

# Colombia

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# Action on



CSN delegation members with Peace Community Leaders and Peace Brigades International accompaniment leaders in the Peace Community.

## SOME QUESTIONS ABOUT COLOMBIAN DEMOCRACY AND MADURO'S "DICTATORIAL" REGIME

By Francisco Ramírez\*

*Colombian attorney and labor leader, who has focused attention on multinational corporations and their destructive actions in Colombia, and has brought suit against some of them. Francisco gave the keynote presentation at the CSN Annual Conference in June 2019.*

*(Translated by Eunice Gibson, CSN Volunteer Translator)*

The mainstream international press is pushing a permanent campaign by different media and different forms and methods to convince us of the existence of a dictatorship in Venezuela. It shows us marches, empty supermarkets, massive migration and shortages of basic products, refusing to mention that that country is the object of a blockade by the United States and its partners.

But from the other side of the border, we Colombians have a lot of questions with respect to who, how, and when the mainstream press, its multinationals and its governments designated the government of that country as a dictatorship.

*continued on the following page*

# Questions Colombian Democracy cont.

Any ordinary citizen would start by comparing at least three indicators, such as the human rights situation, the political system, and the economic situation, in order to explain what's going on in that country.

## Human Rights

There are 5,400,000 Colombians in Venezuela, refugees because the "chavista dictatorship" saved them from being one more statistic of the 280,000 Colombians murdered, 83,000 who were forcibly "disappeared" (the highest number in the whole continent), 7 million who were displaced, (the country with the highest number of victims of forced displacement in the world), of the 4,000 labor leaders murdered (the greatest organized labor genocide in the history of humanity), or from being on the list of the average 28,000 murders because of social activities per year for the last 40 years<sup>1</sup>. For better or for worse, these Colombians and the majority of Venezuelans have had housing, health, employment, and education, until the economic blockade was imposed by the governments and the multinationals of North America and Western Europe.

But Venezuela, which is the object of this blockade, has never reached even one fifth of these terrifying statistics in the Colombian "democracy".

<sup>1</sup> <http://www.javiergiraldo.org/spip.php?article54>

## Political System

Since the last century, Colombian "democracy" has been the prisoner of permanent electoral frauds which have provoked massive protests in the northern coast of the country, when the republic had barely begun<sup>2</sup>, or the national pact<sup>3</sup> where they carried out "elections" so that only the Liberal Party or the Conservative Party were winning and they rotated the power in successive periods; one of those frauds being against the Anapo Party (National Popular Alliance) originated the armed movement M-19 in 1970.<sup>4</sup>

This "democracy" is one of the few that have given themselves the "luxury" of committing successive genocides against its opponents, such as the cases of the Gaitanista movement in the 1950's, the Patriotic Union in the 1980's<sup>5</sup>, and now against the majority of the Humane Colombia Party, which won the elections but in one of the clumsiest frauds, their victory was snatched away.

<sup>2</sup> <https://www.americaeconomia.com/analisis-opinion/analisis/los-fraudes-electorales-en-colombia>

<sup>3</sup> <https://www.elespectador.com/opinion/aquel-escandaloso-fraude-electoral-columna-742799>

<sup>4</sup> <https://www.radionacional.co/linea-tiempo-paz/asume-presidencia-misael-pastrana-medio-polemica-fraude-electoral>

<sup>5</sup> <https://pacifista.tv/notas/jep-union-patriotica-caso-006>

In an open admission of every kind of fraudulent stratagem, the Registry Office itself admits that there are two million dead people who vote, there are people who vote twice or three times, and others who come to vote and somebody has already voted with their identification. Even mercenaries, paramilitaries<sup>6</sup>, and soldiers have admitted having pressured, threatened with death, and forced hundreds of people to vote for candidate Álvaro Uribe Vélez and candidates of his party. Even the paramilitary chieftain Mancuso admitted that 35% of the Congress were supporters of his movement<sup>7</sup>, but when you check the voting of that group, the one that created legislation that plundered natural resources, in favor of national monopolies and multinational companies, that number reaches 82% of the Colombian Congress.

## Economic situation

We Colombians ought to be aware that the Venezuelans don't have the degrees of extreme poverty and concentration of wealth that we do have in Colombia, according to a study by the University

<sup>6</sup> <https://www.javeriana.edu.co/pesquisa/la-incidencia-paramilitar-en-los-recientes-procesos-electorales-colombianos/>

<sup>7</sup> [https://caracol.com.co/radio/2005/08/04/judicial/1123166760\\_191922.html](https://caracol.com.co/radio/2005/08/04/judicial/1123166760_191922.html)

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of the Andes<sup>8</sup> and referenced by Salomón Kalmanovitz; neither do they have 70% of their work force working informally and receiving a minimum or less than minimum wage every month.

