



FEB 10

United States Department of State

Washington, D.C. 20520

www.state.gov

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Dear Mr. McGovern:

This is in response to your January 13 letter to Secretary Powell in which you conveyed your concerns about the Government of Colombia's negotiations with paramilitary groups and requested clarification of U.S. policy toward these negotiations. We share your concerns and have on numerous occasions discussed this issue with the Government of Colombia. We are confident that President Uribe is on the right track towards peace in Colombia, although we believe that the international community must remain engaged to ensure that peace is achieved in a manner consistent with justice and accountability.

President Uribe has offered to hold peace talks with all three of Colombia's illegal armed groups if they first agree to ceasefires and to stop drug trafficking and kidnapping. This policy, along with increased military pressure, contributed to a December 2002 unilateral ceasefire declaration by factions of the United Self Defense Forces of Colombia (AUC). On July 15, 2003, those AUC factions entered into formal peace negotiations with the Government of Colombia aimed at disbanding the AUC by the end of 2005. Two small-scale pilot demobilizations took place in late 2003. President Uribe has reiterated his willingness to talk with the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) on the same terms, but to date neither group has accepted his offer.

The Colombian government has approached us about possible U.S. support for programs designed to carry out the demobilization and reintegration of former fighters. While we share the broad goals of ending the threat posed by the AUC and promoting peace in Colombia, we have made no decision on such assistance. The AUC is on the U.S. list of Foreign Terrorist Organizations (FTOs). U.S.

The Honorable,
James P. McGovern,
House of Representatives.

support to a peace process with a designated FTO would have to be provided in a manner consistent with applicable U.S. law and policy.

We have made it clear to the Government of Colombia that our overall support for the peace process is conditioned upon a clear timetable for demobilization, legal accountability for those AUC members who have committed gross human rights violations, and a continuing commitment to illegal drug eradication and interdiction in AUC areas. In addition, the government should control any zones in which armed militants are concentrated for the purposes of demobilization and disarmament. We have stressed that we remain committed to seeking the extradition of Colombian FTO members who have been or may be indicted in the United States.

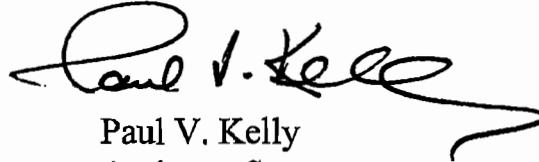
President Uribe is actively seeking the support of the international community to make this process a successful one. The Secretary General of the Organization of American States (OAS) Cesar Gaviria announced on January 23 that the OAS will set up an Observer Mission in Colombia to verify and monitor the AUC peace process. The OAS mission will provide technical assistance to the Colombian government and could enhance the transparency of the peace process. We see this development as a positive step, and believe that additional international support could help the Government of Colombia design and implement a better demobilization/reintegration program.

U.S. support for demobilization and reintegration programs requires careful consideration of these issues. U.S. officials will travel to Colombia in February to examine the Government of Colombia's planning for carrying out these programs. The team will examine what procedures the government has in place to ensure that demobilization programs will include only bona fide AUC members and will recommend that participants are thoroughly vetted to identify narcotraffickers or human rights abusers. They will also look carefully at plans to provide security for former AUC members as well as the territory they once controlled. When the officials return from Bogotá, we hope to have a better picture of the Colombian government's proposals in order to determine whether U.S. assistance for AUC demobilization is warranted and if so, how we may provide that assistance in a manner consistent with applicable U.S. laws, policy goals and fundamental values.

I am enclosing an attachment in which I respond point by point to the specific questions you raised in your letter. Thank you for your continued interest

in our policy towards Colombia. If you have additional questions or believe that we may be of further assistance, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul V. Kelly", with a long, sweeping flourish extending to the right.

Paul V. Kelly
Assistant Secretary
Legislative Affairs

Enclosure:

Response to Questions Posed by
Congressman McGovern's Letter

Responses to Questions Posed in Congressman McGovern's January 13 letter to Secretary Powell on the Colombian peace process with the AUC

- 1) The "conditional liberty bill" proposed by the Uribe Administration in August 2003 is still a work in progress. President Uribe is presenting his revised version to various sectors of Colombian society, including the Congress. President Uribe has actively solicited the advice of the international community to improve the bill. In our ongoing discussions with the Uribe Administration, we continue to emphasize that Colombia's road to peace must include the rapid disarmament and demobilization of illegal armed groups, justice for victims, and accountability for the perpetrators of gross human rights violations and narcotrafficking. We have also said that we will continue to seek extradition of AUC members indicted in the United States now or in the future.
- 2) The U.S. Government has not yet made a decision about financial support for AUC demobilization/reintegration programs. In its FY-2005 Budget Request, USAID asks for \$3.25 million of the Andean Counterdrug Initiative (ACI) account for "Peace Initiatives" in Colombia, which could be used in support of the AUC peace process. In FY-2003, USAID obligated approximately \$150,000 from the Andean Counterdrug Initiative (ACI) account on programs related to the peace process. These funds were used for a needs assessment study and to pay for consultants from two USAID contractors (International Organization for Migration and Creative Associates) to advise the Colombian government as they design demobilization/reintegration programs.
- 3) An Embassy official met with a civilian advisor to the AUC on May 3, 2003. At this meeting, the Embassy official reiterated that it is U.S. policy to request the extradition of any Colombians who have been indicted in the United States. He also indicated that the U.S. believes that gross violators of human rights should be subject to criminal prosecution in Colombia. Contacts between the Embassy and AUC representatives are conducted within strict legal and policy guidelines. Such meetings are part of the normal duties of a U.S. Embassy official. They are carefully considered and are designed to help us develop a full picture of political trends.
- 4) The U.S. Government has made it clear to Colombia that we will not withdraw extradition requests against paramilitary leaders who have been or may be

indicted in the United States. The U.S.-Colombian extradition relationship is one of the best in the world. In 2003, the GOC extradited 67 persons to the U.S., up from a total of 40 extraditions in 2002 and 26 extraditions in 2001. Under President Uribe's tenure, since August 2002, 90 people have been extradited. We anticipate that the excellent cooperation we have received from the Government of Colombia on extradition issues will continue in the future. We share your concern about narcotraffickers attempting to join the AUC in order to win leniency from the government. To guard against this, the Colombian government will need to implement effective vetting procedures to ensure that those entering demobilization programs are genuine AUC members.

- 5) We recognize that the Colombian state's ability to provide adequate security in former paramilitary zones will be a major challenge for the success of the peace process. The Government of Colombia has made significant strides in the past year to reassert effective state control in all areas of the country and to increase the safety and security of the Colombian people. The increased security presence has resulted in tremendous reductions in Colombia's murder rate, the number of kidnappings, and the number of terrorist incidents. Demobilization of combatants raises significant security concerns that must be addressed if the process is to be a success. The interagency team assessing possible U.S. support for the peace process will closely examine the issue of security when it visits Bogotá in February 2004.