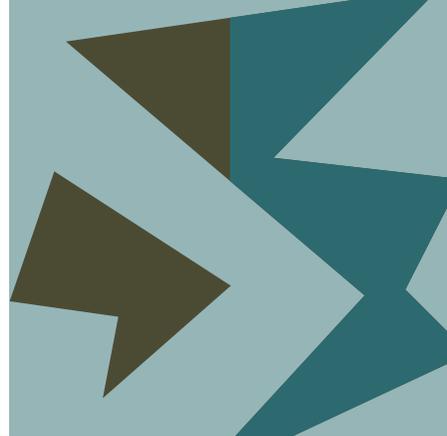


# Below the Radar

U.S. military programs with Latin America, 1997-2007



## Introduction

Ten years ago, our organizations launched a project to monitor U.S. military programs in Latin America. We did so out of concern that poor access to information made public and congressional oversight of such programs impossible. A myriad of funding mechanisms and programs presented a complex picture, and limited information was provided through a haphazard series of reports mandated by Congress. Today, the funding mechanisms and programs have only grown more numerous and complex, but some improvements in transparency have made it possible for a clearer picture to emerge.

We present here a summary of major trends over the past ten years, rather than the annual report we have usually provided. Our database on U.S. military programs in the region, drawn entirely from official U.S. government sources, which backs up this analysis, is available at [www.ciponline.org/facts](http://www.ciponline.org/facts).

Why does having a clear picture of military aid programs matter? Military training and aid, even in peacetime, is not incidental to foreign policy and the U.S. image abroad. The relative balance and visibility of economic or military aid to a country affects public perceptions about the way the United States chooses to project its power.

In addition, the choice to fund, train and equip foreign militaries is perceived as a U.S. endorsement of those militaries. The United States plays an important role, for good or ill, in shaping military institutions and the roles they play within their societies. In many of these societies, military institutions have histories of political involvement, corruption and unaccountable power, and

may have abused human rights with impunity. Given these high stakes, it is essential that decisions on U.S. military aid and training be made deliberately and carefully, based on information transparently available to Congress and the public.

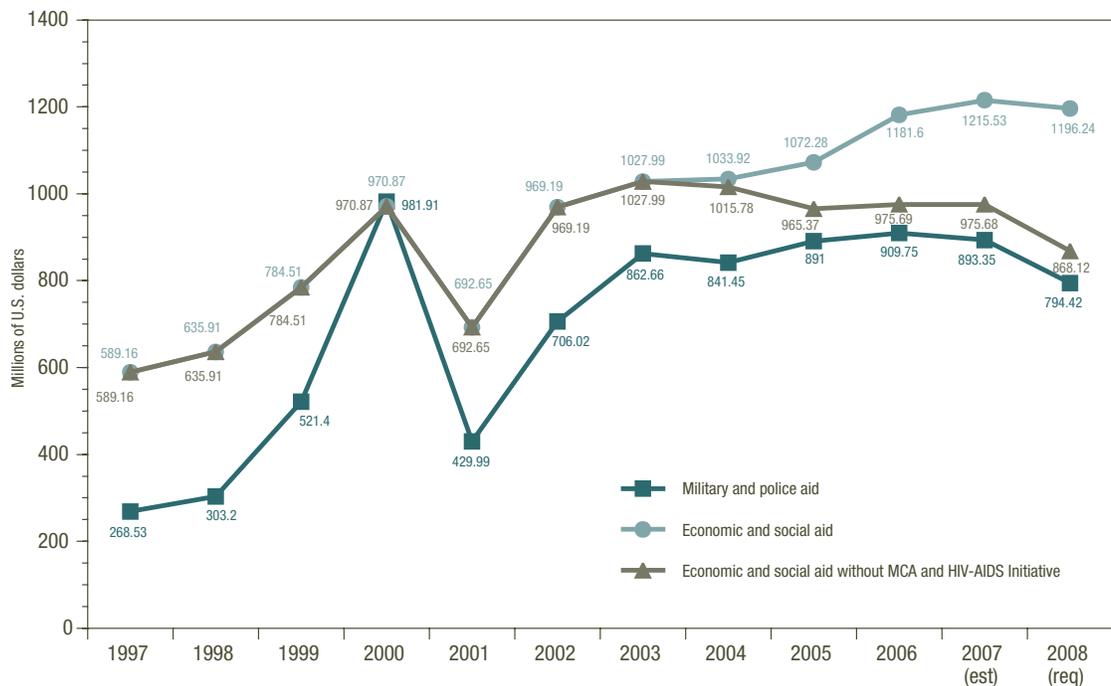
Since the end of the Cold War conflicts in Central America, U.S. military programs with Latin America have received relatively little public attention. In essence, the U.S. military relationship with the region has largely flown “below the radar” of public attention. We believe that many of these programs and relationships merit greater public scrutiny.

## 1. Military aid escalates

Between 1997 and 2007, the United States will have given Latin America and the Caribbean a total of \$7.3 billion in military and police assistance. This estimate is admittedly inexact because, during several of these

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## U.S. Aid to Latin America and the Caribbean, 1997-2008



This chart indicates economic aid totals both including and excluding two programs, begun in 2004, which provide large amounts of aid to only very few countries: the Millennium Challenge Account, which so far has benefited only El Salvador, Honduras, Nicaragua and partially Paraguay, and the HIV-AIDS initiative, which benefits only Guyana and Haiti.

Due to lack of available data, estimates of military aid for 2002-2008 are derived by duplicating 2001 levels of Defense Department "Section 1004" anti-drug assistance. Actual amounts may be significantly higher.

The drop in aid in 2001 is due to the fact that Plan Colombia was first passed as a two-year package appropriated in 2000 for 2000-01.

## U.S. Military and Police Aid, 1997-2007 (millions of U.S. dollars)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total
International Narcotics Control (INC)	61.35	98.72	282.67	805.40	104.14	421.69	559.20	498.74	484.92	524.20	516.42	4,357.45
Defense Department Counter-narcotics	79.84	76.35	97.82	126.82	256.06	184.31	230.21	187.21	265.21	187.21	187.21	1,878.23
Foreign Military Financing (FMF)	32.00	5.45	7.46	3.86	10.08	11.70	33.24	119.64	108.16	107.71	101.25	540.54
Emergency Drawdowns	56.00	70.00	66.78	0.29	0.22	0.15	0.11	0.00	0.00	0.00	0.00	193.55
International Military Education and Training (IMET)	8.53	9.70	9.86	9.89	10.95	12.82	14.26	13.57	13.24	13.44	12.58	128.84
Excess Defense Articles (EDA)	1.14	22.26	11.91	0.97	20.32	16.58	3.61	1.09	1.02	1.02	1.02	80.94
Antiterrorism Assistance (NADR/ATA)	0.00	0.00	0.00	0.00	0.00	25.00	3.28	0.00	7.05	9.96	9.93	55.22
All others	10.30	0.00	7.49	6.48	6.23	5.09	4.19	6.73	6.33	7.19	5.91	65.93
<b>Total</b>	<b>249.16</b>	<b>282.47</b>	<b>483.98</b>	<b>953.70</b>	<b>408.01</b>	<b>677.34</b>	<b>848.10</b>	<b>826.97</b>	<b>885.93</b>	<b>850.74</b>	<b>834.32</b>	<b>7,300.71</b>

Note: Sources for all charts and tables are official U.S. government documents listed at <http://www.ciponline.org/facts/sources.htm>

years, it has been impossible to obtain clear reporting on assistance provided through the Defense Department's budget.

This is a lot of money, enough to put four Western Hemisphere countries on the list of the world's top twelve U.S. military and police aid recipients during 2005-2007 (a fifth country, Ecuador, is in the top twenty). This amount grew sharply, roughly tripling, from the mid-1990s to the early 2000s; it has remained constant since about 2003, at between \$800 and \$900 million per year.

In the late 1990s, economic and development aid to Latin America and the Caribbean equaled more than twice the amount of military and police aid. Today, the gap has narrowed significantly: economic assistance exceeds military aid by only about a third. When only "core" economic aid programs are considered – that is, when one excludes Millennium Challenge and HIV-AIDS assistance, which targets only a handful of countries (El Salvador, Guyana, Haiti, Honduras, Nicaragua, and Paraguay) – the gap between economic and military aid narrows to about one-eighth.

During the entire post-cold-war life of this project, counter-narcotics programs have funded the vast majority of weapons, equipment and training for the region's security forces. During the past few years, two drug-war programs have accounted for more than 75 percent of all military and police aid: the State Department's International Narcotics Control Program (with its subset, the so-called "Andean Counter-Drug Initiative"), and the Defense Department's counter-narcotics account.

One country – Colombia – has received a strong majority of U.S. security assistance. During the eleven years between 1997 and 2007, Colombia's police and military will have received almost exactly two out of every three dollars in such aid for the entire region - \$4.9 billion out of \$7.3 billion. Thanks to "Plan Colombia" and its aftermath, aid to Colombia today is about six times what it was in 1997.

Peru, Bolivia and Ecuador have also received substantial security assistance through the Andean Counter-Drug Initiative since 2000.

## 2. Mission creep

While the U.S. military considers regular engagement with Latin American counterparts to be of utmost importance, the rationale for this engagement has shifted with the times. After the Cold War, the Drug War became the primary rationale for U.S. military engagement with Latin America. Since 2001, however, the Drug War has partially given way to the War on Terror.

This shift to an anti-terrorism mission has far more to do with what makes sense in Washington than what makes sense in the region. When the Secretary of Defense made countering terrorism the U.S. military's number-one priority, it suddenly became a major priority

## Top Fifteen Aid Recipients from Foreign Operations Programs Only, 2005-07 (thousands of U.S. dollars)

		2005	2006, est.	2007, req.
1	Iraq	Total unknown, but undoubtedly largest		
2	Israel	2,202,450	2,257,726	2,340,320
3	Egypt	1,291,325	1,290,123	1,303,095
4	Afghanistan	1,153,026	231,115	273,125
5	Colombia	442,125	468,579	462,070
6	Pakistan	340,786	344,444	337,865
7	Jordan	309,450	212,850	210,701
8	Bolivia	42,501	49,406	54,490
9	Poland	79,022	31,763	32,075
10	Peru	47,813	45,639	45,069
11	Philippines	38,600	39,478	27,552
12	Mexico	32,786	26,900	26,825
13	Turkey	38,662	19,040	19,401
14	Morocco	22,114	15,995	16,945
15	Oman	21,635	16,549	16,505

Note: This table does not include defense-budget aid; several countries, including all four Western Hemisphere countries, receive significantly more assistance because of such aid. Ecuador has fallen off the top 15 list, due to a drop in International Narcotics Control (INC) aid.

## Top Ten Military and Police Aid Recipients in Western Hemisphere, 1997-2007

(millions of U.S. dollars)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006, est	2007, req	Total
Colombia	86.56	114.24	306.98	743.69	238.97	400.73	623.98	555.57	642.60	590.95	584.44	4,888.71
Peru	33.97	38.30	66.01	58.43	26.06	73.41	60.89	64.52	53.62	53.62	52.88	581.72
Bolivia	22.60	38.86	37.23	61.64	33.73	49.24	51.77	53.60	48.16	56.74	60.12	513.68
Mexico	75.24	24.23	20.17	15.68	30.51	52.45	24.43	49.48	51.66	45.75	45.67	435.27
Ecuador	2.76	5.27	12.76	24.97	19.14	34.10	32.47	35.66	26.93	24.84	24.83	243.72
Brazil	3.46	5.82	2.36	5.38	20.82	7.01	6.96	10.75	7.59	7.59	5.39	83.12
El Salvador	0.62	0.78	0.82	4.34	3.15	10.05	5.57	8.49	5.56	13.89	9.41	62.68
Panama	2.38	2.59	3.63	5.71	2.10	11.01	5.68	7.58	6.70	5.47	4.98	57.83
Haiti	0.50	0.94	0.55	1.14	2.98	3.30	3.37	3.67	3.37	18.30	13.23	51.34
Venezuela	5.76	7.18	4.43	6.68	3.26	5.20	3.67	4.05	3.64	3.02	2.31	49.20

Note: Venezuela has probably decreased more steeply, but we lack current estimates of Defense Department counter-narcotics assistance, which has probably been cut more deeply than our table indicates.

for the Southern Command. Southcom had to defend its resources and relevance within an internal Pentagon climate in which all non-terror missions were clearly secondary.

