Colombia

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Query:

What is the current status of political violence and civil conflict in Colombia? What is the role of kidnapping and violence in urban areas?

Response:

SUMMARY

The year 2000 saw yet a further increase in both political and criminal violence. The rise in violence occurred despite efforts by the Colombian government to promote peace with left-wing guerrillas, curtail the activities of right-wing paramilitary groups, reduce human rights violations by the military and police, and curb the drug trade. The civil war is now characterized not only by conflict between armed groups—the guerrillas, the paramilitaries, the Colombian armed forces—but also by a three-pronged attack by these elements against civil society. José Miguel Vivanco of Human Rights Watch stated in testimony before the US Congress in September 2000, “The armed forces, paramilitaries and guerrillas continue to ignore 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 (HRW 21 Sept. 2000).”

The assault against civilians includes assassinations, massacres, torture, kidnappings, extortion and forced displacement. It impacts upon groups that have been traditionally targeted such as trade unionists, academics, human rights workers, etc., as well as broader social groupings, such as the middle class and children.

Another notable trend is the surge of politically related violence into urban areas as the warring factions continue to extend their battle for influence and territorial control to the nation’s cities. In a recent article headlined “Colombia’s War Goes Downtown,” for example, the Washington Post reported how the 40-year civil war has spilled “from the rural areas into the biggest cities. From Medellín to Cali, leftist rebels and members of right-wing paramilitary groups are waging urban war upon one another in public places (Dudley 14 Nov. 2000).”

At the same time, drug trafficking remains a constant source of violence and there is considerable overlap in this regard as both the guerrillas and paramilitaries are deeply involved in the illegal narcotics trade and fight for control of drug-producing regions as well as to achieve political objectives. In general, with the increase in criminal and political violence in 2000, “The Government continued to face serious challenges to its control over the national territory (DOS Mar. 2001).”

VIOLENCE INCREASES

The year 2000 was another record-breaker in terms of violence overall, according to the Instituto de Medicina Legal (Institute of Legal Medicine) and other public and private institutions in Colombia. By the end of 2000 the Instituto had recorded 38,820 violent deaths for the year, 2,635 more than in 1999. The Instituto said that at least 80 percent of the deaths involved firearms. A substantial majority of the deaths were the result of criminal violence, as Colombia continued to have one of the highest murder rates in the world. Although Bogotá recently saw a slight drop in its murder rate, Colombia's next largest cities, Medellín and Cali, rank first and second in the Western hemisphere. At the same time, an estimated 97 percent of all crimes, including homicides, continue to go unpunished, and in 2000 the inefficient court system was jammed with some three million criminal cases (DOS Mar. 2001, Rodríguez 29 Dec. 2000, Dudley 14 Nov. 2000, Johnson 20 Aug. 2000).

With specific regard to political and war-related killings, the average number of victims rose in 2000 from 12 to 14 per day, an increase of more than 16 percent, according to the Comisión Colombiana de Juristas (CCJ, Colombian Commission of Jurists). The Colombian Judicial Police reported that the number of massacres carried out in 2000 (defined by the Judicial Police as four or more persons killed in the same incident) increased by 22 percent and resulted in at least 1,286 victims, nearly a third more than the total for 1999. The Judicial Police also reported a total of 1,480 "terrorist" attacks such as bombings—an average of more than four per day and a 24 percent rise over 1999 (HRW 2001, Acosta 29 Dec. 2000, DOS Mar. 2001).

PARAMILITARIES AND GUERRILLAS STRONGER

Right-wing paramilitary groups and left-wing guerrillas are responsible for the great majority of politically related killings, including selective assassinations and massacres, and continue to grow in strength and geographical presence. The paramilitary groups, most of which are grouped together in a national umbrella organization, the Autodefensas Unidas de Colombia (AUC, United Self-Defense Groups of Colombia), expanded their activities in 2000, the number of their victims increased and, according to the UN, their attacks against civilians, including children, were characterized by "torture…deliberate and extreme cruelty…including utter atrocities (HRW 2001, DOS Mar. 2001, Koppel 20 Mar. 2001)."

In the eight years to 2000, the AUC grew nine-fold to at least 8,000 combatants who are members of seven principal groups. Other estimates of membership run higher and the AUC itself claims to have 11,000 fighters. The UN reported that overall paramilitary activity jumped 80 percent from 1998 to 2000. Killings attributed to the AUC rose from about 400 in 1998 to 1,560 in 2000 making paramilitary units responsible for a majority of the massacres carried out in the country. Paramilitary groups also continue to extend their geographical reach. They now operate in 26 of the country's 32 states, and have wrested control of major coca-producing regions from left-wing guerrillas in some northern as well as southern parts of the country (Webb 7 March 2001, Ferrer 29 March 2001, Easterbrook 18 March 2001, Tamayo 29 Mar. 2001).

