Congressional Research Service
Informing the legislative debate since 1914

Colombia: Background and U.S. Relations

Updated February 8, 2019

Congressional Research Service
https://crsreports.congress.gov
R43813

CRS REPORT
Prepared for Members and
Committees of Congress

Summary

A key U.S. ally in the Latin American region, Colombia endured an internal armed conflict for half a century. Drug trafficking fueled the violence by funding both left-wing and right-wing armed groups. Some analysts feared Colombia would become a failed state in the late 1990s, but the Colombian government devised a new security strategy, known as Plan Colombia, to counter the insurgencies. Originally designed as a 6-year program, Plan Colombia ultimately became a 17-year U.S.-Colombian bilateral effort. The partnership focused initially on counternarcotics and later on counterterrorism; it then broadened to include sustainable development, human rights, trade, regional security, and many other areas of cooperation. Between FY2000 and FY2016, the U.S. Congress appropriated more than $10 billion to help fund Plan Colombia and its follow-on programs. For FY2018, Congress appropriated $391.3 million in foreign aid for Colombia, including assistance to promote peace and end the conflict.

President Juan Manuel Santos (2010-2018) made concluding a peace accord with the Revolutionary Armed Forces of Colombia (FARC)—the country's largest leftist guerrilla organization—his government's primary focus. Following four years of formal peace negotiations, Colombia's Congress ratified the FARC-government peace accord in November 2016. During a U.N.-monitored demobilization effort in 2017, approximately 11,000 FARC disarmed and demobilized. This figure included FARC who had been held in prison for crimes of rebellion and those making up FARC militias, who were accredited by the Colombian government as eligible to demobilize.

On August 7, 2018, Iván Duque, a senator from the conservative Democratic Center party, was inaugurated to a four-year presidential term. Duque, who also worked at the Inter-American Development Bank in Washington, DC, and is Colombia's youngest president in a century, campaigned as a critic of the peace accord with the FARC. His party objected to specific measures concerning justice and political representation. Some observers maintain that his election has generated uncertainty for implementation of the accord. Shortly after taking office, Duque suspended peace talks with the National Liberation Army (ELN), the country's second-largest rebel group, which had begun under President Santos.

Since the ratification of the peace accord, Colombia's long-term strategy has evolved from defeating insurgents to post-conflict stabilization. Many considered Plan Colombia and its successor strategies a remarkable advance, given the country's improvements in security and economic stability. Nevertheless, recent developments have called into question Colombia's progress. The FARC's demobilization has triggered open conflict among armed actors (including FARC dissidents and transnational criminal groups), which seek to control drug cultivation and trafficking, illegal mining, and other illicit businesses that the demobilized FARC abandoned. The ongoing lack of governance in remote rural areas recalls the conditions that originally gave rise to the FARC and other armed groups.

Many observers continue to raise concerns about the country's human-rights conditions, sharp increases in coca cultivation and cocaine production, and problems stemming from the failing authoritarian government of neighboring Venezuela, which shares a nearly 1,400-mile border with Colombia. Venezuela's humanitarian crisis has set in motion an exodus of migrants, many of whom have sought temporary residence (or extended stays) in Colombia. Political upheaval has added yet more uncertainty after the United States and many other Western Hemisphere and European nations, including Colombia, called for a democratic transition in Venezuela and recognized the president of the Venezuelan National Assembly, Juan Guaidó, as the country's interim president in January 2019.

The U.S.-Colombia Trade Promotion Agreement went into force in May 2012. The United States remains Colombia's top trade partner. After several years of annual growth exceeding 4%, one of the steadiest expansion rates in the region, Colombia grew by an estimated 2.7% in 2018. The FARC-government peace accord is projected to cost more than $40 billion to implement over 15 years, adding to the polarization over the controversial peace process.

For additional background, see CRS In Focus IF10817, *Colombia's 2018 Elections*, CRS Report R44779, *Colombia's Changing Approach to Drug Policy*, CRS Report R42982, *Colombia's Peace Process Through 2016*, and CRS Report RL34470, *The U.S.-Colombia Free Trade Agreement: Background and Issues*.

Contents

Political and Economic Situation 1
Political Background and Colombia's Internal Conflict 1
Roots of the Conflict 2
The Uribe Administration (2002-2010) 4
The Santos Administration (2010-2018) 5
A New Legislature and President in 2018 7
Economic Background 11
Peace Accord Implementation 12
The Current Security Environment 14
Instability in Venezuela Drives a Regional Migrant Crisis 17
Ongoing Human Rights Concerns 18
Extrajudicial Executions and "False Positives" 19
Human Rights Defenders and Journalists 20
Violence and Labor 21
Internal Displacement 23
Regional Relations 24
Colombia's Role in Training Security Personnel Abroad 25
U.S. Relations and Policy 27
Plan Colombia and Its Follow-On Strategies 28
National Consolidation Plan and Peace Colombia 30
Funding for Plan Colombia and Peace Colombia 31
Human Rights Conditions on U.S. Assistance 34
Assessing the Programs of Plan Colombia and Its Successors 36
Trends in Colombia's Coca Cultivation 37
Drug Crop Eradication and Other Supply Control Alternatives 38
New Developments Under the Duque Administration 40
U.S.-Colombia Trade Relations, OECD, and the Pacific Alliance 41
Outlook 42

Figures

Figure 1. Map of Colombia 3
Figure 2. Legislative Election Results 8
Figure 3. Presidential Second-Round Vote Results on June 17, 2018 9
Figure 4. Third-Country Security Forces Trained Under the Action Plan on Regional Security Cooperation, 2013-2017 26

Tables

Table 1. U.S. Assistance for Colombia by State Department Foreign Aid Account: FY2010-FY2018 33
Table 2. U.S. Assistance for Colombia from the Department of Defense: FY2010-FY2017 33
Table 3. U.S. ONDCP Estimate of Coca Cultivation in Colombia 37

Table 4. UNODC Estimate of Coca Cultivation in Colombia 38
Table 5. U.S. Government Estimates of Pure Cocaine Production in Colombia 38

Appendixes

Appendix. Selected Online Human Rights Reporting on Colombia 44

Contacts

Author Information 44
Acknowledgments 44

Political and Economic Situation

Political Background and Colombia's Internal Conflict

Colombia, one of the oldest democracies in the Western Hemisphere and the third most populous Latin American country, has endured a multisided civil conflict for more than five decades until President Juan Manuel Santos declared the conflict over in August 2017 at the end of a U.N.-monitored disarmament.[1] According to the National Center for Historical Memory 2013 report, presented to the Colombian government as part of the peace process to end the fighting, some 220,000 Colombians died in the armed conflict through 2012, 81% of them civilians.[2]

The report also provided statistics quantifying the scale of the conflict, which has taken a huge toll on Colombian society: more than 23,000 selective assassinations between 1981 and 2012; internal displacement of more than 5 million Colombians due to land seizure and violence; 27,000 kidnappings between 1970 and 2010; and 11,000 deaths or amputees from anti-personnel land mines laid primarily by Colombia's main insurgent guerrilla group, the Revolutionary Armed Forces of Colombia (FARC).[3] To date, more than 8 million Colombians, or roughly 15% of the population, have registered as conflict victims.

Although the violence has scarred Colombia, the country has achieved a significant turnaround. Once considered a likely candidate to become a failed state, Colombia, over the past two decades, has overcome much of the violence that had clouded its future. For example, between 2000 and 2016, Colombia saw a 94% decrease in kidnappings and a 53% reduction in homicides (below 25 per 100,000 in 2016).[4] Coupled with success in lowering violence, Colombia has opened its economy and promoted trade, investment, and growth. Colombia has become one of Latin America's most attractive locations for foreign direct investment. Yet, after steady growth over several years,

Colombia at a Glance

Population: 49 million (2017, IMF)

Area: 439,736 sq. miles, slightly less than twice the size of Texas

GDP: $309.2 billion (2017, current prices, IMF)

Per Capita Income: $6,273 (2017, current prices, IMF)

Life Expectancy: 75 (2016 est., CIA)

Ethnic Makeup: Mestizos 49%, Caucasian 37%, Afro-Colombian 10.6%, and Indigenous 3.4%. (Colombian Ministry of the Environment, 2017)

Key Trading Partners: United State (26.9%), China (12.8%) Mexico (5.9%), (2017, total trade, GTA)

Legislature: Bicameral Congress, with 102-member Senate and 166-member Lower House. (12 additional seats set aside in 2018, due to constitutional change and peace accord requirements, so 280 seats in the FY2018-2022 Congress)

Sources: International Monetary Fund (IMF); U.S. Department of State; Central Intelligence Agency (CIA); Global Trade Atlas (GTA), accessed March 2018.

[1] Juan Manuel Santos, "Palabras del Presidente Juan Manuel Santos en el Acto Final de Dejación de Armas de las Farc," Presidencia de la Republica, June 27, 2017, http://es.presidencia.gov.co/discursos/170627-Palabras-del-Presidente-Juan-Manuel-Santos-en-el-acto-final-de-dejacion-de-armas-de-las-Farc and "Aquí Estamos Viendo que lo Imposible Fue Posible," Presidencia de la Republica, August 15, 2017.

[2] *Basta Ya! Colombia: Memorias de Guerra y Dignidad*, Center for Historical Memory, at http://www.centrodememoriahistorica.gov.co/micrositios/informeGeneral/.

[3] About half of Colombia's 32 departments (states) have land mines, and the government has estimated that about 11,000 Colombians have been injured or killed by the weapons since 1990.

[4] Statistics from Embassy of Colombia in the United States, "Plan Colombia Success: How Colombia Today is A Stronger U.S. Ally," http://www.colombiaemb.org, 2017; David Gagne, "InSight Crime's 2016 Homicide Round-Up," InSight Crime, January 17, 2017, at http://www.insightcrime.org/news-analysis/insight-crime-2016-homicide-round-up.

Colombia's economy slowed to 3.1% growth in 2015 and declined to 1.7% in 2017.[5] Many analysts identified Colombia's dependence on oil and other commodity exports as the primary cause.

Between 2012 and 2016, the Colombian government held formal peace talks with the FARC, Colombia's largest guerrilla organization. Upon taking office for a second term in August 2014, President Santos declared peace, equality, and education as his top priorities, although achieving the peace agreement remained his major focus. In August 2016, the government and FARC negotiators announced they had concluded their talks and achieved a 300-page peace agreement. The accord was subsequently narrowly defeated in a popular referendum held in early October 2016, but was revised by the Santos government and agreed to by the FARC and then ratified by the Colombian Congress at the end of November 2016.

Roots of the Conflict

The Colombian conflict predates the formal founding of the FARC in 1964, as the FARC had its beginnings in the peasant self-defense groups of the 1940s and 1950s. Colombian political life has long suffered from polarization and violence based on the significant disparities and inequalities suffered by landless peasants in the country's peripheral regions. In the late 19th century and a large part of the 20th century, the elite Liberal and Conservative parties dominated Colombian political life. Violence and competition between the parties erupted in a period of extreme violence in Colombia, known as *La Violencia*, set off in 1948 by the assassination of Liberal presidential candidate Jorge Gaitán. The violence continued for the next decade.

After a brief military rule (1953-1958), the Liberal and Conservative parties agreed to a form of coalition governance, known as the National Front. Under the arrangement, the presidency of the country alternated between Conservatives and Liberals, each holding office in turn for four-year intervals. This form of government continued for 16 years (1958-1974). The power-sharing formula did not resolve the tension between the two historic parties, and many leftist, Marxist-inspired insurgencies took root in Colombia, including the FARC, launched in 1964, and the smaller National Liberation Army (ELN), which formed the following year. The FARC and ELN conducted kidnappings, committed serious human rights violations, and carried out a campaign of terrorist activities to pursue their goal of unseating the central government in Bogotá.

Rightist paramilitary groups formed in the 1980s when wealthy ranchers and farmers, including drug traffickers, hired armed groups to protect them from the kidnapping and extortion plots of the FARC and ELN. In the 1990s, most of the paramilitary groups formed an umbrella organization, the United-Self Defense Forces of Colombia (AUC). The AUC massacred and assassinated suspected supporters of the insurgents and directly engaged the FARC and ELN in military battles. The Colombian military has long been accused of close collaboration with the AUC, accusations ranging from ignoring their activities to actively supporting them. Over time, the AUC became increasingly engaged in drug trafficking, and other illicit businesses. In the late 1990s and early 2000s, the U.S. government designated the FARC, ELN, and AUC as Foreign Terrorist Organizations (FTOs).[6] The AUC was formally dissolved in a collective demobilization between 2003 and 2006 after many of its leaders stepped down. However, former paramilitaries joined armed groups (called criminal bands, or Bacrim, by the Colombian government) who continued to participate in the lucrative drug trade and commit other crimes and human rights

[5] "Country Report: Colombia," Economist Intelligence Unit (EIU), October 2018.

[6] For additional background on the Foreign Terrorist Organizations (FTOs) in Colombia and their evolution as part of the multisided conflict, see CRS Report R42982, *Colombia's Peace Process Through 2016*, by June S. Beittel, and CRS Report RS21049, *Latin America: Terrorism Issues*, by Mark P. Sullivan and June S. Beittel.

abuses. When the FARC demobilized in 2017, other illegally armed groups began aggressive efforts to take control of former FARC territory and its criminal enterprises as FARC forces withdrew. (For more, see "The Current Security Environment," below.)

Figure 1. Map of Colombia

Departments and Capitals shown

Source: Congressional Research Service (CRS).

The Uribe Administration (2002-2010)

The inability of Colombia's two dominant parties to address the root causes of violence in the country led to the election of an independent, Álvaro Uribe, in the presidential contest of 2002. Uribe, who served two terms, came to office with promises to take on the violent leftist guerrillas, address the paramilitary problem, and combat illegal drug trafficking.

During the 1990s, Colombia had become the region's—and the world's—largest producer of cocaine. Peace negotiations with the FARC under the prior administration of President Andrés Pastrana (1998-2002) had ended in failure; the FARC used a large demilitarized zone located in the central Meta department (see map, **Figure 1**) to regroup and strengthen itself. The central Colombian government granted the FARC this demilitarized zone, a traditional practice in Colombian peace negotiations, but the FARC used it to launch terror attacks, conduct operations, and increase the cultivation of coca and its processing, while failing to negotiate seriously. Many analysts, noting the FARC's strength throughout the country, feared that the Colombian state might fail and some Colombian citizens thought the FARC might at some point successfully take power.[7] The FARC was then reportedly at the apogee of its strength, numbering an estimated 16,000 to 20,000 fighters under arms.

This turmoil opened the way for the aggressive strategy advocated by Uribe. At President Uribe's August 2002 inauguration, the FARC showered the event with mortar fire, signaling the group's displeasure at the election of a hardliner, who believed a military victory over the Marxist rebels was possible. In his first term (2002-2006), President Uribe sought to shore up and expand the country's military, seeking to reverse the armed forces' losses by aggressively combating the FARC. He entered into peace negotiations with the AUC.

President Pastrana had refused to negotiate with the rightist AUC, but Uribe promoted the process and urged the country to back a controversial Justice and Peace Law that went into effect in July 2005 and provided a framework for the AUC demobilization. By mid-2006, some 31,000 AUC paramilitary forces had demobilized. The AUC demobilization, combined with the stepped-up counternarcotics efforts of the Uribe administration and increased military victories against the FARC's irregular forces, helped to bring down violence, although a high level of human rights violations still plagued the country.[8] Uribe became widely popular for the effectiveness of his security policies, a strategy he called "Democratic Security." Uribe's popular support was evident when Colombian voters approved a referendum to amend their constitution in 2005 to permit Uribe to run for a second term.

Following his reelection in 2006, President Uribe continued to aggressively combat the FARC. For Uribe, 2008 was a critical year. In March 2008, the Colombian military bombed the camp of FARC's second-in-command, Raul Reyes (located inside Ecuador a short distance from the border), killing him and 25 others. Also in March, another of FARC's ruling seven-member secretariat was murdered by his security guard. In May, the FARC announced that their supreme leader and founder, Manuel Marulanda, had died of a heart attack. The near-simultaneous deaths of three of the seven most important FARC leaders were a significant blow to the organization. In

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

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

July 2008, the Colombian government dramatically rescued 15 long-time FARC hostages, including three U.S. defense contractors who had been held captive since 2003 and Colombian senator and former presidential candidate Ingrid Bentancourt. The widely acclaimed, bloodless rescue further undermined FARC morale.[9]

Uribe's success and reputation, however, were marred by several scandals. They included the "parapolitics" scandal in 2006 that exposed links between illegal paramilitaries and politicians, especially prominent members of the national legislature. Subsequent scandals that came to light during Uribe's tenure included the "false positive" murders allegedly carried out by the military (primarily the Colombian Army) in which innocent civilians were executed and then dressed to look like guerilla fighters to increase the military's rebel body count. In 2009, the media revealed another scandal of illegal wiretapping and other surveillance by the government intelligence agency, the Department of Administrative Security (DAS), to discredit journalists, members of the judiciary, and political opponents of the Uribe government. (In early 2012, the tarnished national intelligence agency was replaced by Uribe's successor, Juan Manuel Santos.) Despite the controversies, President Uribe remained popular and his supporters urged him to run for a third term in 2010. Another referendum was proposed to alter the constitution to allow a third term; however, it was turned down by Colombia's Constitutional Court.

