

GDPO Situation Analysis

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Colombia: Drugs and the Peace Agreement

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Subject

On August 24th, after more than four years of negotiations, the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) signed a peace agreement that will, pending a referendum on October 2nd, bring to an end more than sixty years of armed conflict.

Colombia is the world's second largest cultivator of coca and its primary producer of cocaine. The peace agreement could significantly alter the government's approach to illicit drugs, and the demobilisation of the FARC guerrilla will have implications for the dynamics of the local drug trade. The government is now, in principle, committed to a new national drug policy and to significant new initiatives in rural areas where illicit crops are cultivated.

The Peace Agreement

“A Solution to Illicit Drugs”²

With the signing of the agreement, the Colombian government has committed itself, at least on paper, to an overhaul of the national drug policy. For decades, Colombia has prioritised a punitive approach both to drug users as well as cultivators, faithfully following, with enormous US support, the prescriptions of the ‘war on drugs’ approach to dealing with illicit markets. The agreement should signal the end of this era. The relevant section of the agreement, titled “A Solution to Illicit Drugs”, begins with an important recognition: “The persistence of illicit crops is linked in part to the existence of conditions of poverty, marginalisation, weak institutional presence as well as the existence of criminal organisations dedicated to drug trafficking.”

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² The text of this section of the agreement is available online, in Spanish, here: https://www.mesadeconversaciones.com.co/sites/default/files/Borrador%20Conjunto%20-%20Soluci_n%20al%20problema%20de%20las%20drogas%20i_citas.pdf

A 'new vision' is needed, the text states, a 'distinct and different treatment' of the problem, with 'new policies' using a 'human rights based' approach 'founded on evidence.' The new policies will aim to improve the lives of those in areas of cultivation; to decrease consumption with a focus on human rights, evidence-based policies, and public health; to investigate the entire drug trafficking chain, including financial assistance, money laundering, and trafficking of precursors; and to fight against corruption.

The agreement recognises the extent to which government institutions, both national and local, have been affected by corruption linked to drug trafficking. The FARC agree to 'put an end to whatever relation' the group has with the drug trade, and the government agrees to improve the judicial capacity to deal with the entire chain of the drug trafficking process, including institutional corruption.

The policies must be dedicated to reducing harm and risks, it says, and they must be flexible, able to adopt to new knowledge when it arises - a clear critique of the rigid, failed policies that have been used for decades. The new approach will recognise the traditional uses of coca and its ancestral role in indigenous communities, and will not rule out the possibility of using coca for medicinal, scientific and other licit purposes.

Much of the text of this section of the agreement is absorbed by plans for new programmes for impoverished rural areas. An agricultural census last year revealed the extent of the problem. It showed, among many dire statistics, that poverty levels in rural areas average around 45%, and in some regions rises as high as 80%; that illiteracy is around 12%; that one in five children between 5 and 16 years of age do not attend an educational institution, and 72% of those aged between 17 and 24 had no access to education. Moreover, only 16% of rural producers have 'machinery', a term which includes rudimentary equipment like scythes, and less than one in five have an irrigation system. The agreement text recognises that an end to illicit cultivation will require a 'structural transformation of the countryside.' The new approach must 'overcome conditions of poverty in farming communities' and deliver infrastructure, education, utilities, and employment to the population in a participative way. The FARC have agreed to take part in this process.

The goal is to have farmers voluntarily substitute illicit crops for new options. There is then a disagreement over the response: the FARC want only manual eradication to be used while the government would only 'prioritise' this method, refusing to rule out other forms of forced eradication. The government also commits itself to end the military's role in carrying out 'penal action' against producers. And small-scale growers will be made exempt from prosecution if within two years they agree to end their cultivation of illicit crops.

In another section of the peace agreement, titled 'Integral Rural Reform',³ the government has committed itself to a number of initiatives designed to improve the lives of those in rural areas. There are commitments to develop infrastructure, to provide access to utilities, education and healthcare, to provide credits, subsidies, and technical assistance to farmers, and to formalise land rights. The government will also reclaim and hand over unproductive lands to small-scale farmers. All of these ambitious programmes, if properly implemented, should improve the standard of living and reduce the incentive to produce illicit crops.