In Colombia 1% of the workers are covered by a collective bargaining agreement; during the last 28 years an average of one union worker was murdered every three days. That lowered the percentage of union affiliation from 14% to the current 3.5%, and it raised the percentage of wealth concentration. "The World Bank reports a Gini income coefficient of 55.9% in 2010 for Colombia, the highest in Latin America."<sup>9</sup> Besides that, Colombia multiplied taxes on the workers and multiplied the tax exemptions for the national and international business owners<sup>9</sup>.

These exemptions go from no payment of any taxes if the multinational cuts down virgin forest and exports the lumber according to Article 235 of the Mining Code, to no payment of a tax on the value of imported machinery (Statute 788 in 2002), no payment of tariff for importation of fuel. That permitted the multinational Cerrejón to avoid

<sup>8</sup> <https://revistas.uniandes.edu.co/doi/pdf/10.13043/dys.76.1>

<sup>9</sup> "But there really are a great number of exemptions, benefits, and deductions that favor natural or legal entities. Those reached \$72.3 billion in 2016, the equivalent of 8.4% of GDP and 62% of revenue. The 60% is for natural persons and 40% for businesses. There is inequality in the concentration of land ownership, which reaches a Gini of 0.91, with two aggravating factors: the landowners pay few taxes and the land is under-exploited, with 70% fallow." **Tax Exemptions, Salomón Kalmanovitz, August 6, 2017.**

paying 1.1 billion pesos<sup>10</sup> (roughly USD \$367,000). The extension of an exemption<sup>11</sup> for government companies and multinationals resulted in a national loss of 30 billion pesos (roughly USD \$10,000,000); Statute 1382 in 2010 was created, and its approval achieved, by the lawyer for the multinational BHP Billiton. It permitted that company to extend the operation of the Cerromatoso Mine for 20 more years, leaving in effect the tax levels of 30 years ago, along with other "guarantees for foreign investment"<sup>12</sup>.

In conclusion, today a multinational pays an average of \$100 in taxes and in return it gets \$168 in tax reductions. It pays its workers with Colombian taxpayer money, and decides on environmental control. It reforms all of the country's legislation with the help of mercenaries, soldiers, paramilitaries, and agencies for "international cooperation", that is to say, it has the perfect country to plunder.

<sup>10</sup> Decreets 4299 in 2005 and 1333 in 2007

<sup>11</sup> Concept 015766 in 2005. Article 116 of the Tax Statute

<sup>12</sup> In 2014 the income tax for businesses reached \$46 billion pesos (a little over USD \$10,000,000), but the owners paid only \$7 billion (roughly USD \$2,100,000). A. Rodríguez, J. Ávila, "The tax burden on earned income and on capital in Colombia", Document 75, CID, National University.

## The perfect storm

Colombia, by means of violence, supported by the governments and by the Western European and North American multinationals, possesses the "best conditions for that foreign investment", investment that for 500 years has been murdering, massacring, "disappearing", and displacing people, overthrowing governments, and murdering anyone who opposes them, so as to "guarantee" development at the cost of the lives of millions and millions of human beings, who are standing on the natural resources that feed the cycle of exploitation and death, that are the basis of their "democracies".

Venezuela has the world's greatest reserves of petroleum and gold, and is second in the mining of strategic minerals only to Colombia, mines that are accessible to the "west" after the Democratic Republic of Congo and Rwanda<sup>13</sup> and, since Venezuela has a policy of defending its natural resources for the development of humanity, they call it a "dictatorship" and it has to be exterminated just as they have done with Iraq and Afghanistan, just citing the most recent cases, to show that Colombia is not a dictatorship!!

That's why they are creating the perfect storm, but like every storm, it can have direct effects, even against those who have created it. Let's hope that doesn't happen.

<sup>13</sup> Also Greenland and that is why the U.S. government proposed buying it.

# An Assessment of the Peace Agreement's Implementation to date

By Eunice Gibson

On August 29, 2019, three guerrilla leaders, one of whom had been a lead negotiator for the guerrillas in the peace negotiations, posted a video in which the three, dressed in camouflage, carrying long guns, and surrounded by their armed supporters, announced that they were going back to the fight. They complained that the government had failed to keep the promises it had made in the peace agreement. And there was truth in their complaint.

Colombia was in shock. Supporters of the peace were appalled. The FARC political party expelled them. The Special Jurisdiction for Peace (JEP) nullified their submissions. The Attorney General's Office issued warrants for their arrest. The President offered a generous cash reward for their arrest. The Uribe-led Democratic Center Party insisted that the guerrillas had never intended to abandon their drug dealing and other illegal activities. The Army ordered a special operation to fight them. What's going to happen?

That depends on how Colombia reacts. If the focus is on military action, the peace is in great danger. If Colombia focuses on carrying out the Peace Agreement, it will become a safer and more prosperous country.

