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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 close U.S. ally in Latin America—endured more than half a century of internal armed conflict. To address the country's role in illegal drug production, the United States and Colombia forged a close relationship. Plan Colombia, a program focused initially on counternarcotics and later on counterterrorism, laid the foundation for an enduring security partnership that has lasted more than two decades. The United States also has supported the implementation of a peace accord that President Juan Manuel Santos (2010-2018) concluded with the Revolutionary Armed Forces of Colombia (FARC)—the country's largest leftist guerrilla organization at the time.

## Fragility in Post-Conflict Colombia

Colombia's Congress ratified the FARC-government peace accord in late 2016. During a U.N.-monitored demobilization in 2017, some 13,300 FARC disarmed. The FARC later transformed from a leftist guerrilla army into a political party known as *Comunes*. Neither the government nor the rebels have upheld all their commitments under the agreement. Some guerrillas, known collectively as FARC dissidents, include rearmed FARC and others who never demobilized. In early December 2021, on the fifth anniversary of the peace accord's signing, the U.S. government removed the FARC from its list of foreign terrorist organizations (FTOs) and designated two FARC dissident groups, Segundo Marquetalia and FARC-EP, as FTOs. According to one estimate, some 90 armed groups remain active in Colombia—including some former FARC and rightwing paramilitaries that continued criminal activities after their respective disarmaments.

President Iván Duque from the conservative Democratic Center party came to office in 2018 as a peace accord critic. Many Colombians have protested what they view as the Duque government's lackadaisical peace accord compliance and inadequate efforts to protect human rights defenders and other social activists. Others blame ongoing violence on the FARC dissidents and on Colombia's current largest insurgent group, the National Liberation Army (ELN).

Duque's popularity has declined over the past year as his government has struggled to address several challenges. In mid-2021, nationwide protests broke out over an unpopular government-proposed tax increase. A national strike lasted for nearly eight weeks as diverse sectors protested about a host of grievances, including police brutality against demonstrators, economic inequality, crime, and unaddressed corruption. Although many protested peacefully, crippling blockades and vandalism resulted in an estimated $3 billion of damage. The slow rollout of vaccines to counter the Coronavirus Disease 2019 (COVID-19) pandemic also has harmed Duque's standing, although the government reports that it has now fully vaccinated 52% of the population. The shift in political sentiment could benefit leftist Senator Gustavo Petro, who lost to Duque in 2018, but is once again seeking the presidency in national elections scheduled for March and May 2022.

## Congress and U.S. Assistance

Since 2000, the U.S. government, with largely bipartisan congressional support, has provided about $12 billion in bilateral aid to help implement Plan Colombia and its successor strategies. At times, congressional views have diverged regarding whether U.S. assistance should be weighted toward counternarcotics and security or toward development, peace, and human rights. The Biden Administration, in its FY2022 budget request, included $453.9 million in bilateral aid for Colombia that would assist Colombia in implementing the peace accord, combating crime and building police capacity, protecting human rights, and promoting environmental protection, among other goals. The House-passed foreign aid appropriations bill for FY2022, H.R. 4373, would provide $461.4 million and would stipulate (for the first time) that 30% of funding under the International Narcotics Control and Law Enforcement (INCLE) account would be obligated only after the U.S. Secretary of State certifies that Colombia has met certain human rights conditions. The proposed Senate bill for FY2022, S. 3075 would prohibit assistance to the Colombian riot police and would withhold 5% of INCLE funding until the U.S. Secretary of State certifies the riot police are held accountable for human rights violations.

For additional background, see CRS Insight IN11631, *Colombia: Challenges for U.S. Policymakers in 2021*, by June S. Beittel.

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# Political and Economic Situation

## Political Background and Colombia's Half Century 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. Two-term President Juan Manuel Santos declared the conflict over in August 2017 at the end of a U.N.-monitored disarmament.[1] According to a 2013 report of the National Center for Historical Memory, 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] About 12,000 deaths or injuries requiring amputation occurred from antipersonnel land mines laid primarily by Colombia's main insurgent guerrilla group, the Revolutionary Armed Forces of Colombia (FARC).[3] To date, more than 9 million Colombians, or roughly 17% of the population, have registered as conflict victims.[4]

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. The homicide rate fell to a new low of 24.3 per 100,000 in 2020, partially due to the Coronavirus

### Colombia at a Glance

**Population:** 51 million (2021, IMF est.)

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

**GDP:** $300.8 billion (2021, current prices, IMF est.)

**Per Capita Income:** $5,890 (2021, current prices, IMF est.)

**Poverty Rate:** 35.7% (2019, WB)

**Ethnic Makeup:** Mixed (*Mestizos)* and Caucasian (White) 86.3%, Afro-Colombian 9.3%, and Indigenous 4.4%. (Colombian National Census, 2018)

**Key Trading Partners:** United States (26.1%), China (17.4%), Mexico (5.5%) (2020, total trade, TDM)

***Exports:*** $31.0 billion total; top export products—crude petroleum and coal, gold, and coffee (2020, TDM)

***Imports:*** $41.2 billion total; top import products—machinery, cellular phones, motor vehicles, and pharmaceutical products (2020, TDM)

**Legislature:** Bicameral Congress, with 108-member Senate and 172-member Lower House. (Each chamber had 6 additional seats in the 2018-2022 Congress due to a constitutional change and peace accord requirements; and will have 16 added seats in the next Congress, for a total of 295 in both houses of the legislature)

**Sources:** International Monetary Fund (IMF); Central Intelligence Agency (CIA); Trade Data Monitor (TDM); 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, at http://es.presidencia.gov.co/discursos/170627-Palabras-del-Presidente-Juan-Manuel-Santos-en-el-acto-final-de-dejacion-de-armas-de-las-Farc; ad "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 the weapons have injured or killed nearly 12,000 Colombians since 1990. "Estadísticas de Asistencia Integral a las Víctimas de MAP y MUSE," *Oficina del Alto Comisionado para la Paz*, August 31, 2020, at http://www.accioncontraminas.gov.co/Estadisticas/estadisticas-de-victimas.

[4] Government of Colombia, Victims Unit, at https://www.unidadvictimas.gov.co/es/registro-unico-de-victimas-ruv/37394, accessed November 18, 2021.

Disease 2019 (COVID-19) pandemic.[5] Nevertheless, violence and displacement remain quite high in some rural locations and along borders.

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, due in part to the decline in international prices for commodities like oil, which remains one of Colombia's top exports.[6] In 2020, the Colombian economy contracted by 6.8% due to the pandemic and another crash in the price of oil.[7] The International Monetary Fund (IMF) projects that Colombia's gross domestic product (GDP) will grow by 7.6% in 2021 and 3.8% in 2022.[8]

President Iván Duque, who took office in August 2018, acknowledged his administration faced multiple challenges related to the long internal conflict. He noted that implementation of a majority of the peace accord's provisions, which is supposed to be completed over a 15-year period, had yet to get under way. The country faced a volatile internal security situation in which the FARC had demobilized but the state had failed to assert control in rural, remote areas most affected by the conflict. The historic influx of Venezuelan migrants, who sought refuge in Colombia as they fled the authoritarian regime of President Nicolás Maduro, exacerbated the instability. In early 2021, Duque reported that Venezuelans residing in Colombia comprised nearly 40% of the Venezuelan exodus.[9] The COVID-19 pandemic slowed economic recovery and further limited peace accord implementation.

## 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

[5] Statistics from Embassy of Colombia in the United States; Parker Asmann and Eimhin O'Reilly, "InSight Crime's 2019 Homicide Round-Up," *InSight Crime*, January 28, 2020; Parker Asmann and Katie Jones, "InSight Crime's 2020 Homicide Round-Up," *InSight Crime*, January 29, 2021.

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

[7] International Monetary Fund (IMF), "Outlook for Latin America and the Caribbean: An Intensifying Pandemic," *IMF Blog*, June 26, 2020; IMF, "Statistical Appendix," in *World Economic Outlook, October 2020: A Long and Difficult Ascent*, October 2020, at https://www.imf.org/en/Publications/WEO/Issues/2020/09/30/world-economic-outlook-october-2020.

[8] IMF, *World Economic Outlook: Recovery During a Pandemic*, October 2021.

[9] President Iván Duque, remarks at "Humanity in Motion and Colombia: A Conversation with President Iván Duque," Wilson Center, September 20, 2021, at https://www.wilsoncenter.org/event/humanity-motion-and-colombia-conversation-president-ivan-duque.

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.

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 engaged them directly 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, even though they became deeply involved in drug trafficking and other crime. In the late 1990s and early 2000s, the U.S. government designated the FARC, ELN, and AUC as foreign terrorist organizations (FTOs).[10]

The AUC was formally dissolved in a collective demobilization between 2003 and 2006 after many of its leaders stepped down. However, many former paramilitaries joined armed groups (called criminal bands, or, in Spanish, *Bacrim*, by the Colombian government) that have continued to participate in the lucrative drug trade and other crime and have committed grave human rights abuses. The FARC whose members left behind their control of rural Colombia when they demobilized in 2017, were replaced by an array of splinter groups. Among these groups were FARC members who had not demobilized, new recruits, a wide array of criminal groups (including Bacrim), and the ELN, all competing to fill the leadership void left by the FARC. (For more, see "The Current Security Environment," below).[11]

## 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.[12] The FARC was then reportedly at the apogee of its strength, numbering an estimated 16,000 to 20,000 fighters under arms.

[10] 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.

[11] For more, International Crisis Group, *A Fight by Other Means: Keeping the Peace with Colombia's FARC*, report no. 92, November 30, 2021.

[12] 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.

**Figure 1. Map of Colombia**

(departments and capitals shown)

**Source:** Congressional Research Service (CRS).

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.[13] Uribe became widely popular for the effectiveness of his security policies, a strategy he called "Democratic Security." Uribe's popular support was evident when Colombian voters approved a referendum to amend their constitution in 2005 to permit Uribe to run for a second term.