The shift can be seen in ways large and small – from Southcom’s annual presentations before Congress to an attempt by the Pentagon to get Congress to change its restrictions on Defense Department counter-drug programs in Latin America.

Drug traffickers became “narco-terrorists.” All illicit cross-border activity including migration, money laundering and contraband became potential channels for terrorism. Consider this quote from General James Hill, then commander of the Southern Command, before the House Armed Services Committee in 2003.

Narcoterrorism is most pervasive in Colombia, where citizens suffer daily from murder, bombings, kidnappings, and lawlessness. However, narcoterrorism is spreading increasingly throughout the region. Narcoterrorist groups are involved in kidnappings in Panama, Venezuela, Ecuador and Paraguay. They smuggle weapons and drugs in Brazil, Suriname, Guyana, Mexico, and Peru, are making inroads in Bolivia, and use the same routes and infrastructure for drugs, arms, illegal aliens and other illicit activities.<sup>1</sup>

In 2002 and 2003, the Pentagon sought a change in the law to use counter-drug designated money for counter-terrorism purposes throughout the Western Hemisphere. This would have given the Defense Department tremendous leeway to use its budget to aid the region’s militaries, as almost any illegal cross-border activity could be defined as a “potential” terrorist threat. It would also have increased the Defense Department’s responsibility for aid and training traditionally managed by the State Department. The Pentagon was partially successful: Congress allowed this official mission expansion for Colombia, but not the rest of the hemisphere.

Over the decade since our project monitoring military trends began, the definition of “security” has changed within the region as well. In 2003, the Organization of American States adopted a security declaration based on the concept of “human security,” not just national security. Under this doctrine, poverty, HIV-AIDS, youth gang violence, terrorism, and natural disasters, among other things, are considered threats to the region’s security. While the doctrine made clear that appropriate institutions should respond to these various threats, the result has been that meetings of the hemisphere’s military leaders now focus on their potential role in responding to an extensive list of problems, many of them public-security issues, and most of them more

effectively and appropriately addressed by civilian institutions.

This broad view of “potential threat” is warping the U.S. relationship with the region. Instead of seeing the hemisphere for what it is – one of the most peaceful regions of the world in terms of conflict between nation-states – Latin America and the Caribbean became the hypothetical originating point for an attack on the United States.

### 3. Counter-narcotics: Are we there yet?

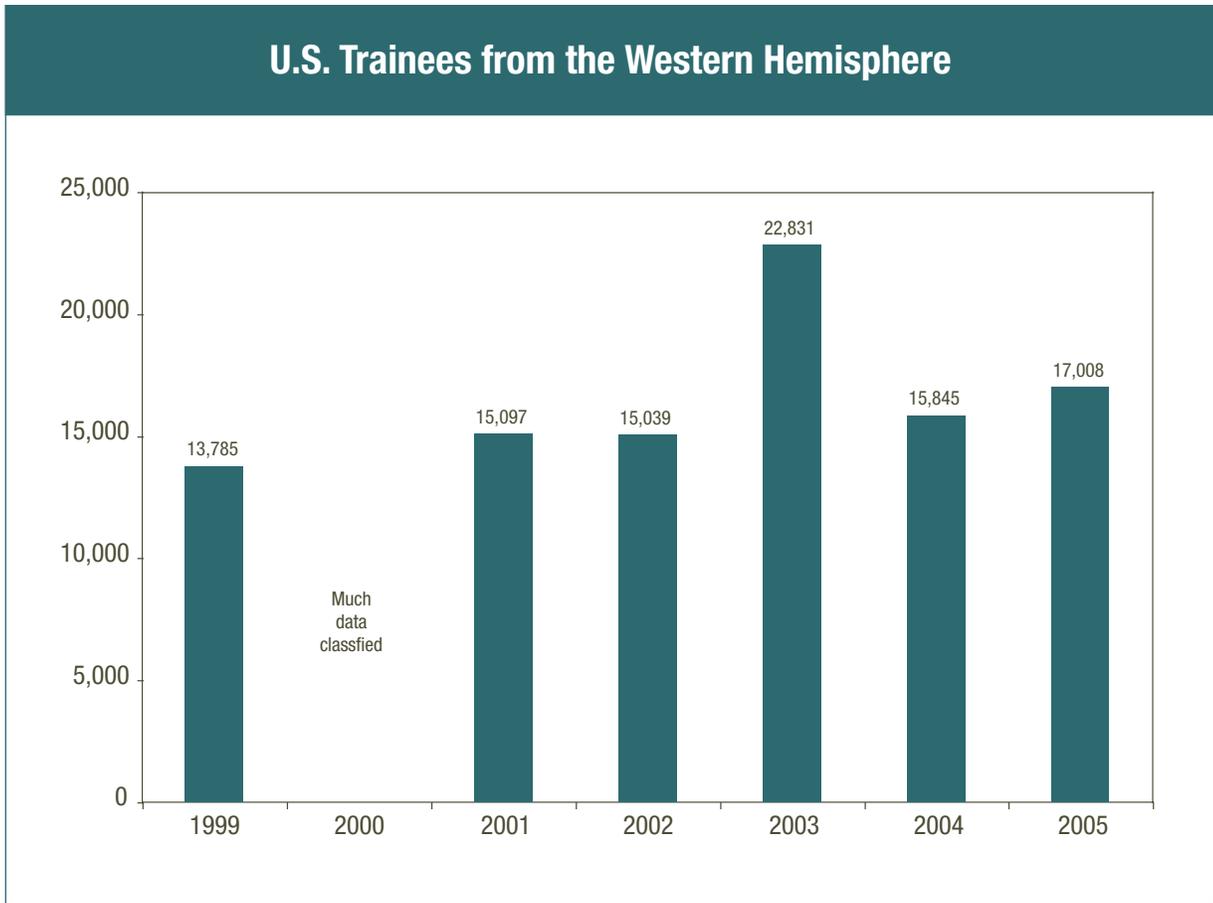
Since a 1989 change in the law, the U.S. military has been the “single lead agency” for the detection and monitoring of drugs coming into the United States. By 1997, when our project began, the U.S. military’s role in the Drug War was firmly established.

Over the past two decades, the U.S. military has developed partnerships throughout Latin America to carry out this mission. Its most

natural partner was Latin America’s armed forces, which the Pentagon encouraged to play a strong role in the Drug War. The State and Defense Departments’ Foreign Military Training Report, for example, uses the following statement, time and again, country after country: “We have encouraged the military of Belize to participate more actively in counternarcotic and other multinational efforts.”<sup>2</sup>

As noted above, most military aid and training in the past ten years has come from funds designated for Drug War programs. This assistance took a quantum leap in 2000 with the start of the multibillion-dollar “Plan Colombia” and the Andean Counterdrug Initiative. In 2005, 70 percent of U.S. military training was provided with funding designated or primarily used for counter-drug purposes.

The United States has poured billions of dollars into source-country drug control programs (especially crop eradication) and drug interdiction operations, with much of the



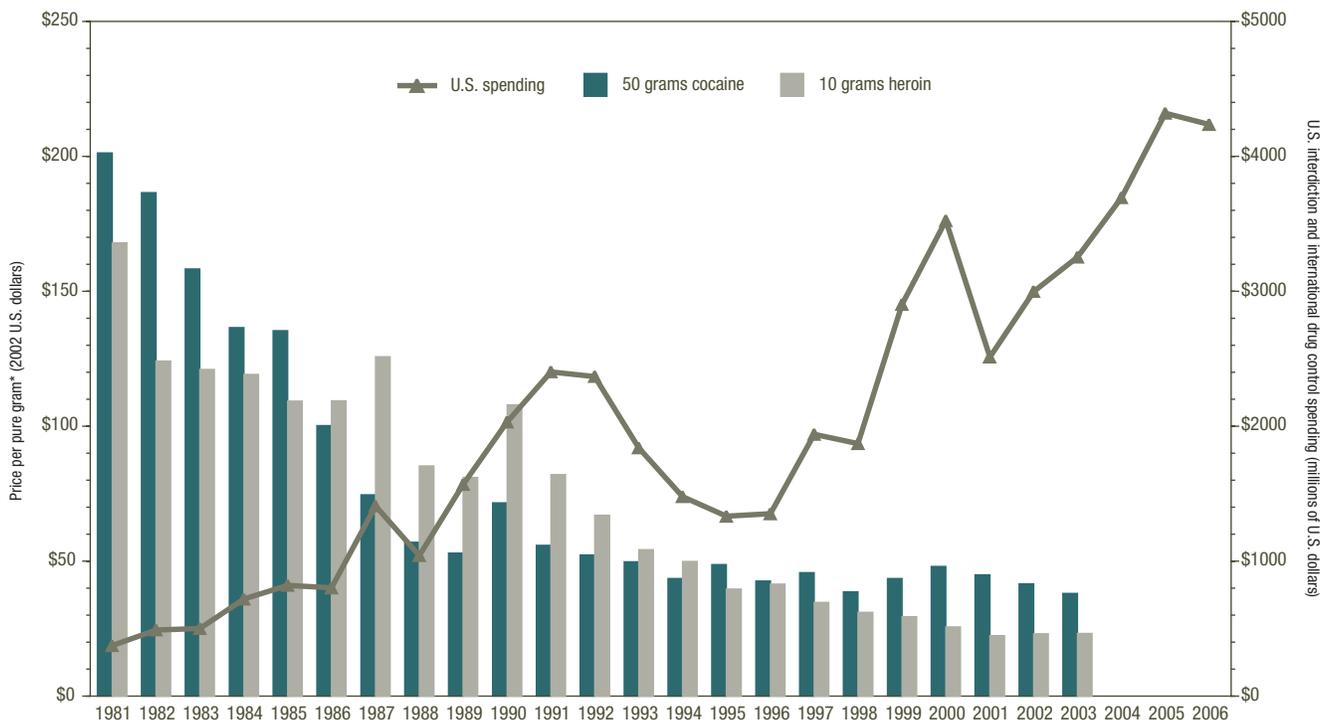
effort occurring in Latin America. The pace of the spending rose notably during the last decade, and especially since 2000. During the ten-year period from 1997-2006, the U.S. government spent \$31 billion to stop drugs from entering the country, an 86 percent increase over the previous ten-year period.<sup>3</sup> In both 2005 and 2006, U.S. spending on overseas drug control and interdiction exceeded \$4 billion per year.

The aim of these supply-control efforts has been to curb the availability of illicit drugs like cocaine, thereby driving up prices and discouraging use. But despite the large and growing outlays for crop eradication and drug interdiction operations, cocaine and heroin prices have continued to fall, and remain at or near their all-time lows. The most recent

well-documented official estimates on illicit drug prices run through mid-2003 and were published by the White House's Office of National Drug Control Policy (ONDCP) in early 2005 (see figure below). Later in 2005, ONDCP announced with great fanfare that cocaine prices were on the rise, only to subsequently acknowledge that the price increase that they claimed to have detected had been followed in short order by another price decline. Indeed, according to ONDCP's own estimates, cocaine's street price in the U.S. was about 20 percent lower in July 2006 than it had been in July 2003.<sup>4</sup>

Over the past six years, aerial herbicide spraying (fumigation) of coca crops in Colombia has been the centerpiece of the U.S.-backed crop eradication strategy in the Andes. Over 2 million acres

## U.S. Overseas Drug Control Spending vs. Cocaine and Heroin Prices



Sources: Prices prepared for the Office of National Drug Control Policy (ONDCP); spending data from ONDCP, National Drug Control Strategy  
 \*Prices shown are for purchases of more than 50 g of cocaine, and more than 10 g of heroin. Heroin prices have been divided by six to fit scale.

were sprayed in Colombia between 2000 and 2006. However, after a sustained campaign in which Colombia, with U.S. funds, has increased the area sprayed every year, by 2005 U.S. government measurements showed at least as much coca being cultivated in Colombia as there was in 2000, before Plan Colombia got underway.