The two principal left-wing guerrilla organizations also continue to expand their activities and influence. The Fuerzas Armadas Revolucionarias de Colombia (FARC, Revolutionary Armed Forces of Colombia) has now grown to a force of about 17,000 fighters, while the Ejército de Liberación Nacional (ELN, National Liberation Army) has between 3,000 and 3,500. The Ejército Popular de Liberación (EPL, Popular Liberation Army) probably has no more than 500 fighters but remains aggressive, as evidenced by a wave of kidnappings and murders its carried out in the north of the country in 2000. The FARC and ELN regularly attack civilians, commit massacres and summary executions, and kill medical and religious personnel, while the FARC frequently uses gas canisters packed with gunpowder and shrapnel as mortars to destroy small towns, indiscriminately wounding many civilians in the process (Cooper 19 March 2001, Tamayo 30 Mar. 2001, Reuters 28 Jan. 2000,

HRW 2001, DOS Mar. 2001).

In 2000, the FARC, the ELN, the EPL and a few smaller guerrilla groups carried out armed actions in nearly 1,000 of the country's 1,085 municipal districts. According to a report issued in May 2000 by the US Congressional Research Service, the FARC and the ELN "have expanded operations to the point where they influence or control local governments in over half the country's municipal districts." In 1998, the government ceded control of 16,000 square miles to the FARC in central Colombia—an area larger than Connecticut, Massachusetts and Rhode Island combined—with the aim of promoting peace negotiations with the group. Since then, while talks have been on and off, the FARC has used the territory as a staging area for military attacks and a base for some of its extensive kidnapping operations. In March 2001, the government was preparing to cede a Delaware-sized area in the northeast of the country to the ELN, with the objective of promoting peace talks with that group (DOS Mar. 2001, Serafino, 4 May 2000, Krauss 20 Jul. 2000, HRW 2001, Cooper 19 Mar. 2001).

The Colombian armed forces remain mostly ineffective in confronting the guerrilla insurgencies, while they continue to commit serious and substantial human rights violations against the civilian population with a high level of impunity. In 2000, troops repeatedly attacked and killed civilians, among them six elementary school children on a field trip. Officers implicated in serious abuses remain on active duty, and only in exceptional cases have they been transferred after sustained international pressure. There is still "abundant, detailed, and continuing evidence of direct collaboration between the military and paramilitary groups (AI 2000, Serafino 4 May 2000, HRW 21 Sept. 2000, HRW 2001)."

All of the armed elements continue to be implicated in the widespread phenomenon of "social cleansing," the killing of so-called "disposables," including gay people, prostitutes, drug addicts, beggars, petty criminals, street-level drug dealers, street children, homeless people and impoverished indigenous people. The killings are generally carried out by police-backed death squads and urban militias linked to paramilitary and guerrilla organizations. In some cases, police and military personnel have been directly implicated, often acting in collusion with paramilitary groups (AI 2000, Koppel 20 Mar. 2001, DOS Mar. 2001).

KIDNAPPING RISES

Colombia continues to have the highest kidnapping rate of any nation. The country accounts for up to 70 percent of the world's reported abductions and the annual rate of kidnappings continues to rise. For 2000, the Fundación País Libre (Free Country Foundation), a Colombian non-governmental organization that monitors kidnapping and assists victims and their families, recorded 3,707 kidnappings, more than ten per day. That was a nearly 16 percent increase over the 3,201 recorded in 1999, almost four times as many as the 1,068 recorded in 1995, and an even bigger jump from the rate of about 100 per year a decade ago. Near the end of 2000, País Libre reported that of those people kidnapped in the first ten months of 2000, 1,035 were still being held captive in the mountains, jungles or urban safe houses, 202 had been killed by their captors, and five had died in captivity (Forero 24 Dec. 2000, Cooper 9 Mar. 2001, Johnson 18 Apr. 1999, DOS Mar. 2001, BBC 3 Jan. 2001, AP 5 Dec. 2000) .