The Santos Administration (2010-2018)

Once it became clear that President Uribe was constitutionally ineligible to run again, Juan Manuel Santos of the pro-Uribe National Unity party (or Party of the U) quickly consolidated his preeminence in the 2010 presidential campaign. Santos, a centrist, who came from an elite family that once owned the country's largest newspaper, had served as Uribe's defense minister through 2009. In 2010, Santos campaigned on a continuation of the Uribe government's approach to security and its role encouraging free markets and economic opening, calling his reform policy "Democratic Prosperity." In the May 2010 presidential race, Santos took almost twice as many votes as his nearest competitor, Antanas Mockus of the centrist Green Party, but he did not win a majority. Santos won the June runoff with 69% of the vote. Santos's "national unity" ruling coalition formed during his campaign included the center-right National Unity and Conservative parties, the centrist Radical Change Party, and the center-left Liberal party.[10]

On August 7, 2010, President Santos said in his first inauguration speech that he planned to follow in the path of President Uribe, but that "the door to [peace] talks [with armed rebels] is not locked."[11] The Santos government was determined to improve relations with Ecuador and Venezuela, which had become strained under Uribe. Santos sought to increase cooperation on cross-border coordination and counternarcotics. He attempted to reduce tensions with Venezuela that had become fraught under Uribe, who claimed that Venezuelan President Hugo Chávez had long harbored FARC and ELN forces.

During his first two years in office, President Santos reorganized the executive branch and built on the market opening strategies of the Uribe administration and secured a free-trade agreement with the United States, Colombia's largest trade partner, which went into effect in May 2012. To address U.S. congressional concerns about labor relations in Colombia, including the issue of

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

[10] In July 2011, the coalition contained 89 senators out of 102 in the Colombian upper house. However, in late September 2013, the Green Party (renamed the Green Alliance) broke away from the ruling coalition, although it sometimes continued to vote with the government.

[11] See Juan Forero, "Colombia Opens Door for Talks with FARC Rebels," *Washington Post*, August 11, 2010.

violence against labor union members, the United States and Colombia agreed to an "Action Plan Related to Labor Rights" (Labor Action Plan) in April 2011. Many of the steps prescribed by the plan were completed in 2011 while the U.S. Congress was considering the free trade agreement.

Significantly, the Santos government maintained a vigorous security strategy and struck hard at the FARC's top leadership. In September 2010, the Colombian military killed the FARC's top military commander, Victor Julio Suárez (known as "Mono Jojoy"), in a bombing raid. In November 2011, the FARC's supreme leader, Guillermo Leon Saenz (aka "Alfonso Cano") was assassinated. He was replaced by Rodrigo Londoño Echeverri (known as "Timoleón Jiménez" or "Timochenko"), the group's current leader.

While continuing the security strategy, the Santos administration began to re-orient the Colombian government's stance toward the internal armed conflict through a series of reforms. The first legislative reform that moved this new vision along, signed by President Santos in June 2011, was the Victims' and Land Restitution Law (Victims' Law), to provide comprehensive reparations to an estimated (at the time) 4 million to 5 million victims of the conflict. Reparations under the Victims' Law included monetary compensation, psycho-social support and other aid for victims, and the return of millions of hectares of stolen land to those displaced.[12] The law was intended to process an estimated 360,000 land restitution cases.[13] The government's implementation of this complex law began in early 2012.[14] Between 2011 and 2016, there were more than 100,000 applications for restitution and 5,000 properties, or about 5%, were resolved by judges.[15]

The Victims' Law, while not a land reform measure, tackled issues of land distribution including the restitution of stolen property to displaced victims. Given the centrality of land issues to the rural peasant-based FARC, passage of the Victims' Law was a strong indicator that the Santos government shared its interest in addressing land and agrarian concerns. In June 2012, another government initiative—the Peace Framework Law, also known as the Legal Framework for Peace—was approved by the Colombian Congress, which signaled that congressional support for a peace process was growing.[16]

In August 2012, President Santos announced he had opened exploratory peace talks with the FARC and was ready to launch formal talks. The countries of Norway, Cuba, Venezuela, and Chile each held an international support role, with Norway and Cuba serving as peace talk hosts and "guarantors." Following the formal start in Norway, the actual negotiations began a month later in mid-November 2012 in Cuba, where the FARC-government talks continued until their conclusion in August 2016.

[12] The Victims' and Land Restitution Law (Victims' Law) covers harms against victims that date back to 1985, and land restitution for acts that happened after 1991.

[13] Embassy of Colombia, "Victims and Land Restitution Law: Addressing the Impact of Colombia's Internal Armed Conflict," fact sheet, January 2013.

[14] For example, the law's implementation, particularly of land restitution efforts, was viewed by many analysts as limited. See Lisa Haugaard et al., *Far from the Promised Land: Land Restitution on Colombia's Caribbean Coast*, Lutheran World Relief and Latin America Working Group Education Fund, November 2013.

[15] U.S. State Department, "Investment Climate Statement for 2017: Colombia," June 29, 2017, at https://www.state.gov/e/eb/rls/othr/ics/2017/wha/270056.htm.

[16] In August 2013, the Colombian Constitutional Court ruled that the Peace Framework Law was constitutional. In response to another challenge, the court again upheld the law in August 2014, establishing that demobilized guerrillas who had not committed crimes against humanity could eventually run for political office.

In the midst of extended peace negotiations, Colombia's 2014 national elections presented a unique juncture for the country. During the elections, the opposition *Centro Democrático* (CD) party gained 20 seats in the Senate and 19 in the less powerful Chamber of Representatives,[17] and its leader, former President Uribe, became a popular senator. His presence in the Senate challenged the new ruling coalition that backed President Santos.

During his second-term inaugural address in August 2014, President Santos declared three pillars—peace, equality, and education—as his focus, yet his top priority was to conclude the peace negotiations with the FARC. In February 2015, the Obama Administration provided support to the peace talks by naming Bernard Aronson, a former U.S. assistant secretary of state for Inter-American Affairs, as the U.S. Special Envoy to the Colombian peace talks.

Talks with the FARC concluded in August 2016. In early October, to the surprise of many, approval of the accord was narrowly defeated in a national plebiscite by less than a half percentage point of the votes cast, indicating a polarized electorate. Regardless, President Santos was awarded the Nobel Peace Prize in December 2016, in part demonstrating strong international support for the peace agreement. In response to the voters' criticisms, the Santos government and the FARC crafted a modified agreement, which they signed on November 24, 2016. Rather than presenting this agreement to a plebiscite, President Santos sent it directly to the Colombian Congress, where it was ratified on November 30, 2016. Although both chambers of Colombia's Congress approved the agreement unanimously, members of the opposition CD party criticized various provisions in the accord that they deemed inadequate and boycotted the vote.

The peace process was recognized as the most significant achievement of the Santos presidency and lauded outside of Colombia and throughout the region. Over the course of two terms, the President's approval ratings rose and fell rather significantly. His crowning achievement, the accord negotiated over 50 rounds of talks, covered five substantive topics: rural development and agricultural reform; political participation by the FARC; an end to the conflict, including demobilization, disarmament and reintegration; a solution to illegal drug trafficking; and justice for victims. A sixth topic provided for mechanisms to implement and monitor the peace agreement.

A New Legislature and President in 2018

Colombians elected a new congress in March 2018 and a new president in June 2018. Because no presidential candidate won more than 50% of the vote on May 27, 2018, as required for a victory in the first round, a second-round runoff was held June 17 between the rightist candidate Iván Duque and the leftist candidate Gustavo Petro (see results for presidential contest, **Figure 3**). Duque was carried to victory with almost 54% of the vote. Runner-up Petro, a former mayor of Bogotá, a former Colombian Senator, and once a member of the M-19 guerilla insurgency, nevertheless did better than any leftist candidate in a presidential race in the past century; he won 8 million votes and nearly 42% of the votes cast. Around 4.2% were protest votes, signifying Colombian voters who cast blank ballots.

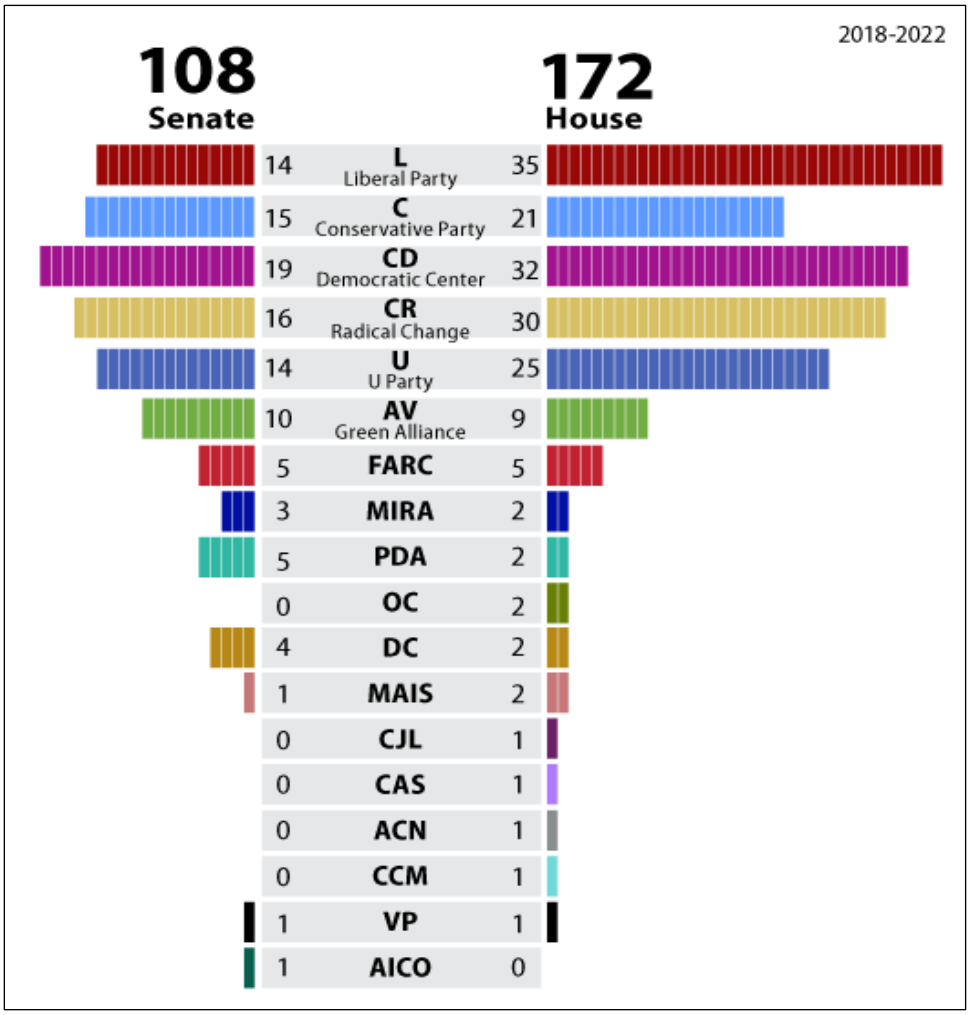
Through alliance building, Duque achieved a functional majority or a "unity" government, which involved the Conservative Party, Santos's prior National Unity or Party of the U, joining the CD, although compromise was required to keep the two centrist parties in sync with the more conservative CD. In the new Congress, two extra seats, for the presidential and vice presidential runners up, became automatic seats in the Colombian Senate and House, due to a constitutional

[17] Final results for the 2014 legislative elections provided to the Congressional Research Service (CRS) by a Colombian Embassy official, July 22, 2014.

change in 2015, allowing presidential runner up Gustavo Petro to return to the Senate. The CD party, which gained seats in both houses in the March vote, won the majority in the Colombian Senate (see **Figure 2** for seat breakouts by party).

Figure 2. Legislative Election Results

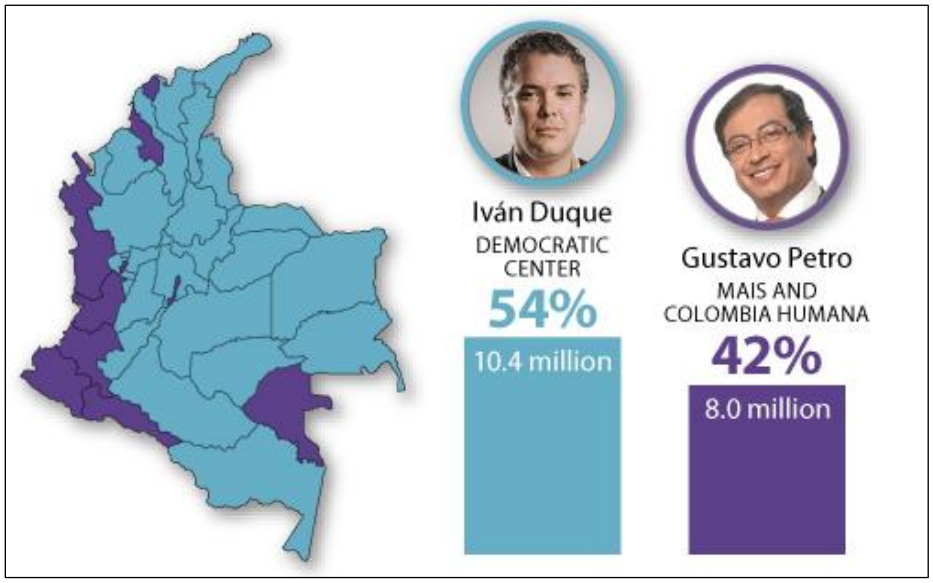
(March 11, 2018, results and the 12 automatic seats shown)



Source: "Nueva Composición del Senado a Partir del 20 Julio," Senado de Colombia, March 14, 2018, at http://www.senado.gov.co/noticiero-del-senado/item/27756-nueva-composicion-del-senado-a-partir-del-20-julio; http://especiales.semana.com/big-data-electoral/distribucion-camara-representantes/index.html.

Notes: FARC=Revolutionary Alternative Common Force; MIRA=Absolute Renovation Independent Movement; PDA=Alternative Democratic Pole; OC=Citizens' Option; DC=Decentes; MAIS=Alternative Indigenous and Social Movement; CJL=Colombia Justa Libres; CAS=Alternate Santander Coalition; ACN=Ancestral Afro-Colombian Communal Council of Playa Renaciente; CCM=La Mamuncia Communal Council; VP (Second Place Presidential in the Senate; Second Place Vice Presidential in House); AICO=Indigenous Authorities of Colombia.

Figure 3. Presidential Second-Round Vote Results on June 17, 2018



Source: CRS.

Notes: Drawn from data in http://www.eltiempo.com/elecciones-colombia-2018/presidenciales/mapa-de-resultados-de-la-segunda-vuelta-presidencial-en-colombia-232010.

Duque, who was inaugurated on August 7, 2018, at the age of 42, was the youngest Colombian president elected in a century. He possessed limited experience in Colombian politics. Duque was partially educated in the United States and worked for at decade at the Inter-American Development Bank in Washington, DC. He was the handpicked candidate of former president Uribe, who vocally opposed many of Santos's policies. Disgruntled Colombians perceived Santos as an aloof president whose energy and political capital were expended accommodating an often-despised criminal group, the FARC. President Duque appeared to be technically oriented and interested in economic reform, presenting himself as a modernizer.

During his campaign, Duque called for economic renewal and lower taxes, fighting crime, and building renewed confidence in the country's institutions through some reforms. On September 26, 2018, in a speech before the U.N. General Assembly, the new president outlined his policy objectives.[18] Duque called for increasing legality, entrepreneurship, and fairness by (1) promoting peace; (2) combating drug trafficking and recognizing it as a global menace, and (3) fighting corruption, which he characterized as a threat to democracy. He also maintained that the humanitarian crisis in neighboring Venezuela, resulting in more than 1 million migrants fleeing to Colombia, was an emergency that threatened to destabilize the region. Duque proposed a leadership role for Colombia in denouncing the authoritarian government of President Nicolás Maduro and containing his government's damage. By late November 2018, 1.2 million Venezuelans already present in Colombia were putting increasing pressure on the government's finances, generating a burden estimated at nearly 0.5% of the country's gross domestic product (GDP).[19]

[18] Embassy of Colombia in the United States, "The Pact for Fairness and Progress," Remarks by the President of the Republic, Iván Duque Márquez, before the General Assembly of the United Nations in the 73rd period of ordinary sessions. September 26, 2018.