Following his reelection in 2006, President Uribe continued to aggressively combat the FARC. For Uribe, 2008 was a critical year. In March 2008, the Colombian military bombed the camp of FARC's second-in-command, Raul Reyes (located inside Ecuador a short distance from the border), killing him and 25 others. Also in March, another of FARC's ruling seven-member secretariat was murdered by his security guard. In May, the FARC announced that their supreme leader and founder, Manuel Marulanda, had died of a heart attack. The near-simultaneous deaths of three of the seven most important FARC leaders were a significant blow to the organization. In 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.[14]

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, 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.) However, military use of wiretapping continued to raise controversy, including a contentious revelation in late 2019.[15]

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, a centrist from an elite family that once owned the country's largest newspaper, became Uribe's defense minister through 2009. In 2010,

[13] 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.

[14] 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.

[15] See below for more on the wiretapping issues that plagued subsequent governments. Joe Parkin Daniels, "Colombia: Spying on Reporters Shows Army Unable to Shake Habits of Dirty War," *Guardian*, September 22, 2020.

Santos campaigned on a continuation of the Uribe government's approach to security and its role encouraging free markets and economic opening. Santos handily won a 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.[16]

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 (and now the leader of the Comunes political party).

While continuing the security strategy, the Santos administration began to re-orient the Colombian government's stance toward the internal armed conflict.[17] 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) 4-5 million victims of the conflict. Reparations under the Victims' Law included monetary compensation, psychosocial support and other aid for victims, and the return of millions of hectares of stolen land to those displaced.[18] The law was intended to process an estimated 360,000 land restitution cases.[19] (For more on the law, see textbox below on "Status of Implementation of the Victims' Law.")

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." Launched in Norway, FARC-government talks moved to Cuba, where the negotiations continued until their conclusion in August 2016.

In the midst of extended peace negotiations, Colombia's 2014 national elections presented a unique juncture. 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,[20] and its

[16] 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.

[17] In August 2014, for instance, the Colombian Constitutional Court ruled that demobilized guerrillas who had not committed crimes against humanity could eventually run for political office.

[18] 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.

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

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

leader, former President Uribe, became a popular senator. His presence 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 a former U.S. assistant secretary of state for Inter-American Affairs, as the U.S. Special Envoy to the Colombian peace talks. In early October, after peace negotiations had ended, to the surprise of many, 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, boycotted the vote.

The peace process was recognized as the most significant achievement of the Santos presidency and lauded outside Colombia and throughout the region. Its innovative involvement of conflict victims in the peace talks and other features received widespread approval, but it did not win consistent support for President Santos inside Colombia, whose approval ratings fluctuated. Disgruntled Colombians perceived Santos as an aloof president whose energy and political capital were expended accommodating an often-despised criminal group. 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; and chapters on drug policy and justice for victims.

## The Government of Iván Duque

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 in May 2018, as required for a victory in the first round, a June 2018 second-round runoff was held between rightist candidate Iván Duque and leftist candidate Gustavo Petro. Duque was carried to victory with almost 54% of the vote. Runner-up Petro, a former mayor of Bogotá, 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% cast blank ballots in protest.

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. However, the legislative majority fractured during Duque's first year in office, which left his government with limited support in Congress to accomplish major legislative objectives.[21]

[21] The FY2018-2022 Colombian Congress has 280 seats, including 10 for FARC party representatives (9 of which are

Duque campaigned on his experience as a technically oriented politician and presented himself as a modernizer. Duque was inaugurated in August at the age of 42—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.

In a September 2018 speech before the U.N. General Assembly, the new president outlined his policy objectives.[22] 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 embraced a leadership role for Colombia in denouncing the authoritarian government—which he subsequently characterized as a dictatorship—of President Maduro.

By late 2018, Colombia's acceptance of more than 1 million Venezuelans was adding pressure on the government's finances.[23] The influx of Venezuelan refugees and migrants continued in 2020, despite some reverse migration during the economic shutdown under the COVID-19 lockdown. By September 2021, Colombia had received more than 2 million refugees and migrants from neighboring Venezuela, out of a total 5.7 million in Latin America and elsewhere, according to the U. S. Agency for International Development (USAID).[24]

Colombian authorities have registered over 9 million internally displaced persons and other conflict victims over the course of the country's five-decade internal conflict—equivalent to about 17% of the current population—with 7.2 million currently eligible for reparations under the peace accord. 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 Venezuela.

## Countering Illicit Crops, Corruption, and the COVID-19 Pandemic

Persistent challenges facing the Duque government include (1) spikes in coca cultivation and cocaine production; (2) violence against human rights and other social activists; (3) mass anti-government protests in mid-2021 that lasted nearly three months; and (4) instability spilling over from Venezuela, including the migration of some 2 million Venezuelans fleeing their homeland's

currently filled). The two legislative sessions run from July 20 to December 16 and from March 16 to June 20. The Senate members are elected nationally (not by district or state), with two coming from a special ballot for indigenous communities. The House of Representatives has two members from each of Colombia's 32 departments (states) and 1 more for each 125,000-250,000 inhabitants in a department, beyond the first 250,000. In the House, two seats are reserved for the Afro-Colombian community, one for indigenous communities, one for Colombians residing abroad, and one for political minorities.

[22] 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.

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

[24] U.S. Agency for International Development (USAID), "Venezuela Regional Crisis—Complex Emergency, Fact Sheet #3, FY2020," September 25, 2020; USAID, "Venezuela Regional Crisis—Complex Emergency, Fact Sheet #4, FY2021," September 24, 2021, at https://reliefweb.int/report/venezuela-bolivarian-republic/venezuela-regional-crisis-complex-emergency-fact-sheet-4-1.

crises. Duque campaigned on restarting the practice of spraying coca crops with the herbicide glyphosate to reduce supply. This shift 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.[25] 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. In 2020, Colombia continued to face challenges in destroying and removing coca crops, as rural areas contend with rising levels of violence and economic desperation due to competition over the FARC's former illicit markets, such as drugs and gold mining (for more, see "New Counternarcotics Direction Under the Duque Administration," below.)

Corruption has become a top concern in Colombian politics, as members of the judicial branch, politicians, and other officials have faced a series of corruption charges.[26] Colombians' concerns about corruption became particularly acute during the 2018 elections, when major scandals about official corruption were revealed. Several government officials had received funding from Odebrecht, a Brazilian construction company embroiled in a region-wide corruption scandal.[27] In its Corruption Perceptions Index covering 2020, Transparency International ranked Colombia 92 out of 180 countries due to what the report maintained was an "alarming concentration of power" in the executive producing "an explosion" of irregularities, and corruption cases associated with procurement during the COVID-19 pandemic.[28]

Difficulties managing large influxes of migrants fleeing the political, economic, and humanitarian crises in Venezuela increased during the COVID-19 pandemic. The profound economic impact of the pandemic, which struck in waves over 2020 and 2021, provided armed groups with opportunities to recruit children due to economic hardship, school closures, and looming starvation. Criminal groups continued to prey on vulnerable migrants, including women and children.[29]

Despite a national lockdown from March to September 2020, Colombia was unable to stop a severe COVID-19 outbreak that led to one of the Western Hemisphere's highest daily death tolls. Observers note that government measures failed to reach and protect the poor, who tend to be more vulnerable to COVID-19 infection due to their living conditions and high levels of informal employment.[30] As of December 15, 2021, Colombia had recorded over 129,000 deaths from COVID-19, with a mortality rate of 256 per 100,000.[31]

The Duque administration struggled with low approval ratings and dissent within its governing coalition throughout 2019. The administration's first budget for 2019 (presented in late October

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

[26] A corruption national referendum in August 2018 was backed by President Duque but did not reach its threshold (failing to do so by less than half a percentage point). The actual vote favored all seven proposed changes on the ballot, and Duque pledged to address some of the anti-corruption measures presented in the referendum through legislation. For recent polling on the public concern about corruption, see U.S. State Department, Office of Opinion Research, "Colombia: Nearly Four Years On, the Public Down on FARC Peace," OPN-X-20, September 23, 2020.

[27] In 2014, President Santos's reelection campaign and the opposition candidate's campaign were both accused of accepting Odebrecht funding.

[28] Transparency International, *Corruption Perceptions Index 2020*, January 2021.

[29] Elizabeth Dickinson, "Lockdowns Produced a New Generation of Child Soldiers," *Foreign Policy*, December 6, 2021.

[30] Ana Vanessa Herrero, "Locked-Down Colombians Fly Red Flags to Call for Help," *Washington Post*, May 11, 2020.

[31] Johns Hopkins University School of Medicine, Coronavirus Resource Center, "Mortality Analyses," at https://coronavirus.jhu.edu/data/mortality, December 15, 2021.

2018) was linked to an unpopular tax reform that would subject food and agricultural commodities to a value-added tax. Duque's own CD party split with him on the value-added tax, which quickly sank his approval ratings from 53% in early September 2018 to 27% in November 2018.[32] Duque's national coalition was further weakened when some parties broke from it and, in October 2019, when Defense Minister Guillermo Botero was threatened with censure in the Colombian Congress. Botero was forced to resign, leading to a major Cabinet reshuffle.[33]

However, during the earliest wave of COVID-19 cases, the government coalition widened to include the centrist right-leaning Cambio Radical party and others, providing a majority in the Colombian Senate and a near majority for the government coalition in the Chamber of Representatives.[34] This expanded coalition provided the Duque administration with sufficient legislative support to enact several pandemic-related measures. Duque's approval ratings improved in April 2020 to over 50% in light of the government's initial success in controlling the virus and settled at 48% in early October 2020 polling.[35] The government's majority in Congress fell apart in 2021, however, and Duque's CD party again turned against some of his proposals and policies.

In September 2020, the death of a Colombian lawyer at the hands of the national police in Bogotá fueled protest against police brutality, indicating rising concern with police conduct. In those protests, 11 civilians were killed.[36] A U.N.-led investigation, called for by the mayor of Bogotá, concluded the Colombian National Police, once a well-regarded institution, was responsible for the massacre of those civilians.[37]

In April 2021, the Duque government introduced a tax reform that sparked mass popular protest. The demonstrations mushroomed—even after the government withdrew the reform measure—into weeks of anti-government marches and blockades that brought together unions; students; indigenous and ethnic groups; human rights, anti-corruption, and peace activists; and vulnerable sectors of Colombian society harmed by the pandemic's economic damage.