The principal perpetrators continue to be left-wing guerrilla organizations, particularly the FARC and the ELN, which, according to País Libre, were responsible for about 75 percent of the kidnappings in 2000, followed by right-wing paramilitary organizations which committed about ten percent. "While the paramilitaries kidnap fewer, their victims most frequently just disappear," according to David Buitrago, legal director of País Libre. A recent poll showed that 43 percent of Colombians believe they could be kidnapped (Cooper 19 Mar. 2001,). Common criminal organizations also are involved in kidnapping, and sometimes "sell" their hostages to guerrilla groups. There also have been reports of kidnapping rings operating out of the military. Kidnappers continued to operate with a high

degree of impunity in 2000 as, “Arrests or prosecutions in any kidnapping cases were rare (Otis, 7 Jan. 2001, Kotler 5 Dec. 2000, DOS Mar. 2001).”

The spread of politically oriented violence to urban and suburban areas and the mounting impact on the middle classes began with the surge in kidnappings and extortion by guerrilla groups in the late 1990s. The Christian Science Monitor, citing both official and non-official sources, reported in 1999, “Where once the rebels targeted wealthy elites and foreign businessmen, they now cast their nets wider. Increasingly, the guerrillas snatch members of the country’s urban middle classes… (Hodgson 4 Aug. 1999).” The Associated Press, citing a similar range of sources, noted the effects of a concurrent increase in extortion which, as distinct from kidnapping, involves threatening people with abduction, death or other harm unless some form of payment is made. Referring to Bogotá, it reported in 1999, “No longer a refuge, the capital became fertile ground for rebel ‘tax collectors’ demanding payments known euphemistically as la vacuna, or vaccine (Bajak 31 Oct. 1999).” In 2000, the FARC issued the so-called “Law 002,” threatening to abduct anyone who refused to pay a 10 to 30 percent “tax for peace” on business people with more than $1 million in assets. The wealthy were targeted, but doctors and other professionals and average business people such as jewelers and other shop owners also received extortion letters from the FARC (El Tiempo 9 Sept. 2000, Tamayo 17 Sept. 2000).

For the guerrillas groups, the principal purpose of kidnapping is financial, which is why most of the kidnappings occur in urban areas, where a majority of the country’s economic activity takes place. The FARC gets about 40 percent of its income from abductions and extortion, the rest from “taxing” or providing protection for the cocaine and heroin trade. The ELN relies even more on kidnapping for income (Tamayo 17 Sept. 2000). The total of ransom and extortion payments runs into the hundreds of millions of dollars annually. In March 2001, the Colombian daily El Tiempo reported that the FARC was taking in nearly $10 million per month alone from its Law 002 extortion operation (AP 25 Mar. 2001).

At the same time, there is a political component to the increased use of kidnappings and extortion in urban areas, as the FARC in particular has vowed to increase pressure on the country’s middle and upper classes by making them feel the pain of protracted conflict. A professor at the National University in Bogotá, speaking to the Atlantic Monthly on condition of anonymity, said in 2000, “It used to be the guerrillas targeted only the instruments of the state—police stations, aqueducts, oil pipelines. Now they are going after the wealthy and even the middle class, closing in on the people who essentially run the country (Howe 1 May 2000).” For paramilitary groups, who are already generously financed by drug traffickers and wealthy landowners, kidnapping is utilized chiefly to sow panic and fear, part of the strategy of terrorizing entire towns or neighborhoods that they aim to control (El Tiempo 3 Jan. 2000, Kotler 5 Dec. 2000, Tamayo 29 Mar. 2001) .

The element of terror is also employed when armed groups target children. According to País Libre, the kidnapping of children by guerrilla groups and the paramilitaries continues to rise—with more than 300 abducted in 2000. Bullet-proof jackets designed for children are now for sale in Colombia. Children have become the third-most targeted group for kidnapping, after business people, the most targeted group, and farmers. Throughout urban Colombia, armored cars with gun-carrying bodyguards wait outside private schools to pick up children at the end of the day. Meanwhile, children’s advocacy groups in Colombia say that nearly half of the estimated two million individuals displaced by the war over the last decade are under the age of eighteen (Johnson 20 Aug. 2000, EFE 26 June 2000, Kotler 5 Dec. 2000, El Tiempo 29 Mar. 2001).

