

Protect Colombia's Peace

Why Colombia's Peace Matters to the United States and Latin America, and What the United States Can Do About It

JULY 2020

As Colombia approaches four years since the signing of a historic peace agreement, a vibrant citizen energy to build a just and lasting peace is struggling to overcome governmental reluctance to fully implement the accords and reopen negotiations with the remaining guerrilla groups. The international community must act to catalyze support for peace.

Since the signing of the peace accords in 2016, over 13,000 FARC guerrillas have demobilized, the overwhelming majority of whom remain in civilian life. The Colombian government is providing some, although far from all, of the reintegration services promised by the accords. Members of the former guerrillas can participate in politics. The tripartite transitional truth and justice system has conducted outreach to thousands of victims across Colombia and in exile.

Victims of the conflict placed their trust in the peace accords. Victims are facing their abusers in hearings and offering heart-wrenching testimony to the Special Jurisdiction for Peace (JEP) and the Truth Commission. Victims and civil society organizations pulled together hundreds of reports on the devastating impact of the conflict for the transitional justice system. Farmers and Afro-Colombian and indigenous communities organized with local governments to create the local development plans (PDETs) envisioned in the agreement. Social leaders are putting their lives on the line leading their communities to eradicate and replace coca as agreed to in the accords. A dynamic multisector civil society movement, including the Defendamos la Paz coalition, is bringing together Colombians of all walks of life, from members of the Colombian Congress to campesino leaders, in online, media, artistic, and street actions for peace. As a campesina leader [noted](#), “Why do we want to defend the peace agreement? Because it is ours. We built it.”¹

Despite this outpouring of civic action by Colombians—many of them victims of the conflict—to make the peace accords real, the government's actions have been limited and have failed to protect those risking their lives for peace.

The toll can be seen in the [over 500](#) human rights defenders and social leaders killed since the accords were signed.²

The original sin is the Colombian government's failure to bring the civilian state into areas from which the FARC withdrew—a failure that began with the Santos Administration's lack of a post-agreement plan and intensified with the Duque Administration's deliberate underinvestment in peace accord implementation. Paramilitary successor groups, ELN, dissident FARC, and drug trafficking networks are occupying the space that the Colombian

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This report is a collaborative effort by U.S. and Colombian civil society organizations, including the following organizations and networks:



government failed to claim. According to the International Committee of the Red Cross, in 2019, [25,303](#) people were internally displaced in mass displacements in Colombia while 27,694 were confined by conflicts, with the areas hardest hit being Nariño, Chocó, and Antioquia. Antipersonnel mines and explosives harmed 352 people, of whom 42 were killed. “Life without fear is overdue in Colombia,” [declared](#) the head of the ICRC in Colombia.³

Yet it is not too late to invest in Colombia’s peace.

Why Does Colombia’s Peace Matter to the United States?

If implemented well, this comprehensive peace agreement would end the Western Hemisphere’s longest running conflict, a war that has cost the lives of over [261,000](#) people, the vast majority of them civilians, and forced nearly 8 million Colombians to flee their homes, a level of internal displacement on the order of Syria.⁴ The accords offer Colombia a roadmap to modernize and address the needs of abandoned areas of the countryside, tackle illicit drug production, trafficking and organized crime more sustainably, and solve deep-seated problems that fuel violence and inequality.

For the United States, much is at stake if Colombia fails to implement the accords. As the Venezuelan tragedy unfolds next door, Colombia is playing a critical role offering refuge to [nearly 1.8 million](#) Venezuelan migrants.⁵ This is not sustainable, and the crisis will worsen immeasurably if Colombia’s own violence intensifies. Colombia’s conflict affects the Latin American region, and the consolidation of peace is an asset to its neighbors.

Only if peace gains ground in the former conflict zones, which are also the principal areas of coca production, will sustainable advances be realized in reducing coca production, drug trafficking, and organized crime—the United States’ principal policy goals in Colombia for the last four decades. And finally, the U.S. government’s diplomatic efforts were a crucial factor in reaching a peace agreement: this wise investment should not be wasted.

If the conflict continues, Colombia’s rural poor, including Afro-Colombian and indigenous communities, small farmers, women and children, will once again bear the brunt of the violence. Another generation of Colombia’s valiant and vibrant human rights and social leaders will be displaced, exiled, or killed.

This report outlines the promises of and challenges for peace in Colombia and recommends ways the United States can contribute to sustainable solutions. If U.S. policymakers act boldly to encourage compliance with the accords, it is not too late to preserve Colombia’s fragile peace.

The Promise of Colombia's Peace Accords

The peace agreement requires the Colombian state to provide, in the areas affected by the conflict, the basic services that all governments should offer their citizens: education, health services, roads, a justice system, public security, access to land and secure land titles, opportunities to make a living, the right to vote and participate in politics, and protection for citizens' rights. These conflict zones lacked minimal services and infrastructure. Guerrilla and paramilitary forces were often the main authorities, and these forces and organized crime penetrated local and regional governments. The state's presence, when it existed at all, was largely military.

The accords offer an opportunity for the government to extend civilian authority over these neglected regions. By formalizing landholdings of family farmers and Afro-Colombian and indigenous communities and distributing land to those without, they aim to reduce inequality and conflict. The accords require the government to reintegrate FARC ex-combatants into the national economy and society and provide protection, essential to prevent ex-combatants from rearming. In a first for a peace agreement, Colombia's accords include an innovative "drug chapter" that commits the ex-guerrillas to abandon the drug trade and assist in eradication while committing the government to work with communities to replace illicit drug crops with sustainable livelihoods.

The agreement provides an opportunity to right historical wrongs. Colombia's peace process is celebrated for its inclusion of women peacebuilders, whose spirited advocacy ensured incorporation of a gender focus in all chapters of the agreement and the participation of women and LGBTQ+ Colombians in its implementation. The accords include an ethnic chapter, created with ethnic authorities, that transversally applies throughout the agreement and ensures the protection of collective land rights for Afro-Colombian and indigenous communities. Victims of violence by all armed actors are placed at the center of the accords, which seek to ensure their rights to truth, justice, reparations, and the "guarantee of non-repetition"—the promise that the brutal past will not be repeated. It sets up three transitional justice mechanisms, a Truth Commission, a Unit to Search for the Disappeared, and a mechanism for restorative justice and accountability, the Special Jurisdiction for Peace.

Like all peace accords, this agreement is the product of difficult tradeoffs between peace and justice. Accord critics were concerned that FARC leaders—or for that matter, military officers—implicated in grave human rights abuses receive no jail time, but only reduced five- to eight-year non-jail sanctions, if they confess their crimes. Yet this accord provides more justice for grave human rights abuses than any previous peace agreement in history.

