

## REPORT: COLOMBIA

# Legalizing the Illegal: Paramilitarism in Colombia's 'Post-Paramilitary' Era

By Jasmin Hristov

*... the United Self-Defense Groups of Colombia were our base and have completed one phase of their service to the people of Colombia, and once the processes of demobilization have been completed, we are now the present and future of the Colombian state for years to come.* —From a threatening e-mail sent by paramilitaries to Colombian human rights, indigenous, and labor groups, May 8, 2006

**F**EBRUARY 2006 WAS AN IMPORTANT MOMENT in Colombia's history. President Álvaro Uribe proudly announced that the process of demobilizing the country's largest paramilitary organization, the United Self-Defense Forces of Colombia (AUC), was complete. Until then, the AUC, founded in 1997, had operated as a loose confederation of disparate militias throughout the country. The following March, Colombian media reported that about 24,000 of an estimated 29,000 paramilitaries, both fighters and commanders, had given up arms.<sup>1</sup>

The peace process had begun in December 2002, when the newly elected Uribe approved a law that enabled official negotiations with any illegal armed group, and the AUC announced a cease-fire.<sup>2</sup> By July 2004, the government and the AUC had reached an agreement, known as the Acuerdo de Santa Fe de Ralito, which outlined the demobilization of about 50 paramilitary blocs spread over 28 of the country's 32 departments.<sup>3</sup> According to Uribe, this was the beginning of a process "toward peace and the restoration of human rights."<sup>4</sup>

Colombians had good reason to wish Uribe's words were true. Paramilitaries commit about 80% of all human rights violations against the civilian population of Colombia, which since the 1990s has been the most violent country in the Western Hemisphere, with the region's worst human rights record, highest number of murdered trade unionists, and one of the world's largest populations of internal refugees.<sup>5</sup> Even conservative sources confirm the magnitude of civilian deaths at the hands of paramilitaries—14,476 between 1988 and 2003.<sup>6</sup> They have committed unimaginable atrocities, displacing rural populations, intimidating and wiping out social movements, eliminating political opponents, and exterminating so-called undesirables, like drug addicts, street children, and prostitutes, in operations known as "social cleansings." During Uribe's first term in office (2002–06), 8,582 civilians were murdered or disappeared by paramilitaries and/or state forces.<sup>7</sup>

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Once the AUC's disbanding was announced, former paramilitaries were now ready for reinsertion into civil society, as stipulated in the Justice and Peace Law, which governs the demobilization process. Top paramilitary chiefs, including Salvatore Mancuso, once the AUC's supreme leader, asked their victims for forgiveness and promised never to return to the mountains.<sup>8</sup> Many Colombians believed the country's paramilitary nightmare was finally ending. That, at least, was

the impression conveyed by the Colombian government and its U.S allies. During her 24-hour trip to Colombia in March 2006, Karen Hughes, then undersecretary of state for Public Diplo-

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A protester, wearing a Colombian flag over her head, at a march against the AUC and crimes of state in Bogotá, March 6, 2008

macy and Public Affairs, said the United States “is proud to be a partner of President Uribe, Washington’s closest ally in South America. . . . After 40 years of war against terrorism and drug trafficking, Colombia is clearly winning.”<sup>9</sup> In January, outgoing U.S. president George W. Bush awarded Uribe the Medal of Freedom, the highest U.S. civilian award, citing his successes against “brutal drug cartels and illegal armed groups.”<sup>10</sup>

Yet between 2007 and 2008, the number of murdered Colombian unionists increased by more than 71%.<sup>11</sup> Moreover, in the same period there was a 25% increase in forced displacement. In 2008, 380,863 people were forced to abandon their homes, a sharp increase over 2006.<sup>12</sup> This has come as little surprise to Colombian and international human rights organizations, which documented numerous paramilitary violations of human rights following the AUC’s 2002 cease-fire declaration. Between December 2002 and August 2004, as negotia-

tions were under way, paramilitaries murdered or disappeared 1,899 people, according to the Colombian Commission of Jurists.<sup>13</sup>

In fact, since the “demobilization” was completed, paramilitary structures and networks have been reorganized, recomposed, and “cleansed”—meaning they have ridden themselves of allied groups and individuals who are no longer useful to the paramilitary system for various reasons, making the restructured groups and networks more efficient. In November, according to conservative estimates, there were at least 100 armed groups operating under 21 different names, comprising at least 8,000 paramilitary combatants spread across 246 municipalities.<sup>14</sup>

