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IMPLEMENTING PLAN COLOMBIA: THE U.S. ROLE

HEARING

BEFORE THE

SUBCOMMITTEE ON
THE WESTERN HEMISPHERE

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

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IMPLEMENTING PLAN COLOMBIA: THE U.S. ROLE

THURSDAY, SEPTEMBER 21, 2000

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE WESTERN HEMISPHERE,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 9:34 a.m. in Room 2172, Rayburn House Office Building, Hon. Elton Gallegly [Chairman of the Subcommittee] presiding.

Mr. GALLEGLY. I call to order the Western Hemisphere Subcommittee, and would like to start with an opening statement. Good morning, Mr. Ackerman.

Mr. ACKERMAN. Morning, Mr. Chairman.

Mr. GALLEGLY. One month ago, the President signed into law a $1.3 billion supplemental appropriation to carry out enhanced counternarcotics activities throughout Latin America. Of that amount, some $1.018 billion was designated as the U.S. contribution to what has become known as the Plan Colombia.

Of all the issues we confront in our relations with our southern neighbors, none is more critically important to the stability of the hemisphere than the issue of illicit drug trade. The illicit drug trade in the Americas is pervasive. Drugs are eating away at the very fabric of American society and they pose a significant threat to the political and economic stability of the region. In short, I believe the drug trade can be described as a serious regional security threat.

No one should doubt that there is a strong national resolve to deal with the drug problem here in this country. Budgets for demand reduction, education, treatment and law enforcement are at record levels. And yes, those budgets could be increased. But let there be no doubt, reducing demand and maximizing our efforts in the international war on drugs are both necessary.

As I said during the floor consideration of the supplemental, the question was not whether the U.S. should be involved in providing assistance to the Colombia but how should the U.S. be involved.

Today we are holding this hearing to find out just how the Administration plans to administer this aid to Colombia. Who is in charge? How are the roles and the responsibilities of each agency involved organized and defined? What kinds of time tables and benchmarks are we looking at and what are our expectations, both short, midterm and long term? Colombia has a plan. We have provided funding. We are now at the point as the saying goes, where the rubber hits the road. And if my colleagues will indulge me, we

can only hope that this Plan Colombia is not riding on Firestone tires.

To some of the Plan's critics, I say let us take a moment and seriously consider the problems that are facing that nation. Let us not get caught up in the emotional rhetoric. Let us think about the alternatives.

Do you think assisting in the fight against drugs is the wrong thing to do? Do people care little of the future of Colombia's democracy? Do people believe we should not offer alternative economic assistance to the people of Colombia? Do critics not want us to help support judicial reform, human rights or the peace process? I believe providing funding for all these is more than appropriate.

And yes, despite the fact that military aid comprises only 25 percent of the entire Plan Colombia, the U.S. aid package is weighted toward the military. But mobility is necessary and helicopters are expensive. And unless and until the guerrillas who do not now appear to be serious about ending the bloodshed nor apparently care at all for the Colombian people get serious about the peace agreement, why shouldn't the Colombian government have the right to ask for help to prepare their military?

I know many are worried about the past human rights abuses involving Colombia's military. And while these are valid concerns, I believe President Pastrana is working to crack down on human rights abuses in the military as well as trying to sever the connections between some of the military units and the paramilitaries. I believe this aid provides us a good starting point. We all support peace. We all wish the guerrillas would get serious in those peace talks. We wish the paramilitaries would stop killing civilians, but until those wishes become reality, the Colombians need help and our assistance to their Plan demonstrates to the Colombian people and all America that we are committed to help solving these enormous and dangerous problems of illicit drugs, violence and human rights abuses in this beleaguered country.

The question today is can a plan be implemented and implemented correctly, efficiently and effectively? I hope our witnesses can provide some assurances that we can affect that end.

Before we turn to the witnesses I would like to recognize Members for an open statement.

[The prepared statement of Mr. Gallegly follows:]

PREPARED STATEMENT OF THE HONORABLE ELTON GALLEGLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE: PREPARED STATEMENT

One month ago, the President signed into law, a $1.3 billion supplemental appropriation to carry out enhanced counter-narcotics activities throughout Latin America. Of that amount, some $1.018 billion was designated as the U.S. contribution to what has become known as Plan Colombia.

Of all the issues we confront in our relations with our southern neighbors, none is more critically important to the stability of the hemisphere than the issue of the illicit drug trade. The illicit drug trade in the Americas is pervasive. Drugs are eating away the very fabric of American society. And they pose a significant threat to the political and economic stability of the region. In short, I believe the drug trade can be described as a serious regional security threat.

No one should doubt that there is a strong national resolve to deal with the drug problem here in this country. Budgets for demand reduction, education, treatment and law enforcement are at record levels. And yes, those budgets could be increased.

But let there be no doubt—reducing demand and maximizing our efforts in the international war on drugs are both necessary.

As I said during Floor consideration of the Supplemental, the question was not whether the U.S. should be involved in providing assistance to Colombia, but how the U.S. should be involved.

I believe United States policy toward Colombia should help Colombia reduce the presence of illicit drug cultivation, production and transit.

It should help protect Colombia's democracy which is under siege from a large and violent guerrilla gang.

It should ensure the stability of Colombia and the Andean region as a whole.

Today, we are holding this hearing to find out just how the Administration plans to administer this aid to Colombia. Who is in charge? How are the roles and responsibilities of each Agency involved organized and defined? What kinds of timetables and benchmarks are we looking at and what are our expectations, both short and mid-term?

Colombia has a Plan. We have provided funding. We are now at that point, as the saying goes, "where the rubber meets the road". And if my Colleagues will indulge me, we can only hope that this Plan Colombia is not riding on Firestone tires!

To some of the Plan's critics I say let's take a moment and seriously consider the problems that the nation is facing. Let's not get caught up in emotional rhetoric. Let's think about the alternatives.

Do people think assisting in the fight against drugs is the wrong thing to do? Do people care little of the future of Colombia's democracy? Do people believe we should not offer alternative economic assistance to the people of Colombia? Do critics not want us to help support judicial reform, human rights or the peace process?

I believe providing funding for all of these is appropriate.

I also believe providing funding for select, vetted, Colombian military units who will work with the Police in the counter-drug effort is crucial if our efforts to address the drug trade and Colombia's stability are to be successful.

It is true that the Colombian police have a proven record in the drug effort and should continue to be supported. And they are in our aid package. But, the responsibility for protecting Colombia's democracy from the drug supported violence of the guerrillas and the paramilitaries is a legitimate job for the military. As Colombia's national strategy to expand the counter-drug effort is likely to be met by stronger resistence from the guerrillas, the police must have a strong military to back them up. Additionally, if the military is to be a successful backup to the police and a credible threat to the rebels protecting the drug trade, then it needs modern weapons and professional training.

And yes, despite the fact that military aid comprises only 25 percent of the entire Plan Colombia, the U.S. aid package is weighted toward the military. But mobility is necessary and helicopters are expensive. And, unless and until the guerrillas, who do not now appear to be serious about ending the bloodshed, nor apparently care at all for the Colombian people, get serious about a peace agreement, why doesn't the Colombian government have the right to ask for help to prepare their military?

The comprehensive strategy known as Plan Colombia was developed by the government of President Pastrana for the good of Colombia. However, there should be no doubt that providing additional aid to Colombia to counter the drug trade, to help reform the judicial system, to provide economic alternatives and to support the peace process is in our national interest as well. Failing to help Colombia help itself will have long-term adverse effects not only on our own country but on the rest of the region, putting Peru, Bolivia, Ecuador, Venezuela and Panama under tremendous pressure and risk.

I know many are worried about past human rights abuses involving Colombia's military. And while these are valid concerns, I believe President Pastrana is working to crack down on human rights abuses in the military as well as trying to sever the connections between some of his military units and the paramilitaries.

I believe this aid package provides us a good starting point. We all support peace. We all wish the guerrillas would get serious in those peace talks. We wish the paramilitaries would stop killing civilians. But until those wishes become a reality, the Colombians need help. And our assistance to their Plan demonstrates to the Colombian people and all Americans that we are committed to helping solve the enormous and dangerous problems of illicit drugs, violence and human rights abuses in that beleaguered country.

The question today is can such a plan be implemented and implemented correctly, efficiently and effectively? I hope our witnesses can provide some assurances that it can be.

Mr. GALLEGLY. At this time, I would yield to my good friend from New York, the Ranking Member, Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman. And thank you for calling this timely hearing. Mr. Chairman, the United States Government has embarked on a new course in the counternarcotics effort in Colombia. In the broadest sense I support this effort because I believe that we have an obligation to support democracies when they are threatened.

Colombia is the oldest democracy in Latin America and it is clearly under siege. But Colombia is not fighting a traditional insurgency whose followers claim some ideological justification for violence. It may have been that way once, but it isn't anymore.

The guerilla movements in Colombia have largely abandoned their ideology and instead provide protection to the narcotics traffickers who poison our children. The guerrillas also resort to kidnapping and extortion. From all these activities the guerrillas generate substantial income making them the best funded insurgency probably in the history of the world.

In addition to the guerrillas, the government must deal with the paramilitary organizations who also receive a significant amount of funding from narcotics traffickers and who have continuing connections to the Colombian military.

So the first point that I would make to my colleagues is that we should be clear about what our assistance is used for. While it comforts us here to talk about this assistance as only for counternarcotics, we must recognize, because of the current situation on the ground in Colombia, counternarcotic strategy is, by necessity, counterinsurgency strategy.

The push into southern Colombia is designed to punish the drug traffickers and their guerrilla allies in order to stop the flow of narcotics and arrest the traffickers and, with luck, drive the guerrillas to the negotiating table. In this scenario, I don't think we will be able to draw bright lines around what is and what isn't narcotics related.

The second point we must consider is who we are providing our assistance to. The Colombian National Police have an outstanding human rights record. They are an organization we should be proud to assist. The bulk of the Plan Colombia and its assistance will go to the Colombian military, which has one of the worst human rights records in the hemisphere. On top of that there are critical allegations of ongoing cooperation between elements of the Colombian military and the paramilitary organizations. The good news is that the assistance will be provided to battalions that have been vetted and trained by us.

In addition, it appears to me that the leadership of the Colombian military genuinely wants to address human rights issues. We should give General Tapias a chance to live up to his rhetoric on human rights. We should also be clear with the government of Colombia that the next waiver will not come so easily.

And lastly, I am concerned about the direction of our counternarcotics strategy and the heavy reliance on interdiction and eradication. As we have seen in Bolivia and Peru, when there is success with this strategy in one area, the production and traffic merely moves to another area. I am pleased that there is regional assist-

ance in the overall package, but I believe we must be vigilant in regarding changes in production and trafficking patterns and be flexible in response to those changes.

In a very real sense, much of the turmoil in Colombia is our fault. Our citizens consume the drugs, grown and produced in Colombia. Yet at the policy-making level, we don't spend much time talking about demand reduction. For me, this is basic economics, demand drives supply, and unless we intensify our efforts to reduce demand here, a supply side strategy is doomed to failure.

All of us would prefer not to become more deeply involved in another civil conflict in Latin America. Yet doing nothing imperils not only Colombia, but her immediate neighbors as well. Today's hearing is the first in what should be many hearings to ensure that the policy we have embarked upon is working as we and the Colombians intend.

I thank you, Mr. Chairman, and I look forward to hearing from this morning's witnesses.

Mr. GALLEGLY. I thank the gentleman from New York.

At this time I yield to the gentleman from Pennsylvania, for an opening statement—or I am sorry, Indiana.

Mr. BURTON. Pennsylvania?

Mr. GALLEGLY. You both have a basketball team, right?

Mr. BURTON. Now, wait a minute. Pennsylvania has a great governor from my class of 1982, Tom Ridge. I just thought I would mention that. And we used to have some pretty good basketball teams and we will again.

Mr. GALLEGLY. The gentleman's time has expired.

I yield to the gentleman from Indiana, Mr. Burton.

Mr. ACKERMAN. William Penn was a good governor, as I recall.

Mr. BURTON. Bobby Knight will be missed.

On a more serious note, Mr. Chairman, thanks for holding this hearing. The situation in Colombia continues to deteriorate by the day. Our allies in the Colombian National Police are dying in droves. Over 5,000 CNP police officers have been killed fighting the war on drugs in the last decade. Two years ago, the Congress of the United States rightfully shut down the Capitol for a week to mourn the loss of U.S. Capitol Police Officers Chestnut and Gibson, who were killed protecting all of us in the Capitol building.

Last year 49 police officers in the United States died in the line of duty. Last year in Colombia, more than 500 CNP police officers were murdered fighting our war on drugs.

Few in the U.S. even know or care about the lives of these brave men and women, and I wish everybody did. In Colombia, the FARC has made a sport out of planning and launching attacks on remote CNP bases from the DMZ, which was granted to them in exchange for peace. They were supposed to be peaceful if the President gave them a peaceful area where they could be safe. Yet they attack out of there and then go back to the DMZ, where they are safe from counterattacks.

These attacks are always brutal and barbaric. The FARC frequently cuts off the heads and mutilates CNP officers, even executing their wives and children. We had one case where they executed a CNP officer's wife and children in front of him, and then very methodically tortured him before they beheaded him. This is

almost a daily scenario in Colombia. Yet no human rights organizations ever condemn the FARC for their brutality against these non combatant police officers. We ought to be concerned about human rights in the army down there, and the CNP, which has a great human rights record, incidently. However, the human rights groups ought to also be talking about the barbarism of the FARC and the ELN. I mean, they are doing horrible things and nobody mentions a word about it.

Five years ago, when I was Chairman of this Subcommittee, Chairman Gilman and I began pleading with an uninterested Clinton-Gore Administration to do something about our national security interests in Colombia. Unfortunately the Administration had other priorities, Bosnia, Kosovo, and East Timor, until now. We welcome them to this war on drugs in Colombia because it is very important to our national security as well.

It has been hard for Chairman Gilman and myself and others on this Committee to fight this fight when every attempt we have made to get equipment to our drug war allies has been vigorously opposed by the Administration. We have repeatedly reminded them that every year, nearly 17,000 Americans die from drug overdoses, and that Colombia is the source of 90 percent of the cocaine in this country and 70 percent of the heroin.

Our pleas have fallen on deaf ears. The Administration chose to provide a lion's share of the Plan Colombia aid to the Colombian Army. Many of us in Congress had hoped there would have been a more balanced approach, distributing the assistance in a more equitable manner between our proven allies in the CNP, who have a great human rights record, and the Colombian Army, which does not. The CNP has a long track record of successfully combating the narco traffickers while the army is new to this mission. The Colombian Army desperately needs military assistance to combat the insurgency. It also needs training to take on its new role of assisting the CNP in enforcing the rule of law and attacking the narco-terrorists. This untested plan needs some fine tuning before any CNP officers or Colombia Army soldiers are sent on counternarcotics missions together.

Fortunately in the past, the CNP has taken the meager assistance we have been able to extract from a reluctant Administration and has produced amazing results. This year the CNP has already used the six Congressionally-funded Black Hawk helicopters to eradicate over 10,000 hectares of opium poppy. This is more than they did in 12 months last year and five times as much in 1998, in only 5½ months. This equipment protected by the GAU–19, defensive weapons that Congress funded, has also permitted CNP to eradicate poppy without taking a single casualty during hundreds of poppy eradication missions.

In previous years many CNP officers were killed performing this duty without the security that Black Hawks and defensive GAU–19s provide.

It is my hope it is not too little too late in Colombia. It is too bad it took negative polling numbers in an election year to get the Clinton-Gore Administration engaged on this vital national security issue. I don't like to be partisan about something like this, but it is extremely important that we realize that this is a war for Amer-

ica and not just Colombia. It is a very short flight from the United States to Colombia. And those people that are dying down there are fighting our war for us. We ought to give them all the assistance we possibly can.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Burton follows:]

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

The situation in Colombia continues to deteriorate by the day. Our allies in the Colombian National Police (CNP) are dying in droves. Over 5,000 CNP officers have been killed fighting our war on drugs in the last decade. In Colombia the FARC has made a sport out of planning and launching attacks on remote CNP bases from the DMZ, which was granted to them in exchange for "peace." These attacks are always brutal and barbaric. The FARC frequently beheads and mutilates CNP officers, and even executes their wives and children. Tragically this is almost a daily scenario in Colombia, yet no human rights organization ever condemns the FARC for its brutality against these noncombatant police officers.

Five years ago, when I was chairman of this subcommittee, Chairman Gilman and I began pleading with an uninterested Clinton-Gore Administration to do something about our national security interests in Colombia. Unfortunately the Administration had other priorities—Bosnia, Kosovo and East Timor—until now. I want to welcome the Administration to the war on drugs in Colombia.

It has been hard for Chairman Gilman and myself to fight this fight when every attempt we've made to get equipment to our drug war allies has been vigorously opposed by this Administration. We have repeatedly reminded them that every year nearly 17,000 Americans die from drug overdoses, and that Colombia was the source of 90% of the cocaine and 70% of the heroin on American streets and schoolyards. Our pleas have always fallen on deaf ears with this Administration.

The Administration chose to provide a lion's share of the Plan Colombia aid to the Colombian Army. Many of us in Congress had hoped there would have been a more balanced approach, distributing the assistance in a more equitable manner between our proven allies in the CNP and the Colombian Army. The CNP has a long track record of success in combating the narco-traffickers while the Army is new to this mission. The Colombian Army desperately needs military assistance to combat the insurgency. It also needs training to take on its new role of assisting the CNP in enforcing the rule of law and attacking the narco-terrorists. This untested plan needs some fine-tuning before any CNP officers or Colombian Army soldiers are sent on counter-narcotics missions together.

Fortunately, in the past, the CNP has taken the meager assistance we've been able to extract from a reluctant Administration and has produced amazing results. This year the CNP has already used the six Congressionally-funded Black Hawk helicopters to eradicate over 10,000 hectares of opium poppy. This is more than they did in 12 months last year, and five times as much as 1998—in only 5½ months! This equipment, protected by GAU–19 defensive weapons that Congress funded, has also permitted the CNP to eradicate poppy without taking a single casualty during hundreds of poppy eradication missions. In previous years, many CNP officers were killed performing this duty without the security that Black Hawks and defensive GAU–19's provide.

It is my hope it is not too little too late in Colombia. It's too bad it took negative polling numbers in an election year to get the Clinton-Gore Administration engaged on this national security issue.

Mr. GALLEGLY. Thank you, Mr. Burton. The gentleman from Nebraska, Mr. Bereuter, who is a Member of the Full Committee.

Mr. BEREUTER. Thank you very much, Mr. Chairman. I am coming here as vice-Chairman of the Full Committee, and at the specific personal request of the Speaker that I attend this meeting and raise some questions on behalf of the Speaker's office. This marks a return to the Subcommittee where I began my service on the then-House Foreign Affairs Committee.

Speaker Hastert came away from the trip to Colombia—by the way, the gentleman from Massachusetts, Mr. Delahunt, was one of

the 11 Members of the House and Senate to also go along with this Member—firmly believing that we have less time, not more time, than initially envisioned. He believes that delays are deadly. The President went to Colombia talking about the need to respond rapidly. And he had our support in that. An emergency supplemental was approved. Now everything seems to be slipping. And the question is why.

This is the information I want to relay from the Speaker's office, and I am authorized to do that. It would appear that critical components of Plan Colombia initiative are being delayed by the Administration. I hope that the witnesses will address some of these specifics that I am going to give you.

As of last week, Sikorsky notified House Intelligence Committee staff that the 18 Black Hawks authorized in the package would be reduced to 15 on the instructions of the State Department. Further, the contracts, it was told, will not be signed until April 2001, and delivery would be pushed back to late 2002.

This is the Speaker's information. And the indications are that it is not a Sikorsky problem. The company asserts that it is prepared to stand by its original estimate of 16 Black Hawks delivered in early 2000 through October 2001 for the $234 million provided by Plan Colombia. The Sikorsky package also provided for training infrastructure and maintenance training.

Furthermore, the Speaker's office has discovered that the Huey-II program seems to be stalled. In order to stay with the anticipated delivery schedule, the State Department will have to sign contracts, we are told, and perform inspections by the end of September 2000. If they fail to meet the September deadline, the kits that are now available in Fort Worth will be sent elsewhere, and the Presidential certification which was made in August will expire.

All of this information comes from the private sector. The Speaker's staff had asked to be briefed on this issue, the State Department acceded to that request for briefings, but OMB and the White House stepped in and blocked those briefings.

You have some questions that I hope you can address or that the Administration can address if you are not able to. I look forward to the testimony, Mr. Chairman.

Mr. GALLEGLY. The gentleman from Massachusetts, Mr. Delahunt.

Mr. DELAHUNT. Thank you, Mr. Chairman. I will be very brief. Clearly there are a lot of specific questions that my colleagues have, particularly the gentleman from Nebraska. But I would like to step back for a minute because we hear a lot about helicopters, delivery dates, we hear about additional assistance of a military nature, and military hardware to the CNP, et cetera, et cetera. We shouldn't deceive ourselves. Plan Colombia is more than simply about military assistance.

In fact, it is my opinion that Plan Colombia is really much more fundamental. It goes to the transformation of Colombian society. It speaks to the issue of judicial reform.

I would like to hear what has occurred in terms of preliminary efforts in that regard. Let me also suggest it goes to the issue of the transformation of the Colombian military. As the gentleman

from Indiana indicated, the military historically in Colombia has had an abysmal human rights record. I believe that at least at the senior command level and particularly with General Tapias, we have an individual and a leader who believes and embraces the concept of human rights in terms of its military as we would hope.

I also believe that Plan Colombia deals with the issue of economic and social justice in Colombia. Efforts that should be undertaken in terms of bridging the gap or narrowing the gap, if you will, between those that have and have not. If we are going to have success in Colombia, it is going to require a much more comprehensive effort than simply the delivery of helicopters and military hardware. I think in the end, we should acknowledge the fact that if there is to be a substantial and significant reduction of the flow of cocaine and heroin into this country, it only can be achieved by stability in Colombia. And the linchpin to stability is peace, and like every peace process all over the world, that is a very, very, painfully slow faltering stumbling effort.

Clearly, that is the case currently in Colombia. So I would like to hear from the panel their assessment and evaluation of the peace process. Because it is my opinion in the end, if we don't have peace, we will never do anything significant and permanent about the export of cocaine and heroin into the streets of this country. This isn't simply about drugs. It is about having a different relationship with a society that needs substantial change.

Mr. BEREUTER. Would the gentleman yield? I agree with his statement entirely. And in fact, I think that the four charts prepared by the Subcommittee, with assistance from the State Department, would be good to show the diversity of the aid that the U.S. is giving, if we could have those put before the audience as well as Members. It does provide for economic development and does provide for judicial training and reform. Perhaps the other point that should be made is that the overall Plan Colombia current version calls for $7 billion of expenditure, most of which comes from Colombian and other international donors. I thank the gentleman for yielding.

Mr. DELAHUNT. I thank the gentleman for the further observation. I think it is very, very important that we understand that the American assistance, while skewed in terms of military hardware, the rest of the plan—and I would be very interested to hear the commitments that have been made by other nations as well as the Colombian government, where are we in terms of those commitments, because as the gentleman from Nebraska indicated, they are more attuned and focused in the areas that I was referring to in my own remarks.

And I also want to echo—let me make a statement about an observation or statement made by Mr. Bereuter in terms of cooperation by the Department of State. And the intervention of OMB in terms of providing a briefing to Members. I find it very disturbing that information would be blocked by OMB, those briefings would be stopped by OMB for any Member of Congress. I think it is absolutely essential that there be an ongoing working relationship between the Administration and interested Members of Congress in regards to what is occurring as far as our efforts in Colombia. And I would hope that if there has been a block by OMB in terms of

briefings by state and other Federal agencies, that that block be removed quickly. I yield back.

Mr. GALLEGLY. I thank the gentleman from Massachusetts. We will move on to our witnesses.

Mr. ACKERMAN. Mr. Chairman, I would like to ask unanimous consent that the statements of Mr. Menendez and Ms. McKinney be placed in the record.

Mr. GALLEGLY. They will be made part of the record.

[The prepared statement of Representative McKinney follows:]

PREPARED STATEMENT OF THE HONORABLE CYNTHIA A. MCKINNEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Thank you for this opportunity to speak. And I would like to thank the Chairman and the Ranking Member for calling this very important hearing.

Our relationship with the people of Colombia is about to fundamentally change and I hope we know that going into this massive projection of US force into that country.

I am especially appreciative of the opportunity to put my thoughts on the record because more than anything else, I care about the most fundamental aspects of human rights and how Plan Colombia will affect the human rights climate in Colombia today and the notions about the United States that Colombians affected most will have about us after implementation of Plan Colombia.

As citizens of the most powerful nation in the world, it's our duty to ensure that this power is used responsibly and that we are not confused when we use it. Bobby Kennedy once said that we used to be a force for good in the world. I would like to hope that peoples around the world still see us as a force for good. However, I fear that this is far from the thoughts of the Colombian people from whom I have heard.

Some 80% of the aid in Plan Colombia comes in the form of military weapons.

This, more properly, should be called a military aid package and this meeting must include the military component if we are to truly grasp the full meaning of the US Role in Implementing Plan Colombia.

Congress actually voted to fund a counter attack against an army of 20,000 guerrillas in the Amazon jungle. We did this act alone without the support of our European allies. The European Union does not support our involvement of this nature in Colombia. And because we've voted to give approximately one billion dollars to the Colombian military, not very many other donors want to be associated with this kind of contribution.

So, although Plan Colombia was originally intended by President Pastrana to be a multinational aid package, it has now morphed into a US military operation.

About two weeks ago, the Presidents of the twelve Latin American countries met for the first time in a historic summit in Brasilia. Although it was not the intended theme of the meeting, the leaders resolved their opposition to the US aid package. Brazil's Fernando Cardoso spoke against it, Venezuela's Hugo Chavez spoke against it. In Ecuador they believe that tens of thousands of refugees are going to spill across the border from the violence this plan is going to generate. This is what Colombia's neighbors think of the plan.

Thirty-seven Colombian NGO's, including the Center for Investigations and Popular Education and the Consortium for Human Rights and the Displaced have signed a letter saying they would reject any aid offered to them as part of Plan Colombia. They are completely unwilling to be associated with this program in any way no matter how much money they are offered.

Amnesty International, Human Rights Watch, and the Washington Office on Latin America all denounced President Clinton's decision to waive the human rights conditions that had been placed on the aid by Congress. The human rights groups had hoped that by placing such conditions on the aid, Colombia would be forced to choose between the modern weaponry and the dirty war of assassination they are currently engaged in. I am extremely disappointed that the Clinton Administration once again has taken human rights completely off the table for discussion. Now there is no incentive whatsoever for Colombia to reform its military and abandon its paramilitary strategy.

I will also note for the record that the push into southern Colombia, which has been described today, violates the Geneva Conventions, which prohibit the forced displacement of civilian populations as a tactic of war.

In the whole world, only the Congo has more displaced people than Colombia. At a forum recently sponsored by my office, I have quite sadly learned that the vast majority of those displaced persons are Afro-Latinos. Two-thirds are minors. Only one in eight has access to education. One in three has access to health care. These poor children suffer from the neglect of the Colombian State and the ignorance of Washington policy makers.

My third and final point is that not only is this plan immoral, it's impractical. Spraying chemicals on third world farmers is not an effective way to discourage people in the United States from using cocaine.

We are not immune to the lure of quick cocaine cash ourselves. As has been made embarrassingly clear recently.

How can Colonel James Hiett, smuggling cocaine and laundering money with his wife while overseeing anti-drug operations for the US Southern Command in Bogota . . . how could this narco get off with five months in jail while today there are more African Americans in prison than in college?

So now, the US is about to implement a plan to spray chemicals on third world subsistence farmers and attack them with helicopter gunships while the Colombian government allows paramilitary groups to massacre them.

One thing is for sure in this plan, it isn't about drug abuse control and won't help my friends who are strung out on dope.

I would rather have from the CIA a truthful accounting of how crack cocaine came to flood every black neighborhood in America and affect every black family. Telling the truth about the relationships between federal agencies, US multinational banks, and elites in this country and abroad will do more to eradicate the scourge of drugs in America than this proposed Plan Colombia.

Thank you Mr. Chairman.

[The prepared statement of Representative Robert Menendez follows:]

PREPARED STATEMENT OF THE HONORABLE ROBERT MENENDEZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Thank you, Mr. Chairman, for holding this hearing. And thank all of you, our witnesses today, for coming here to testify on this important and difficult subject. You all have tough jobs. Those on the first panel, the Administration panel, have the difficult task of implementing what is not the easiest, surest policy response to an extremely tough situation, that of reducing the drug flows out of Colombia and reducing the threat to democracy in that violence-racked country. Those on the second panel have the almost equally tough task of assessing the situation, trying to guide us as we make policy and reminding us of the human rights concerns and reporting on the abuses.

We shouldn't rehash today the policy debates of the past few months. Like it or not, we now have a plan for at least the next two years. It is an expensive plan. Though I supported it, I would have preferred to see less emphasis on helicopters and more emphasis on the peace process, on development in Colombia and elsewhere in Latin America, and on drug demand reduction through treatment programs in the U.S. Again, though, this is not the moment to reopen those discussions.

Today, we talk about how to implement this big undertaking. How to best make sure it will work—to slow the flow of drugs, reduce the violence, restore stability and democracy, reform the judiciary, and move towards peace—all the while adhering to protection of human rights. It's a tall task.

Some warn that Colombia will be "our next Vietnam." I think one Vietnam was probably enough, and the awareness of that in and of itself will prevent a similar quagmire. But finding the right balance for the U.S. role in Colombia will not be easy. I hope that we will stand closely behind our Colombian friends, supporting them in their efforts to end the violence and the drugs; but at the same time leading by example and insisting on integrity, on efforts to rid corruption, and on adherence to human rights. I also hope that we will vigorously support efforts towards achieving peace.

Though we're focusing on the U.S. role today, I hope you will give us some indication of what the Colombians, and other donors, are doing for their part. This will not be an inexpensive investment for us; and we already find ourselves "in for a dime, in for a dollar." But I'd like to know what our money is leveraging in terms of others' contributions,

I hope that we will *not* spend this time today—and our time is limited in these closing days of the session—micro-managing the Department of Defense, the De-

partment of State, and the Agency for International Development. These witnesses and their many colleagues in the Administration have spent a lot of time and energy with their Colombian counterparts working out the details. We should oversee, we should hold accountable. We should not micromanage.

Thank you. I look forward to your testimony.

Mr. GALLEGLY. Okay. At this time let us move to our witnesses. The first witness we have is Assistant Secretary Rand Beers.

Mr. Beers.

STATEMENT OF THE HONORABLE R. RAND BEERS, ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT, U.S. DEPARTMENT OF STATE

Mr. BEERS. Thank you, Mr. Chairman and Members of the Committee. Thank you for the opportunity to speak to you today about the implementation of our assistance to Plan Colombia. I have submitted a statement in advance of this, which I would ask be submitted in the record, although there will be some amendments to it based on information that was available after the delivery of that statement to the Committee. We will do that by the end of today.

Mr. GALLEGLY. Without objection it will be made a part of the record.

Mr. BEERS. Thank you. Since the emergency supplemental for Colombia was passed and signed into law in July, U.S. and Colombian planners have worked together to develop a comprehensive plan to spend the $1.3 billion of assistance for its integration into the broader efforts of the Government of Colombia. The U.S. planning team included representatives from U.S. SOUTHCOM, the State Department, USAID, the Defense Department, Justice and Treasury, who returned from Colombia last week, after nearly 2 months of daily consultations with their Colombian counterparts. The result is a comprehensive interagency action plan for the Government of Colombia that defines the implementation of our support to Colombia's counternarcotics effort and provides a mechanism to coordinate the various elements of our aid, particularly regarding eradication and alternative development.

With the Government of Colombia's planning document in hand, U.S. agencies are now refining their own draft implementation plans, which had been prepared earlier prior to the development of the Colombian plan. In the interagency action plan, the Government of Colombia has laid out an organizational structure that will assist in coordinating the counternarcotics program with the other elements of Plan Colombia.

