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Colombia: Background and U.S. Relations

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SUMMARY

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Colombia: Background and U.S. Relations

Colombia, a key Latin American ally, endured half a century of internal armed conflict. Drug trafficking fueled the violence, funding left- and right-wing armed groups. Some analysts feared in the 1990s that Colombia would become a failed state, but the Colombian government devised a novel security strategy, known as Plan Colombia, to counter the insurgencies. Plan Colombia and follow-on programs ultimately became a 17-year U.S.-Colombian bilateral effort. The partnership initially focused on counternarcotics and later included counterterrorism. When fully implemented, it also included sustainable development, human rights, trade, regional security, and other areas of cooperation.

Congress appropriated more than $10 billion for Plan Colombia and its follow-on programs between FY2000 and FY2016, about 20% of which was funded through the U.S. Department of Defense. Since 2017, Congress has provided nearly $1.2 billion in additional assistance for Colombia. For FY2019, Congress appropriated $418.1 million in foreign aid for Colombia, which encompassed efforts to promote peace and reconciliation, assist rural communities, and continue counternarcotics support through the U.S. State Department and the U.S. Agency for International Development. Congress has signed two continuing resolutions for FY2020 appropriations, with FY2020 aid levels set to match FY2019 levels through late December 2019.

Peace Accord Forged But Remains Polarizing

President Juan Manuel Santos (2010-2018) primarily focused on concluding a peace accord with the Revolutionary Armed Forces of Colombia (FARC)—the country's largest leftist guerrilla organization. Following four years of negotiations, Colombia's Congress ratified the peace accord in November 2016. During a U.N.-monitored demobilization effort in 2017, some 13,000 FARC disarmed, including combatants, militia members, and others deemed eligible to demobilize.

In August 2018, Iván Duque, a former senator from the conservative Democratic Center party, was inaugurated to a four-year presidential term. He campaigned as a critic of the peace accord. His party objected to measures concerning justice and political representation of the FARC after its demobilization. Shortly after taking office, Duque suspended peace talks with the National Liberation Army (ELN)—Colombia's second-largest rebel group—which had begun under Santos.

Continuing Challenges

Many consider Plan Colombia and its successor strategies to have significantly improved Colombia's security and economic stability. Nevertheless, recent developments threaten the country's progress. The FARC's demobilization and abandonment of illegal activities have triggered open conflict among armed actors (including FARC dissidents and transnational criminal groups), who seek to control drug cultivation and trafficking, illegal mining, and other illicit businesses. In August 2019, a FARC splinter faction, which included the former lead FARC negotiator of the peace accord, announced its return to arms. In response, Venezuela appears to be sheltering and perhaps collaborating with FARC dissidents and ELN fighters, a development of grave concerns to the U.S. and Colombian governments.

Colombia faces major challenges, including a sharp increase of coca cultivation and cocaine production; vulnerability to a mass migration of Venezuelans fleeing the authoritarian government of Nicolás Maduro; and a spike in attacks on human rights defenders, including social leaders implementing peace accord programs. As of September 2019, 1.4 million Venezuelans were residing in Colombia. Neighboring Venezuela's upheaval increased after the United States and several other nations, including Colombia, called for a democratic transition and recognized Juan Guaidó as Venezuela's interim president; as of late 2019 Guaidó and his supporters have not dislodged Maduro. Since FY2017, the U.S. State Department has allocated about $378 million to support countries receiving Venezuelan migrants, with more than half (almost $215 million in U.S. humanitarian and development assistance) for Colombia, as the most severely affected nation.

The United States remains Colombia's top trading partner. Colombia's economy grew by 2.6% in 2018 and is forecast to grow by more than 3% in 2019, with foreign direct investment also on the rise. For additional background, see CRS In Focus IF10817, *Colombia's 2018 Elections*, CRS Report R42982, *Colombia's Peace Process Through 2016*, and CRS Report RL34470, *The U.S.-Colombia Free Trade Agreement: Background and Issues*.

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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, 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, some 220,000 Colombians died in the armed conflict through 2012, 81% of them civilians.[2]

The report also quantified 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 2017—a 42-year low).[4]

Colombia at a Glance

Population: 49.8 million (2018, IMF)

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

GDP: $336.9 billion (2018, current prices, IMF est.)

Per Capita Income: $6,761 (2018, current prices, IMF est.)

Poverty Rate: 27% (WB, 2018)

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

Key Trading Partners: United States (25.3%), China (15.7%) Mexico (6%) (2018, total trade, GTA)

Exports: $41.8 billion total. *Top export products:* crude petroleum and coal, coffee, gold (2018, GTA)

Imports: $51.2 billion total. *Top import products:* machinery, cellular phones, motor vehicles, petroleum (2018, 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); Central Intelligence Agency (CIA); Global Trade Atlas (GTA); World Bank (WB)

[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, see also Chris Dalby and Camilo Carranza, "InSight Crime's 2018 Homicide Round-Up," InSight Crime, January 22, 2019.

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's economy began to slow in 2015. It declined to 1.7% gross domestic product (GDP) growth in 2017, but recovered to 2.6% growth in 2018.[5] In 2019, several sources forecast that economic growth will again exceed 3%.[6]

Between 2012 and 2016, the Colombian government held formal peace talks with the FARC, Colombia's largest guerrilla organization. In August 2016, the government of President Santos and FARC negotiators announced they had concluded their talks and achieved a 300-page peace agreement. The accord was narrowly defeated in a popular referendum held in early October 2016, but it was revised by the Santos government and agreed to by the FARC. The Colombian Congress ratified a revised accord at the end of November 2016.

In August 2017, President Santos announced the "end of the conflict," following the FARC's disarmament and demobilization. President Iván Duque, who took office in August 2018, acknowledged that his administration faced multiple challenges related to the long internal conflict. He noted that a majority of the peace accord's implementation had yet to be started, and the country faced a volatile internal security situation where FARC had demobilized but the state had failed to assert control in rural and peripheral parts of the country, as well as an enormous influx of Venezuelan migrants, who sought refuge in Colombia and continue to arrive. Later in 2019, as Venezuelans residing in Colombia surpassed 1.4 million, President Duque described Colombia as undergoing a migration "shock"—a mass movement of migrants flowing out of Venezuela across its borders.

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 inequalities suffered by landless peasants in the country's peripheral regions. In the late 19th century and part of the 20th century, the elite Liberal and Conservative parties dominated Colombian political life. Violence and competition between the parties erupted following the 1948 assassination of Liberal presidential candidate Jorge Gaitán, which set off a decade-long period of extreme violence, known as *La Violencia*.

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 terror that aimed to unseat the central government in Bogotá.

[5] Economist Intelligence Unit (EIU), *Colombia: Country Report*, October 2018. Many analysts identified Colombia's dependence on oil and other commodity exports as the primary cause of the slow down between 2014 and 2017.

[6] EIU, *Colombia: Country Report*, September 2019, has forecast slightly above 3% in 2019, while the International Monetary Fund (IMF) is projecting higher GDP growth of 3.6%. See IMF, "IMF Executive Board Concludes 2019 Article IV Consultation with Colombia," May 1, 2019.

Figure 1. Map of Colombia

(departments and capitals shown)

Source: Congressional Research Service (CRS).

Rightist paramilitary groups formed in the 1980s when wealthy ranchers and farmers, including drug traffickers, hired armed groups to protect themselves 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).[7] 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) that have continued to participate in the lucrative drug trade and commit other crimes and human rights abuses. (For more, see "The Current Security Environment," below.)

The Uribe Administration (2002-2010)

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

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.[8] 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. During 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 strengthened and expanded the country's military, seeking to reverse the armed forces' prior losses to the FARC. Uribe 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.[9] Uribe became widely popular for the effectiveness of his security policies, a strategy he called "Democratic Security." Uribe's popular support was evident

[7] 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.

[8] 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.

[9] Many Colombians have expressed disappointment in the AUC demobilization 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.

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 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.[10]

Uribe's success and reputation, however, were marred by several scandals, including 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 the former president's tenure included the "false positive" murders allegedly carried out by the military (primarily the Colombian Army), in which innocent civilians were killed extrajudicially. In 2009, the media revealed illegal wiretapping and other surveillance carried out by the government intelligence agency, the Department of Administrative Security, which attempted 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. Colombia's Constitutional Court turned down a referendum proposed to alter the constitution to allow President Uribe a third term in 2010.

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 is a centrist from an elite family that once owned the country's largest newspaper. He 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 but did not win a majority. Santos won the June 2010 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.[11]

[10] 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.

[11] 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.

On August 7, 2010, during his first inauguration speech, President Santos said he planned to follow in the path of President Uribe, but "the door to [peace] talks [with armed rebels] is not locked."[12] During his first two years in office, President Santos reorganized the executive branch, 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. The trade agreement went into effect in May 2012. To address U.S. congressional concerns about labor relations in Colombia, including the issue of violence against labor union members, the United States and Colombia agreed to an Action Plan Related to Labor Rights (Labor Action Plan) in April 2011. Many of the steps 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.[13] The law was intended to process an estimated 360,000 land restitution cases.[14] (For more on the law, see textbox below on "Status of Implementation of the Victims' Law.") 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.[15]

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.

In the midst of extended peace negotiations, Colombia's 2014 national elections presented a unique juncture for the country. As a result of the elections, the opposition *Centro Democrático* (CD) party gained 20 seats in the Senate and 19 in the less powerful Chamber of Representatives,[16] and its leader, former President Uribe, became a popular senator. His presence

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

[13] 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.

