

U.S.-COLOMBIA RELATIONS

HEARING
BEFORE THE
SUBCOMMITTEE ON
THE WESTERN HEMISPHERE
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED TENTH CONGRESS

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U.S.-COLOMBIA RELATIONS

TUESDAY, APRIL 24, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE WESTERN HEMISPHERE,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:07 p.m. in room 2172, Rayburn House Office Building, Hon. Eliot L. Engel (chairman of the subcommittee) presiding.

Mr. ENGEL. Good afternoon. A quorum being present the Subcommittee on the Western Hemisphere will come to order. I ask unanimous consent that any member who may attend today's hearing be considered a member of the subcommittee for the purposes of receiving testimony and questioning witnesses after the subcommittee members have been given the opportunity to do so, and without objection so ordered. I am pleased to welcome everyone to today's hearing on United States-Colombia relations. Congress will soon be making a number of important decisions regarding Colombia ranging from our large foreign aid package to the United States-Colombia free trade agreement.

I hope that today's hearing will allow us to gain greater insight into the situation on the ground in Colombia. I have an extensive statement which I will not read now, and I will read before our second panel comes to testify. We anticipate shortly having a series of votes on the House floor. So I am now extremely honored to welcome one of our own colleagues, Congressman Dennis Hastert, the former Speaker of the House, to today's hearing. Mr. Hastert served as Speaker of the House from 1999 to 2006. We look forward to hearing his testimony, and Mr. Speaker, we are all ears.

STATEMENT OF THE HONORABLE J. DENNIS HASTERT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. HASTERT. Thank you, Mr. Chairman and distinguished members of this committee. I am honored to appear before you today to discuss a topic that has certainly been a focus of mine for a long, long time, and that is the United States and Colombian relations. As a teacher and a coach and much later as a chairman of the House Government Reform and Oversight Subcommittee dealing with drug policy, I have seen firsthand the devastation of illicit drugs on our most affluent street corners and our toughest neighborhoods.

What illicit drugs bring to our children and do to the children of other countries is unmentionable. It is unthinkable. In fact, more Americans die annually from illicit drug use than died either in

combat or in the effort in 9/11. Most of them are young men and women. Most of them are under the age of 25 years of age, and many more die because of the actions of drug gangs and drug violence.

In order to show the improvement in Colombia, it is imperative to understand what Colombia was like in the 1990s. In the early 1990s Colombia was infested with drug cartels. Drug families earned huge profits. They were involved in government corruption. The governments were corrupted in spots from the local areas, the local towns to the very top, and drug money funded that corruption.

As the Iron Curtain fell in the former Soviet Union and former eastern Europe, the monies that went to Cuba, they were passed through Cuba to incite revolutionary forces around the world, diminished, and as those monies diminished organizations like in Colombia the FARC and the ELN and the AUC, all of a sudden had to turn to other ways to get financing.

What they did was they turned to narcotrafficking. On one of my trips to Colombia as the chairman of the subcommittee, it illustrates Colombia's turmoil. We were about an hour out from landing in Bogota when we received a warning message from the State Department's diplomatic security detail. Twenty-two people had just been killed by terrorists in Colombia's capitol city Bogota.

Police stations had been threatened or bombed, and 12 sticks of dynamite had just been pulled out from under the Colombia's Supreme Court building. Terrorist organizations like F-A-R-C or FARC, the ELN and the AUC began to take over the illicit drug trade and were nearly ruling the land. They were kidnapping. They were killing. People who believed in democracy and free enterprise and freedom were being intimidated in South America's oldest democracy. Colombia was well on its way to becoming a narcoterrorist state.

What was happening in Colombia at that time? Peru and Bolivia were traditionally the coca growing countries but as government policies, economic situations changed, Peru shut down its coca growing activities to a large extent in the Upper Huallaga Valley. Bolivia was being changed by economic presence in its coca growing. Things were becoming more difficult. So as the cartels and the narcoterrorist organizations needed a steady supply of cocaine, they started growing cocaine in Colombia, and so for the first time growing large amounts of cocaine in Colombia began to take place, and also they also started growing heroin poppies there as well.

The drug trade fuels terrorists and violent criminals and gangs throughout the world. It exposes the country's weakness in the border security. It undermines democracy. It undermines the rule of law and regional stability. The illicit drug trade is a high priority and a national security issue we must continue to deal with and defeat. It is part of the war on terrorism, and so some might ask why Colombia is so important to us?

Well when you look at what is going on in South America today, when Mr. Chavez, the head of Venezuela, is trying to take over the mantle of Fidel Castro in South America, that is important because Venezuela happens to be the immediate eastern neighbor to Colombia. When the presidency of Bolivia, Mr. Morales, is a cocalero. He

is the president of the cocalers. That certainly means there is a trend in where those countries are going.

When Peru is at best an unstable country, when Ecuador certainly leans to the left; Colombia has stood there even through all the problems it has had with drugs and drug growing cocaine and heroin. It has still remained South America's oldest democracy. It has been a stabilization to the area, and it is certainly an economically viable trading partner with us today.

Today Colombia produces—and I am saying this in a context—but when you really look at it, Colombia still produces 80 percent of the world's supply of cocaine. It is a source of 90 percent of the cocaine and 50 percent of the heroin that enters our nation. So what can we do? What have we done?

I guess in perspective you have to say that the drug trade from Colombia is still killing Americans, and it is a major force in the instability of our hemisphere. But in addition Colombia is a democratic anchor, and it is critical to the United States as an ally to the region. Our support for Colombia is vital to our national interest and the well being as a strategic partner. In terms of counter drugs, security defense, and economic and social issues, Colombia is a better place today.

Wholesale heroin purity has sharply declined in recent years. It continues to decline. That means that when heroin is on the street in our country today people use less and less and less of it. They do not want it. They do not want to shoot with needles. They want to take it, ingest it, and so as the purity goes down it becomes a less desirable drug.

In 2006 alone nearly 500 metric tons of cocaine at \$850 million were taken off the U.S. market due to eradication and seizures. In part this has led to a 23 percent decrease in overall youth drug use since 2001. In every significant category, Colombia is improving. Rates of homicides, kidnappings and acts of terrorism and displaced persons are all significantly down. On the other hand, school enrollment, gross domestic product, unemployment and poverty rates and beneficiaries of public health care have considerably improved.

Colombia and the region are important to us that we can continue to work to stabilize it. We cannot disengage. You know the Plan Colombia came about in the late 1990s partly because I was down there. We worked at it. We worked with the Clinton administration. I went to Colombia in 2000, and when President Clinton signed Plan Colombia it was a work of then President Pastrana but a lot of that spade work happened before that because we were there. We saw it. We saw answers, and we put those answers into legislative language.

Today not only that has happened but the United States has turned to Colombia to help share their model of success with Afghanistan where drug financed terrorism and the anticoalition militants which are killing Americans in NATO troops, because of the successes of Colombia, the Colombian National Police, the CNP, are now training Afghan Counternarcotics Police in Colombia on how to go after drug kingpins and eliminate major drug labs.

I guess it really comes down to yes, this is a foreign policy issue. But it is not a foreign policy issue when you figure in the long run

what happens on our street corners. What happens to our kids? What happens to drug availability in our toughest cities and toughest neighborhoods, and as I said before, some of our most affluent neighborhoods?

If kids can get drugs, if they can get drugs with high purity then they become the addicts of tomorrow. We need to do a bifurcated issue. We need to fight drugs in this country. We need to fight drugs on demand but we also need to fight the supply, and to a large part that supply comes from Colombia. We have made great strides. We have made a great difference in the 10 years that I have watched this program and monitored it.

We need to continue to do it. I thank you for your indulgence. I thank you for your kindness in letting me speak today, and Mr. Chairman, I appreciate it and Ranking Member Burton, thank you very much.

[The prepared statement of Mr. Hastert follows:]

PREPARED STATEMENT OF THE HONORABLE J. DENNIS HASTERT, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF ILLINOIS

Chairman Engel, Ranking Member Burton and distinguished Members of this Committee, I am honored to appear before you today to discuss a topic that has certainly been a focus of mine for a long time: U.S.-Colombia relations.

As a schoolteacher and a coach and much later as the Chairman of the House Government Reform and Oversight Subcommittee dealing with drug policy, I have seen first-hand the devastation of illicit drugs, what they bring to our children and to the children of other countries. In fact, more Americans die annually from illicit drugs than died in the 9/11 attacks. Most of them are young men and women. And many more die because of the actions of drug gangs and drug violence.

The drug trade fuels terrorists and violent criminals and gangs throughout the world. It exposes a country's weakness in border security. It undermines democracy, the rule of law and regional stability. The illicit drug trade is a high priority and a national security issue we must continue to deal with and defeat; it is a part of the war on terrorism.

Some might ask why Columbia is so important to us? Today, Colombia produces 80 percent of the world's supply of cocaine and is the source of over 90 percent of the cocaine and 50 percent of the heroin entering our Nation. The drug trade from Colombia is killing Americans, and is a major factor in the instability of our hemisphere. In addition, Columbia is a democratic anchor and a critical U.S. ally in the region. Our support for Columbia is vital to our national interests and the well-being of a strategic partner.

In order to show the improvement in Colombia, it is imperative to understand what Colombia was like in the 1990's. One of my trips to Colombia as the Chairman of the Subcommittee illustrates Colombia's turmoil. We were about an hour out from landing in Bogota when we received a warning message from the State Department's diplomatic security detail. Twenty-two people had just been killed by terrorists in Colombia's capitol, the police stations had been threatened or bombed, and 12 sticks of dynamite had just been pulled out from under Colombia's Supreme Court building. Terrorist organizations like the FARC and AUC began to take over the illicit drug trade and were nearly ruling the land. Colombia was well on its way to becoming a narcoterrorist state.

To address this country's social, economic, and security concerns, Plan Colombia was developed by former President Andreas Pastrana and ourselves. With aggressive backing from the Congress, on July 13, 2000, President Clinton signed into law a comprehensive \$1.3 billion assistance package in support of President Pastrana's Plan Colombia. As a result, our foreign policy with Colombia began to work and produce impressive results. Plan Colombia, a determined Colombian President, President Alvaro Uribe, the Colombian people, and the financial support of the U.S. Congress have been the driving force for these successes.

In terms of counterdrugs, security defense, and economic and social issues, Colombia is a better place today. President Uribe's forces, backed by United States support, have significantly reduced coca and opium poppy cultivation. In fact, the Government of Columbia announced on November 20, 2006, that it had eradicated the

last acres of plantation-sized poppy in the country—a source of deadly heroin—down from about 15,000 acres in 1994.

In addition, President Uribe's Government has worked closely with our Government to extradite over 460 drug traffickers, including many of the most notorious narcoterrorists. According to the Ministry of Defense, Colombia has increased its public security forces by 30% since 2002; and, for the first time in history, all 1,098 municipalities have a police presence—unheard of just a few years ago.

Also, during President Uribe's Administration, the number of terrorists who have chosen to drop their arms and become part of society has increased significantly. The AUC demobilized over 32,000 members and the ELN have entered into peace negotiations which could take another 3,500 combatants off the field.

These efforts are having an appreciable impact on the streets of our own neighborhoods. According to DEA, wholesale heroin purity seized at major U.S. ports of entry has sharply declined in recent years, suggesting a reduction in Colombian heroin production. Furthermore, according to ONDCP, there is a continuing decline in purity for cocaine in the U.S. In 2006 alone, nearly 500 metric tons of cocaine and \$850 million were taken off the U.S. market due to eradication and seizures. In part, this has led to a 23% decrease in overall youth drug use since 2001.

In every significant category Colombia is improving: rates of homicides, kidnappings, acts of terrorism, and displaced persons are all significantly down. Conversely, school enrollment, GDP, unemployment and poverty rates, and beneficiaries of public health care have considerably improved.

Not only that, the U.S. has turned to Colombia to help share their model of success with Afghanistan, where drugs finance terrorism and the anti-coalition militants which are killing American and NATO troops. Because of the successes in Colombia, the Colombian National Police (CNP) are now training Afghan counter-narcotics police on how to go after drug kingpins and eliminate major drug labs.

The turnaround in Colombia to an economically sound, vibrant democracy is an impressive measure of Plan Colombia's success. Colombia's economy continues to expand at record levels, with GDP growth estimated at 7.6 percent in 2006. The U.S.-sponsored alternative development programs resulted in over 105,000 hectares of new legal crops cultivated. These efforts have benefited 83,000 families; and areas like Putumayo have been reformed. Cultivation has been reduced by 90% and now a lumber yard and a spice plant have replaced the coca fields.

Colombia has a new criminal procedure code and an adversarial judicial system with United States-trained judges and attorneys and criminal investigators. 43 houses of justice have been established which have handled over 4.8 million cases. The Colombian people now have more access to justice as we know it.

No one can deny that our Colombian friends, with United States assistance, have improved many aspects of their country. However, more still needs to be accomplished. We must continue to find ways to stop illicit drugs from traveling through the transit zone to our shores. We must continue to work with our European partners to stem the flow of illicit drugs to Europe, another source of money for the terrorists. We have to work with our Colombian partners and ensure that we are doing all we can to keep the demobilized terrorists from returning to the jungle and picking up their weapons again. And we need to get them to work so that they can re-join regular society.

Some have argued that the Colombian's are not doing their share. In fact, Colombia spent nearly \$7 billion on Plan Colombia programs from 2000–2005, while the U.S. provided \$4 billion in assistance during that period. In addition, the \$4.4 billion that the Uribe government spent in 2006 for the military and police represented a real increase of 30% since 2001.

Colombia is clearly not the same place I used to visit almost 10 years ago. It is much improved. Plan Colombia, President Uribe, the Colombian people, and the committed financial support of the U.S. Congress have made great progress. We all know that Plan Colombia was designed to be a 6-year-old plan. President Bush has requested that Congress continue to support Plan Colombia beyond 2007 with an additional \$587 million for fiscal year 2008. I strongly support this request.

As I mentioned, Colombia is a critical U.S. ally in the region. It is in our interest to cultivate this partnership to ensure that Colombia remains strong. Congress's continued support for Plan Colombia and approval of the Colombian Free Trade Agreement will ensure the Uribe government is successful. The more successful they are, the bolder they will become in pushing for more reforms.

As the Washington Post recently editorialized, opponents of the Colombian Free Trade Agreement and those who resist aid are citing the paramilitary revelations as a reason not to support President Uribe. In fact, they prove that President Uribe can deliver on his promise to reform the country's political system and extend its authority to a long-lawless countryside. If Congress wishes to see those changes con-

tinue, it should approve the new Colombian aid plan as well as the free-trade agreement.

As a Congress, we need to review U.S.-Colombian relations. We need to weigh it with other high-level national priorities of the American people and do what we can to stop the illegal flow of drugs into America and promote stability and democracy in the hemisphere we live in.

In closing, I would like to quote from a recent letter sent to me by Colombian Ambassador Carolina Barco. "We have suffered drug-rooted terrorism for decades, and are finally witnessing positive results. Now more than ever, we need the backing of the United States Congress, and the full weight of the U.S. and the international community, to support the country's quest for lasting peace."

I want to thank you, the members of this committee, for your hard work on this important issue and appreciate the opportunity to appear before you today.

Mr. ENGEL. Yes. The ranking member has asked to make a comment.

Mr. BURTON. Yes. I just want to say that when I was working with the Speaker on government reform he chaired the subcommittee that dealt with the narcotics, and he has been a leader in this area for a long, long time, and the nation owes him a debt of gratitude for the hard work he has put in. He has not gotten many accolades for it but he has worked his tail off, and Mr. Speaker, I really appreciate it.

Mr. ENGEL. Thank you, Mr. Burton. I know we have a series of votes. So I want to thank the Speaker for honoring us with his presence and his testimony, and I know that we are going to look forward to hearing what the other panels have to say. Obviously, this is a country that is very important to us. I believe our third largest recipient of United States foreign aid, and we are going to explore all the avenues but I certainly think that you have capsulized why Colombia is so important and why we must succeed in Colombia. So I thank you for your testimony. We are in the middle of a series of votes so I am going to call a recess, and we will come back right after the last vote.

[Recess.]

Mr. ENGEL. Good afternoon again. A quorum being present the Subcommittee on the Western Hemisphere will come to order. As we had Speaker Hastert before, I refrained from making my complete opening statement. I will do so now, and then call on Mr. Burton to do his, and any other member of the subcommittee who may wish to make an opening statement.

I am very pleased to welcome everyone to today's hearing on United States-Colombia relations. Congress will soon be making a number of important decisions regarding Colombia ranging from our large foreign aid package to the United States-Colombia free trade agreement, and I hope that today's hearing will allow us to gain greater insight into the situation on the ground in Colombia.

Today a series of articles began in *El Tiempo*—Colombia's main daily newspaper—which looks at mass graves in Colombia. The Colombian Attorney General's Office has received 3,710 reports of mass gravesites, and thus far has found only 533 bodies. The article contains gruesome details on how people were killed including the paramilitaries' practice of cutting people's bodies up while they were alive as well as after they were dead. I mention this troubling story to shed light on the severity of violence in Colombia.

As I have said before, I am aware of the impact that Plan Colombia has had in reducing homicides, kidnappings and massacres,

particularly under President Uribe. Kidnappings in Colombia are down by 76 percent since 2000, and homicides are down by 40 percent. The United States has provided over \$5 billion in assistance to Colombia since fiscal year 2000. As I mentioned before when Speaker Hastert was here, Colombia has now become the third largest recipient of United States aid.

Now, as the Colombian Government has reached out to Congress and the Bush administration for further funding for the second phase of Plan Colombia, it is important to evaluate the results of this aid and Colombia's needs for the years ahead. The Colombian Government's proposal for the second phase of Plan Colombia—The Strategy for Strengthening Democracy and Social Development—focuses greater attention on socioeconomic aid. United States officials have even said that the social side needs to stand out in the next phase of Plan Colombia.

I agree. Yet, the President's fiscal year 2008 budget does not reflect these statements. The fiscal year 2008 budget moves only \$10 million from the military to the social and economic categories. Indeed, the military police share falls only slightly from 80 percent of our aid package to 76 percent—a mere 4 percent change. In other words, Plan Colombia is still, for the most part, a military program.

Colombia has a number of pressing social needs which must be dealt with in the next phase of Plan Colombia. Many estimate that Colombia has the highest number of displaced persons in the world after only Sudan—up to 3 million people. This problem is particularly severe among Afro-Colombians, and I hope that President Uribe and the Bush administration can concentrate on this during the next phase of Plan Colombia.

The current scandal has uncovered ties between paramilitaries and Colombian lawmakers, and that is of serious concern to me. We now know that there is significant corruption within the Colombian Government, and that the influence of the paramilitaries has reached very high into President Uribe's government. We have no evidence that President Uribe is connected to the paramilitaries, but we will continue to monitor the progress of Colombia's judicial process.

Democracy is not always neat and tidy and the fact that these lawmakers are being arrested shows that the rule of law is taking hold in the country. I applaud the Colombian judicial system which is pursuing corrupt officials under the most difficult of pressures. The investigators, prosecutors and judges have exhibited a great deal of courage and deserve our positive recognition. The Bush administration, I believe, must put its best foot forward in verifying that all allegations of links between Colombian paramilitaries and policymakers are fully investigated and those found guilty are brought to justice.

Likewise, the shameful connections that are being brought to light between terrorist groups, such as the AUC, and U.S.-owned Chiquita and Drummond Coal Company must be investigated and those responsible must be prosecuted. It has been alleged that Drummond has paid the AUC for protection and to kill certain labor leaders. If this is true, it would be an extremely serious violation of our laws. In the wake of 9/11, it is shocking to me that alle-

gation of payments to terrorist groups have not been aggressively investigated and prosecuted by the Justice Department.

As Colombian paramilitary groups demobilize, I believe it is crucial that witnesses who testify against these paramilitary groups be provided with the protection that they need. Just recently, Yolanda Izquierdo came forward as a lead witness against paramilitary leader Salvatore Mancuso and was subsequently murdered. Now, two of the witnesses in the Drummond case believe that their lives are at risk. We must do a better job in supporting the Colombian Justice Department in protecting these witnesses.

Last, but certainly not least, I would like to focus on our counter-narcotics efforts in Colombia which are at the heart of our assistance to the country. Throughout the United States we can see narco-trafficking's corrosive societal impact in the eyes of our drug-addicted children, in the streets of crime-ridden neighborhoods, in the families destroyed by drugs, in the schools, and in the workforce. Clearly this is a problem that we must all work together to resolve.

While we have seen some progress in Colombia, I have my doubts about our overall impact. Colombian coca cultivation fell 47 percent from 2000 to 2005. Yet, at the same time it increased by 8 percent in Bolivia and by 10 percent in Peru. Coca production in Colombia, as is often the case, seems to have shifted into Bolivia and Peru. But it is not enough to simply attack the drug supply. We must do much more to drive down demand at home through drug prevention, treatment and education. If we reduce demand, narcotics growers, traffickers and dealers will increasingly be driven out of the business by economics alone.

I thank my colleagues for joining me today for what I hope is the beginning of an expanded conversation on Colombia and the start of much-needed oversight on the over \$.5 billion in assistance that we provide to Colombia each year. It is crucial that we think carefully about our aid to Colombia and the upcoming United States-Colombia free trade agreement, but we must also focus more closely on the Colombian social agenda—including the plight of Afro-Colombians and the country's displaced citizens.

I am pleased to welcome our esteemed government witnesses who are testifying today. Anne Patterson is Assistant Secretary of State for International Narcotics and Law Enforcement Affairs. She previously served as Deputy Permanent Representative at the United Nations, and is a former U.S. Ambassador to Colombia and El Salvador. Charles Shapiro is Principal Deputy Assistant Secretary for Western Hemisphere Affairs, and a former U.S. Ambassador to Venezuela, and I had dinner with him last night. We are honored to have both of you here with us today.

[The prepared statement of Mr. Engel follows:]

PREPARED STATEMENT OF THE HONORABLE ELIOT L. ENGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

I am pleased to welcome you to today's hearing on U.S.—Colombia relations. Congress will soon be making a number of important decisions regarding Colombia ranging from our large foreign aid package to the U.S.—Colombia Free Trade Agreement. I hope that today's hearing will allow us to gain greater insight into the situation on the ground in Colombia.

Today, a series of articles began in *El Tiempo*—Colombia’s main daily newspaper—which looks at mass graves in Colombia. The Colombian Attorney General’s Office has received 3,710 reports of mass grave sites and thus far has found only 533 bodies. The article contains gruesome details on how people were killed including the paramilitaries’ practice of cutting people’s bodies up while they were alive as well as after they were dead. I mention this troubling story to shed light on the severity of violence in Colombia.

As I have said before, I am aware of the impact that Plan Colombia has had in reducing homicides, kidnappings and massacres, particularly under President [Alvaro] Uribe. Kidnappings in Colombia are down by 76 percent since 2000 and homicides are down by 40 percent.

The U.S. has provided over \$5 billion in assistance to Colombia since FY 2000. Now, as the Colombian government has reached out to Congress and the Bush Administration for further funding for the second phase of Plan Colombia, it is important to evaluate the results of this aid and Colombia’s needs for the years ahead.

The Colombian government’s proposal for the second phase of Plan Colombia—the Strategy for Strengthening Democracy and Social Development—focuses greater attention on socioeconomic aid. U.S. officials have even said that the social side needs to stand out in the next phase of Plan Colombia. I agree. Yet, the President’s FY 2008 budget does not reflect these statements. The FY 2008 budget moves only \$10 million from the military to the social and economic categories. Indeed, the military-police share falls only slightly from 80% of our aid package to 76%—a mere 4% change. In other words, Plan Colombia is still, for the most part, a military program.

Colombia has a number of pressing social needs which must be dealt with in the next phase of Plan Colombia. Many estimate that Colombia has the highest number of displaced persons in the world after only Sudan—up to 3 million people. This problem is particularly severe among Afro-Colombians, and I hope that President Uribe and the Bush administration can concentrate on this during the next phase of Plan Colombia.

The current scandal that has uncovered ties between paramilitaries and Colombian lawmakers is of serious concern to me. We now know that there is significant corruption within the Colombian government and that the influence of the paramilitaries has reached very high into President Uribe’s government. We have no evidence that President Uribe is connected to the paramilitaries, but we will continue to monitor the progress of Colombia’s judicial process.

Democracy is not always neat and tidy, and the fact that these lawmakers are being arrested shows that the rule of law is taking hold in the country. I applaud the Colombian judicial system which is pursuing corrupt officials under the most difficult of pressures. The investigators, prosecutors, and judges have exhibited a great deal of courage and deserve recognition.

The Bush Administration must put its best foot forward in verifying that all allegations of links between Colombian paramilitaries and policymakers are fully investigated and those found guilty are brought to justice.

Likewise, the shameful connections that are being brought to light between terrorist groups, such as the AUC, and US-owned Chiquita and Drummond Coal Company must be investigated and those responsible must be prosecuted. It has been alleged that Drummond has paid the AUC for protection and to kill certain labor leaders. If this is true, it would be an extremely serious violation of our laws. In the wake of 9/11, it is shocking to me that allegations of payments to terrorist groups have not been aggressively investigated and prosecuted by the Justice Department.

As Colombian paramilitary groups demobilize, I believe it is crucial that witnesses who testify against these paramilitary groups be provided with the protection that they need. Just recently, Yolanda Izquierdo came forward as a lead witness against paramilitary leader Salvatore Mancuso and was subsequently murdered. Now, two of the witnesses in the Drummond case believe that their lives are at risk. We *must* do a better job in supporting the Colombian Justice Department in protecting these witnesses.

Last but certainly not least, I would like to focus on our counternarcotics efforts in Colombia which are at the heart of our assistance to the country. Throughout the United States we can see narco-trafficking’s corrosive societal impact in the eyes of our drug-addicted children, in the streets of crime-ridden neighborhoods, in the families destroyed by drugs, in the schools, and in the workforce. Clearly this is a problem that we must all work together to resolve. While we have seen some progress in Colombia, I have my doubts about our overall impact. Colombian coca cultivation fell 47% from 2000 to 2005. Yet, at the same time it increased by 8% in Bolivia and

by 10% in Peru. Coca production in Colombia—as is often the case—seems to have shifted into Bolivia and Peru.

But it is not enough to simply attack the drug supply. We must do much more to drive down demand at home through drug prevention, treatment and education. If we reduce demand, narcotics growers, traffickers and dealers will increasingly be driven out of the business by economics alone.

I thank my colleagues for joining me today for what I hope is the beginning of an expanded conversation on Colombia and the start of much-needed oversight on the over half billion dollars in assistance that we provide to Colombia each year. It is crucial that we think carefully about our aid to Colombia and the upcoming U.S.—Colombia free trade agreement. But we must also focus more closely on the Colombian social agenda—including the plight of Afro-Colombians and the country's displaced citizens.

I am now extremely honored to welcome one of our own colleagues, Congressman Dennis Hastert, the former Speaker of the House to today's hearing. Mr. Hastert served as Speaker of the House from 1999 to 2006. We look forward to hearing his testimony.

I am also pleased to welcome our esteemed government witnesses who are testifying today. Anne Patterson is Assistant Secretary of State for International Narcotics and Law Enforcement Affairs. She previously served as Deputy Permanent Representative at the United Nations and is a former U.S. Ambassador to Colombia and El Salvador. Charles Shapiro is Principal Deputy Assistant Secretary for Western Hemisphere Affairs and a former U.S. Ambassador to Venezuela. We are honored to have both of you here with us today.

Thank you very much. I am now pleased to call on Ranking Member Burton for his opening statement.

Mr. ENGEL. One quick housekeeping note regarding the order of recognition. I will be recognizing members today in order of arrival, with subcommittee members first, followed by full committee members and finally members who are not on the Foreign Affairs Committee. I thank you very much. I am now pleased to call on our ranking member, Mr. Burton, for his opening statement.

Mr. BURTON. Thank you, Mr. Chairman. That food was real good last night, was it not?

Mr. ENGEL. It sure was. You were even at my table.

Mr. BURTON. Yes. That is right. That Peruvian food was very good. They can invite me out there any time. Let me just start off, Mr. Chairman, by saying you pointed out some deficiencies in Plan Colombia, and I do not think with the environment being what it is in Central and South America you can ever expect perfection. There are going to be bumps in the road. There is no question about it but you and Speaker Hastert mentioned some things that I think need to be re-mentioned.

Kidnappings are down 76 percent. The instances of terrorism are down 61 percent. Murders are down 40 percent. There was a 6.8 GDP growth in the last quarter of 2006. There is police presence in nearly every municipality in Colombia today which was unheard of just a few years ago. Most of the major roads and highways to and from big cities in Colombia are now open and much safer to travel without fear of kidnapping or guerilla attacks, and more than 2 million Colombians have been able to get out of poverty in the last 4 years, according to the Colombian planning department.

You know that is a pretty good record. There is no question, and I think Mr. Meeks when he talked to President Uribe when we were together was invited down there to talk about some of the problems in the African Colombian sections. I do not know if you got down there or not but Mr. Uribe wanted to work with us and Mr. Meeks in particular to find out if there were problems. I know

there was supposedly a murder of a senator's aid down there, and I know that that was discussed with President Uribe.

I am a little distressed that we jump to conclusions so rapidly. You know I just read that a leading opposition Senator said Tuesday that far right paramilitary fighters established their hold over the promise of Antioquia while President Uribe was the governor of the region, and he said that he was allowing these paramilitary death squads to be on his property and with his knowledge.

What has failed to be really focused upon is that this fellow was with a terrorist organization down there for some time, and for him to be taken at his word I think is something that we should really look at with a jaundiced eye. He was with MI 21 was it? I am trying to read you. M19. M19. And he says he never fired a gun while he was with them but nevertheless he was one of the spokespeople for them, and now he is in the senate accusing President Uribe of things that he probably has done. So I think we ought to look at that very carefully.

Plan Colombia has been an unqualified success. Now why is Colombia very important? We have a big problem with President Chavez in Venezuela. He has been successful in helping leftist movements in Nicaragua, in Morales and Bolivia, and in Ecuador I think he has been involved as well, and he would like to see a leftist movement in every country in Central and South America, and he has got the money to help do that.

In fact, I think he has got over \$3 billion in his war chest, and he is getting up to \$200 million a day in oil revenues. So every time I see a Citgo station I try to pass it by because I know that money is going straight down to President Chavez who is now President for as long as he wants to be because he got that through the legislative branch down there.

So we need somebody that is a real strong supporter and friend of the United States to help be a bulwark against the leftist movements in Central and South America. Now we have got a number of friends down there. The Peruvian President was with us last night. So we have got a number of friends down there. But we need more, and we certainly should not be cutting off friends of our like President Uribe unless we find out that there is real truth to some of these allegations, and I am going to be asking questions of our panel today that will be very direct about whether or not we have any evidence that he was involved in any of these things that he is alleged to have been involved in.

So with that, Mr. Chairman, let me just say that I appreciate you having this hearing, and I look forward to hearing from our panel.

[The prepared statement of Mr. Burton follows:]

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF INDIANA

I am very pleased that the Chairman has convened this important hearing on the current status of the bi-lateral U.S. Colombia relationship and has assembled these outstanding witnesses here today.

Throughout my time here in Congress I have followed Colombia very closely, both before and after Plan Colombia was developed in 2000 and now after it has been widely implemented. The successful results of U.S. involvement in addressing the insecurity and drug growth in Colombia speak for themselves. We are looking at a major U.S./Colombia success story and those involved should be applauded for their

ability to see past short term struggles to the longer term stability that is taking hold in Colombia.

Colombia is a different and much better country today because of Plan Colombia, but both our nations have benefited.

Fortunately, through Plan Colombia, we are able to see how true success stories are carried out given unwavering U.S. support provided to an ally that is dedicated to helping itself. A simple review of the facts makes it quite clear.

Since 2001:

- Kidnappings are down 76%;
- Incidents of terrorism are down 61%;
- Murders are down 40%;
- There was a 6.8% GDP growth in the last quarter of 2006;
- There is a police presence in nearly every municipality in Colombia today, which was an unheard of possibility a few years ago;
- Most of the major roads and highways to and from big cities in Colombia are now open and much safer to travel without fear of kidnapping or guerilla attacks;
- More than 2 million Colombians have been able to get out of poverty in the last four years according to the Colombian Planning Department.

These are just a few statistics in the overall success story. I simply hope to make the point that these improvements speak volumes about the new Colombia that we and our Colombian counterparts originally set out to create with Plan Colombia.

We have learned that if you reduce drugs, then violence goes down accordingly; it is a simple and obvious lesson that we must learn and utilize. Drugs and terrorism are the same enemy of the state and rule of law.

We in the U.S. Congress have turned to Colombia and the Colombian National Police (CNP) in particular to help spread this model of success to Afghanistan, where the illegal drug trade also finances violence and terror. Currently, the CNP is training the Afghan counter-narcotics police (their counter-parts) based on the successful and hard-learned lessons in Colombia.

Recently, while in Bogota, U.S. Army General Peter Pace noted that the Colombian model and experience against narco-terrorism is very relative to the challenge the world faces in Afghanistan today.

The only way we will continue to see improvements in Colombia, and continue to benefit from these improvements on a broader scale, is if we work together and build on the lessons we have learned over the past seven years. Every set back provides vital knowledge on how to move forward in a productive manner, and every small success is a huge victory for the Colombian people and the region as a whole. Together with the devoted people of Colombia we hold the power to help both our nations, and others like Afghanistan, bring an end to the destruction and devastation that we are now beginning to overcome in Colombia.

I would like to thank Chairman Engel once again for his focus on this important relationship and I look forward to hearing from our distinguished panelists.

Mr. ENGEL. Thank you, Mr. Burton. I am now going to call on members of the subcommittee for opening statement and ask that they keep it to 3 minutes each or shorter if they can, and the first person is Mr. Meeks who also broke bread with us last night with the Peruvians.

Mr. MEEKS. So much to say, so little time. Let me just say this, Mr. Chairman, and thank you. Briefly for me when I look at Colombia I look at where it has been and how far it has come. I look at first the Pastrana administration with Plan Colombia and now President Uribe, and though I agree with much what Mr. Burton says, for me what is first and most important is what is happening for the Colombian people.

I have had the opportunity to go to Colombia on several times, and I urge members to go. I have walked the streets and just talked to the average person on the street. I went into Bogota and talked to Cartagena and then even in Choco and asked individuals how do they feel about what is taking place in Colombia? And each

and every one of them said that they feel like there is finally hope. That there are opportunities for progress. That if I had only been there a few years ago that they could not walk the streets. That is how I judge success.

And so in my estimation you know whether or not you are going to have a lot of individuals talking about are there still problems with human rights, et cetera. Well the answer to that is probably yes. You cannot wipe it out in just a matter of a few years, but if you also ask is there a President who is intent on making sure that the lives of his people are better? The answer has to be yes.

My focus and concern has always been and will continue to be is where we are headed with the plight as the chairman has indicated with the African Colombians, and some of the questions I am going to tell you right out that I want to know for example Law 70. I understand the current minister of agriculture talked about there is 40,000 hectares of land that is in dispute with reference to title and whether or not they are for African Colombian and how that is going to be done.

Sustainable economic development that lends to poverty reduction in Plan Pacifico in the Choco area and Buenaventura. That is important to me. Having individuals in the African Colombian community being involved and part of the administration. I think that there is a lot that can be gained from the benefits of those of us who happen to be African American in the United States of America to those who are African Colombians. We can work collectively together but for me I know that I can work with President Uribe.

He has indicated to me and made certain commitments, and he has not failed on those commitments yet, and we intend on with Mr. Chairman going down to Colombia soon, and going to some areas where people have not gone when they visited there before. And so I think that the time is not right for us to turn our back on it.

Let me just end on this because it is important you know when you talk about military versus social, and we need to make sure that some of the money that the Colombian Government has goes into social or we cannot now cut back on the military spending because as he has pushed a lot of the cartels out of the cities, they are now going into the areas where the African Colombians are, and if we cut off that funding now, then we are leaving those individuals in a helpless and a hopeless situation. We must continue that so that we can push them out and eventually push them into the ocean. Thank you, Mr. Chair. I yield back.

Mr. ENGEL. Thank you, Mr. Meeks. And now, it is my pleasure to call on the vice chair of our subcommittee, Mr. Sires.

Mr. SIRES. Thank you, Chairman, and let me say how important this hearing is, and I congratulate you on putting this together. I come from a district where many of the Colombians that come to this country live, and I get a chance to talk to them every day. I also have had the pleasure of visiting the country. It is a beautiful country.

Over the years I have lived in this district maybe 45 years. The Colombian community has been there a long time, and for the first time I see hope in their eyes. I see that they have a leader that cares about his people, cares about his country. I have been there,

and I have seen the hope in people's eyes. I do have concerns about the environment. I do have concerns about workers' rights but at the end of the day I think we have to look to see what he has done for his country.

I really do believe that the hope that he has given his country will still have to continue, and I am concerned about a strong paramilitary presence in Colombia. But we have to want what is in the best interest of the people. So I hope to get to visit again. I know I am going to speak to him again, and this is going to be a tough vote for us. This is going to be a difficult vote for us but I think we have to make a decision, and at the end of the day I think what drives a lot of these problems is the poverty. There is poverty in Latin America, and we really have to wage a war on poverty like we wage a war on HIV, like we do on other levels so we can give these people in Latin America hope.

We should not just be doing this because of Chavez is in Venezuela. He is certainly a threat but I think the effort of this country should be in rising the level of the people of all these countries so they will not have to deal with some of the things that have been going on for many, many years. So I thank you, Chairman. I congratulate you for holding the hearing.

Mr. ENGEL. Okay. Thank you. Mr. Delahunt.

Mr. DELAHUNT. Thank you, Mr. Chairman, and you know, there are multiple questions that I think have to be posed that this committee and others have to reflect upon. I have supported Plan Colombia since its inception, but there does come a time, however, when I think we have to review the ability of the American taxpayer to continue to assume the burden. I do not think we have arrived at that particular moment, but Colombia has done well. Its economy has prospered. We congratulate them for that.

I have noted before that our deficit in terms of our percentage of GDP is significantly larger than that of Colombia. I also recognize the fact that we can talk all we want about eradication and interdiction in reducing the supply of drugs but there is a moral responsibility on the part of this country to recognize that it is the demand side that is driving it. We can do everything that we can possibly conceive of in terms of disrupting supply. We can have success after success and it will not make any difference. We have to question ourselves.