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Advances & Challenges in Peace Accord Implementation

Reintegration of ex-combatants

Security for ex-combatants is a serious challenge: 200 former combatants have been killed and 14 disappeared since the signing of the peace accords.

While reintegration of ex-combatants into civilian life has progressed, the Colombian government should fully honor its commitments to transition ex-combatants into productive, sustainable livelihoods and to protect their lives. At the same time, members of the FARC, despite valid concerns about the government's full compliance with peace accord provisions, must maintain their own commitment to reintegrate into Colombian society.

The vast majority of the over [13,000](#) guerrilla fighters demobilized in 2016 remain in civilian life.⁶ The rearmament of several top leaders, including Jesús Santrich who abandoned his seat in Colombia's legislature and announced a return to arms in August 2019, was deeply concerning, but relatively few demobilized FARC members followed in their wake. Nonetheless, failure to provide adequate reintegration and protection to former FARC members will result in increased numbers taking up arms again, whether in dissident FARC or in other criminal groups. Already, there are some [2,400](#) FARC dissidents operating in 15 departments and 85 municipalities (of whom perhaps 1,000 were guerrillas who went through the demobilization process).⁷

Over [5,200](#) ex-FARC members are engaged in academic activities,⁸ while over [1,760](#) are enrolled in vocational training.⁹ While women ex-combatants are taking advantage of educational opportunities, access to employment is limited by lack of access to childcare. [Ninety-eight percent](#) of demobilized combatants are registered with the national health care system.¹⁰

Economic reintegration has progressed more slowly. Ex-combatants have received monthly stipends. However, only [30 percent](#) of ex-combatants receive support from the Colombian government for productive projects¹¹ (48 collective projects have received funds, benefiting [2245](#) ex-combatants, with 9 more projects slated to be funded; individual projects benefit [1535](#) ex-combatants).¹² [More than two-thirds](#) of the collective projects approved as of March 2020 are on rented land. Land titles must be provided for these projects to be sustainable.¹³

Living conditions for many former guerrillas remain precarious. Many lack adequate housing, access to health care, and food security.

Ex-combatants are participating in the political process. The FARC party endorsed over [300 candidates](#) in local and regional elections in October 2019, only some of whom were ex-combatants. Twelve of these candidates were elected.¹⁴

Security for ex-combatants is a serious challenge: [200](#) former combatants have been killed and 14 disappeared since the signing of the peace accord.¹⁵ The most violent year for ex-combatants was 2019, with 77 killings, compared with 65 in 2018 and 31 in 2017. In one disturbing case, ex-combatant Dimar Torres was killed at the orders of a military officer in April 2019. The protection program specifically intended for ex-combatants lacks adequate funding. Seventeen ex-combatants were [killed](#) while awaiting protection measures.¹⁶

Integrated system for truth, justice, reparations, and non-recurrence

The transitional justice system set up by the peace accords is advancing despite considerable obstacles, including the initial challenges by the Duque Administration to certain provisions in legislation establishing the Special Jurisdiction for Peace and its reluctance to provide adequate budgets for all three institutions. The system has set up 66 field presences, giving it territorial outreach to enhance victims' participation.

The Special Jurisdiction for Peace is examining a set of emblematic, collective cases—including kidnapping by the FARC, extrajudicial executions by the armed forces (“false positives”), the human rights and humanitarian situation in specific areas of the country (Urabá, Chocó/Antioquia, Nariño, Northern Cauca/Southern Valle del Cauca), the killings of Patriotic Union party members, and forced recruitment of children. Some [265,000](#) victims have been accredited in relation to these seven cases. More collective cases may be opened.¹⁷

After two years of operation, [12,325](#) people have asked to be under the JEP's jurisdiction (which requires confessing their crimes in order to receive benefits of reduced penalties). Of those, 9,720 are former guerrilla members; 2,431 are members of the Colombian armed forces; 72 are other state agents; and 12 are related to social protest. The JEP has already made over 16,500 judicial determinations, such as whether to provisionally set free individuals in prison or whether to strip away transitional justice benefits for those alleged to violate its terms.¹⁸

In the false positives case, over two hundred soldiers and armed forces officials [confessed](#) their crimes to JEP magistrates.¹⁹ But in a challenge to the authority of the JEP, a former head of the army, Mario Montoya—under whose watch thousands of extrajudicial executions occurred—brazenly blamed the crimes on uneducated soldiers who misinterpreted his orders, rather than accepting responsibility and sharing truth, requirements for receiving benefits from the JEP. Few top-ranking members of the military implicated in the “false positive” extrajudicial executions scandal, in which over 5,000 people, largely young men, were killed, dressed up in guerrilla uniforms and claimed as enemy dead, have been appearing before the JEP. This is largely because investigations of these crimes by the regular justice system have been halted, removing the incentive for officials to appear before the JEP. Even the case of former head of the army Nicacio Martínez has not been advancing in the civilian justice system, despite investigations opened into 23 extrajudicial executions allegedly committed by soldiers under his command. In contrast, mid-level commanders who have appeared before the JEP, told the truth and recognized their victims have themselves then been [threatened](#) and physically attacked.²⁰

The extent of the military backlash against reforms and the advance of the peace accords surfaced with yet another wiretapping scandal in 2020. Colombian Army intelligence units compiled detailed dossiers on the personal lives and activities of at least 130 Colombian and U.S. journalists, human rights defenders, politicians, judges, union leaders, and possible military whistleblowers. These illegal activities were apparently carried out with U.S. equipment.

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The Truth Commission has taken over [11,700](#) testimonies from victims and their families throughout Colombia and in exile as well as from ex-combatants and others.²¹ It started the process of analyzing the information it has collected in April 2020. The Unit to Search for the Disappeared has gathered input from victims throughout the country to create a national search plan and received requests from over 4,000 people to carry out searches, although it has been slow to start the search process. The Search Unit registers [over 83,000 forced disappearances](#) in Colombia²² and it has identified [599](#) disappeared people who never were registered in other databases.²³

The impact of the COVID-19 virus requires an updating of the timeline for the three institutions and for peace accord implementation in general. The quarantine and disruption caused by COVID-19 is delaying planned outreach efforts, for example, for the Truth Commission's short timeline.

The rights and inclusion of victims

The accords promised to “put victims at the center,” and victims provided crucial input into the negotiations in Havana. In terms of implementation, victims have had significant access to the three institutions of the transitional justice system, as well as input in local victims’ roundtables and other local and regional processes. An important step forward was President Duque’s commitment to extend the timeline of the Victims’ Law of 2011, which was set to expire—the law which predated and helped to pave the way for the peace accords, providing reparations and restitution of land to victims of the conflict.