Domestic and international monitoring groups condemned riot police and law enforcement clashes with protesters, which resulted in nearly 60 deaths and thousands of injuries. In June 2021, the Inter-American Commission on Human Rights denounced Colombian law enforcement's excessive use of force. Two ministers stepped aside: Duque's minister of finance, Alberto Carrasquilla, and his foreign minister, who was replaced by Vice President Marta Lucía Ramírez de Rincón (who continues to hold both positions). In September 2021, the Duque administration successfully passed through Congress a significantly revised tax reform with little public opposition. Still, the government had lost significant traction and Duque's approval rating

[32] See Invamer's Colombia Opina #2," *Semana*, November 2018.

[33] 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.

[34] EIU, *Country Report: Colombia*, October 2020.

[35] Invamer polling results from April 8-26, 2020, at https://docs.google.com/viewerng/viewer?url=https://noticias.caracoltv.com/sites/default/files/encuesta_invamer_abril_2020.pdf; "Encuesta de Opinión" and *Centro Nacional de Consultoría, S.A.* October 5, 2020, at https://www.valoraanalitik.com/wp-content/uploads/2020/10/Encuesta-CNC.pdf.

[36] Juan Pappier, "The Urgent Need to Reform Colombia's Security Policies," Human Rights Watch, *Americas Quarterly*, September 22, 2020; Steven Grattan and Anthony Failoa, "In Colombia, a Death in Police Custody Follows a History of Brutality," *Washington Post*, October 6, 2020.

[37] Samantha Schmidt, Diana Durán, "Colombian Police Responsible for 'Massacre' of 11 People in 2020 Protests, U.N.-Backed Investigators Conclude," *Washington Post*, December 13, 2021.

remained at 25% at the year's end. European and U.S. lawmakers called for human rights investigations into police brutality and better protection for Colombian citizens and their constitutionally protected rights to assemble and protest.[38]

## Economic Issues and Trade

The Colombian economy is the fourth largest in Latin America after Brazil, Mexico, and Argentina. The World Bank characterizes Colombia as an upper-middle-income country, although its commodities-dependent economy has been hit by oil price declines and peso 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.[39] By 2021, the agreement is to phase out all tariffs on consumer and industrial products.

In common with most Latin American nations, Colombia has sought over the past decade to increase the attractiveness of investing. Some analysts contend that Colombia's FDI 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. Investment from China in Colombia has increased at a slow but steady rate in recent years, including in the Bogotá metro system and communications.[40] Over the past decade, the bulk of Chinese investment has been in oil and gas.[41]

Despite its relative economic stability, high poverty rates and inequality have contributed to social unrest in Colombia for decades. The poverty rate was slightly above 45% in 2005 but declined to 27% in 2018. According to a 2017 OXFAM report, land distribution remains skewed, with Colombia ranking first in the region for "inequality in land distribution, ... with the top 1% of the largest land holdings" controlling more than 80% of the land and the remaining 99% owning less than 20%.[42] Promoting more equitable growth and ending the internal conflict were twin goals of the two-term former Santos administration. The unemployment rate, which historically has been over 10%, fell below that double-digit mark during Santos's first term but once again surpassed 10% in 2018. In 2019, the Duque administration's first full year in office, Colombia's unemployment rate climbed to 10.5%. In 2020, the EIU estimated Colombia's unemployment rate at over 16%, largely due to the COVID-19 pandemic.[43]

According to State Department analysis of national investment climates, Colombia has demonstrated a political commitment to create jobs, develop sound capital markets, and achieve a

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[38] See, International Crisis Group, *A Fight by Other Means: Keeping the Peace with Colombia's FARC*, report no. 92, November 30, 2021; "Despite the Polls, a Centrist Could Win Colombia's Election in May," Economist, December 11, 2021; "The Riots in Colombia Hint at Deep Problems," Economist, May 21, 2021; and CRS Insight IN11631, *Colombia: Challenges for U.S. Policymakers in 2021*, by June S. Beittel.

[39] 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.

[40] "China's Strong Push into Colombia," *Al Jazeera*, February 22, 2020; "Foreign Investment in Colombia Holds Firm, says Trade Minister," *Financial Times*, October 7, 2020.

[41] "Colombia: OFDI China a Nivel de Empresa (200-2019)," accessed October 28, 2020, distributed by Red Académica de América Latina y el Caribe sobre China y Monitor de la OFDI de China en América Latina y el Caribe, at https://www.redalc-china.org/monitor/informacion-por-pais/busqueda-por-pais/31-colombia.

[42] Oxfam International, *A Snapshot of Inequality: What the Latest Agricultural Census Reveals about Land Distribution in Colombia*, July 2017.

[43] EIU, *Country Report: Colombia*, September 2020.

legal and regulatory system that meets international norms. Within a framework of relative economic stability, Colombia has a complicated tax system, high corporate tax burden, and ongoing piracy and counterfeiting concerns. In Transparency International's Corruption Perception Index, Colombia ranked 92 out of 180 countries polled in 2020, placing it regionally just behind Ecuador and ahead of Peru and Panama.[44]

Colombia's rural sector activists periodically have demanded long-term and integrated-agricultural reform in a country with one of the most unequal patterns of land ownership in the world and many landless rural poor. The Duque government also has faced pressure from student mobilizations and other groups demanding more public education funding, full peace accord compliance, and greater employment opportunity.[45] Although protests waned during the pandemic, they reemerged with increased demands as restrictions lifted.

**Colombia's 2020 Stimulus to Foster a Recovery**

Following one of the longest national lockdowns in South America, begun in March 2020, Colombia lifted its pandemic-related restrictions to reopen fully in September 2020. The government enacted measures to counter a historic economic contraction (more than 15%, from April to June 2020), the country's worst quarter-on-quarter economic performance on record. (For 2020 in total, Colombia's government reported an economic contraction of 6.8%.)

The Colombian government announced fiscal measures, including flexibility in the use of income to finance extraordinary operating expenditures and a relaxation of debt rules. In a May 2020 executive decree, the government announced it would subsidize 40% of the $250-per-month minimum wage for workers at companies that have seen revenues drop by at least 20% during the pandemic. On September 22, the government announced it would issue another round of subsidies in December to such businesses.

In September 2020, Colombia's government signaled its plans to draw from an International Monetary Fund (IMF) flexible credit line increased by the IMF to $17.2 billion. This is the first time any country had tapped resources from that mechanism since it was set up in 2009.

The Colombian government's recovery strategy included three planks: (1) refocusing on renewable energy, (2) speeding development in its rural periphery most affected by the 50-year internal conflict, and (3) extending broadband as part of a Colombian digital transition. These approaches aimed to transform Colombia from a commodity-based economy to a value-added services economy.

Sources: Economist Intelligence Unit (EIU), *Country Report: Colombia*, September 2020; EIU, "Colombia to Draw from IMF Flexible Credit Line," October 6, 2020; Mariana Palau, "Colombia Pins Recovery Hopes on Technology not Oil," *Financial Times*, October 7, 2020; Luisa Horwitz, Paoloa Nagovitch, Holly Sonneland, and Carin Zissis, "The Coronavirus in Latin America," Americas Society/Council of the Americas, September 23, 2020.

The United States is Colombia's leading trade partner. Colombia accounts for a small percentage of U.S. trade (slightly less than 1%), ranking 23rd among U.S. export markets and 32nd among foreign exporters to the United States in 2020. Colombia has secured free-trade agreements with the European Union, Canada, and the United States, as well as with most nations in Latin America.

Colombia is a founding member of the Pacific Alliance along with Chile, Mexico, and Peru. 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 by serving as an export platform to the Asia-Pacific region. In April 2020, Colombia became the third Latin American country to join the Organization of Economic Cooperation and Development, after a seven-year accession process.

[44] Transparency International, *Corruption Perceptions Index 2020*, January 2021.

[45] Steven Grattan, "Colombia Protests: What Prompted Them and Where Are They Headed?," *Al Jazeera*, November 26, 2019.

In August 2020, the Trump Administration announced a new U.S.-Colombia Growth Initiative, Colombia Crece, to coordinate and increase assistance from various U.S. agencies, such as the International Development Finance Corporation, to bring private investment to Colombia's rural areas and fight crime through sustainable development and growth. According to then-U.S. National Security Adviser Robert O'Brien, on an official visit to Colombia in August 2020, investment levels were predicted to reach $5 billion.[46]

In September 2021, Biden Administration officials met with members of the Colombian private sector and environmental, labor, and civil society leaders to solicit their views regarding how to support local communities to meet their infrastructure needs after the economic decline caused by the pandemic. According to the U.S. Assistant Secretary of State for the Western Hemisphere, the United States plans to provide infrastructure-related assistance while advancing the highest standards for transparency and anti-corruption, financial sustainability, labor protections, and environmental preservation.[47]

## 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.[48]

In August 2016, the Santos administration 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.

Colombia's Constitutional Court ruled in October 2017 that over the next three presidential terms (until 2030), Colombia must follow the peace accord commitments.[49]The Special Jurisdiction of Peace (JEP, by its Spanish acronym), set up to adjudicate the most heinous crimes of Colombia's

[46] White House, "Statement by National Security Advisor Robert C. O'Brien, Press Release, August 17, 2020; "Colombia y Estados Unidos Lanzan Iniciativa 'Colombia Crece.'" *El Tiempo*. August 17, 2020. https://www.eltiempo.com/politica/gobierno/colombia-y-estados-unidos-lanzan-iniciativa-colombia-crece-530200

[47] U.S. Congress. House of Representatives. The Biden Administration's Policy Priorities for Latin America and the Caribbean. 117th Congress, 1st sess., November 16, 2021.

[48] 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.

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

decades-long armed conflict, began to hear cases in July 2018. However, Colombians remain skeptical of the JEP's capacity. Some analysts have estimated that implementing the programs required in the accord may cost up to $45 billion over 15 years.[50] 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 and the health and economic crises resulting from the COVID-19 pandemic.