And I do think that the chairman makes a good point about the balance between, let us say, it is hardware and it is software. But those are not my most significant concerns. My most significant concerns are the behavior, or the alleged behavior, of American corporations. There have been very significant allegations, serious, that concern or ought to concern the American people regarding at least two significant American corporations.

Chiquita Banana just settled or paid a fine I think almost to the tune of \$2 million for collusion with the paramilitaries. Serious allegations—and they have been referenced by the chairman—have been made about an Alabama corporation. There was the OAS report regarding a number of weapons that were seized at a location owned or at least operated under American control.

The questions I want to hear today is what the Department of State is doing or has done, and Mr. Chairman, I think they are of

such profound concern that it does warrant a significant effort in terms of oversight to find out what, if any, of these allegations have substance. I dare say given the fine and the admission paid by Chiquita Bananas I think it is fair to say where there is smoke there is fire. That is absolutely unacceptable.

The AUC was designated as a terrorist organization, and to think that American corporations may have a relationship with paramilitary groups is something that we have to look into, and I will discuss with you, Mr. Chairman, how we should proceed from this moment in terms of examining that particular issue.

Mr. ENGEL. Thank you, Mr. Delahunt. Mr. Green.

Mr. GREEN. Thank you, Mr. Chairman. I would like to have my full statement placed in the record as a new member of the committee. And I voted for Plan Colombia since 2000 but I have to admit I have some concern about the killing of labor activists. And I am looking forward to the testimony, and I yield back my time.

Mr. ENGEL. Without objection.

[The prepared statement of Mr. Green follows:]

PREPARED STATEMENT OF THE HONORABLE GENE GREEN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF TEXAS

Mr. Chairman I would like to thank you for holding a hearing regarding the relationship between the U.S. and Colombia.

Our two countries have had relatively positive relations, and despite domestic problems, Colombia has been a strong ally in the war on drugs.

Colombia internal situation, however, has been plagued by a conflict between the government and leftist guerillas for over 40 years now, with the Right-wing paramilitaries joining in the 1980's.

This violence intensified in the late 1990's resulting in a deterioration of human rights conditions.

Colombia now has the second largest population of internally displaced persons in the world, right behind Sudan.

According to the Department of State's Country Report on Human Rights Practices, the leftist guerillas, right-wing paramilitaries, and the government itself all allegedly committed serious human rights violations in 2006.

In response to the increased violence, a six year jointly funded effort by Colombia and the international community known as Plan Colombia was implemented.

Plan Colombia was developed to counter the insurgency and fight the drug trade.

For this reason, the U.S. has been the primary international supporter, providing over \$5 billion in assistance to Colombia since FY2000.

The assistance from the U.S. has strengthened the state and has reduced the supply of cocaine to the U.S.

Unfortunately, the recent Para-political scandal involving various members of the Colombian Congress has caused a decrease in support for the government resulting in more chaos.

The instability and violence in Colombia must be addressed and Congress must play a role in this because of the humanitarian impact within the country and the impact it could have on the drug trade.

I look forward to the testimony and insight from our witnesses as we consider future U.S. relations with Colombia. Mr. Chairman, thank you again for holding this hearing.

Mr. ENGEL. Mr. Farr.

Mr. FARR. Thank you very much, Mr. Chairman. I am not a member of this committee but I was a Peace Corps volunteer in Colombia, and I am very fond of the country, and I just want to thank you very much for inviting me to participate in this very important hearing. I think Colombia, in my knowledge of traveling all over Latin America, has a potential of being the most successful country in Latin America, and I think Colombia is a victim of its riches.

It is probably the richest country in the world in terms of land, quality land and a climate that can grow anything.

It is also one of the richest countries in entrepreneurial ideas. There are very talented people in Colombia, and risk takers. And obviously those, both the riches of land and the riches of risk taking, have turned the country into a center for drug production. But the Colombians came up with a plan, and everybody knows you cannot go anywhere without a plan. We are here debating about a plan in Colombia and what is the plan for Iraq, and look at how much money we have spent.

Even without a plan, we have just committed billions and billions, hundreds of billions of dollars. Colombia has a plan. Half that plan was to professionalize the military and equip it well so that it could go after the drug traffickers and the national police to train them professionally and give them the equipment. The other half of the plan is the plan about bringing social justice and access for the poor to education and health care and housing.

And I share with my colleagues and I am pleased to hear on this committee because I had not heard it before that people realize that the plan is working. That Colombia has shown incredible improvements, and I think I am here today because I do not think that we ought to abandon the plan particularly since Plan Colombia 2 is 86 percent non military. I am here for the social side of that plan for helping invest in the millions of people that are displaced, for alternative crops that can make and grow a kind of rural economy where people can sustain themselves in the rural areas without having to move to the cities.

And unfortunately there has been corruption with all that drug money in Colombia. There has been corruption wherever that kind of money is found anywhere in the world, and I do not think we ought to lose sight of the fact that as the chairman said, the justice system in Colombia is an excellent one, and it is pursuing malfeasance of money and office.

But I hope that we in Congress collectively will not abandon the country that has the potential not only of being our best friend in Latin America but a land of democracy and access to all the resources for all the people, and I thank you for allowing me to come here today.

Mr. ENGEL. Well thank you, Mr. Farr. We are delighted that you are here. And before I call on our witnesses, I want to mention what a number of the subcommittee members have alluded to, and that is that we are planning as a subcommittee to visit Colombia at the beginning of June, and I hope that visit will be very fruitful. I am sure it will be.

Well Ambassadors, one of the perils of testifying before committees and subcommittees is you have to listen all of us before we get to listen to you. Sorry about that, but I do look forward to hearing your testimony. I mentioned before both of you have distinguished records, and it is my honor to now call on Ambassador Patterson to deliver her remarks. If you would like to summarize, you have 5 minutes. We will enter into the record whatever you like, and then we will be happy to ask questions. Okay. Ambassador Shapiro. That is fine.

STATEMENT OF THE HONORABLE CHARLES SHAPIRO, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. SHAPIRO. Thanks. I am delighted. Mr. Chairman, Mr. Burton, members of the subcommittee and thank you for the opportunity to discuss our policy toward Colombia. I want to express my appreciation to you and your staff for your sustained and constructive support. I have got longer testimony for the record. I have also got two other reports I would like to enter into the record. One is a report on United States assistance programs to Colombia, and the other is Colombia's Government strategy to strengthen democracy and promote social development.

Mr. ENGEL. Without objection so moved.

Mr. SHAPIRO. Thank you very much, sir. Since 2000, we have stood steadfastly with Colombia in its efforts to combat narcotics trafficking and terrorism and to improve the lives of its people. Mr. Chairman, our assistance is working. A decade ago Colombia was in danger of becoming a narco state. Terror, violence, and drug trafficking tore at the very fabric of Colombian society, threatening the core institutions and the cohesion of the state.

Today, as members of the subcommittee have observed firsthand, the picture is strikingly different. Colombia is remaking itself. President Bush's March 11 visit to Bogota, the first by an American President since Ronald Reagan in 1982, underscores Colombia's transformation and the importance of our support for the reforms that are helping Colombians build a successful, just and democratic nation.

Colombia is a vibrant democracy despite the best efforts of both narcotics traffickers and terrorists to destroy it. FARC terrorists are on the defensive and have been reduced in number. The ELN guerrillas are on the brink of agreeing to a cease fire with the government. Over 30,000 members of paramilitary groups have demobilized. The government is reasserting control of large swaths of territory.

As you mentioned and there is a chart up here, the first one, since 2002 kidnappings have been reduced by 76 percent, terror attacks by 61 percent, and homicides by 40 percent. At the same time the government is addressing humanitarian needs, promoting respect for human rights and the rule of law, and providing social services to the most vulnerable.

Coca eradication or narcotics interdiction, related arrests, and extraditions are at record levels. The result is a more peaceful and prosperous Colombia. Improved security is contributing to new opportunities for the people of Colombia. The economy has grown at over 4 percent over the past 4 years, last year at 6.8 percent, and that is the chart at the top left there, the highest in 8 years, and inflation was the lowest in a decade, 4½ percent.

Unemployment is down. The percentage of the population living below the poverty line decreased from nearly 60 percent to 45 percent. These results are remarkable. Our assistance to Colombia is paying dividends. It is imperative that hard won gains are not lost. With our assistance, Colombia has succeeded in walking itself back from the brink. It now faces the challenge of expanding state presence and broadening economic opportunity in order to provide its

people hope that their lives will continue to improve and that the lives of their children will be better yet.

Two weeks ago the Secretary of State certified that Colombia was making substantial progress in improving the human rights situation. Colombians will tell you and President Uribe will tell you when he is here next week that much remains to be done. There must be no shelter, no impunity for those who have committed atrocities.

Colombia needs to continue its fight against the illegal armed groups, one of which is holding three United States citizens hostage. It needs to prevent criminal groups from filling the vacuum left by the demobilization of paramilitaries while it reintegrates tens of thousands of former paramilitaries into society.

The prosecutor general's office urgently needs more personnel. There are cases to be investigated and brought to trial. The government must fully implement the justice and peace process. The vulnerable must be protected including labor leaders, the displaced and Afro-Colombians. Mr. Chairman, we must stand by Colombia and its government as they confront these issues.

The Government of Colombia's policy of democratic security and the paramilitary demobilization have created space for Colombia's judicial institutions to work and provided incentives for individuals to tell the truth. Fifty-one former paramilitary leaders are in a maximum security prison. Information is coming forth as demobilized paramilitaries make declarations to investigators.

At the same time political leaders are making allegations about the government. President Uribe has ordered a full investigation of all allegations of ties between the government and the paramilitaries. He has fired members of his government, and the prosecutor has brought charges against a former director of the security police.

We support President Uribe's determination to ensure that these investigations run their course no matter who may be implicated. Let me assure you, Mr. Chairman, that we support President Uribe in this endeavor. Alvaro Uribe deserves the praise and support of the international democratic community.

We are proposing a dual-pronged strategy of economic and military assistance together with the U.S.-Colombia Trade Promotion Act. The single most important step we can take to keep the economy growing strongly is to approve and implement the United States-Colombia free trade agreement. It will create jobs, reduce poverty, and incorporate all Colombians into the formal economy.

The assistance strategy, as you noted, increasingly focuses on consolidated state presence in vulnerable areas and immediately bringing assistance to those people who are at risk in those areas. Mr. Chairman, I thank you for the opportunity to testify, and I will be delighted to answer your questions.

[The prepared statement of Mr. Shapiro follows:]

PREPARED STATEMENT OF THE HONORABLE CHARLES SHAPIRO, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE

INTRODUCTION

Mr. Chairman, Mr. Burton, and distinguished members of the Subcommittee, thank you for the opportunity to come before you today to discuss our policy and plans for assistance to Colombia. Strong bipartisan support in the Congress and this Subcommittee has been a constant in our efforts since the beginning of Plan Colombia and is one of the reasons why we believe Colombia has achieved remarkable results.

As President Bush said on March 5 just before his trip to Colombia and four other countries in Latin America, "It is in the interest of the United States of America to help the people in democracies in our neighborhood succeed. When our neighbors are prosperous and peaceful, it means better opportunities and more security for our own people. When there are jobs in our neighborhood, people are able to find work at home and not have to migrate to our country. When millions are free from poverty, societies are stronger and more hopeful." These are clearly goals that the people of Colombia, with our support, are making progress toward and are committed to achieving.

It is important that we recognize how much things have improved in Colombia over the past seven years. The Government of Colombia has taken concrete actions to respond to the challenge posed by illegal armed groups and narcotics cartels. As a result, the lives of ordinary people have improved dramatically. Improvements in security have allowed the economy to prosper. Poverty and violence have decreased, the rapid growth in coca cultivation of the 1990's has been reversed, a massive demobilization of nearly all paramilitary groups has been completed and paramilitary prosecutions and victims reparations programs are underway. Further, the government has clearly stated that human rights abuses are not tolerated and that there is no shelter and no impunity.

At the same time, we recognize that there is still much to be done. The violence has resulted in the displacement of millions of Colombian citizens. Economic difficulties and lack of employment opportunity plague rural parts of the country; and we continue to be concerned by all allegations of human rights abuses.

We need to continue working with the Government of Colombia to help them expand security, social services and economic opportunity and to ensure the benefits accrue to all Colombians—whether in the countryside or the cities, and especially among the Afro-Colombians, indigenous and displaced. The key will be to create a strong economy, put additional pressure on the groups fighting over drug profits, and end impunity for those that commit, or are complicit in, human rights abuses.

Colombians have bravely taken up these challenges. We need to help them finish the task, both by continuing to support our programs and by approving the U.S.-Colombia free trade agreement that will both provide the people of Colombia with economic opportunity to further reduce poverty and enhance trade and export opportunities for the United States.

Although Colombia will assume additional responsibility for new and ongoing programs over time, they will require continued U.S. and international assistance in critical areas. Our approach will change to support Colombia's new programs or to apply lessons learned to continuing programs.

We urge early Congressional approval of the U.S.-Colombia free trade agreement, which has major benefits for both countries. It will help Colombia further reduce poverty and provide legitimate economic opportunities to all of Colombia's citizens, as well as enhance trade and export opportunities for United States workers, farmers and companies.

SUCSESSES IN COLOMBIA

Before looking to the future, let me summarize the remarkable gains that Colombia, with U.S. and other international support, has made. In 2000, a bipartisan consensus in the Congress determined that the United States should support Plan Colombia. The most significant areas of success include:

- Reversing the high rate of growth in the late 1990's of coca and opium poppy cultivation and increasing rates of interdiction. Every hectare of coca and opium poppy that is not grown or that is interdicted means less money flowing to the perpetrators of violence and atrocities in Colombia.
- Reducing violence. The security situation has improved significantly from a time when Colombia had among the highest crime numbers in the world, with

kidnappings down by 76 percent, terror attacks by 61 percent, and homicides by 40 percent since 2000.

- Improving the economy. The improved security has contributed to Colombia's economic recovery. Economic growth has averaged close to five percent over the past four years and reached 6.8 percent in 2006. Thousands of additional families are now working in the formal, legal economy.
- Reducing poverty. Poverty rates in Colombia fell dramatically to 45.1 percent in June 2006 from nearly 60 percent when Plan Colombia began. In urban areas, the poverty rate decreased to 39.1 percent, while in rural areas it fell to 62.1 percent. The rate of extreme poverty has fallen to 12 percent nationwide. Extreme poverty in urban areas fell from 16.7 to 8.7 percent, and in rural areas from 35.7 to 21.5 percent. While these numbers are still too high, especially for Colombia's indigenous, Afro-Colombian and displaced populations, all of whom are disproportionately affected, they represent a steady improvement that the Government of Colombia's new Strategy seeks to continue. One program, called Families in Action, provides a nutritional subsidy to families with children up to age six if parents ensure medical checkups and vaccinations, and an education subsidy to older children on the condition the children attend school. Approximately 520,000 families, including 110,000 displaced families, now benefit from this program, and the Government of Colombia seeks to triple that number in the next year.
- Reducing impunity: Colombia's justice sector reform program, with significant U.S. support, is having a profound effect. The changeover from the former written system to an oral, accusatory one has brought the average case duration down from three years to between 25 and 163 days. For crimes such as theft, personal injury, arms trafficking and homicide, there have been reductions in processing time of 93 percent, 84 percent, 92 percent, and 90 percent, respectively.
- Taking militants off the battlefield. Although prosecutions and reparations have just begun, there is real progress, with over 31,000 paramilitary members demobilized. Current negotiations with the National Liberation Army have the potential of leading in the same direction.

This is a critical and perhaps unique moment for Colombia. The Colombian people's confidence is high. For the first time in over a generation, Colombians can envisage the possibility of real peace. Colombia is poised to make this a reality through its new plan for the next seven years.

COLOMBIA'S NEW STRATEGY

In January 2007, Colombia announced its "Strategy to Strengthen Democracy and Promote Social Development." Mr. Chairman, with your permission, I would like to submit a copy of this plan to the Subcommittee and ask that it be made a part of the hearing record. It is also available to the public at http://www.dnp.gov.co/novedades_detalle.aspx?idn=113.

Colombia's strategy places increased emphasis on consolidating state presence by expanding government programs in remote rural areas, especially those emerging from conflict. Assistance to vulnerable groups, such as Afro-Colombians on Colombia's Pacific coast, indigenous people, and displaced persons, are among its priorities. The strategy stresses the importance of economic development through sustainable growth and trade. To ensure the secure environment necessary for carrying out these programs, the Strategy continues the fight against terrorist groups and narcotics producers and traffickers.

U.S. SUPPORT IS CRUCIAL

Continued U.S. support is crucial to fulfilling the key Colombian objectives of improving national security and stopping the drug trafficking which fuels the country's violence, expanding effective state presence throughout the country and providing alternative development opportunities, addressing the needs of displaced persons and other disadvantaged groups, improving the protection of human rights, combating impunity, strengthening the economy and reducing poverty, and assuring the demobilization and dismantlement of illegal armed groups.

We want to improve the lives of ordinary Colombians while reducing the impact of narco-terrorism on the United States and the region. We seek to strengthen the rule of law and respect for human rights by supporting judicial reform, the national prosecutor's office, and civil society. We also seek to promote sustainable economic growth and the expansion of licit economic opportunities.

My colleague, Ambassador Patterson, will address more ably than I questions involving our counternarcotics programs, so I will briefly describe other aspects of our efforts. A more detailed discussion of our strategy for the U.S. assistance program through 2013 will be included in a report that the Department of State will submit to the Congress shortly. Once again, with your permission, Mr. Chairman, I would like to submit a copy of this report to the Subcommittee with a request that it be made part of the hearing record.

STATE PRESENCE AND SOCIAL SERVICES

Now that Colombian authorities have established a presence in all 1,099 municipalities (equivalent to U.S. counties) throughout the country, it is essential that we improve local capabilities to provide social services in rural areas and small towns to build public confidence in local government. U.S. Government assistance will focus on those newly-secured areas in transition from conflict to peace. We will support programs to enhance security and the effective state delivery of health and education services and to build the capacity of local government and citizen groups. U.S. support for health clinics, schools, road improvements, and other quick, high impact initiatives at the local level will assist the Government of Colombia in its effort to consolidate state presence.

In areas where corruption has been traditionally accepted as inherent, U.S. programs will encourage citizen oversight to increase transparency and accountability and reduce corruption.

U.S. humanitarian efforts will allow for shelter, healthcare, education, job training, and social services which are critical to the successful reintegration of Colombia's internally displaced persons.

TRADE, ECONOMIC GROWTH AND POVERTY REDUCTION

Sustained economic growth is essential to Colombia's efforts to provide economic opportunities as alternatives to the narcotics industry, meet poverty reduction goals, and reduce its need for international assistance.

And the single most important step we can take to keep Colombia on the path of strong economic growth is to approve and implement the U.S.-Colombia Trade Promotion Agreement (our free trade agreement or FTA). It will contribute to creating jobs, reducing poverty and to incorporating all Colombians into the formal economy. We view it as part of an integrated economic strategy, with the ultimate goal of a fully self-sufficient Colombia that derives full benefits from the opportunities of the global economy.

Moreover, our pending bilateral free trade agreement is part of a regional strategy that encompasses pending free trade agreements with Peru, and Panama and complements existing agreements with Chile, Central America and the Dominican Republic, Mexico and Canada. Completing these agreements would solidify open markets and strengthen democracy along the Pacific coast of the Americas.

As part of an integrated economic strategy, the Colombia agreement would build on what we have achieved with the unilateral trade preferences of ATPA and foster the creation of stable, better-paying jobs and legitimate opportunities in the formal sector, while U.S. assistance would complement Colombia's open market policies and economic reforms by helping to broaden their benefits throughout society on a sustainable basis. Our assistance programs will focus on those entering the work force—marginalized or vulnerable groups, former low-level growers of illicit drug crops, and former low-level members of demobilized terrorist organizations who fulfill their obligations under Colombia's demobilization program.

At the same time, a free trade agreement with Colombia will significantly increase opportunities for U.S. trade, exports and jobs.

U.S. trade capacity building activities will continue to focus on policy and institution strengthening reforms to help Colombia access more global markets and to maximize sustainable income and employment generation, including in rural communities for which agricultural trade opportunities are key. We will assist the Government of Colombia in analyzing remaining impediments to small and medium-size enterprises' creation and growth. If approved, the FTA will provide market incentives for these enterprises to flourish.

Colombia is a strategic energy partner with coal and petroleum production contributing to global energy supply. U.S. engagement will continue to focus on promoting energy sector reforms that encourage increased investment, greater private sector participation, and a more efficient, market-based approach to energy production and use. We are also looking at how the United States could assist Colombia to broaden the delivery of financial services and facilitate transportation and improved communication.

JUSTICE AND HUMAN RIGHTS

Ensuring access to effective justice, ending impunity, and protecting the human rights of all Colombian citizens are key components of working toward lasting peace and security. Overall, the Government of Colombia has made progress in these areas over the last decade, especially under the Uribe administration. However, much more remains to be done, particularly to end impunity in cases of human rights abuses. Continued progress on human rights remains a top priority in our policy dialogues with Government of Colombia leaders.

U.S. assistance will support Colombian efforts to prevent human rights abuses, promote respect for human rights, and respond quickly and adequately to abuses. We will help strengthen Colombia's already marked progress in these areas and encourage the government to continue focusing on human rights and justice reform.

The Government of Colombia provides approximately \$26 million annually to protection programs for 10,000 persons identified as at risk. The Ministry of Interior and Justice, with support from USAID, administers a \$20.9 million program that provides protection to more than 6,000 of these individuals, including \$8.4 million for over 1,200 trade unionists. Since the inception of the Ministry of Interior and Justice's protection program in 1999, homicides of trade unionists have declined significantly. According to the Ministry of Social Protection, 105 trade unionists were killed in 2000, and this number fell to 25 in 2006. The National Union School, a non-governmental organization focused on workers rights in Colombia, reports a similar decline from 77 in 2000 to 38 in 2006. Still, we believe strongly that even the murder of one individual is one too many.

U.S. assistance will help the Government of Colombia continue its programs to provide protection to trade unionists and other vulnerable groups. It will also increase the government's capacity to aggressively prosecute violence against trade unionists¹ and help the government continue to make progress in addressing child labor issues.

Our assistance will help the Government of Colombia improve protection for the rights of the individual, while also helping civil society to play an effective role in monitoring, counseling, and advising on human rights issues. The United States will build up the capacity of civil society to conduct oversight; promote public policy, dialogue and accountability; and play a bigger role in Government of Colombia efforts to improve the protection and promotion of human rights, with special attention to labor rights.

The United States will continue to support activities that promote victims' rights to truth, justice, and reparations. U.S. assistance will also support the Early Warning System for Human Rights Abuses, which alerts Government of Colombia institutions to threatening situations that could lead to human rights abuses. Special attention will be focused on support to communities at risk. To guarantee sustainability, the Government of Colombia will gradually take over payment of salaries and other operational costs for national government human rights programs.

Human rights-oriented reforms within the Ministry of Defense will be supported through our assistance, including the assignment of independent inspectors with responsibility for human rights, among other matters, in each division of the Army and the expansion of this initiative to the brigade level. It will fund a broad range of courses, including human rights training, and will support the Ministry of Defense's efforts to reform the military's educational system to include a greater focus on protection of human rights.

U.S. assistance will support the Government of Colombia's protection programs for human rights defenders, trade unionists, and community and social leaders. Our support will also increase the ability of the Communities at Risk Program to protect communities at high risk of violence, including Afro-Colombian and indigenous communities.

We will help strengthen institutions, including the Office of the Vice President, the Inspector General's Office, the Prosecutor's Office, and the Ombudsman's Office, so they are able to provide prompt response to human rights abuses and strengthen independent oversight of human rights institutions and policies. Working with the Prosecutor General's Office, we will help train prosecutors, public defenders, police, forensic technicians, and judges. We will continue to develop specialized task force units in the areas of human rights violations, money laundering and asset forfeiture, terrorist financing, narcotics and maritime enforcement, corruption, prison security and judicial/dignitary and witness protection, post-blast analysis, counter-

¹The Government of Colombia is taking action to combat impunity in cases of violence against trade unionists through an independent special prosecutor's unit with a budget of \$1.5 million to rapidly investigate and prosecute 204 such cases.

feiting crimes, and increasing forensic analytic capacity. U.S. assistance will help Colombia improve the effectiveness of the military justice system, ensure that human rights cases remain under the civilian justice system, and facilitate investigation and prosecution of crimes allegedly involving military personnel.

Another priority is completion of the implementation of the new accusatory system and help to strengthen justice sector institutions. Under the old written system, criminal cases often took years to resolve. Now, with the implementation of the new Criminal Procedure Code and transition to an oral accusatory system, these cases are reaching verdict in months. In addition, we plan to expand the successful Justice House program to rural areas by the end of 2008. Justice Houses provide a wider range of community services than indicated by their name, including increased access to social and other basic government programs, as well as to legal services and alternative dispute resolution mechanisms. U.S. support will establish ten additional Justice Houses in previously marginalized or conflictive areas of the country.

COUNTER-TERRORISM, DEMOBILIZATION, AND REINTEGRATION

The Government of Colombia's military efforts against the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) have weakened the terrorist groups, but they have not been defeated. Our support for equipment, training, and intelligence programs remain crucial to Colombian counter-terrorism efforts. One sign of the Government of Colombia's success is the more than 9,400 ELN and FARC members that have left their units and turned themselves in to Colombian authorities since 2002.

The U.S. continues to work closely with the Government of Colombia to effect the safe recovery of hostages held by the FARC, including three American citizens.

The United Self-Defense Force (AUC) paramilitary groups agreed to a ceasefire and a negotiated demobilization. The last AUC group demobilized in August 2006, bringing the total demobilized collectively to over 31,000. One small group did not demobilize and some individual paramilitaries have joined other criminal organization. Nevertheless, as a result, violence in areas where paramilitary groups demobilized has generally been reduced. However, this is only the start of an extended and difficult process.

The conclusion of Organization of American States Secretary General Insulza's February report on its mission in Colombia is worth quoting. He said, "Even though the disarmament and demobilization of the AUC and its attempt to reintegrate into civilian society have faced difficulties, such steps, taken one at a time, constitute new scenarios for peace for Colombia."

In marked contrast to other peace processes worldwide, the Government of Colombia has not been willing to provide a total amnesty for demobilized paramilitary members. Instead it is prosecuting all former paramilitary members accused of serious crimes under the Justice and Peace Law. If convicted, they will serve sentences of six to eight years.

In our judgment, the Justice and Peace Law, as modified by the Colombian Constitutional Court decision and the implementing decrees, provides an adequate legal mechanism for prosecution of paramilitary leaders. We cannot expect all the paramilitary cases dating back over a decade to be resolved in a short time. The legal process is certain to be an extended one, but it is moving in the right direction and the number of cases generated is significant. U.S. assistance is helping to strengthen the ability of the Prosecutor General's Office to investigate, interview, and prosecute demobilized paramilitary members.

In this process, we must not forget the victims. Many of the victims have bravely come forward to share information with authorities. Their reports have enabled the Government of Colombia to discover mass graves and begin to identify bodies.

U.S. assistance will strengthen the abilities of victims and victims groups to effectively pursue and advocate for their right to truth, justice, and reparations, all of which are crucial for reconciliation. We will support the National Reparations and Reconciliation Commission to accelerate the distribution of assets to victims and disclosure of criminal and terrorist activity.

Rank and file paramilitary members not accused of serious crimes need help in transitioning to normal, peaceful lives. In some parts of Colombia, such as Medellín where I visited last week, reintegration programs have had impressive success. In other parts of the country, however, implementation has not proceeded as quickly as we would have hoped. The Government of Colombia's new Reintegration Commissioner is now working hard to ensure these programs are better monitored and more effectively implemented throughout Colombia.

U.S. assistance will support the Reintegration Commissioner's work with communities where the demobilized have returned to implement the new national strategy of reintegration. Private sector involvement, like that of General Motors Colombia and Microsoft, is important to the success of these programs. The United States will also continue supporting Colombian and Organization of American States oversight and monitoring of the demobilization and reintegration of ex-militants.

Before leaving this subject, it is important to note that in some of the areas where paramilitary groups demobilized, a small proportion of demobilized paramilitary members (estimated at less than ten percent) have joined with other delinquents to form new criminal groups. The Government of Colombia recognizes the seriousness of this problem and has established new units to combat the new groups. We have heard allegations that, despite the determination of Government of Colombia to combat these new criminal groups, military units in certain areas may turn a blind eye to their activities. We will continue to monitor closely the activities of new groups, the government's efforts to arrest them, and any allegations of military cooperation with the groups.

Lastly, the allegations that have surfaced in the media in the last few months about government connections to paramilitary groups show both the progress Colombia has made in rooting out such people and the challenges that lie ahead. It was the Uribe administration's policies that led to the discovery of these links and resulted in the arrest of prominent government figures. President Uribe made it clear that he will not tolerate complicity with paramilitary groups and has called for a full investigation into all allegations of involvement by Government of Colombia officials with paramilitary organizations. President Uribe has also called for all military personnel with paramilitary connections to turn themselves in. Defense Minister Santos has echoed this call and is actively cooperating with civilian judicial authorities to advance their investigations.

These actions display the strong will of the Government of Colombia to investigate and prosecute all allegations of wrong-doing. We fully support the transparent and forthright process the government has initiated to confront this situation. We are confident that all allegations will be investigated to the fullest extent of the law and culpable parties will be held responsible for their actions. The Government of Colombia needs our support and that of the international community to complete this difficult process. Our assistance will help the government take action against officials uncovered in this investigation.

COLOMBIAN AND INTERNATIONAL FUNDING

Colombia's spending for Plan Colombia during 2000–2005 has exceeded that of the United States. Colombia spent nearly \$7 billion on Plan Colombia programs, while the United States provided approximately \$4 billion in assistance. Colombia's funding in 2006 for the military and police of \$4.48 billion represented an over 30 percent real increase since 2001 and accounted for 11.6 percent of the overall national budget. Its' funding for social programs, not including pensions, was nearly three times higher than defense spending at \$12.7 billion.

Colombia is planning to fund an even higher proportion of the costs of programs under its new Strategy than it did with Plan Colombia. Colombia plans to spend \$43.8 billion during 2007–2013. Our notional plan for U.S. assistance during that period could total approximately \$3.9 billion. Our request for FY 2008 is \$590 million.

Mobilizing resources is important. Economic growth has allowed increases in the government budget and the Government of Colombia enacted a "wealth tax" in December 2006 that will raise an estimated \$3.7 billion over the next four years, with funding being used to increase its ability to carry out President Uribe's democratic security goals.

Colombia's strategy anticipates a gradual reduction of those resources coming from the United States and others in the international community. This will be possible as the Government of Colombia progressively develops the necessary capabilities and economic capacity to manage and fund critical programs currently receiving international support.

We have worked hard to encourage increased international support to Colombia and the Andean region and believe that we are having increasing success. Programs funded by other donor countries in Colombia are primarily focused on alternative development, human rights, humanitarian assistance, and good governance. As such, they are a welcome addition to our programs and reflect all donors' shared goals. The Government of Colombia's "Shared Responsibility" campaign, spearheaded by Vice President Santos in late 2006, is aimed at increasing European support for Colombia's counter-narcotics and other programs. During her mid-April

2007 visit to Colombia, EU Commissioner Benita Ferrero-Waldner announced plans to grant Colombia over 160 million Euros (approximately \$217 million) in program assistance for 2007 to 2013. In addition, Norway, Spain, Japan, the Netherlands, Sweden, Canada, Korea, Mexico, Brazil, and Chile, among others, provide bilateral assistance and/or support the Organization of American States mission in Colombia.

Some in Congress have questioned why our programs do not mirror the Colombian spending breakdown, with the largest part of the funding going to support social programs. Rather than change the proportion of U.S. support for FY 2008, we are requesting about the same mix of counternarcotics/counter-terrorism and economic/social/human rights assistance as in previous years, while the Government of Colombia is greatly expanding its own spending on such economic and social programs.

Our programs provide greater support in those areas where we have a unique capability and which contribute to Colombia developing its own capacity to assume them. Government of Colombia officials have clearly told us that continued U.S. support to counternarcotics and counter-terrorism programs remains critical and that our proposed mix of U.S. assistance reflects their needs. However, in spending those funds, we plan to put more focus on building Government of Colombia capacity so it can assume responsibility for programs that were begun with U.S. support. Over the next few years, we plan to increase the proportion of U.S. assistance that goes to social, economic, and human rights programs as counternarcotics and counterterrorism programs decline.

REGIONAL CONTEXT

A short word on the broader regional context of U.S. support for Colombia's new Strategy, which contributes to our overarching objectives in Latin America. The United States also plans to continue counternarcotics assistance to Bolivia, Ecuador, and Peru to ensure no increase or spillover in illegal cultivation of coca and efforts to control the transit zone and trafficking connections with Mexico. The United States will also support Colombian efforts to engage its neighbors to increase border security, confront transnational threats, and to promote greater regional security cooperation with Caribbean and Central American countries. Colombia's success with Plan Colombia, and now the new Strategy, will also enable it to work with other countries in the hemisphere to support democratic institutions and economic integration.

CONCLUSION

This is a historic moment for Colombia, a time of great challenges but even greater opportunity to help the country assure its path to peace and prosperity. We strongly believe that continued U.S. government support, will help secure this better future for the people of Colombia, and in turn for the people of the United States. I would be pleased to take your questions.

Mr. ENGEL. Thank you very much, Ambassador Shapiro. Ambassador Patterson.

STATEMENT OF THE HONORABLE ANNE W. PATTERSON, ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS, U.S. DEPARTMENT OF STATE

Ms. PATTERSON. Thank you very much, Mr. Chairman, Mr. Burton, Mr. Farr, distinguished members of the committee. Thank you for the opportunity to be here today, and I appreciate the strong leadership the committee has shown on this issue for many years. I would also like to express my gratitude for Speaker Hastert's efforts over the years to keep our children safe from illegal drug use. He has been involved with Plan Colombia and United States counternarcotics policy from the very beginning and has had an enormous influence on its implementation and its success.

I have submitted a copy of my testimony for the record which I will summarize. Colombia's success in combatting the drug trade is as important to United States security and welfare as any other

challenge we face. While the U.S. cocaine consumption for young people has declined by 10 percent since 2001, cocaine use continues to exact a terrible toll both here and abroad.

Plan Colombia has been an even greater success than I would have anticipated when I arrived there as Ambassador in 2000. Colombia's basic historic problem has been the weakness of the state and its inability to project governance throughout the country. Plan Colombia has helped establish security, contributed to strong economic growth, and fostered public confidence in Colombian institutions.

Since 2001, Colombia's potential cocaine production has declined by 35 percent and seizures have doubled. As others have noted, violence and crime are down sharply, particularly kidnappings which have a disproportionate affect on investment and economic growth is up significantly. There is no question that Colombia's U.S. Government supported aerial eradication program reversed the growth in coca cultivation that occurred up to 2001 and forced a decline of 33 percent between 2001 and 2004.

This committee has been rightly concerned about heroin from Colombia, and our efforts have reduced opium poppy cultivation from a high of 6,500 hectares in 2001 to a point where substantial plantings are now difficult to find. Although the 2005 coca cultivation estimate reported a 26 percent increase, it was based on a survey area 81 percent larger than in 2004. It is unclear whether traffickers are replanting at a faster rate than we had anticipated or whether there was simply more cultivation than we knew about. Traffickers are certainly taking measures to counter eradication and cultivation has indeed moved into remote areas of the country.

For 2008, the administration has requested counternarcotics funding comparable to past years but we have developed a nationalization plan to reduce interdiction and eradication support to Colombia in the out years. Ambassador OP Garcia who has many years' experience in Latin America and in counternarcotics is leading this process and has already begun negotiations with the Colombians.

I would like to take a moment to discuss why the counternarcotics program in Colombia has been so important. Manual and aerial eradication in Colombia destroyed over 200,000 hectares of coca in 2006 thereby preventing about 320 metric tons of cocaine from reaching the United States, Europe and other parts of Latin America. Coupled with the seizure of 178 metric tons of cocaine, our joint efforts have taken about \$850 million in 1 year out of the hands of drug trafficking organizations such as the AUC and the FARC.

Recent intelligence indicates that the FARC's cocaine profits fell by about 25 percent from 2003 to 2005 because Colombian security operations bolstered by Plan Colombia have increased their costs of doing business. When I served in Colombia, there was a perverse fear among Colombians that if we were successful in reducing drug income to the FARC and right wing paramilitaries other types of violence, particularly kidnapping, would increase. In fact, the opposite has been true. Violence is down sharply.

The government is now providing increasingly effective governance throughout the country. I know there is skepticism about the

eradication program but it simply makes sense to me that if you remove hundreds of millions of dollars from the narcotics industry the recipients of these funds will be weakened. Without eradication we also know that cultivation will flourish. A dramatic example of this occurred in 2005 when the Colombian Government temporarily agreed not to eradicate within 10 kilometers of the Ecuadorian border. The drug traffickers took full advantage of this reprieve and coca covered more than 12,000 hectares of the area.

I also want to comment on the effect of the program on domestic drug use. Yesterday the Washington office on Latin America, an organization I deeply respect for its long history of human rights activism in the hemisphere, released a report on counternarcotics policy, mostly focusing on the domestic elements. Let me be clear that everyone who works in the counternarcotics field would have liked to have seen much more rapid progress in the United States than we have seen to date. You do not have to be a drug expert but merely a parent to know that drugs are readily available in the United States.

Still we should remember where we were when we started with Plan Colombia. Drug cultivation in Colombia doubled between 1997 and 2001, threatening to swamp our treatment programs with cheap cocaine, and there is no question that price is a factor in United States drug use. Again, it simply makes sense to me that our drug problem would have been much worse and the numbers of users much higher if even a fraction of the cocaine that has been eradicated and interdicted in Colombia had been allowed to come to the United States.

We continue to work closely with the Government of Colombia to extradite drug traffickers to the United States. Colombia has extradited more than 500 individuals to the United States. Already 50 this year. Among these are leaders of the Cali cartel and members of the AUC and FARC. The United States and Colombia understand that major challenges remain.

