



CrossCurrents

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Photos from WOLA archives

After the Elections

By Geoff Thale

Elections in the fall of 2004 gave George W. Bush another four-year term as president of the United States, and brought in a Congress with a slightly more conservative cast. Bush has made several Cabinet changes, and the new Congress has changed the make-up of legislative committees that are important for United States policy toward Latin America. But U.S. policy is unlikely to shift significantly as a result of these post-election changes.

The most significant foreign policy issue in the presidential election campaign was the U.S. war in Iraq. Latin America policy did not figure as a major issue in the debate. Cuba policy was an issue in Florida, where the president's hard line cost him some votes among Cuban Americans but not enough to lead him to reconsider his policy. Both Democrats and Republicans courted the growing Latino vote, but neither campaign appealed to voters on Latin American policy issues. So the Bush administration did not emerge from the electoral season with any strong political reason to change its first term approach to Latin America, an approach that focused narrowly on expanding free trade and combating drug trafficking, and on Colombia and Cuba.

The president's cabinet changes do not suggest any shifts in Latin America policy. No significant changes have taken place at the Pentagon; the Pentagon's Latin America analysts and U.S. Southern Command officials, and their emphasis on the military's role in combating drug trafficking and other "emerging threats," remain in place. Newly confirmed Secretary of State Condoleezza Rice has appointed several career diplomats to senior staff positions, but made no changes to the Latin America team. Assistant Secretary of State Roger Noriega retained his position, and no policy changes seem imminent.

The Congress overall shifted slightly to the right after the last elections, as the Republican majority in both the House and the Senate grew slightly. Their victory has led Congressional Republicans to talk of aggressive efforts to advance a more conservative political agenda. But their agenda is principally a domestic one, focused on business-friendly measures and the privatization of social security, rather than on foreign policy.

At the same time, splits within the Republican camp are more apparent than in previous congresses. Disagreements have begun to emerge among business-oriented conservatives, ideologically and religiously motivated conservatives, and libertarians. While all Republicans will be united on some issues, the administration will face

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The Trade and Development Agenda

By Jeff Vogt

In its second term, the Bush administration will sustain its push for more free trade agreements in the Americas. In May 2004, the U.S. signed the Dominican Republic-Central America Free Trade Agreement (DR-CAFTA), although it has yet to be submitted to Congress for ratification. U.S. negotiators are also forging ahead with an Andean Free Trade Agreement (AFTA), with Colombia, Ecuador and Peru, and a U.S.-Panama Free Trade Agreement. The preponderance of bilateral agreements is widely seen as an effort to set the stage for the hemispheric Free Trade Agreement of the Americas (FTAA), which was derailed at the end of 2003 when a coalition of nations led by Brazil took issue with several U.S. negotiating positions.

In 2005, WOLA will continue to focus attention on the trade negotiations and their potential impact on the region. We will continue to engage with policy-makers and advocate for provisions and language that are essential to developing a more just trade relationship between the United States and the nations of Latin America—one that promotes rather than hinders development based on the fulfillment of economic, social and cultural rights.

In particular, WOLA will continue to focus on the rural sector, traditionally the poorest and most politically marginalized sector of any country. How the rural sector fares in trade agreements largely determines how a country fares as a whole. If trade agreements weaken the small farming sector, for example, the likely outcome is increased migration from the countryside to urban centers, as displaced rural workers seek employment. But what kind of employment will be available now and in the future? Currently, many such workers enter the informal sector and live in marginal communities. For these people, their right to an adequate livelihood is not enjoyed. Promoting their rights will remain a strong focus of WOLA's work.

The issue of agricultural trade has been one of the most contentious in the U.S., and in Central America and the Andean region. Resistance to proposed trade agreements is based on serious concerns about the risks posed to food security, rural employment and labor rights. The move toward lowering trade barriers on agricultural goods, which the proposed agreements would accelerate, will continue to undermine subsistence producers and rural economies in all of Central America and the Andean region, particularly for those farmers producing crops that compete with highly subsidized U.S. products. According to a study by the U.S. International Trade Commission, Central America will be exporting fewer agricultural goods to the U.S., not more, when the CAFTA is fully implemented.¹ The UN Rapporteur on the Right to Food, Jean Ziegler, concluded that even more Guatemalans would go hungry after the implementation of the agreement, due to the economic asymmetries between the two countries.² In the Andean region, the Colombian Ministry of Agriculture predicted in July 2004 that AFTA, as proposed, would lead to a 35 percent decrease in rural employment in sectors producing staple grains.³

The rural cost in the Andean region is further complicated by the drug trade and internal armed conflict in Colombia. The same Colombian government report concluded that “[If] . . . Colombia [does not take] adequate measures in defense and support of agricultural producers, rural problems could worsen and many of its inhabitants would have no more than three options: migration to the cities or

¹ U.S. International Trade Commission, *U.S.-Central America-Dominican Republic Free Trade Agreement: Potential Economy-Wide and Selected Sectoral Effects*, August 2004, pp. 59–72

² Gema Palencia, “Relator Alarmado por Hambre en el País,” *Prensa Libre*, Feb. 5, 2005.