According to the peace accord, the Kroc Institute for International Peace Studies at the University of Notre Dame is responsible for monitoring implementation of the peace agreement. The latest assessment, covering developments through November 2020, showed that the portions of the agreement furthest along in implementation are disarmament and demobilization. Of the 578 stipulations in the agreement, 29% have been fully implemented and another 18% are in an intermediate level of progress. During a U.N.-monitored demobilization in 2017, some 13,300 FARC (armed combatants and militia members) disarmed, demobilized, and began the reintegration process.[51]

By contrast, the least-implemented peace accord elements or commitments involve land reform and rural development, particularly measures concerned with more equitable access to land for rural inhabitants. There also have been limited advances in implementation of the National Program for the Substitution of Illicit Crops and the Comprehensive Community and Municipal Substitution and Alternative Development Programs in some 3,053 villages in 19 departments.[52]

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 (11,000 villages in 19 departments) most affected by the armed conflict. PDETs target counties (*municipios*) known to have the highest concentration of conflict victims, with the highest numbers of mass killings and forced disappearances.[53] These conflict-battered areas generally have chronic poverty, high inequality, and illicit crops.

The development program outlined for the PDETs includes roads and transportation, health care and education, and programs to foster economic development in these rural areas over a 10- to 15-year timeline. According to an October 2019 U.N. Verification Mission report, some 650 such projects are complete; the government reported that 500 more were under way. The Defense Ministry's strategy for "post-conflict" Colombia also identifies priority zones for stabilization, known as *Zonas Futuros*, (Future Zones/Strategic Zones of Comprehensive Intervention). The 995 villages identified by the Defense Ministry are located within the PDETs.[54]

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

[51] The 13,200 demobilized FARC include those who had been imprisoned for crimes of rebellion, who were accredited 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; *The Colombian Final Agreement in the Era of COVID-19: Institutional and Citizen Ownership is Key to Implementation*, December 2019-November 2020, Executive Summary, Kroc Institute of International Studies, University of Notre Dame, 2021.

[52] Germán Valencia and Fredy Chaverra, "PDET-PNIS Territories in Tension with the Future Zones," Fundacion Paz y Reconciliacion. July 20, 2020, at https://pares.com.co/2020/07/21/territorios-pdet-pnis-en-tension-con-las-zonas-futuro/.

[53] Ibid.

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

## Progress and Setbacks

Although progress has been uneven across 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, particularly as it applied to the FARC's disarmament and demobilization. Other factors that became obstacles to quick implementation included efforts by the Duque government to revise the accord. In March 2019, the Duque government sought changes to 6 of the 159 articles that make up the law governing the peace accord, including proposed changes to the JEP. Those changes were defeated in the Colombian Congress, however, and rejected by Colombia's Constitutional Court.[55]

FARC assets are of interest to the U.S. State Department, which listed the FARC as a Foreign Terrorist Organization through late 2021, and the Colombian government, which planned to use the 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.[56]

One of Colombia's greatest post-conflict challenges continues to be ensuring the 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.[57] The demobilized FARC face numerous risks, although most remain committed to the peace process. In October 2020, the JEP court announced it would take up the issue of ex-combatant killings, which at the time had reached 230 killings of former and demobilized FARC.[58] The U.N. Security Council Verification Mission in Colombia reported nearly 300 former FARC murdered as of September 2021.[59]

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. The State Department's terrorism report covering 2019 (published in 2020) stated that "roughly 13,000 FARC ex-combatants and former militia members continued to participate in social and economic reincorporation activities."[60]

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[55] The rejected changes reasserted that FARC must pay victims of their crimes with seized assets, revised extradition rules, and toughened rules concerning sentencing of war crimes.

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

[57] 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.

[58] "JEP Cites Minister and Prosecutor for Murders Against Former Combatants, Fundación Paz & Reconciliación," October 16, 2020.

[59] International Crisis Group, *A Fight by Other Means: Keeping the Peace with Colombia's FARC*, report no. 92, November 30, 2021.

[60] U.S. Department of State, *Country Reports on Terrorism: Colombia Report*, June 24, 2020, at https://www.state.gov/reports/country-reports-on-terrorism-2019/. Reporting from September 2019 suggests 35 collective reintegration

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.[61] Peace process advocates have cited inadequate attention to the inclusion of ethnic Colombians such as Afro-Colombian and indigenous communities—who are among those victimized and hit hardest by the conflict—in peace accord implementation, as required in the peace accord's ethnic chapter.[62] For instance, only 13% of 80 stipulations related to the ethnic chapter or matrix had been completed as of November 2020. COVID-19 pandemic restrictions hindered mobility and especially affected the participatory processes at the core of the peace accord's implementation.

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.[63] The FARC party ran several candidates in congressional races in March 2018 but failed to win any additional congressional race for which it competed. In October 2019 department and municipal elections, 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.[64] In January 2021, FARC left behind its old party name and chose a new moniker, *Comunes*, which is recognized as a legitimate political party with guaranteed seats in the Colombian Congress through 2026.

## The Current Security Environment

Colombia has confronted a complex security environment of armed groups: two violent leftist insurgencies, the FARC and the ELN, and groups that succeeded the AUC following its demobilization during the Uribe Administration. The State Department's *2019 Country Reports on Terrorism*, published in June 2020, stated that major terror attacks in the country during 2019 included bombings, attacks on police and military, and violence against civilians carried out by FARC dissidents and ELN fighters.

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productive projects have been approved; of those projects, funding has been dispersed for 22 projects. United Nations Verification Mission in Colombia, *Report of the Secretary-General*, S/2019/780, October 1, 2019. However, FARC living in the zones (around 3,000 in the fall of 2019) questioned their safety following the October 2019 murder of a demobilized FARC fighter within a reintegration zone, the first to take place in an area under government protection.

[61] 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.

[62] Colombia recognizes some 710 indigenous reserves, while Afro-Colombian territories encompass some 6.5 million hectares of land. For more, see Gimena Sanchez-Garzoli, "The Slow Death of Colombia's Peace Deal," *Foreign Affairs*, October 30, 2019; and "Colombia Update: Attacks on Social Leaders, Forced Eradication Operations, and the Ongoing Abuses Amid the Pandemic," June 26, 2020.

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

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

## FARC Factions

Several sources estimate that nearly 3,000 former FARC are dissidents who either rejected the peace settlement or have, since demobilizing, rejected it and returned to illicit activities.[65] These armed individuals remain a threat.

Seuxis Hernández, known by his alias Jesús Santrich, was a case example. 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. Santrich did not show up in court and left the reintegration camp where he was residing. He then joined the former FARC leader and former head peace negotiator known by the alias Iván Márquez. In August 2019, a FARC splinter faction lead by Márquez and Santrich called for a return to armed struggle, alleging the Colombian government had not complied with the peace accord and had failed to protect demobilized FARC. Rodrigo Londoño, the former top guerrilla leader who heads the FARC political party,[66] immediately denounced the call to return to war and said this faction of dissidents would face consequences. He called for continuing implementation and enforcement of the peace accord.[67] Ultimately, Jesús Santrich was killed in Venezuela in mid-2021.

The U.S. government's decision in late November 2021 to delist the FARC as a foreign terrorist organization immediately following the fifth anniversary of the peace agreement's signing apparently came as a surprise to some in the Duque government.[68] U.S. Secretary of State Antony Blinken said the group "no longer exists as a unified organization that engages in terrorism" but noted that the decision did not eliminate the capacity and interest of the U.S. government to bring charges against former FARC for narcotics trafficking and other crimes. The Duque administration welcomed the new listing of two FARC splinter groups or FARC dissident factions, known as the *Segunda Marquetalia* and the FARC-EP, also announced in November 2021.[69] One reason cited for removal of the original guerrilla organization's FTO listing is that certain types of U.S. assistance could now be provided to former FARC for reintegration into Colombian society.[70]

## ELN

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 the FARC peace accord was approved in sessions held first in Ecuador and later in Cuba. In

[65] Many analysts estimate the level of dissidence at under 10% though this may be increasing. In a mid-2019 study, Ideas for Peace Foundation, a respected Colombian think tank, 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. In June 2020, the State Department's *Country Reports on Terrorism*, maintained that 2,600 FARC had become peace accord dissidents, including those who never demobilized, who left the peace process, or who constitute new recruits.

[66] The FARC political party retained the insurgency acronym.

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

[68] Michele Kelemen, "The U.S. Has Lifted the Terrorist Label on Colombia's Farc," National Public Radio, December 1, 2021, https://www.npr.org/2021/11/30/1060185901/the-u-s-has-lifted-the-terrorist-label-on-colombias-farc..

[69] Steven Grattan, "What Next After Colombia's FARC Removed from U.S. 'Terrorist' List?," *Al Jazeera*, December 1, 2021; Secretary of State Antony J. Blinken, "Revocation of the Terrorist Designations of the Revolutionary Armed Forces of Colombia (FARC) and Additional Terrorist Designations," press statement, November 30, 2021. Note the name "FARC-EP," translates into English as the Revolutionary Armed Forces of Colombia- Peoples' Army and was the name the FARC guerrilla organization referred to itself as from the beginning in the mid-1960s.

[70] Reuters, "U.S. Set to Remove Colombia Rebel Group FARC from Terrorism List-Sources," November 23, 2021.

January 2019 the ELN exploded a car bomb at a National Police academy in southern Bogotá shattering 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.[71] Duque requested the extradition of the team of ELN peace negotiators in Cuba to face charges of terrorism in Colombia.[72] He maintained that the ELN delegation members must have had prior knowledge of the car bombing, which they denied. In September 2019, Duque threatened to denounce Cuba as a state sponsor of terrorism at the U.N. General Assembly if the ELN leaders were not turned over to his government.[73] In a speech at the United Nations, Duque described military intelligence concerning some 1,400 ELN fighters present in Venezuela.[74] According to State Department's 2019 terrorism report, published in 2020, there are about 3,000 active members of the ELN.