Alleged Colombian Government connections to paramilitaries highlight both Colombia's progress and the challenges that it still confronts. The reforms implemented by President Uribe have brought these connections to light. Those who have committed human rights abuses must be held accountable.

Due to reductions in United States and allied maritime surveillance coverage of the region, we have negotiated with the Colombians the part-time use of Air Bridge Denial aircraft for maritime patrol and are exploring options for enhancing the Colombian Navy's aerial surveillance capability. The United States and Colombia have also established a scientific research station to help us better understand coca cultivation and the counternarcotics used by narcotraffickers to resist eradication efforts.

President Bush and Secretary Rice have reaffirmed to President Uribe our commitment to support Colombia in its efforts to combat narcoterrorism. Plan Colombia has worked, and United States support has been critical. With your continued support, I am confident that we can overcome these challenges and build on the successes to date. Thank you very much, Mr. Chairman.

[The prepared statement of Ms. Patterson follows:]

PREPARED STATEMENT OF THE HONORABLE ANNE W. PATTERSON, ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS, U.S. DEPARTMENT OF STATE

INTRODUCTION

Mr. Chairman, Mr. Burton, and other distinguished Members of the Subcommittee, thank you for the opportunity to come before you to discuss our counternarcotics efforts in Colombia. I sincerely appreciate the commitment that this Subcommittee has shown in fighting the international production and trafficking of illegal drugs.

As a former ambassador to Colombia, I can tell you that Colombia is not the same country it was less than 10 years ago. In partnership with President Uribe, his administration, and Colombians at all levels, we have made considerable progress against the drug lords and made their business much less lucrative than would otherwise have been the case. In Colombia, problems of every variety are linked to drug trafficking, including deep-seated political conflicts, social exclusion, economic inequality, endemic violence, and corruption. Today, Colombia is addressing these problems in a way that could not have been imagined just a few years ago. Nevertheless, securing the progress Colombia has made will require sustained commitment from the United States and the international community as Colombia assumes greater responsibility for its counternarcotics effort. As you have heard from Deputy Assistant Secretary Shapiro, the free trade agreement we have negotiated with Colombia will reinforce our counternarcotics strategy by generating jobs in Colombia's legitimate economy.

The Bureau for International Narcotics and Law Enforcement Affairs is confronting a number of key challenges around the globe—including in Iraq and Afghanistan. But success in Colombia is as important to U.S. security and welfare as any other challenge we face. The rate of U.S. cocaine consumption for youth, according to the Monitoring the Future Survey, has declined by 10 percent since 2001, and overall drug use by 23 percent, but cocaine use continues to exact a toll here and abroad that cannot be tolerated. According to the Interagency Cocaine Movement Strategic Estimate, between 517 and 732 metric tons of cocaine left South America for the United States in 2005, feeding addiction, fueling crime, and damaging the economic and social health of the United States. Additionally, Colombia's influence on regional security throughout the Western Hemisphere, its law enforcement and military partnerships with the U.S., and its close proximity all warrant significant U.S. attention and support.

PLAN COLOMBIA

Plan Colombia has contributed to the success of the Government of Colombia, to a greater extent than I expected when I was sent there as Ambassador in 2000. It has helped establish security in the countryside, contributed to strong economic growth, and fostered public confidence in Colombian governmental institutions. Since 2001, Colombia's cocaine production has declined by 22 percent, and seizures of cocaine bound for the United States have increased by two thirds, to 178 metric tons in 2006. As Acting Assistant Secretary Shapiro has explained, in the past five years, kidnappings have fallen by 76 percent, terrorist attacks by 61 percent, and homicides by 40 percent, and poverty has also been reduced.

There is no question that Colombia's USG-supported aerial eradication program halted and reversed the rapid growth in coca cultivation that occurred through 2001. While Colombian coca cultivation more than doubled between 1996 and 2001, from 67,200 hectares to 169,800 hectares, between 2001 and 2004, that cultivation declined by 33 percent, to 114,100 hectares by 2004.

The traffickers, however, are not giving up easily. In 2005, we saw a 26 percent rise in the estimated cultivation, as they implemented measures to counter our efforts and moved into different planting zones. It is worth noting that the 2005 estimate differs from previous years' estimates. Surveying 81 percent more of Colombia than before, it improves our understanding of where and how much coca is grown in Colombia.

Our efforts have had an even greater impact on opium poppy production. Cultivation has dropped from a high of 6,540 hectares in 2001 to a current point where our spray planes can no longer locate substantial poppy plantings in Colombia.

But our assistance to Colombia can be measured in more than just quantities of drugs seized or illicit crops eradicated. We support a variety of Colombian efforts that strengthen institutions, develop alternatives to illicit crop cultivation, improve the justice system, and provide security and government presence in many areas

once controlled by Colombia's terrorist groups. Joint USG and GOC efforts are encouraging farmers to abandon the production of illicit crops.

STRATEGY FOR STRENGTHENING DEMOCRACY AND PROMOTING SOCIAL DEVELOPMENT

Colombia is at a critical moment in its history. For the first time in two generations, Colombians can envisage the possibility of real peace, and the Government of Colombia is seeking to make this possibility a reality through its "Strategy for Strengthening Democracy and Promoting Social Development," a six-year plan (2007–2013) that builds on the success of Plan Colombia and responds to new challenges.

Plan Colombia's comprehensive approach recognized that economic growth, social equality, poverty reduction and strong political and social institutions depend on ensuring security, defeating illegal armed groups, and choking off narcotics trafficking. The "Strategy for Strengthening Democracy and Promoting Social Development" continues the successful counter-terror, counter-drug, democracy, human rights, alternative development, and humanitarian policies developed and implemented under Plan Colombia. It places increased emphasis on consolidating state presence and continuing economic development through sustainable growth and trade. The strategy recognizes the need to expand programs in remote rural areas, especially those emerging from conflict. It emphasizes increased security, social services, and assistance to vulnerable groups, such as the Afro-Colombian population on Colombia's coasts, as well as indigenous groups and displaced persons. The Colombian strategy also gives high priority to job creation and economic opportunities, and focuses on building the capacity of the Colombian government so it can sustain programs begun with U.S. support.

The Administration supports the strategy. Our support emphasizes economic and social programs and integration of military, police and civilian efforts. It stresses job creation, education, and social programs in areas where Colombians have re-established a state presence. In this new phase, we expect to maintain U.S. assistance for social and economic development, justice sector reform, humanitarian programs and promotion of human rights, while gradually decreasing assistance for eradication and interdiction programs. To help these efforts prosper, continued U.S. support to counternarcotics programs remains critical. Economic and social development is impossible without the security which Colombia's counternarcotics and counterterrorism efforts have increasingly provided for the Colombian people.

Colombia has already begun to assume more responsibility for USG-funded counter-narcotics programs, thus allowing the U.S. to scale back its role in the coming years. The United States provided \$4 billion in assistance during 2000–2005, while Colombia spent nearly \$7 billion on Plan Colombia programs during that period. Colombia's funding in 2006 for the military and police totaled \$4.48 billion, a real increase of more than 30 percent since 2001 that now accounts for 11.6 percent of the overall national budget. Additionally, Colombia's recently enacted "wealth tax" will raise an estimated \$3.7 billion over the next four years to carry out President Uribe's Democratic Security goals.

Colombia has put more than money on the line to ensure its security. In July 2002, at the end of the Pastrana administration, 181,000 uniformed military and 97,000 police were active. By February 2007, those ranks had grown to 251,000 military and 134,000 police, for an increase of 38 percent during the Uribe administration. For the next stage of consolidation, Colombia plans to add over 16,000 army, navy and air force personnel and 20,000 police.

The Colombian government's "Shared Responsibility" campaign, led by Vice President Santos starting in late 2006, seeks to increase European support. Programs funded by other donor countries in Colombia are primarily focused on alternative development, human rights, humanitarian assistance, and good governance. According to the GOC's Acción Social records, European and other international donors provided over \$200 million in development assistance to Colombia in 2005. We welcome their participation. This month, EU Commissioner Ferrero-Waldner announced plans to grant Colombia over 160 million Euros, about \$217 million, between now and 2013. Countries in Latin America are also involved in a more limited fashion, such as in-kind support to the OAS mission in Colombia. For our part, U.S. officials regularly encourage other donor countries to support Colombia and the region at every opportunity.

NATIONALIZATION

It is our task to work with Colombia as it takes on greater responsibility for the counternarcotics program while ensuring that the overall level of effort is sustained. Nationalizing programs before Colombia is ready to manage and support them could

jeopardize Colombia's ability to implement the new Strategy and possibly result in losing hard-won ground. We plan to help the Government of Colombia gradually assume greater control and responsibility for funding of counternarcotics programs, and we have begun detailed discussions that aim at concrete reductions in U.S. assistance.

The Air Bridge Denial (ABD) program, for example, will be completely nationalized in FY 2008. It has been one of our most successful programs. It completed its third year of operations in 2006, and the number of illegal flights over Colombia has decreased significantly. In 2003, there were 637 suspected and known illegal flights over Colombia. In 2006, there were only 171, a decrease of 73 percent. Colombia now controls its own airspace, denying drug traffickers an important means of transporting drugs, cash, and materials.

For FY 2008, the Administration has requested funding for Colombian counternarcotics and counterterrorism programs comparable to past years. To make our intentions and plans for nationalization more clear in discussion with our Colombian counterparts, we have developed a notional plan for USG program funding through 2013. The outlines of that plan are included in the Report on U.S. Assistance Programs in Colombia that we will soon submit to the Congress. That plan illustrates our intention to reduce interdiction and eradication support year by year between 2009 and 2013. For institutional, social, and economic development programs, the plan is to initially increase funding and then hold that investment essentially flat. The result over time will be a greater percentage of U.S. assistance supporting soft-side programs.

ERADICATION AND INTERDICTION

I want to address an issue I know is of concern to this committee and to many others: has the counternarcotics program in Colombia really been successful? Is it worth the substantial investment that we have made? I believe it has succeeded and has been worth our investment, and I want to take a few minutes to tell you why.

The eradication programs in Colombia, which sprayed or manually eradicated over 200,000 hectares of coca in 2006, kept about 320 metric tons of cocaine from reaching the United States and Europe. Coupled with the seizure of 178 metric tons of Colombian cocaine and cocaine base in the same time period, and calculating an average price within Colombia of \$1,700 per kilo, our joint efforts have taken about \$850 million in one year out of the hands of drug trafficking organizations. Aerial eradication alone accounted for slightly more than half of that value. This may help explain why the FARC are reportedly under financial pressure and slow in paying their coca growers.

When I was in Colombia, there was a perverse fear among Colombians that if we were successful in reducing drug income to the FARC and right-wing paramilitaries, other types of violence, particularly kidnapping, would increase. In fact, the opposite has been true: violence is sharply down throughout Colombia. The government has reestablished its presence throughout the country and is now providing increasingly effective governance to large parts of the countryside. This success has driven both the FARC and the coca cultivators out of their comfortable surroundings and has lessened the FARC's access to revenue through extortion, roadblocks, kidnapping, cattle stealing, and similar crimes. In a growing number of municipalities, for the first time in decades, government presence is allowing sustainable development to take place in a reasonably secure environment.

These successes are no secret to the Colombian people. Polls taken in major cities since 1995 show that 60 to 80 percent of the population approve of President Uribe's management of drug trafficking issues. In a February 2007 poll, 72 percent approved of Plan Colombia, 73 percent felt the Uribe administration respects human rights, and 71 percent felt the country was more secure than a year ago. 76 percent held a positive view of the Colombian military forces, and 69 percent approved of the National Police—a tie with the Catholic Church.

Without eradication, we know that cultivation will soar. The best example of this is the new growth in cultivation along the Ecuadorian border. In 2005, the GOC agreed temporarily not to eradicate within 10 kilometers of the border. In less than a year, the drug traffickers had taken full advantage of this reprieve, and coca bushes six feet high were growing in that area. Working with the Colombians, we eradicated 12,000 hectares in that border zone last year.

More than 93 percent of cocaine destined for the United States is smuggled by maritime transport, but unfortunately U.S. and Allied surveillance capability in the region has been reduced due to structural problems in the aircraft themselves and competing global priorities. Interdiction needs more attention and more resources. Even with excellent operational intelligence, the lack of maritime patrol aircraft lim-

its our ability to detect, monitor and target go-fast boats leaving the Colombian coast. In last year's supplemental, Congress appropriated funds for the purchase of a maritime patrol aircraft for the Colombian Navy. We agree that, with additional maritime patrol capacity, the Colombian Navy could build upon its already impressive record of interdiction. We are prepared to assist the Navy in this effort, provided that adequate funding remains available.

SOCIAL AND ALTERNATIVE DEVELOPMENT SUCCESSES

INL continues to work closely with USAID and the Department of Justice to strengthen Colombian democratic institutions that provide economic and social development and justice. We have helped fund the establishment of police units in 158 new municipalities, many of which had not seen any government presence in decades. Today, for the first time in the country's history, all 1,099 of Colombia's municipalities, equivalent to county seats, have a permanent government presence, an important step forward for the people of Colombia. To enhance the rule of law, USAID projects have assisted the Government of Colombia in establishing 45 Justice Houses, which provide access to justice and social services for poor Colombians. So far, these Justice Houses have handled almost three million cases, easing the burden on an over-taxed judicial system.

Another indication of progress is Colombia's ongoing transition from its outmoded written justice system to the oral, accusatory model. The new system has proved to be more efficient and effective and is gaining the confidence of the public at large. The new procedures are now in place in Bogota, Medellin, Cali, and seven other municipalities. Criminal cases in those areas are being resolved more quickly and with a higher percentage of convictions. This effort is instilling greater confidence in the justice system.

Through the Justice Sector Reform Program (JSRP) and rule of law assistance, the USG is helping reform and strengthen the criminal justice system in Colombia. The Department of Justice, USAID, and other USG agencies have provided training, technical assistance, and equipment to enhance the capacity and capabilities of the Colombian justice system and to make it more transparent and credible. To date, the JSRP has provided training to more than 53,260 prosecutors, judges, criminal investigators, and forensic experts in Colombia.

We are working closely with the Government of Colombia to extradite drug traffickers to the U.S. to bring them to justice. Extradition is one of the legal tools most feared by drug traffickers. Colombia has extradited more than 400 persons to the U.S. over the last four years, including leaders of the Cali Cartel and members of the United Self-Defense Forces of Colombia (AUC) and Revolutionary Armed Forces of Colombia (FARC), and the GOC has already surpassed 50 extraditions in 2007.

The United States is also assisting Colombians in regions that have been most ravaged by the drug trade. In total, 264 municipalities have benefited, and 156 of those municipalities received assistance in delivering public services, including water, sewage, and electricity. To date, the U.S. has provided non-emergency support for over 2.7 million Colombians internally displaced by narcotics terrorism, including aid for over 3,200 former child soldiers. The Colombian Rural Police or "Carabineros" are providing basic security in areas formerly under the control of narcoterrorists.

USAID alternative development projects complement interdiction and eradication programs by opening up new, legal economic opportunities instead of growing coca and poppy. Close to one third of the Colombia counternarcotics budget is spent on alternative development and related developmental programs. Joint U.S. and Government of Colombia efforts are encouraging growers to abandon the production of illicit crops. U.S.-financed programs have supported the cultivation of over 102,000 hectares of legal crops and completed 1,117 social and productive infrastructure projects in the last five years. More than 81,700 families in 17 departments have benefited from these programs. In addition, to ensure that Colombians are provided with alternatives, the United States has worked with Colombia's private sector to create an additional 53,000 full-time equivalent jobs.

Demobilization has weakened the Foreign Terrorist Organizations. Colombia has two programs for demobilization: collective and individual. Under the 2005 Justice and Peace Law, the Presidential Advisor for Reintegration oversees the collective demobilization program, which to date has applied only to the AUC. The individual demobilization or deserter program applies to the FARC, the AUC, and the National Liberation Army (ELN). Since 2002, the GOC estimates over 42,000 persons have demobilized—11,000 under individual desertion program and over 31,000 AUC under the collective program. AUC members who chose not to demobilize, as well as those who do not qualify for the demobilization program, will continue to be in-

investigated and prosecuted under normal Colombian law. We will send a Congressional Notification to you shortly to provide more resources for Colombia's prosecutor's office to investigate these cases. From 2005 to 2006, FARC desertion increased by 37 percent, to 1,558 combatants; and as of April 19 of this year, 911 FARC members had already deserted. The FARC has been put on the defensive in the wake of GOC's Democratic Security Initiative and Plan Patriota. We remain highly concerned with FARC activity, but the organization's ability to operate effectively and project its military force is being increasingly challenged by the Colombian military. The U.S. is now supporting a new reintegration process to help demobilized persons become active members of civil society.

HUMAN RIGHTS

Colombian government connections to paramilitaries highlight both Colombia's progress and the challenges that it still confronts. The reforms implemented by President Uribe to combat drug traffickers and terrorists have brought these connections to light and have led to the arrest of prominent figures. Colombian institutions like the Supreme Court and the Prosecutor's Office have played an important role. We value the transparency and determination of the Government of Colombia in confronting this situation.

My own view, and Administration policy, is that there can be no refuge for those who commit human rights abuses, and those who break the laws against abuses must be held accountable. We will not tolerate any kind of complicity with drug trafficking or paramilitarism. The Colombian government and its uniformed services must thoroughly investigate and prosecute all such cases in a timely manner or jeopardize USG funding and support.

To address some of our human rights concerns, Andean Counterdrug Initiative (ACI) funds, as well as part of the FY 2006 emergency supplemental, are being used to strengthen the demobilization process and assist in investigation of crimes committed by paramilitaries. For example, we are providing support to the Organization of American States' (OAS) mission to verify the efficacy of demobilization on the ground.

ONGOING CHALLENGES

The United States and Colombia understand that major challenges remain. For example, drug traffickers never lack for aggressive and innovative measures to counter our efforts. Knowing that traffickers are pruning and replanting coca destroyed by our eradication campaign, the United States and Colombia have established a scientific research station to help us better understand the characteristics of coca plants and the methods of coca farmers. We expect that the findings of this research will help improve the reliability of our cultivation estimates.

Traffickers continue to shift routes and methods to avoid detection and interception, and, while our detection and monitoring capacity has improved, there are simply not enough USG or host nation assets available to respond to all of the actionable targets.

As the traffickers keep changing tactics, we must be flexible in our response. We are now discussing a pilot program with the GOC which would concentrate sufficient resources to establish firm security in one limited area, for example the Department of Nariño, make the vicinity uncomfortable for narcotics production and trafficking; and provide government services and foster alternative development projects. We would enhance the use of manual eradication and use law enforcement techniques like seizing property and equipment used in growing coca. This approach would be more comprehensive than previous Colombian efforts which counted only on military participation and had the military objective of defeating the FARC.

Of course, our support to Colombia has an impact in the region. While cultivation has apparently not spilled over into Colombia's neighbors, Ecuador and Venezuela, we have seen an upswing in trafficking of Colombian drugs through those countries. We have seen worrisome reports of increased activity by Mexican and Colombian drug trafficking organizations in Peru and Bolivia. The finished product remains difficult to interdict once it reaches the transit zone, and illicit proceeds have already been paid to the growers, producers, and transit agents by the time it is seized. Our best counter to this illicit activity is still to stop the cultivation of drug crops at their source and to interdict shipments before they leave the source country. In order to succeed, we have to build capacities and support law enforcement efforts of other countries in the region to the maximum extent possible.

CONCLUSION

President Bush and Secretary Rice have reaffirmed to President Uribe our commitment to support Colombia in its efforts to combat narcoterrorism. Plan Colombia worked, and U.S. support has been critical. The political, military, economic, and counternarcotics landscape in Colombia has changed in the last six years. Colombia is a safer and stronger partner today because of our combined efforts to combat drugs and terrorism, but there is work still to be done, and we must not abandon our successful joint efforts with one of our closest partners in either Hemisphere.

Mr. ENGEL. Thank you very much. I would like to start with the first question and invite either one of you to answer it. The Colombian Government recently issued a proposal for the second phase of Plan Colombia. The Strategy for Strengthening Democracy and Social Development, it is called, which focuses greater attention on socioeconomic aid. Assistant Secretary of State for the Western Hemisphere, Tom Shannon, told the Colombian daily, *El Tiempo*, in a recent visit to Bogota that "it is important to understand that the strategy that President Uribe's government is presenting in this second phase focuses on the social side, and thus our aid will probably follow along these lines." That is a quote.

Yet President Bush's request for Colombia in the fiscal year 2008 budget moves only \$10 million from the military to the social and economic categories. This military police share, as I mentioned in my opening statement, falls only slightly to 76.2 percent of a total of \$586 million. Why has the military to socioeconomic ratio not changed, and will more money be spent on socioeconomic issues in the coming years? Anyone who wants to can answer that.

Mr. SHAPIRO. Mr. Chairman, the emphasis in fiscal year 2007 and fiscal year 2008 is to train the Colombians to take over the activities that we have been doing. Then there will be a reduction in the hard side starting thereafter. The idea in fact is to reduce the amount of assistance that is going to the military, to counternarcotics, and to police over time while maintaining the level of assistance on the social side, the very programs you are talking about.

Ms. PATTERSON. Mr. Chairman, if I could add some of that uptick is sort of an anomaly because we put in more money to a program called critical flight safety that basically will go into repair and upgrading of our aircraft in Colombia. They need it because they have been run down over so many years. So it is not as much as hard side as it looks like but as Ambassador Shapiro said, we are vigorously engaged in a process of nationalizing with the Colombians. Their two shortages are basically pilots and mechanics and enable them to train up sufficient pilots and mechanics to take over our equipment over time.

Mr. ENGEL. Well let me just say that you know I worry about how long the training, Ambassador Shapiro, that you mentioned, will take, and money is always a problem obviously. We would like to have more money to spread around, but if we are really going to deal with the socioeconomic policies which we all know we have to deal with, I would have hoped that we would have moved more money into the social and economic categories. It is very disappointing to me that we have not done that. So I just hope that you will take that into strong consideration.

We all know that there have been some very serious charges about paramilitary groups, links to the Colombian Government,

and some of the most recent reports have linked those groups potentially to the government and perhaps President Uribe himself. I am not prejudging anything, but I am asking: How is the State Department verifying that all allegations of links between Colombian paramilitaries and policymakers are being fully investigated and those found guilty are brought to justice?

Mr. SHAPIRO. Mr. Chairman, the first thing is that President Uribe himself in the press conference that he had with President Bush on March 11 said that that was exactly what he was going to do. President Bush encouraged him. Said you have got a justice system. Let the people be judged regardless of what their political affiliation is or who their connections are, and that is what we are encouraging and working with the Government of Colombia to do.

It is interesting because there have been these accusations been leveled at President Uribe himself, with no evidence produced to support those accusations, and at the same time President Uribe, as we have dealt with him over the past 5 years, has never attempted to shield anyone. He has fired members of his government. A former director of the police has been indicted. The prosecutor's office is investigating. This information that is coming forth is coming forth precisely because his democratic security policy has worked.

Mr. ENGEL. Thank you. I am going to let Mr. Burton ask his questions, but before I do I want to recognize in the audience the presence of the fine Ambassador of Colombia, Carolina Barco. I have met with her many times, and she does a fine job for her country. So welcome, Ambassador. Mr. Burton.

Mr. BURTON. Not only is she a great Ambassador, she is a lovely lady too. She looks like a model. Mr. Shapiro, there have been some attempts by some politicians in Colombia to link President Uribe with the paramilitaries, and I would like to ask you directly: Does the U.S. State Department or any element of our Government have any evidence, any evidence of such direct or personal links as relates to President Uribe and the paramilitaries?

Mr. SHAPIRO. Mr. Burton, the answer is no.

Mr. BURTON. Okay. I hope all my colleagues heard that because our Government has been working with him and watching what is going on and listening to what is going on down there, and there is an unqualified no that we have any evidence whatsoever that he is connected with these. Now, the allegation has been made by a man who is with M 19 or was with M 19, and that was a terrorist organization. I presume still is. That is analogous to somebody who has committed a heinous crime being able to testify in court about somebody else. In our criminal justice system, we do not put too much stock in what people say when they have been involved in bad activities themselves.

Ambassador Patterson, on June 12, 2006, President Bush signed into law the 2006 Iraq war supplemental that also provided \$13 million—you know where I am going with this do you not—\$13 million for the purchase of emergency marine patrol aircraft, MPAs, for the Colombian Navy to better interdict drugs. Now it has been nearly a year after the emergency monies were first provided to the INL to fill the gap in our drug and terrorist interdic-

tion assets, and no purchase of this aircraft has yet occurred. Now you are the one. You are the one. Now why has that not been done?

Ms. PATTERSON. Mr. Chairman, you may recall that required in the legislation was an analysis of alternatives which we undertook with the Department of Defense but let me assure you that INL, my bureau, is ready to come forward with the money should the supplemental be approved. It is my understanding that this has been rescinded in the supplemental. For my part, I certainly hope that it will be restored.

But we are willing and able to come forward. We think this is necessary. This meets a need. We have supported it, and we are willing to come forward with a difference between the \$13 million and our estimate is around \$20 million.

Mr. BURTON. As I understand it—pardon me for interrupting—that was rescinded in the conference, and did you testify about the need for that \$13 million?

Ms. PATTERSON. We have been clear that in certainly our conversations with congressional staff that this is a need. Our budget of course is put forward in 2 years in advance but we had to do an analysis of alternatives. We had to talk to DOD. The analysis of alternatives, as you might recall, there was some wildly inflated estimates of what this would cost. So we had to do our own analysis and find out where we were going to take the money and be sure what it would cost. But please rest assured that we support the effort.

Mr. BURTON. Well that was done in March, as I understand it, the analysis of that by the various agencies, and we still have not seen the aircraft down there. Former Speaker Hastert and I and others have been pushing very hard for that MPA, and it has not been yet provided for, and now that we have got to fight this rescinding move, and I think it is unfortunate that it has gone on that long that it has not been done. What did you tell the conferees when you talked to them about this?

Ms. PATTERSON. The conferees on the supplemental?

Mr. BURTON. Yes.

Ms. PATTERSON. We have not discussed this with the conferees. It is my understanding we have certainly discussed it with congressional staff over time, and I think our views are well known. But ultimately this is a decision of the Congress.

Mr. BURTON. You mean to rescind it or not?

Ms. PATTERSON. Well not to rescind. To appropriate the funds.

Mr. BURTON. Well I would just ask you to talk to the conferees, if you get a chance, directly and tell them how important this is. If Plan Colombia is to continue to be successful, they have to have the assets necessary to be able to do their job. I think it is very important.

Let me just say one more thing, Mr. Chairman. My colleagues on the other side of the aisle for whom I have the greatest respect—new chairman. Excuse me. For whom I have the greatest respect—he is a lot bigger. I do not know. I have to worry about this guy. What do you think? My colleagues talk about the need for oversight and exposing the links between some of the terrorist groups in Colombia and foreign elements.

I just want to remind my colleagues on the other side of the aisle that Chairman Hyde when he was chairman and others on our side through oversight helped expose that the IRA and FARC links in the early part of this decade were tied together, despite some voices here who did not want to hear the truth about the IRA links. And so, Mr. Shapiro, did not the Colombia Supreme Court just recently uphold the conviction of two former IRA explosive experts for helping train the FARC guerrillas in Colombia?

Mr. SHAPIRO. Yes, sir. That is correct.

Mr. BURTON. I think that answers the question. Thank you very much.

Mr. SIRES [presiding]. Thank you, Mr. Burton. Congressman Meeks.

Mr. MEEKS. Thank you, Mr. Chairman. Ambassador Shapiro, let me just ask you a couple of quick questions. As I mentioned in my opening statement, I am concerned about the situation with many of the African Colombians. In particular you know many of them have been displaced from their land and Law 70, and all of these individuals that have been displaced and 26 percent of the population of African Colombians that make up about 33 percent of those that are displaced, to your knowledge what is being done and what can be done to protect the land rights of the displaced African Colombians pursuant to land Law 70?

Mr. SHAPIRO. Mr. Meeks, the first and most important thing that can happen is to establish effective state presence in those areas where African Colombians reside. They are concentrated along the Pacific coast of Colombia, and it is an area that needs greater state control and return of courts, schools, health centers, a whole host of things. So that is number one.

Number two is assistance to displaced people directly. People who are on the registry of displaced receive assistance directly from the government. Number three is the Government of Colombia through a program called "Families in Action" has got a conditional cash payment program that goes to poorest Colombians, and that is the families receive payments for young children receiving health checkups regularly and for school aged children going to school. So the condition for receiving the monthly payment is that the children are in school. That the younger preschool age children are getting their health checkups.

And I would add further, that your going there, having the town meeting with President Uribe in Choco, I think will focus a great deal of attention on what is going on in that part of Colombia, and I commend you for doing so.

Mr. MEEKS. Thank you. Let me also then ask because one of the biggest problems is the title and you know with communal land and how is title vested so that it is clear whose land belongs to what, and this is important to me particularly before we pass the free trade agreement with Colombia, which will be happening shortly you know because a lot of opportunity will happen in that part of the world.

So are we doing anything collectively with the Government of Colombia that you know of with reference to the title to the land and for those internally displaced persons can be cleared and under-

stood so that there would be no question once it becomes a thriving area?

Mr. SHAPIRO. Yes. The government is working on that. There are titling disputes in northwestern Colombia where this is taking place, and the government is working on sorting that out. It is setting up courts to sort out who has got title. It is very important. At the same time, I am convinced the free trade agreement is going to help people, not with titling disputes, but help small farmers—and that is what we are talking about in large measure—export their crops particularly cacao, chocolate and coffee to the United States, and I think that is key, and that is going to help these folks directly.

Mr. MEEKS. Are we at all synchronizing some maybe about USAID programs and some of the—you know when I visited Choco there is a lot of inner places where they did not have potable water. There are tremendous infrastructure problems. There were you know schools that needed to be built. Are we at all with USAID or any other of our NGOs coordinating with the Colombian Government to make sure that we are focused on those particular areas to try to fix those atrocities?

Mr. SHAPIRO. Yes, sir, and we are working directly with the Afro-Colombian groups to do that as well. But as you point out, there is a tremendous lack of infrastructure. That is why in President Uribe's proposal, his strategy that goes through 2013 there is just that, a greater focus on the social side, on health, education, housing, on the rural areas. We need to focus on the rural areas, and that is where this plan is heading.

Mr. MEEKS. My last 9 seconds. Let me just say that in whatever free trade agreement that we move in, it is tremendously important that we have trade capacity dollars in that agreement coming from both the United States as well as additions from the Colombian Government because the individuals in those areas so that they can benefit from the free trade agreement need to develop capacity, and without the money and the appropriate organizations or NGOs there helping them to do that and without having individuals watching and monitoring what is taking place, then we could have a free trade agreement, and it will not benefit the individuals on the bottom.

If we are going to be successful, we have got to make sure that those individuals who do not have, those who are in—you know you look at the Pacific coast. There is great lands, Federal lands right next to shipping industry, et cetera, is right there. I know that there was a Plan Pacifico for example, and we need to make sure that that is implemented and we are moving forward in that regards, and that there is proper money going toward that, and I think that is what Chairman Engel was talking about where we have got to make sure that there is some money that is going to some social areas, and I believe the social areas should teach the people how to fish so they could become independent in a quicker manner as opposed to just giving them the fish.

Mr. SHAPIRO. Yes, sir, Mr. Meeks. I agree with you. Let me also just at the same time note the importance of security so that those programs can take place and can be carried out. I also would like to congratulate you on the Gregory Meeks scholarships, which are

going to Afro-Colombians. So I think that is terrific, and a terrific personal effort on your part.

Mr. SIRES. Thank you, Congressman. Congressman Delahunt.

Mr. DELAHUNT. Yes, thank you, Mr. Chairman. You know, I do not think there is any doubt that any peace process at best is messy, and any truth and reconciliation effort clearly is never satisfactory because there has been so much violence and injustice that have been visited upon the people of Colombia. But we do have an obligation, I believe, to assist in that regard, and I want to commend the courage, really, of President Uribe to take that dramatic step. I have said that publicly. I also applaud his efforts with the ELN, and I would hope at some point in time that he is successful in terms of bringing the FARC to the table so that once and for all we can move forward.

But I think it is important to also commend other branches of the Colombian Government for their efforts, specifically the Attorney General, the Supreme Court, the Constitutional Court, and the Inspector General's office. I think when my colleagues refer to the judicial system being a positive one, I think those individuals or those agencies have to be singled out.

At the same time, when I hear that there are 20 prosecutors that are funded in the peace and reconciliation process to investigate some 2,700 crimes of AUC leaders, that is totally inadequate, and again I want to agree with the chair of the subcommittee that I think if we proceed to continue to fund Plan Colombia we have to make an effort to reallocate, to secure adequate funding for those agencies as well as for a witness protection program because if you are going to have a genuine effort, one that has credibility with the Colombian people and the U.S. Congress, that is absolutely essential in my judgment. So that is just an opinion that I provide to you, Ambassador Shapiro and Ambassador Patterson.

But I am really concerned about the allegations involving relationships between the paramilitaries and American corporations. We seem to just brush by that but I believe that it ought to require an exhaustive effort on the part of this Congress to do something to take a good hard look at actually what happened. I said earlier that Chiquita Banana was fined \$1.7 million. What I should have said was they were fined \$25 million for providing \$1.7 million to the AUC which is a terrorist organization. Which we designated as a terrorist organization.

I guess my question is: Has the State Department ever looked into the issue of corporate collusion between paramilitary groups and American corporations? Ambassador Shapiro?

Mr. SHAPIRO. Mr. Delahunt, we are looking for information about anybody's collusion with paramilitaries.

Mr. DELAHUNT. Have you looked in this particular—

Mr. SHAPIRO. Let me just say that with regard to these two U.S. companies you are talking about possible violations—in one case violation of criminal law and the other one possible violation—and I would just have to refer you to the Department of Justice for that, with all due respect.

Mr. DELAHUNT. Has the State Department provided any information to the Department of Justice, Ambassador Shapiro?

Mr. SHAPIRO. We are in close contact with the Department of Justice, sir.

Mr. DELAHUNT. I find it really disturbing that the allegation—and let me stress allegation about Drummond—is that they allegedly paid the AUC paramilitaries to kill three, assassinate three prominent trade union leaders back in 2001. You know that makes me very uneasy in terms of where our assistant dollars are coming.

It is rather ironic that we are providing DAS dollars to protect unionist, trade union leaders, and at the same time allegedly they are compiling hit lists for the paramilitary groups. That is absolutely unconscionable. I guess there is an individual by the name of Rafael Garcia. Has anyone from the Department of State—he is presently incarcerated—concerned about this welfare and physical safety? Has anybody from the Department of State visited Mr. Garcia to take a statement? To glean information from him? Ambassador Shapiro?

Mr. SHAPIRO. Mr. Delahunt, I do not know the answer to that question. I will get that answer for you.

Mr. DELAHUNT. I am disappointed that you do not know. I yield back.

Mr. ENGEL [presiding]. Thank you. Mr. Sires.

Mr. SIRES. Thank you, Mr. Chairman, and thank you for your comments today. They have been very enlightening. One of the concerns that I have is for over the years I think a lot of the problems in Latin America is fueled by poverty, and I am concerned that if Plan Colombia does not move forward can you see a scenario if it does not move forward where we are headed if this plan does not go forward because obviously most of the money is going to help people although there is some paramilitary money going to it? What do you see the outcome if this were to fail? The funding.

Mr. SHAPIRO. Mr. Sires, let me answer that a little bit differently if I may, and that is the problem in Colombia and the problem throughout Latin America is that there are just too many people living in poverty. Every country I have visited you hear people talk about there is too many and you fill in the name of the country. There is the one Colombia that is modern and growing and moving ahead, and then there is the other Colombia in this instance which is not, and that is really the issue.

That is what President Bush's visit in March to five countries in Latin America was about, how can we help governments govern more effectively? How can we ensure that when you see the growth statistics like this that it is not just the part of the country that is educated and online and doing well continuing to do better but that that reaches people particularly in the countryside?

There has been positive growth in Colombia, and this chart reflects that, but the same Government of Colombia office that reported that said there has been more growth in the cities than there has been in the rural areas, and that is the real issue, and that is what we, United States, we the international democratic community and most important the government and people of Colombia need to focus on, and that is why I think this plan that the Government of Colombia has elaborated putting more emphasis on getting out to the countryside, protecting the most vulnerable portions of the populations, building schools, building infrastructure,

health clinics and trade capacity building, help people figure out how to get into the formal economy and out of the subsistence economy is so important.

Mr. SIRES. So if we do not secure the countryside, there is no way of implementing any of this?

Mr. SHAPIRO. We have got to reach all Colombians. We have got to reach all Colombians.

Mr. SIRES. Ambassador Patterson, I was just wondering if you have a comment on that.

Ms. PATTERSON. The Government of Colombia is not yet capable of taking over the eradication and the interdiction program completely. Part of this is because they have gone out and bought a lot of new equipment on their own dime and expanded rapidly their own police and military up to 38 percent. So they have invested very substantially in their own security but they are just not in the position to take over this equipment. So the program would not prosper, and as Ambassador Shapiro said, they would not be able to project the state into presently ungoverned parts of the country.

Mr. SIRES. And I am just curious about Chavez, knowing our mischief Mr. Chavez is. What is the relationship between Colombia and Venezuela currently?

Mr. SHAPIRO. Well, Colombia and Venezuela are neighbors. Venezuela is Colombia's second largest trading partner. They have got a long border which is extremely porous. The Government of Colombia is doing everything it can to improve its relationship with the Government of Venezuela. The two Presidents met last week in Isla Margarita, Venezuela. They are building a gas pipeline which will export Colombian gas to western Venezuela which will benefit both countries, and at some point actually the flow of gas will go back in the other direction as Colombia's gas reserves decline.

So, they have got an interesting and complicated relationship. President Uribe last week thanked the people of Venezuela for ensuring that the ELN leaders with whom they are negotiating could get to the negotiations in Cuba. So that is a complex relationship, sir.

Mr. SIRES. Thank you very much, Mr. Chairman. Thank you.

Mr. ENGEL. Thank you. Mr. Farr.

