence against land activists and claimants maintained that the environment had become so threatening that claimants who had received land judgments were too frightened to return to their restituted land, and more than 500 serious threats against claimants had been received by the government just since January 2012. According to Human Rights Watch, many of the threats and killings have been conducted by paramilitary-influenced criminal bands (Bacrim), although the Bacrim may be operating at the behest of third party landowners who are trying to protect their land from seizure.⁷⁰ For more than a decade, the Colombian government has addressed violence against groups facing extraordinary risk through its National Protection Unit (UPN). Colombia's UPN provides protection measures, such as body guards and protective gear, to at-risk groups including human rights defenders, journalists, trade unionists, and others. In August 2013, Colombia's Prosecutor General reported it was investigating 43 cases of killings of land claimants, leaders, and "participants in land restitution matters" committed since 2008.⁷¹

The U.N.'s Office of the High Commissioner on Human Rights (OHCHR), which may define human rights defenders differently than *Somos Defensores*, confirmed that 39 defenders were killed in 2013 as of December. Some of those killed were under protection by the government's National Protection Unit according to OHCHR.⁷² The government reports that its National Protection Unit had a budget in 2013 of \$140 million to protect some 7,700 people who were at extraordinary risk. OHCHR, which works closely with the National Protection Unit, noted in its annual report that the protected population covered by the Unit shifted over 2013, with the number of land restitution claimants and activists, and ethnic groups increasing while the number of protected trade unionists, journalists, and NGO activists declined.⁷³

Nevertheless, journalists continue to operate in a dangerous environment in Colombia. According to the Committee to Protect Journalists (CPJ), 45 journalists in Colombia have been killed in work-related circumstances since 1992. A journalist and a media worker were killed in 2013. In addition, according to a CPJ ranking of impunity levels for prosecuting homicides against

⁶⁹ See, annual and semiannual reports of *Somos Defensores*, at <http://www.somosdefensores.org/index.php/en/>.

⁷⁰ Miriam Wells, "BACRIM The Greatest Threat to Colombia Land Restitution: HRW," *InSight Crime: Organized Crime in the Americas*, September 19, 2013.

⁷¹ Human Rights Watch, Colombia chapter, *World Report 2014*, January 21, 2014.

⁷² United Nations High Commissioner for Human Rights, *Annual Report of the United Nations High Commissioner for Human Rights*, Human Rights Council, Addendum: Situation of Human Rights in Colombia, January 24, 2014.

⁷³ OHCHR, *Op cit.* With the increase in ethnic groups being covered by the Protection Unit, including Afro-Colombian and indigenous communities, the importance of offering collective measures to protect groups at risk has grown. Reportedly, the Ministry of Interior and the UPN are developing a decree that will enable the provision of collective measures. See, "WOLA/LAWG Statement on Meeting with Colombian National Protection Unit Director on 11 November 2014," at http://www.wola.org/commentary/ngo_statement_on_meeting_with_colombian_national_protection_unit_director.

journalists, Colombia was ranked fifth in the world. However, CPJ acknowledged in its 2013 ranking that there has been some recent improvement in prosecuting cases in Colombia, and murders of working journalists have declined. On August 12, 2014, however, Luis Carlos Cervantes, a radio journalist who had recently had protection measures by the National Protection Unit withdrawn, was killed.⁷⁴ The Special Rapporteur on Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) and the CPJ, among other groups concerned with journalists' rights, called for a prompt and thorough investigation of the murder.⁷⁵

Violence and Labor

The issue of violence against the labor movement in Colombia has sparked controversy and debate for years. Many human rights groups and labor advocates have maintained that Colombia's poor record on protecting its trade union members and leaders is one reason to avoid closer trade relations with Colombia. The U.S. Congress's approval of the U.S.-Colombia Free Trade Agreement (also known as the U.S.-Colombia Trade Promotion Agreement) could not be enacted without addressing the deep concern of many Members of Congress that Colombia enforce basic labor standards and especially measures to mitigate the alleged violence against trade union members and bring perpetrators of such violence to justice. In April 2011, the United States and Colombia agreed to an "Action Plan Related to Labor Rights" (the Labor Action Plan, LAP) which contained 37 measures that Colombia would implement to address violence, impunity, and protection of workers' rights. Before the U.S.-Colombia Free Trade Agreement entered into force in April 2012, the U.S. Trade Representative determined that Colombia had met all the important milestones in the LAP to date.⁷⁶

Despite the programs launched and measures taken to implement the LAP, human rights and labor organizations claim that violence targeting labor union members continues. (Whether labor activists are being targeted because of their union activities or for other reasons continues to be debated.) The government of Colombia has acknowledged that violence and threats continue, but points to success in reducing violence generally and the number of homicides of labor unionists specifically. Violence levels in general are high in Colombia, but have steadily been decreasing. According to the data reported by the U.N. Office on Drugs and Crime (UNODC) in its annual report on homicide, rates have decreased dramatically since 2002, when the homicide rate was at 68.9 per 100,000.⁷⁷ The most recent data reported in the UNODC study is from 2012 with a homicide rate of 30.8 per 100,000. As reported earlier, the total number of homicides fell by about 48%, but the rate declined by more than half (55%).

⁷⁴ The complexity of providing protection to those at extraordinary risk is indicated by this case. The National Protection Unit (UNP) had provided protection to Cervantes from June 2012 through July 24, 2014, but had determined that recent threats reported by him were not connected to his work as a journalist. Furthermore, he had worked as a music programmer and not as a news journalist for over a year. He reported continued threats, however, including one on July 22, 2014, reportedly for not broadcasting information about a criminal group. See, Inter-American Commission on Human Rights (IACHR), "Office of the Special Rapporteur Condemns Murder of Journalist in Colombia," Press Release R 85/14, August 14, 2014.

⁷⁵ Committee to Protect Journalists, "Colombian Radio Director Killed after Receiving Threats," August 13, 2014, at <http://www.cpj.org/2014/08/colombian-radio-director-killed-after-receiving-th.php>; James Bargent, "Journalist's Murder Shines Light on Colombia's Politics-Crime Nexus," *InSight Crime: Organized Crime in the Americas*, August 14, 2014.

⁷⁶ U.S. Trade Representative (USTR), "FACT SHEET: Historic Progress on Labor Rights in Colombia," April 15, 2012, at <http://www.ustr.gov/about-us/press-office/fact-sheets/2012/april/historic-progress-labor-rights-colombia>.

⁷⁷ UNODC, *Global Study on Homicide, 2013*, March 2014.

In this context of an overall steady decline in homicides, the number of labor union killings has also declined. For many years, the government and the leading NGO source that tabulates these crimes did not agree on the number of labor union murders because of using different methodologies. Both sources recorded a decline, but the government generally saw a steeper decline. According to the Colombian labor rights NGO and think tank, the National Labor School (Escuela Nacional Sindical, ENS), there has been a significant decline from 191 labor union murders in 2001 to 20 reported in 2012.⁷⁸ One element of the Action Plan was that the government and ENS would meet to develop a single methodology to define, identify, and provide information on cases involving crimes against trade union members. While this process of unifying their approaches has been slow, the U.S. State Department is now reporting the ENS figure. For 2013, ENS reported an increase in labor homicides to 35.⁷⁹

In addition, labor advocates note that tracking homicides does not capture the climate of intimidation faced by labor unions in Colombia. Besides lethal attacks, trade union members face rising numbers of death threats, arbitrary detention, and other types of harassment. Measures to strengthen the judicial system to combat impunity for such crimes are also part of the Labor Action Plan. Nevertheless, many analysts maintain there remains a large backlog of cases yet to be investigated and prosecuted involving violent crimes against union members. According to the State Department's country report on Colombia covering human rights in 2013, while some prominent cases were resolved the pace of investigations and convictions for trade unionist homicides "remained slow and high rates of impunity continued." This has been especially true for recent cases. Of the 79 homicides of trade unionists that took place since 2011, there has only been one conviction as of March 2014, according to Colombia's Prosecutor General.⁸⁰

Internal Displacement

The internal conflict has been the major cause of a massive displacement of the civilian population that has many societal consequences, including implications for Colombia's poverty levels and stability. Colombia has one of the largest populations of internally displaced persons (IDPs) in the world. Most estimates place the total at more than 5 million IDPs, or greater than 10% of Colombia's estimated population of 47 million.⁸¹ This enormous number of Colombians, forcibly displaced and impoverished as a result of the armed conflict, continues to grow and has been described by many observers as a humanitarian crisis. Indigenous and Afro-Colombian

⁷⁸ ENS reported 20 trade unionist killings in 2012, but the figures change as more information becomes available. Later in 2013, they asserted 22 trade union murders had occurred in 2012. See data in *U.S.-Colombia Labor Action Plan: Failing on the Ground*, A Staff Report on behalf of U.S. Representatives George Miller and Jim McGovern to the Congressional Monitoring Group on Labor Rights in Colombia, October 2013.