Among them: Las Águilas Negras (in various regions), Autodefensas Campesinas del Pacífico (Valle del Cauca), Bloque Conquistadores (Valle del Cauca), Muerte a Sindicalistas (Barranquilla), Mano Negra (Barrancabermeja), Autodefensas Campesinas Nueva Generación (Nariño),

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Autodefensas Unidas de Antioquia, Autodefensas Gaitanistas de Colombia (Urabá, Córdoba, Medellín, Cauca), Los Rastrojos (Valle del Norte, Quindío, Chocó, Nariño, Cauca), and Ejército Revolucionario Popular Anti-Subversivo de Colombia-ERPAC (Los Llanos Orientales).

These groups are not completely new, since they include former AUC combatants who have decided to rearm, members of old groups that officially remained active during the peace process, new recruits, criminal gangs, and police and military officers, as well as mayors and governors. Moreover, they behave like the old AUC blocs, often announcing their arrival with threatening messages, like the e-mail quoted above, as well as flyers and graffiti. And like the AUC, they engage in coercive activities to sustain themselves: extortion, drug trafficking, and embezzling government funds, as well as investing in agriculture and other businesses, both as a means of generating income and laundering their drug money. And, like their predecessors, they have also forcibly displaced communities, carried out assassinations, and attacked, in various ways, social movements, human rights activists, and leftist students and academics.

In short, the Colombian government's "peace process" was not merely a failure, but pure farce. Paramilitary groups have never been, and are even less so now, a third actor in the Colombian armed conflict (the state and the guerrillas being the other two), as portrayed in the mainstream media. On the contrary, since their inception in the 1960s as U.S.-trained counter-insurgent forces, and their rearticulation in the 1980s as militias working on behalf of landed interests, they have been the Colombian establishment's right hand. Then as now, they deploy violence both for the sake of destroying civil and armed opposition movements, and of accumulating capital for themselves and those they serve, most dramatically by driving entire communities off their land.

Since, then, there was never a war between the government and these right-wing armed groups, it is illogical to speak of a peace process between them. Rather, what took place beginning in 2002 was a negotiation between the two constituents of one system—the Colombian state's coercive apparatus and its private, paramilitary extension. And the result of this negotiation has been the final, definitive incorporation of paramilitarism into the Colombian state and economy.

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**T**ODAY THE NUMBER OF POLITICAL MURDERS IN COLOMBIA actually exceeds those of Latin America's overt military dictatorships of the past.<sup>15</sup> Most of these murders have been committed by either the state's armed forces or paramilitaries, which have long been an essential but unofficial and illegal part of the state coercive apparatus, despite the government's claim (before the demobilization process) that it considered paramilitary groups to be terrorist. In fact, the development of paramilitarism has directly made possible the decentralization and enhancement of the state's administration of violence and repression.

The Colombian state's close ties with the AUC, which have been thoroughly documented by human rights bodies and even the U.S. State Department, has allowed for a distancing between official state policy and the unofficial use of terrorism directed against the civilian population.<sup>16</sup> Using paramilitaries thus represents an extremely useful strategy for the state. As Javier Giraldo, a Colombian Jesuit priest and human rights activist, has put it, the paramilitaries enable the state to "conceal its role and evade responsibility for crimes by entrusting much of the dirty work to armed civilian groups which operate under the clandestine coordination of the army and police."<sup>17</sup>

This relationship has gone on uninterrupted for four decades and taken many forms. Typically, the army supplies paramilitary units with firearms and uniforms (sometimes in exchange for captured guerrillas), as well as space for training at military bases. Paramilitaries and state security forces also exchange intelligence and are often known to conduct joint operations. But the Colombian state's connections with paramilitaries, and the narcotics industry that sustains them, go well beyond the security forces, reaching the highest levels of government.

