



## **Trade and Militarization in Colombia**

Talks for the U.S.-Colombia Free Trade Agreement (FTA) concluded February 27, 2006 after Colombia followed the example set by Peru and broke away from negotiating with the U.S. as an Andean region. The regional talks fell apart as Peru and Colombia realized Ecuador was facing grave internal resistance to an FTA that was jeopardizing their ability to make a deal. The FTA must now be sent to both countries' legislatures to be ratified and must be deemed constitutional by Colombia's constitutional court.

---

Over the last decade, the United States government through Plan Colombia and the Andean Initiative has provided billions of dollars in military aid to the Colombian government. This funding was provided despite the Colombian government's involvement in what the United Nations has categorized as one of the worst humanitarian crises in the western hemisphere.<sup>1</sup>

Despite the failure of U.S. policies to reduce coca production and end the war, the U.S. has negotiated a new free trade agreement (FTA) with Colombia. President Uribe is touting the FTA deal as a success because it maintains some of the trade preferences that were provided to Colombia under the Trade Preference and Drug Eradication Act (ATPA-DEA). A review of the Act's fifteen year track record demonstrates that diversification of exports through the Act created little employment, the jobs that were created were not located in coca growing zones, and it had little effect on drug production.<sup>2</sup> Now in order to keep these preferences, Colombia will have to reduce its tariff barriers for most imports, and agree to new rules on intellectual property, government purchasing, investment, labor and environmental protection among others..

### **What is at Stake?**

#### **Threat to communities in peaceful resistance and human security**

U.S. trade policy in Colombia is inconsistent with the stated goals of the government's drug war policy since opening Colombia's market to compete with the U.S. will actually lead to more human insecurity. The twenty-three percent of

Colombia's population employed in agriculture could be displaced by competition with U.S. imports and some may turn to coca production or affiliate with armed groups rather than migrate.

The increased militarization in the rural areas to eradicate drug trafficking and "secure the environment for investment" has already led to massive displacement and human rights violations of indigenous, Afro-Colombian, and peasant communities. The space for nonviolent organizing is narrow and dangerous as communities that resist getting involved in the war have suffered great repercussions from all sides.

In pursuing a policy of "democratic security" similar to the US's Patriot Act the Colombian government has singled out indigenous and Afro-Colombian communities as "terrorists" for resisting their policies of militarization and trade with the US. When leaders from the Nasa indigenous community organized a referendum on the free trade agreement in six mostly indigenous municipalities of the southwestern province of Cauca that mobilized 51,330 voter out of a total of 68,448 registered voters with 98 percent voting against the FTA, the President stated that there were "dark forces of terrorism" organizing these plebiscites and accused indigenous peoples of knowing nothing about trade.

Partners on the ground in Colombia are clear that this militarization process is also motivated by a desire to control land, resources and people and to create a secure environment for investment. The U.S. holds deep economic interests in Colombia, such as the need for oil

and other natural resources, and this new FTA ensures its access.

### **Threat to collective Indigenous and Afro-Colombian territories and the environment**

In an effort to prepare itself for the negotiation and implementation of the FTA, the Colombian government is “reforming” its constitution. The U.S. demands that laws be changed in order to accommodate trade agreements. In Colombia the government has preemptively changed the country’s laws to create a more secure investment environment eroding the inalienable constitutional rights granted to Indigenous and Afro-Colombian communities in the process. Now these reforms will be codified into trade rules that supersede the constitution.

The so called “forestry law” that recently passed in the Colombian Congress with significant support by the U.S. Agency of International Development (USAID)<sup>3</sup> is a clear example of this. “The law creates the concept of “vuelo forestal” (forestry overflight), which separates the land from the trees and all else above ground level, opening the door to the forests’ exploitation by multinational companies,” states an analysis of the new law from Bogotá’s University of the Andes and German Development Agencies.<sup>4</sup> While indigenous and Afro-Colombian communities collectively own some 28 million hectares of forest lands, under this forestry law they now only control the first three meters of the trees in their territory.

The erosion of collective rights is also taking place outside the legal framework with the help of the paramilitary or military. In zones like northern Chocó, the common landholdings of Afro-Colombian communities, which have been in their possession for up to a century and a half, are being appropriated by current and supposedly demobilized paramilitaries. The paramilitaries, in tandem with private companies (some of which are owned by paramilitary chiefs), are clear-cutting these areas and planting in their place African oil palms as an export crop. The new forestry law (in conjunction with similar laws on water and the high mountains that are being debated in the Colombian congress) will help legitimize such tactics to be used in other communities.

### **Threat to the Victims of Paramilitary Groups**

In Colombia, 3 million victims of the war have been internally displaced, leaving behind their ancestral lands while also supplying the urban centers and growing sweatshops with cheap labor. Colombia’s “Justice and Peace Law” guarantees victims of paramilitary groups a right to reparations. However many now wealthy paramilitary chiefs hide their property and wealth, and when “demobilized”, they are guaranteed money for entrepreneurial efforts, training, counseling, legal services and social security.<sup>5</sup> They are also likely to be involved in new business ventures such as oil palm plantations or gold mines. In contrast, victims have nothing assured and expect little of the government but to be left alone and to see their stolen land returned. As a result, demobilized and current paramilitaries will likely benefit from an FTA while victims of the war will be made more vulnerable.

### **Threat to labor rights**

Colombia is the most dangerous place on earth to be a trade unionist with more than 3,000 murdered since 1985 and 60 in 2005 alone—likely carried out by the paramilitary. Most Colombian trade unionist murders are committed by paramilitary with links to the Colombian military. The Colombian government has only managed to resolve less than 5 percent of the cases.<sup>6</sup>

Following the current trend of only asking trade partners to enforce their own existing labor standards, the trade agreement will do little to protect workers. In fact, it demonstrates the Bush Administration’s willingness to move their trade agenda forward despite the human costs.

### **Conclusion**

In this context, concerns over the trade agreement harming the most vulnerable populations in Colombia are severe. This FTA is likely to reinforce rather than reverse the most negative aspects of the United State’s failed drug war policies in the country. Communities in peaceful resistance continue to argue that the only way to find a solution to the 40 year old conflict and the drug trade in Colombia lie in dealing with the roots of the

problem which are economic, political, and social inequalities as well as negotiating an integral peace accord. These communities insist that trafficking and cultivation of cocaine and coca will only be diminished by also addressing consumption in the North.

#### **Notes**

- <sup>1</sup> *Talking Sense on Colombia*, American Friends Service Committee, 2000.
- <sup>2</sup> *The Cost of Doing Business*, American Friends Service Committee, 2004.

- <sup>3</sup> *Plan Colombia and Beyond: An ugly environmental law, with US-aided lobbying*, Adam Isacson, Center for International Policy, December 2005.
- <sup>4</sup> Ibid.
- <sup>5</sup> Isacson, Adam, '*Justice and Peace*' for *Chengue*, Center for International Policy, August 29, 2005.
- <sup>6</sup> *Annual Survey of Violations of Trade Union Rights*, International Confederation of Free Trade Unions, 2005.

For more information visit our websites at [www.afsc.org/colombia](http://www.afsc.org/colombia) or [www.afsc.org/trade-matters](http://www.afsc.org/trade-matters) or email [Colombia@afsc.org](mailto:Colombia@afsc.org) or [trade@afsc.org](mailto:trade@afsc.org)