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LADB Staff

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U.S. Congress Unlikely to Ratify Colombia Trade Agreement Quickly

by LADB Staff
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The US House of Representatives, led by House Speaker Nancy Pelosi (D-CA), has not ratified the free-trade agreement (FTA) negotiated between the US and Colombia, choosing instead to eliminate a rule that would require the Congress to deal with it within 90 legislative days after the president sent it to them.

President George W. Bush had been pushing for its quick approval despite indications that it would not pass in the House, and he alleged the deal would be "dead" if Congress did not consider it soon. The Colombia FTA also roiled the 2008 presidential campaign in the US when the top strategist for Democratic candidate Sen. Hillary Clinton (D-NY) was exposed as a lobbyist for the Colombian government on behalf of the FTA, even though Clinton claims to oppose the agreement.

Congress delays consideration of FTA

The postponement of the Colombia FTA debate came months after the US Congress ratified the US-Peru Trade Promotion Act (PTPA) and Bush signed it in December (see NotiSur, 2008-01-11). The Colombian and Peruvian FTAs were negotiated at approximately the same time, although US Democrats have expressed more concerns about the human rights conditions in Colombia, which is still undergoing a decades-long conflict with various rebel and paramilitary factions.

The Colombia pact would eliminate tariffs on flowers, corn, machinery, meat, and other products and also set rules for investment. The House voted on April 10 to stop a 90-day clock under which it was required to act, after Bush had formally requested that US lawmakers vote on the deal. The rule change means it is unlikely that the Congress will deal with the FTA this year and surely not before the November presidential election. Pelosi said Bush had violated "protocol" by sending the agreement to Congress the week of April 7 against her advice.

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The move suspended part of the "fast-track" negotiating powers that bar any amendments to trade deals negotiated by the president. The decision prevents any forward movement of the FTA since the Senate is prohibited from taking any action on the bill until it has passed the House of Representatives.

Democrats, including presidential candidates Sen. Barack Obama (D-IL) and Sen. Clinton, had said they opposed the bill out of concern for paramilitaries' targeting trade unions in Colombia and for potential job losses in the US.

Pelosi said it was possible Congress could pass the agreement in 2008 if the White House and Democrats could agree on new legislation to bolster the US economy. But for now, "Mr. President,
you simply don't have the votes," Pelosi said. "If we are to be successful in passing a trade agreement, we have to first tell the American people that we have a positive economic agenda that addresses their aspirations, addresses their concerns."

Senate Majority Leader Harry Reid (D-NV) said Bush was setting the deal up for failure by using the fast-track tactic. "By sending up the Colombia FTA legislation under circumstances that maximize the chances it will fail, he will be adding one more mistake to his legacy and one more mess for the next president to clean up," Reid said. "By thumbing his nose at the basic processes that underlie Congress' willingness to extend fast-track authority to a president, President Bush is dealing a serious blow to US trade policy for years to come."

Republicans were angered by the move to delay the vote on the agreement, which Bush had said would send a message of rebuke to "dictators and demagogues" in Latin America. There are no dictators in Latin America now, with every serving president in every major Latin American country having come to office by constitutional and democratic means. "The House Democratic leadership has now slapped around a major US ally," Susan Schwab, head of the Office of the US Trade Representative (USTR), said after the vote. "This is the Democratic leadership's version of foreign policy."

**Colombia still hopeful**

John Boehner (R-OH), the House of Representatives minority leader, described Pelosi's decision to delay action on the trade pact as "nothing short of political blackmail." He said, "This vote today is a vote to kill the Colombia free trade agreement. Nothing more, nothing less." However, Change to Win, a US trade-union movement representing 7 million workers, welcomed the move, after campaigning against the deal because of the murders of trade unionists in Colombia.

"Colombia needs years, not months, to ensure the eradication of union killings and impunity that have plagued that country for decades," the group said in a statement. On April 7, Bush had praised Colombia's rightist President Alvaro Uribe for his alleged efforts to address concerns raised by Democrats by taking steps to reduce violence against trade unions and demobilize right-wing paramilitary fighters.

Bush said the delay in its passage was "damaging" to US interests. "It is not in our country's interests that we stiff an ally like Colombia and that we do not encourage our goods and services to be sold overseas, said Bush to reporters after a Cabinet meeting. "That bill is dead unless the speaker schedules a definite vote."

By contrast, Colombia's Trade Minister Luis Guillermo Plata said the vote did not mean the trade pact was dead. "We are waiting, we are hopeful, we trust that the US government and its Congress are wise enough to find a solution," said Plata.

**Colombia critics point to murders of unionists**

When Bush sent the proposed deal to Congress, Uribe expressed his appreciation, thanking Bush and saying, "We long for a great accord so that the policy of the US toward Colombia continues to be, as it has historically been, a bipartisan policy....I want to send this message to the Congress, I ask
them to look at the present problems and look at the favorable evolution that is being experienced in Colombia."

Yet, Uribe critics claimed that reports of "favorable evolution" in Colombia were much exaggerated. Dan Kovalik, an attorney representing Colombian plaintiffs in human rights cases against Drummond Company, Coca-Cola, and Occidental Petroleum, said Bush was pushing the FTA after "the worst week of anti-union violence in years." "It is crucial to properly remember the union leaders martyred in Colombia at rates that continue to be breathtaking," said Kovalik. "Just this year alone, 12 unionists have been killed in Colombia.