Yet victims’ rights have not been fully honored. The accords promised 16 congressional seats to victims in the conflict zones in order to address their exclusion from national political life. However, President Duque’s party in the Congress repeatedly blocked establishing these seats. Moreover, President Duque appointed controversial officials to key posts with power over victims’ rights, including placing as head of the Center for Historical Memory a historian [who denied](#) that an armed conflict had taken place in Colombia, a position that can lead to discounting the suffering of victims of state or paramilitary actors.²⁴ Some human rights groups requested their archives be removed from the Center, and a network of historical memory sites across Latin America revoked its membership. The government then [appointed](#) the son of Rodrigo Tovar alias “Jorge 40,” one of the most brutal paramilitary leaders, as the Interior Ministry’s coordinator of victims’ issues.²⁵

The government has failed to provide meaningful protection for the victims presenting or litigating cases in the transitional justice system, or for the human rights advocates accompanying victims in these efforts. Disturbingly, victims’ representatives to “*mesas de víctimas*” and other task forces set up in conflict areas to oversee peace accord implementation have received death threats, and some have been attacked or killed. As a result, some victims’ leaders have withdrawn from the process. Similarly, victims reclaiming land from which they were displaced lack protection and support and are exposed to danger.

Rural reforms: The heart of the accords

Chapter 1 of the peace accords sets out a comprehensive plan for rural reform to structurally transform the countryside, with measures designed for greater inclusion and equality,

reduction of poverty, and guaranteed full enjoyment of citizens' rights. Measures for the democratization of access to land and its appropriate use are central to peace in Colombia, which has the most unequal distribution of land in all of Latin America—the region with the highest levels of inequality worldwide.

Commitments in chapter 1 are intended to ensure access to land for rural women and the most vulnerable communities, in line with article 64 of Colombia's 1991 Constitution. Provisions are set out to distribute land to those with little or no land through a Land Fund, and to formalize tenure for those without secure legal rights to their land through titling. Additional provisions, including a multipurpose cadaster, are intended to promote appropriate, productive, and sustainable use of land and to transparently regularize land ownership.

Furthermore, the peace accords explicitly recognize that access to land, though a prerequisite, is insufficient for transformation of the countryside. Therefore, measures in chapter 1 also include creation of equitable development programs in rural territories with the participation of local populations (through Territorially Focused Development Plans or PDETs), as well as development and implementation of 16 national plans to ensure adequate and equitable access to public goods and services (such as education, health, and infrastructure) in rural areas.

Progress with implementation of provisions in chapter 1 has been particularly slow and uneven. The Land Fund has not distributed a single hectare of land and it is still far from acquiring the 3 million hectares of land promised for distribution. Furthermore, legislation is under consideration that could limit sources of land for the Fund by diverting vacant public land (*baldíos*) from its intended use by the landless and land poor to instead benefit large business initiatives.

There are also concerns with implementation of the multi-purpose cadaster—a huge undertaking that, if done well, could create an information system to increase transparency, help regularize property ownership and reduce land concentration. But the devil is in the details, and in remote areas with little if any effective state presence, outsourcing services to the private sector can mean that actors with strong economic interests could end up skewing the system in their favor, in effect legalizing the displacement of campesino and ethnic communities from their land.

Delays and inadequate implementation of much of chapter 1 are also related to the limited funding from the government, whose 2020 budget further reduced funds available for government agencies charged with implementing its provisions. Thus, the Territorially Focused Development Plans (PDETs), which engaged community participation in 170 municipalities, still only exist on paper. Their implementation requires substantial funding, as well as time, and it is crucial that the implementation process involve strong community participation. Scant progress has been made with implementation of the 16 national plans, meaning there has been no effective change on the ground for rural communities in urgent need of public goods and services. Rather than advancing on these plans created with broad participation, the Duque Administration is emphasizing the “zones of the future,” which appear to be similar to the military-dominated “consolidation zones” program launched by the Uribe Administration.

Progress with implementation of the rural reform chapter of the accords has been particularly slow and uneven. The Land Fund has not distributed a single hectare of land.

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The ethnic chapter: Visionary but still out of reach

According to the National Afro-Colombian Peace Council (CONPA), the accords “[open](#) up various opportunities and offer processes and concrete tools to advance towards the full guarantee of ethnic rights. Yet these have not been used. To the contrary... the armed conflict is reemerging and Afro-Colombian communities face serious risks of violations of fundamental rights, and indeed the physical and cultural extermination of their communities.”²⁶

The Duque Administration has shown little interest in advancing ethnic rights and implementing the ethnic chapter of the agreement. Despite High Commissioner for Stabilization Emilio Archila’s July 2019 public commitment to do so, the government has not worked with the High-Level Special Instance with Ethnic Peoples to Monitor the Implementation of the Agreements (IEANPE), the entity set up to guarantee application of the ethnic chapter and to ensure ethnic people’s input into peace accord implementation. With no government support, ethnic organizations are autonomously trying to advance peace accord implementation on their own. The lack of governmental support not only impedes implementation of peace in ethnic areas, but also goes against the State’s obligations under Constitutional Court orders 004, 005, and 006 of 2009 and order 091 of 2017 (which covers the defenseless situation faced by Afro-Colombian and indigenous peoples in Chocó due to the generalized violence) to safeguard the rights of these populations.

The Colombian government has not advanced the ethnic protection mechanisms, including the indigenous and Afro-Colombian “cimarrona” guards, established in the accords. Nor has it followed through on commitments to demine ethnic territories, including those agreed upon with the Embera peoples in Puerto Libertador and Ituango, the Jiw and Nukak in Guaviare and Meta, and the Awá in Nariño. Even the cases that the peace accords single out for attention—the community councils of Alto Mira and Frontera, Buenos Aires municipality and Alsacia, Cauca—have not advanced. Rather, the government has focused on hardline security measures, which for decades of internal armed conflict not only failed to protect the rights of ethnic minorities, but generated abuses by the public security forces against such populations. Unless immediate action is taken, the physical and cultural extermination of ethnic peoples will continue.

Indeed, Afro-Colombian and indigenous persons are facing severe security challenges in rural and urban areas. According to the Afro-Colombian Peace Council (CONPA) and the Consultancy for Human Rights and Displacement (CODHES), 20,231 Afro-Colombian and indigenous persons became newly displaced in 2019. In the first quarter of 2020, another 7,000 Afro-Colombian and indigenous persons were displaced. Forty-nine ethnic minority social leaders were killed in 2019—41 indigenous and 8 Afro-Colombian. Communities faced acute emergency situations (security and humanitarian) in Chocó, Nariño, Valle del Cauca, Cauca, and la Guajira.