Mr. FARR. Thank you very much, Mr. Chairman. It is a pleasure for me to be able to even be here in this committee hearing, and I am very interested in the transition from American contractors to Colombians, and capacity building. Ambassador Patterson, when you were Ambassador, do you remember how many American contractors we had in Colombia or American contracts I guess?

Ms. PATTERSON. We had one major contract which is the Air Wing contract. That is mostly for the Army. And then we have another contract with McDonnell Douglas for the police, and when I was there there were probably about 320. I think they are down now. We are down now to—

Mr. FARR. 320 personnel or 320 contracts?

Ms. PATTERSON. 320 personnel. We have these two major contracts.

Mr. FARR. What are we doing? I mean I would really hope that in your leadership, both in your roles in leadership in the State De-

partment, that when we bid these contracts that we ask American contractors in their contract of how they are going to work themselves out of a job because I have been appalled. I mean our law here requires that we have got to contract, you know, "Buy American," but how in that process we do not force American contractors to transition to Colombians. I guess I am kind of shocked at the fact that Colombians have not been able to take over the aerial eradication.

You know they had a commercial airline long before the United States ever had one. They have great pilots. In fact, there is a lot of poaching. Colombian military trains helicopter pilots, and they get trained under Colombian law, and then get offered a big, fancy job by an American contractor paying a lot more than the Colombian pilots earn, and Colombia is losing a lot of its talents to American contractors. Why cannot just the reverse happen that we just require them to take over these responsibilities?

Ms. PATTERSON. We are trying to reduce the number of contractors, and we have come down but not as much as we might have wished. Let me say too that we have gone from basically an open ended contract, cost plus contract, to a fixed price contract. So we are trying to get a handle on these contract costs.

But the main reason the Colombians have not been able to take this over is not because we have contractors. It is because their own systems have increased. Their own Colombian military aviation and the police aviation. That is really the reason they have not been able to take this over but believe me, we are fully engaged on trying to get enough pilots and mechanics and help them train up so they can take this over. We want to reduce these costs and get rid of the contractors as quickly as we possibly can.

Mr. FARR. Can we do something in Plan Colombia 2 to stimulate that taking over?

Ms. PATTERSON. We are doing something to stimulate that taking over. We have had two in depth sessions on this. One of their basic problems is they need a career path for pilots, and they are developing that. The new minister of defense, Juan Manuel Santos, is developing that. They need more mechanics. Again, their ability to maintain this equipment is stretched, and so their plan is to train up these additional mechanics, and we are quite willing to come up and brief you or other members as you wish, but I think we will be in a much better position to nationalize the program in a year.

Mr. FARR. Okay. I appreciate that. Ambassador Shapiro, have you read Plan Colombia 2?

Mr. SHAPIRO. I have not read every word. I look forward to doing so and then summarize.

Mr. FARR. What shocked me is that the plan is 86 percent non military. You have talked all day about trying to fortify the rural ability for alternative crops and for stability of rural economic development so that people will not flee into the cities so that the displaced can have something to go back to, and yet I find that in the administration's request to the Appropriations Committee is just Plan Colombia same old, same old.

There is very little, if any, new money for development assistance, and it essentially ignores what the Colombian Government is

attempting to do, and I just wondered why you know we say one thing and do another.

Mr. SHAPIRO. Well, sir, what we are trying to do is once we get pilots and mechanics trained, once we bring up the capability of the Colombians—

Mr. FARR. That is skilled labor. This is talking about alternative development, rural issues. You look at what they are trying to do. I mean remember this was gearing up to fight the war on drugs. We have got the war going.

Mr. SHAPIRO. Right.

Mr. FARR. It is now the other side of the effort, and Colombia is moving that way, and yet we are not as a partner joining them, at least in your request, the department's request to Congress for assistance in Plan Colombia 2. There is no more or greater emphasis in the non military area which I think is wrong and many members of this committee have talked about all day.

Mr. SHAPIRO. Well what we hope to do is increase the percentage of the assistance that will go to non military activities.

Mr. FARR. Would you tell that to the Appropriations Committee? To the chair there? I am glad to tell her for you but I want to see a much greater ask by the administration for the social assistance that Colombia needs for the reasons Mr. Meeks talked about, Mr. Delahunt talked about, Mr. Sires, and Mr. Burton talked about.

Mr. SHAPIRO. Well what we are proposing to do is gradually bring down the military assistance while maintaining the social assistance side. So we want to keep that constant, sir.

[Further information follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE CHARLES SHAPIRO TO
QUESTION ASKED DURING THE HEARING BY THE HONORABLE SAM FARR

To expand on this somewhat, we strongly support and welcome the large increase in Colombian spending on the social side. Over the next several years, we expect to increase the proportion of U.S. assistance that goes to social and economic development, justice sector reform, humanitarian programs, and the promotion of human rights. However, the Colombian Government has clearly told us that continued U.S. support to counternarcotics and counterterrorism programs remains critical, and that our proposed mix meets their needs.

Mr. FARR. Well it is about 80-to-20 right now. I mean it has got to be a lot more if you are going to maintain it. That is my point, and I see my time has expired. I want to thank the chairman. I know votes are on but thank you for allowing me to come here today.

Mr. ENGEL. Thank you, Mr. Farr, and as you have noticed there are votes but Mr. Burton had a quick question, and I want to just ask a quick couple of questions.

Mr. BURTON. Yes.

Mr. ENGEL. Hopefully we can get adjourned or recessed.

Mr. BURTON. Let me just say to my colleague that—thank you, Mr. Chairman—that the Europeans were supposed to step up to the plate on the soft side, and they have not done that, and that is why the United States has to continue to make up the difference. Real quickly, how many hectares of rain forest does the drug traffickers need to cut down and destroy before they can plant a hectare of coca, and what is that doing to the rain forest down there?

Ms. PATTERSON. I cannot remember precisely, Congressman. My recollection is well over 10-to-1. So the environmental damage is severe, and it is frankly even worse not just by the deforestation but by the toxic chemicals that are used in the production of narcotics, and you visit these places in Colombia—as I am sure you have—and you would see little kids running around these maceration pits where chemicals are basically seeping out of the ground. So the environmental damage has always been more severe from coca cultivation and processing than it ever has from eradication.

Mr. BURTON. Thank you, Mr. Chairman.

Mr. ENGEL. Thank you. Ambassador Shapiro, as you know Yolanda Izquierdo came forward as a lead witness against paramilitary leader Salvatore Mancuso, and was subsequently murdered. The U.S. Department of Justice has spent money training Colombians to create a witness protection program but beyond the training there is still very little aid provided by the United States to make this program operational.

So I would like to ask you: What are we doing to provide resources for relocation and living expenses for the witnesses and the victims? What about getting them the equipment they need to be safe, including bullet proof vehicles, cell phones and vests? Is our program large enough to meet the need, and if not, are we working to expand them?

Mr. SHAPIRO. Mr. Chairman, the witness protection programs fall under the jurisdiction of the Colombian Attorney General's office. The prosecutor general's office and refers to witnesses who are actually part of criminal cases. Since 2001, the Department of Justice has obligated nearly \$3.5 million for this program. It has been used for armored vehicles, training, other equipment, technical assistance.

In addition, the Government of Colombia is spending somewhere around \$26 million a year to provide protection for people who feel they are threatened, not just witnesses. Over 10,000 people. Now, what we are working with them to do is to find a way to make that process better, to streamline it. To help it work more quickly so that if somebody feels themselves threatened that in fact they can get the protection that they need in the time that they need it.

Mr. ENGEL. Thank you. I want to highlight that because I think obviously it is something that is very, very, very important, and let me ask you this, Ambassador Shapiro. Three United States citizens who were working in Colombia—and you mentioned this before very briefly—for the U.S. Government were captured and have been captured, held captive by the FARC in Colombia for the past year. What are we doing to obtain the safe release of these three Americans from the FARC? What resources do you need? What are we willing to do? I think it is imperative that we do everything we can obviously.

Mr. SHAPIRO. Thank you for the question. I think it is very important. First of all, the three hostages and I want to say their names so they are on the record, are Marc Gonsalves, Keith Stansell and Thomas Howes. They have been held for over 4 years. They are being held we believe in a remote area, in a big area, in southern Colombia which is triple canopy rain forest.

We are working carefully with the Colombians, with other countries who have channels of communication to the FARC or might have channels of communication to the FARC, with the International Red Cross, with the Catholic Church, with everybody who can help us find information on where these three hostages are being held. Our goal is to have them returned safely to their families.

I cannot go into detail in open session about all that is going on, but we are working on it. We have got folks devoted to that, to examining every avenue to try to find a way to get these three men back home.

Mr. DELAHUNT. Mr. Chairman?

Mr. ENGEL. Yes.

Mr. DELAHUNT. If I can just pose a question? I know we have very little time left.

Mr. ENGEL. If you can do it quickly, I would appreciate it.

Mr. DELAHUNT. Yes. Ambassador Patterson, I am interested in what the price of coca leaf is from the campesino. From the peasant as the first source, if you will, if you know.

Ms. PATTERSON. I do not know exactly.

Mr. ENGEL. Can you push your—

Ms. PATTERSON. It earns about \$2,000 a hectare, which is—

Mr. DELAHUNT. In the course of a year.

Ms. PATTERSON. In a course of a year.

Mr. DELAHUNT. And that \$2,000 translates on the streets in the United States as to—

Ms. PATTERSON. What, \$40,000, \$50,000?

Mr. DELAHUNT. Okay. Thank you.

Mr. ENGEL. All right. Thank you. I am going to recess in a minute, but Mr. Farr just handed me a note, and I want to mention it—that five Members of Congress offered to go and meet with the FARC to help release the hostages. So I put that on the record as well, and I do share obviously your concerns, and we hope and pray that these people are brought home safely.

Thank you both, Ambassador Shapiro and Ambassador Patterson, for your very enlightened testimony. We have two votes, and then we will come back immediately after the two votes for our third and final panel.

[Recess.]

Mr. ENGEL. The subcommittee will come to order. Before I introduce our distinguished panel of witnesses, I want to acknowledge—I acknowledged the Ambassador before—we have three Senators from Colombia who are at the hearing. I want to recognize their participation, their being in the audience, and this Senator Dilian F. Toro who is president of the Senate in Colombia, Senator Julio Alberto Manzur, and Senator Alvar Ashton, and there is also Secretary General of the Senate Emilio Otero. Gentlemen, welcome and we are delighted that you are here.

I am now pleased to introduce our distinguished panel of private witnesses from, left to the right, my left to right, Luis Gilberto Murillo is a former Governor of Choco, Colombia, and currently serves as a Senior Fellow on International Policy at the Phelps Stokes Fund. Mark Schneider is a Senior Vice President and Senior Advisor on Latin America at the International Crisis Group. He

served as Director of the Peace Corps from 1999 to 2001, and also served as Assistant Administrator for Latin America and the Caribbean at the U.S. Agency for International Development, USAID.

Maria McFarland is a Human Rights Watch Principal Specialist on Colombia. She was previously an attorney with Cleary, Gottlieb, Steen and Hamilton. And Robert Charles served as Assistant Secretary of State for International Narcotics and Law Enforcement from 2003 to 2005, as well as Chief Counsel to Former Speaker Hastert's National Security Subcommittee and to the Speaker's Counter Drug Task Force from 1995 to 1999. I welcome all four of you, and before we start, let me just say that again each of you has 5 minutes. If you want to summarize your testimony, we will enter into the record the printed testimony to the record if you would rather summarize it. And again each of you has 5 minutes, and we will start with Governor Murillo.

STATEMENT OF HIS EXCELLENCY LUIS GILBERTO MURILLO-URRUTIA, SENIOR FELLOW ON INTERNATIONAL POLICY, PHELPS STOKES FUND

Mr. MURILLO-URRUTIA. Thank you, Mr. Chairman, Ranking Member of this committee. I am very pleased for this opportunity to testify on United States-Colombia relations. I am very grateful to Member of Congress for their steadfast support to Afro-Colombians, particularly member of the Congressional Black Caucus, two members of this committee, Gregory Meeks and Donald Payne.

I will talk about the other Colombia, the Colombia that you do not hear too much. Colombia is a multicultural country, multiracial country. Between 20 and 25 percent of the total population is black. That is between 8 million and 11 million people isolated and neglected by the state. Afro-Colombians are over represented among the poorest of the poor. Eighty-two percent of the Afro-Colombian population lives under the official poverty line of about \$3 per day compared to the near 50 percent of the whole population.

In the Colombian constitution of 1991, Afro-Colombians secured their collective cultural and territorial rights but just after this achievement they were pushed out of their lands by violence. Colombia has 3.5 million internally displaced persons, second only to Sudan.

There is no doubt that the Colombian armed conflict disproportionately affects Afro-Colombians. The most brutal massacre has taken place in Afro-Colombian territories and regions. The massacre of Bojaya 2002 in which 119 Afro-Colombians, most of them women and children, were killed inside the church is severe example of this situation.

Between 2000 and 2005, over 2,500 young Afro-Colombians were killed in Buenaventura, Colombia's busiest port city. This is not a coincidence. The pressure of Plan Colombia on Putumayo Department just east of the Andies moved coca crops west to Afro-Colombian and indigenous territories. Let me mention one indicator. In the year 2000, only two municipalities or counties in the department of Choco registered some sort of coca cultivation. Today all 31 municipalities in that department do have coca cultivation or do register drug trafficking activities.

The Government of Colombia is carrying out an ambitious process of demobilization of paramilitary groups. Nonetheless, new paramilitary organizations are being created particularly in Afro-Colombian communities. One of these groups in Choco in January this year killed in cold blood the Afro-Colombian journalist and community leader Elacio Murillo because the newspaper published information about the abuses by and the bosses of these new organization. This was very painful especially to my family and me because Elacio Murillo was my uncle and close political advisor.

The human security situation in Afro-Colombian territories and other areas where the most vulnerable Colombians live has not improved since the year 2000. To the contrary, the situation has deteriorated. Let me say that despite the difficulties generated by the political violence and drug trafficking, the Afro-Colombian social movement and leaders have continued their work.

The United States can play an important role by supporting the training of emerging leaders and strengthening the current Afro-Colombian leadership. There is much the United States has to offer on this issue. The Gregory Meeks Scholarship Fund is an initiative that needs to be supported.

Finally let me recommend that the United States Congress should shift the balance of the aid to Colombia. No less than 50 percent should be allocated to social and economic programs through USAID. Alternative development programs should be expanded and displacement should be brought to an end.

Aid should emphasize the victims of the conflict including internally displaced persons. Support for their voluntary returns to their land should be a priority. Afro-Colombians' land rights must be restored and protected. The United States should also provide development funding through Afro-Colombian and indigenous alternatives and organizations. Law 70 of 1993 or the black community law should be fully implemented.

In the mid-term, a thorough evaluation of the impact of Plan Colombia and the United States foreign policy toward Colombia should be conducted. It should serve as a basis for a new United States policy. That is the hope for Afro-Colombians and many excluded peoples and regions in the country. Mr. Chairman, once again thank you for this opportunity. I would be pleased to take your questions.

[The prepared statement of Mr. Murillo-Urrutia follows:]

PREPARED STATEMENT OF HIS EXCELLENCY LUIS GILBERTO MURILLO-URRUTIA,
SENIOR FELLOW ON INTERNATIONAL POLICY, PHELPS STOKES FUND

Thank you, Mr. Chairman, Ranking Member, Members of this distinguished Sub-Committee. My name is Luis Gilberto Murillo-Urrutia. I am Colombian and now serve as Senior Fellow on International Policy at Phelps Stokes Fund. Phelps Stokes Fund is a nearly 100-year-old organization that seeks to promote justice through education and leadership in communities of color globally.

I am very pleased to appear before this important Subcommittee. Let me first express my appreciation to members of this Subcommittee for their leadership and ongoing interest in Colombia. Also, I am grateful to members of the Congressional Black Caucus for their steadfast support to Afro-Colombians. As requested, my remarks this afternoon, from an Afro-Colombian perspective, will focus on my assessment of the current U.S. policy toward Colombia, the Colombian government's efforts to reduce violence and to bring end to the armed conflict, and the future of U.S. assistance to Colombia.

1. The Armed Conflict in Colombia

Colombia's current armed conflict has been going on for almost 50 years, though many would say much longer. This conflict is rooted in inequality, poverty, and the social, political and economic exclusion of disadvantaged social groups in extensive geographic areas of the country. In the last three decades these socio-economic and political conditions created the right environment for drug trafficking to emerge as one of the main drivers of Colombian crisis. The fighting between leftist guerrillas of the Revolutionary Armed Forces of Colombia (FARC) and National Liberation Army (ELN), the right wing paramilitary, sometimes in collusion with the Colombian Army, has caught most of the rural civilian population in the crossfire. Thousands Colombians have died as result of this conflict. Furthermore, the illegal fighting factions hold about 11,000 child soldiers. Violence is the second leading cause of death for Colombian children ages 5 to 14 years. The human suffering created by this armed conflict is irreparable and unacceptable.

In addition, Colombia has the second highest number of persons internally displaced by violence in the world, only second to Sudan. Between 2 and 3 million people have been displaced by violence according to the UNHCR, while the Catholic Church's Social Ministry and the nongovernmental Consultancy on Displacement and Human Rights (CODHES) estimates, since 1985, more than 3.5 million Colombians have been forced to flee their homes, farms, churches and communities – by violence. Women, children, and marginalized ethnic and racial minorities suffer the most from displacement. Humanitarian assistance and aid to transition internally displaced persons (IDPs) into self-sufficient economic activity is far from adequate: a study by the Colombian government's Inspector General's Office and the Ombudsman's Office revealed that just 30 percent of households individually displaced between 1997 and 2004 and 8 percent of

families displaced in large groups received emergency assistance. The United Nations calls the IDP crisis in Colombia the worst humanitarian catastrophe in the Western Hemisphere.

Women experience violence in many ways. They are direct target of military and related actions, including sexual attacks. They suffer when their husbands or sons, or increasingly daughters, are killed or injured in combat. A large numbers of girls are forcibly recruited by illegal armed groups and are forced into slavery-like conditions. Women and children are increasingly becoming the recognized face of poverty, violence, displacement and social exclusion in Colombia. According to some statistics, more that 60 percent of internally displaced women are unemployed and near 80 percent do not have health insurance. 44 percent of women internally displaced have suffered from intra-family violence, 18 percent during the pregnancy. The Colombian conflict is disproportionately affecting women. Colombian society is looking for ways to advance peace and attain the kind of security that will really protect them.

2. The Impacts of Plan Colombia and Recent Political Trends

U.S. policy towards Colombia has expressed itself mainly through the multiyear Plan Colombia (Andean Counter-drug initiative ACI) and the Andean Trade Preferences and Drug Enforcement Act. Plan Colombia was passed into law in 2000, with the stated objectives of strengthening democracy, promoting human rights and the rule of law, fostering socio-economic development, and reducing coca cultivation in Colombia. This plan has evolved from being an exclusive anti-narcotics package to an anti-terror strategy. The plan has had mixed results. By some measures, the security situation has improved. The government maintains that the overall numbers of murders and kidnappings have fallen. While nearly 200 of Colombia's 1,092 counties lacked a police presence in 2002, all now have at least a small contingent of police.

Despite these welcome gains, the stated objectives of Plan Colombia have not been achieved. A variety of deeply disturbing trends illustrate this point. Eradication through aerial fumigation of coca crops is the centerpiece of the U.S. counter-drug strategy in Colombia. Despite an unprecedented aerial spraying campaign, coca cultivation in Colombia, instead of decreasing by 50 percent as projected, has increased. Cultivation is spreading to new areas and returning to others previously cleared. This situation suggests that a decrease in acres planted in one province, or indeed in one country, is not a reliable indicator of drug policy success.

One major concern for Colombian society is the infiltration of Colombian institutions by illegal armed groups. There are multiple credible allegations of links between prominent national politicians, businessmen, and high-ranking

military with paramilitary groups. According to recent reports, there is serious body of evidence of collaboration between members of the Colombian parliament, governors, mayors, senior government officials, and paramilitary commanders. Apparently, these alliances orchestrated fraudulent elections and then went about infiltrating and stealing from hospitals and other public institutions while assassinating hundreds of adversaries. Eight prominent members of Congress have been jailed and many others are under investigation, including the speaker of the House. While these investigations are a good step, the United States government should press for real results, including suspension from their posts of those under investigation for very serious crimes, and arrests and convictions.

Moreover, a number of national and U.S. based companies has been accused of making payments to both paramilitaries and guerrilla groups. Recently, Chiquita Brands International admitted that it paid off a Colombian group on the U.S. terrorist list. This has spotlighted a practice once denied in Colombia. Several other U.S.-based corporations, including Atlanta-based Coca-Cola and the Alabama-based coal company Drummond Co., face civil lawsuits alleging their Colombian operations worked with an outlaw group to kill several trade unionists. This has focused attention on the payoffs that Colombian and foreign companies make to the illegal armed groups fighting the country's 50-year-old civil war, especially in remote areas where those groups hold sway.

The government is carrying out an ambitious process of demobilization of paramilitary groups. Nonetheless, new paramilitary organizations are being created in many regions of the country, or old groups never demobilized are emerging with new names. This suggests that the structural conditions for the existence of these criminal organizations are not being addressed properly. Nor has the Colombian government been effective enough about fully dismantling paramilitary organizations. It is essential that the U.S. and Colombian governments take seriously the continued threats to communities by the rearmed or never demobilized paramilitary forces. The persistence of the internal armed conflict implies that there is not an easy military solution to the Colombian crisis.

Despite Colombian government efforts, the situation for the most vulnerable Colombians located in certain regions of the country has grown considerably worse. Both the Colombian and the U.S. governments in their rhetoric do now recognize poverty and inequality as central dimensions of the Colombian security problem. The meeting of Presidents George Bush and Alvaro Uribe with Afro-Colombian leaders in a recent trip to Bogotá confirms this proposition. However, government policy prescriptions—both Colombian government policy and U.S. aid-- have not done enough to address these factors.

As we have seen in other part of the world, military means alone are not sufficient. You need to implement other political, economic, and social measures, and these measures need to be sustained over the long term. This brings me to the issue of Afro-Colombians as one of the best representative cases.

3. The Social and Economic Conditions of Afro-Colombians

Race and ethnicity in Latin America are a significant basis of social organization, status, and life chances. Racial discrimination is a determinant factor of socio-economic inequality and political marginalization. In this regard, Colombia is not an exception. According to the limited quantitative data available in 1998, the Colombian National Department of Planning stated that: "between 19 and 26 percent of the 44 million people in the country are African descendants. The World Bank put this number between 20 and 25 percent. That is, between 8 and 11 million Afro-Colombians. 82 percent of that population lives below the poverty line of about 3 dollars a day, compared to the national average of near 50 percent. This population earns \$500 USD per capita annually, compared to \$1,900 USD for non-blacks. 74 percent of Afro-Colombian employees earn less than the established legal minimum wage. Only 19 percent of Afro-Colombian households have electricity, potable water and sanitation facilities, compared to a 62% national average. In terms of health, 92 of every 1,000 Afro-Colombian children die during the first year of life, compared to the national average of 20."

With regards to education, the situation is not better. According to a 2005 World Bank report, only 18.7 percent of the Black student population in the Pacific Coastal Region finished secondary school in 1997. Of those students, just 17.8 percent entered a university and only 2.8 percent finished. A report released by the United Nations Development Program (UNDP) and the Colombian government stated that, if additional government efforts were not present, the largely Afro-Colombian area of Choco would need 30 years to catch up with today's Bogotá, in terms of education and health indicators.

In addition, according to a recent study conducted by the Colombian Government's National Institute of Family Welfare and the University of Antioquia, malnutrition is severe in Afro-Colombian communities. In the case of the Pacific Region, 33.7 percent of children under 5 years old, and 33.5 percent of women between 13 and 49 years old, suffer from anemia. Last week, Colombian society was shocked with the news that 37 children under 5 years of age had died of malnutrition since January this year. Afro-Latinos in general and Afro-Colombians in particular are living in extremely difficult social, political, and economic conditions that prevent them from enhancing their talents, potential, and overall well being.

4. Afro-Colombians and the Armed Conflict: Implications for Development and Human Rights

As I mentioned before, the Colombian internal armed conflict disproportionately affects Afro-Colombians. They are caught in the crossfire, as paramilitaries and guerrillas struggle for control over key drug and weapons smuggling corridors and economic assets. The most brutal massacres committed by paramilitary and guerrilla groups have taken place in Afro-Colombian territories and regions. According to the National Association of Afro-Colombians displaced by violence, 40 percent of the Internally Displaced Persons (IDPs) in Colombia were Afro-Colombians, especially in the department of Chocó and the Pacific Coast. Just last week, more than 8,000 Afro-Colombians were violently displaced in the Municipality of El Charco (Department of Narino) due to combats between FARC guerrillas, paramilitaries, and the Colombian Army. 47 percent of those displaced in El Charco are women. Many Afro-Colombians have sought refuge in neighboring countries like Ecuador, Panama, and even Costa Rica. In 2002, 119 Afro-Colombians, most of them children, were killed inside a church by the leftist FARC in combat with right-wing paramilitaries.

The Afro-Colombian future is being killed. In the municipalities of Tumaco and Quibdo, and Buenaventura, young Afro-Colombians are being either recruited by illegal armed actors or killed. In April 1, 2005, twelve young Afro-Colombians, between 17 and 23 years of age, were killed by paramilitaries (see the photo below) in Buenaventura, Colombia's busiest port city. In that Afro-Colombian city, bomb explosions and assassinations are a common event. Just last week, 10 people died in the latest bomb explosion. According to some non-governmental organizations, over 2,500 young Afro-Colombians were killed between 2000 and 2005. Buenaventura well could be called "*the Baghdad of Colombia.*"



Young Afro-Colombians killed in a massacre in Buenaventura, on April 1, 2005

On a personal note, last January 10th, my dear uncle Elacio Murillo, who was a very well-known journalist and political activist was killed in cold blood by emerging paramilitary groups that controls the region of San Juan Baudo in Choco. This event was very painful for me and my family. Cases like this are common in Afro-Colombian regions throughout the country. Afro-Colombians do not feel more secured under democratic security policies. To the contrary, the security, human rights, and humanitarian situation in Afro-Colombian regions have deteriorated.

During the past decade, Colombia has been experiencing the paradox of, on the one hand, enjoying one of the most advanced constitutional frameworks for the empowerment of citizenship rights in general and ethnic rights in particular; and on the other hand, suffering from the drawn out effects of endemic violence and armed conflict. The Colombian political armed conflict has severe negative impacts on ethnic groups. The isolated yet strategic location of Afro-Colombian collective territories made these areas suitable for illegal armed groups' military operations. In many cases guerrillas and paramilitaries in collusion with the Colombian Army have used communities as human shield in their combats, as a consequence, violating international human rights and international humanitarian law. Afro-Colombians who defend their cultural and territorial autonomy have been classified as subversive and therefore persecuted, displaced, disappeared and murdered.

5. Afro-Colombians, Environmental and Natural Resources

At this point, descriptive information about the environment is necessary, in order to understand some of the drivers of violence in Afro-Colombian communities. Colombia ranks third in the world for the most biodiversity. It has 65 different types of ecosystems and 18 eco-regions. The diversity of its birds, amphibians, and vascular plants is unparalleled on the planet. With just 0.8 % of global land, it has 15 % of all known territorial species. Also, it has close to a thousand permanent rivers, making the fourth largest water supply in the world.

This ecological wealth is disappearing for several factors: a) fighting factions in the armed conflict protect illicit and illegitimate extractive activities; b) Colombia is increasing dependant on extractive industries in order to finance its budget deficit. This industrial sector is not well regulated, and even if it was, these activities could have destructive impact on fragile ecosystems; c) Perverse incentives in the agricultural sector have created a gap between the actual vocation of the land and its use. This wealth of natural resources has the potential to play a central role in poverty reduction, economic development and a peaceful resolution of the conflict in ethnic territories, but at the same time it could fuel violence and human rights violations.

Historically, the Afro-Colombian struggle for justice and freedom has made emphasis on culture and territory. Land has been a centerpiece of this struggle. In the 1991 Colombian Constitution Afro-Colombian secured their cultural, territorial, and natural resources rights. These constitutional provisions allowed Afro-Colombian communities to control access to and management of natural resources according to their cultural traditions and the social and ecological functions of these territories. These rights were regulated through Law 70 of 1993, commonly known as The Black Community Law. As a result, Afro-Colombian communities have legal ownership over 15 million acres of land in the rich Pacific Coast of the country --that is, approximately 5 percent of Colombia's total territory.

These community collective lands are concentrated where most of the country's natural resources are located: tropical rainforest, biodiversity, water, oil, gas, and mineral resources, such as gold. For example, 60% of Colombian natural rainforest inventories are in ethnic territories (Afro-Colombian and Indigenous). The presence of this natural resource wealth on ethnic territories has led to conflicts with national and transnational entities.

Economic, military, and political interest are key factors in the displacement of Afro-Colombians from their collective lands. According to several reports, guerrilla and paramilitary groups in collusion with the Colombian Army have displaced over 60% of the Afro-Colombian population from the collective territories. For example 3,000 Afro-Colombians were displaced from the communities of Curvarado and Jiguamiando from their communal land in Choco (about 70,000 acres, equivalent to the urban area of Bogotá). Later the land was taken over by palm oil companies with the support of paramilitaries. After intense advocacy, the Colombian government, in an unprecedented decision, committed to return the stolen land. However, this promise is far from completely fulfilled, so international donors need to press the Colombian government to keep its word.

Some analysts suggest that the violence in Afro-Colombian regions can be explained as part of the escalation and degradation of the armed conflict on the national level and the increasingly fierce competition for territorial control; others add clear economic interest in the resource and development potential of those regions. The armed dispute over Afro-Colombian regions is not a coincidence; Colombia's natural resources have been one of the key factors fueling today's armed conflict.

Illegal armed actors control several illicit and illegitimate extractive activities in the oil, mining, timber, narcotics and agribusiness sectors. These activities drive the loss of biodiversity due to the almost 221,000 hectares of tropical rainforest

deforested every year. A significant percentage of the rainforest destruction is happening to clear land for growing coca, palm oil, and cattle ranching. Even worse than that, the current environmental, security, and humanitarian situation have created serious negative barriers preventing Afro-Colombians from securing their rights to sustainable development.

6. The "Balloon" Effect of Plan Colombia in Afro-Colombian Areas

The regional focus of Plan Colombia in the South of the country, created a "*balloon effect*" that affects Afro-Colombian rural communities. The pressure of U.S.-funded aerial spraying on the Putumayo Department, moved coca crops further west and north to Afro-Colombian and indigenous territories. For example: in 2000, only 2 municipalities (counties) in the department of Chocó registered some sort of coca crops; today almost all 31 municipalities in that region have coca cultivation. This situation is destroying the traditional cultures of Afro-Colombian and Indigenous communities. We may say that in part, the current human security situation for Afro-Colombian communities is an unintended consequence of Plan Colombia.

It is very impressive that despite the additional difficult situation generated by the political violence, the Afro-Colombian social movements have continued advancing their political agendas. Many of these processes happen at the local and regional level. Afro-Colombians are increasingly assuming leadership over their destiny within a very hostile environment. The creation of nation-wide organizations like the Afro-Colombian National Conference, the National Association of Afro-Colombians Displaced by Violence (AFRODES), the National Association of Afro-Colombian Mayors (AMUNAFRO), the Washington D.C. – based Afro-Latino Development Alliance, the Black Community Process (PCN), and the AFROAMERICA XXI-Colombia, are examples of this vibrant emerging trend. This creates the momentum for U.S. policy to provide support for training emerging leaders, and strengthening the current Afro-Colombian leadership. The United States now represents in global terms a successful model for the inclusion of minorities into the mainstream of society, there is much the United States has to offer.

All this to say that there is a pervasive lack of attention to racial, ethnic, and sub-national dimensions in the analysis of the Colombian human security crisis and the U.S. policy towards this country. Colombia is a racially and ethnically structured country in which race was regionalized; therefore, race and regions should be central to any analysis of the Colombia's crisis.

7. Recommendations for a Future U.S. Policy towards Colombia

Colombia is at a crossroads of profound transformations that can either go down the path of more impunity, violence and social injustice, or help create a more peaceful and just political, social, and economic system. Colombia is going through a difficult political storm and US should sustain its support for the country, but this Congress should make it clear that Colombian authorities need to put their house in order and to clean up the country's institutions infested by paramilitary infiltration, seriously prosecute human rights violations at all levels, and provide robust support to victims of the conflict.

No doubt that the Colombian political landscape is changing rapidly. To ignore this shift and these disturbing trends would be myopic. U.S. priorities must shift too, if Plan Colombia stated goals bolstering prosperity for all and reducing illicit drug production, strengthening human rights and the rule of law, and fostering peace are to be attained. Paraphrasing Secretary of State, Condoleezza Rice, U.S. assistance to Colombia should focus on eliminating the most critical impediments to and catalysts for long-term country progress; helping Colombians to move toward peace, freedom, prosperity, and social justice. Police and military assistance, with the highest human rights standards, is important to Colombian success, but it is not sufficient. On that note let me suggest some recommendations. The United States Congress should:

a. Plan Colombia – Andean Counter-drug Initiative (ACI):

- In the short run, shift the balance of the aid between the military and socioeconomic components. At least 50 percent of the aid should be allocated to the latter, through USAID. There is a need to respond to the roots causes of the conflict and drug trafficking. The U.S. government should scale up investment in the social and economic needs of the Colombian population in neglected rural areas.
- In the medium term, conduct a thorough evaluation of the impact of U.S. policy towards Colombia since 2000. This assessment should go beyond drug trafficking and counter-terrorism and include other components like poverty and inequality, peace building, human rights and humanitarian issues, environment, natural resources, and institutional building. This evaluation should be the basis for a new U.S. policy towards Colombia. A Congressional commission for that matter would be helpful.
- In the long run, define a specific pro-peace agenda that support Colombian society efforts to reach lasting peace through multiple negotiations. A starting point would be to provide support to the paramilitary disarmament, demobilization, and re-integration, with tough

conditions, as well to the peace process with the ELN and eventually negotiations of a humanitarian accord with the FARC guerrilla group.

- Make U.S. foreign policy toward Colombia consistent with the new realities on the ground and the interests of United States and Colombian society. The paramilitary infiltration of the Colombian political system is a fact that needs to be confronted vigorously. The United States Government should give the highest priority to the provision of political and financial support to the judicial system in Colombia in order to implement anti-money laundering and the justice and peace laws in order to effectively prosecute high profile cases of links between political, business, and military elites with drug traffickers and illegal armed groups.
- Fully recognize the magnitude of the Colombian humanitarian crisis, particularly in regions like the Pacific Coast. It is necessary an extra effort to locate and completely identified those who disappeared and were killed by illegal armed groups. The U.S. government should drastically increase and improve humanitarian assistance, and expand protection, for internally displaced persons and refugees. Aid to internally displaced persons (IDPs) is one of the most positive elements of the current U.S. aid program and should be continued and expanded. But the United States must use its leverage to insist that the Colombian government improve the national response to IDPs. It is important that basic assistance programs targeting IDPs include assistance to the urban poor living in the same areas as the displaced. To ensure that such programs effectively meet their goals, leaders of IDP communities should participate in the design and implementation of the programs. The U.S. and Colombian government should strengthen meaningful consultation with IDP leaders in development of overall policy. Lastly, within the framework of the paramilitary demobilization, there must be an effective mechanism to ensure the return of land or compensation to internally displaced persons.
- Expand and improve alternative development within a comprehensive rural development strategy, and end aerial spraying in order to address the crisis in rural areas. Effective alternative development within a sound overall rural development strategy is the most reliable approach for sustainable, long-term results in drastically reducing coca cultivation. During the last two years Colombian Government has scaled up manual eradication. Last year alone near 50,000 hectares were eradicated and it is planned to eradicate 60,000 this year. Manual eradication should not proceed before viable development alternatives are available. Any rural development strategy should be designed, implemented, and evaluated in a participatory way.

- Focus law enforcement efforts to combat illegal drugs up in the supply chain where profits are concentrated, that is, on interdiction, disrupting processing inputs, money laundering and trafficking, and destroying coca-processing plants. Aerial spraying has weakened the Colombian government's standing among populations accustomed to living alongside anti-government groups. It is a short-term fix with serious long-term costs, undermining rural inhabitants' trust in the state and increasing support for the illegal armed actors. Moreover, aerial fumigations are creating serious problems to the bilateral relations between Ecuador and Colombia.
- Encourage Colombian government to strengthen civilian authorities in rural areas. The strategy of state control over isolated areas is based on a military-only approach, without a plan for extending civilian government presence in areas long abandoned by the state. The United States should encourage the Colombian Government to plan for and invest in the extension of government services to rural conflict areas – including rural police, courts, schools, public health services, and infrastructure. Effective delivery of rural development, health and education services would strengthen support for the Colombian state among the rural population. In the long term, Colombia's major challenges of cutting drug production, permanently resolving the conflict and reducing violence can only be achieved through equitable, sustained rural development.
- Include Afro-Colombian and Indigenous communities in the center of any debate about development, peace, and security. The United States should specifically encourage the incorporation of historically excluded Indigenous and Afro-Colombian communities into the design and implementation of rural development policies. Census data collection should be disaggregated by race to better develop public policy to address the needs of ethnic minorities. Indigenous and Afro-Colombian communities' constitutionally-mandated control over their territories should be enforced. The communities' capacity to administer their territories should be strengthened. To that end, support leadership training and other capacity building actions for Afro-Colombian and Indigenous local governmental authorities and civil society leaders. The United States should also encourage and provide funding through the Afro-Colombian and indigenous authorities and organizations to complete the land titling processes and fully implement law 70/93 (the Black Communities Law).

b. Refugee and Asylum policies:

- Reconcile refugee protection for Colombians and drug policy and security concerns. This is one of the most restrictive climates in the history of the international refugee regime. Such restrictions undermine the institution of asylum. The US Patriot Act of 2001 and the REAL ID Act of 2005 included the so called "*material support provision*" that has prevented thousands of persecuted refugees in need of protection to get asylum and resettlement in the United States. The interpretation of this provision and its waiver has prevented many eligible Colombian refugees, who fled the terror of FARC and paramilitaries, to be resettled or receive asylum status. This situation needs to be fixed. United States can ensure their own security while preserving and strengthening the institutions of asylum.
- Encourage the U.S. administration to revisit the possibility of providing Temporary Protected Status (TPS) for Colombians. Also, the U.S. government should stress with Brazil, Costa Rica, Ecuador, Panama and Venezuela that all refugee returns must be voluntary and should encourage them to work closely with the UNHCR to strengthen refugee and asylum policy for Colombians. The United States should increase its contribution to the UNHCR for Colombian refugee assistance.

c. Trade Policy and the U.S. - Colombia Trade Promotion Agreement:

- Continue with a unilateral trade policy towards Colombia reflected in the extension of the Andean Trade Preferences and Drug Enforcement Act (ATPDEA). On August 24, 2006, President Bush notified the Congress of his intention to sign the U.S.-Colombia Trade Promotion Agreement (CTPA). Some analysts argue that the labor and environmental safeguards included in the negotiated are insufficient or inappropriate. If not modified, the CTPA may benefit those in Colombia who obtained land violently and those criminal networks that may have infiltrated legal sectors of the Colombian economy. The CTPA should be carefully evaluated and negotiations need to be re-opened to include specific mechanisms to screen land and other productive assets that could be obtained through human rights violations.
- Incorporate additional provisions that reflect the particular situation of Colombia under the current political and socioeconomic realities. There is concern that this agreement did not incorporate the particular concerns of Afro-Colombian and indigenous communities, given that they were never consulted. Afro-Colombian and indigenous communities maintain that the (CTPA) as negotiated will affect their ethnic and territorial rights,

especially in the area of intellectual property rights (biodiversity and traditional knowledge), access to medicine, and labor standards (enforcement of anti-racial and gender discrimination in employment).