³ Ministry of Agriculture and Rural Development, *Colombian Agriculture Before the Free Trade Agreement with the United States*, July 2004, p. 180.

to other countries (especially the United States), working in drug cultivation zones, or affiliating with illegal armed groups.”⁴

The second priority issue for WOLA is labor rights, meaning the insertion of strong, enforceable labor clauses in trade agreements, improvement of domestic labor codes, and improved enforcement of labor laws. Unfortunately, the labor clause set forth in DR-CAFTA does no more than require countries to enforce their own, inadequate labor codes. The labor clause is so weak, in fact, that former U.S. Trade Representative Mickey Kantor, a strong

agenda in the new 109th Congress. The administration has delayed submitting the DR-CAFTA agreement for ratification because it knows that it does not have the votes needed for passage. Opposition is bipartisan. AFTA also appears to be in trouble due to Andean resistance to several U.S. demands, and congressional concerns that it could exacerbate drug trafficking and Colombia’s internal armed conflict, and that its labor rights provisions are too weak in a region where labor leaders are routinely assassinated.

In addition to trade, WOLA will work in 2005 to restore much needed economic aid to Latin

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supporter of free trade agreements, said that he could not support the DR-CAFTA on that basis.⁵

In the context of the CAFTA debate, WOLA filed a trade petition with the USTR in December demanding a review of Guatemala’s labor laws and labor rights violations under current trade laws. In the course of the previous reviews, Guatemala promised substantial labor law reforms, a significant increase in the budget for the Ministry of Labor, and greater compliance with its laws. Guatemala has done none of these things: the law remains unchanged, the budget is far less than promised, and, incredibly, the labor inspectorate has been stripped of its ability to assess administrative fines, leaving no one with the authority to punish violators. Several cases involving violence against trade union activists also remain uninvestigated or unresolved, another reflection of the generalized environment of impunity in the country. A congressional sign-on letter in support of the petition is making its way through Congress as this goes to print.

Despite the Bush administration’s unwavering support for trade, we are cautiously optimistic about the prospects for advancing a just trade

America, which has declined sharply since its peak in 1985. Meanwhile, military and police aid have steadily increased. However, the Social Investment and Economic Development Fund for the Americas, a bill offered by Rep. Bob Menendez (D-NJ) and Sen. Christopher Dodd (D-CT), would address the shortfall by directing an additional \$500 million in economic aid to Latin America each year for 5 years. The bill would mandate that the funds be used to promote micro-enterprise development; strengthen the rule of law through improved efficiency and transparency in government services; and reduce poverty and eliminate the exclusion of marginalized populations. The bill also includes language that would require civil society consultation for all projects receiving funding. WOLA is strongly supporting the initiative, in coalition with several major development and Latino-constituency organizations.

Although the road ahead will no doubt be a difficult one, we are confident that we will influence the policy debate in 2005 and help ensure trade and development policies that are more just and more beneficial for the poor and marginalized people of Latin America. 

⁴ Ibid.

⁵ Statement made at the conference “Trade Policy in 2005” at the Center for Strategic and International Studies, February 9, 2005. The full transcript of the conference is available at www.csis.org.

Challenges in Colombia

By John Walsh

Since the year 2000, the United States has invested \$4.5 billion in Plan Colombia, aimed at reducing drug crop cultivation, strengthening respect for human rights and the rule of law, and fostering peace. As the original Plan Colombia expires, some in Congress have anticipated an evolution in U.S. policy, including a more even balance between security assistance (which has predominated) and social and economic aid.