[19] Antonio Maria Delgado, "Colombia Will Find It Hard to Accept Another 1 Million Venezuelan Migrants," *Miami Herald*, November 27, 2018.

President Duque, along with his vice president, Marta Lucía Ramírez, who initially ran as the Conservative Party candidate in the first round, recommended that drug policy shift back to a stricter counterdrug approach rather than a model endorsed in the peace accord, which focuses on voluntary eradication and economic support to peasant farmers to transition away from illicit drug crops. Duque campaigned on returning to spraying coca crops with the herbicide glyphosate. This would reverse Colombia's decision in mid-2015 to end aerial spraying, which had been a central—albeit controversial—feature of U.S.-Colombian counter-drug cooperation for two decades.[20]

Colombians' concerns with corruption became particularly acute during the 2018 elections, as major scandals were revealed. Similar to many countries in the region, government officials, including Santos during his 2014 campaign for reelection and the opposition candidate during that campaign were accused of taking payoffs (bribes) from the Odebrecht firm, the Brazilian construction company that became embroiled in a region-wide corruption scandal. In December 2018, presidential runner up Gustavo Petro was accused of taking political contributions from Odebrecht in a video released by a CD senator, indicating that both the left and the right of the Colombian political spectrum has been tainted by corruption allegations.[21]

In June 2017, the U.S. Drug Enforcement Administration arrested Colombia's top anti-corruption official, Gustavo Moreno. In mid-September 2017, the former chief justice of Colombia's Supreme Court was arrested for his alleged role in a corruption scandal that involved other justices accused of taking bribes from Colombian congressmen, some with ties to illegal paramilitary groups. The series of corruption charges made against members of Colombia's judicial branch, politicians, and other officials made the issue a prominent one in Colombian politics and was the focus of a left-centrist candidate's campaign in the presidential contest.

In late August 2018, an anti-corruption referendum was defeated by narrowly missing a high vote threshold by less than a half percentage point, although the actual vote favored all seven proposed changes on the ballot. President Duque endorsed the referendum and maintains he will seek to curb many of the abuses identified in the referendum through legislation that his administration will propose.

The Duque Administration's first budget for 2019 presented in late October 2018 was linked to an unpopular tax reform that would expand a value-added tax to cover basic food and agricultural commodities (some 36 items in the basic basket of goods, such as eggs and rice, previously exempted). The 2019 budget totals $89.7 billion, providing the education, military and police, and health sectors with the biggest increases, and reducing funding for peace accord implementation.[22] Duque's own Democratic Center party split with him on the value-added tax, which quickly sank his approval ratings from 53% in early September 2018 to a low of 27% in November 2018,[23] among the lowest levels in the early part of a presidential mandate in recent Colombian history.

[20] For additional background, see CRS Report R44779, *Colombia's Changing Approach to Drug Policy*, by June S. Beittel and Liana W. Rosen.

[21] "Corte Suprema Llama a Declaración a Varios Testigos en el Caso del Video de Petro," *El Espectador*, December 10, 2018.

[22] The JEP, for example, requested $116 million for 2019, but would get from this first Duque budget only $92 million. See "La JEP Necesita $80 Mil Millones Mas para Su Funcionamiento Total," *Vanguardia*, October 11, 2018; "Colombia: Duque Battles Internal Revolt," *Latin News Weekly Report*, (WR-18-45), November 15, 2018.

[23] For most recent national polling, see Invamer's Colombia Opina #2," *Semana*, November 2018.

Economic Background

Colombia's economy is the fourth largest in Latin America after Brazil, Mexico, and Argentina. The World Bank characterizes Colombia as an upper middle-income country, although its commodities-dependent economy has been hit by oil price declines and peso devaluation related to the erosion of fiscal revenue. Between 2010 and 2014, Colombia's economy grew at an average of more than 4%, but slowed to 3.1% GDP growth in 2015. In 2017, Colombia's GDP growth slowed further to 1.7%. Despite its relative economic stability, high poverty rates and inequality have contributed to social upheaval in Colombia for decades. The poverty rate in 2005 was slightly above 45%, but declined to below 27% in 2016. The issues of limited land ownership and high rural poverty rates remain a problem.[24]

According to a United Nations study published in 2011, 1.2% of the population owned 52% of the land,[25] and data revealed in 2016 that about 49% of Colombians continued to work in the informal economy. Colombia is often described as a country bifurcated between metropolitan areas with a developed, middle-income economy, and some rural areas that are poor, conflict-ridden, and weakly governed. The fruits of the growing economy have not been shared equally with this ungoverned, largely rural periphery. Frequently these more remote areas are inhabited by ethnic minorities or other disadvantaged groups, such as Afro-Colombians, indigenous populations, or landless peasants and subsistence farmers, who are vulnerable to illicit economies due to few connections to the formal economy.

The United States is Colombia's leading trade partner. Colombia accounts for a small percentage of U.S. trade (approximately 1%), ranking 22nd among U.S. export markets and 27th among foreign exporters to the United States in 2017.[26] Colombia has secured free trade agreements with the European Union, Canada, and the United States, and with most nations in Latin America. Colombian officials have worked over the past decade to increase the attractiveness of investing in Colombia, and foreign direct investment (FDI) grew by 16% between 2015 and 2016. This investment increase came not only from the extractive industries, such as petroleum and mining, but also from such areas as agricultural products, transportation, and financial services.

Promoting more equitable growth and ending the internal conflict were twin goals of the two-term Santos administration. Unemployment, which historically has been high at over 10%, fell below that double-digit mark during Santos's first term and remained at 9.2% in 2016 but rose slightly to an estimated 9.6% in 2018.[27]

Although Colombia is ranked highly for business-friendly practices and has a favorable regulatory environment that encourages trade across borders, it is still plagued by persistent corruption and an inability to effectively implement institutional reforms it has undertaken, particularly in regions where government presence is weak. According to the U.S. State Department in its analysis of national investment climates, Colombia has demonstrated a political commitment to create jobs, develop sound capital markets, and achieve a legal and regulatory system that meets international norms for transparency and consistency.

---

[24] International Monetary Fund (IMF), "Colombia: Staff Report for the 2017 Article IV Consultation," April 17, 2017.

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

[26] For more background, see CRS Report RL34470, *The U.S.-Colombia Free Trade Agreement: Background and Issues*, by M. Angeles Villarreal and Edward Y. Gracia.

[27] "Colombia: Country Report," EIU, November 2018.

Despite its macroeconomic stability, several issues remain, such as a still-complicated tax system, a high corporate tax burden, and continuing piracy and counterfeiting issues. Colombia's rural-sector protestors formed strikes and blockades beginning in 2013 with demands for long-term and integrated-agricultural reform in a country with one of the most unequal patterns of land ownership.[28] In October and November 2018, Colombian secondary and university students protested in high numbers during six large mobilizations, taking place over 60 days, to demand more funding for education.[29]

Peace Accord Implementation

The four-year peace talks between the FARC and the Santos administration started in Norway and moved to Cuba where negotiators worked through a six-point agenda during more than 50 rounds of talks that produced agreements on six major topics. The final topic—verification to enact the programs outlined in the final accord—all parties knew would be the most challenging, especially with a polarized public and many Colombians skeptical of whether the FARC would be held accountable for its violence and crimes during the years of conflict.[30]

Some analysts have estimated that to implement the programs required by the commitments in the accord to ensure stable post-conflict development may require 15 years and cost from $30 billion to $45 billion.[31] The country faces steep challenges to underwrite the post-accord peace programs in an era of declining revenues. While progress has been uneven, some programs (those related to drug trafficking) had external pressure to move forward quickly and some considered urgent received "fast track" treatment to expedite their regulation by Congress. The revised peace accord that was approved by the Colombian Congress in late 2016 was granted fast track implementation by the Colombian Constitutional Court in a ruling on December 13, 2016, particularly applied to the FARC's disarmament and demobilization. However, in May 2017, a new ruling by the high court determined that all legislation related to the implementation of the accord needed to be fully debated rather than passed in an expedited fashion, which some analysts maintain started to slow the process of implementing the accord significantly.

The Kroc Institute for International Peace Studies at the University of Notre Dame is responsible for monitoring and implementing the agreement. It issued two interim reports in November 2017 and August 2018. At the end of the last reporting period (June 2018), the Kroc Institute estimated that 63% of the 578 peace accord commitments have begun implementation.[32] In relation to other peace accords it had studied, the Kroc Institute found that the implementation of Colombia's accord was on course as about average, although that progress took place prior to President Duque's election.

The first provision undertaken was the demobilization of the FARC, monitored by a U.N. mission that was approved by the U.N. Security Council to verify implementation of the accords. U.N. monitors also emptied large arm caches identified by FARC leaders, seizing the contents of more

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

[29] "Jueves de Tensión por Nuevas Marchas Estudiantiles: Vea las Rutas de las Movilizaciones," *HSB Noticias*, December 6, 2018.

[30] For more background on the peace talks and the actors involved in the conflict, see CRS Report R42982, *Colombia's Peace Process Through 2016*, by June S. Beittel.

[31] The $43 billion figure is drawn, for example, from this source, "Implementacíon del Acuerdo de Paz Necesitaria $76 Billones Adicionales," *El Espectador*, September 21, 2018.

[32] Kroc Institute, Notre Dame University, "Report Reveals Colombian Gender Perspective is Innovative, but Seeing Delays," November 14, 2018.

than 750 of the reported nearly 1,000 caches by the middle of 2017. With the final disarmament, President Santos declared the conflict over in mid-August 2017. The U.S. State Department reported in its *Country Reports on Terrorism 201,* that by September 25, 2017, the United Nations had verified the collection of 8,994 arms, 1.7 million rounds, and more than 40 tons of explosives. The report states that the Colombian government had accredited "roughly 11,000 ex-combatants for transition to civilian life."[33]

The FARC also revealed its hidden assets in September 2017, listing more than $330 million in mostly real estate investments. This announcement drew criticism from several analysts who note that the FARC assets are likely much greater. In July 2017, the U.N. Security Council voted to expand its mandate and launch a second mission for three years to verify the reintegration of FARC guerrillas into civil society beginning September 20, 2017.[34]

One of Colombia's greatest challenges continues to be ensuring security for ex-combatants and demobilized FARC. The FARC's reintegration into civil society is a charged topic because the FARC's efforts in the 1980s to start a political party, known as the Patriotic Union, or the UP by its Spanish acronym, resulted in more than 3,000 party members being killed by rightwing paramilitaries and others.[35] As of the end of 2018, reportedly 85 FARC members and their close relatives had been killed.[36] In addition to unmet government guarantees of security, the FARC also has criticized the government for not adequately preparing for the group's demobilization. According to observers, the government failed to provide basic resources to FARC gathered throughout the country in specially designated zones for disarmament and demobilization (later renamed reintegration zones). The demobilization areas or cantonments had been so little prepared in early 2017 that the FARC had in many cases to construct their own housing and locate food and other provisions.

Reintegration of former combatants has proceeded slowly. The Constitutional Court's May 2017 ruling to restrict fast track, and controversy about the new court to try war crimes and other serious violations, the "Special Jurisdiction of Peace" led to further delays. Peace process advocates have cited limited attention to include ethnic Colombians, such as Afro-Colombian leaders and indigenous communities, into the accord's implementation, as required by the "ethnic chapter" of the peace accord. A U.N. deputy human rights official warned in October 2017 that after a successful demobilization it would be dangerous not to reintegrate FARC former combatants by providing them realistic options for income and delaying effective reintegration could undermine peace going forward.[37]

Under the peace accord, Territorially Focused Development Programs (PDETs in Spanish) are a tool for planning and managing a broad rural development process, with the aim of transforming170 municipalities (covering 16 subregions) most affected by the armed conflict. PDETs target those municipalities in Colombia with the highest number of displacements and those that have experienced the most killings, massacres, and forced disappearances. These marginal areas generally have experienced chronic poverty, high inequality, the presence of illicit

[33] U.S. Department of State, *Country Reports on Terrorism 2017*, September 2018.

[34] U.N. security Council, "Colombia Briefing and Consultations," *What's in Blue*, June 29, 2017, http://www.whatsinblue.org/2017/06/colombia-briefing-and-consultations.php.

[35] For more about the decimation of the former FARC-linked party called the Patriotic Union in the 1980s, see CRS Report R42982, *Colombia's Peace Process Through 2016*, by June S. Beittel.

[36] "Colombia Farc: 85 Ex-rebels Killed since Peace Deal," *BBC News*, January 1, 2019.

[37] Edith Lederer, "UN Official: Reintegrating Colombia's Rebels is Not Going Well," *Associated Press*, October 20, 2017.

crops such as coca, and low levels of local government institutional performance. Violence and forced displacements in some of the PDET municipalities increased in the last half of 2018.

Colombia's Constitutional Court determined in October 2017 that over the next three presidential terms (until 2030), Colombia must follow the peace accord commitments negotiated by the Santos administration and approved by the Colombian Congress in 2016.[38] The Special Jurisdiction of Peace, set up to adjudicate the most heinous crimes of Colombia's decades-long armed conflict, began to hear cases in July 2018. However, Colombians remain skeptical of its capacity. A key challenge is the case of a FARC leader and lead negotiator in the peace process, Jesús Santrich, alleged to have committed drug trafficking crimes in 2017 after the accord was ratified, who has been jailed.[39]

The Current Security Environment

Colombia has confronted a complex security environment of armed groups: two violent leftist insurgencies, the FARC and the ELN, and groups that succeeded the AUC following its demobilization during the Uribe administration.

The FARC, whittled down by the government's military campaign against it, continued to conduct a campaign of terrorist activities during peace negotiations with the government through mid-2015, but it imposed successive temporary unilateral cease-fires that significantly reduced violence levels. In August 2016, the FARC and the government concluded negotiations on a peace accord that was subsequently approved by Congress with modifications in November 2016.[40] Authorities and some analysts maintain that since the peace accord was ratified, 5% to 10% of the FARC have become dissidents who reject the peace settlement, although other estimates suggest a higher percentage. These armed individuals remain a threat.[41]

As agreed in the peace accord, the demobilized rebels transitioned to a political party that became known as the Common Alternative Revolutionary Force (retaining the acronym FARC) in September 2017.[42] On November 1, 2017, the FARC announced their party's presidential ticket: current FARC leader Rodrigo Londoño (aka Timochenko) for president and Imelda Daza for vice president.[43] The FARC Party ran several candidates in congressional races but failed to win any additional congressional race for which it competed in the March 2018 legislative elections, so the automatic seats in Congress were the only ones that it filled.

---

[38] "Colombia Peace Deal Cannot Be Modified for 12 years, Court Rules," *Reuters*, October 11, 2017.

[39] The Editors, "Disputes over Transitional Justice Threaten a Fragile Peace in Colombia," *World Politics Review*, November 21, 2018.

[40] About 8,200 guerrillas and ex-FARC militia members turned themselves in to the 26 U.N.-monitored zones for disarmament, and another 3,000 were either outside of the country or had been prisoners, some of whom came into the zones before August 2017. For more background on the demobilization totals, see International Crisis Group (ICG), *Colombia's Armed Groups Battle for the Spoils of Peace*, Report No. 63, Latin America & Caribbean, October 19, 2017. Also, see "Ya son 4.011 los Acreditados de las Farc por su Renuncia a las Armas," *El Tiempo*, June 15, 2017, at http://www.eltiempo.com/politica/proceso-de-paz/el-comisionado-de-paz-acredita-a-milicianos-de-las-farc-99350.

[41] Ibid.; Angelika Albaladejo, "Is Colombia Underestimating the Scope of FARC Dissidence" *InSight Crime*, October 17, 2017.

[42] Lisa Haugaard and Andrea Fernández Aponte, "Colombia's Peace Process: Successful Disarmament, But Other Implementation Proceeds Slowly," Latin America Working Group, September 28, 2017.

[43] "The War of the Rose," *Economist*, November 11, 2017.