Nor are the rural chapter provisions being properly implemented for and with ethnic communities. The implementation of PDETs in the collective territories of ethnic groups has not begun. The government claims this is due to lack of progress on jointly constructing with ethnic authorities the protocol for the Special Mechanism for Prior Consultation established by Decree 893 of 2017. However, the government has not even called for a meeting with the High-Level Special Instance with Ethnic Peoples since March 2018, when plans for 14 of the 16 PDETs were finalized. At the regional level, the government is prioritizing

large-scale economic projects instead of strengthening social organizations and smaller economic projects as envisioned in the PDETs.

Without the advancement of comprehensive rural reform, territorial and socio-environmental conflicts in ethnic areas of the Amazon, Macarena, southern Meta, Guaviare, Caquetá, and Putumayo are intensifying. Paramilitary structures are strengthening their control in important areas of the Pacific and Catatumbo.

In a positive development, both the Special Jurisdiction for Peace and the Truth Commission actively engaged Afro-Colombian and indigenous victims and encouraged their participation in hearings and macro-cases that raised awareness of the differentiated impact of the conflict on ethnic groups.

Women, LGBTQ+ persons and Colombia's peace

With gender serving as a guiding principle and 130 affirmative measures that promote equal rights and participation of women, the 2016 peace accords are praiseworthy. The level of integration of the gender perspective is impressive throughout the accords, but the implementation of these provisions is slow.

Indeed, [according](#) to the Kroc Institute for International Peace Studies, implementation of the gender provisions of the accords lags behind the general rate of implementation.²⁷ While in part this stems from the structural nature of the gender measures, the slow progress is also due to lack of government resources and attention devoted to their implementation. Problems flagged by women's organizations include the need for greater progress in land titling and restitution to women, the need for greater attention to health care for women ex-combatants, and the need to fully implement measures to promote women's participation in rural reform and crop substitution programs.

Nonetheless, the peace accords have opened up new spaces for women's participation and leadership. Yet this has also increased the risks for women. The United Nations High Commissioner for Human Rights office in Colombia documented 36 murders of women leaders from 2016 through September 2019,²⁸ while the National Ombudsman's office documented 447 threats from February 2018 through May 2019.²⁹ From 2019 through the first part of 2020, threats against rural women, including campesina leaders and ethnic leaders, have increased, linked to their struggles for access to land and land restitution, to protect the environment, and to substitute illicit crops.

The accords are also groundbreaking because they recognize LGBTQ+ persons as victims of the conflict and propose a gendered approach to address past injustices. They include guarantees for the political participation of LGBTQ+ persons well as for measures to improve access to justice and specialized task forces to address the most severe crimes these victims experienced. Sadly, the backlash against and false description of the gender and LGBTQ+ peace accord provisions by the anti-peace forces in their "No" campaign on the 2016 peace referendum abruptly slowed the momentum that had been gained by LGBTQ+ activists in the past decade. It also became a major impediment to implementing gender and LGBTQ+ rights post-agreement.

Yet LGBTQ+ Colombians moved forward, presenting pioneering [reports](#) from Alianza Voces LGBT to the Special Jurisdiction for Peace documenting crimes against humanity

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The security situation of human rights defenders and social leaders in Colombia is extremely critical—and inexcusable. According to the Office of the High Commissioner for Human Rights in Colombia, 108 defenders were killed in 2019. According to the Institute for Peace and Development Studies, as of the end of June, 153 human rights defenders and social leaders had been killed in 2020.

committed by the conflict's armed actors against LGBTQ+ persons. The JEP's 002 and 004 macro-cases include cases submitted in these reports.³⁰

While herstory was made in 2019 when Bogotá elected its first openly lesbian mayor, Claudia López, LGBTQ+ persons face discrimination and mistreatment on a daily basis. Violence against gender non-conforming people remains normalized. According to Caribe Afirmativo, between 2007 and 2019 there were 206 violent deaths attributed to the victims' sexual orientation or gender identity on the Caribbean coast.

Victims of such violence often cannot access justice. While the Attorney General's office is improving its response, there is still a long way to go. Caribe Afirmativo reports that homicides, threats, and police violence against LGBTQ+ Colombians persists due to institutions' lack of willingness to target and address the differentiated forms of violence they face. Investigations are mostly ineffective, leading to a sub-registry and shelving of unresolved cases, and most crimes remain in impunity.

Inexcusable: The Dire Situation of Social Leaders and Human Rights Defenders

The security situation of human rights defenders and social leaders in Colombia is extremely critical—and inexcusable. According to the [Office of the High Commissioner for Human Rights in Colombia](#) (OHCHR), 108 defenders were killed in 2019, including a 50 percent increase in attacks against women defenders in comparison with the previous year.³¹ These figures, confirmed by the international organization [Frontline Defenders](#), mean that more human rights defenders are killed in Colombia than anywhere else in the world.³² In addition to attacks and killings, the number of threats has increased dramatically, with the OHCHR reporting that in 2019 the number of threats doubled from the previous year. During the first months of 2020, the situation did not improve. According to [the Institute for Peace and Development Studies](#) (INDEPAZ), as of the end of June 2020, 153 human rights defenders and social leaders had been [killed](#).³³

These cases are seldom effectively investigated and prosecuted. During a September 2019 hearing on the issue of threats to human rights defenders and social leaders in Colombia at the Inter-American Commission on Human Rights, [civil society organizations reported](#) that in the first six months of 2019 alone over 477 social leaders received threats and that the Office of the Attorney General lacks resources for investigating these cases.³⁴ In the case of attacks and killings against human rights defenders, the picture is very similar: the number of sentences and convictions is low and almost never includes the masterminds of the crimes. The impunity rate of crimes against human rights defenders is approximately 95 percent [according](#) to Somos Defensores.³⁵

As a response to this grave situation, the peace accords provided a comprehensive set of measures for the protection of human rights defenders and social leaders to contribute to the reduction of existing risk factors. For example, the accords created the National Commission for Security Guarantees, which has the mandate to develop and implement a public policy for the dismantling of neo-paramilitary structures. This Commission is not actively operating as the peace accords mandate. In response to this, civil society representatives appointed to the Commission [presented their own plan](#) for the dismantling of neo-para-

military structures.³⁶ The accords also mandated that measures for the prevention and protection of social leaders, communities, and organizations should be carried out through Decree 660. However, the implementation of this decree is not a priority of the Duque Administration, which has selected some pilot projects but has not even launched them.