⁷⁹ For more on the ENS reporting 35 labor killings in 2013, see U.S. Department of State, *Memorandum of Justification Concerning Human Rights Conditions with Respect to Assistance for the Colombian Armed Forces*, September 17, 2014. See also, U.S. Government Accountability Office, *Free Trade Agreements: U.S. Partners Are Addressing Labor Commitments, but More Monitoring and Enforcement are Needed*, November 2014.

⁸⁰ Executive Office of the President of the United States and U.S. Department of Labor, "Update: The Colombian Labor Action Plan: Three Years Later," April 7, 2014.

⁸¹ Under its single registry for victims, the Colombian government reported more than 5.1 million victims of forced displacement as of December 2013. Many NGOs have reported higher numbers. For example, the Consultancy for Human Rights and Displacement (CODHES), maintains that there are more than 6 million Colombians have been displaced since 1985. United Nations High Commissioner for Human Rights, *Annual Report of the United Nations High Commissioner for Human Rights, Human Rights Council, Addendum: Situation of Human Rights in Colombia*, January 24, 2014.

peoples make up an estimated 15% - 22% of the Colombian population.⁸² They are, however, disproportionately represented among those displaced. The leading Colombian NGO that monitors displacement, Consultancy for Human Rights and Displacement (CODHES), reports that 36% of the victims of forced displacement nationwide in 2012 came from the country's Pacific region. Afro-Colombian and indigenous people, who live predominantly in the Pacific coastal departments of Nariño, Cauca, Valle del Cauca, and Chocó, (see map, **Figure 1**) were the most affected.⁸³ The Pacific region, historically inhabited by ethnic minorities, has been largely marginalized as a result of weak central government presence and societal discrimination. (Some 84% of the land in the Pacific region is subject to collective-title rights granted to Afro-Colombian and indigenous communities.)⁸⁴ Illegal armed groups are active in usurping land in this region, which is valued for its proximity to a major port and drug trafficking routes, and the Afro- and indigenous communities are also caught in the middle of skirmishes between illegal groups and Colombian security forces.

IDPs suffer stigma and poverty and are often subject to abuse and exploitation. Besides the disproportionate representation of Colombia's ethnic communities among the displaced, its other vulnerable populations, such as women and children, have been disproportionately affected. Women, who make up more than half of the displaced population in Colombia, can become targets for sexual harassment, violence, and human trafficking. Displacement is driven by a number of factors, most, but not all, linked to the internal armed conflict. It occurs frequently in more remote regions of the country where armed groups compete and seek to control territory or where they confront Colombian security forces. Violence that uproots people includes threatened or actual child recruitment or other forced recruitment by illegal armed groups, as well as physical, psychological, and sexual violence. Other contributing factors reported by NGOs include counternarcotics measures such as aerial spraying, illegal mining, and large-scale economic projects in rural areas. Inter-urban displacement is a growing phenomenon in cities such as Buenaventura and Medellín, which often results from violence and threats by organized crime groups.

The Victims' Law of 2011, which began to be implemented in 2012, is the major piece of legislation to redress Colombian victims of displacement with the return of their stolen land. The historic law provides restitution of land to those IDPs who were displaced since January 1, 1991. The law aims to return land to as many as 360,000 families (impacting up to 1.5 million people) who had their land stolen. But the law thus far has been applied during a time of ongoing violence and many observers have noted it is far from reaching its promised goals. The government notes that some 50% of the land to be restituted has the presence of land mines and that the presence of illegally armed groups in areas where victims have presented their applications for land restitution has slowed implementation of the law.⁸⁵

⁸² The percentage of the Colombian population who are Afro-descendent or indigenous is highly contested. The estimate of nearly 15% comes from the U.S. Agency for International Development (USAID), "USAID's Work in Colombia," Fact Sheet, October 7, 2013, at <http://www.usaid.gov/news-information/fact-sheets/usaid-work-colombia>. See textbox, "Colombia at A Glance," for other estimates. In addition, some NGOs and human rights groups estimate that indigenous people and Afro-Colombians may make up 25% or higher of the Colombian population.

⁸³ Helda Martinez, "Despite Peace Talks, Forced Displacement Still Climbing in Colombia," *Inter Press Service*, June 4, 2013.

⁸⁴ "More than Perfume, Please," *Economist*, November 8, 2014.

⁸⁵ Op cit. Lisa Haugaard, Zoraida Castillo, and Winifred Tate, et al; Government of Colombia, "Victims and Land Restitution Law: Addressing the Impact of Armed Conflict within Colombia," November 2013.

Some of Colombia's IDPs have fled across international borders, becoming refugees in neighboring states. The U.N. High Commissioner for Refugees (UNHCR) reported that more than 400,000 Colombians were refugees or in refugee-like situations in Ecuador, Venezuela, Costa Rica, and Panama.⁸⁶ Relative to its size, Ecuador has by far the largest population, with 54,800 refugees officially recognized by Ecuador's government (98% of them Colombians) as of September 2013, according to the UNHCR.⁸⁷

Regional Relations and Security

Colombia shares long borders with neighboring countries, and some of these border areas have been described as porous and transmittal points for illegal armed groups that threaten regional security. Colombia has a 1,367-mile border with Venezuela, approximately 1,000-mile borders with both Peru and Brazil, and smaller borders with Ecuador and Panama. Much of the territory is remote and rugged and suffers from inconsistent state presence. While all of Colombia's borders have been problematic and subject to spillover effects from Colombia's armed conflict, the most affected are Venezuela, Ecuador, and Panama.

Over the years, Colombia's relations with Venezuela and Ecuador have been strained by spillover from Colombia's counter-insurgency operations, including cross-border military activity. The FARC and ELN have been present in shared border regions and in some cases the terrorist groups have used the neighboring country to rest, resupply, and shelter. Former President Uribe accused the government of Venezuela's Hugo Chávez of harboring the FARC and ELN and maintained that he had evidence of FARC financing of the campaign of Ecuador's President Rafael Correa. However, relations between both Colombia and Venezuela and Colombia and Ecuador, which had been tense for much of the Uribe Administration, have markedly improved under President Santos. Soon after coming to office in 2010, President Santos reestablished diplomatic ties with both countries, ties that had frayed under Uribe.

During President Santos's first term (2010-2014) cooperation greatly increased between Colombia and Venezuela on border and security issues despite the State Department's concerns about Venezuelan links to the FARC. According to the State Department's Country Reports on Terrorism 2013, published in April 2014, Venezuela has not taken action against senior level government officials who were designated as Foreign Narcotics Kingpins by the United States. Some officials were also sanctioned for links to the FARC's drug-trafficking and arms-smuggling activities in 2011. The State Department's 2013 terrorism report maintains that the FARC and ELN continue to use Venezuela as a safe haven and to make incursions into Colombia, and there is the continued presence of individuals associated with the FARC and ELN in the country.⁸⁸

On the other hand, State Department's terrorism report notes that in August 2013 the neighboring governments announced renewed cooperation to reduce smuggling of illegal goods, narcotics trafficking, and the activities of illegal armed groups. In the fall of 2013, the Venezuelan and Colombian Ministers of Defense met to coordinate joint efforts to combat illegal armed groups

⁸⁶ The breakout is as follows: more than 200,000 in Venezuela, more than 170,000 in Ecuador, more than 20,000 in Costa Rica, and more than 16,000 in Panama. U.S. Department of State, *Memorandum of Justification Concerning Human Rights Conditions with Respect to Assistance for the Colombian Armed Forces*, September 17, 2014.

⁸⁷ U.N. High Commissioner on Refugees (UNHCR), "2014 UNHCR Country Operations Profile–Ecuador," at <http://www.unhcr.org/pages/49e492b66.html>.

⁸⁸ U.S. Department of State, *Country Reports on Terrorism 2013*, April 2014.

along the Venezuelan-Colombian border. Venezuela is one of the supporting governments at the FARC-government peace talks (along with Chile, Norway, and Cuba) and former President Chávez is thought to have taken a crucial role in convincing the FARC to enter into the negotiations. Current Venezuelan President Nicolas Maduro has backed the process too, although with less authority than Chávez.