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

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

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

in the Senate challenged the ruling coalition that backed President Santos, who won reelection in a second-round runoff in June 2014 against a CD-nominated presidential candidate.

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. 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, who criticized various provisions in the accord that they deemed inadequate, 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. Its innovative involvement of conflict victims in the peace talks and, ultimately, its focus on victims in the final 2016 accord have been viewed as a major contribution. Yet, it did not President Santos him support in Colombia, as his approval ratings fluctuated 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.

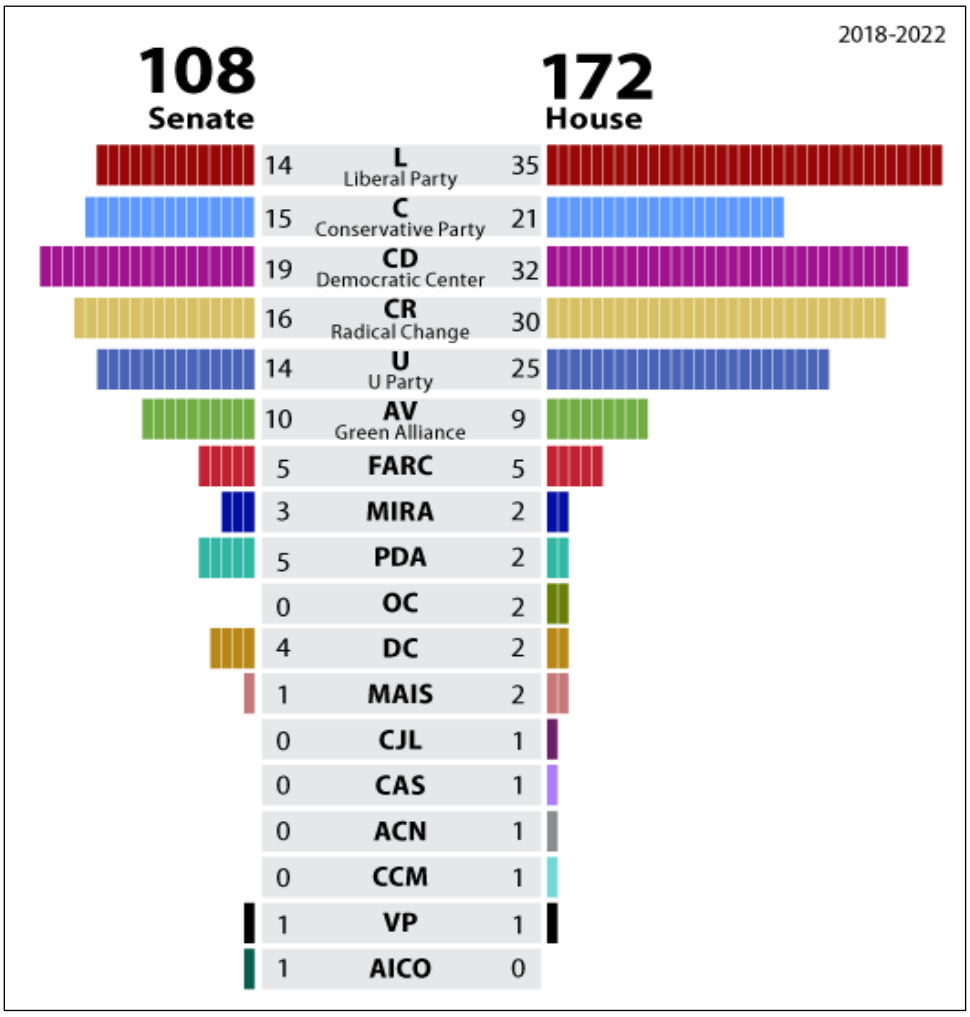
The Duque Government and a New Legislature

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. 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; winning 8 million votes, or 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 and Santos's prior National Unity (or Party of the U) joining the CD, although compromise would be 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 2015 constitutional change that allowed 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). However, the legislative majority fractured during President Duque's first year in office, which has left his government with limited support in Congress to accomplish major legislative objectives.

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.

Duque was inaugurated on August 7, 2018, and at the age of 42 was Colombia's youngest president elected in a century. He possessed limited prior experience in Colombian politics. Duque was partially educated in the United States and worked for a 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. President Duque campaigned on his experience as a technically oriented politician, who presented himself as a modernizer.

In a September 2018 speech before the U.N. General Assembly, the new president outlined his policy objectives.[17] 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 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. By late 2018, Colombia's acceptance of more than 1 million Venezuelans was adding pressure on the government's finances, generating a burden estimated at nearly 0.5% of the country's GDP.[18]

President Duque also 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 counterdrug cooperation for two decades.[19] In 2017, Colombia's Constitutional Court decided to retain the suspension of the use of glyphosate until the government took measures to limit its impact on humans.

Colombians' concerns about 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 also accused of taking political contributions from Odebrecht with evidence presented by a CD senator, indicating that both the left and the right of the Colombian political spectrum have been tainted by corruption allegations.[20]A series of corruption charges made against members of Colombia's judicial branch, politicians, and other officials made the issue prominent in Colombian politics. In late August 2018, an anti-corruption referendum was defeated, narrowly missing a high vote threshold by less than half a 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 limit abuses identified in the referendum through legislation.

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. 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.[21] 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

[17] 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.

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

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

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

[21] 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.

November 2018,[22] among the lowest levels in the early part of a presidential mandate. In August 2019, Duque's approval rating rested near 29% (with a disapproval level of 63%), and he faced a continued lack of unified congressional backing.[23] His coalition, which had established a congressional majority with other center and center-right parties, appeared to fall apart in early 2019, when some of the parties abandoned the ruling coalition; this process accelerated in October 2019. At that time, Defense Minister Guillermo Botero, threatened with censure in the Colombian Congress, resigned, leading to a major Cabinet reshuffle.[24]

As the Duque Administration passed its one-year mark, it faced the challenges of bringing a record expansion of coca cultivation and cocaine production under control, implementing the peace accord, and controlling crime and violence by armed groups seeking to replace the FARC, while addressing spillover challenges from a destabilized Venezuela. To date, the Colombian government has registered 8.8 million victims of its own 52-year conflict, about 15% of the country's population, of which about 6.7 million are eligible for reparations under the peace accord. The most significant cause of the conflict's victimization is internal displacement; Colombia has the world's second-highest number of internally displaced persons. Many observers raise concerns about human rights conditions inside Colombia and the ongoing lack of governance in remote rural areas, such as the nearly 1,400-mile border area alongside a severely troubled Venezuela.

Economic Issues and Trade

The Colombian economy is the fourth largest in Latin America after Brazil, Mexico, and Argentina (as measured at the end of 2018). 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 devaluations, at times eroding fiscal revenue. The United States is Colombia's largest trade partner, and bilateral economic relations have deepened since the U.S.-Colombia Free Trade Agreement entered into force in May 2012.[25] By 2021, the agreement will phase out all tariffs on consumer and industrial products. The total stock of U.S. investment in Colombia was $7.2 billion in 2017, with mining, manufacturing, and wholesale trade as the leading sectors.[26] Colombia's GDP expanded by 2.6% in 2018, according to the Economist Intelligence Unit, and is projected to grow by slightly more than 3% in 2019.[27]

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. It rose slightly to 9.7% in 2018. For the first three quarters of 2019, unemployment exceeded 10%.[28]

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

[23] James Bosworth, *Latin America Risk Report – 5 September 2019*, at https://boz.substack.com/.

[24] Arthur Dhont, "Colombian Government Likely to Struggle to Implement Economic Policies in 2020 because of Social and Legislative Opposition," HIS Global Insight Analysis, November 12, 2019; "Colombia: Embattled Duque Prepares for Protests," LatinNews Weekly Report, November 14, 2019.

[25] 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.

[26] United States Trade Representative, "2019 National Trade Estimate Report," March 2019.

[27] Economist Intelligence Unit, *Colombia: Country Report*, November 2019. However, the International Monetary Fund (IMF) is projecting higher GDP growth in 2019 of 3.6%. See IMF, "IMF Executive Board Concludes 2019 Article IV Consultation with Colombia," May 1, 2019.

[28] "Colombia: Country Report," EIU, September 2019.

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 it declined to below 27% in 2016. The issues of limited land ownership and high rural poverty rates remain contentious.[29] According to a United Nations study published in 2011, 1.2% of the population owned 52% of the land,[30] 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.

Despite Colombia's macroeconomic stability, several issues remain, such as a still-complicated tax system, a high corporate tax burden, and continuing piracy and counterfeiting concerns. Colombia's rural sector protestors have periodically demanded long-term and integrated-agricultural reform in a country with one of the most unequal patterns of land ownership.[31] 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.[32] The student mobilizations continued in late October 2019, placing pressure on the Duque government as social demands in Argentina, Chile, and other developed South American economies raised the specter of prolonged citizen protests.

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.[33] 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.

In 2017, U.S. foreign direct investment (FDI) in Colombia totaled $7.2 billion. In the first two quarters of 2019, according to Colombia's government, U.S. FDI increased by more than 24% over the same period in 2018.[34] 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).

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,

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

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

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

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

[33] 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.

[34] "In Brief: Colombia's FDI up 24.7% in First Half of 2019," *LatinNews Daily,* September 4, 2019.

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.