3 Text available here in Spanish: https://www.mesadeconversaciones.com.co/sites/default/files/Borrador%20Conjunto%20-%20%20Pol_tica%20de%20desarrollo%20agrario%20integral.pdf

The Connotations of Peace: Issues on the Horizon

- For decades the FARC guerrilla, as with all economic activity in the regions they controlled, taxed the sale of illicit crops. At the same time, the group called on the State to create alternative development programmes, to invest in rural areas, and to enact a land reform that would end the reliance on illicit crops. None of these demands were ever met. The government chose the policies typical of the war on drugs, including the extensive and damaging use of aerial fumigation with a chemical (glyphosate) that was later determined to be potentially carcinogenic in humans.⁴ Later, following the crackdown under Plan Colombia in 2000⁵, certain fronts of the FARC began to become more heavily involved in the trade, trafficking cocaine and marihuana. A concern now, once they demobilise, is how the paramilitary forces still active in the country, or perhaps the other remaining guerrilla group, the ELN (National Liberation Army) , will be prevented from taking over these routes. Furthermore, if the government is not able to provide a smooth transition to civilian life, or if no means of earning a decent living are available, then demobilised FARC members may choose to return to these activities. Recently, the government announced it was beginning a new campaign designed to ‘dismantle’ the paramilitaries, and had authorised the use of military operations and, potentially, bombing strikes. But it is unlikely this will have any significant effect until the administration of President Juan Manuel Santos breaks the historic link between the paramilitary groups and the State. To highlight the extent of the problem, following the regional elections last October eight of the total of thirty two new governors - who will be responsible for overseeing the post-conflict initiatives in their respective regions - are considered to have links to paramilitary groups.⁶
- The new initiatives designed for rural areas are desperately needed. But the fact that it has required a demobilisation of the guerrilla in order for them to be announced undermines the government’s ostensible commitment to improving life in the countryside. The government’s own findings have determined that the national economic model, which prioritises the mining industry and monoculture for export, has undermined traditional agriculture, exacerbating a ‘200 year crisis’ in the sector, and has led to a concentration of land and displacement, regardless of the administration’s promises to do the opposite.⁷ That model, at government insistence, was not up for debate in Havana. Yet to transform in any meaningful way the profound inequality in land ownership - among the most unequal in the world - would require a different economic model, and much deeper changes than those outlined in the agreement, which although necessary do not approach a genuine agrarian reform.
- The Santos administration has ostensibly committed itself to significant changes in State policy. A very real concern, not without basis to those familiar with Colombian history, is whether the government will now uphold its promises. Regarding drug policy, the Santos administration has played a double game, using repressive and draconian methods at home while in the international arena preaching the need for reform and human-rights based approaches. This bait and switch politics has a long history in Colombia. The progressive constitution of 1991, which was itself the product of a guerrilla demobilisation, briefly placated civil society but has had its tenets systematically violated by successive administrations. Regarding the situation in the countryside, the Santos government have many times when faced with protests or strikes promised to enact new measures that will improve the situation for poor farmers.

4 For more information, see: R. Eventon & D. Bewley-Taylor (2016), *Above the Law, Under the Radar: A History of Private Contractors and Aerial Fumigation in Colombia*, GDPO, February http://www.swansea.ac.uk/media/Privatisation_final.pdf

5 For an assessment of Plan Colombia see Mejía, D (2016), *Plan Colombia: An Analysis of Effectiveness and Costs*, Brookings Institution, <https://www.brookings.edu/wp-content/uploads/2016/07/Mejia-Colombia-final-2.pdf>

6 Fundación Paz y Reconciliación (2015), Gobernadores electos herederos de la ilegalidad, 10 November <http://www.pares.com.co/mafias-y-conflicto/gobernadores-electos-herederos-de-la-ilegalidad/>

7 For discussion see: R. Eventon (2015), Chemicals Don’t Discriminate, *Le Monde Diplomatique*, 16 July <http://mondediplo.com/outsidein/chemicals-don-t-discriminate>

After having decided not to fulfil their promises, the government has responded to the inevitable backlash with repression. This was the case during the agrarian strike this year, itself a response to unfulfilled promises made in 2013 during a similar strike; three protestors were killed, around 200 injured, and over 150 were detained by the police. For these reasons, inside the country some skepticism over the agreement is understandable. Writing in the second largest newspaper in the country, the renowned Colombian novelist, poet and essayist William Ospina, argued that for the administration the aim of the agreement is ‘[to eliminate] the conflict, something that benefits the leadership, but not the causes of the conflict, which is what benefits the community.’ What the government would like, wrote Ospina, ‘is to maintain the same order that produced the war, the same injustice that fuelled it for decades and the same poverty of the people who suffered it, but without the hassle which the conflict represents to the businesses of the powerful.’⁸ Only time will tell if the Santos administration will, once the FARC deliver their weapons, revert to well-worn excuses to uphold the *status quo*.

8 W. Ospina (2014), Lo que se gesta en Colombia, El Espectador, 13 December <http://www.elespectador.com/opinion/se-gesta-colombia-colum-na-532975>

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