We need look no further than the president himself. While Uribe was director of the Department of Civil Aviation (1980–82), he authorized licenses for drug traffickers like Pablo Escobar and the Ochoa brothers for fixed-wing aircraft and helicopters transporting drugs to United States.<sup>18</sup> A declassified U.S. national security report produced by the Pentagon, dated September 23, 1991, places Uribe on a list of "more important Colombian narco-terrorists contracted by the Colombian narcotic cartels for security, transportation, distribution, collection, and enforcement of narcotics operations in both the U.S. and Colombia." The document



Colombian president Álvaro Uribe shortly after his election in 2002

describes Uribe as a collaborator of the Medellín cartel and a personal friend of Escobar.<sup>19</sup>

In 1994, as the governor of the department of Antioquia, Uribe created the Community Rural Surveillance Associations (Convivir)—private armed intelligence groups that supplied information to the military and participated in killing suspected rebel sympathizers. In August 1998, just before Uribe's decree establishing the Convivir was abolished, more than 200 members of these associations joined the illegal AUC.<sup>20</sup>

Along with creating Convivir, Uribe had direct, personal connections to paramilitaries. Human rights groups have repeatedly identified his estate, Las Guacharacas in San Roque, César, as an epicenter of paramilitary violence.<sup>21</sup> According to the testimony given in May 2000 by a small business owner who was obliged by a paramilitary leader, alias Beto, to work at Las Guacharacas, Beto had installed himself, along with 40 men, on Uribe's hacienda. From there, the group used to go out

at night accompanied by a military officer, alias El Cojo, to kill people.<sup>22</sup>

Furthermore, Uribe received about \$40,000 for his 2002 election campaign from Enilce López, alias La Gata, who controlled lotteries and casinos through which she financed paramilitary groups (she was jailed in February 2006 for stealing public funds and arms trafficking).<sup>23</sup> With Uribe's election victory in 2002, the paramilitary presence in Congress became more pronounced. Following the election results, Salvatore Mancuso proudly declared that the AUC had achieved 35% representation.<sup>24</sup>

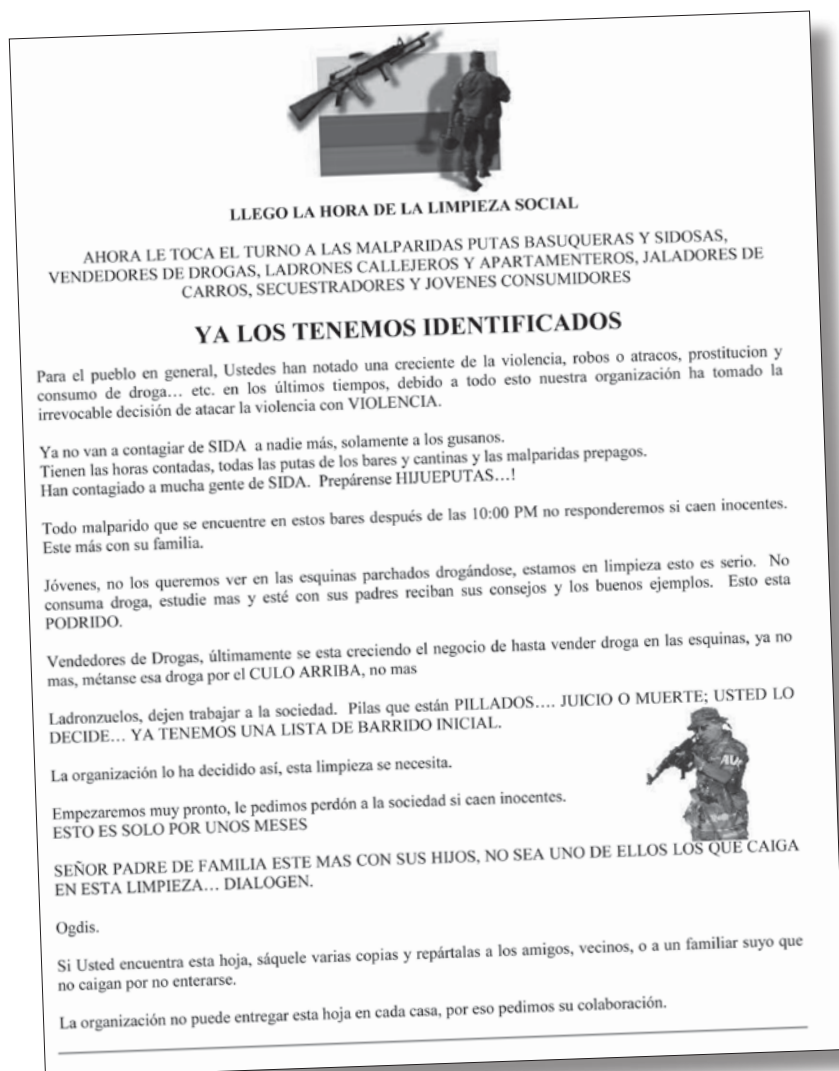
Indeed, one of the most important developments of Uribe's second term in office, which began in 2006, has been the complete fusion of the legal (the state) and the illegal (paramilitary forces). This became public knowledge beginning in 2007, when the Colombian Supreme Court began investigating numerous connections between paramilitaries and senators, congressional representatives, deputies, councilors, and mayors. Since then, revelations of state-paramilitary alliances came about in the form of a scandal known as *parapolítica*. By mid-2008, almost 40% of Congress members were implicated in maintaining close paramilitary connections, along with Minister of Defense Juan Manuel Santos and Vice President Francisco Santos. Numerous investigations are still under way. In one case, authorities obtained information from a confiscated computer that belonged to Edgar Ignacio Fierro, alias Don Antonio, revealing the contacts between Jorge 40, leader of the AUC's Bloque Norte, and numerous politicians, implicating them in paramilitary massacres in the department of Sucre.