Instead of building on existing protection measures and developing the mechanisms included in the peace accord, the Duque Administration is working on its own public policy for the protection of human rights defenders and social leaders. This plan is based on the *Plan de Acción Oportuna de Prevención y Protección para los Defensores de Derechos Humanos, Líderes Sociales y Comunales (PAO)* which was launched soon after Duque took office and was criticized by human rights defenders for being developed without their input. As of the end of June 2020, the promised public policy has not yet been launched, while civil society representatives have withdrawn [from the process](#), arguing that the government is pushing for protection measures with an emphasis on militarizing territories, and failing to include the mechanisms agreed to in the peace accords.³⁷

Furthermore, there continues to be serious criticism of the work of the National Protection Unit, the body that is responsible for the implementation of protection measures for social leaders and human rights defenders. It continues to have a narrow approach to protection with a limited focus on physical protection without properly consulting with beneficiaries, it does not sufficiently address collective as well as individual protection needs, and it fails to sufficiently use differential approaches based on gender, ethnicity, and geographic location. For example, [according to the OHCHR](#), only 0.22 percent of the National Protection Unit budget went to collective protection measures.³⁸ Beneficiaries of the National Protection Unit continue to have serious concerns regarding the use of the information gathered by bodyguards, which was made worse with recent [revelations](#) that some bodyguards leaked and sold information to criminal groups.³⁹

Finally, it is concerning that with such a dire situation the response of the Duque government is mostly to deny the seriousness of the problem. The Colombian government's incensed reaction to the annual report of OHCHR and also to the [report](#) submitted to the UN Human Rights Council by the Special Rapporteur for Human Rights Defenders, Michel Forst, shows a government unwilling to listen to recommendations or to support the work of human rights defenders and social leaders.⁴⁰ The [statement](#) by Minister of Interior Alicia Arango that in Colombia “more people die from cell phone theft than for being human rights defenders” vividly demonstrated this callous response.⁴¹

Drug Policy – Back to the Past, or on to the Future?

The White House [announced](#) in March 2020⁴² that U.S. agencies had measured 212,000 hectares of coca grown in Colombia in 2019, up from 78,000 in [2012](#).⁴³ It estimated that traffickers used this coca to produce 951 metric tons of cocaine. Both numbers were records, and slight increases over 2018. The U.S. estimates had generally tracked with UN Office on Drugs and Crime (UNODC) which, though arriving at lower numbers, showed a trendline of sharply increased coca cultivation and cocaine production after 2012. However, the UNODC [estimate](#) released in June 2020 found a 9 percent reduction in Colombian coca cultivation in 2019, diverging broadly from the U.S. finding.⁴⁴

The end of aerial fumigation is a factor in the post-2012 increase in coca growing—though we should better understand this situation as the Santos Administration terminating the program and not replacing it with anything. People in the rural areas where coca is grown got a reprieve from the spray planes flying overhead, but they saw no other difference in their daily lives on the ground.

The increase is not causing an epidemic of U.S. cocaine abuse. Inside the United States, [government data](#) show just a modest increase in cocaine seizures and reported use. The DEA's latest *National Drug Threat Assessment* finds that most of the increased cocaine in the world market is not going to the United States. "Traffickers may have changed tactics," it reads, "and begun to smuggle more cocaine to Europe, Asia, and Australia instead of the United States for the higher potential profits."⁴⁵

In 2019, the Duque government ramped up forced manual eradication to record levels. Teams of coca eradicators reported tearing up over 95,000 hectares of coca fields in 2019. And under heavy pressure from the Trump Administration, the Duque government is moving toward reviving a U.S.-funded program to use aircraft to spray the herbicide glyphosate over coca-growing zones.

This aerial fumigation program sprayed 1.8 million hectares of Colombian territory with glyphosate between 1994 and 2015, an area equal to the entirety of Connecticut and Rhode Island. Fumigation was suspended in 2015 when a World Health Organization finding that glyphosate may cause cancer led the Santos Administration to call a halt to it. In June 2020 Bayer, the company that now sells the most widely available glyphosate herbicide, Round-Up, [agreed](#) to a \$10 billion settlement with a class of plaintiffs claiming to have developed cancer from glyphosate use.⁴⁶

The end of aerial fumigation is a factor in the post-2012 increase in coca growing—though we should better understand this situation as the Santos Administration terminating the program *and not replacing it with anything*. People in the rural areas where coca is grown got a reprieve from the spray planes flying overhead, but they saw no other difference in their daily lives on the ground. They continued to go months or years without seeing government representatives, without security, without access to justice, without land titles, roads, or other services. The only change was no spraying. Sadly, this remained the case after the peace accords were signed: the government's slow implementation of the accords' rural provisions meant more meetings with officials and more promises than before, but little delivery.

The end of fumigation and lack of governance were just part of a larger "[perfect storm](#)" of causes contributing to Colombia's coca boom.⁴⁷ The price of gold—which had shot up after the 2008 financial crisis and which is illicitly mined in many ungoverned coca-growing territories—declined; many coca-growers who had switched to illicit precious-metals mining after 2008 switched back to coca. Colombia's peso lost value against the dollar, making the farm-gate price of coca, while the same in dollars, look much higher in Colombian pesos.

The Trump and Duque governments are betting that, if Colombia can satisfy health, environmental, reparations, and prior-consultation conditions that the country's Constitutional Court set for aerial fumigation in 2017, a renewed spray program can bring reductions in coca-growing. They may be right—but only in the short term and with many costs, including to consolidation of peace. The [experience of Plan Colombia in the 2000s decade](#) showed that fumigation can reduce coca cultivation. But like a crash diet that may take off pounds but lead to a weight gain in the aftermath, these reductions don't last.⁴⁸

In 2000, the initial "Plan Colombia" aid package funded a dramatic increase in fumigation. Planes sprayed massively in areas of southern Colombia, like Putumayo, where coca cultivation was concentrated. But the spraying came with little effort to bring services or a

functioning government presence into these areas. By 2003, coca had declined, but progress stopped in 2004. And then, through 2007, coca cultivation started to increase again—even as aerial spraying increased to record levels.

With no government on the ground and no other economic options, coca-growing families adjusted to the spray planes. They migrated elsewhere to grow the crop, cutting down forests and turning regions like Nariño into new cultivation centers. They grew in shade to make the plots harder to detect. They cut back the plants after the spray planes passed overhead, losing a harvest but saving the crop.

Coca declined between 2008 and 2012, but not because of fumigation, which also declined during those years. That period saw an increase in manual eradication—which requires some on-the-ground presence and eradicates the crop, not a harvest—and some effort to introduce government into abandoned areas. But the manual eradication proved to be dangerous and expensive while generating confrontations with protesting growers. And the “government presence” effort—the U.S.-backed “National Territorial Consolidation Program”—ended up being a mostly military program that the Santos government [eventually ceased](#).⁴⁹ Then in 2014, coca cultivation began to increase again.