But expectations of a transition were confounded by the Bush administration's FY 2006 aid request, which is essentially the same as the previous few years. The administration is seeking

of cultivation due to spraying has substantially raised the cost per hectare eradicated. More basically, the spray campaign has outpaced alternative development efforts, leaving thousands of farmers with little option but to re-plant elsewhere. Notably, the significant and enduring reductions in coca cultivation in Putumayo have been achieved in large measure through focused investments in development projects and manual eradication. Sustainable reductions in drug crop cultivation will require full-fledged Colombian and U.S. government support for alternative development within a sound overall rural development strategy, and an end to the costly

Having done much to strengthen the hand of the Colombian military, the United States must realize that the conflict will have to be ended at the negotiating table, and press the Colombian government and the insurgents alike to take any and all opportunities to revive serious talks.

\$463 million as part of the Andean Counterdrug Initiative (ACI), \$90 million through the Foreign Military Financing (FMF) account, and tens of millions more in Defense Department counter-narcotics spending. The new request maintains the existing 80 percent vs. 20 percent distribution of funds between security and social/economic aid.

As Congress considers whether to stay the course in Colombia, there are many reasons to be concerned that the goals of Plan Colombia are still far from being achieved, and that different strategies will be called for if the already sizeable U.S. investment in Colombia is to reap real dividends. As the debate unfolds this year, WOLA will advocate for new directions in U.S. policy on issues crucial to long-term success in Colombia.

Curtailing the drug trade. Despite the sharp declines in the area under coca cultivation in Colombia reported in recent years, cocaine remains readily available on U.S. streets, at lower prices than ever. Within Colombia, stable prices for cocaine base suggest that coca production, while more dispersed, has not been as sharply reduced by the spraying campaign as satellite data indicate. At the same time, the dispersion

and controversial aerial spraying program.

Talking peace. Despite the "war on terror" overlay since September 11, 2001, Colombia's predicament remains one of internal armed conflict. Over the past year, a major Colombian military offensive ("Plan Patriota") has raised expectations that the FARC would suffer significant losses and be steadily weakened by desertions. But today the FARC retains control of much of the south of the country and its leadership structure is intact. Major FARC counter-attacks in early 2005 have put Colombians on notice that the guerrillas remain a force to be reckoned with, and that the armed conflict will not be brought to a quick end through force of arms.

Underestimating the resilience of the insurgents has lulled Washington into believing that a military solution to Colombia's decades-old conflict might be at hand. In 2004, Southern Command's Gen. James Hill predicted the FARC would be rendered "combat ineffective" by 2006. At the same time, Washington's enthusiasm for increasing U.S. military support for a combined "war on drugs" and "war on terror" in Colombia has provided little incentive for the Colombian government

to pursue negotiations with the insurgents. The one-dimensional, militarized approach can only go so far. Having done much to strengthen the hand of the Colombian military, the United States must realize that the conflict will have to be ended at the negotiating table, and press the Colombian government and the insurgents alike to take any and all opportunities to revive serious talks. The U.S. government should also offer financial support to a future peace process with guerrilla groups, under conditions that ensure truth, justice, and reparations for victims of violations of international humanitarian law.

Dismantling the paramilitaries. In fact, the Colombian government is negotiating the demobilization of one of the country's illegal armed groups—the right-wing paramilitary forces, loosely allied under the umbrella of the United Self-Defense Forces of Colombia (AUC). While demobilizing the paramilitaries would be a welcome step, the current demobilization process is deeply flawed, and threatens to further undermine the rule of law, consolidate organized crime, and perpetuate impunity in Colombia.

Even though the demobilization process began in 2003, there is still no legal framework in place to ensure accountability of the top leaders for their crimes, either human rights violations or drug-trafficking, or to require that illegally-gotten gains be returned to the state. A bill written by a multi-party coalition of legislators would provide for reduced sentences, but would require those

benefiting to provide a complete accounting of the crimes they committed, and to describe the structure and functioning of the paramilitary networks, with the goal of completely dismantling the phenomenon. President Uribe has opposed these key provisions. Nor is there a mechanism to ensure that those who demobilize do not cycle back onto the battlefield, or a long-term strategy for integrating the demobilized into the legal economy. Nor has the government explained how it will provide security in the areas previously controlled by paramilitaries. As currently structured, the demobilization is likely to result in the simple legalization of paramilitary fighters, and the further consolidation of power by what is, in essence, organized crime. Paramilitaries already claim to control a third of the Colombian congress, and are the dominant presence in major regions of the country, including along the Atlantic coast.

Despite these fundamental flaws, the U.S. embassy continues to support the demobilizations. Washington must be clear that its goal is the complete dismantling of the paramilitaries, and that U.S. political and financial support for the process will require that Colombia put in place and implement an effective legal framework, consistent with international human rights standards, that ensures truth, justice and reparations. In addition, the United States should support an independent truth commission, essential to clarify the state's responsibility for and involvement in paramilitary atrocities. 🇺🇸

Mark your calendars!