The ELN, like the FARC, became deeply involved in the drug trade and used extortion, kidnapping, and other criminal activities to fund itself.[44]The ELN, with diminished resources and reduced offensive capability, according to government estimates, declined to fewer than 2,000 fighters, although some analysts maintain in 2018 the forces grew as high as 3,400, including former FARC who were recruited to join the ELN as the larger rebel group demobilized. In 2015, ELN leadership began exploratory peace talks with the Santos government in Ecuador, although the ELN continued to attack oil and transportation infrastructures and conduct kidnappings and extortions, at least periodically. Formal talks with the ELN finally opened in February 2017 in Quito, Ecuador. After the talks moved to Cuba in May 2018, at the request of Ecuador's President Lenín Moreno, several negotiating sessions took place. The ELN's central leadership, including Nicolás Rodríguez Bautista (aka "Gabino"), arrived in Cuba to continue the talks. However, President Duque in September 2018 suspended the talks and recalled the government negotiating team. The ELN is far more regionally oriented, decentralized, and nonhierarchical in its decisionmaking than the FARC. Late in 2018, a Colombian political online magazine claimed a meeting had been held two months earlier between FARC dissident groups and the ELN in Venezuela in which the parties discussed how to increase their coordination.[45]

On January 17, 2019, a car bomb attack at a National Police academy in southern Bogotá shattered illusions that Colombia's long internal conflict with insurgents was coming to an end. The bombing, allegedly carried out by an experienced ELN bomb maker, killed 20 police cadets and the bomber and injured more than 65 others. The ELN took responsibility for the attack in a statement published on January 21. Large demonstrations took place in Bogotá protesting the return of violence to Colombia's capital city. The Duque government ended peace talks with the ELN, which had been ongoing sporadically since 2017.[46] The Duque government then requested extradition of the ELN's delegation of negotiators to the peace talks in Cuba on terrorism charges. The Cuban government, which condemned the bombing, responded that the protocols for the peace talks required that the negotiators be returned to Colombia without arrest. The Duque government has persisted in requesting the negotiators to be extradited.[47]

The AUC, the loosely affiliated national umbrella organization of paramilitaries, officially disbanded a decade ago. The organization was removed from the State Department's Foreign Terrorist Organizations list in July 2014. More than 31,000 AUC members demobilized between 2003 and 2006, and many AUC leaders stepped down. However, as noted, many former AUC paramilitaries continued their illicit activities or re-armed and joined criminal groups—known as *Bacrim*. Many observers view the Bacrim as successors to the paramilitaries,[48] and the Colombian government has characterized these groups as the biggest threat to Colombia's security since 2011. The Bacrim do not appear to be motivated by the dream of defeating the national

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

[45] Venezuela Investigative Unit, "FARC Dissidents and the ELN Turn Venezuela Into Criminal Enclave," *InSight Crime*, December 10, 2018.

[46] Joshua Goodman, "Colombia asks Cuba to Arrest ELN Negotiators for Car Bombing," Associated Press, January 19, 2019.

[47] Jordan Jones, "Colombia Urges Cuba to Reconsider Peace Protocol and Release ELN Soldiers," *The Bogotá Post*, January 23, 2019.

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

government, but they seek territorial control and appear to provide rudimentary justice in ungoverned parts of the country.[49]

In 2013, the criminal group Los Urabeños, launched in 2006, emerged as the dominant Bacrim. Over its lifetime, the group has been referred to as the Gaitanistas, the Clan Úsuga, and most recently El Clan del Golfo, growing to about 3,000 members by 2015.[50] The Urabeños organization is heavily involved in cocaine trafficking as well as arms trafficking, money laundering, extortion, gold mining, human trafficking, and prostitution.[51] Early leaders of the group, such as founder Daniel Rendón Herrera (alias "Don Mario") and his brother Feddy Rendón Herrera were designated drug kingpins under the U.S. Kingpin Act in 2009 and 2010, respectively. However, because these men had been part of the AUC peace process, they could not be extradited to the United States until they had served time and paid reparations.

In June 2015, the Justice Department unsealed indictments against 17 alleged Urabeños members.[52] The Colombian government's efforts to dismantle the Urabeños and interrupt its operations began to result in the capture of top leaders and gradually to disrupt its illicit activities.[53] The Urabeños faced an intense enforcement campaign by the Colombian police and military, especially after the Urabeños reportedly advertised and paid rewards to its subcontracted assassins to murder Colombian police.[54] In September 2017, the Urabeños top leader, Dairo Antonio Úsuga (alias "Otoniel"), requested terms of surrender from the Santos government after the arrest of his wife and the killing or arrest of siblings and co-leaders, but this offer was never formalized. Colombia captured a vast amount of cocaine, approximately 12 metric tons, linked to the the Urabeños in November 2017.[55]

Splinter groups of the large Colombian drug cartels of the 1980s and 1990s, such as the Medellin Cartel and Cali Cartel, have come and gone in Colombia, including the powerful transnational criminal organizations (TCOs) the Norte del Valle Cartel and Los Rastrajos. The U.S. Drug Enforcement Administration's 2018 *National Drug Threat Assessment* maintains "large-scale Colombian TCOs" work closely with Mexican and Central American TCOs to export large quantities of cocaine out of Colombia every year.[56] Traditionally, the FARC and ELN had cooperated with Bacrim and other Colombian crime groups in defense of drug trafficking and other illicit activities despite the groups' ideological differences.

---

[49] For a discussion of the informal justice provided by Bacrim, see ICG, *Colombia's Armed Groups Battle for the Spoils of Peace*, October 19, 2017.

[50] The group members sometimes refer to themselves by an old name, Autodefensas Gaitanistas de Colombia (AGC), or as part of the umbrella organization of paramilitaries, the AUC, that demobilized formally between 2003 and 2006.

[51] President Obama identified Los Urabeños as a Specially Designated Narcotics Trafficker pursuant to the Foreign Narcotics Kingpin Designation Act in May 2013. See U.S. Department of the Treasury, "Treasury Sanctions Los Urabeños Leadership," July 23, 2014; "The Urabeños—The Criminal Hybrid," *InSight Crime: Organized Crime in the Americas*, May 2, 2014, and "Urabeños Targeted in First-ever Bombing," *Latin American Security and Strategic Review*, November 2015.

[52] Ibid., and David Gagne, "Who Are the Urabeños Leaders Indicted by the US?, *InSight Crime*, June 24, 2015.

[53] Mimi Yagoub, "After Death of Number Two, Colombia's Urabeños Offer to Surrender," *InSight Crime*, September 7, 2017.

[54] Ibid. In response to the death of its second in command leader, the Urabeños unleashed an aggressive campaign against Colombia's National Police offering rewards for assassinating police to its violent membership. Known as Operation Agamemnon and Agamemnon II, Colombian operations over a two-year period captured more than 1,500 alleged Urabeños members, 100 million metric tons of cocaine, and more than $170 million of the gang's assets.

[55] "Colombia Seizes 12 Tonnes of Cocaine, its Biggest Ever Haul," Reuters, November 8, 2017.

[56] U.S. Department of Justice, Drug Enforcement Administration (DEA) *2017 National Drug Threat Assessment*, DEA-DCT-DIR-040-17, October 2018.

Venezuela is a major transit corridor for Colombian cocaine.[57] According to the State Department's 2018 *International Narcotics Control Strategy Report*, Venezuela's porous western border with Colombia, current economic crisis, weak judicial system, sporadic international drug control cooperation, and a permissive and corrupt environment make it a preferred trafficking route for illicit drugs. A May 2018 report by *Insight Crime* identified more than 120 high-level Venezuelan officials who have engaged in criminal activity.[58] The report analyzes how the Venezuelan military, particularly the National Guard, has been involved in the drug trade since 2002 and colluded with other illegally armed groups.

Another Bacrim, Los Rastrojos, reportedly controls important gasoline smuggling routes between Venezuela and Colombia in 2018. Similarly, in the past year, ELN guerrillas reportedly have moved from seeking safe haven in Venezuela to taking control of illicit gold mining areas near Venezuela's border with Guyana.[59] Both the ELN, which is still engaged in armed conflict with the Colombian government, and its rival, the Popular Liberation Army (EPL), reportedly recruit Venezuelans to cultivate coca in Colombia. Human trafficking and sexual exploitation of Venezuelan migrants throughout Colombia is prevalent. Dissident FARC guerrillas are using border areas and other remote areas in the countryside to regroup and could eventually seek to consolidate into a more unified organization or coordinate with other criminal groups sheltering in Venezuela.[60]

The State Department's 2017 terrorism report published in April 2018 maintained that the number of terrorist incidents in Colombia—carried out by the FARC and ELN—decreased significantly, by 40%, over the already much-diminished level of 2016. ELN aggression included high-impact attacks, such as launching mortars at police stations and bombing pipelines, although the report also states that ELN demobilizations and surrenders have increased.

Instability in Venezuela Drives a Regional Migrant Crisis[61]

The humanitarian crisis in Venezuela has set in motion a mass exodus of desperate migrants, who have come temporarily (or for extended stays) to Colombia. Although Venezuela has experienced hyperinflation (the highest in the world), a rapid contraction of its economy, and severe shortages of food and medicine, as of November 2018 Venezuelan President Nicolás Maduro has refused most international humanitarian assistance. Based on estimates from the U.N. High Commissioner for Refugees (UNHCR), as of November 2018, more than 3 million Venezuelans were living outside Venezuela; of these, an estimated 2.3 million left after 2015. As conditions in Venezuela have continued to deteriorate, increasing numbers of Venezuelans have left the country. Neighboring countries, particularly Colombia, are straining to absorb a migrant population that is often malnourished and in poor health. The spread of previously eradicated diseases, such as measles, is also a major regional concern.

---

[57] Since 2005, U.S. Administrations have made an annual determination that Venezuela has failed demonstrably to adhere to its obligations under international narcotics agreements. President Trump made the most recent determination for FY2019 in September 2018.

[58] "Venezuela: A Mafia State?," *InSight Crime*, May 2018, available at https://es.insightcrime.org/wp-content/uploads/2018/05/Venezuela-a-Mafia-State-InSight-Crime-2018.pdf.

[59] Jim Wyss, "In Chaotic Venezuela, Guerrillas from Colombia Find new Territory to Grow," *Miami Herald*, June 4, 2018.

[60] Fundación Ideas para la Paz, "Inseguridad y Violencia en las Fronteras, los Desafíos del Nuevo Gobierno," November 7, 2018; Nicholas Casey and Federico Rios Escobar, "Colombia Struck a Peace Deal with Guerrillas, But Many Return to Arms," *New York Times*, September 18, 2018.

[61] This section prepared by CRS Specialists Clare Seelke and Rhoda Margesson. See also CRS In Focus IF11029, *The Venezuela Regional Migration Crisis*, by Rhoda Margesson and Clare Ribando Seelke.

Colombia's Response to Venezuelan Migrants

Colombia has received the majority of Venezuelan migrants amid its own political transition and other pressures. Officially, there are about 1 million Venezuelans throughout the country, but the actual figure is unknown. According to Colombian officials, this is no longer only a border crisis; 60% of Venezuelans now live in other parts of the country. The government's response to the mixed migration flows is focused on four groups

- **Border crossers** (est. 80,000 daily, 1.6 million have Border Crossing Cards) can receive food aid, attend school, and engage in economic activity;
- **Returning Colombians** from Venezuela (300,000 thus far) are being entered into the national registry, obtaining citizenship, and receiving full access to public services;
- **Venezuelans in Colombia** (more than 620,000 eligible for Temporary Residence Permit) are given access to work, health, and education services for two years; and
- **Venezuelans in transit** (500,000 from January 2018 to September 2018) are crossing Colombia, some on foot, and with urgent assistance needs.

The Colombian government estimates that the costs of providing emergency health care, education, vaccinations and other services could exceed 0.5% of the country's GDP. Colombia has asked for more international aid, better donor coordination, and equal burden sharing among countries. The ongoing violence and criminality in parts of Colombia has added to the complexity of the humanitarian response, particularly in areas where these situations overlap. Aid agencies are especially concerned about conditions in Colombia's eastern and southern border regions (near Ecuador), where armed groups are active, and the northwestern Catatumbo region near Venezuela, where migrants reportedly are being forced into smuggling and coca cultivation. The government continues to weigh options for how best to provide shelter to Venezuelan arrivals while managing the impact on local Colombian communities.

In January 2019, the Trump Administration announced backing for the president of the Venezuelan National Assembly, Juan Guaidó, as interim president of Venezuela. The Trump Administration has called for Maduro's departure, and Colombia joined many other countries in Latin America and Europe to recognize Guaidó. U.S. Secretary of State Michael Pompeo announced that the United States was prepared to provide $20 million in humanitarian assistance to the people of Venezuela.[62] Colombia joined 11 countries in the Lima Group that declared on February 4, 2019, their desire to hasten a return to democracy in Venezuela by working with Guaidó for a peaceful transition without the use of force.

Ongoing Human Rights Concerns

Colombia's multisided internal conflict over the last half century generated a lengthy record of human rights abuses. Although it is widely recognized that Colombia's efforts to reduce violence, combat drug trafficking and terrorism, and strengthen the economy have met with success, many nongovernmental organizations (NGOs) and human rights groups continue to report significant human rights violations, including violence targeting noncombatants, that involves killings, torture, kidnappings, disappearances, forced displacements, forced recruitments, massacres, and sexual attacks.

The Center for Historical Memory report issued to the Colombian government in July 2013 traces those responsible for human rights violations to the guerrillas (the FARC and ELN), the AUC paramilitaries and successor paramilitary groups, and the Colombian security forces. In analyzing nearly 2,000 massacres between 1980 and 2012 documented in the center's database, the report maintains that 58.9% were committed by paramilitaries, 17.3% by guerrillas, and 7.9% by public security forces.[63] According to the U.S. State Department's annual report on human rights

[62] For more, see CRS Insight IN11024, *Venezuela: U.S. Recognizes Interim Government*, by Clare Ribando Seelke.

[63] *Basta Ya! Colombia: Memorias de Guerra y Dignidad*, Center for Historical Memory, at http://www.centrodememoriahistorica.gov.co/micrositios/informeGeneral/.

covering 2017, Colombia's most serious human rights abuses centered on extrajudicial and unlawful killings; torture and detentions; rape and sexual crimes. In addition to the State Department, numerous sources report regularly on human rights conditions in Colombia. (See **Appendix**.)

Colombia continues to experience murders and threats of violence against journalists, human rights defenders, labor union members, social activists such as land rights leaders, and others. Crimes of violence against women, children, Afro-Colombian and indigenous leaders, and other vulnerable groups continue at high rates. In December 2018, the U.N. special rapporteur on human rights defenders came out with strong criticism of heightened murders of human rights defenders, which he maintained were committed by hitmen paid no more than $100 per murder, according to reports he heard from activists and other community members whom he met with during a trip to Colombia.[64] These ongoing issues reflect constraints of the Colombian judicial system to effectively prosecute crimes and overcome impunity.

Extrajudicial Executions and "False Positives"

For many years, human rights organizations have raised concerns about extrajudicial executions committed by Colombian security forces, particularly the military. In 2008, it was revealed that several young men from the impoverished community of Soacha—who had been lured allegedly by military personnel from their homes to another part of the country with the promise of employment—had been executed. When discovered, the Soacha murder victims had been disguised as guerrilla fighters to inflate military claims of enemy body counts, resulting in the term *false positives*. Following an investigation into the Soacha murders, the military quickly fired 27 soldiers and officers, including three generals, and the army's commander resigned. The Colombian prosecutor general's criminal investigations of soldiers and officers who allegedly participated in the Soacha executions have proceeded quite slowly. Some 48 of the military members eventually charged with involvement in the Soacha cases were released due to the expiration of the statute of limitations. Whereas some soldiers have received long sentences, few sergeants or colonels have been successfully prosecuted.[65]

In 2009, the false positive phenomenon was investigated by the U.N.'s Special Rapporteur on Extrajudicial Executions, who issued a report that concluded with no finding that such killings were a result of an official government policy. However, the Special Rapporteur did find, "the sheer number of cases, their geographic spread, and the diversity of military units implicated, indicate that these killings were carried out in a more or less systematic fashion by significant elements within the military."[66] The majority of the cases took place between 2004 and 2008, when U.S. assistance to Colombia peaked. In recent years, the number of new alleged false positive cases declined steeply, but human rights NGOs still reported a few cases in 2012 through 2015.

To address the military's human rights violations, the Santos administration proposed a change to policy that did not prevail. This reform was a constitutional change to expand the jurisdiction of

[64] "UN: Human Rights Activists Say Hitmen Targeting Them in Colombia," Reuters, December 3, 2018.

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

[66] United Nations, "Statement by Professor Philip Alston, U.N. Special Rapporteur on Extrajudicial Executions–Mission to Colombia, 8-18 June 2009," press release, at http://www.unhchr.ch/huricane/huricane.nsf/view01/C6390E2F247BF1A7C12575D9007732FD?opendocument.

military courts and, it was approved by the Colombian Congress in late December 2012 by a wide margin despite controversy.[67] Human rights groups criticized the legislation's shift in the jurisdiction over serious human rights crimes allegedly committed by Colombia's public security forces from the civilian to the military justice system.[68] In its review of the constitutional amendment, the Colombian Constitutional Court struck down the law over procedural issues in October 2013.[69]

Human Rights Watch in a 2015 report on the false positive cases noted that prosecutors in the Human Rights Unit of the Prosecutor General's Office conducted investigations into more than 3,000 false positive homicide cases allegedly committed by army personnel that resulted in about 800 convictions, mostly of lower-ranking soldiers.[70] Only a few of those convictions involved former commanders of battalions or other tactical units, and none of the investigations of 16 active and retired army generals had produced charges. In 2016, the prosecutions against generals accused of responsibility for false positives continued, although a few were closed and 12 remained under investigation at year's end. Additionally, in October 2016, the Colombian prosecutor general indicted Santiago Uribe, the brother of former President Uribe, on charges of murder and association to commit crimes for his alleged role in the paramilitary group "The 12 Apostols" in the 1990s.[71] The State Department human rights report covering 2017, maintains that during the year through July, four new cases involving "aggravated homicide" committed by security forces and 11 new convictions were reached for "simple homicide" by security force members.[72]

Human Rights Defenders and Journalists

Although estimates diverge, the number of human rights defenders murdered in 2016 totaled 80 and another 51 in the first half of 2017, according to *Somos Defensores* ("We are Defenders"), a Colombian NGO that tracks violence against defenders and is cited by the State Department.[73] Some groups, such as the Colombian think tank, Indepaz, say the numbers are higher, up to 117 murders in 2016.[74] In the two years since the approval of the 2016 peace accord, social leaders, ethnic community leaders, and human rights defenders have suffered from continued high levels of violence. Human rights organizations cite the murders of more than 100 activists in 2017 and in 2018. Of the 109 human rights and civil society activists killed in 2018 through November,

[67] In addition, implementing legislation was passed by the Colombian Congress in June 2013.