Under President Uribe, the Colombian military bombed a FARC camp inside of Ecuador in March 2008. The camp, located in Ecuador's Sucumbios department, belonged to Raul Reyes, a member of the FARC secretariat. The bombing raid created an international incident. Ecuador severed relations with Colombia for 33 months. In support of Ecuador, Venezuela also broke off relations with Colombia and sent troops to its border with Colombia. Relations between Venezuela and Colombia remained tense especially between former President Chávez and President Uribe, but a diplomatic intervention allowed relations to be restored temporarily. Ecuador fully restored diplomatic relations with Colombia after Uribe left office and in the first months of the Santos Administration in December 2010.

Ecuador has continued to face security challenges along its 450-mile border with Colombia from Colombian terrorist groups and other spillover effects of the conflict. Although President Santos was serving as Defense Minister during the 2008 bombing of the Raul Reyes camp, he has successfully cultivated cooperation with Ecuador's leftist President Correa on security and anticrime issues. As noted earlier, there are more than 54,000 Colombian refugees recognized by the government in Ecuador. In addition to the high number of refugees, Colombia's aerial spraying of drug crops has been a concern of the Ecuadorian government. In 2008, Ecuador filed suit against Colombia in the International Court of Justice (ICJ) in The Hague claiming damages to Ecuadorian residents affected by spray drift over its border with Colombia. In September 2013, on the eve of the final hearing of the ICJ case, Colombia reached an out-of-court settlement awarding Ecuador \$15 million. In the settlement, Colombia agreed to pay Ecuador for past alleged environmental and health harms from aerial spraying and to formally require a ban on spraying in the 10-kilometer zone up to the border with Ecuador (voluntarily put in effect by former President Uribe).⁸⁹

For many years, the region in Panama that borders Colombia, the Darien, was host to a permanent presence of FARC soldiers who used the remote area for rest and resupply as well as a key area for transit of drugs north. There is strong cooperation between the Panamanian and Colombian governments on border security and the two countries have recently agreed to establish a permanent joint base near the border to facilitate actions to prevent FARC from entering Panama. The success of joint border actions and the operations of Panama's border police and other agencies have reportedly rid the Darien of the long standing FARC permanent presence, although the FARC continues to use the region as a key drug trafficking corridor.⁹⁰

Colombia's Role in Training Security Personnel Abroad

When Colombia hosted the Sixth Summit of the Americas in April 2012, President Obama and President Santos announced a new joint endeavor, the Action Plan on Regional Security

⁸⁹ "Ecuador Wins Favorable Settlement from Colombia, Terminates Aerial Spraying Case in International Court of Justice," *Business Wire*, September 19, 2013; Pablo Jaramillo Viteri and Chris Kraul, "Colombia to Pay Ecuador \$15 Million to Settle Coca Herbicide Suit," *Los Angeles Times*, September 16, 2013.

⁹⁰ U.S. Department of State, *Country Reports on Terrorism*, April 2014.

Cooperation. This joint effort, built on ongoing security cooperation, addresses hemispheric challenges such as combating transnational organized crime, counternarcotics, strengthening institutions, and fostering resilient communities.⁹¹ The Action Plan focuses on capacity building of security personnel in Central America and the Caribbean. To implement the plan, Colombia undertook 39 cooperation activities in 2013 to train more than 700 individuals from Panama, Honduras, El Salvador, and Guatemala. Under the Action Plan in 2014, Colombia will conduct 152 activities involving security personnel from the same countries and also Costa Rica and the Dominican Republic. Colombia has increasingly trained military and police from other countries both under this partnership and other arrangements. According to the U.S. and Colombian governments, the broader effort is designed to “export” Colombian expertise in combating crime and terrorism while promoting the rule of law.

According to the Colombian Ministry of Defense, between 2010 and 2013 Colombia trained more than 18,000 third-country military and police from more than 55 countries; over 80% of those trained were from Mexico, Central America, and the Caribbean. (See **Figure 2**.) In one analysis of the training, a majority of the training was provided by Colombian National Police rather than the Colombian Army, in such areas as ground, air, maritime and river interdiction; police testimony; explosives, intelligence operations; psychological operations; and Comando JUNGLA, Colombia’s elite counternarcotics police program.⁹² Some observers question the portion of these activities that are funded by the U.S. government. They have raised concerns about adherence to human rights restrictions on U.S. aid when U.S.-funded Colombian trainers provide assistance to third-country security forces.⁹³ Other analysts praise the Colombian training as a way to “multiply” U.S. security assistance and its impact with partner nations. If the peace talks end in an accord, the Colombian military and police may change their core missions. One possibility is that Colombia’s regional role in combating transnational organized crime may continue to grow.

Colombia has also indicated an interest in strengthening its role in multilateral security organizations. In June 2013, Colombia became the first Latin American country to sign an agreement with NATO focused on future security cooperation and consultation, although Colombia is not eligible to become a member. The memorandum of understanding, which had leftist critics both inside Colombia and the region, was ratified by the Colombian Congress in August 2014, and is under review by Colombia’s Constitutional Court.⁹⁴

⁹¹ U.S. Department of State, “Joint Press Release on the United States-Colombia Action Plan on Regional Security Cooperation,” April 15, 2012, at <http://www.state.gov/r/pa/prs/ps/2012/04/187928.htm>.

⁹² See interview with Professor Arlene Tickner at “Security Diplomacy Centerpiece of Colombia’s Foreign Policy,” *World Politics Review*, September 5, 2014.

⁹³ For example, critics have questioned the lack of information on what type of training is taking place and if human rights restrictions such as the “Leahy Law” provisions that require vetting of foreign security forces are being followed. See Adam Isacson, Lisa Haugaard, and Abigail Poe, et al., *Time to Listen: Trends in U.S. Security Assistance to Latin America and the Caribbean*, Latin America Working Group Education Fund, Center for International Policy, and the Washington Office on Latin America, September 2013; Arlene B. Tickner, *Colombia, the United States, and Security Cooperation by Proxy*, Washington Office on Latin America, March 2014. For more on the Leahy Law provisions, see CRS Report R43361, “Leahy Law” Human Rights Provisions and Security Assistance: Issue Overview, coordinated by Nina M. Serafino.

⁹⁴ CRS consultation with official at the Colombian Embassy, October 16, 2014.

Figure 2. Colombian-Trained Foreign Security Forces (2010-2013)



Source: Data from the Colombian Ministry of Defense. Graphic created by CRS.

U.S. Relations and Policy

Colombia is a key U.S. ally in the region. With diplomatic relations that began in the 19th century following Colombia's independence from Spain, the countries have enjoyed close and strong ties. Because of Colombia's prominence in the production of illegal drugs, the United States and Colombia forged a close partnership over the last 15 years. Focused initially on counternarcotics, and later counterterrorism, a program called Plan Colombia laid the foundation for a strategic partnership that has broadened to include sustainable development, human rights, trade, regional security, and many other areas of cooperation. Between FY2000 and FY2014, the U.S. Congress appropriated more than \$9.5 billion in assistance from U.S. State Department and Department of Defense accounts to carry out Plan Colombia and its follow-on strategies. During this time, Colombia made notable progress combating drug trafficking and terrorist activities and reestablishing government control over much of its territory. Its economic and social policies have reduced the poverty rate and its security policies have lowered the homicide rate.

Counternarcotics policy has been the defining issue in U.S.-Colombian relations since the 1980s because of Colombia's preeminence as a source country for illicit drugs. Peru and Bolivia were the main global producers of cocaine in the 1980s and early 1990s. However, successful efforts there in reducing supply pushed cocaine production from those countries to Colombia, which soon surpassed both its Andean neighbors. Colombia emerged to dominate the cocaine trade by the late 1990s. National concern about the crack cocaine epidemic and extensive drug use in the United States led to greater concern with Colombia as a source. As Colombia became the largest producer of coca leaf and the largest exporter of finished cocaine, heroin produced from Colombian-grown poppies was supplying a growing proportion of the U.S. market.⁹⁵ Alarm over the volumes of heroin and cocaine being exported to the United States was a driving force behind U.S. support for Plan Colombia at its inception.