- Make trade policy consistent with drug eradication and human rights goals. There has been little consideration of the agreement's potential impact on overall policy goals in Colombia. For instance: there is concern that the (CTPA) will generate and expansion of palm oil cultivation in Afro-Colombian territories. There is evidence that palm oil companies, taking advantage of the vulnerability of Afro-Colombian people, have been taking over lands illegally.

Conclusion

U.S. policy towards Colombia needs to be thoroughly evaluated and restructured to include issues that have been overlooked. Poverty, inequality, and inclusion of historically neglected regions and disadvantaged groups, particularly Afro-Colombians and Indigenous, should be incorporated. Also, a new policy towards Colombia should reflect the new reality of a changed political and institutional context on the ground. This policy should be mindful that the most potent challenge that Colombian society has at this point is the need to clean the political and institutional system from the pervasive influence of drug traffickers and illegal armed groups at all levels.

Thank you for the opportunity. I would be pleased to take your questions.

Attached: Choco, territory of peace. Government proposal, 1998

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tions have been adopted. Unfortunately, others have not, and at the moment we are quite concerned about the decision by the Congress with respect to the next phase.

We believe that this is a crucial time to review the performance of Plan Colombia on both counterinsurgency and counternarcotics grounds because we unfortunately feel that it is failing to achieve many of its goals and fundamental changes need to be made. The conflict in Colombia is real. The threat from the FARC is real, and it is in the United States' national interest to help Colombia to confront this threat but it is also in the United States' national interest to provide support to Colombia's democratic institutions, to human rights and civil society, to its justice system and the rule of law, and to help meet a humanitarian crisis as we have heard that affects now some 3 million people, particularly Afro-Colombian and indigenous populations disproportionately among them.

The threat to Colombian democracy also comes from the links between the paramilitary forces and the Colombian security forces, a relationship that is now being investigated as part of what is being called the "parapolitical" scandal. The questions of what did he know and when did he know it are being asked of virtually every high official, civilian and military. Those investigations have to be pursued to their conclusion and substantial additional resources need to be provided to the independent agencies which are carrying out those investigations, the Attorney General, the procurator general and the Supreme Court.

Investigations have already forced the resignation of President Uribe's foreign minister, eight senators and five Members of Congress from his or allied parties, two governors and his former campaign manager in Magdalena who he later named to head the DAS, the country's internal security intelligence agency, all are either under investigation, have been indicted or have been arrested.

The threat is real when there is evidence now of paramilitary financing of political campaigns, of a written 2001 political pact between paramilitary commanders and regional politicians, of directed killings by paramilitary of labor leaders, human rights activists and others with intelligence supplied by the DAS, and now we have new allegations that the scandal affects the chief of the army.

It is also of concern with respect to Colombian democracy and how we support that democracy. The United Nations' High Commissioner of Human Rights issued a report 1 month ago which identified the armed forces—not one unit but several units—as having engaged in increased number of extrajudicial executions in both 2005 and 2006, including dressing individual victims in FARC uniforms allegedly to respond to a demand for higher numbers of body counts.

That is why we argue that while we should continue to provide support to Colombia, the human rights conditions in United States law must be vigorously enforced to ensure that U.S. military aid is effective in its goal of strengthening democracy, and that is why we believe the recent certification by the State Department could not be justified at this time.

We also would argue that the conditions need to be expanded to directly include re-armed paramilitary groups or the paramilitary groups which have not demobilized or the new groups that you

have heard from Governor Murillo that are engaged around the country and basically taking over control of areas previously under the control of the paramilitary. We have done research. We will have a report out in the next several weeks that goes into this new development in substantial detail, and it reflects to some degree the OAS report as well last month that there are some 22 new armed units that have been identified involving some 3,000 of these paramilitary members.

I will tell you that a high Defense Department official in the Colombian Government told me that they have identified 24 groups, reaching some 5,000 members. Clearly these groups have to be included when we look at the conditions on U.S. military aid.

Now obviously you have heard all this during this testimony about the balance between military and economic assistance. We strongly believe that the 80/20 balance needs to be shifted to 50/50, and we believe that that will in fact provide greater support for security in Colombia because the areas that we have heard about, the areas of concern about rural governance, reducing rural poverty, those are the areas and strengthening the justice institutions where those funds can and should go.

And why is it needed? Let me just give you an example. The Attorney General is trying to determine the accuracy of the confessions of the 2,600 paramilitary leaders who sought reduced sentences under the justice of peace law. He has the inability—he has 20 prosecutorial teams—he has the inability to cross index by computer the reports of victims and the reports and the dossiers on those paramilitary defendants. There is a single staff member on the national commission for reparation and reconciliation charged with addressing the concerns of seven different vulnerable groups including ethnic minorities.

There has not been a national rural strategy. I am hopeful that the proposal from the government in Colombia and the proposal from the United States will see increased support for a rural poverty reduction strategy. As soon as an area is free of the FARC, there needs to be rural investment, infrastructure, governance in those areas.

And let me just say two things about the counternarcotics goals. One is the goal was to achieve a 50 percent reduction in the area under cultivation. I have put a couple of charts in the back of my testimony. By the way, I hope that the entire testimony is included in the record. And what they essentially show is that if you look at the 1988 through 2005, there has basically been from the Andean rich countries about 200,000 hectares under cultivation, year in and year out.

It has moved between the countries, but even in Colombia if you look at the State Department figures, in 2005 which was the last data that we have, there were 144,000 hectares under cultivation. That is equal to what it was in 2002, and it is in fact a little bit higher than it was in 2000, according to the State Department and the Justice Department figures.

You heard from the Speaker that 90 percent of cocaine coming into the United States still comes from Colombia. It seems to me that there is a strong argument that says we need to reevaluate what is being done to see whether something needs to be changed,

and I would urge the committee to consider the possibility of a non-partisan commission that would include the various institutions to look at that issue, CICAD and UNDCP and experts both from the supply and transit countries, and the second would be to look at how you reduce demand here, and I would suggest you look at the National Academies of Science to explore that.

Colombia deserves continued United States support. It needs to be reformed and balanced. Thank you very much, Mr. Chairman. [The prepared statement of Mr. Schneider follows:]

PREPARED STATEMENT OF THE HONORABLE MARK SCHNEIDER, SENIOR VICE PRESIDENT, SPECIAL ADVISOR ON LATIN AMERICA, INTERNATIONAL CRISIS GROUP

I want to express my appreciation to Chairman Rep. Tom Lantos of the House Committee on Foreign Affairs, Chairman Rep. Eliot Engel of the Western Hemisphere Affairs Subcommittee and Ranking members Rep. Ileana Ros-Lehtinen and Rep. Dan Burton for the opportunity to offer testimony today on U.S. policy toward Colombia and the future of U.S. assistance toward Colombia.

The International Crisis Group is a non-governmental organization dedicated to the prevention of conflict, to its resolution when conflict already is underway, and to the sustaining of post conflict institutions in a democratic framework as an institutional bulwark against a recurrence of conflict and inevitably of human rights violations.

We have issued 16 reports on the civil conflict in Colombia over the past six years, on the factors driving the conflict, on the policies of the Colombian government and key international actors, including Plan Colombia. We strongly believe there is a need today to re-examine and change key elements of current policies—because Plan Colombia is failing to achieve many of its goals.

PLAN COLOMBIA

Plan Colombia is now nearly eight years old, if you date it from President Pastrana's announcement in 1999 of a proposed comprehensive plan to promote democracy in Colombia. U.S. support for Plan Colombia was signed into law in July 2000 as part of the FY2001 Foreign Operations appropriations bill with funds fully flowing in calendar year 2001. Since then the lion's share of aid has been directed to support Colombian police and military in combating drug trafficking.

With the election of President Alvaro Uribe and at the request of the new Uribe government, funds were authorized to be used for both counter narcotics and counter-insurgency objectives. Some \$5 billion now has spent for those purposes. For FY2008, the Administration is seeking another \$715 million, still with 80 per cent going to the police and military, when you add DOD funding. We consistently have argued for re-setting the balance between economic and military/police aid to a 50/50 balance.

I should add that the Crisis Group has never objected to U.S. economic and military support for the Government of Colombia so long as the latter was conditioned on breaking the links between the paramilitary and Colombian security forces, on respect for human rights by Colombian state forces, and on pursuit of a negotiated settlement to the conflict.

Recently the only area where negotiations appear to be seriously engaged is with the smaller leftwing guerilla group, the ELN (Spanish acronym for National Liberation Army). Those discussions in Cuba give at least some encouragement that agreement may be possible with this guerrilla movement, however small it now may be in military terms—buffeted by armed forces, paramilitary and now the target of the FARC as well. It would be to the advantage of all concerned to pursue these talks to a successful conclusion. Unfortunately the humanitarian exchange long pursued with the FARC appears stalemated and that failure underscores the limited hopes for progress on more substantive peace negotiations with them—although every opportunity should be explored. At some point, a negotiated solution is realistically the only viable solution to end the conflict in Colombia.

Our judgment, however, is that Plan Colombia's counter narcotics goals have not been achieved. The goal was to cut the hectares in half; instead as many hectares of coca are being cultivated today as in 2002 and Colombia still supplies some 90 per cent of all the cocaine coming into the U.S. Also, more of Colombia, 20 of 21 departments versus nine in 2002 are enmeshed in the violence of drug cultivation and counter drug activities. In fact, if you look at the Andean ridge—Colombia, Peru and Bolivia—there is barely a 10 per cent difference in the total area under cultiva-

tion going back to 1988—some 200,000 hectares—year-in and year-out. Unless more is done to reduce demand in the U.S., Europe and other consumer countries, U.S. counternarcotics programs are doomed to a Sisyphus-like existence.

Partial progress has been seen on the counter insurgency front with the Colombian military and police enlarged and strengthened. However the conflict continues and with it vast human suffering. The FARC (Spanish acronym for the leftwing Revolutionary Armed Forces of Colombia) military strategies have had to change, but they still have substantial capacity to operate in guerrilla fashion across wide areas of Colombia and there has not been sufficient priority aimed at reducing rural poverty or increasing state governance and development in rural indigenous and Afro-Colombian regions.

Despite the demobilization of some 32,000 paramilitary related individuals, thousands of those re-armed, newly armed or never disarmed paras still seek to control, and effectively do in some places such as Nariño department to the south-west or the Sierra Nevada to the north-east, swathes of Colombian territory, largely linked to drugs. The combination of pushing the FARC deeper into Colombia's mountains and jungles and the removal of many of the paramilitary from the battlefield has seen a reduction in homicides, kidnappings, and forced displacements. Colombia still remains among the world's leaders in each and, according to the latest UNHCHR report on Colombia released 5 March 2007, its armed forces continue to engage in extrajudicial executions and human rights abuses. The government points to steps it has taken to respond to these violations, but far more needs to be done.

Colombia's civil conflict has endured for more than four decades. Until recently, the three illegal armed groups; the rightwing paramilitary, the leftwing FARC and the National Liberation Army (ELN) were the key adversaries in that conflict. The latter two still battle the state and its security forces, and engage in violations of international humanitarian law. The former, the United Self-Defense Forces of Colombia (AUC) and its paramilitary leaders, most of whom demobilized as of last August, if anything have been guilty of the most ghastly atrocities, in their scorched earth conflict with the guerrillas and for control over drug trafficking. Their lingering networks and the re-armed, newly armed or never disarmed "re-paras," together still constitute a deadly threat to Colombian democracy itself.

"PARAPOLITICA" SCANDAL

It is precisely that threat which has embroiled the Uribe Administration in its most serious political crisis since President Uribe's first election in 2002 and shaken perhaps permanently his hopes that his second term, after a 62% re-election win a year ago, would be crisis-free.

Part of the reason for his political success is that Uribe made urban Colombians feel safer. When he was inaugurated in 2002, make-shift mortar-like rockets were fired at the celebration from working class areas in Bogotá by the FARC (Spanish acronym for the Revolutionary Armed Forces of Colombia). Ironically underscoring part of Colombia's reality, they exploded in the same poor neighborhoods, killing several civilians.

Those who suffer are virtually always the poor, particularly the rural poor from this conflict which supposedly began to bring them revolutionary change. Uribe has largely succeeded in pushing the FARC from the major cities and recently seeing reductions in homicides and kidnappings there, although Colombia still remains among the world's leaders in both categories. The reductions occurred nearly simultaneously to the demobilization of the paramilitary forces that now are being exposed as having a network of linkages to Colombia's political and military elite.

These recent disclosures of paramilitary financing of political campaigns, of a written 2001 political pact between paramilitary commanders and regional politicians, of joint military, police and paramilitary killings and disappearances, and of directed killings by paramilitary forces of labor leaders, human rights activities and others with intelligence supplied by the government's CIA/FBI-like internal security intelligence police known as the DAS (Spanish acronym for Administrative Security Department), have to raise enormous questions about the character of the U.S. aid relationship with Colombian security forces—and whether existing U.S. law is being upheld.

"What did he know" and "when did he know it" are the questions being asked in Colombia at this time of virtually every high-level official in relation to the "parapolitica" scandal. The *Los Angeles Times* reported last month in a report not disputed by the CIA, according to the paper, that the CIA had intelligence that the current head of the Colombian Army, General Mario Montoya and I quote, "and a paramilitary group jointly planned and conducted a military operation in 2002 to eliminate Marxist guerrillas from poor areas around Medellín . . . At least 14 peo-

ple were killed . . . dozens more disappeared. . .” Subsequently paramilitary forces under an AUC leader known as Don Berna (Diego Fernando Murillo) reportedly took control of those areas along with drug trafficking and other criminal operations. Don Berna, I might add, is in a Colombian jail; together with a number of other former paramilitary commanders; but the government has temporarily suspended the US government’s extradition request on drug trafficking charges, supposedly until the Justice and Peace trials have finished.

In recent weeks, President Uribe has been forced to accept the resignation of his foreign minister, and to watch as eight Senators and five Members of Congress from his or allied parties along with two governors, and his former campaign manager in Magdalena who he later named to head the DAS, have been suspended, charged, arrested or identified as under suspicion by the Attorney General’s office or the Supreme Court for links to the paramilitary. In addition at least three other members of congress are currently being investigated.

These paramilitary forces, along with the FARC and the ELN, have been designated as foreign terrorist organizations by the United States government. Together, they are responsible for a substantial amount if not a majority of the drug trafficking of cocaine into the U.S. and are responsible for massacres, kidnappings, assassinations forced displacement and land grabbing. Their direct actions, along with the military strategy of Colombia’s armed forces, have been responsible for the continuing displacement of nearly 3 million Colombians over the last two decades, more than 200,000 last year alone. (Colombian government officials report 201,623 displaced and the Colombian human rights NGO CODHES reported 219,886, with the differences related to the government only counting those who register as displaced.) Their situation remains a major humanitarian tragedy and the Colombian constitutional court continues to find the government to have failed in adequately protecting the rights of the displaced.

AID CONDITIONALITY

Congressionally imposed human rights conditions on the use of a portion of Plan Colombia funding for Colombia’s police and military require the dismantling, disarming and demobilization of the paramilitary. They also require the breaking of any links between the paramilitary and the armed forces and the prosecution of officials. And they require respect for human rights by the recipients of U.S. funding. It is particularly disturbing to note that the UNHCHR reported last year and again this year that extrajudicial executions by units of the security forces have increased. They cited the reports of more than one military unit killing individuals, at times in league with the paramilitary, then dressing them in FARC uniforms to raise the body count.

The investigations now underway by the Attorney General and the Supreme Court demonstrate important institutional strengths of the Colombian democratic system. Without a conclusion to those investigations, it is extremely difficult to understand the basis for the recent certification by the State Department that the Colombian government has met fully those human rights conditions on a portion of U.S. military assistance to Colombia.

I make that comment somewhat sadly because in many ways, the certification justification sent to the Congress was the best the Department has produced. For the first time, it included reference to the Colombian government’s failures to address human rights abuses brought to the Department’s attention in its consultations here and in Colombia with the NGO community. It referred to the rise in extrajudicial executions. With these recent findings by the UNHCHR, and still unresolved allegations against the head of the army and other high officials, the certification should have been delayed. Congressional committees have appropriately placed a hold on the release of the affected \$55.2 million until those questions have been clarified.

It is somewhat ironic that the Bush Administration has credited the Uribe Administration with the investigations and the disclosures concerning these paramilitary forces. It was not the executive branch which undertook the investigations. Instead it has been the independent Attorney General’s office (fiscal general), the human rights ombudsman (procurador general) and the Supreme Court which, along with Colombia’s press, uncovered the involvement of the DAS chief and are pursuing the “parapolitica” scandal only because Colombia’s constitutional court, over the objections of the Uribe government, put in stiff requirements that they confess before they received any judicial benefits. The executive branch has not been a proactive collaborator in the process, although President Uribe and other officials have stated publicly that the investigations should be pursued to their conclusion. President Uribe also has denied any personal complicity with the paramilitary.

JUSTICE AND PEACE LAW

Several of the investigations now also are being conducted in relation to the implementation of the Justice and Peace law (JPL), Law 975, signed into law on 25 July 2005, and the regulations imposed by the country's constitutional court. That legal framework essentially provided benefits in the form of reduced sentences to those who otherwise would be liable for stiff prison sentences in exchange for their disarming, demobilization and dismantling their forces and their being held somewhat accountable for their crimes. It is substantially more demanding than the original bill submitted by the Uribe government but still is likely to mean even less than the eight year maximum found in the law. The regulations also are substantially different from those initially proposed by the executive branch.

In each instance, the constitutional court has rejected many of the government's arguments and demanded key changes to reflect the rights of the victims and of society at large for some accountability.

Last month, the UN High Commissioner for Human Rights Louise Arbour, herself a former judge of the Canadian Supreme Court, summarized those changes which her office, the OAS Inter-American Commission on Human Rights, the Crisis Group, and other international and Colombian NGOs had urged. The constitutional court, her report noted, has required that "confession must be complete and truthful; the accused must declare, jointly or severally, all their legally or illegally acquired assets; and classification as a victim must be broader than that originally established in the law. However, with regard to the legal framework applicable to demobilization and reintegration, concerns persist regarding actual guarantees of the rights of the victims to truth, justice and reparation, the cumulative nature of penalties, and the determination of an alternative penalty. Effective implementation of the law would require greater resources and mechanisms that guaranteed the rights of victims."

An estimated 31,689 troops, according to the OAS Monitoring Mission, (MAPP), as of last August, have demobilized of which some 2695 are seeking to be prosecuted under the JPL. To handle these investigations the Attorney General's office has 20 prosecutorial teams, woefully shy of the numbers needed; a data base which is entirely inadequate; and minimal travel and support funds for investigating the veracity of the "confessions" of paramilitary seeking reduced sentences. In Santa Marta, where our Colombia analysts visited the justice and peace unit (JPU) of the Attorney General's office a few weeks ago, the JPU attorneys took down information from witnesses and victims but their data base does not permit them to cross-reference the information with the "confessions" they have received from the demobilized paramilitary. They have to do it by hand going through mountains of dossiers.

The demobilizations took place over the course of some 18 months (as shown in a chart which was in our report a year ago *Colombia: towards Peace and Justice*). Despite the obligations to abide by a ceasefire and not to engage in additional crimes, the paramilitary leadership, initially in a form of house arrest and then, following the revelation of continuing commission of murders (in the case of one paramilitary leader, Jorge 40, several hundred murders disclosed in his own computer) they were moved to a maximum security prison in Itagui near Medellin where they remain today. Trials or preparations for trials have only begun recently in Barranquilla and Medellin, involving Salvatore Mancuso, Ernesto Baez and Ramon Isaza and several less prominent commanders. Information is being published on those trials including names, alias of the demobilized paramilitary so that victims are informed and can attend trials.

The problem with the demobilization process includes the limited capacity on the part of the fiscal general to pursue those who have demobilized under previous law without seeking to get reduced sentences and to investigate and judge the veracity of the confessions of those who are seeking reduced sentences under JPL.

In addition, a serious problem includes what the OAS/MAPP described on February 14 as "violations to demobilization commitments" and noted "with concern" re-armed groups, non-demobilized holdouts and the appearance of other armed groups in the same areas previously controlled by the paramilitary. The OAS/MAPP stated it had "identified 22 units, with the participation of middle-ranking officers—demobilized or not—the recruitment of former paramilitary combatants and the control over illicit economic activity." Essentially the OAS is saying that some 22 armed gangs of approximately 3,000 members, part of whom belonged to paramilitary units, some run by mid-level commanders, are now controlling drug trafficking and other criminal activities. Government officials say they are combating these new phenomena actively with some 500 or so killed and others captured; however, the armed gangs appear to have grown substantially in recent months. In fact a high

Ministry of Defense official has now identified some illegal armed 24 groups with closer to 5000 troops.

Reinsertion:

Since the establishment of the High Counselor for Reintegration's (HCR) office on 9 September 2006, and the naming of respected businessman Frank Pearl, economic aid has been extended to all ex-combatants who have gone through the initial 18 months or who have for any reason quit the program and wish to return. Pearl has attempted to move away from reinsertion to longer reintegration but the challenges are nonetheless formidable. Income generation schemes have so far proven unsustainable. Only 26 per cent of demobilized fighters have either formal or informal employment; only 22 out of 152 productive projects managed by the High Commissioner for Peace office are considered viable; only 28 per cent of the collectively demobilized fighters have received psycho-social counseling, 46 per cent have access to basic health coverage, 23 per cent have had access to occupational training and only 10 per cent to higher education.

Victims and reparations:

However compared to what currently is available for the victims of the paramilitary the ex-combatants are doing extremely well. Virtually no funding has been made available to the National Commission for Reparation and Reconciliation (NCCR). The NCCR came into being as a way to assist victims of paramilitary violence and of the conflict itself. Its focus has been on discovering the truth and ultimately to make that available to Colombian society. It has available only the assets that have been confiscated or acquired from the paramilitary, and very little is yet available. At this point there is no coherent plan or fund to guarantee anything resembling adequate compensation to the vast victims including the displaced, restoring them to their lands or assuring that they have some new hope for the future. The NCCR has established regional commissions and a regional care network and is compiling a register of victims. But its work is just beginning.

Counter drugs initiatives:

Let me briefly raise some of my concerns with respect to the counter narcotics side of Plan Colombia. The policy goal was to cut in half coca cultivation in Colombia and to significantly reduce the flow of cocaine coming into the U.S. Those goals have not been achieved.

There have been four elements to the counter narcotics strategy for some time in Colombia and the Andes: aerial or manual eradication (voluntary or enforced) of hectares under cultivation; interdiction on land, river, water and air of the coca leaf, paste and cocaine shipments; law enforcement efforts to identify and arrest those engaged in trafficking or elements linked to that process such as money laundering; and alternative development designed to provide alternative economic support for the campesinos enticed or forced into coca cultivation. I should add one complementary goal was to reduce the flow of funds into the coffers of the FARC and other illegal armed groups. It probably has had some minimal effect in that regard because it has forced the FARC to pay, threaten or coerce a larger group of farmers to grow coca, knowing that a substantial portion will be eradicated or interdicted. It has made it more expensive for the FARC, paramilitary and other traffickers to get the same production.

First, Plan Colombia has funded each year a rising level of eradication of hectares of coca, largely through aerial spraying in Colombia. However, at the end of the spraying, there is no difference between the number of hectares of coca harvested in 2005 (and reportedly in 2006 as well) and the number of hectares of coca harvested in 2002, according to the U.S. In both cases, some 144,000 hectares of coca were harvested.

The U.S. government states that the reason we see the higher number of hectares is because the satellite coverage is covering a larger part of Colombia. Perhaps. But if so, then the earlier reports also were faulty. And the UNODC reports also show similar percentage increases from 2004 to 2005 and likely in 2006 as well although they use a system different from the U.S. in measuring cultivation.

There is a strong view that the increase in the cultivated areas and the presence new coca fields is due to high mobility of coca cultivation in Colombia. Illicit crops continue to proliferate in Nariño, Putumayo, Meta, Guaviare, Vichada, Caquetá and Antioquia departments, regions that have been sprayed for years. And coca cultivation now extends virtually throughout the country.

After initial success with aerial spraying and reduction of hectares of coca cultivated areas, the coca growers have adapted to this new environment by reducing the size of their fields and by cultivating coca inside yucca, banana and other staples plantations. Now they present a more difficult target for aerial spraying while

yield per hectare has also increased due to intensive cultivation and the use of fertilizers. Aerial spraying also has environmental issues and too often indiscriminately hits food crops or neighboring lands where farmers have opted against coca cultivation. Finally, it has raised serious concerns with Ecuador and made it more difficult to obtain the kind of bi-national cooperation against trafficking which is essential.

Second, the amount of cocaine estimated to be produced was actually slightly higher in Colombia in 2005, some 640 metric tons versus 580 metric tons in 2002, according to the UN. The State Department estimates according to the Crime and Narcotics Center in the National Drug Threat assessment in 2007 show again a bare 10 per cent difference, although it is 2005 at 545 metric tons which is slightly lower than the 585 metric tons produced in 2002.

Third, while there is no question that there were some significant non-police/military benefits in the Plan Colombia funding, including strengthening the Attorney General's office and support for human rights and alternative development, the reality is that a bare 20 per cent of the funds was available for those purposes. If there is really going to be an alternative to drug cultivation in Colombia and in the Andes, there needs to be a major joint investment by the countries and by the U.S. and other donors and the international financial institutions in reducing rural poverty. The rural infrastructure of electricity, water, sanitation, roads and government social services remains vastly under funded.

Finally, the need to strengthen law enforcement and interdiction, particularly in the transit countries is clear. At the recent drug summit in the Dominican Republic, the Presidents of the Dominican Republic and Haiti were quite unhappy at the lack of support from the U.S. on interdiction citing reduction of air cover of some 62 per cent in the Caribbean between Colombia and Venezuela and one-third reduction in Coast Guard and naval coverage, apparently stemming from the competing demands of Iraq. The situation in Central America apparently is equally disturbing with Guatemala now barely keeping its head above ground in the fight against the influence of drug traffickers.

Proposed changes in U.S. assistance:

- A ceiling of no more than 50 per cent of U.S. funding for Colombia from all sources to the police and military with at least 50 per cent going to the "other" equally important side of security—justice, human rights, rural development, rural governance, micro credit, environmental assistance, and support to indigenous and Afro-Colombian particularly in poverty reduction activities.
- With respect to existing human rights conditionality, expand the targets of concern to specifically include rearmed paramilitary, new paramilitary groups and new illegal armed groups. Insure that judgments as to the adequacy of Colombia military and civilian government cooperation with efforts to prosecute complicit officials should include direct consultation with the Attorney General and the Supreme Court of Colombia.
- To the Attorney General's office provide \$30 m. with \$10 m. specifically aimed at multiplying and reinforcing the justice and peace unit prosecutorial teams charged with the paramilitary investigation, \$5 m. for its human rights unit, and a combined \$5 m. victim and witness protection program.
- Similarly there needs to be much stronger support for the public attorney for human rights (procuraduria general) and the ombudsman (defensoria del pueblo), perhaps \$10 m. aimed at protecting human rights activities and protecting the communities at risk. Separate funding should continue to support Colombian human rights NGOs and the organizations of victims.
- With respect to human rights as well the Congress should clearly support the extension of the UNHCHR mandate for the full term of the Uribe government with full responsibility to report, analyze, and make recommends for the improvement of human rights conditions. Last year, it only received a bare one year extension after the Uribe administration sought to limit its mandate. President Uribe told the Secretary General a few weeks ago in New York that he would agree to the continued work of the UNHCHR office to 2010. The U.S. also should support the rapid implementation of the National Action Plan for Human Rights and International Humanitarian law.
- Reverse the funding cut for the displaced (\$25m to 21 m in the '08 budget) by increasing that program to \$35 m.—recognizing that they are among the most vulnerable of the victims of the conflict, and targeting more funding on the indigenous and Afro-Colombians.

- While maintaining the support to alternative development as part of the counter narcotics strategy but expand into a national sustainable rural development strategy in which up to \$100 m. will be available for the broad range of participatory rural development activities including infrastructure investment in electricity, water, farm to market roads, sanitation as well as social services along with local governance and citizen safety. These activities in rural Colombia can demonstrate an alternative to drug cultivation and an integrated governance/development option for communities when the FARC or AUC are removed. This program should be matched by Colombian government investment and the World Bank, EU and Inter-American Development bank should be encouraged to participate.
- With respect to demobilization, continue support for the OAS MAPP but emphasize the need to improve its capacity for independent verification of the dismantlement of the financial, criminal and armed structures of the paramilitary with an invitation to the IACHR to assess the judicial proceedings and the adequacy of participation of the victims and the cooperation of the executive with the Attorney General and Supreme Court investigations.
- Finally with respect to counter-narcotics, finance two bi-partisan comprehensive review commissions of counter drug policy. The first would be an international review of the supply side of counternarcotics policy in the Andean region in concert with CICAD, UNDCP, and both supply and transit countries. The second would examine what other consumer countries are doing to reduce demand and bring together the national academies of sciences, particularly with its institute of medicine, to bring together both the expertise of health and social sciences to determine how to further explore the most effective demand reduction strategies.
- Initially, consider initially a much greater shift away from aerial to manual eradication linked to alternative development, expand substantially support for interdiction including river, maritime and ground and using DOD counter-narcotics funding restore greater interdiction capacity between Colombia and Venezuela and the Caribbean islands, starting with the placement of at least two DEA Blackhawk helicopters permanently in Haiti to work with MINUSTAH and the Haiti National Police to intercept drug traffickers. Additional attention and resources are needed as well with respect to the D.R. and Eastern Caribbean countries, and in Central America.

Thank you for this opportunity to testify before the Committee.

Mr. ENGEL. Thank you. Ms. McFarland.

**STATEMENT OF MARIA MCFARLAND SÁNCHEZ-MORENO, ESQ.,
PRINCIPAL RESEARCHER AND SPECIALIST ON COLOMBIA,
HUMAN RIGHTS WATCH**

Ms. MCFARLAND. Thank you, Mr. Chairman, members of the committee. I am honored to appear before you today, and thank you for the invitation. I will be summarizing my written testimony which I have submitted for the record. I just returned from a trip to Colombia which I visit several times a year, and on this trip I met with several high level officials, prosecutors, judges, NGOs. What I would like to stress and what I heard repeatedly is that today Colombia's democracy is facing a very grave threat in the form of drug running paramilitary groups exercising direct influence at some of the highest levels of government.

Eight Congressmen from President Uribe's coalition are under arrest for their alleged ties to paramilitaries. One is the brother of the former foreign minister who resigned as a result of the scandal. Their father, as well as nearly 20 other current and former Congressmen is also under investigation.

President Uribe's former intelligence chief from 2002 to 2005, Jorge Noguera, has come under prosecution for allegedly giving paramilitaries the names of trade unionists who were later killed.

The allegations are serious enough the U.S. has revoked Mr. Noguera's visa.

President Uribe initially responded to these allegations by attacking the media and defending Mr. Noguera. But as they have mounted, he has tried to take credit for the revelations by portraying them as a result of his own paramilitary demobilization program. This spin has no basis in fact. All of the revelations involving parapolitics resulted from independent, judicial and press inquiries and not as part of the demobilization program.

In fact, while a genuine demobilization is certainly a desirable goal, the program being implemented in Colombia is more image than substance. Over 30,000 individuals have gone through demobilization ceremonies but the government has done little to find out who they were or what they knew. I personally have interviewed many of these demobilized individuals and found out that they knew a great deal about their groups' operations, their drug labs, their abuses but the government never asked them for this valuable information, instead granting them pardons for their membership in the group.

Since then the government has lost track of several thousand of them. Both the organization of American States and the United Nations have reported that thousands of paramilitaries continue to operate, and that mid level commanders are recruiting new troops. Paramilitaries continue to threaten and kill civilians.

Mrs. Yolanda Izquierdo, who the chairman mentioned earlier for example, who led a group of 700 victims who wanted paramilitaries to return the land that they had stolen was gunned down in February after repeated threats on her life which the government never addressed. Judith Correa, a human rights defender who denounced the paramilitary violence in Malena was shot just yesterday.

Several paramilitary leaders are in prisons awaiting reduced sentences under the demobilization program yet the minister of interior has told me that they have unrestricted access to cell phones through which they presumably continue to communicate with their mafias. Many of these commanders are wanted in the U.S. for drug trafficking but President Uribe has suspended the orders for their extradition.

I would point out here that the Colombian Government has extradited over 500 individuals to the United States during the Uribe administration but none of them are paramilitary commanders. That has been the exception.

After serving reduced sentences, probably on farms, of as little as 3 years for all their crimes including drug trafficking, these commanders will be free and they will be protected from extradition thanks to the principle of double jeopardy. Once they have served the time in Colombia for the crime, they cannot be extradited. Paramilitary leaders are among Colombia's biggest drug kingpins but the Colombian Government has yet to do much to press them to turn over their illegal wealth or the land that they took from Afro-Colombians and many other groups.

Last year Colombia's Constitutional Court ruled that paramilitaries who wanted reduced sentences would have to confess their crimes, and the prosecutors would have to investigate them but the

government has assigned only 20 prosecutors to investigate over 5,000 paramilitaries and address the complaints of more than 50,000 victims. Meanwhile Vice President Santos recently said that the government would consider offering the politicians who collaborated with paramilitaries alternative sentences or different sentences which in Colombia is a code word for impunity.

I want to be clear. The Human Rights Watch wants the United States to help Colombia. We have never reflexively opposed Plan Colombia so long as military aid was tied to human rights conditions, and on side note the number of executions of civilians by the military has been skyrocketing in recent years, a fact that underscores the continuing importance of enforcing those conditions.

But the best way for the United States to help Colombia now is by using its leverage to focus the Uribe government on meeting the paramilitary threat to its democracy, including by holding accountable paramilitary's political and financial backers, seizing commanders' illegal assets, and extraditing those who commit new crimes or fail to confess and turn over their illegal assets.

The U.S. should make it clear that what is at stake here is not only financial assistance but also ratification of the free trade agreement. Before rewarding Colombia with the prize it seeks the most, the United States should insist that it show verifiable results in the investigations of the thousands of unsolved killings of trade unionists, and that it reduce anti-union violence by taking apart paramilitary mafias.

Finally, the United States can help Colombia by increasing its assistance to the Colombian civilian population, including displaced people, Afro-Colombians, and victims of armed groups who are now seeking reparation. It should also substantially increase its assistance to the prosecutors and judges who with great courage and very limited resources are trying to break paramilitaries' hold on power. Thank you very much.

[The prepared statement of Ms. McFarland follows:]

PREPARED STATEMENT OF MARIA MCFARLAND SÁNCHEZ-MORENO, ESQ., PRINCIPAL RESEARCHER AND SPECIALIST ON COLOMBIA, HUMAN RIGHTS WATCH

DEMOCRACY, HUMAN RIGHTS, AND US POLICY TOWARDS COLOMBIA

Mr. Chairman, members of the Committee:

I am honored to appear before you today. Thank you for your invitation to address the human rights situation in Colombia and discuss U.S. policy towards that country.

Our Americas Director, Jose Miguel Vivanco, would have liked to be here. However, he had previously committed to participate, alongside Vaclav Havel and former Chilean President Ricardo Lagos, in a meeting on Cuba being held in Germany this week and he could not cancel. He asked me to convey his appreciation for your invitation to speak.

The United States is the single most influential international actor in Colombia. It provides by far the largest amount of international assistance to that country. As a result, the positions that the United States government takes on Colombia can shape the policies of the Colombian government to a significant extent.

Used wisely, this influence can be very positive. By supporting the right actors and policies, the United States can help Colombia strengthen the rule of law and democracy, and protect human rights, making Colombia a safer, more prosperous country over the long term. The Colombian people desperately need friends in their struggle to reach these goals, and we believe the United States can be such a friend.

COLOMBIA'S HUMAN RIGHTS CRISIS

Today, Colombia presents the worst human rights and humanitarian crisis in the Western Hemisphere. For four decades, ordinary Colombians have borne the brunt of a brutal conflict involving leftwing guerrillas, rightwing paramilitary groups, and the Colombian military. Trade unionists, human rights defenders, journalists, and other vulnerable groups continue to be targeted by armed groups for their legitimate work. Thousands of child combatants fight in the ranks of guerrillas and paramilitary groups. At over 2 million, Colombia's population of internally displaced persons is larger than Iraq's. Extrajudicial executions of civilians by the Colombian military are on the rise.