This is a frustrating story. The answer to this conundrum is evident, but it’s not politically easy. The way out isn’t through spraying from aircraft overhead, but by ending Colombia’s history of neglecting rural populations on the ground and instead working with them as partners in development. Coca will persist as long as [about half](#) of the country’s farmers lack title to their land,⁵⁰ and as long as entire communities [use coca paste as money](#) because the government is so far off that even currency is hard to obtain.⁵¹

State presence oriented toward participatory economic development is essential. This means *civilian* state presence, not military deployments. It also means state presence without impunity: officials who are corrupt or abuse human rights do more harm than good. State presence means massive titling of small farmer and community landholdings: people with clear title to the land they farm generally don’t grow coca, because they’d risk losing their land. It means farm-to-market roads. It means a justice system that is accessible to all. And it means credible security protections for community leaders who are risking their lives to accompany the entry of government and related development programs.

State presence for participatory development is the only way Colombia will ever achieve more than fleeting reductions in coca cultivation. And it is not a pipe dream: the blueprint already exists in the rural reform chapter of the accords, including land titling and distribution, and the PDETS which were developed between 2017 and 2019 with conflict-hit communities in 170 municipalities. It is now up to Colombia to implement them and make them reality.

Of course, it takes a long time to build state presence and help abandoned areas become economically viable. And Colombia is under pressure to bring short-term reductions in coca cultivation now. There are two ways to alleviate that pressure.

First, continue—and expand coverage of—the crop substitution program agreed under the peace agreement’s drug policy chapter, ensuring its full implementation. This is not a great model if it happens without a real “government presence” effort: it just provides two years of assistance to growers, who are then left on their own afterward, and even that aid is

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badly behind schedule. But it can work. The accord's National Comprehensive Substitution Program got 99,097 coca-growing families to commit to eradicating their own crop, and got rid of 40,506 hectares of coca with only 0.4 percent replanting, [according](#) to UNODC estimates.⁵² To ensure families don't grow coca again after the two years expire, the government needs to keep these families from slipping through the cracks as they await construction of state presence through the PDETs.

Second, Colombia could be doing far more on interdiction, as transshipment is more lucrative for organized crime than coca growing, and since the product must pass through geographic choke points. It's remarkable that thousands of tons of precursor chemicals—cement, gasoline, acetone—so easily make their way into sparsely populated zones where such large cargo would stand out. It's remarkable that so many rivers used by traffickers don't even have authorities stationed at their mouths. It's remarkable that communities dare to [denounce](#) that security forces do nothing about the go-fast boats passing by their riverside towns, yet almost nothing happens.⁵³ More effective interdiction would buy time for state presence.

And finally, more progress could be made with coca eradication if the focus were on households rather than hectares. Most coca cultivation is the product of families working small plots of land. Each earns an average of [\\$130 per month](#) from the crop—a pittance, especially compared to the money that traffickers take in.⁵⁴

What the United States should not do is pressure the Colombian government to restart aerial spraying nor send military personnel, which it did in May 2020, to advise Colombia's counternarcotics strategy. Eradication backed by military force and aerial spraying will undercut not only the drug policy chapter of the peace accords and rural inhabitants' tenuous faith in government but also the prospects for a more sustainable drug policy.

An effective drug policy in Colombia wouldn't measure progress by "hectares" at all. It would measure the number of families, or households, that are still forced by statelessness and poverty to live off of the coca crop—[estimated](#) by UNODC in 2018 at 119,500 families.⁵⁵ A more effective policy is a more humane policy: one that focuses on those families, increasing, as quickly as possible, the number that live in territories with a functioning state, land rights, basic safety, development assistance, and low impunity. The peace accords point the way.

The Perilous Situation of Venezuelan Migrants and Refugees—and the Impact on Colombia

Colombia stands out in the region for its positive response to people fleeing Venezuela. Over 1.8 million Venezuelans, the largest share of Venezuela's diaspora, are now in Colombia. The Colombian government has provided basic assistance and temporary legal status for Venezuelans. Children are allowed to study, babies born in Colombia receive legal status, and Venezuelans are allowed to work and access government services. Colombian churches and civil society organizations are playing a vital role in helping Venezuelan refugees forge ways to survive and rebuild their lives. Yet many Venezuelan migrants and refugees are still without recourse, unable to navigate Colombia's complex bureaucracy for

emergency aid or to find more permanent livelihoods and living situations. Destitute women and girls are highly vulnerable to recruitment to sex trafficking. Venezuelan migrants are sleeping in the streets and parks of Colombia's towns and cities.

Moreover, the influx, which will likely only increase, strains Colombia's governmental and societal capacity.⁵⁶ Colombia is still a country in conflict, with its own ongoing internal displacement. Unemployed Venezuelan refugees and migrants provide a recruiting ground for Colombia's illegal armed groups and drug traffickers, which contributes to the unraveling of Colombia's still tentative steps towards peace. And with the enormous unmet needs of Colombia's own rural and urban poor, xenophobic backlash against the Venezuelan population will grow.

As Refugees International [summarized](#) the volatile situation⁵⁷:

These recent developments underscore how the deteriorating internal displacement crisis is colliding with the increasing pressures created by the influx of Venezuelans, exacerbating the humanitarian consequences for all. As donors and humanitarians have shifted their programming to address the needs of displaced Venezuelans, the country's internally displaced population is increasingly marginalized and neglected. Many refugees and migrants settle in the same communities where Colombian internally displaced people (IDPs) reside, leaving these two highly vulnerable populations to compete for resources. This trend could be aggravated by plans to scale down the presence of the UN Office for the Coordination of Humanitarian Affairs (OCHA)—the UN body responsible for coordinating the response to Colombia's IDP crisis.

To address this reality, the response must increasingly support mid- to long-term measures that benefit both displaced populations as well as their host communities. The situation demands solutions that facilitate Venezuelans' social and economic integration into host communities, even as immediate humanitarian aid remains critical for those newly streaming across the border. Additional support from the international community is critical. Without it, Colombia cannot maintain its generous policies for Venezuelans or address the needs of its own citizens. Such support would create incentives for other states to model Colombia's approach and promote greater stability nationally and regionally. Ultimately, a comprehensive response backed by adequate resources is essential for Colombia to provide the protections and assistance due to all displaced people inside its borders.

Since the COVID-19 pandemic, thousands of Venezuelans without income or shelter have been [returning](#) to their country—but many others have been unable to do so.⁵⁸ During the pandemic, there is an even more urgent need for funding for Colombian municipalities and humanitarian agencies to provide assistance to Venezuelan migrants who are jobless and living on the streets.

