



Presidencia
República de Colombia
Vicepresidencia

BICENTENARIO
de la Independencia de Colombia
1810-2010



Washington DC, January 29, 2010

T. H. Russell D. Feingold
T. H. Patrick Leahy
T. H. Christopher Dodd
U.S. Senate
Washington D.C. 20510

Dear Senator Feingold, Senator Leahy and Senator Dodd,

I visited Washington briefly this week to provide an overview of Colombia's experience participating in the UN Human Rights Council's new mechanism for the protection of human rights, the Universal Periodic Review. During my stay I had the opportunity to read your January 21st letter to Secretary Clinton regarding U.S. assistance to Colombia and the human rights situation in Colombia. As Vice President, and the head of the Human Rights Program in Colombia, before I leave I would like to share some thoughts with you that I hope will be useful as you consider the future of the relationship between Colombia and the United States.

Cooperation between Colombia and the U.S. is undoubtedly a great example of the importance of close coordination between donor and recipient countries and how these relationships can transform into successful partnerships and achieve very significant progress. Without a doubt Plan Colombia is a success story of bipartisan foreign policy.

When analyzing the case of Colombia, however, one must be acutely aware of the challenges that drug trafficking poses to be able to understand the successes and the complexity of the remaining problems.

On December 8th of 2009, UN Secretary-General Ban Ki-moon addressed the issue of drug trafficking specifically. The Secretary General recognized that "in recent years, drug trafficking has emerged as a leading threat to international peace and security." He said that "drug trafficking is evolving into an ever graver threat that is affecting all regions of the world. It will require sustained political will and significant resources to counter this challenge. ... The transnational nature of the threat means that no country can face it alone. This fight requires a comprehensive international approach based on a strong sense of shared responsibility. States must share intelligence, carry out joint operations, build capacity, and provide mutual legal assistance." He went on to assert that "so far, cooperation between Governments is lagging behind cooperation between organized crime networks." And that "drug trafficking does not respect borders. Most of all, it does not respect people."



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Despite our efforts, the threat and challenge posed by drug trafficking organizations remains a significant and present danger. The fact, however, that our individual and joint efforts have not eliminated drug trafficking from Colombia into the United States cannot be interpreted to mean that Plan Colombia has not reduced the amount of cocaine entering the U.S., or that the policy has failed. Our interdiction efforts alone between 2000 and 2009 led to the seizure of 1,350 tons of cocaine; the street value of which is an estimated US\$142 billion.

Your letter raises two points that I would like to address. You say that “For sustained gains, our investments should put greater emphasis on farmer-led programs, with voluntary eradication coupled with effective alternative programs, including attention to land ownership and food security” and recall that “Last year, UN Office of Drug Control data revealed that coca production decreased in some areas of Colombia as controversial aerial spraying programs were phased down and manual eradication scaled up”. In these areas, it is important to recall that these achievements you mention - experienced in La Macarena and Montes de Maria pilot projects - have been possible because of the security framework built around the military presence. Our ability to implement the interagency work that has been so successful in generating development alternatives for these peasants is based on the security that the Military and Police have delivered in areas that were once forbidden to the legitimate State in Colombia.

These are just a few of the many indicators of our success, and I have asked our Minister of Defense, Gabriel Silva, to reach out to you during his upcoming visit in February to provide you with additional data and answer any questions that may remain.

In your letter you also mention that “progress in other priority areas – human rights and the strengthening of democratic institutions – is lacking.” I cannot agree with your assessment. As one of the many Colombians who have dedicated their lives to bringing change to our country, I can assure you that while we recognize the great challenges that we still face, Colombia has come a very long way in both areas. Since 2002 there have been dramatic reductions in the number of homicides (45%), including violence against union members (85%), kidnappings (91%) and terrorist attacks (81%). All 1,102 Colombian municipalities have Police presence and all mayors are back in their town halls. While we have not solved all our problems, the progress we have made is undeniable and we are committed to continue to move persistently and uncompromisingly in the right direction.

I invite you to review the Government’s One Year report of the progress made in the UPR available on: <http://colombiaemb.org/docs/EPU%20ENG.pdf> . This document specifically addresses the concerns you raise in your letter, and provides clear evidence of the progress we are making.



In Colombia, decades of weak state presence in certain areas of the country and the violence fueled by drug cartels continue to affect, although in ever decreasing numbers, vulnerable segments of the population. This is precisely why strong institutions, including security, judicial and civil agencies, and a permanent State presence in all of our territories, are key elements in achieving peace and prosperity for Colombia. We have shown that legitimate security, derived from the state, is essential to democracy, growth and development, and ultimately, peace.

We strongly agree with you that human rights abuses by Colombian military personnel and the illegal wiretapping that took place in DAS are unacceptable. Stopping them remains a top priority for the Colombian government. The Government has taken profound and exemplary measures to address both these issues, which have led to results on both fronts. The NGO CINEP reported¹ that only two alleged cases of "*falsos positivos*" were reported in 2009. While that is two cases too many, we are committed to continuing to work to make sure that this never happens again. With regard to DAS, besides the ongoing criminal investigations, the agency has been scaled down and it is currently being restructured to limit and clarify its role. Additionally, a bill is being considered in Congress to close down the existing agency, and create a new one that addresses the shortcomings of the existing DAS.

The Colombian Government, with the continued support of the United States, is making all the necessary efforts to leave the problems of our past behind. Providing security and social programs for our people is critical to our long term stability which, in turn, is critical in promoting investor confidence and growing our economy. Colombia cannot afford to lose ground on the gains that have cost us so dearly.

We deeply value our partnership and work with the United States. Your country's support in security-related areas has been and remains crucial. As you move forward with the FY2011 budget, I would like to emphasize an important point regarding your request to Secretary Clinton to "significantly reduce military aid."

A move to further reduce the military aid resources could endanger the important results that have been obtained not only in securing Colombian territory and in the fight against drug trafficking, but also in establishing stronger democratic institutions as well as economic and social programs. Our two governments have been working in tandem to gradually scale down U.S. support in certain areas. This has been done to ensure that our operational capacity is not endangered or weakened and that the areas where U.S. support remains vital are not negatively affected.

¹ http://www.cinep.org.co/sites/cinep.cinep.org.co/files/Informe%20Especial%20Cinep-PPP%20_Falsos%20Positivos%202009_.pdf



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As I mentioned above, security is a vital enabler of social and economic development, and I encourage our two governments to work together to mutually agree on a gradual scaling down of U.S. security support that will not hamper Colombia's operational capability to continue the path and improvements of the last years.

Colombia and its people are grateful for the support that the United States gave Colombia in very difficult times. This support has shown results in our country and the region, results that we are committed to maintaining and enhancing.

It would be my pleasure to host you in the near future in Colombia, so that you can see for yourself the great progress we have made, the positive impact of U.S. cooperation in Colombia and the importance of our continued partnership.

Please know that we look forward to continuing to work with you on our long-term common goals of promoting democracy, freedom and the rule of law for all Colombians.

Sincerely,

Francisco Santos Calderón
Vice President