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

[69] The bill was reintroduced by the Santos administration but met vigorous opposition of domestic and international human rights groups. See, for example, an editorial by Human Rights Watch. José Miguel Vivanco and Max Schoening, "Colombia's Compromise with Murder," *New York Times*, November 12, 2014. In April 2015, the government significantly modified what Human Rights Watch calls "the most troubling aspects of its latest proposed constitutional change to broaden military jurisdiction." Human Rights Watch, *On Their Watch, Evidence of Senior Army Officers' Responsibility for False Positive Killings in Colombia*," June 23, 2015.

[70] Human Rights Watch, *On Their Watch: Evidence of Army Officers' Responsibility for False Positive Killings in Colombia*, June 23, 2015. (Hereinafter, HRW, *On Their Watch*.)

[71] Human Rights Watch, Colombia chapter, *World Report 2017*, January 2017.

[72] State Department, *Colombia: 2017 Human Rights Report, Country Reports on Human Rights Practices*, April 2018.

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

[74] Wil Crisp, "The New Struggle for Colombia's Countryside after FARC," *Al Jazeera*, October 24, 2017.

some were leaders of efforts to implement the 2016 peace accord.[75] For instance, 13 social leaders were assassinated in the southwest department of Cauca in the first six months of the year, a department in Colombia with the fourth largest area devoted to coca cultivation in the country and host to several peace accord programs associated with rural development, including voluntary eradication of drug crops. Few, if any, of those accused of making threats and ordering or carrying out assassinations have been prosecuted. According to these activists, perpetrators still have little to fear of legal consequences.

Since early 2012, violence against land rights activists has risen sharply with the start of implementation of the Victims' Law that authorized the return of stolen land. A September 2013 report by Human Rights Watch pointing to the rise in violence against land activists and claimants maintained that the environment had turned so threatening that claimants who had received land judgments were too frightened to return, and the government had received more than 500 serious threats against claimants in less than 18 months. According to Human Rights Watch, many of the threats and killings have been conducted by paramilitary-influenced Bacrim, although they may be operating at the behest of third-party "landowners," who are trying to protect their land from seizure.

For more than a decade, the Colombian government tried to suppress violence against groups facing extraordinary risk through the National Protection Unit (UPN) programs. Colombia's UPN provides protection measures, such as body guards and protective gear, to individuals in at-risk groups, including human rights defenders, journalists, trade unionists, and others. However, according to international and Colombian human rights groups, the UPN has been plagued by corruption issues and has inadequately supported the prosecution of those responsible for attacks. According to the State Department's Report on Human Rights Practices covering 2017, the UPN protected roughly 6,067 at-risk individuals, including 575 human rights activists, with a budget of $150 million.[76] Journalists, a group that has traditionally received protection measures from the UPN, continue to operate in a dangerous environment in Colombia. According to the Committee to Protect Journalists (CPJ), 47 journalists have been killed in work-related circumstances since 1992. Three Ecuadorian journalists were killed by a FARC dissident group close to the border of Ecuador in 2018, leading to the end of the Colombian government's peace talks with the ELN in Ecuador and their subsequent move to Cuba.

To help monitor and verify that human rights were respected throughout implementation of the peace accord, the government formally renewed the mandate of the U.N.'s High Commissioner of Human Rights in 2016 for three years.

Violence and Labor

The issue of violence against the labor movement in Colombia has sparked controversy and debate for years. Many human rights groups and labor advocates have maintained that Colombia's poor record on protecting its trade union members and leaders from violence is one reason to avoid closer trade relations with Colombia. The U.S.-Colombia Free Trade Agreement (also known as the U.S.-Colombia Trade Promotion Agreement) could not be enacted without addressing the deep concern of many Members of Congress that Colombia must enforce basic

[75] See Gimena Sánchez-Garzoli, "November Update: Six Massacred in Cauca as Killings Continue in Colombia," Washington Office on Latin America (WOLA), November 28, 2018 and "En Los Primeros 9 Meses de 2018 Fueron 109 Líderes Sociales," Contagi Radio, December 7, 2018.

[76] State Department, *Colombia: 2017 Human Rights Report, Country Reports on Human Rights Practices*, April 2018; IACHR, *Towards Effective Integral Protection Policies for Human Rights Defenders*, December 29, 2017.

labor standards and especially measures to mitigate the alleged violence against trade union members and bring perpetrators of such violence to justice.

In April 2011, the United States and Colombia agreed to an "Action Plan Related to Labor Rights" (the Labor Action Plan, LAP), which contained 37 measures that Colombia would implement to address violence, impunity, and workers' rights protection. Before the U.S.-Colombia Free Trade Agreement entered into force in April 2012, the U.S. Trade Representative determined that Colombia had met all the important milestones in the LAP to date.[77]

Despite the programs launched and measures taken to implement the LAP, human rights and labor organizations claim that violence targeting labor union members continues. (Some analysts continue to debate whether labor activists are being targeted because of their union activities or for other reasons.) The Colombian government has acknowledged that violence and threats continue, but points to success in reducing violence generally and the number of homicides of labor unionists specifically. Violence levels in general are high in Colombia, but have steadily been decreasing. According to the data reported by the U.N. Office on Drugs and Crime (UNODC) in its annual homicide report, rates have decreased dramatically since 2002, when the homicide rate was at 68.9 per 100,000.[78] The Colombian Ministry of Defense reported in 2016 that the homicide rate had declined to 24.4 per 100,000.[79]

In this context of an overall steady decline in homicides, the number of labor union killings has also declined. For many years, the government and the leading NGO source that tabulates these crimes did not agree on the number of labor union murders because they used different methodologies. Both sources recorded a decline, but the government generally saw a steeper decline. According to the Colombian labor rights NGO and think tank, the National Labor School (*Escuela Nacional Sindical*, ENS), there has been a significant decline from 191 labor union murders in 2001 to 20 reported in 2012.[80] In 2017, through the month of August the ENS reported 14 labor murders.[81] Of the cases covering homicides between January 2011 and August 2017, 162 homicide cases in which victims were labor union members, were 409 convictions, 31 for cases after 2011 and 378 for cases before 2011.[82]

In addition, labor advocates note that tracking homicides does not capture the climate of intimidation that Colombian labor unions face. In addition to lethal attacks, trade union members encounter increased death threats, arbitrary detention, and other types of harassment. Measures to strengthen the judicial system to combat impunity for such crimes are also part of the Labor

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

[78] UNODC, *Global Study on Homicide, 2013*, March 2014.

[79] InSight Crime provides a regional survey of homicides rates each year. See David Gagne, "InSight Crime 2016 Homicide Round-Up," InSight Crime, January 16, 2017.

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

[81] See data reported in State Department, *Colombia, 2017 Country Reports on Human Rights Practices*, April 2018. One element of the Action Plan required that the Colombian government and ENS meet to develop a single methodology to define, identify, and provide information on cases involving crimes against trade union members. While this process of unifying their approaches has been slow, the U.S. State Department and other official sources now frequently report the ENS figure.

[82] Embassy of Colombia, "Accession of Colombia to the OECD," October 24, 2017.

Action Plan. Nevertheless, many analysts maintain there remains a large backlog of cases yet to be investigated involving violent crimes against union members.

Internal Displacement

The internal conflict has been the major cause of a massive displacement of the civilian population that has many societal consequences, including implications for Colombia's poverty levels and stability. Colombia has one of the largest populations of internally displaced persons (IDPs) in the world. Most estimates place the total at more than 7 million IDPs, or more than 10% of Colombia's estimated population of 49 million.[83] This number of Colombians, forcibly displaced and impoverished as a result of the armed conflict, continues to grow and has been described by many observers as a humanitarian crisis. Indigenous and Afro-Colombian people make up an estimated 15%-22% of the Colombian population.[84] They are, however, disproportionately represented among those displaced. The leading Colombian NGO that monitors displacement, Consultancy for Human Rights and Displacement (CODHES), reports that 36% of the victims of forced displacement nationwide in 2012 came from the country's Pacific region where Afro-Colombian and indigenous people predominate.[85]

The Pacific region has marginal economic development as a result of weak central government presence and societal discrimination. (Some 84% of the land in the Pacific region is subject to collective-title rights granted to Afro-Colombian and indigenous communities.[86]) Illegal armed groups are active in usurping land in this region, which is valued for its proximity to a major port and drug trafficking routes, and the Afro- and indigenous communities are also caught in the middle of skirmishes between illegal groups and Colombian security forces.

IDPs suffer stigma and poverty and are often subject to abuse and exploitation. In addition to the disproportionate representation of Colombia's ethnic communities among the displaced, other vulnerable populations, including women and children, have been disproportionally affected. Women, who make up more than half of the displaced population in Colombia, can become targets for sexual harassment, violence, and human trafficking. Displacement is driven by a number of factors, most frequently in more remote regions of the country where armed groups compete and seek to control territory or where they confront Colombian security forces. Violence that uproots people includes threatened or actual child recruitment or other forced recruitment by illegal armed groups, as well as physical, psychological, and sexual violence. Other contributing factors reported by NGOs include counternarcotics measures such as aerial spraying, illegal mining, and large-scale economic projects in rural areas. Inter-urban displacement is a growing phenomenon in cities such as Buenaventura and Medellin, which often results from violence and threats by organized crime groups.

The Victims' Law of 2011, which began to be implemented in 2012, is the major piece of legislation to redress Colombian displacement victims with the return of their stolen land. The

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

[84] The government's victims' registry is a national database but is comprehensive going back to the 1960s. It counts a total of 7.2 million individuals displaced since that time.

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

[86] "More than Perfume, Please," *Economist*, November 8, 2014.

historic law provides restitution of land to those IDPs who were displaced since January 1, 1991. The law aims to return land to as many as 360,000 families (impacting up to 1.5 million people) who had their land stolen. The government notes that some 50% of the land to be restituted has the presence of land mines and that the presence of illegally armed groups in areas where victims have presented their applications for land restitution has slowed implementation of the law.

Between 2011 and 2016, 100,000 applications for land restitution were filed and approximately 5,000 properties (roughly 5% of applications) were successfully returned following judgements on the cases. With the international support from U.S. Agency for International Development (USAID) and other donors, a Victims Unit was established to coordinate the range of services for victims, including financial compensation and psychosocial services, provided by a host of government agencies. The 2011 Victims' Law is considered a model and particularly the implementation of a Victims' registry, which was supported by USAID. Through its Victims Unit, the Colombian government had provided financial reparations to over 800,000 victims and psychosocial support to 700,000 as of October 2018.

The Global Report on Internal Displacement from the Internal Displacement Monitoring Centre (IDMC) reported, however, displacement inside Colombia continued with more than 171,000 internally displaced in 2016.

As the political crisis in Venezuela has grown, a wave of refugees and migrants have come across the border into Colombia reversing an earlier trend. Venezuelans were fleeing political instability and economic turmoil in Colombia's once-wealthy neighboring nation.[87] Venezuela's economic crisis worsened throughout 2018, prompting a sharp increase in migrants seeking to escape into Colombia.[88] In response to the growing flood of Venezuelans, former President Santos initially announced that he would impose stricter migratory controls and deploy thousands of new security personnel along the frontier. Nevertheless, he acknowledged that Venezuela had once served as a vital escape valve for Colombian refugees fleeing their half century internal conflict, for which he was grateful.[89]

Regional Relations

Colombia shares long borders with neighboring countries, and some of these border areas have been described as porous to illegal armed groups that threaten regional security. Colombia has a 1,370-mile border with Venezuela, approximately 1,000-mile borders with both Peru and Brazil, and shorter borders with Ecuador and Panama. Much of the territory is remote and rugged and suffers from inconsistent state presence. Although all of Colombia's borders have been problematic and subject to spillover effects from Colombia's armed conflict, the most affected are Venezuela, Ecuador, and Panama.

Over the years, Colombia's relations with Venezuela and Ecuador have been strained by Colombia's counterinsurgency operations, including cross-border military activity. The FARC and ELN insurgents have been present in shared-border regions and in some cases the insurgent groups used the neighboring countries to rest, resupply, and shelter.

Former President Uribe accused the former Venezuelan government of Hugo Chávez of harboring the FARC and ELN and maintained that he had evidence of FARC financing the 2006 political

[87] See "Confronting the Brewing Storm at the Colombia-Venezuela Border," *Voces*, July 27, 2017.

[88] For more on Venezuela see CRS Report R44841, *Venezuela: Background and U.S. Relations*, coordinated by Clare Ribando Seelke.

[89] Juan Forero, "Venezuela's Misery Fuels Mass Migration—Residents Flee Crumbling Economy in Numbers that Echo Syrians to Europe," *Wall Street Journal*, February 14, 2018.

campaign of Ecuador's leftist President Rafael Correa. Relations between Ecuador and Colombia remained tense following the Colombian military bombardment of a FARC camp inside Ecuador in March 2008. Ecuador severed diplomatic relations with Colombia for 33 months. Also in 2008, Ecuador filed a suit against Colombia in the International Court of Justice (ICJ), claiming damages to Ecuadorian residents affected by spray drift from Colombia's aerial eradication of drug crops. In September 2013, Colombia reached an out-of-court settlement awarding Ecuador $15 million.

Once in office, President Santos reestablished diplomatic ties with both countries and in his first term (2010-2014) cooperation greatly increased between Colombia and Venezuela on border and security issues and with Ecuador's Correa. However, concerns about Venezuelan links to the FARC and the continued use of Venezuela by the FARC and ELN as a safe haven to make incursions into Colombia remained an irritant in Colombian-Venezuelan relations. Nevertheless, the Venezuelan and Colombian governments committed to jointly combat narcotics trafficking and illegal armed group activities along the porous Venezuelan-Colombian border and Venezuela remained a supporting government of the FARC-government peace talks (along with Chile, Norway, and Cuba) through 2016, even after former President Chávez died in office in March 2013. Ecuador's government hosted exploratory talks between the ELN and the Santos government beginning in 2015, which became formal talks hosted in Quito in February 2017, although Ecuador's president requested that the talks move to Cuba in May 2018, due to a spate of border violence that could have been related to the ELN.

For many years, the region in Panama that borders Colombia, the Darien, was host to a permanent presence of FARC soldiers who used the remote area for rest and resupply as well to transit drugs north. By 2015, according to the State Department, the FARC was no longer maintaining a permanent militarized presence in Panamanian territory, in part due to effective approaches taken by Panama's National Border Service in coordination with Colombia. Nevertheless, the remote Darien region still faces challenges from smaller drug trafficking organizations and criminal groups such as Bacrim and experiences problems with human smuggling with counterterrorism implications.[90]

Colombia's Role in Training Security Personnel Abroad

When Colombia hosted the Sixth Summit of the Americas in April 2012, President Obama and President Santos announced a new joint endeavor, the Action Plan on Regional Security Cooperation. This joint effort, built on ongoing security cooperation, addresses hemispheric challenges, such as combating transnational organized crime, bolstering counternarcotics, strengthening institutions, and fostering resilient communities.[91] The Action Plan focuses on capacity building for security personnel in Central America and the Caribbean by Colombian security forces (both Colombian military and police). To implement the plan, Colombia undertook several hundred activities in cooperation with Panama, Costa Rica, El Salvador, Honduras, Guatemala and the Dominican Republic, and between 2013 and 2017 trained almost 17,000 individuals (see **Figure 4**).[92] The Colombian government notes that this program grew dramatically from 34 executed activities in 2013 to 441 activities planned for 2018.[93]

[90] Ibid.

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

[92] Colombian Embassy to the United States, "Colombia: Exporter of Security and Stability," March 2015.

[93] Colombian Ministry of Defense, "International Cooperation Balance, 2010-2018," September 2018.

Colombia has increasingly trained military and police from other countries both under this partnership and other arrangements, including countries across the globe. According to the Colombian Ministry of Defense, around 80% of those trained were from Mexico, Central America, and the Caribbean. U.S. and Colombian officials maintain that the broader effort is designed to export Colombian expertise in combating crime and terrorism while promoting the rule of law and greater bilateral and multilateral law enforcement cooperation.