Representatives of the Colombian police, military and PLANTE, the alternative development agency of Colombia, as well as the Social Security agency, will coordinate with mayors and governors at the local and regional level. They will work under the supervision of a national technical committee consisting of representative government ministers such as PLANTE, Social Security and the security community. U.S. embassy representatives will coordinate with this Committee and at the local levels with the embassy's military group narcotics affairs section and Drug Enforcement Administration personnel addressing these counternarcotics matters specifically.

The Colombian technical committee will, in turn, report to an interagency Colombian government body at the vice ministerial

level, and finally to the heads of the ministries involved. Senior members of the embassy country team will be handling bilateral issues at this level.

U.S. agency representatives will coordinate operational issues within the embassy with the lead responsibility for specific projects generally falling to those agencies responsible for the project's funding. There will be exceptions to this approach, however. Such as, for example, with regard to the UH–60 Black Hawk helicopters. Although they were funded through the Department of State's Bureau of International Narcotics and Law Enforcement Affairs, they are being purchased as requested by Congress through the Defense Security and Cooperation Agency and will be managed by Department of Defense personnel.

The initial 2-year phase of the interagency action plan focuses on southern Colombia. It will start with a rapid expansion of programs aimed at social action and institutional strengthening. Interdiction operations will follow shortly thereafter and eradication efforts will commence before the end of the year. Alternative development and other programs to strengthen legal communities will expand in neighboring regions where counternarcotics programs will continue regionally. During this first phase, these regional efforts will be accompanied at the national level by public outreach and programs meant to prepare for the eventual expansion of the programs nationwide.

Eradication in Putumayo will be conducted in two ways: In the areas dominated by small scale cultivation of three hectares or less per farm, voluntary eradication agreements—sometimes referred to as community pacts—will be concluded between the government of Colombia and the individual communities. Through this program, small farmers will be given the opportunity to eradicate their illegal crops voluntarily as part of their development projects. Aerial eradication will continue to be important in the more remote areas of Putumayo, where large agro business coca plantations dominate the landscape.

After the first 12 months of the eradication campaign in Putumayo, those communities in the alternative development area that have opted not to participate in the voluntary eradication program will be subject to possible aerial eradication. This does not necessarily mean the spray operations will begin immediately upon the expiration of the 12-month grace period. It is merely intended to leave the aerial eradication as an option for the Colombian authorities to use in combating the coca cultivation.

While eradication is getting underway, a Putumayo-focused interdiction effort will also be launched to disrupt the supply of important precursor chemicals into the region, and the shipments of cocaine base and processed cocaine into the region. Another principal activity will be the dismantling of processing laboratories. These actions should decrease the revenue potential of coca in the target area. When combined with the increased expense of time and money caused by eradication, the resulting distortions in the Putumayo coca market should encourage growers to abandon the crop as a source of income.

As an essential element of the interdiction efforts in southern Colombia, we will be focusing on the Colombian Army's counter-

narcotics brigade. While funding for its training and support was contained in the supplemental appropriation, our greatest contribution to the brigade, both in terms of dollar amount and operational need is helicopter lift.

And I would like now to begin a response to Congressman Bereuter's questions in my oral statement. As all are aware the helicopters themselves, the platforms that we are talking about, are but one part of the helicopter equation. In addition to the aircraft themselves, we also have to take into consideration the training and provision of pilots, crew, mechanics and a logistical infrastructure to support the operations of those aircraft. So that it is necessary in order to have functioning aircraft brought together to bring together all of these elements in near simultaneity so that aircraft are delivered for pilots who are available to actually fly them, and mechanics who are actually available to repair them.

With respect to the delivery of those aircraft, and I understand that this is an important issue, as I mentioned earlier, Congress has asked that with respect to the Black Hawks, DSCA Act as the U.S. executive agent for the management of that program, and we are fully complying with that. Based on United States Army guidance and estimates, which are, by the Army's own admission, conservative, they estimate that prior to the signing of the contract, the first—in other words, at this time, the first aircraft would be scheduled to arrive in approximately October 2002 with all scheduled to arrive in country by May 2003.

I know that this seems of concern to Members of Congress. It is equally of concern to us. But we are not in a position at this particular time to go beyond the Army's contracting estimate until we actually sign the contract. We will be in a much better position in order to deliver that estimate definitively to the Congress once the contract is signed. I know that the Congressman has heard that there has been a discussion of that being delivered, that that contract may not be signed for another 6 months. That is the current Army working estimate. We are not prepared to accept that estimate. And the Army, I think, would not be either. They have simply provided us with their most conservative estimate.

Similarly, with respect to the brigade's Huey-II helicopters, we expect, based on conservative estimates in conjunction with Bell helicopter, that we will be able to fully field this force within 2 years, with the first contract helicopters arriving in the second quarter of calendar year 2001, following in train immediately behind the currently programmed aircraft that Bell will be delivering earlier in the spring of that year.

With respect to the numbers of aircraft that are under discussion, there have been some indications or rumors or information that has flown around suggesting that the numbers may be less than the numbers that Congress has appropriated for. We have been looking at the pricing of those aircraft. There are some widely differing estimates of price for those aircraft. We are trying to get to the bottom of that. The effort on the part of the State Department to provide Members with that briefing was stopped by OMB when they realized that those numbers required a more thorough scrubbing within the Administration. It is our intent to brief Members of Congress as quickly as we can give you definitive numbers.

But we are not, unfortunately, in a position to do that at this particular time.

With respect to the 18 UH–1N helicopters that were prepositioned in Colombia at the end of 1999 by the Department of State to provide an interim air mobility for the counternarcotics brigade, those 18 aircraft will be ready by the beginning of November with an initial operating capability in October in order to train with the counternarcotics brigade. The remaining 15 that are part of the supplemental will be available in Colombia in the first quarter of calendar year 2001, in time to be available to work and operate with the fully trained second counternarcotics battalion. These aircraft, the UH–1N's, have always been envisioned as the interim aircraft, and they will be available for the operational requirement that we have all understood for them until we can make the other aircraft available.

The Government of Colombia has committed itself to make an all-out effort to resolve the country's problems, and with our assistance of the package of $1.3 billion, the U.S. has pledged much needed support, while teams in both countries continue to plan and adjust to operational modalities. The implementation process is now underway. I am confident of the success of these projects and of Plan Colombia, and I look forward to working closely with Congress as we continue to address and discuss these critical issues.

Thank you.

[The prepared statement of Mr. Beers follows:]

PREPARED STATEMENT OF THE HONORABLE R. RAND BEERS, ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT, U.S. DEPARTMENT OF STATE

Mr. Chairman and Members of the Committee:

I want to thank you for this opportunity to speak to you today about the situation in Colombia, the threat it poses to regional security, and the implementation of our assistance to Plan Colombia.

Over the last year, the nature of the situation in Colombia has been repeatedly discussed in hearings such as this one, in the media, and in international fora. There is little doubt that the Colombian people are suffering greatly from the violence produced by that nation's guerrilla insurgents and paramilitary vigilantes: groups that support themselves through a host of criminal activities, the most important of which, the illegal narcotics industry, provides them with untold millions of dollars every month. Colombia's historic neglect of the nation's outlying areas has allowed this problem to fester, and it has been exacerbated by an economic downturn of a magnitude Colombia has not seen for seventy years. In short, Colombia must overcome critical challenges.

Why is Colombia's situation critical? It is critical because Colombians are dying. It is critical because the guerrilla and paramilitary groups that perpetuate the violence in Colombia are financed by the proceeds of illegal drug trafficking and the thousands of Americans that it kills in our streets every year. It is critical because that drug industry is clear-cutting Amazonian rainforest in order to expand cultivation and is polluting the Amazon basin with tons of toxins used in drug processing. It is critical because, with unemployment topping twenty percent and government resources strained, the financial lure of the narcotics industry is powerful.

The leadership of Colombia recognizes the need for action. President Pastrana is committed to resolving his nation's problems. He was elected on a pledge to resolve peacefully 30 years of violence and, since taking office two years ago, he has maneuvered through a minefield of issues to bring the Revolutionary Armed Forces of Colombia (FARC) and, hopefully, the National Liberation Army (ELN) to the negotiating table. His administration understands the complexities of the issues confronting the country, laid them out in Plan Colombia, and, even while negotiating with insurgents, took the courageous step of admitting that they required the assistance of the international community to address that country's multiple crises.

In consultation with the government of Colombia, an interagency group, including representatives of State, Defense, Justice, USAID, and Treasury, developed a proposed U.S. assistance package for Bogota's Plan Colombia, with a particular emphasis on the Plan's counternarcotics component. Funding for that package, with some modifications, was passed with the support of this committee and was signed by the President on July 13.

Since the package was passed in its final form, U.S. and Colombian planners have worked together to develop a comprehensive plan for the implementation of our $1.3 billion of assistance and for its integration into the broader efforts of the Colombian government. The U.S. planning team, which included representatives of State, USAID, and DoD, returned from Colombia just last week after nearly two months of daily consultations with their Colombian counterparts. The result is a comprehensive Interagency Action Plan that defines the implementation of our support to Colombia's robust counternarcotics efforts and provides a mechanism to coordinate the various elements of our aid, particularly regarding eradication and alternative development. With the government of Colombia's planning document in hand, U.S. agencies are now refining their draft implementation plans.

In their recently completed Interagency Action Plan, the government of Colombia has laid out an organizational structure that will assist in coordinating the counternarcotics programs with the other elements of Plan Colombia. Representatives of the Colombian police, military, PLANTE (the Colombian agency that administers alternative development programs), and the social security agency will coordinate with mayors and departmental governors at the local and regional level. They will work under the supervision of a national technical committee consisting of representative governmental ministries, such as PLANTE, social security, and the security community. U.S. Embassy representatives will interact with this committee and at the local levels, with the Embassy's Military Group, Narcotics Affairs Section and Drug Enforcement Administration personnel addressing counternarcotics matters. The Colombian technical committee, in turn, will report to an interagency Colombian government body at the vice-ministerial level and finally to the heads of the ministries involved. Senior members of the Embassy country team will handle bilateral issues at this level.

The U.S. agency representatives will coordinate operational issues within the Embassy, with lead responsibility for specific projects generally falling to those agencies responsible for the project's funding. Exceptions to this approach can be found, particularly with regard to the UH–60 BlackHawk helicopters which, although funded through the Department of State's Bureau for International Narcotics and Law Enforcement Affairs, are being purchased through the Defense Security Cooperation Agency and will be managed by Defense Department personnel.

The initial two-year phase of the Interagency Action Plan focuses on southern Colombia. It will start with a rapid expansion of programs aimed at social action and institutional strengthening. Interdiction operations will follow shortly and eradication efforts will commence before the end of the year. Alternative development and other programs to strengthen local communities will expand into neighboring departments where counternarcotics programs will continue regionally. This will include the expansion of voluntary eradication to Caqueta. During this first phase, these regional efforts will be accompanied at the national level by public outreach and programs meant to prepare for the eventual expansion of the programs nationwide.

Implementation of Plan Colombia's counternarcotics elements will require a multiyear effort and a great deal of coordination between the U.S. and Colombian agencies involved, as well as care in the synchronization of equipment deliveries and the operations that the equipment is intended to support.

In the first two years of Plan Colombia, the Action Plan calls for a concerted effort to eradicate illegal crops from southern Colombia, support for expanded interdiction efforts, continued support for the Colombian National Police, alternative and economic development, and additional funding for human rights and judicial reforms.

Although the counternarcotics elements of Plan Colombia are national in scope, the specific objectives for the first two years call for programs to strengthen the government of Colombia's presence in southern Colombia while reducing the production, processing, and trafficking of illegal drugs in the area. One initial objective will be to establish the security conditions necessary to permit the implementation of other, civilian-run, programs. During these first two years, the Interagency Action Plan focuses its counternarcotics energies on southern Colombia in an attempt to reverse the current surging expansion of coca cultivation and, through the implementation of sustainable alternative development and institution building, to make dramatic inroads towards a coca-free Putumayo by achieving a fifty percent reduction in that region's coca cultivation.

Eradication in Putumayo will start with identification of the coca cultivation to be targeted. A coordination committee including representatives of PLANTE and the Colombian National Police will make these targeting decisions prior to the commencement of eradication operations. The operations will include the aerial eradication of agro-business, plantation scale crops and the establishment of voluntary eradication agreements, sometimes referred to as "Community Pacts," between the government of Colombia and communities within the area that is dominated by small-scale cultivation of three hectares or less per farm. Eight communities have been identified in this alternative development area, including Villa Garzon, Puerto Guzman, Puerto Asis, and Orito. Through this program, they will be given the opportunity to eradicate their illegal crops voluntarily as part of their development projects. The pace of implementation for these voluntary eradication and alternative development projects will depend heavily on the local farmers and their willingness to participate and comply with verifiable compliance benchmarks. Aerial eradication, the cornerstone of current eradication efforts in Colombia, will continue to be important in the more remote areas of Putumayo, where large, agro-business coca plantations dominate the landscape. The spray campaign aimed at those targets is scheduled to begin in December. This timing coincides with the beginning of the local dry season, when aerial eradication is most effective, and with the anticipated completion of training by the Colombian army's second counternarcotics battalion, as well as the arrival of the UH–IN helicopters needed to provide transportation for it and for the first counternarcotics battalion.

After the first twelve months of the eradication campaign in Putumayo, those communities in the alternative development area that have opted not to participate in the voluntary eradication program will be subject to possible aerial eradication. This does not mean that spray operations will begin immediately upon the expiration of the twelve-month grace period. It is merely intended to leave aerial eradication available as an option for the Colombian authorities to use in combating coca cultivation, which, under Colombian law, is a criminal act.

While funding for the training and support of these battalions was contained in the supplemental appropriation, our greatest contribution to the brigade, both in terms of dollar amount and operational need, is helicopter lift. That said, the helicopter platforms themselves are just one part of the helicopter equation. We must also take into account the training needed to produce the pilots, mechanics and crews and the logistical network necessary for the helicopters to be functional aircraft. We are working, with the Colombians, to address all these issues.

On the helicopters themselves, we are complying with Congress's wish to purchase the UH–60 BlackHawks through DSCA, who has provided us with delivery estimates. These delivery estimates, that by the Army's own admission are conservative, indicate that the brigade's UH–60 BlackHawk utility helicopters should begin to arrive by October 2002, and all are scheduled to be in Colombia by May 2003. These dates are based upon the worst-case assumption that the aircraft will be contracted in April, with the first aircraft being completed eighteen months later. Clearly, it may be possible to complete the contract sooner than April and it may be possible to deliver the aircraft in less than eighteen months. We know that this matter is of concern to Congress. It is of concern to us as well and we will make every effort to pin down earlier dates, but we are not in a position to say anything beyond the Army's estimates at this time. Similarly, we expect the brigade's contingent of Huey II helicopters to be fully fielded within two years, with the first aircraft arriving in mid-2001. These are current contractor estimates. The exact delivery dates have not been determined, but the aircraft will follow immediately behind the Huey IIs currently being processed for the CNP. Moreover, we will sign a contract with Bell for the first 12 Huey II kits before the end of September.

There have also been a great number of indications and rumors that the number of Black Hawk and other helicopters being provided through the supplemental appropriation may be less than Congress authorized. We believe that this is due to widely different cost figures circulating among the parties involved. We are working to resolve this confusion so that the programs can proceed and we will share those cost figures with the Congress as soon as they are available.

Last year, eighteen UH–IN helicopters were sent to Colombia to provide lift to the counternarcotics battalion. Those aircraft were used to train pilots. Then, in the spring, because funding we expected from the supplemental appropriation was not yet available, the program was temporarily suspended, including training with the ground forces. Those aircraft are now being brought back into service. The first will be operational in October and the full complement of 18 complete in November. These 18 helicopters will be available for training with the first and second counternarcotics battalions. Additionally, all fifteen UH–IN helicopters provided by the supplemental are expected to be available the first quarter of 2001. These 33 heli-

copters were always envisioned as providing interim air-mobility for the first two battalions and eventually for the third battalion, when it becomes operational.

Pilot and mechanic development and logistical training are also key to implementing Plan Colombia's counternarcotics goals. We believe that this training requirement can be successfully addressed. The delay between the order and delivery of the Huey II and UH–60 aircraft, for example, will allow pilots and others for those aircraft to be trained at a sustainable rate. No other counternarcotics element of Plan Colombia raises the question of absorptive capacity in so serious and difficult a manner. While the supplemental provides important new resources, those resources, with the exception of the helicopters, will primarily serve to expand upon programs already underway in Colombia. Past U.S. government assistance for those programs has been easily absorbed.

Colombian preparations, however, must go beyond mere absorptive capacity and the training of personnel. In order to undertake such an ambitious counternarcotics strategy, Colombian governmental institutions have conducted difficult but necessary reforms to improve efficiency and interagency coordination. This includes the breaking down of long-standing intra-service rivalries, which is key for the success of the envisioned joint operations, and the improvement of communication between the country's security forces and organizations dedicated to humanitarian assistance, both within and outside of the government. This essential public outreach has been insufficient so far, but the Colombian government is now carrying out a campaign to educate the population, especially in Putumayo, regarding the social and developmental aspects of the counternarcotics efforts.

Colombia must also work to address the human rights and counternarcotics certification criteria identified in the supplemental legislation. The documentation that accompanied the August 23 certification and waiver decisions noted that President Pastrana had provided the written directive regarding jurisdiction over military personnel that was required for certification. The Colombian legislature has recently also passed a package of military reforms that gives the government the ability to dismiss military personnel with less than 15 years of service who are credibly suspected of human rights violations and/or collusion with the paramilitaries. We are confident that the next certification process, expected in December, will be able to document progress in the prosecution of alleged human rights abusers in the military. The Department of State is also working with the government of Colombia to develop a more aggressive plan for the eradication of illegal crops. Already, the Colombian government has revised its goals to include a fifty-percent reduction of coca cultivation in Putumayo and a thirty-percent reduction over the rest of the country within the next two years.

The government of Colombia has committed itself to making an all out effort to resolve that country's problems. With our assistance package of $1.3 billion, the United States has pledged much needed support. While teams in both countries continue to plan and adjust operational modalities, the implementation process is now underway. I am confident of the success of these projects and of Plan Colombia, and I look forward to working closely with the Congress as we continue to address these critical issues.

Mr. GALLEGLY. At this point, it is my pleasure to recognize the gentleman from New York, the Chairman of the Full Committee, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman for conducting this very timely hearing. I regret I have to run to the Floor. I appreciate your letting me interrupt the proceedings, and I want to thank our witnesses for being here, particularly Assistant Secretary Beers, who we have worked with over the years.

It is a particularly important time since the Administration was, we believed, about to sign contracts for the drug fighting choppers for which we provided the monies in Plan Colombia and which are sorely needed. The delays we are hearing about today are abominable and alarming, to say the least. How those choppers are configured and how the other monies Congress provided under Plan Colombia are going to be spent, will make a major difference in Colombia. It will determine whether or not we accomplish our twin goals of reducing drugs from abroad and helping save Colombian democracy from the self-sufficient and well-armed narco-terrorist

insurgencies of the ELN and the FARC. If the Administration's track record of failing to get the right aid to Colombia in a timely fashion is any indication, I think we have to be very much concerned.

By comparison, the Russian speaking mafia, in conjunction with the drug traffickers, got the steel, the tools and manuals down to Colombia to build a pressurized double hull submarine to move drugs into our Nation, out of Colombia. Our State Department ought to be able to deliver our counterdrug aid at least that well. If not, I think we are in major trouble. In July, the State Department Inspector General's Office released an audit of the Colombian anti-drug program. That report was requested by Chairman Burton and myself last March after we observed that the Huey-II choppers were improperly configured for the Colombian National Police. The IG's audit makes it clear there was a lack of consultation by our State Department with the Colombian police, the front line fighters against drugs, and how their choppers were to be configured.

Even worse, the Inspector General's report revealed that the Bell 212 choppers that were given to the Colombia drug police could not fly because the INL Bureau failed to give the police the spare parts that were needed to make them operable.

As we know, the Colombian police have the lead in drug fighting in that troubled nation. The police have lost nearly 5,000 of their officers in the last decade fighting drugs. And many of their elite anti drug units were lost or captured when their choppers were shot down by the narco-terrorists. Congress had to lead the way in providing both good choppers and correctly configured Black Hawks for the police. We thank the Speaker, Mr. Hastert, for helping us in that direction. We helped to do it right. I am pleased to report today through mid September of this year, the police, have record eradication levels. Drug eradication has soared, all without the loss of one policeman's life because we gave them Black Hawks with the right defensive weapons, the GAU–19 gattling gun.

I would like to note that this is the very same defensive weapon that was just chosen by our Marine Corps to protect their new 21st century troop transports.

The police have done an amazing job with eradicating opium production. They have managed to eradicate nearly five times the amount of poppy that they eliminated in all of 1998. This was done without any loss of life in the rugged high Andes. I have long had a healthy skepticism of Plan Colombia, both in its implementation by our State Department-based on State's past performance, and the overemphasis on our aid to the Colombian military, instead of to these excellent CNP anti-drug units. As we approach a provision of nearly $1 billion in aid to Colombia under Plan Colombia, we need to be convinced that the mistakes of the past, are not going to be repeated. We look forward to the further testimony today, and to the work of assistant Secretary Beers, who is fully cognizant of the problems involved. I hope that answers will be provided on whether we can get it right this time. If not, I think the future of Colombian democracy is in grave risk, along with the lives of many of our American families and children in our Nation, as Colombian exports of illicit drugs continue to flood our shore lines.

Thank you, Mr. Chairman.

Mr. GALLEGLY. Thank you Mr. Gilman.
[The information referred to follows:]

NEWS International Relations Committee

U.S. House of Representatives * Benjamin A. Gilman, Chairman * 2170 RHOB * Washington, D.C. 20515

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STATE DEPT. ROLE IN AID TO COLOMBIA QUESTIONED BY GILMAN

WASHINGTON (September 21) – U.S. Rep. Benjamin A. Gilman (20th-NY), Chairman of the House International Relations Committee, made the following statement today at a Western Hemisphere Subcommittee hearing on counter-drug assistance to Colombia:

Mr. Chairman, thank you for calling these very timely hearings on the situation in Colombia. We had believed that the administration was about to sign contracts for the drug fighting choppers, for which we provided the monies in Plan Colombia. The delays we are hearing about today are alarming to say the least.

How those choppers are configured and how other monies Congress provided under Plan Colombia are spent will make a major difference in Colombia. The answers to these questions will determine whether we accomplish our twin goals of reducing drugs from abroad and helping save Colombian democracy from the "self sufficient" and well-armed narco-terrorist insurgencies of the ELN and the FARC.

If the Administration's track record of failing to get the right aid to Colombia in a timely fashion is any indication, we ought to be very concerned.

By comparison, the Russian-speaking mafia -- in conjunction with the drug traffickers -- got the steel, tools and manuals down to Colombia to build a pressurized double-hull submarine to move drugs into our nation. Our State Department ought to be able to deliver our counter-drug aid at least that well. If not, we are in big trouble.

In July, the State Department Inspector General's office released an audit of the Colombian anti-drug program. That report was requested by Chairman Burton and me last March, after we saw that the Huey II choppers were improperly configured for the Colombian National Police.

That IG's audit makes it clear there was a lack of consultation by the State Department with the Colombian police, the front-line fighters against drugs, on how their choppers were to be configured.

Even worse, the Inspector General's report revealed that the Bell 212 choppers that were given to the Colombian cops could not fly because the INL Bureau failed to give the police the spare parts they needed.

(more)

As we know, the Colombian police have the lead in drug fighting in that troubled country. The police have lost nearly 5,000 officers in the last decade fighting drugs, and many of their elite anti-drug unit were lost or captured when their choppers were shot down by the narco-terrorists.

Congress had to lead the way in providing both good choppers and the correctly configured Black Hawks for the police. We thank Speaker Hastert for leading the way in that effort. We helped to do it right, I am pleased to report today.

Through mid-September of this year, the police have record eradication levels, and drug interdiction has soared, all without the loss of one policeman's life because we gave them Black Hawks with the right defensive weapon -- the GAU 19 Gatling gun. I would like to note that this very same defensive weapon was just chosen by the United States Marine Corps to protect its new 21st Century troop transport.

The police have done an amazing job with eradicating opium production. They have managed to eradicate five times the amount of poppy that they eliminated in all of 1998. This was done without any loss of life in the rugged high Andes.

I have long had a healthy skepticism of Plan Colombia, both in its implementation by our State Department based on State's past performance, and the over-emphasis on our aid to the Colombian military instead of the Colombian police's excellent anti-drug unit.

As we approach the provision of nearly one billion dollars in aid to Colombia, I need to be convinced that the mistakes of the past will not be repeated.

I look forward to hearing testimony from today's witnesses from the Administration. I hope they will provide answers on whether we can get it right this time. If not, the future of Colombian democracy is at grave risk, along with that of American families and children.

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Mr. GALLEGLY. At this point we recognize the gentleman from New Jersey who just joined us, the Member of the Committee, Mr. Rothman.

Mr. ROTHMAN. Thank you, Mr. Chairman. Let me begin by thanking you and our distinguished Ranking Member, Mr. Ackerman, for holding today's hearing. I am here today because I am interested in helping craft a U.S. foreign policy that will pave the path to peace in Colombia. I know in my district in northern New Jersey, I have some constituents who have emigrated from Colombia and whose greatest dream is to return to visit relatives and friends in a Colombia that is free from the chaos brought on by drug warlords. I share their dream. If history is any guide, large infusions of cash from the United States for counternarcotics operations in Colombia will not alone end that nation's dreadful slide into anarchy.

While the 2-year, $1.3 billion aid package, and we recently approved, increased assistance for economic development and democracy building programs in Colombia, it also directs the lion's share of the aid about 75 percent for counternarcotics programs. Frankly, I wish the aid package was a little bit more balanced with more aid targeted toward democratization and economic development programs. I believe that the real path to peace in Colombia resides in two places, in the hearts of the Colombian people and the resolve of the United States to help Colombia in its efforts to fight narco-traffickers and to institute broad economic and civic reforms.

Ultimately, it is these reforms that will help defeat the very drug traffickers who are now dragging this once proud nation into a political and economic black hole. Today, Colombia is in danger of losing its war against these drug traffickers and guerrilla groups

funded by income from the narcotics industry. These groups now control or influence over half of the Colombia's 1,000 municipalities. These groups have escalated their attacks on military targets and innocent civilians and have expanded their kidnapping and extortion operations. Likewise, paramilitary groups in Colombia with close ties to the military have committed gross human rights violations, including the murder of guerrilla sympathizers and alleged guerrilla sympathizers. On top of these troubling facts, United States officials estimate that despite our programs, cocaine production in Colombia is likely to increase more than 50 percent in the next 2 years.

To make matters worse, Colombia is now also the largest supplier of heroin to the eastern United States. No nation, no people can long endure the status quo that now prevails in Colombia. The murder of innocents, the assassination of honest government officials, and the lawlessness of the guerrilla groups and paramilitaries, have all taken an enormous toll on civil society and democracy and in Colombia. Many good people have been silenced in Colombia. Many more have been forced to flee their home land, leaving the guerrilla groups stronger and the government weaker. The good news is that the people of Colombia do hunger for change as evidenced by the fact that over 10 million Colombians, nearly one quarter of the population, marched last year in support of peace and a final end to violence.

Today a new path toward peace in Colombia does exist. It is called Plan Colombia. I voted to help fund Plan Colombia, because I am convinced that it offers fresh new and concrete ways to bring hope and prosperity back to Colombia. It affirms that all Colombians should enjoy fundamental human rights, including freedom from fear. It offers real solutions to end the vicious cycles of poverty, and Plan Colombia includes a blueprint to provide full access to education and health care to the Colombian people, the real keys to long-term stability in that troubled country.

Finally, by enhancing social development and democratization programs in Colombia, by addressing the need to advance the peace process and by defining goals for economic reforms, along with a very strong military response, Plan Colombia represents a bold new chance for a secure, vibrant and peaceful Colombia.

Mr. Chairman, again I commend you for holding this hearing and I look forward to listening to the testimony of our distinguished witnesses.

[The prepared statement of Mr. Rothman follows:]

PREPARED STATEMENT OF THE HONORABLE STEVEN R. ROTHMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

MR. CHAIRMAN, LET ME BEGIN BY THANKING YOU AND THE DISTINGUISHED RANKING MEMBER OF THIS COMMITTEE, MR. ACKERMAN, FOR HOLDING TODAY'S HEARING.

I AM HERE TODAY BECAUSE I AM INTERESTED IN HELPING CRAFT A U.S. FOREIGN POLICY THAT WILL PAVE THE PATH TO PEACE IN COLOMBIA. AND I KNOW THAT IN MY DISTRICT IN NORTHERN NEW JERSEY, I HAVE MANY CONSTITUENTS WHO EMIGRATED FROM COLOMBIA AND WHOSE GREATEST DREAM IS TO RETURN TO VISIT RELATIVES AND FRIENDS IN A COLOMBIA THAT IS FREE FROM THE CHAOS BROUGHT ON BY DRUG WARLORDS. I SHARE THEIR DREAM.

IF HISTORY IS ANY GUIDE, LARGE INFUSIONS OF CASH FROM THE U.S. FOR COUNTER-NARCOTICS OPERATIONS IN COLOMBIA WILL NOT ALONE END THAT NATION'S DREADFUL SLIDE INTO ANARCHY .

WHILE THE 2 YEAR, $1.3 BILLION AID PACKAGE WE RECENTLY APPROVED INCREASES ASSISTANCE FOR ECONOMIC DEVELOPMENT AND DEMOCRACY BUILDING PROGRAMS IN COLOMBIA IT ALSO DIRECTS THE LION'S SHARE OF THE AID, ABOUT 75%, FOR COUNTER-NARCOTICS PROGRAMS. FRANKLY, I WISH THE AID PACKAGE WAS MORE BALANCED, WITH MORE AID TARGETED TOWARDS DEMOCRATIZATION AND ECONOMIC DEVELOPMENT PROGRAMS.

I BELIEVE THAT THE REAL PATH TO PEACE IN COLOMBIA RESIDES IN TWO PLACES; IN THE HEARTS OF THE COLOMBIAN PEOPLE AND IN THE RESOLVE OF THE UNITED STATES OF AMERICA TO HELP COLOMBIA IN ITS EFFORTS TO FIGHT NARCO-TRAFFICKERS AND INSTITUTE BROAD ECONOMIC AND CIVIC REFORMS. ULTIMATELY, IT IS THESE REFORMS THAT WILL HELP DEFEAT THE VERY DRUG-TRAFFICKERS WHO ARE DRAGGING THIS PROUD NATION INTO A POLITICAL AND ECONOMIC BLACK-HOLE.

TODAY, COLOMBIA IN DANGER OF LOSING ITS WAR AGAINST DRUG TRAFFICKERS AND GUERILLA GROUPS. FUNDED BY INCOME FROM THE NARCOTICS INDUSTRY, THESE GROUPS NOW CONTROL OR INFLUENCE OVER HALF OF COLOMBIA'S 1,000 MUNICIPALITIES. THESE GROUPS HAVE ESCALATED THEIR ATTACKS ON MILITARY TARGETS AND INNOCENT CIVILIANS AND HAVE EXPANDED THEIR KIDNAPING AND EXTORTION OPERATIONS. LIKEWISE, PARAMILITARY GROUPS IN COLOMBIA, WITH CLOSE TIES TO THE MILITARY, HAVE COMMITTED GROSS HUMAN RIGHTS VIOLATIONS, INCLUDING THE MURDER OF GUERILLA SYMPATHIZERS.

ON TOP OF THESE TROUBLING FACTS, U.S. OFFICIALS ESTIMATE THAT DESPITE ON-GOING COUNTER-NARCOTICS PROGRAMS, COCAINE PRODUCTION IN COLOMBIA IS LIKELY TO INCREASE MORE THAN 50% IN THE NEXT TWO YEARS. TO MAKE MATTERS WORSE, COLOMBIA IS NOW ALSO THE LARGEST SUPPLIER OF HEROIN TO THE EASTERN UNITED STATES.

NO NATION, NO PEOPLE, CAN LONG ENDURE THE STATUS QUO THAT PREVAILS IN COLOMBIA. THE MURDER OF INNOCENTS, THE ASSASSINATION OF HONEST GOVERNMENT OFFICIALS, AND THE LAWLESSNESS OF THE GUERILLA GROUPS AND PARAMILITARIES HAVE ALL TAKEN AN ENORMOUS TOLL ON CIVIL SOCIETY AND DEMOCRACY IN COLOMBIA. MANY GOOD PEOPLE HAVE BEEN SILENCED IN COLOMBIA. AND TOO MANY MORE HAVE BEEN FORCED TO FLEE THEIR HOMELAND—LEAVING GUERILLA GROUPS STRONGER AND THE GOVERNMENT WEAKER.