Bipartisan support for the policy endured through three U.S. Administrations—that of President Bill Clinton, President George W. Bush, and President Barack Obama. Plan Colombia came to be viewed by some analysts as one of the most enduring and effective U.S. policy initiatives in the Western Hemisphere.⁹⁶ Some have lauded the strategy as a model. In 2009, William Brownfield, then-U.S. Ambassador to Colombia, described Plan Colombia as “the most successful nation-building exercise that the United States has associated itself with perhaps in the last 25-30 years.”⁹⁷ Other observers, however, were critical of the policy as it unfolded. Many in the NGO and human rights community maintained the strategy, with its emphasis on militarization and security, was inadequate for solving Colombia's persistent, underlying problems of rural violence, poverty, neglect and institutional weakness. Nevertheless, it appears that improvements in security conditions have been accompanied by substantial economic growth and a reduction in poverty levels over time. Measured exclusively in counternarcotics terms, Plan Colombia has been a mixed success. Colombia remained the dominant producer of cocaine for more than a decade and still supplies more than 90% of the cocaine seized in the United States, according to

⁹⁵ According to State Department testimony, by 2001 Colombia was providing 22% to 33% of the heroin consumed in the United States. Paul E. Simons, Acting Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, Testimony before a Hearing of the House of Representatives, Committee on Government Reform, December 12, 2002.

⁹⁶ See, for example, Michael Shifter, “Plan Colombia: A Retrospective,” *Americas Quarterly*, Summer 2012.

⁹⁷ “Colombia to Aid U.S. in Taliban Fight,” CBS Evening News, July 27, 2009.

State Department.⁹⁸ While enforcement, eradication, and improved security have squeezed production in Colombia, in 2012 Peru reemerged as the global leader in cocaine production, surpassing Colombia.⁹⁹

The evolution of Plan Colombia took place under changing leadership and changing conditions in both the United States and Colombia. Plan Colombia was followed by successor strategies such as the National Consolidation Plan described below, and U.S.-Colombia policy has reached a new phase anticipating the possibility of a post-conflict Colombia.

Plan Colombia and Its Follow-on Strategies

Announced in 1999, Plan Colombia originally was a six-year strategy to end the country's decades-long armed conflict, eliminate drug trafficking, and promote development. The counternarcotics and security strategy was developed by the government of President Andrés Pastrana in consultation with U.S. officials.¹⁰⁰ Colombia and its allies in the United States realized that for the nation to gain control of drug trafficking required a stronger security presence, the rebuilding of institutions, and extending state presence where it was weak or nonexistent.

Initially, the U.S. policy focus was on programs to reduce the production of illicit drugs. U.S. support to Plan Colombia consisted of training and equipping counternarcotics battalions in the Colombian Army and specialized units of the Colombian National Police, drug eradication programs, alternative development and other supply reduction programs. The original plan announced by President Pastrana in 1999 had a goal to reduce “the cultivation, processing, and distribution of narcotics by 50%” over the plan's six-year timeframe. The means to achieve this ambitious goal were a special focus on eradication and alternative development; strengthening, equipping and professionalizing the Colombian Armed Forces and the police; strengthening the judiciary; and fighting corruption. Other objectives were to protect citizens from violence; to promote human rights; to bolster the economy; and to improve governance. U.S. officials expressed their support for the program by emphasizing its counterdrug elements (including interdiction). The focus on counternarcotics was the basis for building bipartisan support to fund the program in Congress because some in Congress were leery of involvement in fighting a counterinsurgency, which they likened to the “slippery slope” of the war in Vietnam.¹⁰¹

U.S. congressional support shifted after the terror attacks of September 11, 2001. The distinction between anti-drug and anti-terrorism support was abolished in the aftermath of 9/11. Recognizing narcotics trafficking and the guerrilla insurgency were intertwined problems, Congress granted the Administration flexibility to use U.S.-provided assistance for a unified campaign to fight drug trafficking and terrorist organizations.¹⁰² However, Congress prohibited U.S. personnel from

⁹⁸ U.S. Department of State, *2014 International Narcotics Control Strategy Report (INCSR)*, Vol. 1, March 2014.

⁹⁹ Jeremy McDermott, “4 Reasons Why Peru Became World's Top Cocaine Producer,” *InSight Crime: Organized Crime in the Americas*, December 25, 2013. The author states that the U.S. government first announced Peru's return to the top spot in late 2011, and this was confirmed by data released by the United Nations Office on Drugs and Crime (UNODC) in its annual estimates of coca cultivation and cocaine production in September 2013.

¹⁰⁰ For a nuanced description of U.S. involvement in the development of Plan Colombia, see Stuart Lippe, “There is No Silver Bullet and Other Lessons from Colombia,” *Interagency Journal*, vol. 5, no. 3 (Fall 2014).

¹⁰¹ *Ibid.*

¹⁰² This expanded authority gave State Department and the Department of Defense flexibility to combat groups designated as terrorist organizations as well as to fight drug trafficking.

directly participating in combat missions. Congress placed a legislative cap on the number of U.S. military and civilian contractor personnel who can be stationed in Colombia, although the cap was adjusted to meet needs over time. The current limit (specified in the National Defense Authorization Act, as amended) caps total military personnel at 800 and civilian contractors at 600, although numbers deployed have been far below the 1,400-person cap in recent years.¹⁰³

President Uribe (2002-2010) embraced Plan Colombia with an aggressive strategy towards the insurgent forces that prioritized citizen security. His Democratic Security Policy, implemented first in a military campaign called Plan Patriota, relied on the military to push the FARC forces away from the major cities to remote rural areas and the borderlands. Like his predecessor, President Pastrana, Uribe continued to expand the Colombian military and police. He enhanced the intelligence capacity, professionalization, and coordination of the forces, in part with training provided by U.S. forces. His strategy resulted in expanded state control over national territory¹⁰⁴ and a significant reduction in kidnappings, terrorist attacks, and homicides. In 2007, the Uribe Administration announced a shift to a “Policy of Consolidation of Democratic Security.” The new doctrine was based on a “whole-of-government” approach to consolidate state presence in marginal areas that were historically neglected—vulnerable to drug crop cultivation, violence, and control by illegal armed groups. Called a strategic leap forward by then-Defense Minister Juan Manuel Santos, in 2009 the new strategy came to be called the National Consolidation Plan.

Colombian support for Plan Colombia and for the nation’s security program grew under Uribe’s leadership. President Uribe levied a “wealth tax” to fund Colombia’s security efforts, taxing the wealthiest taxpayers to fund growing defense and security expenditures. Overall U.S. expenditures on Plan Colombia were only a modest portion of what Colombians spent on their own security. By one 2009 estimate, U.S. expenditures were not more than 10% of what Colombians invested in their total security costs.¹⁰⁵ In 2000, Colombia devoted less than 2% of its GDP to military and police expenditures and in 2010 that investment had grown to more than 4% of GDP. One assessment notes “in the end there is no substitute for host country dedication and funding” to turn around a security crisis as Colombia faced at the beginning of the millennium.¹⁰⁶

In 2008, congressional support for Plan Colombia and its successor programs also shifted. Some Members of Congress believed that the balance of programming was too heavily weighted toward security. Prior to 2008, the emphasis had been on “hard side” security assistance (to the military and police) compared to “soft side” traditional development and rule of law programs. Members debated if the roughly 75% / 25% mix should be realigned. Since FY2008, Congress has reduced the proportion of assistance for security-related programs and increased the proportion for economic and social aid. As Colombia’s security situation improved and Colombia’s economy recovered, the United States also began turning over to Colombians operational and financial responsibility for efforts formerly funded by the U.S. government. The Colombian government “nationalized” the training, equipping, and support for Colombian military programs, such as the

¹⁰³ The FY2005 National Defense Authorization Act (H.R. 4200; P.L. 108-375) raised the military cap from 400 to 800 and the civilian cap from 400 to 600. The number of U.S. personnel has declined significantly from the peak years of 2005-2007, reflecting the gradual nationalization of U.S.-supported programs.

¹⁰⁴ Although Democratic Security evolved over Uribe’s two-terms in office, the strategy is credited by some analysts for its coherence. “Uribe and his advisors developed a coherent counterinsurgency strategy based on taking and holding territory, protecting local populations, controlling key geographic corridors ... and demobilizing the paramilitary forces that threatened democracy and state authority as much as did the FARC.” Op cit. Stuart Lippe.

¹⁰⁵ Op cit. Peter DeShazo, Johanna Mendelson Forman, and Phillip McLean.

¹⁰⁶ Op cit. Stuart Lippe.

counterdrug brigade, Colombian Army aviation, and the air bridge denial program. U.S. funding overall began to decline. The nationalization efforts were not intended to end U.S. assistance, but rather to gradually reduce it to pre-Plan Colombia levels, adjusted for inflation.¹⁰⁷

National Consolidation Plan and Beyond

The National Consolidation Plan (renamed the National Plan for Consolidation and Territorial Reconstruction (PNCRT, by its Spanish acronym)) is designed to coordinate government efforts in regions where marginalization, drug trafficking, and violence converge. The whole-of-government PNCRT integrates security, development, and counternarcotics to achieve a permanent state presence in vulnerable areas. Once security forces take control of a “contested area,” government agencies in housing, education, and development would regularize the presence of the state and reintegrate the municipalities of these marginalized zones into Colombia. The PNCRT was refocused on specific municipalities in seven priority regions under President Santos (2010-present).¹⁰⁸ The plan has been restructured several times by the Santos government.