Critics of the effort to "export Colombian security successes" maintain that human rights concerns have not been adequately addressed.[94] Some observers question the portion of these activities that are funded by the U.S. government and want to see more transparency.[95] In one analysis of the training, a majority of the training was provided by Colombian National Police rather than the Colombian Army, in such areas as ground, air, maritime, and river interdiction; police testimony; explosives; intelligence operations; psychological operations; and Comando JUNGLA, Colombia's elite counternarcotics police program.[96]

Figure 4. Third-Country Security Forces Trained Under the Action Plan on Regional Security Cooperation, 2013-2017

Source: Data from the Colombian Ministry of Defense provided by the Embassy of Colombia.

Notes: U.S.-Colombia Action Plan on Regional Security Cooperation (USCAP) trainees included 5,109 security personnel from Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Panama in 2017; 4,313 in 2016; 3,299 in 2015; and 3,574 in 2014; and 702 in 2013.

[94] See, for example, Sarah Kinosian, John Lindsay-Poland, and Lisa Haugaard, "The U.S. Should not Export Colombia's Drug War 'Success,'" *InSight Crime: Investigation and Analysis of Organized Crime*, July 9, 2015.

[95] For example, critics have raised concerns that such programs circumvent congressionally imposed human rights restrictions on U.S.-funded security cooperation, such as vetting participants to identify and bar human rights violators. See Adam Isacson et al., *Time to Listen: Trends in U.S. Security Assistance to Latin America and the Caribbean*, Latin America Working Group Education Fund, Center for International Policy, and the Washington Office on Latin America, September 2013. For more on the Leahy Law provisions that seek to bar assistance to human rights violators, see CRS Report R43361, *"Leahy Law" Human Rights Provisions and Security Assistance: Issue Overview*, coordinated by Nina M. Serafino.

[96] See interview with Professor Arlene Tickner at "Security Diplomacy Centerpiece of Colombia's Foreign Policy," *World Politics Review*, September 5, 2014.

Other analysts praise the Colombian training and maintain that U.S. assistance provided in this way has helped to improve, professionalize, and expand the Colombian military, making it the region's second largest. As that highly trained military shifts from combating the insurgency and the Colombian National Police take the dominant role in guaranteeing domestic security, Colombia may play a greater role in regional security and even in coalition efforts internationally.[97] In September 2017, President Trump announced that he had considered designating Colombia in noncompliance with U.S. counternarcotics requirements, but noted that he had not proceeded with the step in part because of Colombian training efforts to assist others in the region with combating narcotics and related crime.[98]

U.S. Relations and Policy

Colombia is a key U.S. ally in the region. With diplomatic relations that began in the 19th century following Colombia's independence from Spain, the countries have enjoyed close and strong ties. Because of Colombia's prominence in the production of illegal drugs, the United States and Colombia forged a close partnership over the past 16 years. Focused initially on counternarcotics, and later counterterrorism, a program called Plan Colombia laid the foundation for a strategic partnership that has broadened to include sustainable development, human rights, trade, regional security, and many other areas of cooperation. Between FY2000 and FY2016, the U.S. Congress appropriated more than $10 billion in assistance from U.S. State Department and Department of Defense (DOD) accounts to carry out Plan Colombia and its follow-on strategies. During this time, Colombia made notable progress combating drug trafficking and terrorist activities and reestablishing government control over much of its territory. Its economic and social policies have reduced the poverty rate and its security policies have lowered the homicide rate.

Counternarcotics policy has been the defining issue in U.S.-Colombian relations since the 1980s because of Colombia's preeminence as a source country for illicit drugs. Peru and Bolivia were the main global producers of cocaine in the 1980s and early 1990s. However, successful efforts there in reducing supply pushed cocaine production from those countries to Colombia, which soon surpassed both its Andean neighbors. The FARC and other armed groups in the country financed themselves primarily through narcotics trafficking, and that lucrative illicit trade provided the gasoline for the decades-long internal armed conflict at least since the 1990s.[99] Colombia emerged to dominate the cocaine trade by the late 1990s. National concern about the crack cocaine epidemic and extensive drug use in the United States led to greater concern with Colombia as a source. As Colombia became the largest producer of coca leaf and the largest exporter of finished cocaine, heroin produced from Colombian-grown poppies was supplying a growing proportion of the U.S. market.[100] Alarm over the volumes of heroin and cocaine being

[97] Colombia signed a memorandum of understanding (MOU) with NATO focused on future security cooperation and consultation. According to the Colombian Embassy in Washington, DC, although the Colombian Constitutional Court rejected the MOU after it was ratified by the Colombian Congress on some minor procedural issues, it will be reintroduced and is likely to gain approval. CRS consultation with official at the Colombian Embassy, September 1, 2015.

[98] According to the September 2017 presidential memorandum, "Ultimately, Colombia is not designated because the Colombian National Police and Armed Forces are close law enforcement and security partners of the United States in the Western Hemisphere, they are improving interdiction efforts, and have restarted some eradication that they had significantly curtailed beginning in 2013." White House, Office of the Press Secretary, "Presidential Memorandum for the Secretary of State," Presidential Determination No. 2017-12, September 13, 2017. For more information on the certification process, see CRS Report RL34543, *International Drug Control Policy: Background and U.S. Responses*, by Liana W. Rosen.

[99] Nick Miroff, "Colombia Is Preparing for Peace. So Are Its Drug Traffickers," *Washington Post*, February 2, 2016.

[100] According to State Department testimony, by 2001, Colombia was providing 22% to 33% of the heroin consumed in

exported to the United States was a driving force behind U.S. support for Plan Colombia at its inception.

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

Plan Colombia and Its Follow-On Strategies

Announced in 1999, Plan Colombia originally was a six-year strategy to end the country's decades-long armed conflict, eliminate drug trafficking, and promote development. The counternarcotics and security strategy was developed by the government of President Andrés Pastrana in consultation with U.S. officials.[101] Colombia and its allies in the United States realized that for the nation to gain control of drug trafficking required a stronger security presence, the rebuilding of institutions, and extending state presence where it was weak or nonexistent.

Initially, the U.S. policy focus was on programs to reduce the production of illicit drugs. U.S. support to Plan Colombia consisted of training and equipping counternarcotics battalions in the Colombian Army and specialized units of the Colombian National Police, drug eradication programs, alternative development, and other supply reduction programs. The original 1999 plan had a goal to reduce "the cultivation, processing, and distribution of narcotics by 50%" over the plan's six-year timeframe. The means to achieve this ambitious goal were a special focus on eradication and alternative development; strengthening, equipping, and professionalizing the Colombian Armed Forces and the police; strengthening the judiciary; and fighting corruption. Other objectives were to protect citizens from violence, promote human rights, bolster the economy, and improve governance. U.S. officials expressed their support for the program by emphasizing its counterdrug elements (including interdiction). The focus on counternarcotics was the basis for building bipartisan support to fund the program in the U.S. Congress because some Members of Congress were leery of involvement in fighting a counterinsurgency, which they likened to the "slippery slope" of the war in Vietnam.[102]

President George W. Bush came to office in 2001 and oversaw some changes to Plan Colombia. The primary vehicle for providing U.S. support to Plan Colombia was the Andean Counterdrug Initiative, which was included in foreign operations appropriations. The Bush Administration requested new flexibility so that U.S.-provided assistance would back a "unified campaign against narcotics trafficking, terrorist activities, and other threats to [Colombia's] national security" due to the breakdown of peace talks between the FARC and the Pastrana government in February 2002.[103] Congress granted this request for a unified campaign to fight drug trafficking and terrorist organizations as Members of Congress came to realize how deeply intertwined the

---

the United States. Paul E. Simons, Acting Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, testimony before a hearing of the House of Representatives, Committee on Government Reform, December 12, 2002.

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

[102] Ibid.

[103] Cynthia J. Arnson, "The Peace Process in Colombia and U.S. Policy," in *Peace, Democracy, and Human Rights in Colombia*, eds. Christopher Welna and Gustavo Gallón (Notre Dame, IN: University of Notre Dame Press, 2007), pp. 132-164.

activities of Colombia's terrorist groups were with the illicit drug trade that funded them.[104] However, Congress prohibited U.S. personnel from directly participating in combat missions. Congress placed a legislative cap on the number of U.S. military and civilian contractor personnel who could be stationed in Colombia, although the cap was adjusted to meet needs over time. The current limit (first specified in the FY2015 National Defense Authorization Act, as amended) caps total military personnel at 800 and civilian contractors at 600, although numbers deployed have been far below the 1,400-person cap for years and now total fewer than 200.[105]

President Uribe (2002-2010) embraced Plan Colombia with an aggressive strategy toward the insurgent forces that prioritized citizen security. His Democratic Security Policy, implemented first in a military campaign called Plan Patriota, relied on the military to push FARC forces away from the major cities to remote rural areas and the borderlands. Like his predecessor, President Pastrana, Uribe continued to expand the Colombian military and police. He enhanced the intelligence capacity, professionalization, and coordination of the forces, in part with training provided by U.S. forces. His strategy resulted in expanded state control over national territory[106] and a significant reduction in kidnappings, terrorist attacks, and homicides. In 2007, the Uribe administration announced a shift to a "Policy of Consolidation of Democratic Security." The new doctrine was based on a "whole-of-government" approach to consolidate state presence in marginal areas that were historically neglected—vulnerable to drug crop cultivation, violence, and control by illegal armed groups. Called a strategic leap forward by then-Defense Minister Juan Manuel Santos, in 2009 the new strategy came to be called the National Consolidation Plan (see below).

Colombian support for Plan Colombia and for the nation's security program grew under Uribe's leadership. President Uribe levied a "wealth tax" to fund Colombia's security efforts, taxing the wealthiest taxpayers to fund growing defense and security expenditures. Overall U.S. expenditures on Plan Colombia were only a modest portion of what Colombians spent on their own security. By one 2009 estimate, U.S. expenditures were not more than 10% of what Colombians invested in their total security costs.[107] In 2000, Colombia devoted less than 2% of its GDP to military and police expenditures and in 2010 that investment had grown to more than 4% of GDP. One assessment notes "in the end there is no substitute for host country dedication and funding" to turn around a security crisis such as Colombia faced at the beginning of the millennium.[108]

---

[104] Congress granted the expanded authority requested by the Bush Administration in an emergency supplemental appropriations bill (H.R. 4775), which gave the State Department and the Department of Defense (DOD) flexibility to combat groups designated as terrorist organizations as well as to fight drug trafficking. The legislation was signed into law on August 2, 2002. Congress granted this new authority in the aftermath of terrorist attacks on the United States on September 11, 2001, and during a period when there was growing support in the U.S. Congress to combat terrorism.

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

[106] Although Democratic Security evolved over Uribe's two-terms in office, the strategy is credited by some analysts for its coherence. "Uribe and his advisors developed a coherent counterinsurgency strategy based on taking and holding territory, protecting local populations, controlling key geographic corridors ... and demobilizing the paramilitary forces that threatened democracy and state authority as much as did the FARC." Stuart Lippe, "There is No Silver Bullet and Other Lessons from Colombia," *Interagency Journal*, vol. 5, no. 3 (Fall 2014).

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

[108] Stuart Lippe, "There is No Silver Bullet and Other Lessons from Colombia," *Interagency Journal*, vol. 5, no. 3 (Fall 2014).

In 2008, congressional support for Plan Colombia and its successor programs also shifted. Some Members of Congress believed that the balance of programming was too heavily weighted toward security. Prior to 2008, the emphasis had been on "hard side" security assistance (to the military and police) compared with "soft side" traditional development and rule of law programs. Members debated if the roughly 75%/25% mix should be realigned. Since FY2008, Congress has reduced the proportion of assistance for security-related programs and increased the proportion for economic and social aid. As Colombia's security situation improved and Colombia's economy recovered, the United States also began turning over to Colombians operational and financial responsibility for efforts formerly funded by the U.S. government. The Colombian government "nationalized" the training, equipping, and support for Colombian military programs, such as the counterdrug brigade, Colombian Army aviation, and the air bridge denial program. U.S. funding overall began to decline. The nationalization efforts were not intended to end U.S. assistance, but rather to gradually reduce it to pre-Plan Colombia levels, adjusted for inflation.[109]

A key goal of Plan Colombia was to reduce the supply of illegal drugs produced and exported by Colombia but the goals became broader over time. Bipartisan support for the policy existed through three U.S. Administrations—President Bill Clinton, President George W. Bush, and President Barack Obama. Plan Colombia came to be viewed by some analysts as one of the most enduring and effective U.S. policy initiatives in the Western Hemisphere. Some have lauded the strategy as a model. In 2009, William Brownfield, then-U.S. Ambassador to Colombia, described Plan Colombia as "the most successful nation-building exercise that the United States has associated itself with perhaps in the last 25-30 years." Other observers, however, were critical of the policy as it unfolded. Many in the NGO and human rights community maintained the strategy, with its emphasis on militarization and security, was inadequate for solving Colombia's persistent, underlying problems of rural violence, poverty, neglect and institutional weakness. Nevertheless, it appears that improvements in security conditions have been accompanied by substantial economic growth and a reduction in poverty levels over time.

National Consolidation Plan and Peace Colombia

The National Consolidation Plan first launched during the Uribe Administration, (renamed the National Plan for Consolidation and Territorial Reconstruction), was designed to coordinate government efforts in regions where marginalization, drug trafficking, and violence converge. The whole-of-government consolidation was to integrate security, development, and counternarcotics to achieve a permanent state presence in vulnerable areas. Once security forces took control of a contested area, government agencies in housing, education, and development would regularize the presence of the state and reintegrate the municipalities of these marginalized zones into Colombia. The plan had been restructured several times by the Santos government.

The United States supported the Colombian government's consolidation strategy through an inter-agency program called the Colombia Strategic Development Initiative (CSDI). CSDI provided U.S. assistance to "fill gaps" in Colombian government programming. At the U.S. Embassy in Colombia, CSDI coordinated efforts of the U.S. Agency for International Development (USAID), the State Department's Narcotics Affairs Section, the U.S. Military Group, and the Department of Justice to assist Colombia in carrying out the consolidation plan by expanding state presence and promoting economic opportunities in priority zones.[110] It combined traditional counternarcotics assistance for eradication, interdiction, alternative development, and

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

[110] Ibid.

capacity building for the police, military, and justice sector institutions with other economic and social development initiatives.

As the peace agreement between the FARC and the government moved forward into implementation, the focus of U.S. assistance to Colombia has shifted again. With a foundation of the work done to advance consolidation, U.S. assistance has begun to aid in post-conflict planning and support Colombia's transition to peace by building up democratic institutions, protecting human rights and racial and ethnic minorities, and promoting economic opportunity. USAID's country cooperation strategy for 2014-2018 anticipated the Colombian government reaching a negotiated agreement with the FARC, but remained flexible if an agreement was not signed. It recognized early implementation efforts, especially in the first 24 months after signature, would be critical to demonstrate or model effective practices. In the next five years, it envisioned Colombia evolving from aid recipient to provider of technical assistance to neighbors in the region.[111]

Consolidating state authority and presence in the rural areas with weak institutions remains a significant challenge following the FARC's disarmament in the summer of 2017. Reintegration of the FARC and possibly other insurgent forces, such as the ELN, will be expensive and delicate. In particular, critics of the consolidation efforts of the Colombian government maintain that the Santos administration often lacked the commitment to hand off targeted areas from the military to civilian-led development and achieve locally led democratic governance.[112] Consolidation efforts suffered from low political support, disorganization at the top levels of government, and failure to administer national budgets effectively in more remote areas, among other challenges.

In August 2018, shortly after President Duque took office, USAID announced a framework of priorities for U.S. economic development assistance to Colombia. Some of these priorities include promoting and supporting a whole-of-government strategy to include the dismantling of organized crime; increasing the effectiveness of Colombia's security and criminal justice institutions; promoting enhanced prosperity and job creation through trade; improving the investment climate for U.S. companies; and advancing Colombia's capacity to strengthen governance and transition to sustainable peace, including reconciliation among victims, ex-combatants, and other citizens.[113]

Funding for Plan Colombia and Peace Colombia

The U.S. Congress initially approved legislation in support of Plan Colombia in 2000, as part of the Military Construction Appropriations Act of 2001 (P.L. 106-246). Plan Colombia was never authorized by Congress, but it was funded annually through appropriations. From FY2000 through FY2016, U.S. funding for Plan Colombia and its follow-on strategies exceeded $10 billion in State Department and Defense Department programs. From FY2000 to FY2009, the United States provided foreign operations assistance to Colombia through the Andean Counterdrug Program (ACP) account, formerly known as the Andean Counterdrug Initiative, and other aid accounts. In FY2008, Congress continued to fund eradication and interdiction programs through the ACP account, but funded alternative development and institution building programs through the Economic Support Fund (ESF) account. In the FY2010 request, the Obama

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

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

[113] U.S. Agency for International Development (USAID), *Colombia: Integrated Country Strategy*, August 14, 2018.

