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Criticism of Security Policies of President Uribe

by LADB Staff

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Colombian President Alvaro Uribe Velez has been beefing up the nation's security, but his new comprehensive plan and proposed legislation have some human rights advocates concerned.

On June 19, the Colombian Senate approved a constitutional amendment, for the explicit objective of fighting terrorism, which allows the armed forces to make arrests, conduct searches, and intercept communications and correspondence without a court order, and to detain suspects for 36 hours without judicial authorities present. The proposed legislation must go through several more debates, since it involves constitutional changes. The legislative debates on the measure will resume after July 20 when Congress reconvenes.

"Some of these are measures that, after the attacks on Sept. 11, were incorporated into laws of other countries, among them the US, Switzerland, Spain, Germany, and the United Kingdom," said Defense Minister Martha Lucia Ramirez. "With these powers, we will be able to do more to prevent terrorism, and what is most important is that citizens will have the guarantee that it will not mean arbitrariness or threats for them."

The UN, the Organization of American States (OAS), nongovernmental human rights organizations, and opposition politicians, however, all warned that the legislation could open the door to questionable arrests and increase human rights violations, including extrajudicial killings and disappearances.

Several opposition senators said they would vote against the bill because it contains sections that "violate the fundamental rights of innocent citizens." Opposition Sen. Carlos Gaviria said that one of the biggest dangers is that "it leaves in the hands of the military the definition of what is terrorism, which should only be done by a judge after investigating the facts."

Widespread concern for human rights abuses

During a visit to Colombia, Jose Miguel Vivanco, executive director of New York-based Human Rights Watch-Americas (HRW), said the measures "allow a wide margin for action that can lead to very serious abuses." He told journalists the measures could lead to troops torturing and possibly killing suspected rebels. Vivanco said the most worrisome part of the legislation was giving the military the right to detain suspects, under certain circumstances, for up to 36 hours. If that is approved, he said, "Colombia will regress 20 years." He added that enforcing the 3,000 existing legal detention orders would be much more effective than the proposed legislation.

Vivanco said that Uribe's security strategy is generally positive, but "no effort is seen to cut the links between the military and the paras." He also said that, for human rights groups, "the only limitation to negotiations with the paras is that no immunity be given for atrocities committed."

Defense Minister Martha Lucia Ramirez dismissed the warnings, saying that Colombia's guerrilla war called for special measures. "It would be an irreparable mistake if nothing were done when one had evidence or concrete information that an act of terrorism was about to be committed...and 10 people were then killed," Ramirez said. Other aspects of Uribe's policies raise questions Not just this piece of legislation, but Uribe's broader security strategy has been criticized.

On June 19, at a human rights conference sponsored by Amnesty International (AI) in Malaga, Spain, Jesus Aristizabal, Colombia's human rights defender, said that social justice had "suffered an important setback" since Uribe took office. Aristizabal said that Uribe "has developed a policy based on confrontation and betting on armed actions rather than adopting a posture of dialogue." "In Colombia, there is no freedom to investigate human rights violations, since the minimal interest in that only brings death threats as an answer," he said.

Maria Virginia Trimarco, UN High Commissioner for Refugees (UNHCR) representative in Venezuela, said the Uribe government's hard-line attitude toward Colombia's armed groups causes more violence on the border between Colombia and Venezuela. She said the policies could easily increase the exodus of displaced Colombians toward neighboring countries.

Former peace commissioner Camilo Gomez called the administration's policies contradictory and not very clear. Gomez, who headed the peace efforts during the administration of former President Andres Pastrana (1998-2002), said that Uribe publicly presents a war policy while at the same time sending messages calling for negotiations.

In an interview published June 20 in the daily El Tiempo, Gomez said that, since Uribe had widespread support and more room to maneuver than did Pastrana, he should consider bold initiatives such as granting conditional liberty to guerrillas who put down their arms as part of a peace process. Pastrana worked toward a negotiated settlement with the guerrillas, although he did not achieve his objective.