In February 2007 Jorge Noguera, the former director of the Administrative Security Department (DAS), the top Colombian intelligence agency, was arrested. The former director of information, Rafael García, had accused him of facilitating the infiltration of DAS by the Bloque Norte and supplying the paramilitaries with the database that made possible the fraudulent alteration of electoral results in the 2002 and 2006 presidential elections, leading to Uribe's victories. Moreover, Noguera allegedly provided paramilitary commanders with information about union leaders who were later executed. Before Noguera's arrest, as the scandal around him was breaking, Uribe appointed him consul in Milan, Italy. Noguera's accuser, García, was himself later found guilty of destroying the criminal records of drug traffickers wanted for extradition.

But the consequences of DAS's infiltration by paramilitaries were much more ominous than what the media revealed in late 2006 and early 2007. It was not until May



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**LLEGO LA HORA DE LA LIMPIEZA SOCIAL**

AHORA LE TOCA EL TURNO A LAS MALPARIDAS PUTAS BASQUERAS Y SIDOSAS, VENDEDORES DE DROGAS, LADRONES CALLEJEROS Y APARTAMENTEROS, JALADORES DE CARROS, SECUESTRADORES Y JOVENES CONSUMIDORES

**YA LOS TENEMOS IDENTIFICADOS**

Para el pueblo en general, Ustedes han notado una creciente de la violencia, robos o atracos, prostitucion y consumo de droga... etc. en los últimos tiempos, debido a todo esto nuestra organización ha tomado la irrevocable decisión de atacar la violencia con VIOLENCIA.

Ya no van a contagiarse de SIDA a nadie más, solamente a los gusanos. Tienen las horas contadas, todas las putas de los bares y cantinas y las malparidas prepagos. Han contagiado a mucha gente de SIDA. Prepárense HIJUEPUTAS...!

Todo malparido que se encuentre en estos bares después de las 10:00 PM no responderemos si caen inocentes. Este más con su familia.

Jóvenes, no los queremos ver en las esquinas parchados drogándose, estamos en limpieza esto es serio. No consuma droga, estudie mas y esté con sus padres reciban sus consejos y los buenos ejemplos. Esto esta PODRIDO.

Vendedores de Drogas, últimamente se esta creciendo el negocio de hasta vender droga en las esquinas, ya no mas, méntense esa droga por el CULO ARRIBA, no mas

Ladronzuelos, dejen trabajar a la sociedad. Pilas que están PILLADOS.... JUICIO O MUERTE; USTED LO DECIDE... YA TENEMOS UNA LISTA DE BARRIDO INICIAL.

La organización lo ha decidido así, esta limpieza se necesita.

Empezaremos muy pronto, le pedimos perdón a la sociedad si caen inocentes. ESTO ES SOLO POR UNOS MESES

SEÑOR PADRE DE FAMILIA ESTE MAS CON SUS HIJOS, NO SEA UNO DE ELLOS LOS QUE CAIGA EN ESTA LIMPIEZA... DIALOGEN.

Ogdís.

Si Usted encuentra esta hoja, sáquele varias copias y repártalas a los amigos, vecinos, o a un familiar suyo que no caigan por no enterarse.

La organización no puede entregar esta hoja en cada casa, por eso pedimos su colaboración.