The United States has supported the Colombian government’s consolidation strategy through an inter-agency program called the Colombia Strategic Development Initiative (CSDI). CSDI provides U.S. assistance to “fill gaps” in Colombian government programming. At the U.S. Embassy in Colombia, CSDI brings together the efforts of the U.S. Agency for International Development (USAID), the State Department’s Narcotics Affairs Section, the U.S. Military Group, and the Department of Justice to assist Colombia in carrying out the consolidation plan through the expansion of state presence and promotion of economic opportunities in priority zones.¹⁰⁹ It combines traditional counternarcotics assistance for eradication, interdiction, alternative development, capacity building for the police, military and justice sector institutions with other economic and social development initiatives.

As the peace negotiations between the FARC and the government move forward, the focus of U.S. assistance to Colombia is shifting again. It builds on the work done to advance consolidation, but over the next few years the focus will be on assisting with post-conflict planning and assisting Colombia’s transition to peace. The current U.S. assistance program recognizes the substantial ability of Colombia to maintain security and retains flexibility concerning changes if the peace talks are successfully concluded. Specific programs to support the peace process will emphasize the importance of strengthening democratic institutions, protecting human rights, racial and ethnic minorities, promoting reconciliation, and strengthening economic opportunities. According to the U.S. State Department’s FY2015 budget request, foreign assistance to Colombia will concentrate on the following: (1) drug crop eradication and interdiction; (2) citizen participation in the licit economy; (3) land restitution; (4) demobilization and reintegration of ex-combatants and child soldiers; (5) human rights promotion; (6) protection for, and services to, internally displaced persons, Afro-Colombians, indigenous populations, and

¹⁰⁷ U.S. Department of State, *Report on Multiyear Strategy for U.S. Assistance Programs in Colombia, Report to Congress*, April 2009.

¹⁰⁸ U.S. Department of State, “The Colombia Strategic Development Initiative (CSDI): Building on Progress,” Fact Sheet, 2013.

¹⁰⁹ *Ibid.*

other vulnerable citizens; (7) initiatives to address global climate change; and (8) humanitarian assistance and reparations for conflict victims and other vulnerable populations.¹¹⁰

USAID's country cooperation strategy for 2014-2018 anticipates the Colombian government reaching a negotiated agreement with the FARC, but is flexible if an agreement is not signed. It can be scaled up to assist Colombia to meet the "extraordinary demands" associated with implementing an agreement, especially in the first 24 months after signature. USAID anticipates that, after five more years of assistance, the development program will wind down as Colombia will transition from aid recipient to provider of technical assistance to neighbors in the region.¹¹¹

Critics contend that even if a peace accord is signed, the Colombian government will have difficulty reclaiming ungoverned space or territory where the insurgents have been in control. The process of consolidating state authority and presence in the rural areas with weak institutions will continue to be a challenge; the challenge may increase following an agreement to disarm, demobilize, and reintegrate the FARC and possibly other insurgent forces. In particular, critics of the "consolidation" efforts of the Colombian government maintain that the Santos Administration has demonstrated a lack of commitment to the process and an inability to hand off targeted areas from the military to civilian-led development and achieve locally led democratic governance.¹¹² The U.S. State Department's 2014 *International Narcotics Control Strategy Report (INCSR)* contends that the consolidation plan has made certain gains but in many ways was unsuccessful by its own standards. According to the report, the PNRCT has lacked political support, suffers from disorganization at the top levels of government, and failed to administer national budgets effectively and efficiently in more remote areas, among other challenges.

Funding

From FY2000 through FY2014, U.S. funding for Plan Colombia and its follow-on strategies totaled more than \$9.5 billion in State Department and Defense Department programs (see **Table 1**). From FY2000 to FY2009, the United States provided foreign operations assistance to Colombia through the Andean Counterdrug Program (ACP) account, formerly known as the Andean Counterdrug Initiative (ACI), and other aid accounts. In FY2008, Congress continued to fund eradication and interdiction programs through the ACP account, but funded alternative development and institution building programs through the Economic Support Fund (ESF) account. In the FY2010 request, the Obama Administration shifted ACP funds into the International Narcotics Control and Law Enforcement (INCLE) account. In addition, support for aerial eradication programs is provided from the State Department's Air Wing account. The Defense Department requests a lump sum for all counternarcotics programs worldwide under Sections 1004 and 1033, and under Section 124, of the National Defense Authorization Act. DOD can reallocate these funds throughout the year in accordance with changing needs.

The U.S. Congress initially approved legislation in support of Plan Colombia in 2000, as part of the Military Construction Appropriations Act of 2001 (P.L. 106-246). Plan Colombia was never authorized by Congress, but it was funded annually through appropriations. With tightening

¹¹⁰ U.S. Department of State, *Congressional Budget Justification for Foreign Operations, Appendix 3: Regional Perspectives, Fiscal Year 2015*, April 2014.

¹¹¹ USAID/Colombia, *Country Development Cooperation Strategy 2014-2018, A Path to Peace*, June 13, 2014.

¹¹² See, for example, Adam Isacson, *Consolidating "Consolidation"*, Washington Office on Latin America, December 2012.

foreign aid budgets and increasing nationalization of Plan Colombia-related programs, U.S. assistance has been on a decline since FY2008. In FY2014, in line with other foreign assistance reductions, funds appropriated to Colombia from State Department accounts declined to an estimated \$325 million. The State Department's request for FY2015 is \$281 million, about \$44 million below what was provided in FY2014. There is broad support in Congress for the Obama Administration's request. The Senate Appropriations Committee version of the foreign operations appropriations legislation for FY2015 (S. 2499) would fully fund the Administration's request. The proposed FY2015 foreign operations funding measure in the House (H.R. 5013) appears to exceed the Obama Administration request by restoring funding in the Economic Support Fund (ESF) and Foreign Military Financing (FMF) accounts to FY2014 levels.

Table 1 shows U.S. assistance provided in support of Plan Colombia and its follow-on strategies from FY2000 through the FY2015 budget request from U.S. State Department foreign operations accounts and from the U.S. Department of Defense.

Table 1. U.S. Assistance for Plan Colombia and its Follow-on Strategies, FY2000-FY2015

(in millions of current U.S. dollars)

	ACI/ACP	ESF	FMF	IMET	INCLE	NADR	Air Wing	DOD	Total
FY2000	60.1	—	—	—	—	—	38.0	128.5	226.6
P.L. 106-246	832.0	—	—	—	—	—	—	100.7	932.7
FY2001	48.0	—	—	—	—	—	38.0	190.2	276.2
FY2002	379.9a	—	—	—	—	25.0	38.2	117.3	560.4
FY2003	580.2b	—	17.1	1.2	—	3.3	41.5	164.8	808.1
FY2004	473.9	—	98.5	1.7	—	.2	45.0	178.2	797.5
FY2005	462.8	—	99.2	1.7	—	5.1	45.0	155.3	769.1
FY2006	464.8	—	89.1	1.7	—	—	45.0	140.5	741.1
FY2007	465.0	—	85.5	1.6	—	4.1	37.0	129.4	722.6
FY2008	244.6	194.4	55.1	1.4	41.9	3.7	39.0	119.9	700.0
FY2009	230.1	196.5	53.0	1.4	45.0	3.2	12.4	127.9	669.5
FY2010	c	201.8	55.0	1.7	243.9	4.8	12.9	129.4	649.5
FY2011	—	184.4	47.9	1.7	204.0	4.8	3.6	110.4	556.8
FY2012	—	172.0	40.0	1.7	160.6	4.8	8.3	58.7	446.1
FY2013	—	152.3	28.9	1.5	165.9	5.0	N.A.	53.1	406.7
FY2014 (est)	—	141.5	28.5	1.5	149.0	4.3	N.A.	43.0	367.8
FY2015 (req)	—	132.9	25.0	1.5	117.0	4.3	N.A.	N.A.	280.7
Total	4,241.4	1,375.8	722.8	20.3	1,127.3	72.6	403.9	1,947.3	9,911.4

Source: Figures are drawn from the annual State Department Foreign Operations Congressional Budget Justifications for fiscal years 2002 through 2015 and the State Department's Washington File, "U.S. Support for Plan Colombia, FY2000 Emergency Supplemental Appropriations," July 5, 2000. DOD data for FY2002-FY2010

was provided by DOD in response to CRS request, received March 21, 2011. DOD data for FY2011 was provided in response to CRS request, received February 17, 2012. DOD data for FY2012-FY2014 are estimates provided in response to CRS request, received June 6, 2013 (see notes).