Quite shockingly, four of these union leaders were assassinated in a four-day period between March 4 and March 7. These union leaders, along with two other social leaders murdered around this time, were killed with the open encouragement of the Uribe administration." Kovalik claimed that Uribe had encouraged violence against social activists prior to "the March 6 worldwide demonstration planned in solidarity with the victims of the Colombian state and paramilitaries linked with the state" (see NotiSur, 2008-03-07), when Uribe publicly stated that the protest "was actually being 'convened by the FARC.'"

Kovalik alleges that a killing spree by a re-formed right-wing paramilitary group followed shortly after Uribe's accusations. Bush has long argued the deal will boost opportunities for US businesses by removing export barriers as well as strengthen US relations with a notable regional ally. Colombia is a consistent recipient of US political support and, perhaps more importantly, billions of dollars in mostly military aid.

Bush also alleges that further expansion of FTAs throughout Latin America will act as a counter to anti-neoliberal leaders like Venezuela's President Hugo Chavez. "We would cripple our influence in the region" if Congress fails to approve the accord, Bush said in an address to the US Hispanic Chamber of Commerce in Washington on March 12. "If the US turns its back on its friends in Colombia, this will set back our cause far more than any Latin American dictator can hope to achieve," again bringing up the specter of dictatorship when democratic rule is at its strongest point in Latin America in decades.

Some analysts call Bush's view dead wrong, arguing that Bolivarian and left-leaning leaders like Chavez have emerged out of the failure of the neoliberal model that reigned in the 1980s and 1990s. Robert L. Borosage of the left-wing Institute for America's Future wrote, "The anti-American populism in Latin America is a backlash stemming from the calamitous failure of the 'Washington consensus' that the trade accord expresses. And the most likely effect of the trade accord, as NAFTA [North American Free Trade Agreement] demonstrated, will be for heavily subsidized US food exports to displace peasants from their lands, undermine wages in the cities, and reward financial elites. This will only strengthen the rebellion in Colombia, feed the drug economy, and bolster the backlash to failed US policies." ]

The proposed Colombia treaty is one of a number of FTAs including accords with South Korea and Panama that will be left in limbo if not approved before November's congressional and presidential elections.
Clinton campaign chief quits over FTA

The chief strategist for Clinton's campaign, public relations (PR) executive Mark Penn of the firm Burson-Marsteller, resigned after a scandal regarding a potential conflict of interest involving his firm. Penn's company had been employed by the Colombian government to help it pursue the FTA with the US a deal Sen. Clinton has opposed during this campaign.

In a statement, Clinton's campaign manager Maggie Williams said Penn had stepped down after it was disclosed that he had met Colombian officials seeking his help to push the Colombia FTA through Congress. "After the events of the last few days, Mark Penn has asked to give up his role as chief strategist of the Clinton campaign," Williams said. She said he would "continue to provide polling and advice to the campaign."

The Wall Street Journal reported on April 4 that Penn had met the Colombian ambassador to the US on March 31 in his capacity as chief executive officer (CEO) of Burson-Marsteller to promote US approval of the trade accord. Penn later issued a statement apologizing for attending the meeting, calling it an "error of judgment that will not be repeated."

Penn's words were not, however, well-received by the Colombian government, which said it considered the "declaration a lack of respect toward Colombians, which is unacceptable," and it reportedly fired the PR company. Penn had already been a lightning rod for criticism of the Clinton campaign from various sectors of the Democratic Party grassroots.

The Obama camp also went after the executive for his ties to major corporate lobbying efforts. Colombia had agreed in May 2007 to pay Burson-Marsteller US$300,000 to help "educate members of the US Congress and other audiences" about the trade deal and secure continued funding for Plan Colombia, the ostensible counternarcotics program that has cost US taxpayers more than US$5 billion since 2000.

The month before, Uribe's government put the Glover Park Group, a lobbying firm that includes former Clinton spokesman Joe Lockhart, on a US$40,000 a month retainer. Burson-Marsteller has become a notorious firm among public-relations watchdog groups like the Center for Media and Democracy (CMD) for its contracts with corporations from the nuclear, pharmaceutical, and tobacco industries and its dealings with mercenary firm Blackwater USA and the Iraqi National Congress, a US government-funded project seeking the overthrow of Saddam Hussein.

"They're one of the biggest and the baddest PR firms, I would say," said Diane Farsetta, a senior researcher at CMD in an interview with LADB. "They're well-known for creating front groups," including work throughout South America.

Farsetta says Penn's polling group within Burson-Marsteller worked for the Venezuelan opposition group Sumate and released "poll results [that were] used to challenge 2004 recall exit polls that said that there was a major defeat" for President Chavez, when in fact the sitting president won a major electoral victory (see NotiSur, 2004-08-20). Farsetta also says the company is currently working to
promote a major hydroelectric project called HydroAysen that would construct several dams in Chile's Patagonian region.

Local environmental groups say the project would harm large swathes of national parklands. The Clinton relationship with Colombia goes far back, with former President Bill Clinton (1993-2001) having instituted the mostly military aid package called Plan Colombia toward the end of his second term as president and accepting an award from Uribe in 2007.

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