When Uribe Velez came into office, he took a very different approach, vowing to militarily defeat the insurgents. At the present time, there is little movement toward talks between the guerrillas and the government, but the Fuerzas Armadas Revolucionarias de Colombia (FARC) recently asked to meet with the representative of UN Secretary-General Kofi Annan.

A letter from the FARC asked for a meeting with UN representative James LeMoyne to explain "a much more objective reality of Colombia's internal conflict." The letter said, "We are interested in explaining to you and your organization our opinions and proposals for solutions to avoid unnecessary deaths of more compatriots."

"The secretary-general has been informed of a communication of the FARC and considers it to be positive," said a UN spokesperson. "He has always made clear that his good offices are available to the parties."

Colombia unveils security plan

On June 29, President Uribe unveiled the new "Policy for Defense and Democratic Security." The 68-page document, the first detailed security plan published by the Uribe government, called for strengthening the armed forces and stressed the duty of citizens to aid the authorities.

"We want to end this war, not to diminish its intensity," said Defense Minister Ramirez. "We are going to achieve this by hitting terrorist organizations on the military, economic, and judicial fronts." Ramirez and the president were in the village of Orito in the southern department of Putumayo, one of the most conflictive areas of the country. Ramirez said they had chosen Orito to present the security document because Putumayo was an example of where the state had recovered control of a territory.

The security strategy described in the document has the key objective of re-establishing effective democratic institutions throughout the country. It calls on citizens to support the armed forces by feeding information to informer networks and by paying their taxes. "Security is not principally law enforcement. It is the permanent and effective presence of democratic authority throughout the territory, the product of a collective effort by all members of society," said the document. "The key concept here is solidarity. Solidarity between citizens and solidarity with the security forces."

Central to the new plan is establishing police forces in all parts of the country. In many areas, armed groups have driven police out, and the president intends to reverse that process. The document also contains plans for integral border security, urban security, eliminating the drug industry, and disarticulating the financial operations of the terrorist and drug-trafficking organizations. The document said the government intends to destroy all drug crops in Colombia and end the scourge of kidnapping. The policy identifies the drug trade as a national security threat largely because it provides funds for guerrillas and paramilitaries and presses for greater international efforts against trafficking and money laundering. It calls for creating a unified intelligence body.

Colombia's armed forces have been criticized for poor and disorganized intelligence gathering. The government will coordinate state security actions through the Consejo de Seguridad y Defensa Nacional and the Junta de Inteligencia Conjunta.

"Our actions will be straightforward and with all the cards on the table," Uribe said. But while the document stresses respect for the rule of law, it minimizes controversial aspects of Uribe's policies.

The proposed constitutional changes to fight terrorism are referred to, but not the specific measures that are causing concern among human rights groups, such as authorizing the military to hold suspects for 36 hours without a warrant.

"There continues to be a serious gap between what is said is going to be done and then what actually is done," said Robin Kirk of HRW. She said the Colombian government was doing little to break links between the military and far-right paramilitary groups, and she was worried about attempts to give the security forces extra powers.

Analysts say Uribe's main problems in implementing his strategy will be a lack of money and lack of time, as his terms ends in 2006 and he is constitutionally barred from a second term. Supporters, however, have begun to talk about a constitutional amendment to allow re-election.

Uribe temporarily moves capital

As part of his public-relations effort to portray a stronger image of national security, Uribe transferred the capital of the country for three days to a military base near Arauca, 725 km northeast of Bogota on the border with Venezuela, one of the most violent areas of the country. The move was to demonstrate "the solidarity of the nation" with its people, Uribe said before leaving Bogota.

Massive security measures were carried out to protect the president on his three-day stay. Nevertheless, one rebel attack killed one person and wounded seven others, and another caused a partial power outage on the outskirts of Arauca. Meanwhile, the US government is spending US\$7 million to improve security around Uribe, his vice president, and his defense minister.

The program, run by the anti-terrorism division of the US State Department's Office of Diplomatic Security, has trained Colombian bodyguards and provided armored vehicles, said spokeswoman Darlene Kirk. Such assistance for foreign leaders is extremely rare. The only other official receiving US protection is Afghan leader Hamid Karzai.

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