## Paramilitary Successors and Criminal Bands

The FARC's demobilization has triggered open conflict among armed actors who fight to control the illicit markets that the demobilized insurgents 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 a national umbrella organization of paramilitaries that officially disbanded a more than decade ago.[75] Some 31,000 AUC members demobilized between 2003 and 2006, and Colombia's 2005 Justice and Peace Law required demobilized AUC combatants to confess to crimes such as forced disappearances and provided for victim compensation. However, many former AUC paramilitaries subsequently joined criminal gangs, which are more focused on profits than ideology.[76] Opposing the national government does not appear to be their objective, although some of these criminal groups have at times sought territorial control in parts of Colombia.[77]

The U.S. Drug Enforcement Administration's *National Drug Threat Assessment*, published in January 2020, maintained that large-scale Colombian crime groups work closely with Mexican and Central American transnational criminal organizations to export quantities of cocaine out of Colombia every year.[78] Typically, despite ideological differences, the dissident FARC and ELN

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

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

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

[74] 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.

[75] The U.S. State Department removed the organization from the list of Foreign Terrorist Organizations in July 2014.

[76] 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.

[77] 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.

[78] U.S. Department of Justice, Drug Enforcement Administration (DEA), *2020 National Drug Threat Assessment*, DEA-DCT-DIR-008-21, March 2021.

cooperate with paramilitary successor groups in drug trafficking and other illicit activities, frequently using Venezuela as a drug transit corridor.[79]

## Humanitarian Crisis in Venezuela and Its Consequences for Colombia[80]

Overlaying the challenges that Colombia faces domestically, the humanitarian crisis in Venezuela 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 more than 1 million Venezuelans living in Colombia, some 770,000 had a form of legal status granting them access to social services and employment.[81] Providing services to those migrants has increased pressure on the Colombian government's finances. The arrival of the COVID-19 pandemic led Colombia to close its borders with Venezuela, however, ending what had been a welcoming approach to displaced Venezuelans.

Venezuelan migrants and refugees are vulnerable to a variety of threats, including sexual violence, the use of minors in armed violence, exposure to excessive force, and homicide. Several humanitarian organizations attempt to provide the Venezuelan arrivals with situational knowledge in Colombia, as many come destitute, with significant health and emergency care needs, and with almost no understanding of the precarious areas where they may be residing in Colombia.

Since early 2019, more than 1,000 Venezuelan security forces have deserted into Colombia. The Colombian military has disarmed them and placed them in housing near the border, along with their family members.[82] 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 in Colombia.[83] As part of what many observers consider a more tolerant policy to receiving Venezuelan migrants, the Duque government also granted citizenship to more than 24,000 children born to Venezuelans inside Colombia since 2015 and to those who may be born in Colombia until August 2021.[84]

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[79] Since 2005, U.S. Administrations have made an annual determination that Venezuela has failed demonstrably to adhere to its obligations under international narcotics agreements. Former President Trump made the determination for FY2021 in September 2020, and President Biden did so for FY2022 on September 15, 2021: https://www.whitehouse.gov/briefing-room/presidential-actions/2021/09/15/a-memorandum-for-the-secretary-of-state-on-presidential-determination-on-major-drug-transit-or-major-illicit-drug-producing-countries-for-fiscal-year-2022/.

[80] This section is drawn largely from CRS Insight IN11163, *New U.S. Sanctions on Venezuela*, coordinated by Clare Ribando Seelke, and CRS In Focus IF11029, *The Venezuela Regional Humanitarian Crisis and COVID-19*, 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.

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

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

[83] 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.

[84] USAID, "Venezuela Regional Crisis: Fact Sheet #3, FY2019," September 4, 2019; Luisa Fernando Mejía, "How Colombia Is Welcoming Migrants – and Staying Solvent," *Americas Quarterly*, September 11, 2019.

Some 2 million refugees and migrants from Venezuela have entered Colombia, either to traverse the country or to seek shelter there.[85] In February 2021, the Duque administration unveiled a program offering Venezuelans who entered before January 2021 a decade of temporary protected status. By September 2021, nearly 1.3 million Venezuelans had registered for access to health care, work permits, other social services, and a path to citizenship. Duque stated that his government has a moral duty to legalize migrants escaping a dictatorship. However, Venezuelans, previously welcomed in Colombia, have become the focus of rising xenophobia, due in part to hardships imposed by the pandemic. The U.S. government provided nearly $248.6 million in humanitarian and emergency food assistance to support Venezuelan refugees and migrants in Colombia in FY2021.[86]

## 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 human rights violations. These violations include violence targeting noncombatants, such as killings, torture, kidnappings, enforced disappearance, forced displacements, forced recruitments, massacres, and sexual attacks. According to official data reported in Colombia, more than 83,000 people were victims of enforced disappearances during the armed conflict.[87]

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** for additional resources on human rights reporting in Colombia.)

In the recent years, issues of police brutality and an over-militarized approach to policing have been pressing concerns for many activists. On December 15, 2021, the United Nations released a report on the late April-July 2021 protests in 860 cities across Colombia, in which 46 people died (including two police officers) and 27 remain missing. The U.N.'s major finding was that "Colombia's public force" was responsible for 28 protester deaths—linking 10 of the deaths to specialized riot police, which used force disproportionately against peaceful protesters.[89]

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[85] The exact number of Venezuelan migrants and refugees has been difficult to assess. The number of Venezuelans crossing into Colombia when its borders were officially closed for nearly two years due to security issues and the COVID-19 pandemic with Venezuela, and some 18 months with Ecuador, many crossed illegally and went uncounted.

[86] CRS In Focus IF11029, *The Venezuela Regional Humanitarian Crisis and COVID-19*, by Rhoda Margesson and Clare Ribando Seelke; USAID, Venezuela Regional Crisis – Complex Emergency, September 24, 2021, at https://www.usaid.gov/sites/default/files/documents/2021_09_24_USG_Venezuela_Regional_Crisis_Response_Fact Sheet_4.pdf.

[87] Statement of Frederico Andreu-Guzmán, Witness, "Enforced Disappearance in Latin America," Hearing of the House Foreign Affairs Committee, Tom Lantos Human Rights Commission, October 1, 2020. The statement also notes only 130 convictions have been won for this gross human rights violation over recent decades.

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

[89] Samantha Schmidt and Diana Durán, "Report Calls for Transformation of Riot Police," *Washington Post*, December

**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.[90]

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."[91] 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. For 2019, the State Department reported that in a similar period, from January through September, investigations of past killings continued but slowed, resulting in seven new cases of aggravated homicide by state agents. A new case was opened against a colonel for allegedly ordering the killing of a demobilized member of the FARC, and the soldier who carried out the shooting was convicted and sentenced to 20 years in prison. In addition, the Attorney General's office reported two new convictions of security force members committing homicides of persons protected under international humanitarian law, and by mid-2019 it had 2,504 open investigations related to false positive killings or other extrajudicial killings.[92] In December 2021, in a case before Colombia's transitional justice court, some 21 Colombian military officers and one civilian admitted responsibility for extrajudicial murders of 247 victims.[93]

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.[94] In 2017, the U.S. Congress added to 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

16, 2021.

[90] 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.

[91] 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.

[92] U.S. State Department, *Colombia: 2018 Human Rights Report, Country Reports on Human Rights Practices*, March 2019; *Colombia: 2019 Human Rights Report, Country Reports on Human Rights Practices*, March 2020.

[93] "Colombia: Officers Admit to Guilt in 'False Positive' Cases," *LatinNews Daily*, December 13, 2021.

[94] 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.

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 come up with recommendations to him to reinforce the respect for human rights within the armed forces.[95] Wiretapping scandals have periodically rocked the Colombian military and intelligence services; in May 2020, one such scandal was revealed that is alleged to involve U.S. foreign assistance to spy on dozens of public figures and journalists.[96]

**Human Rights Defenders and Journalists.** According to Somos Defensores ("We are Defenders"), a Colombian NGO that tracks violence against defenders, the deaths of human rights defenders and activists increased even after the end of the conflict was declared, with more than 100 such individuals killed each year from 2017 through 2019. Such deaths have shot up in 2020, with massacres (defined as killing of more than three persons) that included ethnic teens and activists, according to the Washington Office on Latin America, a human rights advocacy group.[97] 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 of abuses still have little to fear in terms 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.[98] 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. In 2019, 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.[99] Colombian groups and international bodies such as the United Nations have criticized the Duque

[95] 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.

[96] Keyal Vyas, "Colombia Used U.S. Gear for Internal Spying," *Wall Street Journal*, May 5, 2020.

[97] Human rights defenders include community leaders, land rights activists, indigenous and Afro-Colombian leaders, and women's rights defenders., Gimena Sanchez-Garzoli, "The Slow Death of Colombia's Peace Deal," October 30, 2019; Steven Grattan, "Dozens of Young People Killed in Colombia, Perpetrators Unknown," August 24, 2020.

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

[99] Op. cit., 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.

administration's efforts to protect social leaders, especially as the number of assassinated activists rose through 2020.[100]

**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.[101]

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 data reported by the U.N. Office on Drugs and Crime in its annual homicide report, rates have decreased dramatically since 2002, when the homicide rate was 68.9 per 100,000.[102] Colombia's national homicide rate fell below 25 per 100,000 in 2017; after a slight increase in 2018, it returned to a rate of 24.3 per 100,000 in 2020.[103]

Murders of labor unionists also have declined. According to the Colombian labor rights NGO and think tank the National Labor School (*Escuela Nacional Sindical*), there was a significant decline from 191 labor union murders in 2001 to 29 reported in 2018. From January 2018 to June 2019, the Attorney General's Office reported 27 labor union members were killed. Although prosecutions were slow, the rate of case resolution improved due to the standing up of an "elite group" to implement a strategy to prioritize the resolution of labor unionist homicides.[104]

[100] Human Rights Watch, Colombia: Protection Gaps Endanger Rights Defenders," February 10, 2021, at https://www.hrw.org/news/2021/02/10/colombia-protection-gaps-endanger-rights-defenders#.

[101] 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.

[102] U.N. Office on Drugs and Crime, *Global Study on Homicide, 2013*, March 2014.

[103] Asmann and O'Reilly, "InSight Crime's 2019 Homicide Round-Up," *InSight Crime*, January 28, 2020; InSight Crime's 2020 Homicide Round-Up," January 29, 2021.

[104] State Department, *Colombia: 2019 Human Rights Report, Country Reports on Human Rights Practices*, March 2020.