THE GOOD NEWS IS THAT COLOMBIA IS HUNGERING FOR CHANGE, AS EVIDENCED BY THE FACT THAT OVER 10 MILLION COLOMBIANS, NEARLY ONE QUARTER OF THE POPULATION, MARCHED LAST YEAR IN SUPPORT OF PEACE AND A FINAL END TO THE VIOLENCE.

TODAY, A NEW PATH TOWARDS PEACE IN COLOMBIA DOES EXIST—PLAN COLOMBIA. I VOTED FOR HELPING FUND PLAN COLOMBIA BECAUSE I AM CONVINCED IT OFFERS FRESH, NEW, AND CONCRETE WAYS TO BRING HOPE AND PROSPERITY BACK TO COLOMBIA. IT AFFIRMS THAT ALL COLOMBIANS SHOULD ENJOY FUNDAMENTAL HUMAN RIGHTS, INCLUDING FREEDOM FROM FEAR. IT OFFERS REAL SOLUTIONS TO END VICIOUS CYCLES OF POVERTY. AND PLAN COLOMBIA INCLUDES A BLUEPRINT TO PROVIDE FULL ACCESS TO EDUCATION AND HEALTH CARE TO THE COLOMBIAN PEOPLE—THE REAL KEYS TO LONG TERM STABILITY IN THIS TROUBLED COUNTRY.

BY ENHANCING SOCIAL DEVELOPMENT AND DEMOCRATIZATION PROGRAMS IN COLOMBIA, BY ADDRESSING THE NEED TO ADVANCE THE PEACE PROCESS, AND BY DEFINING GOALS FOR ECONOMIC REFORMS, PLAN COLOMBIA ALONG WITH STRONG AND CONTINUING MILITARY TRAINING, EQUIPMENT AND SUPPORT REPRESENTS A BOLD NEW CHANCE FOR A SECURE, VIBRANT AND PEACEFUL COLOMBIA.

MR. CHAIRMAN, AGAIN, I COMMEND YOU FOR HOLDING THIS HEARING AND I LOOK FORWARD TO LISTENING TO THE TESTIMONY OF OUR DISTINGUISHED WITNESSES.

Mr. BURTON. Mr. Chairman, we have a mark up in about 5 minutes. Could I take 30 or 60 seconds to make a brief comment, then I will depart.

Mr. GALLEGLY. Without objection.

Mr. BURTON. Let me just say real quickly, we have a lot of Black Hawks in our inventory. We have mechanics and pilots in the Colombian National Police who can fly those and take care of them today, not 3 years from now, today. It will be a tragedy if we have to wait 2 or 3 years to get new Black Hawks and train people when we already have trained—look at me, sir, please. We already have trained pilots down there with the CNP and mechanics who can today fly Black Hawks. We have Black Hawks in our inventory, a lot of them. We could send them down there now. To wait 2 or 3 years for new Black Hawks to come off the line and train a whole bunch of people when we have them already trained and ready to go down there is a ludicrous argument. I mean, there is a war that is going to be lost if we wait 2 or 3 years. They already have a DMZ. The President down there is scared to death of these people. And you are going to wait 3 years to get them the help they need? That is bologna.

Mr. BEERS. Sir, may I submit for the record an answer to that question.

Mr. BURTON. Yes. I would like to read it.

Mr. GALLEGLY. Yes, Mr. Secretary you can submit a response for the record and it will be made a part of the record.

[The response appears in the appendix.]

Mr. GALLEGLY. And with that, I would yield to the Assistant Secretary, Brian Sheridan.

Mr. Sheridan.

STATEMENT OF THE HONORABLE BRIAN SHERIDAN, ASSISTANT SECRETARY, SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT, U.S. DEPARTMENT OF DEFENSE

Mr. SHERIDAN. Mr. Chairman, let me thank you for holding this hearing this morning, giving us the opportunity to answer your questions. We appreciate your bipartisan support for Plan Colombia. Before we delve into a detailed discussion of delivery dates and GAU–19's versus M–60's and other kinds of machine guns, I wanted just to make four points quickly on behalf of the Department of Defense in order to make clear what our policy is.

First, the DOD policy in Colombia is focused on counterdrugs, and counterdrugs only. As General McCaffrey eloquently has testified on numerous occasions, we have thousands of American killed every year because of illegal drugs in our society. By his estimation over $110 billion in damages to our economy, and we have exploding coca cultivation in Colombia. That is the problem that the Department of Defense, along with all the others, is trying to address. And that is our only focus in Colombia. Secondly, DOD's programs supporting the Colombians are designed to interdict, disrupt and destroy drug production, in particular, in southern Colombia. I would note that the Department of Defense has a broad ranging $900 million a year counterdrug program with programs throughout all South America, Central America, the Caribbean and in the United States. These programs are effective, they work. We help foreign and local law enforcement seize over 100 metric tons of cocaine a year. The programs that we are supporting in Colombia are

very consistent with the types of programs we have been working on there since 1989.

In particular, as we have seen the problems in southern Colombia explode over the last couple of years, with the strong support of the Congress, we have undertaken a wide variety of air, ground and river interdiction programs designed to choke off the flow of precursor chemicals into Putumayo and Caqueta, and to disrupt the flow of cocaine products out of that area. We have seen in interdiction programs before in Peru the dramatic effects that interdiction programs can have and how they can reinforce and help alternative development, crop eradication and other programs.

My point is simply to say from a DOD perspective, the programs that we are executing under Plan Colombia are not new. They are not different. In fact, what we are really doing is somewhat more of and faster programs that we had architected several years ago, and were well on our way to implementing.

My third point, is there is a concern, and I think a valid concern among many, that we may get dragged into some kind of a counterinsurgency campaign. Let me assure you that we will not. We have very clear guidance issued repeatedly from the Secretary of Defense, well understood by General Pace, understood by General Wilhelm before him, exactly what we are doing in Colombia and what we are not doing. As I have said before, we have been operating counterdrug programs in Colombia since 1989. We know what the mine fields are. We know what we are doing.

The bright red line which we hold to and the one that I think will keep us out of trouble, simply says on every single deployment order of U.S. forces into Colombia, you are not to accompany host nation forces as they conduct operations. We can train them, we can give them intelligence support, I can give them engineering support, but at the end of the day, when it is time to do an operation, they go out and they do it. We have taken extraordinary protection measures in Colombia to ensure that our soldiers are as safe as they can possibly be.

Having said that, it is fairly obvious, I think, to all of us here, that Colombia is a very dangerous place. We continuously review our force protection posture. We try to train at the largest military bases we can. For example, currently the second counterdrug battalion is being trained in Larandia in southern Colombia. Larandia is home to several thousand Colombia Army troops in any case, including of course the hundreds that we are currently training.

As Congressman Burton I think eloquently pointed out at the beginning of his opening statement, the FARC are not noted for their profiles in courage. They prefer to attack in isolated police posts, a couple of hundred guerrillas against 10 policemen and commit their atrocities. We are relatively comfortable that at a large military base with several thousand Colombian police and military housed there, that our handful of soldiers are relatively safe there.

Lastly, let me say a word about human rights. Human rights, from our perspective, is an area that we evaluate and work with the Colombians in three distinct areas. One, how is the Colombian military doing currently in their conduct of their operations and in the human rights area; secondly, how are they doing on bringing

to justice military personnel for past abuses; and third, what is the status of their relationship with the paramilitaries.

Let me say on the first score, that of current abuses by security forces they are down dramatically. And any NGO, in fact, I think the severest critics of the Colombian military will tell you that human rights abuses by the Colombian police and military have plummeted over the last number of years as President Pastrana and the Colombian military leadership and the Minister of Defense have made it clear that this will simply not be tolerated. There was a time 5 or 10 years ago when the security forces may have committed over 50 percent of political violence in Colombia, but that number is now less than 2 percent. So we think they have made dramatic progress in that area. We think that needs to be recognized. I also would associate myself with Congressman Burton's statements on that score, while the human rights community has plenty to say about the conduct of the Colombian police and military, I don't hear a whole lot about the conduct of the FARC and ELN which engage in atrocities on a daily basis in Colombia.

On bringing to justice military personnel who may have committed human rights abuses in the past, clearly this is a very difficult area that they have done some work on but clearly they need to do more. Over the last few years over 500 cases of military personnel accused of human rights abuses have been submitted to the civilian courts. Within the military system over 400 members have been convicted of human rights abuses. The Prosecutor General has taken action and has been proceeding with cases against over 300 members over the last couple years. So there is vigorous action being taken on these past abuses.

Lastly, on the links to the paramilitaries, let me just say that President Pastrana, Minister Ramirez, General Tapias and General Mora have made it abundantly clear they will not tolerate links to the paramilitaries. That said, we have no doubt that in isolated instances there may be some collusion. Clearly I think there is some onus of responsibility on those to accuse the military to show me such links, and usually they fall short in that area. I think it is one of those cases where it is very hard to disprove a negative. If there is significant collusion with the paramilitaries, I would like to see some proof of it. I have not seen it. I don't believe it is the case. I know all of the individuals I just named personally and have known them for years, they are men of integrity, and when they say this won't be tolerated and they convey that to their forces, I believe they mean it.

I would just close by noting that on September 14th, President Pastrana announced a presidential decree with a broad sweeping reform of the Colombian military. Again, this is something that had been asked for by the NGOs repeatedly over the years. I haven't seen much press coverage of it; haven't seen too many NGO press releases. As a matter of fact, last week President Pastrana announced broad sweeping powers to the head of the Colombian military to dismiss those who he thinks have performed poorly or for other reasons. In the past General Serrano, of course, the head of the Colombian National Police had used such powers very effectively to dismiss those alleged to be corrupt or alleged to have committed human rights abuses. The Colombian military now has that

power. The Colombian military will now institute the creation of a JAG Corps. Again, something requested repeatedly over the years by the NGOs and by the U.S. Government.

So we think the Colombian military, the Minister of Defense, and President Pastrana have continued to make strong efforts in these areas, and I think we need to recognize their efforts in that regard.

Let me close by saying Plan Colombia is very complicated. There are many moving parts. Along with Randy Beers and Carl, we are the three talking dogs who have been up on the Hill more hours than we can count since last summer as we put together Plan Colombia and explained it. We have always said it is difficult. We have always said it will take time to implement. But we also think it is the right approach. It is a holistic approach. It includes alternative development, includes social development, it includes judicial reform, it includes all those pieces that have to be there and it includes the security component piece of it. So it is complicated, it will be difficult to synchronize and execute, but we think it is the right thing to do. And I am happy to answer any questions the Members have this morning about our progress in that area.

Mr. GALLEGLY. Thank you Mr. Secretary.

[The prepared statement of Mr. Sheridan follows:]

PREPARED STATEMENT OF THE HONORABLE BRIAN SHERIDAN, ASSISTANT SECRETARY, SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT, U.S. DEPARTMENT OF DEFENSE

I am pleased to have the opportunity to testify before this Committee to discuss the implementation of the Department of Defense's portion of the Fiscal Year 2000 supplemental appropriation that supports the Government of Colombia's execution of *Plan Colombia.*

Drug abuse is an undeniable threat to our national security; one that is measured by the thousands of lives lost in our country every year and that costs our country billions of dollars annually. Reducing the supply of drugs on our streets is an integral component of our National Drug Control Strategy and the Department of Defense (DoD) plays a key supporting role in creating the opportunity for law enforcement agencies, both our own and those of foreign nations, to interdict the flow of drugs into our country. DoD is committed to this counterdrug mission.

The demand for illegal drugs in the United States, specifically for cocaine and heroin, is met primarily from the growing fields and production laboratories in Colombia. The vast sums of money that this illegal activity provides have served to exacerbate current domestic issues facing the people of Colombia. The US and Colombian Governments, and our citizens, share a common objective to reach our specific national goals—to reduce drug abuse in our own country and to bring peace and stability to Colombia. A significant reduction in the flow of illegal drugs to the US, with the corresponding reduction in the supply of "easy money" which supports both guerillas and illegal self-defense forces operating in Colombia, serves the national interests of both our countries. For these reasons, it is absolutely necessary that the US continue to support Colombia in its effort to reduce the production and transport of cocaine and heroin that is destined for the US.

Over the past two years Colombia, specifically the area east of the Andes, has become the center of the cocaine trade, largely as a result of successful interdiction and eradication efforts in Peru and Bolivia. The remoteness of southern Colombia and the lack of government control in large areas of this region has precluded Colombian interdiction operations to the point that the expansion of coca growing areas, especially in the Putumayo Department, has progressed virtually unchecked. Most of the world's coca is now grown in Colombia and over ninety percent of the cocaine consumed in the US is manufactured or passes through Colombia. The United States, the nation with the greatest cocaine demand, currently consumes over 200 metric tons annually from the Andean region.

DoD has been supporting Colombian counterdrug efforts for over ten years. The additional funding provided by the FY00 Emergency Supplemental will allow the Department to build on past programs, in short, to accelerate the implementation of the efforts in Colombia that ultimately proved to be successful in Peru and Bolivia. The supplemental is a balanced and executable plan that will not require an

appreciable increase in the number of US military personnel present in Colombia. This effort is responsive to *Plan Colombia* and consistent with current US policy. Furthermore, these programs, in coordination with other interagency efforts, form the core of a sound, responsive, and timely assistance package that will significantly enhance Colombia's ability to conduct effective counterdrug operations.

Let me briefly outline the Department's programs. Before I do so however, let me raise a cautionary note regarding the timing of the execution of the programs and delivery of equipment associated with this increased support for *Plan Colombia*. While the funding was appropriated in July of this year, several reporting requirements were mandated which precluded immediately obligating the funding. As a result, most of the supporting contracts are just now being submitted for review by the Department and many of the dates reflect only our best estimate of the expected delivery date.

SUPPORT FOR THE PUSH INTO SOUTHERN COLOMBIA

Counternarcotics Battalion Support

The Department has commenced training the second Colombian counternarcotics battalion using members of the US 7th Special Forces Group. This training is scheduled to be completed in the December 2000 time frame. The third battalion is currently scheduled to begin training in early 2001. These battalions will give the Colombian Army a complete counterdrug brigade in the Putumayo/Caqueta region to engage what is the world's largest coca cultivation center. Plans include positioning counternarcotics battalions at Tres Esquinas and Larandia.

Counternarcotics Brigade Headquarters

The establishment of a counterdrug brigade headquarters is sequenced to support the strategic and tactical operation of the counterdrug Brigade located in southern Colombia. Department support for this program is scheduled to begin in the first quarter of fiscal year 2001. Allocated funding will provide for training, communications equipment, computer needs, facility modification, and similar requirements. The counternarcotics brigade headquarters is scheduled to be operational in February 2001.

Army Aviation Infrastructure Support

The Colombian Army does not have the infrastructure necessary to support the number and mix of helicopters that will be provided by the Department of State using emergency supplemental funding. DoD will fund a variety of critical aviation infrastructure needs to support the UH–1N, UH–1H Huey II and UH–60 helicopters that are required to provide mobility for the counternarcotics battalions. This program will include funding for electrical utilities and road infrastructure, aviation fuel storage and fueling systems, security improvements, parking aprons and helicopter pads, a maintenance hanger, an operations facility, and a taxiway. DoD has conducted several site surveys and hosted conferences to facilitate planning for this challenging requirement. Support contracts are expected to be awarded in the first quarter of fiscal year 2001 and continue through 2002.

Military Reform

For some time the Department has been managing a contractor led endeavor to provide the necessary assistance to Colombia to support the government's effort to restructure its military establishment so it can successfully engage the drug threat throughout the country. The focus of this effort is not tactical but organizational in nature, centered at the Minister of Defense level and the uniformed services of Colombia. The contractor's efforts have focused on restructuring and improving military planning, logistics support for ground and air operational assets, development of counternarcotics military doctrine, development of counternarcotics military strategy, new concepts on recruitment and conscription, development of an integrated intelligence capability, improved computerization and command and control, and similar initiatives. The program will also support efforts to promote human rights and effect judicial reforms. This is an on-going effort and is subject to periodic review. Supplemental funding will be utilized to extend this program should it prove to be necessary.

Organic Intelligence Capability

The intelligence collection capability in the region will be enhanced to support operations by the counternarcotic battalions. This program will provide the counternarcotics battalions with a combination of airborne and ground tactical intelligence capabilities to directly assist in the planning and execution of counterdrug oper-

ations. It is scheduled to begin in the third quarter of fiscal year 2001 and be sustained for an extended period of time.

SUPPORT FOR INTERDICTION EFFORTS

Tracker Aircraft Modification

In the first quarter of fiscal year 2001, DoD will provide for the modification of two Colombia Air Force C–26 Merlin aircraft by installing APG–66 air-to-air radars, Forward Looking Infrared Radars (FLIRs), and communications equipment. The completed aircraft will give Colombia an organic capability to terminally track and intercept illegal smuggling aircraft that move the cocaine from the HCl labs in southeastern Colombia to the Colombian coasts for transshipment to the United States. These modified aircraft will replicate the terminal radar interceptor that supported the Peruvians in their successful air denial operation against the Peru-to-Colombia air bridge. The aircraft modifications should be completed in the summer of 2001.

AC–47 Aircraft Modifications

Commencing in the first quarter of fiscal year 2001, the Department will support the installation of a FLIR in one of the three operational Colombian AC–47 aircraft. The FLIR will greatly enhance the aircraft's ability to support night operations against drug smuggling activities.

Funding will also support modification of an additional Colombian DC–3, converting it into an AC–47 aircraft with FLIR, night vision cockpit, and fire control systems. This will be the 5th AC–47 in the Colombian inventory. These planes have been used repeatedly by the Colombian military to strafe drug trafficking aircraft. The aircraft upgrades are scheduled to be completed in the third quarter of fiscal year 2001.

Ground Based Radar

The contract for the installation of a ground-based radar at Tres Equinas, Colombia that will provide positive air control for the counternarcotics brigade helicopters and fixed-wing aircraft that operate in the region is scheduled to be awarded in the first quarter of fiscal year 2001. The Tres Equinas radar will provide improved detection and monitoring of smuggling air activity in the Putumayo region of Colombia, where over 70% of Colombia's coca cultivation occurs. The program includes the upgrade of an existing TPS–70 owned by DoD, and the installation costs for installing the radar at Tres Esquinas. The radar site is scheduled to be operational in October of 2001.

Radar Command and Control

The DoD supported radar command and control program will provide Colombia a modern and operationally effective system, located in Bogota, which will be capable of monitoring multiple radar sites throughout Colombia. It will support positive control of Colombian Air Force air interdiction operations throughout Colombia. The current system is outmoded and needs to be replaced. The contract will be awarded in the first quarter of fiscal year 2001 with completion expected in the first quarter of fiscal year 2002.

Andean Ridge Intelligence Collection

This ongoing program supports Colombia with critical intelligence against drug smuggling activities. It provides for collection sites located in critical areas throughout the drug cultivation and trafficking regions.

Colombian Ground Interdiction

The Colombian ground interdiction program is still in the initial planning stages. Supplemental funding will be used to initiate a Colombian program to control drug smuggling on the major roads across the Andes and those roads feeding the northern coast and western coast cocaine transshipment regions. This funding will start the process of Colombia regaining control of their major roads, which currently are routinely utilized by the drug trafficking forces. Road control is important since it can help control cocaine and precursor chemical smuggling across the Andes and to/from major ports. As reference, there are 4 or 5 major roads across the Andes and these highways feed the road network located west of the Andes. Vehicle traffic on the highways west of the Andes serves as the principal mode of moving chemicals and cocaine to/from the northern coast and western coast cocaine ports and transshipment regions.

All these programs that I just outlined build on our current strategy—no change in DoD policy is required to execute the programs funded by this supplemental.

There is nothing new here for DoD. However, there will be challenges to confront in the course of our efforts to attack the center of the cocaine industry in southern Colombia. It will not be easy, but it is worth the effort. Let me share with you my concerns.

DOD CONCERNS

Colombian Military Organization

The Colombian military has limitations based on resources, training practices, lack of joint planning and operations. They need to better coordinate operations between the services and with the Colombian National Police (CNP). The restructuring of the military is essential if Colombia is to have continuing operational success against the drug threat. The Colombian Congress has given President Pastrana authority to implement a number of reform measures now under review by the Ministry of Defense; those reforms will make the Colombian military a more modern, professional and effective force. The Colombian military needs help and, as was previously outlined, we plan to use a small portion of supplemental funding towards this end.

Human Rights

I am also concerned, as are members of Congress, about human rights. The human rights practices and procedures that the US government has put in place, in response to legislative enactments, and the example set by the small number of our troops training Colombian forces has had an impact, as have President Pastrana's reforms. Human rights violations imputed to the armed forces have dropped by 95% over the last five years, to fewer than two percent of the total violations in 1999. Armed forces cooperation with the civilian court system in prosecuting human rights violations committed by military personnel has improved. Some military officers accused of collaboration with or tolerance of illegal self defense force activities have been dismissed, while others face prosecution. The armed forces have demonstrated greater aggressiveness recently in seeking out and attacking illegal self-defense forces. Clearly, the Colombian Armed Forces have come a long way, yet no one would dispute that more must be done. I am also alarmed by the reported dramatic increase in human rights violations attributed to both the illegal self-defense forces and insurgents—this is symptomatic of Colombia's crisis in general and, as I see it, a call for to action. The Colombian government needs the resources and training to address this problem and the supplemental represents a significant contribution on the part of the US.

Counterdrug vs. Counter Insurgency

Lastly, let me address the "targets" of this supplemental package, and our source zone strategy as a whole. The targets are the narco-traffickers, those individuals and organizations that are involved in the cultivation of coca or opium poppy and the subsequent production and transportation of cocaine and heroin to the US. Only those armed elements that forcibly inhibit or confront counterdrug operations will be engaged, be they narco-traffickers, insurgent organizations, or illegal self-defense forces.

I know that some are concerned that we are being drawn into a quagmire. Let me assure you, we are not. There are numerous restrictions, constraints, and reviews that are involved in the approval of the deployment of US military personnel on counterdrug missions in Colombia. Suffice it to say, the process is comprehensive, involving reviews by the Embassy in Bogota and US Southern Command in Miami as well as the Joint Staff and the Office of the Secretary of Defense. I personally look not only at who is deploying and what they are doing, but at the specific locations to which they are going. Furthermore, each and every deployment order states, in no uncertain terms, that DoD personnel are not to accompany host nation personnel on operational missions. This will not change. As I have said, the execution of this increased support does not require a change in US policy. Is there risk to US personnel providing counterdrug support? Yes, there is. However, we are aggressively working to minimize that risk.

In summary, the Department of Defense supports this additional assistance for Colombia. US Southern Command and my office participated extensively in its formulation. It integrates fully our source zone strategy, affording the opportunity to enhance those counterdrug programs that have proven successful in Peru and Bolivia. President Pastrana has asked for international support to address an internal problem that has international dimensions—fueled in part by our country's demand for cocaine. It is time to move forward.

Mr. GALLEGLY. Mr. Leonard.

STATEMENT OF CARL LEONARD, ASSISTANT ADMINISTRATOR FOR LATIN AMERICA, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. LEONARD. Mr. Chairman, Members of the Committee, I am pleased to be here to speak about the role that the U.S. Agency for International Development will play in supporting Plan Colombia. USAID has been helping Colombia and its neighbors address a regional threat that knows no borders. We believe that President Pastrana has taken bold significant steps in beginning to address the challenges that today face his country. USAID's programs are intended to provide help to the people of Colombia who are caught in the middle of a national nightmare. They are desperate for the restoration of normalcy to their lives, free of violence and abuse and full of freedom and prosperity.

We are well aware of the terrible scourge of drug abuse in the United States and the continuing need to address this problem at home. In Colombia, however, the effects are also severe. Pervasive violence, increasing crime and murder thrive under the flourishing drug economy. Urban drug consumption is on the rise. And the country's precious and diverse ecosystems are being decimated as cloud forest regions are destroyed for poppy cultivation, and Amazon rain forests are cleared for coca cultivation.

As part of the United States Government's support of Plan Colombia, USAID will focus on the following three program areas: alternative development programs, to help farmers secure decent incomes and futures from the production and sale of legal crops; second, democracy, rule of law and human rights programs to help promote peace and support Colombian efforts to strengthen democratic institutions, the judicial process, and civil society; and third, support for Colombia's internally displaced persons and families, to help Colombia's most marginal population reenter the economy and social life of their country. Through alternative development, USAID is assisting Colombia to undermine the illegal narcotics economy by providing farmers with legal income alternatives. Our program fits into a multifaceted approach that includes interdiction, eradication, and alternative development.

Our experience demonstrates that no single facet can be successful without the other two also being effectively applied. And Plan Colombia includes all three of these approaches.

Today, more than 120,000 hectares of coca grow in Colombia. Most of this coca is grown on large industrial plantations with links to traffickers or insurgent groups. Our program will concentrate on the 18,000 small family farms that cultivate approximately 40,000 hectares of coca. USAID will focus on helping this sector of small farmers get out of the coca growing business.

Supplemental appropriation funds will allow USAID to provide $52.5 million to help Colombians find viable and sustainable alternatives to illicit crops. Farmers will be introduced to more productive farming methods, provided with high quality seeds and assisted in replacing their coca fields with cash and food crops such as beans, rice, coffee, cacao and hearts of palm. In addition, we will facilitate the marketing of these products. We also finance critically needed social and productive infrastructure.

Our goal is the voluntary eradication of coca production on roughly 30,000 hectares over the next 5 years. Similarly, USAID is also helping with the voluntary eradication of opium poppy production on 2,500 hectares. This will be accomplished by replacing the income derived from poppies with income from such cash crops as organic coffee, tropical fruits and berries. Our experience in Bolivia and Peru has found that alternative development works. In Bolivia where USAID has been the principal donor supporting alternative development, coca production has decreased by 55 percent. In neighboring Peru, coca production has decreased by 67 percent. Our experience demonstrates that alternative development is an essential element of an integrated counternarcotics program and can be pursued successfully in the context of security challenges.

USAID will provide $39.5 million to help strengthen democracy, the rule of law and human rights in Colombia which have been under assault by insurgents, paramilitary groups and the drug trade. With these funds we will strengthen human rights institutions and groups and increase their capacity to operate within the country to document human rights abuses and monitor individual cases. We will help the government of Colombia and local non-governmental organizations to implement an early warning system that will allow officials to react swiftly to threats against the civilian population by illegal armed groups.

We will help local organizations inform and educate Colombians about their legal rights and responsibilities, and options for taking preventative measures in the face of violations. And we will reinforce the ability of the government of Colombia to help protect human rights workers and their organizations.

USAID will support efforts aimed at greater effectiveness and fairness within the Colombian judicial system. An independent and vigorous judicial system is vital to the observance of human rights, the defeat of narcotics trafficking, and the decrease of white collar and street crime. Working with the U.S. Department of Justice, we will help Colombia move from an inquisitorial to a more open and accusatorial judicial process. We will strengthen court administration and training of judges, institutionalize the public defender system, and work with NGOs and other interested groups to provide greater oversight and participation in judicial reform.

With the funds from the supplemental, we will expand our support to the highly successful Casa de Justicia program. Casas are neighborhood judicial centers in underserved communities. I had the opportunity recently to accompany President Clinton, Speaker Hastert, Members of this Committee, and our Administrator, Brady Anderson, on a visit to one of these centers in Cartagena last month. These Casas bring together a variety of services in one location, giving residents one-stop access to legal services. There are presently 11 Casas in existence, and we plan to have 29 by the end of 2001. Over 300,000 cases have already been resolved by the Casa de Justicia system since the program was launched. And when all the Casas are operational, over a million cases will be addressed each year.

USAID will help Colombians reduce public corruption which, like narco-trafficking, undermines the very fabric of democracy. As Colombians address issues of impunity and law enforcement, USAID

will contribute to President Pastrana's anti-corruption strategy by helping to strengthen governmental and non-governmental oversight organizations such as the Controller General, the account general and interested citizens groups.

Finally we intend to work with nearly 100 towns and municipalities to strengthen citizen participation in local government, improve budget and program transparency, and enhance the delivery of public services. Municipal governments play a key role in connecting citizens with effective, transparent accountable government.

Assistance to displaced persons is the third major component of USAID's work within Plan Colombia. USAID will provide a total of $27.5 million to help displaced persons in Colombia. Accounts vary of the number of displaced inside Colombia. However, there is no doubt that hundreds of thousands of Colombians have sought refuge away from violence, threats and intimidation. Many, after receiving an initial support of housing and food for 90 days, are left on the margins of urban areas to fend for themselves. USAID, through U.S.-based NGOs and international organizations, will help municipalities and local governments promote employment for displaced persons and help them to obtain basic health care, primary education and decent shelter.

USAID is prepared to obligate $119.5 million of supplemental appropriated funds by September 30th of this year. We are prepared to move forward immediately on assistance to displaced persons. Our activities in administration of justice and human rights will be expanded next month, and we expect to initiate the anti-corruption program. Our largest single program, alternative development in coca-producing areas, will be open for competitive bidding at a bidders' conference scheduled for early next month in Bogota.

I should also note that funding in the supplemental appropriation bill provides for alternative and economic development in Ecuador and Bolivia. In Ecuador, USAID will provide $8 million for local infrastructure and support to civil society along the northern border with Colombia. In Bolivia, USAID plans to use $85 million in the supplemental to initiative alternative development in the Yungas region and broaden and deepen our program in the Chapare.

Mr. Chairman and Members of the Subcommittee, clearly we have a long way to go and a difficult task. We are greatly impressed by the work and commitment of President Pastrana and his team and we are encouraged by the interest already shown by citizen groups, farmer organizations, municipalities and others participating in these very important programs. Thank you for giving me the opportunity to talk today.

Mr. GALLEGLY. Thank you very much, Mr. Leonard.

[The prepared statement of Mr. Leonard follows:]

PREPARED STATEMENT OF CARL LEONARD, ASSISTANT ADMINISTRATOR FOR LATIN AMERICA, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. Chairman, I am pleased to be here to speak about the role that the U.S. Agency for International Development will play in supporting Plan Colombia.

USAID has been helping Colombia and its neighbors address a regional threat that knows no borders. We believe that President Pastrana has taken bold, significant steps in beginning to address the challenges that today face his country.

USAID's programs are intended to provide hope to the people of Colombia and the region who are caught in the middle of a national nightmare. They are desperate for the restoration of normalcy to their lives—free of violence and abuse and full of freedom and prosperity.

We are well aware of the terrible scourge of drug abuse in the United States and the continuing need to address this problem at home. In Colombia, however, the effects are also severe. Pervasive violence, increasing crime and murder thrive under the flourishing drug economy. Urban drug consumption is on the rise. And the country's precious and diverse ecosystems are being decimated as cloud forest regions are destroyed for poppy cultivation and Amazon rainforests are cleared for coca cultivation.

As part of the United States government's support of Plan Colombia, USAID will focus on the following three program areas:

1. Alternative development programs—to help farmers secure decent incomes and futures from the production and sale of licit crops;
2. Democracy, rule of law, and human rights programs—to help promote peace and support Colombian efforts to strengthen democratic institutions, the judicial process, and civil society; and
3. Support for Colombia's internally displaced persons and families—to help Colombia's most marginal population reenter the economy and social life of their country.

ALTERNATIVE DEVELOPMENT

Through alternative development, USAID is assisting Colombia to undermine the illegal narcotics economy by providing farmers with legal income alternatives. Our program fits into a multifaceted approach that includes interdiction, eradication, and alternative development.

Our experience demonstrates that no single facet can be successful without the other two also being effectively applied. And Plan Colombia includes all three of these approaches.

Today, more than 120,000 hectares of coca grow in Colombia. Most of this coca is grown on large, industrial plantations with links to traffickers or insurgent groups.

Our program will concentrate on the 18,000 small family farms that cultivate approximately 40,000 hectares of coca. USAID will focus on helping this sector of small farmers get out of the coca growing business.