Colombia is currently the murder capital of the world for trade unionists. Those who are not killed are often threatened, attacked or kidnapped. The government says 58 unionists were murdered in Colombia in 2006, up from 40 the year before. Labor rights groups report even higher totals: 72 killed in 2006 up from 70 the year before. These killings are not random casualties of Colombia's conflict, as the Colombian government claims. Trade unionists are especially targeted when exercising their rights to organize and bargain collectively. Often, their killers have been paramilitaries.

The overwhelming majority of human rights abuses in Colombia are never fully investigated, prosecuted or punished.

THE PARAMILITARY PROBLEM

Meanwhile, Colombian democracy is now facing a grave threat—perhaps the most serious it has ever faced—in the form of drug running paramilitary groups exercising direct influence at some of the highest levels of government.

Colombia's paramilitary groups got their start over two decades ago, as death squads formed by drug traffickers and wealthy landowners to defend their interests from guerrillas or other competing groups. Over time, paramilitaries became the worst human rights abusers in Colombia, even surpassing the guerrillas in their brutality. Throughout the 1990s, paramilitaries took over large areas of Colombia not just by combating guerrillas, but by massacring defenseless civilians, killing anyone who opposed their rule, displacing peasants and taking their land, killing or bribing public officials, rigging elections in favor of their favorite candidates, and generally spreading terror throughout the country.

Paramilitaries were aided by important segments of the Colombian military that tolerated and, in some cases, openly collaborated with paramilitaries. For years, Human Rights Watch has documented and reported on the links between paramilitary groups and Colombian military units throughout the country.

More recently, it has become increasingly clear that paramilitaries' power has spread far beyond the military. Paramilitary commanders have claimed publicly that they control 35% of the Colombian Congress. That claim is consistent with the findings of academic studies of voting patterns in the 2002 and 2006 elections as well as the evidence that is now turning up in investigations by the Colombian Supreme Court and Attorney General's office.

Since October of last year, the Supreme Court has ordered the arrest of nine congresspersons from President Uribe's coalition for their alleged paramilitary ties. One of the congressmen under arrest is the brother of former Foreign Minister Maria Consuelo Araujo, who was forced to resign as a result of the scandal. Their father is also under investigation for his alleged role in the kidnapping of an opposing politician and is today a fugitive, evading an international arrest warrant. Nearly 20 other current and former congressmen are under investigation on similar charges, as are numerous state and local officials.

President Uribe's close friend and former intelligence chief from 2002–2005, Jorge Noguera, has also come under prosecution for allegedly providing paramilitaries with names of trade unionists who were later killed.

The Uribe administration's response to the allegations has been a mixture of defensiveness and spin. When Colombia's leading newsmagazine and other media first published the allegations, President Uribe's response was to attack the publications, calling them malicious and dishonest, and accusing them of harming democracy. As the scandals mounted, the Colombian government later changed its public position on the issue, and has tried to spin the revelations as the result of its own paramilitary demobilization process.

But this spin has no basis in fact. None of these revelations emerged from President Uribe's paramilitary demobilization program; all resulted from independent judicial and press investigations which are not based on information provided by demobilized paramilitaries.

THE DEMOBILIZATION PROCESS

The paramilitary demobilization process is not the great success that the Colombian government makes it out to be. It is more image than substance, more about making concessions to paramilitary commanders, than ensuring that paramilitaries' criminal networks disappear.

The Colombian government today claims that it has achieved the demobilization of over 30,000 paramilitaries, and that paramilitaries no longer exist. The State Department has uncritically repeated these claims. I would strongly caution members of the Committee not to do so.

It is true that over 30,000 individuals went through demobilization ceremonies in which they pledged not to resume paramilitary activities. But it is far from clear who these individuals were. Some may not have been paramilitaries at all, but young men who were paid to play the role for the purpose of the ceremony. The vast majority has not been required to confess or turn over illegal assets, and they have never been interrogated in any depth. I have personally interviewed many demobilized paramilitaries who had a great deal of information about the group's drug labs, coca crops, and organizational structure, and admitted having participated in massacres and other abuses. But the government had never asked for this information. Since then, the Colombian government has lost track of several thousand of these supposedly demobilized troops: it has no idea where they are or what they are doing.

Meanwhile, both the Organization of American States and the Office of the UN High Commissioner for Human Rights in Colombia have reported that mid-level paramilitary commanders continue to engage in criminal activity and recruitment of new troops. In recent weeks we have received numerous credible reports about the activity of paramilitary groups in the Nariño region. These groups are reportedly fighting guerrillas over control of drug corridors and displacing thousands of defenseless civilians in the process.

Paramilitaries continue to threaten and kill civilians, including human rights defenders and others who are willing to bear witness to their crimes. Mrs. Yolanda Izquierdo, for example, a mother of five who led a group of 700 paramilitary victims who were demanding the return of land paramilitaries stole from them, requested government protection after receiving repeated threats on her life. The protection was never provided. In February, 2007, she was shot to death in front of her house.

Paramilitaries have yet to turn over more than a small fraction of their wealth. Their leaders are among Colombia's biggest drug kingpins, but the government has yet to take forceful steps to trace their illegally acquired assets.

The Colombian government claims that 54 of the paramilitaries' main leaders are in prisons awaiting trial. Yet according to recent news reports, only 17 of those 54 are actually paramilitary leaders, while the rest are the leaders' bodyguards. The Ministry of Interior has also confirmed that these commanders have unrestricted access to cell phones and internet, through which they can continue communicating with their mafias. Under the Colombian government's Justice and Peace Law, those commanders will be able to serve very short sentences of, in practice, as little as 3 years for the totality of their crimes, including drug trafficking and human rights abuses.

Many of these commanders are wanted in the United States for drug trafficking. But President Uribe has suspended orders for their extradition. He promised the US Congress that he would reinstate the orders for commanders who stopped participating in the process in good faith. But when evidence turned up last year linking the paramilitary commander known as "Jorge 40" to several hundred assassinations in the last two years, including dozens that reportedly happened after his supposed demobilization, the government said nothing. Jorge 40 remains in Colombia, enjoying the special privileges the government is granting demobilized paramilitary commanders.

It is only thanks to a ruling by the Constitutional Court last year that the demobilization process has even the slightest chance of yielding some progress in investigations and dismantlement of paramilitaries' mafia-like organizations. Recognizing the severe shortcomings of the demobilization law, the court ruled that demobilizing paramilitaries would be required to confess their crimes, and that prosecutors must have an opportunity to investigate them.

Unfortunately, however, the Justice and Peace Unit of the Attorney General's office has been forced to operate without the personnel it needs to fulfill this extremely important function. Currently it has only 20 prosecutors assigned to investigate the 2,696 paramilitaries who are seeking reduced sentences under the Justice and Peace Law.

Mr. Chairman, everyone recognizes that there will be some trade-off in Colombia between justice and peace. We can accept, albeit reluctantly, an outcome in which paramilitary leaders who are responsible for the murders of thousands of innocent people and the trafficking of deadly drugs to the United States spend only a few years in prison for their crimes. But if the Colombian government is going to make that enormous concession, it had better ensure that the paramilitary organizations these men command end their crimes and truly cease to exist.

The Colombian government's current approach is likely to produce a very different outcome: The paramilitary leaders could easily gain permanent legal protection from prosecution and extradition for the crimes they have committed without giving up their assets, their troops, and their way of life. A few years from now, it will be even harder to deal with this threat. The stakes, therefore, are incredibly high for Colombian democracy.

The Colombian government is, today, under significant pressure from paramilitaries and their backers who want the government to continue making concessions to them. Vice President Santos recently said that the government would consider offering the politicians who are under investigation "different" or "alternative" sentences for their crimes. If the Colombian government continues caving into the demands of paramilitaries and their associates, it will do immeasurable long-term damage to its own country, strengthening these mafias.

THE ROLE OF THE UNITED STATES

U.S. policy towards Colombia in recent years has consisted of providing support to a government that has shown itself to be unwilling to confront or hold accountable paramilitaries responsible for widespread human rights crimes and illegal drug trafficking. True, the U.S. government has taken some positive steps, such as revoking the visa of Jorge Noguera. And during his recent visit to Colombia, President Bush called for independent judicial investigations of the paramilitary links to politicians. But as a rule, U.S. officials have praised the Colombian government while turning a blind eye to the actions it has taken that undermine both countries' common interests.

I want to be clear that Human Rights Watch wants the United States to be engaged in Colombia. We have never reflexively opposed Plan Colombia, including its military aid components, so long as such military assistance was tied to human rights conditions. We look forward to the day when the United States can work in partnership with Colombian military and police forces to protect the Colombian people from lawlessness and violence, whether from rebels on the left or paramilitaries on the right.

But U.S. assistance can only be effective if the Colombian government is itself fully dedicated to that task, and free from the influence of forces that seek to divert it.

That's why we believe that the best way for the United States to help Colombia is by using its leverage to focus the Uribe government on taking concrete and effective actions to meet the paramilitary threat to democracy and the rule of law. Such actions should include, at a minimum:

- breaking paramilitary commanders' links to their groups by restricting their communications, including taking away their cell phones;
- extraditing paramilitary commanders who are wanted in the United States and have continued committing crimes after their demobilization;
- seizing paramilitaries' illegal assets;
- substantially increasing the number of prosecutors charged with investigating paramilitary groups, as well as the resources assigned to them;
- unequivocally committing itself to full investigation and appropriate punishment of paramilitaries' collaborators in the political system and military, without exception;
- establishing an effective victim and witness protection program.
- inviting the Organization of American States to monitor the upcoming 2007 elections, including pre-electoral activities, threats against candidates, and campaign financing by illegal armed groups.

The United States should make it clear to the Colombian government that what is at stake here is not only US financial assistance, but also ratification of the US-Colombia Free Trade Agreement. We have nothing against such an agreement in principle. But before rewarding Colombia with the prize it seeks most, the United States should ask it to meet some basic conditions. Given Colombia's record, it is not unreasonable for the United States to insist that Colombia show verifiable re-

sults in investigations of killings of trade unionists, and reduce anti-union violence by truly taking apart paramilitary mafias.

Finally, the United States can help Colombia by increasing its assistance to Colombia's civilian population, including displaced persons, human rights defenders, and other victims of armed groups. It should also consider substantially increasing its funding for institutions, like the Attorney General's office, the Supreme Court and Constitutional Court, and the Inspector General's office, that have shown the will to confront paramilitaries. The people working in these institutions are ordinary prosecutors and judges who, with great courage and few resources, are doing extremely difficult jobs. They deserve far more recognition and support from the United States than they have received to date.

Mr. ENGEL. Thank you. Mr. Charles.

**STATEMENT OF THE HONORABLE ROBERT CHARLES,
PRESIDENT, THE CHARLES GROUP, LLC**

Mr. CHARLES. Yes, sir. Thank you. This is the exciting time of the day. I always speak truth to power so I am going to give it to you exactly as I believe it is, and I look forward to questions, and I will tell you that having heard every member speak so far, I agree with virtually every single one in terms of their commitment to this effort. I want to thank you for inviting me, and start out with a few introductory remarks that are summary, and ask if my remarks could be put into the record in full.

Mr. ENGEL. Without objection everyone's remarks will be put in the record in full. So summarizing would be very much appreciated.

Mr. CHARLES. Thank you. Fifteen years ago Colombia was a footnote in American foreign policy. Today the country is in my view at the very center of our hemisphere's compass rose, not just geographically but politically and economically. A lot of that has already been discussed today, and I think it is a great credit to this body, to the United States Congress and to the leadership over the last 6 or 7 years that it has really gotten to the point that people recognize the magnitude of Colombia in our future.

For reasons, however, that are easier to overlook than to explain, Colombia's future will directly affect our own future and is already doing that. There is just no question about it. Colombia's struggles with internal security, regional terrorism which is exportable, narcotics, economic development, civil/military relations, democratic governance, adherence to the rule of law, and human rights in one way or another already do affect most Americans, even if they do not know it, and a lot of that has been brought out starting with the Speaker, the former Speaker earlier today who I want to say was truly a dynamo in starting this process, a very risky process 6 or 7 years ago, and I started working with him 10, 12 years ago.

The future will magnify our connections to Colombia, and that is why we are all engaged. I will jump ahead a little bit and just say you have heard a lot of the theory behind which we got involved. One thing that has not been stressed but I think is well worth noting is that this was always a bipartisan effort. From the very outset you had people like Senators Feinstein and you probably had four or five primary Democratic Senators together with four or five primary Republican Senators, and the same thing on the House side, pushing this forward.

Some people with great enthusiasm, others with reluctance, but understanding the magnitude, and I think we cannot lose that con-

We have got to keep our eye on that ball because this is going to be bigger in the future. By the way, this whole plan was crafted—and I think it is fascinating to think about this—prior to 9/11 yet it has a very significant counterterrorism component that has probably protected this country and others in the hemisphere to a degree that we do not yet know. The intelligence sharing, a lot of the components that are central to this are actually not all counter-narcotics related.

A couple of the metrics. I am a big fan of John Locke, and I am going to start out—John Locke was never big on metrics but the bottom line is John Locke said people will mix their labor with the land, in his second treatise, if you give them a secure environment to do so. Now, all over the world today we see the opposite of that and we see that. We see that if you can push security forward and give everybody from an indigenous peoples to the USAID the freedom to be able to do what they want to do and can do in that country, you can teach a man to fish. You can ultimately turn things around.

In the early 1990s you see turnarounds in Peru. You see turnarounds in El Salvador. You see an upliftment in places like St. Kits that an American would not set foot on prior to security putting things right. A whole bunch of other examples. When I was at INL we did the same thing in places like Liberia, Kosovo. Sierra Leone. This is a principle that is timeless. Security will go hand-in-hand and must go hand-in-hand with actual economic development over time.

So what are the metrics? The things that you need to look at? Well you have heard a lot of them but I am going to review the ones that I think are at the top. The only metric in Plan Colombia when we crafted it starting about 10 years ago with people like Chairman Burton and others who were pushing this forward, the only metric was a 50 percent reduction coca in the country. That is the only statutory metric that was there. It turns out that we have actually opened what I will call a Pandora's box. We have been able to achieve lots of metrics we did not think we could achieve at the time. We did not dare because people were putting a lot of, what seemed like a lot of money behind this.

We had a better than 50 percent reduction over the first 5 years in coca. That is U.N., that is United States, and that is Colombian numbers. We had a 58 percent reduction in heroin poppy cultivation. It is actually higher today than it was during my tenure. We have seen the beginnings of what we always hoped for which was a decline in the actual purity levels. Price and purity are the economic indicators that originally animated all of this.

We have seen a 27 percent reduction in heroin purities between 2000 and 2005, 15 percent reduction in cocaine purity in 2005, and another 9 percent in 2006. That took a long time to happen, and a lot of said, hey why is it not happening sooner? The point is, it is beginning to happen, and that has a direct effect on us.

I am frankly scared silly about the possibilities of terrorism being projected from south of us north. I will not go into that right here but I will just tell you it is something to be deeply concerned about, and it is not related specifically to Venezuela or to Bolivia. I will tell you the other metrics, and you have heard them all. I am not

going to blow through them with my time out but I am going to tell you that homicides are way down. Way beyond what we thought. Better than half a drop. Dropped less than half of them occurring from what happened in 2002.

The same thing is true on kidnappings. Actually it is even bigger in kidnappings. Terrorist events are down to a fourth of what they were just 5 years ago and economic investment—and that is the whole notion—the notion that they can be taught to fish. That we will as an ally, as a people who believe in this ally and this other country, that we will help them get where they need to be on their own. What a remarkable indicator this is. They are up in the third quarter of 2006. They had a better than 7 percent growth rate. They were down in the 1.5 percent about 6 years ago.

We are doing—and I say we but really it is not we. It is you. It is the United States Congress that led this effort, and that was Republicans and Democrats, and my pitch to you is do not give up the ship. You have taken this well into where we need to be. Colombia is a radiating engine of good in this hemisphere, and if you need to change the numbers, the wrong question is what the percentage mix is. That is the wrong question. The right question is how much does it take to do the job?

And I will tell you. You probably ought to double the social spending and keep the security spending at about what it is. I say that to you because now I can say that. I could not say that when I was in the government but I can tell you that is what it needs, and if you want percentages and what kind of money, my last thought and then I will drop my microphone here, but you hear lots and lots of people saying hey that is too much money. Seven hundred million dollars for this program.

All these benefits we get from this program and we get lots of indirect benefits but what is the comparative dollar figure? In fiscal year 2006, all of the Plan Colombia programs paid for averaged out to about \$2.54 per American. The cost of a Starbucks cappuccino. Okay. By comparison we spent \$8 a year on bubble gum. Okay. Plan Colombia is $\frac{1}{10}$ of 1 percent of the HHS budget.

Every hour HHS spends \$79,680,000. In a 6½-hour hearing—and I sure hope that will not be this one—HHS would have spent the equivalent of our entire assistance to Plan Colombia. I have got a lot of other ones for you, and I will put them in the record.

The bottom line is this is a win-win. The Colombians have done what they needed to do. President Uribe is one of the bravest people I have ever met. The last time I met him he confirmed that he had 18 assassination attacks on him, and they had gone after his kids the night before. He gets up every morning committed to this effort. We need to support him.

[The prepared statement of Mr. Charles follows:]

PREPARED STATEMENT OF THE HONORABLE ROBERT CHARLES, PRESIDENT, THE
CHARLES GROUP, LLC

WHY ALL AMERICANS SHOULD SUPPORT PLAN COLOMBIA

Good Morning. I want to thank members of the subcommittee for inviting me to testify today on America's current and future relationship with Colombia, including achievements to date and challenges ahead.

Let me also say, I have read the writings of my colleagues on this panel, and am also aware of the sincere commitment by many on this subcommittee to Colombia.

Fifteen years ago, Colombia was a footnote in American foreign policy. Today, that country is at the center of our hemisphere's compass rose, not just geographically, but politically and economically.

For reasons easier to overlook than to explain, Colombia's future will directly affect our future. There is no question about that. Colombia's struggle with internal security, regional terrorism, narcotics, economic development, civil-military relations, democratic governance, adherence to rule of law, and human rights—in one way or another—do already affect us. Progress—or lack of progress—in each of those categories will affect us greatly in the future.

That is why we are engaged. What is happening in Colombia, for better and worse, is felt in America, from New York to California, Massachusetts to Florida, Indiana to Arizona. America's commitment—and this Congress' uncompromising commitment—to that South American nation is truly important.

That is why, even before the events of 9–11, Democrats and Republicans put aside differences in foreign and domestic policy to focus, together, on establishing a meaningful trajectory for economic and security improvement in Colombia and the Andean Region. Our shorthand, of course, was calling the policy "Plan Colombia."

While Colombia seems far away, and explaining its relevance takes time, that time is well spent. At different points in the past decade and a half, I have worked directly with Democratic and Republican members on this committee, testified before you, organized hearings on Plan Colombia, worked and re-worked the legislative language, and traveled with you to the region. I know there is a depth of knowledge on this committee.

Accordingly, I want to limit my testimony today. I want to offer you confirmation for the theory behind Plan Colombia, on both the security and development sides of the ledger. I want to offer you new and compelling facts. And I want to offer you thoughts for innovation.

The theory first—Former Speaker J. Dennis Hastert, for whom I once worked, President Clinton, Former Drug Czar and General Barry McCaffery and a remarkable collection of bipartisan leaders in both the House and Senate, including majority and minority members with foreign policy savvy, teamed in the late 1990s to tackle a vexing, previously ignored, but rising international tragedy. Colombia was becoming the hub of interwoven terrorist and narcotics trafficking activities that, by wide consensus, threatened stability, democracy and economic progress across the region.

The potential for both implosion and explosion was considerable. That is, the potential for expanded civil war within Colombia's borders and the export of everything from increased narcotics to displaced persons, from terrorist activities and organizations to arms trafficking, from skyrocketing homicide and kidnapping rates to loss of control over local governments, from massacres of indigenous peoples and trade unionists to basic flight of capital and vanishing jobs was very real.

No one disagreed about the need for economic development, the need to train army and police officials in human rights, or the need to provide sustainable, baseline security across the country.

Assisting Colombians with a will to secure their country meant providing Colombians with the tools for sustainable security. In a country with few roads outside major population centers, vast tracts of ungoverned jungle, and too few trained and equipped security forces, that necessarily meant—and still means—providing helicopters and firearms together with the know-how for using these security and measures that allow both US monitoring and accountability.

That twin commitment to security and economic progress has also meant building and protecting police stations, courthouses and prisons, establishing and supporting educational and social programs from soup to nuts.

Finally, from the beginning, this effort to secure a longstanding democracy, gripped by the specter of rising drug-funded terrorism, required a full commitment to deter industrial-sized drug trafficking organizations, apprehend their leadership, institutionalize non-existent extradition protocols, and begin the long climb to reversing what the so-called narco-terrorist threat to the region.

Starting down the path toward credible deterrence meant tackling cultivation, production and shipment of cocaine and heroin. By the numbers, the stated counter-narcotics aim of Plan Colombia was to deter cultivation by 50 percent within five years, thus putting in train a chance to increase security, renew economic growth, reduce overall violence, and seed the rule of law. A high-tech crop eradication effort, which has required deployment of fixed-wing spray planes on computerized grids of coca and heroin poppy, was paired with a commitment to sustainable alternative development. To intercept more of what was produced by narcotics trafficking groups, interdiction was reaffirmed as a priority in the Eastern Pacific and Caribbean.

To be clear, the champions of this comprehensive effort to improve regional security, reduce terrorism, cut back cultivation, increase interdiction and extraditions—and thus, slowly but surely, improve Colombia’s security position and economic prospects, while deterring expansion of the drug trade, were BOTH Democratic and Republican. They included Senators Leahy, Dodd, Biden, Feinstein and Graham, as surely as included Senators Hatch, Hutchison, Dole, DeWine and Coverdell. This was—and should remain—a bipartisan effort to secure our hemisphere.

At root, the theory is simply common sense. One of the oldest democracies in our hemisphere, and a leading economy that does hundreds of millions of dollars in trade with states as diverse as Vermont and California, New York and Florida, is at risk to both narcotics instability and widening terrorism.

We have made major gains. John Locke himself, in his seminal *Second Treatise*, made the point that people will not “mix their labor with the land” until there is a semblance of security. We see that in places other than Colombia. The difference is that, in Colombia, we are seeing a remarkable turn-about. It has taken more than five years, but the time is now to assess the progress and consolidate our mutual gains.

Yes, from Colombia comes a narcotics threat to America that ends tens of thousands of American lives annually, as surely as cancer silences thousands of Americans annually. We have not given up finding a cure for cancer, and we must press our gains each year to that end. Likewise, we cannot give up on the prospect of a revitalized, secure and democratic Colombia, free from the dehumanizing plague of narcotics—and we must press our gains to that end also.

Some note that, despite a resounding record of success along many indicia, Plan Colombia is not perfect. They are right. Despite a sustained, inspirational and truly courageous effort by President Uribe over the past four years to investigate, remove and bring to justice drug traffickers, terrorists, murderers, kidnappers, those in the government who are who are corrupt, those who have committed heinous crimes and those who violate human rights in any form, his society is still plagued.

Just as a Democratic or Republican president in America cannot answer for the crimes of those in his party elsewhere in government, more than to investigate, remove and prosecute them honestly, President Uribe cannot control all elements of government and society in his country.

But consider the alternative to his courage and commitment to his countrymen. Through President Uribe’s determined cooperation with the United States Departments of State, Justice, Defense, Commerce, Agriculture, USAID, DEA, FBI and others, we have made unprecedented inroads on countless social and security bases.

If our Defense and State Departments were not allowed, under the US Foreign Military Financing and US International Military Education and Training Programs, to train Colombian military and police officers in human rights and rule of law—no matter what the human imperfections between teaching and deployment are—exactly who would be doing that difficult job? The answer is simple—no one.

Accordingly, aside from all other statistical gains, some common sense should shine through here. Holding up vital military and law enforcement assistance at this critical time, even if the principle behind it is to seek more transparency, is self-defeating. Every day that passes without a sustained push toward progress in the security environment is a lost day. Too many lost days, and you will find the stone rolling backwards.

Denying a longtime and dedicated ally, like President Uribe’s government, critical security resources and training at this time will be not just self-defeating. That course creates a self-fulfilling prophesy. After all, we can easily defeat our allies—and thus defeat gains to America’s own security—by raising our allies expectations, making them dependent upon us for security assistance, offering to train and equip them against emerging threats—and then walk away, or delay aid so often that their confidence and progress toward security collapses . . .

Would that in the best interests of America? I think it would not be in our best interests. Rather, it seems to me that we live in a world where security should be cherished, rather than casually put at risk, even for what may seem a competing and noble aim.

Plan Colombia—and the progress that President Uribe has made to date, with American help, is nothing short of remarkable. The will of his countrymen, his personal courage, and the commitment of a bipartisan group of American leaders has allowed Colombia to turn a critical corner. These gains are a bright spot on a dark international canvas. We should all see that clearly, and plan for ways to consolidate these gains.

In the end, sound foreign policy does not mean we can insist on perfect outcomes, even from staunch allies. It means we live up to commitments made, set expectations high, remain true our word if progress is made, and continue along the often

muddy road toward a better time. Doing this not only preserves current relationships with allies, but is the best chance of delivering both security and counter-narcotics gains for all Americans.

So, what are some of the gains to date from Plan Colombia? Here, the original bipartisan coalition of Democrats and Republicans should be proud of what they have accomplished. They have—with President Uribe’s unflagging cooperation and commitment—accomplished a lot.

For example, while there is a modest increase in cocaine price and reduction in purity being recorded in the lagged DEA STRIDE data across the United States—not be discounted—there are also highly encouraging gains in the regional security and prosperity.

While we need to evolve our training and management into the hands of our South American neighbors, and rally greater European commitment to this counter-narcotics and security mission, an objective review of Plan Colombia’s achievements makes the case for a solid return on the American investment, as well as for a follow-on push for congressional and administration action through at least 2012, or for a Plan Colombia, Version II. Here are some of the gains we do not want to lose.

- Plan Colombia, by US, UN and Colombian estimates, has produced a reduction of 58 percent in heroin poppy cultivation and more than 50 percent in coca cultivation during its first five years. That is the definition of deterrence; consistent spraying means less planting. Less planting means more legitimate farming and less raw produce to refine. In 2006, the addition of newly surveyed lands, outside the original target area of State Department and Colombian eradication, will require a sustained commitment even as the overall area under cultivation across the region continues to shrink.
- Over the original five years, there has been a 97-percent decline in coca production in the onetime breadbasket of coca, the Puemayo region.
- Discrediting the so-called “balloon effect,” overall coca cultivation across the Andean Region fell by eight (8) percent in 2003. Across the area originally surveyed and targeted, reductions continued until uncertainty created by what appears to be uncommitted political leadership in Bolivia.
- Relying on support from the US Departments of State, Justice and Defense, Colombia extradited more than 180 drug traffickers to the US between 2003 and 2005, including Gilberto Rodriguez Orejuela, head of the Cali Cartel. Prior to Plan Colombia, there were no such extraditions. Extraditions hit a record high in 2006, at 145. Even in 2002, there were only 34 drug-related extraditions to the United States.
- Plan Colombia resources have helped the United States law enforcement community to convict and jail of more than 100 members of Colombia’s Cali drug cartel, destroying the leadership and industrial capacity of the nation’s largest cartel during this period.
- Colombian and American forces have seized more than 500 tons of cocaine and coca base since 2003, with an estimated street value in the United States of more than five billion dollars. Since 1999, cocaine seizures have topped 850 tons. In 2006, eradication programs terminated an estimated 320 metric tons of cocaine production, and another 178 metric tons were interdicted. The estimated street value of those two figures is \$847 million dollars not sent back to the narco-terrorist leadership. Without question, this money would have returned to feed narco-terrorim across the region, and would have contributed directly in the United States to more cocaine and crack-related street violence, addiction, automobile and workplace accidents, domestic violence, addiction and overdose deaths among young people.
- “Cocaine seizures in Colombia have steadily increased every year since 2001,” and “the 2004 seizures [145 metric tons] represent an increase of almost 120 percent over the 80 metric tons seized in 2001.”¹ Moreover, “since August 2002, Colombian forces have seized nearly 1,200 kilograms of heroin.”
- Looking at the production side differently, Plan Colombia monies have allowed Colombia to dismantle far more production facilities. The number of cocaine-producing laboratories being destroyed annually has risen from 241 in 1999 to 2,198 in 2006. Again, the aim is deterrence and the numbers will eventually taper under the threat of enforcement.

¹Testimony of Deputy Assistant Secretary of State (INL) Jonathan D. Farrar, before US House International Relations Committee, May 11, 2005.

- In 2003, the Colombian Air Bridge Denial Program forced down or destroyed at least 28 aircraft laden with narcotics, visibly deterring air traffic in drugs, a program which continues to deter narcotics trafficking over covered regions.
- In Colombia, one of the basic obstacles to establishing a lasting peace has been the absence of well-trained, ready, mobile and effective fighting forces—or security forces—to respond, in proper numbers and proportion, to the threat presented by narcotics-funded and motivated terrorism. The US Departments of State and Defense have been the pivot point in this effort. The Defense Department, for example, “provides human rights training and vets units with regard to abuses before it authorizes support” under ACI or Plan Colombia;²
- By the end of 2005, the Defense Department had raised critical Colombian police and military troop strength to 374,000, a 34 percent increase over 2002, improved readiness with a wide range of specialized training, created more than 50 mobile police squadrons, and 15 mobile army brigades and “high mountain brigades.”³
- US training and support has allowed Colombia’s security forces to put terrorists on the defensive. Colombian Government estimates suggest that the AUC membership numbers have been falling precipitously as desertions increase. The ELN is withering under similar pressures. FARC strength, while considerable, has fallen from a high near 17,000 [some suggest 25,000] in 2002 to less than 12,000, unprecedented gains in the face of a drug-funded foe that operates across a jungle nation the size of the Eastern United States, and which cannot support law enforcement with an established transportation infrastructure across much of the country.
- Notably, Plan Colombia has “helped fund [and sustain] the establishment of police units in 158 municipalities, many of which have not seen any government presence in decades.” As a result, “for the first time in the recorded history of Colombia, all 1,098 of Colombia’s municipalities . . . are under the control of federal authorities . . . an enormous step forward for the people of Colombia and their democratically elected government.”⁴
- Consistent with this restoration of order, fear is not as high as it was in many municipalities formerly overrun by terrorist or insurgent forces. Accordingly, the number of mayors who were required to exercise authority outside their municipality in 2002 was 131. Today, that number is zero, according to the most current State Department data.
- Objective indicators of rising national stability in Colombia, resulting from our long-term and increased commitment, are also quite clear. For example, between 2002 and 2006 the homicide rate dropped 59.9%, from 28,837 murders recorded in 2002 to 17,277 in 2006. That is, for the record, a faster drop than the drop accomplished by former New York City Mayor Rudolph Giuliani during his celebrated mayoral tenure.
- More remarkably, State Department data confirm that kidnappings in Colombia fell by 254% from 2002 to 2006, from 1,645 recorded kidnappings to 646.
- Similarly, but even more encouraging, recorded terrorist events have fallen over the period of Plan Colombia by more than 420%, from 2,882 in 2002 to 687 in 2006, a drop on par with the historic restoration of order in Peru and El Salvador during the 1990s.
- Economic investment, growth and job creation have, as John Locke would have predicted, followed in suit. As national expectations have evolved toward greater security, economic growth has leaped upwards by more than five-fold since 2002. In 2002, Colombia struggled with a reported 1.47% growth rate and flight of capital. By 2006, the growth rate was a startling 7.68%, after a growth rate of 5.2 percent in 2005 and 4.79 percent in 2004.

By any standard, these metrics or measures represent astonishing progress, a thorough justification of the original bipartisan investment in regional ally for security, counter-terrorism and counter-narcotics reasons, and a resounding endorsement for consolidating these gains with new investment.

One measure of success not often discussed is the degree to which we are leveraging Colombian commitment and resources. The struggle to hand-off or

² CRS Report to Congress, “Colombia: Issues for Congress,” January 19, 2005, at 16.

³ See, e.g., Stephen Johnson, The Heritage Foundation, “Helping Colombia Sustain Progress Toward Peace,” Backgrounder No. 1887, October 19, 2005, at 7.

⁴ *Id.*

“Colombianize” the program, without dangerous backsliding that would imperil gains made for the United States and region, has been slow.

As in other parts of the world, we aim to create institutional capacity and empower the Colombians, not create lasting dependence. That balance is hard to achieve however, and requires continued security and economic support so long as the outcome of instability is probable without continued comprehensive engagement.

Our foreign policy has historically been one of empowering and assisting allies over hurdles, not becoming a rooted buttress in perpetuity. That said, the Colombians have been gaining ground and taking control of elements that they are confident they can handle.

President Uribe has taken the lead in police reinsertion across the country, and—as a matter of leveraging outcomes and dollars—Colombia reportedly spent \$7 (seven) billion dollars on Plan Colombia programs between 2000 and 2005, matching the US commitment in those years of \$4 (four) billion dollars. Looking forward, our commitment is likely to be matched again, based on an estimated “wealth tax” proposed by President Uribe over the next four years, and likely to produce an added \$3.6 billion. That, again, is a promising indicator and justification for our continued support at present or higher levels.

The debate over the “proper balance” of security or “hard” foreign assistance—including law enforcement and military training and equipment—versus wider economic and social assistance, is deceptive.

First, security assistance is necessary for economic and social assistance to succeed in the long run.

Second, the military and law enforcement support allows an open and conditional “door” for teaching, monitoring and enforcing human rights with the very recipients of the aid.

Third, security assistance—to be competent—must be acquired, flown, managed and maintained at a threshold level that makes it worth the investment. That means that the prerequisite for social stability—the security that permits education, jobs, training and growth to flourish—must be adequate.

Fourth, trend lines have been in gradually moving in opposite directions for “hard” and “soft” program support, with security-related costs high but dropping slightly and slowing getting more support from Colombia, while social program needs have been slowly rising. The United States has reflected the trend lines with similar, if necessarily small, changes in assistance aid provided. Over time, the trend lines may both rise, plane out or fall off, but at present Colombia has been assuming more of its own “hard side” requirements, even in a threatening environment.

Fifth, some common sense applies. Utility and security helicopters, basic firearms and fixed wing aircraft cost more than books, bricks, mortar, seeds and fertilizer.

Likewise, pilot and security training can be more expensive and longer in duration than less technical social training. Costs are not one-for-one on either the assets needed to achieve an outcome or the costs of training. Accordingly, security equipment and personnel training—as in the United States—is often more costly, time consuming and perishable than support to manual labor or classroom training programs, even if both have equal value in the progress of the nation.

- Perhaps the strongest argument for more “soft side” support by the United States Congress—and appeals to often silent and un-contributing European allies—is that the difficult task of securing a nation has begun and is well underway, as the metrics above indicate. We will need to continue to support that mission over the years ahead, as we have in places as diverse as Panama, Liberia, Kosovo, Haiti and Afghanistan. But we must now also add the push that will assist Colombia in education, employment, crop substitution, and demobilizing tens of thousands of former insurgents and those who will then gain a vested interest in longer term security.

CONTINUING CHALLENGES

These achievements argue strongly for a second round of investment in Colombia on the military and civilian sides, whether through the next three years, five years or on some other timeframe. That having been said, major challenges remain. “Consolidating gains” will take time.

These challenges double as important reasons for making a well-benchmarked and overseen federal commitment to this regional ally.

- *Support regional counter-drug efforts through continued deterrence.* Regional deterrence of narcotics cultivation, production and transshipment requires a continuing effort to permanently deter major narcotics cultivation and drug-

funded terrorism in Colombia, Bolivia, Peru, Ecuador and Panama—deterrence requires consistency and predictability.

- *Build momentum toward reduced drug availability on American streets.* We must continue to strive to build on the momentum created by modest changes in price and purity of Colombian cocaine and heroin arriving on US shores, and this may become more likely as the synergy of border legislation, increased interdiction of all kinds, intelligence sharing and regional counter-drug efforts tie-in with Plan Colombia's efforts to stabilize, diminish coca and heroin poppy cultivation and production, spur legitimate trade, and reduce overall drug transshipments to the United States.
- *Buttress regional democracy by support to Colombia's democracy.* Colombia's democratic future could have a direct effect on the future of democracy in the region and other nations in the immediate proximity, of special note, Venezuela and Bolivia, both of which are presently governed by strongly anti-American leadership.
- *Support continued legitimate economic growth.* Colombia's progress—a favorable security and economic growth trend line—requires a US effort to sustain that trend line, and we must not drop our end of the lifeline we have offered too soon. *Toward this end, support the widening of legitimate trade to open new markets for legitimate crops and products* and diminish the draw of illegal crops and products.
- *Enlist greater European support for counter-drug efforts.* Colombian cocaine is now spreading across Europe, and we must press European allies to contribute more and become more engaged, for their sake, ours and Colombia's.
- *Stay vigilant for terrorism from south in Western Hemisphere.* Post-911, the threat of terrorist infiltration or coordination with drug trafficking organization in this hemisphere has grown and remains significant. We must not underestimate the direct threat posed to US borders from the south. A robust and multi-tiered level of commitment to Colombia and the region assists in blunting that threat, through shared intelligence and operations.
- *Assist Colombia in stabilizing through demobilization of insurgents.* A demobilization solution may lie in well-articulated conditions—of a kind that the United States can live with legally and politically—together with a clear recognition that the Colombian People must move this effort forward. Needed will be a clear, swift and full synthesis of the legal restrictions inherent in the FTO listing process, legal limits on provision of material aid to former members of an FTO organization, legal or legislative permission to pursue or support various types of demobilization (not violating other restrictions) and an understanding of the conditions presently on the ground in Colombia.
- *Stay firm on extradition to US of primary terrorists.* Needed will be an unequivocal stand on extradition requirements and expectations of the United States to assure respect for rule of law, honoring of US indictments, and future cooperation, as well as a firm, consistent and robust commitment at this critical time to the resources necessary to consolidate gains in the peace process, as well as the collateral and related realms to assure longer term deterrence.
- *Set benchmarks, measures and timelines for partial transition to Colombians.* Specifically, we will need a reasonable timeline agreed by Congress, in the interagency and with Colombians for official “hand-off” to Colombia (or “to Colombianize”) much of the existing Plan Colombia commitment—and ultimately major parts of the Plan Colombia (ACI) commitment to the region. While we should remain engaged and supportive, for reasons tied directly to our national interest and oversight, a reasonable timeline should, after a date certain for evolved management by the Colombian government, affect overall appropriations, potential authorization language for State and Defense Department authorization bills, and even multi-lateral commitments.
- *Congressional and Administration unity and forward movement is key.* The perfect cannot be allowed to become the enemy of the good. High level unity behind a next step over the three to five years ahead is needed. Without sustained authorization for the US Departments of Defense, State and Justice, as well as a continuing funding commitment for training and supporting the Colombian security forces, we will lose precious time and allow instability to rise in Colombia and across the region.
- *The comprehensive Plan Colombia architecture, which has worked well in the Andean Region and Colombia, can and should be applied—swiftly and with*

benchmarking—to Afghanistan to save that fledgling democracy. The support should be at least on par with support in Colombia. In Colombia, which has established substantial gains under Plan Colombia to date, and in Afghanistan, which has much further to travel on all key indicators of success, all security-dependent achievements are placed at risk by inaction. New risks will likely expand if continuity on security and counter-narcotics are exchanged for short-term budget savings. In Colombia, as in Afghanistan, regional instability will grow without a sound counterweight, economically and politically. In both locations, different as they are, drug-production and drug-funded terrorism could ricochet across the region, and outside the region, with increased intensity.