Colombia is a founding member of the Pacific Alliance along with Chile, Mexico, and Peru. It has sought to deepen trade integration and cross-border investment with its partners in this alliance. The Pacific Alliance aims to go beyond reducing trade barriers 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 role in the Pacific Alliance and Colombia's accession to the Organization for Economic Cooperation and Development, which it is in the process of completing after being invited to become a member in May 2018 (following a review of the country's macroeconomic policies), are relatively new developments.

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. Over the course of four years, the Colombian government and the FARC negotiated several central issues, with the following major sub-agreements:

- land use and rural development (May 2013);
- the FARC's political participation after disarmament (November 2013);
- illicit crops and drug trafficking (May 2014);
- victims' reparations and transitional justice (December 2015); and
- the demobilization and disarmament of the FARC and a bilateral cease-fire (June 2016).

A sixth topic provided for mechanisms to implement and monitor the peace agreement. All parties to the accord recognized that implementation would be challenging, with many Colombians questioning whether the FARC would be held accountable for its violent crimes.[35] The Special Jurisdiction of Peace (JEP by its Spanish acronym), 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. Some analysts have estimated that implementing the programs required by the accord may take 15 years and cost from $30 billion to $45 billion.[36] The country faces steep challenges to underwrite the post-accord peace programs in an era of declining revenues and competing challenges, such as the influx of Venezuelan migrants.

The Kroc Institute for International Peace Studies at the University of Notre Dame is responsible for monitoring implementation of the agreement. It released its latest assessment in April 2019. In the Kroc Institute review of implemented commitments shown in **Figure 3**, disarmament and demobilization is the most complete. During a U.N.-monitored demobilization effort in 2017, some 13,200 FARC (armed combatants and militia members) disarmed, demobilized, and began the reintegration process.[37] By contrast, the least-implemented commitments include land and

[35] 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.

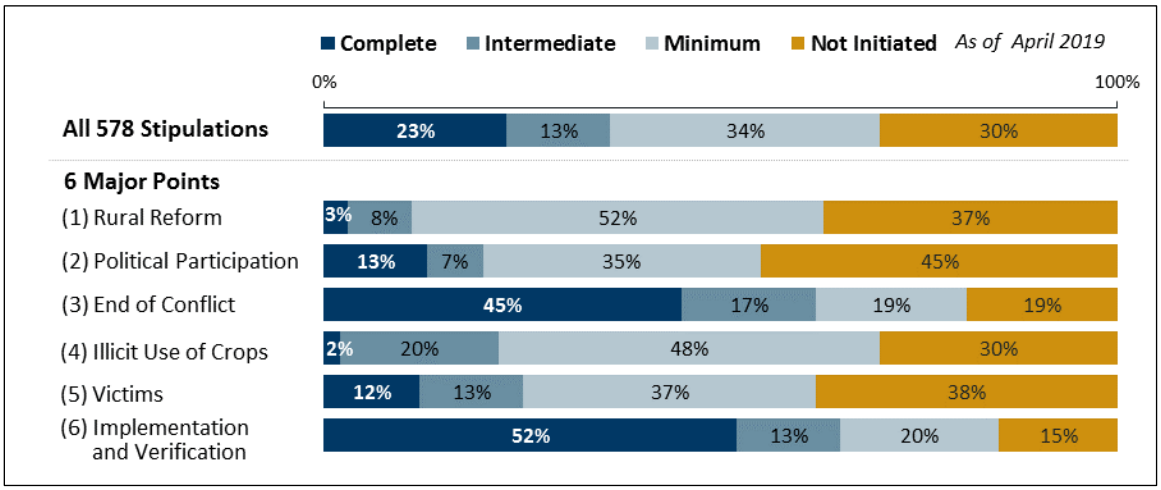
[36] See, for instance, "Implementacíon del Acuerdo de Paz Necesitaria $76 Billones Adicionales," *El Espectador*, September 21, 2018.

[37] The 13,200 demobilized FARC include those who had been imprisoned for crimes of rebellion, who were accredited

rural development elements, concerned with more equitable access to land, including connecting the impoverished rural parts of Colombia to the main economy, and counternarcotics programs to support the transition to licit crops.

In July 2017, the U.N. Security Council voted to establish the U.N. Verification Mission in Colombia for a period of three years.[38] On September 12, 2019, the U.N. Security Council extended the mission's mandate until September 25, 2020 to verify implementation of the Colombian accord with the FARC.[39] Colombia's Constitutional Court ruled in October 2017 that over the next three presidential terms (until 2030), Colombia must follow the peace accord commitments.[40]

Figure 3. Implementation of the Colombia Peace Accord



Source: Created by CRS with data drawn from executive summary of Kroc Institute for International Peace Studies, University of Notre Dame, *State of Implementation of the Colombian Final Accord: December 2016 – April 2019*, April 2019, at https://kroc.nd.edu/assets/333274/executive_summary_colombia_print_single_2_.pdf.

Notes: The Kroc Institute is the first university-based research center to directly support the implementation of a peace accord.

While progress has been uneven across the all commitments, some programs received external and international pressure to proceed quickly and were "fast tracked" by the Colombian Congress. For example, in a December 2016 ruling, the Colombian Constitutional Court granted fast-track implementation to the revised peace accord that was approved in late 2016, , particularly as it applied to the FARC's disarmament and demobilization. In a 2017 ruling, however, the court determined that all legislation related to implementation of the accord needed to be fully debated rather than passed in an expedited fashion, which some analysts suggested slowed implementation significantly. Other factors also slowed implementation, including efforts by the Duque government to revise the accord. In March 2019, the Duque government sought

by the Colombian government as eligible to demobilize. (Tally of demobilized from Luisa Fernando Mejía, "How Colombia Is Welcoming Migrants – and Staying Solvent," *Americas Quarterly*, September 11, 2019, at https://www.americasquarterly.org/content/how-colombia-welcoming-migrants-and-staying-solvent.)

[38] 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.

[39] "UN Security Council Extends Mandate of Verification Mission in Colombia," Xinhua News Agency, September 12, 2019.

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

changes to 6 of the 159 articles that make up the law governing the peace accord, including proposed changes to the JEP.[41] Those changes were defeated in the Colombian Congress, however, and rejected by Colombia's Constitutional Court.[42] In July 2018, the JEP began to hear cases, including confessions from those alleged to have engaged in crimes against humanity. Some FARC members have sought to avoid the process due to fears it would not guarantee them the rights to transitional justice promised at the peace table.[43]

FARC assets are of interest to the U.S. State Department, which lists the FARC as a Foreign Terrorist Organization, and the Colombian government, which will use these assets for remuneration to victims in compliance with Colombia's peace accord. The FARC disclosed in September 2017 what it claimed were its total hidden assets, listing more than $330 million in mostly real estate investments. This announcement drew criticism from several analysts who maintain that FARC assets are likely much greater, with some estimating that FARC profits from the various criminal economies it controlled prior to demobilization total above $500 million annually.[44]

One of Colombia's greatest challenges continues to be ensuring personal security for ex-combatants and demobilized FARC. The FARC's reintegration into civil society remains a charged topic; in the 1990s, FARC attempts to start a political party, known as the Patriotic Union, resulted in more than 3,000 party members being killed by right-wing paramilitaries and others.[45] By late August 2019, 120 demobilized FARC members reportedly had been killed or forcibly disappeared, according to press reports.[46] The U.N. Security Council's October 1, 2019, report of the Verification Mission in Colombia stated that 147 former FARC members who demobilized (more than 1%) had been murdered and another 12 demobilized FARC members had disappeared.[47] The top three departments for the homicides were Cauca, Nariño, and Antioquia.

Territorially Focused Development Programs (PDETs in Spanish) are a tool outlined in the peace accord for planning and managing a broad rural development process, with the aim of transforming 170 municipalities (covering 16 subregions) most affected by the armed conflict. PDETs target those counties, or *municipios,* in Colombia (which has a total of 1,100 counties) known to have the highest number of displacements and those that have experienced the most massacres and forced disappearances. These conflict-battered areas generally have chronic poverty, high inequality, and illicit crops. The development program outlined for the PDETs

[41] The changes include reaffirming FARC must pay victims of their crimes with seized assets, revise extradition rules, and toughen rules concerning sentencing of war crimes.

[42] Francisco Serrano, "Colombia's Uneasy Peace," *Foreign Policy*, July 16, 2019. In early April 2019, the Colombian Congress's lower house rejected the presidential changes with a vote of 110 to 44, and the court did not therefore back the Duque-supported changes. The constitutionally mandated peace accord would have required a two-thirds majority voting to approve the changes. See, "Colombia Lower House Rejects President's Changes to Peace Tribunal," Reuters, March 9, 2019.

[43] Ted Piccone, *Peace with Justice: The Colombian Experience with Transitional Justice*, Brookings, Washington, DC, July 2019.

[44] Jeremy McDermott, "The FARC's Riches: Up to %580 Million in Annual Income," *InSight Crime*, September 6, 2017.

[45] 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.

[46] See "Iván Márquez Rearming is a Wake-Up Call: Efforts to Fully Implement the Colombian Peace Accords Need to be Escalated," Updates from the Washington Office on Latin America (WOLA), August 29, 2019; "Homicidios de ex-Farc de Este Año Podrían Superar los del 2018: ONU," *El Tiempo*, October 14, 2019, at https://www.eltiempo.com/politica/proceso-de-paz/homicidios-de-ex-farc-de-este-ano-superarian-los-del-2018-onu-422826.