The Drug War in Latin America has gone nowhere fast. Any policy with this consistent track record of failure has to be reconsidered.

#### 4. The Defense Department gains ground

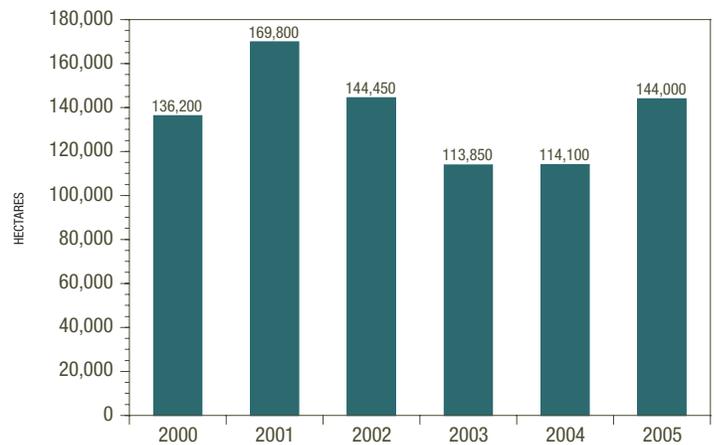
In 1990, military aid to Latin America, and in fact to the world, was almost entirely funded through the U.S. government's foreign aid budget. As envisioned by the Foreign Assistance Act of 1961, aid was overseen by the State Department, and scrutinized by the congressional Foreign Relations and Foreign Operations Appropriations committees. Public reporting applied to nearly all aid, and over the years Congress added human rights and democracy safeguards to make it more difficult to offer generous assistance to abusive governments.

Today, though, the foreign aid budget is not the only source of military aid funding. The Defense Department's budget, which is about 20 times larger than the annual foreign aid budget, is now a huge factor. Defense-budget funds pay for about 25 percent of all aid to Latin American military and police.

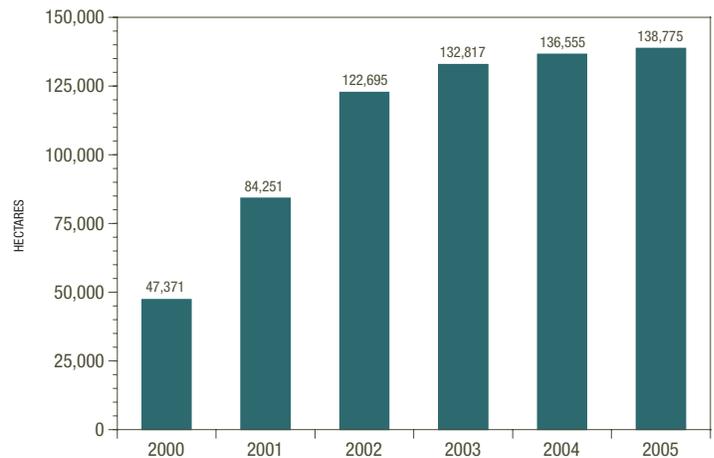
This trend is more pronounced in training programs. Even though foreign military training has traditionally been the purview of the State Department, 74 percent of the hemisphere's 17,008 trainees in 2005 had their training funded through the defense budget.

The move toward the Defense Department's budget first began in Latin America, when the elder Bush administration decided to intensify the war on drugs in the region. Section 1004 of the 1991 Defense Authorization law (the annual revision of the law regulating the Defense Department and the military) gave the Pentagon permission to use its budget to furnish several types of military and police aid for counter-drug

### Net Coca Cultivation in Colombia



### Fumigation in Colombia



Source: State Department and Office of National Drug Control Policy

purposes. These included base construction, equipment upgrades, intelligence and training, among others.

This shift from State to Defense is significant, since almost all of the human rights and democracy-related restrictions on assistance are included in the Foreign Assistance Act (FAA) or within the annual foreign operations appropriations legislation. These laws do not control what takes place within defense-funded programs. As a result, the training and



equipment transfers governed by the Defense Department legally by-pass most human rights and democracy restrictions.

The defense budget also receives far less congressional scrutiny than the foreign aid bill. The Armed Services committees' small staffs, overwhelmed by the budget's size and the challenges of wars in the Middle East, have little time or resources to oversee military aid programs in the Americas. Armed Services and defense appropriations committee members tend to be more focused on the U.S. military's institutional needs, and less preoccupied with human rights and diplomatic concerns, than members of foreign policy and foreign aid committees. The Defense Department, notoriously resistant to "burdensome" reporting requirements, does not systematically report on the aid its programs provide.

Training and weapons transfers have vast implications for foreign policy. Yet by funding programs directly through DOD, the State Department is removed from the center of this process.

Congress keeps agreeing to this steady shift not because it makes policy sense or provides accountability, but because it is always easier to get a majority of members of Congress to support defense spending than foreign aid. Unless challenged, responsibility for military aid programs will continue to ooze from the State Department's jurisdiction to that of the U.S. military and the Defense Department. The long-term consequences for U.S. foreign policy are serious, with implications far beyond Latin America. The State Department and foreign policy congressional committees should be put back at the center of this process.

## 5. The sun never sets

These defense-budget-funded programs, once started, rarely expire. When our project began ten years ago, the "Section 1004" counter-drug program had already established itself as an important source of military and police aid to Latin America, supplying approximately \$200 million per year. Later reports revealed that the

DoD counter-drug budget had quickly become the number-one source of training funds for the region's security forces.

"Section 1004" has never been a part of permanent law, ensconced in the U.S. Code. Instead, it has always had an expiration date, known in legislative parlance as a "sunset provision." This date, however, simply gets kicked further down the road each time the program comes up for renewal. While the original 1991 provision foresaw the program expiring in 1995, it is now set to expire in 2011.

"Section 1004" proved to be a foot in the door for more defense-budget aid to foreign militaries. A provision in the 1997 Defense Authorization law ("Section 1031") gave \$8 million in non-lethal anti-drug aid to Mexico's security forces. This measure expired in 1998, though the Defense Department continues to try to revive it.

The 1998 Defense Authorization law established a "riverine" program ("Section 1033") to help the security forces of Colombia and Peru to interdict drugs on rivers. This program was limited to Colombia and Peru, with a maximum of \$9 million in 1998 and \$20 million for every subsequent year through 2002, when the law foresaw its expiration. Though it has received few positive evaluations, the sun has never set on the "riverine program." In fact, it has gone through a long series of expansions. Most recently, the 2004 Defense Authorization law removed the word "riverine" to make it a more general-purpose counter-drug assistance program. It expanded the list of eligible countries to include Bolivia, Colombia, Ecuador, and Peru, as well as five Central Asian states (Afghanistan, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan). It moved the expiration date for all countries until 2006, and expanded the maximum expenditure to \$40 million per year.

The 2007 Defense Authorization law further expanded the list of eligible countries, adding Belize, Guatemala, Armenia, Azerbaijan, Kazakhstan, and Kyrgyzstan. The expiration date was moved to 2008, and the maximum expenditure was increased to \$60 million per year. It also expanded the list of types of aid

that can be transferred, adding “detection, interception, monitoring and testing equipment” and weapons for Afghanistan.

In the wake of 9/11, an August 2002 provision allowed Colombia to use “Section 1004” and “Section 1033” aid to fight guerrillas and paramilitaries, now defined as terrorists, as well as narcotraffickers. In model language submitted to Congress for the 2004 Defense Authorization law, the Defense Department sought to have the mission of “Section 1004” aid expanded for all of Latin America, essentially making it a counter-terror, not just counter-drug, aid program for the region. This proposed shift proved to be too radical for the congressional Armed Services committees, who did not support it.

In 2002, then permanently in 2003, the Defense Authorization law created a new military-training program, the “Regional Defense Counterterrorism Fellowship Program” or CTFP. This program, which is now the third-largest source of training funds for Latin American military and police personnel, is another case study in how quickly a military aid effort can quietly expand when placed within the defense budget. What started in 2002 as a \$17.9 million worldwide appropriation for education in strategy and doctrine is now a \$25 million program in permanent law, enabled to provide lethal training.

In Latin America, CTFP is sometimes used for its original purpose, to fund classroom courses on counter-terrorism, but it has also been used simply as a more flexible funding source for training that could be provided through many other programs; for example, in 2005 CTFP funded 18 Guatemalans in “outboard motor maintenance,” in a creative skirting of a legal ban on IMET to Guatemala, while only 3 Guatemalans attended classroom courses such as “civil-military response to terrorism.”<sup>5</sup>

The sun rose on yet another defense-budget military-aid program in the 2006 Defense Authorization law. Section 1206 of that bill gave the Pentagon an unusual authority to spend up to \$200 million simply to “build the capacity of foreign military forces.” (Another provision, Section 1207, includes \$100 million more to be transferred to the State

Department for “reconstruction, security, or stabilization assistance.”) The law offers no more specific explanation of what this aid would support; it is essentially a new, parallel, all-purpose military aid program that almost exactly resembles programs already existing in the foreign aid budget. While most of this money went elsewhere in the world, four Western Hemisphere countries were selected for assistance: the Bahamas, the Dominican Republic, Jamaica and Panama.

Section 1206 was controversial, and the law includes a requirement that the State Department be involved in the program’s formulation. The program was set to expire at the end of 2007; however, the 2007 Defense Authorization law extends it through 2008. The 2007 law gives a greater role to the State Department in the “Section 1206” program’s implementation, but it also expands it from \$200 million to \$300 million per year.

This new program raises serious concerns about transparency, human rights, and civilian, diplomatic control over military assistance. If the past decade’s experience with “temporary” defense-budget military aid is any indication, the sun will fail to set on this program too.

## 6. Human rights: Those in glass houses...

The past ten years saw Congress undertake some important efforts to add human rights restrictions to military aid, although with a mixed record of enforcement and oversight. The period also was marked by a significant U.S. Southern Command effort to increase dialogue on human rights and civil-military relations, principally through its Human Rights Initiative.

These efforts were undercut by two developments. First, the Clinton administration’s decision to massively train and equip the Colombian army once again showed the United States partnering with a Latin American security force with serious human rights problems. Second, and most damagingly, the United States’ own post-9/11 record on treatment and legal rights of detainees worldwide – from Abu Ghraib to the CIA’s secret prisons, from extraordinary rendition to Guantánamo

– weakened U.S. authority to raise human rights issues with foreign militaries and other governments. Guantánamo, with its geographic location on Latin American soil, became a potent symbol throughout the region of U.S. excesses in the War on Terror and its failure to live up to its own ideals and institutions, still widely admired in the hemisphere.

**Human rights conditions in law.** Since 1997, the most significant changes in human rights legislation affecting U.S. military programs in Latin America were the introduction of the Leahy Law and the country-specific conditions on U.S. aid to Colombia. The Leahy Law states

and unit name are vetted, not the individuals, so “dirty” individuals from a “clean” unit could also be trained.

Most importantly, the vetting databases are only as good as the information entered into them. For example, we found that the U.S. Embassy to Mexico had included in its database few of the 62 sample human rights cases we presented to test the vetting process in 2002.<sup>6</sup> Since that time, the State Department established a new computer database, ACES, to systematize the vetting process, but nearly a year after its establishment very few cases worldwide

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Unless embassy staff carefully look into allegations of abuse, they don't have the information needed to implement the Leahy Law.

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that assistance may not be provided to “any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless... the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice.” The provision, first applied in 1997 only to State Department counter-narcotics aid, has been expanded to apply to all security assistance programs through the foreign operations bill; a weaker version containing a waiver is applied to security assistance provided through the defense appropriations act. In order to implement the law, each U.S. embassy has established vetting procedures to screen units proposed to receive U.S. funding or training.