Supplemental appropriation funds will allow USAID to provide $52.5 million to substantially enhance our ongoing $5 million core program to help Colombians find viable and sustainable alternatives to illicit crops. Farmers, who are in need of the proper skills to sustain themselves with legal crops, will be introduced to more productive farming methods, provided with high quality seeds, and assisted in replacing their coca fields with cash and food crops such as beans, rice, coffee, cacao, and heart of palm. In addition, we will facilitate the marketing of and access to these legal products. We will also finance critically needed social and productive infrastructure.

Our goal is the voluntary eradication of coca production on roughly 30,000 hectares (about 75,000 acres) over the next five years.

Similarly, USAID is also helping with the voluntary eradication of opium poppy production on 2,500 hectares. This will be accomplished by replacing the income derived from poppies with income from such cash crops as organic coffee and tropical fruits and berries.

Our experience in Bolivia and Peru has found that alternative development works, especially when it fits into a comprehensive program that also includes interdiction, and eradication. In Bolivia, where USAID has been the principal donor supporting alternative development, coca production has decreased by 55 percent. In neighboring Peru, coca production has decreased by 67 percent in just four years. Our experiences in Bolivia and Peru demonstrate that alternative development is an essential element of an integrated counternarcotics program, and can be pursued successfully even in the context of security challenges.

DEMOCRACY AND RULE OF LAW

USAID will provide $39.5 million, in addition to the $4 million core program now in place, to help strengthen democracy, the rule of law, and human rights in Colombia which have been under assault by insurgents, paramilitary groups, and the drug trade.

With these funds, we will strengthen human rights institutions and groups, and increase their capacity to operate within the country to document human rights abuses and monitor individual cases. It is our goal that more human rights abuses will be reported and that cases in the system will be brought to justice in a timely manner, thereby contributing to a reduction in the number of violations.

We will help the government of Colombia and local non-governmental organizations to implement an early warning system that will allow officials to react swiftly to threats against the civilian population by illegal armed groups.

USAID will help local organizations inform and educate Colombians about their legal rights and responsibilities, and options for taking preventative measures in the face of violations. And, we will reinforce the ability of the government of Colombia to help protect human rights workers and their organizations.

USAID will support efforts aimed at greater effectiveness and fairness within the Colombian judicial system. An independent and vigorous judicial system is vital to the observance of human rights, the defeat of narcotics trafficking, and the decrease of white collar and street crime. Working with the U.S. Department of Justice, we will help Colombia move from an inquisitorial to a more open, accusatorial judicial process. We will strengthen court administration and training of judges, institutionalize the public defender system, and work with NGOs and other interested groups to provide greater oversight and participation in judicial reform.

With the funds from the supplemental, we will expand our support to the highly successful "Casa de Justicia" program. Casas are neighborhood judicial centers in underserved communities. I had the opportunity recently to accompany President Clinton, Speaker Hastert, and Brady Anderson, USAID's Administrator, on a visit to one of these centers in Cartagena last month. These Casas bring together a variety of services in one location, giving residents "one stop" access to legal services. There are presently eleven Casas in existence and we plan to have 29 by the end of 2001. Over 300,000 cases have already been resolved by the Casa de Justicia system since the program was launched; when all the Casas are operational, over a million cases will be addressed.

USAID will help Colombians reduce public corruption, which, like narco trafficking, undermines the very fabric of democracy. As Colombians address issues of impunity and law enforcement, USAID will contribute to President Pastrana's anticorruption strategy by helping to strengthen governmental and nongovernmental oversight organizations such as the Controller General, the Accountant General, and interested citizens groups.

Finally, we intend to work with nearly 100 towns and municipalities to strengthen citizen participation in local government, improve budget and program transparency, and enhance the delivery of public services. Municipal governments play a key role in connecting citizens with effective, transparent, accountable government.

INTERNALLY DISPLACED PERSONS

Assistance to displaced persons is the third major component of USAID's work within Plan Colombia. USAID will provide a total of $27.5 million to help displaced persons in Colombia. Accounts vary of the number of displaced persons inside Colombia. However, there is no doubt that hundreds of thousands of Colombians have sought refuge away from violence, threats and intimidation. Many, after receiving an initial support of housing and food for 90 days, are left on the margins of urban areas to fend for themselves. USAID, through U.S.-based NGOs and international organizations, will help municipalities and local governments promote employment for displaced persons and help them to obtain basic health care, primary education, and decent shelter.

Through USAID's Office of Transition Initiatives in the Bureau of Humanitarian Response, the Agency will apply our experience in El Salvador, Guatemala, Nicaragua and other parts of the world to the problem of reintegrating child soldiers. Children as young as thirteen years old, many forcibly recruited, currently serve in the illegal armed groups. The OTI program will help remove them from armed conflict and peacefully reintegrate them back into society, through education, training, and community-based programs.

IMPLEMENTATION

USAID is prepared to obligate the entire $119.5 million of appropriated funds for the programs I outlined above under Plan Colombia by September 30 of this year. We are prepared to move forward immediately on assistance to displaced persons. Our activities in administration of justice and human rights will be expanded next month, and we expect to initiate activities in the prevention of corruption. Our larg-

est single program, alternative development in coca-producing areas, will be open for competitive bidding at a bidders conference scheduled for early next month in Bogota.

REGIONAL SUPPORT

I should also note that funding in the supplemental appropriation legislation provides for alternative and economic development in Ecuador and Bolivia.

In Ecuador, USAID will provide $8 million for local infrastructure and support to civil society along the northern border with Colombia. U.S. funding complements other funds already in place.

In Bolivia, USAID plans to use $85 million in the supplemental funds to initiate alternative development in the Yungas region; and broaden and deepen alternative development in the Chapare.

Mr. Chairman and Members of the Subcommittee, clearly, we have a long way to go and a difficult task. We are greatly impressed by the work and commitment of President Pastrana and his team, and we are encouraged by the interest already shown by citizen groups, farmer organizations, municipalities, and others participating in these very important programs.

Thank you for giving me the opportunity to testify, and I would be pleased to respond to any questions.

Mr. GALLEGLY. Mr. Beers, I am a little confused, and maybe you can help us out here, who exactly in the Administration has the overall responsibility for Plan Colombia? More specifically, if I had a question about the Plan, would I address it to State, INL, NSC, you, Secretary Pickering? Where would that best be directed?

Mr. BEERS. You have in front of you the three principal implementers of the various programs under Secretary Pickering as the co-chair, and in fact, the Chair of our executive committee within the Administration as the overall person in charge of Plan Colombia at this point in time, the whole range of activities, including the peace process, as well as the delivery of the programs that are implemented under the supplemental funding.

Mr. GALLEGLY. Can you give us the members of the executive committee?

Mr. BEERS. They are representatives of the State Department, the Defense Department, the Joint Staff, the Agency for International Development, the Department of Justice, the Department of Treasury, and the Central Intelligence Agency as well as members from the White House staff of both ONDCP and the National Security Council staff.

Mr. GALLEGLY. Do you have some type of an organizational chart?

Mr. BEERS. I can give you an organizational chart.

[The information referred to appears in the appendix.]

Mr. GALLEGLY. If you could give that to the Committee, I would appreciate it. On the issue of helicopters, the 18 UH–1N's it is my understanding that we have this number in Colombia now, is that correct?

Mr. BEERS. Yes, sir.

Mr. GALLEGLY. And they are assigned to the counternarcotics battalion?

Mr. BEERS. Yes, sir.

Mr. GALLEGLY. Right now can you tell me specifically what they are doing and has the first battalion begun training yet or what are they doing?

Mr. BEERS. Sir, I will let Mr. Sheridan talk about the battalion itself, but with respect to the helicopters, we provided those heli-

copters in Colombia during the last quarter of calendar year 1999 with final helicopters arriving in early December. Those helicopters, when they originally arrived in Colombia, were involved in the training of the pilots that would fly those helicopters. They did not actually begin training with the counternarcotics brigade. We had hoped and expected that the funding from Plan Colombia would be available to allow us to conduct that particular training. It was not available. We stood down those 18 helicopters temporarily. They will be back online and available for training beginning in the middle of October, and the full 18 will be available for training at the beginning of November.

Mr. GALLEGLY. Do you have all the spare parts and everything that you need to maintain them?

Mr. BEERS. We have the money. We have the spare parts. We are ready to operate. Yes, sir. I mean we will have to continue to order spare parts in order to maintain the inventory but they are available to fly.

Mr. GALLEGLY. But at this particular point in time, there is no reason that all 18 are not ready and you have adequate back-up parts to keep them running without having to wait for something else?

Mr. BEERS. That is correct, sir.

Mr. GALLEGLY. Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman. First, let me express my concern, it seems that all too often some of our colleagues seem to just buzz around and fly in here and do a political hit on the Administration or try to terrorize witnesses and then fly off into some jungle somewhere. I think that is really totally unnecessary for serious policy makers who want to discuss the issues with the witnesses instead of scoring political points.

I want to thank the witnesses for their written and their oral presentations as well.

If I can ask Secretary Beers, there has been some concern expressed that since the President exercised the human rights waiver, which was necessary to release the assistance, that the Colombian government now believes that a waiver is going to be issued every time one is required. In the wake of the waiver, how do we ensure that the military will actually improve its human rights performance?

Mr. BEERS. Sir, with respect to the issue of human rights, it has been a constant issue at every level of our dialogue with the Government of Colombia. We made clear to the Government of Colombia in association with the discussions that led to the decision by the President to waive those provisions, that we were going to work with them and talk with them and encourage them to move forward on the remaining items that were not able to be certified.

In my written statement, and Brian Sheridan indicated it earlier, I suggested that the chief of the Armed Forces have the authority to dismiss individuals who are believed to have committed human rights abuses which is now an element of the Colombian military's way of doing business.

Secondly, the provision which requires the Colombian military to create an equivalent of what we would call the Judge Advocate General Corps in the United States Army is underway. Both of

those provisions, we believe now, would allow us to certify three of the six elements of that certification. The other three elements of the certification require judgments to be made over time with respect to the implementation of the dismissal of officers, the bringing to trial and whatnot. We will continue to monitor those, and we will work with the Colombian government. But there is no intent to simply say once and for all, because we have done it that we will continue to do it. We will work with the government of Colombia. This will be a key issue of our bilateral relationship.

Mr. SHERIDAN. Can I just add, I was a strap hanger on the President's trip to Cartagena a couple weeks ago. And I thought there was a very powerful presentation made by a number of Members of Congress to President Pastrana and his team, which included the military leadership, which were in the room, about how important it is, and this was post waiver, by the way, how important it is that they continue to make progress in this area. And so, I think they heard it very clearly from the executive branch, they heard it very eloquently from members of the legislative branch, and I have no reason to doubt that they heard the message and are going to continue to work on that.

Mr. ACKERMAN. I thank you for that.

I have some concerns over the assertions made by our colleague, Mr. Bereuter, that he was denied a briefing by the State Department prior to his trip because OMB refused to accede. Is there a——

Mr. BEREUTER. Would the gentlemen yield just for a correction? It is not this Member that was denied; the information which came to me was that the staff of the Speaker's office was denied, that the State Department had not acceded to the briefing, but not this gentlemen.

Mr. ACKERMAN. Is there some structural thing that the OMB has authority to suggest to or order the State Department not to cooperate with the legislative branch?

Mr. BEERS. Sir, the issue in question was that some information had inadvertently been provided to a contractor which was not entirely correct, which had then been provided further to the Hill. We, the State Department, had been asked to come up and explain that information. We had acceded to that request. We had informed the Administration broadly about acceding to that request. And OMB had said that rather than providing an explanation of the interim information which was not thoroughly scrubbed, we should wait and get the entirely accurate information and provide the briefing at that point. We have been engaged within the Administration since that time, in near constant meetings run by the State Department, the Defense Department and OMB, in order to be able to give a fully accurate account of that piece of information, which was not accurate.

Mr. ACKERMAN. So that will be forthcoming.

Mr. BEERS. It will be forthcoming. It is fully our intention to be responsive. We apologize for the creation of a sense that we didn't want to provide the information.

Mr. ACKERMAN. Thank you. That is greatly appreciated.

One final question. I haven't exceeded my time as yet. The Chairman of the Full Committee asserted that we should be more

dependent on the CNP, which seems to have been more reliable in the efforts that we address today. And I think that most of us agree that they have been. However, is it—does the CNP have the capability to do the things that the Chairman had suggested? My understanding is that there are somewhere between 2- and 3,000 anti-narcotics police in the CNP. Can they actually go in and take an area or hold territory, or is only the military capable of doing that?

Mr. BEERS. No, they cannot, and yes, only the military is capable of doing that.

Mr. ACKERMAN. I appreciate it. Thank you.

Mr. GALLEGLY. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. I would like to return to some questions that I raised and review my notes on your responses, Secretary Beers. I would like to ask if there is anyone from the White House congressional liaison who is here in attendance today? I would have liked to have heard from them directly. But I see that is not the case. My questions in part are derived mostly from material from the Speaker's staff. But also, Chairman Goss and I did meet with the head of the National Police and with the head of the military to understand their decision, their request, and the details directly when we were in Cartagena. Other members were involved in another meeting and/or with the presses at their press conference. In part, I bring that information to bear.

Secretary Beers, perhaps you recall that I presented information that Sikorsky has notified the House Intelligence Committee staff that the 18 Black Hawks that were authorized would be reduced to 15 on the instructions of the State Department. But Sikorsky says, as I understand it—and I have this in writing from a good source—that they are willing to proceed with the delivery of 16 Black Hawks. I don't know the reason for the discrepancy between 18 and 16, at $234 million as provided by Plan Colombia.

In part, this may involve a response from you, Secretary Sheridan, because, in fact, the DSCA is handling this on it, at the direction of the Congress. It appears from what Secretary Beers said that the Defense Department is using the U.S. Army procurement guidance documents, and I believe he, Secretary Beers, said that the Army estimates the Black Hawks can begin the delivery only in 2002. And the information I have indicates that will be late 2002 and conclude delivery in 2003. And furthermore, the Army guidelines you indicated, if I have this correct, would take 6 months to sign the contracts.

Now, I am wondering if the information that you have conveyed to me or my understanding of it is correct, first of all, and second, whether or not you would think that the President, if he was knowledgeable about the use of these procurement documents, would find this a satisfactory and timely response given what seems to be his urgency, and certainly that of the Speaker, to move ahead in a timely fashion. And it seems to me a bipartisan effort here in the House. I would call on you in any order that you wish to respond.

Mr. BEERS. Thank you, sir. Your rendition of my oral statement is accurate. But I want to emphasize that those are the Army's conservative figures with respect to delivery. And I want to also em-

phasize that those delivery times are not acceptable to us. And that we will do everything to reduce them. And there is a commitment on the part of DSCA and the Army to reduce them, but that is the number that they can give you now.

Secondly, let me say that included in the context of the Black Hawk helicopters, must be the pilots, the crew, the mechanics and the logistical structure. So the provision of those aircraft immediately out of, for example, the U.S. Army's active inventory would not allow those helicopters to be used. Because there are not, within the Colombian army, the pilots or the mechanics to fly them, contrary to the statement of Mr. Burton. There are not those pilots and mechanics in those numbers within the Colombian National Police to do that either.

Mr. BEREUTER. There seems to be an agreement within the Colombian police as to whether or not there are additional pilots that could fly Black Hawks that are trained based on what they told us in Cartagena, perhaps not in that number but additional pilots. I am not prepared with information to address whether or not maintenance capacity is there or not.

Mr. Sheridan, Mr. Secretary, would you indicate what you believe your orders and overall directions are about expediting the delivery in contrast to the procurement documents of the U.S. Army?

Mr. SHERIDAN. Congressman, I am glad you asked. I think we would all agree in the executive branch and in the legislative branch that we all want three things: We want to get the helicopters as fast as we can, consistent with them being ready to accept them, so we don't have helicopters sitting on the ground that no one can fly. We want to get them as fast as we can. We want to get as many as we can. And we need to get them properly configured to do the mission that they are being asked to perform.

What we are in the middle of right now, which I think Randy alluded to, is, from my perspective, a very technical discussion among budget analysts and acquisition people as to which estimates were used last time, which assumptions were you making about the configuration, did you include external additional fuel tanks or did you not? Did you include the air defense systems on the helos or did you not? So let us compare the original numbers, what was the configuration, what currently is required, what has been the agreed-upon configuration with the Colombian army.

And we had a configuration meeting in southern command between the Colombian army and our aviation experts in SOUTHCOM a couple weeks ago. And you have to do two things: You have to ask the real operators who are going to go out and perform the mission, the counterdrug battalions, what do you need? Where do you have to go? How far do have you to go? What bases do you have? What are the operating parameters that you have? And then you get the more technical guys to tell what you need on the helo. It is a very technical discussion. We are trying to wrap it up as quickly as we can, but rest assured, we want them as fast as we can, as many as we can, and we need them properly configured.

Mr. BEREUTER. Let us see if we have an understanding among Sikorsky and the U.S. Government on two things. One, the Sikor-

sky offer still stands for $234 million for Black Hawks. Is that an understanding? But second, is there an inadequate understanding of the configuration of the helicopter to be delivered on the offer made by Sikorsky?

Mr. SHERIDAN. I think that—I think at this moment we cannot answer this question until we get Sikorsky back in the room with the aviation people and go through this one more time.

Mr. BEREUTER. The second on configuration or the dollar amount?

Mr. SHERIDAN. Both. One has implications for the other. Depending on how you figure it, it has implications for the dollar amount. That is why we have to get back together with them again and understand what they are talking about when they communicate directly to the Hill on what they can do: what are they talking about for configuration versus what the Colombian army is talking about as it works with SOUTHCOM.

Mr. BEREUTER. How soon can that happen?

Mr. SHERIDAN. We are doing it as fast as we can.

Mr. BEERS. I would add one additional point if I might.

Mr. BEREUTER. That is a little vague. I would like a commitment.

Mr. SHERIDAN. There is a meeting today. There was a meeting that Randy and I were at at the end of last week. We are urgently working this. The other thing I would convey is, and Randy I think passed this on, when you talk to the DSCA and the Army, they tend to give you the most conservative or, in some sense, worst case time lines. When can you sign a contract? April. Why do you say April, because it usually takes this amount of time to sign a contract. Is it possible to sign a contract earlier than that? Yes. If there are no problems. Is it possible you could have it in a month or two. Yes. Okay.

Mr. BEREUTER. If the President has an interest in this, which I believe is sincere and if the Congress had a particular interest in a very specific direction, I would hope that the Defense Department and the Army would try to aim at the earliest possible responsible decision. I assume you can convey that. I want to go on to the Hueys.

Mr. BEERS. Can I give you one factual point? The numbers discrepancy, I believe, is explained in the following way: Sikorsky has taken two separate line items, $208 million for 16 helicopters that the Black Hawk variety for the Army and $26 million for two Black Hawks for the CNP. They have added those together and come up with $234 million, and they have gone back and applied it against the 16 helicopters for the Army. Our objective remains 18 helicopters for $234 million or a clear explanation to you of why that doesn't work. We have not given up on that objective. So Sikorsky is giving you a number for a lower number of helicopters and that is not our objective.

Mr. BEREUTER. We are about out of time to go vote. I do have this question, and I request an answer as soon as you can get it to us—is it contemplated that there will be, in effect, temporary Hueys delivered, so that there won't be as long a delay in delivering, which could be, you said the second quarter of 2003, on the Hueys? And, in fact, are some of these helicopters coming from Canada?

Mr. BEERS. Yes, sir, that's absolutely correct. What I referred to is the UN–1N Helicopter, 18 of which are in Colombia, 15 of which will be delivered early in 2001. Those were purchased from Canada. They are used, they are adequate helicopters. They will be the interim lift for the counternarcotics effort until we can make these new helicopters available.

Mr. SHERIDAN. If I could add that has always been our plan. Regardless of what month the Black Hawks show up, we have known there has been a gap and the idea from the beginning was to design a program so the 33 UH–1N's provide the air lift as an interim solution until the Black Hawks arrive. As soon as they become operational, the battalions will be air mobile and they won't be sitting around.

Mr. BEREUTER. I understand that part of it. Thank you, Mr. Chairman.

Mr. GALLEGLY. I thank the panel. I do have, without objection, a couple questions I would like to submit to the members of the panel today to have a written response back that could be made a part of the record of the hearing.

Mr. BEREUTER. Could I be included in that?

Mr. GALLEGLY. Yes, without objection. And we have about 5 minutes to get to the floor. I don't want to hold this panel up any more. I want to thank this panel very much for appearing for your testimony. And the Committee will be in recess until the vote is completed then we will reconvene with the second panel. Thank you.

[Recess.]

Mr. BALLENGER. [Presiding.] Let me welcome Mr. Vivanco and Mr. Shifter to the second panel of the day.

Then without further ado—I guess—do we have enough people? Okay. Mr. Vivanco, the floor is yours.

STATEMENT OF JOSÉ MIGUEL VIVANCO, EXECUTIVE DIRECTOR, AMERICAS DIVISION, HUMAN RIGHTS WATCH

Mr. VIVANCO. Thank you very much.

Mr. GALLEGLY. Your full statement will be entered into the record and make it as concise as you can. Go ahead.

Mr. VIVANCO. Thank you very much. Thank you, Mr. Chairman. Mr. Chairman, Members of this Committee, it is a pleasure to be with you today. Thank you for inviting me to convey to this Subcommittee our concerns about the human rights situation in Colombia and the implications of the U.S. security assistance to Colombia.

I know that the Subcommittee is most interested in an exchange, so my remarks will be brief.

I would also like to submit for the record, Mr. Chairman, a copy of my written testimony, which includes what we consider to be the key benchmarks to evaluate the compliance of the Colombian government with the human rights conditions included in Public Law 106–246.

Mr. GALLEGLY. So ordered.

Mr. VIVANCO. Thank you, Mr. Chairman. These benchmarks represent a joint effort that included Amnesty International and the Washington Office on Latin America.

To summarize, the human rights situation in Colombia remains serious with abuses committed by all sides. The armed forces, paramilitaries and guerrillas continue to ignore international humanitarian law and fight this war by mainly attacking civilians, not combatants. For every combatant killed in this war, two civilians die, a situation that appears to be worsening, not improving, in Colombia.

Unfortunately, we continue to receive credible and well-documented information from multiple and credible sources that indicated that the armed forces, in particular the military, has yet to break long-standing ties to the paramilitary groups that are responsible for most human rights violations, including massacres and mutilations in Colombia.

In addition, the two major guerrilla groups have refused to abide by international law or humanitarian law. Two of the newest tactics merit special consideration, the use of gas cylinder bombs in attacks on police barracks and paramilitary bases, a weapon that is inherently inaccurate and responsible for dozens of civilian casualties, and the practice of mass kidnapping, the seizure of large groups of civilians to hold for ransom or political concessions.

In our view, Mr. Chairman, there has been no progress on the performance of the guerrillas, the ELN and the FARC, with regard to basic principles of international humanitarian law. Human Rights Watch remains convinced that the most important way that the United States can contribute to improving human rights protections in Colombia is to enforce the strict conditions on all military aid. Enforcement of the conditions contained in Public Law 106–246 would have contributed greatly to improving human rights protection, in my opinion.

In essence, these conditions force Colombia's leaders to enforce existing laws by ensuring that cases involving alleged human rights abuses by members of the armed forces be prosecuted in civilian court and not military courts, where impunity has been the rule. The conditions also require Colombia to combat illegal paramilitary groups, a goal that would greatly fortify democracy and the rule of law in Colombia.

Some Administration officials have claimed that the Colombian government lacked sufficient time to implement these human rights conditions. In our view, that is incorrect. Indeed, these conditions reflect the literally hundreds of recommendations made over several years to Colombia by the United Nations High Commissioner for Human Rights, the Organization of American States, and human rights organizations including Human Rights Watch.

As I said, they essentially tell Colombia to enforce its own laws, laws that have been on the books since at least 1997, and in the case of paramilitaries, since 1989, time is not the problem, Mr. Chairman, political will is. Regrettably by waiving most of these conditions, the Administration has converted the clear will of the U.S. Congress into empty rhetoric. Without a clear enforcement, these conditions are worse than meaningless. The waiver demonstrates to the worst elements within the Colombian armed forces that atrocities will continue to go unpunished if there is a single-minded imperative to fight drugs. But the lawlessness of Colombia's war is not divorced from drug trafficking. To the contrary, by

seeking that all laws be enforced, including the ones that protect human rights, the United States would contribute significantly to the strength of civilian society and its ability to defend democracy against the rule of the gun or machete in Colombia.

I call on the Subcommittee to reassert its commitment to human rights by compelling the United States Government to enforce these human rights conditions. Specifically, I urge you to consider, Mr. Chairman, to eliminate the waiver authority through legislation. Human rights should never be considered a minor or secondary goal of U.S. foreign policy. Reflecting the ideals of this great Nation, human rights should be the centerpiece of foreign policy.

Secondly, I respectfully request that you adopt the benchmarks that I have submitted to the Subcommittee as a way to measure the Colombian government's compliance with the conditions in Public Law 106–246. If these conditions remain unmet when aid is ready to be obliged for fiscal year 2001, I urge you to insist to the Administration that Congress will not tolerate another waiver, a weak certification, and more impunity for abusers in uniform in Colombia.

Mr. Chairman, I would like to conclude my remarks by just saying for the record that in my experience, human rights organizations in Colombia and outside Colombia have unequivocally condemned violations of international law, human rights law committed by all sides in this internal armed conflict in Colombia. Human Rights Watch certainly has published several reports, long reports about the failure of the guerrillas as well as paramilitary groups and the state agency in Colombia to satisfy minimal standards of international law that should be enforced in Colombia.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Vivanco follows:]

PREPARED STATEMENT OF JOSÉ MIGUEL VIVANCO, EXECUTIVE DIRECTOR, AMERICAS DIVISION, HUMAN RIGHTS WATCH

Chairman Gallegly, Representative Ackerman, Members of the Subcommittee:

It is a pleasure to be with you today. Thank you for inviting me to convey to the Subcommittee our concerns about the human rights situation in Colombia and the implications of U.S. security assistance. I know the Subcommittee is most interested in an exchange, so my remarks will be brief. I would also like to submit, for the record, a copy of my written testimony, which includes what we consider to be the key benchmarks to evaluate the compliance of the Colombian government with the human rights conditions included in Public Law 106–246. These benchmarks represent a joint effort that included Amnesty International and the Washington Office on Latin America.

To summarize, the human rights situation in Colombia remains serious, with abuses committed by all sides. The armed forces, paramilitaries, and guerrillas continue to ignore international humanitarian law and fight this war by mainly attacking civilians, not combatants. For every combatant killed in this war, two civilians die, a situation that appears to be worsening, not improving.

Unfortunately, we continue to receive credible and well documented information from a variety of sources indicating that the Armed Forces, in particular the military, has yet to break long standing ties to the paramilitary groups that are responsible for most human rights violations, including massacres and the mutilations of bodies. In addition, the two major guerrilla groups have refused to abide by international law. Two of the newest tactics merit special rebuke: the use of gas cylinder bombs in attacks on police barracks and paramilitary bases, a weapon that is inherently inaccurate and responsible for dozens of civilian casualties; and the practice of mass kidnaping, the seizure of large groups of civilians to hold for ransom or political concessions.

Human Rights Watch remains convinced that the most important way that the United States can contribute to improving human rights protections in Colombia is

to enforce strict conditions on all military aid. Enforcement of the conditions contained in Public Law 106–246 would have contributed greatly to improving human rights protection, in my opinion. In essence, these conditions obligate Colombia's leaders to enforce existing laws by ensuring that cases involving alleged human rights abuses by members of the armed forces be prosecuted in civilian, not military courts, where impunity has been the rule. The conditions also require Colombia to combat illegal paramilitary groups, a goal that would greatly fortify democracy.

Some Administration officials have claimed that the Colombian government lacked sufficient time to implement human rights conditions. That is incorrect. Indeed, these conditions reflect the literally hundreds of recommendations made over several years to Colombia by the United Nations High Commissioner on Human Rights, the Organization of American States, and human rights groups like Human Rights watch. As I said, they essentially tell Colombia to enforce its own laws, laws that have been on the books since at least 1997 and, in the case of paramilitaries, since 1989. Time is not the problem; political will is.

Lamentably, by waiving most of these conditions, the Administration has converted the clear will of the U.S. Congress into empty rhetoric. Without enforcement, these conditions are worse than meaningless. The waiver demonstrates to the worst elements within Colombia's armed forces that atrocities will continue to go unpunished if there is a single-minded imperative to fight drugs. But the lawlessness of Colombia's war is not divorced from drug trafficking; to the contrary, by seeking that all laws be enforced, including the ones that protect human rights, the United States would contribute significantly to the strength of civilian society and its ability to defend democracy against the rule of the gun or machete.

I call on the Subcommittee to reassert its commitment to human rights by compelling the United States government to enforce these conditions. Specifically, I urge you eliminate the waiver authority through legislation. Human rights should never be considered a minor or secondary goal of U.S. foreign policy. Reflecting the ideals of this nation, human rights should be the centerpiece. Secondly, I respectfully request that you adopt the benchmarks that I have submitted to the Subcommittee as a way to measure the Colombian government's compliance with the conditions in Public Law 106–246. If these conditions remain unmet when aid is ready to be obligated for FY 2001, I urge you to insist to the Administration that Congress will not tolerate another waiver, a weak certification, and more impunity for abusers in uniform.

Overview

So far this year, there has been little progress beyond rhetoric supporting a negotiated end to Colombia's prolonged conflict this year. Both the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) and the Camilist Union-National Liberation Army (Unión Camilista-Ejército de Liberación Nacional, UC–ELN) sent delegations to Europe in government-approved efforts to further talks. Yet in Colombia, individuals who spoke out in favor of peace and protection for civilians were eliminated relentlessly by all sides, advancing the turmoil of war.

Colombia's military continued to be implicated in serious human rights violations as well as support for the paramilitary groups considered responsible for almost 80 per cent of the human rights violations recorded in the first nine months of 2000. Repeatedly, troops attacked indiscriminately and killed civilians, among them six elementary school children on a field trip near Pueblo Rico, Antioquia, on August 15. According to witnesses, soldiers fired for forty minutes, ignoring the screams of the adult chaperones.

Even as he lamented the deaths, Gen. Jorge Mora, commander of the Colombian Army, seemed to justify them by telling journalists, "these are the risks of the war we are engaged in." The Army's claim that guerrillas had used the children as human shields was dismissed by witnesses, who said that there had been no guerrillas present.

There continued to be abundant, detailed, and continuing reports of open collaboration between Colombia's military and paramilitary groups. For example, government investigators believe that active duty and reserve army officers attached to the Third Brigade in Cali set up and actively supported the Calima Front, which continued to operate in Valle del Cauca. In the twelve months since July 1999, when it began operation, the Calima Front was considered responsible for at least 200 killings and the displacement of over 10,000 Colombians.

In a particularly shocking incident, on February 18, an estimated 300 armed men belonging to the Peasant Self-Defense Force of Córdoba and Urabá (Autodefensas Campesinas de Córdoba y Urabá, ACCU) set up a kangaroo court in the village of El Salado, Bolívar, and for the next two days tortured, garrotted, stabbed, decapi-

tated, and shot residents. Witnesses told investigators that the men tied a six-year-old girl to a pole and suffocated her with a plastic bag. One woman was reportedly gang-raped. Authorities later confirmed thirty-six dead. Thirty remain unaccounted for. "To them, it was like a big party," a survivor told the *New York Times*. "They drank and danced and cheered as they butchered us like hogs."

Meanwhile, the Colombian Navy's First Brigade maintained roadblocks around El Salado that prevented representatives of the International Committee of the Red Cross (ICRC) and others from entering. At one point, residents told investigators, a military helicopter evacuated a wounded paramilitary, but did not stop the slaughter. Thirty minutes after paramilitaries had safely withdrawn with looted goods and animals, Navy soldiers entered the village.

Officers implicated in serious abuses remained on active duty, and only in exceptional cases were they transferred after intense international pressure. In numerous cases, military judges ignored a 1997 Constitutional Court decision mandating that cases involving soldiers accused of human rights violations be prosecuted in civilian courts.

The Superior Judicial Council (Consejo Superior de la Judicatura, CSJ), charged with resolving these disputes, continued to demonstrate clear bias in favor of the military. For that reason, on June 2, 2000, the Association of Family Members of the Detained and Disappeared (Asociación de Familiares de Detenidos Desaparecidos-Colombia, ASFADDES), the Citizenry Alive Corporation (Corporación Viva la Ciudadania), and the Colombian Commission of Jurists (Comisión Colombiana de Juristas, CCJ) filed a petition calling on President Pastrana to use his powers to order the Armed Forces to cease disputing these cases.