Paramilitaries often announce their terror campaigns ahead of time. This flyer appeared in various cities in March ahead of the Inter-American Development Bank's meeting in Medellín. It promises a "social cleansing" to violently rid the city of prostitutes, drug dealers, thieves, and others.

when another scandal, known as the DAS *chuzadas* (intercepts), became public that Colombians found out about the agency's illegal wiretapping and surveillance of opposition politicians, journalists, leftist intellectuals, and Supreme Court judges presiding over trials of demobilized paramilitaries. Much of the intelligence gathered was passed on to paramilitary groups, enabling them to more efficiently threaten, attack, or eliminate their targets—for example, the well-known sociologist Alfredo Correa de Andreis, murdered in 2004.<sup>25</sup>

Two other scandals are worth mentioning. In April 2008 former senator Mario Uribe—the president's second cousin and close political ally, and co-author of the Justice and

Peace Law—was arrested on charges of aiding paramilitary groups. All five congressmen from his party, Colombia Democrática, are being investigated for connections to paramilitaries. Moreover, 85% of those implicated in the parapolitics scandal are from parties that support the president, a trend referred to as *parauribismo*.<sup>26</sup> Following Mario Uribe's arrest, another scandal broke out, which came to be known as *Yidis-política*. Representative Yidis Medina, from the department of Santander, confessed to the Supreme Court that in June 2004, she had voted in favor of amending the constitution to allow the president a second consecutive term in exchange for a paramilitary bribe.

Unfortunately, despite all the media attention, the nexus between paramilitaries and elected officials that these cases exposed is unlikely to disappear. To begin with, the process of investigating parapoliticians is very long and often futile. Many accused political figures have been able to escape justice, such as the ex-governor of the department of Sucre, Salvador Arana, and his deputy, Jorge Luis Caballero. While the Fiscalía was investigating Arana for five years for his links with paramilitaries—including accusations by Senator Gustavo Petro of being responsible for assassinations carried out by a paramilitary group—Arana was appointed as a diplomat to Chile by Uribe's government. He is

currently wanted by Interpol.

Moreover, in the spring of 2008, the Constitutional Court and Congress approved a bill that would enable parapoliticians to contest the validity of prior convictions. The bill seeks to change the judicial process in Supreme Court actions against members of Congress by separating the investigative and adjudicative functions, both of which are currently carried out by the Supreme Court. If the bill becomes law, members of Congress accused of connections with the paramilitaries may claim that verdicts against them issued under the old system are invalid and may demand to be reprocessed under the new one—a move through which they will gain time. The

more time passes, the more difficult it will be to preserve evidence and witnesses.

In June, the Senate approved a political reform, expected to go into effect in 2010, that would sanction political parties connected to illegal armed groups by prohibiting them from replacing any of their members being prosecuted for such connections. Nevertheless, all the parapoliticians under investigation have been replaced with members of their own parties.<sup>27</sup>

**G**IVEN THESE CONNECTIONS, IT IS UNSURPRISING THAT the Colombian government has bent over backward to accommodate the needs of “demobilizing” paramilitaries. The laws governing demobilization not only fail to deliver the truth, justice, and reparations that the Colombian state has promised the victims of paramilitary violence and their families, but in fact serve to maintain paramilitary impunity and thereby ensure that their power remains intact.

Take, for example, Decree 128 of 2003, which grants members of illegal armed groups *de facto* amnesties if they are not under investigation for violating human rights offenses, which few paramilitaries are, given the near total impunity that they enjoy in the first place. It also grants benefits to demobilized members, including “pardons, conditional suspension of the execution of a sentence, a cessation of procedure, a resolution of preclusion of the investigation, or a resolution of dismissal.”<sup>28</sup> Of the 31,671 former paramilitary combatants now officially registered as demobilized, 90% have been pardoned under this decree.<sup>29</sup>

At one point, Luis Carlos Restrepo, the government’s high commissioner for peace, stated, “For those who have committed crimes against humanity, we are looking for punishment other than prison.”<sup>30</sup> Giving up illegally acquired land, performing community service, or paying a fine and leaving the country are among these alternative punishments.<sup>31</sup> The Justice and Peace Law, approved by Congress in June 2005 and by the Constitutional Court in May 2006, offers reduced prison sentences, financial benefits (such as government stipends), and readjustment training for those who demobilize and fully confess to their crimes. Prison sentences are limited to a maximum of eight years, even for those who participated in massacres and torture.<sup>32</sup> In April, for example, Alonso de Jesús Baquero, alias El Negro Vladimir, received a reduced jail sentence of seven years after having confessed to more than 800 killings.<sup>33</sup>

The trick of creating the impression that former paramilitaries are put to justice without uncovering—let alone dismantling—their networks has been made pos-

sible by a number of mechanisms and strategies in addition to the Justice and Peace Law. The first is the election of new Supreme Court justices. Consider the following: José Alfredo Escobar Araújo, a politician known to be connected to paramilitary groups, and a judge who used to participate in Salvatore Mancuso’s money-laundering operations helped prepare the list of candidates from which the court elected the judges handling the cases involving Mancuso’s political allies and those involved in his businesses.