March 11–14. The third annual Ecumenical Action Days gathering in Washington, D.C. will address urgent global issues in the context of a new presidential term and a new Congress, offering an opportunity for people of faith to learn together and raise their voices in advocacy for a more just and peaceful world. This year will highlight the urgency of pursuing wise and peaceful solutions to conflicts and the need for aid, debt and trade policies that benefit the poor around the world. Go to <http://www.advocacydays.org> for more information.

April 10–16. The Global Week of Action on Trade Justice will bring together as many campaigns as possible across the world active on trade and neo-liberalism in united action. The idea is for all of the organisations, networks and movements to take action in their own national and regional campaigns to challenge the free trade myth and put forward alternatives. Oxfam America is the point of contact in Washington. For more information, go to <http://www.april2005.org>.

April 27. Cuba Action Day is the kick-off for a nation-wide, ongoing campaign that will include activities in each state and congressional district. The organizers will help those interested connect with others from their state in order to arrange meetings with members of Congress in district offices, reach out to the local media, and stay in touch with foreign policy aides in the D.C. congressional offices in advance of Cuba votes. Cuba Action Day is not a one-day event, but part of a dynamic relationship between national and local actions. Go to <http://www.cubaactionday.org> to learn more.

Washington Policy Work

- ▷ The release of *Drugs and Democracy in Latin America: The Impact of U.S. Policy* was one of the highlights of 2004. The culmination of a 3-year research project, the study includes thematic and country analyses by U.S. and Latin American researchers. The book was accompanied by the release of a new *Drug War Monitor*, “Are We There Yet? Measuring Progress in the U.S. War on Drugs in Latin America.” The brief critiques the indicators typically used to measure the success of supply-side drug control programs, and presents new data confirming the stark failure to reduce drug availability or drive up prices on U.S. streets. For the release, WOLA convened a press conference and organized a well-attended Congressional briefing to showcase the project’s findings and renew debate on U.S. drug control policy. During 2005, WOLA will take the book on the road in the U.S. and Latin America. The first stops will be Miami and Chicago, with more to come.
- ▷ During the summer, WOLA and its human rights allies opposed the Bush administration’s proposal to increase the U.S. troop and contractor caps for **Colombia**. The caps limit the number of personnel that can be deployed at any time, preventing an inexorable slide into yet another internal armed conflict. The advocacy efforts helped ensure approval in the House Armed Services Committee of Rep. Gene Taylor’s (D-MS) amendment to reverse the White House increase. A similar amendment by Senator Byrd prompted strong debate. Although it did not pass, it received 40 votes, a significant show of support. The Taylor amendment was removed in conference, but WOLA’s behind-the-scenes work helped send a clear message that Congress has serious doubts about deepening U.S. military involvement in Colombia.
- ▷ To ensure accountability for human rights violations in **Colombia**, WOLA submitted suggested legislative language to condition any future U.S. financial support for the paramilitary demobilization process in Colombia. The conditions appeared in the report language of the FY2005 foreign operations appropriations act. Though not binding, they make clear that the principles of truth, justice and reparations for victims must govern any demobilization process for armed actors who have committed gross human rights violations in Colombia.

- ▷ In 2004, through analysis and public education, WOLA actively supported several congressional attempts to ease the embargo against **Cuba**. The House passed three amendments to the transportation-treasury appropriations bill to lift newly-imposed restrictions that severely limited educational travel, Cuban-American family visits, and the humanitarian assistance. The Senate version of the bill included language to end the travel ban. As in past years, in spite of clear majorities in favor in both chambers of Congress, the Republican leadership removed the provisions from the final bills sent to President Bush.

Presenting Latin American Voices

- ▷ Five Central American Bishops visited Washington in June to discuss **CAFTA** in the wider context of economic and social development in the region. The Bishops raised concerns about CAFTA’s impact on the agricultural sector, workers rights, and the environment, and the lack of public participation in the negotiations process. The Bishops’ Secretariat of Central America and the United States Conference of Catholic Bishops (USCCB) summarized their concerns in a joint statement. The Bishops met with members of Congress, multilateral institutions, and staff of the USTR. WOLA, Catholic Relief Services and the USCCB organized a meeting with over 30 NGOs to share analysis and discuss future collaboration. In September, Bishop Medardo Gómez returned to Washington. WOLA and the Share Foundation facilitated his meetings on the Hill to discuss the impact of CAFTA on smaller rural communities throughout El Salvador.