- *Bipartisan support for steady security and eradication programs, as well as increased social support to encourage demobilization, is vital.* Absent bipartisan and coordinated effort, democratic and criminal justice reforms could be sidetracked for more authoritarian or socialist agendas across the region. In the Western hemisphere, American dependence on Colombian, Venezuelan and South American oil and mineral supplies could trigger a crisis in confidence, if not imports, with associated price spikes.
- *Wide area information and intelligence sharing in the Western Hemisphere is protected by continuing Plan Colombia.* Intelligence and information sharing multilaterally and bilaterally could plunge without a continuation at present levels of the Plan Colombia formula for advances. Such a development could have unpredictable effects on regional and U.S. security. Not least, a generation of movement forward on counter-narcotics, security cooperation, economic development, human rights, environmental dialogue and hemispheric co-dependence could be lost.

At the end of the five years concluding in 2005, we can look back with some sense of real progress made. We now must look forward, and press for a second period of well-planned, meaningful, operationally robust, strategically sound security and counter-narcotics gains. The time is upon us for taking action, yet again. For America—and for our allies—we must step up and reach outward, come to consensus and set new goals. Plan Colombia—in fact—saves lives every day in every state America. We must congratulate those who produced its first phase, and move swiftly and decisively to the second. Thank you.

Mr. ENGEL. Thank you, Mr. Charles. Let me go right across quickly starting with Governor Murillo and right across. We have been hearing lots of things obviously about the free trade agreement that has been negotiated, and I have had people come into my office pro and con. Can we just go across: Are you in favor of the free trade agreement between Colombia and the United States?

Mr. MURILLO-URRUTIA. Obviously I am in favor of free trade agreement with Colombia but under strong intervention and renegotiation.

Mr. ENGEL. Thank you. Mr. Schneider?

Mr. SCHNEIDER. The organization has not taken a position. In general, I support free trade agreements, including with Colombia, but with conditions and ensuring that labor rights are protected.

Mr. ENGEL. Ms. McFarland?

Ms. MCFARLAND. Human Rights Watch normally takes no position on free trade per se. However, in this case we have taken a position against the United States-Colombia free trade agreement until Colombia meets preconditions. In other words, results in the investigations of killings of trade unionists. Last year there were 72 trade unionists killed, and progress in the dismantlement of paramilitary groups who are the main perpetrators of these killings.

Mr. ENGEL. Mr. Charles?

Mr. CHARLES. Yes, sir. As you would predict, free enterprise and free trade I think in my view are central to the upliftment of people, and I would also note that the number of trade unionists killed

is dramatically down from the beginning of the period with Plan Colombia, and although no mention was made by my colleague on Human Rights Watch—and I have read just about everything that I could read from all of these folks about the FARC—no mention was made of the FARC.

But the paramilitaries are a major problem down there. The FARC is also a major problem, and the 2002 church destruction was actually a FARC event. The point we need to make here is rule of law applies to everybody. Rule of law has to be what we are after here and free trade allows you to get there.

Mr. ENGEL. Well let me sort of jump onto all the answers. As you know, many of us, particularly on the Democratic side of the aisle, are always concerned with free trade agreements in terms of the environmental and labor provisions. Can a United States-Colombia free trade agreement improve labor conditions in Colombia, and if not, what can be done to improve labor conditions on the ground? Governor, you said renegotiate. What part do you think we should renegotiate?

Mr. MURILLO-URRUTIA. Obviously we favor conditions in term of labor environment but also one of our concern in terms of Afro-Colombian communities is that Afro-Colombians were not consulted as is mandated by the law in terms of this agreement that could have tremendous impacts on territorial rights. That is not clear for us, and until that is clear we consider that the agreement needs to be revised and renegotiated.

Mr. ENGEL. Ms. McFarland, in your testimony—and you just mentioned it again—about the high number of murders of Colombian trade unionists, what can be done to improve labor conditions on the ground in Colombia if this free trade agreement could not help to do that?

Ms. MCFARLAND. The free trade agreement could be amended to improve Colombia's legislation. However, the problem that we see mostly in Colombia is a problem of violence against trade unionists which cannot be solved through legislation. That is why we are saying we need to set preconditions for the free trade agreement.

Those preconditions have to do with addressing the violence problem by really going after paramilitary groups and addressing the impunity problem in cases of killings of trade unionists. Impunity in these cases is over 98 percent. There have been over 2,000 trade unionists killed since 1991. Seventy-two last year. There was a spike around 2000 or so and then there was a drop. But 72 is roughly what it was in the late 1990s.

Mr. ENGEL. Well let me ask you this since you seem to be the panelist the most against the agreement. There are many people that say a rejection of a free trade agreement with Colombia, but also with the other countries, Peru and Panama, would show a tremendous neglect by the United States on behalf of the region.

One of the things that is clear to me as I speak with people and travel around is there is a tremendous feeling of neglect by the United States in Latin America, in the Caribbean, and at a time when Hugo Chavez and others are stepping it up and being more active, would it not be detrimental to the United States to appear to have turned its back on the region?

Ms. MCFARLAND. I do not think so. One point is we do not oppose the free trade agreement with Peru or with Panama. We would not object to that as long as some amendments were made in terms of the legislation. But in the case of Colombia, I think the best way to help Colombia is to set preconditions, and this is not closing the door entirely on the free trade agreement.

It is proposing reasonable preconditions that the Colombian Government can meet such as taking away the cell phones of paramilitary commanders who are in prison so that they can stop calling their mafias or ensuring that you seize their illegal assets. These are steps that will ensure their dismantlement, and that will reduce the violence against trade unionists.

Mr. ENGEL. I know the time is moving on—but let me just ask one quick question to Governor Murillo. In your testimony, and I am quoting from you, you said there is a “pervasive lack of attention to racial, ethnic and subnational dimensions in U.S. policy toward Colombia.” How can this be improved in the second phase of Plan Colombia? And how can the Colombian and U.S. Governments work together to bring more attention to these issues?

Mr. MURILLO-URRUTIA. Before I answer that question, let me also on the free trade agreement. First, I wanted to highlight that 60 percent of Afro-Colombians from their territorial, for the land titles, community lands have been displaced. One of our concerns is that people who took over those lands could be benefit for the free trade agreement. So the mechanism for us claiming the land could be very important to be in place.

In term of your question, I consider that the first thing toward with in term of race and initiatives the fact that obviously Colombia regions are divided also by race. On certain regions have certain ethnicities and race that have been neglected. The first thing is to work on issues of leadership, and there is a proposal that I mentioned of the Gregory Meeks Scholarship Fund is very important.

The second one obviously needs to have to do with implementing the already secure rights of Afro-Colombians that are included in the Law 70 and the constitution, and this is still an aspiration for Afro-Colombians, and that need to be secured. The second is to have institutional transformation within Colombian Government to respond to the needs of Afro-Colombian. The Colombian Government institution is not capable of responding to the needs of groups like Afro-Colombian. Some people even are learning to say Afro-Colombians. Are learning the vocabulary of Afro-Colombians. So that is very important, that institutional transformation.

And ultimately our specific poverty and inequality reduction addressed to regions and groups like Afro-Colombians because they are at greater risk of being involved in the conflict and also of being involved in drug trafficking.

Mr. ENGEL. Thank you. Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman. You know I look at these figures and it sounds like you know there are still problems down there but things are going in the right direction. Kidnappings are down 76 percent. Terrorism is down 61 percent. Murders are down 40 percent. A 6.8 percent growth in the GDP. There is police

presence in every municipality in Colombia which was unheard just a few years ago.

Most of the major roads and highways to and from big cities in Colombia are now open and much safer to travel without fear of kidnapping or guerilla attacks. More than 2 million Colombians have been able to get out of poverty in the last 4 years according to the Colombian planning department. Obviously there are still problems.

It is a big deal down there to change things around. I mean I can remember when we first started working on Plan Colombia. You could not go anyplace outside Bogota. I mean you would get killed or you would get lost or you would be kidnapped and held for ransom and maybe if you did not get the ransom money paid, you would be killed. Things have improved.

So I am very much in favor of extending Plan Colombia. Let me just ask a few questions. Mr. Charles, it is good seeing you again. Should we shift our aid from military assistance to the soft side? And what should be the balance?

Mr. CHARLES. And what should be?

Mr. BURTON. The balance.

Mr. CHARLES. The balance.

Mr. BURTON. Yes.

Mr. CHARLES. I think again it is the wrong question. You need security anywhere in the world, and part of our job incidentally at INL was to train the Iraqi and Afghan police also. You need security in order for the rest of it to work. If you had USAID sitting up here or you had current members and/or other development parties, they would tell you that they cannot go out, they will not go out there if it is not secure. So the first reason you need strong security money is to do that.

The second is even in areas which are currently dominated—and I will take for example some of the areas that have just been testified about where the paramilitaries have taken the land away—you have to have the security resources. In a country with triple canopy jungle, you have got to be able to have helicopters. You have got to be able to have the right hardware and training to be able to get into those areas and take that land back again, whether you are taking it from the FARC or the AUC or somebody else.

The third reason is I think we miss some of the critical elements here. Training and sophistication of hardware, putting security on the ground in a location at a level that will allow you then to put social programs into that same area—and we know this historically—is more expensive. Helicopters are more expensive than classroom time. Training a helicopter pilot takes longer than training certain social services folks.

It does not mean that you are deemphasizing it. But what do I really think ought to happen? What I could not say before getting out of the government is I think our commitment ought to be ramped up. I think our social program commitment ought to be significantly ramped up. Our criminal justice sector, our vetting programs, a lot of them but that does not mean you down ramp.

Mr. BURTON. Well that is what I was asking you.

Mr. CHARLES. You do not down ramp security because you will lose the baby with the bath water.

Mr. BURTON. Wait a minute now. I was not suggesting that. I was suggesting or asking what should be the percentage if there is a change, and then when you have that percentage of change, should it be ramped up like that so that you still have the military commitment?

Mr. CHARLES. Yes, sir. I think to be meaningful in any country in the world that we are helping—and Colombia is a primary one—you have to have a certain minimum commitment. Our minimum commitment is probably where we are at today. The commitment that will make a difference and turn the corner and help to create an example that we believe in this hemisphere, we believe in our allies, is probably twice what we are at now.

Mr. BURTON. I do not think you are going to get that through Congress right now.

Mr. CHARLES. Well enough constituents hear the message we might.

Mr. BURTON. Well hey, listen, I am for doing whatever it takes to stop it down there. You favor a 50/50 split, Mr. Schneider, military to soft side. I might be open to something like that if you do not favor cutting the total of \$700 million per year. Do you favor cutting that amount of money?

Mr. SCHNEIDER. No. I am perfectly happy to have the 50/50 split with the monies that have been requested. Just let me give you a couple of examples. In the 2008 budget request there is actually a request for a reduction in the amount of money we are providing for the displaced from about \$25 million to \$21 million. In my testimony, I suggested that in fact we need to ramp that up.

This is an area by the way where the Constitutional Court in Colombia has said that the government has failed to fulfill its commitments to the constitutional rights of the Colombians who are displaced, particularly Afro-Colombians and indigenous. We should be providing more resources there, and we should be providing more resources in rural development. As you mentioned, where you have some security in a region that is where you need to have a package ready for rural infrastructure, electricity, roads, economic infrastructure and governance.

Mr. BURTON. I do not disagree with that, and I think Mr. Charles is saying essentially the same thing, and that is you provide the military commitment, make the military commitment so that you can do these other things, and then you are saying provide the resources so they can get done. Ms. McFarland, has the Uribe government been for an open and free press down there or have they tried to prevent the paramilitary links from being exposed to the media? Have they not been exposing everything and allowing the free press?

Ms. MCFARLAND. The media has been a very important actor in revealing these allegations.

Mr. BURTON. But there has not been any repression or any movement by the Uribe government to—

Ms. MCFARLAND. What there has been, they have not put anybody in prison, no, but what there has been is for example last year when the allegations first surfaced about the director of national intelligence, President Uribe accused the media of being undemocratic and malicious.

Mr. BURTON. We do that all the time up here.

Ms. MCFARLAND. He targeted individual journalists in the state.

Mr. BURTON. Yes. Democrats and Republicans do that up here.

Ms. MCFARLAND. Yes.

Mr. BURTON. That is not unusual.

Ms. MCFARLAND. In this country, journalists do not get killed when they get accused of being undemocratic and malicious.

Mr. BURTON. Is there a free press down there?

Ms. MCFARLAND. There is a legally free press that is—

Mr. BURTON. Okay. That is all I need.

Ms. MCFARLAND [continuing]. Very afraid and threatened.

Mr. BURTON. Thank you. Thank you, Mr. Chairman.

Mr. ENGEL. Mr. Meeks.

Mr. MEEKS. Thank you, Mr. Chairman, and thank each and every one of you for your testimony. I think it adds a lot to the debate and the knowledge that we need to have as Members of Congress to make the kind of determinations that we make. Governor Murillo, let me ask you, you were governor at a time right before Plan Colombia came in, is that correct?

Mr. MURILLO-URRUTIA. 1998.

Mr. MEEKS. Correct. How was the central government responsive to you when you were the governor at that time? Was there any relationship with the central government and your constituents?

Mr. MURILLO-URRUTIA. Obviously there is a constitutionally mandated relation between departments and the national government. Obviously as you know a department have different political weight, and the way the policymaking process works in Colombia sometime punish some of the department that are more isolated. One example when I was governor we created the group so-called "La Autre Colombia," The Other Colombia, when governors that felt that the policies were not reflecting the realities joined forces to see how we could impact policies.

Mr. MEEKS. Now I have met several times the new governor of Choco. Do you have any opinion of him?

Mr. MURILLO-URRUTIA. Yes, I know Professor Julio Iburguen, and he has been here in Washington, DC. He is trying to do the best he can to confront problems in Choco but let me say in my testimony that you will have in the record I added some news report from 1998, *El Espectador*. You see in the back of that is called "Choco Presents Its Plan for Peace." It was in 1998, and if you read it you see like the same issues that I mentioned.

Mr. MEEKS. My point is, number one, I think that—and this is one of the things that I am trying to fight for—that I think that the Uribe government the one thing that it is missing is a strong and independent minded Afro-Colombian who is part of that administration who could better advise as to how to get things done in Choco and to better advise how to work with the governor and others there.

So I think that someone—and I have mentioned this to President Uribe—who is there and who can speak his or her mind, not just speak necessarily but speak his or her mind as to what has to happen, and I know I utilize some of what took place in the United States when we have had some Presidents we have had racial problems here. They put somebody to go along with the govern-

ment, stood and was able to tell the President, President you need to do this or you need to do that. I think that is what is needed in Colombia, and someone with experience would be tremendously important to do that.

Now here is a concern that I do have in that when I visit a country—and I did this in Colombia—what I try to do is to get away from people, political parties. I try to get away from politics. I try to talk to the average, every day person walking on the street, and when I have done that just about to a person everyone tells me that it is much better today than it was 12 to 13, 14, 15 years ago.

Now that is because they pushed out to a large degree a lot of the crime that was taking place and the drugs in Bogota and Cartagena, et cetera, but as you have indicated now a lot of it is in the Choco area or the African Colombian areas.

I am concerned that if we eliminate or take away some money in regards to the military and that effort because I am told that that effort now must continue to pursue to get rid of the drugs in the same manner that they did in these other cities, now they are having to continue to do that in the rural areas, that if we are not continuing to focus on that that we are going to still leave folks caught up in a security issue, and I also am concerned about not doing—and I think that what Mr. Schneider said is absolutely correct—not doing what is necessary socially creating the kind of for water and sewage and education, the kind of infrastructure that is necessary.

They both have to go hand-in-hand. My concern would be the money that the central Government of Colombia is receiving, because we are talking about what our contributions are, but what the money that they are contributing to the social programs on the ground in those areas as well as enforcing because I concur with you 100 percent that we have got to make sure that we have resolved the question of the land issue for African Colombians pursuant to Law 70.

And the question is how do we enforce those? Now I am told by a prominent and well-known individual who is sitting in this audience that the Minister of Ag has said that there is 40,000 acres of land, hectares of land that is in dispute that they are ready to try to resolve in a community way. Can that be done, and if that is done, is that moving in the right direction in your estimation? And I see my time is up because the chair is getting a little nervous there to bang the gavel on me.

Mr. MURILLO-URRUTIA. Obviously that the evolution of land to Afro-Colombians is moving a good direction and obviously it need to be an indicator of how Afro-Colombians have really secured the title, how many have gone safely and voluntarily to their lands. In the case of the higuameando and cuvarado, you are mention the government promised to make the evolution of almost 70,000 hectares to Afro-Colombians but this is still in process, and the process is going very slowly.

Mr. ENGEL. Mr. Schneider.

Mr. SCHNEIDER. Very quickly. In terms of getting access to the land, the single most useful way of doing that is strengthening the capacity of the Attorney General to find out where the illegal land is that has been acquired by the paramilitary and take possession

of that and provide that particularly in the areas of need in Choco and the other areas to the indigenous Afro-Colombians.

Mr. ENGEL. Thank you, Mr. Meeks. Just for the record, I am always generous with time for New Yorkers. Mr. Delahunt.

Mr. DELAHUNT. And I come from Boston. Imagine I get about a minute and a half because of these Yankee fans.

Mr. ENGEL. Minute and a quarter, Mr. Delahunt.

Mr. DELAHUNT. But we did sweep the Yankees by the way just in case—

Mr. ENGEL. You are down to 45 seconds. You better cut it out.

Mr. DELAHUNT. You know I noted in Mr. Schneider's testimony that he feels that there really has not been substantial progress made in terms of reducing the flow of drugs from Colombia, and I also heard and I agree with Secretary Charles in terms of if you do not have security, there is not much you have got. It is tough to build off of that.

I guess the question that I have is who pays for it? And I guess this is a request of the chair to have the staff committee do an examination of the ability to pay, whether it is the Colombian Government or whether it is through the United States, in terms of, is there an equitable capacity or is there an equitable sharing of the cost? And I believe we do share an obligation, again for reasons that I stated earlier about the fact that we are the ones that are creating the problem. It is not the Colombian people. It is ourselves, and I think we have to be honest with that.

But I would like to know. There is very little I disagree with. I think we should ramp it up big time but who pays? That is the question. We are paying for a war in Iraq and Afghanistan today that is costing us in the neighborhood of \$10 billion a month. That would go a long way in Latin America if it was just foreign assistance.

And I do not believe that we have seen a decline in the number of cocaine addicts in this country or heroin addicts in the northeast. That is open to some debate. I would like to maybe pose a question to you. You might have heard the question I posed earlier about the campesino and the need for that family to have income.

It almost would be cheaper for the government while we are creating economic development and long-term changes to create opportunity, economic opportunity for people who traditionally have found this as a significant source of income just to buy the stuff and burn it and destroy it. I wonder if that would have worked in Afghanistan, Mr. Charles.

Mr. CHARLES. Well you have asked a lot but let me quickly tick through it. First, buying back anywhere really does not work because it encourages more people to plant, and it sends them down the wrong track.

Mr. DELAHUNT. Okay.

Mr. CHARLES. By the way, doing nothing also sends them down the wrong track, and you and I have talked about that in a different context in Afghanistan. What works often in terms of inducements is what has worked for example with the auto eradication program in Peru adding to forced eradication of large industrial tracts with the idea that you give someone a Chinese menu,

if you will, of social programs that they get to choose from, if they can assure eradication in a wide—

Mr. DELAHUNT. I guess what I am suggesting is I understand the need for alternative programs. Almost contemporaneously, however, on the expenditure side what are we accomplishing or is it feasible? I am not going to ask for an answer now but just to reflect on it to think about just providing—I mean we provided dollars in subsidies for people not to grow. If it could be monitored, why would developing contemporaneously an alternative development program?

Mr. CHARLES. The subsidies, sir, do not work. What works is when you put them to work on the very projects that matter to them. So we have encouraged, for example, paying for road building. You go to an area that was growing coca. You not only have alternative crops you have them helping to build the roads, build the medical center, build the school, and if you go there and you have been there many times, I think you may not even realize that is what you are seeing is that is what they are doing, and it is a very constructive way to do it.

By the way on the who pays, obviously the American taxpayer has carried the bulk of this. The Colombians have actually punched in about \$7 billion, and they are scheduled to push in about \$4.5 billion more, but you know who is not paying and should be paying? The European governments.

Mr. DELAHUNT. Right.

Mr. CHARLES. Because they—

Mr. DELAHUNT. That was brought up earlier by—

Mr. CHARLES. Dramatic uptick in Colombia coca in their world.

Mr. DELAHUNT. Right.

Mr. CHARLES. And they are not ponying up.

Mr. SCHNEIDER. Just in terms of who pays, the Colombian Government just this last year finally—which we have been recommending for the last 3 years—put on an additional 1 percent tax. Sort of a war tax on the most wealthy, and that is going to bring in somewhere between \$1 billion and \$3 billion, and our argument has been that those funds should be used for some of the purposes that we have been talking about. But there is no question the U.S. has to keep providing resources in order to make this work.

My argument on the question of the drugs flowing in is that if we do not provide some alternative in rural Colombia, if we spray in one area they will move to another. In the last 6 years they have moved from nine departments where there was coca cultivated to 21 departments, and it is simply a matter that if the economics are there they are going to be brought into that process.

We have to do a better job of providing an alternative in rural Colombia. We have to do a better job of reducing demand here, and I do think we have to do a better job at interdiction in between.

Mr. DELAHUNT. And we also have to look at this in a holistic fashion by, you know, understanding that, you know, there is some validity to the balloon effect.

Mr. CHARLES. Actually let me address that. In 2003, there was a dramatic decline across the entire region, and in 2004. What you are actually seeing is that a government agency increased by 81 percent the area of land they were surveying. So it looks dramati-

cally different. It is like redistricting. I mean you do not like redistricting or you like it but it can change the whole geography you have to campaign against, and that is what has happened here.

Last point. You asked what can you do about corporate corruption directly in this country, two companies in particular. I think you know some of the answer but let me confirm it. You can go after a GAO report and an IG report and do a criminal referral, and to the extent the evidence supports it and you can also do a hearing. I suggest whatever it is—because I am chiefly an oversight guy that worked for this—you ought to do it.

Mr. DELAHUNT. I have one more question. And you know the Attorney General in Colombia has indicated that he might request extradition of eight executives from Chiquita Brands International. Do any of you have any information whether that process has been initiated? Because I think we have got to send a message. Mark?

Mr. SCHNEIDER. If there is a view that they violated Colombian law—they clearly would have violated United States law—under our extradition treaty with Colombia that would be an appropriate request, and we should cooperate with that request.

Mr. ENGEL. Yes. I want to call on Mr. Farr. Thank you, Mr. Delahunt, because we have a series of votes, and I want to give Mr. Farr a chance to ask some questions. Mr. Farr.

Mr. FARR. Thank you very much, Mr. Chairman. I have to tell you that sitting here today is to me an incredible historical moment. I entered the Peace Corps in 1963. The United States had not even adopted the Civil Rights Act nor a Voting Act, and I went to Medellin, Colombia, and learned that the first Peace Corps volunteers ever killed in service to their country were on a flight between Medellin and Choco and I can assure you that in the 1960s, 1970s, 1980s and 1990s there is not a single person in Congress that had ever heard of Choco much less many people in Colombia that had ever been there, and I am so proud to see a former governor sitting here before a congressional committee and say how far we have come because I do not think any country in Latin America has had more access or more discussion or dialogue before Congress than Colombia.

And despite all of the problems—and certainly Ms. McFarland really pointed out some of the real sticking problems—this is just incredible that we have come this far, and that you are here in the United States, and I have so many issues that I want to bring up but one of them is that, Mr. Charles, I agree with you about security. I think it has to be proportional, and one of the things that General Abazaid told our committee—I sit on an Appropriations Military Construction Committee—he said before the committee, it's very interesting, that he would rather have one USDA personnel in the field than 100 soldiers.

So you know it is a balance: How do you secure a rural area? We cannot do it in the United States with expensive equipment. We do it with trying to get some stability and trying to get people to have some ownership, and that is what this land dispute is all about so that they will essentially you know have pride of civil authority to help run out and help stop people from getting established as guerillas or paramilitaries.

But I have a question here and this really goes to Ms. McFarland because I think that there are two questions here. One is Plan Colombia, which is an appropriations process, and the other is the free trade agreement. You point out that you do not think that we ought to do the Colombian free trade agreement until the Colombians have proven that they can have specified results, and you listed all those but your last paragraph of your testimony is that the United States can help Colombia by increasing its assistance to Colombia's civilian population including displaced persons, human rights defenders and other victims of armed groups.

It should also consider substantially increasing its funding for institutions like the Attorney General's office, the Supreme Court and the Constitutional Court and the Inspector General's office that have shown the will to confront paramilitaries. I mean it seems to me that what you are saying is what we really ought to do is put those conditions into Plan Colombia. I mean you cannot do one without the other because the resources you are asking for are going to be necessary to strengthen the civil justice system in Colombia, and you need more money to do that.

What I would hope is what we can do is work out some conditions. I am a big fan of what you are doing, and I have been supporting you in here in the appropriations process but I think if we just put impossible barriers and just say no, you are going to kill the goose that lays the egg. We need to give incentives to go in the right direction, and I would appreciate you working with us on giving the conditions that Human Rights Watch would accept so that we can move it on down.

By the way, I am just so proud that we have Colombian Senators sitting here today watching this exchange, and they are here as a part of a democracy committee that I sit on in this House, and they are spending the weekend with me in California. So we are going to continue this dialogue all week. I appreciate your response.

Mr. ENGEL. Let me ask Ms. McFarland to give a quick answer because we have about 2 minutes before votes, and we will have to leave.

Ms. MCFARLAND. We have been big supporters of conditions. Of conditional assistance to Colombia since the start of Plan Colombia. We believe right now in terms of the appropriations bill that assistance to the institutions of justice should be unconditional because those institutions are doing their job well. However, we believe in maintaining the military assistance conditions.

When it comes to the free trade agreement, we have a problem that is specifically associated to the free trade agreement and that is violence against trade unionists. That is why we tie conditions to that free trade agreement related to that violence against trade unionists.

Mr. FARR. Your testimony is that you want proof.

Ms. MCFARLAND. We want preconditions.

Mr. FARR. Which is how many years in doing?

Ms. MCFARLAND. We have a list of specific preconditions that are very reasonable I would say.

Mr. ENGEL. I am afraid that is going to have to be the last word because we need to take votes. I want to thank the four of you. I think it was very, very enlightening. I think we had a wonderful

hearing with three panels today, and we are of course going to continue our interest in Colombia, and as I mentioned before, the subcommittee plans to be there in the beginning of June. So I thank you all. Thank you in the audience for listening, and the subcommittee is now adjourned.

[Whereupon, at 6:21 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE JOSEPH CROWLEY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW YORK

- Mr. Chairman, I want to thank the Chairman for holding this important hearing on US-Colombia Relations.
- Representing one of the largest Colombian-American communities in the United States centered in Jackson Heights, Queens, New York, America's relations with Colombia are of utmost importance as it is one of our strongest allies in South America and a great friend of the United States.
- I also want to take a moment and recognize our first witness, the former Speaker Denny Hastert, who worked hand in hand with President Bill Clinton to create the legislation we now refer to as Plan Colombia.
- While Congressman Hastert and I may not agree with many issues, I think we can both state that Plan Colombia has been a success story—a bipartisan success story.
- Yes, the numbers of murders in that country is still too high, particularly among labor leaders, but the Uribe Government has restored order to that country, crafted new programs to protect labor leaders, judges and journalists, and those reforms have been working.
- It's not 100%, but the trajectory is going in the right direction.
- During the April recess, I held a town-hall on Colombian issues in my district, and I invited the Colombian Ambassador Carolina Barco to be a guest at this forum. She graciously accepted.
- One of my constituents stood up, and very emotionally told a packed room of how he was tortured by the FARC, his uncle and 3 cousins murdered by the FARC, that Colombia was spiraling out of control until Plan Colombia came into place providing their government with badly needed tools to fight back against the FARC, and now against the paramilitaries.
- Interestingly enough, the gentleman of whom I speak had to leave his country a number of years ago due to the violence in his homeland; here in the USA he became active in his community and is an active member of ACORN. So he is not some right winger that some may try to believe he is—but rather he is an American immigrant success story—of which we have many in Queens—and probably the best and most articulate supporter of Plan Colombia I have ever heard, albeit his reasons for being so passionate are so unfortunate.
- Colombia is still at war and has problems, but it has made tremendous progress in the last decade.
- “Plan Colombia” supported by Congress has strengthened democracy and economic growth for the people in Colombia and has helped stabilize an ally that is close to us in culture, history and geography.
- And while I expect a few members of this hearing to discuss the issue of the paramilitaries and the Uribe government, which I welcome, we also need to recognize something very important on that front.
- The Colombian Attorney General and the Colombian Supreme Court are continuing their investigation—they are not being stopped by the Uribe Government or harassed into silence. They continue to operate and work to find the truth, and President Uribe is not stopping them.
- This may in fact be one of the best signs yet that democracy and the truth are flowing in Colombia and the goals set out in Plan Colombia are working.

- But we have not yet finished our job and we should not end Plan Colombia.
- The Uribe Government deserves great credit for its achievements in the recent past. And President Bill Clinton deserves strong credit for launching this program with former President Pastrana.
- And President Bush deserves credit for continuing Plan Colombia both under Mr. Pastrana and later President Uribe.
- I strongly support the Colombian government and its efforts to fight drug trafficking and guerilla organizations and paramilitary groups.
- Supporting Plan Colombia is a key element to this fight.
- Thank you, Mr. Chairman.

[NOTE: Material submitted for the record by the Honorable Charles Shapiro—a report to Congress on U.S. Assistance Programs in Colombia dated April 2007 and a report entitled “Colombia’s Strategy for Strengthening Democracy and Promoting Social Development (2007–2013),” by the National Planning Department, Department of Justice and Security, February 2007—are not reprinted here but are available in committee records.]

FOREIGN POLICY AND COLOMBIA
BY ROBERT B. CHARLES

The Washington Times
www.washingtontimes.com
Published April 24, 2007

In this 60th anniversary year of George C. Marshall’s famous speech imploring America to salvage democracy from the rubble of post-World War II Europe, there are countless ironies. I will leave aside those relating to Marshall’s exceptional management of postwar reconstruction. For now, consider Colombia.

First, note that an extension of Plan Colombia—objectively, the most effective foreign policy innovation of the last decade—is under heated discussion now in Congress. In fact, today, the House International Relations Committee’s Western Hemisphere Subcommittee will launch a hearing into the Plan’s shortcomings and unsettled future.

Note also that Plan Colombia, which has provided security and development support to seven nations over five years, emerged from a bipartisan commitment to counterterrorism, counternarcotics and economic development in 2000. Like the Marshall Plan, Plan Colombia’s regional focus and annual spending levels were forged in the fires of doubt and reflection, worry and hope. A consensus emerged that was embraced enthusiastically by some, reluctantly by others. “Hard” security assistance was paired with “soft” social program support.

Plan Colombia became shorthand for a new American commitment, within our own hemisphere, to a safer future. It was a commitment to supporting democratic allies and regional security, while seeking to deter narcotics cultivation, production and trafficking, and then contain sources of regional terrorism. The leap, coming as it did before September 11, 2001, was prescient.

The plan was comprehensive. The specific aims were to reduce crime, improve security, trigger the dismantling of terrorist organizations, delegitimize narcotics trafficking with heightened interdiction, reduce drug cultivation, increase the extradition of major crime figures, train Colombia’s military and national police to tackle a violent insurgency, and raise respect for human rights. The aim was not to remake South or Central America, but to offer key allies critical tools for securing their own future.

Having the vision was one thing; making it work was another. Still, a bipartisan consensus, from former Speaker J. Dennis Hastert and House colleagues in both parties, to President Clinton and Democratic senators such as Chris Dodd, Diane Feinstein, Patrick Leahy and Bob Graham turned the bipartisan vision into law.

Now roughly six years after President Clinton signed this bipartisan measure, what have we achieved? Is it worth renewing? The answer is, against all odds, we have achieved a great deal. Moreover, the effort is not just worth renewing. It is actually a model—not of perfection or of a perfect pro-democracy, pro-growth, counterterrorism and counternarcotics plan, but of human progress against thorny problems through cooperation and persistence. In these days, that is noteworthy.

Specifically, Plan Colombia has generated the following remarkable outcomes:

- Plan Colombia, by U.S. and United Nations estimates, has reduced heroin poppy cultivation by 58 percent and coca cultivation by more than 50 percent over five years. That is deterrence, and we should continue pushing it.
- Plan Colombia has begun to change the much-lagged data on both price and purity levels for cocaine in the United States. Again, that is a hopeful sign.
- Plan Colombia has led to a leap in the capture, extradition, prosecution and sentencing of major drug traffickers, from 34 in 2002 to 145 in 2006, with more than 180 extraditions from 2003 to 2005, including the head of the Cali Cartel.
- Since 1999, cocaine seizures have exceeded 850 tons, while the street value of cocaine seized in 2006 alone was \$847 million. Not only did those drugs not reach America, that money did not return to terrorists in South America.
- Cocaine-producing laboratories being destroyed annually has risen from 241 in 1999 to 2,198 in 2006. Again, deterrence.
- The U.S. Departments of State and Defense have been a pivot point, helping train thousands of Colombian army and police officers in human rights.
- One terrorist group has gone out of existence, another is slowly demobilizing and a third, FARC, has fallen from 25,000 members in 2002 to fewer than 12,000 today, unprecedented progress.
- For the first time in recorded history, all 1,098 Colombian municipalities are under police control, and all mayors govern from within their own townships.
- Between 2002 and 2006 homicides dropped 59.9 percent, from 28,837 murders recorded in 2002 to 17,277 in 2006, the lowest in more than 20 years.
- State Department data confirm kidnappings in Colombia fell between 2002 and 2006 from 1,645 to 646, another unprecedented decline.
- More encouraging, terrorist events have fallen more than 420 percent, from 2,882 in 2002 to 687 in 2006, a drop on par with the restoration of order in Peru and El Salvador in the 1990s.
- Economic investment, growth and job creation have, as John Locke would have predicted followed suit. As national expectations have evolved toward greater security, economic growth has leaped fivefold since 2002, to 7.68 percent in 2006.

By any standard, these measures represent astonishing progress, a thorough justification of the original bipartisan investment in a regional ally for security, counterterrorism and counternarcotics reasons. They also present a resounding endorsement for consolidating these gains with new investments, to assure our future and theirs. When Congress thinks about what to do next, this foreign policy innovation is worth tipping the hat to. One has to believe, were he alive today, even George C. Marshall might do so.

Robert B. Charles, former assistant secretary of state for international narcotics and law enforcement (2003–2005) and author of “Narcotics and Terrorism” (2003), was staff director and counsel to the U.S. House of Representatives’ National Security Subcommittee during formulation of Plan Colombia.

STATEMENT SUBMITTED BY WILLIAM BURLEW, EXECUTIVE DIRECTOR, US-COLOMBIA
BUSINESS PARTNERSHIP

The US-Colombia Business Partnership (USCBP) is a non-profit 501(c)(6) business organization comprised of U.S. companies with over \$9 billion dollars of investment collectively in Colombia. The USCBP represents a broad coalition of industries representing companies in the energy, pharmaceutical, consumer products, financial services, technology, insurance, and transportation industries. Our member companies bring direct foreign investment, build roads, schools, incentives for innovation, and high tech training while affording true alternative economic development to thousands of Colombians and simultaneously benefiting the U.S. economy.

The US-Colombia Business Partnership is truly grateful to the committee members for allowing our organization to submit written testimony on US-Colombia relations.

The USCBP believes increased trade via the US-Colombia Trade Promotion Agreement (TPA) furthers economic stability and lessens the dependence and temptation of illicit trade. The US-Colombia TPA will strengthen democratic institutions in Colombia that are under threat by violent actors in Colombian society—guerrillas, self-defense forces and narco-traffickers competing for billions in illegal drug

profits, targeting institutions, infrastructure and civilians in their deadly crossfire. Legitimate trade brings more legitimate jobs and opportunity.

The USCBP member companies bring high U.S. labor standards to Colombia and are good corporate citizens that are providing excellent working conditions, respect for human rights, and favorable wages. In fact, one of our member companies in Colombia was recently awarded “A Great Place to Work” by Institute Colombia. Trade with Colombia is important for the United States. U.S. trade with Colombia has surged by more than 50 percent over the past three years. U.S. exports to Colombia surpassed \$5.4 billion in 2005 and two-way commerce reached \$14.2 billion. Investment and trade with Colombia already sustains tens of thousands of U.S. jobs. Furthermore, Colombia is the United States second largest market for agricultural sales in Latin America and accounts for over \$677 million in trade between our two countries.