The second strategy consists of vague and mocked confessions. Most of the confessions made by former paramilitary commanders, such as Iván Roberto Duque Gaviria, alias Ernesto Báez, did not offer any concrete, useful information but were intended to incite curiosity and promised to reveal more in exchange for additional benefits. Confessions, such as Mancuso’s, concentrate on individuals who are already dead or imprisoned or whose whereabouts abroad remain unknown, thus not revealing active paramilitary members or state allies still cooperating with paramilitary forces.<sup>34</sup> Some of the political figures named (and it is not uncommon for them to be later assassinated) are no longer of use to the paramilitary machinery for various reasons. Consequently, the latter can get rid of them while creating an illusion that it is demobilizing. Only recently have there been (a very few) confessions about hidden mass graves.

In addition to these deceitful confessions, a number of important pieces of evidence pertaining to detained paramilitaries have disappeared without a trace. These include Mancuso’s computer, which disappeared from the high-security jail in Itagüí; the hard disks from computers belonging to Ramiro Vanoy, alias Cuco, Guillermo Pérez Alzate, alias Pablo Sevillano, Martín Peñaranda Osorio, alias El Burro, and Juan Carlos Sierra Ramírez, alias El Tuso (all of whom had business deals with Mario Uribe); and the SIM card of Jorge 40’s cell phone.<sup>35</sup>

A third mechanism is the Colombian government’s extradition on May 13, 2008, of 14 paramilitary leaders to the United States. In order to create an illusion that it is truly willing put an end to paramilitary groups, Uribe’s government has very skillfully taken advantage of the widely held notion that extradition is undesirable for drug lords—as a famous Colombian song goes, “Prefiero una tumba en Colombia, que una cárcel en los Estados Unidos” (I prefer a grave in Colombia to a jail in the United States). But the “punishment” of extradition is in reality a move to protect both parts of the terror apparatus: the paramilitary chiefs and the Colombian state agents involved in paramilitary operations.

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The reason for the extradition, according to Uribe, was that these men had not confessed or fulfilled their reparation obligations under the Justice and Peace Law. The government has promised that victims will be able to attend the hearings via satellite, and that part of the assets that the paramilitaries surrender in the United States will be sent back to Colombia for victim reparations. It has also pledged to send prosecutors and lawyers to the United States to collect the former paramilitary chiefs' testimony for use in proceedings under the Justice and Peace Law—which stipulates that uncooperative paramilitary members are to face ordinary Colombian justice, under which they could receive sentences of 40 years in prison.<sup>36</sup>

Yet as a result of these extraditions, neither the Justice and Peace Law nor ordinary Colombian justice can be applied to those responsible for mass human rights violations; they are also out of the reach of the International Court of Justice because the United States does not recognize its jurisdiction. In any case, instead of being investigated for crimes against humanity and war crimes—including some 200 massacres, the disappearance of at least 49,000 people, and numerous cases of torture, beating, mutilation, rape, recruitment and abuse of children—the extradited paramilitaries will be prosecuted for the crime of drug trafficking.

Meanwhile, 125,368 people have officially registered either themselves or murdered family members as victims of the AUC under the Justice and Peace Law. The true number of victims is much greater, since many are afraid to report crimes or identify perpetrators. With good reason: About 100 registered victims have received threats related to their claims, and 15 have been murdered. Of the 9,467 reported cases of forced displacement (a tiny fraction of the actual number of people forcibly displaced by paramilitaries, which are responsible for most of the some 4 million internal refugees), only 48 have resulted in confessions by paramilitary commanders. Of the 91 reported cases of rape (again, a figure far lower than the real number), only two have been confessed to.<sup>37</sup>

Finally, the prospects for reparations are bleak. About 1% of the millions of acres of land stolen by the paramilitaries has been returned to the victims.<sup>38</sup> If the current government reparations fund for the victims of paramilitary violence were distributed evenly among only the victims registered so far, each would receive about \$30.<sup>39</sup>

most visible element of the paramilitary groups' illegitimacy, their arms, is now believed to be gone—despite widely reported discrepancies between the number of demobilized fighters and the much lower number of weapons turned over. Thus it is now much easier to legalize all the state-paramilitary structures already in place. Through this conjuring act, the more the paramilitaries and the state fuse into one whole, the more it appears that paramilitarism, as such, has ceased to exist.