Release of *Drugs and Democracy in Latin America: The Impact of U.S. Policy* at the National Press Club (November).

▷ During the October hearings of the IACHR, WOLA hosted public events and a reception, and facilitated advocacy visits for **human rights** defenders from the region. Highlights included an event with the *Coordinadora Nacional de Derechos Humanos* on the status of implementing the recommendations of Peru's Truth and Reconciliation Commission; a talk by the *Tlachinollan Human Rights Center* on the conflict-ridden state of Guerrero; and a discussion on economic integration and human rights with the *Centro ProDH* from Mexico. Visits to Congress, the State Department, and multilateral institutions brought the concerns of regional human rights defenders to the attention of policy-makers. Helen Mack of the Myrna Mack Foundation and Claudia Samayoa of CIACS then traveled to New York to meet with the United Nations, NGOs and the press.

▷ WOLA sponsored the November visit of Colombian Senator Jorge Enrique Robledo, who came to discuss the impact of the **AFTA** on agriculture in Colombia. In meetings with congressional offices, Robledo emphasized that deepening the rural crisis in his country could undermine efforts to reduce illegal drug production and end the country's internal armed conflict.

▷ WOLA hosted **meetings for Latin American colleagues** to share ideas with their U.S. counterparts in the advocacy and religious communities. These included a September roundtable with INESC, REBRIP, and Rede Brasil on the policies of the Brazilian government on trade and regional integration. In October Oscar Ortiz, the mayor of Santa Tecla, analyzed debates within the FMLN and the FMLN's position on U.S.-Salvadoran relations, including trade.

▷ WOLA facilitated the participation of Latin American analysts in **LASA's** 25th congress, held in Las Vegas in October. Round-tables were organized on the clandestine groups in Guatemala and the changing concept of hemispheric security, as well as a panel on *Drugs and Democracy in Latin America*. Participants included Iduvina Hernández, SEDEM, Claudia Samayoa, CIACS, and Javier Hernández, MINUGUA, from Guatemala; Álvaro Camacho, U. de Los Andes, Colombia; José Zacchi, Viva Río, Brazil; Rut Diamint, U. di Tella, Argentina; Isabel Jaramillo, CEA, Cuba; and Isaías Rojas, Peru. Cristina Eguizabal, Ford Foundation, also participated. A fourth panel on Cuban social policy had to be cancelled when the Bush administration made the explicitly political decision to deny visas to all of the Cuban scholars slated to attend. (Isabel Jaramillo, listed above, resides in Cuba but has Chilean citizenship.)



Briefing on Capitol Hill, *Cuba After Castro*, focused on the future impact of sectors within Cuba (December).

WOLA in Latin America

▷ In August, Colombian soldiers executed three union leaders in cold blood in Saravena, Arauca. In the aftermath, human rights defenders invited Kimberly Stanton to participate in commemorating **Colombia's** National Human Rights Day on September 9. The date fell near the one-year anniversary of President Uribe's statements calling human rights groups "politickers in the service of terrorism." En route from Tame, minutes after passing a military checkpoint, the car carrying Kim and Bogota-based human rights activists encountered a paramilitary blockade at which two people were subsequently killed. In Saravena, the area reserved for the human rights day events was surrounded by combat-ready soldiers. WOLA reported the paramilitary presence to Colombian authorities, asked why troops were deployed to intimidate a legal civil society event, and requested an investigation of the killings, including the role of the military unit charged with protecting the highway. To date, there has been no response.

▷ Laurie Freeman traveled to Ciudad Juarez and Chihuahua City, **Mexico**, in August with legislative aides to Rep. Hilda Solis (D-CA) and Sen. Jeff Bingaman (D-NM) to discuss the murders of women in Juarez with victims' families, human rights groups, and Mexican government officials, and to begin a project on the right to reparations of the families of the missing and murdered women, with the University of North Carolina Law School's international human rights law clinic. In November Laurie Freeman again traveled to Ciudad Juarez and Chihuahua City with a representative of the Victims of Torture Fund to explore possibilities for providing legal and mental health assistance to torture survivors and families of missing and murdered women.