The Leahy Law has provided a helpful standard that human rights groups can and do use to uphold the principle of restricting aid to abusers, but its interpretation and implementation have been quite limited. In practice, the unit to be vetted is defined as the “unit to be trained,” so ostensibly “clean” individuals from abusive units can receive training. This is a very broad interpretation of the law. If a brigade or other group is to receive training, only the commander

were entered into it. The substantial burden of maintaining data falls primarily upon the single human rights officer in each embassy, and while some officers may seek to apply it carefully, others do not. Of course, most cases of abuse are reported without names of perpetrators or identification of their units, so unless embassy staff carefully look into allegations of abuse, they don't have the information needed to implement the law.

Within Latin America, the Leahy Law has been most actively used in Colombia, which has the largest U.S. aid program, the most serious human rights abuses and thus the most active scrutiny by human rights groups and congressional oversight staff. Among the units that have been precluded from receiving U.S. aid due to poor human rights records are the 12<sup>th</sup>, 24<sup>th</sup> and 17<sup>th</sup> Brigades and Combat Air Command No. 1; while not public, the list of excluded units is believed to be considerably larger. Nonetheless, units against which there are substantial credible allegations, like the 18<sup>th</sup> Brigade in oil-producing Arauca department, continue to receive substantial U.S. assistance. Outside Colombia, it is difficult to judge whether the existence of the Leahy Law has precluded

assistance to many violators, largely because human rights groups have not tested its application systematically.

In addition to the Leahy Law, U.S. military aid to Colombia is subject to a set of country-specific conditions. The conditions require the Secretary of State to certify that the Colombian government is investigating and prosecuting members of the security forces credibly alleged to have committed gross violations of human rights or to have aided or abetted paramilitary forces. While at the start of the massive U.S. assistance program to Colombia these conditions applied to all security assistance in the foreign operations appropriations law, the conditions were subsequently limited to 25 percent of that assistance, and do not affect police aid, or aid provided through the defense budget. The conditions require the State Department to consult with human rights groups every ninety days regarding Colombian compliance with the law.

From 2000 through mid-2006, the Secretary of State certified regularly that Colombia met the conditions. At each occasion, human rights groups have presented lengthy and detailed evidence to the State Department backing their contention that the conditions were not met. While the State Department has been driven by its desire to keep the aid flowing, at times it has delayed issuing the certification due to its difficulty in finding sufficient progress to cite; for example, aid was delayed during much of 2005. In 2006, after the State Department certified the last tranche of FY05 aid despite little progress, Senator Leahy placed a several-months-long hold on some \$29 million of military assistance. None of the aid subject to the conditions for 2006 had flowed by February 2007.

The certification process has ensured a continuous dialogue between the State Department and human rights groups and has forced subsequent U.S. administrations to raise specific human rights cases with the Colombian government. However, the State Department has not chosen to use its leverage fully and the Colombian government has become accustomed to being certified despite glacial progress on past cases and new abuses committed by its security forces. Neither U.S. training

nor the pressure exerted by the certification process could halt a disturbing trend shown by increased allegations of extrajudicial executions of civilians by members of the army.<sup>7</sup>

Human rights conditions can be a useful tool, but only when U.S. and local human rights groups mount a concerted and lengthy campaign to monitor the situation on the ground and present the results, combined with determined and focused congressional pressure. Without such concerted action, conditions are, as Latin Americans say, "*papel mojado*" ("wet paper").

**School of the Americas.** The U.S. military's School of the Americas continued to serve as a focus of public criticism of U.S. military training in Latin America. In an effort to improve its image, the school's charter was revised and its name changed to the Western Hemisphere Institute for Security Cooperation (WHINSEC). WHINSEC officials emphasize that courses up to four weeks receive 8 hours of instruction in human rights and the laws of war, while courses lasting over 6 months receive at least 40 hours. The curriculum includes case studies, such as of the My Lai massacre in Vietnam and the El Mozote massacre in El Salvador. However, public criticism of the school continues, fueled by new cases of abuses by former SOA graduates. School of the Americas Watch, which leads the campaign against the school, asserts that the name change was window dressing. "No commission was established to review and re-think the curriculum or methods or any other aspect of the School, and no problem with past methods or results was ever truly admitted."<sup>8</sup> WHINSEC represents only a fraction of U.S. training of Latin American militaries, and training beyond this one school merits greater scrutiny. Nonetheless, the enduring campaign against the school demonstrates the difficulty of persuading the public that an institution has turned over a new leaf – without ever taking responsibility for past problems.

**Human rights initiative.** In 1997, the U.S. Southern Command launched an important effort to stimulate discussion on human rights, the Human Rights Initiative. Between 1997 and 2002, the Command sponsored a series of seminars with regional military and

## A Shameful Law

*Latin American editorial pages react to the passage of the Military Commissions Act codifying the diminished rights of prisoners held by the United States in Guántanamo and other sites on terrorism charges. This is just one example of how Bush administration decisions regarding international human rights standards have reverberated throughout the region.*

### “A Shameful Law”

**Colombia’s *El Tiempo*, editorial, October 2006**

September 28th will go down in history as a sorrowful date for the United States and democracy worldwide....

The law approves the outrages committed by George Bush’s government in the last few years against those accused of terrorism, and incorporates alarming restrictions on human rights: the government is authorized to apprehend in any country, any foreign citizen suspected of collaborating with terrorism (according to the government’s own definition) and characterize anyone as an “illegal enemy combatant.” This characterization is enough to get subjected to a regimen of reduced rights approved by the Capitol, which would include indefinite detention without appeal in jails only known and operated by the military, and suspension of habeas corpus. No civilian court could intervene in these cases, except to review final verdicts. The President will define the acceptable tortures and interpret unilaterally the Geneva Conventions....

The approval of this horrible law opens a dangerous Pandora’s box. U.S. democracy has been a worldwide example in the last two centuries. Now, its limitations will inspire cutbacks in other laws.... Countries that cooperate broadly with Washington, like Colombia, have the right to ask themselves if extraditing their citizens accused of terrorism, so that they submit to a regime like this, would not violate their own Constitution. And there are more questions.... With what moral authority can the United States continue to issue certifications of good democratic conduct to other countries?

### “The CIA’s Secret Prisons”

**Argentina’s *La Nación*, editorial, October 4, 2006**

It seems damaging to the storied democratic traditions of the United States to have resorted to secret prisons located outside the country in order to avoid investigating suspects within the limits of U.S. institutions and legal frameworks, operating instead on their margins....

The war against terrorism must be implacable, but it cannot be used to justify actions that harm fundamental human rights. This should be true even though the terrorists themselves will not respect these rights.

The respect for civil and political liberties and for human rights is the very basis of the moral superiority of civilization, separating it from terrorism and totalitarian experiences. To set these principles aside signifies giving in to terrorism, and represents a loss of moral authority which inspires us to fight for liberty, tolerance and respect for diversity.

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### “This takes the United States back hundreds of years”

Mexico’s *El Universal*, op-ed, October 4, 2006

[The military commissions law] cancels habeas corpus, equivalent to our right known as “amparo,” available to any prisoner. Despite having the legal basis to challenge an unfair detention, prisoners will be deprived of the right to demonstrate it. In its extreme, this provision could be applied to legal immigrants, who could be imprisoned on the merest suspicion. Given the electoral pragmatism which demands more firmness in dealing with terrorists, it doesn’t matter that this takes [the United States] back hundreds of years, and ignores that Americans were the first to consecrate these rights in fundamental texts. Another section justifies torture by not defining cruel and inhumane treatment, leaving it to the discretion of the CIA to decide which interrogation tactics to use, which implies that using the argument of national security, anything goes....

—Jorge Montaña, Vice President of Mexican Foreign Affairs Council

defense ministry officials and international and regional human rights organizations to create a “Consensus Document.” The document asserts that military and security forces should adopt the basic principles of human rights and international humanitarian law; should include these principles in education and training; should have effective systems of internal control; and should cooperate fully with civilian authorities. The document also included plans of action and evaluation mechanisms.<sup>9</sup> According

to implement the human rights initiative: Bolivia, Dominican Republic, Guatemala, Honduras, Colombia, El Salvador, Costa Rica, Uruguay and Paraguay, as well as the Conference of Central American Armed Forces.

However, the impact of this positive initiative has been undercut by the United States’ own failure to adhere to international human rights standards in its conduct on the “war on terrorism.” The abusive treatment of prisoners

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### No human rights training or conference can outweigh the loss of the United States being able to hold itself up as a good example.

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to one participant, in the internal discussions over the consensus document, military officials tended to emphasize the importance of education and training on human rights, while human rights groups stressed the essential role of internal control and external oversight mechanisms to enforce accountability.<sup>10</sup>

This initiative encouraged a high-level discussion of human rights and international humanitarian law among the hemisphere’s militaries. By the end of 2006, nine countries had committed to

by U.S. soldiers in Abu Ghraib and Afghanistan; the White House’s refusal to disavow the use of torture; the heavy-handed campaign to persuade countries to exempt U.S. soldiers from the International Criminal Court; the discovery of clandestine prisons in Eastern Europe; the denial of habeas corpus rights at Guantánamo – all these subjects were widely covered in the Latin American press. No human rights condition, human rights training or conference can outweigh the loss of the United States being able to hold itself up as a good example.

## 7. Flying below the radar

For at least half of the last decade, the U.S. military relationship with Latin America has been flying below the radar. The most obvious reason is that, since the September 11 attacks and the wars in Afghanistan and Iraq, Latin America and the Caribbean have dropped from U.S. policymakers' map of the world. The Middle East is where U.S. soldiers are dying, nuclear weapons may be in development, and terrorist groups may be hatching plots to kill Americans. None of these conditions applies in Latin America.

The trend of increasing U.S. military aid and training for Latin American security forces reached a plateau at about 2003. Many of the region's largest military and police aid recipients other than Colombia – Peru, Bolivia, Mexico, Ecuador – are likely to see less aid in 2007-08 than in 2005-06.

With less focus has come slightly less funding, with most countries experiencing cuts or leveling off of military and police aid – and in many cases, economic aid as well. Less funding in turn has meant a slightly decreased frequency of U.S. military deployments and exercises, and significantly fewer U.S. aircraft and other equipment to carry out counter-drug missions in the region.

Since the region's main challenges – poverty and inequality – cannot be addressed militarily, and greater investment in civilian institutions is urgently needed, less equipment and training is certainly not a negative development. Unfortunately, less military funding has so far not been accompanied by more U.S. assistance for civilian institutions.