[47] United Nations Verification Mission in Colombia, Report of the Secretary-General, S/2019/780, October 1, 2019.

includes roads and transportation; health care and education, and programs to foster economic development in these rural areas, moving on a 10- to 15-year timeline. According to the October 2019U.N. Verification Mission report, some 650 such projects are complete and the government reports that 500 more are under way.[48]

The Defense Ministry's current security strategy, announced in late 2018, to transform "post-conflict" Colombia is called *Zonas Futuro,* or Future Zones/Strategic Zones of Comprehensive Intervention. The 995 small towns (*veredas*) that are the focus for the Ministry's Future Zones stabilization effort are located within the 170 counties of the PDETs, which have some 11,000 *veredas* in total.[49]

In addition to unmet government guarantees of security, the FARC has criticized the government for not adequately preparing for the group's demobilization and reintegration. The U.S. State Department's *Country Reports on Terrorism* covering 2018 noted that reintegration program delays could encourage more ex-combatants to return to criminal activities, including terrorism.[50] According to observers, the government failed to provide basic resources to FARC members gathered throughout the country in specially designated zones for disarmament and demobilization (later renamed *reintegration zones*). Several U.N. reports have flagged the dangers of failing to reintegrate former FARC combatants and not providing viable options for income.[51] Peace process advocates have cited inadequate attention to the inclusion of ethnic Colombians such as Afro-Colombian and indigenous communities—who are among those hit hardest by the conflict—in peace accord implementation, as required by the "ethnic chapter" of the accord.[52]

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.[53] In November 2017, the FARC announced its party's presidential ticket, topped by FARC leader Rodrigo Londoño (aka Timochenko) for president.[54] The FARC party ran several candidates in congressional races in March 2018 but failed to win any additional congressional race for which it competed. (FARC former combatants took only the legislative seats set aside for them in the lower house and Colombian Senate, which are non-voting.) In department and

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[48] Ibid.

[49] For more background, see Colombian Ministry of Defense, *Defense and Security Policy – DSP: For Legality, Entrepreneurship, and Equity*, January 2019.

[50] U.S. Department of State, *Country Reports on Terrorism*, November 1, 2019. Reporting from September 2019, suggests 35 collective reintegration productive projects have been approved, and of those project funding has been dispersed for 22 projects. Op cit, UN Verification Mission in Colombia, October 1, 2019. However, FARC living in the reintegration zones (around 3,000 in the fall of 2019) have questioned their safety in the zones where they are supposed to transition to civilian life, following the murder in October 2019 of a FARC demobilized fighter within a zone, the first to take place specifically in an area under government protection.

[51] Edith Lederer, "UN Official: Reintegrating Colombia's Rebels is Not Going Well," *Associated Press*, October 20, 2017; op. cit, United Nations Verification Mission in Colombia, Report of the Secretary-General, S/2019/780, October 1, 2019.

[52] Colombia recognizes some 710 indigenous reserves, while Afro-Colombian territories encompass some 6.5 million hectares of land. For more, see Latin America Working Group (LAWG) and 27 other nongovernmental organizations, "A Wake-Up Call: Colombia's Peace at Risk: What U.S. Policymakers Can Do to Help Preserve Colombia's Peace," April 11, 2019, at https://www.google.com/search?client=firefox-b-1-d&q=wake-up+call+colombia%27s+peace+at+risk; Gimena Sanchez-Garzoli, "The Slow Death of Colombia's Peace Deal," *Foreign Affairs*, October 30, 2019.

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

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

municipal elections held in October 2019, the FARC party won a mayoral contest in the Bolivar department but lost most of the other races it entered, although it won some seats on city councils in more rural municipalities or in coalitions with other leftist candidates.[55]

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.

Several sources suggest that between 8% and 13% (1,000 to 1,700) of the FARC have become dissidents, who reject the peace settlement or have, since demobilizing, rejected it and returned to illicit activities.[56] These armed individuals remain a threat.[57] A controversial case in Colombia's transitional justice system involves a FARC leader who was also a lead negotiator in the peace process, Seuxis Hernández, known by his alias Jesús Santrich. Colombian authorities jailed Santrich for allegedly committing drug trafficking crimes involving exporting 10,000 kilograms of cocaine in 2017, after the peace accord was ratified. However, a JEP ruling announced on May 15, 2019, freed Santrich on the grounds that a U.S. undercover operation to investigate Santrich's crimes was illegal and there was insufficient evidence to hold him or to extradite him to the United States. In response, Colombian Attorney General Néstor Humberto Martínez resigned in protest. Subsequently, Colombian authorities rearrested Santrich, allegedly without plans to extradite him, because the Colombian government said it possessed new evidence implicating him.[58] Santrich did not show up in court in late June 2019 to be questioned on the new evidence, however, and had left the former FARC reintegration camp where he was residing.[59]

On August 29, 2019, a FARC splinter faction called for a return to arms, alleging the Colombian government had not complied with the peace accord and had failed to protect demobilized FARC members, with many demobilized FARC killed. Luciano Marín Arango (alias Iván Márquez), who announced this action, was the FARC's most prominent negotiator during the peace talks. Among his armed followers shown in the video announcement was Jesús Santrich. Rodrigo Londoño, the former top guerrilla leader who heads the FARC political party,[60] immediately denounced the call to return to war and said this faction of dissidents would have to pay the consequences. He called for continuing implementation and enforcement of the peace accord.[61]

Colombia's second-largest rebel movement, the National Liberation Army (*Ejército de Liberación Nacional*, or ELN), began formal peace talks with the Colombian government after

[55] EIU, "Colombia Politics: Quick View-Local Elections Highlight Weakening of Party Machine," *ViewsWire*, October 28, 2019.

[56] Many analysts estimate the level of dissidence under 10%, such as those at the Ideas for Peace Foundation, a respected Colombian think tank. The foundation's mid-2019 study found that 8% of demobilized FARC are unaccounted for, although some of those are unlikely to have rearmed. See Ideas for Peace Foundation, "La Reincorporación de los excombatientes de las FARC," July 2019, at http://ideaspaz.org/especiales/infografias/excombatientes.html. See also U.S. Department of State, *Country Reports on Terrorism*, November 1, 2019.

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

[58] "Sorry Uncle Sam," *Economist*, May 18, 2019.

[59] Op cit, Serrano, "Colombia's Uneasy Peace"; "The Disappearance of Jesús Santrich threatens Colombia's Peace Deal," *Economist*, July 6, 2019.

[60] The FARC political party retained the insurgency acronym and holds non-voting, set-aside seats in the Colombian Congress. For more, see CRS Report R43813, *Colombia: Background and U.S. Relations*, by June S. Beittel.

[61] "FARC Splinter Takes Up Arms, Jeopardizing Peace Accord," *Latin News Weekly Report*, September 5, 2019.

the FARC peace accord was approved in sessions held first in Ecuador and later in Cuba. On January 17, 2019, a car bomb 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 21 police cadets (as well as the bomber) and injured several dozen more. The ELN took responsibility for the attack in a published statement. Large demonstrations followed in Bogotá, protesting the return of violence to Colombia's capital city.

As a result of the bombing, the Duque government broke off peace talks with the ELN.[62] President Duque requested the extradition of the team of ELN peace negotiators in Cuba to face charges of terrorism in Colombia.[63] He maintained that the ELN delegation members must have had prior knowledge of the car bombing, which they denied. ELN is far more regionally oriented, decentralized, and nonhierarchical in its decisionmaking than the FARC, and it remains a primary security challenge. In September 2019, President Duque threatened to denounce Cuba as a state sponsor of terrorism at the United Nations General Assembly if the ELN leaders were not turned over to his government.[64] In his U.N. speech on September 25, 2019, President Duque described military intelligence concerning some 1,400 ELN fighters present in Venezuela.[65]

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 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. The AUC (as noted earlier) was the national umbrella organization of paramilitaries that officially disbanded a decade ago. The U.S. State Department removed the organization from the list of Foreign Terrorist Organizations in July 2014. More than 31,000 AUC members demobilized between 2003 and 2006, and many AUC leaders stepped down. However, many former AUC paramilitaries continued their illicit activities or rearmed and joined criminal groups known as *Bacrim*. Many observers view the Bacrim as successors to the paramilitaries,[66] and the Colombian government has characterized these groups as the biggest threat to Colombia's security since 2011.[67] Overthrowing the national government does not appear to be their objective, although various Bacrim groups have at times sought territorial control in some parts of Colombia.[68]

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 known as the Norte del Valle Cartel and Los Rastrajos. The U.S. Drug Enforcement Administration's 2018 *National Drug Threat Assessment* maintains "large-scale

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

[63] The Cuban government was a host and guarantor of the peace talks with the ELN.

[64] "Colombia Threatens to Denounce Cuba as a Sponsor of Terrorism, Associated Press, September 10, 2019.

[65] President Iván Duque Márquez, "Llegó el Momento de Pasar de los Discursos a las Acciones, Y Colombia Está Actuando," Speech before the United Nations General Assembly, United Nations, September 25, 2019.

[66] 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.

[67] By 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.

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

Colombian TCOs" work closely with Mexican and Central American TCOs to export large quantities of cocaine out of Colombia every year.[69] 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.