While the propaganda does the job of arguing that the paramilitaries' firepower is gone, their combatants are demobilized, and their top leaders extradited, paramilitary capital has been effectively laundered, and the persistence of violence can be blamed on the guerrillas or on criminal gangs. Meanwhile, the police and military have even invented a name for the new “non-paramilitary” groups—BACRIM, which stands for *bandas criminales* or criminal gangs. The term *paramilitary* has virtually disappeared from reports on human rights violations produced by state institutions, with “criminal gangs” or *bandas emergentes* (emerging bands) now the preferred nomenclature.

But the new groups are clearly continuous with the old paramilitaries. For instance, Las Águilas Negras (the Black Eagles) was founded by Carlos Mario Jiménez, alias Macaco, an AUC commander responsible for numerous massacres, inside the official demilitarized zone of Santa Fe de Ralito during peace talks with the government in 2005.<sup>40</sup> The weapons used by the new groups are identical to those used by state forces. And they continue to engage in the classic paramilitary activities—forced displacements, attacks on unionists and members of other social movements—while the state tolerates or directly participates in them. The statistics on unionist deaths and forced displacement in the post-demobilization era point to the persistent role of violence in processes of capital accumulation.

Take, for example, “forced displacement”—a rather neutral term that refers to land theft, which often entails unimaginable atrocities. Since the 1990s, using various terror strategies, the paramilitaries have displaced large populations from areas of strategic economic or military importance—including fertile land, areas with valuable natural resources such as gold and other minerals, oil, or precious woods; areas used by the guerrillas as transportation routes; and fields of illicit crops—in the departments of Antioquia, Córdoba, Valle del Cauca, Nariño, Caldas, Chocó, and Bolívar, and the Urabá region. The result has been a huge cross-country counter-agrarian reform in which the expropriated land has been used to cultivate cash crops (legal and otherwise) or for cattle ranching and

SINCE THE DEMOBILIZATION PROCESS BEGAN, GOVERNMENT propaganda, widely disseminated by the private media, has aimed to convince the Colombian public that the era of paramilitarism is over. After all, the

extractive industries undertaken by foreign companies. This process of land expropriation has not only continued in the post-demobilization era, but has actually reached a remarkably high level, according to the Consultancy on Human Rights and Displacement.

Consequently, the inequality in land ownership has intensified. Since 2006, paramilitary commanders like alias Loco Barera, alias HH, alias Cuchillo, and Vicente Castaño expanded their properties in the departments of Casanare, Meta, Guaviare, Vichada, and Arauca. In the Department of Chocó, almost 72,000 acres of land to which Afro-Colombian communities hold collective titles is now illegally occupied by agri-businesses, including African oil palm companies serving the booming international market for agro-fuel (for more on this, see "The Oil Palm Industry: A Blight on Afro-Colombia," page 23). While the agri-businesses enjoy protection by the state armed forces and paramilitary groups, peasant leaders who have tried to reclaim their land have been assassinated.<sup>41</sup> Often, the Colombian Institute for Rural Development (Incoder), a government agency, has given titles to illegally acquired land to paramilitary lords, while taking away the land titles from their victims.

Just as before, today's paramilitary organizations operate in rural and urban areas with the complicity of state forces, enriching themselves while spreading terror. For instance, in Buenaventura, Valle del Cauca, Las Águilas Negras, together with the Peasant Self-Defense Forces of the Pacific (Autodefensas Campesinas del Pacífico) and the Conquerors' Bloc (Bloque Conquistadores), have murdered, impeded the free movement of people, subjected residents to forced searches, limited the transport of food, and imposed food prices in the city's main markets. Food vendors and fishermen have been obliged to pay taxes to these groups. Often the former have suffered death and the theft of their boats. Between January and May 2007, 265 people were assassinated in Buenaventura.<sup>42</sup>

Not only have the economic and military foundations of paramilitary groups survived into the post-demobilization era, but paramilitary alliances with politicians remain in place. For example, the governor of Guaviare, Óscar López, who was elected in 2007, has had a close relationship with Vicente Castaño and Pedro Oliverio Guerrero Castillo, alias Cuchillo—both para-

military commanders whose whereabouts are currently unknown. López has been a business partner in a company called Exploración & Explotación Minera del Llano. The armed groups under the command of these two paramilitary chiefs have helped López obtain thousands of acres of land in the department of Casanare and to win the 2007 elections, despite of scandalous evidence against him.<sup>43</sup>