### 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, to the return of their stolen land. Reparations to victims may include access to health and psychosocial services, financial compensation, and community restoration projects. With support from the U.S. Agency for International Development (USAID) and other donors, the Colombian government set up a Victims' Unit to coordinate the range of services by several government agencies. USAID also supported the implementation of a Victims' Registry, which now includes more than 9 million registered conflict victims. Reinforced by the 2016 peace agreement, the effort to compensate victims also allows redistribution of assets obtained from the FARC. Through its Victims Unit, the Colombian government distributed $735 million in individual compensation between August 2018 and September 2021.

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) that lost an estimated 6 million hectares of land. According to authorities, as much as half the land eligible for restitution contains land mines. As of 2021, the implementation of land restitution program has been slower and less successful than anticipated. Colombia's Land Restitution Unit has received more than 133,000 requests as of 2021, and almost 78,000 cases have been processed in the administrative phase, which is a necessary step before being sent to a qualified judge. The Colombian government reports that 4,581 properties 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, six cases were completed for collective reparations. A lack of comprehensive land titling remains a significant barrier even though land titling is a major commitment of the peace accord and all field hearings slowed significantly due to pandemic-related lockdowns in 2020 and 2021 and economic and travel limitations.

**Sources**: Colombian Government, Unidad Administrativa Especial de Gestión de Restitución de Tierras Despojadas, [infographic], October 31, 2021, 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.; Presidential Council for Stabilization and Consolidation, *Peace with Legality: Short Management Report*, September 2021.

**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 50 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.[105]

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

[105] 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.

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.

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.[106]

Venezuela's economic crisis significantly worsened throughout 2018 and 2019, prompting a sharp increase in migrants seeking to escape into or through Colombia.[107] Venezuela's instability, porous border with Colombia, and corrupt and lawless environment have attracted drug traffickers and other Colombian armed actors, such as the ELN and dissident FARC, who operate openly there.

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.

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[106] Also in 2008, Ecuador filed a suit against Colombia in the International Court of Justice, 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 with Ecuador. See section, "Drug Crop Eradication and Other Supply Control Alternatives."

[107] 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.

## 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 (USCAP). 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.[108] 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.[109] The Colombian government notes that this program grew dramatically from 34 executed activities in 2013 to 372 activities completed in 2019.[110] Although there were fewer than 50 USCAP activities through October of 2020 because of the pandemic and restricted travel, the Colombian government is in discussions when and how to resume the training.

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

Critics of the effort to "export Colombian security successes" maintain that human rights concerns have not been adequately addressed.[111] Some observers question the portion of these activities that are funded by the U.S. government and want to see more transparency.[112] 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.[113]

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

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[108] 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.

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

[110] Colombian Ministry of Defense, "International Cooperation Balance, 2010-2018," September 2018; Ministry of Defense information provided by Colombian Embassy personnel, October 2020.

[111] 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.

[112] 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.

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

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.[114] In September 2017, then-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.[115]

# 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.

Since FY2000, the U.S. Congress has appropriated more than $12 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 lowered poverty levels, and its security policies reduced Colombia's 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 in reducing supply in those countries pushed cocaine production to Colombia, which soon surpassed both its Andean neighbors. At least since the 1990s, Colombia's long internal armed conflict was supercharged by profits from illicit crops, primarily cocaine. Other large illicit businesses sustained both leftist guerrilla groups and Colombia's paramilitaries, including human trafficking and illicit resource extraction, such as logging and gold mining.[116]

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.[117] Alarm over the volumes of heroin and cocaine being

[114] Colombia and NATO signed a memorandum of understanding focused on future security cooperation and consultation in 2018, which was affirmed by the Constitutional Court. According to a consultation with the Colombian Embassy in December 2019, Colombia has a standing International Partnership Cooperation Program with NATO and is the only global partner presently in the region. Areas of cooperation include demining, gender, and cyber.

[115] For more information on the certification process, see CRS Report RL34543, *International Drug Control Policy: Background and U.S. Responses*, by Liana W. Rosen.

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

[117] 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.

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.[118] 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.

Analysts have long debated how effective Plan Colombia and its follow-on strategies were in combating illegal drugs. Measured exclusively in counternarcotics terms, Plan Colombia has had mixed results. It failed to meet a goal set in 1999 to lower cultivation, processing, and distribution of illicit drugs by 50% in six years. Although Colombia achieved some significant reductions in cultivation, these reductions have not been sustained. According to U.S. estimates, cultivation of coca declined from 167,000 hectares in 2007 to 78,000 hectares in 2012.[119] Likewise, opium poppy cultivation declined by more than 90% between 2000 and 2009. Nevertheless, coca cultivation levels have rebounded in recent years

Initially, the U.S. policy focus was on programs to reduce the production of illicit drugs. U.S. support to Plan Colombia consisted of training and equipping counternarcotics battalions in the Colombian Army and specialized units of the Colombian National Police, drug eradication programs, alternative development, and other supply reduction programs. The original 1999 plan had a goal to reduce "the cultivation, processing, and distribution of narcotics by 50%" over the plan's six-year timeframe. The means to achieve this ambitious goal were a special focus on eradication and alternative development; strengthening, equipping, and professionalizing the Colombian Armed Forces and the police; strengthening the judiciary; and fighting corruption. Other objectives were to protect citizens from violence, promote human rights, bolster the economy, and improve governance. U.S. officials expressed their support for the program by emphasizing its counterdrug elements (including interdiction). The focus on counternarcotics was the basis for building bipartisan support to fund the program in the U.S. Congress because some Members of Congress were leery of involvement in fighting a counterinsurgency, which they likened to the "slippery slope" of the war in Vietnam.[120]

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

[118] 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).

[119] A hectare is about 2.5 acres.

[120] Ibid.

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.[121] 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.[122] 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.[123]

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[124] and a significant reduction in kidnappings, terrorist attacks, and homicides. In 2007, the Uribe Administration announced a shift to a "Policy of Consolidation of Democratic Security." The new doctrine was based on a "whole-of-government" approach to consolidate state presence in marginal areas that were historically neglected—vulnerable to drug crop cultivation, violence, and control by illegal armed groups. Called a strategic leap forward by then-Defense Minister Juan Manuel Santos, in 2009 the new strategy came to be called the National Consolidation Plan (see below).

Colombian support for Plan Colombia and for the nation's security program grew under Uribe's leadership. President Uribe levied a "wealth tax" to fund Colombia's security efforts, taxing the wealthiest taxpayers to fund growing defense and security expenditures. Overall U.S. expenditures on Plan Colombia were only a 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.[125] In 2000, Colombia devoted less than 2% of its GDP to

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[121] 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.

[122] 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.

[123] 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.

[124] 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).

[125] Peter DeShazo, Johanna Mendelson Forman, and Phillip McLean, *Countering Threats to Security and Stability in a*

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.[126]

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.[127]

A key goal of Plan Colombia was to reduce the supply of illegal drugs produced and exported by Colombia but the goals became broader over time. Bipartisan support for the policy existed through three U.S. Administrations—President Bill Clinton, President George W. Bush, and President Barack Obama. Plan Colombia came to be viewed by some analysts as one of the most enduring and effective U.S. policy initiatives in the Western Hemisphere. Some have lauded the strategy as a model. In 2009, William Brownfield, then-U.S. Ambassador to Colombia, described Plan Colombia as "the most successful nation-building exercise that the United States has associated itself with perhaps in the last 25-30 years."

Other observers, however, were critical of the policy as it unfolded. Many in the NGO and human rights community maintained the strategy, with its emphasis on militarization and security, was inadequate for solving Colombia's persistent, underlying problems of rural violence, poverty, neglect and institutional weakness. Nevertheless, it appears that improvements in security conditions have been accompanied by substantial economic growth and a reduction in poverty levels over time.

## National Consolidation Plan and Peace Colombia

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

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*Failing State: Lessons from Colombia*, Center for Strategic & International Studies, September 2009.

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

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

Some analysts criticize the Colombian government's failure to assert control throughout the national territory in the wake of the FARC's demobilization.[128]

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 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.[129] It combined traditional counternarcotics assistance for eradication, interdiction, alternative development, and capacity building for the police, military, and justice sector institutions with other 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.[130]

Consolidating state authority and presence in the rural areas with weak institutions has been a significant challenge since the FARC's disarmament in summer 2017. Reintegration of the FARC and possibly other insurgent forces, such as the ELN, will be expensive and delicate. In particular, critics of the Colombian government's consolidation efforts maintain 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.[131] 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. The Territorially Focused Development Programs (PDETs) for rural development (the land and rural development sub-agreement of the 2016 peace accord) incorporated a participatory process to achieve local development, which required sustained effort.

In August 2018, 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; and promoting enhanced prosperity and job creation through trade.[132] Some analysts

[128] Remarks of Paul Angelo, Fellow, Council of Foreign Relations, "Waiting for Peace: Violence Against Social Leaders in Colombia," webinar from the Inter-American Dialogue, Washington, DC, October 21, 2020, at https://www.thedialogue.org/events/online-event-waiting-for-peace-violence-against-social-leaders-in-colombia/.

[129] Ibid.

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

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

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

contend that prioritizing voluntary eradication coupled with robust alternative development sequenced over a longer time frame and bolstered with well-designed interdiction is the only sustainable route to diminish coca cultivation.[133]

## U.S. Funding for Plan Colombia and Follow-On Strategies

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), appropriated $391.3 million for the various programs of Peace Colombia.[134]

**Table 1**, based on data from annual international affairs congressional budget justifications, shows congressional appropriations for foreign aid to Colombia from FY2013 to FY2022 request. The U.S. government provided roughly $3.1 billion in State Department and USAID assistance from FY2017 to FY2021, following the ratification of the peace accord.