VIOLENCE IN URBAN AREAS

Starting in the middle to late 1990s, the two main guerrilla organizations enhanced their presence and capability in the country’s cities, as documented by a number of Colombian and foreign media outlets. The daily El Espectador, for example, reported in May 1999 that simple guerrilla “cells” once acting as auxiliary supply units had been transformed into full-scale urban “militias” capable of operating on their own in terms of carrying out military,

financial and logistical operations. Citing Colombian law enforcement and other sources, the newspaper reported that the activities of the FARC's Milicias Bolivarianas (Bolivarian Militias), and the ELN's Milicias del Pueblo (People's Militias), in Bogotá, Medellín, Cali and other cities included armed actions, kidnappings, extortion and bombings and "posed an ever increasing threat to the civilian population (El Espectador 14 May 1999)." The Atlantic Monthly, the New York Times and the Observer (London) subsequently reported that FARC and ELN units increasingly were usurping control from the government in sections of the country's major cities, as well as in tourist centers such as Cartagena on the Caribbean coast (Howe May 2000, Krauss 20 July 2000, Burke 29 Oct. 2000).

Much of the urban expansion by the guerrillas has taken place in poorer neighborhoods and slums, which continue to grow as tens of thousands continue to flee the war in the countryside. More than 300,000 people were displaced in 2000, the highest figure recorded in over 15 years, according to Colombian non-governmental groups. Estimates of the numbers of mostly rural people displaced by the war during the last decade run as high as two million—about five percent of the population—creating what UN officials describe as one of the worst refugee crises outside Africa. The figure of two million is more than were displaced by the war in Kosovo in 1999. Of the countries of the world, only Sudan and Angola have more displaced people than Colombia. As the displaced have flocked to Colombia's cities, urban shantytowns increasingly have become guerrilla recruitment centers and bases for carrying out kidnapping and extortion operations in more upscale neighborhoods and business districts (Krauss 10 Sept. 2000, Burke 29 Oct. 2000, BBC 6 Dec. 2000, García 13 Mar. 2001, Villelabeitia 29 Mar. 2001).

As the guerrillas expanded their urban operations, the paramilitary groups mobilized to challenge them. By late 1999, paramilitary units were battling guerrilla militias for control of the sprawling slums of south Bogotá, and building intelligence networks to take on the guerrillas in other cities. In June 2000, the governor of the state of Valle de Cauca said that battles between guerrillas and paramilitaries were turning the city of Cali, the state capital, and its metropolitan region into a war zone. His statement followed a series of car bombings claimed by a shadowy group that vowed to set off bombs for every massacre carried out by paramilitaries. The car bombings, followed by the bombing of a shopping center in Medellín in January 2001, recalled the style of narco-terrorism carried out in the early 1990s by traffickers trying to stop legislation allowing extradition to the United States. Investigators assigned to the recent Medellín attack would rule out neither the guerrillas nor the paramilitaries as responsible, while local analysts pondered whether the bombings heralded a new trend in the ongoing urban warfare (Hodgson 25 June 2000, El Spectador 28 June 2000, Ferrer 11 Jan. 2001).

In Medellín, as reported by the Independent (London), paramilitary groups have made alliances with a number of the approximately 300 heavily armed and homicidal criminal gangs often referred to as combos, holdovers from days of the Medellín cocaine cartel run by the late Pablo Escobar. The paramilitaries, particularly the AUC's Bloque Metro (Metro Bloc) have provided combos with military training, hired them to carry out kidnappings and political assassinations, and coordinated with them to battle guerrilla militias over turf. In January 2001, the AUC announced that it had deployed a Frente Capital (Capital Front) in Bogotá as part of a major thrust to disrupt and destroy the guerrilla militia network in the city. Colombian analysts expected the Frente Capital to operate in Bogotá as the Bloque Metro has in Medellín (Hodgson 17 Mar. 2001, El Tiempo 19 Jan. 2001).

By March 2001, the northern, oil-refining center of Barrancabermeja was on the verge of becoming the first major city to lose control of its neighborhoods to the paramilitaries. The port of about a quarter million people had been a stronghold of the FARC and the ELN for some time. But by the beginning of 2001, the guerrillas were retreating in the face of systematic assassinations and torture by the paramilitaries of anyone suspected of being a leftist, including human rights, community and women's groups who were designated "military targets." Human Rights Watch and Colombian rights monitors say the Colombian armed forces have played a role by, at minimum, allowing the paramilitaries to wage urban warfare and carry out executions without interference. While the guerrillas vowed in March to mount a counterattack in Barrancabermeja, the paramilitaries were using the city as a

base for attacks aimed at deterring the government from ceding to the ELN the nearby Delaware-sized enclave it had promised as part of its peace offering (Webb 8 Mar. 2001, IPS 5 Mar. 2001, Forero 22 Jan. 2001, Rivas 31 Mar. 2001, Reuters 5 Mar. 2001).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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