Shortly before the two guerrilla leaders made their shocking announcement, twenty members of the Colombian Congress, representing a parliamentary majority but not the governing Democratic Center Party, had suggested a road to that success. They issued a 120-page report calling on the government to implement the Peace Agreement. The report points out that:

1. Fifty-seven percent of the

legislation needed for implementation has not even been presented to Congress.

2. While the Agreement calls for 10 million hectares of land to be titled and furnished to campesinos, only 73,000 hectares, 8.7%, have been furnished and formalized.

3. Implementation would cost some \$139 billion pesos (roughly USD 47 million) in the next 15 years, but the President's proposed 2020 budget calls for \$9.8 billion pesos (roughly USD 3.5 million) for that, and something like 40% of that is for programs of general interest that are not focused on the Peace Agreement.

4. The budgets for principal agencies responsible for transforming government in the countryside would have their budgets reduced between 17% and 7%.

5. The 16 congressional seats to be reserved for victims of the conflict have not been established.

6. There has been no reform of the political system, nor any steps taken to register voters in the countryside.

7. Eighty-three per cent of the ex-combatants who have laid down their arms have not yet had access to productive projects.

8. Ninety-four per cent of the 99,097 families that joined the National Program for Illegal Crop Substitution have carried out coca eradication, but only .07 % of those families have had access to productive projects with new crops.

9. Removal of land mines has been slowed down and land mine removal is necessary for continuing the process of manual eradication of coca plantings.

10. Statute 1448 calls for reparations

to victims, but in the first year of the Duque administration, reparations have fallen by 56%.

The signers of the report ask the Duque administration to work with them to improve the implementation process. ("A responder, Gobierno!", by Patricia Lara Salive, *El Espectador*, Bogotá, August 16, 2019). It does not appear that the government has made a direct response to this call to action.

It's a positive sign that, out in the countryside, there are many local leaders who push for land restitution, head local councils and committees, and start civic organizations. The bad news is that so many of them have been murdered.

Between January 30, 2016 and May 30, 2019, 482 leaders were murdered, and between April 2018 and April 2019, 982 leaders were threatened in Colombia. On July 26, 2019, marchers in 100 cities in the world, with big turnouts in Colombian cities, called for the protection of Colombian social leaders. The next day, two more were killed. ("Worldwide Protests Called Against Colombian Social Leaders", *Telesur English*, July 22, 2019) ("Colombian Social Leader Shot A Day After Global March", *Telesur English*, July 29, 2019).

Not only that, since the signing of the Peace Agreement at least 163 peaceful ex-guerrillas have been killed, as well as 45 of their family members. ("Colombia: The Invisible Genocide", by María Fernanda Barreto, *RESUMEN*, July 16, 2019).

In mid-June a land restitution leader, María Pilar Hurtado was shot in broad daylight in front of her children. A daring neighbor made a video that showed her screaming 9-year-old

child. It was shown throughout the country. Then on June 21, 2019, a local community leader named Yirley Velasco, who had been a victim of the El Salado massacre, received the following letter in an envelope tied with black ribbon:

“You don’t seem to understand that we don’t want you here in M6ntes de Mar6a. You are going to be the next leader to be killed. We are going to do the same thing we did, or worse, to Mar6a del Pilar. You are a snitch, guerrilla, and we know everything about you. Everything you do, your meetings with women, you are a strong leader, we are going to kill you. We have orders to disappear you. We have declared you to be a military objective. We are a powerful group. If you don’t think so, maybe you think we don’t know that you go around to the different towns. The police are our allies. They tell us everything about you.

Your child will be in the next video.

You are a military objective.

AUC

The signature may be surprising since the AUC (Autodefensas Unidas de Colombia) were supposed to have demobilized in 2005 and the government position is that they no longer exist. It has claimed that there are only apolitical criminal gangs. The AUC threat cited above also ordered the recipient civil rights attorney to “stop any kind of leftist activity”. It appears that the alliance between the military and paramilitaries is still focused on an internal enemy, even though the vast majority of guerrillas have laid down their arms.

There are some positive developments. Page 4 of Spain’s *El Pais* for Monday, July 15 of this year pictures a public library in a tiny town in southern Colombia. It is named for a guerrilla commander who was killed in the war and it has a mural with the logo of the new FARC political party. Inside are 27 computers hooked up to the Internet. The community has organized to buy a 165-hectare property, keep 13 of the parcels and transfer the other 11 parcels for farming. One of the community leaders predicts that it will be a “fiery test” to see if the government will actually carry out the plans.