- ▷ As part of an initiative to monitor changing paradigms for **security** in the hemisphere, WOLA, Sur Human Rights Network and Viva Rio convened a Workshop on Human Rights and Security in São Paulo, Brazil, in October. The objective was to promote discussion among civil society, government officials, and experts on the need to incorporate human rights and democracy into the security debate. The “securitization” of the public order and “militarization” of public security in Latin America, and strategies to confront these practices, were key topics. The meeting strengthened communication and cooperation among groups working on human rights and security throughout the hemisphere.
- ▷ Following up on the Brazil workshop, in November WOLA participated as a civil society observer at the VI Defense Ministerial of the Americas in Quito, a first-time opportunity. Gastón Chillier coordinated the presentation of a statement, signed by more than 150 civil society groups in the region, and sought to ensure that the Quito declaration included language about international human rights law, and avoided a definition of **security** that further blurs the lines between the role of the military and that of domestic police.
- ▷ Adriana Beltran and Geoff Thale traveled to **Guatemala** in September for the release of *Hidden Powers in Post-Conflict Guatemala*, WOLA’s analysis of illegal clandestine groups linked to organized crime. Morris Panner, former Deputy Chief of the Narcotics Section of the U.S. Department of Justice, and Colonel Argon Sojati, representative of the Albanian police and Project Manager of the Anti-terrorism Task Force at the South Eastern Cooperation Initiative, two experts on organized crime, confirmed the importance of investigating the groups to ensure peace and security in Guatemala. Alongside the public event, WOLA organized meetings for the experts with members of the press, the international community and NGOs.
- ▷ Reaching out to Latin America on **trade and economic issues**, Jeffrey Vogt traveled to Brazil in August to participate in a conference of the Latin American Counsel of Churches, at which he helped develop a common position on economic issues and trade. Jeff also met with unions and NGOs in Sao Paulo to deepen WOLA’s understanding of Brazilian approaches to economic development, regional integration and trade. In October, Jeff participated in a regional conference in Bolivia on international trade and development, another step in strengthening relationships with development groups throughout the region. While in La Paz, he took the opportunity to assess the state of Bolivia one year after the fall of President Sánchez de Lozada.

WOLA in the news

- ▷ In July, WOLA, LAWG and the Velazquez Institute commissioned a poll of Cuban-Americans in south Florida on U.S. policy toward **Cuba** and the Bush administration’s new restrictions. The poll showed that younger Cuban-Americans and recent immigrants are less likely to support the embargo. Because of the changing dynamics, politicians can no longer rely on the conventional wisdom that the whole community favors a hard line policy. After a press conference at the National Press Club, several sources quoted Geoff Thale saying, “The current policy of isolating Cuba by embargo and other measures has resoundingly failed. Instead, engagement with the communist regime and ending restrictions on trade and travel would be more conducive to fostering reform in Cuba.”
- ▷ The release of WOLA’s new book and *Drug War Monitor* received widespread press coverage. Over 50 articles ran in the U.S. and Europe, including the *Miami Herald*, *Financial Times*, *Economist*, *Christian Science Monitor*, and *Chicago Tribune*. In Latin America a torrent of analysis and commentary ensued; one highlight was the coverage in the Colombian newsweekly, *Semana*. A December 1 *Agence France-Presse* article quoted Joy Olson: “We’ve been tough on **drugs**; now it’s time to get smarter.” *The Financial Times* quoted John Walsh: “To date, there is no evidence that the commitment to tough-sounding policies has reduced drug availability, made drugs more expensive or contributed to reducing drug consumption.”
- ▷ In December, the **Mexican** daily *Reforma* published an op-ed written by Laurie Freeman, “Fueling Impunity in Juárez,” focused on the ties between the drug trade and persistent impunity for the murders of hundreds of women in Chihuahua and Juárez. Freeman wrote, “the U.S. government should recognize that drug consumption in the United States has helped create an atmosphere in which murder has flourished in Juarez.”
- ▷ Jeff Vogt published an op-ed, “Take Colombia to task for trade union murders,” in the *Tucson Citizen* in December, as Arizona hosted the 6th round of the **AFTA** negotiations. Jeff wrote that the boiler-plate labor language found in previous trade agreements, which merely requires countries to enforce their own labor laws, “is inadequate to address the systematic violation of the rights to freely associate, organize and to bargain collectively, not to mention the right to life, enshrined in International Labor Organization (ILO) conventions.” 

After the Elections

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challenges on issues ranging from Iraq policy to Social Security from within its own party.

The result is that the Congress is unlikely to initiate any significant changes in policy toward Latin America in the coming term. The Republican leadership of the House International Relations' subcommittee on the Western Hemisphere has shifted to Rep. Dan Burton (R-

IN), an outspoken and opinionated conservative. Burton may hold hearings on controversial topics, and encourage some debate, but policy shifts are unlikely. The House appropriations subcommittee that holds the foreign aid purse strings has the same leadership as it has had for the last several terms. No major leadership changes have taken place in the Senate.