Notes: Accounts as follows: ACI/ACP = Andean Counterdrug Initiative/Andean Counterdrug Program; ESF = Economic Support Fund; FMF = Foreign Military Financing; IMET = International Military Education and Training; INCLE = International Narcotics Control and Law Enforcement; and NADR = Nonproliferation, Antiterrorism, Demining and Related Programs. Air Wing is funding from State Department's International Narcotics and Law Enforcement Bureau's (INL) global account, Interregional Aviation Support (IAS), which provides professional aviation services to Colombia's eradication program and interdiction efforts. Air Wing figures for FY2010–FY2012 are estimates provided by the State Department. Table I does not include P.L. 480 (also known as Food for Peace).

Initially, Plan Colombia funds went to the State Department's INL bureau which oversaw the Andean Counterdrug Initiative, later renamed the Andean Counterdrug Program. The State Department transfers funds to other agencies carrying out programs in Colombia, of which the U.S. Agency for International Development (USAID) has received the largest portion. Defense Department data reflect non-budget quality estimates of DOD counternarcotics support provided. DOD does not budget counternarcotics by regions/countries, but by program. DOD requests one sum for programs globally and adjusts its regional allocations as needed. The FY2012-FY2014 DOD estimates reflect "direct" support only (e.g., training, equipment, information sharing, infrastructure and other categories) and exclude "indirect support," which was included in the previous FY2002-FY2011 estimates.

- a. Includes \$6 million appropriated to FMF but transferred to the ACI account.
- b. Includes \$93 million in FMF regular appropriations and \$20 million in FMF supplemental funds that were transferred to the ACI account.
- c. State Department reallocated to different accounts in the FY2010 Congressional Budget Justification for Foreign Operations. In the FY2010 request, funds previously shown in the Andean Counterdrug Program moved to the State Department's INCLE account.

Counternarcotics Efforts

A key goal of Plan Colombia was to reduce the supply of illegal drugs produced and exported by Colombia. With Colombia's predominance as the source for cocaine destined for U.S. markets and its status as the second-largest producer of heroin consumed in the United States, eradication of coca bush and opium poppy (from which heroin is derived) was an urgent priority and became the preferred tool for controlling the production of these drugs. Another critical component of the supply reduction effort was alternative development programs funded by the U.S. Agency for International Development to assist illicit crop cultivators to transition to licit crop production and livelihoods.

Analysts have long debated how effective was Plan Colombia and its follow-on strategies in combating illegal drugs. Although Plan Colombia failed to meet its goal of reducing the cultivation, processing, and distribution of illicit drugs by 50% in its original six-year timeframe, Colombia has sustained significant reductions in coca cultivation in recent years. According to U.S. estimates, cultivation of coca declined from 167,000 hectares in 2007 to 78,000 hectares¹¹³ in 2012.¹¹⁴ (Poppy cultivation declined by more than 90% between 2000 and 2009.) According to U.S. government estimates, Colombia's potential production of pure cocaine fell to 175 metric

¹¹³ A hectare is about 2.5 acres.

¹¹⁴ Using a different methodology than the U.S. government, the United Nations Office of Drugs and Crime (UNODC) reports a similar decline over the same time period, from 99,000 hectares in 2007 to 48,000 hectares in 2012. In 2013, Colombia's cultivation of coca plants remained stable at 48,000 hectares, according to the UNODC's annual survey. See UNODC, "UNODC 2013 Survey: Coca Cultivation Area Unchanged in Colombia, Prices and Value of Crop Markedly Down," Press Release, June 26, 2014.

tons in 2012, the lowest level in two decades. Although Colombia's production rose again slightly in 2013 to 190 metric tons according to U.S. estimates, it was a significant decline from 2007 when Colombia's estimated pure cocaine production was 485 metric tons (more than a 60% drop).¹¹⁵

Drug Crop Eradication

Both manual eradication and aerial eradication (or spraying) were central components of Plan Colombia to reduce coca and poppy cultivation. Manual eradication is conducted by teams, usually security personnel, to uproot and kill the plant. Aerial eradication involves spraying the plants from aircraft with an herbicide mixture to destroy the drug crop, but it may not kill the plants. In the context of Colombia's continuing internal conflict, manual eradication is far more dangerous than aerial spraying. U.S. and Colombian policy makers recognized the dangers of manual eradication and, therefore, employed large-scale aerial spray campaigns to reduce coca crop yields, especially from large coca plantations. Colombia is the only country globally that aerially sprays its drug crops and the practice has been controversial for health and environmental reasons.

Aerial spraying in Colombia on hundreds of thousands of hectares of illicit crops provoked questions regarding its safety for humans and risk of causing environmental damage. Since 2002, as a condition for fully funding the program, Congress regularly directed the State Department, after study and consultation with the U.S. Environmental Protection Agency and other relevant agencies, to certify that the spraying did not "pose unreasonable risks or adverse effects to humans or the environment." This certification requirement was included most years in the annual foreign operations appropriations legislation.¹¹⁶

U.S. State Department officials attribute Colombia's decline in recent years of coca cultivation to the persistent aerial eradication of drug crops in tandem with manual eradication where viable.¹¹⁷ Between 2009 and 2013, Colombia aerially sprayed roughly 100,000 hectares annually. In 2013, however, eradication efforts declined. Colombia aerially eradicated roughly 47,000 hectares. It manually eradicated 22,120 hectares, short of its manual eradication goal of 38,500 hectares. This reduction had a number of causes: the U.S.-supported spray program was suspended in October 2013 after two U.S. contract pilots were shot down, rural protests in Colombia hindered manual

¹¹⁵ The estimates of pure cocaine production potential have been adjusted over time. The 2007 U.S. government estimate of 485 metric tons was reported in the State Department's 2010 INCSR. U.S. Department of State, *2010 INCSR*, Vol. 1, March 1, 2010. The 2013 estimate was reported by the Office of National Drug Control Policy (ONDCP). ONDCP, "ONDCP Releases Survey of Cocaine Production in Colombia and Peru," Press Release, June 26, 2014.

¹¹⁶ For example, in the Consolidated Appropriations Act, 2014, (P.L. 113-76) enacted on January 17, 2014, it states that "10 percent of the funds appropriated by this Act for the Colombian national police for aerial drug eradication programs may not be used for the aerial spraying of chemical herbicides unless the Secretary of State certifies to the Committees on Appropriations that the herbicides do not pose unreasonable risks or adverse effects to humans, including pregnant women and children, or the environment, including endemic species [... and ...] any complaints of harm to health or licit crops caused by such aerial spraying shall be thoroughly investigated and evaluated, and fair compensation paid in a timely manner for meritorious claims."

¹¹⁷ U.S. Department of State, *International Narcotics Control Strategy Report (INCSR)*, Vol. 1, March 2013. For a discussion of eradication as a drug policy tool see CRS Report RL34543, *International Drug Control Policy: Background and U.S. Responses*, by Liana Rosen.

and aerial eradication efforts, and security challenges also limited manual eradicators working in border areas.¹¹⁸

Over time, aerial eradication has been restricted in Colombia's national parks, indigenous reserves, and along its border with Ecuador. In late 2013, Ecuador won an out-of-court settlement in a case filed in 2008 before the International Court of Justice in The Hague for the negative effects of spray drift over its border with Colombia.¹¹⁹ In negotiations with the FARC, the government and the FARC provisionally agreed in May 2014 that voluntary manual eradication would be prioritized over forced eradication. Aerial eradication remained a viable tool in the government's drug control strategy, according to the agreement, but would be permitted only if voluntary and manual eradication could not be conducted safely.