U.S. Policy: Political Support for Peace Diminishing, but Still Present

The United States played a crucial role in advancing peace in Colombia. The Obama Administration nominated a special envoy, Bernard Aronson, as its liaison to the negotiating

While well-targeted U.S. foreign assistance for peace accord implementation continues, U.S. diplomatic support for implementation from the White House and Secretary of State has sharply diminished, largely replaced with near-exclusive focus on illicit drug production and the crisis in Venezuela.

table. U.S. encouragement helped the parties overcome obstacles, reach and then revise the accord. U.S. financial support via USAID for peace accord implementation, victims' organizations, and Afro-Colombian and indigenous communities has been strategic and beneficial. The U.S. Institute for Peace helped elevate the role of women peacebuilders and has shone a spotlight on implementation issues. Congressional advocacy, expressed in letters and statements, has encouraged advances in peace accord implementation and spurred action to protect some social leaders.

The counterproductive decision not to remove the FARC from the U.S. terrorist list despite having demobilized has been a complicating factor. It has unfortunately prevented the U.S. government from funding reintegration programs for the FARC ex-combatants, supporting the transitional justice mechanism, or supporting crop-substitution efforts with ex-combatant involvement.

In the last several years, while well-targeted U.S. foreign assistance for peace accord implementation continues, U.S. diplomatic support for peace accord implementation, at least from the White House and the Secretary of State, has sharply diminished, largely replaced with near-exclusive focus on illicit drug production and the crisis in Venezuela. In the U.S. Congress, a strong group of members still care deeply about the situation of Colombia's human rights defenders and the status of peace accord implementation, as witnessed by a July 2020 [letter](#) led by Representatives Jim McGovern (D-MA) and Mark Pocan (D-WI), signed by 94 members.⁵⁹ Yet many members of Congress have turned their attention to mainly to Venezuela, and congressional delegations to Colombia today are largely focused on the issue of Venezuela and Venezuelan refugees.

U.S. pressure has set the stage for the Colombian government to return to aerial spraying, a controversial strategy that would directly undermine the peace accords' emphasis on working constructively with communities to eradicate and replace coca. In May 2020, the U.S. government [announced](#) it was sending 45 to 50 military personnel to advise Colombian authorities on counternarcotics strategy, focusing on the rural areas from which the FARC had withdrawn, a highly disturbing signal that appears to validate a military approach to eradication, also undermining the peace accords.⁶⁰

On a positive note, U.S. Ambassador to Colombia Philip Goldberg and embassy staff are active in raising with the Colombian government peace accord implementation issues as well as tough human rights problems including the situation of social leaders and violations by the armed forces. The USAID mission's country development strategy continues to actively support accord implementation. But the lack of strong whole-of-U.S. government advocacy for peace accord implementation is felt palpably on the ground.

Recommendations for U.S. Policy

- ✓ The U.S. government should, in a coordinated, whole-of-government approach, have one principal diplomatic message for Colombia: the peace accords should be fully implemented. Specific obstacles to accord implementation should be raised on a regular basis by the U.S. Embassy, State Department, and National Security Council, and advances praised. The State Department should encourage the Colombian government to ensure that the Truth Commission, Unit to Search for the Disappeared and the JEP, as well as other institutions and initiatives to carry out the peace accord, are funded

and supported. The U.S. Congress should raise these issues in statements and letters. The U.S. government should also strongly support efforts to forge humanitarian agreements with the ELN to lessen the impact of the conflict on vulnerable populations, to reach a bilateral ceasefire, and when possible, to achieve a negotiated settlement. Consolidating peace should remain a major issue for U.S. diplomacy towards Colombia, not subsumed in Venezuela policy or a narrow counternarcotics focus.

- ✓ U.S. support via USAID for peace accord implementation should continue, indeed be increased. The U.S. aid package should include support for victims' quest for truth and justice as well as for the Truth Commission and the Unit to Search for the Disappeared. USAID's direct funding for Afro-Colombian and indigenous organizations to consolidate peace and advance development plans of their own design should be expanded, as should USAID support for other civil society organizations, including victims' associations. USAID must significantly ramp up its efforts to encourage full implementation of the rural reform chapter of the accords. USAID should continue its landmark annual consultations with Colombian and U.S. civil society organizations.
- ✓ U.S. support for counternarcotics efforts should take advantage of the opportunities provided by the peace accords to carry out eradication and crop substitution with community buy-in. U.S. support should focus on working with farmers to sustainably eradicate and replace coca and should encourage the Colombian government to fulfill its commitments to those who have signed agreements to voluntarily eradicate and to expand and improve such voluntary initiatives. The aerial spraying program, which damaged human health and the environment and failed to sustainably eradicate coca, should under no circumstances be revived. The United States should not provide military support and advice for eradication programs, as these programs should prioritize collaboratively working with communities and be civilian led. The metrics of success for U.S.-supported counternarcotics efforts should switch from counting numbers of hectares of coca to focusing on ensuring households are able to move permanently away from coca production to other sustainable licit economic activities.
- ✓ U.S. diplomacy and foreign assistance should urge and incentivize the Colombian government to dismantle the paramilitary successor networks involved in drug trafficking and local and transnational crime, which also fuel violence against human rights defenders and social leaders. This includes urging the Colombian government to:
 - ✓ Regularly convene the National Commission of Security Guarantees set up by the peace accords to develop and implement plans to dismantle these illegal groups and protect communities, human rights defenders and social leaders, and demobilized combatants.
 - ✓ Immediately and fully implement the 660 Decree to protect communities, with the adequate human and financial resources and in consultation with communities at risk throughout the country and not just via pilot projects. In addition, there must be an efficient independent monitoring process for 660 implementation.

The U.S. government should, in a coordinated, whole-of-government approach, have one principal diplomatic message for Colombia: the peace accords should be fully implemented.

- ✓ Ensure the effective functioning of the special unit in the Attorney General's office to investigate and prosecute and dismantle paramilitary successor and organized crime groups, which was the unit's original and still unfulfilled mandate (rather than limiting itself to investigating social leaders' murders without focus on dismantling the structures behind them).
- ✓ The State Department and Congress should, as a critical priority, urge the Colombian government to improve its protection of human rights defenders and social leaders, encouraging the government to:
 - ✓ ensure prompt, effective, and impartial investigations of attacks and threats against human rights defenders, including uncovering those who planned and ordered these crimes and to publicly present, on a regular basis, the outcomes of its investigations.
 - ✓ regularly consult with human rights defenders and social leaders in the existing *mesa de garantías* process regarding plans to protect them.
 - ✓ ensure that the National Protection Unit (UNP) implements and adequately funds collective protection measures in consultation with affected communities, with a differentiated ethnic, gender, and territorial approach. Ensure an independent audit of the UNP to investigate corruption and inefficient bureaucratic procedures and to make recommendations to streamline delivery of protection measures and ensure close consultation with beneficiaries.
 - ✓ ensure the effective functioning of the Attorney General's special investigative unit, mentioned above.
 - ✓ in addition, the U.S. Embassy should regularly meet and consult with a wide range of civil society representatives, including human rights defenders, Afro-Colombian and indigenous leaders, women, and small farmer representatives.
- ✓ The State Department and USAID should encourage the Colombian government and the Colombian Congress to fully implement the accord's comprehensive commitments to rural conflict zones. This includes ensuring that the multipurpose cadaster serves the interests of all stakeholders and is on schedule, the Land Fund is providing land to small-scale farmers, that victims of internal displacement, small-scale farmers and collective Afro-Colombian and indigenous communities are receiving individual and collective land titles, and that the Congress refrains from passing measures that undermine these goals. It also includes ensuring that the Colombian government fully funds and implements the PDETs, the development plans developed with local governments and communities, as well as the national plans for effective provision of public goods and services to rural areas. Finally, it includes extending coverage of the justice system to ensure access to justice in rural areas, including to protect women's rights to land.
- ✓ U.S. diplomats and members of Congress must make a sustained effort to urge the Colombian government to fully implement the ethnic chapter of the accords, with special attention to the rights to collective territory and collective protection. The U.S. government should fully support and provide resources to the High-Level Special In-