Venezuela is a major transit corridor for Colombian cocaine.[70] 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 permissive and corrupt environment make it a preferred trafficking route for illicit drugs. A 2018 report by *Insight Crime* identified more than 120 high-level Venezuelan officials who have engaged in criminal activity.[71] Venezuela's instability, weak institutions, and lawlessness have attracted the attention of drug trafficking groups, many of which operate without government interference.[72] The Venezuelan Organized Crime Observatory maintains in a 2018 study that 14% of crimes in the country involve public officials.[73] Since 2005, U.S. presidents have annually designated Venezuela as a major transit corridor for Colombian cocaine that does not adhere to its international antidrug commitments.[74]

The State Department's *2018 Country Reports on Terrorism*, published in early November 2019, noted a modest increase in Colombian terrorist activity in 2018 over the low level in 2017. In 2018, ELN guerrillas reportedly moved from seeking safe haven in Venezuela to taking control of illicit gold mining areas near Venezuela's border with Guyana.[75] Both the ELN, which is still engaged in armed conflict, 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 seek to consolidate into a more unified organization or coordinate with the ELN inside Venezuela.[76]

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

[70] 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.

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

[72] A May 2018 report by *Insight Crime* identified more than 120 high-level Venezuelan officials who have engaged in criminal activity. See "Venezuela: A Mafia State?," *InSight Crime*, May 2018.

[73] "More than 500 Venezuela Security Officials Involved in Extortion, Kidnappings," *InSight Crime*, November 7, 2019.

[74] For the most recent designation, see White House, "Memorandum on the Presidential Determination on Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2020," August 8, 2019, at https://www.whitehouse.gov/presidential-actions/memorandum-presidential-determination-major-drug-transit-major-illicit-drug-producing-countries-fiscal-year-2020/.

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

[76] See op. cit., President Iván Duque Márquez, "Llegó el Momento de Pasar de los Discursos a las Acciones, Y Colombia Está Actuando," Speech Before the United Nations General Assembly, United Nations, September 25, 2019.

Humanitarian Crisis in Venezuela and Its Consequences for Colombia[77]

Overlaying the challenges that Colombia faces domestically, the humanitarian crisis in Venezuela has set in motion a mass exodus of migrants, the majority of whom are now residing in Colombia. In early May 2019, the Director General of Colombia's migration services announced that of the Venezuelans living in Colombia, some 770,000 had a form of legal status granting them access to social services and employment.[78] Providing services to those migrants has increased pressure on the Colombian government's finances equivalent to roughly 0.5%-0.6% of the country's GDP.[79] Of the 1.4 million Venezuelans inside Colombia in August 2019, about half had regular status (visas and accreditation) and another 699,000 had irregular status. The major concerns for these migrants and refugees are their vulnerability to becoming victims of sexual violence, the use of minors in armed violence, exposure to excessive force, and homicide. Several humanitarian organizations attempt to provide the Venezuelans with situational knowledge, as many come with few to no economic resources, significant health and emergency care needs, and almost no understanding of the precarious areas where they may reside inside Colombia, increasing their susceptibility to criminal exploitation.

As of November 2019, President Maduro remains in power. After the Trump Administration announced its support for Juan Guaidó as Venezuela's interim president, Colombia quickly joined a group that now includes more than 50 countries that support Guaidó until free and fair elections can be convened in Venezuela. Colombia has taken a leadership role in the Lima Group, a coalition of Western Hemisphere countries that supports the Guaidó government but opposes any military intervention to oust Maduro. In response to a request from Interim President Guaidó, in February 2019, Colombia worked with the United States to position humanitarian aid supplies for Venezuelans at the Cucutá border crossing. On February 22-23, 2019, security forces and armed militias loyal to Maduro blocked that aid from entering Venezuela.

Since early 2019, more than 1,000 Venezuelan security forces have deserted into Colombia. The Colombian military has disarmed them and placed them in hotels near the border along with their family members.[80] In May 2019, Colombia's migration agency signed an agreement with the interim government of Venezuela to permit security forces (military and police) who have defected from the Maduro government to have temporary legal status to work and receive assistance.[81] As part of what many have seen as a more welcoming policy to Venezuelan migrants fleeing their country and living in Colombia, President Duque announced on August 5, 2019, that

[77] Elements of this section drawn from CRS Insight IN11163, *New U.S. Sanctions on Venezuela*, coordinated by Clare Ribando Seelke, and CRS In Focus IF11029, *The Venezuela Regional Migration Crisis*, by Rhoda Margesson and Clare Ribando Seelke. For background on Venezuela, see CRS Report R44841, *Venezuela: Background and U.S. Relations*, coordinated by Clare Ribando Seelke.

[78] Gobierno de Colombia, "Más de 1 Millón 260 Mil Venezolanos se Encuentran Radicados en el País: Director de Migración Colombia," May 2, 2019.

[79] Wes Michael Tomaselli, "Colombia's Finances Are Strained. Is Privatization the Next Step?" *Americas Quarterly*, May 14, 2019.

[80] Karen DeYoung and Mary Beth Sheridan, "Venezuelan Military Foils U.S. Hopes," *Washington Post*, April 14, 2019. The article states that there are more than 2,000 troops and family members from Venezuela waiting in border-area hotels.

[81] Gobierno de Colombia, "Colombia Determina Esquema de Atención para Ex-Militares y Ex-Policias Venezolanos que se Encuentran en el Territorio Nacional," May 15, 2019.

Colombia would grant citizenship to more than 24,000 children born to Venezuelans inside Colombia since 2015 and to those born in Colombia by August 2021.[82]

The current stalemate and large influx of Venezuelans has produced a precarious humanitarian situation for host communities in the Colombia-Venezuela border region and elsewhere. According to a Human Rights Watch report, the impact on health facilities alone has been significant, especially in border region health clinics and hospitals already without resources to meet local emergency health needs.[83] Some observers predict a prolonged stalemate. The U.S. Agency for International Development (USAID) projects that the number of Venezuelans outside their country will reach 5.3 million by December 2019, with the majority residing in Colombia.[84] If the stalemate inside Venezuela persists, estimates project the outflow may reach 7 million by the end of 2020.

From FY2017 to FY2019, the U.S. government allocated about $473 million in humanitarian and development assistance from all accounts to respond to the massive migration of Venezuelans and resulting crises. A significant amount of that total was aimed at countries receiving Venezuelans who have fled the crisis; more than half of this assistance went to Colombia, since it is the country most severely affected. The United States also is helping to coordinate and support a broader regional response to the Venezuelan migration crisis.[85]

In early September 2019, tensions heightened between the Maduro government and the Duque government when Venezuela started to amass some 150,000 troops along the border with Colombia for "military exercises" planned to take place through the end of September.[86] The situation was taken up by the signatories of the Inter-American Treaty of Reciprocal Assistance, also known as the Rio Treaty. On September 11, 2019, a majority of the treaty's 19 signatories, including the United States, invoked the treaty to facilitate a regional response to the crisis in Venezuela, and on September 23, at a meeting held on the sidelines of the United Nations, 16 of the 19 signatories agreed to impose targeted sanctions on individuals and entities associated with the government of Nicolás Maduro.[87]

Ongoing Human Rights Concerns

Colombia's multisided internal conflict over a 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

[82] U.S. Agency for International Development (USAID), *Venezuela Regional Crisis: Fact Sheet #3*, Fiscal Year (FY) 2019, September 4, 2019; Luisa Fernando Mejía, "How Colombia Is Welcoming Migrants – and Staying Solvent," *Americas Quarterly*, September 11, 2019.

[83] Human Rights Watch and Johns Hopkins, *Venezuela's Humanitarian Emergency: Large-Scale UN Response Needed to Address Health and Food Crises*, April 2019.

[84] USAID, Venezuela Regional Crisis Fact Sheet #4, FY2019, September 30, 2019.

[85] Total of $376 million is drawn from the USAID Fact Sheet #3 (Ibid), and an additional $20 million U.S. Secretary of State Michael Pompeo announced in January 2019, noted on the fact sheet. This amount was verified in U.S. State Department communication with CRS, September 5, 2019, which relayed that of the $214 million for Colombia since FY2017 there is about $175 million in humanitarian aid and $37 million in economic and development assistance. See also, USAID Fact Sheet #4, op cit.

[86] Morgan Phillips, "Venezuela Starts Military Exercises at Colombia Border, U.S. Promises 'Full Support,'" Fox News, September 10, 2019.

[87] CRS Insight IN11116, *The Inter-American Treaty of Reciprocal Assistance and the Crisis in Venezuela*, by Peter J. Meyer.

human rights violations. These violations include violence targeting noncombatants, such as killings, torture, kidnappings, disappearances, forced displacements, forced recruitments, massacres, and sexual attacks.

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 strongly criticized the heightened murders of human rights defenders, which he maintained were committed by hitmen paid less than $100 per murder, according to reports from activists and other community members.[88] These ongoing assaults reflect constraints of the Colombian judicial system to effectively prosecute crimes and overcome impunity. (See **Appendix B** for additional resources on human rights reporting in Colombia.)

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, neighboring the capital city of Bogotá, were lured, allegedly by military personnel, from their homes to another part of the country with the promise of employment and executed. The Soacha murder victims had been disguised as guerrilla fighters to inflate military claims of enemy body counts, and reporters labeled the deaths *false positives*. Following an investigation into the Soacha murders, the military fired 27 soldiers and officers, including three generals, and the army's top commander resigned.[89]

In 2009, the false positive phenomenon, which was happening more broadly in Colombia, was investigated by the U.N.'s Special Rapporteur on Extrajudicial Executions, which issued a report. The report concluded "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."[90] The majority of the cases took place between 2004 and 2008, when U.S. assistance to Colombia peaked.