Bilateral trade between the US and Colombia has increased by 70 percent over the last ten years with currently six billion dollars of US exports to Colombia. Under the free trade agreement, U.S. products entering Colombia will be duty free upon implementation of the TPA. Currently, more than 97 percent of U.S. exports to Colombia are subject to duties. In fact, it is estimated the U.S. GDP will likely increase by about \$2.5 billion (0.05 percent) when the Colombia TPA is in effect. The free trade agreement also enhances protection of intellectual property rights, which are vital for many US industries, including the pharmaceutical industry.

PLAN COLOMBIA AND US ASSISTANCE: A POWERFUL SIGNAL

The U.S. security assistance package as provided through Plan Colombia and the Andean Counter Drug Initiative sends a powerful signal to U.S. investors in Colombia. Appropriations by the U.S. Congress and Executive branch demonstrate the U.S. is engaged, committed and determined to assist Colombia in the efforts to re-establish the rule of law, promote judicial reform and assist the Colombians in providing security.

The USCBP believes the U.S. Congress should fully fund the Administration’s request for the Andean Counter Drug Initiative and other related programs. Colombia is making demonstrable progress as a result of the US assistance packages and the leadership of President Uribe. We believe it would be in the best interest of the United States to continue to help its neighbor and oldest democracy in South America. Considerable improvement in Colombia has occurred but there are still challenges that remain and the US government and private sector will need to remain engaged.

To achieve peace, we believe it is in the U.S. interest to continue to help Colombia strengthen the rule of law, as a necessary pre-condition to having a stronger and more sustainable democracy. In sum, given political changes in the region, it remains critically important to help our strongest ally in all of Latin America both with a trade promotion agreement that benefits both of our countries and a continued security and rule of law assistance package that can help to bring stability and peace.

ADDENDUM:

Attached below for the record is testimony provided by Caterpillar one of the USCBP member companies before the International Trade Commission:

TESTIMONY OF THOMAS A. GALES, CATERPILLAR VICE PRESIDENT FOR LATIN AMERICA
BEFORE THE U.S. INTERNATIONAL TRADE COMMISSION—OCTOBER 5, 2006

“Potential Effects of the U.S.-Colombia Trade Promotion Agreement”

Mr. Chairman and members of the Commission—on behalf of Caterpillar, the U.S. Chamber of Commerce, the Association of American Chambers of Commerce in Latin America and the U.S.-Colombia Trade Coalition, it is an honor to share our views regarding the proposed U.S.-Colombia Trade Promotion Agreement.

You may recall that earlier this year, I came before this commission to discuss the pending U.S.-Peru Trade Promotion Agreement. I argued that Peru was a democracy, an ally and an important trading partner of the United States. I discussed the economic benefits of the agreement and explained how trade and investment supports other U.S. priorities—including fighting narco-trafficking and terrorism.

I also stressed that the benefits of the recently enacted Chile Free Trade Agreement far exceeded expectations—and predicted that because Peru had even higher tariffs and more consumers than Chile, the benefits of the Peru Trade Promotion Agreement would be even greater.

Today, I'd like to echo those comments and emphasize that we believe the Colombia Trade Promotion Agreement will be even more beneficial than the one with Peru.

We hold that view because Colombia is a bigger economy, it's rich in natural resources, and has 45 million consumers. It's also Latin America's oldest democracy and a key ally on the front lines of the war against terror and narco-trafficking. Colombia also has relatively high tariffs on manufactured goods so there's plenty of room to liberalize trade.

Now, some say the Colombia and Peru Trade Promotion Agreements are not commercially meaningful. At Caterpillar, we couldn't disagree more. In fact, Colombia and Peru combined comprise a larger export market for Caterpillar than Brazil, the United Kingdom, Japan or Germany.

At the Cerrejon mine, 270 Cat machines help mine 23 million tons of coal each year. Representing about half that equipment—Cat off-highway trucks manufactured in Decatur, Illinois.

Colombian customers like those at Cerrejon are among the most sophisticated in the world. They understand productivity—and they know they could be even more productive without Colombia's high tariffs—like the 10 percent duty on each imported off-highway truck.

The good news for these customers? The first day the U.S.-Colombia Trade Promotion Agreement goes into effect, Colombia's \$200,000-plus duty on each large off-highway truck made in United States will be completely eliminated.

That's also good news for Caterpillar. Our products will be more competitive in Colombia. And that in turn will help Colombian customers be more competitive in the world.

What does the U.S. have to do in return? As it relates to mining equipment like off-highway trucks, nothing. The U.S. tariff on these products is already at zero, and that won't change.

And what's good for Caterpillar is also good for other American manufacturers. Colombia's tariff on autos is 35 percent—for furniture, 20 percent—and for computers, 10 percent. By eliminating these duties, the Trade Promotion Agreement will provide the average Colombian consumer with a higher standard of living by offering more product choices at lower prices.

American agriculture and service industries will also benefit. Services represent the fastest growing sector of the Colombian economy, with investment opportunities in financial services, real estate, tourism and transportation. The Trade Promotion Agreement will further open these markets and make investment in these growth sectors more attractive.

The agreement will also enhance the rule of law and bolster implementation of internationally recognized worker's rights. It will strengthen protection and enforcement of U.S. trademarks, patents and copyrights, creating new opportunities for U.S. innovation and creative industries in Colombia.

Intellectual property enforcement mechanisms and penalties will be strengthened as well. And the agreement will provide for investment protections and a transparent dispute settlement procedure.

As a result of these new disciplines, I am confident that Colombia will attract more direct foreign investment and enjoy increased economic growth.

Others on the panel are true agricultural experts, and they will discuss in detail how the Trade Promotion Agreement will affect American agriculture. All I can say that my wife Marilyn and I personally benefit a great deal from duty-free access to Colombian farm products. Tropical fruit, fresh flowers and coffee from Colombia add color, aroma and energy to our lives—and that last one is something my employer also appreciates!

Let me close by stressing that the U.S.-Colombia relationship is about much more than trade and investment. In many ways, it may be the most important bilateral relationship in the hemisphere. Our countries are not just economic partners, but allies in the war against terror and narcotics.

To this end, Plan Colombia was launched in the year 2000 to counter the illegal drug trade and promote development. In 2002, Colombian President Uribe initiated the Democratic Security Plan. Its goal is to enhance security and rule of law by strengthening the Colombian military and increasing its presence in areas where drug trafficking and violence are present. These are difficult issues, but I'm pleased to report that progress is occurring.

The United States and Colombia are more than partners and allies—we are friends. And it's time for our economic relationship to reflect that bond. Let's do away with temporary unilateral preferences and establish a foundation that is mutually beneficial, reciprocal and permanent. It's time to eliminate all trade and in-

vestment barriers between our two countries. It's time to pass and enact the U.S.-Colombian Trade Promotion Agreement.

Thank you. At this time I would be pleased to answer your questions.



Menges Hemispheric Security Project
Center for Security Policy

Statement submitted by Nancy Menges

Statement for the Congressional Record
Chairman Eliot Engel
House Subcommittee on the Western Hemisphere
Committee on International Relations
Title: "U.S.-Colombia Relations"
Date: April 24, 2007

Colombia – Moving Towards More Stability

Colombia, a country which was starting to look like a failed state during the late 1990s, is generally moving in the right direction under the current government. The Uribe administration is under attack because the demobilization of the United Self-Defense Forces of Colombia (AUC) and the resulting peace process has led to the opening of old and new wounds, revealing links between the paramilitary and the political establishment. We believe however, that the Uribe administration deserves US assistance and the ratification of a mutually beneficial FTA, sustaining the country's rebounding economy. The peace process is messy and full of imperfections. It is however gaining momentum and providing a window of opportunity for a better future for the people of Colombia. We further believe that US assistance at this moment can contribute to creating an environment of greater individual security that is less prone to lawlessness and organized crime. It is this environment, if sustained that will help curtail drug smuggling into the United States.

The recent "parapolitics" scandals need to be put into context: they are the symptoms of a consolidating democracy which has created a political climate where these things come to light. The investigations have started a judicial process unprecedented in Colombia's history. The Justice and Peace Law offers only limited amnesty to all those laying down their arms. An estimated 30,000 troops of the United Self-Defense Forces of Colombia (AUC) have laid down their arms and the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) are severely diminished. The country deserves military assistance to close the security gap and create the conditions for greater respect of human rights and lower criminality.

The advantages of a generous FTA will outweigh the competitive disadvantages for small farmers and foster agricultural diversification away from Coca planting. It will help sustain the rebounding Colombian economy and promote a consolidating democracy. Continued assistance under "Plan Colombia" will help strengthen central security. It could also send a powerful message to both the supporters and opponents of the US economic and democratic model.

Stepped up Security

The Uribe Administration is making some headway in reducing crime and violence. The issue of personal security is of great importance to the citizens of Colombia and the positive track record of the Uribe administration, in this regard, is largely responsible for the overwhelming popular support of his government, despite the recent scandals. Colombian investment in the military and security forces have lead to an overall reduction in crime and terror.

The FARC has been expelled from the populated Bogotá - Medellín - Cali triangle in central Colombia. For the first time in years, Colombians can drive between most of the country's cities without risk of abduction or extortion. However, the FARC is diminished but not defeated. There is evidence that its members enjoy safe haven in neighboring Venezuela.

Colombia's murder rate has dropped from 68 people per 100,000 inhabitants in 2002 to 38 people per 100,000 inhabitants in 2006. Some CAHTA members show worse statistics. Killings by right-wing paramilitary squads are on a massive decline and some top paramilitary leaders are in jail.

The Justice and Peace Law: The Disarmament of an Undefeated Military Group.

Embarking on a peace process, the paramilitaries needed an incentive to lay down their arms. The Justice and Peace Law was a necessary compromise albeit its implementation could have been more stringent. The Uribe administration has managed, however, to disarm an undefeated military group without having to offer full amnesty. The Supreme Court stiffened the law which shows that the administration is respecting the legal branch as compared to Venezuela which had the majority of Supreme Court judges resign in the first year of Chavez's rule.

Ensuring peace could become a major achievement of Uribe's administration. Continued US support is crucial, now that the process is gaining momentum. There is good reason to fear that the paramilitary will return to violence. An estimated number of 2,500 to 3,600 have joined "second-generation" paramilitary groups, with purely criminal motivations. This danger is likely to escalate if the military is not given adequate support and is therefore unable to counteract these various threats. If mafia structures believe that the military is a) not able to contain the FARC and ELN and b) might not be able to implement stepped up security measures all over the country, criminal elements will have an easier time resuming armed activities against a weakened Uribe government.

The Administration Entrenched in a Scandal

Uribe's administration is under attack for alleged links to AUC. But Uribe's current problems are, paradoxically, the result of his successful transformation of the conflict. These revelations are a byproduct of the successful disarmament of AUC. The consolidation of democracy has created a climate where prior connections can come to light. Witnesses are coming forward now that they can speak out with less fear. The scandals also present evidence for the slow return of trust in democratic and judicial institutions. It highlights the declining power of the paramilitary who have lost a lot of their leverage over a strengthened democratic apparatus. The recent scandal investigations have to be seen for what they are: a judicial process, unprecedented in Colombia's history.

So far, there is no evidence that Uribe has had any direct contact with the paramilitary leadership. Two members of the Uribe Cabinet that were identified as having connections to the paramilitaries were asked to resign. Admittedly, most of the arrested representatives were his supporters. But it should be noted that most of the allegations against them date from 2002, when they backed the official Liberal candidate against Uribe, who then ran as an independent.

Uribe has given full support to the investigations against AUC members and affiliates. It is their testifying leaders who reveal the connections between them and political representatives; a sad reality of Colombia's politics during the nineties. It is fair to say, however, that neither FARC nor ELN have surrendered to the peace and justice act provisions. To believe that their leader's confessions would not reveal links to left leaning politicians is somewhat illusionary.

While the demobilization has been full of imperfections the process has acquired a momentum of its own that offers a chance for more peace and the strengthening of the rule of law.

Promoting Prosperity through Free Market Mechanisms

A generous free trade agreement is consistent with the interests of the United States. Declining the FTA would hamper the free movement of goods and damage the Colombian economy in a time of rebound. It would discourage those Colombian farmers who are willing to diversify away from coca into legal crops. The success story of Latin countries like Chile show that free trade and US-market access can help strengthen sustainable development and alleviate poverty. Illegal narcotics, on the other hand, do not face tariffs. Though the trade agreement will put competitive pressure on the Colombian agricultural sec-

for the disadvantages posed by US competition are outweighed by the advantages of easier access to the market of Colombia's largest trade partner.

As a result of enhanced security, the economy has rebounded as businesses ramp up investment to \$10 billion last year. Colombia's GDP has been stable under the current administration. However, during a period of economic recovery, Colombia will face competitive disadvantages without the trade agreement. The United States represents the most important market for the sale of Colombian goods. The decline in US-Colombian trade would make the country more dependent on its US-critical neighbors, Venezuela and Ecuador.

Free trade inherently creates win-win situations, meaning that an agreement would benefit the United States as well. Preferred access to a market comprising the second largest population of the Southern Cone (45.3 million inhabitants) will give US business a head start as the Colombian economy is likely to expand in the coming years.

Plan Colombia – a Link Between the Drug Trade and Security

Plan Colombia was started under the Clinton administration and passed by the Congress in order to combat the major drug cartels then thriving in Colombia. A rise in military expenses was crucial for combating drug production and trade. Plan Colombia has stopped the huge drug cartels from creating a criminal element that competes with the legitimate government. The smaller cartels no longer have the same concentration of power that single "drug lords" had before. Estimates are that Plan Colombia has contained the explosion of drug production despite better extraction techniques. Plan Colombia provided for the introduction of more permanent security checkpoints as well as the flexible intervention of security squads through increased use of helicopters.

Plan Colombia has helped to equip the security forces and transform them into a more effective force within the country. US assistance has been essential for that purpose, be it the delivery of hardware or training. While spraying has had negative impacts on the environment it has led to a decrease in long standing coca plantations. It is likely that the transportation and shipping of the drugs as well as the maintenance of clandestine drug laboratories is becoming more difficult as the security situation tightens.

US-Colombia Relations in a Regional Context

In making decisions about Colombia, it is important to consider the wider political context in the Andean region. The recent trend towards left wing governments which happen to have a strong anti-American rhetoric in common leaves Colombia as one of the few remaining examples which can prove that friendship with the United States is beneficial. While two of its neighbors, Venezuela and Ecuador are rapidly moving towards a "Bolivarian Revolution", Colombia's democracy is healthy but fragile. Colombia has fought a narco-guerrilla insurgency in the form of the FARC for the past thirty years. The FARC gave rise to the paramilitaries. Now that the paramilitaries have been disbanded, and the economy is rebounding, is this the time to abandon our ally? Should Colombia falter, the balance of power in the region would change for the worse and the consequences in terms of the increase in drug shipments alone would be contrary to US interests. In that regard, President Rafael Correa of Ecuador has already said that he will not renew the lease of our base at Manta which expires in 2009, from which the majority of our planes leave on drug related missions.

With its commitment to free trade and to the United States, Colombia has accepted the de facto collapse of the Andean Community of Nations. The departure of Venezuela for MERCOSUR marked the demise of a major trade partner. Now that the tide is turning in Ecuador too, Colombia is in need of trade partners. The FARC are diminished but unbeaten. They think history is going their way: Chávez in Venezuela has expressed sympathy for them in the past; so has Rafael Correa, Ecuador's new president. The ratification of the FTA must send a powerful message to an ascending Colombia and to its neighbors.

The failure to ratify FTA would play into the hands of those Latin American leaders who advocate giving up on the United States and would shift to more colorful aid offers by populists like Hugo Chávez.

Suffice it to say, that US support has helped to stabilize Colombia so far. Continued US support is needed to help an ally that has accomplished much but requires our assistance to meet the challenges ahead.

WRITTEN RESPONSES FROM THE HONORABLE ANNE W. PATTERSON, ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE ELIOT L. ENGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

Question:

Some pundits have claimed that coca eradication in Colombia simply drives coca cultivation to neighboring countries. Colombian coca cultivation fell 47% from 2000 to 2005. At the same time, the State Department reported that coca cultivation increased in Bolivia by 8% and in Peru by 10% in 2005. How much has the eradication of coca in Colombia pushed cultivation into Peru and Bolivia? Please quantify this to the extent possible.

Response:

The extent to which eradication of coca in Colombia has pushed cultivation into Peru and Bolivia is almost certainly minimal. Changes in coca cultivation in Peru and Bolivia are more likely attributable to drug trafficking dynamics particular to those countries, including market conditions and host government policies that impact on the effectiveness of eradication and interdiction. Additionally, traffickers in Colombia continue to find exploitable land to cultivate their illicit crops in more remote areas within Colombia where government presence is not as strong, rather than move to other countries. At the same time, continued USG support for counternarcotics efforts and cooperation with the governments in the Andean region helps stymie the migration of trafficking activities.

Question:

Preliminary U.S. government data disclosed in a letter to Senator Charles Grassley indicated that cocaine's price per pure gram on U.S. streets fell in 2006 while its purity increased. What does this new data say about our counternarcotics efforts in Colombia and throughout the Andean region?

Response:

Our understanding of the international cocaine economy is complicated by constant fluctuations in supply and demand, by poorly understood aspects of the cocaine supply chain, and by the enormous profit margins that distort traditional market forces. Nevertheless, the underlying macroeconomic relationship between supply and demand are assumed to prevail in the illicit drug market, and therefore the recent news about purity and price of cocaine on U.S. streets, if indicative of the entire U.S. market, indicates that, although overall cocaine production capacity has declined, there is still sufficient supply to meet declining U.S. demand.

It is clear that U.S. assistance has helped remove hundreds of tons of cocaine from the supply chain. Without this assistance, cocaine would certainly be more readily available in the U.S. and its price would be even lower. In 2006, Colombia alone helped eliminate nearly 500 metric tons of cocaine through its U.S. supported eradication and interdiction efforts.

Although reducing the availability of drugs on U.S. streets is a key goal of our counternarcotics assistance, this assistance also seeks to strengthen democratic governance and public security in the host nation and reduce the power and influence of drug cartels. In Colombia, this assistance has been particularly effective, resulting in a 76 percent reduction in kidnappings, a 61 percent reduction in terrorist attacks, and a 40 percent reduction in homicides over the past five years.

WRITTEN RESPONSES FROM THE HONORABLE CHARLES SHAPIRO, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE ELIOT L. ENGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

Question:

Please provide us with as specific as possible of a breakdown of FY 2008 foreign assistance to Colombia.

Response:

At this stage in our annual budget process, the most specific details we can provide you are in the Congressional Budget Justification (see attached). In the course of the annual budget process, we will provide further details in separate consultations and briefings.

Attachment to QFR #1

From the Congressional Budget Justification,
Foreign Operations, Fiscal Year 2008:

COLOMBIA

Rebuilding

Obstacles and Opportunities for Advancing Transformational Diplomacy

The United States and Colombia recognize that goals for a rebuilding country can only be met through continuing the ongoing comprehensive approach to support a unified campaign against narcotics trafficking and terrorism. The United States plans to accomplish this by strengthening Colombian state institutional capacity to promote economic and social development, alternative development, to provide humanitarian assistance, to protect human rights and the rule of law, as well as to continue interdiction and eradication programs. Transformational diplomacy supports Colombia's new realities based on progress that has been made under Plan Colombia and the U.S. national interest for a strong and successful Colombia in the Andean region. Colombia remains locked in a difficult armed conflict, in which the most important, but not sole, U.S. interests are to stem the flow of drugs and defeat the country's three foreign terrorist organizations. The United States seeks to eliminate the illicit drug trafficking that directly endangers or kills thousands of American citizens each year; support institutional democracy and the rule of law; promote human rights; assist the disadvantaged through market-based development and humanitarian assistance; protect U.S. citizens and commercial interests; and fight Colombian terrorist organizations, one of which will have held three U.S. citizens hostage for four years on February 13, 2007. The Government of Colombia (GOC) shares these goals and has been a steadfast partner in their pursuit. Despite significant progress, many areas are still not yet free of competing narco-terrorist groups. As the Colombian government establishes control, whether through military and police operations or demobilization programs, it must provide recovered communities with government services, capable law enforcement, a working criminal justice system, licit economic opportunities, and the encouragement of a strengthened civil society in order to replace the illegitimate influence of illegal armed groups. President Uribe, who was re-elected with a convincing mandate in May 2006, is maintaining his strong commitment to these programs and has increased the government's counter-narcotics and counter-terror efforts. This has resulted in over 212,000 hectares (525,000 acres) of coca and opium poppy sprayed or manually eradicated in 2006, increased seizures of illicit

drugs, the demobilization or desertion of 35,000 members of terrorist organizations, increased military and law enforcement activity, and new programs for economic development and good government. At the same time, Colombia has significantly augmented defense and social program spending and the GOC is levying an extra "war tax" in 2007-2011 that is expected to provide over \$3.5 billion to pay for increased military equipment and personnel costs.

Resources to Help Advance Transformational Diplomacy

Request by Objective

(\$ in thousands)	2006 Actual	2007 Estimate	2008 Request
Peace and Security	492,590	*	526,524
Governing Justly & Democratically	24,250	*	24,256
Investing in People	30,690	*	35,000
Economic Growth	8,500	*	4,200
Humanitarian Assistance	7,973	*	0
Total	564,003	*	589,710

Request by Account

Account	FY 2006 Actual	FY 2007 Estimate	FY 2008 Request
Andean Counternarcotics Initiative	464,781	*	366,968
Economic Support Fund	0	*	139,500
Foreign Military Financing	89,100	*	78,000
International Military Education & Training	1,673	*	1,500
Nonproliferation, Antiterrorism, & Demining	5,476	*	3,742
Public Law 480 (Food Aid)	2,973**	*	0
Total	564,003	*	589,710

**FY 2006 includes \$2.973 million of P.L. 480 Title II emergency food aid.

Emergency food aid has not been allocated to countries in FY 2008. Colombia received \$16.3 million in INCLE funds in FY2006 supplemental funding

Peace and Security (\$526.3 million): The United States contributes about nine percent of Colombia's military and police budgets and additional funds to assist those affected by violence and lawlessness. U.S. assistance supports the restructuring of defense, military and border security; law enforcement reform and operations; demobilization and reintegration of ex-militants, including child-ex-combatants; countering illicit trafficking in conventional weapons; and anti-kidnapping activities. The United States also provides operational and maintenance support for counter-drug and counter-terrorism aviation assets, and will support helicopters and facilities dedicated to protecting the Cano Limon pipeline, a critical component of Colombia's energy infrastructure. U.S. assistance will allow police forces to further expand their much needed presence in areas of conflict. The "Carabiniero" or rural police program has enabled the GOC to establish a police

presence in every Colombian municipality (equivalent to a U.S. county), including those formerly controlled by terrorist groups. The program is now strengthening police presence focusing on areas previously held by the demobilized paramilitaries. Counter-narcotics funds are devoted to drug eradication and interdiction, and to anti-money laundering. Colombia is assuming steadily larger responsibilities, but funding must be maintained to consolidate the progress that has been made since 2000, including eradicating coca cultivation which could potentially have produced up to 275 metric tons of cocaine or seizing more than 125 metric tons of cocaine destined for the U.S. in each of the last two years. A key element of U.S. support to counter-narcotics efforts is alternative development that promotes sustainable and equitable economic growth alternatives in regions vulnerable to drug production and conflict, with the intent of permanently ending involvement in illicit activities. In addition, the United States will provide assistance to the GOC's reintegration program for demobilized adult and child ex-combatants. As experience in numerous other countries has demonstrated, the successful socio-economic reintegration of ex-combatants is a particularly critical factor in determining the ultimate success of the peace process.

Governing Justly and Democratically (\$24.3 million): U.S. assistance will focus on rule of law and human rights by helping to promote access to justice, improve the justice system, protect human rights, and strengthen the laws and legal institutions. Colombia is converting from its cumbersome written judicial system to a more efficient oral accusatorial system similar to that of the United States. Sixty-two percent of the population now lives in jurisdictions under the new oral accusatory judicial system, soon to spread to the rest of the country. Promotion and protection of human rights is critical to Colombia's conflict resolution and reconciliation efforts. Funds will also be used to strengthen the provision of government services in regions and communities previously controlled by illegal armed groups and support political parties.

Investing in People (\$35.0 million): U.S. assistance will be used to improve the livelihood of Colombia's large internally displaced persons (IDP) population. Funds will be used to provide critical medium to long-term assistance to vulnerable groups and IDPs and will focus on the successful re-integration of IDPs into mainstream Colombian society. Other programs will improve the ability of the GOC to provide services in newly-secured areas.

Economic Growth (\$4.2 million): U.S. assistance will focus on trade and investment, with special emphasis on small and medium enterprises and on the country's poorest regions. On February 27, 2006, the United States and Colombia concluded negotiations for a Free Trade Agreement. If ratified, it will help Colombia sustain and deepen economic progress made over the last several years. Expanding economic opportunities to populations at risk are a continued priority, particularly for indigenous populations, Afro-Colombians, and IDPs.

Request by Element

(\$ in Thousands)	2006 Actual	2007 Estimate	2008 Request
TOTAL	564,003	*	389,710
Counter Terrorism	704	*	313
Deny Terrorist Sponsorship, Support and Sanctuary	3,476	*	0
Governments' Capabilities	228	*	3,315
Stabilization Operations and Security Sector Reform	129,317	*	112,443
Operations Support	89	*	0
Disarmament, Demobilization & Reintegration (DDR)	18,910	*	11,442
Destruction and Security of Conventional Weapons	0	*	427
Defense, Military, and Border Restructuring, Reform and Operations	90,773	*	79,500
Law Enforcement Restructuring, Reform and Operations	19,545	*	20,090
Program Support (Stabilization)	0	*	1,074
Counter Narcotics	257,594	*	409,672
Eradication	257,048	*	189,651
Alternative Development and Alternative Livelihoods	59,248	*	67,566
Interdiction	28,868	*	142,023
Drug Demand Reduction	822	*	214
Program Support (Narcotics)	11,583	*	10,163
Transnational Crime	0	*	878
Financial Crimes and Money Laundering	0	*	861
Program Support (Crime)	0	*	18
Security, Rule of Law, and Democracy	19,690	*	20,608
Rule of Law and Human Rights	19,690	*	20,608
Constitutions, Laws, and Legal Systems	0	*	250
Justice System	10,950	*	11,111
Human Rights	8,740	*	8,000
Program Support (Rule of Law)	0	*	1,245
Good Governance	3,710	*	2,000

Statement of Changes

Funding for Colombia has increased from FY 2006 levels by \$9.4 million. FY 2008 levels reflect the beginning of a consolidation stage and greater funding of activities by the GOC, particularly in the area of drug eradication and interdiction. Alternative development programs previously financed with Andean Counterdrug Initiative (ACI) funds were shifted to the Economic Support Fund (ESF) account.

Question:

Colombia has the second largest number of people internally displaced after only Sudan. Some pundits both in Colombia and the U.S. have argued that U.S. assistance for the second phase of Plan Colombia should focus on these people, many of whom are of African descent. As the government begins to think about the next phase of Plan Colombia, what can be done to help these displaced individuals return to normalcy? What is the rationale for the declining level of funding allocated to the internally displaced considering the gravity and widespread nature of the problem?

Response:

There is no question that the situation of internally displaced persons (IDPs) in Colombia is serious and requires increased attention from the Government of Colombia as well as the international community.

Perhaps the most essential element needed to help internally displaced persons return to normalcy is an effective government presence, which allows government agencies to provide schools, health and other services, and social and economic development programs. Although the number of new IDPs each year is generally declining and they are increasingly establishing themselves in their new locations or returning to their previous homes, the problem has not been resolved.

In January 2007, Colombia announced its follow-on strategy to Plan Colombia, the “Strategy to Strengthen Democracy and Promote Social Development.” A centerpiece of this strategy is the establishment of a robust state presence and creation of sustainable economic opportunities throughout Colombia, especially in those areas most affected by poverty, violence, and illicit cultivation.

These efforts will help address the needs of Afro-Colombians and indigenous people, who make up a disproportionate number of IDPs, as well as other vulnerable groups. Among the new strategy’s elements are consolidation and extension of health, education, and social services; food security programs; small-scale rural development programs; rebuilding of local infrastructure in areas affected by violence; and rural housing development, including creating security conditions which are conducive to the return of IDPs.

Because of the importance of solving this problem, the Colombian government treats assistance to IDPs as a separate component in its new strategy. The United States will continue or begin programs in a number of areas to support Colombia and will:

- Strengthen local government capacity by responding to citizen priorities that help rebuild a community’s social fabric. Assistance will focus on those newly-secured areas in transition from conflict to peace by enhancing security and the effective state delivery of health and education services and building the capacity of local government and citizen groups.
- Improve local capabilities to provide social services in rural areas and selected municipalities and build public confidence in local government.
- Jointly develop a strategy to expand social services in Colombia’s Pacific coastal region, including to Afro-Colombians.
- Provide assistance to and facilitate the reintegration of IDPs and other vulnerable groups, with a special focus on indigenous and Afro-Colombian populations.

With congressional support, we seek to maintain United States programs at earlier levels and to increase them. During FY 2006, the United States programmed \$11.14 million for short-term emergency relief activities through the UNHCR, ICRC and other international organizations and NGOs. An additional \$5 million in ACI funding, appropriated in FY 2006, was not available until FY 2007, and will be used to help maintain ongoing programs. This funding has been allocated to support programs in the areas of protection, food aid, basic shelter, sanitation, basic health care, subsistence income generation, and post-conflict counseling. We also supported activities to ensure that IDPs receive full access to Colombian government services, such as health care, education, and legal services.

Also in FY 2006 and FY 2007, the United States is providing approximately \$30 million yearly for medium and longer term assistance. U.S. assistance is being used to improve the livelihood of Colombia’s large internally displaced persons (IDP) population. Funds will be used to provide critical medium to long-term assistance to vulnerable groups and IDPs and will focus on the successful re-integration of IDPs into mainstream Colombian society. Other programs, such as alternative development, governance, democracy and transparency will also less directly provide support to IDPs.

Our funding requests for FY 2008 are for \$11 million for short-term assistance through international refugee programs and \$35 million for medium and longer term programs. In the years following, we expect to seek increased funding for IDP programs.

In considering the amount of assistance to IDPs, the contributions of the Colombian government and the international community are also important. The Colombian Government has pledged \$2.2 billion in assistance for IDPs from 2005 through 2010 in response to a Constitutional Court decision that found the GOC was not doing enough to assist its IDP population.

Question:

Why do you believe the government of Colombia assigned only 20 prosecutors to investigate over 30,000 paramilitaries? How many paramilitary leaders are currently in prison and do you believe they will serve their reduced sentences?

Response:

The Justice and Peace Unit in the Prosecutor General's Office is currently staffed by 21 prosecutors, 20 forensic experts, and 150 investigators. They are responsible for prosecuting the 2,800 individuals who have asked to be prosecuted under the Justice and Peace Law.

Not all of the 30,000 paramilitaries will be investigated by the Justice and Peace Unit. The majority were pardoned under Law 782, which allows amnesty for members of illegal armed groups who have committed "political and related crimes" (e.g., sedition) but are not known to have committed human rights abuses or other serious crimes. These individuals would still be subject to prosecution if other investigations link them to serious crimes committed during their membership in a paramilitary group. Additionally, crimes that are eligible for sentence reduction under the Justice and Peace Law are only those committed before July 25, 2005. Any subsequent crimes must be prosecuted under ordinary laws.

The Colombian government recognizes the Justice and Peace unit needs increased staffing. On May 16, 2007 the Colombian Congress approved approximately \$600,000 requested by the executive branch to increase the number of personnel in the Prosecutor General's Office. Part of this funding will be used to hire additional attorneys to support the work of the Justice and Peace Unit's prosecutors and personnel to work at the Justice and Peace's call center for victims. Moreover, the Colombian Congress is expected to approve a provision in its National Development Plan to allow significant new resources for the Prosecutor General's office and prosecutions under the Justice and Peace Law.

Under its Justice Reform Program, the U.S. Department of Justice is providing assistance to the Justice and Peace Unit with training of and technical assistance for prosecutors and investigators, equipment, database development, office and hearing room development, and forensic and operational support to the Unit. The Department of Justice used \$1.54 million in FY 2006 funds for these activities. Through the end of FY07, the Department of Justice will spend \$2.58 million and anticipates another \$1.5 million for the development of a human identification center. USAID assists the Justice and Peace Unit in facilitating the victims' participation in the judicial process and in providing administrative support for case management. USAID has obligated approximately \$672, 875 from FY05-06 fund for these two activities.

President Uribe ordered all paramilitary leaders to surrender in August 2006. Seventy paramilitary leaders surrendered and are detained in maximum security prisons. We expect them to serve reduced sentences as provided under the Justice and Peace Law.

Five senior paramilitary leaders, including Vicente Castaño, did not comply with President Uribe's order to surrender. Authorities arrested one of them, Jose Ever Veloza Garcia (aka "H.H."), on April 3, 2007 and continue to seek the other four. These five individuals will not be eligible for reduced sentences under the Justice and Peace Law.

Question:

Please provide us with an explanation of the land titling programs that USAID has funded in Colombia.

Response:

USAID has developed programs to improve land market access for traditionally marginalized low-income groups in rural areas of Colombia. About \$3.25 million is planned for these programs to be implemented during 2006 to 2010.

Technical/training support is focused on policy reform and institutional development areas critical to enhancing land market operations and improving secure access to land for traditionally disenfranchised groups. These include most importantly:

- Reducing transaction costs and streamlining rural land registration, titling and transfer processes. This will create more efficient and transparent land markets, and expand the capacity of small-holders to register and exercise their property rights, including for loan guarantee purposes.
- Support to speed up the redistribution of land seized from narco-traffickers to displaced persons and other marginalized rural groups; and
- Technical assistance to develop transparent and efficient strategies/mechanisms through which indigenous and Afro-Colombian communities can exercise their communal land rights, and at the same time develop investment projects/ agreements with private investors which attract significant job-creating investment resources into their communities.

- USAID also supported reforms in the Rural Development law now before the Colombian Congress designed to strengthen communal land rights-related protections for indigenous and Afro-Colombian communities; strengthen the rights of displaced persons to ensure that their property ownership rights are not transferred to those who have coercively occupied their land; and promote greater transparency and more efficient targeting of beneficiaries under land reform programs supported by the national land reform/rural development agency (INCOHDER). These reforms will help ensure that the progressive land market access provisions contained in the new law, which are designed to provide more equitable access to productive land by marginalized rural groups, are implemented in a transparent and inclusive manner.
- Under its community-based alternative development program (ADAM), USAID is helping to resolve on-the-ground land ownership problems faced by beneficiaries in the municipalities in which the program is operating. This entails a diagnostic of the current land ownership situation for productive projects being carried out under the program. Based on this diagnostic, a strategy is developed and executed to resolve key land ownership problems/rigidities which have been identified. The main objective is to clarify and resolve any issues related to the registration and effective exercise of property ownership rights to land with the support of USAID.
- In turn, this on-the-ground support is providing valuable additional information on institutional impediments which need to be addressed to create a more transparent and cost-effective land titling and transfer system generally.
- Finally, the program supports local government institutions on a pilot basis to improve municipal capacity to manage their cadastral records/systems. This is critical from both a fiscal capacity and a land market.

Question:

In Colombia, we have very credible allegations of a U.S.-owned company, Drummond Coal, having paid a terrorist group, the AUC paramilitary, to kill three prominent trade union leaders in 2001. This is a very serious matter that has been raised both by the Colombian press as well as Attorney General Mario Iguaran, who recently stated that his office is in the "advanced stages" of an investigation. The State Department in its human rights reports going back to 2002 has also discussed this case. Has our government discussed this investigation with Mr. Iguaran?

Response:

We are closely watching the Drummond case and other cases involving violence against trade unionists. The Prosecutor General's Office informs us that it continues to investigate the murders of Valmore Locarno Rodriguez, Victor Hugo Orcasita Amaya, and Gustavo Soler Mora, the three trade unionists who worked for Drummond. On May 2, 2007, prosecutors called former paramilitary leader "Jorge 40" for questioning related to the murder of two of the three victims.

There is related U.S. district court litigation in Alabama brought by the trade union and several individual Colombian citizens against the Drummond coal company and others. The trial is scheduled to begin on July 9. The presiding judge has requested judicial assistance from the Colombian government in deposing former Colombian intelligence officer Rafael Garcia and obtaining evidence in the possession of the Colombian government. Mr. Garcia is in prison, convicted of unlawfully using his official position to delete outstanding arrest warrants against known traffickers from intelligence files. Mr. Garcia reportedly claimed that he saw Drummond's top executives in Colombia give \$200,000 to a paramilitary representative. The Department of State has forwarded the U.S. judge's request to the U.S. Embassy for transmission to Colombian authorities.

Question:

Can you please tell me if there has been any spillover of FARC or paramilitary violence into Venezuela and Ecuador? Is there any reason to believe that the Venezuelan government may be aiding either the FARC or paramilitary leaders?

Response:

Colombia's illegal armed groups, including the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and remnants of paramilitary groups, regularly cross the border into Venezuela for safe haven or to purchase arms or other supplies. In addition, these and other Colombian groups that traffic in narcotics frequently fly through Venezuelan airspace.

Some of the activities of Colombian illegal armed groups in Venezuela are not violent, although they help sustain their violent actions within Colombia. Other activities of these groups in Venezuela are violent and result in security problems in Venezuelan border provinces.

The Venezuelan government has failed to take appropriate steps to deny safe haven to Colombian illegal armed groups. It remains unclear to what extent the Venezuelan government provides material support to Colombian illegal armed groups. However, limited amounts of weapons and ammunition—some from official Venezuelan stocks and facilities—have turned up in the hands of the FARC and ELN.

The FARC also uses Ecuador for safe haven, and violence is increasingly present along parts of the border with Colombia. Although the Ecuadorian military and police seek to capture or kill FARC fighters who are present in northern Ecuador, citizen security in some places has deteriorated this year. The Ecuadorian government launched an ambitious “Plan Ecuador” for 2007–2018 aimed at strengthening its development efforts in its northern provinces to provide licit economic opportunities for its citizens and to improve their standard of living.

The U.S. government is providing more than \$21 million in assistance in FY 2007 to support Ecuadorian government efforts in its northern provinces.

Colombian government officials have sought to work pragmatically with Venezuela and Ecuador with the aim of improving security cooperation to curb the flow of militants, supplies, and drugs across the borders.