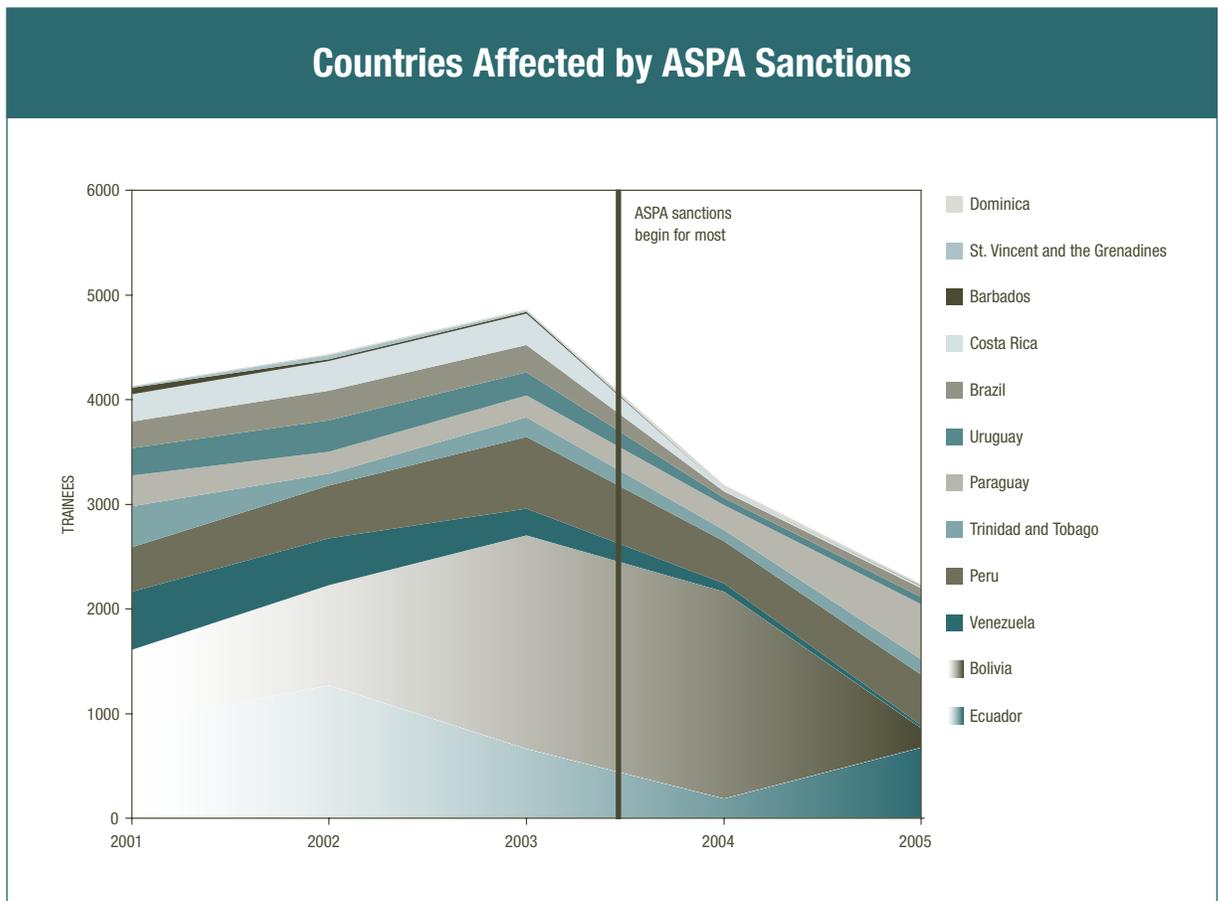
**The impact of sanctions.** Part of the slight decrease mentioned above comes from sanctions in U.S. aid law. But all sanctions are not created equal. While human rights conditions have halted some military aid to Guatemala and delayed a small amount of aid to Colombia, the biggest legislative brake on military-to-military ties has been a measure that most human rights groups oppose.

The American Servicemembers' Protection Act (ASPA) of 2002 cuts non-drug military aid in the foreign-aid budget to countries that are members of the International Criminal Court, and do not grant immunity from the court's jurisdiction to U.S. personnel on their soil. At different times between 2003 and 2006, thirteen countries in the Western Hemisphere were hit by ASPA sanctions because they did not take the politically difficult step of granting special immunity to U.S. personnel.

Twelve countries remain under sanction, though they had their International Military Education and Training (IMET) funds restored by a waiver and a change in the law in October 2006.

Other sanctions have affected aid to single countries. Argentina cannot receive grants of military equipment because it remains in default on some of its international loans. Nicaragua had aid frozen in 2005 by concerns over the status of old Soviet-donated surface-to-air missiles. Venezuela faces bans on most military aid and all arms sales, not just because of poor relations with the United States but because the State Department has declared Caracas to be ineligible under U.S. law for failing to cooperate sufficiently against drugs and terrorism. Meanwhile Bolivia, among other countries, faces a nagging possibility that much aid could be cut if the State Department determines that anti-drug cooperation is insufficient.

A ban on military aid to Guatemala, first established by Congress in 1990, was maintained through 2006 despite annual efforts by the administration to lift it. The ban was upheld over congressional and nongovernmental concerns that the military reforms promised in the 1996 Peace Accords remained unfulfilled, as well as over new allegations that a shadowy network including retired and active members of the military was involved in corruption, drug trafficking, and threats and attacks against human rights groups. In 2005, \$3.2 million in nonlethal military aid frozen since 1990 was released. Complete lifting of the ban remains dependent upon progress on military reforms and impunity.



**Latin America sets some limits.** Interestingly, initiatives by governments in the region have been a key factor in limiting U.S. engagement with Latin American militaries. Venezuela was refusing military assistance, and had ejected the U.S. Military Group from its offices in the Defense Ministry's Fuerte Tiuna headquarters, even before the U.S. government began banning aid to the Chávez government.

Congresses have been slower to approve joint military exercises on their soil. Governments have refused immunity agreements to reverse the American Servicemembers' Protection Act sanctions. In October, Paraguay even revoked an agreement granting immunity to U.S. personnel carrying out a series of bilateral exercises. Argentina and Uruguay have reportedly pledged to stop sending military trainees to the Western Hemisphere Institute for Security Cooperation, the successor to the U.S. Army School of the Americas. Countries are increasingly purchasing weapons from non-U.S. sources. Strong differences on mission

and doctrine have emerged at regular meetings of the region's defense ministers.

### 8. Colombia: The U.S. military focus

During the life of our project, Colombia has consistently been the region's number-one recipient of U.S. military assistance, a position it took from El Salvador during the early 1990s. But this aid program has grown sharply in both size and mission since our monitoring began.

Military and police aid to Colombia (at the time, mostly police aid) surpassed the \$100 million per year mark in 1998, as the country became the number-one grower of coca and concerns about increased guerrilla capabilities began to increase in Washington. Aid jumped to over \$300 million in 1999, as congressional Republicans pushed for more aerial fumigation and helicopter aid under that year's "Western Hemisphere Drug Elimination Act" (a name that, in hindsight, captures the

false hopes of this venture). 2000 saw the birth of “Plan Colombia,” a six-year package of mostly military and police aid, with a large “supplemental appropriation” that brought total military and police aid to well over \$700 million. The astronomical growth in military and police aid to Colombia stopped after 2000, but in the five years between 2003 and 2007 it has settled in a range between \$550 and \$650 million per year. (Economic aid, by contrast, has totaled only about \$130-140 million per year.)

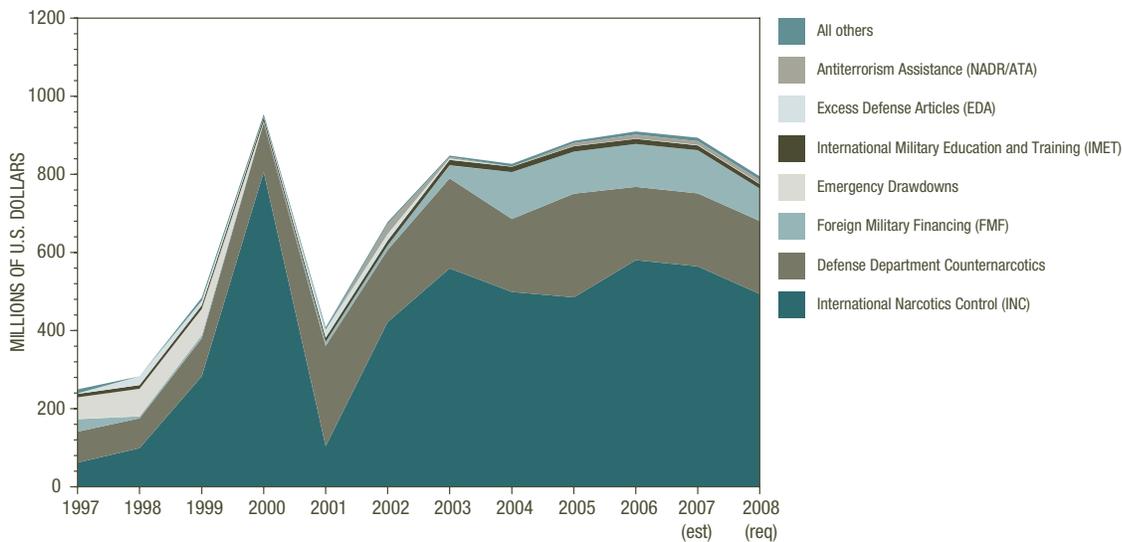
The mission of U.S. aid steadily expanded along with the amounts. During the late 1990s, the growing outlay of U.S. aid to Colombia’s security forces remained restricted largely to Colombia’s National Police, and limited chiefly to counter-narcotics missions – particularly aerial herbicide fumigation and interdiction efforts. Aid to the armed forces was only a sliver of the total package, and policymakers sought to avoid involvement in Colombia’s bloody, complicated internal conflict. With Plan Colombia, significant funding began to flow to Colombia’s armed forces, despite strong human rights concerns. This aid, however, remained limited to counter-drug missions.

The counter-drug limitation fell away after the September 11 attacks. By August 2002, Congress had approved a Bush administration request to allow aid to Colombia to fund a “unified campaign” against drugs and against the FARC and ELN guerrillas, as well as (ostensibly) the pro-government AUC paramilitaries. Since that moment, helicopters, aircraft, boats, weapons and equipment provided for the “Drug War” have often been employed in Colombia’s real war.

Among the chief non-drug military-aid programs have been a \$100 million-plus effort to help Colombia’s army defend an oil pipeline near the Venezuelan border; funds to improve police facilities and stand up new units to improve police presence; assistance in the creation of Special Forces and other elite mobile units; and “Plan Patriota,” a large-scale military offensive in the heart of FARC territory in southern Colombia, with extensive U.S. logistical and intelligence support. “Plan Patriota” began in early 2004 and is drawing to a close in late 2006.

U.S. and Colombian officials announced in January 2007 a six-year plan, or “Strategy

### Military Aid to Latin America, 1997-2008



for Strengthening Democracy and Social Development.” While Colombian officials asserted publicly that the U.S. contribution to this plan would be \$3.6 billion, the funding will continue to be provided through the annual appropriations bills. Despite some indications that the administration was considering a greater social component in this second phase, the FY08 budget submitted to the Congress is virtually identical to previous years: 76 percent military and police aid in the foreign operations request, with significant additional military aid in the defense-budget request. The newly-Democratic Congress can be expected to play a stronger role in reshaping the annual appropriation in favor of non-military aid. Nonetheless, we can expect Colombia to remain the largest U.S. military-aid recipient in the hemisphere – and the largest in the world outside the Middle East – for the foreseeable future.

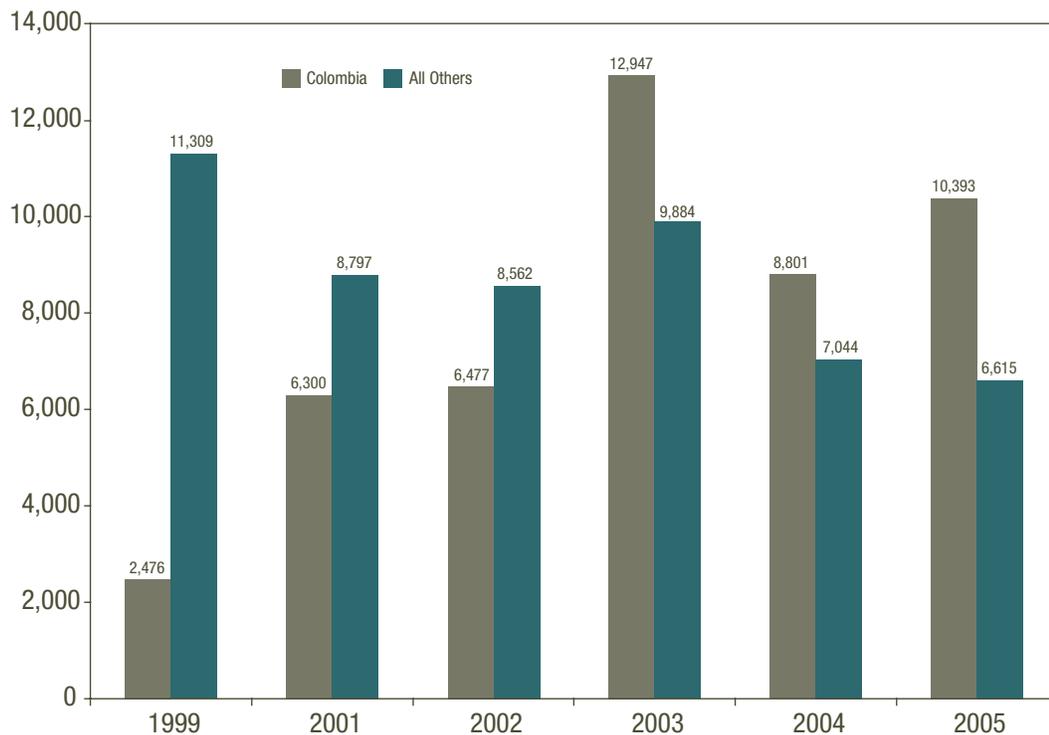
## 9. Military basing: Trying to blend in

The physical presence of U.S. military personnel throughout the hemisphere has changed substantially during the past ten years. Back in 1997, large military bases were the rule, most of them in the former Panama Canal Zone. The Southern Command left its headquarters in Panama that year, relocating to Miami. A series of base closures followed, as the U.S. military pulled out of Panama in compliance with a 1977 treaty.