In sum, the reorganization of paramilitary groups in the post-demobilization period, together with the implementation of the Justice and Peace Law as an instrument

for perpetuating impunity, the camouflaging of the military and economic networks of the paramilitaries (through mock confessions, the disappearance of evidence, and the extradition of top paramilitary chiefs), and the blurring of state and paramilitary power—in addition to the existing penetration of major state institutions by paramilitaries—indicate that any true dismantling of paramilitary organizations is highly unlikely to take place. Contrary to official discourses, what is called BACRIM in reality represents a new phase in the evolution of paramilitarism in Colombia. As the Bloque Metropolitano of the Águilas Negras in Bogotá expressed in flyers circulated in May: "We are not emerging bands. We are the Black Eagles and we are present as an army for the restoration of society." The flyer also warns that the group has initiated a total rearmament and that it aims to exterminate social movement leaders, unionists, guerrillas, gangs, thieves, prostitutes, drug addicts, and homosexuals.<sup>44</sup>

Notwithstanding the efforts of the Colombian state to convince the public at home and abroad that the new illegal armed groups (apart from the guerrillas) are merely criminal gangs, it is necessary to consider that gangs do not have the kind of solid relationship with judicial, political, and military state institution that is necessary to secure impunity for their crimes and the conversion of the illegal into the legal. Nor can common street criminals expect collaboration from state institutions like the military, police, DAS, and Incoder to provide them with the security and legitimacy that ensure their operations' success. These connections, and the benefits they offer, are available only to right-wing paramilitaries, who in this new era have achieved near total institutionalization, together with the legalization of their principal driving force—capital accumulation through violence. ■

**The weapons used by the new groups are identical to those used by state forces. These groups continue to engage in classic paramilitary activities while the state tolerates or directly participates in them.**



## REPORT: COLOMBIA

Correa's decision to close the U.S. military base near the coastal city of Manta, frequently used for anti-drug operations, together with his vigorous response to the Colombian incursion, signals a new Ecuadoran disengagement from the lethal combination of the war on drugs and the war on terror. While Colombia's government claims the right to intervene in neighboring countries—justified by a homegrown version of the already antiquated Bush doctrine of “preemptive strikes”—the political process under way in Ecuador, made possible by the country's powerful social movements, continues advancing toward a more participatory and sovereign democracy.

In any event, the future of Colombian-Ecuadoran relations is unclear. With a submitted budget of \$46 million, the government of Barack Obama is seeking to move the U.S. military base from Manta to Palenquero, near Bogotá.<sup>10</sup> In addition to gaining access arrangements for all kinds of military operations in Central and South America, the new base will transform the corrupt Colombian military forces into U.S. guard dogs on the continent.

Meanwhile, the war in Putumayo continues spreading illicit crops all over the southern departments despite the

UN Illicit Crop Monitoring Programme's warning that since 2007 Nariño has been “the department with the highest area with coca cultivation in the country”—with 21% of the national total.<sup>11</sup> As happened in Putumayo, the FARC's de facto authoritarian state has traveled with the coca fields. This time they have announced their presence by attacking indigenous *resguardos* (reservations). The last incursion took place in February, with the massacre of at least 20 Awá people and the forced displacement of the rest of the community.<sup>12</sup>

On the other hand, the recent discovery of a new oil well in the town of Orito, Putumayo, announced in April, guarantees the armed presence of the Colombian state in the area. Putumayo's oil reserves are key to the finances of the Colombian state as it would make possible its vital goal of increasing current oil national production from 588,000 barrels a day to 1 million by 2015.<sup>13</sup> Thus while guerrillas, paramilitaries, Colombia's U.S.-sponsored armed forces, U.S. mercenaries and secret agents, and oil companies continue waging war on the border, the “brotherhood of nations” will likely remain merely rhetorical. ■

## NOTES

## After Sweatshops?

1. This is a fully collaborative project. We are grateful to the participants who attended the MFA+3 Encuentro in San Pedro Sula, Honduras, in October 2008, and especially to the two NGOs that organized the event, the Maquila Solidarity Network and the Equipo de Monitoreo Independiente de Honduras. Thanks also to Raphael Kaplinsky for comments on an earlier draft.
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