The Attorney General's Office reported that from 2017 to mid-2018, 246 security forces were convicted in cases related to false positives, 716 cases were in the prosecution phase, and 10 new investigations had been opened. In total, the government had convicted 1,176 members of the security forces in cases related to false positives by mid-2018, including at least eight colonels.[91]

In May 2019, a *New York Times* press investigation revealed that several top Colombian military officials had reintroduced a policy to reward high kill counts, causing an outpouring of criticism regarding recreating the possibility for more false positives.[92] In 2017, the U.S. Congress added to

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

[89] 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.

[90] 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.

[91] U.S. State Department, *Colombia: 2018 Human Rights Report, Country Reports on Human Rights Practices*, March 2019.

[92] Nicholas Casey, "Colombia Debates Censuring Ministers for Army Kill Order," *New York Times*, June 11, 2019; Colombia's Return to the discredited "Body Count" Strategy," Washington Office on Latin America (WOLA), June 2, 2019.

its criteria for human rights reporting to release the final tranche of U.S. military financing assistance that Colombia should demonstrate that senior military officers had been held to account for their role in false positives, including being the intellectual authors for such crimes. The Duque government responded to the 2018 scandal by rescinding the order to increase results of guerrilla fighter deaths, and President Duque established an independent commission to quickly make recommendations to him to reinforce the respect for human rights within the armed forces.[93]

Human Rights Defenders and Journalists. Although estimates diverge, the number of human rights defenders murdered in 2016 totaled 80, according to *Somos Defensores* ("We are Defenders"), a Colombian NGO that tracks violence against defenders. Despite the end of the conflict being declared, deaths of human rights defenders and activists increased, with more than 100 such individuals killed each year from 2017 through 2019 (even before year's end in 2019), according to the Washington Office on Latin America, a human rights advocacy group.[94] Cases against those making threats and those responsible for ordering or carrying out assassinations are rarely resolved. In 2018, the Duque government launched a national Pact for Life and the Protection of Social Leaders and Human Rights Defenders (PAO) and installed a commission to operationalize the PAO, but the killing of social leaders continues. According to many human rights activists, perpetrators still have little or fear of legal consequences.

Violence toward social leaders began to rise after the implementation of the 2011 Victims' Law, which authorized the return of stolen land. A September 2013 report by Human Rights Watch pointed to the rise in violence against land activists and land claimants who had received positive rulings but were too intimidated to return to their land. Within the first 18 months of the law's implementation, the Colombian government reported some 25 killings and Human Rights Watch documented 500 serious threats against land claimants.[95] The land return or full compensation promised to victims in the law has been slow to date. (See textbox on "Status of Implementation of Colombia's Victims' Law," below.)

For more than a decade, the Colombian government tried to suppress violence against groups facing extraordinary risk through the National Protection Unit (UPN by its Spanish acronym). Colombia's UPN provides protection measures, such as bodyguards 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. A U.S. State Department memorandum of understanding concerning human rights compliance published in August 2019 notes that the UPN protected about 7,300 individuals at extraordinary risk, including trade unionists and leaders, journalists, human rights defenders, social leaders, and more than 330 land restitution claimants.

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[93] U.S. Secretary of State Michael Pompeo, "Certification Related to Foreign Military Financing for Colombia Under Section 7045 (b) (4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (Div. F, P.L. 116-6). The certification is described in more detail below in section on Human Rights Conditions on U.S. Assistance. In addition, in November 2019, Defense Minister Guillermo Botero stepped down to avoid censure for mishandling a raid against a FARC dissident camp in which several recruited children were alleged to have been extrajudicially murdered.

[94] Human rights defenders include community leaders, land rights activists, indigenous and Afro-Colombian leaders, and women's rights defenders. Those killed include some 60 members of peace accord-related crop substitution programs since the peace accord was signed in late 2016, and more than half of those killed in 2018 were activists or leaders from ethnic minorities. Op. cit., Gimena Sanchez-Garzoli, "The Slow Death of Colombia's Peace Deal," October 30, 2019.

[95] Human Rights Watch, *The Risk of Returning Home: Violence and Threats Against Displaced People: Reclaiming Land in Colombia*, September 2013.

Status of Implementation of Colombia's Victims' Law

The 2011 Victims' and Land Restitution Law (Victims' Law) is a major piece of legislation entitling Colombian conflict victims to compensation and, if displaced, the return of their stolen land. Reparations to victims may include access to health and psychosocial services, financial compensation, and community restoration projects.

A 2019 Brookings Institution report maintains that implementation of the Victims' Law has resulted in 1 million victims receiving financial compensation. With support from the U.S. Agency for International Development (USAID) and other donors, a Victims Unit was established to coordinate the range of services for conflict victims by several government agencies. USAID also supported the implementation of a Victims' Registry, which now includes more than 8 million victims. Reinforced by the 2016 peace agreement, the effort to compensate victims also allows for redistribution of assets obtained from the FARC. Through its Victims Unit, the Colombian government had disbursed about $1.8 billion as of mid-2019.

The law provides restitution of land to those displaced since January 1, 1991, encompassing as many as 360,000 families (impacting up to 1.5 million people) who lost an estimated 6 million hectares of land. According to authorities, as much as half the land to be restituted contains land mines. The presence of illegally armed groups also has slowed implementation.

Over the last eight years, the implementation of land restitution has been less successful than anticipated. Colombia's Land Restitution Unit received more than 123,000 requests, and almost 78,000 cases have been processed in the administrative phase, which is a necessary step before being sent to a judge. The Colombian government reports that 4,581 properties have received rulings from judges (about 8%, according to some sources) in favor of restitution, totaling 370,253 hectares (approximately 914,915 acres). In the case of indigenous and Afro-Colombian communities, which fall under a distinct land restitution process, only six cases have been completed for collective reparations. A lack of comprehensive land titling remains a significant barrier for land return, even though land titling is a major commitment of the peace accord.

Sources: Colombian Government, Unidad Administrativa Especial de Gestión de Restitución de Tierras Despojadas, [infographic], October 31, 2019, at https://www.restituciondetierras.gov.co/estadisticas-de-restitucion-de-tierras; Fundación Forjando Futuros, "Así va la Restitución," [infographic], October 2019, at http://www.forjandofuturos.org/resources/pdf/uploads/325-INFOGRAFIAS%20COMPLETAS.%20corregidas-01.jpg. Ted Piccone, *Peace with Justice: The Colombian Experience with Transitional Justice*, Brookings Institution, July 2019, at https://www.brookings.edu/research/peace-with-justice-the-colombian-experience-with-transitional-justice/.

Violence and Labor. The issue of violence against the labor movement in Colombia has sparked controversy and debate for years. 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.[96]

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

[96] 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.

homicide rate was at 68.9 per 100,000.[97] In 2017, Colombia's national homicide rate fell below 25 per 100,000.[98] Murders of labor unionists also have declined; 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 29 reported in 2018. In 2018, the Colombian government reported 11 fewer murders than ENS, or 18 homicides of labor activists and union members.[99]

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 49.8 million. This number of Colombians, forcibly displaced from some 6 million hectares of land and impoverished as a result of the armed conflict, continues to grow. The number of mass displacements (tallies of forced displacement of 10 or more families or 50 individuals) spiked in 2019. The Colombian ombudsman's office reported some 58 instances of mass displacement in the first three-quarters of 2019, resulting in more than 15,000 Colombians becoming IDPs. Indigenous and Afro-Colombian people make up an estimated 15%-22% of the Colombian population, but they are disproportionately represented among those displaced.[100]

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, though the leading cause is confrontations between insurgents and crime groups and the Colombian security forces. Inter-urban displacement, which often results from violence and threats by organized crime groups, is a growing phenomenon in cities such as Buenaventura and Medellin.

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.

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

[98] Chris Dalby and Camilo Carranza, "*InSight Crime's 2018 Homicide Round-Up*," InSight Crime, Janaury 22, 2019.

[99] State Department, *Colombia: 2018 Human Rights Report, Country Reports on Human Rights Practices*, March 2019.

[100] The government's victims' registry is a national database that includes in it victims going back to the 1960s. It counts a total of 7.2 million individuals displaced since that time. See also Maria Alejandra Navarrence, "Increase in Violence Leads to More Forced Displacements in Colombia," *InSight Crime*, October 23, 2019.

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 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.

Venezuela's economic crisis significantly worsened throughout 2018 and 2019, prompting a sharp increase in migrants seeking to escape into or through Colombia.[101] President Duque acknowledged that Venezuela had once served as a vital escape valve for Colombian refugees and displaced fleeing their half-century conflict, for which he was grateful. Part of the welcoming policy his government has forged toward Venezuelan migrants was in recognition of the escape valve that Venezuela provided for conflict victims of Colombia.

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.

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.[102] 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.[103] The Colombian government notes that this program grew dramatically from 34 executed activities in 2013 to 441 activities planned for 2018.[104]

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

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

[102] 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.

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

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

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.[105] Some observers question the portion of these activities that are funded by the U.S. government and want to see more transparency.[106] 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.[107]

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.[108] In September 2017, President Trump announced he had considered designating Colombia in noncompliance with U.S. counternarcotics requirements. He did not take the step in part because of Colombian training efforts to assist others in the region with combating narcotics and related crime.[109]

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 two decades. 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

[105] 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.