In 1999, ninety-six years of U.S. military bases in Panama came to an end – but not until both sides abandoned a last-ditch effort to establish a “Multinational Counterdrug Center” on the facilities of Howard Air Force Base.

The Southern Command’s various components relocated to U.S. soil, some of them by way of Puerto Rico. The command’s headquarters

### Trainees from Colombia and Elsewhere in the Hemisphere



remains in Miami. U.S. Army South moved to Fort Buchanan, Puerto Rico, and then to Fort Sam Houston, Texas. U.S. Naval Forces South moved first to the Roosevelt Roads facility in Puerto Rico; this facility closed down after resident protests forced an end to live-fire bombing practice on the nearby island of Vieques. Southern Command's naval component is now headquartered at the Mayport Naval Station in Florida. U.S. Marine Corps Forces South moved to Southern Command headquarters in Miami. Special Operations Command South went to Roosevelt Roads and then to the Homestead Air Reserve base in Florida. Southern Command Air Forces (the 12<sup>th</sup> Air Force) now operates from Davis-Monthan Air Force Base in Arizona. Key West, Florida, hosts a counter-drug intelligence-gathering operation, Joint Interagency Task Force South.

Two other bases that existed in 1997 continue to host a significant U.S. presence. Joint Task Force Bravo, a several hundred-strong force of rotational U.S. military units, has been stationed at the Enrique Soto Cano Air Base in Honduras since 1983. The unit's mission has changed little over the past decade: it continues to coordinate exercises, "humanitarian and civic assistance" construction and medical projects, disaster relief missions, and support for counter-drug operations in the region.

The other base, the Guantánamo Naval Station in Cuba, saw its mission change radically and controversially after the September 11 terrorist attacks. Ten years ago, Guantánamo was a sleepy former coaling station for U.S. naval vessels, where a small contingent of personnel maintained a presence on a patch of land that had been "leased" to the United States since 1903. Today, the base is a detention and interrogation facility for those whom the Bush administration has deemed "enemy combatants" in the "global war on terror." Several hundred suspected terrorists have been detained on the site, some of them for nearly five years. Guantánamo has become a focus of worldwide controversy, fed by allegations of abusive treatment and questions about the detainees' legal status. The Bush administration insists that the Geneva Conventions do not

apply to the detainees, and has acknowledged the possibility that some could spend their lives in custody without trial.

In February 2006, UN Secretary-General Kofi Annan recommended that the prison camp be shuttered "as soon as is possible." In Latin America, the Guantánamo detainee controversy has badly sapped the credibility of U.S. human-rights promotion efforts, as critics – both right and left – scoff at annual State Department human-rights reports and other diplomatic critiques of abusive behavior in the region.

**Cooperative Security Locations.** Beyond these two facilities, the U.S. military's post-Panama approach to basing in the hemisphere has become more flexible. In 1999 and 2000, the U.S. government sought to replace the counter-narcotics flight capacity that it lost when Howard Air Force Base ceased operations in Panama. It came up with the figure of "Forward Operating Locations," later renamed "Cooperative Security Locations" or CSLs.

Ten-year agreements allowed the establishment of three facilities where small numbers of military, Drug Enforcement Agency, Coast Guard and Customs personnel carry out counter-drug missions. The three CSLs are at Manta, Ecuador (the Eloy Alfaro International Airport); Aruba (Reina Beatrix International Airport) and nearby Curaçao (Hato International Airport) in the Netherlands Antilles; and at the Comalapa International Airport in El Salvador.<sup>11</sup> The 10-year agreements governing these facilities limit their use to counter-drug missions, mainly those of aircraft seeking to detect and monitor illegal drug-smuggling in the huge "transit zone" between the Andes and the United States' southern border.

The agreements governing all three sites will be up for renewal within the next four years. The CSL whose future is most in jeopardy is Manta, Ecuador, which expires in 2009. In November 2006 Ecuadorians elected presidential candidate Rafael Correa, a critic of U.S. counter-drug policy who had promised during the campaign that he would close

## When in Doubt, Rename

The U.S. military's lexicon has changed considerably over the last ten years, often reflecting a desire to improve perceptions rather than make substantive changes. Here are a few examples.

**Counter-drug to Counter-terror and Narcotrafficker (or “Narco-Guerrilla”) to Narcoterrorist:** Same problem, same people – but with a new spin to fit new U.S. priorities.

**School of the Americas (SOA) to Western Hemisphere Institute for Security Cooperation (WHINSEC):** The SOA's baggage, after training too many Latin American human-rights abusers, could not be unloaded. WHINSEC offers many of the same classes at the same location, although with a strengthened oversight mechanism. The name change hasn't stopped the annual protests at the gates of Fort Benning, Georgia, where the school is located.

**Forward Operating Location (FOL) to Cooperative Security Location (CSL):** These are exactly the same thing – foreign air fields that the U.S. government uses for counter-drug observation flights. FOL sounded too much like something that might actually execute a forward operation. CSL sounds warmer and friendlier.

**Engagement to Security Cooperation:** A decade ago, “engagement” with Latin American militaries was the name of the game. Engagement was an end in itself. The concept and term became unpopular and overnight “security cooperation” was born.

**Advisors to Instructors:** U.S. personnel aiding the Salvadoran armed forces during the 1980s were called “advisors,” and they were often in the vicinity when combat took place. Something similar happens today in Colombia, but U.S. officials will usually correct you if you use that term to describe the several hundred U.S. military and contract personnel there today. They prefer “instructors,” and occasionally “support personnel” or “logistics personnel.”

**Civic Action to Humanitarian Civic Assistance:** The term describes U.S. military deployments to build civilian infrastructure (roads, schools, wells) or to provide veterinary or medical care in impoverished zones, a frequent practice throughout the region. The first term, which evokes these deployments' origin as a counter-insurgency strategy, was in the process of being scrapped in favor of the second during the late 1990s, when our monitoring project began.

Manta. The day after his election, he said, “We are respectful of international treaties, but in 2009, when the Manta agreement expires, we will not renew that accord... At that airstrip, which is one of the best in South America, will be built an intercontinental transfer airport, to capture the flights coming from Asia and Australia that can then make connections with Brazil and New York.”<sup>12</sup>

Despite this uncertainty, it appears that CSLs, and even less formal arrangements, are the future for the U.S. military presence in much

of the hemisphere. While the days of formal military bases appear to be over, “DOD's proposal envisions a diverse array of smaller cooperative locations for contingency access” throughout the region, according to a 2004 Congressional Research Service report.<sup>13</sup>

**Forward Operating Sites.** In addition to the three CSLs, the Southern Command has a series of even looser arrangements, in which “smaller numbers of U.S. personnel on anti-drug missions have access to several foreign air bases for refueling, repairs or

shorter missions.”<sup>14</sup> These bases where U.S. personnel have access to facilities – known as “forward operating sites” or, more colloquially, “lily pads” – are a model being adopted even more vigorously in Africa and central Asia than in Latin America. The facilities usually have very few U.S. personnel or contractors on site, and in some cases are little more than refueling stops.

As security analyst Michael Klare describes the new “forward operating site” model:

In discussing these new facilities, the Defense Department has gone out of its way to avoid using the term “military base.” A base, in the Pentagon’s lexicon, is a major facility with permanent barracks, armories, recreation facilities, housing for dependents and so on. Such installations typically have been in place for many years and are sanctioned by a formal security partnership with the host country involved. The new types of facilities, on the other hand, will contain no amenities, house no dependents and not be tied to a formal security arrangement. This distinction is necessary, the Pentagon explains, to avoid giving the impression that the United States is seeking a permanent, colonial-like presence in the countries it views as possible hosts for such installations.<sup>15</sup>

sites in Pucallpa, Iquitos, and Palmapampa, among others. Panama’s press has reported that Southern Command occasionally runs flights in and out of Tocumen Airport in Panama City.<sup>16</sup> This less formal basing model may continue to expand. A 2006 Rand Corporation study commissioned by the U.S. Air Force warns that “Potential future operations in South America may be greatly constrained unless additional infrastructure in the region is obtained,” and suggests the establishment of arrangements to use facilities in Roosevelt Roads, Puerto Rico; Tocumen, Panama; and Cotopaxi, Ecuador.<sup>17</sup>

## 10. Arms sales

There has been no discernible shift in the overall amount of weapons and equipment that Latin American and Caribbean countries purchase from the United States with their own money. Adding the two principal U.S. arms-sales programs together yields an amount of sales agreements that has fluctuated during the past ten years, but has stayed in the general vicinity of \$1 billion to \$1.2 billion per year.

The two programs in question are Foreign Military Sales, or government-to-government sales, and Direct Commercial Sales, in which the country buys weapons or equipment from a

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Despite this uncertainty, it appears that CSLs, and even less formal arrangements, are the future for the U.S. military presence in much of the hemisphere.

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Though this model is being pioneered more vigorously elsewhere in the world, the U.S. military does appear to have “lily-pad” arrangements at several sites in South America – particularly Colombia, where military personnel are supporting and advising Colombian military counterparts at several bases with airstrips (Tolemaida, Larandia, Tres Esquinas, and others), and Peru, where U.S. personnel on counter-drug missions have a semi-permanent presence at bases and radar

U.S. company, and the U.S. government issues a license for the sale.

Though the amount of weapons sold has not changed, the list of top *customers* for these weapons has. In the late 1990s, oil-rich Venezuela was often the hemisphere’s number-one customer for U.S. arms and military equipment. Today, thanks in large part to a U.S. government determination that Venezuela is insufficiently cooperating against terrorism,

Caracas is banned from most purchases and buys almost nothing from the United States.

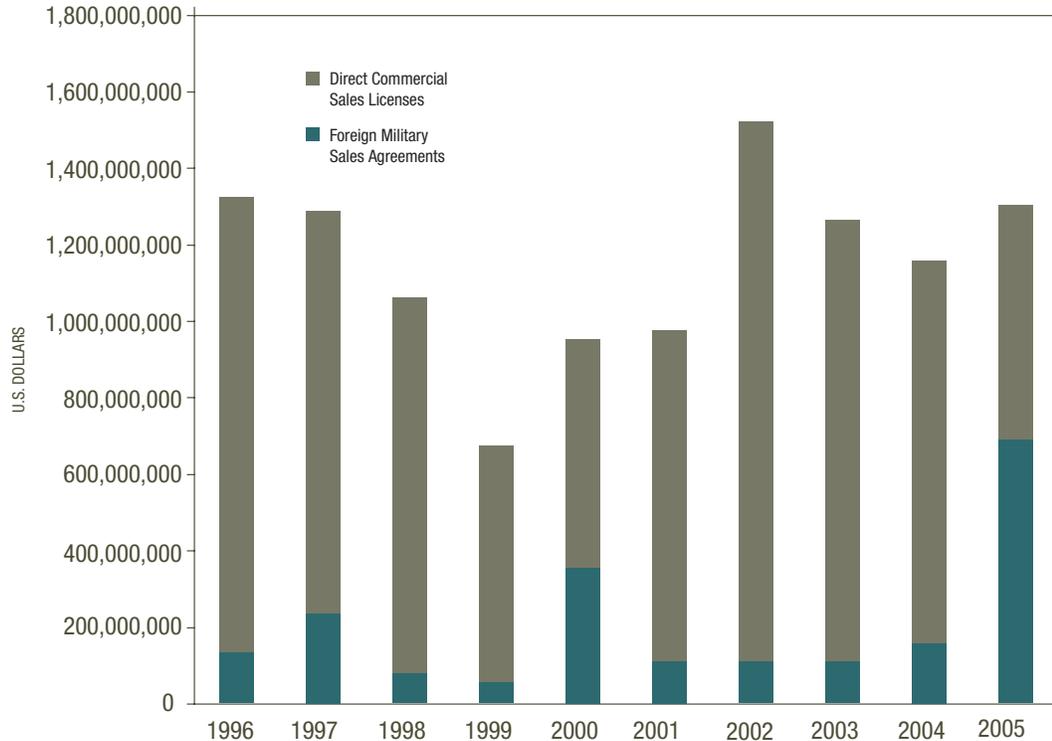
However, the government of President Hugo Chávez, flush with cash from the recent surge in oil prices, has greatly stepped up its purchases from elsewhere in the world; it has arms deals in the works with Russia, Brazil and Spain, among others (though the Spanish deal, which included boats and aircraft, has largely fallen through since several items used U.S.-produced parts). Because of the Venezuelan buying spree, for the first time since our monitoring project began, the United States may not be the number-one vendor of weapons to Latin America and the Caribbean.