stance with Ethnic Peoples (IEANPE)'s Action Plan. The U.S. government should urge the Inspector General's office to sanction officials of the national government responsible for neglecting their responsibilities to advance the ethnic chapter. In addition, the U.S. Congress should provide bipartisan support for the U.S.-Colombia Action Plan on Racial and Ethnic Equality (CAPREE).

- ✓ U.S. policymakers should encourage the Colombian government to accelerate implementation of and fully comply with the gender provisions of the peace accord. In addition, policymakers should urge Colombia to protect members of the LGBTQ+ community and LGBTQ+ leaders and encourage the Attorney General's Office to expand training of prosecutors to address violence against LGBTQ+ persons. In particular, implementation of PDETs and programs for overcoming poverty and inequity must include effective participation of women and LGBTQ+ persons.
- ✓ The State Department, Defense Department, and U.S. Southern Command should strongly press the Colombian government and armed forces to end abuses and cooperate with civilian investigators. This is especially urgent in light of a series of 2019 scandals involving the Colombian Army's reversion to "body counts" as a measure of success, the targeted killing of a FARC ex-combatant, and revelations of rampant wiretaps, hacking, surveillance, and threats against journalists, judges, opposition politicians, and human rights defenders.
 - ✓ The U.S. government should urge the Colombian government to implement a profound reform of intelligence services as well as a thorough review of military doctrine and training to ensure they promote a proper understanding of the role of the military in a democratic society, including the role of human rights defenders, journalists, opposition politicians, and an independent judiciary. Any U.S. intelligence cooperation must be strictly limited and monitored so it is not misused once again for illegal purposes.
 - ✓ The U.S. government should encourage the Attorney General to advance investigations against military members for extrajudicial executions, especially high-ranking military for extrajudicial executions committed by troops under their command. These cases must continue under the regular justice system even if they are appearing before the JEP, although the punishment will ultimately be decided by the JEP, because without the pressure from the civilian justice system, there are fewer incentives to acknowledge wrongdoing and reveal the truth.
- ✓ The U.S. Congress should continue to condition any U.S. military assistance on progress in ensuring justice for grave violations of human rights by Colombian security forces, dismantling paramilitary successor groups, abstaining from promoting military officers credibly alleged to have been involved in grave human rights crimes, ending and sanctioning any illegal surveillance, protecting human rights defenders and social leaders, and respecting the rights and territory of Afro-Colombian and indigenous communities. Investigations of deaths of civilians in military or police operations or in addressing protests must be carried out in civilian, not military, jurisdiction. The Congress should press the State Department to enforce the conditions and, where necessary, hold up a portion of assistance.

- ✓ The State Department should encourage the Attorney General to advance cases against so-called “*terceros*” or third parties such as businesspersons, landowners, and politicians who hired paramilitaries to carry out grave human rights crimes. Advancing in these cases is essential to dismantle the economic and political structures that fueled the expansion of paramilitary violence and ensure that such violence never reappears.
- ✓ The FARC’s placement on the U.S. terrorist list should be reconsidered in light of its demobilization, disarmament, and the group’s general compliance with the peace accords. In the meantime, U.S. regulations concerning the FARC’s remaining on the terrorist list should not be applied in such a way that undermines U.S. support for reintegration programs, peace accord implementation, or USAID support for alternative development efforts.
- ✓ The National Security Council should immediately issue an interagency executive order for declassification of documents for Colombia’s Truth Commission.
- ✓ The U.S. government should support the United Nations’ efforts to verify and encourage compliance with the peace accords, including by supporting and consulting with the UN Political Mission and providing diplomatic support and financial assistance to and consulting with the United Nations High Commissioner for Human Rights office in Colombia.
- ✓ The State and Defense Departments should ensure that any U.S.-funded use of Colombian government and security force expertise in training other governments and security forces is appropriate. Some Colombian government expertise can be beneficial—for example, the deep expertise of Colombia’s higher courts. On the other hand, Colombian military training of Central American police and military is deeply concerning, given the persistent human rights problems, including military intelligence surveillance of human rights defenders, judiciary, and political opposition, and the repeated reliance on body counts during the past two decades. Moreover, Colombia’s military is not currently equivalent to Central American militaries, and certainly not to their police, in that Colombia’s military has been deployed during wartime for many decades, while Central American security forces are dealing with issues of drug trafficking and crime, not war, which require law enforcement and not military approaches.
- ✓ The United States should not draw Colombia, itself still in conflict and not yet recovering from decades of war, into conflict with Venezuela. The U.S. should value and increase support for Colombia’s efforts to provide humanitarian assistance to Venezuelan refugees within Colombia. However, assistance should not contribute to escalating tensions at the Colombia-Venezuela border or, within Colombia, divide communities in need. As U.S. members of Congress carry out fact-finding congressional delegations (CODELS) to observe the situation of Venezuelan refugees, they should also examine the status of peace accord implementation and the humanitarian situation within Colombia, so as to provide more comprehensive solutions. Aid for Venezuelan migrants and refugees should:
 - ✓ be coordinated and implemented with international and local actors that have technical expertise in providing such assistance, for example the United Nations agencies and International Committee of the Red Cross;

- ✓ not be administered by U.S. or Colombian military personnel;
- ✓ take into account and support the local displaced and poor persons where it is being administered so as to mitigate xenophobia and tensions that may arise between the migrants and refugees and local communities;
- ✓ encourage the Colombian government to adjust its migration policy to accept expired travel documents as valid for migration purposes, as agreed to in principle in the Quito Declaration of 2018; and
- ✓ encourage and increase support for the Colombian government and humanitarian agencies to promote the economic and social integration of Venezuelans in Colombia, including access to health care, education, and employment.

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