[106] 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.

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

[108] 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.

[109] 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." 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.

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.[110] 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.[111] Alarm over the volumes of heroin and cocaine being exported to the United States was a driving force behind U.S. support for Plan Colombia at its inception.

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.[112] 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

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

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

[112] 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).

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.[113]

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.[114] 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 activities of Colombia's terrorist groups were with the illicit drug trade that funded them.[115] 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.[116]

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[117] and a significant reduction in kidnappings, terrorist attacks, and homicides. In 2007, the Uribe

[113] Ibid.

[114] 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.

[115] Congress granted the expanded authority requested by the Bush Administration in an emergency supplemental appropriations bill (H.R. 4775, P.L. 107-206), 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.

[116] 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.

[117] 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).

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 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.[118] 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.[119]

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.[120]

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

[118] 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.

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

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

substantial economic growth and a reduction in poverty levels over time. (See **Appendix A** for additional information on assessments of Plan Colombia.)

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.[121] It combined traditional counternarcotics assistance for eradication, interdiction, alternative development, and 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.[122]

Consolidating state authority and presence in the rural areas with weak institutions remains a significant challenge since 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.[123] 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.

[121] Ibid.

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

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

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.[124]

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 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. The FY2017 omnibus appropriations measure, the Consolidated Appropriations Act, 2017 (P.L. 115-31), 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 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.

[124] USAID, *Colombia: Integrated Country Strategy*, August 14, 2018.

- $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 demining.

Table 1, below, provides account data from the annual international affairs congressional budget justification documents and shows Congressional appropriations for foreign aid for Colombia from FY2012 to FY2019. In November 2019, Congress approved a continuing resolution to fund U.S. foreign assistance programs at the FY2019 levels through December 20, 2019. For FY2020, the Trump Administration's request would decrease the amount of assistance to $344 million for Colombia (11% below funding allocated in FY2018). However, the House and Senate legislation suggests that Congress prefers a higher level of support. H.R. 2740 would provide Colombia more than $457 million in assistance, and S. 2583 would provide $403 million.

Table 1. U.S. Assistance for Colombia by State Department Foreign Aid Account: FY2010-FY2019

(in millions of current U.S. dollars)

Account	2012	2013	2014	2015	2016	2017	2018	2019
ESF	172.0	152.3	141.5	133.0	126.0	180.3	180.3	187.3
IMET	1.7	1.5	1.5	1.5	1.4	1.4	1.5	1.3
INCLE	160.6	165.9	149.0	135.2	135.2	143.0	143.0	170.0
NADR	4.8	5.0	4.3	4.3	3.5	21.0	21.0	21.0
FMF	40.0	28.9	28.5	27.0	27.0	38.6	38.5	38.5
Total	**379.1**	**353.6**	**324.8**	**301.0**	**293.1**	**384.3**	**384.3**	**418.1**

Sources: CRS with data from the annual International Affairs Congressional Budget Justifications (FY2010-FY2020); FY2019 estimates based on levels enacted in the Consolidated Appropriations Act, 2019, (P.L. 116-6; H.Rept. 116-9).

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) or Global Health.

Department of Defense Assistance

A variety of funding streams support DOD training and equipment programs. Some DOD equipment programs are funded by annual State Department appropriations for FMF, which totaled $38.5 million in FY2019. International Military Education and Training (IMET) funds, which totaled $1.3 million in FY2019, support training programs for the Colombian military, including courses in the United States. Apart from State Department funding, DOD provides additional training, equipping, and other support through its own accounts. Individuals and units receiving DOD support are vetted for potential human rights issues in compliance with the Leahy Law (see "Human Rights Conditions on U.S. Assistance," below). DOD programs in Colombia are overseen by U.S. Southern Command. Between FY2013 and FY2017, DOD-funded programs aimed at counternarcotics and security goals averaged $80 million for Colombia per year. In FY2018, the DOD programs in Colombia totaled approximately $55.5 million.

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 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 serious crimes, continued violations remain an issue.

Since 2002, Congress has required in 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.[125]) For several years, certification was required before 30% of funds to the Colombian military could be released. The FY2014 appropriations legislation reduced that to 25% of funding under the 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 generally acknowledge that over time, conditionality can improve human rights compliance.[126]

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

[125] For example, the Foreign Operations Appropriations Act, 2019, required the Secretary of State certify that

> (1) the Special Jurisdiction for Peace and other judicial authorities are taking effective steps to hold accountable perpetrators of gross violations of human rights in a manner consistent with international law, including for command responsibility, and to sentence them to deprivation of liberty; (2) the Government of Colombia is taking effective steps to reduce attacks against human rights defenders and other civil society activists, trade unionists, and journalists, and judicial authorities are prosecuting those responsible for such attacks; and (3) senior military officers responsible for ordering, committing, and covering up cases of false positives are held accountable, including removal from active duty if found guilty through criminal or disciplinary proceedings.

[126] 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."

provisions, which for years applied just to DOD training, now include a broader range of assistance, as modified in the FY2014 appropriations legislation.[127] The provision related to the Leahy Laws for DOD assistance is codified at 10 U.S.C. 362, and prohibits "any training, 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.[128]

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.[129] In the late 1990s, poor human rights conditions in Colombia were a driving concern for developing the Leahy Law provisions.[130] 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 and assert that U.S. assistance under the Leahy process have failed to remove human rights violators from the Colombian military. A human rights NGO, 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.[131] 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. At the end of October 2019, the Duque government formally renewed the mandate of the U.N.'s High Commissioner of Human Rights for three more years, which has had a significant presence in Colombia during the internal conflict and beyond.

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

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

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

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

[131] 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.

Cocaine Continues Its Reign in Colombia[132]

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 from 2014 through 2017 (see **Table 2** and **Table 3**, which show the U.S. estimates for coca cultivation and cocaine production in Colombia over several years, and **Figure 4**, which compares U.S. and U.N. estimates). Following a U.N. agency affiliate's 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 2018, the U.S. Drug Enforcement Administration reported that 93% of cocaine seized in the United States originated in Colombia. At the same time, Colombia has set records for many years in drug interdiction and is considered a strong and reliable U.S. counternarcotics partner. However, even with record seizures in both 2017 and 2018, the interdiction of cocaine was insufficient to counter the large increases in production. The slight decrease of pure cocaine production in 2018 from above 920 metric tons to 887 metric tons was hailed by the U.S. and Colombian governments as a stabilizing of the upward trajectory of the coca crop and its yield, but production remains at historically high levels.

Table 2. U.S. Estimates of Coca Cultivation in Colombia

(in thousand hectares [ha])

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Area (in 1,000 ha)	119	116	100	83	78	80	112	159	188	209	208
% Change		-3%	-14%	-17%	-6%	3%	39%	42%	18%	11%	-0.5

Sources: 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 2015, 2016, 2017, and 2018.

Table 3. U.S. Estimates of Pure Cocaine Production in Colombia

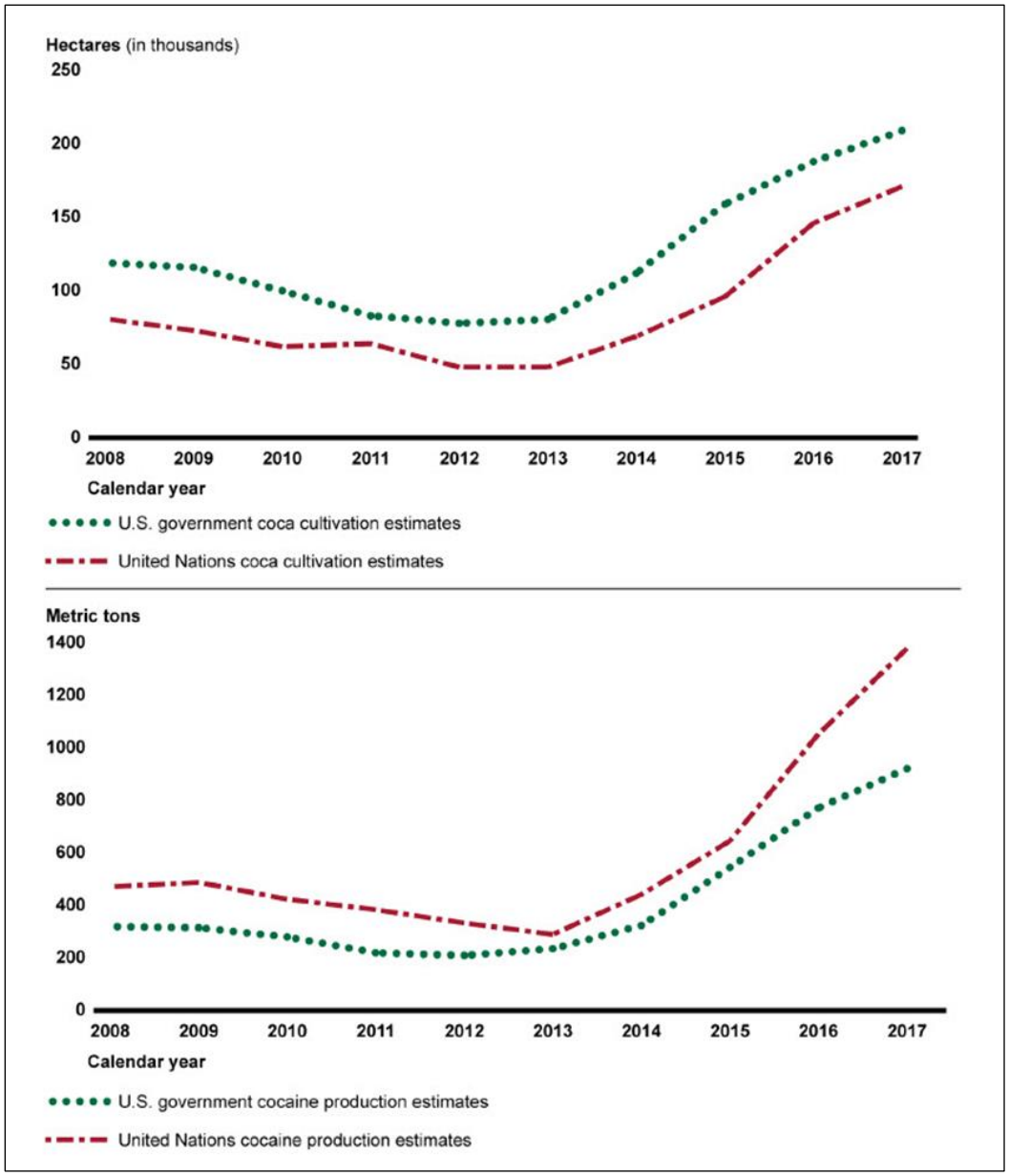
(in metric tons)