Manual eradication remains labor intensive and dangerous: more than 60 manual eradicators were reportedly killed since 2009.¹²⁰ Aerial spraying, largely of coca, remains controversial in Colombia for its perceived health and environmental consequences. Some analysts have also raised questions about the monetary and collateral costs of aerial eradication compared to other drug supply control strategies, its effectiveness, and its limited effect on the U.S. retail price of cocaine.¹²¹

Alternative Development

USAID funds and runs alternative development programs in Colombia to assist communities' transition from a dependency on illicit crops to licit employment and livelihoods. Alternative development was once focused narrowly on crop substitution and assistance with infrastructure and marketing. Since the Colombian government's shift to a consolidation strategy, USAID has supported "consolidation and livelihoods" programming in 40 of the 58 strategically located, conflict-affected municipalities targeted by the government's National Consolidation Plan (now PNCRT). In 2013, USAID reported it had established 1,200 activities that were either "rapid impact" or sustainable rural development in focus. (Rapid response activities are supported in areas recently brought under military control to signal the arrival and commitment of the state, such as establishing schools, health clinics, sports facilities, and tertiary roads.)

USAID assistance to the consolidation municipalities is in four areas: government institution strengthening, economic development, civil society, and reduction in coca cultivation. For

¹¹⁸ Chris Kraul, "Anti-coca Spraying Halted in Colombia after 2 U.S. Pilots Shot Down," *Los Angeles Times*, December 16, 2013; U.S. Department of State, *2014 INCSR*, Vol. 1, March 2014. State Department officials confirmed that the spray program suspension in the fall of 2013 was temporary, but that a restart would only take place after an accident investigation was completed. (CRS communication with State Department, February 11, 2014).

¹¹⁹ Ecuador received \$15 million in compensation from Colombia for alleged health and environmental harms, and the formal imposition of a ban on spraying in the 10 kilometer zone up to the border with Ecuador. "Ecuador Wins Favorable Settlement from Colombia, Terminates Aerial Spraying Case in International Court of Justice," *Business Wire*, September 19, 2013; Pablo Jaramillo Viteri and Chris Kraul, "Colombia to Pay Ecuador \$15 Million to Settle Coca Herbicide Suit," *Los Angeles Times*, September 16, 2013.

¹²⁰ Another 387 have been injured according to press reports. See Adam Isacson, "Time to Abandon Coca Fumigation in Colombia," Washington Office on Latin America (WOLA), October 7, 2013, at http://www.wola.org/commentary/time_to_abandon_coca_fumigation_in_colombia.

¹²¹ Research has focused on a number of issues including the limited effectiveness of aerial spraying in the face of mitigation efforts by coca crop farmers; its effects on exacerbating displacement; and its limited impact on cocaine price.

example, municipalities are provided planning resources to win public and private funding for municipal infrastructure projects. (USAID estimates the public works projects spawned by this support will serve 249,000 people living in the underserved municipalities.) Under economic development, USAID funds initiatives that assist farmers and others shift from coca growing to licit economic opportunities. These activities strengthen small farmer producer organizations, improve their productivity, and connect them to markets. USAID also promotes broadening access to financial services. Under civil society activities, in 2013 USAID initiated 110 rapid response infrastructure projects valued at \$48 million to help rebuild conflict-torn communities. USAID invested \$10 million and leveraged remaining funds from counterpart contributions by the communities. For example, it provided community centers and sports facilities for youth who are at-risk to join illegal armed groups. In all, the civil society strengthening activities serve an estimated 160,000 people. These activities work in tandem with eradication measures. Between 2010 and 2012, consolidation municipalities experienced a 25% decrease in coca cultivation compared to 23% nationally.¹²²

Human Rights Conditions on U.S. Assistance

Some Members of Congress have been deeply concerned about human rights violations in Colombia, and especially by any recipients or potential recipients of U.S. assistance. In Colombia's multi-sided, 50-year conflict, there have been serious violations by all sides: the FARC and ELN, the paramilitaries and their successors, and by Colombia's security forces. Colombians have endured generations of noncombatant killings, massacres, kidnappings, forced displacements, forced disappearances, land mine casualties, and acts of violence that violate international humanitarian law. The extent of the crimes and their prosecution have overwhelmed the Colombian judiciary which some describe as "inefficient" and overburdened. The United Nations and many human rights groups maintain that while some prosecutions have gone forward, most remain unresolved and the backlog of cases has been reduced slowly. Besides the problem of impunity for such serious crimes, continued violations remain a problem.

Since 2002, Congress has required in the annual foreign operations appropriations legislation that the Secretary of State certify annually to Congress that the Colombian military are severing ties to paramilitaries, that the government is investigating complaints of human rights abuses, and meeting other human rights statutory criteria. (The certification criteria have evolved over time.¹²³) For several years, the human rights certification was required before 30% of funds to the Colombian military could be released. In the FY2014 appropriations legislation, the requirement is that 25% of funding under the Foreign Military Financing (FMF) program be held back pending certification by the Secretary of State. On September 17, 2014, Secretary John Kerry affirmed that Colombia had met the certification requirements. Some human rights groups have

¹²² U.S. Agency for International Development (USAID) response to CRS inquiry, July 22, 2014.

¹²³ For example, the Consolidation Appropriations Act, 2014, (P.L. 113-76) requires the Secretary of State certify that "(1) cases involving members of the Colombian military who have been credibly alleged to have violated human rights, or to have aided, abetted, or benefitted from criminal or illegal armed groups are subject only to civilian jurisdiction during investigation and prosecution, and the Colombian military is not opposing civilian jurisdiction in such cases and is cooperating with civilian prosecutors and judicial authorities; (2) the Government of Colombia is upholding its international obligations by investigating, prosecuting, and punishing persons responsible for crimes against humanity, war crimes, and other gross violations of human rights, and is not offering amnesty to such persons, and (3) the Government of Colombia is taking effective steps to dismantle paramilitary successor groups and to protect the rights of human rights defenders, journalists, trade unionists, and other social activists, and protecting the rights and territory of indigenous and Afro-Colombian communities."

criticized the regular certification of Colombia, and maintain that evidence they have presented to the State Department has contradicted U.S. findings. However, even some critics have acknowledged the human rights conditions on military assistance to Colombia as “a flawed but useful tool” because the certification process requires regular consultation with Colombian and international human rights groups by the U.S. government. Over time, they acknowledge that conditionality can improve human rights compliance.¹²⁴

Another tool for monitoring human rights compliance by Colombian security forces receiving U.S. assistance are the so-called “Leahy Law” restrictions, which Congress first enacted in the late 1990s prior to the outset of Plan Colombia. First introduced by Senator Patrick Leahy (D-VT), these provisions deny U.S. assistance to a foreign country’s security forces if the U.S. Secretary of State has credible information that such units have committed “a gross violation of human rights.” The provisions apply to security assistance provided by State Department and the Department of Defense and occur in two places: in Section 620M of the Foreign Assistance Act of 1961 (FAA), as amended, and as a regular provision of the DOD’s Authorization bill, (most recently in the Consolidated Appropriations Act, 2014 (Division C, Section 8057, P.L. 117-76)). The FAA restrictions apply to State Department’s assistance to foreign security forces. The DOD Leahy provisions, which for years applied only to DOD training, were modified in the 2014 appropriations measure to include a broader range of assistance, including equipment.¹²⁵

Both the State Department and DOD Leahy provisions require the State Department to review and clear—or vet—foreign security forces to determine if any individual or unit is credibly believed to be guilty of a gross human rights violation. Leahy vetting is typically conducted by U.S. embassies and State Department headquarters. Reportedly on an annual basis about 1% of foreign security forces are disqualified from receiving assistance under the Leahy provisions; although many more are affected by administrative issues and are denied assistance until those conditions can be resolved. Tainted security force units that are denied assistance may be remediated or cleared, but the procedures for remediation differ slightly between the DOD and State (or FAA) provisions.

Due to the large amount of security assistance provided to Colombian forces (including the military and police), the State Department reportedly vets more Colombian candidates for assistance than in any other country.¹²⁶ In the late 1990s, poor human rights conditions in Colombia were a driving concern for developing the Leahy law provisions.¹²⁷ The U.S. Embassy in Bogotá, with nearly two decades of experience in its vetting operations, has been cited as a source of best practices for other embassies seeking to bring their operations into compliance or enhance their performance. State Department officials have cited Colombia as a model operation that has, over the years, helped Colombia to improve its human rights compliance. Some human

¹²⁴ Lisa Haugaard, Adam Isacson, and Jennifer Johnson, *A Cautionary Tale: Plan Colombia’s Lessons for U.S. Policy Toward Mexico and Beyond*, Latin America Working Group Education Fund, Center for International Policy, Washington Office on Latin America, November 2011. The authors caution that the benefits of the certification are only present under certain conditions: “Human rights conditions only became a useful lever in extreme circumstances and with enormous effort by human rights groups.”

¹²⁵ For more background, see CRS Report R43361, “*Leahy Law*” *Human Rights Provisions and Security Assistance: Issue Overview*, coordinated by Nina M. Serafino.