Overall, the 2004 elections suggest more of the same for U.S. policy toward Latin America. 

New publications

Contact us to place your order!

Poderes Ocultos en la Guatemala post-conflicto: grupos armados ilegales y las fuerzas detrás de ellos, by Susan Peacock and Adriana Beltrán, Sept. 2004, 129 pp., \$10.00. The Spanish translation of WOLA's analysis of the interconnected set of powerful Guatemalans known as "hidden powers," the illegal armed "clandestine groups" that act at their behest, and their impact on democracy, human rights, and rule of law in Guatemala.

Rights and Development, Vol. 2, No. 2, Oct. 2004, 12 pp., \$2.00. Analyzes the AFTA negotiations with Colombia and Bolivia, labor violence in Colombia, and the status of CAFTA.

From the Drugs, Democracy and Human Rights Project:

Drugs and Democracy in Latin America: The Impact of U.S. Policy, edited by Coletta A. Youngers and Eileen Rosin, 2005, 415 pp., \$25.00 PB, \$65.00 HB. A comprehensive review of U.S. drug-control policies toward the region and assessment of their impact on democracy and human rights, with eight detailed case studies. The result of a three-year research project, the book is the first systematic, region-wide documentation and analysis of the collateral damage caused by the U.S. war on drugs. Available only from Lynne Rienner Publishers, <http://www.rienner.com/viewbook.cfm?BOOKID=1403>.

WOLA Special Report, Drugs and Democracy in Latin America: The Impact of U.S. Policy, Executive Summary, by Coletta A. Youngers and Eileen Rosin, Nov. 2004, 16 pp., \$3.00. The executive summary of WOLA's pathbreaking new book on the collateral damage caused by the U.S. war against drugs in Latin America.

Drug War Monitor, Grietas en el Consenso de Viena: El Debate sobre el control de las drogas en la ONU, by Martin Jelsma and Pien Metaal, Transnational Institute, Amsterdam, June 2004, 24 pp., \$3.00. Spanish translation of our analysis of the roles and interrelationships of the UN offices that oversee international drug policy, the contradictions between differing approaches to illicit drug abuse, and the resulting tensions and challenges.

Drug War Monitor, Drug War Paradoxes: The U.S. Government and Peru's Vladimiro Montesinos, WOLA staff with contributions by Lucien O. Chauvin, July 2004, 20 pp., \$3.00. Describes Montesinos' involvement in drug trafficking and illegal arms sales while head of Peru's intelligence services, even as he maintained a close working relationship with U.S. government officials and the CIA.

Drug War Monitor, Are We There Yet? Measuring Progress in the U.S. War on Drugs in Latin America, by John Walsh, Dec. 2004, 24 pp., \$3.00. Challenges the indicators used by policy-makers to claim success in the two decades-old war against drugs, drawing on the U.S. government's own statistics.

From WOLA, LAWG and CIP:

Blurring the Lines: Trends in U.S. military programs with Latin America, by Adam Isacson, Joy Olson and Lisa Haugaard, Sept. 2004, 12 pp. Provides the most recent data on U.S. military aid and training to Latin America, and analyzes the trends in relation to the U.S. war on terrorism. Available only on the WOLA web site.

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The Pentagon's Drug War Authority

By Laurie Freeman

In 1988, the U.S. Congress made the Defense Department the “single lead agency” for detecting and monitoring illegal drugs transiting to the United States by air or sea. Two years later, Congress added a temporary provision giving the Defense Department a limited ability to supply foreign militaries and police forces with counter-narcotics aid. Known as “Section 1004” of the 1991 National Defense Authorization Act, this provision allows the Pentagon to use its own budget to pay for several types of counter-drug assistance. While Section 1004 does not allow the Pentagon to give away weapons or most types of equipment, it does allow extensive training of foreign security forces, including foreign police forces.

Several years later, a new provision, known as “Section 1033,” was added to the defense

The “train and equip” authorities spelled out in Sections 1004 and 1033 are not permanent, but must be renewed every few years. Both are coming up for renewal this year in the 2006 National Defense Authorization. WOLA recommends that Congress:

- ▶ **Repeal Section 1004(b)(5) of the NDAA of 1994, the Pentagon's authority to provide counter-drug training and aid to foreign security forces. Especially objectionable is the provision in Section 1004 that allows U.S. military personnel, particularly Special Operations Forces, to train and aid foreign police, blurring the lines between civilian and military functions.** This could carry serious implications for human rights and democracy in recipient countries. Thailand

Defense Secretary Donald Rumsfeld ... argued that drug control efforts should focus on demand, because “If demand persists, it's going to find ways to get what it wants. And if it isn't from Colombia, it's going to be from someplace else.”

authorization, allowing the Pentagon to provide riverine counter-drug support to Colombia and Peru. Over the years it has evolved to include other countries in the Andean region as well as Central Asia, and has expanded to include more forms of counter-drug aid than merely riverine support.