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Amount	320	315	280	220	210	235	324	545	772	921	887
% Change		-2%	-11%	-21%	-5%	12%	38%	68%	42%	19%	-18%

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.

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

Figure 4. Relationship of U.N. and U.S. Estimates of Coca Cultivation and Cocaine Production in Colombia



Source: Government Accountability Office (GAO) Report, *U.S. Counternarcotics Assistance Achieved Some Results, But State Needs to Review the Overall U.S. Approach*, (GAO-19-106), December 2018.

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.

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.[133] In negotiations with the FARC in the peace talks, 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.

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.[134]

After President Duque took office, USAID announced a framework of priorities for U.S. development assistance to Colombia in August 2018. Some of these priorities to stabilize the peace include promoting and supporting a whole-of-government strategy to dismantle organized crime; increasing the effectiveness of Colombia's security and criminal justice institutions; promoting enhanced prosperity and job creation through trade; and strengthening governance and civil society to transition to sustainable peace, including reconciliation among victims, rural communities, and combatants.[135] The causes of conflict in Colombian society, such as lack of access to land addressed in the peace accord, need to be resolved to promote a sustainable peace, according to USAID.

U.S. assistance administered by the State Department's Bureau of International Narcotics and Law Enforcement includes funding with a focus on the manual eradication of coca crops, support for the Colombian National Police, and judicial reform efforts. The assistance also supports Colombian training to counterpart security forces in other countries to counter transnational organized crime and drug trafficking. Several programs attempt to increase accountability and transparency in troubled rural regions, expand access to justice, and increase coordination between municipal and regional governments to access Colombian resources at the national level.

New Counternarcotics Direction Under the Duque Administration

Experimentation with delivering glyphosate by drones (rather than planes) began in June 2018 under the Santos Administration and is continuing under the Duque government.[136] On October 1, 2018, President Duque authorized police to confiscate and destroy any quantity of drugs found on

[133] 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.

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

[135] USAID, *Colombia: Integrated Country Strategy*, August 14, 2018.

[136] 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.

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.[137] Several court challenges have been filed that seek to nullify the Duque decree on constitutional grounds of protected personal use.[138]

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 maintain that investments to lower drug supply need to go beyond eradication, which has not proven itself a lasting approach to reducing drug crop cultivation.[139] 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.

Outlook

Congress remains interested in Colombia's future because the country has become one of the United States' closest allies in the region and because the United States has invested in Colombia's security and stability for more than two decades. Plan Colombia and its successor strategies have broadened from counternarcotics to include humanitarian concerns, efforts to bolster democratic development and human rights protections, and trade and investment to spark growth. 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.

The record expansion of Colombia's coca crop and increasing cocaine exports to the United States since 2016, however, may significantly hinder efforts to consolidate peace in Colombia and could 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.

As President Duque ended his first 15 months in office, some polls showed his popularity at around 29% approval. Mass protests across Colombia that began November 21, 2019, indicated deep skepticism about his government's effectiveness in addressing several overlapping challenges. The Duque government faces (1) an upsurge in illicit drug crops; (2) slow implementation of provisions of the peace accord negotiated by former president Santos, along with attacks on land and human rights activists, and a prominent splinter faction taking up arms and reportedly sheltering in Venezuela; (3) renewed violent competition among criminal groups in rural areas; and (4) Venezuela's unfurling humanitarian crisis, which some predict might be a

[137] 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.

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

[139] 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.

stability tipping point for Colombia in the near future. Colombia so far has had a generous and welcoming approach to the migrants, while warning that the shock to its political and economic system could be significant.

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. An issue for Congress is whether and how to build on cooperation with Colombian partners to continue to train Central Americans and other third-country nationals in counternarcotics and security. In addition, Congress is likely to continue to oversee issues related to drug trafficking; Colombia's effort to combat illegal armed groups such as Bacrim; the status of human rights protections; and the expansion of health, economic, environmental, energy, and educational cooperation. Congress and the Trump Administration may highlight Colombia's leadership in the region to counter growing political instability in Venezuela.

Appendix A. Assessing the Programs of Plan Colombia and Its Successors

Measured exclusively in counternarcotics terms, Plan Colombia has been a mixed success. Colombia remains the dominant producer of cocaine. The DEA's *National Drug Threat Assessment* published in October 2019 noted that Colombia continues to be the source of more than 90% of the cocaine seized in the United States. In the early 2000s (and the late 1990s), Colombia's predominance as the source of cocaine destined for U.S. markets and its status as the second-largest producer of heroin consumed in the United States made eradication of coca bush and opium poppy (from which heroin is derived) an urgent priority and 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 to assist illicit crop cultivators with transitioning to licit crop production and livelihoods. 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 two.

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 1999 goal of reducing the cultivation, processing, and distribution of illicit drugs by 50% in its original six-year time frame, Colombia has achieved 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.[140] (Poppy cultivation declined by more than 90% between 2000 and 2009.) The FARC's demobilization has triggered open conflict among armed actors inside Colombia (including FARC dissidents and transnational criminal groups). These groups seek to fill the vacuum created when the FARC demobilized and abandoned control of drug cultivation and trafficking, illegal mining, and other illicit businesses.

According to the U.S. Office of National Drug Control Policy, Colombia in 2017 cultivated an unprecedented 209,000 hectares of coca, capable of yielding 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 (For a comparison of U.S. and UN estimates, see **Figure 4**). Several analysts contend the record production levels that have stabilized (but have yet to decrease significantly) are due to a variety of causes. These causes include the peace accord's commitment to pay peasant coca producers to voluntarily eradicate and shift to alternative crops (which became an adverse incentive to expand cultivation) and the government's inability to assert control in the areas once dominated by the FARC (which was replaced by criminal groups seeking to buy coca). Many observers argue that these complex causes will require an integrated approach to influence and reverse.[141]

[140] 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.

[141] For an overview, see "Coca-Growing in Colombia Is at an All-Time High," *Economist*, March 23, 2017, and "Cocaine Production in Colombia is at Historic Highs," *Economist*, July 6, 2019.

For 2018, the U.S. government reported that Colombia's coca cultivation dropped slightly to 208,000 hectares and its potential cocaine production declined to an estimated 887 metric tons.[142] In July 2019, Colombia's Constitutional Court rejected a request by President Duque to reduce restrictions on the use of aerial eradication of coca by applying the herbicide glyphosate.

Aerial spraying was a central—albeit controversial—feature of U.S.-Colombian counterdrug cooperation for two decades. 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. 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 of aerial spraying has 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.

In 2017, the Constitutional Court decided to retain the suspension of the use of the herbicide. President Duque ordered more extensive forced eradication of coca crops, but his request to relaunch aerial spraying was not granted in 2019, which left the program's future unclear. However, because the court delegated to an executive-appointed national drug council to make the final call on potential risks of spraying and mitigation efforts, the program of glyphosate spraying may be resumed.[143]

USAID funding of alternative development programs in Colombia to assist communities with the transition from a dependency on illicit crops to licit employment and livelihoods has seen mixed success. Alternative development was once narrowly focused on crop substitution and assistance with infrastructure and marketing. A shift took place with the Colombian government's adoption of a consolidation strategy and USAID worked to assist in both "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 overall, the livelihoods programs are designed to strengthen small farmer producer organizations, improve their productivity, and connect them to markets.

Some observers maintain that the sometimes 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. However, 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 to producers of legal crops and landless harvesters.[144] The Colombian government also committed to a combined approach of both voluntary and forced manual eradication.

[142] White House, "ONDCP Reports Cocaine Production in Colombia is Leveling Off," June 26, 2019, at https://www.whitehouse.gov/briefings-statements/ondcp-reports-cocaine-production-colombia-leveling-off/.

[143] "Colombia: Duque Opens Congress with Call for Action," *Latin News Weekly Report*, July 25, 2019.

[144] Juan Carlos Garzón-Vergara, *Progress Report on Coca Crop Substitution in Colombia: Trends, Challenges and Recommendations*, Fundación Ideas para la Paz (FIP), 2017.

Appendix B. 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, 2018*	https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/
Washington Office on Latin America (WOLA)	http://www.wola.org/program/colombia

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