¹²⁶ See “Colombia Case Study” in CRS Report R43361, “*Leahy Law*” *Human Rights Provisions and Security Assistance: Issue Overview*, coordinated by Nina M. Serafino.

¹²⁷ The first enactment of the Leahy provisions restricted international narcotics control assistance in an amendment to the 1997 Foreign Operations Appropriations Act (P.L. 104-208).

rights organizations are critical of the Leahy vetting process in Colombia, however, and cite the prevalence of extrajudicial executions allegedly committed by Colombian military units as evidence that these restrictions on U.S. assistance failed to remove human rights violators from the Colombian military. A human rights nongovernmental organization, Fellowship of Reconciliation, has published a couple reports alleging an association between “False Positive” killings and Colombian military units vetted to receive U.S. assistance by State Department.¹²⁸

In Colombia, the vetting operations conducted by State Department have disqualified units and denied them U.S. assistance. Despite these measures, some human rights organizations contend that the U.S. government has tolerated abusive behavior by Colombian security forces without taking action or withholding assistance.

U.S.-Colombia Economic Relations

Economic relations between Colombia and the United States have deepened in recent years. The U.S.-Colombia Free Trade Agreement (FTA)¹²⁹ entered into force in May 2012.¹³⁰ It will eventually eliminate tariffs and other barriers to bilateral trade between Colombia and the United States, its largest trade partner. The United States and Colombia originally signed the U.S.-Colombia FTA in November 2006. Nearly five years later, the U.S. Congress approved implementing legislation (H.R. 3078/S. 1641) for the agreement, with passage on the same day by the House and Senate on October 12, 2011; President Obama signed the measure on October 21, 2011 (P.L. 112-42). Since the agreement has been in effect for less than three years, it may be too early to evaluate the effect of the FTA on U.S.-Colombia trade since it is difficult to isolate the effects of the trade agreement from other variables that affect trade. Both governments, however, contend that the agreement has strengthened bilateral trade and opened up new opportunities.

In 2011, in response to congressional concerns about labor-related issues in Colombia, the United States and Colombia agreed to an “Action Plan Related to Labor Rights” (Labor Action Plan). The 37 measures contained in the plan address violence against Colombian labor union members, inadequate efforts to bring perpetrators of violence to justice, and insufficient protection of worker rights with a timetable for implementation through 2014. According to the United States Trade Representative and the Colombian government, Colombia has met most of its commitments under the plan and the two governments continue to cooperate to address Colombia’s progress. However, U.S. and Colombian labor groups contend that progress on the plan’s objectives has been minimal and some urge that the United States and Colombia continue to cooperate for an additional four years.¹³¹

Since the U.S.-Colombia FTA went into force in 2012, the stock of U.S. investment in Colombia has increased, rising from \$7.4 billion in 2012 to \$7.8 billion in 2013, concentrating in mining

¹²⁸ See Fellowship of Reconciliation and U.S. Office on Colombia, *Military Aid and Human Rights: Colombia, U.S. Accountability, and Global Implications*, 2010; Fellowship of Reconciliation and Colombia-Europe-U.S. Human Rights Observatory, *The Rise and Fall of “False Positive” Killings in Colombia: The Role of U.S. Military Assistance*, 2000-2010, May 2014.

¹²⁹ The agreement is officially known as the U.S.-Colombia Trade Promotion Agreement.

¹³⁰ For more background, see CRS Report RL34470, *The U.S.-Colombia Free Trade Agreement: Background and Issues*, by M. Angeles Villarreal.

¹³¹ See recommendations in AFL-CIO, *Making the Labor Action Plan Work for Workers*, April 2014.

and manufacturing.¹³² Colombia's economy has experienced strong growth. With a regional growth forecast below 2% for 2014, Colombia's projected growth is 5% for the year, more than double the regional projections. U.S. exports to Colombia increased by 14.1% in 2012, and 12.4% in 2013.¹³³ Major exports include oil (non-crude oil products including gasoline); machinery, agricultural products, organic chemicals and plastic. U.S. imports from Colombia, however, declined by 12.2% in 2013.¹³⁴ Because 65% of Colombian imports to the United States are crude oil imports, much of the decline in the value of Colombian imports was caused by declining oil prices. Major U.S. imports include crude oil, gold, coffee, cut flowers, textiles, and bananas.

Outlook

Incumbent President Santos narrowly won reelection in a June 2014 runoff after coming in second in the initial field of five candidates. He successfully rallied the electorate to his peace platform, the central theme of his campaign for a second term. Following his inauguration in August 2014, he has organized his new administration around the conclusion of a peace deal with the FARC. Interim agreements in the two-year-old peace talks with the FARC and the announcement that his government has opened preliminary negotiations with the ELN increases the possibility that Colombia's five-decade conflict may be drawing to an end. Yet, increased attacks by the FARC in July through September 2014 have been condemned by the President who warned they could disrupt the talks, and in November he suspended the talks because of a FARC kidnapping of a Colombian general. Shortly after President Santos's inauguration in August, the FARC's leadership suggested that a final agreement was still a long way off and unlikely in 2014.

Some observers see prospects for reaching a peace accord as distant. The peace negotiations face numerous obstacles, including strong opposition in the Colombian Congress, led by former president Uribe (now Senator) and his new Democratic Center party. The public remains skeptical about FARC's commitment to the process. Other complexities, even if an accord is signed, include the possibility that the FARC will fragment and be unable to carry out its commitments; the difficulty of gaining agreement by the Colombian public to any concessions to the FARC; and the challenges of successful implementation beginning with disarmament, demobilization, and reintegration (DDR) of insurgent combatants, as well as other costly and demanding activities required to carry out the accord.

Despite public ambivalence toward the Santos government and pessimism about the peace process, the successful conclusion of a peace accord could yield greater stability, increased economic growth, and a possible reduction in drug trafficking and other crime, as well as benefits in regional security. An agreement would also have many costs. Not only does Colombia have to contend with the expense of reparations to conflict victims and modernizing and expanding its overwhelmed justice system, Colombia will have to bear the as-yet-undetermined costs of its commitments in a final agreement, ranging from DDR to rural development and land programs.

Since 2000, cumulative U.S. assistance to Colombia has exceeded \$9 billion. The annual level of assistance appropriated by Congress has gradually declined as U.S.-funded programs are

¹³² U.S. Department of Commerce, "U.S. Direct Investment Abroad Tables," *Survey of Current Business*, September 2014.

¹³³ U.S. trade statistics are from the Department of Commerce, as presented by *Global Trade Atlas*.

¹³⁴ *Ibid.*

nationalized and Colombians increasingly pay for their own security and development. In the event a peace accord is signed and ratified, Congress is likely to consider how the makeup and level of U.S. assistance might change to address Colombia's needs as it transitions to a post-conflict situation. Congress may consider increased support as Colombia faces the challenge of reclaiming governance in areas long held by the guerrillas following demobilization. As close allies, the United States has provided extensive training to Colombia's armed forces helping to professionalize a force that some argue has become one of the most highly trained and effective in the region. Congress might consider what type of assistance the U.S. government can provide to the Colombian military as it redefines its core mission of combating the insurgency.

Whether the peace talks succeed or not, Congress is likely to continue to closely monitor Colombia's security situation. It will also exercise continued oversight over such issues as drug trafficking and Colombia's effort to combat other illegal armed groups such as Bacrim, the status of human rights protections, and expanding economic, environmental, energy, and educational cooperation. The U.S. Congress remains interested in expanding investment and trade opportunities both bilaterally with Colombia and within regional groupings such as the Pacific Alliance. Congress will likely continue to consider Colombia's growing role in providing training and leadership in regional security.

Appendix. Selected Online Human Rights Reporting on Colombia

Organization	Document/Link
Amnesty International	http://www.amnesty.org/en/region/colombia
Committee to Protect Journalists	http://cpj.org/americas/colombia/
Human Rights Watch Colombia	http://www.hrw.org/americas/colombia
Latin America Working Group	http://www.lawg.org/our-campaigns/stand-by-colombias-victims-of-violence
Programa Somos Defensores (We Are Defenders Program)	http://www.somosdefensores.org/index.php/en/
United Nations High Commissioner for Refugees (UNHCR)	http://www.unhcr.org/pages/49e492ad6.html
U.S. Department of State, <i>Country Report on Human Rights Practices, 2013</i>	http://www.state.gov/documents/organization/220641.pdf
Washington Office on Latin America (WOLA)	http://www.wola.org/program/colombia

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