Defense Minister Luis Ramírez responded by arguing that military tribunals had already transferred 533 cases to civilian jurisdiction., demonstrating, he claimed, compliance. However, after review, Human Rights Watch found that only thirty-nine related in some way to crimes that could be construed as human rights violations, like murder. Most involved low-ranking sergeants and lieutenants, and none were senior officials who may have ordered or orchestrated gross violations.

In one notorious case, the two soldiers who murdered Colombian senator Manuel Cepeda on August 9, 1994, remained on active duty until human rights groups protested in 1999. Press reports indicated that as late as July 1999, Sergeants Hernando Medina Camacho and Justo Gil Zúñiga Labrador moved freely about Colombia and continued to work in military intelligence despite the fact that the Attorney General had issued arrest warrants against them. A Colombian judge found them guilty of murder in December, 1999. Others alleged human rights violators have simply walked out of the military facilities where they were reported to be detained.

The Colombian government claimed dramatic improvement in its record against paramilitaries. Upon inspection, however, improvement was illusory. Most arrest warrants issued by the Attorney General remained unexecuted due to military inaction. The few arrests claimed were mainly low-ranking fighters. Meanwhile, leaders remain at large and collect warrants like badges of honor. As of this writing, there are twenty-two outstanding arrest warrants against Carlos Castaño, for massacres, killings, and the kidnaping of human rights defenders and a Colombian senator.

Although the government of Colombia has repeatedly claimed that it has special search units (Bloques de Búsqueda) to target paramilitary groups, in fact these groups are little more than paper tigers that vanish once the press conference is concluded. One such group, the "Coordination Center for the Fight against Self-Defense Groups," formed with much fanfare on February 25, 2000, has never met.

Violence was particularly acute in northeastern Colombia, where the UC–ELN tried to win government support for a territory to hold what they called a National Convention on social change in the municipalities of San Pablo, Cantagallo, and Yondó. Thousands of civilians protested, fearful of guerrilla abuses, paramilitary retaliation, and more war. At the same time, the area was increasingly controlled by advancing paramilitaries apparently tolerated by the Colombian military. A report by the office of the U.N. High Commissioner for Human Rights, government representatives, and human rights groups found that over 3,700 people in the region had been forcibly displaced over the first three months of the year and dozens had been murdered.

Although Castaño often announced plans for massacres publicly and well in advance, military commanders established a clear pattern of failing to deploy troops to protect civilians, even when local authorities directly informed them about imminent threats. Authorities also received reliable and detailed information about the location of permanent paramilitary bases, yet failed to act against them, contributing to an atmosphere of chaos and terror.

Castaño, who claims 11,200 armed and trained fighters, continued to maintain numerous and permanent bases and roadblocks and moved himself and his troops with apparent ease, employing computers, the Internet, radios, and satellite telephones to prepare death lists and coordinate massacres. In an unprecedented hour-length television interview in March, Castaño described himself as the "fighting arm of the middle class."

There was limited progress on human rights protection. On January 13, President Pastrana signed the Ottawa Convention and promised to rid the country of an estimated 50,000 land mines. After languishing for twelve years, a bill criminalizing forced disappearance, torture, and forced displacement was passed by the Congress in May. A few cases that had long languished in impunity were reopened.

Nevertheless, the Colombian Army continued to lash out at human rights and defenders. Army chief Gen. Jorge Mora characterized an government investigation into alleged army collusion in a massacre as a "persecution that affects the morale of the troops. Hundreds of cases that should have been transferred to civilian jurisdiction remained shielded in military tribunals.

Guerrilla abuses

Even as the FARC entertained foreign dignitaries, journalists, U.N. officials, and Wall Street billionaires in the five southern Colombia municipalities ceded to them to promote peace talks, they murdered civilians, executed armed force and rival guerrilla combatants after surrender, threatened civilians who refused to provide them with information used to extort money, took hostages, and forced thousands of Colombians to flee. The group maintained an estimated seventy battle fronts throughout Colombia estimated to include at least 17,000 trained, uniformed, and armed members.

In dozens of attacks, the FARC used methods that caused avoidable civilian casualties, including the use of gas cannisters packed with gunpowder and shrapnel and launched as bombs. In an attack on Vigía del Fuerte, Antioquia, in March, FARC-launched cannisters left the town a virtual ruin. Witnesses told journalists that some of the twenty-one police agents who died were executed by the FARC, among them several who had sought medical attention in the local hospital.

After a June mission, Human Rights Watch found evidence that the FARC may have executed at least twenty-six residents since taking control in 1998, more than double the official count taken by the office of Colombia's Public Advocate. In addition, sixteen others were reported missing. The FARC publicly acknowledged only eleven executions, claiming their victims had been paramilitary supporters, but observers believed the number was significantly higher. The Public Advocate reported that at least twenty children had been recruited.

In an interview with Human Rights Watch in Los Pozos, Caquetá, FARC commander Simón Trinidad dismissed international humanitarian law as "a bourgeois concept."

Rarely is there confirmation that FARC members who commit violations are punished. To the contrary, the few cases the FARC admits show that punishment amounts to little more than a slap on the hand and rarely extends to the commanders who order or cover up killings. For example, the two guerrillas who killed Americans Terence Freitas, Lahe'ena'e Gay, and Ingrid Washinawatok on March 5, 1999, were eventually sentenced to construct fifty meters of trench and clear land.

The UC–ELN tried to generate parallel talks, and even negotiated the temporary release of jailed leaders to take part in July talks in Geneva, Switzerland. However, talks appeared to bring little hope of a settlement and the group's estimated 1,500 fighters were increasingly pressed in the field by offensives launched by the armed forces, paramilitaries, and rival FARC units.

Far from respecting dissent, the UC–ELN threatened groups that supported humanitarian accords meant to protect civilians, among them Conciudadania and Children, Planters of Peace (Niños, Sembrando Semillas de Paz), both based in Antioquia. Guerrillas also targeted civilian infrastructure to protest government peace and economic policies, a violation of international humanitarian law. Since 1999, guerrillas have blasted over 300 high-voltage power pylons, at one point leaving a third of Colombia in the dark. The group continued attacks on oil pipelines, and for prolonged periods prevented transit on vital roads, converting thousands of detained travelers into de facto human shields against army counterattack.

In areas where control was contested and around its camps, the UC–ELN continued to use land mines.

Both the FARC and UC–ELN continued to kidnap civilians for ransom or political concessions, a violation of international humanitarian law. According to the País Libre, an independent group that tracks kidnaping, guerrillas were responsible for an estimated 517 kidnapings in the first three months of this year, up from 1999.

Paramilitaries also carried out 48 kidnapings, an increase of 45 per cent over the previous year. Most kidnapings, however, were unreported, since families fear risking the lives of their loved ones by going public.

In April, FARC commander Jorge Briceño announced that all Colombians worth over $1 million should pay the FARC a "peace tax" or risk being taken hostage. Some hostages, including a three-year-old and a nine-year-old, were kept in the area reserved for government talks. As of this writing, three passengers seized on an Avianca flight on April 12, 1999, remained in UC–ELN custody, used as bargaining chips to force the government into concessions. Families of civilians kidnapped by the FARC confirmed that the group uses the area to hold at least some of its ransom targets, among them a three-year-old and a nine-year-old.

Forced displacement remained acute. In a report on a 1999 mission, Francis Deng, representative of the U.N. Secretary-General on internally displaced persons, called Colombia's situation "among the gravest in the world . . . displacement in Colombia is not merely incidental to the armed conflict but is also a deliberate strategy of war."

According to the U.S. Committee for Refugees, there are at least 1.8 million forcibly displaced people in Colombia and between 80,000 and 105,000 Colombians living as unacknowledged refugees on Colombia's borders with Venezuela, Ecuador, and Panamá. Colombia is now third behind Sudan and Angola in terms of displaced population.

Although Law 387, passed in 1997, outlined a broad and comprehensive plan to assist the forcibly displaced, it had yet to be effectively implemented by the end of 2000. Indeed, Colombia's Constitutional Court ruled in August that the state had failed to enforce the law and was in violation of its duties. However, it appeared unlikely that even this unusual decision could substitute for the political will necessary to address the problem.

Defending Human Rights

Five defenders were killed in the first nine months of 2000. Threats were particularly acute in the oil-refining city of Barrancabermeja, long the home of a vibrant and broad-based human rights movement. On July 11, ASFADES member Elizabeth Cañas—whose son and brother had been seized by paramilitaries in 1998 and have yet to be found—was shot and killed in Barrancabermeja. By September, dozens of human rights defenders and trade unionists had received death threats. Almost all appeared to be the work of the paramilitary groups who vowed to "sip coffee" in guerrilla-controlled neighborhoods by December.

The Regional Corporation for the Defense of Human Rights (Corporación Regional para la Defensa de los Derechos Humanos, CREDHOS) received eleven telephone death threats in less than a month. At the same time, its members were featured on a death list circulated in the city in September; a trade unionist on the list was murdered in July, a lawyer remained in critical condition after an attack, and another lawyer had fled Colombia.

Demetrio Playonero, a displaced person and human rights leader, was murdered by presumed paramilitaries on March 31. After shooting him in the head in front of his wife at his farm outside Yondó, Antioquia, the gunmen breakfasted, then stole all of the cattle. In May, defender Jesús Ramiro Zapata, the only remaining member of the Segovia Human Rights Committee, was killed near Segovia..

Government prosecutor Margarita María Pulgarín Trujillo, part of a team developing cases linking paramilitaries to the army and regional drug traffickers, was murdered in Medellín on April 3, apparently because of her work. Several of her colleagues had already fled Colombia because of death threats from a gang of hired killers known as "La Terraza," a close ally of Carlos Castaño.

Journalists continued to be attacked and threatened for their work. In one particularly brutal incident, *El Espectador* reporter Jineth Bedoya was abducted on May 25 by paramilitaries from La Modelo prison, where she had planned to interview a jailed paramilitary leader. After the photographer and the editor she was with stepped away, Bedoya was abducted from the prison lobby in full view of the guards, drugged, bound and gagged, and driven to a city about three hours away. There she was beaten, tortured and raped by four men who accused her of being a guerrilla sympathizer. Before kicking her out of their car that night at a local garbage dump, the men told her they had plans to kill three other journalists.

Other journalists faced threats by the FARC for their work. In January, FARC commander Manuel Marulanda Vélez told reporters that they had been unfair to his group and would have to pay. At the time, the FARC was holding seventy-three year old journalist Guillermo "La Chiva" Cortes hostage; Cortes was later rescued. Other journalists who wrote frequently about the war, including Francisco Santos

of *El Tiempo* and Ignacio Gómez of *El Espectador*, left the country because of threats.

Cases involving the killings of human rights defenders, among them the 1996 killing of Josué Giraldo Cardona; the 1997 killings of Mario Calderón, Elsa Alvarado, and Carlos Alvarado; the 1998 killings of Jesús Valle Jaramillo and Eduardo Umaña Mendoza; and the 1999 killing of Julio González and Everardo de Jesús Puerta remained either in investigation or with only the material authors of the crimes identified or under arrest. In all cases, the people who planned and paid for the killings remain at large.

Members of the Colombian military continued to make public statements accusing civilian institutions of having been infiltrated by the guerrillas and questioning the legitimacy of their investigations. The Colombian Armed Forces General Command maintained on its official Web Site a text that directly accused Human Rights Watch and the U.S. embassy's human rights officer of forming part of a "strange and shameful alliance" with a criminal drug trafficking cartel." After the release of "The Ties That Bind: Colombia and Military-Paramilitary Links," Gen. Fernando Tapias, Colombia's commander in chief, and Gen. Jorge Mora, Army commander, echoed this rhetoric by suggesting that Human Rights Watch was in the pay of drug traffickers.

Implications of U.S. security assistance

As required by law, the State Department held consultative meetings with nongovernmental organizations (NGOs) in both Washington, D.C. and Bogotá, Colombia prior to making a determination on the conditions included in Public Law 106–246. On August 17 and 18, various human rights organizations, including the Washington Office on Latin America (WOLA), Human Rights Watch, and Amnesty International, met with officials of the State Department and other US governmental departments and agencies in Washington, D.C. to discuss Colombia's compliance with these conditions.

It was our unanimous conclusion that there was overwhelming evidence demonstrating that Colombia had not met these conditions.

Subsequently, the State Department issued one certification, of Section 3201 1 (A) (i). On August 22, President Clinton invoked Section 4 of the law, waiving the remaining six conditions on the grounds of U.S. national security interests even as American officials admitted that Colombia's military maintained ties to paramilitary groups, had failed to suspend or prosecute implicated officers, and refused to enforce civilian jurisdiction over human rights crimes. "You don' t hold up the major objective to achieve the minor," said a spokesperson for the office of White House adviser and drug czar Gen. (Ret.) Barry McCaffrey.

Amnesty International, Human Rights Watch, and WOLA protested both the decision to certify Section 3201 (1) (A) (i) and to waive the remaining human rights conditions.

The single certification issued by the State Department came after President Pastrana signed a directive based on the entrance into law of the new Military Penal Code. Human Rights Watch believes this directive complied only partially with U.S. law, so should have resulted in a *denial of certification*.

The Directive erroneously suggests that Colombia's Constitutional Court ruled in 1997 that only crimes against humanity (*lesa humanidad*) allegedly committed by members of the Armed Forces should go before civilian courts, and that those crimes were limited to torture, forced disappearance and forced displacement. In fact, the Court went much further, and included crimes of "unusual seriousness" (*inusitada gravedad*) that include gross violation of human rights. This would include extrajudicial executions and the aiding and abetting of paramilitary groups, the most common abuses linked to members of the Armed Forces. Therefore, the directive fell well short of the law, which called on the President of Colombia to direct in writing that Colombian Armed Forces personnel who are credibly alleged to have committed *gross violations of human rights* (emphasis added) will be brought to justice in Colombia's civilian courts, in accordance with the 1997 ruling of Colombia's Constitutional court regarding civilian court jurisdiction in human rights cases.

In granting the waiver, Clinton not only makes the United States complicit in ongoing abuses but risks converting a failed drug war into a disastrous human rights policy. It is the wrong decision at the wrong time. The waiver demonstrates to the worst elements that remain on active duty in Colombia's armed forces that reprehensible behavior will continue to go unpunished.

BENCHMARKS

CONDITION (A)(i): Civilian Court Jurisdiction

This condition requires:

(A) (i) the President of Colombia has directed in writing that Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights will be brought to justice in Colombia's civilian courts, in accordance with the 1997 ruling of Colombia's Constitutional court regarding civilian court jurisdiction in human rights cases;

BENCHMARKS:

The following benchmarks should be achieved before the U.S. Secretary of State issues a certification of the Colombian government's compliance with this condition:

A. A written directive should be sent by the President of Colombia to the Commander General of the Armed Forces ordering members of the armed forces to cease disputing jurisdiction of cases involving military personnel who are credibly alleged to have ordered, committed or acquiesced in gross violations of human rights, including by aiding or abetting of paramilitary activities, whether directly or by "omission."

CONDITION (A)(ii): Suspension of Military Officers

This condition requires the Secretary of State to certify that:

"(A)(ii) the Commander General of the Colombian Armed Forces is promptly suspending from duty any Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights or to have aided or abetted paramilitary groups;"

BENCHMARKS:

The following benchmarks should be achieved before the Secretary of State issues a certification on the Colombian government's compliance with this condition:

A. The United States should require the suspension of members of the security forces within twenty four hours of the presentation of credible evidence of gross violations of human rights or international humanitarian law; the aiding and abetting of paramilitary groups; or their being formally charged by the Attorney General (Fiscalía) as suspects in alleged human rights crimes or the aiding and abetting of paramilitary groups.

B. The United States should obtain a list of the names and ranks of military personnel who have been suspended from duty since August 1997 as a result of credible allegations that they committed gross violations of human rights or aided or abetted paramilitary groups, together with the dates of their suspension. The U.S. Embassy should update this list at three-month intervals and distribute it to the appropriate congressional committees and the human rights groups included in the consultation process required for certification.

C. The United States should obtain a list of names and ranks of military personnel who have not been suspended from duty since August 1997 despite credible allegations that they committed gross violations of human rights or aided or abetted paramilitary groups. The U.S. Embassy should update this list at three-month intervals and distribute it to the appropriate congressional committees and the human rights groups included in the consultation process required for certification.

D. In particular, the United States should ensure that the following individuals are or have been suspended, pending investigations and, as appropriate, prosecution for their alleged involvement in gross violations of human rights and paramilitary activities:

1. *General Rodrigo Quiñónes, Commander, Navy's 1st Brigade:* Colombian government investigators linked Quiñónes to at least 57 murders of trade unionists, human rights workers, and community leaders in 1991 and 1992, when he was head of Navy Intelligence and ran Network 3, based in Barrancabermeja. A military tribunal decided that there was insufficient evidence against him, but he has not been brought to trial in the civilian justice system. The only people to be convicted for these crimes were two civilian employees of Naval Intelligence Network No. 7, one of whom was later murdered in prison. In his ruling on the case, the civilian judge stated that he was "perplexed" by the military tribunal's acquittals of Quiñónes and others, since he considered the evidence against them to be "irrefutable." "With [this acquittal] all that [the military] does is justify crime, since the incidents and the people responsible for committing them are more than clear." This judge also discounted the military's contention that Quiñónes was the victim of a

smear campaign by drug traffickers, concluding that there was no evidence to support this claim. To the contrary, he concluded that evidence linking Quiñónes to the Barrancabermeja atrocities was clear and compelling.

The only punishment meted out to Quiñónes so far has been a "severe reprimand" ordered by the *Procuraduría General de la Nación,* which concluded that he was responsible for the deaths. In a disputable interpretation of existing norms, the *Procuraduría* has determined that murder is not classified as an administrative infraction in the existing regulations. Therefore, the maximum punishment it can impose for murder is a "severe reprimand," essentially a letter in an employment file. It is important to note that the *Procuraduría* itself has termed this absurd punishment "embarrassingly insignificant, both within the national sphere and before the international community." Quiñónes is also the officer in charge of the region at the time of the February 2000 massacre in El Salado (Bolívar). Military and police units stationed nearby failed to stop the killing and established roadblocks which prevented human rights and relief groups from entering the town. Quiñónes was promoted to General in June 2000.

2. *General Carlos Ospina Ovalle, Commander, 4th Division:* Colombia's Attorney General's Office has documented extensive ties between the 4th Brigade and paramilitary groups between 1997 and 1999, while General Ospina was in command. Among the cases that implicate Ospina is the October 1997 El Aro massacre. Government documents show that a joint army-paramilitary force surrounded the village and maintained a perimeter while about 25 paramilitaries entered the town, rounded up residents, and executed four people.
3. *Brigadier General Jaime Ernesto Canal Albán, Commander, 3rd Brigade:* Colombian government investigators found evidence that, in 1999, while Brig. Gen. Canal Albán was in command, the 3rd Brigade set up a paramilitary group and provided them with weapons and intelligence.
4. *General Jaime Humberto Cortés Parada, Inspector General of the Army:* The Attorney General collected compelling and abundant evidence indicating that under his command at the 3rd Division, the Army's 3rd Brigade set up a "paramilitary" group in the department of Valle del Cauca, in southern Colombia. Investigators were able to link the group to active duty, retired, and reserve military officers and the ACCU in Barranquilla, Atlántico (See below); and
5. *General Freddy Padilla León, Commander of the II Division, and Colonel Gustavo Sánchez Gutiérrez, Army Personnel Director:* In July 2000, the press widely reported that the Procuraduría formally charged (*pliego de cargos*) *General Jaime Humberto Cortés Parada* and these two officers with "omission" in connection with the massacre in Puerto Alvira in June 1997. Two other generals who also face disciplinary charges, for "omission"—Generals Jaime Humberto Uscátegui and Agustín Ardila Uribe—are already retired.

E. If it is found after extensive review that the military lacks the legal power to impose suspensions required by this condition, the United States should require that the president of Colombia sign a decree authorizing these suspensions and implement it fully and without delay.

CONDITION (A)(iii): Compliance with Conditions by Armed Forces

This condition requires that:

"(A) (iii) the Colombian Armed Forces and its Commander General are fully complying with (A) (i) and (ii);

BENCHMARKS:

A. The U.S. government should obtain from the Colombian government a list of all cases since August 1997 in which military judges have challenged jurisdiction in cases being investigated by the Attorney General's Office involving gross human rights violations or the aiding and abetting of paramilitary activities, including the charges, the rank of the individuals charged, and the decision of the Superior Judicial Council. The U.S. Embassy should update this list at three-month intervals, and distribute it promptly to the appropriate congressional committees and the human rights groups included in the consultation process required for certification.

B. The U.S. government should obtain a list of military personnel brought to justice in Colombia's civilian courts since August 1997, including the names and ranks of these personnel, details of the charges brought, and the disposition of the cases. The U.S. Embassy should update this list at three-month intervals, and distribute

it promptly to the appropriate congressional committees and the human rights groups included in the consultation process required for certification.

C. The Colombian military should transfer the cases involving the officers named below to the appropriate civilian authorities for investigation and prosecution:

1. *General (ret.) Fernando Millán, former Commander, 5th Brigade:* The Attorney General opened an investigation against General Millán based on evidence that he set up the Las Colonias CONVIVIR in Lebrija, Santander, while he commanded the Fifth Brigade. The Las Colonias CONVIVIR operated throughout 1997 without a license but with army support, according to the testimony of former members. According to residents and victims' families, the group committed at least fifteen targeted killings before the director, "Commander Cañón," a retired army officer, and the employees he hired were arrested and prosecuted under Decree 1194, which prohibits the formation of paramilitary groups. Among the cases currently under investigation by the Attorney General's Office are those of two Protestants, brothers Oscar and Armando Beltrán Correa, who were taken captive by the Las Colonias CONVIVIR as they went to work on July 29, 1997 and killed on the road leading from Lebrija to the hamlet of La Puente. Apparently, the CONVIVIR accused them of passing information to the guerrillas. On September 4, 1997, father and son Leonardo and José Manuel Cadena were forced out of their home by CONVIVIR members and killed, according to a family member's testimony to the Attorney General's Office. The CONVIVIR apparently accused the Cadenas of providing food to guerrillas. According to a former CONVIVIR member who was also an army informant, during its months of operation, the Las Colonias CONVIVIR frequently went on operations with army units, setting up roadblocks and detaining suspected guerrillas and criminals. When the Attorney General's Office investigated this case, the army high command prevented prosecutors from questioning Millán, then interposed a jurisdictional dispute, claiming that since Millán was on active service and carrying out his official duties, the case should be tried before a military tribunal. Following a decision by the CSJ, the case was transferred to the military justice system in October 1998. A prosecutor assigned to investigate the May 1998 massacre of 11 people in Barrancabermeja fled the country after receiving threats from General Millán, then-Commander of the 5th Brigade. Nine members of the military and police were disciplined in connection with the massacre, but there have been no prosecutions under civilian jurisdiction. General Millán has not been brought to justice in the civilian justice system.
2. *Major Jesús María Clavijo, 4th Brigade:* In March 2000, Major Clavijo was relieved of his command pending the outcome of his trial on charges of helping form and direct paramilitary groups during his service with the 4th Brigade. Eyewitnesses have linked Clavijo and other 4th Brigade officers to paramilitaries through regular meetings held on military bases. An investigation by the Procuraduría listed hundreds of cellular telephone and beeper communications between known paramilitaries and 4th Brigade officers, among them Clavijo. On May 11, 2000, the Attorney General received a jurisdictional dispute from the military judge handling the case. The case is now pending before the CSJ.
3. *General (ret.) Jaime Uscátegui, 7th Brigade:* Dozens of civilians were killed by paramilitaries and hundreds were forced to flee for their lives from Mapiripán, Meta, in July 1997. For five days, paramilitaries acting with the support of the army detained residents and people arriving by boat, took them to the local slaughterhouse, then bound, tortured, and executed them by slitting their throats. Local army and police units ignored repeated phone calls from a civilian judge in the area seeking to stop the slayings. At least two bodies—those of Sinaí Blanco, a boatman, and Ronald Valencia, the airstrip manager—were decapitated. Judge Leonardo Iván Cortés reported hearing the screams of people who had been taken to the slaughterhouse to be interrogated, tortured, and killed. In one message that he sent to various regional authorities while the massacre was in progress, he wrote: "Each night they kill groups of five to six defenseless people, who are cruelly and monstrously massacred after being tortured. The screams of humble people are audible, begging for mercy and asking for help." Hundreds of people fled the region. They included Judge Cortés, who was forced to leave Colombia with his family because of threats on his life.

   Subsequent investigations revealed that troops under the command of Uscátegui, then in charge of the 7th Brigade, assisted the paramilitaries dur-

ing their arrival at the nearest airport, and made sure that troops with the capability to combat paramilitaries were engaged elsewhere. In an attempt to cover up his responsibility, Uscátegui tried to falsify documents reporting the massacre. As a result of their internal investigation, the army moved Gen. Uscátegui to administrative duties for failing to act promptly to stop the massacre and detain those responsible. However, the CSJ later ruled that the case involved an "act of omission" and belonged before a military court. Uscátegui has since retired, and has yet to be prosecuted before a civilian court. However, the military has reopened the case and announced that Uscátegui will be brought before a Consejo de Guerra on charges of "homicidio," "*prevaricación por omisión*," and "*falsedad en documento*" for the Mapiripán massacre. Uscátegui has been re-arrested and is being held in the 13th Brigade.

4. *General (ret.) Alberto Bravo Silva, Commander, 5th Brigade:* According to Colombia's Public Advocate, on May 29, 1999, paramilitaries killed at least 20 people and abducted up to fifteen more in La Gabarra (Norte de Santander). General Bravo was repeatedly informed of the subsequent threats and the ensuing massacres, but did not act to prevent them or to pursue the perpetrators effectively once the massacre had taken place. He was relieved of duty, but has not been prosecuted in a civilian court for his alleged role in aiding and abetting this atrocity.
5. *General (ret.) Rito Alejo del Río, 17th Brigade:* An investigation was opened by Attorney General in 1998 into Del Río's support and tolerance for paramilitary activity in the Urabá region in 1996 and 1997 while he was commander of the 17th Brigade. According to reports made by Colonel (ret.) Carlos Velásquez, his chief of staff, to his superiors in 1996, that Del Río supported paramilitaries in Urabá, and maintained a relationship with a retired army major who worked with paramilitaries. Instead of prompting a serious investigation of Del Río, the reports prompted the army to investigate Velásquez, in an apparent attempt to silence him. The army concluded the inquiry by recommending not that Gen. del Río, who was later promoted, be punished, but that Colonel Velásquez be disciplined for "insubordination, [acts] against duty and esprit de corps." Velásquez was forced to retire on January 1, 1997.

   Recent press reports indicate that an investigation was opened by the Attorney General against Generals *del Río* and *Fernando Millán* in August 2000. According to these reports, prosecutors charge that they attempted to present false witnesses to the Attorney General to claim that a prominent trade unionist and a human rights defender had paid witnesses to denounce *del Río* and *Millán* as having ties to paramilitaries. These reports suggest that the Attorney General suspects that, in fact, an army "informant" in league with Del Rio and Millán paid the two false witnesses to lie to authorities.
6. *General (ret.) Farouk Yanine Díaz:* Gen. Yanine was arrested in October 1996 for alleged complicity in the massacre of 19 merchants in the Middle Magdalena region in 1987. Eyewitnesses, including a military officer, testified that he supported paramilitaries who carried out the massacre and had operated in the area since 1984, when Yanine was commander of the 14th Brigade in Puerto Berrio. The paramilitary leader also testified that Gen. Yanine had paid him a large sum to carry out the killing. Yanine also allegedly provided paramilitaries with the intelligence necessary to intercept their victims. Despite compelling evidence, General Manuel José Bonnet, then the army commander, closed the case citing a lack of evidence. The *Procuraduría* appealed the decision on the grounds that "evidence presented against Yanine Díaz had not been taken into account [the sentence] clearly deviates from the evidence presented in this case." The U.S. State Department expressed concern about the acquittal on July 1, 1997.
7. *General Rodrigo Quiñónes, Commander, Navy's First Brigade:* (See benchmarks above, under Condition (A)(ii).
8. *General Carlos Ospina Ovalle, Commander, 4th Division:* (See above).
9. *Brigadier General Jaime Ernesto Canal Albán, Commander, 3rd Brigade:* (See above).

The following cases should also be transferred to civilian jurisdiction:

1. *Massacres at Trujillo (Valle del Cauca):* Dozens of people were killed in the municipality of Trujillo over a several year period in the late 1980s and early 90s. On December 20, 1990, the 3rd Brigade dropped charges that had been

leveled against Major Alirio Antonio Urueña Jaramillo. The sitting president later cashiered him on human rights grounds. Further cases arising from the Trujillo killings remain in military courts. The paramilitary leader widely reported to have participated, Henry Loaiza Ceballo, "*El Alacrán*," is not known to have been convicted for his role in this case.

2. *Massacre at El Caloto (Cauca):* This massacre, in which twenty members of Paez indigenous community were killed, was carried out on December 16, 1992 by the Judicial Police. The case was transferred to military jurisdiction at the end of 1997 and charges against the implicated officials were dropped.
3. *Massacre at Riofrío (Valle del Cauca):* Thirteen people were killed in the village of El Bosque, in the Municipality of Riofrío on October 5, 1993 by men in uniforms and ski masks. The victims were presented as combat deaths by Battalion Palacé of the 3rd Brigade, based in Cali. The case was initially transferred to the military court system by a 1994 CSJ decision. A civilian judge then requested that the military justice system transfer to him the portion of the case brought against several military officials. The military justice system refused to grant the transfer, and the matter returned to the CSJ. In July 1998, the CSJ refused to decide the conflict on the grounds that it had already decided the jurisdictional question in 1994.
4. *Blanquicet:* On September 22, 1993, in the rural district of Blanquicet, municipality of Turbo, in Urabá, Antioquia department, members of the Colombian army killed Carlos Manuel Prada and Evelio Bolano, members of the armed opposition group Socialist Renovation Current, (*Corriente de Renovación Socialista, CRS*) who had been acting as peace negotiators. The CRS later demobilized. An army captain, sergeant, and several soldiers, were acquitted by the military justice system. This decision was appealed by the lawyers acting for the families and by the CRS on jurisdictional grounds, and they requested the transfer of the case to the Attorney General in compliance with the Constitutional Court's ruling. The request was rejected but the rejection was appealed, whereupon the *Tribunal Superior Militar* confirmed the decision to deny the transfer. The Human Rights unit of the *Fiscalía* then requested the transfer of the case on jurisdictional grounds, and it is now before the CSJ. The case is also before the Inter-American Commission, which has agreed to a 'friendly settlement' on condition that the criminal investigation is transferred to the civilian justice system.
5. *San José de Apartadó:* On February 19 and July 8, 2000, alleged paramilitaries killed a total of eleven civilians in San José de Apartadó. According to eyewitnesses, personnel of the 17th Brigade were in the area at the time of both massacres and failed to prevent or stop the killings. An army helicopter allegedly belonging to the 17th Brigade hovered overhead at the time of the July 8 massacre.
6. *El Aro:* Colombian prosecutors collected evidence linking the 4th Brigade, under the command of General Carlos Ospina Ovalle, to the October 25, 1997, massacre committed by paramilitaries in El Aro. Government documents show that a joint army-paramilitary force surrounded the village and maintained a perimeter while about 25 paramilitaries entered the town, rounded up residents, and executed four people.

CONDITION (B): Cooperation with Civilian Authorities

This condition requires the Secretary of State to certify that:

(B) the Colombian Armed Forces are cooperating fully with civilian authorities in investigating, prosecuting, and punishing in the civilian courts Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights;"

BENCHMARKS:

The following benchmarks should be achieved before the Secretary of State issues a certification on the Colombian government's compliance with this condition:

A. The United States should insist upon the capture and effective detention of alleged material and intellectual authors of gross human rights violations against whom there are arrest warrants, including military officers.