Administration shifted ACP funds into the International Narcotics Control and Law Enforcement (INCLE) account.

Since FY2008, U.S. assistance has gradually declined because of tighter foreign aid budgets and nationalized Plan Colombia-related programs. In FY2014, in line with other foreign assistance reductions, funds appropriated to Colombia from State Department accounts declined to slightly below $325 million. In FY2015, Congress appropriated $300 million for bilateral assistance to Colombia in foreign operation. The FY2016 Omnibus Appropriations bill (P.L. 114-113) provided Colombia from U.S. State Department and U.S. Agency for International Development accounts, slightly under $300 million, nearly identical to that appropriated in FY2015 (without P.L. 480, the Food for Peace account, the total for FY2016 was $293 million as shown in **Table 1**). In FY2017, Congress funded a program the Obama Administration had proposed called "Peace Colombia" to re-balance U.S. assistance to support the peace process and implementation of the accord. In May 2017, Congress approved a FY2017 omnibus appropriations measure, the Consolidated Appropriations Act, 2017 (P.L. 115-31), which funded the various programs of Peace Colombia at $391.3 million. In the FY2017 legislation, Congress appropriated the following:

- The ESF account increased to $187 million (from $134 million in FY2016) to build government presence, encourage crop substitution to replace drug crops, and provide other assistance to conflict victims, including Afro-Colombian and indigenous communities. However, only $180 million was subsequently allocated.
- INCLE funding increased to $143 million with a focus on manual eradication of coca crops, support for the Colombian National Police, and judicial reform efforts.
- INCLE funding also included $10 million for Colombian forces' training to counterparts in other countries.
- $38.5 million in Foreign Military Financing (FMF); and
- $21 million in Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR), which was a relatively large increase from under $4 million in FY2016 to focus on the demining effort.

How the Trump Administration will engage with the issues of supporting post-conflict stability in Colombia has not been clearly defined by either the State Department or other executive departments. For example, the Trump Administration's proposed foreign aid budget for FY2018 would have reduced assistance to Colombia to $251 million. However, the FY2018 omnibus appropriations measure, approved by Congress in March 2018 (P.L. 115-114), again included $391.3 million to support Colombia's transition to peace. The Trump Administration's FY2019 budget request for Colombia is $265 million, approximately a 32% reduction from the $391.3 million appropriated by Congress in FY2018. However, the House and Senate appropriations bills, H.R. 6385 and S. 3108, again would support the funding level of $391.3 million. The FY2019 Administration request would reduce post-conflict recovery programs and place greater emphasis on counternarcotics and security.

Below, **Table 1** provides account data from the annual international affairs congressional budget justification documents. The information about DOD-funded programs was provided to the Congressional Research Service by DOD analysts in December 2015 and October 2017 (and has not been updated).[114] The breakout of DOD assistance to Colombia is shown in **Table 2**.

[114] DOD, "Counternarcotics (CN) Support to Foreign Countries," by COCOM and Country, Unclassified.

. Colombia also has received additional U.S. humanitarian funding to help it cope with more than 1 million Venezuelan migrants. As of September 30, 2018, U.S. government humanitarian funding for the Venezuela response totaled approximately $96.5 million for both FY2017 and FY2018 combined, of which $54.8 million was for Colombia. (Humanitarian funding is drawn primarily from the global humanitarian accounts in annual Department of State/Foreign Operations appropriations acts.) In addition, the U.S. Navy hospital ship USNS *Comfort* is on an 11-week medical support mission deployed through the end of 2018 to work with government partners, in part to assist with arrivals from Venezuela. In Colombia, the U.S. response aims to help the Venezuelan arrivals as well as the local Colombian communities that are hosting them. In addition to humanitarian assistance, the United States is providing $37 million in bilateral assistance to support medium- and longer-term efforts by Colombia.[115]

Table 1. U.S. Assistance for Colombia by State Department Foreign Aid Account: FY2010-FY2018

(in millions of current U.S. dollars)

	Fiscal Year (Actual)								
Account	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	**2018 (est.)**
ESF	201.8	184.4	172.0	152.3	141.5	133.0	126.0	180.3	187.3
IMET	1.7	1.7	1.7	1.5	1.5	1.5	1.4	1.4	1.4
INCLE	243.9	204.0	160.6	165.9	149.0	135.2	135.2	143.0	143.0
NADR	4.8	4.8	4.8	5.0	4.3	4.3	3.5	21.0	21.0
FMF	55.0	47.9	40.0	28.9	28.5	27.0	27.0	38.6	38.6
Total	**507.2**	**442.8**	**379.1**	**353.6**	**324.8**	**301.0**	**293.1**	**384.3**	**391.3**

Source: The Congressional Research Service using data from the annual International Affairs Congressional Budget Justifications (FY2010-FY2018); FY2017 653 (a) estimates report to Congress; FY2017 Consolidated Appropriations Act, H.R. 244/P.L. 115-31, Statement of Conferees.

Notes: Accounts as follows: ESF = Economic Support Fund; IMET = International Military Education and Training; INCLE = International Narcotics Control and Law Enforcement; NADR = Nonproliferation, Anti-Terrorism, De-mining and Related Programs; and FMF = Foreign Military Financing. **Table 1** does not include P.L. 480 (also known as Food for Peace).

Table 2. U.S. Assistance for Colombia from the Department of Defense: FY2010-FY2017

(in millions of current U.S. dollars)

	Fiscal Year							
Program	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017 (est.)**
Counter Terrorism Fellowship Program	0.94	1.07	0.97	1.19	0.71	1.12	0.88	1.13
Humanitarian Assistance Program	2.48	1.19	3.23	0.27	1.40	1.00	1.17	3.00

[115] CRS In Focus IF11029, *The Venezuela Regional Migration Crisis*, by Rhoda Margesson and Clare Ribando Seelke.

Program	Fiscal Year							
	2010	2011	2012	2013	2014	2015	2016	2017 (est.)
Humanitarian Mine Action						1.50	3.00	3.50
Traditional Commanders Activities	0.25	0.26	0.25	0.20	0.30	0.57	0.65	.66
Defense Institution Reform Initiative[a]	1.20	1.29	1.33	1.11	2.13	2.06	1.51	2.00
Defense Institute for International Legal Studies[b]	0.14	0.03	0.22	0.09	0.39	0.13	0.17	.10
General Purpose Forces Training ("Section 1203")[c]	0.00	0.00	0.00	0.00	0.00	0.00	0.14	.33
Counternarcotics[d]	129.37	110.40	58.72	60.06	38.60	52.50	71.93	65.56
ISR (Army MIP) *Program delayed till Jan. 2018*[e]	—	—	—	—	—	—	27.0	34.53
Total	**134.37**	**114.24**	**64.72**	**62.91**	**43.53**	**58.88**	**106.45**	**110.81**

Source: Counter Terrorism Fellowship Program (CTFP) - Defense Security Cooperation Agency (DSCA), with Military Group (MILGRP) FY10 mod; Humanitarian Assistance (HA)- DSCA; Humanitarian Mine Action (HMA) - DSCA; Traditional Commanders Activities – U.S. Southern Command (SOUTHCOM); Defense Institution Reform Initiative (DIRI) - Office of the Secretary of Defense for Policy, OSD (P); Defense Institute for International Legal Studies (DIILS) - DSCA; 1203 - OSD(P); Counter narco-terrorism (CNT) - OSD (P) via U.S. Southern Command (SOUTHCOM). ISR (Army MIP) data and FY2016 and FY2017 (estimated) from DOD response to CRS request in October 2017. No data provided in 2018 to update further.

a. In early FY2014, the Peru program was shut down, and funds were diverted to Colombia.

b. Portions of some DIILS activities are funded by other accounts, such as CTFP, and state accounts, such as IMET.

c. General Purpose Forces Training of the United States Armed Forces with Military and Other Security Forces of Friendly Foreign Countries: FY2014 National Defense Authorization Act (NDAA), P.L. 113-66, P.L. 108-375, P.L. 113-76, P.L. 104-208, P.L. 113-76 Section 1203. It authorizes U.S. general purpose military forces to train with the military forces or other security forces of a friendly foreign country and DOD to pay up to $10 million per fiscal year in incremental expenses incurred by participating foreign forces.

d. The counternarcotics (CN) data reflect nonbudget quality estimates of DOD and CN support provided to these nations or regions. DOD budgets the CN program by projects, not by regions or countries. CN is allocated from the Central Transfer account in Defense appropriations for "drug interdiction and counter-drug activities."

e. Intelligence, surveillance, and reconnaissance (ISR) of Military Intelligence Program (MIP).

Human Rights Conditions on U.S. Assistance

Some Members of Congress have been deeply concerned about human rights violations in Colombia—especially those perpetrated by any recipients or potential recipients of U.S. assistance. In Colombia's multisided, 50-year conflict, the FARC and ELN, the paramilitaries and their successors, and Colombia's security forces have all committed serious violations. Colombians have endured generations of noncombatant killings, massacres, kidnappings, forced displacements, forced disappearances, land mine casualties, and acts of violence that violate international humanitarian law. The extent of the crimes and the backlog of human rights cases to

be prosecuted have overwhelmed the Colombian judiciary, which some describe as "inefficient" and overburdened. The United Nations and many human rights groups maintain that although some prosecutions have gone forward, most remain unresolved and the backlog of cases has been reduced slowly. In addition to the problem of impunity for such serious crimes, continued violations remain an issue.

Since 2002, Congress has required in the annual foreign operations appropriations legislation that the Secretary of State certify annually to Congress that the Colombian military is severing ties to paramilitaries and that the government is investigating complaints of human rights abuses and meeting other human rights statutory criteria. (The certification criteria have evolved over time.[116]) For several years, certification was required before 30% of funds to the Colombian military could be released. The FY2014 appropriations legislation requires that 25% of funding under the Foreign Military Financing (FMF) program be held back pending certification by the Secretary of State. Some human rights groups have criticized the regular certification of Colombia, maintaining that evidence they have presented to the State Department has contradicted U.S. findings. However, even some critics have acknowledged the human rights conditions on military assistance to Colombia to be "a flawed but useful tool" because the certification process requires that the U.S. government regularly consult with Colombian and international human rights groups. Critics acknowledge that over time, conditionality can improve human rights compliance.[117]

Additional tools for monitoring human rights compliance by Colombian security forces receiving U.S. assistance are the so-called "Leahy Law" restrictions, which Congress first passed in the late 1990s prior to the outset of Plan Colombia. First introduced by Senator Patrick Leahy, these provisions deny U.S. assistance to a foreign country's security forces if the U.S. Secretary of State has credible information that such units have committed "a gross violation of human rights." The provisions apply to security assistance provided by the State Department and DOD. The Leahy Law under the State Department is authorized by the Foreign Assistance Act (FAA) of 1961, as amended, and is codified at 22 U.S.C. 2378d (§520M of the FAA). The DOD Leahy provisions, which for years applied just to DOD training, now include a broader range of assistance, as modified in the FY2014 appropriations legislation.[118] The provision related to the Leahy Laws for DOD assistance is codified at 10 U.S.C. 362, and prohibits "any training,

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

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

[118] For more background, see CRS Report R43361, *"Leahy Law" Human Rights Provisions and Security Assistance: Issue Overview*, coordinated by Nina M. Serafino.

equipment, or other assistance," to a foreign security force unit if there is credible information that the unit has committed a gross violation of human rights.[119]

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

Because of the large amount of security assistance provided to Colombian forces (including the military and police), the State Department reportedly vets more candidates for assistance in Colombia than in any other country.[120] In the late 1990s, poor human rights conditions in Colombia were a driving concern for developing the Leahy Law provisions.[121] The U.S. Embassy in Bogotá, with nearly two decades of experience in its vetting operations, has been cited as a source of best practices for other embassies seeking to bring their operations into compliance or enhance their performance. State Department officials have cited Colombia as a model operation that has helped Colombia to improve its human rights compliance.

However, some human rights organizations are critical of the Leahy vetting process in Colombia, and cite the prevalence of extrajudicial executions allegedly committed by Colombian military units as evidence that these restrictions on U.S. assistance have failed to remove human rights violators from the Colombian military. A human rights nongovernmental organization, Fellowship of Reconciliation, has published reports alleging an association between false positive killings and Colombian military units vetted by the State Department to receive U.S. assistance.[122] However, some have questioned the group's methodology. Some human rights organizations contend that the U.S. government has tolerated abusive behavior by Colombian security forces without taking action or withholding assistance.

Assessing the Programs of Plan Colombia and Its Successors[123]

Measured exclusively in counternarcotics terms, Plan Colombia has been a mixed success. Colombia remains the dominant producer of cocaine and in the DEA's *National Drug Threat Assessment* for 2017 continued to be the source for 95% of cocaine seized in the United States. Enforcement, eradication, and improved security squeezed production in Colombia, so that in 2012, Peru reemerged as the global leader in cocaine production, surpassing Colombia, for a year or so. In the early 2000s, given Colombia's predominance as the source of cocaine destined for

[119] See CRS In Focus IF10575, *Human Rights Issues: Security Forces Vetting ("Leahy Laws")*, by Liana W. Rosen.

[120] See "Colombia Case Study" in CRS Report R43361, *"Leahy Law" Human Rights Provisions and Security Assistance: Issue Overview*, coordinated by Nina M. Serafino.

[121] The first enactment of the Leahy provisions restricted international narcotics control assistance in an amendment to the 1997 Foreign Operations Appropriations Act.

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

[123] For more background, see CRS Report R44779, *Colombia's Changing Approach to Drug Policy*, by June S. Beittel and Liana W. Rosen.

U.S. markets and its status as the second-largest producer of heroin consumed in the United States, eradication of coca bush and opium poppy (from which heroin is derived) was an urgent priority and became the preferred tool for controlling the production of these drugs. Another critical component of the drug supply reduction effort was alternative development programs funded by the U.S. Agency for International Development (USAID) to assist illicit crop cultivators with transitioning to licit crop production and livelihoods.

Trends in Colombia's Coca Cultivation

Analysts have long debated how effective Plan Colombia and its follow-on strategies were in combating illegal drugs. Although Plan Colombia failed to meet its goal of reducing the cultivation, processing, and distribution of illicit drugs by 50% in its original six-year time frame, Colombia has sustained significant reductions in coca cultivation in recent years. According to U.S. estimates, cultivation of coca declined from 167,000 hectares in 2007 to 78,000 hectares in 2012.[124] (Poppy cultivation declined by more than 90% between 2000 and 2009.) According to U.S. government estimates, Colombia's potential production of pure cocaine fell to 170 metric tons in 2012, the lowest level in two decades. However, it started to rise slightly in 2013, and more dramatically in 2014 through 2016. In those years, cultivation of coca and production of cocaine grew significantly in part due to ending the aerial eradication of coca crops. In 2015, following a U.N. agency determination that the herbicide used to spray coca crops was probably carcinogenic, Colombia's minister of health determined that aerial eradication of coca was not consistent with requirements of Colombia's Constitutional Court. In 2016, as noted above, the U.S. DEA reported that 95% of cocaine seized in the United States originated in Colombia.

According to U.S. Office of National Drug Control Policy, Colombia in 2017 cultivated an unprecedented 209,000 hectares of coca, from which cocaine is derived, capable of generating 921 metric tons of cocaine. The United Nations estimates for 2017, which typically differ in quantity but follow the same trends as U.S. estimates, maintained that Colombia's potential production of cocaine reached nearly 1,370 metric tons, 31% above its 2016 estimate. Even with Colombia's economic stability and improving security, cocaine exports (primarily to the U.S. market) remain a major concern for U.S. lawmakers. However, in drug interdiction, Colombia has set records for many years and is considered a strong and reliable U.S. partner. The United Nations Office on Drugs and Crime (**Table 4**), shows Colombia cultivating 146,000 hectares of coca in 2016, a 52% increase over 2015 and another increase to 171,000 hectares, a 17% increase, in 2017. Although cocaine seizures were quite high in both years, the interdiction of cocaine was insufficient to counter the large increases in production.

Table 3. U.S. ONDCP Estimate of Coca Cultivation in Colombia

(in hectares)

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Area (in thousands ha)	157	167	119	116	100	83	78	80	112	159	188	209
% change		6.2%	-29%	-3%	-14%	-17%	-6%	3%	39%	42%	18%	11%

[124] A hectare is about 2.5 acres. Using a different methodology than the U.S. government, the United Nations Office of Drugs and Crime (UNODC) reports a similar decline over the same time period, from 99,000 hectares in 2007 to 48,000 hectares in 2012. In 2013, Colombia's cultivation of coca plants remained stable at 48,000 hectares, according to the UNODC's annual survey. See UNODC, "UNODC 2013 Survey: Coca Cultivation Area Unchanged in Colombia, Prices and Value of Crop Markedly Down," press release, June 26, 2014.