Section 1004 has grown to become one of the largest military/police aid programs in U.S. law. Last year, Section 1004 accounted for two-thirds of foreign military training in Latin America. In other words, more foreign military training is being paid for directly by the Pentagon than through traditional training programs paid for and administered by the State Department. State Department training programs are governed by the Foreign Assistance Act, and Congress has imposed a number of reporting requirements, as well as human rights and democracy conditions. But training that is paid for directly by the Pentagon is not closely monitored by Congress or the public, and most human rights restrictions do not apply.

is the most egregious example: At the same time that Thai police were implicated in massive human rights violations during an all-out government war on drugs, U.S. Special Forces were providing light infantry training to hundreds of Thai counter-drug police. Posse Comitatus recognizes that militaries and police should have distinct roles. Repealing Section 1004 (b)(5), the provision that allows the Pentagon to fund foreign security training, would not cut off aid to foreign security forces engaged in counter-drug activity; it would ensure that all such training is funded and administered by civilian agencies.

- ▶ **Reinstate reporting requirements on Section 1004 and Section 1033 counter-drug programs.** No public reporting is currently required for the DOD counter-drug programs. Without reporting, the success of these programs cannot be measured.

► **Take the opportunity to seriously evaluate the efficacy of the military’s current drug strategy, and hold hearings on the drug war.** Section 1004-funded counter-drug programs are part of an overall policy that has failed to curb overseas drug production or trafficking, or domestic drug consumption. The U.S. government has spent 25 years and \$45 billion pursuing a strategy aimed at reducing the supply of drugs in order to drive up prices and discourage consumption. The current focus of the policy is Colombia, where the U.S. supports forced eradication of illicit crops. But cocaine and heroin prices, which have declined steadily since the mid 1980s, are now at or near all-time lows. In 1997, the year significant aerial fumigation got underway in Colombia, the average price of a gram of cocaine on U.S. streets was \$145. By mid-2003, it had fallen to \$106. Defense Secretary Donald Rumsfeld has himself voiced skepticism about using the U.S. military to fight drugs overseas. At his

Senate confirmation hearings, he argued that drug control efforts should focus on demand, because “If demand persists, it’s going to find ways to get what it wants. And if it isn’t from Colombia, it’s going to be from someplace else.”¹ More recently he has insisted that “the fight against drug trafficking is not something that falls within the jurisdiction of the Department of Defense.”² The armed services committees should hold congressional hearings on the Pentagon’s international drug control efforts, in order to address a number of important questions: Is it appropriate, given the nature of the drug trade, of supply and demand? Does it make sense for the Pentagon to be involved, given the current strains on the U.S. military? Has the U.S. military’s participation in overseas drug control efforts reduced drug cultivation, trafficking, or consumption? Why does the Pentagon oppose forced eradication in Afghanistan, yet support this policy in Latin America, despite its lack of impact on overall drug supplies? 🇺🇸

¹ Paul Richter, “Rumsfeld Says Drug War Should Start at Home,” *Los Angeles Times*, 12 January 2001, A9.

² Secretary Of Defense Donald H. Rumsfeld, Remarks at Press Conference With The Minister Of Government & Justice of The Republic Of Panama (Panama: November 13, 2004).

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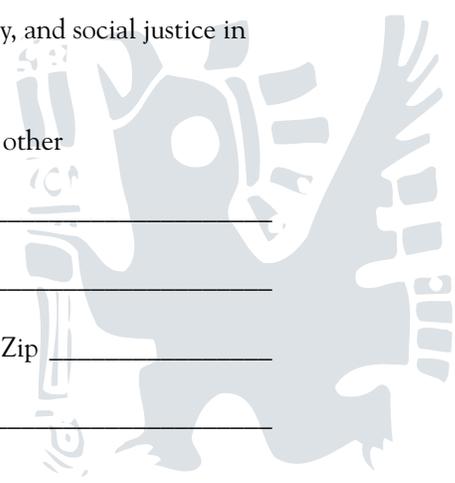
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