Colombia, meanwhile, has climbed the ranks of U.S. customers, and is now often at or near

the top, largely due to high-dollar purchases of helicopters and other equipment to fight its armed conflict. (Weapons and equipment that Colombia purchases with its own money are not subject to human-rights, counter-narcotics or any other restrictions.) For its part Brazil, a perennial top customer of U.S. weaponry, has become a vendor in its own right. It has sold its Tucano and Super Tucano aircraft, which went on the market in the late 1990s, to Colombia and Venezuela.

Ten years ago, in 1997, the Clinton administration decided to do away with a twenty-year old prohibition on sales of high-technology weapons, such as expensive fighter aircraft, to the Western Hemisphere. Many analysts, including the authors, feared that an arms race – or at least a wasteful series of high-dollar purchases – would result. So far, that

### Arms Sales to the Western Hemisphere, 1996-2005



Note: This chart refers to *agreements* to conclude a Foreign Military Sale and *licenses* for Direct Commercial Sales. Some agreements fall through, however, so the actual amount of arms ultimately *delivered* may be somewhat less. Data-keeping on actual arms deliveries remains very incomplete.

has not happened; one reason is the economic downturn that hit many of the region's larger economies in the late 1990s and early 2000s. Only Chile, in a 2002 deal to buy F-16 fighter planes for about \$600 million, has taken advantage of the ban's lifting. Chile's armed forces continue to benefit from a provision in the Pinochet-authored constitution that grants a percentage of revenue from copper sales (which are currently booming) to a military procurement fund.

Ironically, the only country that ever received an exception to the 20-year ban on high-tech

of assistance programs, scattered among different pieces of funding legislation." This made it difficult for analysts and policymakers to see the "big picture" – the extent, nature and impact of U.S. military programs in the hemisphere. As we conducted the research for that first report, we found that even "congressional staff responsible for oversight of these programs... suffered from striking gaps in their knowledge."

One of the recommendations coming out of that first report was that "all foreign military training programs should be documented in a single,

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Though the amount of weapons sold has not changed, the list of top *customers* for these weapons has.

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sales was Venezuela, in 1983. As a result, the Chávez government has a small fleet of U.S. fighter planes for which it now cannot buy spare parts.

Today, with many countries experiencing economic growth, we may be seeing an increase in regional arms purchases. While the United States will not always be the seller, late 2006 did see a series of U.S. sales to the region that were large enough to trigger the legal requirement that Congress be notified of them. (Normally, very few sales to the hemisphere are large enough to meet the notification standard.) These included rocket launchers for Chile's F-16s, Black Hawk helicopters for Colombia, and S-70B helicopters and engines for Brazil.

## 11. Transparency and oversight

We launched this project in 1997 because we believed that effective public and congressional oversight of U.S. military programs in the region was impossible without greater transparency. As we noted in our 1997 edition, "security assistance is transferred via a confusing variety

of assistance programs, scattered among different pieces of funding legislation." In 1998, the Congress decided to require such a report. The Congress was motivated by learning through a *Washington Post* report that the Defense Department was training the Indonesian military, circumventing a congressional ban on State-funded IMET training that had been put in place over human rights concerns.

The "Foreign Military Training and DoD Engagement Activities of Interest" report (FMTR) has been produced each year since 1999. The 2000-2001 Foreign Relations Authorization Act permanently added the FMTR to U.S. foreign aid law, making it Section 656 of the Foreign Assistance Act. In response to the administration's concern regarding the arduous nature of reporting, the FMTR has been limited to non-NATO countries, and it contains a substantial classified annex (two of the three volumes in 2006, for example) available only to relevant congressional members and staff. The unclassified sections are required to be posted on the Internet; while the report is supposed to be published each year by January 31<sup>st</sup>, it is generally released much later in the year (in 2006, not until October).

This report is the single most valuable source of information on U.S. military programs in the region and is the main source for the training trends spelled out here. While the FMTR represents a significant advance in transparency, there are still numerous “black holes” of information about military training, such as joint military exercises, Special Forces training deployments under the Joint Combined Exchange Training (JCET) program, specificity about trainees’ military units, and participation in conferences, seminars and engagement programs, to name a few.

Finally, one of the rather surprising and positive outcomes of this monitoring project has been a growing dialogue with the U.S. Southern Command. Even if we may often leave a meeting with perspectives as divergent as they were when we came in, we believe that this dialogue is mutually beneficial. We would like to recognize the Southern Command’s willingness to debate and engage on these issues.

## Conclusion

We have now been monitoring U.S. military assistance to Latin America for ten years. During this decade, we watched U.S. military aid and training programs grow, even as Latin America became a lower overall priority for U.S. policymakers.

Where is this phenomenon headed now? For the past few years, as we note, the rush to closer military-to-military engagement has slowed somewhat. With the United States still embroiled in difficult wars in Iraq and Afghanistan, this is likely to continue for the short term.

In the medium term, however, Latin America and the Caribbean may come back into U.S. view. If the War on Terror fails to spur a push to increase military assistance – and it still might – those who advocate military responses to regional challenges will likely find another rationale. There is no shortage of candidates. Editorial pages throughout the United States warn of an “anti-American leftist wave” of leaders being elected throughout the region. Other elected presidents in the region seek to enlist militaries

to fight crime – whether common or organized crime – and want the United States to help. Military and think-tank strategists warn of the dangers posed by the hemisphere’s vast “ungoverned spaces.” Drug War proponents will continue their push for punitive source-zone eradication strategies. In response to these challenges, much of the U.S. defense and foreign-policy establishment is too eager to endorse policies that increase the internal roles of Latin America’s militaries. We may find ourselves monitoring new aid initiatives focused on internal security, the founding of new “forward operating sites,” the development of closer security partnerships with hard-line governments, new “get-tough” counter-drug policies, and new, unaccountable programs within the defense budget.

These troubling outcomes can be avoided. Doing so, though, will require far greater understanding of the alternatives. An expression we heard repeatedly over the years was, “When the best tool you have is a hammer, every problem starts to look like a nail.” The hammer in this metaphor, of course, has been the military – both in Latin America and, all too often, at home.

Instead of once again picking up the military hammer, the United States needs to adopt civilian, governance-based responses to complex problems in the hemisphere. U.S. policy must accept that the principal challenge facing Latin American nations is not security defined in military terms, but poverty, inequality and weak civilian government institutions. These ills can only be addressed by civilian governments tackling thorny issues like rural development policy, land ownership, expanding social safety nets and forging more equitable trade and investment strategies.

Threats from “ungoverned spaces” can be addressed not by soldiers but by introducing the *entire* government, which can provide infrastructure, the rule of law, employment generation, and satisfaction of the most basic needs. The region’s serious crime problem requires effective, rights-respecting police forces and well-functioning judicial institutions. Impunity – whether for human-rights abuse or

corruption – should be seen as a real threat to regional peace and prosperity. The challenge of drug abuse, studies repeatedly indicate, is best addressed by expanding access to treatment for the population of addicts that makes up the vast majority of illegal drug consumption, while strengthening civilian institutions and creating opportunities in the neglected rural zones where illicit crops are produced. Rifts with so-called “leftist” leaders, which almost never rise above the level of rhetoric, are best smoothed by diplomacy, mutual respect and fostering of contact between societies.

Finally, the United States must recognize that no human rights tool is as important as its own respect for international human rights standards. No human rights condition, training or conference can outweigh the loss of the United States being able to hold itself up as a good example.

We hope that our monitoring work over the past ten years has provided access to information that has contributed to a more sophisticated debate about the U.S. military, its relationship with Latin America, and new, less militarized ways for the United States to

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While governments are tempted to bring in the military for a quick fix, in fact Latin American militaries will have little role in confronting the region’s fundamental challenges. Resisting this temptation would be a healthy and positive development.

engage with Latin America and the Caribbean. We hope that this conversation matures and helps to serve as a template for U.S. assistance to, and relations with, counterparts throughout the developing world.

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## Endnotes

<sup>1</sup> Statement by General James T. Hill, Commander, United States Southern Command, Before the House Armed Service Committee (Washington: United States House of Representatives, March 12, 2003) <<http://www.house.gov/hasc/openingstatementsandpressreleases/108thcongress/03-03-12hill.html>>.

<sup>2</sup> U.S. Department of Defense and U.S. Department of State, *Joint Report to Congress, Foreign Military Training In Fiscal Years 2004 and 2005* (April 2005).

<sup>3</sup> Office of National Drug Control Policy (ONDCP), *National Drug Control Strategy, Budget Summary* (various years). From FY1997 through FY2006, U.S. spending on interdiction and international drug control programs totaled \$31.247 billion, an 85.8 percent increase over the \$16.819 billion spending total from the previous ten-year period, FY1987-FY1996.

<sup>4</sup> John P. Walters, Director, Office of National Drug Control Policy, “Report on Progress in Colombia: Briefing to Foreign Press Center,” November 17, 2005. Walters reported a 19 percent increase in the retail (street-level) price of cocaine between February and September 2005. See also letter from John P. Walters, Director, ONDCP, to Senator Charles Grassley, January 8, 2007. Walters acknowledges in his

letter to Senator Grassley that cocaine “prices began to drop after October 2005... then rose again in the second quarter of 2006, only to fall once again by the end of the third quarter.” What Walters fails to note – but which the figure accompanying his letter makes clear – is that by the time that Walters was crediting Plan Colombia with having achieved a noteworthy increase in the retail price of cocaine (November 2005), the price was already declining again. Even more importantly, by July 2006, cocaine’s price was about 20 percent lower than in July 2003, a finding quite at odds with the White House’s predictions that the aggressive U.S.-backed aerial herbicide spraying program in Colombia would have driven cocaine prices higher.

<sup>5</sup> U.S. Department of Defense and U.S. Department of State, *Joint Report to Congress, Foreign Military Training In Fiscal Years 2005 and 2006*, Volume I\* (September 2006).

<sup>6</sup> Joy Olson, “Case Study on Implementation of the Leahy Law: The Mexico Experience,” Latin America Working Group and the Mexico subgroup, June 2002. The study concluded that the U.S. Embassy in Mexico was not sufficiently proactive in seeking information from nongovernmental and other sources to include in the vetting database.