**FY2022 Appropriations.** The Biden Administration's FY2022 request would assist Colombia in peace accord implementation, combating crime and building police capacity, protecting human rights, and enhancing environmental protection, among other goals. The Senate Appropriations Committee in late 2021 is considering an FY2022 appropriations bill for foreign operations. The House-passed foreign aid appropriations bill for FY2022, H.R. 4373, would provide $461.4 million and stipulates (for the first time) that 30% of funding under the International Narcotics Control and Law Enforcement (INCLE) account would be obligated after the U.S. Secretary of State certifies that Colombia has met certain human rights conditions. The proposed Senate bill for FY2022 would have an outright ban on assistance to the Colombian riot police, and would

[133] See, for example, Felbab-Brown, *Detoxifying Colombia's Drug Policy: Colombian's Counternarcotics Options and their Impact on Peace and State Building,* Brookings Institution, January 2020.

[134] Of the $391.3 million appropriated for Peace Colombia in FY2017, the actual expenditure was $384.2 million (see Table 1).

withhold 5% of INCLE funding until the U.S. Secretary of State certifies the riot police are held accountable for human rights violations.[135] Congress has yet to conclude action on FY2022 appropriations but approved a continuing resolution in December 2021 that provides foreign assistance funding through February 18, 2022.

**Table 1. U.S. Assistance for Colombia by State Department and USAID Foreign Aid Account: FY2013-FY2022 Request**

(in millions of current U.S. dollars)

| Account | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 Est. | 2022 Req. |
|---|---|---|---|---|---|---|---|---|---|---|
| ESF | 165.8 | 141.5 | 133.0 | 126.0 | 180.3 | 180.3 | 187.3 | 146.3 | 141.0 | 141.0 |
| IMET | 1.5 | 1.5 | 1.4 | 1.4 | 1.4 | 1.5 | 1.3 | 1.8 | 1.9 | 1.9 |
| INCLE | 152.3 | 149.0 | 135.2 | 135.2 | 143.0 | 143.0 | 170.0 | 180.0 | 189.0 | 175.0 |
| NADR | 5.1 | 4.3 | 4.3 | 3.5 | 21.0 | 21.0 | 21.0 | 21.0 | 21.0 | 21.0 |
| FMF | 28.9 | 28.5 | 27.0 | 27.0 | 38.5 | 38.5 | 38.5 | 45.5 | 38.5 | 40.0 |
| DA | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 61.0 | 70.0 | 70.0 |
| **Total** | **353.6** | **324.8** | **300.9** | **293.1** | **384.2** | **384.3** | **418.1** | **455.6** | **461.4** | **448.9** |

**Sources:** CRS, with data from the annual International Affairs congressional budget justifications (FY2013-FY2022).

**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; DA = Development Assistance. Table 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 $45.5 million in FY2020 but was $38.5 million for FY2017-FY2019, and estimated for FY2021. International Military Education and Training (IMET) funds, which totaled and estimated $1.9 million in FY2021, 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 described below. Between FY2016 and FY2018, DOD-funded programs aimed at counternarcotics and security goals averaged $70 million per year.

The compromise FY2022 National Defense Authorization Act (NDAA), S. 1605, approved by the House and the Senate in December 2021, requires a new human rights report on Colombia, including efforts to build the institutional capacity of the Colombian military or other Colombian security forces on human rights and adherence to the rule of law. Other NDAA language authorizes DOD spending of not more than $2 million for training programs for the United States-Colombia Action Plan (USCAP). The bill also reauthorizes through FY2023 a provision

[135] For further background on the Senate bill, see Samantha Schmidt and Diant Durán, "Probe: Colombian Police are Culpable in 2020 'Massacre," *Washington Post*, December 14, 2021.

that has been in place since FY2005 in support of Colombia's unified "counterdrug and counterterrorism" campaign.[136]

## Human Rights Conditions on U.S. Assistance

Some Members of Congress have been 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 the ELN, the paramilitaries and their successors, and Colombia's security forces all have 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. Many human rights groups maintain that although some prosecutions have gone forward, most remain unresolved and the backlog of cases has been reduced slowly. Moreover, new violations continue to occur.

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.) 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, 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.[137]

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

[136] Joint Explanatory Statement to Accompany the National Defense Authorization Act for the Fiscal Year 2022, NDAA, S. 1605, December 7, 2022.

[137] 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."

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.[138]

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.[139] In the late 1990s, poor human rights conditions in Colombia were a driving concern for developing the Leahy Law provisions.[140] The U.S. Embassy in Bogotá, with nearly two decades of experience in its vetting operations, was cited in recent times as a source of best practices for other embassies seeking to bring their operations into compliance or enhance their performance.

Some human rights organizations are critical of the Leahy vetting process and assert that U.S. assistance under the Leahy process has 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.[141] 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.

In response to the armed services wiretapping scandal in 2020, the FY2021 National Defense Authorization Act (NDAA) directed the State Department to report on possible misuse of U.S. security-sector funds for illegal surveillance by Colombia's armed services. As noted, the FY2022 NDAA, S. 1605, requires a human rights report on Colombia that includes a discussion of efforts to build the institutional capacity of the Colombian military or other Colombian security forces on human rights and adherence to the rule of law.

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

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

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

[141] 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[142]

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 2020 (see **Table 2** and **Table 3**), which show the U.S. estimates for coca cultivation and cocaine production in Colombia over several years. 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 2019, the U.S. Drug Enforcement Administration (DEA) 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 generally is seen as a strong and reliable U.S. counternarcotics partner. However, even with record seizures in 2019 (487 metric tons of cocaine seized) and 2020 (nearly 427 metric tons in first nine months of the year), the interdiction of cocaine was insufficient to counter the large increases in production.[143] According to some estimates, Colombia produces roughly two-thirds of the world's current supply.[144] As indicated in **Table 2** and **Table 3**, cultivation and production remain at historically high levels.

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

| Year | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Area (in thousand hectares)) | 100 | 83 | 78 | 80 | 112 | 159 | 188 | 209 | 208 | 212 | 245 |
| % Change | | -17 | -6 | 3 | 39 | 42 | 18 | 11 | -0.5 | 0.02 | .16 |

**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; "United States and Colombian Officials Set Bilateral Agenda to Reduce Cocaine Supply," fact sheet, March 5, 2020; U.S. Department of State, *International Narcotics Control Strategy Report (INCSR)*, volume I, Colombia country reports for 2015, 2016, 2017, 2018, and 2019; ONDCP, "Updated: ONDCP Releases Data on Coca Cultivation and Potential Cocaine Production in the Andean Region," July 16, 2021.

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

| Year | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Amount (in metric tons) | 326 | 273 | 263 | 279 | 353 | 564 | 775 | 906 | 869 | 918 | 1,010 |
| % Change | | -16 | -.03 | 16 | 27 | 60 | 37 | 17 | -.04 | .05 | .11 |

**Source:** ONDCP, "United States and Colombian Officials Set Bilateral Agenda to Reduce Cocaine Supply," fact sheet, March 5, 2020; every year revised from prior estimates, ONDCP, "Updated: ONDCP Releases Data on Coca Cultivation and Potential Cocaine Production in the Andean Region," July 16, 2021.

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

[143] U.S. Department of State, *International Narcotics Control Strategy Report* (INCSR), Vol. I, March 2021.

[144] "Five Years After Colombia's Peace Deal, Militias Continue to Cause Havoc," *Economist*, November 29, 2021.

## 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.[145] 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.[146]

After 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.[147] 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

[145] 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.

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

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

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 continues under the Duque government.[148] Drug trafficking continues to trigger conflict over land in Colombia and affects the most vulnerable groups, including Afro-Colombian, peasant, and indigenous populations. Some analysts warn that national and international pressure for drug eradication could lead to increased human rights violations.

Colombia has set records in cocaine production in recent years. In 2019, according to U.S. estimates, the country produced 951 metric tons of pure cocaine. In 2019, President Duque and then-Secretary of State Mike Pompeo reaffirmed a March 2018 commitment to work together to lower coca crop levels and cocaine production by 50% by 2023.[149] Duque campaigned on resuming forced aerial eradication (or spraying of coca crops) with the herbicide glyphosate; in August 2020, he called again for the resumption of spraying while escalating other methods of forced eradication, such as forced manual eradication. His focus on "peace with legality," critics contend, replaced the approach of participatory planning and development embodied in the peace accord with a focus on national security that is primarily led by the defense ministry.[150] The Trump Administration notably endorsed aerial eradication as "an irreplaceable tool" for Colombia in the September 2020 Presidential Determination on Major Illicit Drug Producing Countries for FY2021.[151]

The Trump Administration prioritized joint counternarcotics efforts in its cooperation with Colombia. As noted, from 2013 to 2017, Colombia experienced its highest increase in illicit crop cultivation. In the spring and summer of 2020, the U.S. Southern Command (SOUTHCOM) conducted a counternarcotics surge.[152] U.S. Admiral Craig S. Faller, former Commander of SOUTHCOM, hailed the surge operation as an all-of-government exercise involving 22 countries in the region, including Colombia, to demonstrate partner country commitment and capacity to combat narcotics trafficking and the national security threat of transnational crime.[153] The surge

[148] 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.

[149] Office of National Drug Control Policy (ONDCP), "United States and Colombian Officials Set Bilateral Agenda to Reduce Cocaine Supply," fact sheet, March 5, 2020.

[150] Juan Fernando Cristo, former Colombian Minister of Interior, "Waiting for Peace: Violence Against Social Leaders in Colombia," webinar from the Inter-American Dialogue, Washington, DC, October 21, 2020, at https://www.thedialogue.org/events/online-event-waiting-for-peace-violence-against-social-leaders-in-colombia/.

[151] White House, Office of the Press Secretary, "Presidential Determination on Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2021," presidential memorandum, September 16, 2020, at https://www.whitehouse.gov/presidential-actions/presidential-determination-major-drug-transit-major-illicit-drug-producing-countries-fiscal-year-2021/.

[152] U.S. Southern Command begins at the Mexican border and contains within its regional command the remaining elements of Central and South America (31 countries and 16 dependencies and areas of special sovereignty). For more, see CRS In Focus IF11464, *United States Southern Command (SOUTHCOM)*, by Kathleen J. McInnis and Brendan W. McGarry.