In other areas there are tourism projects produced by ex-guerrillas. One is a group of rafting guides, who have already won a rafting contest in New Zealand. (“Es official: cinco ex-combatientes de las Farc nos representarán en el mundial de rafting,” *Pacifista*, May 8, 2019)

There are a few other projects that are at least showing initial success. An exclusive Bogot6 restaurant employs ex-guerrillas, ex-paramilitaries, victims and ex-soldiers. (“As6 se cocina la paz en Colombia: ex guerrilleros y militares trabajan juntos en un restaurante top de Bogot6” *infobae*, July 15, 2018)

The UN reports that in Sucre Province, some 200 ex-guerrillas are working in several different municipalities on agricultural projects such as hog production. (“EN SUCRE, EXCOMBATIENTES DE FARC TRABAJAN CON LA COMUNIDAD EN NUEVOS PUNTOS DE REAGRUPAMIENTO”, *MISI6N DE VERIFICACI6N DE LA ONU EN COLOMBIA*, February 4, 2019).

The Madrid *El Pais* article highlights the European Fund for Peace, which has already invested 125 million euros that finance 24 projects in 16 of

Colombia’s 32 provinces. The Fund was created in 2016 to contribute to two specific points of the Peace Agreement: rural development and reincorporation of ex-combatants. Investment has now reached 300 million euros, because it has added funds for the assistance of refugees.

The United Nations Office on Drugs and Crime has recognized Colombia’s Caldas Province for completing five years without raising coca. It is Colombia’s first province to receive that certification. In an interview with *El Espectador*, Caldas Governor Guido Echeverri said that in 2006 Caldas had 3,000 hectares of coca. All of it has been eradicated manually, without spraying. He said the government has a strong presence in eastern Caldas, and that there was a successful program of farm-to-market roads. This had made it possible to market new products such as cork, and traditional products such as coffee and sugar cane. (*El Espectador*, Bogot6, July 7, 2019)

The Peace Agreement calls for the Colombian government to establish a Truth Commission. Its charge is to travel the country to hear the victims and others tell what they experienced, so the whole country will know. It didn’t help that President Duque’s budget no longer provides funds for the Commission, but the Commission’s head, Fr. Francisco de Roux, has pledged that the Commission will go everywhere and listen to every story, regardless of funding.

The Peace Agreement includes an obligation to investigate gender violence, which was rampant during the war. Victims are encouraged to tell what happened to them and on Wednesday, June 26, in Cartagena, 30 women and LGBTI people presented their stories of sexual violence. They recounted experiences of torture, rape, forced

abortion and sexual slavery, among others, to an audience of over 500, made up of leaders from across the country, members of international organizations, victims' organizations, the media, and most important, perpetrators of the violence. Their role was to be silent and listen. ("Embracing Truth, Part 2: Gender-based violence", *Embracing Truth, Rodeemos el Dialogo*, July 22, 2019).

At another convocation, an imprisoned former paramilitary commander described how his group would kill from 10-40 people a day, suspected of helping the guerrillas. He told how the Army or the Attorney General's Office would warn them that there were too many bodies. When that happened the bodies would be burned in ovens built for making bricks, or dismembered and thrown in the river. He thought about 560 bodies had been burned in the ovens. If there were not so many, they could have been buried in common graves. ("Hornos crematorios se activaron después de una alerta de miembros de la Fiscalía: exjefe paramilitar", *El Espectador*, Bogotá, August 15, 2019).

The Peace Agreement has brought some economic benefits to Colombia. Tourism has expanded more than expected. The United Nations and European Union continue to support implementation of the Peace Agreement. They do it through regular

visits and generous funding. Recently, in an interview with *El Espectador*, Helga Schmid, General Secretary of the European External Action Service, reiterated EU support for the Peace Agreement. She believes that peace has permitted diversification of the economy and she believes that the negotiations and the agreement itself are a model for other countries, especially because of its emphasis on women's rights. ("El Acuerdo de Paz de Colombia es un modelo para Europa," by Jesús Mesa, *El Espectador*, Bogotá, May 26, 2019)

## VI. Conclusion: Cautious Optimism

As we have seen, there are two major hazards: The first is continued violence and murder. The second is the lack of political will to extend the government into the hinterland, to govern, as promised in the Agreement. The two hazards reinforce each other. Yet the conservative President did not win by a large margin. More and more members of Congress are pressing for better implementation of the Agreement. Will the decision of three guerrilla leaders to go back to fighting motivate the government to do a better job of implementing the agreement? Or will the political right be strengthened in its determination to undo the agreement?

The fact that, in spite of repeated murders and threats, thousands

of small town community leaders continue to organize, to march, and to call for schools, health centers, farm credit, roads and fresh water is cause for guarded optimism. Thousands of victims are meeting with the Truth Commission to recount the horrors of the war. There will still be murder and corruption for many years into the future, but things will never be the same. Insurgency will no longer be "our tradition" as mourned by Gabriel García Marquez.

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