B. The United States should obtain a list of outstanding arrest warrants issued by the Fiscalía relating to human rights cases. The U.S. Embassy should update it at three-month intervals, and distribute it promptly to the appropriate congressional committees and the human rights groups included in the consultation process required for certification. New cases should be included as well as developments in

existing cases, in particular, whether the security forces are taking concrete measures to execute these warrants. The execution of arrest warrants should be sorted according to the security force units to which they refer.

C. The United States should require that Colombia take effective measures to protect civilian investigators and prosecutors from threats that impede their work.

D. There should be significant and measurable progress, including the execution of outstanding arrest warrants and the transfer to civilian courts of the prosecutions of implicated security force officers, of the following benchmark cases:

1. *Alirio de Jesus Pedraza Becerra:* Pedraza, a lawyer with the Committee of Solidarity with Political Prisoners (*Comité de Solidaridad con Presos Políticos*, CSPP), was "disappeared" by eight heavily armed men on July 4, 1990. His whereabouts have never been determined. At the time, he was representing the family members of scores of peasants killed when the Luciano D'Eluyart Battalion opened fire on a protest march in 1988 in Llano Caliente, Santander. We are not aware of any arrests in this case.
2. *Blanca Cecilia Valero de Durán, CREDHOS:* This human rights defender belonging to the Regional Human Rights Committee for the Defence of Human Rights (*Comité Regional para la Defensa de los Derechos Humanos*, CREDHOS) was shot and killed on January 29, 1992 in Barrancabemeja, Santander. The then Colonel Rodrigo Quiñones Cárdenas, director of intelligence for Colombian Navy Intelligence Network 7, was believed responsible for her murder and scores of other political killings by government investigators. Nevertheless, Quiñones was acquitted by a military tribunal, although the *Fiscalía* named him as the "unequivocal" intellectual author. He remains on active duty. Two people were convicted in the killing.
3. *Oscar Elías López, CRIC:* This human rights lawyer had been advising the Indigenous Regional Council of Cauca, (*Consejo Regional Indígena del Cauca*, CRIC). He was killed in Santander de Quilchao by heavily armed men on May 29, 1992.
4. *Julio Cesar Berrio, CREDHOS:* He was a security guard employed by CREDHOS, also involved in a CREDHOS investigation. Shot dead on June 28, 1992, allegedly by men working for Navy Intelligence Director Colonel Quiñones.
5. *Ligia Patricia Cortez Colmenares, CREDHOS:* Cortez, an investigator with CREDHOS, was killed on July 30,1992, alongside several union members. We are not aware of any arrests in this case.
6. *Jairo Barahona Martínez, Curumaní Human Rights Committee:* This activist was killed on September 29, 1994 in Curumaní, Cesar following his abduction and torture. According to members of human rights organizations who collected information and pressed for a proper judicial investigation into the killing, members of the security forces were implicated in the assassination. No one has been brought to justice.
7. *Ernesto Emilio Fernández, human rights defender:* He was shot while driving home with his children on February 20, 1995. We are not aware of any arrests in this case.
8. *Javier Alberto Barriga Vergal, CSPP:* This human rights lawyer was killed in Cucutá on June 16, 1995. We are not aware of any arrests in this case.
9. *Josué Giraldo Cardona, co-founder and president of the Meta Civic Committee for Human Rights:* Giraldo was killed on October 13, 1996 after months of alleged harassment and threats by paramilitaries and military intelligence officers working for the 7th Brigade, then commanded by General Rodolfo Herrera Luna.
10. *Elsa Alvarado and Mario Calderón, CINEP:* Alvarado and Calderón were investigators with the Center for Research and Popular Education (*Centro de Investigación y Educación Popular*, CINEP). On May 19, 1997 a group of masked gunmen forced their way into Alvarado and Calderón's apartment, killing Elsa, Mario, and Elsa's father. Although some material authors of the crime are under arrest, the intellectual authors remain at large. Arrest warrants have been issued for Fidel and Carlos Castaño as the intellectual authors of the killings.
11. *Jesús María Valle Jaramillo, "Héctor Abad Gómez" Permanent Committee for the Defense of Human Rights:* Valle was assassinated on February 27, 1998 by unidentified gunmen, after repeatedly denouncing military / paramilitary links. Formal criminal charges were brought by the Attorney General's office against paramilitary leader Carlos Castaño and eight others.

Six paramilitaries are currently detained. Despite strong indications of military involvement in the crime, no formal investigation has been opened against military personnel.

12. *Eduardo Umaña, human rights lawyer:* Umaña was killed in Bogotá on April 18, 1998. Several alleged gunmen are either under arrest or wanted for extradition. Shortly before his murder he had denounced the role of a military intelligence unit in paramilitary activity and human rights violations. The intellectual authors remain at large.
13. *Jorge Ortega, union leader:* This union leader and human rights defender was killed in Bogotá on October 20, 1998. Two former police officers have been implicated in the attack and are in prison. However, the intellectual authors remain unidentified.
14. *Everardo de Jesús Puertas and Julio Ernesto González, CSPP:* Puertas and González, lawyers with the CSPP, were shot dead on January 30, 1999, as they traveled by bus from Medellín to Bogotá. We are not aware of any arrests in this case.
15. *Dario Betancourt, academic:* Betancourt, a professor at Bogotá's *Universidad Pedagógica Nacional*, was forcibly disappeared on May 2, 1999, and his body was found on September 2, 1999. There have been no arrest warrants issued in this case.
16. *Hernan Henao, academic:* Henao, the Director of the University of Antioquia's Regional Studies Institute, was killed on May 4, 1999. There have been no arrest warrants issued in this case.
17. *Guzmán Quintero Torres, journalist:* Quintero, a journalist who had investigated reports of corruption within the Armed Forces, was killed on September 16, 1999, in Valledupar (Cesar). The Attorney General's Office detained two paramilitaries allegedly involved in the killing, but the intellectual authors have not been identified.
18. *Jesús Antonio Bejarano, academic:* Bejarano, a former government official involved in the peace talks with the FARC, was killed on September 16, 1999. There have been no arrest warrants issued in this case.
19. *Alberto Sánchez Tovar and Luis Alberto Rincón Solano, journalists:* Journalists Sánchez and Rincón were allegedly detained and executed by paramilitaries on November 28, 1999, in El Playón (Santander), while covering municipal elections. Three paramilitary gunmen have been arrested, but the intellectual authors remain unidentified.
20. *Jairo Bedoya Hoyos, indigenous activist:* Bedoya, a member of the Indigenous Organization of Antioquia (*Organización Indígena de Antioquia*, OIA), was abducted on March 2, 2000. There have been no arrests in this case.
21. *Margarita Maria Pulgarín Trujillo,* Fiscalía: Pulgarín, a prosecutor specializing in investigating links between the military and paramilitary groups, was killed in Medellín on April 3, 2000. No arrest warrants have been issued in this case.
22. *Jesús Ramiro Zapata Hoyos, Segovia Human Rights Committee:* Zapata, the leader of an umbrella organization of human rights groups, was abducted and killed on May 3, 2000 in Segovia, Antioquia. The day he was abducted, Zapata had reported to local authorities that paramilitaries had been seeking information on his whereabouts. Paramilitaries had occupied the area the month before.
23. *Elizabeth Cañas Cano, Association of Family Members of the Detained and Disappeared, ASFADDES:* Cañas, an ASFADDES (*Asociación de Familiares de Detenidos Desaparecidos-Colombia*) member, was shot dead near her office on June 11, 2000. She had lost relatives in the 1998 Barrancabermeja massacre. Witnesses to the massacre and other ASFADDES members are currently in grave danger of further attacks.

In addition, we call for progress on the following cases involving kidnappings, attacks, and death threats:

24. *Jairo Bedoya, Olga Rodas, Jorge Salazar, and Claudia Tamayo, IPC:* These four human rights workers belonging to the Institute for Popular Training (*Instituto Popular de Capacitación*, IPC) based in Medellín, Antioquia were abducted from their offices on January 28, 1999 by an armed gang. Several days later paramilitary commander Carlos Castaño claimed responsibility for the kidnappings, claiming the four as "prisoners of war." He remains at large.

25. *Piedad Córdoba de Castro, Senator:* On May 21, 1999 Córdoba, Liberal Party Senator and president of the Senate's Human Rights Commission, was abducted in Medellín by a group of fifteen armed men. The next day, paramilitary leader Carlos Castaño issued a public statement claiming responsibility for the abduction. She was later released.
26. *Diana Salamanca Martínez, Justice and Peace:* Salamanca, a human rights worker, was abducted on November 10, 1999 by paramilitary forces in Dabeiba, Antioquia. Three days later, following a national and international outcry, Salamanca was released to church workers in Necoclí, Antioquia. She reports having been transported overland in a truck, passing unhindered through various military and police checkpoints. We are not aware of any arrests.
27. *San José de Apartadó:* On February 19 and July 8, 2000, alleged paramilitaries killed 11 civilians in San José de Apartadó. According to eyewitnesses, personnel of the 17th Brigade were in the area at the time of both massacres and failed to prevent or stop the killings. An army helicopter allegedly belonging to the 17th Brigade hovered overhead at the time of the July 8 massacre.
28. *El Aro:* Colombian prosecutors collected evidence linking the 4th Brigade, under the command of General Carlos Ospina Ovalle, to the October 25, 1997, massacre committed by paramilitaries in El Aro. Government documents show that a joint Army-paramilitary force surrounded the village and maintained a perimeter while about 25 paramilitaries entered the town, rounded up residents, and executed four people.

CONDITION (C): Prosecution for Paramilitary Activities

This condition requires that the Secretary of State certify that:

"(C) The Government of Colombia is vigorously prosecuting in the civilian courts the leaders and members of paramilitary groups and Colombian Armed Forces personnel who are aiding or abetting these groups."

BENCHMARKS:

The following benchmarks should be achieved before the Secretary of State issues a certification of the Colombian government's compliance with this condition:

A. The "Coordination Center for the Fight against Self-Defense Groups" should present to the public a comprehensive plan that is fully funded and includes a long-term and politically feasible strategy to disband paramilitary groups and execute outstanding arrest warrants.

B. The United States should obtain a list of the names of paramilitary leaders and members who have been indicted, arrested, and prosecuted since August 1997; a description of the charges brought; and the disposition of the cases. The US Embassy should update it at three-month intervals, and distribute it promptly to the appropriate congressional committees and the human rights groups included in the consultation process required for certification. Included should be new cases and developments in existing cases, with particular emphasis on whether or not the security forces are taking concrete measures to execute warrants. Information regarding the execution of arrest warrants should be sorted according to the security force units to which they refer

C. The United States should obtain a list of the names and ranks of Colombian armed forces personnel who have been brought to justice in civilian courts since August 1997 for aiding or abetting paramilitary groups, including a description of the charges brought and the disposition of the cases. The US Embassy should update it at three-month intervals, and distribute it promptly to the appropriate congressional committees and the human rights groups included in the consultation process required for certification. Included should be new cases and developments in existing cases, with particular emphasis on whether or not the security forces are cooperating with the execution of arrest warrants. The execution of arrest warrants should be sorted according to the security force units to which they refer.

D. The United States should require the investigation and, as appropriate, arrest and prosecution in civilian courts of the following military personnel. They have yet to be investigated and brought to trial under civilian jurisdiction despite credible allegations of their participation in gross human rights violations and/or support for paramilitary activity:

1. *General (ret.) Fernando Millán, former Commander, 5th Brigade:* The *Fiscalía* opened an investigation of General Millán based on evidence indicating that he set up the Las Colonias CONVIVIR in Lebrija, Santander,

while he commanded the Fifth Brigade. The Las Colonias CONVIVIR operated throughout 1997 without a license but with army support according to the testimony of former members. According to residents and victims' families, the group committed at least fifteen targeted killings before the director, "Commander Cañón," a retired army officer, and the employees he hired were arrested and prosecuted under Decree 1194, which prohibits the formation of paramilitary groups. Among the cases currently under investigation by the Attorney General's Office are the killings of two Protestants, brothers Oscar and Armando Beltrán Correa, taken captive by the Las Colonias CONVIVIR as they headed to work on July 29, 1997 and killed on the road leading from Lebrija to the hamlet of La Puente. Apparently, the CONVIVIR accused them of passing information to the guerrillas. On September 4, 1997, father and son Leonardo and José Manuel Cadena were forced out of their home by CONVIVIR members and killed according to a family member's testimony to the Attorney General's Office, apparently because the CONVIVIR accused the Cadenas of bringing food to guerrillas. According to a former CONVIVIR member who was also an army informant, during its months of operation, the Las Colonias CONVIVIR went on frequent operations with army units, setting up roadblocks and detaining suspected guerrillas and criminals. When the Attorney General's Office investigated the case, the army high command prevented prosecutors from questioning Millán, then interposed a jurisdictional dispute, claiming that since Millán was on active service and carrying out his official duties, the case should be tried before a military tribunal. Following a decision by the CSJ, the case was transferred to the military justice system in October 1998. A prosecutor assigned to investigate the May 1998 massacre of 11 people in Barrancabermeja fled the country after receiving threats from General Millán, then-Commander of the 5th Brigade. Nine members of the military and police were disciplined in connection with the massacre, but there have been no civilian prosecutions. General Millán has not been brought to justice in the civilian justice system.

2. *Major Jesús María Clavijo, 4th Brigade:* In March 2000, Major Clavijo was relieved of command pending the outcome of his trial on charges of helping form and direct paramilitary groups during his service with the 4th Brigade. Eyewitnesses have linked Clavijo and other 4th Brigade officers to paramilitaries through regular meetings held on military bases. An investigation by the Internal Affairs agency (*Procuraduría*) listed hundreds of cellular telephone and beeper communications between known paramilitaries and 4th Brigade officers, among them Clavijo. On May 11, 2000, the Attorney General received a jurisdictional dispute from the military judge handling the case. The case is now pending before the CSJ.

3. *General (ret.) Jaime Uscátegui, 7th Brigade:* Dozens of civilians were killed by paramilitaries and hundreds were forced to flee for their lives from Mapiripán, Meta, in July 1997. For five days, paramilitaries acting with the support of the army detained residents and people arriving by boat, took them to the local slaughterhouse, then bound, tortured, and executed them by slitting their throats. Local army and police units ignored repeated phone calls from a civilian judge in the area asking for help to stop the slayings. At least two bodies—those of Sinaí Blanco, a boatman, and Ronald Valencia, the airstrip manager—were decapitated. Judge Leonardo Iván Cortés reported hearing the screams of the people they brought to the Slaughterhouse to interrogate, torture, and kill. In one of the missives he sent to various regional authorities during the massacre, he wrote: "Each night they kill groups of five to six defenseless people, who are cruelly and monstrously massacred after being tortured. The screams of humble people are audible, begging for mercy and asking for help." Hundreds of people fled the region, including Judge Cortés, who was forced to leave Colombia with his family because of threats on his life.

   Subsequent investigations revealed that troops under the command of Uscátegui, then in charge of the 7th Brigade, assisted the paramilitaries during their arrival at the nearest airport, and made sure that troops able to combat paramilitaries were engaged elsewhere. In an attempt to cover up his responsibility, Uscátegui tried to falsify documents reporting the massacre. As a result of their internal investigation, the army put Gen. Uscátegui on administrative duty for failing to act promptly to stop the massacre and detain those responsible. However, the CSJ later ruled that the case involved an "act of omission" and belonged before a military court.

Uscátegui later retired, and has yet to be prosecuted in civilian courts for his alleged crimes. Subsequently, the military reopened the case and announced that Uscátegui would be brought before a Consejo de Guerra on charges of "*homicidio*," "*prevaricación por omisión*," and "*falsedad en documento*" for the Mapiripán massacre. Uscátegui has been re-arrested and is held in the 13th Brigade.

4. *General (ret.) Alberto Bravo Silva, Commander, 5th Brigade:* According to Colombia's Public Advocate, on May 29, 1999, paramilitaries killed at least 20 people and abducted up to fifteen more in La Gabarra (Norte de Santander). General Bravo was repeatedly informed of the subsequent threats and the ensuing massacres, but did not act to prevent them or to pursue the perpetrators effectively once the massacre had taken place. He was relieved of duty, but was not prosecuted in civilian courts for his alleged role in aiding and abetting this atrocity.
5. *General (ret.) Rito Alejo del Río, 17th Brigade:* An investigation was opened by *Fiscalía* in 1998 into Del Río's support and tolerance for paramilitary activity in the Urabá region in 1996 and 1997 while he was commander of the 17th Brigade. According to reports made by Colonel (ret.) Carlos Velásquez, his chief of staff, to his superiors in 1996, that Del Río supported paramilitaries in Urabá, and maintained a relationship with a retired army major who worked with paramilitaries. Instead of prompting a serious investigation of Del Río, the reports prompted the army to investigate Velásquez, in an apparent attempt to silence him. The army concluded the inquiry by recommending not that Gen. del Río, who was later promoted, be punished, but that Colonel Velásquez be disciplined for "insubordination, [acts] against duty and esprit de corps." Velásquez was forced to retire on January 1, 1997.

   Very recent press reports indicate that an August 2000 investigation was opened by the *Fiscalía* against Generals *del Río* and *Fernando Millán*. According to these reports, prosecutors charged that they had attempted to present false witnesses to the *Fiscalía* to claim that a prominent trade Unionist and a human rights defender had themselves paid witnesses to denounce *del Río* and *Millán* for ties to paramilitaries. These reports indicate that the *Fiscalía* believes that, in fact, an army "informant" in league with Del Rio and Millán paid the two false witnesses to lie to authorities.
6. *General (ret.) Farouk Yanine Díaz:* Gen. Yanine was arrested in October 1996 for alleged complicity in the massacre of 19 merchants in the Middle Magdalena region in 1987. Eyewitnesses, including a military officer, testified that he supported paramilitaries who carried out the massacre and had operated in the area since 1984, when Yanine was commander of the 14th Brigade in Puerto Berrio. The paramilitary leader also testified that Gen. Yanine had paid him a large sum to carry out the killing. Yanine also allegedly provided paramilitaries with the intelligence necessary to intercept their victims. Despite abUNdant evidence, General Manuel José Bonnet, at the time commander of the Army, closed the case for alleged lack of evidence. The *Procuraduría* appealed the decision on the grounds that "evidence presented against Yanine Díaz had not been taken into account [the sentence] clearly deviates from the evidence presented in this case." The Department of State expressed concern about the acquittal on July 1, 1997.
7. *General Rodrigo Quiñónes, Commander, Navy's 1st Brigade:* Colombian government investigators linked Quiñónes to at least 57 murders of trade unionists, human rights workers, and community leaders in 1991 and 1992, when he was head of Navy Intelligence and ran Network 3, based in Barrancabermeja. A military tribunal decided that there was insufficient evidence against him, but he has not been brought to trial in the civilian justice system. The only people to be convicted for these crimes were two civilian employees of Naval Intelligence Network No. 7, one of whom was later murdered in prison. In his ruling on the case, the civilian judge stated that he was "perplexed" by the military tribunal's acquittals of Quiñónes and others, since he considered the evidence against them to be "irrefutable." "With [this acquittal] all that [the military] does is justify crime, since the incidents and the people responsible for committing them are more than clear." This judge also discounted the military's contention that Quiñónes was the victim of a smear campaign by drug traffickers, concluding that there was no evidence to support this claim. To the contrary, he concluded that evidence linking Quiñónes to the Barrancabermeja atrocities was clear and compelling.

The only punishment meted out to Quiñónes so far has been a "severe reprimand" ordered by the *Procuraduría General de la Nación*, which concluded that he was responsible for the deaths. In a disputable interpretation of existing norms, the *Procuraduría* has determined that murder is not classified as an administrative infraction in the existing regulations. Therefore, the maximum punishment it can impose for murder is a "severe reprimand," essentially a letter in an employment file. It is important to note that the *Procuraduría* itself has termed this absurd punishment "embarrassingly insignificant, both within the national sphere and before the international community." Quiñónes is also the officer in charge of the region at the time of the February 2000 massacre in El Salado (Bolívar). Military and police units stationed nearby failed to stop the killing and established roadblocks which prevented human rights and relief groups from entering the town. Quiñónes was promoted to General in June 2000.

8. *General Carlos Ospina Ovalle, Commander, 4th Division:* Colombia's Attorney General's Office has documented extensive ties between the 4th Brigade and paramilitary groups between 1997 and 1999, while General Ospina was in command. Among the cases that implicate Ospina is the October 1997 El Aro massacre. Government documents show that a joint army-paramilitary force surrounded the village and maintained a perimeter while about 25 paramilitaries entered the town, rounded up residents, and executed four people.
9. *Brigadier General Jaime Ernesto Canal Albán, Commander, 3rd Brigade:* Colombian government investigators found evidence that, in 1999, while Brig. Gen. Canal Albán was in command, the 3rd Brigade set up a paramilitary group and provided them with weapons and intelligence.
10. *General Jaime Humberto Cortés Parada, Inspector General of the Army:* the Fiscalía collected compelling and abundant evidence indicating that under his command at the 3rd Division, the Army's 3rd Brigade set up a "paramilitary" group in the department of Valle del Cauca, in southern Colombia. Investigators were able to link the group to active duty, retired, and reserve military officers and the ACCU (See below);
11. *General Freddy Padilla León, Commander of the II Division, and Colonel Gustavo Sánchez Gutiérrez, Army Personnel Director:* In July 2000, the press widely reported that the *Procuraduría* formally charged (*pliego de cargos*) *General Jaime Humberto Cortés Parada* and these two officers with "omission" in connection with the massacre of Puerto Alvira in June 1997. Two other generals who also face disciplinary charges, for "omission"—Generals Jaime Humberto Uscátegui and Agustín Ardila Uribe—are already retired.

E. Investigation and, as appropriate, arrest and prosecution of the following paramilitary leaders and members:

1. *Carlos Castaño Gil, leader of the Peasant Self-Defense Force of Cordobá and Urabá (ACCU):* Castaño has twenty-two outstanding arrest warrants, including one relating to the killings of human rights defenders. He has been implicated in the death of political satirist Jaime Garzón, whom he allegedly threatened and he claimed responsibility for the death of University of Antioquia student Gustavo Marulanda. Castaño has repeatedly threatened to have his forces continue the May 2000 massacres in La Gabarra (Norte de Santander) until the area is "cleansed" of guerrillas. Despite Castaño's public appearances, including a television appearance in March 2000, Colombian law enforcement agencies have not executed warrants for his arrest.
2. *Fidel Castaño Gil,* Los Tangüeros: Although the Castaño family claims that Fidel is dead, there is no confirmation of this. Meanwhile, the *Fiscalía* continues to bring charges and sentences against him, and he should at the present be considered a fugitive.
3. *Alexander* "El Zarco" *Londoño,* Las Terrazas: Londoño is the head of a group of professional killers that works with Carlos Castaño and is wanted in connection with a series of killings and kidnappings, including the 1999 IPC kidnapping, carried out on the orders of the ACCU. There are several warrants for his arrest.
4. *Julian Duque, Bolívar:* Duque is the paramilitary leader of the *Autodefensas del Sur de Bolívar* and is wanted for organizing paramilitary groups.

5. *Gabriel Salvatore* "El Mono" *Mancuso Gómez, ACCU:* Mancuso has eight arrest warrants outstanding against him, including one related to the 1997 El Aro massacre, carried out in coordination with the 4th Brigade.
6. *Ramón Isaza Arango, Middle Magdalena:* A veteran paramilitary leader, Isaza is wanted for paramilitary activity in the region surrounding Barrancabermeja.
7. *Luis Eduardo* "El Aguila" *Cifuentes Galindo, Cundinamarca:* Cifuentes is the paramilitary leader of the *Autodefensas de Cundinamarca* and is wanted for organizing paramilitary groups.
8. *Diego Fernando Murillo Bejerano:* Murillo is not directly associated with the military wing of the "self-defense forces," instead playing a white-collar financial role. He is allegedly responsibly for a series of kidnappings in and around Medellín, carried out in association with the AUC. The Attorney General reportedly also suspects him of being the "intellectual author" of the murder of Mario Calderón and Elsa Alvarado.

F. Investigation and, as appropriate, arrest and prosecution of paramilitaries believed to be involved in the following human rights cases:

1. *Alirio de Jesus Pedraza Becerra:* Pedraza, a lawyer with the Committee of Solidarity with Political Prisoners (*Comité de Solidaridad con Presos Políticos*, CSPP), was "disappeared" by eight heavily armed men on July 4, 1990. His whereabouts have never been determined. At the time, he was representing the family members of scores of peasants killed when the Luciano D'Éluyart Battalion opened fire on a protest march in 1988 in Llano Caliente, Santander. We are not aware of any arrests in this case.
2. *Blanca Cecilia Valero de Durán, CREDHOS:* This human rights defender belonging to the Regional Human Rights Committee for the Defence of Human Rights (*Comité Regional para la Defensa de los Derechos Humanos*, CREDHOS) was shot and killed on January 29, 1992 in Barrancabemeja, Santander. The then Colonel Rodrigo Quiñónes Cárdenas, director of intelligence for Colombian Navy Intelligence Network 7, was believed responsible for her murder and scores of other political killings by government investigators. Nevertheless, Quiñónes was acquitted by a military tribunal, although the Fiscalía named him as the "unequivocal" intellectual author. He remains on active duty. Two people were convicted in the killing.
3. *Oscar Elías López, CRIC:* This human rights lawyer had been advising the Indigenous Regional Council of Cauca, (*Consejo Regional Indígena del Cauca*, CRIC). He was killed in Santander de Quilchao by heavily armed men on May 29, 1992.
4. *Julio Cesar Berrio, CREDHOS:* He was a security guard employed by CREDHOS, also involved in a CREDHOS investigation. He was shot dead on June 28, 1992, allegedly by men working for Navy Intelligence Director Colonel Quiñónes.
5. *Ligia Patricia Cortez Colmenares, CREDHOS:* Cortez, an investigator with CREDHOS, was killed on July 30,1992, alongside several Union members. We are not aware of any arrests in this case.
6. *Jairo Barahona Martínez, Curumaní Human Rights Committee:* This activist was killed on September 29, 1994 in Curumaní, Cesar following his abduction and torture. According to members of human rights organizations who collected information and pressed for a proper judicial investigation into the killing, members of the security forces were implicated in the assassination. No one has been brought to justice.
7. *Ernesto Emilio Fernández, human rights defender:* He was shot while driving home with his children on February 20, 1995. We are not aware of any arrests in this case.
8. *Javier Alberto Barriga Vergal, CSPP:* This human rights lawyer was killed in Cucutá on June 16, 1995. We are not aware of any arrests in this case.
9. *Josué Giraldo Cardona, co-founder and president of the Meta Civic Committee for Human Rights:* Giraldo was killed on October 13, 1996 after months of alleged harassment and threats by paramilitaries and military intelligence officers working for the 7th Brigade, then commanded by General Rodolfo Herrera Luna.
10. *Elsa Alvarado and Mario Calderón, CINEP:* Alvarado and Calderón were investigators with the Center for Research and Popular Education (*Centro de Investigación y Educación Popular*, CINEP). On May 19, 1997 a group

of masked gunmen forced their way into Alvarado and Calderón's apartment, killing Elsa, Mario, and Elsa's father. Although some material authors of the crime are under arrest, the intellectual authors remain at large. Arrest warrants have been issued for Fidel and Carlos Castaño as the intellectual authors of the killings.

11. *Jesús María Valle Jaramillo, "Héctor Abad Gómez" Permanent Committee for the Defense of Human Rights:* Valle was assassinated on February 27, 1998 by unidentified gunmen, after repeatedly denouncing military / paramilitary links. Formal criminal charges were brought by the Attorney General's office against paramilitary leader Carlos Castaño and eight others. Six paramilitaries are currently detained. Despite strong indications of military involvement in the crime, no formal investigation has been opened against military personnel.
12. *Eduardo Umaña, human rights lawyer:* Umaña was killed in Bogotá on April 18, 1998. Several alleged gunmen are either under arrest or wanted for extradition. Shortly before his murder he had denounced the role of a military intelligence unit in paramilitary activity and human rights violations. The intellectual authors remain at large.
13. *Jorge Ortega, union leader:* This union leader and human rights defender was killed in Bogotá on October 20, 1998. Two former police officers have been implicated in the attack and are in prison. However, the intellectual authors remain unidentified.
14. *Everardo de Jesús Puertas and Julio Ernesto González, CSPP:* Puertas and González, lawyers with the CSPP, were shot dead on the January 30, 1999, as they traveled by bus from Medellín to Bogotá. We are not aware of any arrests in this case.
15. *Dario Betancourt, academic:* Betancourt, a professor at Bogotá's *Universidad Pedagógica Nacional*, was forcibly disappeared on May 2, 1999, and his body was found on September 2, 1999. There have been no arrest warrants issued in this case.
16. *Hernan Henao, academic:* Henao, the Director of the University of Antioquia's Regional Studies Institute, was killed on May 4, 1999. There have been no arrest warrants issued in this case.
17. *Guzmán Quintero Torres, journalist:* Quintero, a journalist who had investigated reports of corruption within the armed forces, was killed on September 16, 1999, in Valledupar (Cesar). The Attorney General's Office detained two paramilitaries allegedly involved in the killing, but the intellectual authors have not been identified.
18. *Jesús Antonio Bejarano, academic:* Bejarano, a former government official involved in the peace talks with the FARC, was killed on September 16, 1999. There have been no arrest warrants issued in this case.
19. *Alberto Sánchez Tovar and Luis Alberto Rincón Solano, journalists:* Journalists Sánchez and Rincón were allegedly detained and executed by paramilitaries on November 28, 1999, in El Playón (Santander), while covering municipal elections. Three paramilitary gunmen have been arrested, but the intellectual authors remain unidentified.
20. *Jairo Bedoya Hoyos, indigenous activist:* Bedoya, a member of the Indigenous Organization of Antioquia (*Organización Indígena de Antioquia*, OIA), was abducted on March 2, 2000. There have been no arrests in this case.
21. *Margarita Maria Pulgarín Trujillo,* Fiscalía: Pulgarín, a prosecutor specializing in investigating links between the military and paramilitary groups, was killed in Medellín on April 3, 2000. No arrest warrants have been issued in this case.

Mr. BALLENGER. Thank you. We will now recognize Mr. Michael Shifter, senior fellow at the Inter-American Dialogue.

STATEMENT OF MICHAEL SHIFTER, SENIOR FELLOW, INTER-AMERICAN DIALOGUE

Mr. BALLENGER. Now today, I understand you may be wearing two hats. I understand you have also been serving as the project director for the independent private task force on Colombia cospon-

sored by both the Dialogue and the Council or Foreign Relations. Is there a report coming out on your work?

Mr. SHIFTER. Yes, Mr. Chairman. We hope to have it in several weeks.

Mr. BALLENGER. Good. I look forward to hearing your report.

Mr. SHIFTER. I would like to submit my written testimony for the record please.

Mr. BALLENGER. Without objection.

Mr. SHIFTER. I very much appreciate the opportunity to testify at this important hearing. The recently approved aid package to Colombia is a first step for the United States to begin to help Colombia turn around its deterioration. It offers an opportunity to devise a broader, longer-term strategy toward that country. That is what can best advance U.S. interests and values. The United States has a lot at stake in Colombia.

The aid package, though, is not enough. It responds to a desire to "do something" about drugs and drug-fueled violence at home and in Colombia. But it does not adequately respond to Colombia's many crises and does not reflect a clear strategy. We should not be under any illusions that the package will make a dent in the serious drug problem here.

What is needed, I believe, is a broader, longer term policy that moves beyond the aid package and moves beyond fighting drugs. A sound policy should deal with Colombia's underlying problems. The country is experiencing rampant lawlessness and insecurity. 70 percent of the world's kidnappings take place in Colombia. U.S. policy should be designed fundamentally to help Colombians address their urgent security crisis. The government cannot now protect its citizens, and it is hard to imagine how it can deal with any other problem without first performing this essential government function. Colombia cannot make any progress on any front in such a climate of chaos and insecurity. Drugs are, to be sure, an important dimension of Colombia's crisis, but the core problem is one of state authority and governance.

As a central element of a longer term strategy, the United States, I believe, should give priority attention to working closely with the Colombians to help professionalize the Army and the police. Professionalization means two things: One, greater effectiveness, and two, strict adherence to human rights standards. The focus should be on training security forces against all actors who violate the law in Colombia. This includes the FARC, the ELN, paramilitary forces and criminals; all of them represent significant threats to Colombia's democratic system and the rule of law.