[153] Admiral Craig S. Fuller, Commander, U.S. Southern Command, Press Briefing, U.S. State Department, April 20, 2020; remarks by President Trump, "Briefing on SOUTHCOM's Enhanced Counternarcotics Operations," July 10 2020, at https://www.whitehouse.gov/briefings-statements/remarks-president-trump-briefing-southcom-enhanced-counternarcotics-operations/ (hereinafter cited as Remarks by President Trump in Briefing on SOUTHCOM).

was one of the largest recent engagements of U.S. assets for anti-drug activities, such as Navy ships, AWACS surveillance aircraft, and on-ground special forces.[154] In July 2020, SOUTHCOM reported the surge had netted 122 metric tons of illegal drugs, mostly cocaine and marijuana. The surge anti-drug mission was run in parallel with a Colombian-led operation known as Orion 5, which encompassed 25 nations in Latin America and the Caribbean and in Europe.[155]

In addition, in June 2020, the U.S. Army deployed a Security Force Assistance Brigade to Colombia, the first such deployment to the Western Hemisphere. The company-sized deployment of 53 U.S. Army personnel was in place for four months to train Colombian forces in counternarcotics logistics, services, and intelligence capabilities to support U.S.-Colombian collaboration.[156]

## Colombia and Climate Change

Colombia has a variegated geography and is one of the world's most biodiverse nations.[157] With 50 million people spanning a country about twice the size of the U.S. state of Texas, it includes Andean mountain ranges, about 10% of the Amazon basin watershed, and an abundance of rivers allowing for more than 70% of its electricity to be generated by hydropower.[158] Colombia exports petroleum and was the fourth largest source of imported petroleum by the United States after Canada, Mexico, and Saudi Arabia in 2020.[159] Colombia is also one of the world's five top producers of coal, and is South America's largest coal producer. Colombian coal is mostly exported rather than used for domestic consumption.[160]

The Biden Administration has embraced climate change mitigation as a top priority and is engaging with countries around the world, including Colombia, to meet this goal. In mid-October 2021, U.S. Secretary of State Blinken traveled to Colombia to meet with President Duque and other top Colombian officials. During the trip, the Secretary stated that what he called "the climate crisis" is a challenge that is "too big and too complex for either of us to address alone… no country - no group of countries, even, can do enough alone to limit the Earth's warming to 1.5 degrees Celsius, which science tells us is our ceiling if we want to avoid catastrophe." In the 2021 National Intelligence Estimate, *Climate Change and International Responses*, released in December, the Biden Administration identified Colombia as 1 of 11 countries globally threatened by climate change that would be "especially helpful in mitigating future risks to U.S. interests."[161]

Sustainable development has been a Colombian government priority for many years. In 2021, the Duque government launched the National Council for the Fight against Deforestation and other

[154] Joshua Goodman, "U.S. Naval Buildup in Caribbean Not Aimed at Ousting Maduro," Associated Press, April 20, 2020.

[155] Remarks by President Trump in Briefing on SOUTHCOM.

[156] For more background, see CRS In Focus IF10675, *Army Security Force Assistance Brigades (SFABs)*, by Andrew Feickert.

[157] The government of Colombia describes Colombia as "megadiverse" with its 91 types of ecosystems. See, Colombian Embassy to the United States, "National Environmental Agenda," August 17, 2021.

[158] Walter Vergara et al., "Colombia Shows Leadership in the Race Against Climate," World Resources Institute, February 11, 2021.

[159] Information accessed on Trade Data Monitor on October 25, 2021.

[160] Colombia, Executive Summary, U.S. Energy Information Administration, January 7, 2019.

[161] National Intelligence Council, "Climate Change and International Responses Increasing Challenges to US National Security Through 2040, NIC-NIE-2021-10030-A, December 2021, at

https://www.dni.gov/files/ODNI/documents/assessments/NIE_Climate_Change_and_National_Security.pdf.

Environmental Crimes (CONALDEF in Spanish), an interagency coordinating body, and the Colombian Congress approved a new Law on Environmental Crimes, which includes deforestation-related crimes. Critics of the obligations embraced by Duque note that his climate pledges to promote energy transitions and curb deforestation may be aspirational and may not be fully implemented due to economic and political pressures.[162]

In addition, the sustainable development efforts of the Colombian government have been disrupted frequently by environmental crimes committed by insurgents and other illegal armed groups. Such activities include blowing up oil pipelines, permitting oil spills into rivers and other water bodies, and accelerating destruction of watersheds by discharging chemicals for extracting cocaine from coca leaf or deforesting for illegal mining or other illicit purposes. In a novel use of the new environmental law, the Colombian government charged three dissident FARC commanders, aliases Gentil Duarte, Iván Mordisco, and John 40, with criminal deforestation and environmental devastation, including fomenting destruction of the Amazon.[163]

Colombia has aligned its Nationally Determined Contribution (NDC) under the Paris Agreement with the UN's Sustainable Development Goals (SDGs), which seek to comply with the principle of intergenerational equity.[164] To meet the harmonized goals, some analysts argue Colombia should utilize a targeted and cross-sectoral stimulus plan to manage the economic consequences of the pandemic, use sustainability-minded and incentive-based grants to facilitate meeting SDGs, tap special International Monetary Fund drawing rights to meet both SDGs and NDCs, and make new investments in social services and green economic growth.[165] One feature of close U.S.-Colombian collaboration on combating climate change was cited in an October 2021 House hearing held in advance of the COP26 meeting held in Glasgow, United Kingdom in November. The U.S. Agency for International Development Climate Coordinator observed, that Colombia, with U.S. support, held its first-ever renewable energy auction, which attracted $2 billion in private investment, including from the U.S. private sector, for new, large-scale renewable energy plants.[166]

# Outlook

Congress remains interested in Colombia 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. The U.S.-Colombia relationship evolved from a counternarcotics and security focus to a broader collaboration for democratic development, human rights protections, humanitarian relief, economic growth, regional security, climate mitigation, and trade. Congress has been interested in expanding investment and trade opportunities bilaterally with Colombia and with regional trade groups, such as the Pacific Alliance in which Colombia was a founding member. Furthermore, as near-shoring

[162] "Latin America's Rock Road to Net Zero Emissions," EIU, October 22, 2021.

[163] Juan Diego Cárdenas, "FARC Dissidents First to be Charged Under New Colombian Environmental Law," *InSight Crime,* December 8, 2021.

[164] For background on Colombia's current NDC please see https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Colombia%20First/NDC%20actualizada%20de%20Colombia.pdf.

[165] Op cit., Berg, Rechkemmer, and Espinel, et al.

[166] Remarks by Climate Change Coordinator, Gillian Caldwell, USAID, at Hearing before the Subcommittee on International Development, International Organizations and Global Corporate Social Impact, House Foreign Affairs Committee, *Preparing for COP26: United States Strategy to Combat Climate Change through International Development*, October 21, 2021.

manufacturing becomes a relevant alternative to Asia in the wake of the pandemic, some Members see U.S.-Colombian trade as a potential opportunity.[167]

The annual level of foreign assistance provided by Congress for Colombia began to decline in FY2008 but rose again between FY2017 and FY2021 to support peace accord implementation and post-conflict stability. As Congress considers future appropriations, it may assess whether and how to build on cooperation with Colombian partners to continue to train Central American security forces and other third-country nationals in counternarcotics and security. Congress may continue to oversee issues related to drug trafficking; Colombia's effort to combat illegal armed groups; the status of human rights protections; and the expansion of health, economic, environmental, energy, and educational cooperation. Many policymakers continue to value Colombia's leadership in the region to counter authoritarian political control in Venezuela. U.S. Secretary of State Blinken has praised the extension of temporary protected status and economic rights as part of Colombia's humanitarian response to migrants fleeing Venezuela's dire conditions. Some analysts are advocating new metrics to evaluate the impact of U.S. assistance, such as holistic data on the improvement of territorial stabilization efforts rather than mere quantities of coca grown or cocaine seized.[168]

The record expansion of coca cultivation and cocaine exports to the United States since 2016 may significantly hinder the consolidation of peace in Colombia and could increase corruption and extortion. A long-standing debate is whether to support traditional coca control measures, such as the Duque administration's efforts to restart aerial eradication, a policy historically advocated by the United States. Some critics urge greater financial backing from the U.S. government for alternative approaches, such as prioritizing alternative development by substituting legal crops, and voluntary eradication, as favored in the peace accord.

A significant portion of the Colombian public is skeptical of the peace process and the FARC's role in Colombia's democracy—although most Colombians increasingly rank implementation of the five-year-old peace agreement much lower as a concern than street crime, corruption, and the economy. Other Colombians maintain that full implementation of the peace accord is vital. The polarizing debate about the peace agreement inside Colombia is subsiding, while new issues take prominence. For this reason, some observers predict a center, center-right, or a leftist populist leader, such as former Mayor of Bogotá Gustavo Petro, could be elected president in 2022, as parties on the right are less unified than in the past.[169] In addition, Colombian government investigations into police brutality for the violence that took place in large cities and rural towns across Colombia over months in 2021 are ongoing.

[167] Senator Roy Blunt, "A Plan for Colombia's COVID-19 Recovery and Why It Matters for the United States," *Atlantic Council*, remote event, December 8, 2021.

[168] "Lastly, the group's third mandate should be to establish and advance the adoption of more holistic metrics.... These metrics should go beyond narrow indicators of success, including total cocaine production and coca cultivated, which have historically defined US-Colombia relations." "A Plan for Colombia's COVID-19 Recovery and Why It Matters for the United States: A report by the Atlantic Council US-Colombia Task Force," *Atlantic Council US-Colombia Task Force*, December 2021, p. 17.

[169] Gabriella Levy, Juan Tellez, Mateo Villamizar-Chaparro, "Five Years After Colombia\'s Peace Deal, the Farc Is No Longer on U.S. Terrorist Group Lists" *Washington Post*, December 2, 2021; "Despite the Polls, a Centrist Could Win Colombia's Election in May," *Economist*, December 11, 2021.

# Appendix. Selected Online Human Rights Reporting on Colombia

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|---|---|
| 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) | https://somosdefensores.org/report-in-english-2/ |
| Transparency International | https://www.transparency.org/en/countries/colombia# |
| 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, 2020 | https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/colombia/ |
| Washington Office on Latin America (WOLA) | http://www.wola.org/program/colombia |

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