## U.S. Aid to Latin America, 1996–2008

	1996		1997		1998		1999		2000		2001		2002		2003		2004		2005		2006		2007, est.		2008, req.	
	Mil/ Police	Econ/ Soc	Mil/ Police	Econ/ Soc	Mil/ Police	Econ/ Soc	Mil/ Police	Econ/ Soc	Mil/ Police	Econ/ Soc	Mil/ Police	Econ/ Soc														
<b>Argentina</b>	9.50	0.00	1.62	0.00	6.06	0.00	7.87	0.00	1.56	0.00	2.28	0.00	3.29	0.00	3.62	0.00	2.05	0.00	1.80	0.00	2.16	0.00	2.18	0.00	2.57	0.00
<b>Bahamas</b>	0.53	0.15	1.10	0.19	0.90	0.06	1.28	0.30	2.44	0.20	2.93	0.06	2.91	0.06	2.82	0.05	2.76	0.50	3.58	0.05	3.61	0.00	3.61	0.00	3.06	0.00
<b>Belize</b>	0.33	1.02	0.39	0.98	0.70	1.02	0.54	1.23	0.40	1.28	0.82	1.40	0.82	1.46	0.86	1.58	0.88	1.61	1.56	1.79	0.98	1.84	0.68	1.84	0.66	2.32
<b>Bolivia</b>	13.84	64.93	22.60	76.89	38.86	65.85	37.23	75.82	61.64	159.77	33.73	74.93	49.24	108.28	51.77	111.49	53.60	104.19	48.22	94.11	60.41	94.11	60.25	94.11	36.09	86.31
<b>Brazil</b>	0.20	4.68	3.46	12.66	5.82	10.90	2.36	13.65	5.38	12.87	20.82	15.40	7.01	14.42	6.96	18.77	10.75	18.54	8.85	12.69	8.85	6.50	8.90	6.50	3.56	2.00
<b>Chile</b>	0.62	1.65	0.51	1.13	17.48	0.69	1.61	0.00	1.16	0.00	2.46	0.00	1.69	0.00	2.39	0.00	1.55	0.00	1.64	0.00	2.19	0.00	2.19	0.00	1.73	0.00
<b>Colombia</b>	54.15	0.62	86.56	0.00	114.24	0.52	306.98	8.75	743.69	231.36	238.97	1.35	400.73	115.50	623.98	136.70	555.57	134.48	642.85	134.71	601.53	140.15	585.23	135.22	572.70	142.47
<b>Costa Rica</b>	0.20	1.94	0.33	1.08	0.45	0.66	1.06	0.41	2.96	0.50	1.65	0.49	1.30	0.90	1.15	1.22	0.91	1.40	0.94	1.75	0.83	1.73	0.83	1.73	1.02	1.88
<b>Dominican Republic</b>	0.52	14.60	1.39	14.11	1.76	13.54	2.31	29.10	1.69	13.70	1.99	20.05	2.39	19.10	1.59	22.50	4.14	31.00	3.55	26.36	4.44	24.68	3.25	24.68	2.36	32.02
<b>Eastern Caribbean</b>	9.72	3.60	3.07	2.24	3.55	4.09	2.55	0.00	3.15	9.29	3.72	9.12	4.26	12.82	2.27	2.79	4.79	3.04	2.69	3.25	2.83	3.13	2.83	3.13	1.96	3.17
<b>Ecuador</b>	0.76	12.14	2.76	14.84	5.27	12.48	12.76	17.25	24.97	24.19	19.14	16.37	34.10	36.81	32.47	40.79	35.66	36.05	27.89	36.86	25.25	24.34	25.09	24.34	24.27	15.87
<b>El Salvador</b>	0.54	27.22	0.62	32.04	0.78	38.13	0.82	36.48	4.34	36.96	3.15	55.04	10.05	88.96	5.57	40.41	8.49	37.09	5.71	37.46	14.21	35.67	14.25	78.49	9.53	154.95
<b>Guatemala</b>	1.53	29.61	2.16	53.89	2.85	64.36	3.23	80.20	3.44	63.25	3.35	57.76	3.66	64.53	2.90	54.98	3.40	47.78	3.98	49.71	4.45	57.91	4.45	51.68	7.31	53.12
<b>Guyana</b>	0.29	2.99	0.18	3.46	0.28	4.02	0.47	3.71	0.37	4.20	0.59	5.37	0.69	5.18	0.75	7.70	0.51	11.14	0.49	19.86	1.35	23.53	1.35	23.53	0.30	27.22
<b>Haiti</b>	3.25	123.50	0.50	95.95	0.94	104.03	0.55	88.38	1.14	78.99	2.98	73.33	3.30	55.52	3.37	71.44	3.67	131.58	3.37	182.27	21.64	189.54	21.64	187.04	12.14	215.70
<b>Honduras</b>	0.50	27.37	0.72	28.14	2.92	25.77	1.01	85.92	1.33	33.45	1.78	35.82	1.76	40.12	1.84	52.41	4.61	47.09	3.75	78.53	3.32	112.92	3.32	129.91	2.53	86.34
<b>Jamaica</b>	1.35	13.44	1.49	13.23	2.60	13.29	2.55	12.42	2.06	14.86	1.70	15.56	2.90	16.67	2.85	19.83	3.18	21.42	3.53	19.59	3.26	15.03	3.26	14.98	2.92	11.39
<b>Mexico</b>	5.33	2.74	75.24	20.07	24.23	12.63	20.17	10.47	15.68	17.31	30.51	22.68	52.45	25.70	24.43	33.20	49.48	39.65	51.81	39.59	59.20	28.04	59.00	28.04	47.39	18.38
<b>Nicaragua</b>	0.00	22.08	0.06	27.30	0.07	31.92	0.64	54.40	0.45	31.49	0.55	35.03	1.09	45.65	1.84	52.16	2.70	42.49	2.04	71.02	1.71	91.06	1.71	101.34	2.54	77.41
<b>Panama</b>	0.00	4.98	2.38	4.09	2.59	4.70	3.63	6.37	5.71	6.30	2.01	6.92	11.01	11.71	5.68	11.32	7.58	11.00	6.85	13.04	7.54	4.03	7.57	4.03	3.46	2.81
<b>Paraguay</b>	0.19	4.15	1.23	8.11	0.74	9.25	1.15	7.88	0.57	9.10	1.15	12.97	1.00	12.85	1.40	11.93	0.79	12.47	1.35	10.93	0.84	50.00	0.81	12.93	1.18	8.99
<b>Peru</b>	27.75	80.98	33.97	93.56	38.30	106.33	66.01	115.77	58.43	107.08	26.06	108.63	73.41	165.52	60.89	147.99	64.52	120.74	66.25	85.73	66.25	85.73	66.24	85.73	44.76	64.31
<b>Suriname</b>	0.15	0.73	0.15	0.80	0.08	0.75	0.12	0.86	0.69	0.89	0.15	0.74	0.36	0.84	0.44	1.00	0.29	1.21	0.26	1.25	1.31	1.49	1.21	1.49	0.17	1.83
<b>Trinidad and Tobago</b>	0.36	0.00	0.57	0.00	2.63	0.00	0.74	0.00	3.40	0.00	1.36	0.00	0.82	0.00	0.87	0.00	0.49	0.00	0.58	0.00	0.61	0.00	1.27	0.00	1.86	0.00
<b>Uruguay</b>	1.38	1.20	0.35	0.68	1.20	0.00	1.91	0.00	0.41	0.00	0.81	0.00	1.90	0.00	1.72	0.00	0.55	0.00	0.54	0.00	0.57	0.00	0.57	0.00	0.76	0.00
<b>Venezuela</b>	13.01	0.10	5.76	0.05	7.18	0.41	4.43	0.08	6.68	0.58	3.26	0.20	5.20	2.38	3.67	0.98	4.05	3.80	3.66	3.16	4.45	3.68	4.45	3.68	2.27	3.00
<b>Regional Programs</b>	17.46	104.31	19.37	85.90	20.73	114.61	37.41	135.07	28.21	122.57	21.99	132.56	28.68	137.02	14.56	189.55	14.48	178.71	9.29	146.15	13.21	216.65	13.21	214.37	7.17	194.16
<b>Total</b>	<b>163.44</b>	<b>550.71</b>	<b>268.53</b>	<b>591.40</b>	<b>303.20</b>	<b>640.01</b>	<b>521.40</b>	<b>784.51</b>	<b>981.91</b>	<b>980.16</b>	<b>429.99</b>	<b>701.77</b>	<b>706.02</b>	<b>982.01</b>	<b>862.66</b>	<b>1,030.78</b>	<b>841.45</b>	<b>1,036.97</b>	<b>907.00</b>	<b>1,069.85</b>	<b>916.99</b>	<b>1,211.76</b>	<b>899.34</b>	<b>1,228.78</b>	<b>796.27</b>	<b>1,205.62</b>

All numbers in millions of U.S. dollars.

## Endnotes (continued from page 25)

- <sup>7</sup> A Colombian nongovernmental coalition, the Coordinación Colombia-Europa-Estados Unidos, published a report documenting 98 cases of extrajudicial executions of civilians by members of the security forces; in many of these cases, people dressed in civilian clothing were witnessed being detained by the army and later were found killed, dressed in guerrilla uniforms, and counted as enemy dead killed in combat. Observatorio de derechos humanos y derecho humanitario, Coordinación Colombia-Europa-Estados Unidos, "Falsos positivos: Ejecuciones extrajudiciales directamente atribuibles a la Fuerza Pública en Colombia, julio de 2002 a junio de 2006," Bogotá, Colombia, 10 de diciembre 2006. The Colombian Commission of Jurists claims that the average yearly number of violations of the right to life attributable to the security forces increased by 73 percent in the four-year period from July 2002 through June 2006, compared to the previous six-year period. Comisión Colombiana de Juristas, *Colombia 2002-2006: Situación de derechos humanos y derecho humanitario*, Bogotá, Colombia, enero de 2007. In 2005 more grave violations than in previous years were committed directly by Colombia's security forces, according to the UN High Commissioner for Human Rights' office in Colombia, which reported "an upward trend" in allegations of extrajudicial executions of civilians and alteration of crime scenes by members of the army. ("United Nations' Report of the High Commissioner for Human Rights on the situation of human rights in Colombia, January 20, 2006) "There were continuing reports of extrajudicial executions by the security forces, with some estimates suggesting at least 100 fatalities." (Amnesty International Report 2006). 21 soldiers were brutally tortured by army officials during basic training (*Semana* magazine, 2/29/2006) In May, army soldiers allegedly shot and killed ten antinarcotics police under mysterious circumstances (*El Tiempo*, June 3, 2006)
- <sup>8</sup> School of the Americas Watch website, [www.soawatch.org](http://www.soawatch.org).
- <sup>9</sup> United States Southern Command, "Human Rights: Commitment and Progress/U.S. Southern Command's Human Rights Program," (November 2004), pp. 6-7.
- <sup>10</sup> Dr. George Vickers, "Addressing Common Human Rights Concerns," draft (July 28, 2001), pp. 7-8.
- <sup>11</sup> The U.S. agencies' personnel, plus private contractors, total about 450 at Manta and 250 at Curaçao, and a smaller number at the other sites. Most are aircraft maintenance, logistical, communications and intelligence specialists.
- <sup>12</sup> "El Comando Sur tiende puentes para no perder la Base de Manta," *El Comercio* (Quito, Ecuador: November 27, 2006) <[http://www.elcomercio.com/noticiaEC.asp?id\\_noticia=77881&id\\_seccion=4](http://www.elcomercio.com/noticiaEC.asp?id_noticia=77881&id_seccion=4)>.
- <sup>13</sup> Jon D. Klaus, *U.S. Military Overseas Basing: Background and Oversight Issues for Congress* (Washington: Congressional Research Service, November 17, 2004) <<http://www.fas.org/man/crs/RS21975.pdf>>.
- <sup>14</sup> United States, *Report of Commission on Overseas Military Facility Structure of the United States* (Washington: August 15, 2005) <<http://govinfo.library.unt.edu/osbc/documents/0BC%20Final%20Report%20August%2015%202005.pdf>>.
- <sup>15</sup> Michael T. Klare, "Outposts of Empire," *The Nation* (New York: April 25, 2005) <<http://www.thenation.com/doc/20050425/klare.html>>.
- <sup>16</sup> Betty Brannan Jaén and Rafael Pérez, "EU insiste en operaciones desde Panamá," *La Prensa* (Panama, April 18, 2001) <<http://mensual.prensa.com/mensual/contenido/2001/04/18/hoy/portada/101031.html>>.
- <sup>17</sup> Mahyar A. Amouzegar, Ronald G. McGarvey, Robert S. Tripp, Louis Luangkesorn, Thomas Lang, Charles Robert Roll, Jr., *Evaluation of Options for Overseas Combat Support Basing* (Santa Monica: The Rand Corporation, 2006) <<http://www.rand.org/pubs/monographs/MG421/>>.

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