In light of President Pastrana's commitment to a peace process and to a political solution to the armed conflict, such a strategy should be aimed an enhancing the likelihood of achieving a negotiated settlement. We know that so far the process has yielded few, if any, tangible results. But the purpose behind our assistance should be to help level the playing field which would change the calculations of the FARC, make them more inclined to negotiate seriously in good faith. The overarching aim should be a political solution. If this purpose is kept in mind, there is no contradiction at all in my judgment, Mr. Chairman, between a well-targeted security assistance on the one hand, and active support for Colombia's

peace process on the other. On the contrary, if done well, these tracks are mutually reinforcing.

Many critics have pointed out with some reason that U.S. assistance carries many risks. The assistance could drag the United States into a quagmire and could also associate the United States with a military that has had a problematic human rights record and has been tainted by links with paramilitary forces. Such risks are real but can and should be faced directly and held in check. What many critics fail to acknowledge in my judgment is that the risks of not providing security assistance to Colombia are even greater than the risks of doing so. It is essential to deal with Colombia's security crisis, otherwise, the dirty war that is already under way could get dirtier still.

Professionalization is only, of course, one element, one track of what must be a broader longer-term policy. The United States must fashion a comprehensive strategy that addresses Colombia's multiple problems on all fronts, including support for institutional reforms (especially judicial reform), humanitarian assistance, alternative development efforts, and economic and trade benefits.

In short, U.S. policy toward Colombia must be multitrack. The challenge today is to go beyond the aid package's emphasis on military support aimed at fighting drugs. The United States has the opportunity and the responsibility to engage in a stronger multilateral approach in such areas as illegal narcotics, on the political and diplomatic fronts and on economic and financial matters.

Specifically, the United States should extend full support to the promising initiative on illegal narcotics being undertaken by the Organization of American States. The United States should back the important role that the United Nations is playing in pursuing peace and protecting human rights. We need to mobilize more support from the financial institutions for development efforts to help Colombia. And Congress should do what it can to ensure that Colombian products have access to U.S. markets. The benefits should be comparable to those provided in the Caribbean Basin Initiative.

Such an approach would send a positive signal at a critical moment. It would be favored by most Colombians and would also have the advantage of being supported by other Latin American and European governments. Their constructive participation in what must be a collective effort to get behind Colombia is absolutely essential.

To be sure, the United States is already working hard and making progress in many of these areas. But it needs to do a lot more and be consistent in carrying out a multitrack policy that seeks to help the Colombians achieve peace and reconciliation. Too often, efforts are too dispersed and show little evidence of clear strategic thinking. There is a need for greater political direction and political leadership.

Of course, the task of reversing Colombia's deterioration lies primarily with the Colombians. No policy or strategy, no matter how competent or how comprehensive, will produce results unless the Colombian leadership is committed to serious reforms. That is why the United States should exercise its leverage and continue to insist on compliance with the important human rights conditions spelled out in the legislation concerning Colombia. Such sustained pressure is not only critical to uphold and promote U.S. values, but

is also welcomed by the vast majority of Colombians committed to democratic principles.

Finally, Mr. Chairman, the United States not only has a history of engagement in Colombia, but it also bears some responsibility for being part of the drug problem that affects both countries. High level constructive bipartisan and sustained U.S. involvement would go a long way toward helping Colombia achieve the peace and security that is in the utmost interest of us all. Thank you very much. I will be happy to answer any questions.

[The prepared statement of Mr. Shifter follows:]

PREPARED STATEMENT OF MICHAEL SHIFTER, SENIOR FELLOW, INTER-AMERICAN DIALOGUE

Mr. Chairman, I appreciate the invitation to testify at such a timely and important hearing. The recently approved $1.3 billion aid package to Colombia is a first step for the United States to begin to help Colombia turn around its dramatic deterioration. It offers an opportunity to devise a broader strategy toward the country, a strategy that can best advance US interests and values. The United States has a great deal at stake in Colombia.

The aid package is not enough. It mainly responds to a desire to "do something" about drugs and drug-fueled violence at home and in Colombia. It does not adequately respond to Colombia's many crises, and does not reflect a clear purpose or strategy. We should not be under any illusions that the package will make a dent in the serious drug problem. For that, we need to seriously explore other options, including greater attention to demand reduction, better law enforcement, and most importantly, more emphasis on genuinely multilateral approaches.

What is needed, rather, is a broader, longer-term policy that moves beyond the aid package and fighting drugs. A sound and sensible policy should deal with Colombia's underlying problems. The country is experiencing rampant lawlessness and insecurity; about 70% of the world's kidnappings take place in Colombia. U.S. policy should be designed fundamentally to help Colombians address their urgent security crisis. The government cannot now protect its citizens, and it is hard to imagine it tackling other problems without first performing such an essential function. Colombia cannot make progress on any front in a climate of such insecurity and chaos. Drugs are, to be sure, an important dimension of Colombia's crisis, but the core problem is one of state authority and governance.

As a central element of a longer-term strategy, the United States should give priority attention to working closely with Colombians to help professionalize their security forces, the military and police. Professionalization means two things: greater effectiveness and strict adherence to human rights standards and behavior. The focus should be on training to provide security against all actors who violate the law in Colombia. This includes the insurgents, paramilitary forces, and criminals—all pose significant threats to Colombia's democratic system and the rule of law.

In light of President Pastrana's commitment to a peace process and to a political solution to Colombia's internal conflict, such a strategy should be aimed at enhancing the likelihood of achieving a negotiated settlement. We should recognize of course that the process so far has yielded few, if any, tangible gains. The purpose behind our assistance would be to level the playing field, which would change the calculations of the insurgents and make them more inclined to negotiate seriously, in good faith. The overarching aim should be achieving a political solution. For a variety of reasons, a military solution is not viable.

If such a strategic purpose is kept clearly in mind, there is no contradiction at all between providing well-targeted security assistance on the one hand, and actively supporting Colombia's peace process on the other. On the contrary, if done properly, these tracks are mutually reinforcing.

Many have pointed out, with some reason, that U.S. assistance has many risks. Such assistance could drag the United States into a quagmire and could also associate the United States with a military that has had a problematic human rights record and has been tainted by links with paramilitary forces. Such risks are real, but can and should be faced directly, and held in check. What many critics fail to acknowledge is that the risks of not providing security assistance to Colombia are even greater than the risks of doing so. It is essential to deal directly with the country's security crisis. Otherwise, the dirty war that is already underway could get dirtier still.

Professionalization is of course only one element, one track, of what must be an integrated, long-term policy. The United States must fashion a comprehensive strategy that addresses Colombia's multiple problems on all fronts, including support for institutional reforms (especially judicial reform), humanitarian assistance, alternative development efforts, and economic and trade benefits.

In short, U.S. policy toward Colombia must be multitrack, including military along with social, political, and economic components. The challenge today is to go beyond the aid package's emphasis on military support aimed at fighting drugs. The United States has the opportunity and responsibility to engage in a strong multilateral approach in the areas of illegal narcotics, on the political and diplomatic fronts, and on economic and financial matters.

Specifically, the United States should extend full support to the promising initiative on illegal narcotics being undertaken by the Organization of American States. The United States should also back the important role the United Nations is playing in pursuing peace and protecting human rights. We need to mobilize more support from the multilateral financial institutions for development efforts. And the Congress should do what it can to ensure that Colombian products have access to US markets; benefits should be comparable to those provided in the Caribbean Basin Initiative (CBI).

Such an approach would send a positive signal at a critical moment. It would be favored by most Colombians, and would also have the advantage of being supported by other Latin American and European governments. Their constructive participation in what must be a collective effort to get behind Colombia is essential.

To be sure, the United States is already working hard and making progress in many of these critical areas. But it needs to do a lot more, and be consistent in carrying out a multitrack policy that seeks to help the Colombians achieve peace and reconciliation. Too often, efforts are too dispersed and show little evidence of clear, strategic thinking. There is a need for greater political direction and leadership.

The task of reversing Colombia's deterioration lies, of course, primarily with the Colombians. No policy or strategy, no matter how competent or comprehensive, will produce positive results unless the Colombian leadership is committed to serious reforms. That is why the United States should exercise its leverage and continue to insist on compliance with the important human rights conditions spelled out in the legislation on Colombia. Such sustained pressure is not only critical to uphold and promote US values, but is also heartily welcomed by the vast majority of Colombians committed to democratic principles.

Finally, Mr. Chairman, the United States not only has a history of engagement in Colombia, but it also bears great responsibility for the worsening of one of the principal factors that has substantially aggravated Colombia's conditions—illegal narcotics. High-level, constructive, bipartisan and sustained U.S. involvement in Colombia would go a long way toward helping Colombia achieve the peace and security that it is in the utmost interest of us all.

Thank you very much. I'd be happy to answer any questions.

Mr. BALLENGER. Mr. Vivanco, according to our calculations, the battalions that are being trained are all vetted for human rights and therefore should meet your standards. But of the rest of the budget, according to our calculations, only $2.6 million of the entire U.S. contribution to Plan Colombia is earmarked for the Colombian army outside of the counternarcotics battalions which are vetted and so forth.

This money includes $1 million to start the Judge Advocate General school and a million and a half dollars to train the Colombian military trainers who will go into various units and provide human rights training, and 1.1 million to provide training with U.S. senior Colombian officers. If this is the case, what is all the fuss about the U.S. money going to the Colombian army?

Mr. VIVANCO. Mr. Chairman, I think the main issue here is if you are going to engage with the Colombian armed forces by supporting the creation of new battalions or helping them in logistical transportation, training, and developing their own military justice system, basic human rights conditions need to be fulfilled—I mean, satisfied.

Mr. BALLENGER. These battalions are supposedly vetted for human rights and trained in that.

Mr. VIVANCO. I think within the Colombian package there is and there was an excellent opportunity and a unique opportunity to use this leverage to help the Colombian armed forces to professionalize to improve its human rights standards and to break ties with paramilitary groups. And I wouldn't focus the attention on whether they are receiving 2½ million, or 50 million, but on what is exactly the purpose. I mean, the whole point is that the package is essentially a military package. And 80 percent of the resources are going to the military. And the political message that you are sending to the Colombian armed forces is that the U.S. is ready to do business with them, but before they do business with them, they have to comply with basic human rights standards.

Mr. BALLENGER. Unless I am mistaken, though, this military force that you are speaking of are meeting the criteria that you would consider proper in human rights and so forth. In other words, there is a mandate that these battalions, which the majority of all this aid is going to, be vetted as far as human rights are concerned, and the Colombian National Police, where the rest of the money is going, obviously have been meeting all your criteria. So in reality, it seems to me a great deal is being done that would match what you are asking for. But let me ask you another one.

Mr. BEREUTER. Would the gentleman yield? I just wondered if I might ask if the gentleman, Mr. Vivanco, is familiar with the fact that the overall Plan Colombia is to be funded at $7 billion, whereas the U.S. is providing approximately one-sixth to one-seventh. And we are providing most of the military aid, but the other things that you emphasize in the balanced package should be from international organizations and from Colombia, according to the plan. Are you familiar with that? Thank you, Mr. Chairman.

Mr. VIVANCO. Right. Yes, I am fully familiarized with the idea. The Plan Colombia is $7.5 billion. The hope of the Colombian government is to persuade the European Union to contribute substantively to this Plan Colombia.

But, Mr. Chairman, if I may, I would like to answer you, first of all, I am not in a position to answer or to tell you whether these three battalions are in compliance with the Leahy amendment because there is no transparency on the application of the Leahy amendment. The Leahy amendment is applied by the embassy personnel essentially in Bogota and they are supposed to be vetting those officers and that is true. That is the law, which, you know, they have the obligation to enforce. But I have no way to comment on that one because we don't have access to that information.

Secondly, Mr. Chairman, there are six conditions in the human rights plan. And we don't think that there is any single one that is being satisfied. We disagree with the Administration on the first condition. The Administration is fully convinced that the first condition is being complied with by President Pastrana issuance of a presidential directive to remind the armed forces that human rights atrocities should be investigated under civilian jurisdiction. We consider that condition as being partially met because President Pastrana relied mostly on the military Penal Code in his instructions to the military. And the military Penal Code refers to

genocide, torture and disappearances but there are crimes like rape——

Mr. BALLENGER. Don't use up all the time. I understand the statements you are making, but let me ask you a question: You mentioned the waivers, that we ought to remove those. If all the aid to Colombia were held up until all of the benchmarks that you picked out were achieved, it could take years. For instance, even if all the people you mentioned in your statement were arrested and tried, knowing the speed of the trials in Central America and South America, it could take years for due process to be served. Wouldn't this leave Colombia even more vulnerable to the ongoing war that they have got?

Mr. VIVANCO. Mr. Chairman, I realize that it is a complex and very delicate decision. And I don't think there is a simple answer. But I believe that if you, for political reasons, suspend the applications of these conditions, what will be the message? The military forces will clearly understand that human rights are subordinated to other more important business.

Mr. BALLENGER. But didn't we do that already with the previous President? And it had a disastrous affect as far as the growth of Colombia's war. In the case of President Samper, you know, we did not issue the waiver, in other words. And we—unless I am mistaken, rather compounded the situation that was already very bad.

Let me switch to Mr. Shifter. Having worked in Central America about 35 years, it always appeared to me, and that was the side of this that I was on, when we had a war going on in El Salvador, Nicaragua, and Guatemala, until it appears to be a situation where both sides could recognize that neither one could win, it takes that before you can have peace.

And at the present time, the way I read what is going on down there right now in Colombia, it appears to me that the FARC and ELN consider themselves in a rather strong situation. They don't have much to worry about since they are better financed than the Colombian government, even with our assistance. Could you play around that one a little bit?

Mr. SHIFTER. Thank you. I agree wholeheartedly. I think that there is not going to be any optimistic outcome in Colombia unless the state and the government get stronger in relation not only to the FARC and the ELN, but also to the paramilitary groups. The paramilitary groups exist because of the weakness of the security forces of the state. That has to be turned around.

I would just ask for your consideration, whether the way the aid package is currently designed is the best way in terms of use of resources to achieve that purpose, to put the government into better position to negotiate as was done in the cases of Central America. At some point, there may be a contradiction or a problem between the emphasis on improving the professionalization of the security forces and making them better and going after the drugs. I think going after drugs is part of it, but I am not sure that is the whole thing. But I agree with you. That has to be the emphasis and that requires full engagement and support.

Mr. BALLENGER. Mr. Delahunt. It is all yours.

Mr. DELAHUNT. You need more time, Mr. Chairman? I will address my first question to Mr. Shifter. And I concur with your ob-

servations in your opening statement. I think you are on the mark. And I think you are aware of my own feelings in terms of the need to advance the peace process because stability is absolutely essential in terms of our narrow, discreet but significant national interest regarding the flow of drugs into this country. But I think that far beyond that we should take what is a tragedy and try to make it into an opportunity in terms of reassessing and rethinking our relationship at multiple levels with Colombia, and, in fact, all of Latin America for that matter, because the issue with drugs is just not restricted to Colombia. And we are all aware of what has occurred in the past in terms of Bolivia, Peru and Ecuador, et cetera.

Your analysis of the peace process, we currently have a position by the Administration that they won't talk. They will have no contacts whatsoever, at least with the FARC, because of the murders of three Americans several years ago. And yet I hear when I travel to Colombia that there is a desire on the part of some of the members of the various insurgency groups to have contact with the United States. In fact, there was a published report about a year ago, I think it was Mr. Reyes that indicated he wanted to come to the United States. Is it time for us to reassess our position in terms of if invited by the Pastrana government, to become engaged in the peace process itself? Are we accomplishing anything with the current policy of no contact?

Mr. SHIFTER. Congressman, let me answer this way: I think that that is an option that should be seriously explored. I am not at all sure, given my understanding of the peace process right now, that somehow the United States getting involved in that way would really produce results right away. I don't think the conditions are there for that. But I think if the circumstances reach that point, I think if the Colombian Government requested that support and felt that it could achieve a positive result in terms of advancing peace, I think the United States should reconsider that position. I think that is an important thing. But I am just not sure right now if that would happen.

Mr. DELAHUNT. I don't disagree with that statement in terms of conditions and timing. I understand that is essential. But you know, in the end, I think it is clear that the role of the United States, at least the perception of the United States in terms of the internal dynamic right now in Colombia, is of great consequence, is of great consequence. And we are aware, obviously, that there is some history there in terms of what occurred in the mid 1980's when the FARC, you know, through the union patriarch, became engaged in the electoral process. In my conversations with some of the guerrillas, that was raised during the course of those discussions. They came in, they participated, and some—when they were meeting with political success, there commenced a period of political assassinations. I think it numbered in excess of 3,000 of their candidates.

So while sitting here in Washington, we might describe that as paranoia, it is understandable paranoia I would suggest. But I think maybe it is time to reconsider that position. Reconsider it again upon the invitation of the Colombian government, and given the conditions and the time, I am not saying we should involve ourselves now.

What is your current analysis of the peace process?

Mr. SHIFTER. I think it really is struggling. It is having a hard time. I think that the interest on both sides is keeping something going, but I think you are likely to see a lot of war and a lot of bloodletting, and some continuing low-level discussions going on simultaneously. But I don't see any really significant progress, at least in the short term. I wish I could be more optimistic, but that is my reading of the situation. I just don't see that really producing results in the short term.

If I could just comment on the other point, Congressman, I agree with you wholeheartedly that the position of the United States should be reconsidered in terms of direct talk. I also think the United States can do more to work with the Colombian government to get them to try to get a consensus in the country about the peace process and to try to work with them to try to overcome the mistrust that is so profound that you properly identified. Because in the long term, that is what really needs to happen is to establish the confidence and trust between the Colombian elite and the political class and the insurgents. There is a long way to go. I think we can play a role in that process. But I think it is their responsibility and I think we can work with them to achieve that purpose.

Mr. DELAHUNT. Well, I think, you know, I agree with that. Mr. Vivanco, I think you are aware that I agree with you that the Colombian government should be in full compliance with the 1997 Constitutional court decision relative to the trial of military in civilian courts. But I have a problem. I don't have a significant amount of confidence in the civilian courts. There has been historically a history of impunity within the civilian courts, in terms of the administration of justice. How do we deal with that issue? Is it any better? Can we expect a different outcome than what has occurred in terms of the adjudication of allegations surrounding the human rights abuses within the military justice system? Do you have more hope than I or optimism than I?

Mr. VIVANCO. Congressman Delahunt, I am not extremely optimistic about the civilian criminal justice system in Colombia. But if you look at the record of the human rights unit of the chief prosecutor of Colombia, the Fiscalia, it is pretty positive. In other words, 25, close to 30 prosecutors who have the jurisdiction to deal with abuses by guerrillas, paramilitaries and agents——

Mr. DELAHUNT. Let me just interrupt for a moment. I want it very clear and on the record I have great respect and confidence in the Fiscalia. I think Jaime Bernal has done extraordinary work. I think that is recognized in the human rights community. But I am talking about the adjudication of these cases as they go through the legal process in the nonmilitary courts in Colombia. I mean, it has been those courts that have been rife with problems and serious allegations regarding corruption. I am willing to make the effort, but I think we have got to be honest in terms of expectations. Because we could become very disappointed, even if we hopefully, at some point in time, achieve full compliance with the 1997 Constitutional court decision.

Mr. VIVANCO. Congressman, right. I think it is important to strengthen the role of the judiciary. By the way, I was referring to the Fiscalia, not the Procurduria.

Jaime Bernal Cuellar is the head of the Procurduria which deals with disciplinary actions. Fiscalia is criminal investigation in Colombia and the head is Alfonso Gomez Mendez.

These 30 "fiscalias" or prosecutors with authority to deal with human rights problems in Colombia, they have made terrific progress in several cases. Unfortunately, there has been no cooperation from the armed forces in Colombia. And normally what defendants from the army do when they have cases against them——

Mr. DELAHUNT. I am going do have to interrupt because I think we have a point of disagreement. Because I share that concern, I had conversations with both Mr. Gomez and Mr. Bernal. And again, this was prompted by a statement by a General Ramirez, regarding a statement he made about both the Fiscalia, and I don't know how to say it in Spanish, the prosecutor. I went specifically to visit with Jaime Bernal, who indicated that at least at the senior command level with General Tapias, he felt that a change had occurred. I think it is important at some point in time that we here in this institution invite both Mr. Gomez and Mr. Bernal to come and testify and give us their understanding and their perception. I think you know that I agree that there is a long, long road to go, but I couldn't let that comment pass that there is no cooperation because that is not what they say to me. That is not what they tell me directly. This is myself talking with them.

Mr. VIVANCO. But Congressman Delahunt, you are referring to an incident there which the number two of the Army went to Miami in a conference and accused the Fiscalia and the Procurduria to be infiltrated by guerrillas. So if we are talking about the leadership of the armed forces of Colombia, I am not prepared to say that the—. If the number two of the Army is accusing the Fiscalia and the chief prosecutor of involvement with guerrilla members, I don't see this one as a sign of change.

Mr. DELAHUNT. Agree. I totally agree. But I am just relating to you what was said to me by the individuals directly involved. And again, I think just simply the fact that it occurred indicates that there is a very long road to go. But I think we are at the beginning of that process. It was just recently we had an indictment of four generals. This occurred within the past several months. I am not trying to in any way put a gloss on it or suggest to you no substantial progress has been made, because that would just be simply inaccurate.

Let me ask you just one other question. I think a lot of what is going on has to deal with the issue of the credibility of the military in terms of its public pronouncements regarding human rights which sound good to us. In conversations that I have had with senior officials and, in fact, I sent a letter—I will be happy to provide it to you—to President Pastrana back in July. In the aftermath of the incident that occurred on July 7th, I sat down with the Secretary of Defense, Mr. Ramirez and General Tapias and discussed that. They gave me an explanation.

Obviously, I don't have the resources or the wherewithal to corroborate it, but it's one that is satisfactory. I have said this to them and I said this to the President, that is incorporated in this letter that I will be happy to provide you, I think it is important in these

particular incidents that there be an independent group, a commission, comprised of both military and other representatives of the government, as well as representatives of the various NGOs, and in particular, human rights organizations within Colombia to examine these particular allegations and these particular concerns. Because until the Colombian military in my judgment has some credibility, they are going to find themselves, whether it be true or not, continually on the defense. What do you think of that particular concept, that particular mechanism? And do you think that human rights groups within Colombia would participate in that particular effort? Protection would be provided them, assurances for their personal safety would be guaranteed, and let them be the arbiters, if you will, of the facts, of the reality of what occurred.

Mr. VIVANCO. I do believe that the Colombia military has a credibility problem on human rights. Whether that mechanism that includes participation of members of the NGO community, human rights organizations could help, is a matter of discussing the details of what will entitle that kind of participation.

Mr. DELAHUNT. Understand the details, the details are important. But I am just talking in terms of a conceptual position. Because I think it is absolutely essential that there be a mechanism that has integrity, that has credibility, that either issues its findings either condemning individuals in the military responsible for human rights violation or exonerates them. Because I believe no matter what the military says at this point in time, it is going to be difficult for them to regain credibility in terms of the human rights issues.

Mr. VIVANCO. Congressman Delahunt, the military sometimes, especially General Tapias, issue the right statements. You know, his public positions are normally the right ones on human rights issues. But you refer to the recent indictment of some generals in Colombia on disciplinary grounds by Jaime Bernal Cuellar, the head of the Procurduria. The reaction of the head of the Army, General Mora, was to accuse the Procurador General de la Republica Jaime Bernal Cuellar, of being part of a campaign to demoralize the members of the armed forces. So that was his reaction. It was not, you know, a receptive one that shows commitment to collaborate with the civilians.

I really prefer to handle these matters, these human rights investigations in the hands of the human rights unit of the Fiscalia. Fortunately, the good news is that this Plan Colombia includes important resources that hopefully will end up in the hands of the human rights unit to reinforce their work, especially in terms of increasing the ability of the CTI, the technical support that helps them to investigate their human rights cases.

Mr. DELAHUNT. I have one more question. Thank you, Mr. Chairman. Mr. Shifter, you alluded to the issue of the consequences of the CBI enhancement policy. And what is the law of unintended consequences. Do you have any recommendations? Have you had a conversation with Senator Graham, I guess?

Mr. SHIFTER. I just think that the trade issue is of utmost concern to the Colombians. And I just think this is a country that has suffered lots of crises at the same time. The economic one is the one that they are probably least accustomed to, because historically

they have been a very good economic performer. I just think, given the fact that Colombia is a priority as reflected in its aid package, not to make every effort to extend the benefits of CBI really sends the wrong signal.

I know that the politics are complicated, and I understand the reasons why. But I just think if this is going to be taken seriously as a priority, I think that every effort has to be made to ensure the Colombians access to our market. I think you have to be concerned about employment, immigration. I think it makes lots of consequences that need to be very carefully considered. I would hope the Congress would——

Mr. DELAHUNT. Do you have any time frames in mind, time lines? Mr. Ballenger and I discussed it and to be engaged in Colombia and providing this package of assistance and then simultaneously not addressing the trade issue with what I understand to be the potential loss of a couple of hundred thousands of jobs, is just totally self defeating and makes no common sense. But do you have an assessment as to how timely action by Congress, our time frames in which action by Congress would be necessary before jobs in Colombia are lost to Caribbean nations.

Mr. SHIFTER. Congressman I don't have a precise sense of that. All I can say is obviously the situation is critical, so time is very, very important. But I don't know how much time goes by and what the costs are in terms of job lost. But I know that the numbers are very high and it is extremely troubling as I think we agreed. So I think it should be taken very, very seriously. But I don't know, I haven't seen any analysis to that effect. I can try to see if I can come up with some analysts or economists to see whether I can come up with that for you.

Mr. DELAHUNT. Thank you, Mr. Chairman. Just one more observation. I wanted to pick up on, I think, the opening statement by Mr. Vivanco regarding the reporting by various human rights organizations as to human rights violations by the FARC and the ELN. I think earlier the gentleman from Indiana indicated that hardly ever is there any comment regarding the human rights abuses by both the FARC and the ELN. I have to disagree vehemently with his statement and acknowledge that all of the human rights organizations, including our own State Department, have been very clear regarding the egregious conduct of the insurgents in materials of human rights violations. So I wanted to make that a matter of record.

Mr. BALLENGER. Well, one thing I would like from Mr. Vivanco, in our financial assistance, is a, I think little over a million to build a Judge Advocate Generals—those of us that watch TV, JAG operation and recognizing that that may be an important way of going about developing some sort of judicial operation there. I don't know how rapidly such a thing can occur, but I have been involved in El Salvador since the peace process started there, and we started redoing their judicial system 5, 6, 7 years ago, and we are not there yet. Do you see any positive way to develop any judicial system that is trustworthy and so forth as far as your human rights are concerned in any short period of time?

Mr. VIVANCO. You mean within the military?

Mr. BALLENGER. Wherever.

Mr. VIVANCO. Within the military, I am thinking about condition E of the package, I think it is a good initiative and hopefully it will be in place soon in Colombia, this Judge Advocate General. Only under one condition that in accordance to the language of the condition of the package, it says that the jurisdiction for this entity should be to investigate military personnel for misconduct, and that is extremely important. Because otherwise, we will continue with this tension between civilian authorities and military authorities regarding atrocities in Colombia.

Mr. BALLENGER. What I was trying to bring up is when the effort was made in El Salvador, it took 5 or 6 years and it is still not there yet. So a Judge Advocate Generals operation is not something you create overnight. So in my considered opinion, it is going to take quite some time to be able to develop that.

Mr. Shifter, you said that the U.S. policy should be targeted toward addressing the Colombian security crisis and that the creation of the three counternarcotics battalions would not seem to answer that challenge. Only a small portion of the U.S. aid is directed to the rest of the military. Are you advocating that the U.S. assistance should be broadened to include all the military?

Mr. SHIFTER. I am suggesting, Mr. Chairman, that the purpose should be improving the performance and professionalization of the military. That may mean less money, that may mean more money. The purpose, the way it is framed now doesn't help the Colombians as much as it could to protect citizens. Some of that is related—a lot of it is related to drugs, but not all of it. So it may include instead of three battalions, yes, doing a much more wider institutional kind of effort, professionalization and reform, I am not sure if that would be more expensive or less expensive. One would have to do the analysis. But I think the focus and the purpose should be different. I would like to see it changed. I think it could help Colombia begin to get more control over its country. The state would be a better partner with us in fighting drugs and dealing with all other issues if it were in more control. And I think we should do everything we can to help Colombia get in that position.

Mr. BALLENGER. I would like to thank you two gentlemen for being here. Obviously this is a big problem for our whole Congress and country. The two of us have been kind of heavily involved in this thing, as you can tell. He invited me to meet with the FARC. I told him my right wing friends would kill me if I did something like that. But in truth, we do sincerely want to do something positive as far as the developments in Colombia.

Mr. DELAHUNT. I think that is a very good question you asked Mr. Shifter. Because the military, in terms of Colombian society, is a different institution than the military in our democracy. And currently, if I am misinterpreting your words, I think what you are saying in terms of professionalization, is to change the culture of the Colombian military so that it is more reflective of a military that is in compliance with democratic principles clearly in terms of the area of human rights; is that a fair statement?

Mr. SHIFTER. That is correct. I think compliance with human rights, and effectiveness and capacity are related.

Mr. DELAHUNT. Like much of Colombian society, it is a question of who does the dirty work and who reaps the wealth. I guess that

is true in other societies. We shouldn't be too quick to castigate. But I agree with that position.

I heard earlier today that there were concessions made by the Pastrana government in terms of the distension zone.

Let us be really honest. There was never any governmental presence of real consequence in that entire area, including most of rural Colombia. The state abdicated its responsibility a long time ago. This is a civil war that has been going on for years before the 1980's when they discovered they could earn monies from the sale of marijuana and coca and poppy. So these are really fundamental issues that have to be dealt with. And until we deal with those, with all due respect to others, you can talk about guns and helicopters and it ain't going to do anything.

Mr. BALLENGER. He is speaking with a southern accent. Again, let me thank you for participating today. It has been very educational on our part. And I would like to say that some of your suggestions implanted in our minds can maybe get something constructive out of us. So thank you again for appearing. The Subcommittee stands adjourned.

[Whereupon, at 12:22 p.m., the Subcommittee was adjourned.]

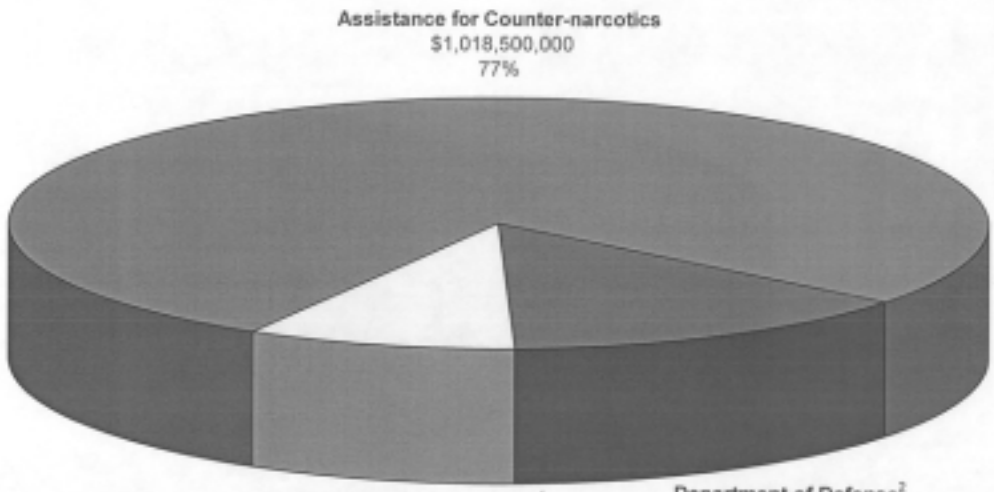
A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

*Red outline signifies the areas included in the "Push into Southern Colombia" effort.