Source: Office of National Drug Control Policy (ONDCP), "New Annual Data Released by White House Drug Policy Office Shows Record High Cocaine Cultivation and Production in Colombia," June 28, 2018; U.S. Department of State, *International Narcotics Control Strategy Report (INCSR)*, volume I, Colombia country reports for years 2015, 2016, 2017, and 2018.

Table 4. UNODC Estimate of Coca Cultivation in Colombia

(in hectares)

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Area (in thousands ha)	78	99	81	73	62	64	48	48	69	96	146	171
% **change**		27%	-18%	-10%	-15%	3%	-25%	0%	44%	39%	52%	17%

Source: U.N. Office on Drugs and Crime (UNODC), *Colombia: Monitoreo de Territorios Afectados por Cultivos Ilícitos 2017*, September 2018; *Colombia: Monitoreo de Territorios Afectados por Cultivos Ilícitos 2016*, July 2017; *Colombia: Monitoreo de Territorios Afectados por Cultivos Ilícitos 2015*, July 2016; *Colombia: Coca Cultivation Survey 2014,* July 2015; *Colombia Cultivation Survey 2013,* July 2014; *Colombia: Coca Cultivation Survey 2012,* July 2013.

Table 5. U.S. Government Estimates of Pure Cocaine Production in Colombia

(in metric tons)

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Amount	510	530	320	315	280	220	210	235	324	545	772	921
% **change**		4%	-40%	-2%	-11%	-21%	-5%	12%	38%	68%	42%	19%

Source: Office of National Drug Control Policy, "New Annual Data Released by White House Drug Policy Office Shows Record High Cocaine Cultivation and Production in Colombia," June 28, 2018. Figure for 2007 taken from U.S. Drug Enforcement Administration (DEA), *Colombian Cocaine Production Expansion Contributes to Rise in Supply in the United States*, August 2017.

Drug Crop Eradication and Other Supply Control Alternatives

Both manual eradication and aerial eradication were central components of Plan Colombia to reduce coca and poppy cultivation. Manual eradication is conducted by teams, usually security personnel, who uproot and kill the plant. Aerial eradication involves spraying the plants from aircraft with an herbicide mixture to destroy the drug crop, but it may not kill the plants. In the context of Colombia's continuing internal conflict, manual eradication was far more dangerous than aerial spraying. U.S. and Colombian policymakers recognized the dangers of manual eradication and, therefore, employed large-scale aerial spray campaigns to reduce coca crop yields, especially from large coca plantations. Colombia is the only country globally that aerially sprayed its illicit crops, and the practice has been controversial for health and environmental reasons, resulting in a Colombian decision to end aerial eradication in 2015.

Since 2002, as a condition of fully funding the spraying program, Congress has regularly directed the State Department, after study and consultation with the U.S. Environmental Protection Agency and other relevant agencies, to certify that the spraying did not "pose unreasonable risks or adverse effects to humans or the environment." This certification requirement was included most years in the annual foreign operations appropriations legislation.[125] Some analysts have also

[125] For example, the Consolidated Appropriations Act, 2014, enacted on January 17, 2014, states that "10 percent of the funds appropriated by this Act for the Colombian national police for aerial drug eradication programs may not be used

raised questions about the monetary and collateral costs of aerial eradication compared with other drug supply control strategies, its effectiveness, and its limited effect on the U.S. retail price of cocaine.[126]

U.S. State Department officials attribute Colombia's decline in coca cultivation after 2007 and prior to 2013 to the persistent aerial eradication of drug crops in tandem with manual eradication where viable.[127] Between 2009 and 2013, Colombia aerially sprayed roughly 100,000 hectares annually. In 2013, however, eradication efforts declined. Colombia aerially eradicated roughly 47,000 hectares. It manually eradicated 22,120 hectares, short of the goal of 38,500 hectares. This reduction had a number of causes: the U.S.-supported spray program was suspended in October 2013 after two U.S. contract pilots were shot down, rural protests in Colombia hindered manual and aerial eradication efforts, and security challenges limited manual eradicators working in border areas.[128]

In late 2013, Ecuador won an out-of-court settlement in a case filed in 2008 before the International Court of Justice in The Hague for the negative effects of spray drift over its border with Colombia.[129] In negotiations with the FARC, the government and the FARC provisionally agreed in May 2014 that voluntary manual eradication would be prioritized over forced eradication. Aerial eradication remained a viable tool in the government's drug control strategy, according to the agreement, but would be permitted only if voluntary and manual eradication could not be conducted safely.

In April 2015, the Santos administration determined that glyphosate, a broad-spectrum, nonselective herbicide used commercially, but in Colombia sprayed on coca plants to eradicate them, was "probably carcinogenic" to humans in a review published by a World Health Organization (WHO) affiliate. In October 2015, the government ended spraying operations and began to implement a new public health approach toward illicit drugs, one that proponents suggested would reduce human rights violations. On the supply side, Colombia's new drug policy gives significant attention to expanding alternative development and licit crop substitution while intensifying interdiction efforts. The State Department in its 2015 *International Narcotics Control Strategy Report* (INCSR), however, warned that illicit cultivation was expanding in areas long

---

for the aerial spraying of chemical herbicides unless the Secretary of State certifies to the Committees on Appropriations that the herbicides do not pose unreasonable risks or adverse effects to humans, including pregnant women and children, or the environment, including endemic species [... and ...] any complaints of harm to health or licit crops caused by such aerial spraying shall be thoroughly investigated and evaluated, and fair compensation paid in a timely manner for meritorious claims."

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

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

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

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

off-limits to aerial spraying, including national parks, a buffer zone with Ecuador where aerial eradication has been restricted, and in indigenous or protected Afro-Colombian territories.

Colombian interdiction practices are deemed some of the most effective in the world. The Colombian government reported seizing more than 207 metric tons (mt) of cocaine base in 2014 and that seizure total doubled by 2017 with capture of 442 mt of cocaine. According to the U.S. State Department's 2018 *INCSR*, Colombia also seized 197 mt of marijuana, 348 kilograms of heroin, and destroyed more than 3,400 cocaine base and hydrochloride labs.[130]

USAID funds and runs alternative development programs in Colombia to assist communities with transitioning from a dependency on illicit crops to licit employment and livelihoods. Alternative development was once focused narrowly on crop substitution and assistance with infrastructure and marketing. Since the Colombian government's shift to a consolidation strategy, USAID has supported "consolidation and livelihoods" programming in 40 of the 58 strategically located, conflict-affected municipalities targeted by the government's National Consolidation Plan. To facilitate economic development, USAID funds initiatives that assist farmers and others with shifting from coca growing to licit economic opportunities. These programs are designed to strengthen small farmer producer organizations, improve their productivity, and connect them to markets.

Some observers maintain that poor and unsustainable outcomes from alternative development programs while the Colombian conflict was still under way resulted from ongoing insecurity and lack of timeliness or sequencing of program elements. The renewed commitment to alternative development and crop substitution in the 2016 peace accord with the FARC may be similarly challenged. Formal implementation of the peace accord on drug eradication and crop substitution began in late May 2017 with collective agreements committing communities to replace their coca crops with licit crops. In some regions, the program is extended to families who cultivate coca and also to producers of legal crops and landless harvesters.[131] The Colombian government also committed to a combined approach of both voluntary and forced manual eradication. The government's goal set for 2017 was eradicating 100,000 hectares of coca, 50,000 through forced manual eradication and 50,000 through "crop substitution" accords reached with coca farming households who would voluntary eradicate.

At the U.S.-Colombia High Level Dialogue held in Bogotá in March 2018, a renewed commitment to the enduring partnership between the United States and Colombia was announced. A major outcome was a U.S.-Colombia pledge to reduce illegal narcotics trafficking through expanded counternarcotics cooperation. The new goal set was to reduce Colombia's estimated cocaine production and coca cultivation to 50% of current levels by 2023. In addition, a memorandum of understanding was signed to combat the illegal gold mining that funds transnational criminal organizations.[132]

New Developments Under the Duque Administration

Although President Duque appears determined to pursue a more aggressive approach to drug policy, he has not clearly stated how his approach to counternarcotics will differ from that of his

[130] U.S. Department of State, INCSR, vol. 1, April 2018.

[131] Juan Carlos Garzón-Vergara, "Progress Report on Coca Crop Substitution in Colombia: Trends, Challenges and Recommendations," Fundación Ideas para la Paz (FIP).

[132] U.S. Department of State, "U.S.-Colombia Dialogue Reaffirms an Enduring Partnership," Press Release, March 1, 2018.

predecessor. The government may restart aerial eradication, a strategy that ended in 2015 due to the Colombian Health Ministry's concerns over cancer-causing potential of the herbicide glyphosate, but no precise plans for restarting the program have been announced in the Duque Administration's first three months in office. Experimentation with delivering glyphosate by drones (rather than planes) began in June 2018 under the Santos Administration and is continuing under the Duque government.[133]

On October 1, 2018, President Duque authorized police to confiscate and destroy any quantity of drugs found on persons in possession of them, resulting in the seizure of more than 7 metric tons of drugs in less than two weeks. This enforcement measure may violate a 1994 Colombian Constitutional Court ruling, however, in which Colombians may carry small doses of drugs for personal use, including marijuana, hashish, and cocaine.[134] Several court challenges have been filed that seek to nullify the Duque decree on constitutional grounds of protected personal use.[135]

Drug trafficking continues to trigger conflict over land in Colombia while affecting the most vulnerable groups, including Afro-Colombian, peasant, and indigenous populations. Some analysts warn that national and international pressure for drug eradication could also lead to increased human rights violations, including health consequences by reviving aerial spraying of drug crops and government actions to forcibly break up demonstrations by coca producers who resist eradication. Some analysts have advocated that investments to lower drug supply need to go beyond eradication, which has not been a lasting approach to reducing drug crop cultivation.[136] For instance, the government could provide economic and education opportunities to at-risk youth to enhance their role in peace building and to prevent their recruitment into the drug trade and other illegal activity.

U.S.-Colombia Trade Relations, OECD, and the Pacific Alliance

Economic relations between Colombia and the United States have deepened. The U.S.-Colombia Free Trade Agreement (FTA) entered into force in May 2012.[137] By 2020, it will phase out all tariffs and other barriers to bilateral trade between Colombia and the United States, its largest trade partner. Since the U.S.-Colombia FTA went into force, the stock of U.S. investment in Colombia surpassed $7 billion in 2014 but dropped to $6.2 billion in 2016 (on a historical cost basis), concentrated mostly in mining and manufacturing.[138] According to the U.S. Department of Commerce, U.S. exports to Colombia exceeded $26.8 billion in 2016 and Colombia was the 22nd-largest market for U.S. exports; however, U.S. imports from Colombia declined between 2015 and 2016. Major U.S. exports to Colombia include oil (noncrude oil products including gasoline), machinery, cereals, organic chemicals, and plastic. Because 65% of U.S. imports from Colombia

[133] John Otis, "Colombia is Growing Record Amounts of Coca, The Key Ingredient in Cocaine," National Public Radio, October 22, 2018; "Colombia to Use Drones to Fumigate Coca Leaf with Herbicide," Reuters, June 26, 2018.

[134] Anna Grace, "Colombia Drug Possession Decree Misses Mark," *InSight Crime*, October 12, 2018; Verdad Abierta, "Coca Regions Most Deadly for Colombia Activists," *InSight Crime*, October 9, 2018.

[135] "Challenged in the Courts, Colombia's Drug Crackdown Faces an Uncertain Future," *World Politics Review*, October 29, 2018. (Article by The Editors.)

[136] For various viewpoints on Duque's initial drug policy approaches, see "Is Duque Pursuing the Right Anti-Drug Policies?," *Latin American Monitor*, October 17, 2018.

[137] The agreement is officially known as the U.S.-Colombia Trade Promotion Agreement. For more background, see CRS Report RL34470, *The U.S.-Colombia Free Trade Agreement: Background and Issues*, by M. Angeles Villarreal and Edward Y. Gracia.

[138] U.S. Department of Commerce, "U.S. Direct Investment Abroad Tables," *Survey of Current Business*, September 2017.

are crude oil imports, much of the decline in value was caused by the sharp fall in oil prices that began in 2014. Major U.S. imports beside crude oil, include gold, coffee, cut flowers, and fruits.

Congressional interest in Colombia now extends far beyond security and counternarcotics and has grown in the area of bilateral trade following implementation of the U.S.-Colombia FTA, (also known at the U.S.-Colombia Trade Promotion Agreement). Colombia is a founding member of the Pacific Alliance, along with Chile, Mexico, and Peru, and has sought to deepen trade integration and cross-border investment with its partners in the alliance while reducing trade barriers. The Pacific Alliance aims to go further by creating a common stock market, allowing for the eventual free movement of businesses and persons, and serving as an export platform to the Asia-Pacific region.

Colombia's leadership role in the Pacific Alliance and Colombia's accession to the Organization for Economic Cooperation and Development (OECD) in May 2018, following a review of the country's macroeconomic policies and changes, are major new developments. The accession to the OECD was approved by Colombia's lower house in October 2018 and the Senate in November 2018, but it remained under final review by Colombia's Constitutional Court in early February 2019. The Santos administration pushed to meet the criteria required for OECD membership because it maintained that such recognition signified Colombia's attainment of world-class development standards and policies.[139] Colombia has made progress on trade issues such as copyright, pharmaceuticals, fuel and trucking regulations, and labor concerns (including subcontracting methods and progress on resolving cases of violence against union activists).

Outlook

Congress remains interested in Colombia's future because the country has become one of the United States' closest allies. With 17 years of investment in Colombia's security and stability, some maintain that there has already been a strong return on U.S. investment. Plan Colombia and its successor strategies broadened from counternarcotics to include humanitarian concerns, efforts to bolster democratic development and human rights protections, and trade and investment to spark growth.

The record expansion of Colombia's coca crop and increasing cocaine exports to the United States, however, may significantly hinder the effort to consolidate peace in Colombia and could potentially increase corruption and extortion. A significant portion of the Colombian public remains skeptical of the peace process and the FARC's role in Colombia's democracy. Other Colombians maintain that support for peace programs in Colombia is important not only to benefit former FARC or other demobilized combatants but also to fulfill promises the government made in the peace accords to the country's 8.6 million victims of the five-decade conflict.

As President Duque concluded his first 100 days in office, his government faced overlapping challenges: (1) an upsurge in illicit drug crops, which had set records in 2016 and 2017; (2) implementation of provisions of the peace accord negotiated by former president Santos but marred by slow implementation, attacks on land and human rights activists, and projected budgetary shortfalls; (3) renewed violent competition among criminal groups in rural areas, some of which reportedly are sheltering in Venezuela; and (4) Venezuela's humanitarian crisis, which resulted in a surge of migrants fleeing to or through Colombia.

[139] "Ingresar a la OCDE es como la Clasificación de Colombia al Mundial de Fútbol: Santos," *El Heraldo*, October 25, 2013.

The annual level of foreign assistance provided by the U.S. Congress for Colombia began to decline in FY2008 and then gradually increased in FY2017 and FY2018 to support peace and implementation of the FARC-government peace accord. Some Members of Congress may want to build on cooperation with Colombian partners to continue to train Central Americans and other third-country nationals in counternarcotics and security, including programs in citizen security, crime prevention and monitoring, military and police capacity building, and hostage negotiation and cybersecurity. Congress may continue to closely monitor Colombia's domestic security situation. It also may continue to oversee issues such as drug trafficking; Colombia's effort to combat other illegal armed groups such as Bacrim; the status of human rights protections; and the expansion of health, economic, environmental, energy, and educational cooperation. Congress may seek to foster Colombian leadership in the region to counter growing political instability in Venezuela. The U.S. Congress has been interested in expanding investment and trade opportunities both bilaterally with Colombia and within regional groupings, such as the Pacific Alliance. Some analysts contend that U.S.-Colombian trade improvements rest on the strength of the overall relationship between Colombia and the United States.

Appendix. Selected Online Human Rights Reporting on Colombia

Organization	Document/Link
Amnesty International	https://www.amnesty.org/en/countries/americas/colombia/
Committee to Protect Journalists	http://cpj.org/americas/colombia/
Human Rights Watch Colombia	http://www.hrw.org/americas/colombia
Latin America Working Group	http://www.lawg.org/our-campaigns/stand-by-colombias-victims-of-violence
Programa Somos Defensores (We Are Defenders Program)	http://www.somosdefensores.org/index.php/en/
United Nations High Commissioner for Refugees (UNHCR)	http://www.unhcr.org/en-us/colombia.html
U.S. Department of State, *Country Report on Human Rights Practices, 2017*	https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper
Washington Office on Latin America (WOLA)	http://www.wola.org/program/colombia

Author Information

June S. Beittel
Analyst in Latin American Affairs

Acknowledgments

CRS Research Assistant Edward Gracia provided invaluable support in data analysis, graphics, and research.

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other

than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.