FY 00: Plan Colombia

Total Funding: **$1,319,082,000**



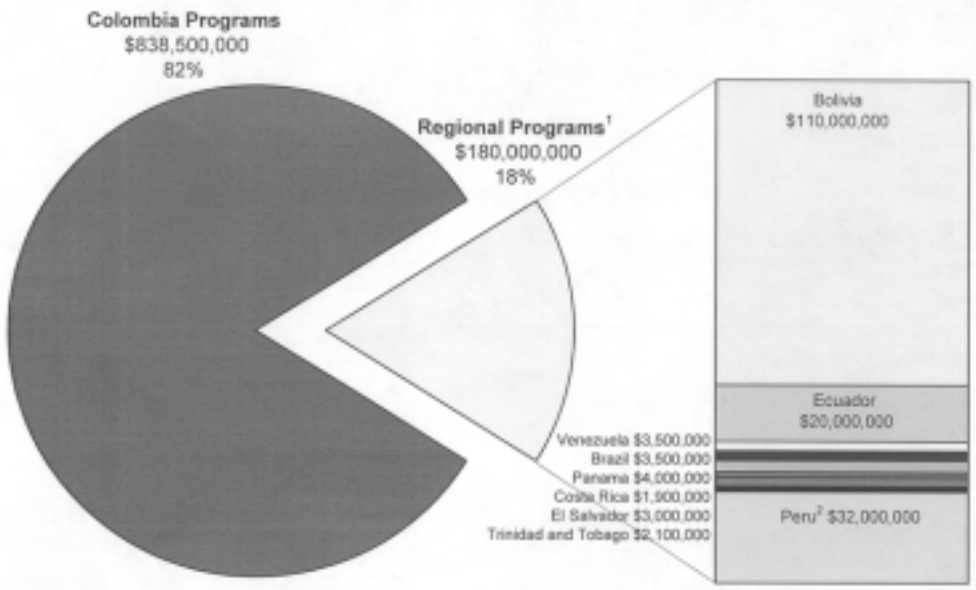
[1]Includes military construction projects for Ecuador, Aruba, and Curacao.

[2]Includes funds for: procurement of one Airborne Reconnaissance Low (ARL) aircraft, counter-narcotics battalion support, ground based radar, AC-47aircraft modifications and other programs.

Compiled by the Subcommittee on the Western Hemisphere with information provided by the U.S. Department of State.

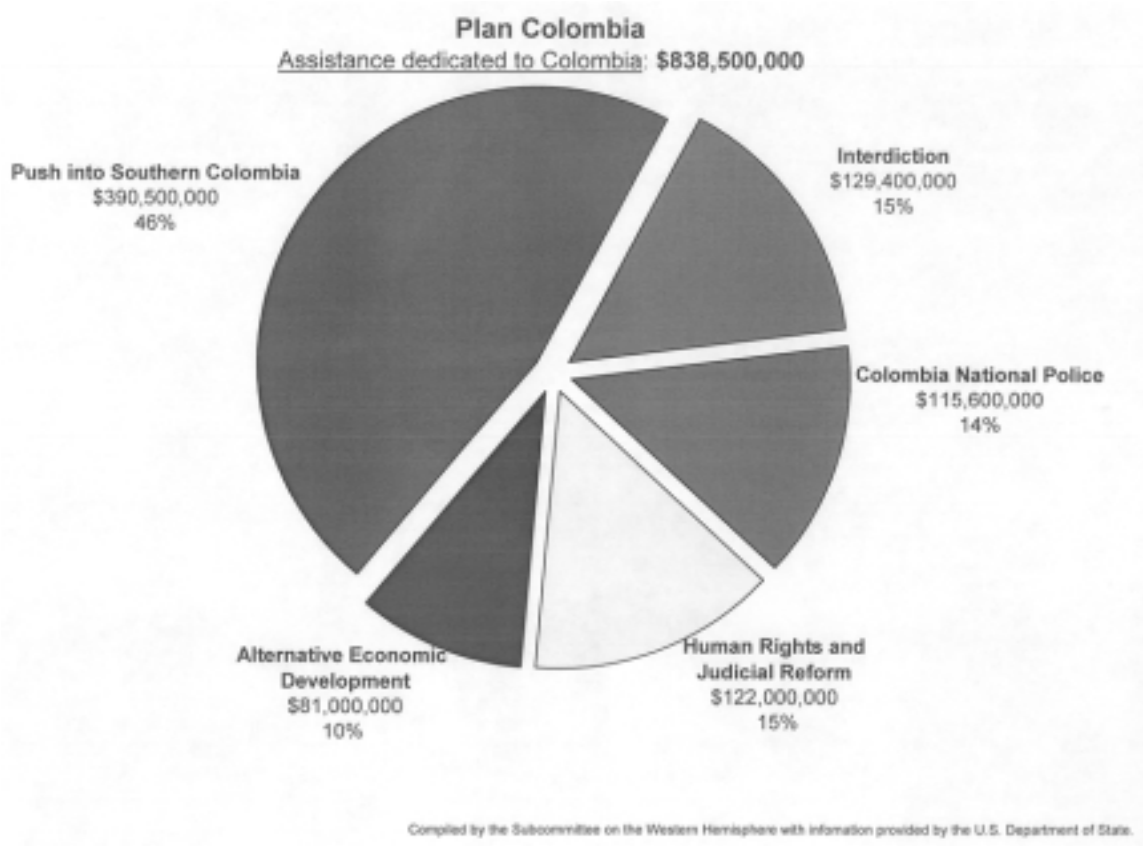
Funding for Plan Colombia

Assistance for counter-narcotics activities: **$1,018,500,000**



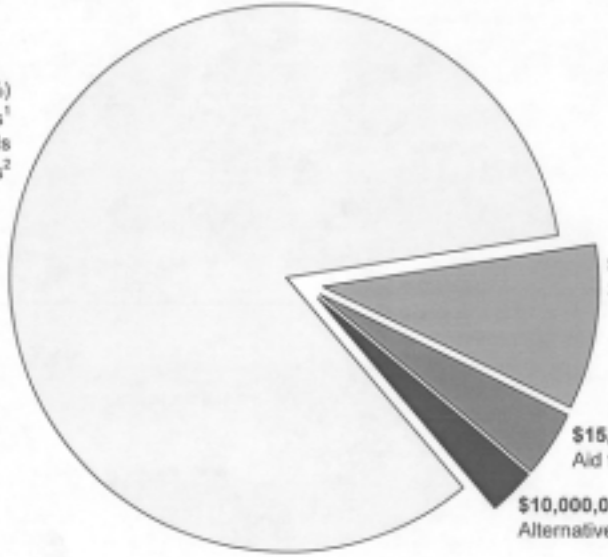
[1]Regional programs include development and interdiction assistance for the listed countries.
[2]Funding for the procurement of five KMAX helicoptors, although not specified in the Supplemental, is assumed to be for the Peruvian National Police.

Compiled by the Subcommittee on the Western Hemisphere with information provided by the U.S. Department of State.


Plan Colombia
Assistance dedicated to Colombia: $838,500,000
Push into Southern Colombia
$390,500,000
46%
Interdiction
$129,400,000
15%
Colombia National Police
$115,600,000
14%
Human Rights and
Judicial Reform
$122,000,000
15%
Alternative Economic
Development
$81,000,000
10%
Compiled by the Subcommittee on the Western Hemisphere with information provided by the U.S. Department of State.

Plan Colombia

Push into Southern Colombia: **$390,500,000**



[1]First UH-60 due for delivery in approximately 14-16 months.
[2]First UH-1 upgrades due in approximately 4-6 months.

Compiled by the Subcommittee on the Western Hemisphere with information provided by the U.S. Department of State.

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***Chairman* Elton Gallegly (CA)**

September 27, 2000

Brian Sheridan, Assistant Secretary of Defense
for Special Operations and Low-Intensity Conflict
Room 2E258 - 2500 Defense - Pentagon
Washington, D.C. 20301-2500

Dear Secretary Sheridan:

As was mentioned during our hearing on September 21, 2000, I would ask that the following questions be answered by October 11, 2000 for submission to the record of this hearing.

Questions from Elton Gallegly (R-CA), Chairman of the Subcommittee on the Western Hemisphere

1. Critics of the "push" suggest that this effort will eventually involve over 2,000 Colombian soldiers trying to confront a guerrilla army with a better knowledge of territory and terrain and better communications which could make the army more vulnerable and thus could result in just the opposite affect we intend. How do you respond to this?

2. Supposing the initial "push" is successful in eliminating major coca cultivation in the south and the Colombian government decides to initiate a similar "push" elsewhere in Colombia. What kind of military force would have to be left behind to secure the region and make sure the guerillas and the coca cultivation does not return?

   Is the Colombian Government considering creating additional Army battalions beyond the initial 3 for security?

3. Some of Colombia's neighbors have begun complaining that the Plan Colombia effort will result in an increased security threat along their borders as fighting takes place between the government, paramilitary and guerilla forces. However, it is our understanding that the guerillas already use the border regions of Colombia's neighbors pretty regularly thus creating a security risk even as we speak. Can you give us some idea of any violent contact taking place between the Colombia guerrillas and the security forces of Venezuela, Brazil, Peru, Ecuador and Panama up to now?

[illegible] that you have observed thus far of the FARC operations in the so called [illegible] demilitarized zone", are the FARC using that area for training, weapons stockpile and as [illegible] a staging area for attacks against the government?

Questions from Gary Ackerman (D-NY), Ranking Democrat of Subcommittee on the Western Hemisphere

5. Your written statement noted that there is a "need to better coordinate operations between the services and with the Colombian National Police." How serious is this problem of interservice coordination?

   -- Would you elaborate on how our assistance can address this issue?

6. In the wake of the scandal involving Colonel Hiett, what steps has the Department taken to ensure that servicemembers who may be vulnerable are not placed in sensitive positions, similar to that held by Colonel Hiett?

Question from Mr. Gilman (R-NY), Chairman of the House International Relations Committee

7. Colombian Army General Montoya, who was in charge of the push into southern Colombia last week, informed my staff that the State Department reported that he can only put M-60 machine guns on the UH-1N helicopters.

   Doesn't that concern you? Aren't we going to see heavy casualties since no mini-guns are going to be on the choppers?

Thanking you in advance for your cooperation, I am

Sincerely,

ELTON GALLEGLY
Subcommittee Chairman

Subcommittee on the Western Hemisphere
Hearing September 21, 1999
Implementing Plan Colombia – The United States Role
Congressman Gallegly

1.

Q. Critics of the "push" suggest that this effort will eventually involve over 2,000 Colombian soldiers trying to confront a guerrilla army with a better knowledge of territory and terrain and better communications which could make the army more vulnerable and thus could result in just the opposite affect we intend. How do you respond to this?

A. I do not normally respond to speculations. But, as a point of reference, the Colombian military already has the 12th Brigade and the 24th Brigade in the region. The Counterdrug Brigade will be the third unit under the Commander of Joint Task Force South. The Colombian Government is committed to a peace process and also to ending illegal drug cultivation and production. The US has committed to assist them with their counterdrug efforts.

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Subcommittee on the Western Hemisphere
Hearing September 21, 1999
Implementing Plan Colombia – The United States Role
Congressman Gallegly

2.

Q. Supposing the initial "push" is successful in eliminating major coca cultivation in the south and the Colombian government decides to initiate a similar "push" elsewhere in Colombia. What kind of military force would have to be left behind to secure the region and make sure the guerillas and the coca cultivation does not return?

Is the Colombian Government considering creating additional Army battalions beyond the initial 3 for security?

A. Without speculating about the future, I must assume that the Colombian Government fully intends to leave sufficient military and police forces in the region to protect its people and maintain law and order. The more mobile Counterdrug Brigade would be available to relocate as necessary to conduct counterdrug operations in other parts of the country. There are no current plans to create additional Counterdrug Battalions.

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3.

Q. Some of Colombia's neighbors have begun complaining that the Plan Colombia effort will result in an increased security threat along their borders as fighting takes place between the government, paramilitary and guerilla forces. However, it is our understanding that the guerillas already use the border regions of Colombia's neighbors pretty regularly thus creating a security risk even as we speak. Can you give us some idea of any violent contact taking place between the Colombia guerrillas and the security forces of Venezuela, Brazil, Peru, Ecuador and Panama up to now?

A. Cross border activities by guerillas have been occurring for many years and, periodically, security forces of the neighboring countries have clashed with the guerillas.

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Hearing September 21, 1999
Implementing Plan Colombia – The United States Role
Congressman Gallegly

4.

Q. From what you have observed thus far of the FARC operations in the so called "demilitarized zone", are the FARC using that area for training, weapons stockpile and as a staging area for attacks against the government?

A. There is information suggesting that the FARC is using this region for these activities.

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Subcommittee on the Western Hemisphere
Hearing September 21, 1999
Implementing Plan Colombia – The United States Role
Congressman Ackerman

5.

Q. Your written statement noted that there is a "need to better coordinate operations between the services and with the Colombian National Police." How serious is this problem of interservice coordination?

Would you elaborate on how our assistance can address this issue?

A. The training that we are providing focuses on the Colombian Army and National police joint planning and execution of counterdrug operations. Additionally, we are working with them to improve the interoperability of key equipment, such as secure communications.

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Subcommittee on the Western Hemisphere
Hearing September 21, 1999
Implementing Plan Colombia – The United States Role
Congressman Ackerman

6.

Q. In the wake of the scandal involving Colonel Hiett, what steps has the Department taken to ensure that service members who may be vulnerable are not placed in sensitive positions, similar to that held by Colonel Hiett?

A. The incident caused the Department great concern and has served to underscore the importance of reviewing critically each and every personnel assignment, particularly in areas of obvious sensitivity. However, I am not aware of any additional steps that have been initiated as a result of this specific event.

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DEPARTMENT OF DEFENSE

Subcommittee on the Western Hemisphere
Hearing September 21, 1999
Implementing Plan Colombia – The United States Role
Congressman Gilman

7.

Q. Colombian Army General Montoya, who was in charge of the push into southern Colombia last week, informed my staff that the State Department reported that he can only put M-60 machine guns on the UH-1N helicopters.

Doesn't that concern you? Aren't we going to see heavy casualties since no mini-guns are going to be on the choppers?

A. The configuration requirements for all of the helicopters being provided to Colombian forces, both the military and the Colombian National Police, is determined jointly by the Colombians and experienced US military personnel assigned to U S Southern Command. I am confident that the process fully matches the requirement with platform configuration.

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DIRECTORATE FOR FREEDOM OF INFORMATION
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DEPARTMENT OF DEFENSE

U.S. AGENCY FOR
INTERNATIONAL
DEVELOPMENT

OCT 25 2000

The Honorable Elton Gallegly
Chairman
Subcommittee on Western Hemisphere
Committee on International Relations
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter of September 27, 2000, seeking clarifications on USAID Deputy Assistant Administrator, Bureau for Latin America and the Caribbean, Carl Leonard's September 21, 2000 testimony before your committee.

Responses to your specific questions follow:

Question: It has been reported that there is a real coordination problem between the Colombian government and local authorities over the administration of Plan Colombia. For example, it was reported that the Governor of Putumayo, Jorge Devia Murcia, had not even been consulted in the development of the Plan's proposals for his state. What is your assessment of how well the Government in Bogota is coordinating this whole Plan with those who will be most affected by the Plan?

Answer: The Government of Colombia (GOC) has assigned Dr. Gonzalo de Francisco as coordinator for the south. Since his appointment, coordination has improved significantly. In recent meetings in Bogota with Ambassador Patterson and the USAID Director, the Governor of Putumayo reported a great improvement in coordination with the national government, and national officials now seek his views. Elsewhere, the national government is reaching out to local and departmental level public officials and to non-govern-

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WASHINGTON, D.C. 20523

mental organizations (NGO). President Pastrana is well aware of the need to coordinate efforts within Colombia's borders as well as within the region and internationally to gain support for the Plan and ensure its success.

Question: An article in the *Washington Post* (September 26) suggested that the Government of Colombia may not be doing an adequate job explaining Plan Colombia to its citizens, especially in the south. Can you tell us what the Government is doing to get the message out in a convincing way?

Answer: The Government's communication with its people has also improved. Certainly, there have been challenges in the start-up of the Plan as the government tried to coordinate a complex program. The entire country team in Colombia continues to push the GOC to do more to get the message out. The Public Affairs Section, for example, has pledged support in implementing the GOC's outreach strategy.

The GOC's Communications and Public Awareness strategy includes outreach to local government authorities and the private sector. This effort in Putumayo and southern Colombia specifically consists of seven broad goals: (1) to promote a new Putumayo, in peace, free of coca and with social development; (2) to support security, the rule of law, and the elimination of corruption; (3) to promote agreements with farmers to eliminate coca; (4) to support respect for human rights; (5) to emphasize that eradication efforts focus on industrial cultivation; (6) to demonstrate that all actions (under Plan Colombia) support peace in Colombia; and (7) to highlight the damage caused by narcotrafficking.

USAID will support this effort through its several initiatives under Plan Colombia that include programs in alternative development, assistance to vulnerable communities, local governance, administration of justice, human rights, and anti-corruption. A strong emphasis on community outreach is included within each of these programs to ensure

local users and beneficiaries of the program are fully aware of the Plan's goals and objectives. For example, USAID's support for PLANTE in Putumayo and southern Colombia is furthering this objective. A conference for newly elected mayors from Putumayo, planned for later this year under our local governance program, will also serve to broaden an understanding of the GOC's Plan Colombia Program.

Furthermore, the GOC is participating in a meeting in Costa Rica on October 16-17 with over 100 local, national, and international NGOs as part of its outreach program to the non-governmental community.

Responses to Congressman Ackerman's questions are provided below:

Question: A bipartisan group of members recently wrote to Secretary Albright urging that USAID direct $60 million of its Plan Colombia funding for alternative development to UNDCP programs in Colombia, Peru, and Bolivia. Will that be done?

Answer: We understand that the Department of State is in the process of responding to the letter signed by 22 Members of Congress. USAID is currently working with UNDCP in Bolivia and is considering expanding that cooperation. In Colombia, USAID is reviewing a UNDCP proposal to use $5 million for dual-purpose cattle in southern Colombia.

Question: Some Colombian non-governmental organizations have announced that they will not accept any funding that comes from Plan Colombia. Will this announcement affect our ability to work with Colombian NGOs?

Answer: The GOC is now beginning to incorporate NGOs more fully. USAID routinely includes NGOs in the project planning for all our activities in order to obtain broad-based support, and will continue to do so during project implementation. NGO and civil society participation are essential to the success of Plan Colombia. There are a few NGOs who currently oppose

Plan Colombia, partly on philosophical grounds, but more frequently based on security concerns. We will monitor this issue closely. However, we are confident that sufficient NGOs, both U.S. and Colombian, will choose to participate in our programs. In fact, funds for assistance to displaced persons are already over-subscribed. In the continuing consultation process, the door will remain open to groups who have not received Plan Colombia funds as well as to those who have.

If I can provide you with further information, please do not hesitate to contact me.

Sincerely,

Joseph R. Crapa
Assistant Administrator
Bureau for Legislative and
Public Affairs

QUESTIONS FOR THE RECORD SUBMITTED TO ASSISTANT SECRETARY OF STATE RAND BEERS BY CHAIRMAN ELTON GALLEGLY

Question 1:

Critics of the overall Plan Colombia say that the new infusion of U.S. military support, weapons and training only serves to further militarize the current conflict and could weaken the peace process by escalating the violence and encouraging hard-liners on both sides who want to keep fighting. How do you respond to these comments?

Answer:

We believe such criticism is derived from too great a focus on specific components of our assistance rather than on the entire program. There will only be peace in Colombia when there is a strong state capable of defending the rights and interests of the Colombian citizens. To the extent that our assistance under President Pastrana's Plan Colombia reinvigorates the Colombian economy, enhances Colombian governing capability, encourages respect for and protection of human rights, strengthens democratic institutions, and reduces the money available to guerrillas and paramilitaries from involvement in the drug trafficking, it will encourage the peace process.

Our package will provide support to the peace process by training Colombian government negotiators and advisors on managing conflict negotiations. The training will draw on the lessons learned in Northern Ireland, the Middle East, and Central America. The training will also examine the techniques for reintegrating ex-combatants into civil society and seek their support for all aspects of Plan Colombia. This is an extremely complex, difficult process, but it can be done.

Importantly, the package will also send a strong message to Colombia's armed actors that meaningful negotiations offer the best hope for peace and social justice. The guerrillas have demonstrated that, under the present status quo, they feel little incentive to negotiate in good faith, despite the remarkable out-reach efforts of the Government of Colombia. The strengthening of the Colombian state, institutionally and militarily, should convey to those groups that they cannot win political advantage through violence.

Question 2:

Some have suggested that even if the "push" were wildly successful, putting an end to a significant amount of coca cultivation in that region, the net flow of cocaine

from Colombia will not be seriously affected because demand will just force it to relocate elsewhere in Colombia. How do you respond?

Answer:

This is precisely the process that the effort is meant to combat. Cultivation exploded in southern Colombia after concentrated efforts were made in Colombia's Guaviare Department (and in Peru and Bolivia before that). One of the aims of this package is to provide sufficient resources needed to make concerted, simultaneous efforts in multiple locations so that cultivation is localized and eliminated rather than simply pushing it from one region to another.

Question 3:

A recent IG Audit of INL-Administered programs in Colombia suggested that neither the CIA nor the INL could agree on the effectiveness of coca reduction in Colombia. If you cannot determine what the level of coca production currently is in Colombia, how can the Colombians know how much they have to eradicate by 2005 and how could President Clinton ever certify that the goal was being met by the Colombians?

Answer:

The cultivation estimates made by the CIA are the official estimates and are used to make determinations, including the presidential certifications that President Clinton's successor will need to make in coming years. INL does not disagree with those estimates. With regard to those certifications, the Government of Colombia has adopted a strategy for a fifty percent reduction of illegal crops. Any results that approached that goal would be clear.

The differences reported between INL and CIA have occurred at a tactical level. As verification of the *results* of Plan Colombia become a priority, such differences should be resolved.

Question 4:

President Pastrana has again hinted that he thinks it would be a good idea if the U.S. itself found a way to engage the FARC in some type of dialogue to allow both to better understand each other's goals in Colombia. What is the Department's position on opening a dialogue with the FARC or the ELN?

Answer:

The United States Government strongly supports President Pastrana's efforts to broker a negotiated settlement to end Colombia's internal conflict. We remain convinced that the peace process is integral to long-term prospects for fighting drug trafficking, reducing kidnappings, and restoring respect for human rights.

However, until the FARC takes steps to ensure that those involved in the killing of the three U.S. citizen NGO workers in March 1999 are turned over to the appropriate judicial authorities, the USG will have no contact with the FARC. We also continue to call upon the FARC to provide information regarding the welfare and whereabouts of the three New Tribes Missionaries they seized in Panama in 1993.

Question 5:

It has been my understanding that the currently configured CNP Black Hawk with GUA–19s (sic) has never been done before. Sikorsky and General Dynamics have agreed to the configuration of this helicopter. Secretary Beers, do you have confidence that the agreement of these companies is sufficient proof of flight worthiness?

Answer:

The Department has not relied on either Sikorsky or General Dynamics for the determination of the air worthiness of the CNP Black Hawks as configured. That determination has been made by a Federal Aviation Administration (FAA) Quality Assurance Board which has issued a "Certificate of Compliance" for the aircraft.

Question 6:

There seems to be some rivalry between the Colombian military and the police over who will ultimately be in charge of the "push into the South" effort. I am told that neither side is willing to cede leadership to the other and that the police have already said they will not participate in the "push" if the army is in charge. If this is the case, is the program doomed before it even beings?

Answer:

If that were the situation, it would be a serious obstacle, but we do not believe the situation to be that dire. Yes, there are intra-service rivalries, as there are here

in the United States. Coordination across those lines is difficult and, in the case of Colombia, unprecedented. The Colombian leadership, particularly Minister of Defense Ramirez, to whom both the army and police report, understands the challenges facing Colombia. They came to us with this concept and the process is continuing to develop and improve. Army-police coordination efforts witnessed since the December initiation of coca-spraying in Putumayo Department demonstrate heightened inter-service cooperation—and unprecedented results in aerial eradication efforts.

Question 7:

In your statement you say that spraying in Putumayo will begin in December which corresponds to the arrival of the UH–1N helicopters and the completion of the training for the 2nd battalion. Does this mean the 1st and 2nd counter-narcotic battalions will begin operations in December?

Answer:

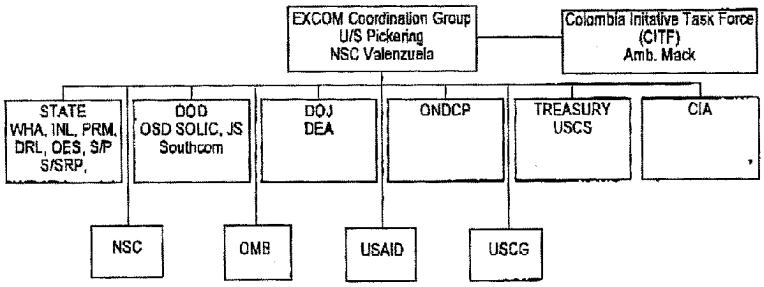
First let me clarify that the first counternarcotics battalion has been operating since its training was completed in December 1999, although past operations were limited by the unavailability of air mobility. With regard to the question, the two battalions, having completed their coordination and training with the UH–1Ns, are now since mid-December conducting air-mobile operations in southern Colombia.

Question 8:

Do you have some type of organizational chart (of the Administration's Executive Committee for Colombia)?

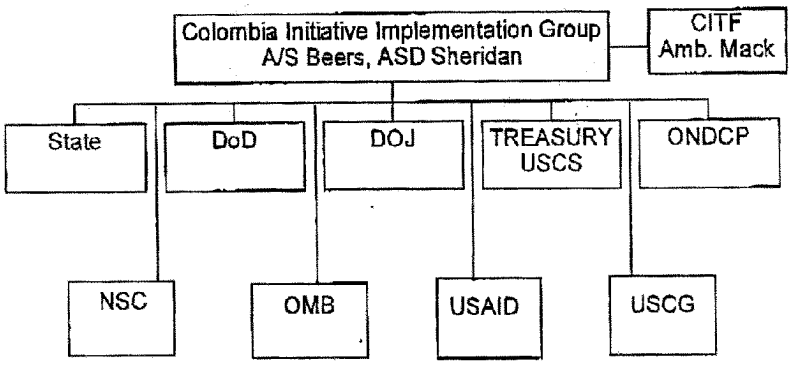
Answer:

PLAN COLOMBIA
EXCOM Coordination Group



The CITF fulfills PDD 73 mandate to establish a coordinator to assist the Chairman of the EXCOM in coordinating the day-to-day implementation of the Colombia initiative and to direct a small task force in facilitating interagency planning and integration.

PLAN COLOMBIA
EXCOM Implementation Group



QUESTIONS FOR THE RECORD SUBMITTED TO ASSISTANT SECRETARY OF STATE RAND BEERS BY HON. GARY ACKERMAN

Question 1:

It is our understanding that the Administration is sole-source contracting for the purchase of Ayers S2R T–65 sprayer aircraft for the Colombian National Police. However, it has come to our attention that there may be better aircraft available such as the Air Tractor Thrush, which has a larger payload capacity, bigger wingspan for fewer passes to kill an airfield (sic), and better landing gear to allow planes to land safely while loaded without jettisoning chemicals over water or non-targeted land.

What is the cost per airplane for the Ayers S2R T–65?

Has the Department ever done a comparison of the Ayers S2R T–65 with the Air Tractor Thrust to determine which is the most effective spray plane?

Answer:

The Ayers S2R T–65 costs approximately $1.5M per aircraft. The Department has not done a comparison of the Ayers S2R T–65 with the Air Tractor Thrush, and does not intend to do so for two reasons: the Colombian National Police have requested that we provide them with additional T–65s; and the conference report for the FY2000 emergency supplemental bill recommended that the Department provide to the CNP "Ayres S2R T–65 agricultural spray aircraft." In our Congressional Notification of a spending plan for the appropriate funds, we notified the Congress that "The Department plans to use $20 million to procure additional commercial agricultural spray aircraft, and of those funds, not less than $12 million will be allocated for procurement, training, and operations of Ayers S2R T–65 agricultural spray aircraft. We are using the notwithstanding authorities contained in Section 481 (a)(4) of the FAA of 1961 (P.L. 87–195) for such procurement."

Question 2:

Now that U.S. assistance under Plan Colombia has begun to flow, what benchmarks for success is the Administration looking for? What should we expect to see, in the way of policy accomplishments, by this time next year?

Answer:

Benchmarks specifically for Plan Colombia are currently being discussed. These discussions have been dependent on delivery schedules for equipment and training

which are still being determined as well as initial operational results to make sure our joint expectations are realistic.

Question 3:

If one of the helicopters provided by the U.S. is proved to have been used to aid or abet a paramilitary unit, what will be the process of repossessing it, as required by law?

Answer:

As we have done in the past, the U.S. Government will provide aircraft to Colombia under a no-cost lease. The U.S. Government will retain title to the aircraft and no legal repossession will be necessary in the event of misuse. That said, we will not hesitate to remove from Colombia any equipment—helicopters or any other type of assistance—that has been used inappropriately.

QUESTIONS FOR THE RECORD SUBMITTED TO ASSISTANT SECRETARY OF STATE RAND BEERS BY CHAIRMAN BEN GILMAN

Question 1:

Mr. Beers stated the CNP cannot go in and hold hostile areas. That has never been their mission, it is to enforce the "rule of law" and eliminate drugs.

Can the Colombian Army hold the FARC controlled areas today in Putumayo and Caqueta that you say the police cannot?

Answer:

The purpose of the assistance being given to the military is to give them the equipment and training to do just that.

My earlier statement was in no way meant to impugn the ability or dedication of the CNP. They are an outstanding organization and I hold them in the highest esteem. I was simply pointing out that there are military missions just as there are law enforcement missions and that democracy is best served when those distinctions are respected. For the Colombian state to defend the interests of its citizens, particularly in southern Colombia, both the Army and the police need to fulfill their respective missions.

Question 2:

Did INL ever consult the Bureau of Diplomatic Security (DS), as it relates to security needs and personnel, for Plan Colombia? If not, why not? Obviously there will be more personnel in the Embassy and some reports indicate there are close to 500 temporary duty personnel currently in Bogota. I would suspect that the threat to Embassy personnel will rise.

Answer:

INL is working closely with the Bureau of Diplomatic Security to ensure that additional personnel needed for the implementation of Plan Colombia will receive adequate and secure office space and that their security needs are met.

Question 3:

Where will the additional Embassy personnel be physically located? If they will be in the trailers, will they be safe and secure from attack? Will the trailers be blast proof? If not, why not?

Answer:

The Department has examined several options for the additional office space needed in Bogota. The preferred choice is the use of pre-fabricated structures, or "modules," that have been certified for blast and forced entry standards. A location that meets security setback guidelines has been identified for the modules within the Embassy compound.

Question 4:

It was reported that recently the State Department turned down the Colombian National Police (CNP) request for night vision goggles training on one of their Black Hawks by the Colombian army at no cost to the U.S. Government. Please explain why we would not want the CNP to be able to use the Black Hawks at night and increase their effectiveness?

Answer:

The issue was not over night vision goggle (NVG) training, but over the *ad hoc* nature of the proposal to train one crewman. We are working with the CNP to orga-

nize a comprehensive NVG training program that will benefit their entire UH–60 fleet.

QUESTIONS FOR THE RECORD SUBMITTED TO ASSISTANT SECRETARY OF STATE RAND BEERS BY CHAIRMAN DAN BURTON

Question 1:

Let me just say quickly, we have a lot of Black Hawks in our inventory. We have mechanics and pilots in the Colombian National Police who can fly those and take care of them today, not 3 years from now, today. It will be a tragedy if we have to wait 2 or 3 years to get new Black Hawks and train people when we already have trained—look at me, sir, please. We already have trained pilots down there with the CNP and mechanics who can today fly Black Hawks. We have Black Hawks in our inventory, a lot of them. We could send them down there now. To wait 2 or 3 years for new Black Hawks to come off the line and train a whole bunch of people when we have them already trained and ready to go down there is a ludicrous argument. I mean, there is a war that is going to be lost if we wait 2 or 3 years. They already have a DMZ. The president down there is scared to death of these people. And you are going to wait 3 years to get them the help they need? That is bologna.

Answer:

The delivery timeline you refer to represented a conservative estimate provided by the Defense Security Cooperation Agency (DSCA), through which we are purchasing the aircraft at the explicit instruction of Congress. Since the hearing we have signed a contract with Sikorsky and the first Black Hawk will be in Colombia on July 1.

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